



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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WINDHOEK - 28 July 2014

No. 5517

CONTENTS

Page

GOVERNMENT NOTICE

No. 102	Regulations relating to registration fees payable by Geoscientists and other fees: Geoscience Professions Act, 2012	1
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Government Notice

MINISTRY OF MINES AND ENERGY

No. 102

2014

REGULATIONS RELATING TO REGISTRATION FEES PAYABLE BY GEOLOGISTS AND OTHER FEES: GEOLOGICAL PROFESSIONS ACT, 2012

In terms of section 41 of the Geological Professions Act, 2012 (Act No. 3 of 2012), after consultation with the Council, I make the regulations set out in the Schedule.

I. KATALI
MINISTER OF MINES AND ENERGY

Windhoek, 7 July 2014

SCHEDULE

1. Definitions
2. Language of forms and documents
3. Minimum qualifications required for registration as geologist
4. Application for registration as geologist
5. Annual fees
6. Lost registration certificate
7. Keeping of register
8. Inspection of register
9. Restoration of name to register

10. Lodging of complaint of unprofessional conduct
11. Remuneration and allowance payable to geoscientists

Definitions

1. In these regulations, a word or an expression to which a meaning has been assigned in the Act, has that meaning, and unless the context indicates otherwise -

“registration fee” means the fee payable when a person applies for registration in terms of section 20 of the Act;

“the Act” means the Geoscience Professions Act, 2012 (Act No. 3 of 2012); and

“year” means the 12 months for which the full annual fee is payable and which runs from 1 January to 31 December in any year.

Language of forms and documents

2. (1) All forms or documents required to be submitted to the Council or to the registrar in terms of these regulations must, subject to subregulation (2), be in the English language,

(2) All forms or documents referred to in subregulation (1) that are not in the English language must be accompanied by a sworn translation into English, in a format acceptable to the Council.

Minimum qualifications required for registration as geoscientist

3. The minimum academic qualifications required for registration as a registered geoscientist are -

- (a) a four year Degree of Bachelor of Science with Honours in Geosciences BSc. Hons (Geosciences);
- (b) a three-year Bachelor of Science degree (BSc or BTech) in geoscience, awarded at a university or technical college, recognised for this purpose by the Council, followed by two years of relevant work experience; or
- (c) a qualification, which in the opinion of the Council is equivalent to qualifications stated in paragraphs (a) or (b).

Application for registration as geoscientist

4. (1) A person who desires to be registered in terms of section 20 of the Act as a geoscientist or senior geoscientist must make an application for registration in writing to the Council, using Form 1 set out in Annexure 1.

(2) The application referred to in subsection (1) must be accompanied by the following documents -

- (a) certified copies of the applicant’s qualifications;
- (b) Namibia Qualifications Authority valuation certificate in case of foreign qualifications;
- (c) two original completed reference forms; and

(d) application fee as set out in the Annexure 2.

(3) The Council reserves the right to contact the applicant's present or past employer, referees and academic institutions referred to in the application or reference forms in connection with determining an applicant's qualifications, experience and capacity to carry out independent work or work without supervision.

(4) The registrar must, pursuant to section 20(2) or (3) of the Act, issue a certificate of registration to the applicant on Form 2 set out in Annexure 1.

Annual fees

5. (1) A geoscientist or senior geoscientist must within 30 days of registration in terms of section 20 of the Act and annually thereafter by 31 January pay to the registrar the appropriate annual fee set out in Annexure 2.

(2) If the payment for an annual fee has to be made for less than a full year, the Council may grant a reduction of not more than 50 per cent of the fee that is due and payable.

(3) The Council or a committee of the Council to which the power has been assigned, may on application and on good cause being shown, grant an exemption, or a further exemption, either in whole or in part, from payment of the annual fee payable by that person.

Lost registration certificate

6. (1) A geoscientist who has lost his or her original certificate of registration must apply to the registrar for a duplicate certificate.

(2) The application referred to in subregulation (1) must be accompanied by an affidavit stating the following -

- (a) the original certificate is lost;
- (b) every effort has been made to trace it; and
- (c) he or she did not succeed.

(3) The registrar must charge a person who wishes to obtain a duplicate copy of the registration certificate the appropriate fee as set out in Annexure 2.

Keeping of register

7. The register established and kept in accordance with subsection (1) of section 28 of the Act for the geoscientists must be on Form 4 of Annexure 1.

Inspection of register

8. (1) A person who wishes to inspect the register must pay the fee set out in Annexure 2.

(2) A person who wishes to obtain a certified copy of an entry or a certified extract from the register must pay the fee for making the copy and for certifying as set out in Annexure 2.

Restoration of name to register

9. (1) An application for restoration of registration referred to in section 27(1) of the Act must be made on Form 3 set out in Annexure 1.

(2) An application for restoration referred to in subregulation (1) must be accompanied by -

- (a) certified copies of the applicant's qualifications;
- (b) Namibia Qualification Authority valuation certificate in case of foreign qualifications;
- (c) two original completed reference forms; and
- (d) the fee set out in Annexure 2.

Lodging of complaint of unprofessional conduct

10. (1) A person who wishes to lodge a complaint of unprofessional conduct on the part of a registered geoscientist in terms of section 34(1) of the Act must do so in writing addressed to the Secretary, providing a full statement and evidence of the unprofessional conduct together with a fee set out in Annexure 2 which will be refunded should the complaint be justified.

(2) A registered person against whom a complaint of unprofessional conduct has been lodged must be notified of the enquiry into such unprofessional conduct using Form 5 set out in Annexure 1.

(3) A person who is found guilty of unprofessional conduct is liable to a fine, not exceeding the amount set out in Annexure 2.

Annexure 1

GEOSCIENCE COUNCIL OF NAMIBIA

Form 1

Application for Registration and Reference Form

Application for Registration			
(Regulation 4(1), Section 20)			
Full Name	Title		
	First		
	Last		
Date of Birth		Sex	
Nationality		Id. / Passport No.	
Physical Address		
Postal Address		
Telephone		Facsimile	
Cellular		Email	
Type of Registration	Registered Geoscientist		
	Registered Senior Geoscientist		
Tertiary Education			
Date	Institution	Degrees	
.....	
.....	
.....	
.....	
Curriculum Vitae of Experience			
Period	Branch of Geoscience	Specifies	
.....	
.....	
.....	
Independent work- without supervision			
Period	Project	Specifies	
.....	
.....	
.....	
.....	

Employment History			
Period	Employer	Post	Responsibilities
.....
.....
.....
.....
.....
.....
.....
Have you ever been convicted of a serious criminal offence with an element of dishonesty and sentenced to imprisonment without the option of a fine?			Yes No
Have you ever been declared mentally ill?			Yes No
Are you an unrehabilitated insolvent or have you entered into an agreement with your creditors?			Yes No
Have you read and understood the Code of Professional Conduct?			Yes No
Have you transgressed the Code of Professional Conduct over the past three years?			Yes No
Do you undertake to uphold the Code of Professional Conduct in the future?			Yes No
Membership of other scientific and professional organisations			
Period	Organisation	Membership Grade	
.....	
.....	
.....	
.....	
	Reference 1	Reference 2	
Name			
Address			
Telephone			
Cell phone			
Fax			
email			
I (full name) confirm the above information is true and complete			
Signature		Date	

GEOSCIENCE COUNCIL OF NAMIBIA		
Reference Form		
(To be filled in by Applicant)		
APPLICANT: Please forward one reference form to each of the two references you have listed in the application form.		
Applicants name		
Address		
Telephone number		
(To be filled in by Referee)		
REFEREE: - You are requested to attest to the professional expertise (applicable and relevant experience), capacity for working independently or without supervision; and ethical standards of the above named applicant who is applying to the Geoscience Council of Namibia to be registered as a Registered Geoscientist / Registered Senior Geoscientist.		
- Based on your own personal, firsthand knowledge of the applicant, please assist us by supplying all the information requested below.		
- Upon completion of this form, please post (do not facsimile) to: Geoscience Council of Namibia, P O Box, Windhoek, Namibia		
- Your reply is confidential and will remain the property of Council and will not be disclosed to any third party.		
Referee name		
1. I am personally familiar with the applicant's earth science work for the period; to (mm/yyyy) to (mm/yyyy) (Please list month and year)	
2. My relationship with the applicant has been as;	Employer	
	Supervisor	
	Co-worker	
	Client	
	Other (specify)	
3. My current relationship with applicant is;	
4. The minimum registration requirements are attached below. In your opinion, does the applicant meet the minimum criteria for registration as a;		
- Registered Geoscientist	Yes	No
- Registered Senior Geoscientist	Yes	No
5. Do you have knowledge of the applicant's reputation as a geoscientist? (If you answer "No" please advise applicant to nominate another reference)	Yes	
	No	
6. Do you consider the applicant's professional expertise is in line with the applicant's length of experience;	Yes	
	No	
7. If the answer to (6) is "No", please comment;		
.....		
8. Please comment on the applicant's professional and ethical standing;		
.....		

9. Do you believe the applicant has the capacity for working independently or without supervision;		Yes
		No
10. If the answer to (9) is 'No', please comment;		
.....		
.....		
.....		
11. Have you had business dealings with the applicant? Remarks;		Yes
.....		No
12. If the answer to (11) is "No", Would you willingly have business dealings with the applicant?		Yes
		No
13. If the answer to (12) is 'No', please comment;		
.....		
.....		
.....		
14. Are you aware of any professional conduct or business activities by the applicant that you would consider questionable?		Yes
		No
15. If the answer to (14) is "Yes", please comment;		
.....		
.....		
.....		
16. The Council's Code of Professional Conduct is attached. To the best of your knowledge does the applicant abide by these standards?		Yes
		No
17. If the answer to (16) is "No", please comment;		
.....		
.....		
.....		
18. Any additional comments you wish to make?		
.....		
.....		
.....		
.....		
Referee's signature		Date
Registration number		Telephone
Address	
	
	
Qualifications	
	
	
	

GEOSCIENCE COUNCIL OF NAMIBIA

Certificate of Registration
(Regulation 4(4) Section 20(2))

Registration Number				
This is to certify that				
..... (full name)				
is registered with the Geoscience Council of Namibia as a				
.....				
in terms of the provisions of the Geoscience Professions Act, 2012.				
<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; width: 50%; padding: 5px;">.....</td> <td style="text-align: center; width: 50%; padding: 5px;">.....</td> </tr> <tr> <td style="text-align: center; padding: 5px;">PRESIDENT</td> <td style="text-align: center; padding: 5px;">SECRETARY</td> </tr> </table>	PRESIDENT	SECRETARY
.....			
PRESIDENT	SECRETARY			
Signed at Windhoek on day of 20				

GEOSCIENCE COUNCIL OF NAMIBIA

Application for Restoration of Registration
(Regulation 9(1), section 27(3)(a))

Application for Restoration of Registration			
Full Name	Title		
	First		
	Last		
Date of Birth		Sex	
Nationality		Id. / Passport No.	
Physical Address		
Postal Address		
Telephone		Facsimile	
Cellular		Email	
Type of Registration	Registered Geoscientist		
	Registered Senior Geoscientist		
Tertiary Education			
Date	Institution	Degrees	
.....	
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.....	
Curriculum Vitae of Experience			
Period	Branch of Geoscience	Specifies	
.....	
.....	
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.....	
Independent work without supervision			
Period	Project	Specifies	
.....	
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.....	
.....	

Employment History				
Period	Employer	Post	Responsibilities	
.....	
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.....	
Have you ever been convicted of a serious criminal offence with an element of dishonesty and sentenced to imprisonment without the option of a fine?			Yes	No
Have you ever been declared mentally ill?			Yes	No
Are you an unrehabilitated insolvent or have you entered into an agreement with your creditors?			Yes	No
Have you read and understood the Code of Professional Conduct?			Yes	No
Have you transgressed the Code of Professional Conduct over the past three years?			Yes	No
Do you undertake to uphold the Code of Professional Conduct in the future?			Yes	No
Membership of other scientific and professional organisations				
Period	Organisation	Membership Grade		
.....		
.....		
.....		
.....		
	Reference 1	Reference 2		
Name				
Address				
Telephone				
Cell phone				
Fax				
email				
I (full name) confirm the above information is true and complete				
Signature		Date		

Form 4

GEOSCIENCE COUNCIL OF NAMIBIA

Register
(Regulation 7, Section 28)

Register Record *				†
Full Name	Title			
	First			
	Last			
Date of Birth				
Nationality				
Id. / Passport No.				
Physical Address				
Postal Address				
Telephone				
Cellular				
Facsimile				
Email				
Qualifications				
Type	Institution	Date		
Curriculum Vitae Keywords				
Employment Status				
Current Employer				
Type of Registration	Registered Geoscientist			
	Registered Senior Geoscientist			
Date of first registration				
Signature		Date		

* To be completed in full

† Please tick in corresponding box if in terms of Section 15(1)(c) of the Act you do not want the corresponding details to be open to public inspection in terms of Section 3(1)(c).

GEOSCIENCE OF NAMIBIA

Notice of inquiry
(Regulation 10(2) Section 34(5))

To:

You are hereby notified that an inquiry in terms of Section 34 and 35 of the Geoscience Professions Act, 2012 will be held at on the day of at h by the

when the following complaint against you will be considered.

.....
.....
.....
.....
.....

You are also hereby notified that you are required to appear at such an inquiry in person, and that you are entitled to be represented thereat by some other person duly authorised by you, in writing, and that you may produce evidence, call and examine witnesses on your behalf and cross-examine other witnesses.

Should you desire that your letter dated or any further written communication which you may make, should constitute your explanation or rebuttal please notify me to that effect as soon as possible but not later than
You are hereby advised that any such communication may be used in evidence at such inquiry.

Should you fail to be present at the inquiry or at the resumption thereof after an adjournment, Council may consider and deal with the charge in your absence in accordance with Sections 34 and 35 of the Act.

Given under the hand of the at
(full name)
..... on this day of 20

Signature:

Name:

Annexure 2**GEOSCIENCE OF NAMIBIA**

Fees
(Section 29, Regulation 4)

Type of certificate	Amount
Application fee for registration (Regulation 4(2)(d))	N\$650
Annual fee (section 20(1), Regulation 5)	N\$500
Duplicate Registration Certificate (Regulation 6(3))	N\$100
Inspection of Register (Regulation 8(1))	N\$100
Extract from Register (Regulation 8(2))	N\$100
Restoration of name to Register (Regulation 9(1))	N\$650
Fee for Lodging complaint (Regulation 10(1))	N\$100
Penalty for unprofessional conduct (section 38(b), Regulation 10(3))	N\$5 000