



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS SURVIVING IN TERMS OF

Health Professions Act 16 of 2024
section 95(10)

**Regulations relating to the Registration of an Orthoptist
and Additional Qualifications; the Establishing and
Maintaining of Registers of Orthoptists; and
the Restoration of a Name to a Register**

Government Notice 107 of 2011

(GG 4752)

came into force on date of publication: 13 July 2011

These regulations were made in terms of section 55 read with sections 24, 26 and 32 of the Allied Health Professions Act 7 of 2004, which was repealed by the Health Professions Act 16 of 2024.

Pursuant to section 95(10) of the Health Professions Act 16 of 2024,
they are deemed to have been made under that Act.

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 4;

“applicant” means any person who makes an application in accordance with these regulations;

“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);

“registration authority” means the registration authority of a country responsible for the registration of a person to practise as an orthoptist in that country;

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

[The Allied Health Professions Act 7 of 2004 has been replaced by the Health Professions Act 16 of 2024.]

PART II
REGISTRATION OF ORTHOPTISTS

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

Application for registration as an orthoptist and submitting of particulars

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2. (1) An application for the registration of a person as an orthoptist submitted to the registrar in accordance with 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 photocopy 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 an orthoptist 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 an orthoptist 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, confirming the previous registration and that his or her name has been removed from the register, including 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 an orthoptist 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 the person registered conditionally under section 22(2)(b) of the Act.

PART III
REGISTRATION OF ADDITIONAL QUALIFICATIONS

Registrable additional qualifications

4. (1) A Master of Science Degree in Orthoptics obtained at an educational institution may be registered under section 32 of the Act, subject to subregulation (2), as an additional qualification.

(2) An additional qualification prescribed by subregulation (1) must only be registered by the Council if -

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- (a) it has been obtained at an educational institution approved by the Council for that purpose, after receiving education, tuition and training at that educational institution for a period of not less than 3 years; and
- (b) the registration authority responsible for the registration of persons to practise as an orthoptists in the country in which that person obtained that qualification, recognises that qualification for registration as an additional qualification.

Application for registration of additional qualification and submitting of particulars

5. An application in accordance with subsection (2) 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
- (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 an orthoptist registered in that country.

PART IV
REGISTERS AND RESTORATION OF NAME TO REGISTER

Register of orthoptists

6. The register of orthoptists established and maintained 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 orthoptist under subsection (4) of section 32 of the Act, including any change in any of the particulars recorded in the register.

Restoration of name to register

7. An application in accordance with 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 photocopy 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 V
GENERAL

Language of forms and documents

8. (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.

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(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.