



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
Medical Laboratory Scientist**

Government Notice 319 of 2023

(GG 8222)

came into force on date of publication: 27 September 2023

These regulations were made in terms of section 55(1)(n) of the Allied Health Professions Act 7 of 2004, which was repealed by the Health Professions Act 16 of 2024.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 medical laboratory scientists
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Definitions

1. In these regulations, unless the context indicates otherwise, a word or expression defined in the Act has that meaning -

“medical laboratory” means a health facility -

- (a) as defined in section 1 of the Hospital and Health Facilities Act, 1994 (Act No. 36 of 1994);
and

REGULATIONS
Health Professions Act 16 of 2024

Regulations relating to Scope of Practice of Medical Laboratory Scientist

(b) which is a medical laboratory referred to in Schedule 1 of that Act;

“medical laboratory scientist” means a person registered under the Act to practice the profession of medical laboratory science;

“point of care testing” means medical diagnostic testing performed by the medical laboratory scientist on a patient using diagnostic equipment for the patient to receive immediate results and which testing is provided near the place where care or treatment is provided to the patient;

“standard operating procedure” means a set of written instructions that describe how to perform a laboratory process or examination in a medical laboratory; 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[The Allied Health Professions Act 7 of 2004 has been replaced by the Health Professions Act 16 of 2024.]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 medical laboratory scientists

2. (1) The following acts constitute acts pertaining to the scope of practice of a medical laboratory scientist -

[The subregulation number (1) is omitted in the *Government Gazette*. It has been inserted here for ease of reference.]

- (a) performing laboratory tests, including point of care testing on blood, body fluids and human tissue;
- (b) examining and analysing specimens taken from blood, body fluids and human tissue and evaluating test results for accuracy;
- (c) verifying relevant data and ensuring that appropriate specimens are taken from blood, body fluids and human tissue;
- (d) correlating and interpreting medical laboratory test results and consulting on and seeking advice regarding the results with other medical laboratory scientists or medical technologists registered under the Act;
- (e) understanding the principles and measurements of different analytical techniques on specimens that originate from a variety of sources;
- (f) disseminating medical laboratory test information in a timely manner to the persons who requested the tests; and
- (g) assessing, evaluating and implementing new medical laboratory test methods based on the standard operating procedure relating to laboratory test methods of the medical laboratory.

(2) The medical laboratory scientist must perform the acts referred to in subregulation (1), only on request by -

- (a) person registered under the Medical and Dental Act, 2004 (Act No. 10 of 2004), to enable the registered person to perform his or her functions under that Act;

REGULATIONS
Health Professions Act 16 of 2024

Regulations relating to Scope of Practice of Medical Laboratory Scientist

[The word “a” appears to have been omitted before the word “person”.
The Medical and Dental Act 10 of 2004 has been replaced
by the Health Professions Act 16 of 2024.]

- (b) an insurer within the meaning of the Long-term Insurance Act, 1998 (Act No. 5 of 1998), to enable the insurer to perform his or her functions under that Act;
- (c) a person registered as a nurse or midwife under the Nursing Act, 2004 (Act No. 8 of 2004), to enable the registered nurse or midwife to perform his or her functions under that Act;

[The Nursing Act 8 of 2004 has been replaced by the Health Professions Act 16 of 2024.]

- (d) a person registered under the Allied Health Professions Act, 2004 (Act No. 7 of 2004), to enable the registered person to perform his or her functions under that Act;
or

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

- (e) a court, to enable the court to perform its functions.

(3) The medical laboratory scientist must provide reliable, accurate and timely laboratory test results according to the turnaround time provided in the medical laboratorys’ standard operating procedure.

[The word “laboratory’s” is misspelt in the *Government Gazette*, as reproduced above.]

(4) A medical laboratory scientist may consult with a person referred to in subregulation (2) regarding the acts performed by the medical laboratory scientist within his or her scope of practice.

(5) A person registered as a student under section 24(2)(c) of the Act and who is undergoing training, tuition and education to practise as a medical laboratory scientist, must perform the acts referred to in subregulation (1), only under the direct supervision of a medical laboratory scientist registered under the Act.