



SWAZILAND GOVERNMENT GAZETTE EXTRAORDINARY

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PUBLISHED BY AUTHORITY

PART C

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LEGAL NOTICE NO. 192 OF 2001

THE CONSTITUTION OF THE KINGDOM OF SWAZILAND ACT, 1968
(Act No. 50 of 1968)

THE APPOINTMENT OF THE INDVUNA OF LUDZIDZINI ROYAL
RESIDENCE NOTICE, 2001
(Under Section 28)

In exercise of the powers conferred by section 28 of the Constitution of the Kingdom of Swaziland Act, 1968 (repealed with savings) and by section 7 (3) of the Swazi Administration Order, 1998, **I, MSWATI III, NGWENYAMA OF SWAZILAND**, hereby appoint-

JIM MSHAWUSHILE GAMA

as Indvuna of Ludzidzini Royal Residence in terms of and in accordance with Swazi Law and Custom with effect from the 15th November, 2001.

THUS DONE AT LOZITH'EHLEZI THIS 10TH DAY OF DECEMBER, 2001.

MSWATI III
INGWENYAMA OF SWAZILAND

LEGAL NOTICE NO. 193 OF 2001

ESTABLISHMENT OF THE PARLIAMENT OF SWAZILAND ORDER, 1992
(Order No. 1 of 1992)

APPOINTMENT OF A MEMBER OF SENATE NOTICE, 2001
(Under section 14 (3))

In exercise of the powers conferred by section 14 (3) of the Establishment of the Parliament of Swaziland Order, 1992, **I, MSWATI III KING OF SWAZILAND**, hereby appoint **Mr. Joshua Themba Mkhathswa** to be a member of Senate with effect from 23rd November, 2001.

THUS DONE UNDER MY HAND AT LOZITH'EHLEZI THIS 10TH DAY OF DECEMBER, 2001.

MSWATI III
KING OF SWAZILAND

LEGAL NOTICE NO. 194 OF 2001

THE CIVIL SERVICE ORDER, 1973
(Order No. 6 of 1973)

THE APPOINTMENT OF MEMBERS OF THE CIVIL SERVICE BOARD
(Under section 3)

In exercise of the powers vested in me by section 3 of the Civil Service Order, 1973, I,
MSWATI III, KING OF SWAZILAND, hereby appoint-

Mrs. Senanile Nkosi

Mr. Victor Phungwayo

Mr. David Motsa

Mr. Harry Mabuza

Princess Ntfombiyenkhosi

as members of the Civil Service Board with effect from the 26th August, 2001 to 30th April, 2002.

THUS DONE UNDER MY HAND AT LOZITH'EHLEZI ON THIS 10TH DAY OF
DECEMBER, 2001.

MSWATI III
KING OF SWAZILAND

LEGAL NOTICE NO. 195 OF 2001

THE FINANCE MANAGEMENT AND AUDIT ACT, 1967
(Act No. 18 of 1967)

THE ADMINISTRATION OF THE SPECIALIST CARE MEDICAL AID FUND
REGULATIONS, 2001
(Under section 12 (4))

In exercise of the powers conferred by section 12 (4) of the Finance Management and Audit Act, 1967, the Minister for Finance hereby makes the following Regulations:

Citation and commencement.

1. These Regulations may be cited as the Administration of the Specialist Care Medical Aid Fund Regulations, 2001, and shall come into force on such date as the Minister may, by Notice published in the Gazette, determine.

Interpretation.

2. In these Regulations, unless the context otherwise requires-

“Committee” means the Committee appointed in terms of Regulation 5;

“Fund” means the Specialist Care Medical Aid Fund established by Legal Notice No. 149 of 2001;

“medical practitioner” means a person registered as such in terms of the Medical and Dental Practitioners Act, 1970;

“specialist” means a medical practitioner who is registered as a specialist;

Objective of the Fund.

3. The objective of the Fund is to assist deserving Swazi citizens, who would otherwise not have access to specialist medical care, to secure such care either, within the Kingdom of Swaziland or, in special circumstances, outside the Kingdom of Swaziland.

Moneys of the Fund.

4. The Fund shall consist of-

(a) money paid into the Fund by Government as may, from time to time, be appropriated for financing specialist medical care; and

(b) such amounts as may be donated to the Fund from time to time.

Administration of the Fund.

5. (1) The fund shall be administered by a Committee to be known as the Specialist Care Medical Aid Committee appointed by the Minister for Health and Social Welfare, after consultation with Cabinet.

(2) The Fund shall be in the name of the Government of Swaziland.

(3) The Fund shall be operated by the Accountant General through an account kept with the Central Bank of Swaziland and all interest shall accrue to the Fund.

(4) All approved expenditure related to specialist medical care shall be charged to the Fund strictly in accordance with Government accounting procedures.

(5) The Fund shall meet the costs of-

- (a) all hospital fees;
- (b) doctor and patient transport;
- (c) doctor and patient accommodation;
- (d) the prescribed surgical and/or clinical treatment needed by a patient; and
- (e) procurement of any necessary equipment and/or medical supplies.

(6) Payments out of the Fund in respect of specialist medical care shall not be reimbursable by the beneficiaries thereof.

(7) The Accountant General, acting in consultation with the Principal Secretary in the Ministry of Health and Social Welfare, shall approve all claims relating to the Fund.

(8) All claims relating to the Fund shall be cleared within one month of the receipt of the invoices.

(9) All payments made out of the Fund shall be by cheque or other instrument signed by the Accountant General.

Composition of the Committee.

6. (1) The Committee shall comprise of five persons, namely-

- (a) the Director of Health Services;
- (b) the Senior Medical Officer (Clinical Superintendent) of the Mbabane Government Hospital;
- (c) a representative of the nursing cadre;
- (d) a representative of the special health unit; and
- (e) one medical practitioner who is in private practice;

(2) The Director of Health Services shall be Chairperson of the Committee.

(3) The Senior Medical Officer or his representative shall be secretary to the Committee.

(4) The Committee may co-opt specialists with the necessary expertise to assist in the scrutiny of applications.

(5) The quorum of the Committee shall be three members.

(6) In the absence of the Chairperson, the members present shall elect one of their number to act as Chairperson.

(7) Members of the Committee shall receive sitting and travelling allowances at the standard rates applicable to public officers.

Functions of the committee.

7. (1) The Committee shall scrutinize all requests for referrals and decide on the need for each referral and shall report on their progress.

(2) The Committee shall meet at least once every two months.

(3) The Committee shall develop the criteria for referrals and shall circulate these criteria to all medical practitioners in the country.

Process and criteria for referrals.

8. (1) Government Hospitals shall receive all referral for specialist care from local attending (private and public) medical practitioners.

(2) A referral received by a Government Hospital shall be submitted to the Committee.

(3) A referral may be approved by the Committee subject to the condition that-

(a) the Committee is convinced that the patient has exhausted the medical capacity, in terms of facilities and expertise available within the Government Hospital, to give the required treatment in any case under its scrutiny;

(b) the nature of the specialist medical care is to alleviate a condition which is either life threatening or which creates undue hardship for the patient and is not merely cosmetic; and

(c) the patient is not a beneficiary of any scheme which is obliged to bear the full costs of the referral.

(4) The Committee may call for such information as it deems necessary.

(5) The Committee shall assess the submitted accounts against the guiding medical aid rates.

(6) The Committee shall aim primarily to ensure that specialist skills are secured and provided from within the Kingdom of Swaziland but may, where it deems it necessary, approve that:

(a) specialist skills be imported into the country to deal with a particular case; or

(b) a patient be referred to an institution outside the Kingdom of Swaziland.

(7) The Committee shall approve the institutions outside the Kingdom of Swaziland to which patients may be referred.

(8) A person who secures medical attention outside of the provisions of these Regulations shall not receive any reimbursement from the Fund.

Emergency cases.

9. (1) In situations where life is severely compromised and the Committee cannot be immediately convened, the Chairman or the Senior medical officer may authorise the referral of the patient concerned.

(2) A referral carried out on terms of sub-regulation (1) shall be presented to the Committee for review as soon as it may be convened.

(3) This provisions of this Regulation shall apply whether a patient is within or outside of the Kingdom of Swaziland.

Reporting.

10. (1) The Committee shall, through the Principal Secretary in the Ministry of Health and Social Welfare, submit quarterly and annual reports to the Principal Secretary in the Ministry of Finance on the operations of the Fund.

(2) The annual report of the Fund shall be laid before Parliament by the Minister for Finance within six months after the end of the financial year.

Audit.

11. The Fund shall be audited by the Auditor General in accordance with Government Regulations.

M. V. SITHOLE
Minister for Finance

MBABANE
13th December, 2001.

