



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS SURVIVING IN TERMS OF

Health Professions Act 16 of 2024

section 95(10)

Regulations on Conditions subject to which a Registered Person may Return to Active Practise after not Practising for a Period of Time

Government Notice 273 of 2010

(GG 4633)

came into force on date of publication: 21 December 2010

These regulations were made in terms of section 55 of the Allied Health Professions Act 7 of 2004, which was repealed by the Health Professions Act 16 of 2024.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.

ARRANGEMENT OF REGULATIONS

1. Definitions
 2. Competency examination and skills assessment before a practitioner may resume active practice
 3. Offence and penalty
-

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 otherwise indicates -

“practice” means the professional practice of a practitioner;

Health Professions Act 16 of 2024

**Regulations on Conditions subject to which a Registered Person may
Return to Active Practise after not Practising for a Period of Time**

“practitioner” means a person registered under the Act to practise a profession;

“profession” includes a speciality registered under section 32 of the Act;

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**[The Allied Health Professions Act 7 of 2004 has been
replaced by the Health Professions Act 16 of 2024.]**

Competency examination and skills assessment before a practitioner may resume active practice

2. (1) A practitioner -
 - (a) who has not started active practice in Namibia in the professional category of his or her registration within a period of three years after the date of his or her registration under the Act; or
 - (b) who, at any time after his or her registration as a practitioner under the Act or a law repealed by section 62 of the Act, has not been engaged in Namibia in active practice in the professional category of his or her registration for a period of not less than three years,

may not start or resume practice in his or her professional category unless the requirements of subregulation (2) have been complied with and he or she has been issued by the Council with a written authority to start or resume practice.

(2) Before a practitioner referred to in subregulation (1) may start or resume practice in his or her professional category, whether for his or her own account or otherwise, he or she -

- (a) must give notice to the Council in writing of his or her intention to start or resume practice not less than 60 days before the date on which he or she intends to start or resume practice; and
- (b) must successfully complete and pass, at his or her own expense and as the Council may direct -
 - (i) a competency examination approved by the Council;
 - (ii) an evaluation as contemplated in section 21(3) of the Act; or
 - (iii) both the examination and the evaluation referred to in subparagraphs (i) and (ii).

(3) A person who fails to successfully complete an examination or an evaluation referred to subregulation (2)(b)(i)(ii) respectively, or both such examination or such evaluation, as the case may be, may from time to time, at intervals not shorter than six months, repeat such examination or such evaluation or both, as the Council on such occasion may direct.

Offence and penalty

Health Professions Act 16 of 2024

**Regulations on Conditions subject to which a Registered Person may
Return to Active Practise after not Practising for a Period of Time**

3. A person who contravenes regulation 2(1) commits an offence and is on conviction liable to a fine not exceeding N\$4 000 or to imprisonment for a period not exceeding 12 months, or to both such fine and such imprisonment.