



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS SURVIVING IN TERMS OF

Health Professions Act 16 of 2024

section 95(10)

Regulations relating to Scope of Practice of Homeopath

Government Notice 211 of 2015

(GG 5831)

came into force on date of publication: 16 September 2015

These regulations were made in terms of section 55 of the Allied Health Professions Act 7 of 2004, which was repealed by the Health Professions Act 16 of 2024.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

ARRANGEMENT OF REGULATIONS

1. Definitions
 2. Scope of practice of homoeopaths
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Definitions

1. In these regulations a word or an expression to which a meaning has been given in the Act has that meaning, and unless the context otherwise indicates -

“allersodes” means homoeopathic substances or complementary medicines derived from antigens, including toxins, ferments, precipitinogens, opsonogens, lysogens, venins, agglutinins, complements, opsonins, amboceptors, precipitins and most original proteins;

“antigens” means substances that under suitable conditions can induce the formation of antibodies;

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“basic substances” means a substance from which or out of which the homoeopathic mother tincture or the first trituration is prepared or manufactured, or any stronger concentration of the substance;

“complementary medicine” means a complementary medicine as defined in section 1 of the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003);

“compounding” means the combining or mixing of basic substances or complementary medicines;

“dispense”, in relation to a complementary medicine or homoeopathic medicine, means to select, prepare, compound, count out or measure from a bulk supply, dissolve, supply the complementary medicine, or homoeopathic medicine, in an appropriate container and label the container and provide information and instructions to ensure the safe and effective use of the complementary medicine or homoeopathic medicine, but does not include the actual administration of the complementary medicine or homoeopathic medicine;

“formulate”, in relation to the making of a complementary medicine consisting of constituents or substances, whether used alone or in combination with other substances, means to calculate or determine the constituents or substances and the quantities and strength of the complementary medicine including the process of preparing or combining the complementary medicines and the calculation or determination of the dosage of the complementary medicine;

“homoeopathic substance” means a substance prepared in accordance with the principles of homoeopathy, and “homoeopathic medicine” has a corresponding meaning;

“homoeopathy” means a complementary therapy based on the theory that “like cures like” and involves the treating of a condition in humans with a minute dose of a substance that in larger doses would normally cause or aggravate the condition;

“medicine” means medicine as defined in section 1 of the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003);

“patient” means a person treated by a homoeopath at the request of the person;

“schedule substance” means the schedule substances as defined in section 1 of the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003);

“sell” means to sell by wholesale or retail, and includes the supply, delivery, offer for sale, preparing or prescribing a homoeopathic substance; and

“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.]**

Scope of practice of homoeopaths

2. (1) For the purposes of section 34(2) of the Act, the acts that fall within the scope of practice of a homoeopath are as follows -

- (a) examine a patient physically or mentally;

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- (b) diagnose, treat or prevent a physical or mental defect, illness or deficiency in a patient;
- (c) advise a patient on his or her physical or mental state;
- (d) sell, dispense or prescribing a homoeopathic substance to a patient;
- (e) prescribe a medicine and treatment allowed in terms of his or her scope of practice to a patient;
- (f) use, utilise, apply or prescribe the use of a medical device approved by the Council for that purpose;
- (g) formulate, compound, manipulate and prepare a homoeopathic substance for use in his or her practice and dispensing to his or her patients;
- (h) perform urine dipstick or cholesterol tests or use glucometers; and
- (i) refer a patient to a registered person or to a person registered under the Social Work and Psychology Act, 2004 (Act No. 6 of 2004), the Nursing Act, 2004 (Act No. 8 of 2004), the Pharmacy Act, 2004 (Act No. 9 of 2004) or the Medical and Dental Act, 2004 (Act No. 10 of 20*04) for examination or treatment.

[All of these Acts have been replaced by the Health Professions Act 16 of 2024.]

- (2) A homoeopath may keep, possess and have under his or her control -
 - (a) a homoeopathic substance;
 - (b) a basic substance that is not a scheduled substances;
 - (c) subject to section 31(1) of the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003) and subregulation (3), a basic substance that is used as starting substance in the preparation, formulation, compounding and dispensing of a homoeopathic substance, scheduled substance, including its derivative and its salt and the derivative of its salt, where the existence of the salt is possible, that is recorded in homoeopathic materia medicas, homoeopathic pharmacopoeias or in any other equivalent homoeopathic or non-homoeopathic standard in quantity and concentration that is not more than what is reasonably necessary;
 - (d) nosodes, allersodes, isodes and sarcodes;
 - (e) substances referred to in subparagraphs (a) to (d) in an injectable form;
 - (f) vitamins;
 - (g) minerals which are not scheduled substances; and
 - (h) Western, Chinese and African herbal medicines.

(3) The substances referred to in subregulation (2)(c) including its derivative and its salt and the derivative of its salt where the existence of the salt is possible is limited to adrenaline (epinephrine), alkaloids and glycosides and poisonous alkaloids and glycosides not

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specifically referred to as one of the schedule substances including the following and in the maximum strength where specified -

- (a) aconite tincture (B.P.);
- (b) belladonna tincture (B.P. 1980);
- (c) cocaine-substances containing not more than one part per thousand of cocaine calculated as cocaine alkaloid;
- (d) gelsemium tincture (B.P.C. 1973);
- (e) ipecacuanha tincture (B.P. 1980);
- (f) sabadilla alkaloids (B.P.C. 1934);
- (g) veratrum tincture (B.P.C. 1934);
- (h) amyl nitrite;
- (i) antimicrobial substances (chemotherapeutic substances, synthesised in nature or the laboratory) containing not more than one part per thousand thereof;
- (j) antimony potassium tartrate and antimony sodium tartrate;
- (k) apomorphine;
- (l) arsenic substances containing not more than one part per ten thousand of arsenic calculated as arsenic trioxide;
- (m) atropine;
- (n) barbituric acid or substances containing not more than one part per ten thousand thereof;
- (o) bee venom;
- (p) cantharidin;
- (q) chloroform;
- (r) corticosteroids (natural or synthetic) containing not more than one part per thousand thereof;
- (s) cresol and phenol;
- (t) digitalis leaf (B.P. 1980);
- (u) emetine;
- (v) ether (diethyl ether);
- (w) fluorides;

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- (x) homatropine;
- (y) hormones (natural or synthetic) substances containing not more than one part per thousand thereof;
- (z) hyoscine substances containing not more than one part per thousand thereof;
- (aa) insulin;
- (bb) lead acetate;
- (cc) lithium substances containing not more than one part per thousand thereof;
- (dd) mercury substances containing not more than one part per thousand thereof;
- (ee) nicotinic acid-substances containing not more than one part per hundred thereof;
- (ff) nitroglycerine substances containing not more than one part per thousand thereof;
- (gg) nux vomica;
- (hh) opium tincture (Ph.Cx., 11th edition) substances containing not more than one part per thousand thereof;
- (ii) papaverine substances containing not more than one part per thousand thereof;
- (jj) phospholipids;
- (kk) physostigmine;
- (ll) pilocarpine;
- (mm) potassium dichromate;
- (nn) pygeum Africanum (lipid-sterolic complex extract thereof);
- (oo) radix valerianae and its extracts;
- (pp) rauwolfia serpentine (dry root) (Ph. Cx., 10th edition);
- (qq) strychnine substances containing not more than one part per thousand thereof;
- (rr) strophanthus (B.P.);
- (ss) tubocurarine substances containing not more than one part per thousand thereof;
- (tt) thyroid gland (dry and clean) (Ph.Cx., 11th edition);
- (uu) vincamine; and
- (vv) zinc salts.

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(4) Subject to section 31(1) of the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003), a homoeopath may prescribe or supply to a patient -

- (a) a homoeopathic substance or mixture of a homoeopathic substance in a homoeopathic form and in a homoeopathic dose or potency;
- (b) substances, preparations and mixtures of substances that are not medicines or scheduled substances;
- (c) substances referred to in paragraph (1) in homoeopathic form, including the following substances which may be prescribed and supplied in a dose in the strength as indicated -
 - (i) adrenaline (epinephrine) substances containing not more than five micrograms thereof per daily dose;
 - (ii) antimicrobial substances (chemotherapeutic substances synthesised in nature or the laboratory) substances containing not more than one part per thousand of the relevant daily allopathic dose;
 - (iii) antimony potassium tartrate and antimony sodium tartrate substances containing not more than five milligrams thereof per daily dose;
 - (iv) arsenic substances containing not more than comma five micrograms of arsenic calculated as arsenic trioxide per daily dose;
 - (v) belladonna tincture (B.P. 1980) substances containing not more than comma one millilitre thereof per daily dose;
 - (vi) cantharidin substances containing not more than 60 micrograms thereof per daily dose;
 - (vii) cresol and phenol substances containing not more than one milligram of any of these substances per daily dose;
 - (viii) ether (diethyl ether) substances containing not more than one millilitre thereof per daily dose;
 - (ix) radix valerianae and its extracts not more than 500 milligram thereof per daily dose;
 - (x) rauwolfia serpentina (dry root) substances containing not more than one comma five milligrams thereof per daily dose;
 - (xi) zinc salts (for internal use) substances containing not more than 200 micrograms thereof per daily dose;
- (d) vitamins;
- (e) minerals which are not scheduled substances;
- (f) homoeopathic substances in an injectable form;

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- (g) water in an injectable form;
- (h) Western, African and Chinese herbal medicine.

(5) Subject to section 31(1) of the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003), a homoeopath may formulate, compound, prepare or dispense -

- (a) substances, preparations and mixtures of substances that are not scheduled substances and that are recorded in one of the homoeopathic materia medicas, homoeopathic pharmacopoeias or any other equivalent homoeopathic or non-homoeopathic standard in homoeopathic form;
- (b) a homoeopathic substance, preparation or mixture of the substances referred to in subregulation (3); and
- (c) medicines or substances containing homoeopathic substances or a homoeopathic medicine, or substance which falls within the definition of a homoeopathic substance in a homoeopathic dose or strength including but not limited to starting substances.