



Republic of Namibia  
Annotated Statutes

**REGULATIONS**

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REGULATIONS MADE IN TERMS OF  
**Aged Persons Act 81 of 1967**  
section 20

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**Regulations governing the Registration of Homes for the Aged  
[in respect of “White persons”]**

RSA Government Notice R.3759 of 1969

[\(RSA GG 2564\)](#)

came into force on date of publication: 21 November 1969

RSA GN R.3759/1969 states that the regulations are made in terms of section 20 of the Aged Persons Act 81 of 1967 “in respect of White persons”.

**as corrected by**

**RSA Government Notice R.1235 of 1970** [\(RSA GG 2762\)](#)

date of publication: 31 July 1970

**as amended by**

**RSA Government Notice R.1625 of 1976** [\(RSA GG 5276\)](#)

deemed to have come into operation on 1 April 1976 (RSA GN R.1625/1976)

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**ARRANGEMENT OF REGULATIONS**

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6. Records and Registers to be Kept by the Managers of Homes for the Aged
7. Returns and Reports to be Furnished by the Managers of Homes for the Aged

Schedule A - Registration Certificate for a Home for the Aged

**REGULATIONS**  
**Aged Persons Act 81 of 1967**

**Regulations governing the Registration of Homes for the Aged**  
**[in respect of "White persons"]**

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**Schedule B - Temporary Registration Certificate for a Home for the Aged**

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**Definitions**

1. In these regulations, unless the context otherwise indicates

“debilitated resident” means any resident who is a debilitated person;

“local authority” means any institution or body referred to in section 84(1)(f) of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961);

“Minister” means the Minister of Social Welfare and Pensions;

“resident” in relation to any home for the aged, means any aged person or debilitated person accommodated in such home;

“Secretary” means the Secretary for Social Welfare and Pensions;

“the Act” means the Aged Persons Act, 1967 (Act 81 of 1967).

**Application for Registration of Homes for the Aged**

2. (1) Any application for the registration of a home for the aged in terms of section 3 of the Act shall be submitted in duplicate in the appropriate form to the social welfare officer for the area in which the home concerned has been or is to be established.

(2) Such application shall be accompanied by -

- (a) a properly signed certificate of the local authority in whose area the home for the aged has been or is to be established, to the effect that such home complies, in the case of a home already established, with all the structural and health requirements of such local authority or, in the case of a home which is to be established, that the plans for the erection thereof have been approved by such local authority;
- (b) a copy of the domestic rules of such home;
- (c) full particulars of any fees levied or to be levied by the management of such home on the residents thereof.

**Minimum Standards with which Homes for the Aged are to Comply**

3. (1) Subject to the provisions of the Act and of these regulations, no home for the aged shall be registered under the Act, unless -

- (a) the floor area of every bedroom is, in the case of a single bedroom, not less than 10,2 m<sup>2</sup> and, in the case of a double bedroom, not less than 15 m<sup>2</sup>;

[paragraph (a) amended by RSA GN R.1625/1976]

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- (b) every bedroom is equipped with a washbasin which, on the outside, is not less than 508 mm by 305 mm and which is connected to a permanent supply of hot and cold water and, in the case of a single bedroom, with a wardrobe which, on the inside, is not less than 915 mm wide by 535 mm deep or, in the case of a double bedroom, with two such wardrobes;

[paragraph (b) amended by RSA GN R.1625/1976]

- (c) the floor area of each bed-space unit in every ward in which debilitated residents are cared for is not less than 7,5 m<sup>2</sup> and the number of bed-space units in every such ward does not exceed six;

[paragraph (c) amended by RSA GN R.1625/1976]

- (d) in the case of a home accommodating not less than 40 residents, a separate sick bay, comprising not less than two bed-space units occupying a floor area of not less than 7,5 m<sup>2</sup> each, is provided for the male and for the female residents of such home;

[paragraph (d) amended by RSA GN R.1625/1976]

- (e) the floor area of all lounges, sun porches and workrooms is in the aggregate not less than a floor area calculated at 1,4 m<sup>2</sup> per debilitated resident and at 2 m<sup>2</sup> per other resident;

[paragraph (e) amended by RSA GN R.1625/1976]

- (f) the floor area of all kitchens and dining-rooms is in the aggregate not less than a floor area calculated at 1,5 m<sup>2</sup> per debilitated resident and at 2 m<sup>2</sup> per other resident;

[paragraph (f) amended by RSA GN R.1625/1976]

- (g) provision is made for a medical examination room comprising a floor area of not less than 10,2 m<sup>2</sup> and equipped with a wash-basin which, on the outside, is not less than 508 mm by 305 mm and which is connected to a permanent supply of hot and cold water;

[paragraph (g) amended by RSA GN R.1625/1976]

- (h) not less than one bathroom comprising a floor area of not less than 2.8 m<sup>2</sup> and equipped with a 1,5 m bath which is connected to a permanent supply of hot and cold water, is provided for every seven or part thereof of the male residents and for every seven or part thereof of the female residents;

[paragraph (h) amended by RSA GN R.1625/1976]

- (i) not less than one water-closet is provided for every seven or part thereof of the male residents and for every seven or part thereof of the female residents;

- (j) not less than one urinal is provided for the male residents;

- (k) provision is made for not less than one sluice-room comprising a floor area of not less than 2 m<sup>2</sup> and equipped with a combination slop hopper and sink;

[paragraph (k) amended by RSA GN R.1625/1976]

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- (l) every lounge, dining-room, bedroom, ward and sick bay is equipped with not less than one electrical plug connection;
- (m) the width of every corridor is, in the case of that section of such home intended for the accommodation of debilitated residents, not less than 1,8 m and, in other cases, not less than 1,4 m;

[paragraph (m) amended by RSA GN R.1625/1976]

- (n) all corridors, staircases and ramps are fitted with handrails;
- (o) every such home consisting of more than two storeys, is equipped with an elevator;
- (p) such home is provided with an adequate number of emergency exits, fire extinguishing appliances and, where appropriate, fire escape stairs, for use in case of an outbreak of fire.

(2) If the Minister, when considering an application for the registration of a home for the aged is of the opinion that such home does not comply with all the provisions of subregulation (1) and that structural alterations will have to be made to such home at considerable costs in order to comply with the said provisions and that although such home does not comply with the said provisions, it nevertheless is suitable for the accommodation of aged persons, he may, in his discretion and subject to such conditions as he may determine, grant the application for the registration of such home.

[subregulation (2) substituted by RSA GN R.1625/1976]

(3) The provisions of subregulation (1) shall not apply to accommodation used or intended for use by the resident staff of a home for the aged.

**Registration of Homes for the Aged**

4. (1) When any application for the registration of a home for the aged is granted in terms of section 3(3)(a) of the Act, the Secretary shall issue to the applicant a registration certificate in the form of Schedule A and shall specify therein the conditions imposed in connection with the registration of such home.

(2) When authority is granted in terms of section 3(3)(b) of the Act to any applicant for the registration of a home for the aged to manage such home for a specified period, the Secretary shall issue to such applicant a registration certificate in the form of Schedule B for the period specified therein and shall specify therein the conditions imposed in connection with such authority.

**Management of Homes for the Aged**

5. (1) The manager of a home for the aged shall -
- (a) allow the residents complete freedom of religion;
  - (b) allow every resident to conduct his personal affairs according to his mental capacities;

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[paragraph (b) corrected by RSA GN R.1235/1970]

- (c) take proper measures to ensure the safety of residents at all times;
- (d) subject to such restriction as may be necessary for their safety, the preservation of their health or the maintenance of the good order of such home, allow residents complete freedom of movement;
- (e) allow residents to keep in touch with and to receive their relatives and friends in such home;
- (f) encourage residents to keep themselves usefully occupied and shall provide the necessary amenities for that purpose;
- (g) make suitable provision for the recreation of residents;
- (h) make every reasonable endeavour to make residents feel at home;
- (i) ensure that residents are always properly dressed;
- (j) provide residents with not less than three meals per day in accordance with a ration scale which, in the opinion of the Secretary, makes adequate provision for the proper nourishment of aged persons;
- (k) provide adequate facilities and take the necessary precautionary measures to ensure the hygienic preparation and preservation of food and refreshments;
- (l) if a physician has prescribed a diet for any resident suffering from diabetes or any other disease, provide such resident with meals in accordance with the diet so prescribed;
- (m) make adequate provision for the medical examination and treatment of residents according to their individual requirements;
- (n) keep all medicines and drugs in a locked cupboard and shall keep or cause to be kept a proper record of all medicines or drugs received or dispensed;
- (o) keep or cause every room in such home to be kept in a clean, neat and hygienic condition;
- (p) ensure that every bed in such home is constantly provided with adequate and clean bedding;
- (q) except in the case of debilitated residents accommodated in a ward or residents accommodated in a sick-bay, not accommodate more than two residents in the same bedroom and shall accommodate single residents as far as possible in single bedrooms;
- (r) manage such home in a manner conducive to the welfare and interests of its residents;
- (s) ensure that sufficient staff shall at all times be available in such home to ensure the proper care of the residents thereof.

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(2) No person shall exercise control over a home for the aged, unless he has been authorised thereto by the Minister or a person acting on the authority of the Minister.

**Records and Registers to be Kept by the Managers of Homes for the Aged**

6. The manager of a home for the aged shall -
- (a) keep a register in which shall be recorded in respect of every resident -
    - (i) the date of his admission to such home;
    - (ii) his full names, race and sex;
    - (iii) the identity number assigned to him in terms of section 6 of the Population Registration Act, 1950 (Act 30 of 1950);
    - (iv) the amount and source of his weekly, monthly or annual income;
    - (v) the names, addresses and telephone numbers of his next of kin;
    - (vi) the date of his departure from such home and his destination or, in the case of his death, the date of his death and the cause thereof;
    - (vii) any period exceeding one day during which he is absent from such home, whether by leave or otherwise;
  - (b) maintain a separate file in respect of each resident in which shall be kept -
    - (i) a record containing the name, address and telephone number of his personal physician, if any;
    - (ii) any record relating to his medical history;
    - (iii) any record of the arrangements, if any, made or to be made for his funeral in the event of his death;
    - (iv) a record of the name and address of the person having the custody of his will;
    - (v) a record of his personal effects kept in such home;
    - (vi) a written agreement between him or someone acting on his behalf and the management of such home in which the conditions regulating his residence in such home are fully set out;
  - (c) keep a proper account of all moneys received and administered by him or any member of the staff of such home on behalf or for the benefit of any resident;
  - (d) keep proper accounts of the financial transactions of such home.

**Returns and Reports to be Furnished by the Managers of Homes for the Aged**

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7. The manager of a home for the aged shall, at the request of the Secretary, furnish the Secretary as soon as possible with -

- (a) audited statements of account, including a balance sheet and a statement of receipts and expenditure. in respect of such home for any financial year specified by the Secretary;
  - (b) such statistics relating to such home or the residents or staff thereof as may be specified by the Secretary from time to time;
  - (c) such particulars relating to such home or the residents or staff thereof as may be specified by the Secretary from time to time.
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**SCHEDULES**

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Schedules A-B

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**SCHEDULE A**

Number.....

**DEPARTMENT OF SOCIAL WELFARE AND  
PENSIONS**

(Republic of South Africa)

**REGISTRATION CERTIFICATE FOR A HOME  
FOR THE AGED**

Issued to.....

This is to certify that the home for the aged known  
under the name of.....  
and situated at.....  
has, under the said name and subject to the conditions  
specified hereunder, this day been registered in terms of  
section 3 (3) (a) of the Aged Persons Act, 1967 (Act 81  
of 1967).

Conditions: .....

Given under my hand at....., this  
.....day of.....19.....

.....  
Secretary for Social Welfare and Pensions

This certificate is not transferable without the prior  
approval of the Minister of Social Welfare and Pensions.



**REGULATIONS  
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**Regulations governing the Registration of Homes for the Aged  
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**SCHEDULE B**

Number.....

**DEPARTMENT OF SOCIAL WELFARE AND  
PENSIONS**

(Republic of South Africa)

**TEMPORARY REGISTRATION CERTIFICATE FOR  
A HOME FOR THE AGED**

Issued to.....  
.....

This is to certify that the home for the aged known  
under the name of.....  
and situated at.....  
has, under the said name and subject to the conditions  
specified hereunder, this day been registered in terms of  
section 3 (3) (b) of the Aged Persons Act, 1967 (Act 81  
of 1967), for the period ending on the.....  
day of.....19.....

Conditions: .....  
.....  
.....  
.....  
.....  
.....

Given under my hand at....., this  
.....day of.....19.....

.....  
Secretary for Social Welfare and Pensions

This certificate is not transferable without the prior  
approval of the Minister of Social Welfare and Pensions.