



Republic of Namibia  
Annotated Statutes

**REGULATIONS**

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REGULATIONS MADE IN TERMS OF

**Medical and Dental Act 10 of 2004**  
section 59 read with sections 18(1), 23, 25 and 31

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**Regulations relating to the Registration of Medical Biological  
Scientists and Medical Biological Scientist Interns;  
Qualifications that may be Registered as Additional  
Qualifications; the Maintaining of Registers of Medical  
Biological Scientists and Medical Biological Scientists Interns;  
and the Restoration of a Name to a Register**

Government Notice 48 of 2011

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The Government Notice which publishes these regulations notes that they were  
made on the recommendation of the Medical and Dental Council of Namibia.

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**PART I**  
**PRELIMINARY**

**Definitions**

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

“additional qualification” means an additional qualification referred to in section 31(1)(a) of the Act, awarded by an educational institution and prescribed by regulation 8;

“applicant” means any person submitting an application to the Council in terms of these regulations;

“approved facility” means a training facility approved by the Council for the purpose of the training of an intern;

“certified” means certified as a true copy of the original by a commissioner of oaths appointed under section 5, or designated under section 6, of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act No. 16 of 1963);

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“medical biological scientist intern” means any person registered as such under these regulations for the purpose of qualifying as a medical biological scientist, and “intern” has a corresponding meaning;

“registration authority” means the registration authority of a country responsible for the registration of a person to practice as a medical biological scientist in that country; and

“the Act” means the Medical and Dental Act, 2004 (Act No. 10 of 2004).

**PART II  
REGISTRATION OF MEDICAL BIOLOGICAL SCIENTISTS**

**Application for registration as a medical biological scientist and submitting of particulars**

2. (1) An application for the registration of a person as a medical biological scientist in accordance with section 19 of the Act must be accompanied, in addition to the documents, particulars and payments specified in subsection (2) of that section, by -

- (a) a certified photocopy of the identity document or of the passport of the applicant; and
- (b) subject to subregulation (2), the original certificate of registration to practise as a medical biological scientist in the country where the applicant obtained the qualification referred to in section 19(2)(a) of the Act, issued by the registration authority of that country.

(2) If the applicant is not registered with the registration authority referred to in paragraph (b) of subregulation (1), he or she must submit to the registrar, together with his or her application for registration -

- (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 a medical biological scientist in that country;
- (b) if he or she had been so registered previously, a certificate issued by that registration authority confirming that previous registration and the removal of his or her name from the register, and specifying the grounds for the removal.

(3) The Council may require the applicant to furnish proof, in the manner that the Council may determine, of the applicant’s proficiency in the English language.

**PART III  
MEDICAL BIOLOGICAL SCIENTIST INTERNS**

**[This heading appears in the ARRANGEMENT OF REGULATIONS  
but is omitted in the text of the regulations.]**

**Registration and training of medical biological scientist intern**

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3. (1) A person who is the holder of a prescribed minimum qualification required for registration as a medical biological scientist, must complete, after obtaining that qualification and before he or she is entitled to that registration, internship at an approved facility for a period of two years during which period of time the intern must successfully complete practical training, to the degree and extent that the Council may determine, and to the satisfaction of the Council, in the disciplines specified in Annexure A.

(2) An application for registration as an intern must be made in the form that the Council may determine, and the duly completed form must be submitted to the registrar.

(3) An application referred to in subregulation (2) must be accompanied by -

- (a) a certificate, or a certified copy thereof, to the satisfaction of the Council, as proof that the applicant holds a prescribed qualification referred to in subregulation (1);
- (b) a certificate of good standing, if the applicant had been registered previously in a country other than Namibia as a medical biological scientist or as an intern, or is still so registered, issued by 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 photocopy of the identity document or of the passport of the applicant;
- (d) the additional documents and information that the Council may determine;
- (e) a certified copy of the contract of internship training entered into by and between the applicant and an approved facility; and
- (f) payment of the application fees, determined by the Council, relating to an application for registration as an intern, or proof of the payment thereof.

(4) If the applicant referred to in subregulation (1) is not registered with the registration authority referred to in paragraph (b) of subregulation (3), he or she must submit to the registrar, together with his or her application for registration -

- (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 a medical biological scientist in that country;
- (b) if he or she had been so registered previously, a certificate issued by that registration authority confirming that previous registration and the removal of his or her name from the register, and specifying the grounds for the removal.

(5) The Council may require the applicant to furnish proof, in the manner that the Council may determine, of the applicant's proficiency in the English language.

(6) If an application is submitted to the registrar in accordance with this regulation, the registrar must submit the application to the Council for its decision.

(7) The Council, after having considered the application for registration as an intern -

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- (a) may grant the application if the Council is satisfied that the applicant -
  - (i) meets the requirements relating to the registration of an intern;
  - (ii) has complied with subregulations (2), (3) and (4); and
  - (iii) is proficient in the English language.
- (b) must refuse the application if the Council is satisfied that the applicant -
  - (i) does not meet the requirements relating to the registration of an intern; or
  - (ii) has not complied with subregulations (2), (3) and (4); or
  - (iii) is not proficient in the English language.

(8) The Council must -

- (a) inform the applicant in writing of the decision of the Council under subregulation (7);
- (b) issue to the applicant a certificate of registration as an intern, if the application for registration as an intern is granted, in the form that the Council may determine, and enter the name of the applicant into the register;
- (c) inform the applicant in writing, if the application for registration as an intern is refused, as soon as practicable of the reasons for the refusal.

(9) Notwithstanding subregulation (1), the Council may exempt, on the conditions that it may determine, a person from the requirements of registration and training as an intern in accordance with these regulations, or may reduce the prescribed period of training as an intern by the period of time that the Council may determine, if the applicant for registration as an intern submits documentary proof to the satisfaction of the Council that he or she has -

- (a) completed, at a training facility in another country and in accordance with the laws of that country pertaining to medical biological scientists or to medical biological scientist interns, training substantially equivalent to the applicable training prescribed by subregulation (1); or
- (b) practiced in another country, in accordance with the laws of that country, as a medical biological scientist for the period of time and under the circumstances that may afford him or her experience and training substantially equivalent to the internship training prescribed by these regulations.

**Contract of internship training**

4. (1) A contract of internship training entered into by and between an approved facility and an intern, must -

- (a) be in the form and contain the particulars that the Council may determine;

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- (b) provide for training, in the disciplines and other requirements set out in Annexure A, that, in the opinion of the Council, is adequate and satisfactory for the purposes of the internship; and
- (c) be approved by the Council.

(2) If at any time during the period of internship of an intern prescribed by these regulations, the Council considers any training approved for that purpose to be inadequate or unsatisfactory for any reason, the Council may withdraw the approval thereof by means of a written notice to both the approved facility and the medical biological scientist intern, after having afforded both the approved facility and the intern the opportunity to be heard.

(3) Unless the Council otherwise determines, on good cause shown, any period of internship completed by an intern under a contract of internship in respect whereof the Council withdraws its approval in accordance with subregulation (2), or that is cancelled or terminated before the completion of the internship, is, for the purposes of regulation 3, null and void.

(4) The period of medical biological scientist internship prescribed by regulation 3(1) must be completed within a period of three years after the date of the first registration of the intern.

(5) If an intern fails to comply with subregulation (4), his or her registration as an intern must be regarded as cancelled, subject to subregulation (6), as from the date upon which the period of three years is exceeded.

(6) The Council may extend, on good cause shown, the three year period prescribed by subregulation (4).

(7) Before a person may commence with his or her medical biological scientist internship at an approved facility, he or she must -

- (a) enter, in accordance with subregulation (1), into a written agreement of internship with the approved facility at which he or she is to complete the internship; and
- (b) register with the Council as an intern in terms of the Act and these regulations.

(8) An intern is subject, during his or her term of internship, to all the regulations and rules relating to professional conduct applicable to a medical biological scientist.

(9) The Council must furnish an intern, before the commencement of his or her internship, with a copy of the regulations and rules relating to professional conduct referred to in subregulation (8).

**Commencement or termination of internship, or change of name**

- 5. (1) An intern must notify -
  - (a) as soon as he or she commences internship, the Council in writing of the commencement and furnish the Council with the name and business address,

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including the telephone number and the other particulars that the Council may require, of the approved facility where he or she has commenced internship;

- (b) if he or she terminates his or her internship with the approved facility referred to in paragraph (a), the Council in writing of the termination within a period of 30 days thereof;
  - (c) if he or she intends to terminate his or her internship with the approved facility referred to in paragraph (a) and to commence internship with any other approved facility, the Council in writing of the intended termination of internship not less than 30 days before the date of the intended termination and apply to the Council, in the form that the Council may determine, for approval of the new contract of internship entered into between himself or herself and the other approved facility.
- (2) If the name or surname of an intern is changed for any reason, he or she must -
- (a) give written notice to the Council of the change of name or surname, and submit documentary proof thereof, to the satisfaction of the Council, within a period of 30 days after the occurrence thereof; and
  - (b) provide the Council, in writing, with the other particulars relating to the change of name or surname that the Council may require.

**Completion of internship**

6. (1) Upon the completion of the internship training prescribed by these regulations, the intern must submit to the Council proof of the completion, by means of a certificate or certificates, to the satisfaction of the Council, by the approved facility or approved facilities, as the case may be, where he or she completed the internship.

(2) The Council must not register an intern as a medical biological scientist unless that medical biological scientist intern has submitted to the Council the certificate or certificates prescribed by subregulation (1).

**Evaluation by Council**

7. (1) A person who has completed his or her internship in accordance with these regulations must be evaluated by the Council in accordance with section 20(3) of the Act.

(2) Notwithstanding subregulation (1), the evaluation that must be conducted by the Council in accordance with this regulation may be conducted in part, at the discretion of the Council and in the manner that the Council may determine, by means of continual evaluation during the period of internship.

(3) The fees determined by the Council under section 26 of the Act relating to an evaluation referred to in this regulation must be paid to the Council before the commencement of the evaluation.

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**Registrable additional qualifications**

**8.** The qualifications specified in Annexure B are the additional qualifications referred to in section 31(1)(a) of the Act that may be registered by the Council in respect of a person registered as a medical biological scientist.

**Requirements for registration of an additional qualification**

**9.** An application in terms of subsection (2) of section 31 of the Act, must be accompanied, in addition to the documents, information and payments specified in subsection (3) of that section, by a certified photo copy of the identity document or passport of the applicant.

**Registration of non-prescribed additional qualification**

**10.** (1) In this regulation, “non-prescribed additional qualification” means an additional qualification that has not been prescribed by regulation 8 as a registrable additional qualification, but that complies with paragraph (a) of subsection (5) of section 31 of the Act.

(2) If an application for the registration of a non-prescribed additional qualification is submitted to the Council in terms of subsection (2) of section 31 of the Act, the application must be accompanied, in addition to the documents and particulars specified in subsection (3) of that section and regulation 9, by a transcript, issued by the educational institution or examining body where that additional qualification has been obtained, specifying particulars, to the satisfaction of the Council, of the additional qualification, including the curriculum applicable thereto.

PART V  
REGISTERS AND RESTORATION OF NAME TO REGISTER

**Register of medical biological scientists and medical biological scientist interns**

**11.** The register established and kept in accordance with subsection (2) of section 23 of the Act, for -

- (a) medical biological scientists must contain, in addition to the particulars specified by subsection (3) of that section, particulars of -
  - (i) the additional qualifications entered into the register of medical biological scientists in accordance with section 31 of the Act; and
  - (ii) any change in any of the particulars recorded in the register; and
- (b) interns, must contain, in addition to the particulars specified by subsection (3) of that section, particulars of -
  - (i) particulars of the approved facility or facilities where the intern is completing his or her internship; and

**[The phrase “particulars of” is repeated and should be deleted from subparagraph (i).]**

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- (ii) any change in any of the particulars recorded in the register.

**Restoration of name to register**

**12.** An application in accordance with section 25 of the Act for the restoration of the name of a person to a register, in addition to the documentation referred to in subsection (2) of that section, must be accompanied by -

- (a) the original registration certificate issued under section 20(4)(b) of the Act in the name of the applicant, or if for any reason the original certificate cannot be submitted, proof to the satisfaction of the Council that the applicant had been so registered; and
- (b) a photocopy of the identity document or the passport of the applicant, duly certified.

PART VI  
GENERAL

**Language of forms and documents**

**13.** (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 translation thereof into that language, acceptable to the Council.

[The subregulation number (2) appears to have been omitted from the *Government Gazette*.]

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ANNEXURE A

CRITERIA PERTAINING TO THE ONE YEAR PERIOD  
INTERNSHIP TRAINING PROGRAMME  
(*Regulation 3*)

The approved facility with which the medical biological scientist intern has entered into an agreement of internship in accordance with regulation 4, must provide the intern, to the degree and extent that the Council may determine, and to the satisfaction of the Council, with practical training in -

- (a) the main domains of, or relating to -
  - (i) Genetics;
  - (ii) Anatomy;
  - (iii) Physiology;
  - (iv) Haematology;
  - (v) Microbiology;
  - (vi) Anatomical Pathology;
  - (vii) Virology;
  - (viii) Radiation Biology;
  - (ix) Pharmacology;
  - (x) Medical Biochemistry; and
  - (xi) Medical Entomology; and
- (b) Ethics and Jurisprudence.

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ANNEXURE B

REGISTRABLE ADDITIONAL QUALIFICATIONS  
*(Regulation 8)*

A Master of Science Degree in any of the main domains prescribed by paragraph (a) of Annexure A, obtained at any of the Educational Institutions where any of the qualifications prescribed as a requirement for registration as a medical biological scientist can be obtained.