

Office of the Deputy Mayor : Councillor Fawzia Peer  
Chair : Security and Emergency

2<sup>nd</sup> Floor, City Hall,  
Dr Pixley KaSeme Street, Durban, 4001  
P.O. Box 1014, Durban, 4000  
Tel: 031 311 2121/2013 : Fax: 031 311 2193  
Email: [Fawzia.Peer@durban.gov.za](mailto:Fawzia.Peer@durban.gov.za) [www.durban.gov.za](http://www.durban.gov.za)

**ETHEKWINI MUNICIPALITY**  
Community and Emergency Services

9 Archie Gumede Place  
Durban, 4001  
P.O. Box 2443, Durban, 4000  
Tel: (031) 311 3572 /3597  
Fax: (031) 311 3530 <http://www.durban.org.za>

Ref : 30/2/4/1/1

Date : 09 May 2018

TB/HIV CARE  
7<sup>th</sup> Floor Adderley Street,  
Cape Town  
8001

Att: Prof Harry Hausler



**RE: STATUTORY COMPLIANCE NOTICE FOR BREACHES OF LOCAL BYLAWS.**

An inspection of the operation known as TB-HIV CARE conducted at number 4 Wadley Road, Umbilo on the 13<sup>th</sup> March 2018 revealed that a number of contraventions of local bylaws existed and that these have the potential to impact negatively on Public Health.

In this regard:

1. **Public Health Bylaws Section 1(a)** No person shall: - Conduct any trade, calling or manufacturing in such a way or manner as to be a nuisance or likely to be injurious to public health.

An examination of various documents produced by you indicated a very low level of recovery/return/retrieval rate of needles and syringes in relation to those supplied. This means that a significant number of syringes and/or needles supplied by your NGO are unaccounted for and may therefore form a large proportion of those found discarded in public open spaces. This poses a serious risk to the health of the general public as well as municipal officials in relation to possible needle stick injuries.

In this regard;

**FORTHWITH**

Cease the supply of needles and syringes to the intravenous drug user community until such time as suitable systems can be put in place to ensure that the recovery rate of needles and syringes is significantly improved and the level of risk posed to the broader communities has been reduced. This must

be accompanied by robust waste manifest systems which can accurately verify distribution and recovery rates.

- 2. Scheduled Trades and Occupations Bylaws: Section 1 : (paraphrased)** “ No person shall commence any trade or calling listed in Schedule A of these bylaws without the prior written permission of the Medical Officer of Health (or successors in title).

Schedule A contains a “Trade or calling” which includes the “Collection, Transportation, Storage and Disposal of Waste” (which would include medical waste). This therefore means that TB-HIV Care should be in possession of a valid Scheduled Trade Permit.

Discussion with the staff of TB-HIV Care and examination of this department’s records indicate that no such permit has been issued.

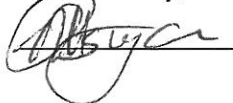
TB – HIV Care is therefore trading in contravention of Section 1 of the abovementioned bylaws and must within.

#### **14 Days**

Apply for the requisite permit and include with its application all necessary documentation and systems used to manage the distribution, collection, recovery and disposal of any Health Care Risk Waste generated by the operation.

Should you have any queries in this regard please do not hesitate to contact the Health Unit.

Yours faithfully,



Mrs T. Msiya  
Environmental Health Services Manager  
eThekweni Health Unit.