

HEALTH LAWS RATIONALISATION ACT**NO. 11 OF 1995**

[ASSENTED TO 5 SEPTEMBER, 1995] [DATE OF COMMENCEMENT: TO BE PROCLAIMED
IN THE PROVINCIAL GAZETTE]

(English text signed by the Premier)

ACT

To provide for the rationalisation of certain laws relating to health matters as applicable in and administered by the North West Province; the extension of the laws mentioned in section 2 to the whole of the territory of the Province of the North West as defined in Part 1 of Schedule 1 to the Constitution of the Republic of South Africa 1993 (Act No 200 of 1993); to provide for powers of regulation to regulate certain transitional matters; and to provide for incidental matters.

1. Repeal of laws.—Subject to Sections 3, 4 and 5 of this Act, the Health Act, 1983 (Act 12 of 1983) of the former Republic of Bophuthatswana is repealed.

2. Extension of laws.—Subject to Sections 3, 4 and 5, the Health Act, 1977 (Act 63 of 1977) shall from the date of commencement of this Act apply in the whole of the territory of the Province of the North West as defined in part 1 of schedule 1 of the Constitution of the Republic of South Africa, 1993.

3. Amendment of Health Act.—The Health Act, 1977 (Act 63 of 1977) is amended by the insertion of the following section immediately after section 18—

"Powers to proclaim health districts.

18A. (1) The responsible member may for purposes of administration and delivery of health services in the Province by notice in the *Provincial Gazette*:

(1) Establish health districts each of which shall consist of one or more Magisterial districts and determine a name by which such health district shall be known; and

(2) in respect of each health district so proclaimed establish a district health authority and if he or she deems it necessary, a district health advisory body".

4. Transitional provisions.—Anything done or deemed to have been done in terms of a provision of a law repealed by section 1 and is capable of being done under a provision of a law mentioned in section 2 shall be deemed to have been done under the provision of such law.

5. Regulations.—The Member of the Executive Council responsible for Health and Developmental Social Welfare may make regulations relating to—

(1) any matter arising from the repeal of the laws referred to in section 1 or the application of the laws referred to in section 2 in those parts of the provincial territory in which they did not apply prior to the commencement of this Act;

(2) the establishment, functions, duties, proclamation, terms, conditions and procedures relating to the powers, functions and duties of district health authorities and district health advisory bodies as

provided for the section 18A of the Health Act 1977.

6. Commencement.—This Act shall come into operation on a date to be determined by the Member of the Executive Council of the Province of the North West responsible for Health and Developmental Social Welfare by proclamation in the *Provincial Gazette*.

7. Short title.—The Act shall be called the Health Laws Rationalisation Act, 1995.