

# OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA.

# OFFICIAL GAZETTE

EXTRAORDINARY  
OF SOUTH WEST AFRICA.



UITGAWE OP GESAG.

PUBLISHED BY AUTHORITY.

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**INHOUD**

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**Goewermentskennisgewing.**

**Government Notice.**

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

The following Government Notice is published for general information.

J. J. KLOPPER,  
*Sekretaris van Suidwes-Afrika.*

J. J. KLOPPER,  
*Secretary for South West Africa.*

Kantoor van die Administrateur,  
Windhoek.

Administrator's Office,  
Windhoek.

No. 88.]    [8 Junie 1966      No. 88.]    [8th June, 1966

ORDONNANSIE, 1966: UITVAARDIGING VAN

ORDINANCE, 1966: PROMULGATION OF

Dit het die Administrateur behaag om sy goedkeuring te heg, ooreenkomstig artikel twee-en-dertig van „De Zuidwest-Afrika Konstitutie Wet 1925” (Wet 42 van 1925), aan die volgende Ordonnansie wat hiermee vir algemene inligting gepubliseer word, ooreenkomstig artikel vier-en-dertig van gemelde Wet:—

The Administrator has been pleased to assent, in terms of section *thirty-two* of the South West Africa Constitution Act, 1925 (Act 42 of 1925), to the following Ordinance which is hereby published for general information in terms of section *thirty-four* of the said Act:—

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No. 17 van 1966.]

**ORDONNANSIE**

Ter samevatting en wysiging van die wette op die stigting, instandhouding en bestuur van staatshospitale; vir die registrasie van private hospitale en vir verbandhoudende sake.

(Goedgekeur 3 Junie 1966)

(Engelse teks deur die Administrateur geteken)

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika VERORDEN:-

Indeling van  
ordonnansie.

1. Hierdie ordonnansie word soos volg ingedeel:-

- HOOFSTUK I. STIGTING EN ADMINISTRASIE VAN STAATSHOSPITALE. Artikels 3—6.
- HOOFSTUK II. BEHEER VAN STAATSHOSPITALE. Artikels 7—9.
- HOOFSTUK III. OU RADE. Artikels 10—20.
- HOOFSTUK IV. KOMITEE OP STAATSHOSPITALE. Artikels 21—26.
- HOOFSTUK V. TOELATING VAN PASIËNTE EN TOEGANG TOT STAATSHOSPITALE. Artikels 27—29.
- HOOFSTUK VI. PRIVATE HOSPITALE. Artikels 30—31.
- HOOFSTUK VII. ALGEMEEN. Artikels 32—42.

Woordbepaling.

2. In hierdie ordonnansie, tensy dit met die samehang strydig is —

dui enige verwysing na 'n wet ook op enige wysiging daarvan en op enige stadsverordening, reël, regulasie en opdrag daaringevolge;

beteken „behandeling” die verskaffing van enige of meer van die volgende:-

(a) verpleging;

(b) mediese, heelkundige, ginekologiese, verloskundige of enige ander soort behandeling of ondersoek;

beteken „binnepatiënt” enigeen wat 'n inwoner van 'n hospitaal is en wat dit vir die verkryging van hospitaaldienste besoek;

beteken „boekjaar” die tydperk van die eerste dag van April in elke jaar tot en met die een-en-dertigste dag van Maart in die daaropvolgende jaar;

beteken „buitepatiënt” iemand wat by 'n hospitaal behandeling of hospitaaldienste ontvang maar nie inwoon as binnepatiënt nie;

beteken „Direkteur” die Direkteur van Gesondheidsdienste van die Administrasie van Suidwes-Afrika;

beteken „geneesheer” iemand wat ingevolge die Wet op Geneeshere, Tandartse en Aptekers 1928 (Wet 13 van 1928) soos op die Gebied toegepas by Proklamasie 3 van 1929 (Republiek) as 'n geneesheer geregistreer is;

omvat „hierdie ordonnansie” die regulasies daaringevolge;

beteken „hospitaal” 'n inrigting insluitende 'n kraam-inrigting, aansterkingstehuis en 'n kliëniekegebou of enige ander plek hoegenaamd waar persone behandeling of hospitaaldienste ontvang as binnepatiënte en/of buitepatiënte (uitgesonderd 'n spreekkamer, behandelingskamer of apteek van 'n geneesheer waar slegs buitepatiënte behandel word en waar hy sy privaatpraktyk beoefen) en omvat dit alle dienste wat daarmee gepaard gaan, maar sluit uit ambulansdienste;

beteken „mediese superintendent” 'n geneesheer by wie die beheer en toesig oor 'n staatshospitaal berus;

beteken „hospitaaldienste” verpleging en ander sorg en behandeling (uitgesonderd dié wat 'n geneesheer

No. 17 of 1966.]

## ORDINANCE

To consolidate and amend the laws on the establishment, maintenance and administration of state hospitals; for the registration of private hospitals and for matters incidental thereto.

(Assented to 3rd June, 1966)

(English text signed by the Administrator)

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:—

1. This ordinance is divided as follows:—

Division of ordinance.

- CHAPTER I. ESTABLISHMENT AND ADMINISTRATION OF STATE HOSPITALS. Sections 3 to 6.
- CHAPTER II. CONTROL OF STATE HOSPITALS. Sections 7 to 9.
- CHAPTER III. OLD BOARDS. Sections 10—20.
- CHAPTER IV. STATE HOSPITALS COMMITTEE. Sections 21—26.
- CHAPTER V. ADMISSION OF PATIENTS AND ACCESS TO STATE HOSPITALS. Sections 27—29.
- CHAPTER VI. PRIVATE HOSPITALS. Sections 30—31.
- CHAPTER VII. GENERAL. Sections 32—42.

2. In this ordinance, unless inconsistent with this context — any reference to any law includes any amendment thereto and any bylaw, rule, regulation and order made thereunder;

Definitions.

“treatment” means the supply of any or more of the following:—

- (a) nursing;
- (b) medical, surgical, gynaecological, obstetrical or any other kind of treatment or examination.

“in-patient” means any person who is accommodated in a hospital for purposes of receiving treatment or hospital services;

“financial year” shall mean the period from the first day of April in any year to the 31st day of March in the year next succeeding, both days inclusive;

“out-patient” means any person who receives treatment or hospital services at a hospital but is not accommodated as an in-patient;

“Director” means the Director of Health Services of the Administration of South West Africa;

“medical practitioner” means a person registered as a medical practitioner in terms of the Medical, Dental and Pharmacy Act, 1928 (Act 13 of 1928) as applied to the Territory by Proclamation 3 of 1929 (Republic);

“this ordinance” includes the regulations made thereunder;

“hospital” means any institution including a maternity home, convalescent home and a clinic or any other place whatever where persons receive treatment or hospital services as in-patients and/or out-patients (other than any consulting room, surgery or dispensary of a medical practitioner where only out-patients receive treatment and where he carries on his private practice and includes all services attached thereto but excludes ambulance services;

“medical superintendent” means any medical practitioner charged with the control and supervision of a state hospital;

voedsel, geneesmiddels, artsnymiddels, verbande, heelkundige en ander toestelle en alle ander goedere, dienste en ondersoeke wat die Direkteur van tyd tot tyd bepaal;

beteken „ou raad” ’n hospitaalraad wat ingevolge die Ordonnansie op Hospitale en Liefdadigheids-inrigtings 1930 (Ordonnansie 16 van 1930) ingestel is;

beteken „pasiënt” iemand wat hospitaaldienste by ’n hospitaal ontvang;

beteken „plaaslike bestuur” ’n munisipale raad of ’n dorpsbestuur;

beteken „private hospitaal” enige hospitaal waarin enige persoon, maatskappy of vereniging van persone met of sonder regspersoonlikheid (hierna heet hy „die eenaar”) voorsiening maak vir hospitaaldienste maar sluit dit uit ’n staats-hospitaal, ’n staatsondersteunde hospitaal wat ingevolge die bepalings van die Ordonnansie op Hospitale en Liefdadigheidsinrigtings 1930 (Ordonnansie 16 van 1930) gestig is, of enige hospitaal wat ’n plaaslike bestuur gestig het of in stand hou;

beteken „staats-hospitaal” ’n hospitaal of inrigting wat die Administrasie ingevolge die bepalings van hierdie ordonnansie in stand hou, bestuur, beheer en finansieër;

beteken „tandarts” iemand wat ingevolge die Wet op Geneeshere, Tandartse en Aptekers 1928 (Wet 13 van 1928) soos op die Gebied toegepas by Proklamasie 3 van 1929 (Republiek) as tandarts geregistreer is;

beteken „verpleegster” iemand wat ingevolge die Wet op Verpleging 1957 (Wet 69 van 1957) as verpleegster geregistreer is;

## HOOFSTUK I.

### STIGTING EN ADMINISTRASIE VAN STAATSHOSPITALE.

Magte van Administrateur insake stigting, beheer en oornam van hospitale.

3.(1) Die Administrateur kan op enige plek in die Gebied staats-hospitale stig, en hy kan alle staats-hospitale wat hy aldus gestig het, in stand hou, bestuur of beheer, sowel as alle hospitale wat voor die inwerking-treding van hierdie ordonnansie gestig is, en wat by sodanige inwerking-treding deur die Administrasie in stand gehou, bestuur of beheer word.

(2) Nieteenstaande andersluidende bepalings in die Ordonnansie op Hospitale en Liefdadigheidsinrigtings 1930 (Ordonnansie 16 van 1930) kan die Administrateur te eniger tyd by proklamasie in die *Offisiële Koerant* ’n ou raad ontbind en enige hospitaal of hospitale waarvoor so ’n ou raad ingestel is, oorneem en as ’n staats-hospitaal bestuur.

(3) Die Administrateur kan ook enige hospitaal as ’n staats-hospitaal oorneem ingevolge die bepalings en voorwaardes waarop daar onderling ooreengekom word, of kan so ’n hospitaal aankoop of andersins aanskaf, en dit ingevolge die bepalings van hierdie ordonnansie in stand hou, bestuur of beheer.

Indeling van staats-hospitale.

4. Die Administrateur kan van tyd tot tyd om administratiewe of ander doeleindes, staats-hospitale indeel op enige wyse wat hy goedvind.

Stigting en funksies van mediese komitee.

5.(1) Die geneeshere wat aan ’n staats-hospitaal verbonde is, kan ’n mediese komitee kies wat bestaan uit soveel lede soos die Administrateur bepaal en die mediese superintendent is ampshalwe lid van so ’n komitee.

(2) Die mediese komitee kies uit sy geledere ’n voorsitter en kom minstens vier keer per jaar byeen.

(3) Die mediese komitee se funksie behels oorweging van enige professionele aangeleentheid en skriftelike advies daarvoor aan die mediese superintendent en die mediese komitee moet enige professionele aangeleentheid wat die mediese superintendent na die komitee verwys, oorweeg en skriftelike verslag lewer en aanbevelings doen.

- “hospital services” means nursing and other care and treatment (other than that provided by a medical or dental practitioner) and includes accommodation, food, medicines, drugs, dressings, curative and other appliances and such other goods, services and examinations as the Director may from time to time determine;
- “old board” means a hospital board established under the Hospitals and Charitable Institutions Ordinance, 1930 (Ordinance 16 of 1930);
- “patient” means any person who receives hospital services at a hospital;
- “local authority” means a municipal council or village management board;
- “private hospital” means any hospital in which provision is made by any person, company or association of persons, corporate or unincorporate (hereinafter referred to as “the proprietor”) for hospital services but excludes a state hospital, state-aided hospital established under the provisions of the Hospitals and Charitable Institutions Ordinance, 1930 (Ordinance 16 of 1930), or any hospital established or maintained by any local authority;
- “state hospital” means a hospital or institution maintained, managed, controlled and financed by the Administration under the provisions of this ordinance;
- “dental practitioner” means a person registered as a dentist in terms of the Medical, Dental and Pharmacy Act 1928 (Act 13 of 1928) as applied to the Territory by Proclamation 3 of 1929 (Republic);
- “nurse” means a person registered as a nurse in terms of the Nursing Act, 1957 (Act 69 of 1957).

## CHAPTER I.

### ESTABLISHMENT AND ADMINISTRATION OF STATE HOSPITALS.

3 (1) The Administrator may establish state hospitals at any place in the Territory and maintain, manage or control all state hospitals so established by him as also all hospitals which, having been established before the commencement of this ordinance, are at such commencement being maintained, managed or controlled by the Administration.

Power of Administrator re establishment, control and taking over of hospitals.

(2) Notwithstanding anything to the contrary in the Hospitals and Charitable Institutions Ordinance, 1930 (Ordinance 16 of 1930) contained, the Administrator may at any time by proclamation in the *Official Gazette* dissolve an old board and take over and manage as a state hospital any hospital or hospitals for which such old board was constituted.

(3) The Administrator may also take over as a state hospital any hospital upon such terms and conditions as may be mutually agreed upon, or acquire any such hospital by purchase or otherwise, and may maintain, manage or control such hospital in terms of this ordinance.

4. The Administrator may from time to time classify state hospitals for administrative and other purposes in such manner as he may deem fit.

Classification of state hospitals.

5. (1) The medical practitioners associated with a state hospital may elect a medical committee consisting of as many members as the Administrator may determine, and the medical superintendent shall *ex officio* be a member of such committee.

Establishment and functions of medical committee.

(2) The medical committee shall elect a chairman from amongst its members and shall meet at least four times a year.

(3) The medical committee's functions shall include consideration of any professional matter and written advice thereon to the medical superintendent, and the medical committee shall consider any professional matter which the medical superintendent may refer to the committee, and submit a written report and recommendations.

(4) Die mediese komitee verstrek aan die einde van elke kalender jaar 'n verslag aan die mediese superintendent en die mediese superintendent stuur 'n afskrif daarvan aan die Direkteur.

(5) Die Administrateur bepaal by regulasie —

- (a) die wyse waarop 'n mediese komitee gekies moet word;
- (b) watter geneeshere by die verkiesing van 'n mediese komitee kan stem;
- (c) die gronde waarop die lede van 'n mediese komitee hulle amp verbeur;
- (d) die wyse waarop vakatures in 'n mediese komitee aangevul word; en
- (e) die reëling en prosedure van vergaderings van 'n mediese komitee en verbandhoudende sake.

Huur van  
huisvesting vir  
personeel.

6. Waar daar by 'n staatshospitaal ontoereikend voorsiening gemaak is vir die huisvesting van die personeel, kan die Administrasie huisvesting vir die doel huur.

## HOOFSTUK II.

### BEHEER VAN STAATSHOSPITALE.

Beheer van  
staatshospitale.

7. Die algemene beheer, toesig en bestuur van staatshospitale berus by die Administrateur.

Inspeksies.

8. Die Direkteur, enige mediese inspekteur of enig iemand anders wat die Direkteur skriftelik daartoe gemagtig het, kan enige staatshospitaal of deel daarvan te enige redelike tyd inspekteer.

Jaarverslag  
deur mediese  
superintendent.

9. Die mediese superintendent moet voor 28 Februarie van elke jaar 'n jaarverslag oor die voorafgaande kalenderjaar opstel en dit aan die Direkteur voorlê, waarin hy al die besonderhede van die administrasie van die betrokke staatshospitaal, statistiek in verband daarmee, asook ander sake rakende sodanige staatshospitaal verstrek wat hy nodig vind of wat die Direkteur van hom verlang.

## HOOFSTUK III.

### OU RADE.

Vaste eiendom  
van ou rade  
oorgeneem deur  
Administrateur.

10.(1) Behoudens die bepalings van artikel 12 gaan alle vaste eiendom wat by ou rade berus of op hul naam geregistreer is, met ingang van 'n datum of datums wat die Administrateur by kennisgewing in die *Offisiële Koerant* bepaal, oor op die Administrasie, en die oordrag van alle sodanige vaste eiendom aan die Administrasie geskied ooreenkomstig die bepalings van die Registrasie van Aktes Proklamasie 1939 (Proklamasie 37 van 1939): Met dien verstande dat enige bestaande gedenkplaat, standbeeld of ander gedenkteken bewaar moet word, en dat vaste eiendom wat 'n plaaslike bestuur aan 'n ou raad vir hospitaalgebruik geskenk het, aan sodanige plaaslike bestuur oorgedra moet word wanneer dit nie meer vir sodanige gebruik nodig is nie, en die Administrasie alle koste van so 'n oordrag moet dra.

(2) Elkeen wat enige titelbewys ten opsigte van vaste eiendom wat by ou rade berus of op hul naam geregistreer is, in sy besit of bewaring of onder sy beheer het, moet sodanige titelbewys onmiddellik na oornamen ingevolge artikel 3 aan die Sekretaris van Suidwes-Afrika uitlewer.

Roerende eiendom  
van ou rade  
oorgeneem deur  
Administrateur.

11.(1) Met ingang van 'n datum of datums wat die Administrateur ingevolge artikel 10 bepaal, berus alle roerende eiendom van ou rade behoudens die bepalings van artikel 12 by die Administrasie en word dit sy eiendom: Met dien verstande dat enige likwiede bates wat aldus berus en wat by wyse van, of uit 'n bemaking, skenking of bydrae verkry is, sowel as die opbrengs uit sodanige likwiede bates, vir, of ten behoeve van 'n hospitaal of hospitale, gebruik, aangewend en uitgegee moet word.

(2) By die toepassing van hierdie artikel beteken die uitdrukking „likwiede bates” enige reserwe- of ander fonds waarin bedrae afgesonder is vir 'n spesifieke doel, of kassaldo of saldo in 'n bank of saldo wat so 'n ou raad belê het of enige verhandelbare effekte wat so 'n ou raad gehou het, en omvat dit enige toekomstige testamentêre of ander bemaking of skenking wat spesifiek aan sodanige ou raad of 'n hospitaal of hospitale, onder sodanige ou raad se beheer, toegeken is.

(4) The medical committee shall at the end of every calendar year furnish a report to the medical superintendent who shall transmit a copy thereof to the Director;

- (5) The Administrator shall by regulation prescribe —
- (a) the manner of election of any medical committee;
  - (b) which medical practitioners are entitled to vote at the election of any medical committee;
  - (c) the grounds on which the members of any medical committee shall forfeit their office;
  - (d) the manner in which vacancies on any medical committee shall be filled; and
  - (e) the regulation and procedure of meetings of any medical committee and matters incidental thereto.

(6) Where there is insufficient provision at any state hospital for the accommodation of the staff, the Administration may hire accommodation for that purpose.

Renting of accommodation for staff.

CHAPTER II.

CONTROL OF STATE HOSPITALS.

7. The general control, supervision and direction of state hospitals shall be vested in the Administrator.

Control of state hospitals.

8. The Director, any medical inspector or any other person authorised thereto in writing by the Director, may at all reasonable times inspect any state hospital or any portion thereof.

Inspections.

9. The medical superintendent shall before the 28th February of every year prepare and submit to the Director an annual report on the preceding calendar year, giving such particulars of the administration of the state hospital concerned, of statistics relating thereto and of any other matters affecting such state hospital as he may deem necessary or as the Director may require him to furnish.

Annual report by medical superintendent.

CHAPTER III.

OLD BOARDS.

10 (1) Subject to the provisions of section 12 all immovable property vested in or registered in the name of old boards, shall, with effect from a date or dates to be fixed by the Administrator by notice in the *Official Gazette* vest in the Administration, and the transfer of all such immovable property to the Administration shall be effected in accordance with the provisions of the Deeds Registry Proclamation 1939, (Proclamation 37 of 1939): Provided that any existing plague, statue or other memorial shall be preserved and that any immovable property donated to an old board by a local authority for hospital purposes shall, when no longer required for such purposes, be transferred to such local authority and all costs of such transfer shall be borne by the Administration.

Immovable property of old boards taken over by the Administrator.

(2) Any person who has in his possession or custody or under his control any title deed in respect of immovable property vested in or registered in the name of old boards shall immediately surrender such title deed after the transfer in terms of section 3 to the Secretary for South West Africa.

11. (1) As from a date or dates fixed by the Administrator in terms of section 10 all the moveable property of old boards shall, subject to the provisions of section 12 vest in and become the property of the Administration: Provided that any liquid assets so vested which were acquired by way of, or derived from, a bequest, donation or subscription and the proceeds of any such liquid assets, shall be applied and devoted to and expended for and on behalf of a hospital or hospitals.

Movable property of old boards taken over by the Administrator.

(2) For the purposes of this section the term "liquid assets" means any reserve fund or other fund in which moneys have been set aside for a specific purpose or cash on hand or in a bank or invested by such old board or any negotiable securities held by such old board and shall include any future testamentary or other bequest or donation specifically made to such old board or to a hospital

Trusts moet in stand gehou word.

12. (1) Nieteenstaande andersluidende bepalings in artikel 10 en 11 moet alle eiendom wat aan die Administrasie oorgedra is en wat onderhewig is aan 'n trust of bepaalde bemaking, na sodanige oordrag aan die Administrasie, te alle tye onderhewig bly aan sodanige trust of bemaking, en behandel die Administrateur dit ooreenkomstig die bepalings en voorwaardes daarvan: Met dien verstande dat waar 'n trust of bemaking onbestaanbaar of strydig is met enige bepaling van hierdie ordonnansie, sodanige eiendom vry van sodanige trust of bemaking by die Administrasie berus en aangewend kan word vir enige doel in verband met die hospitaal wat bestem is om uit sodanige trust of bemaking voordeel te trek: Met dien verstande voorts dat waar eiendom kragtens 'n trust of spesiale bemaking onderhewig is aan 'n voorwaarde dat dit vir 'n spesifieke doel gebruik moet word en sodanige doel nie 'n kapitale doel is nie, die Administrateur, as hy dit in die belang van die betrokke hospitaal beskou, die aanwending van sodanige eiendom vir die aanskaffing van toerusting vir so 'n hospitaal of vir enige kapitale doel in verband daarmee kan magtig.

(2) By die toepassing van hierdie artikel beteken „kapitale doel” —

- (a) die oprigting, bou, aanskaffing, uitbreiding of verbetering van 'n staatshospitaalgebou;
- (b) die aanskaffing van grond of van enige reg op, of belang in, grond;
- (c) die uitvoering van werk van 'n permanente aard in verband met enige staatshospitaal.

Bemakings in trust.

13. Nieteenstaande andersluidende bepalings in hierdie ordonnansie of enige ander wet kan die Administrateur eiendom by wyse van 'n bemaking, erflating, skenking of bydrae in trust vir enige bepaalde doel in verband met 'n bestaande of toekomstige staatshospitaal, of in trust vir enige hospitaalgebruik aanvaar, en met enige aldus aanvaarde eiendom moet daar te alle tye gehandel word op die wyse wat artikel 12 voorskryf.

Besikking oor vaste eiendom.

14. Die Administrateur kan enige vaste eiendom wat kragtens hierdie ordonnansie by die Administrasie berus, verhuur, verkoop of andersins vervreem.

Besikking oor roerende eiendom.

15. Die Administrateur kan enige roerende eiendom wat kragtens hierdie ordonnansie by die Administrasie berus, verhuur, verkoop of andersins vervreem.

Oordrag van verpligtinge van ou rade.

16. Al die verpligtinge van ou rade, buiten dié wat deur een of meer lede daarvan aangegaan is en op hom of hulle rus *de bonis propriis*, word met ingang van 'n datum wat die Administrateur kragtens artikel 10 bepaal, die verpligtinge van die Administrasie.

Oordrag van eise, regsgedinge en regsprosesse.

17. Enige hangende eis, regsgeding of ander regsproses deur, teen of ten opsigte van 'n ou raad word, met ingang van 'n datum wat die Administrateur kragtens artikel 10 bepaal, deur of teen die Administrateur gehandhaaf of gevoer, en geen sodanige eis, regsgeding of proses verval of word gestuit of benadeel omdat die beheer van hospitale kragtens hierdie ordonnansie op die Administrateur oorgegaan het nie.

Werknemers van ou rade word Administrasiewerknemers.

18. Alle werknemers van ou rade word werknemers van die Administrasie, en uitgesonderd die bepalings van artikels 19 en 20 behou hulle hul amp: Met dien verstande dat geen bepaling van hierdie artikel geld vir enigeen wat 'n ou raad deelyds of in 'n erehoedanigheid in diens gehad het nie.

Verplasing van werknemers.

19. Die Administrateur kan enige werknemer wat kragtens artikel 18 'n werknemer van die Administrasie word, verplaas na enige betrekking van 'n soortgelyke graad in enige staatshospitaal, of na enige ander betrekking in die Gebied: Met dien verstande dat geen verpleegster, buiten in noodgevalle, sonder haar toestemming verplaas mag word nie.

Afdanking van werknemers.

20. Die Administrateur kan enige werknemer wat kragtens artikel 18 'n werknemer van die Administrasie word, afdank as hy oortuig is dat so 'n werknemer nie elders in 'n betrekking van 'n graad wat soortgelyk is aan dié wat hy gevul het voor die datum wat die Administrateur kragtens artikel 10 bepaal, nuttig in diens



12 (1) Notwithstanding anything to the contrary in sections 10 and 11 contained any property transferred to the Administration and subject to any trust or particular bequest shall upon such transfer to the Administration at all times remain subject to such trust or bequest and shall thereafter be dealt with by the Administrator in accordance with the terms and conditions thereof: Provided that where a trust or bequest is in conflict with or is repugnant to any of the provisions of this ordinance such property shall vest in the Administration free of such trust or bequest and may be applied to any purpose in connection with the hospital intended to benefit from such trust or bequest: Provided further that if any property is in terms of a trust or special bequest subject to a condition that it shall be used for a specific purpose which is not a capital purpose the Administrator may, if he considers it to be in the interest of the hospital concerned, authorise the utilisation of such property for the purpose of acquiring equipment for such hospital or for any capital purpose connected therewith.

Trusts to be maintained.

(2) For the purpose of this section "capital purposes" means —

- (a) the erection, construction, acquisition, extension or improvement of any state hospital building;
- (b) the acquisition of land or of any right over or interest in land;
- (c) the carrying out of any work of a permanent nature in connection with any state hospital.

13. Notwithstanding anything to the contrary in this ordinance or any other law contained, the Administrator may accept any property by way of bequest, devise, donation or subscription in trust for any particular purpose connected with an existing or future state hospital or in trust for any hospital purpose, and any property so accepted shall at all times be dealt with in the manner prescribed by section 12.

Bequests in trust.

14. The Administrator may let, sell or otherwise alienate any immoveable property vested in the Administration in terms of this ordinance.

Disposal of immoveable property.

15. The Administrator may let, sell or otherwise alienate any moveable property vested in the Administration in terms of this ordinance.

Disposal of movable property.

16. All the liabilities of old boards, except those that may have been incurred by and rest *de bonis propriis* on a member or members thereof shall as from the date fixed by the Administrator in terms of section 10 become the liability of the Administration.

Transfer of liabilities of old boards.

17. All claims, suits and legal proceedings pending by or against or in respect of any old board shall, as from a date fixed by the Administrator in terms of section 10, be enforced and carried on by or against the Administrator and no such claim, suit or proceedings shall abate or be discontinued or be prejudicially affected by reason of the vesting of the control of hospitals in the Administrator in terms of this ordinance.

Transfer of claims, suits and legal proceedings.

18. All employees of old boards shall become employees of the Administration and shall, except as in sections 19 and 20 provided, continue in office: Provided that nothing in this section contained shall apply to any person employed by an old board in a part-time or honorary capacity.

Employees of old boards shall become employees of the Administration.

19. Any employee who becomes a member of the Administration in terms of section 18, may be transferred by the Administrator to any post of similar grading in any state hospital or to any other post in the Territory: Provided that no nurse shall be transferred without her consent, except in the case of an emergency.

Transfer of employees.

20. The Administrator may discharge any employee who has become an employee of the Administration under section 18, if he is satisfied that such employee cannot be elsewhere usefully employed in a post similar in grading to that occupied by him prior to the date fixed by the

Dismissal of employees.

## HOOFSTUK IV.

## KOMITEE OP STAATSHOSPITALE:

Aanstel van  
komitee op  
staatshospitale.

21. (1) Die Administrateur kan 'n komitee op staats-hospitale aanstel met die Direkteur as voorsitter en 'n adjunk-direkteur as ondervoorsitter en nog vier ander lede. Die vier ander lede van die komitee dien vir 'n tydperk van twee jaar: Met dien verstande dat wanneer so 'n komitee vir die eerste keer saamgestel word, die Administrateur bepaal welke lede vir een jaar en welke lede vir twee jaar aangestel word om sodoende die jaarlikse aftrede van twee lede te verseker: Met dien verstande voorts dat die Administrateur die dienstermyn van enige lid of lede na goeddunke kan beëindig.

(2) Lede wie se dienstermyn verstryk het, kan weer aangestel word.

Advies deur  
komitee op  
staatshospitale.

22. Die komitee op staatshospitale bedien die Administrateur of Direkteur, al na die geval, met advies oor navorsing, hospitaalbeplanning, laboratoriumdienste, beplanning van helende dienste, hospitaaltoerusting of enige ander aangeleentheid wat die Administrateur of Direkteur na hom verwys.

Vergaderings van  
komitee op  
staatshospitale.

23. Die Administrateur bepaal by regulasie die reëling en prosedure van vergaderings van 'n komitee op staatshospitale en verbandhoudende sake.

Vergaderings van  
'n komitee op  
staatshospitale is  
privaat.

24. (1) Die vergaderings van sodanige komitee is privaat en nie vir die publiek toeganklik nie.

Sekretaris hou  
notule.

(2) Die sekretaris van 'n komitee op staatshospitale hou behoorlik notule van bywoning van lede daarvan en van alle besluite wat op elke vergadering geneem word.

Sekretariële hulp  
word verskaf aan  
komitee op  
staatshospitale.

(3) Die Administrasie verskaf aan sodanige komitee die nodige sekretariële hulp en skryfbehoeftes.

Aanstelling van  
subkomitees van  
komitee op  
staatshospitale.

25. 'n Komitee op Staatshospitale kan, wanneer hy dit nodig vind, subkomitees aanstel om op 'n bepaalde saak in te gaan en daarvoor verslag te lewer en vir hierdie doel kan met die goedkeuring van die Administrateur bevoegde persone gekoöpteer word in raadgewende hoedanigheid alleenlik.

Reis- en  
verblyfkoste.

26. Aan die lede van 'n komitee op staatshospitale of sy subkomitees wat nie staatsamptenare is nie, word die reis- en verblyftoelaes betaal wat die Administrateur voorskryf.

## HOOFSTUK V.

TOELATING VAN PASIËNTE EN TOEGANG TOT  
STAATSHOSPITALE.

Voorwaardes van  
opname in  
staatshospitale.

27. Wanneer akkommodasie beskikbaar is, word elkeen tot 'n staatshospitaal toegelaat wat aan 'n siekte of ongesteldheid ly ter verligting waarvan so 'n hospitaal ingestel is, met inagneming van die dringendheid van die behoefte aan verligting: Met dien verstande dat die mediese superintendent iemand kan uitsluit of ontslaan as die toelating of aanhouding van so iemand sins insiens onnodig is of as dit die behandeling van ander pasiënte sou benadeel, of so iemand hom skuldig maak aan optrede wat na die mening van die mediese superintendent sy ontslag regverdig: Met dien verstande voorts dat iemand aldus uitgesluit of ontslaan hom binne veertien dae na sodanige uitsluiting of ontslag skriftelik deur die Direkteur op die Administrateur kan beroep en die Administrateur se beslissing is afdoende.

Gelde betaalbaar  
deur pasiënte in  
staatshospitale.

28. (1) Die Administrateur kan by regulasie tariewe voorskryf van gelde wat vir staatshospitaaldienste betaal moet word en die voorwaardes waarop en die omstandighede waaronder 'n pasiënt in 'n staatshospitaal vry behandeling moet ontvang.

(2) By sodanige voorskrywing van tariewe vir staatshospitaaldienste kan die Administrateur sodanige gelde laat wissel in ooreenstemming met die bepaalde klas of klasse hospitale en/of klas of klasse pasiënte wat hospitaaldienste ontvang, of met die aard van die akkommodasie en geriewe wat verskaf word, of met die lengte van verblyf, of met ander omstandighede, en kan hy aldus voorskryf dat daar onder bepaalde omstandighede of vir bepaalde hospitale geen gelde betaalbaar is.

## CHAPTER IV.

## STATE HOSPITALS COMMITTEE.

21. (1) The Administrator may appoint a state hospitals committee with the Director as chairman and a deputy director as vice-chairman and four other members. The four other members of the committee shall serve for a period of two years: Provided that when such a committee is constituted for the first time, the Administrator shall determine which members shall be appointed for one year and which members for two years so as to secure the retirement of two members annually: Provided further that the Administrator may in his discretion terminate the term of office of any member or members.

Appointment of state hospitals committee.

(2) Members whose term of office has expired, may be re-appointed.

22. The state hospitals committee shall advise the Administrator or Director, as the case may be, on research work, planning of hospitals, laboratory services, planning of curative services, hospital equipment or any other matter which the Administrator or Director may refer to the committee.

Advice by state hospitals committee.

23. The Administrator shall determine by regulation the organisation of and procedure at meetings of any state hospitals committee and matters incidental thereto.

Meetings of state hospitals committee.

24 (1) Meetings of such committee shall be private and not open to the public.

Meetings of a state hospitals committee are private.

(2) A proper record shall be kept by the secretary of a state hospitals committee of the attendances of its members and of all resolutions adopted at any meeting.

Secretary to keep minutes.

(3) The Administration shall provide such committee with such clerical assistance and stationery as it may require.

Secretarial assistance to be provided to state hospitals committee.

25. A state hospitals committee may appoint such sub-committees, as it may deem necessary for the purpose of investigating and reporting on any specific matter, and for this purpose competent persons may, with the approval of the Administrator, be co-opted solely in an advisory capacity.

Appointment of sub-committees of state hospitals committee.

26. Members of a state hospitals committee or sub-committee who are not public servants, shall be paid such subsistence and transport allowances as the Administrator may prescribe.

Subsistence and travelling costs.

## CHAPTER V.

## ADMISSION OF PATIENTS AND ACCESS TO STATE HOSPITALS.

27. There shall be admitted to every state hospital, whenever accommodation is available, any person who is suffering from any disease or condition for the relief of which such hospital is established, subject to the urgency of the need for relief: Provided that the medical superintendent may exclude or discharge a person if in his opinion the admission or detention of such person is unnecessary or would adversely affect the treatment of other patients or such person acts in such a way that, in the opinion of the medical superintendent, his discharge is justified: Provided further that a person thus excluded or discharged may, within fourteen days after such exclusion or discharge, through the Director appeal to the Administrator in writing and the decision of the Administrator shall be final.

Conditions of admission to state hospitals.

28 (1) The Administrator may by regulation prescribe tariffs of charges to be paid for state hospital services and the conditions on which and circumstances under which any patient in a state hospital shall receive free treatment.

Charges payable by patients in state hospitals.

(2) In so prescribing tariffs for state hospital services the Administrator may vary such charges according to the particular class or classes of hospitals and/or class or classes of patients receiving hospital services or the nature of the accommodation and facilities provided, or length of stay or other circumstances, and may so prescribe that under certain circumstances or in respect of certain hospitals no charges shall be payable.

(3) Die Administrateur kan die gelde wat ten opsigte van enigiemand vir staats hospitaaldienste betaalbaar is, verminder of kwyt skeld as hy oortuig is dat so iemand, of enigiemand anders wat vir betaling van so iemand se gelde verantwoordelik of wetlik aanspreeklik is, nie in staat is om die voorgeskrewe gelde ten volle of enige gelde hoegenaamd, na gelang, te betaal nie.

(4) 'n Pasiënt in 'n staats hospitaal kan sy eie geneesheer of tandarts kies en in diens neem: Met dien verstande dat —

(a) Die Administrateur nie aanspreeklik is vir die betaling van gelde wat aan so 'n geneesheer of tandarts verskuldig is nie;

(b) so 'n geneesheer of tandarts nie 'n voltydse lid van enige staats hospitaal se personeel is nie.

(5) Nieteenstaande die bepalings van subartikel (4) mag geen vry pasiënt in 'n staats hospitaal sy eie tandarts of geneesheer kies en in diens neem nie behalwe met die skriftelike goedkeuring van die mediese superintendent en dit onderhewig aan die voorwaardes wat die mediese superintendent stel en voorts onderhewig aan die bepalings van paragraaf (a) van subartikel (4).

(6) Nieteenstaande die bepalings van subartikel (4) mag geen pasiënt in 'n bepaalde staats hospitaal of deel daarvan, wat die Administrateur aanwys, sy eie geneesheer of tandarts kies en in diens neem nie.

Magtiging om toegang tot 'n staats hospitaal te weier.

29. Die mediese superintendent van 'n staats hospitaal kan aan engeen insluitende 'n geneesheer of tandarts wat nie by hierdie ordonnansie of 'n ander wet magtiging verleen word nie, toegang tot 'n staats hospitaal onder sy beheer weier: Met dien verstande dat iemand aan wie toegang aldus geweier word, hom binne veertien dae na sodanige weiering skriftelik deur die Direkteur op die Administrateur kan beroep, en die Administrateur se beslissing is afdoende.

## HOOFSTUK VI.

### PRIVATE HOSPITALE.

Betaling van hulptoelae aan private hospitale.

30. (1) Die Administrateur kan hulptoelae aan private hospitale betaal en kan ten opsigte van sodanige hospitale, óf hulle ingevolge hierdie artikel ondersteun word of nie, betalings aan sodanige private hospitale doen vir die vry behandeling van, en hospitaaldienste aan, binne- en buitepasiënte op die basis wat hy bepaal.

(2) Elke private hospitaal aan wie 'n hulptoelae of betalings ingevolge subartikel (1) gemaak is, moet voor 31 Augustus van elke jaar aan die Direkteur 'n verslag, in die vorm soos deur hom voorgeskryf, verstrek oor sy werk gedurende die afgelope boekjaar asook 'n geouditeerde staat, goedgekeur deur die Kontroleur en Ouditeur-generaal, van sy rekeninge vir daardie boekjaar voorlê.

Uitreiking van registrasiesertifikate.

31. (1) Niemand mag 'n private hospitaal bestuur of dryf, tensy 'n registrasiesertifikaat ten opsigte van so 'n hospitaal ooreenkomstig hierdie artikel aan die eienaar daarvan uitgereik is deur die Sekretaris van Suidwes-Afrika en nog geldig is nie.

(2) Elk so 'n registrasiesertifikaat verval op die 31ste dag van Desember van die jaar waarvoor dit uitgereik is.

(3) Aansoeke om registrasiesertifikate moet in die voorgeskrewe vorm aan die Sekretaris van Suidwes-Afrika gerig word en moet vergesel gaan van 'n bedrag van twee rand: Met dien verstande dat geen sodanige sertifikaat uitgereik word nie tensy die Sekretaris van Suidwes-Afrika oortuig is dat die perseel en die verskafte toerusting vir die doeleindes van daardie hospitaal toereikend en geskik is, dat bevoegde personeel die dienste sal waarneem, dat dit in die openbare belang is en dat sodanige ander voorwaardes wat by regulasie voorgeskryf is, nagekom word: Met dien verstande voorts dat as 'n aansoek geweier word, die applikant binne veertien dae van sodanige weiering hom skriftelik op die Administrateur kan beroep, en die Administrateur se beslissing is afdoende. Elke uitgereikte sertifikaat moet die maksimum getal binnepasiënte van elke bevolkingsgroep aangee wat gelyktydig in die hospitaal gehuisves

(3) The Administrator may reduce or waive the charges for state hospital services payable in respect of any person if he is satisfied that such person, or any other person responsible or legally liable for such person's charges, is not able to pay in full the charges prescribed or any charges whatever, as the case may be.

(4) A patient in a state hospital may select and engage his own medical or dental practitioner: Provided that —

- (a) the Administrator shall not be liable for the payment of any fees due to such medical or dental practitioner;
- (b) such medical or dental practitioner is not a full-time member of the staff of any state hospital.

(5) Notwithstanding the provisions contained in sub-section (4) no free patient in a state hospital shall select and engage his own dental or medical practitioner except with the written approval of the medical superintendent and then subject to such conditions as the medical superintendent may impose and further subject to the provisions of paragraph (a) of sub-section (4).

(6) Notwithstanding the provisions of sub-section (4), no patient in any particular state hospital or portion thereof which the Administrator may designate, shall select and engage his own medical or dental practitioner.

29. The medical superintendent of any state hospital may refuse any person, including a medical practitioner or dental practitioner not authorised by this ordinance or any other law, access to a state hospital under his control: Provided that any person to whom access is so refused may within 14 days of such refusal appeal to the Administrator through the Director in writing, and the decision of the Administrator shall be final.

Authority to refuse admission to a state hospital.

## CHAPTER VI.

### PRIVATE HOSPITALS.

30. (1) The Administrator may make grants-in-aid to private hospitals and may, in respect of such hospitals, whether aided in terms of this section or not, make payments to such private hospitals in respect of free treatment and hospital services for in- and out-patients on such basis as he may determine.

Payment of grants-in-aid to private hospitals.

(2) Every private hospital to which a grant-in-aid or payments have been made in terms of sub-section (1) shall, before the 31st August of every year submit a report to the Director in the manner prescribed by him, on its work during the past financial year as well as an audited statement, approved by the Controller and Auditor-General, of its accounts for that financial year.

31. (1) No person shall conduct or manage any private hospital unless a certificate of registration has been issued by the Secretary for South West Africa in terms of this section to the proprietor thereof in respect of such hospital and such certificate is still valid.

Issue of certificates of registration.

(2) Every such certificate of registration shall expire on the 31st day of December of the year in respect of which it was issued.

(3) Applications for certificates of registration shall be made in the prescribed form to the Secretary for South West Africa and shall be accompanied by a fee of two rand: Provided that no such certificate shall be issued if the Secretary for South West Africa is not satisfied that the premises and the equipment provided are adequate and suitable for the purposes of that hospital, that services will be rendered by competent staff, that it is in the public interest and that such other conditions as may be prescribed by regulation are fulfilled: Provided further that if any application is refused, the applicant may within fourteen days of such refusal appeal in writing to the Administrator whose decision shall be final. Every certificate issued shall indicate the maximum number of in-patients of each population group who may be accommo-

kan word, en moet die klas of klasse mediese of ander geval of gevalle vermeld, wat in die bedoelde private hospitaal toegelaat kan word ten einde daarin behandeling te ontvang.

(4) Nieteenstaande andersluidende bepalings in die Ordonnansie op Hospitale en Liefdadigheidsinrigtings 1930 (Ordonnansie 16 van 1930) is elke private hospitaal te eniger tyd onderhewig aan inspeksie deur enige beampte wat die Administrateur skriftelik daartoe gemagtig het, en nadat sodanige beampte verslag gedoen het oor enige private hospitaal, kan die Administrateur, as hy dit nodig ag, die eienaar van bedoelde private hospitaal deur middel van 'n skriftelike kennisgewing aan hom gerig, gelas om binne 'n redelike tydperk wat die kennisgewing vermeld, die bouveranderings of verbeterings aan die geboue aan te bring, of die artikels te verskaf of gebreke of behoeftes aan te vul, of ander dinge te doen wat hy spesifiseer, en as sodanige eienaar versuim om aan so 'n kennisgewing te voldoen, kan die Administrateur by 'n verdere kennisgewing die betrokke registrasiesertifikaat intrek, en gelas dat die private hospitaal of bepaalde deel daarvan, waarvoor sodanige sertifikaat uitgereik is, op 'n datum in die kennisgewing bepaal, gesluit moet word: Met dien verstande dat as die eienaar van die private hospitaal na die mening van die Administrateur hom skuldig maak aan 'n afwyking van enige bepaling van hierdie artikel of 'n regulasie ingevolge hierdie ordonnansie of enige voorwaarde van sy registrasie, of as die Administrateur meen dat dit in die openbare belang sou wees, hy te eniger tyd by skriftelike kennisgewing aan die eienaar enige deel van die magtiging wat die betrokke registrasiesertifikaat verleen, kan herroep of die genoemde sertifikaat kan intrek: Met dien verstande voorts dat in laasgenoemde geval gelas hy dat sodanige private hospitaal met ingang van 'n datum wat hy in die kennisgewing aangee, gesluit moet word.

(5) Behalwe in noodgevalle kan die eienaar van 'n private hospitaal —

- (a) niemand behalwe *bona fide* binnepatiënte en ander persone waarvoor sy registrasiesertifikaat magtiging verleen, daarin huisves nie;
- (b) nie op enige tydstep meer van die klas of klasse pasiënte huisves as die getal of getalle wat die registrasiesertifikaat ten opsigte van daardie private hospitaal aangee nie:

Met dien verstande dat wanneer die eienaar handel ingevolge paragrafe (a) en (b) in 'n noodgeval hy, binne sewe dae daarna die Direkteur skriftelik moet verwittig en hom ook die redes daarvoor moet verstrek, en die Direkteur oordeel of sodanige afwyking onder die aandag van die Administrateur gebring moet word vir optrede kragtens die voorbehoudsbepaling van subartikel (4).

(6) Ter toepassing van hierdie artikel kan die Administrateur regulasies uitvaardig waarin hy die vorm van aansoeke om registrasiesertifikate, dié van registrasiesertifikate sowel as die registers wat gehou moet word, die voorwaardes waarop registrasiesertifikate uitgereik moet word, en die indeling en gradering van private hospitale, hetsy vir die doeleindes van hulptoelae ingevolge artikel 30 of andersins, en hy kan verskillende regulasies uitvaardig vir verskillende private hospitale of verskillende dele van sodanige hospitale en vir verskillende klasse of grade van private hospitale.

(7) Geen gebou mag opgerig of omgebou of ingerig word vir gebruik as private hospitaal nie, nóg mag die geboue van 'n bestaande private hospitaal verander of vergroot word nie, buiten met die vooraf verkreë skriftelike toestemming van die Administrateur. Benewens enige straf wat weens 'n oortreding van hierdie subartikel opgelê kan word, kan 'n registrasiesertifikaat of 'n hulptoelae deur die Administrateur geweier, ingetrek of teruggetrek word.

(8) Elkeen wat enige bepaling van hierdie artikel of enige regulasie daaringevolge oortree, of wat versuim of weier om toegang te verleen aan 'n beampte wat ingevolge subartikel (4) gemagtig is, wanneer hy toegang tot 'n private hospitaal of deel daarvan versoek, of wat hom

dated in the hospital at any one time, and shall state the class or classes of medical or other case or cases which may be admitted to such private hospital for treatment therein.

(4) Notwithstanding anything to the contrary in the Hospitals and Charitable Institutions Ordinance, 1930 (Ordinance 16 of 1930) contained, every private hospital shall be subject to inspection at any time by any officer authorised thereto in writing by the Administrator, and upon the report by any such officer concerning any private hospital the Administrator may, if he deems it necessary, by written notice addressed to the proprietor of such private hospital, order him within such reasonable period as may be specified in the notice, to carry out such structural alterations or improvements to the buildings, or provide such things or remedy such defects or deficiencies, or do such other things, as may be specified, and upon the failure of such proprietor to comply with such notice, the Administrator may by a further notice cancel the certificate of registration concerned and order that the private hospital or that portion thereof, in respect of which the certificate was issued be closed on a date specified in the notice: Provided that if the proprietor of the private hospital is, in the opinion of the Administrator, guilty of any departure from any provision of this section or any regulation under this ordinance or any condition of his registration, or if the Administrator is of the opinion that it would be in the public interest, he may at any time by written notice to the proprietor withdraw any part of the authority granted in the certificate of registration concerned, or cancel the said certificate: Provided further that in the last-mentioned case he shall order such private hospital to be closed as from a date to be stated in such notice.

(5) Except in cases of emergency the proprietor of a private hospital shall not —

- (a) accommodate therein any person other than *bona fide* in-patients and other persons in respect of whom his registration certificate authorises accommodation;
- (b) accommodate therein at any one time more than the number or numbers of patients of the class or classes given in the certificate of registration issued in respect of such private hospital:

Provided that whenever the proprietor acts in an emergency in terms of paragraphs (a) and (b) he shall within seven days thereafter inform the Director thereof in writing giving the reasons therefor, and the Director shall decide whether such departure shall be brought to the attention of the Administrator for action in terms of the proviso to sub-section (4).

(6) For the purpose of this section the Administrator may make regulations prescribing the form of applications for certificates of registration and of certificates of registration and of the registers to be kept, the conditions subject to which certificates of registration shall be issued and the classification and grading of private hospitals, whether for the purposes of grants-in-aid in terms of section 30 or otherwise, and he may promulgate different regulations for different private hospitals or different portions of such hospitals and for different classes or grades of private hospitals.

(7) No building shall be erected or converted or adapted for use as a private hospital, nor shall the buildings of any existing private hospital be altered or added to, without the prior approval in writing of the Administrator. In addition to any penalty which may be incurred for a contravention of this sub-section a certificate of registration may be refused or cancelled and any grant-in-aid refused or withdrawn by the Administrator.

(8) Any person who contravenes any provision of this section or any of the regulations made thereunder, or who fails to give or refuse access to any officer authorised un-

by die uitvoering van sy pligte hinder, of hom opsetlik valse of misleidende inligting verstrek, is skuldig aan 'n oortreding en is, by skuldigbevinding, strafbaar met 'n boete van hoogstens honderd rand, of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens drie maande.

(9) Die Administrateur kan op voorwaardes wat hy goedvind, enige private hospitaal van die bepalings van hierdie artikel uitsluit.

## HOOFSTUK VII.

### ALGEMEEN.

Instelling van ambulansdienste.

32. Die Administrateur kan 'n ambulansdiens instel en in stand hou op voorwaardes soos hy bepaal.

Vervoer van pasiënt met 'n hospitaalvoertuig.

33. Nieteenstaande andersluidende bepalings in enige wet, kan 'n pasiënt na en van 'n hospitaal met 'n hospitaalvoertuig vervoer word.

Navorsing van siektes en geestesgebreke.

34. Nieteenstaande andersluidende bepalings in enige wet kan die Administrateur navorsing in enige aangeleenthede betreffende die voorkoms, oorsaak, voorkoming, diagnose of behandeling van siektes of geestesgebreke uitvoer of by wyse van toelaes of andersins enigeen met sodanige navorsing ondersteun.

Voorziening van bakteriologiese dienste.

35. Die Administrateur kan bakteriologiese dienste insluitende laboratoria verskaf ter bevordering van doeltreffende gesondheidsdienste, of 'n ooreenkoms met ander instansies aangaan vir die lewering van die dienste, en die Administrateur kan persone of liggame toelaat om gebruik te maak van die dienste wat sodanige laboratoria verskaf ingevolge die bepalings en op die voorwaardes, insluitende die betaling van gelde en vorderings, indien enige, wat die Administrateur goedvind.

Hulpdienste in noodgevälle.

36. Die Administrateur kan by die verskaffing van hospitaal- en spesialisiese dienste, voorrade mensebloed of voorrade van enige ander mediese stof, paraaraat of apparaat op voorwaardes wat hy bepaal, insluitende die betaling van gelde, indien enige, in noodgevälle beskikbaar stel aan enige instansie.

Instelling van werksinkels en mediese magasyn.

37. Die Administrateur kan op voorwaardes wat hy wenslik ag, magtiging verleen tot die instelling, by 'n staatshospitaal of ander plek, van —

(a) werksinkels vir die verskaffing en instandhouding van apparate en toerusting ter bevordering van doeltreffende gesondheidsdienste; en

(b) 'n sentrale mediese magasyn ter verskaffing van geneesmiddels, verbande en mediese, heelkundige en hospitaalbenodigdhede en toerusting aan staats-hospitale of ander inrigtings of organisasies wat hy bepaal.

Vrystelling van bepalings van ordonnansie.

38. Nieteenstaande andersluidende bepalings in hierdie ordonnansie kan die Administrateur, wanneer hy dit dienstig ag en na ondersoek wat hy moontlik nodig ag, by kennisgewing in die *Offisiële Koerant* gelas dat party van, of al die bepalings van hierdie ordonnansie nie geld vir die staatshospitaal of -hospitale wat hy aanwys nie.

Uitvaardiging van bykomende regulasies.

39. Benewens die regulasies wat die Administrateur spesifiek uit kragte van hierdie ordonnansie kan uitvaardig, kan hy enige ander regulasies uitvaardig wat bestaanbaar is met die bepalings van hierdie ordonnansie, en wat hy nodig vind ter doeltreffender uitvoering van die bepalings van hierdie ordonnansie en ter bevordering van die oogmerke daarvan. Alle regulasies wat die Administrateur uitvaardig, verskyn in die *Offisiële Koerant*.

Delegasie van magte.

40. Die Administrateur kan enige bevoegdheid aan hom verleen kragtens hierdie ordonnansie, aan die Sekretaris van Suidwes-Afrika of enige beaampte onder beheer van die genoemde Sekretaris deleger.

Herroeping van wet.

41. (1) Behoudens die bepalings van subartikels (2), (3) en (4) word die Ordonnansie op Staatshospitale 1957



the execution of his duties or gives him any false or misleading information knowing the same to be false or misleading, shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred rand, or, in default of payment, to imprisonment for a period not exceeding three months.

(9) The Administrator may, on such conditions as he may deem fit, exclude any private hospital from the provisions of this section.

## CHAPTER VII.

### GENERAL.

32. The Administrator may establish and maintain an ambulance service on such conditions as he may impose. Establishment of ambulance services.

33. Notwithstanding anything to the contrary in any law contained, a patient may be conveyed to and from a hospital in a hospital vehicle.

34. Notwithstanding anything to the contrary in any law contained, the Administrator may conduct, or assist by grants or otherwise any person to conduct, research into any matters relating to the occurrence, causation, prevention, diagnosis or treatment of illness or mental defects. Research on diseases and mental deficiencies.

35. The Administrator may provide bacteriological services, including the provision of laboratories to promote efficient health services, or enter into an agreement with other authorities for the supply of these services, and the Administrator may allow persons or bodies to make use of the services provided at such laboratories on such terms and conditions, including the payment of fees and charges, if any, as the Administrator deems fit. Provision of bacteriological services.

36. The Administrator may in providing hospital or specialist services, make available supplies of human blood or supplies of any other medical substance, preparation or apparatus on conditions that he may determine, including the payment of charges, if any, to any authority in cases of emergency. Assistance in emergency cases.

37. The Administrator may authorise, subject to such conditions as he may deem advisable, the establishment at any state hospital or other place of — Establishment of workshops and medical store.

(a) workshops for the supply and maintenance of apparatus and equipment to promote efficient health services; and

(b) a central medical store for the purpose of supplying drugs, dressings and medical, surgical and hospital requisites and equipment to state hospitals or such other institutions or organisations as he may determine.

38. Notwithstanding anything to the contrary in this ordinance contained, the Administrator may, whenever he deems it expedient and after such enquiry as he may deem necessary by notice in the *Official Gazette* direct that some or all of the provisions of this ordinance shall not apply to such state hospital or state hospitals as he may designate. Exemption of provision of ordinance.

39. In addition to the regulations which by this ordinance he is specially empowered to make, the Administrator may make any other regulations, not inconsistent with the provisions of this ordinance, which he may deem necessary for the better carrying out of the provisions of this ordinance and in furtherance of the objects thereof. All regulations made by the Administrator shall be published in the *Official Gazette*. Promulgation of additional regulations.

40. The Administrator may delegate any of the powers vested in him by this ordinance, to the Secretary for South West Africa or any other officer under the control of the Secretary for South West Africa. Delegation of power.

41. (1) Save as provided in sub-sections (2), (3) and (4) the State Hospitals Ordinance, 1957 (Ordinance 49 of 1957 — hereinafter called the ordinance — is hereby re- Repeal of law.

(2) 'n Hospitaalraad aangestel kragtens artikel 31 van die ordonnansie word geag ontbind te wees by die inwerkingtreding van hierdie ordonnansie.

(3) 'n Staatshospitaal of ander hospitaal gestig voor die inwerkingtreding van hierdie ordonnansie word geag gestig te wees ingevolge die bepalings van hierdie ordonnansie en 'n private hospitaal geregistreer volgens die bepalings van die ordonnansie word geag gestig te wees volgens die bepalings van hierdie ordonnansie.

(4) Enige regulasie, kennisgewing, goedkeuring, magtiging, sertifikaat of dokument uitgereik, uitgevaardig, afgekondig, gegee of verleen en enige ander stappe gedoen ingevolge 'n bepaling van 'n by subartikel (1) herroepe wet, word geag ingevolge die ooreenstemmende bepaling van hierdie ordonnansie uitgereik, uitgevaardig, afgekondig, gegee, verleen of gedoen te gewees het.

Kort titel.

42. Hierdie ordonnansie heet die Ordonnansie op Staatshospitale 1966.

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(2) Any hospital board appointed in terms of section 31 of the ordinance is hereby deemed to be dissolved at the commencement of this ordinance.

(3) Any state hospital or other hospital established before the commencement of this ordinance shall be deemed to have been established in terms of this ordinance and any private hospital registered in terms of the ordinance shall be deemed to have been established in terms of this ordinance.

(4) Any regulation, notice, approval, authority, certificate or document promulgated, published, given or issued, and any other steps taken under any provision of any law repealed by sub-section (1) shall be deemed to have been promulgated, published, given or issued under the corresponding provision of this ordinance.

42. This ordinance shall be called the State Hospitals Ordinance, 1966. Short title.

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