



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Medical and Dental Act 10 of 2004
section 59(1)(a)

**Regulations Relating to Allowances and Certain Fees
Payable by Medical and Dental Council of Namibia**

Government Notice 293 of 2015

(GG 5899)

came into force on date of publication: 7 December 2015

The Government Notice which publishes these regulations notes that they were made on the recommendation of the Medical and Dental Council of Namibia. It also withdraws GN 150/2008 (GG 4068).

ARRANGEMENT OF REGULATIONS

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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 -

“evaluator” means a member of the Council who is involved in the conducting of evaluation as contemplated in section 20(3)(a) and (b) of the Act;

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“examiner” means a member of the Council who is involved in the preparation, conducting and assessment of examinations as determined in accordance with section 59(1)(f) read with section 20(3)(a) of the Act;

“expert witness” means a person -

- (a) giving evidence at a meeting of inquiry of the Council or a committee and declared by the Council or the committee as an expert witness; or
- (b) furnishing the Council or a committee with an expert opinion, at the request of the Council or the committee;

“member of a committee” includes a co-opted member of the committee but does not include a member of the professional conduct committee or of the appeal committee;

“member of the Council” includes a member of the professional conduct committee, a member of the appeal committee or a co-opted member of the Council of any of those committees but does not include the chairperson of the appeal committee or the president of the Council;

“moderator” means a member of the Council who is involved in the review of examination papers or overseeing of examinations or evaluations;

“president” means -

- (a) the president as defined in section 1 of the Act;
- (b) if the president is absent or unable to act as president, the vice-president acting as contemplated under section 10(3) of the Act; or
- (c) if both the president and vice-president are absent, the person appointed in accordance with section 10(4) of the Act;

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

“witness” means a person giving evidence at a meeting of the Council or a committee at the request of the Council or the committee;

“witness fees” means the fees payable by the Council to a witness or expert witness and includes allowances payable to the witness or expert witness and the reimbursement of expenses incurred by the witness.

Allowances payable to members of Council for preparing for and attending meetings

2. The allowances payable to a member of the Council for –

- (a) attending a meeting of the Council or a committee, per day, if he or she is -
 - (i) the president N\$2 000;
 - (ii) a member other than the president N\$1 500; and
- (b) preparing for a meeting, per meeting attended by that member, including the president N\$750.

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Allowances payable to members of Council or professional conduct committee for preparing for and attending professional conduct inquiry

3. The allowances payable to a member of the Council or professional conduct committee for -

- (a) attending a professional conduct inquiry conducted under Part V of the Act, per day, if he or she is -
 - (i) the president N\$2 500;
 - (ii) a member other than the president N\$2 000; and
- (b) for preparing for the inquiry contemplated in paragraph (a), per inquiry and only if that member attended the entire inquiry, including the president N\$1 000.

Witness and interpreter fees

- 4. (1) The witness fees payable by the Council to an expert witness for -
 - (a) furnishing the Council or a committee with an expert opinion at the request of the Council or that committee may not exceed N\$8 000; and
 - (b) giving evidence at a meeting at the request of the Council or a committee, may not exceed N\$500 per day.

(2) The witness fees payable by the Council to a witness other than an expert witness, for giving evidence at a meeting at the request of the Council or a committee, may not exceed N\$150 per day.

(3) The interpreter fees payable by the Council to an interpreter for interpreting at a meeting of the Council or a professional conduct committee, at the request of the Council or that committee, may not exceed N\$150 per hour.

Allowances payable to member of Council acting as examiner, evaluator or moderator

5. The allowances payable by the Council to a member of the Council for acting as an examiner, evaluator or moderator for -

- (a) preparing for theoretical examination, evaluation or setting of written examination paper, per theoretical examination, evaluation or examination paper N\$500;
- (b) moderating of examination paper referred to in paragraph (a), per examination paper N\$400;
- (c) preparing for practical examination or evaluation, per practical examination or evaluation N\$500;
- (d) conducting of practical examination or evaluation, per hour N\$250;

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| (e) | invigilating of written examination, per hour | N\$100; |
| (f) | marking of written examination answer sheet, per paper | N\$100; |
| (g) | moderating of examination answer sheet referred to in paragraph (f), per paper | N\$100; |
| (h) | conducting of oral examinations, per hour | N\$250; and |
| (i) | re-grading of examination answers sheet, per paper | N\$500. |

Payment of allowances and fees

6. (1) A person entitled to receive an allowance or a fee under these regulations must submit to the Council a claim form relating to that allowance or fee, duly completed and signed by that person, and accompanied by the vouchers and other documents that the Council may determine.

(2) A claim submitted to the Council in accordance with subregulation (1) must be in the form that the Council determines and furnishes to the person submitting the claim.