



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 Ocularists
and Student Ocularists and to the Restoration
of a Name to a Register**

Government Notice 154 of 2008

(GG 4068)

came into force on date of publication: 18 June 2008

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were made in terms of section 55 read with sections 24 and 26 of the Allied Health Professions Act 7 of 2004, which was repealed by the Health Professions Act 16 of 2024.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

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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 that meaning, and -

“approved ocularist” means an ocularist approved by the Council for the purpose of the tuition and training of a student ocularist;

“ocular practice” means the premises where an ocularist conducts or practises his or her profession;

“student ocularist” means any person registered as such under the Act for the purpose of completing training as a student ocularist;

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**[The Allied Health Professions Act 7 of 2004 has been
replaced by the Health Professions Act 16 of 2024.]**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

Application for registration as an ocularist

2. (1) An application for the registration of a person as an ocularist must be made in accordance section 20 of the Act.

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(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 an ocularist is a qualification referred to in section 22(1)(a) of the Act, the original certificate of registration to practise as an ocularist in the country where the applicant obtained the qualification, issued by the relevant registration authority of such country.

(3) If the applicant is not registered with the registration authority referred to in subregulation (2)(c), the applicant must submit, together with his or her application for registration as an ocularist -

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

(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.

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, 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 an ocularist under section 21 of the Act.

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

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(3) Particulars of 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.

[The subregulation above should be numbered (2) rather than (3).]

PART III
STUDENT OCULARIST

Registration and training of student ocularist before registration as ocularist

5. (1) Any person who holds a senior certificate, on IGCSE level or on HIGSE level, or a qualification regarded by the Council to be the equivalent thereof, which certificate or qualification must include Mathematics or Physical Science, must undertake, subject to subregulation (7), after obtaining such qualification and before he or she is entitled to registration as an ocularist, training as a student ocularist for the period of time and in the manner prescribed by regulation 6.

(2) An application for the registration of a person as a student ocularist 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 is the holder of a qualification referred to in subregulation (1);
- (b) if the applicant had been registered previously in a country other than Namibia as a student ocularist or as an ocularist, 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 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 any person as a student.

(4) The registrar must submit an application for registration as a student ocularist submitted to him or her in terms of subregulation (2) 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) -

- (a) must grant the application for the registration of the applicant as a student ocularist if the Council is satisfied that the applicant -
 - (i) meets the requirements relating to the registration of a student ocularist;
 - (ii) has complied with all the requirements of subregulation (3); and

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- (iii) is proficient in the English language;
- (b) must refuse the application for the registration of the applicant as a student ocularist if the Council is satisfied that the applicant -
 - (i) does not meet the requirements relating to the registration of a student ocularist; or
 - (ii) has not complied with all the requirements of subregulation (3); or
 - (iii) is not proficient in the English language.
- (6) The Council must -
 - (a) inform the applicant in writing of the decision of the Council under subregulation (5);
 - (b) issue to the applicant, if the application for registration is granted, 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.
- (7) Upon the submission to the Council of an application by a person in accordance with subregulation (2) for registration as a student ocularist, and if that person submits documentary proof to the satisfaction of the Council that he or she has -
 - (a) completed tuition and training as a student ocularist substantially equivalent to the applicable tuition and training referred to in regulation 6, in another country under the direct supervision of a person registered as an ocularist in that country; or
 - (b) practised in another country as an ocularist by virtue of the qualification referred to in paragraph (a) for such period and under such circumstances as may afford 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, tuition and training as a student ocularist in Namibia, or may reduce the prescribed period of training, as the case may be, 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 an ocularist, as the case may be, by the applicant, and that the completion of such training or the practising as an ocularist is substantially equivalent to the training as a student ocularist to in regulation 6.

Period and manner of training by student ocularist and agreement of tuition and training

6. (1) A student ocularist must complete, in accordance with these regulations, tuition and training as a student ocularist for a period of not less than six thousand hours under the direct supervision of an ocularist, approved by the Council in writing for such purpose.

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(2) If the training referred to in subregulation (1) is interrupted at any point in time for any reason, including any leave or sick leave taken or any other absence by an student ocularist from the internship training, whether with or without the written permission of the approved ocularist, the actual training must consist of periods which, when added together, are not less than six thousand hours in total.

(3) The six thousand hours of tuition and training of a student ocularist referred to in subregulation (1) must be completed within a period of five years after the date of the first registration of the relevant person as a student ocularist.

(4) If a student ocularist fails to comply with subregulation (3), his or her registration as a student ocularist must be regarded as cancelled, subject to subregulation (5), as from the date upon which the five year period prescribed by subregulation (3), is exceeded.

(5) The Council may extend in writing, on good cause shown, the period of five years referred to in subregulation (3), within which the student ocularist must complete the tuition and training.

(6) Before any person commence with his or her tuition and training as a student ocularist, he or she must -

- (a) register with the Council as a student ocularist in accordance with the Act and these regulations;
- (b) enter into a written agreement of service with the approved ocularist under whose direct supervision he or she has to receive the prescribed tuition and training, in such form and containing such conditions as the Council may determine; and
- (c) obtain from the Council a written approval of the agreement referred to in paragraph (b).

(7) If at any time during the period of tuition and training of a student ocularist referred to in this regulation, the Council considers any tuition and training approved for such purpose to be inadequate or unsatisfactory for any reason, the Council may withdraw its approval of the written agreement of service prescribed by subregulation (6)(c) by means of a written notice to both the approved ocularist and the student ocularist, after having afforded both the approved ocularist and the student ocularist the opportunity to be heard.

(8) Unless the Council otherwise determines, on good cause shown, any period of tuition and training completed by a student ocularist under an agreement of service cancelled in terms of these regulations, is void.

(9) If a student ocularist enters into an agreement of employment with the Ministry of Health and Social Services for the purpose of receiving tuition and training as a student ocularist, subregulations (6)(b) and (c), (7) and (8) of this regulation, and regulation 7(1)(b), do not apply to the student ocularist or to his or her tuition and training.

(10) The Council must furnish a student ocularist, before he or she commences with his or her tuition and training as a student ocularist, with copies of all the rules of professional conduct applicable to ocularists.

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(11) A student ocularist is subject, during his or her period of tuition and training as a student ocularist, to all the rules of professional conduct applicable to ocularists referred to in subregulation (10).

(12) The tuition and training to be completed by a student ocularist in terms of these regulations are specified in the Annexure to these regulations.

Cancellation or cession of agreement of tuition and training and change of name

7. (1) If an student ocularist terminates his or her internship at an approved ocularist, he or she must notify the Council in writing of such termination, and must submit to the Council documentary proof thereof, within a period of 30 days of such termination.

(2) If an student ocularist intends to terminate his or her internship at an approved ocularist and to commence internship at another approved ocularist, he or she must notify the Council in writing, not less than 30 days before the intended date of commencement of the internship at the other approved ocularist, and submit to the Council -

- (a) proof of the cancellation of the existing agreement of internship; and
- (b) a certified copy of the agreement of internship entered into by and between the student ocularist and the approved ocularist at which the internship is to be completed, for approval by the Council,

and pay to the Council the fees determined by the Council relating to an application for cession of the internship.

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

Completion of tuition and training

8. (1) Upon the completion of the tuition and training undertaken by a student ocularist in accordance with these regulations, he or she must submit proof to the Council, by way of a certificate issued by the approved ocularist or approved ocularists, as the case may be, with whom he or she completed the tuition and training, to the satisfaction of the Council, that he or she has undertaken and completed the tuition and training concerned.

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

(3) A student ocularist must not be registered as an ocularist unless he or she has submitted the certificate prescribed by subregulation (1) to the Council.

PART IV
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Register of ocularists

9. The register of ocularists 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)

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

[The word “ocularists” is misspelt in its first use
in regulation 9, as reproduced above.]

Register of student ocularist

10. 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.

Restoration of name to register

11. (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 section 26(2) of the Act and with subregulation (3).

(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 ocularists confirming the identity and good character of the applicant in such form as the Council may determine.

PART V
GENERAL

Language of forms and documents

12. (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.

ANNEXURE

**CRITERIA PERTAINING TO THE SIX THOUSAND HOUR PERIOD STUDENT
OCULARISTSHIP TRAINING PROGRAMME**
(Regulation 6(12))

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The training of a student ocularist prescribed by regulation 6(12) must include tuition and training in the following subjects or fields of study:

- (a) The anatomy of the eye;
- (b) the anatomy of the orbit and surrounding tissue of the eye, including the eyelids;
- (c) diseases and conditions of the eye, congenital and contracted, resulting in the loss or blindness of the eye;
- (d) traumas to both the eye and orbit structure and the resulting effects thereof upon the eye or orbit;
- (e) the surgical procedures utilised when removing an eye or when retaining a blind phthisical or non-phthisical eye;

**[The words “phthisical” and “non-phthisical” are misspelt
in the *Government Gazette*, as reproduced above.]**

- (f) orbital re-constructive surgical procedures and the related bio-compatible materials utilised in orbital re-construction, including the individual assessment of the best surgical procedure for such re-construction;
- (g) surgical procedures to be carried out on blind eyes if necessary for the comfortable wearing of a haptic shell;
- (h) applied surgical procedures for the correction of soft tissue and eyelid surgery to address eyelid conditions not conducive to good orbital health, and for the fitting of an acceptable artificial eye or a haptic lens, including the observation of corrective surgical procedures performed by an ophthalmologist in an operation theatre;
- (i) orbital implants, the different types of implants, the advantages and disadvantages of such implants and the determining of the necessity thereof;
- (j) the examination and assessment of the orbit of the blind eye for pathological conditions, as prescribed by these regulations, which may not present anatomical conditions for the best results to be achieved with the necessary custom moulded prosthesis or haptic shell;
- (k) the assessment and recognition of possible infections or cystic erosions, and the best from of treatment thereof;

[The word “from” should be “form” in the phrase “the best from of treatment”.]

- (l) all the stages of the manufacturing and fitting of custom moulded artificial eyes and haptic shells, which haptic shells are fitted over blinded eyes, including the correct anatomically symmetrical shaping of an artificial eye, the tinting and veining of the sclera, and the colouring or painting of the iris;
- (m) the correct use of materials, and the chemical properties of all the materials, used in the manufacturing of an artificial eye or a haptic shell;

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- (n) the correct use of all the equipment needed for the manufacturing of an artificial eye or a haptic shell;
- (o) the medical terminology required for communication with ophthalmologists, maxillo-facial surgeons, plastic surgeons and medical practitioners; and
- (p) professional patient liaison and ethics.