



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Allied Health Professions Act 7 of 2004

section 55 read with sections 24, 26 and 32

**Regulations relating to the Registration of a Homoeopath,
Additional Qualifications in Homoeopathy and a
Homoeopathy Intern; the Maintaining of Registers
of Homoeopaths and Homoeopathy Interns, and
the Restoration of a Name to a Register**

Government Notice 75 of 2011

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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 homoeopathy 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

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

“registration authority” means the registration authority of a country responsible for the registration of a person to practice as a homoeopath in that country; and

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

PART II
REGISTRATION OF HOMOEOPATHS

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

Application for registration as a homoeopath and submitting of particulars

2. (1) An application for the registration of a person as a homoeopath 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 the form that 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) subject to subregulation (2), the original certificate of registration to practise as a homoeopath in the country where the applicant obtained the qualification referred to in paragraph (a) of that subsection, issued by the 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 homoeopath 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, certifying that the applicant had been so registered previously, that his or her name has been removed from the register and the grounds for the removal.

(3) The Council may require the applicant to furnish, in the manner that 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 homoeopath 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.

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PART III
HOMOEOPATHY INTERNS

Registration and training of homoeopathy intern before registration as homoeopath

4. (1) A person who holds a minimum qualification required for registration as a homoeopath, must complete, after obtaining that qualification and before he or she is entitled to registration, internship as a homoeopathy intern at an approved facility for a period of 12 months during which period of time the intern must successfully complete practical training, to the degree and extent that the Council may determine, and to the satisfaction of the Council, in the disciplines specified in Annexure A.

(2) An application for registration as an intern must be made in the form that the Council may determine, and the duly completed form must be submitted to the registrar.

(3) An application referred to in subregulation (2) must be accompanied by -

- (a) a certificate, or a certified copy thereof, to the satisfaction of the Council, as proof that the applicant holds a qualification referred to in subregulation (1);
- (b) a certificate of good standing, if the applicant had been registered previously in a country other than Namibia as a homoeopath or as an intern, or is still so registered, 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 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 photocopy of the identity document or of the passport of the applicant;
- (d) the additional documents and information that the Council may determine;
- (e) a certified copy of the contract of internship training entered into by and between the applicant and an approved facility; and
- (f) payment of the application fees, determined by the Council, relating to the registration of an intern, or proof of the payment thereof.

(4) If the applicant referred to in subregulation (1) is not registered with the registration authority referred to in paragraph (b) of subregulation (3), 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 homoeopath in that country; or
- (b) if he or she had been so registered previously, a certificate issued by that registration authority, certifying that the applicant had been so registered previously, that his or her name has been removed from the register and the grounds for the removal.

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

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- (6) If an application is submitted to the registrar in accordance with this regulation, the registrar must submit the application to the Council for its decision.
- (7) The Council, after having considered the application for registration as an intern -
- (a) may grant the application if the Council is satisfied that the applicant -
- (i) meets the requirements relating to the registration of an intern;
- (ii) has complied with subregulation (3) and (4); and
- (iii) is proficient in the English language;
- (b) must refuse the application if the Council is satisfied that the applicant -
- (i) does not meet the requirements relating to the registration of an intern; or
- (ii) has not complied with subregulation (3) and (4); or
- (iii) is not proficient in the English language.
- (8) The Council must -
- (a) inform the applicant in writing of the decision of the Council under subregulation (7);
- (b) issue to the applicant a certificate of registration as an intern, if the application for registration as an intern is granted, in the form that the Council may determine, and enter the name of the applicant into the register;
- (c) inform the applicant in writing, if the application for registration as an intern is refused, as soon as practicable of the reasons for the refusal.
- (9) Notwithstanding subregulation (1), the Council may exempt, on the conditions that it may determine, a person from the requirements of registration and training as an intern in accordance with these regulations, or may reduce the prescribed period of training as an intern by the period of time that the Council may determine, if the applicant for registration as an intern submits documentary proof to the satisfaction of the Council that he or she has -
- (a) completed, at a training facility in another country and in accordance with the laws of that country pertaining to homoeopaths or to homoeopathy interns, training substantially equivalent to the applicable training prescribed by subregulation (1); or
- (b) practised in another country, in accordance with the laws of that country, as a homoeopath for the period of time and under the circumstances as may afford him or her experience and training substantially equivalent to the applicable training prescribed by subregulation (1).

Period and manner of training by homoeopathy intern, agreement of internship and approval of facility for purposes of internship

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5. (1) A homoeopathy 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, or any other absence from the approved facility, during the period of internship prescribed by this regulation, or any other interruption in the internship, must be added on to the period of internship so that a homoeopathy intern completes not less than 12 months internship.

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

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

(6) If a homoeopathy intern fails to comply with subregulation (5), his or her registration as a homoeopathy intern must be 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 homoeopathy internship must be completed.

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

- (a) register with the Council as a homoeopathy 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 the form and containing the conditions and particulars that 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 homoeopathy interns, that only a specified portion of the training of a homoeopathy 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 homoeopathy 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 paragraph (c) subregulation (8) by means of a written notice to both the approved facility and the homoeopathy intern, after having afforded both the approved facility and the homoeopathy intern the opportunity to be heard.

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

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

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

(14) The Council may approve, subject to the other provisions of these regulations, a facility for the purpose of the training of homoeopathy interns in accordance with these regulations.

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

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

(16) Before the Council approves any person or facility 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 homoeopathy 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 homoeopathy 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) An approval under subregulation (14) is subject to the conditions, and is valid for the period of time, that the Council may determine and specify in the Certificate of Approval issued under subregulation (17).

Commencement or termination of internship, or change of name

- 6.** (1) An intern must notify -
- (a) as soon as he or she commences internship, the Council in writing of the commencement and furnish the Council with the name and business address, including the telephone number and the other particulars that the Council may require, of the approved facility where he or she has commenced internship;
 - (b) if he or she terminates his or her internship with the approved facility referred to in paragraph (a), the Council in writing of the termination within a period of 30 days thereof;

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- (c) if he or she intends to terminate his or her internship with the approved facility referred to in paragraph (a) and to commence internship with any other approved facility, the Council in writing of the intended termination of internship not less than 30 days before the date of the intended termination and apply to the Council, in the form that the Council may determine, for approval of the new contract of internship entered into between himself or herself and the other approved facility.
- (2) If the name or surname of an intern is changed for any reason, he or she must -
 - (a) give written notice to the Council of the change of name, and submit documentary proof thereof, to the satisfaction of the Council, within a period of 30 days after the occurrence of the change; and
 - (b) provide the Council, in writing, with the other particulars relating to the change of name or surname that the Council may require.

Completion of internship

7. (1) Upon the completion of the internship undertaken by a homoeopathy intern in accordance with these regulations, the intern must submit to the Council proof of the completion, by means of a certificate or certificates, to the satisfaction of the Council, by the approved facility or approved facilities, as the case may be, where he or she completed the internship.

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

(3) The Council must not register any person as a homoeopath unless he or she has submitted to the Council the certificate prescribed by subregulation (1).

PART IV
REGISTRATION OF ADDITIONAL QUALIFICATIONS

Registrable additional qualifications

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

<i>Qualification</i>	<i>Educational Institution or Examining Authority, and Country</i>
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 subsection (3) of that section, by -

- (a) a certified copy of the identity document or passport of the applicant; and

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- (b) documentary proof that the registration authority of 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 homoeopath registered in that country.

PART V
REGISTERS AND RESTORATION OF NAME TO REGISTER

Register of homoeopaths

10. The register of homoeopaths 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 homoeopath 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 homoeopathy interns

11. The register of homoeopathy 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 homoeopathy 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.

(2) 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 MONTH PERIOD
HOMOEOPATHY INTERNSHIP TRAINING PROGRAMME
(*Regulation 5(13)*)

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

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