

Western Cape, South Africa

Western Cape Health Facility Boards and Committees Act, 2016

Regulations Relating to the Procedures for the Nomination of Members for Appointment to Boards and Committees, 2017.

Provincial Notice 219 of 2017

Legislation as at 7 December 2017

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Regulations Relating to the Procedures for the Nomination of Members for Appointment to Boards and Committees, 2017.

Contents

1. Interpretation	1
2. Procedure for inviting nominations for membership of Board or Committee	1
3. Validity period of nominations	2
4. Repeal	2
5. Short title	2

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The Provincial Minister of Health, under section 28 of the Western Cape Health Facility Boards and Committees Act, 2016 ([Act 4 of 2016](#)), has made the regulations set out in the Schedule.

1. Interpretation

In these regulations a word or expression to which a meaning has been assigned in the Act has the same meaning, and—

"the Act" means the Western Cape Health Facility Boards and Committees Act, 2016 ([Act 4 of 2016](#)).

2. Procedure for inviting nominations for membership of Board or Committee

- (1) Before appointing members to a Board or Committee in terms of section 5(1)(a) or 6(1)(b) of the Act, as the case may be, the Provincial Minister must—
 - (a) publish a notice in the *Provincial Gazette*;
 - (b) publish or broadcast at least two invitations calling for nominations, by means of any one or more of the following mediums:
 - (i) a notice in a print publication in general circulation within the area in which the health facility or facilities concerned is or are situated, in the language most spoken in the area concerned;
 - (ii) a notice in an electronic publication in general circulation within the area in which the health facility or facilities concerned is or are situated, in the language most spoken in the area concerned;
 - (iii) an announcement on a radio station broadcasting within the area in which the health facility or facilities concerned is or are situated, in the language most spoken in the area concerned; and
 - (c) publish a notice on the website of the Western Cape Government inviting bodies representative of the community or communities served by the relevant health facility or facilities to submit nominations for membership of the Board or Committee concerned within a period not less than 21 days of the date of the notice.
- (2) The notice and invitation calling for nominations referred to in subregulation (1)(a) and (c) must—
 - (a) state the health facility or facilities concerned;
 - (b) state the closing date for the submission of nominations;

- (c) call for the following information:
 - (i) the full name and address of the body concerned and its constitution or other founding document;
 - (ii) the full name and address of the nominee;
 - (iii) a signed copy of the nominee's curriculum vitae;
 - (iv) whether the nominee is a member of the body and, if so, the length of the nominee's membership, and if the nominee is not a member, why the body nominates that person;
 - (v) the body's reasons for considering that the nominee is suitable to be a member of the Board or Committee; and
 - (vi) a declaration by the nominee of his or her willingness to be a member of the Board or Committee.
- (3) The notice or broadcast referred to in subregulation (1)(b)—
 - (a) may state the information specified in paragraphs (a), (b) and (c) of subregulation (2);
 - (b) must state at least—
 - (i) the health facility or facilities in respect of which nominations are invited;
 - (ii) the closing date for the submission of nominations;
 - (iii) that the notice calling for nominations and specifying the information to be submitted with the nomination can be viewed on the website of the Western Cape Government and in the *Provincial Gazette*; and
 - (iv) the website address of the Western Cape Government and the date, *Provincial Gazette* number and notice number concerned.

3. Validity period of nominations

For the purposes of filling a vacancy contemplated in section 9(1) of the Act, nominations submitted following the publication of the notices contemplated in regulation 2 are valid for a period of 12 months from the date of submission of the nomination concerned.

4. Repeal

The regulations governing the Submission of Nominations for Membership of Health Facility Boards, published under [Provincial Notice 368 of 2001](#) in *Provincial Gazette* 5797 of 2001, are repealed.

5. Short title

These regulations are called the Regulations Relating to the Procedures for the Nomination of Members for Appointment to Boards and Committees, 2017.