

DEPARTMENT OF SOCIAL WELFARE AND PENSIONS

No. R 3759

21st November 1969

REGULATIONS GOVERNING THE REGISTRATION OF HOMES FOR THE AGED

By virtue of the powers vested in me by section 20 of the Aged Persons Act, 1967 (Act 81 of 1967), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, hereby make the following regulations in respect of White persons.

C. P. MULDER, Minister of Social Welfare and Pensions.

REGULATIONS

Definitions

- 1) In these regulations, unless the context otherwise indicates—
 - i) "debilitated resident" means any resident who is a debilitated person; (vi)
 - ii) "local authority" means any institution or body referred to in section 84 (1) (f) of the Republic of South Africa Constitution Act, 1961' '(Act 32 of 1961); (iv)
 - iii) "Minister" means the Minister of Social Welfare and Pensions; (iii)
 - iv) "resident" in relation to any home for the aged. means any aged person or debilitated person accommodated in such home; (ii)
 - v) "Secretary" means the Secretary, for Social Welfare and Pensions; (v)
 - vi) "the Act" means the Aged Persons Act, 1967 (Act 1 of 1967). (i)

Application for Registration of Homes for the Aged

2. (1) Any application for the registration of a home for the aged in terms of section 3 of the Act shall be sub-lined in duplicate in the appropriate form to the social welfare officer for the area in which the home concerned as been or is to be established.
- (2) Such application shall be accompanied by—
 - a) a properly signed certificate of the local authority in whose area the home for the aged has been or is to be established, to the effect that such home complies, in the case of a home already established, with all the structural and health requirements of such local authority or, in the case of a home which is to be established. that the plans for the erection thereof have been approved by such local authority;
 - b) a copy of the domestic rules of such home;
 - c) full particulars of any fees levied or to be levied y the management of such home on the residents thereof.

Minimum Standards with which Homes for the Aged are to Comply

See Page 6 for metric measurements of points below.

3. (1) Subject to the provisions of the Act and of these regulations, no home for the aged shall be registered under the Act, unless—
- a) the floor area of every bedroom is, in the case of a single bedroom, not less than 110 square feet and, in the case of a double bedroom, not less than 160 square feet;
 - b) every bedroom is equipped with a washbasin which, on the outside, is not less than 20 inches by 12 inches and which is connected to a permanent supply of hot and cold water and in the case of a single bedroom, with a wardrobe which, on the inside not less than three feet wide, by 21 inches deep or, in the case of a double bedroom, with two such wardrobes;
 - c) the floor area of each bed-space unit in every unit in which debilitated residents are cared for is not less than 80 square feet and the number of bed-space units in every such ward does not exceed six;
 - d) in the case of a home accommodating not less than 40 residents, a separate sick bay, comprising not less than two bed-space units occupying a floor area of not less than 80 square feet each is provided for the male and for the female residents of such, home;
 - e) the floor area of all lounges, sun porches and workrooms is in the aggregate not less than a floor area calculated at 15 square feet per debilitated resident and at 20 square feet per other resident;
 - f) the floor area of all kitchens and dining-rooms is in the aggregate not less than a floor area calculated at 16 square feet per debilitated resident and at 23 square feet per other resident;
 - g) provision is made for a medical examination room comprising a floor area of not less than 110 square feet and equipped with a wash-basin which, on the outside is not less than 20 inches by 12 inches and which is connected to a permanent supply of hot and cold water;
 - h) not less than one bathroom, comprising a floor area of not less than 30 square feet and equipped with a five-foot bath which is connected to a permanent supply of hot and cold water, is provided for every seven or part thereof of the male residents and for every seven or part thereof of the female residents;
 - i) not less than one water-closet is provided for every seven or part thereof of the male residents and for every seven or part thereof of the female residents;
 - j) not less than one urinal is provided for the male residents.
 - k) provision is made for not less than one sluice-room comprising a floor area of not less than 20 square feet and equipped with a combination slop hopper and sink;
 - l) every lounge, dining-room, bedroom, ward and sick bay is equipped with not less than one electrical plug connection;
 - m) the width of every corridor is, in the case of that section of such home intended for the accommodation of debilitated residents, not less than 72 inches and, in other cases, not less than 54 inches;
 - n) all corridors, staircases and ramps are fitted with handrails;

- o) every such home consisting of more than two storeys, is equipped with an elevator;
 - p) such home is provided with an adequate number of emergency exits, fire extinguishing appliances and, where appropriate, fire escape stairs, for use in case of an outbreak of fire.
- (2) If the Minister, when considering an application for the registration of a home for the aged established before the commencement of these regulations, is of the opinion that such home does not comply with all the provisions of sub-regulation (1) and that the refusal of such application is likely to cause undue hardship to the residents of such home, he may, in his discretion and subject to such conditions as he may determine, grant the application for the registration of such home.
- (3) The provisions of sub-regulation (1) shall not apply to accommodation used or intended for use by the resident staff of a home for the aged.

Registration of Homes for the Aged

4. (1) When any application for the registration of a home for the aged is granted in terms of section 3 (3) (a) of the Act, the Secretary shall issue to the applicant a registration certificate in the form of Schedule A and shall specify therein the conditions imposed in connection with the registration of such home.
- (2) When authority is granted in terms of section 3 (3) (b) of the Act to any applicant for the registration of a home for the aged to manage such home for a specified period, the Secretary shall issue to such applicant a registration certificate in the form of Schedule B for the period specified therein and shall specify therein the conditions imposed in connection with such authority.

Management of Homes for the Aged

5. (1) The manager of a home for the aged shall—
- a) allow the residents complete freedom of religion;
 - b) allow every resident to conduct his personal affairs in the manner he deems fit;
 - c) take proper measures to ensure the safety of residents at all times;
 - d) subject to such restriction as may be necessary for their safety, the preservation of their health or the maintenance of the good order of such home, allow residents complete freedom of movement;
 - e) allow residents to keep in touch with and to receive their relatives and friends in such home;
 - f) encourage residents to keep themselves usefully occupied and shall provide the necessary amenities for that purpose;
 - g) make suitable provision for the recreation of residents;
 - h) make every reasonable endeavour to make residents feel at home;
 - i) ensure that residents are always properly dressed;
 - j) provide residents with not less than three meals per day in accordance with a ration scale which, in the opinion of the Secretary, makes

- adequate provision for the proper nourishment of aged persons;
- k) provide adequate facilities and take the necessary precautionary measures to ensure the hygienic preparation and preservation of food and refreshments;
- l) if a physician has prescribed a diet for any resident suffering from diabetes or any other disease, provide such resident with meals in accordance with the diet so prescribed;
- m) make adequate provision for the medical examination and treatment of residents according to their individual requirements;
- n) keep all medicines and drugs in a locked cupboard and shall keep or cause to be kept a proper record of all medicines or drugs received or dispensed;
- o) keep or cause every room in such home to be kept in a clean, neat and hygienic condition;
- p) ensure that every bed in such home is constantly provided with adequate and clean bedding;
- q) except in the case of debilitated residents accommodated in a ward or residents accommodated in a sick-bay, not accommodate more than two residents in the same bedroom and shall accommodate single residents as far as possible in single bedrooms;
- r) manage such home in a manner conducive to the welfare and interests of its residents;
- s) ensure that sufficient staff shall at all times be available in such home to ensure the proper care of the residents thereof.

(2) No person shall exercise control over a home for the aged, unless he has been authorised thereto by the Minister or a person acting on the authority of the Minister,

Records and Registers to be Kept by the Managers of Homes for the Aged

6. The manager of a home for the aged shall—

- a) keep a register in which shall be recorded in respect of every resident—
 - (i) the date of his admission to such home;
 - (ii) his full names, race and sex;
 - (iii) the identity number assigned to him in terms of section 6 of the Population Registration Act, 1950 (Act 30 of 1950);
 - (iv) the amount and source of his weekly, monthly or annual income;
 - (v) the names, addresses and telephone numbers of his next of kin;
 - (vi) the date of his departure from such home and his destination or, in the case of his death, the date of his death and the cause thereof;
 - (vii) any period exceeding one day during which he is absent from such home, whether by leave or otherwise.

- b) maintain a separate file in respect of each resident in which shall be kept—
 - (i) a record containing the name, address and telephone number of his personal physician, if any;
 - (ii) any record relating to his medical history;
 - (iii) any record of the arrangements, if any, made or to be made for his funeral in the event of his death;
 - (iv) a record of the name and address of the person having the custody of his will;
 - (v) a record of his personal effects kept in such home;
 - (vi) a written agreement between him or someone acting on his behalf and the management of such home in which the conditions regulating his residence in such home are fully set out;
- c) keep a proper account of all moneys received and administered by him or any member of the staff of such home on behalf or for the benefit of any resident;
- d) keep proper accounts of the financial transactions of such home.

Returns and Reports to be Furnished by the Managers of Homes for the Aged

7. The manager of a home for the aged shall, at the request of the Secretary, furnish the Secretary as soon as possible with—

- a) audited statements of account, including a balance sheet and a statement of receipts and expenditure, in respect of such home for any financial year specified by the Secretary;
- b) such statistics relating to such home or the residents or staff thereof as may be specified by the Secretary from time to time;
- c) such particulars relating to such home or the residents or staff thereof as may be specified by the Secretary from time to time,

Summary of Regulation 3(1).

- a. Single bedrooms - not less than 10.2m², double bedrooms 1- not less than 4.8m².
- b. Every bedroom wash hand basin - 500mm x 300mm with hot and cold water.
- c. Wardrobe per resident - 914mm wide x 535mm deep.
- d. Floor area for bed space for each debilitated resident - 7.4m². Not more than 6 residents per ward. Not less than 40 residents, a sick bay of at least 2 beds of 7.4m² per bed. Separate bed accommodation for the sexes.
- e. Total floor area of the lounges, sun porches and work rooms – 1.4m² per debilitated resident and 1.85m² for the others.
- f. Total floor area of the dining rooms and kitchens is 1.78m² per debilitated person and 2.04m² for others.
- g. Medical examination room – not less than 10.2m² with wash hand basin - 500mm x 300mm with hot and cold water.
- h. 1 bathroom - at least 2.8m² with a 1.5m bath with hot and cold water per 7 male residents or 7 female residents or part thereof.
- i. 1 water closet per 7 male residents and 7 female residents or part thereof.
- j. 1 urinal for male residents.
- k. 1 sluice room – at least 1.80m² with combined hopper/sink.
- l. At least 1 electrical power point connection in every lounge, dining room, bedroom, ward and sick bay.
- m. Width of corridors – 1.8m for debilitated residents and 1.37 for other residents.
- n. Handrails on all stairs, corridors and ramps.
- o. An elevator if the building has more than 2 floors/storeys.
- p. Adequate emergency exits, escapes and fire fighting appliances.

Filename: Regulations - Governing the Registration of Homes for
the Aged - R 3759 of 1969
Directory: C:\Documents and Settings\Michael\My
Documents\Health Web Site Docs\Legislation
Template: C:\Documents and Settings\Michael\Application
Data\Microsoft\Templates\Normal.dot
Title: DEPARTMENT OF SOCIAL WELFARE AND
PENSIONS
Subject:
Author: Michael
Keywords:
Comments:
Creation Date: 10/18/2005 12:29:00 PM
Change Number: 27
Last Saved On: 10/18/2005 1:18:00 PM
Last Saved By: Michael
Total Editing Time: 27 Minutes
Last Printed On: 10/18/2005 1:18:00 PM
As of Last Complete Printing
Number of Pages: 6
Number of Words: 1,916 (approx.)
Number of Characters: 10,926 (approx.)