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PROVINSIE VRYSTAAT

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GENERAL NOTICE 6 OF 1998

PUBLICATION OF THE FREE STATE NURSING EDUCATION BILL

It is notified for general information and comment that the above-mentioned Bill is hereby published in terms of Rule 124(a) of the Rules and Orders of the Free State Legislature.

Any comments or remarks must be submitted to the Secretary: Free State Legislature, Private Bag X20561, Bloemfontein, to reach her not later than 14 April 1998.

E ROCKMAN
SECRETARY: FREE STATE LEGISLATURE

ALGEMENE KENNISGEWING 6 VAN 1998

PUBLIKASIE VAN DIE VRYSTAATSE WETSONTWERP OP VERPLEEGONDERWYS

Dit word vir algemene kennisname en kommentaar bekendgemaak dat bostaande Wetsontwerp hierby gepubliseer word in terme van Reël 124(a) van die Reëls en Orders van die Vrystaatse Wetgewer.

Enige kommentaar of opmerkings moet gestuur word aan die Sekretaris: Vrystaatse Wetgewer, Privaatsak X20561, Bloemfontein, om haar nie later as 14 April 1998 te bereik nie.

E ROCKMAN
SEKRETARIS: VRYSTAATSE WETGEWER

BILL

To consolidate the laws providing for the regulation of Nursing education in the Free State and for matters incidental thereto.

BE IT ENACTED by the Provincial Legislature of the Free State Province, as follows:

Definitions

1. In this Act, unless the context otherwise indicates -

“campus” means a campus referred to in section 4;

“Council” means the Council of the school referred to in section 8;

“Dean” means a dean in charge of a campus;

“department” means the department of Health mentioned in the first column of the Schedule to the Provincial Service Commission Act, 1994;

“Head of Academic Department” means the head of an academic department of a campus as contemplated in section 12;

“MEC” means the Member of the Executive Council in the Province responsible for Health;

“Province” means the Free State Province;

“Rector” means the principal of the school;

“Registrar” means the administrative official responsible for the administration of the campus;

“School” means the Nursing School of the Free State established by section 3;

“University” means the University of the Orange Free State.

Purpose

2. The purpose of this Act is to establish a single school for nursing education in the Province with campuses in the Province.

WETSONTWERP

Om die wette wat voorsiening maak vir die regulering van verpleegonderwys in die Vrystaat en vir aangeleenthede wat daarmee in verband staan, te konsolideer.

DAAR WORD BEPAAL deur die Provinsiale Wetgewer van die Provinsie Vrystaat, soos volg:

Woordomskrywing

1. In hierdie Wet, tensy uit die samhang anders blyk, beteken -
 - "Dekaan" die dekaan in beheer van 'n kampus;
 - "departement" die departement van Gesondheid genoem in die eerste kolom van die Bylae tot die Wet op die Provinsiale Dienskommissie, 1994;
 - "Hoof van Akademiese Departement" die hoof van 'n akademiese departement van 'n kampus beoog in artikel 12;
 - "kampus" 'n kampus bedoel in artikel 4;
 - "LUR" die Lid van die Uitvoerende Raad in die Provinsie verantwoordelik vir Gesondheid;
 - "Provinsie" die Provinsie Vrystaat;
 - "Raad" die Raad van die skool bedoel in artikel 8;
 - "Registrateur" die administratiewe beampte verantwoordelik vir die administrasie van die kampus;
 - "Rektor" die hoof van die skool;
 - "Skool" die Verpleegskool van die Vrystaat ingestel by artikel 3;
 - "Universiteit" die Universiteit van die Oranje-Vrystaat.

Doel

2. Die doel van hierdie Wet is om 'n enkele skool vir verpleegonderwys in die Provinsie met kampusse in die Provinsie in te stel.

FREE STATE NURSING EDUCATION BILL

Establishment of the Nursing School of the Free State

3. (1) There is hereby established a school to be known as the Nursing School of the Free State. 5
- (2) The School shall consist of:
- (a) the Principal;
 - (b) the Registrar; 10
 - (c) Deans of Campuses;
 - (d) non-academic and academic staff; 15
 - (e) students.
- (3) The head office of the School shall be situated in Bloemfontein.

Campuses of the School 20

4. (1) The Colleges of nursing established by Acts repealed by this Act shall continue to exist as campuses of the School.
- (2) The MEC may by notice in the Provincial Gazette after consultation with the Member of the Executive Council responsible for Finance, establish a campus in the Province. 25
- (3) The MEC may by notice in the Provincial Gazette prescribe any matter that he or she may deem necessary or expedient in connection with the establishment, administration, education and training at campuses in general or in respect of any particular campus. 30

Association of the School with the University 35

5. The MEC may enter into agreements with the University or any other tertiary institution in order to comply with the requirements of the South African Nursing Council as contemplated in the Nursing Act, 1978 (Act No 50 of 1978).

The objects of the School 40

6. The objects of the School shall be -
- (a) to provide nursing education and training;

Instelling van die Verpleegskool van die Vrystaat

3. (1) Daar word hierby 'n skool wat bekend staan as die Verpleegskool van die Vrystaat ingestel.

(2) Die Skool bestaan uit:

(a) die Hoof;

(b) die Registrateur;

(c) Dekane van kampusse;

(d) nie-akademiese en akademiese personeel;

(e) studente.

(3) Die Skool se hoofkantoor is in Bloemfontein geleë.

Kampusse van die Skool

4. (1) Die Verpleegkolleges wat ingestel is deur Wette wat deur hierdie Wet herroep word, bly as kampusse van die Skool voortbestaan.

(2) Die LUR kan deur kennisgewing in die Provinsiale Koerant, na oorlegpleging met die Lid van die Uitvoerende Raad verantwoordelik vir Finansies, 'n kampus in die Provinsie instel.

(3) Die LUR kan deur kennisgewing in die Provinsiale Koerant enige aangeleentheid wat hy of sy nodig of wenslik ag met betrekking tot die instelling, administrasie, onderwys en opleiding by kampusse in die algemeen of ten opsigte van 'n besondere kampus, voorskryf.

Verbintenis van die Skool met die Universiteit

5. Die LUR kan ooreenkomste met die Universiteit of enige ander tersiêre instelling sluit ten einde aan die vereistes van die Suid-Afrikaanse Raad op Verpleging soos beoog in die Wet op Verpleging, 1878 (Wet No 50 van 1978), te voldoen.

Die oogmerke van die Skool

6. Die oogmerke van die Skool is -

(a) om verpleegonderwys en -opleiding te voorsien.

- (b) to assist in the promotion of nursing standards in the Province;
- (c) to control and exercise authority in respect of all matters affecting the education and training of nurses;
- (d) to promote and maintain the standard of such education and training pursued by the campuses.

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Maintenance of the School and campuses

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7. The MEC shall maintain and defray all the running costs of the School and campuses from moneys appropriated for that purposes by the Provincial Legislature.

Council of the Nursing School of the Free State

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8. A Council of the Nursing School of the Free State is hereby established.

Composition of the Council

9. (1) The Council shall consist of -

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- (a) two employees of the Provincial Administration appointed by the MEC;
- (b) two representatives nominated by the University or a tertiary institution referred to in section 5;
- (c) three deans nominated by the Senate;
- (d) three representatives elected by the Students' Representative Council;
- (e) three representatives elected by the non-academic staff;
- (f) three representatives elected by the academic staff;
- (g) six representatives from the community;
- (h) such additional person as may be prescribed.

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- (2) The members of the Council appointed in terms of subsection (1)(g) shall not be appointed unless the MEC has invited interested parties through the media and by notice in the Provincial Gazette to nominate candidates, within 21 days of the invitation in the media and publication of such notice, for consideration by the MEC.

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- (b) om hulp te verleen met die bevordering van verpleegstandaarde in die Provinsie;
- (c) om te beheer en gesag uit te oefen ten opsigte van alle aangeleenthede wat die onderwys en opleiding van verpleegkundiges raak;
- (d) om die standaard van sodanige onderwys en opleiding wat deur die kampusse nagestreef word, te bevorder en in stand te hou.

Instandhouding van die Skool en kampusse

7. Die LUR hou die Skool en kampusse in stand en bestry die lopende uitgawes, met gelde wat vir daardie doel deur die Provinsiale Wetgewer begroot is.

Raad van die Verpleegskool van die Vrystaat

8. 'n Raad van die Verpleegskool van die Vrystaat word hierby ingestel.

Samestelling van die Raad

9. (1) Die Raad bestaan uit -

- (a) twee werknemers van die Provinsiale Administrasie aangestel deur die LUR;
- (b) twee verteenwoordigers genomineer deur die Universiteit of 'n tersiêre instelling bedoel in artikel 5;
- (c) drie dekane genomineer deur die Senaat;
- (d) drie verteenwoordigers verkies deur die Verteenwoordigende Raad van Studente;
- (e) drie verteenwoordigers verkies deur die nie-akademiese personeel;
- (f) drie verteenwoordigers verkies deur die akademiese personeel;
- (g) ses verteenwoordigers uit die gemeenskap;
- (h) sodanige addisionele persoon wat voorgeskryf kan word.

- (2) Die lede van die Raad aangestel ingevolge subartikel (1)(g) word nie aangestel nie, tensy die LUR belanghebbende partye deur middel van die media en deur kennisgewing in die Provinsiale Koerant uitgenooi het om kandidate binne 21 dae vanaf die uitnodiging in die media en publikasie van sodanige kennisgewing, vir oorweging deur die LUR te benoem.

(3) Members of a Council must -

- (a) be persons with knowledge and experience relevant to the interests and governance of the School; and
- (b) participate in the deliberations of the Council in the best interest of the School.

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Functions of the Council

10. The Council shall -

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- (a) advise the MEC on nursing education and policy;
- (b) promote the access of students to campuses;
- (c) ensure effective management of the School;
- (d) advise the Department;
- (e) approve rules regulating students selections, admissions, tuition, examinations, promotions and graduations;
- (f) review and recommend the annual budget of the School to the Department.

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Meetings of the Council

11. (1) The Council shall meet at least three times a year.

(2) The Council shall decide its own meeting procedures.

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Academic Departments

12. The Rector may establish the following academic departments on a campus:

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- (a) General Nursing Science;
- (b) Community Nursing Science;
- (c) Psychiatry;
- (d) Midwifery.

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(3) Lede van die Raad moet -

- (a) persone wees met kennis en ervaring toepaslik vir die belange en bestuur van die Skool; en
- (b) deelneem aan die beraadslagings van die Raad in die beste belang van die Skool.

Funksies van die Raad

10. Die Raad -

- (a) adviseer die LUR ten opsigte van verpleegonderwys en -beleid;
- (b) bevorder die toegang van studente tot kampusse;
- (c) verseker doeltreffende bestuur van die Skool;
- (d) adviseer die Departement;
- (e) keur die reëls wat die keuring, toelating, onderrig, eksamens, bevorderings en graduering van studente reël, goed;
- (f) hersien en beveel die jaarlikse begroting van die Skool aan die Departement aan.

Vergaderings van die Raad

11. (1) Die Raad vergader minstens drie keer 'n jaar.
- (2) Die Raad besluit oor sy eie vergaderingsprosedures.

Akademie Departemente

12. Die Rektor kan die volgende akademiese departemente op 'n kampus instel:

- (a) Algemene Verpleegkunde;
- (b) Gemeenskapsverpleegkunde;
- (c) Psigiatrie;
- (d) Verloskunde.

Senate

13. There shall be a Senate of the School consisting of:

- (a) the Rector, who shall be ex officio Chairperson;
- (b) the Registrar, who shall be ex officio Secretary;
- (c) deans of the respective campuses;
- (d) all heads of academic departments;
- (e) three representatives from the Students' Representative Council.

Functions of the Senate

14. (1) The Senate shall regulate the academic matters of the School.

(2) The Senate shall advise the Council with regard to the creation of posts, academic planning and development of the School.

(3) The Senate may establish committees and appoint any person thereto.

(4) The Senate may delegate any power conferred on it by this Act to any committee established by the Senate under subsection (3) or to any member of the administrative staff or academic staff.

(5) The Senate shall meet at least four times a year and at least a month before the succeeding meeting of the Council.

Campus Management

15. (1) Each campus shall be managed by:

- (a) Dean;
- (b) Deputy Dean;
- (c) Deputy Registrar; and
- (d) heads of academic departments.

(2) The Dean shall be the head of the campus and shall be responsible for the overall management of the campus.

Senaat

13. Daar is 'n Senaat van die skool wat bestaan uit:

- (a) die Rektor, wat *ex officio* voorsitter is;
- (b) die Registrateur, wat *ex officio* sekretaris is;
- (c) dekanes van die onderskeie kampusse;
- (d) alle hoofde van akademiese departemente;
- (e) drie verteenwoordigers van die Verteenwoordigende Raad van Studente.

Funksies van die Senaat

14. (1) Die Senaat reguleer die akademiese aangeleenthede van die Skool.
- (2) Die Senaat adviseer die Raad met betrekking tot die skep van poste, akademiese beplanning en ontwikkeling van die Skool.
- (3) Die Senaat kan komitees instel en 'n persoon daarvoor aanstel.
- (4) Die Senaat kan 'n bevoegdheid deur die Wet aan hom opgedra, deleger aan 'n komitee ingestel deur die Senaat kragtens subartikel (3) of aan 'n lid van die administratiewe personeel of akademiese personeel.
- (5) Die Senaat vergader minstens vier keer per jaar en minstens een maand voor die daaropvolgende vergadering van die Raad.

Bestuur van kampus

15. (1) Elke kampus word bestuur deur:

- (a) Dekaan;
- (b) Adjunkdekaan;
- (c) Adjunkregistrateur; en
- (d) hoofde van akademiese departemente.

(2) Die Dekaan is die hoof van die kampus en is verantwoordelik vir die algehele bestuur van die kampus.

Regulations

16. The MEC may make regulations with regard to any matter which he or she considers necessary or expedient to prescribe in order to achieve the objects of this Act.

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Repeal of laws and savings

17. (1) The laws mentioned in the Schedule are hereby repealed to the extent indicated in the third column of the Schedule.

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- (2) Anything done or deemed to have been done in terms of a provision of a law repealed by subsection (1), and which may or shall be done in terms of this Act, shall be deemed to have been done in terms of the corresponding provision of this Act.

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Short title

18. This Act shall be called the Free State Nursing Education Act, 1998.

Regulasies

16. Die LUR kan regulasies maak met betrekking tot enige aangeleentheid wat hy of sy nodig of wenslik ag om voor te skryf ten einde die oogmerke van hierdie Wet te verwesenlik.

Herroeping van wette en voorbehoud

17. (1) Die wette in die Bylae genoem word hierby herroep in die mate aangedui in die derde kolom van die Bylae.
- (2) Enigiets wat ingevolge 'n bepaling van 'n wet wat by subartikel (1) herroep word, gedoen is of geag gedoen te gewees en wat kan of moet gedoen word ingevolge hierdie Wet, word geag gedoen te gewees het ingevolge die ooreenstemmende bepaling van hierdie Wet.

Kort titel

18. Hierdie Wet heet die Vrystaatse Wet op Verpleegonderwys, 1998.

SCHEDULE**Laws repealed**

Number and year	Short title	Extent of repeal
(Ordinance No 4 of 1985)	Training of Nurses and Midwives Ordinance	The whole
(Act No 13 of 1985)	Qwaqwa Health Act, 1985	Section 14(1)(g)

BYLAE

Wette herroep

Nommer en jaar	Kort titel	Mate van herroeping
(Ordonnansie No 4 van 1985)	Opleiding van Verpleegkundiges en Vroedvroue	Die geheel
(Wet No 13 van 1985)	Qwaqwa-Wet op Gesondheid	Artikel 14(1)(g)

MEMORANDUM

There are four Nursing Colleges in the Province established under three different laws. There is as a result unequal distribution of resources and fragmentation of nursing education. Different colleges have different curricula and standards. It is therefore necessary to consolidate the laws providing for the regulation of nursing education.

Clause 1

This clause gives the definitions of words used in the Bill.

Clause 2

The purpose of this Bill is to establish a single Nursing School in the Province with several campuses.

Clause 3

A Nursing School is established. Its head office shall be in Bloemfontein.

Clause 4

Existing Colleges of Nursing will continue to exist as campuses of the School. The MEC responsible for Health may establish, relocate or close a campus. The MEC may make regulations on any matter dealing with administration, education and training at campuses.

Clause 5

The MEC may enter into agreements with tertiary institutions in order to comply with the requirements of the South African Nursing Council that a university or technikon may offer education or training for the profession of nursing or midwifery.

Clause 6

The objects of the School are to provide nursing education and training, promote the nursing standards in the Province, etc.

Clause 7

The MEC shall defray the running expenses of the School and campuses from money appropriated for that purpose by the Legislature.

Clause 8

A Council is established for the School.

MEMORANDUM

Daar is vier verskillende Verpleegkolleges in die Provinsie wat ingevolge drie verskillende wette ingestel is. Gevolglik bestaan daar ongelyke verdeling van hulpbronne en fragmentasie van verpleegonderwys. Verskillende kolleges het verskillende kurrikulums en standaarde. Daarom is dit nodig om die wette wat voorsiening maak vir regulering van verpleegonderwys te konsolideer.

Klousule 1

Hierdie klousule gee die woordskrywings van woorde wat in die Wetsontwerp gebruik word.

Klousule 2

Die doel van die Wetsontwerp is om 'n enkele Verpleegskool in die Provinsie met verskeie kampusse in te stel.

Klousule 3

'n Verpleegskool word ingestel. Sy hoofkantoor is in Bloemfontein.

Klousule 4

Bestaande Verpleegkolleges sal as kampusse van die Skool bly voortbestaan. Die LUR verantwoordelik vir Gesondheid kan 'n kampus instel, hervestig of sluit. Die LUR kan regulasies maak oor enige aangeleentheid betreffende die administrasie, onderwys en opleiding by kampusse.

Klousule 5

Die LUR kan ooreenkomste met tersiêre instellings sluit ten einde aan die vereistes van die Suid-Afrikaanse Raad op Verpleging te voldoen, dat 'n universiteit of tegnikon onderwys en opleiding kan aanbied vir die verplegings- of verloskundeberoep.

Klousule 6

Die oogmerke van die Skool is om verpleegonderwys en -opleiding te voorsien, die verpleegstandaarde in die Provinsie te bevorder, ensovoorts.

Klousule 7

Die LUR bestry die lopende uitgawes van die Skool en kampusse uit geld wat vir daardie doel deur die Wetgewer begroot is.

Klousule 8

'n Raad vir die Skool word ingestel.

Clause 9

Different stakeholders are represented in the Council. The MEC responsible for Health must place an invitation for nomination of community members in the media.

Clause 10

The functions of the Council are *inter alia* to advise the MEC on nursing education and policy, to promote access of students to the campuses and to ensure effective management of the School.

Clause 11

The Council shall meet three times a year and shall decide on its meeting procedures.

Clause 12

The Rector may establish different academic departments.

Clause 13

A Senate is established for the School, and all stakeholders in the School are represented in the Senate.

Clause 14

The function of the Senate is to regulate academic matters and to advise the Council with regard to the academic planning and development of the School.

Clause 15

The campus is managed by the Dean, deputy Dean, deputy Registrar and heads of academic departments. The Dean shall be the head of the campus and responsible for the overall management of the campus.

Clause 16

The MEC may make regulations with regard to any matter which he or she considers necessary or expedient to prescribe in order to achieve the objects of this Bill.

Clause 17

This clause repeals the Qwaqwa Act and a Free State Ordinance.

Clause 18

This clause contains the short title of the Act.

Klousule 9

Verskillende belanghebbendes word in die Raad verteenwoordig. Die LUR verantwoordelik vir Gesondheid moet 'n uitnodiging vir die benoeming van gemeenskapslede in die media plaas.

Klousule 10

Die funksies van die Raad is onder andere om die LUR oor verpleegonderwys en -beleid te adviseer, om die toegang van studente tot kampusse te bevorder en om die effektiewe bestuur van die Skool te verseker.

Klousule 11

Die Raad vergader drie keer per jaar en besluit self oor sy vergaderingsprosedures.

Klousule 12

Die Rektor kan verskillende akademiese departemente instel.

Klousule 13

'n Senaat word vir die Skool ingestel, en alle belanghebbendes by die Skool word in die Senaat verteenwoordig.

Klousule 14

Die funksie van die Senaat is om akademiese aangeleenthede te reguleer en die Raad met betrekking tot akademiese beplanning en ontwikkeling van die Skool te adviseer.

Klousule 15

Die kampus word deur die Dekaan, Adjunkdekaan, Adjunkregistrator en die hoofde van akademiese departemente bestuur. Die Dekaan is die hoof van die kampus en is verantwoordelik vir die algehele bestuur van die kampus.

Klousule 16

Die LUR kan regulasies maak met betrekking tot enige aangeleentheid wat hy of sy nodig of wenslik ag om voor te skryf ten einde die oogmerke van die Wetsontwerp te verwesenlik.

Klousule 17

Hierdie klousule herroep die Qwaqwa-Wet en 'n Vrystaatse Ordonnansie.

Klousule 18

Hierdie klousule bevat die kort titel van die Wet.