



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS SURVIVING IN TERMS OF

Education Act 16 of 2001
section 81(5)

**Regulations on the Medical Inspection of Educational
Institutions and All Pupils and Persons Attached Thereto**

Government Notice 58 of 1964

(OG 2546)

came into force on 15 December 1963

The Regulations relating to the Medical Inspection of Educational Institutions and all Pupils and Persons attached thereto were originally made in terms of section 117 of the Education Ordinance 27 of 1962, which was repealed by section 83 of the Education Act 16 of 2001. Pursuant to section 81(5) of the Education Act 16 of 2001, the Regulations relating to the Medical Inspection of Educational Institutions and all Pupils and Persons attached thereto are deemed to have been made under that Act.

ARRANGEMENT OF REGULATIONS

[Most of the individual regulations have no headings.]

SCHEDULE
REGULATIONS REPEALED

1. Any expression to which a meaning has been assigned in the ordinance shall have that meaning wherever it occurs in these regulations and, unless the context indicates otherwise -

“medical inspector” means the chief medical inspector of schools or any medical or dental practitioner duly authorised thereto by the chief medical inspector of schools;

“pupil” means any child attending or residing in an educational institution; and

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“employee” means any person employed at an educational institution not being a teacher or member of a hostel staff.

2. A medical inspector or a nurse duly authorised thereto by the chief medical inspector, may at any reasonable time examine any pupil in any educational institution to ascertain the state of his health.

3. A medical inspector of schools may at any reasonable time examine the teeth of any pupil in any school to ascertain their condition.

4. A teacher may at any time during school hours examine the pupils under his supervision in order to ascertain whether any of them are in a verminous condition: Provided that such examination shall be carried out under circumstances which will prevent any case of a verminous condition from becoming public.

5. A medical inspector may examine any teacher or member of a hostel staff or employee if there are reasonable grounds for suspecting that his state of health may be a source of danger for the pupils.

6. A medical inspector shall have the right of entry to school and hostel buildings and grounds for the inspection of buildings and grounds from a health point of view and for the medical examination of pupils, teachers, hostel staff and employees as provided for in these regulations.

7. A medical inspector may exclude from any school or hostel any pupil, teacher, member of any hostel staff or employee in respect of whom there are reasonable grounds for suspecting that his state of health is a source of danger for the pupils.

8. When a medical inspector excludes any teacher, member of the hostel staff or employee under these regulations he shall forthwith notify the Director of Education thereof.

9. A medical inspector may, subject to the approval of the Director, exclude any pupil from any school or hostel if such pupil in his opinion or -

- (a) in the opinion of a departmental psychologist or of a medical specialist in mental diseases is so mentally deficient that he cannot derive sufficient benefit from the instruction given at any school; or
- (b) in the opinion of a medical specialist in ear, nose and throat diseases is so deaf that he cannot derive sufficient benefit from the instruction given in any school; or
- (c) in the opinion of a medical specialist in eye diseases is so blind that he cannot derive sufficient benefit from the instruction given in any school; or
- (d) in the opinion of a specialist is physically so deformed that the attendance of such pupil at the school may be detrimental to himself or the other pupils at the school.

10. When a medical inspector has decided under these regulations to exclude a pupil from any school or hostel he shall issue a certificate to that effect to the principal who shall transmit copies thereof to the pupil’s parent or guardian, to the secretary of the school committee and to the Department. Where a pupil is excluded for a period, such period shall be

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stated in the certificate and the pupil who has been excluded shall not attend any school during such period.

11. The chief medical inspector of schools shall submit to the Department such information as the Director may determine from time to time.

Interpretation of the regulations

12. If there should be any doubt as to the interpretation of the provisions of these regulations the Director shall decide thereon and such decision shall be final.

Deviations in time of war or national emergency

13. If a state of war or national emergency arises the Administrator may approve a deviation from the provisions of these regulations.

Commencement of regulations

14. These regulations shall come into force on the 15th December, 1963.

SCHEDULE
REGULATIONS REPEALED.

<i>Number and Date of Government Notice.</i>	<i>Extent of Repeal.</i>
13 of 15th January, 1945	Regulation 14 <i>bis</i>
325 of 15th December, 1945	Regulation 10.
191 of 16th June, 1947	Regulation 2.
281 of 15th October, 1949	Regulation 14 <i>bis</i> (2).
267 of 1st November, 1950	Regulation 7.
99 of 1st April, 1953	Regulations 5-6 (inclusive)
232 of 1st August, 1953	Regulation 7.
300 of 1st October, 1953	Regulation 5.
79 of 1st April, 1955	Regulation 3.