



Republic of Namibia  
Annotated Statutes

**REGULATIONS**

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REGULATIONS MADE IN TERMS OF

**Allied Health Professions Act 7 of 2004**

section 55 read with section 19(1)

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**Regulations relating to the Registration of a Phytotherapist,  
Additional Qualifications and Interns; the Keeping of Registers  
and the Restoration of a Name to a Register**

Government Notice 77 of 2011

(GG 4730)

came into force on date of publication: 8 June 2011

The Government Notice which publishes these regulations notes that they were made on the recommendation of the Allied Health Professions Council of Namibia.

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**PART I**  
**PRELIMINARY**

**Definitions**

1. In these regulations, unless the context otherwise indicates, a word or expression defined in the Act has that meaning, and -

“additional qualification” means an additional qualification referred to in section 32(1)(a) of the Act and prescribed by regulation 8;

“approved facility” means any private practice, hospital, clinic or other health facility in Namibia defined in section 1 of the Hospitals and Health Facilities Act, 1994 (Act No. 36 of 1994), approved by the Council for the purpose of the training of phytotherapy interns, and “facility” has a corresponding meaning;

“certified” means certified as a true copy of the original by a commissioner of oaths appointed under section 5, or designated under section 6, of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act No. 16 of 1963); and

“phytotherapy intern” means any person registered as such under these regulations for the purpose of qualifying as a phytotherapist, and “intern” has a corresponding meaning; and

“the Act” means the Allied Health Professions Act, 2004 (Act No. 7 of 2004).

**PART II**  
**REGISTRATION OF PHYTOTHERAPIST**

**REGULATIONS**  
**Allied Health Professions Act 7 of 2004**

**Regulations relating to the Registration of a Phytotherapist, Additional Qualifications and Interns;  
the Keeping of Registers and the Restoration of a Name to a Register**

[This heading appears in the ARRANGEMENT OF REGULATIONS  
but is omitted in the text of the regulations.]

**Application for registration as a phytotherapist and submitting of particulars**

**2.** (1) An application for the registration of a person as a phytotherapist submitted to the registrar in terms of subsection (1) of section 20 of the Act must be accompanied, in addition to the documents and particulars specified in subsection (2) of that section, by -

- (a) a certified copy of the identity document or passport of the applicant;
- (b) a certificate issued by the Council in such form as the Council may determine, certifying that the applicant has passed the evaluation referred to in section 21(3) of the Act, if applicable; and
- (c) the original certificate of registration to practise as a phytotherapist in the country where the applicant obtained the qualification referred to in paragraph (a) of that subsection, issued by the relevant registration authority of that country.

(2) If the applicant is not registered with the registration authority referred to in paragraph (c) of subregulation (1), he or she must submit to the registrar, together with his or her application for registration -

- (a) a certificate, issued by that registration authority, certifying that the qualification or qualifications of which the applicant is the holder, entitles him or her to registration as a phytotherapist in the country where the applicant obtained the qualification or qualifications; or
- (b) if he or she had been so registered previously, a certificate issued by that registration authority, specifying that the applicant had been so registered previously, that his or her name had been removed from the register, and the grounds for the removal.

(3) The Council may require the applicant to furnish, in such manner as the Council may determine, proof of the applicant's proficiency in the English language.

**Additional education, tuition and training**

**3.** (1) If the Council registers a person conditionally under section 22(2)(a) of the Act, the Council must determine whether the person so conditionally registered requires any additional education, tuition or training to qualify for registration as a phytotherapist under the Act.

(2) Particulars of the additional education, tuition or training, as the case may be, referred to in subregulation (1) must be endorsed by the Council upon the certificate of conditional registration issued by the Council in the name of that person under section 22(2)(b) of the Act.

PART III  
PHYTOTHERAPY INTERNS

**Registration and training of phytotherapy intern before registration as a phytotherapist**

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4. (1) Any person who holds a qualification prescribed under section 19(1) of the Act as a minimum requirement for registration as a phytotherapist, must undertake, subject to the provisions of subregulation (4), after obtaining that qualification and before he or she is entitled to registration as a phytotherapist under the Act, training as a phytotherapy intern for a period and in the manner prescribed by regulation 6.

(2) An application for registration as a phytotherapy intern in accordance with section 20 of the Act, must be accompanied, in addition to the documents and particulars specified in subsection (2) of that section, by a certified copy of the identity document or passport of the applicant.

(3) The provisions of sections 20 and 21 of the Act apply to an application for registration as a phytotherapy intern referred to in subregulation (2).

(4) Upon submission of an application by a person referred to in subregulation (2) for registration as a phytotherapy intern, and if that person submits documentary proof to the satisfaction of the Council that he or she has -

- (a) completed, at an institution or at a training facility in any other country, whether before or after obtaining the qualification referred to in subsection (1), internship training relating to phytotherapy; or
- (b) practised in another country as a phytotherapist by virtue of the qualification referred to in paragraph (a) for the period and under the circumstances as may afford him or her experience and training,

substantially equivalent to the internship training prescribed by regulation 6, the Council may exempt, on such conditions as it may determine, that person from the requirements of registering and training as a phytotherapy intern in Namibia, or may reduce the period of internship training so prescribed by such period of time and subject to such conditions, as the Council may determine, if the Council is satisfied that the completion of the training referred to in paragraph (a) or the practising as a phytotherapist referred to in paragraph (b), as the case may be, is substantially equivalent to the internship training so prescribed.

(5) For the purpose of paragraph (a) of subregulation (4), “institution” or “training facility” means an institution or a training facility approved by the Council.

**Period and manner of training by a phytotherapy intern, agreement of internship and approval of facility for purposes of internship**

5. (1) A phytotherapy intern must complete, in the manner prescribed by these regulations, internship training for a period of not less than 12 months.

(2) If the internship training prescribed by subregulation (1) is interrupted at any point in time, that training must consist of periods which, when added together, are not less than 12 months in aggregate.

(3) Any leave or sick leave taken during the period of internship prescribed by this regulation, or any other interruption in the internship, must be added to the period of internship so that every phytotherapy intern must complete not less than 12 months internship.

(4) The training of a phytotherapy intern in accordance with these regulations must be conducted at an approved facility or approved facilities as the Council may determine.

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(5) The period of 12 months phytotherapy internship prescribed by subregulation (1) must be completed within a period of 24 months after the date of the first registration of the relevant person as a phytotherapy intern.

(6) If a phytotherapy intern fails to comply with subregulation (5), his or her registration as a phytotherapy intern is regarded to be cancelled, subject to subregulation (7), as from the date upon which the period of 24 months prescribed by subregulation (5), is exceeded.

(7) The Council may extend in writing, on good cause shown, the period of 24 months prescribed by subregulation (5), within which the phytotherapy internship must be completed.

(8) Before any person may commence with his or her phytotherapy internship at an approved facility, he or she must -

- (a) register with the Council as a phytotherapy intern in accordance with the Act and regulation 4;
- (b) enter into a written agreement of internship with the approved facility at which he or she must complete the internship, in such form and containing such conditions as the Council may determine; and
- (c) obtain from the Council a written approval of the agreement of internship entered into pursuant to paragraph (b).

(9) The Council may specify in writing, when approving a facility for the training of phytotherapy interns, that only a specified portion of the training of a phytotherapy intern must be undertaken at that facility, and that the remainder of the training must be undertaken at another approved facility or approved facilities so specified.

(10) If at any time during the period of internship of a phytotherapy intern, the Council considers any training provided by the approved facility to be inadequate or unsatisfactory for any reason, the Council may withdraw its approval of the written agreement of internship referred to in subregulation (8)(c) by means of a written notice to both the approved facility and the phytotherapy intern, after having afforded both the approved facility and the intern the opportunity to be heard.

(11) Unless the Council otherwise determines, on good cause shown, any period of internship completed by a phytotherapy intern under an agreement of internship cancelled under subregulation (6), or in respect of which the Council has withdrawn its approval in accordance with subregulation (10) of this regulation, or terminated in terms of regulation 7, is null and void.

(12) A phytotherapy intern is subject, during his or her term of internship, to all the rules of professional conduct applicable to a phytotherapist.

(13) The criteria pertaining to phytotherapy internship training are specified in the Annexure to these regulations.

(14) The Council may approve, on an application in terms of subregulation (15) and subject to the other provisions of these regulations, a facility for the purpose of the training of phytotherapy interns in accordance with these regulations.

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(15) An application for the approval of a facility by the Council under subregulation (14) must be -

- (a) made in such form and manner, must be accompanied by such documents and particulars, and must comply with such conditions, including the payment of such application fees, as the Council may determine; and
- (b) submitted to the Registrar.

(16) Before the Council approves any person or institution under, and for the purposes of, this regulation, the Council may conduct an inspection, in accordance with section 51 of the Act and payment of the inspection fees that the Council may determine, of the facility where the phytotherapy intern must be trained.

(17) When the Council approves, under subregulation (14), a facility as an approved facility for the purposes of the training of a phytotherapy intern, the Council must issue, in the name of that facility, a Certificate of Approval in the form, and specifying the particulars, that the Council may determine.

(18) In approval under subregulation (14) is subject to such conditions and is valid for such period of time as the Council may determine and specify in the Certificate of Approval issued under subregulation (17).

**Cancellation or cession of internship, and change of name**

6. (1) A phytotherapy intern must notify the Council in writing -

- (a) if he or she has terminated his or her agreement of internship with an approved facility, of the termination within a period of 30 days thereof;
- (b) if he or she intends to cede to any other approved facility the existing agreement of internship entered into between him or her and the approved facility referred to in paragraph (a), of the intended cession of internship not less than 30 days before the intended date thereof.

(2) When a phytotherapy intern notifies the Council in terms of paragraph (b) of subregulation (1) of his or her intention to cede his or her agreement of internship to any other facility, he or she must submit to the Council, together with that notice -

- (a) written proof of the cancellation of his or her existing agreement of internship;
- (b) a certified copy of the agreement of internship entered into by and between the approved facility with which the internship must be completed and the phytotherapy intern, which agreement must be approved by the Council,

and pay to the Council the fees determined by the Council relating to such application for cession of the internship.

- (3) If the name of a phytotherapy intern is changed for any reason, he or she must -
  - (a) inform the Council in writing of that change of name; and

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- (b) submit to the Council documentary proof of the change of name and the other particulars relating thereto that the Council may require,

within a period of 30 days after the change of name occurred.

**Completion of internship**

7. (1) Upon the completion of the internship undertaken by a phytotherapy intern in accordance with these regulations, he or she must submit proof to the Council, by way of a certificate issued by the approved facility or approved facilities at which he or she completed the internship, in such form as the Council may determine, that he or she has duly complied with the regulations relating to phytotherapy internship.

(2) The certificate prescribed by subregulation (1) must be in such form, and contain such particulars, as the Council may determine.

(3) A phytotherapy intern must not be registered as a phytotherapist unless he or she has submitted the certificate prescribed by subregulation (1) to the Council.

PART IV  
REGISTRATION OF ADDITIONAL QUALIFICATIONS

**Registrable additional qualifications**

8. The following qualifications may be registered as additional qualifications under section 32 of the Act:

<b>Qualification</b>	<b>Educational Institution or Examining Authority, and Country</b>
Graduate Diploma in Clinical Nutrition	International Academy of Nutrition, Sydney, Australia

**Requirements for registration of an additional qualification**

9. An application in accordance with subsections (2) and (3) of section 32 of the Act for the registration of an additional qualification must be accompanied, in addition to the documents and particulars specified in that subsection (3), by -

- (a) a certified copy of the identity document or passport of the applicant; and
- (b) documentary proof that the registration authority of the country responsible for the registration of a person to practise as a phytotherapist in the country in which the applicant obtained that additional qualification, recognises that qualification as a

qualification that may be registered as an additional qualification by a phytotherapist registered in that country.

PART V  
REGISTERS AND RESTORATION OF NAME TO REGISTER

**Register of phytotherapist**

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**10.** The register of phytotherapist established and kept in accordance with subsection (2) of section 24 of the Act, must contain, in addition to the particulars specified by subsection (3) of that section, particulars of the additional qualifications entered against the name of the phytotherapist concerned in accordance with subsection (4) of section 32 of the Act, including any change in any of the particulars recorded in the register.

**Register of phytotherapy interns**

**11.** The register of phytotherapy interns established and kept in accordance with subsection (2)(c) of section 24 of the Act must contain, in addition to the particulars specified by subsection (3) of that section, particulars of the approved facility or facilities where the phytotherapy intern is completing his or her internship, the date upon which he or she commenced with the internship and the date upon which it must be completed, including any change in any of the particulars recorded in the register.

**Restoration of name to register**

**12.** An application in terms of section 26(1) of the Act for the restoration of the name of a person to a register must be accompanied, in addition to the documents and particulars specified in subsection (2) of that section, by -

- (a) a certified copy of the identity document or passport of the applicant; and
- (b) the original registration certificate issued to the applicant under section 21(4)(b) of the Act, or a certified copy thereof.

PART VI  
GENERAL

**Language of forms and documents**

**13.** (1) Any form or document required to be submitted to the Council or to the registrar in terms of these regulations must be, subject to subregulation (2), in the English language.

Any form or document referred to in subregulation (1) that is not in the English language must be accompanied by a sworn translation thereof into that language, acceptable to the Council.



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ANNEXURE

CRITERIA PERTAINING TO THE 12 MONTHS PERIOD  
PHYTOTHERAPY INTERNSHIP TRAINING PROGRAMME  
*(Regulation 5(13))*

The training of a phytotherapy intern during the 12 months phytotherapy internship period must take place at an approved facility and in all the following domains of Phytotherapy:

- (a) Clinical Diagnostic Competence;
- (b) Principles of Phytotherapy;
- (c) Competence in Phytotherapy Repertory
- (d) Patient Management;
- (e) Practice Management;
- (f) Treatment Plan and Application; and
- (g) Ethics and Jurisprudence.