



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS SURVIVING IN TERMS OF

Health Professions Act 16 of 2024

section 95(10)

Regulations relating to Conditions subject to which Registered Persons may Conduct Practices relating to their Professions

Government Notice 197 of 2018

(GG 6694)

came into force on date of publication: 31 August 2018

These regulations were made in terms of section 55(1)(h) read with section 55(1)(k) of the Allied Health Professions Act 7 of 2004, which was repealed by the Health Professions Act 16 of 2024.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. Changes to registration certificate
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4. Registration certificate
5. Appeal procedure
6. Language of forms and document

[In the text, the heading of regulation 6 is "Language of forms and documents", with the word "documents" being plural.]

Definitions

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

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“health facility” means a health facility as defined in section 30(1) of the Hospitals and Health Facilities Act, 1994 (Act No. 36 of 1994) and includes a state health facility and a private health facility; and

“health practitioner” means a person registered under section 18, declared under section 60 or with a specialty under section 32 of 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has been replaced by the Health Professions Act 16 of 2024.]

“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has been replaced by the Health Professions Act 16 of 2024.]

Changes to registration certificate

2. (1) The Council may at any period insert, change, amend or cancel conditions of a registration certificate where -

- (a) the health practitioner applies for such change in conditions during or after the commencement of the conditions, on good cause shown, or after successful completion of the conditions as set out in the register;
- (b) the Council so determines that change in the registration certificate is in the best interest of the public and in accordance with the Act and these regulations; or
- (c) an applicant has successfully passed the evaluation as set out in section 21(3) of the Act.

(2) The Council must, within 30 days of deciding to insert, change, amend or cancel conditions of a registration certificate under subregulation (1), inform the health practitioner of such decision in writing.

Placement after evaluation

3. An applicant who successfully passed the evaluation or completed any of the requirements under section 21(3)(a) of the Act may be placed by the Council at a hospital or health facility so determined by the Council.

Registration certificate

4. (1) The Council must issue the applicant with a registration certificate after successful completion of evaluation and such certificate may be issued with or without conditions to practice.

- (2) The conditions under subregulation (1) include the following -
 - (a) placement at any health facility in any region as determined by the Council;
 - (b) placement at any health facility for such period as determined by the Council; or

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- (c) any other conditions that the Council may determine in accordance with the Act and these regulations.

Appeal procedure

5. A health practitioner aggrieved by any change in conditions may, within 30 days of such change in conditions, appeal to the appeal committee as set out in section 52 of the Act.

Language of forms and documents

6. (1) Subject to subregulation (2), any document required to be submitted to the Council or the registrar in terms of the regulations must be in the English language.

(2) Any document that is not in the English language must be accompanied by a sworn translation of it in English.