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LEGAL NOTICE NO. 46 OF 2023

**The Queen 'Mamohato Memorial Hospital Fund
Regulations, 2023**

Pursuant to section 21(3) and 61 of the Public Financial Management and Accountability Act¹, 2011, I,

RETŠELISITSOE MATLANYANE

Minister responsible for finance and development planning, make the following regulations:

Citation and commencement

1. These Regulations maybe cited as the Queen Mamohato Memorial Hospital Fund Regulations, 2023 and shall come into operation on the date of publication in the Gazette.

Interpretation

2. In these Regulations unless the context otherwise requires -

“Committee” means the committee established under section 6;

“QMMH” means the Queen Mamohato Memorial Hospital;

“Managing Director” means a person appointed as such and who is responsible for the management of QMMH;

“Minister” means the Minister responsible for health;

“Ministry” means the Ministry responsible for health; and

“Fund” means QMMH Fund, established under section 3.

Establishment of the Fund

3. There is established the Queen Mamohato Memorial Hospital Fund.

The Purpose of the Fund

4. The purpose of the Fund is to provide for an independent financial management and administration of QMMH funds in order to promote the health for the people of Lesotho by -

- (a) functioning as a referral hospital, providing tertiary level healthcare services;
- (b) providing teaching and training platforms for healthcare professionals;
- (c) providing platform for medical research; and
- (d) providing private health services.

Administration and Management of the Fund

5. The Fund shall be administered by the Managing Director, who shall be appointed by the Minister with the advice of the Committee after a transparent recruitment process.

Queen Mamohato Memorial Hospital Committee

6. (1) There shall be the Committee comprising of the following members:

- (a) the Principal Secretary, of the ministry responsible for health who shall be the Chairperson;
- (b) the Director General, Health Services or his representative;
- (c) the Head of Public Private Partnership of the ministry responsible for health or his representative;
- (d) the Head of Legal Services of the ministry responsible for health or his representative;
- (e) the Head of Finance of the ministry responsible for

health or his representative;

- (f) the Accountant General or his representative;
- (g) the Budget Controller or his representative;
- (h) a representative from the ministry responsible for planning;
- (i) the Managing Director who shall be the secretary of the Committee; and
- (j) four members of the senior management of QMMH.

(2) The members shall elect from among themselves, a Deputy Chairperson.

(3) The Committee may, when necessary, invite a person with relevant expertise in relation to matters before the Committee but this person shall not vote.

Powers and duties of the Committee

7. The powers of the Committee are to -

- (a) establish policies, strategies and procedures for QMMH in the discharge of its functions;
- (b) advise and make recommendations to the Minister in the appointment of the Managing Director and any matters relating to QMMH;
- (c) discuss and approve the strategic plan, annual work plan and budget of QMMH;
- (d) approve the financing model of QMMH;
- (e) review the annual reports presented by QMMH; and
- (f) monitor and evaluate activities of QMMH.

Functions of the Managing Director

8. The Managing Director shall, subject to the general supervision and control of the Minister, be responsible for -

- (a) the day to day operations of QMMH;
- (b) the management of the funds, property and business of QMMH;
- (c) the administration, organization and control of the officers and staff of QMMH;
- (d) the effective administration and implementation of the provisions of these regulations; and
- (e) effective performance of such functions as may be consistent with general objectives of QMMH.

Tenure of office of the Managing Director

9. The Managing Director shall hold office for a period of three (3) years and shall be eligible for re-appointment for only one term based on good performance.

Termination of office of the Managing Director

10. The Minister may terminate the appointment of the Managing Director for -

- (a) misconduct or misbehavior in terms of the Code of Conduct of QMMH; or
- (b) inability, incapacity or incompetence to perform duties of the office.

Receipts into the Fund

11. There shall be paid into the Fund -

- (a) monies appropriated by the government;
- (b) revenue obtained from fees for services rendered by QMMH;
- (c) grants and donations; and
- (d) any other monies collected or accruing to QMMH.

Disbursement from the Fund

12. There shall be paid from the Fund -

- (a) the purchases of medicines and medical consumables;
- (b) the running expenses of QMMH;
- (c) the cost of repairs and maintenance to the buildings, equipment and vehicles;
- (d) the cost of procurement of movables assets and construction of QMMH buildings; and
- (e) the cost of any other payments needed for QMMH.

Accounts and audit

13. (1) The Managing Director shall cause to be kept proper books of accounts and other records relating to its accounts in line with Public Financial Management and Accountability Act.

(2) An internal Auditor of the Ministry shall audit QMMH at any time whenever necessary.

(3) The accounts of QMMH shall be audited annually by the Auditor General or by an independent auditor authorized by him.

Annual report

14. (1) The Managing Director shall, as soon as practicable but not later

than three (3) months after the expiry of each financial year, submit to the Minister a report on its activities during the preceding financial year.

(2) The report referred to in sub-regulation (1) shall be in a form as the Minister may prescribe, and shall include information on the financial affairs of QMMH.

(3) There shall be appended to the report referred to sub-regulation (1) the following:

- (a) financial statements;
- (b) the total amount of revenue collected from the services rendered; and
- (c) such other information as QMMH may consider appropriate or as the Ministry may direct.

(4) The Minister shall, within 14 days of receipt of the report referred to in sub-regulation (1), present it to Parliament.

Financial year

15. The financial year of QMMH shall be the period of 12 months commencing on the 1st April in each calendar year, and ending on 31st March in the following calendar year.

Guidelines

16. The Ministry may make guidelines regarding the following:

- (a) the categories of fees levied against individual patients;
- (b) the efficient operation of the private wards, pharmacy and cafeteria;
- (c) codes of conduct for the staff of QMMH;
- (d) forms and style of annual reporting by QMMH to the Ministry; and

- (e) the inclusion within its mandate of any additional matters related to health services that can be effectively performed by QMMH or are necessary for effective operation of QMMH.

DATED:

**DR. RETŠELISITSOE MATLANYANE
MINISTER OF FINANCE AND DEVELOPMENT PLANNING**

NOTE

1. Act No. 12 of 2011

LEGAL NOTICE NO. 47 OF 2023

**Assignment of Responsibility for Government Business
Constitution – Section 89**

I, KING LETSIE III, pursuant to Section 89 of the Constitution of Lesotho and acting in accordance with the advice of the Prime Minister, assign to the **HONOURABLE**

MOKHETHI SHELILE

being a Minister of Government of Lesotho, responsibility for the business of Government relating to Natural Resources from the 20th to 28th April, 2023, being the period of the absence of the **HONOURABLE MOHLOMI MOLEKO** from Lesotho.

DATED: 27TH APRIL, 2023

**LETSIE III
KING OF LESOTHO**