



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Allied Health Professions Act 7 of 2004

section 55 read with sections 26 and 32

**Regulations relating to the Registration of Physiotherapists,
Specialties, Additional Qualifications and Interns;
and to the Restoration of a Name to a Register**

Government Notice 31 of 2007

(GG 3795)

came into force on date of publication: 22 February 2007

The Government Notice which publishes these regulations notes that they were made on the recommendation of the Interim Allied Health Professions Council of Namibia. It withdraws regulation 26 of Part IV, the whole of Part V and the whole of Part VI of the regulations published in GN 49/1997 (GG 1526), and “regulation No. 224 of 7 November 2005”.

The regulations published in GN 49/1997 were made in terms of the Allied Health Services Professions Act 20 of 1993 (GG 710). They survived in terms of section 62(2) of the Allied Health Professions Act 7 of 2004 (GG 3247).

The reference to “regulation No. 224 of 7 November 2005” must be an error. There was no *Government Gazette* published on that date. GN 224/2005 (GG 3498) was published on 15 September 2005 and is concerned with charges and fees regarding the control of outdoor advertising in Walvis Bay. The regulations published in GN 49/1997 do not contain a regulation numbered 224. It is therefore unclear which regulation was intended to be withdrawn.

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PART I
DEFINITIONS

Definitions

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

“additional qualification” means an additional qualification referred to in section 32(1)(a) of the Act and in regulation 11;

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

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“Council” includes the Interim Allied Health Professions Council of Namibia established under section 59 of the Act;

“physiotherapist” means any person registered under the Act as a physiotherapist;

“physiotherapy intern” means any person registered as such in accordance with these regulations for the purpose of qualifying as a physiotherapist;

“registrar” means the registrar of the Council;

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

PART II
REGISTRATION OF PHYSIOTHERAPISTS

Application for registration as a physiotherapist

2. (1) An application for the registration of a person as a physiotherapist under section 20 of the Act must be made in accordance with that section.

(2) An application referred to in subregulation (1) must be accompanied, in addition to the documents and particulars specified in section 20(2) of the Act, 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) if the qualification upon which the applicant relies for registration as a physiotherapist is a qualification referred to in section 22(1)(a) of the Act, the original certificate of registration to practise as a physiotherapist in the country where the applicant obtained the qualification, issued by the relevant registration authority of such country.

(3) If the applicant referred to in subregulation (2)(c) is not registered with the registration authority referred to in that, the applicant must submit -

- (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 physiotherapist in the country where the applicant obtained such qualification or qualifications; or
- (b) if he or she had been so registered previously, a certificate issued by that registration authority, specifying the reasons why the applicant is not so registered any more,

together with his or her application for registration.

(4) If the qualification upon which the applicant relies for registration has been awarded by an educational institution at which the medium of instruction is not the English language, the Council may require the applicant to provide, in such manner as the Council may determine, the Council with proof of the applicant’s proficiency in the English language.

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Additional examinations

3. (1) The additional examinations referred to in section 22(1)(b)(ii) of the Act must consist of written or oral or practical examinations, or of written and oral and practical examinations, in such disciplines as the Council may determine in respect of every person who is to be examined as required by that section, for the purpose specified in subregulation (2).

(2) The purpose of the examination referred to in subregulation (1), is to determine whether that person possesses the knowledge, skills and competence required to be possessed by any person who holds the qualification prescribed under section 19(1) of the Act, and which prescribed qualification so held entitles a person to be registered as a physiotherapist under section 21 of the Act.

(3) The Council may appoint, subject to such conditions as it may determine, a suitable person or persons to conduct the examinations referred to in subregulation (1).

Additional education, tuition and training

4. (1) If the Council registers a person conditionally under section 22(2)(a) of the Act, the Council must determine the additional education, tuition or training, referred to in section 22(1)(b)(i) of the Act, required by the person so conditionally registered before he or she may be registered as a physiotherapist under the Act.

(2) Particulars of the additional education, tuition or training 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 PHYSIOTHERAPY INTERNS

Registration and training of physiotherapy intern before registration as physiotherapist

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

(2) An application for registration as a physiotherapy intern must be made and be submitted to the registrar in such form as the Council may determine.

(3) An application form submitted to the registrar in accordance with subregulation (2) must be accompanied by -

- (a) a certificate or a certified copy of the certificate acceptable to the Council, as proof that the applicant holds a prescribed qualification referred to in subregulation (1);
- (b) if the applicant had been registered previously in a country other than Namibia as a physiotherapy intern or as a physiotherapist, or is still so registered, a certificate of good standing from the registration authority with which the applicant had been so registered or is still so registered, which certificate must have been issued not more

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than 120 days before the date of the submission of the application for registration to the registrar in accordance with subregulation (2);

- (c) a certified copy of the identity document or of the passport of the applicant;
- (d) such additional documents and information as the Council may determine; and
- (e) payment of the application fees, determined by the Council under section 27(1) of the Act, relating to the registration of a physiotherapy intern;

(4) On receipt of an application for registration as a physiotherapy intern in terms of subregulation (2), the registrar must submit the application to the Council for its decision.

(5) The Council, after having considered the application for registration, and the documents and other information referred to in subregulation (3), may -

- (a) grant the application for the registration of the applicant as a physiotherapy intern if the Council is satisfied that the applicant -
 - (i) meets the requirements relating to the registration of a physiotherapy intern;
 - (ii) has complied with subregulation (3);
 - (iii) is proficient in the English language; and
 - (iv) has paid to the Council the fees relating to such application;
- (b) refuse the application for the registration of the applicant as a physiotherapy intern if the Council is satisfied that the applicant -
 - (i) does not meet the requirements relating to the registration of a physiotherapy intern;
 - (ii) has not complied with subregulation (3);
 - (iii) is not proficient in the English language; or
 - (iv) has not paid to the Council the fees relating to such application.

(6) The Council must -

- (a) inform the applicant in writing of the decision of the Council under subregulation (5);
- (b) issue, if the application for registration is granted, to the applicant a certificate relating to such registration in such form as the Council may determine, and enter the name of the applicant into the relevant register;
- (c) inform the applicant in writing, if the application for registration is refused, as soon as practicable of the reasons for such refusal.

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

- (a) completed training substantially equivalent to the applicable training referred to in regulation 6, in another country at an appropriate institution in connection with the qualification concerned, whether before or after obtaining such qualification; or
- (b) practised in another country as a physiotherapist by virtue of the qualification referred to in paragraph (a) for such period and under such circumstances as may give him or her experience and training substantially equivalent to the applicable training referred to in regulation 6,

the Council may exempt, on such conditions as it may determine, that person from the requirements of registration and training as a physiotherapy intern in Namibia, or may reduce the period of training, by such period of time as the Council may determine, if the Council is satisfied with the completion of such training or the practising as a physiotherapist, by the applicant, and that the completion of such training or the practising as a physiotherapist is substantially equivalent to the training and practice referred to in regulation 6.

Period and manner of training by physiotherapy intern, and agreement of internship

6. (1) A physiotherapy intern must complete, in accordance with these regulations, internship training at an approved facility or approved facilities as the Council may determine, for a period of not less than 12 months.

(2) If the internship training referred to in subregulation (1) is interrupted at any point in time, the period of interruption must be added to the period of the internship training so that, notwithstanding any other provision of these regulations, a physiotherapy intern receives internship training for a total period of not less than 12 months.

(3) An interruption, irrespective of its length, referred to in subregulation (2), includes any leave or sick leave taken by a physiotherapy intern and any other absence from the internship training, whether with or without the approval of the Council, during the period of internship.

(4) The period of 12 month physiotherapy internship referred to in subregulation (1) must be completed within a period of two years after the date of the first registration of the relevant person as a physiotherapy intern.

(5) If a physiotherapy intern fails to comply with subregulation (4), his or her registration as a physiotherapy intern must be regarded as cancelled, subject to subregulation (6), as from the date upon which the period of two years referred to in subregulation (4), is exceeded.

(6) The Council may extend in writing, on good cause shown, the period of two years referred to in subregulation (4), within which the physiotherapy internship must be completed.

(7) Before any person commences with his or her physiotherapy internship at an approved facility, he or she must -

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

(8) The Council may specify in writing, when approving a facility for the purposes of these regulations, that only a specified portion of the training of a physiotherapy intern must be undertaken at such facility, and that the remainder of such training must be undertaken at another approved facility or approved facilities so specified.

(9) If at any time during the period of internship of a physiotherapy intern referred to in this regulation, the Council considers any training approved for such purpose to be inadequate or unsatisfactory for any reason, the Council may withdraw its approval of the written agreement of internship referred to in subregulation (7)(c) by means of a written notice to both the approved facility and to the physiotherapy intern, after having afforded both the approved facility and the physiotherapy intern the opportunity to be heard.

(10) Unless the Council otherwise determines, on good cause shown, any period of internship completed by a physiotherapy intern under an agreement of internship cancelled in terms of these regulations, is void.

(11) If a physiotherapy intern enters into an agreement of employment with the Ministry of Health and Social Services for the purpose of receiving training as a physiotherapy intern, subregulations (7)(a) and (c), (8) and (9) and regulation 7(1)(b) do not apply to the physiotherapy intern or to his or her internship.

(12) The Council must provide a physiotherapy intern, before he or she commences with his or her internship, with copies of all the rules of professional conduct applicable to physiotherapists.

(13) A physiotherapy intern is subject, during his or her period of internship, to all the rules of professional conduct applicable to physiotherapists referred to in subregulation (12).

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

Cancellation or cession of internship, and change of name

7. (1) A physiotherapy intern must notify -
- (a) if he or she has terminated his or her internship with an approved facility, the Council in writing within a period of 30 days of terminating the internship;
 - (b) if he or she intends to terminate his or her internship with an approved facility and to assume internship with another approved facility, the Council in writing of such intended cession of internship not less than 30 days before that occurs, and submit to the Council -

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- (i) proof of the cancellation of the existing agreement of internship; and
- (ii) a certified copy of the agreement of internship entered into by and between the approved facility with which the internship is to be completed and the physiotherapy 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.

(2) If the name of a physiotherapy intern is changed for any reason, he or she must inform the Council in writing of the change of name within a period of 30 days after the change of name, and submit to the Council documentary proof of the change of name and such other particulars relating to the change of name as the Council may require in writing.

Completion of internship

8. (1) Upon the completion of the internship undertaken by a physiotherapy intern in accordance with these regulations, he or she must submit proof to the Council, in the form of a certificate issued by the approved facility or approved facilities, as the case may be, in or at which he or she completed the internship, to the satisfaction of the Council, that he or she has duly undertaken and completed the internship concerned.

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

(3) A physiotherapy intern may not be registered as a physiotherapist unless he or she has submitted the certificate referred to in subregulation (1) to the Council.

PART IV

REGISTRATION OF SPECIALITIES AND ADDITIONAL QUALIFICATIONS

Registrable specialities

9. The following specialities may be registered under section 32 of the Act, subject to compliance with the Act and of these regulations:

Speciality	Designation
Doctor of Science Degree (Physiotherapy) (D.Sc. (Physiotherapy))	Doctor of Physiotherapy

Requirements for the registration of a speciality

10. (1) A physiotherapist who wishes to have a speciality registered must submit to the registrar an application in accordance with subsections (2) and (3) of section 32 of the Act.

(2) An application referred to in subregulation (1) must be accompanied, in addition to the documents and particulars specified in section 32(3) of the Act, by documentary proof -

- (a) that the applicant obtained a qualification relating to a speciality in the form of a degree or of a diploma from an educational institution or from any other examining authority referred to in section 19(4) of the Act, and which is of a standard acceptable to the Council; and

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- (b) that a period of not less than five years has elapsed from the date upon which the applicant obtained a qualification prescribed under section 19(1) of the Act or referred to in section 22(1)(a) of the Act, in the calculation of which period the service as a physiotherapy intern must be included.

Registrable additional qualifications

11. The following qualifications may be registered as additional qualifications under section 32 of the Act, subject to compliance with the Act and of these regulations:

Qualification

(Honours) Bachelor of Science Degree
 (Physiotherapy) (B.Sc. Hons (Physiotherapy))
 Master of Science Degree (Physiotherapy)
 (M.Sc. (Physiotherapy))
 Postgraduate Course in Orthopaedic Manipulative Therapy
 Postgraduate Course in Neuro Developmental Therapy
 Postgraduate Course in Sports Medicine

Requirements for registration of an additional qualification

12. (1) A physiotherapist who wishes to have an additional qualification entered into the register must submit to the registrar an application in accordance with subsections (2) and (3) of section 32 of the Act.

(2) An application referred to in subregulation (1) must be accompanied, in addition to the documents and particulars specified in section 32(3) of the Act, by documentary proof that the applicant obtained a qualification relating to an additional qualification in the form of a degree or of a diploma from an educational institution or from any other examining authority referred to in section 19(4) of the Act, and which qualification is of a standard acceptable to the Council.

PART V
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Register of physiotherapists

13. The register of physiotherapists 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 specialities and additional qualifications entered against the name of the physiotherapist concerned in accordance with section 32(4) of the Act, including any change in any of the particulars recorded in the register.

Register of physiotherapy interns

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

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Restoration of name to register

15. (1) Any person whose name has been removed from a register in accordance with section 25 of the Act and who wishes to have his or her name restored to such register in accordance with section 26 of the Act, must apply to the Council for such restoration in accordance with section 26(1) of the Act.

(2) An application referred to in subregulation (1) must comply with the provisions of section 26(2) of the Act and with subregulation (3) of this regulation.

(3) The following documents must accompany an application referred to in subregulation (1):

- (a) the original registration certificate issued under section 21(4)(b) of the Act, or if for any reason the original certificate cannot be submitted, proof to the satisfaction of the Council that the applicant was so registered; and
- (b) a declaration by two physiotherapists confirming the identity and good character of the applicant in such form as the Council may determine.

PART VI
GENERAL

Language of forms and documents

16. (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.

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

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ANNEXURE

**CRITERIA PERTAINING TO THE ONE YEAR PERIOD
PHYSIOTHERAPY INTERNSHIP TRAINING PROGRAMME**
(Regulation 6(13))

The training of a physiotherapy intern during the one year physiotherapy internship period must take place as follows, as the Council must direct in writing before the commencement of, or at any time during, the internship:

A total period of not less than 12 months must be spent on training in the following main domains of physiotherapy:

- (a) Orthopaedics;
- (b) Neurology and Neurosurgery;
- (c) Respiratory Disease and Thoracic Surgery;
- (d) Cardio-Vascular Disease and Surgery;
- (e) Intensive Care;
- (f) Sport Medicine;
- (g) Electrotherapy;
- (h) Paediatrics;
- (i) Geriatrics;
- (j) Obstetrics and Gynaecology; and
- (k) Surgery.