



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Geoscience Professions Act 3 of 2012
section 41

**Regulations relating to Registration of and
Fees Payable by Geoscientists**

Government Notice 320 of 2017

(GG 6488)

came into force on date of publication: 15 December 2017

The Government Notice which publishes these regulations notes that they were made after consultation with the Geoscience Council of Namibia.

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REGULATIONS
Geoscience Professions Act 3 of 2012

Regulations relating to Registration of and Fees Payable by 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) Any form or document 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) A form or document referred to in subregulation (1) that is not in the English language must be accompanied by a sworn translation into English acceptable to the Council.

Minimum qualifications required for registration as geoscientist

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

- (a) a four year Degree of Bachelor of Science with Honours in Geosciences, awarded at a university or technical college recognised for this purpose by the Council;
- (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 wants to be registered as a geoscientist in terms of section 20 of the Act must, in writing, apply to the Council using Form 1 set out in Annexure 1.

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

- (a) certified copies of the qualifications of the applicant;
- (b) if requested by the Council, verification from the Namibia Qualifications Authority, in case of foreign qualifications;
- (c) two original completed references as set out in Form 1 of Annexure 1; and

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

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

(4) The registrar must, in terms of 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 registered person 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.

(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 registered person who has lost his or her original certificate of registration must apply to the registrar for a duplicate.

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

- (a) that 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 registered 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. Subject to section 28(1) of the Act, the register established for the registered persons, 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 set out in Annexure 2.

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Institution of unprofessional conduct

9. A person who wishes to lodge a complaint of unprofessional conduct as contemplated in section 34(1) of the Act -

- (a) must do so in writing; and
- (b) must set out in full the allegations made against that registered person.

Notification of investigation into unlawful conduct

10. A registered person accused of unlawful conduct must, in terms of section 34(5) of the Act -

- (a) be notified in writing of the nature of the unlawful conduct by the Council;
- (b) be afforded an opportunity to give an explanation into the matter within 30 days from the date of the notice by the Council; and
- (c) be notified that if he or she furnishes the explanation contemplated in subparagraph (b), that explanation may be used in evidence by the Council.

Inquiry by Council

11. (1) If the Council decides to hold an inquiry, in terms of section 35 of the Act, into any alleged unlawful conduct, the Council must notify the registered person accused of the unlawful conduct in writing of the inquiry.

- (2) The notice referred to in subregulation (1) must -
 - (a) be in writing;
 - (b) contain the information the Council may determine;
 - (c) set out in full the allegations made against the registered person;
 - (d) specify the venue, date and time of the inquiry to be conducted;
 - (e) inform the registered person that he or she must be present at the inquiry to answer the allegations and if he or she fails to be present the inquiry may be conducted in his or her absence; and
 - (f) be served on the registered person accused of the unlawful conduct personally by a person designated by the Council for that purpose in writing.

(3) If the person designated under subregulation (2)(f), certifies that the registered person referred to in that subregulation -

- (a) cannot be traced; or
- (b) refuses to accept service of the notice; or
- (c) refuses to sign an acknowledgement of receipt relating to the service of the notice,

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the Council may send that notice by prepaid registered post, not less than 21 days before the commencement date of the intended inquiry, to the registered person, addressed to his or her postal address as it appears in the register.

Summoning of persons by Council

12. (1) A summons for the attendance before the Council in terms of section 37 of the Act, of a person or for the production of any evidence must -

- (a) be in writing; and
- (b) be served on the person personally by a person designated by the Council for that purpose in writing.

(2) If the person designated under subregulation (1)(b), certifies that the registered person referred to in that subregulation -

- (a) cannot be traced; or
- (b) refuses to accept service of the notice; or
- (c) refuses to sign an acknowledgement of receipt relating to the service of the notice,

the Council may send that notice by prepaid registered post, not less than 21 days before the commencement date of the intended inquiry, to the person, addressed to his or her postal address as it appears in the register.

Findings of Council

13. (1) The Council, after having conducted an inquiry under regulation 11 in respect of a registered person, may make a finding that on the evidence before the Council that the registered person is -

- (a) guilty of unlawful conduct; or
- (b) not guilty of unlawful conduct.

(2) The secretary of the Council must inform a registered person in writing of the findings of the Council in terms of section 38(6) of the Act.

Restoration of name to register

14. (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 copy of the qualifications of the applicant;

[The article "a" should appear at the beginning of paragraph (a).]

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- (b) if requested by the Council, verification from the Namibia Qualifications Authority in case of foreign qualifications;
 - (c) two original completed references as set out in Form 1 of Annexure 1; and
 - (d) the fee set out in Annexure 2.
-

ANNEXURE 1
(Forms)

Form 1:	Application for Registration and Reference Form
Form 2:	Certificate of Registration
Form 3:	Application for Restoration of Registration
Form 4:	Register
Form 5:	Notice of inquiry

To view content without printing, scroll down.

To print at full scale (A4), double-click the icon below.



GN 320/2017
Annexure 1 - Forms

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ANNEXURE 1

FORM 1

GEOSCIENCE COUNCIL OF NAMIBIA

Application for Registration and Reference Form

(Regulation 4, Section 20)

Application for 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	
.....	
.....	
.....	
Curriculum Vitae of Experience			
Period	Branch of Geoscience	Specifics	
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Independent work without supervision			
Period	Project	Specifics	
.....	
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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 confirm the above information is true and complete				
Signature		Date		

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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 (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 an 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;		
.....		

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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	
	

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FORM 3

GEOSCIENCE COUNCIL OF NAMIBIA

Application for Restoration of Registration

(Regulation 14, Section 27)

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	Specifics	
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Independent work without supervision			
Period	Project	Specifics	
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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 confirm the above information is true and complete			
Signature		Date	

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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 check in corresponding block 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)

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FORM 5

GEOSCIENCE OF NAMIBIA

Notice of inquiry

(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

..... on this day of 20...

Signature:.....

Name:.....

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ANNEXURE 2

GEOSCIENCE OF NAMIBIA

Fees

(Regulation 4, Section 29)

[Capitalisation of items in the table follows the *Government Gazette*.
Closing brackets are missing in the *Gazette* in several places, as reproduced below.]

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)	N\$100
Inspection of Register (Regulation 8(1))	N\$100
Extract from Register (Regulation 8(2))	N\$100
Restoration of name to Register (Regulation 10)	N\$650
Fee for Lodging complaint (Regulation 9(1))	N\$100
Penalty for unprofessional conduct (section 38(b), Regulation 9(3))	N\$5 000