

No. R. 765

24 August 2007

NURSING ACT, 2005 (ACT 33 OF 2005)**REGULATIONS RELATING TO PERFORMANCE OF COMMUNITY SERVICE**

The Minister of Health has, in terms of section 40(3) of the Nursing Act, 2005, (Act No. 33 of 2005) and after consultation with the South African Nursing Council, made the regulations in the Schedule.

SCHEDULE**Definitions**

1. In these Schedule, any word or expression to which a meaning has been assigned in the Act, shall bear such meaning and, unless the context otherwise indicates-

“public health establishment” has the meaning assigned to it in section 1 of the National Health Act, 2003 (Act No. 61 of 2003); and

“the Act “ means the Nursing Act 2005 (Act No 33of 2005);

Profession in respect of which community service shall be performed

2.1. Any person who is a citizen of South Africa intending to register for the first time as a professional nurse in terms of the Act, as having met the prescribed requirements to qualify as such, must perform remunerated community service for a period of one year.

2.2. The Minister must by notice in the *Government Gazette* determine the date on which community service must commence and the health facilities where such service is to be performed.

2.3. Any person registering for the first time in terms of the Act shall include a person who has obtained his or her qualifications outside the Republic.

2.4. Sub-regulation 2.1 is not applicable to persons who may have performed a similar service elsewhere, and have applied and provided proof of such service to the Minister, for exemption.

Registration of persons performing community service

3.1. (a) Persons registered to perform community service must be registered in the category community service.

(b) Persons registered in the category contemplated in paragraph (a) are limited to practice their profession in a designated public health establishment.

3.2. The register of persons performing community service established by the Council in terms of the Act must reflect all such information as is recorded in the register of the profession contemplated in regulation 2.1.

3.3. An applicant for registration as a person performing community service must submit to the Council the following:

(a) proof that he or she holds a qualification recognized by the council in terms of regulations made under section 31 of the Act; and

(b) a formal application for registration as a person performing community service.

3.4. A person performing community service must notify the Council as soon as he or she has assumed duty of the fact and of the name of the designated public health establishment where he or she is performing community service.

3.5. A person performing community service must be subjected to the rules of professional conduct prescribed for the nursing profession in respect of which community service is performed.

Conditions of service

4. The conditions of service applicable to the public service shall, unless otherwise provided for in these regulations, apply to persons performing community service.

Places where community service is to be performed

5.1. (a) A person contemplated in regulation 2.1 shall apply for a post in a public health establishment or a complex of public health establishments designated for the purposes of performing community service.

(b) The Minister must publish a list of designated public health establishments in the *Government Gazette*, where community service may be performed.

5.2. The Minister may, after consultation with a Member of the Executive Council responsible for health in a province, make a final decision with regard to a place where a person contemplated in regulation 2.1 must perform community service.

Interruption of period of community service

6.1. If a period of community service is interrupted within six calendar months or more, such period must be made up within a maximum period of 2 years calculated from the date of commencement of community service.

6.2. The period of community service already served shall lapse if community service is not completed within a maximum period of two years.

Report on completion

7. On completion of community service by a person contemplated in regulation 2.1., a report must be issued by the relevant health authority as evidence to the Council and the Department that such person has satisfactorily completed community service.

Transitional Provisions

8. (a) These Regulations are applicable to any person who seeks registration on completing and meeting the requirements prescribed in the Regulations relating to the Approval of and the Minimum Requirements for the Education and Training of a Nurse (General, Psychiatric and Community) and Midwife leading to registration published in Government Notice No. 425 of 22 February 1985, or any subsequent regulation made to replace it.

(b) These Regulations are not applicable to any person who seeks registration on completing and meeting the requirements prescribed in the Regulations relating to the Minimum Requirements for a Bridging Course for Enrolled Nurses leading to registration as a General Nurse or a Psychiatric Nurse published in Government Notice No. 683 of 14 April 1989.


MINISTER OF HEALTH