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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HEALTH

NO. 244

17 MARCH 2017

GENERAL EXPLANATORY NOTE:**[]**

Words in bold type in square brackets indicate omissions from existing enactments.

Words underlined with a solid line indicate insertions in existing enactments.

DEPARTMENT OF HEALTH

No. R

2016

NATIONAL HEALTH ACT, 2003**REGULATIONS REGARDING THE GENERAL CONTROL OF HUMAN BODIES, TISSUE, BLOOD PRODUCTS AND GAMETES: AMENDMENT**

The Minister of Health intends, under section 90(1), read with section 68(1) of the National Health Act, 2003 (Act No. 61 of 2003), to make regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations in writing on the proposed amendments to the Director-General: Health, Private Bag X 828, Pretoria, 0001 (for the attention of the Director: Public Entities Governance and Management), within one month from the date of publication of this notice.

SCHEDULE**Definitions**

1. In these regulations "the regulations" means the Regulations Regarding the General Control of Human Bodies, Tissue, Blood Products and Gametes

published under Government Gazette No. 35099, Government Notice No. R 180 of 02 March 2012.

2. Amendment of Regulation 2

Regulation 2 is hereby amended by substitution of the following:-

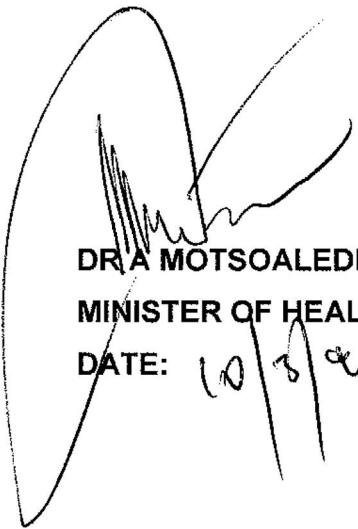
Consent for the removal of tissue, gametes and blood from living persons

2. (1) A person may not remove tissue **[blood]** or gametes from the body of another living person for a purpose referred to in section 54 and regulation 3 unless written consent thereto has been granted as follows-

- (a) when such person is older than 18 years, by that person;
- (b) where such person is younger than 18 years, by the parents or guardians of that person;

[(c) paragraph (b) is not applicable to gametes donors who shall never be younger than 18; and]

(2) A person may not remove blood from the body of another living person for a purpose referred to in section 54 and regulation 3 unless written consent thereto has been granted by a person older than 16 years.



DR A MOTSOLEDI, MP
MINISTER OF HEALTH
DATE: 10/3/2017

UMNYANGO WEZEMPILO**No. R****2016****I-NATIONAL HEALTH ACT, 2003****IMITHETHO-ZIMISO EMAYELANA NOKULAWULWA OKWEJWAYELEKILE KWEMIZIMBA YABANTU, ISICUBU, IMIKHIQIZO YEGAZI KANYE NAMAGAMETHI: ISICHIBIYELO**

UNgqongqoshe wezeMpilo, ngaphansi kwesigaba sama-68(1) se-National Health Act, 2003 (Act No. 61 of 2003), wenze imithetho-zimiso kuSheduli.

ISHEDULI**Izincazelo**

1. Kulemithetho-zimiso “**Imithetho-zimiso**” kusho Imithetho-zimiso Mayelana Nokulawulwa Okwejwayelekile Kwemizimba Yabantu, Isicubu, Imikhiqizo Yegazi kanye namaGamethi okushicilelwe ngaphansi *kukaSomqulu kaHulumeni* No. 35099, iSaziso sikaHulumeni No. R wamhla zi-2 kuNdasa wezi-2012.

Ukufaka endaweni yomthetho-simiso wesi-2 weMithetho-zimiso

2. umthetho-simiso olandelayo ufakwe endaweni yomthetho-simiso wesi-2 weMithetho-zimiso:

“Imvume yokukhipha isicubu, amagamethi kanye negazi kumuntu ophilayo

2. (1) Umuntu engangakwazi ukususa isicubu, amagamethi komunye umuntu ophilayo ngenhloso okukhulunywe ngayo esigabeni sama-54 kanye

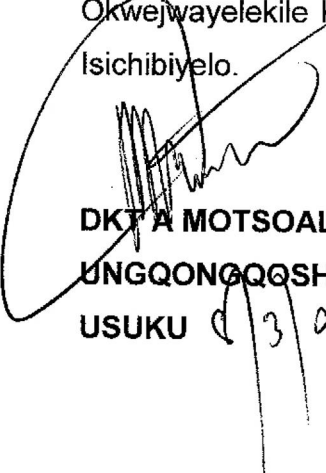
nomthetho-simiso wesi-3, ngaphandle uma invume ebhaliwe yokwenza lokho ikhishiwe kanje:

- (a) Uma ngabe umuntu onjalo emdala eminyakeni eyi-18, ikhishwe yilowo muntu; futhi
- (b) lapho umuntu emncane eminyakeni eyi-18, ikhishwe abazali noma abagadi balowo muntu;

(2) Umuntu engangakwazi ukususa isicubu, amagamethi komunye umuntu ophilayo ngenhloso okukhulunywe ngayo esigabeni sama-54 kanye nomthetho-simiso wesi-3, ngaphandle uma invume ebhaliwe yokwenza lokho ikhishiwe umuntu oneminyaka engaphezulu kweyi-16

Isihloko Esincane

3. Le mithetho-zimiso kumele ibizwe Ngemithetho-zimiso Mayelana Nokulawulwa Okwejoyelekile Kwemizimba Yabantu, Isicubu, Imikhiqizo Yegazi kanye amaGamethi Isichibiyelo.


DKT. A. MOTSOALEDI, MP
UNGQONGQOSHE WEZEMPILO
USUKU 13/3/2017

NATIONAL HEALTH ACT, 2003**MELAO MABAPI LE TAOLO KA KAKARETSEO YA MMELE YA BATHO, POPEHO, DIBEHWA TSA MADI LE GAMETES: PHETOLO**

Letona la Bophelo le entse melao Shejuleng sena ka tlasa karolo 68(1) ya National Health Act, 2003 (Act No. 61 of 2003).

SHEJULE**Ditlhaloso**

1. Melao ena **"Melao"** e hlalosa Melao Mabapi le Taolo ka Kakaretso ya Mmele ya Batho, Popeho, Dibehwa tsa Madi le Gametes tse phatlaladitsweng Koranteng ya Mmuso ya 35099, Tsebisong ya Mmuso ya R180 ya 2 Hlakubele 2012.

Phetoho ya molao 2 ho Melao

2. Molao o latelang o fetotswe bakeng la molao 2 ho Melao:

"Tumello bakeng la ho tloha ha popeho, gametes le madi ho tswa bathong ba phelang"

2. (1) Motho a ka se tlose popeho kapa gametes ho tswa mmeleng wa motho e mong ya phelang ka maikemisetso a hlalositsweng karolong 54 le molao 3, ntle le ha tumello e ngotsweng e nehetswe ka ho latela:

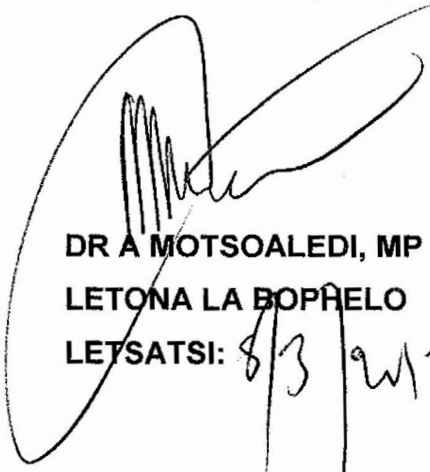
(a) Ha motho eo a le dilemo tse fetang 18, ka motho eo; le

(b) moo motho eo a le dilemo tse ka tlase ho 18, ka batswadi kapa bahlokomedi ba motho eo;

(2) Motho a ka se ntshe madi mmeleng wa motho e mong ya phelang ka maikemisetso a hlalositsweng karolong 54 le molaong 3 ntle le ha tumello e nehetswe ke motho ya dilemo tse kahodimo ho 16.

Sehlooho se se kgutshwane

3. Melao ena e tla bitswa Melao Mabapi le Taolo ka Kakaretso ya Mmele ya Batho, Popeho, dibehwa tsa madi le Gametes: Phetolo.



DR A MOTSOALEDI, MP

LETONA LA BOPHELO

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