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**PROVINCIAL NOTICES—PROVINSIALE KENNISGEWINGS—IZAZISO ZESIFUNDAZWE**

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**No. 123****9 November 2012****KWAZULU-NATAL CLINIC- AND COMMUNITY HEALTH CENTRE COMMITTEES  
REGULATIONS, 2012**

I hereby make the Regulations contained in the Schedule hereto, under section 74(1)(b) of the KwaZulu-Natal Health Act, 2009 (Act No.1 of 2009), in order to regulate Clinic- and Community Health Centre Committees.

Given under my Hand at Pietermaritzburg this 4<sup>th</sup> day of **July**, Two Thousand and Twelve.

**DR SM DHLOMO**

Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for Health

## SCHEDULE

### Definitions

1. In these Regulations, “the Act” means the KwaZulu-Natal Health Act, 2009 (Act No. 1 of 2009) and any word or expression to which a meaning is assigned in the Act bears the meaning so assigned to it and, unless the context indicates otherwise –

“**Chairperson**” means the Chairperson of the Committee; and

“**Committee**” means a Clinic- or Community Health Centre Committee established by notice published in accordance with section 42 of the Act.

### Committee to advise Department

2.(1) In performing the functions as contemplated in section 43 of the Act, a Committee must advise the Department on –

- (a) services to be provided in order to reduce the gap between the needs of the community and provision of services at the clinic or in the community;
- (b) specific and achievable primary health care objectives using district, national and provincial goals as a framework;
- (c) outreach services for the community surrounding the clinic area;
- (d) focused community-based activities where health workers are familiar with the community and population profile regarding health problems and needs of the community; and
- (e) any other matter related to the objects and other provisions of the Act.

(2) Further to the obligations contemplated in subregulation (1), a Committee must –

- (a) strengthen the relationship between the clinic- or community health centre stakeholders within its area;
- (b) contribute annually to the operational planning for the clinic;
- (c) acquaint itself with the operation of the clinic or community health centre;
- (d) make representation for equitable access to services of the clinic or community health centre for the community within its area;
- (e) conduct inspections at the clinic or community health centre;

- (f) act as a liaison between the community and the clinic or community health centre and receive feedback from the community in respect of services rendered by the clinic or community health centre;
- (g) monitor the planning and implementation of community-based activities;
- (h) promote infection control practices and monitor the adherence thereto; and
- (i) monitor that patients are efficiently referred to the next level of care when their needs fall beyond the scope of clinic staff competence.

#### **Appointment of Members of Committee**

3. Before appointing any person as a Member of a Committee, the responsible Member of the Executive Council must –

- (a) by notice in any widely circulated means of communication within the area of the relevant clinic or community health centre, call for nominations for membership on the relevant Committee and state the criteria for such nominations;
- (b) specify a period within which nominations must be submitted;
- (c) consider all nominations; and
- (d) make an appointment within 60 days after the nominations have been received and considered.

#### **Termination of Membership of Committee**

4. A member ceases to be a Member of a Committee on any of the following grounds –

- (a) inability to perform the functions of the Committee;
- (b) misconduct;
- (c) written resignation;
- (d) he or she becomes a mental health care user as defined in section 1 of the Mental Health Care Act, 2002 (Act No. 17 of 2002);
- (e) he or she is convicted of a criminal offence involving fraud, misrepresentation or any other breach of trust;
- (f) he or she is convicted of an offence in respect of which he or she is sentenced to imprisonment without the option of a fine;
- (g) the responsible Member of the Executive Council, in the interest of the public and for just cause, and after consultation with the member, terminates his or her membership of the Committee; or
- (h) death of a member.

**Vacancy on Committee**

5. Every vacancy on a Committee arising from circumstances referred to in regulation 4 must be filled by the responsible Member of the Executive Council and every member so appointed must hold office for the unexpired portion of the period for which the vacating member was appointed.

**Duties of Chairperson**

6. The Chairperson –

- (a) may convene an ordinary meeting as often as necessary, but at least three times a year, as contemplated in section 46 of the Act.
- (b) may call a special meeting of the Committee at any time;
- (c) must ensure that the Committee performs its functions and fulfils its objectives in terms of the Act; and
- (d) must determine the date, place and time of any meeting of the Committee.

**Meetings of Committee**

7.(1) The Committee must, at its first meeting, elect a Chairperson and a Deputy Chairperson.

(2) The Chairperson may convene a special meeting of the Committee at any time –

- (a) upon written request by the Chairperson; or
- (b) within ten calendar days of receipt of a written request signed by at least a third of the members of the Committee.

(3) A written request, as contemplated in subregulation (2), must state clearly the purpose for which the meeting is convened.

**Quorum, procedure at meetings and decision-making**

8.(1) A quorum of any meeting of a Committee is one half of the total number of members plus one.

(2) The Committee must determine the procedure to be followed at its meetings.

(3) At all meetings of the Committee the Chairperson or, in his or her absence, the Deputy Chairperson, must preside.

(4) The decision of the majority of the Members of the Committee present at any meeting thereof constitutes a decision of the Committee and, in the event of an equality of votes, the person presiding at the meeting in question has a casting vote in addition to his or her deliberative vote.

(5) A decision taken by the Committee or an act performed under the authority of the Committee is not invalid merely by reason of an interim vacancy in the Committee.

(6) The Committee may co-opt any person to attend and participate in its deliberations on any matter, but such person may not vote on any matter.

(7)(a) A Member of the Committee, who has any interest, whether direct or indirect, in any matter being considered or to be considered by the Committee, must disclose the nature of their interest to the Committee.

(b) The disclosure contemplated in paragraph (a) must be recorded in the minutes of the meeting.

(c) The member contemplated in paragraph (a) must be recused by the Chairperson and may not be present during, or participate in, any deliberation or decision of the Committee relating to that matter.

(8) The Chairperson must keep an attendance register in which he or she must enter the names of all the members attending each meeting, as well as the names of members absent with or without leave.

(9) The clinic or community health centre must provide secretarial services to the Committee.

**Short title**

9. These regulations are called the KwaZulu-Natal Clinic- and Community Health Centre Committees Regulations, 2012.