



GOVERNMENT GAZETTE
OF THE
REPUBLIC OF NAMIBIA

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No. 934

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GOVERNMENT NOTICE

No. 179 Promulgation of Allied Health Services Professions Amendment Act,
1994 (Act 19 of 1994), of the Parliament 1

Government Notice

OFFICE OF THE PRIME MINISTER

No. 179

1994

**PROMULGATION OF ACT
OF PARLIAMENT**

The following Act which has been passed by the Parliament and signed by the President in terms of the Namibian Constitution is hereby published in terms of Article 56 of that Constitution.

No. 19 of 1994: Allied Health Services Professions Amendment Act, 1994.

**ALLIED HEALTH SERVICES PROFESSIONS
AMENDMENT ACT, 1994**

EXPLANATORY NOTE:

- _____ Words underlined with solid line indicate insertions in existing enactments.
- [] Words in bold type in square brackets indicate omissions from existing enactments.

ACT

To amend the Allied Health Services Professions Act, 1993, so as to provide for the establishment of a joint professional board in respect of certain allied health professions; to provide which persons shall qualify as members of such board and which persons shall be entitled to vote in elections of such members; to provide that only persons registered in terms of the Act shall be eligible as candidates for election at, or entitled to vote in, the first election of members of the boards concerned; to empower the Minister to temporarily exercise the powers and perform the functions and duties of boards; and to provide for matters incidental thereto.

(Signed by the President on 23 September 1994)

BE IT ENACTED by the Parliament of the Republic of Namibia, as follows:-

Amendment of section 2 of Act 20 of 1993.

1. Section 2 of the Allied Health Services Professions Act, 1993 (hereinafter referred to as the principal Act), is hereby amended -

(a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) the clinical psychology profession, the medical technology profession, the occupational therapy profession, the optic and optometry professions, the physiotherapy profession, the radiography profession, the [speech] speech and audio therapy profession, [and] the chiropractic profession, the dental technology profession and the oral hygiene profession;”;

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(b) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) any other profession, after consultation with the Council, which, in the opinion of the Minister, is related to the treatment, prevention or relief of physical or mental defects, illnesses or deficiencies in any person, and to which the provisions of the Medical and Dental Professions Act, 1993, the Nursing Professions Act, 1993, the Social and Social Auxiliary Workers’ Professions Act, 1993 and the Pharmacy Profession Act, 1993, are not applicable.”;

(c) by the insertion of the following subsection after subsection (1):

“(1A) Notwithstanding the provisions of subsection (1) of this section and section 5, the Minister shall, by notice in the *Gazette*, establish a joint professional board in respect of the medical assistants’ profession, the clinical officers’ profession, the rural medical aids’ profession, the medical instructors’ profession, the general health assistants’ profession and the child health officers’ profession, the members of which shall -

(a) subject to the provisions of section 6, be medical assistants or clinical officers or both medical assistants and clinical officers registered with such board;

(b) be elected by medical assistants, clinical officers, rural medical aids, medical instructors, sanitary instructors, general health assistants and child health officers so registered, and who are Namibian citizens or have lawfully been admitted to Namibia for permanent residence therein, and resident in Namibia.”.

2. Section 5 of the principal Act is hereby amended by the substitution for subsection (6) of the following subsection:

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“(6) Notwithstanding the provisions of this section, no person shall be eligible as a candidate for election at, or entitled to vote in, the first election of members of a Board contemplated in subsection (3), unless such person has been registered in a profession under the provisions of this Act by the Minister exercising such power by virtue of the provisions of section 48 or 48A.”.

Insertion of section 48A in Act 20 of 1993.

3. The following section is hereby inserted after section 48 of the principal Act:

“Minister temporarily to exercise powers and perform functions and duties of Boards.

48A. (1) Notwithstanding the provisions of section 48 but subject to the provisions of subsection (3) of this section, the Minister may, until a Board established under this Act has been constituted in respect of any allied health service profession, exercise any of the powers and perform any of the functions and duties of such Board conferred or imposed upon it in terms of this Act.

(2) The Minister may, when he or she exercises any of the powers and performs any of the functions and duties referred to in subsection (1), appoint not more than four registered persons resident in Namibia in respect of each such profession or any group or category of such professions, to assist or advise him or her in relation to the exercise or performance of such powers, duties and functions.

(3) Any power exercised or any function or duty performed by the Minister by virtue of the provisions of this section, shall be deemed to have been so exercised or performed by the Board concerned.”.

Short title.

4. This Act shall be called the Allied Health Services Professions Amendment Act, 1994.