

## 12.2 CRITERIA FOR ENFORCEMENT

12.2.1 In deciding the most appropriate action to take, the Office may be guided by the following considerations—

- a) The impact of the breach on the provision of health care service delivery;
- b) Any injury, loss, damage or death resulting from the breach;
- c) The health establishment or person in charge blameworthiness or the degree within which they should be held accountable for the breach;
- d) The compliance history of the health establishment;
- e) Any mitigating or aggravating factors, including efforts undertaken by the person in charge of the health establishment to prevent / control the risk;
- f) Whether the breach is imminent.

## 13. ENFORCEMENT ACTIONS

The below diagram outlines the enforcement actions enjoined on the OHSC by the National Health Act, 2003 (Act No. 61 of 2003) —

### Diagram 1 - Enforcement actions