



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Medical and Dental Act 10 of 2004

section 59 read with sections 23, 25 and 31

**Regulations relating to Registration of Dental Students,
Maintaining of Register of Dental Students and
Restoration of Name to Register**

Government Notice 32 of 2017

(GG 6249)

came into force on date of publication: 27 February 2017

The Government Notice which publishes these regulations notes that they were made on the recommendation of the Medical and Dental Council of Namibia.

ARRANGEMENT OF REGULATIONS

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Definitions

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Medical and Dental Act 10 of 2004**

**Regulations relating to Registration of Dental Students,
Maintaining of Register of Dental Students and Restoration of Name to Register**

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

“applicant” means a person applying for registration as a dental student in accordance with these regulations;

“application fees” means the application fees determined by the Council and payable by an applicant in respect of an application to the Council for registration as a dental student, whichever may be applicable;

“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 Peace and Commissioners of Oath Act, 1963 (Act No. 16 of 1963);

“educational institution in Namibia” means an institution in Namibia offering or providing education, tuition or training, approved by the Council under section 16 of the Act and which institution may award a qualification prescribed as a qualification required for registration as a dentist;

“practical experience or exposure” means the observing, witnessing or being present, by a dental student, at dental procedures by a dentist performed in a hospital, clinic or health facility as defined in the Hospitals and Health Facilities Act, 1994 (Act No. 36 of 1994); and

“dental student” means a person approved and registered by Council for admission of the required course for registration as a dentist under the Act; and

“the Act” means the Medical and Dental Act, 2004 (Act No. 10 of 2004).

Application for registration as dental student

2. (1) An application for the registration of a person enrolled as a dental student at an educational institution in Namibia must be -

- (a) submitted to the registrar, in the form determined and furnished by Council, and
- (b) accompanied by -
 - (i) a certified copy of the identity document or of the passport of the applicant;
 - (ii) documented proof to the satisfaction of Council, of the applicant’s enrolment at an educational institution in Namibia;
 - (iii) course of study in respect of which such applicant is enrolled;
 - (iv) any additional particulars and documents that Council may require; and
 - (v) payment of the application fees determined by Council.

(2) Council may require the applicant to furnish proof, in the manner that Council determines, of the applicant’s proficiency in the English language.

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- (3) Council, after having considered the application for registration as a dental student -
 - (a) may grant the application if Council is satisfied that the applicant -
 - (i) meets the requirements for the registration of a dental student;
 - (ii) has complied with these regulations; and
 - (iii) is proficient in the English language; or
 - (b) must refuse the application if Council is satisfied that the applicant -
 - (i) does not meet the requirements for registration as a dental student; or
 - (ii) has not complied with these regulations.
- (4) After considering and deciding on an application in accordance with subregulation (3) Council must -
 - (a) inform the applicant in writing of the decision of Council under subregulation (2) and upon refusal the reasons therefore; and
 - (b) issue the applicant a certificate of registration as a dental student in the form that the Council determines -
 - (i) if the application for registration as a dental student is granted; and
 - (ii) enter the name of the applicant into the register.
- (5) The registration of a student in accordance with this regulation is valid for a period of 12 months from the date of the issue of the registration certificate under subregulation (4)(b).

Registration of students

- 3. (1) A person enrolled as a dental student at an educational institution in Namibia must apply for registration as a dental student under these regulations by submitting to the registrar, in accordance with regulation 2, an application for registration as a dental student.
 - (2) An application for registration referred to in subregulation (1) must -
 - (a) be submitted to the registrar not later than three months after the dental student has enrolled at the educational institution referred in that subregulation; and
 - (b) comply with this regulation.

Failure to register as dental student

- 4. (1) A person who is enrolled as a dental student with an educational institution in Namibia and who fails to comply with regulation 3 -
 - (a) is liable, in addition to the application fees determined by Council, for payment of -

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- (i) unpaid registration fees;
 - (ii) fees payable in respect of late registration; and
 - (iii) registration fees as a dental student;
- (b) must not be registered by the Council as a dental intern or as a dentist unless he or she has paid to the Council all the unpaid application fees for registration as a student, including all payments in arrears.

(2) Despite these regulations, the Council may recover from a student, whether or not that student is registered under these regulations, by means of proceedings in a competent Court, the prescribed registration fees, late registration fees and interest payable under these regulations.

Application for registration from outside Namibia

5. (1) An application for registration of a person enrolled as a dental student, enrolled at an educational institution outside Namibia must be -

- (a) submitted to the registrar, in the form determined and furnished by the Council; and
 - (b) accompanied by -
 - (i) a certified copy of the identity document or of the passport of the applicant;
 - (ii) documented proof, to the satisfaction of the Council, of the applicant's enrolment at an educational institution outside Namibia of the course of study in respect of which such student is enrolled;
 - (iii) applicants' academic record at that educational institution;
- [The "applicants' academic record" (plural possessive) was probably intended to refer to "the applicant's academic record" (singular possessive).]
- (iv) any additional particulars and documents that Council may require; and
 - (v) payment of the application fees determined by Council.

(2) Council may require the applicant to furnish proof, in the manner that the Council determines, of the applicant's proficiency in the English language.

- (3) Council, after having considered the application for registration as a dental student -
- (a) may grant the application if the Council is satisfied that the applicant -
 - (i) meets the requirements for the registration of a dental student;
 - (ii) has complied with these regulations; and
 - (iii) is proficient in the English language;

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- (b) must refuse the application if the Council is satisfied that the applicant -
 - (i) does not meet the requirements for registration as a dental student; or
 - (ii) has not complied with these regulations.
- (4) After considering and deciding on an application in accordance with subregulation (6) Council must -
 - (i) inform the applicant in writing of the decision of the Council under subregulation (6); and reasons for such decision if application is refused; or
 - (ii) issue to the applicant a certificate of registration as a dental student, if the application for registration as a dental student is granted, in the form that the Council determines, and enter the name of the applicant into the register.

[The paragraph lettering above is reproduced as it appears in the *Government Gazette*.]

Registration of dental student enrolled outside Namibia

6. (1) A dental student enrolled at an educational institution outside Namibia who wishes to obtain practical experience or exposure in Namibia must apply, in accordance with regulation 5, for registration as a dental student by submitting to the registrar an application for registration with the Council.

(2) A dental student referred to in subregulation (1) must have successfully completed not less than three years of education, tuition and training relating to a qualification, prescribed as a qualification required for registration as a dentist under the Act, and must apply to Council for registration.

Non-compliance with regulations

- 7.** For the purpose of section 17(5)(c) of the Act, A person who -
- (a) is not registered under these regulations;
 - (b) obtains, or attempts to obtain, practical experience or exposure in Namibia; or
 - (c) contravenes or fails to comply with these regulations,

is guilty of an offence and on conviction liable to the payment of a fine not exceeding N\$4 000 or imprisonment for a period not exceeding 12 months, or to both such fine and imprisonment.

Register of students

8. A register for dental students established and kept in accordance with section 23(2)(c) of the Act must contain in addition to the particulars specified by subsection (3) of that section, particulars of -

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- (a) the course of study for which the student is enrolled at the educational institution in or outside Namibia, and proof of the annual enrolment of the student at that educational institution; and
- (b) any change the particulars recorded in the register.

[Paragraph (b) was probably intended to state “any change in the particulars recorded”.]

Restoration of name to register

9. An application in accordance with section 25 of the Act for the restoration of the name of a student to a register, in addition to the documentation referred to in subsection (2) of that section, must be accompanied by -

- (a) the original registration certificate issued to the applicant or a certified copy thereof; and
- (b) a certified copy of the identity document or passport of the applicant.

Submission of information by educational institution

10. (1) The educational institution in Namibia must furnish the Council with the names and other particulars of students enrolled at that educational institution, to obtain a qualification prescribed for registration as a dentist, not later than three month after commencement of every academic year.

[The phrase “three month” should be “three months”.]

(2) An educational institution in Namibia must in writing, on the request of Council, furnish the names and other particulars of student enrolled at the educational institution for the purpose of obtaining a qualification prescribed for registration as a dentist, that educational institution must submit, to Council these particulars within the period specified in that notice.

[Subregulation (2) is reproduced precisely as it appears in the *Government Gazette*, but it appears that one or more words may have been omitted. The closing phrase may have been intended to read: “and that educational institution must submit to Council these particulars within the period specified in that notice”. The word “student” should be “students”.]

(3) An educational institution that fails to comply with a request by the Council under subregulations (1) and (2), after having heard that educational institution, the Council may withdraw any approval granted to that educational institution under section 16 of the Act.

[Subregulation (3) is reproduced precisely as it appears in the *Government Gazette*, but there is some confusion in the wording. A similar regulation issued under the *Allied Health Professions Act 7 of 2004 in GN 81/2017 (GG 6282)* reads as follows:

“If an educational institution fails to comply with a request by the Council under sub regulations (1) and (2), Council, after having heard that educational institution, may withdraw any approval granted to that educational institution under section 17 of the Act.”]

Language of forms and documents

11. (1) Subject to subregulation (2), any form or document required to be submitted to the Council or to the registrar in terms of these regulations must be in the English language.

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(2) A form or document referred to in subregulation (1), that is not written in English, must be accompanied by a sworn translation into English.

[The comma after “subregulation (1)” is superfluous.]