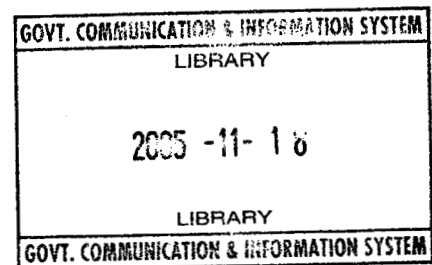


REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
NURSING BILL**

[B26—2005]

*(As agreed to by the Portfolio Committee on Health)
(National Assembly))*



[B 26A—2005]

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AMENDMENTS AGREED TO

NURSING BILL [B26—2005]

CLAUSE 1

1. On page 4, in line 5 and line 6, to omit the definition of “accredited nursing education institution”.
2. On page 4, in line 7, to omit the definition of “accoucheur”.
3. On page 4, in line 8, to omit “registered as such in terms of section 31” and to substitute “who prior to the commencement of this Act was enrolled or eligible to be enrolled with the Council as such;”.
4. On page 4, in line 33, to omit “female”.
5. On page 4, in line 35, to omit “patient” and to substitute “health care user”.
6. On page 4, from line 46, to omit the definition of “nursing agency”.
7. On page 5, in line 9 and line 10, to omit “improper, disgraceful, dishonourable or unworthy conduct or” and to substitute “a”.

CLAUSE 3

1. On page 5, in line 24, to omit “and”.
2. On page 5, in line 25, after “improve” to omit “and” and to substitute “,”.
3. On page 5, in line 25, after “control” to insert “conditions,”.

CLAUSE 4

1. On page 6, in line 9, to omit “at” and to substitute “as”, and to omit “places”.
2. On page 6, in line 63, to omit “accredited”.

CLAUSE 5

1. On page 7, in line 11, to omit “12” and to substitute “14”.
2. On page 7, in line 12, after “31(1)(a)” to insert “and (b)”.
3. On page 7, in line 22, to omit “five” and to substitute “three”.

CLAUSE 6

1. On page 7, in line 58, to omit “is not a South African citizen and”

3

2. On page 8, from line 1, to omit paragraph *(d)* and to substitute:

(d) he or she becomes mentally ill to such a degree that it **is** necessary that he or she be detained, supervised or controlled;
3. On page 8, in line 11, to omit “cumulatively”.
4. On page 8, in line 12, after “10” to insert “consecutive”.
5. On page 8, in line 13, to omit “was removed from being an officer-bearer in the Council or” and to substitute “has had”.
6. On page 8, in line 14, to omit “was”.
7. On page 8, in line 19, to omit “an” and to substitute “a provincial or national”.

CLAUSE 10

1. On page 8, from line 52, to omit paragraph *(a)* and to substitute:

The Minister, after consultation with the Council, must appoint one of the members of the Council appointed in terms of section 5(1)*(a)* as chairperson of the Council.
2. On page 9, from line 1, to insert paragraph *(b)*:

At the first meeting of the Council the members must elect a vice-chairperson from the categories mentioned in section 31(1)*(a)* and *(b)*.
3. On page 9, in line 1, after “chairperson” to insert “or vice-chairperson”.

CLAUSE 12

1. On page 9, in line 52, to omit “three” and to substitute “a third of the”.

CLAUSE 14

1. On page 10, in line 27, to omit “5(1)*(b)*(ii)” and to substitute “5(1)*(b)*(iii)”.
2. On page 10, in line 34, to omit “18” and to substitute “20”.

CLAUSE 15

1. On page 10, in line 44, to omit “disciplinary committees”.

CLAUSE 16

1. On page 11, in line 21, after (2) to insert *(a)*.

2. On page 11, after line 26, to add the following paragraphs:
 - (b) Any other remuneration not referred to in paragraph (a) must be paid by the Council.
 - (c) Any member who is subject to the laws governing public service must be entitled to special leave to attend to the functions of the Council.

CLAUSE 24

1. On page 14, in line 41, to omit “Draft” and to substitute “draft”.

CLAUSE 31

1. On page 17, in line 22, to omit “or accoucheur”.
2. On page 17, in line 26, after “the Minister” to insert “after consultation with the Council”.
3. On page 17, in line 35, to omit “and citizenship”.
4. On page 17, in line 45, to omit “professions” and to substitute “categories”.

CLAUSE 32

1. On page 18, in line 22, after “nurse” to insert “or a learner midwife”.
2. On page 18, in line 23, after “a learner nurse” to insert “or a learner midwife”.
3. On page 18, in line 25, to omit “an accredited” and to substitute “a”.
4. On page 18, in line 26, to omit “an accredited” and to substitute “a”.
5. On page 18, in line 31, after “a learner nurse” to insert “or a learner midwife”.
6. On page 18, in line 36, to omit “as a learner nurse”.

CLAUSE 33

1. On page 8, in line 46, to omit “31” and to substitute “31(5)”.
2. On page 8, in line 52, to omit “two” and to substitute “three”.

CLAUSE 38

1. On page 19, in line 46, to omit “an accredited” and to substitute “a”.

CLAUSE 39

1. On page 20, in line 2, to omit “prescribe” and to substitute “determine”.

CLAUSE 40

1. On page 20, in line 10, to omit “A person who is a citizen of South Africa” and to substitute “Any person”.
2. On page 20, in line 12, after “facility” to insert
“unless such person has performed a similar service elsewhere and applies to the Minister for exemption”

CLAUSE 42

1. On page 20, in line 32, after “standards” to insert “and conditions”.

CLAUSE 43

1. On page 20, in line 47 to line 48, to omit “Registered Accoucheur”.
2. On page 20, in line 49, to omit “RA”.
3. On page 20, in line 51, to omit “an accredited” and to substitute “a”.
4. On page 20, in line 53, to omit “Learner Accoucheur”.
5. On page 20, in line 54, to omit “LA”.

CLAUSE 44

1. On page 21, from line 9, to omit paragraph (c).
2. On page 21, in line 19, to omit “in terms of this Act” and to substitute “and a penalty contemplated in 47(1)(b) or (d) was imposed”.

CLAUSE 46

1. On page 22, in line 12 to 13, to omit “or a juristic person entitled to practise a profession in terms of this Act and”.

CLAUSE 47

1. On page 22, in line 38, to insert “alleged unprofessional conduct” after “matters of” and to omit “professional misconduct”.
2. On page 22, in line 46, to omit “,” between “fine” and “specified”.

CLAUSE 52

- 1 On page 25, in line 14, to omit “or accrediting”.

CLAUSE 53

1. On page 25, in line 30, after “a learner nurse” to insert “or a learner midwife”.

CLAUSE 56

1. On page 26, in line 19, to omit “and”.
2. On page 26, in line 20, to add “; and” after “fee” and omit “.”.
3. On page 26, after line 20, to insert the following paragraph
(c) complies with subsection (6).
4. On page 26, in line 26, to omit “prescribe” and to substitute “determine”.
5. On page 26, from line 28, to omit “of section 22A”.
6. On page 26, in line 31, to omit “of section 22C”.
7. On page 26, in line 50, to omit the whole paragraph.
8. On page 26, in line 56, to omit “professional nurse or staff nurse” and to substitute “person contemplated in subsection (1)”.

CLAUSE 58

1. On page 27, in line **45**, to omit “or election”.
2. On page 27, from line 58 and line 59, to omit “the business of a nursing agency may be carried on”, and to substitute “private practice may be licensed”.
3. On page 28, in line 37, after “functions;” to insert “and”.