

Statutory Instrument 823 of 1980

[CAP. 214

Bulawayo (Physical Examination) By-laws, 1980

ARRANGEMENT OF SECTIONS

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IT is hereby notified that the Minister of Local Government and Housing has, in terms of section 180 of the urban Councils Act [*Chapter 214*], approved the following by-laws made by the City Council of Bulawayo:-

Title

1. These by-laws may be cited as the Bulawayo (Physical Examination) By-laws 1980.

Application

2. These by-laws shall apply to the whole of the municipal area of Bulawayo.

Interpretation of terms

3. In these by-laws-

“authorised medical officer” means a medical practitioner employed by Council.

“communicable diseases” means a disease liable to spread from person to person by direct or indirect physical contact or by contamination of air, water, food or any other article;

“contagious or infectious disease” means-

(a) any disease specified in, or declared in terms of, section 17 of the Public Health Act [Chapter 328] as an infectious disease; or

(b) any venereal disease or contagious skin disease; or

(c) any other communicable disease;

“council” means the City of Bulawayo;

“form” means the appropriate form specified in the Schedule;

“medical assistant” means a medical assistant registered in terms of the Medical, Dental and Allied Professions Act [Chapter 224];

“Medical officer of health” means a medical practitioner appointed by the Council as medical officer of health;

“medical practitioner” means a medical practitioner registered in terms of the Medical, Dental and Allied Professions Act [Chapter 244];

“municipal area” means the area of the Municipality of Bulawayo, as described in Proclamation 31 of 1980, published in Statutory Instrument 614 of 1980;

“State-registered nurse” means a person registered as a general nurse in terms of the Medical, Dental and Allied Professions Act [Chapter 224].

Notice for Examination

4. The medical officer of health may, by notice in form A, require any person-

(a) employed within the municipal area; or

(b) seeking work within the municipal area;

to present himself to the medical officer of health or other medical practitioner authorised by the council, for physical examination, which may include X-ray examination, at such date, time and place as are specified in such notice.

Certificate of health

5. (1) A person who has been given notice in terms of section 4 may, on or before the date upon which he is required to present himself for examination in terms of such notice, deliver to the medical officer of health a certificate in form B, signed by a medical practitioner.

(2) If it appears to the medical officer of health, upon examination of a certificate delivered to him in terms of sub section (1), that the person concerned is free from contagious or infectious disease, the medical officer of health shall endorse the certificate of the person concerned with-

(a) the words "physical examined"; or

(b) such other endorsement relating to any examination, test or procedure which may have applied to the person;

and shall date any such endorsement.

Medical examination

6. (1) The medical officer of health shall examine, or cause to be examined by a medical practitioner, State-registered nurses or medical assistant, every person who presents himself for examination in terms of a notice given to him in terms of section 4.

(2) If an examination in terms of subsection (1) does not reveal evidence of contagious or infectious disease, the medical officer of health shall endorse the notice of the person concerned with-

(a) the words "physical examined"; or

(b) such other endorsement relating to any examination, test or procedure which may have applied to the person; and which the medical officer of health considers should be endorsed.

Vaccination and treatment

7. The medical officer of health may, whenever he considers it advisable to do so-

(a) Vaccinate against communicable diseases, or

(b) Prescribe the appropriate treatment for any communicable disease for;

any person who has been examined in terms of these by laws.

Particulars of employees

8. The medical officer of health may at any time, by notice in writing, direct any employer to supply the medical officer of health, within such period as may be specified in such notice, with the full names and addresses of all persons employed by that employer in such occupations or classes of occupations as may be specified in the notice.

Compliance with by-laws

9. No person shall-

(a) fail to comply with the provisions of any notice given to him in terms of section 4;

(b) fail to comply with the provisions of any notice given to him in terms of section 8;

(c) refuse to be physically examined when so required in terms of these by-laws.

Females

10. Where a female is examined by a male medical officer, male medical practitioner, male State-registered nurse or male medical assistant, any such examination shall be conducted in the presence of an adult female.

Repeal

11. Section 24 of the Bulawayo (Public Health) By-laws, 1966, published in Rhodesia Government notice 776 of 1966, and republished with corrections in Rhodesia Government Notice 803 of 1966, and amended by section 12 of the Bulawayo (Public Health) (Amendment) By-laws, 1979 (No. 10), published in Rhodesia Government Notice 235 of 1979, is repealed.

SCHEDULE (*Section 4*)

FORMS

Form A

NOTICE FOR EXAMINATION

To.....

You are hereby required to present yourself for physical examination

at.....

between the hours of..... on the

Date.....

Medical Officer of Health

Form B

Medical Certificate

I,, being a registered medical practitioner, in terms of the Medical, Dental and Allied professions Act [*Chapter 224*], have physically examined..... this..... day of

and certify that he is free from infectious or contagious disease, as defined in the Bulawayo (Physical Examination) By-laws, 1980, published in Statutory Instrument 823 of 1980