



FREE STATE PROVINCE

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OFFICE OF THE PREMIER

KANTOOR VAN DIE PREMIER

No. 15

19 June 1998

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It is hereby notified that the Premier has assented to the following Act which is hereby published for general information:-

Hierby word bekend gemaak dat die Premier die onderstaande Wet bekragtig het, wat hierby ter algemene inligting gepubliseer word:-

No. 15 of 1998: Free State Nursing Education Act, 1998

No. 15 van 1998: Vrystaatse Wet op Verpleegonderwys, 1998

ACT

To consolidate the laws providing for the regulation of Nursing education in the Free State and for matters incidental thereto.

BE IT ENACTED by the Provincial Legislature of the Free State Province, as follows:

*(Afrikaans text signed by the Premier.)
(Assented to 15 June 1998.)*

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Definitions

1. In this Act, unless the context otherwise indicates -

“campus” means a campus referred to in section 4;

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“Council” means the Council of the Free State School of Nursing referred to in section 8;

“Dean” means a dean in charge of a campus;

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“Department” means the department of Health mentioned in the first column of the Schedule to the Provincial Service Commission Act, 1994;

“Head of Academic Department” means the head of an academic department of a campus as contemplated in section 12;

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“MEC” means the Member of the Executive Council in the Province responsible for Health;

“Province” means the Free State Province;

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“Provincial Government” means the Free State Provincial Government;

“Rector” means the head of the Free State School of Nursing;

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“Registrar” means the administrative official responsible for the administration of the School;

“School” means the Free State School of Nursing established by section 3;

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“University” means the University of the Orange Free State.

Purpose

2. The purpose of this Act is to establish a single school for nursing education in the Province with campuses in the Province.

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Establishment of the Free State School of Nursing

3. (1) There is hereby established a nursing school to be known as the Free State School of Nursing. 5
- (2) The School shall consist of:
- (a) the Rector;
 - (b) the Registrar; 10
 - (c) deans of campuses;
 - (d) non-academic and academic staff; 15
 - (e) students.
- (3) The head office of the School shall be situated in Bloemfontein.

Campuses of the School

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4. (1) The Colleges of nursing established by Acts repealed by this Act shall continue to exist as campuses of the School.
- (2) The MEC may by notice in the *Provincial Gazette* after consultation with the Member of the Executive Council responsible for Finance and other relevant stakeholders, establish, relocate or close a campus. 25
- (3) The MEC may by notice in the *Provincial Gazette* prescribe any matter that he or she may deem necessary or expedient in connection with the establishment, administration, education and training at campuses in general or in respect of any particular campus. 30

Association of the School with the University

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5. The MEC may enter into agreements with the University or any other relevant tertiary institution in order to comply with the requirements of the South African Nursing Council as contemplated in the Nursing Act, 1978 (Act No 50 of 1978).

The objects of the School

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6. The objects of the School shall be -
- (a) to provide nursing education and training;

- (b) to assist in the promotion of nursing standards in the Province;
- (c) to control and exercise authority in respect of all matters affecting the education and training of nurses within the School;
- (d) to promote and maintain the standard of such education and training pursued by the campuses.

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Maintenance of the School and campuses

7. The MEC shall maintain and defray the running costs of the School and campuses from moneys appropriated for that purposes by the Provincial Legislature.

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Establishment of the Council

8. A Council of the School is hereby established.

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Composition of the Council

9. (1) The Council shall consist of -

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- (a) the Rector in an *ex officio* capacity;
- (b) two employees of the Provincial Administration appointed by the MEC;
- (c) two representatives nominated by the University or a tertiary institution referred to in section 5;
- (d) three deans nominated by the Senate;
- (e) two representatives elected by the Students' Representative Council;
- (f) two representatives elected by the non-academic staff;
- (g) two representatives elected by the academic staff;
- (h) six representatives from the community appointed by the MEC who may not be members of the Provincial Government;
- (i) such additional person as may be prescribed.

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- (2) The members referred to in subsection (1)(h) shall not be appointed, unless the MEC has invited interested parties through the media and by notice in the *Provincial Gazette* to nominate candidates, within 30 days of the invitation in the media and publication of such notice, for consideration by the MEC.

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- (3) Members of the Council must -
- (a) be persons with knowledge and experience relevant to the interests and governance of the School; and
 - (b) participate in the deliberations of the Council in the best interest of the School.

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Functions of the Council

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10. The Council shall -

- (a) advise the MEC on nursing education and policy;
- (b) promote access of students to nursing education;
- (c) ensure effective management of the School;
- (d) advise the Department;
- (e) approve rules regulating students selections, admissions, tuition, examinations, promotions and graduations;
- (f) review and recommend the annual budget of the School to the Department;
- (g) ensure the establishment of a Student Representative Council elected by the students.

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Meetings of the Council

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11. (1) The Council shall meet at least three times a year.

(2) The Council shall decide its own meeting procedures.

(3) The Registrar shall *ex officio* be the secretary of the Council.

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(4) The chairperson elected by the Council from members who are not employed by, or students of the School, shall preside over meetings of the Council and ceremonies of the School.

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(5) The meetings of the Council shall rotate among the various campuses of the School.

Establishment of the Senate

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12. There shall be a Senate of the School consisting of:

- (a) the Rector, who shall *ex officio* be chairperson;
- (b) the Registrar, who shall *ex officio* be secretary;
- (c) deans of the respective campuses; 5
- (d) all heads of academic departments;
- (e) three representatives from the Students' Representative Council; 10
- (f) two persons representing the university or any relevant tertiary institution the School is affiliated to;
- (g) one person representing the Department; 15
- (h) one person representing the Council.

Functions of the Senate

- 13. (1) The Senate shall regulate the academic matters of the School. 20
- (2) The Senate shall advise the Council with regard to the creation of posts, academic planning and development of the School.
- (3) The Senate may establish committees and appoint any person thereto. 25
- (4) The Senate may delegate any power conferred on it by this Act to any committee established by the Senate under subsection (3) or to any member of the administrative staff or academic staff. 30
- (5) The Senate shall meet at least four times a year and at least a month before the succeeding meeting of the Council.

Campus Management

- 14. (1) Each campus shall be managed by: 35
 - (a) Dean;
 - (b) Deputy Dean; 40
 - (c) Deputy Registrar; and
 - (d) heads of academic departments. 45
- (2) The Dean shall be the head of the campus and shall be responsible for the overall management of the campus.

Private Nursing Colleges

15. (1) The MEC shall by regulations prescribe the following:
- (a) the process to erect, establish, conduct or maintain a private nursing college in the province; 5
 - (b) the licensing of such a private nursing college;
 - (c) the inspection of such a private nursing college. 10
- (2) The MEC may enter into a contractual arrangement with a private nursing college for the purpose of providing nursing education.

Regulations 15

16. The MEC may make regulations with regard to any matter which he or she considers necessary or expedient to prescribe in order to achieve the objects of this Act.

Repeal of laws and savings 20

17. (1) The laws mentioned in the Schedule are hereby repealed to the extent indicated in the third column of the Schedule.
- (2) Anything done or deemed to have been done in terms of a provision of a law repealed by subsection (1), and which may or shall be done in terms of this Act, shall be deemed to have been done in terms of the corresponding provision of this Act. 25

Short title 30

18. This Act shall be called the Free State Nursing Education Act, 1998.

SCHEDULE

Laws repealed

Number and year	Short title	Extent of repeal
(Ordinance No 4 of 1985)	Training of Nurses and Midwives Ordinance, 1985	The whole
(Act No 13 of 1985)	Qwaqwa Health Act, 1985	Section 14(1)(g)