



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Allied Health Professions Act 7 of 2004

section 55 read with sections 26 and 32

Regulations relating to the Registration of Medical Technologists, Specialties, Additional Qualifications and Interns and to the Restoration of a Name to a Register

Government Notice 35 of 2007

(GG 3795)

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The Government Notice which publishes these regulations notes that they were made on the recommendation of the Interim Allied Health Professions Council of Namibia. It withdraws the regulations published in RSA GN R. 2305/1976 (RSA GG 5349). These previous regulations were made in terms of the RSA Medical, Dental and Supplementary Health Service Professions Act 56 of 1974. They survived in terms of section 50(2) of the Allied Health Services Professions Act 20 of 1993 (GG 710) and section 62(2) of its successor, the Allied Health Professions Act 7 of 2004 (GG 3247).

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PART I
DEFINITIONS

Definitions

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

“additional qualification” means an additional qualification referred to in section 32(1)(a) of the Act and in regulation 11;

“approved facility” means any laboratory, hospital, clinic, private practice or other health facility in Namibia defined in section 1 of the Hospitals and Health Facilities Act, 1994 (Act No. 36 of 1994) and which has been approved by the Council for the purpose of the training of medical technology interns;

“Council” includes the Interim Allied Health Professions Council of Namibia established under section 59 of the Act;

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“medical technologist” means any person registered under the Act as a medical technologist (blood transfusion technology), a medical technologist (chemical pathology), a medical technologist (clinical pathology), a medical technologist (cytogenetics), a medical technologist (cytotechnology), a medical technologist (forensic pathology), a medical technologist (haematology), a medical technologist (histopathological technique), a medical technologist (immunology), a medical technologist (microbiology), a medical technologist (pharmacology) or a medical technologist (virology);

“medical technology intern” means any person registered as such in accordance with these regulations for the purpose of qualifying as a medical technologist;

“registrar” means the registrar of the Council;

“speciality” means any speciality registered under section 32 of the Act;

“the Act” means the Allied Health Professions Act, 2004 (Act No. 7 of 2004).

PART II
REGISTRATION OF MEDICAL TECHNOLOGISTS

Application for registration as a medical technologist

2. (1) An application for the registration of a person as a medical technologist under section 20 of the Act must be made in accordance with that section.

(2) An application referred to in subregulation (1) must be accompanied, in addition to the documents and particulars specified in section 20(2) of the Act, by -

- (a) a certified copy of the identity document or passport of the applicant;
- (b) a certificate issued by the Council in such form as the Council may determine, certifying that the applicant has passed the evaluation referred to in section 21(3) of the Act, if applicable; and
- (c) if the qualification upon which the applicant relies for registration as a medical technologist is a qualification referred to in section 22(1)(a) of the Act, the original certificate of registration to practise as a medical technologist in the country where the applicant obtained the qualification, issued by the relevant registration authority of such country.

(3) If the applicant referred to in subregulation (2)(c) is not registered with the registration authority referred to in that subregulation, the applicant must submit -

- (a) a certificate, issued by the registration authority, certifying that the qualification or qualifications of which the applicant is the holder, entitles the applicant to registration as a medical technologist in the country where the applicant obtained the qualification or qualifications; or
- (b) if he or she had been so registered previously, a certificate issued by such registration authority, specifying the reasons why the applicant is not so registered any more,

together with his or her application for registration.

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(4) If the qualification upon which the applicant relies for registration has been awarded by an educational institution at which the medium of instruction is not the English language, the Council may require the applicant to furnish, in such manner as the Council may determine, the Council with proof of the applicant's proficiency in the English language.

Additional examinations

3. (1) The additional examinations referred to in section 22(1)(b)(ii) of the Act must consist of written or oral or practical examinations, or of written and oral and practical examinations, in such disciplines as the Council may determine in respect of every person who is to be examined as required by that section, for the purpose specified in subregulation (2).

(2) The purpose of the additional examination referred to in subregulation (1), is to determine whether the person possesses the knowledge, skills and competence required to be possessed by any person who holds the qualification prescribed under section 19(1) of the Act, and which qualification so held entitles a person to be registered as a medical technologist under section 21 of the Act.

(3) The Council may appoint, subject to such conditions as it may determine, a suitable person or persons to conduct the examinations referred to in subregulation (1).

Additional education, tuition and training

4. (1) If the Council registers a person conditionally under section 22(2)(a) of the Act, the Council must determine the additional education, tuition or training, referred to in section 22(1)(b)(i) of the Act, required by the person so conditionally registered in order to qualify for registration as a medical technologist in terms of the Act.

(2) Particulars of the additional education, tuition or training determined by the Council in accordance with subregulation (1) must be endorsed by the Council on the certificate of conditional registration issued by the Council in the name of that person under section 22(2)(b) of the Act.

PART III
MEDICAL TECHNOLOGY INTERNS

Registration and training of medical technology intern before registration as medical technologist

5. (1) Any person who holds a qualification prescribed under section 19(1) of the Act as a minimum requirement for registration as a medical technologist under the Act, must undertake, subject to the provisions of subregulation (4), after obtaining such qualification and before he or she is entitled to registration as a medical technologist, training as a medical technology intern for a period and in the manner referred to in regulation 6.

(2) An application for registration as a medical technology intern must be made and be submitted to the registrar in such form as the Council may determine.

(3) An application form submitted to the registrar in accordance with subregulation (2) must be accompanied by -

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- (a) a certificate, or a certified copy of the certificate, as proof that the applicant holds a prescribed qualification referred to in subregulation (1);
 - (b) if the applicant had been registered previously in a country other than Namibia as a medical technology intern or as a medical technologist, or is still so registered, a certificate of good standing from 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 copy of the identity document or of the passport of the applicant;
 - (d) such additional documents and information as the Council may determine; and
 - (e) payment of the application fees, determined by the Council under section 27(1) of the Act, relating to the registration of a medical technology intern.
- (4) On receipt of an application for registration as a medical technology intern in terms of subregulation (2), the registrar must submit the application to the Council for its decision.
- (5) The Council, after having considered the application for registration, and the documents and other information referred to in subregulation (3), may -
- (a) grant the application for the registration of the applicant as a medical technology intern if the Council is satisfied that the applicant -
 - (i) meets with the requirements relating to the registration of a medical technology intern;
 - (ii) has complied with subregulation (3);
 - (iii) is proficient in the English language; and
 - (iv) has paid to the Council the fees relating to such application;
 - (b) refuse the application for the registration of the applicant as a medical technology intern if the Council is satisfied that the applicant -
 - (i) does not meet with the requirements relating to the registration of a medical technology intern;
 - (ii) has not complied with subregulation (3);
 - (iii) is not proficient in the English language; or
 - (iv) has not paid to the Council the fees relating to such application.
- (6) The Council must -
- (a) inform the applicant in writing of the decision of the Council under subregulation (5);

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- (b) issue, if the application for registration is granted, to the applicant a certificate relating to such registration in such form as the Council may determine, and enter the name of the applicant into the relevant register;
- (c) inform the applicant in writing, if the application for registration is refused, as soon as practicable of the reasons for such refusal.

(7) Upon the submission of an application by a person in accordance with subregulation (2) for registration as a medical technology intern, and if that person submits documentary proof to the satisfaction of the Council that he or she has -

- (a) completed training substantially equivalent to the applicable training referred to in regulation 6, in another country at an appropriate institution in connection with the qualification concerned, whether before or after obtaining such qualification; or
- (b) practised in another country as a medical technologist by reason of the qualification referred to in paragraph (a) for such period and under such circumstances as may give him or her experience and training substantially equivalent to the applicable training referred to in regulation 6,

the Council may exempt, on such conditions as it may determine, that person from the requirements of registration and training as a medical technology intern in Namibia, or may reduce the period of training, by such period of time as the Council may determine, if the Council is satisfied with the completion of such training or the practising as a medical technologist, by the applicant, and that the completion of such training or the practising as a medical technologist is substantially equivalent to the internship training referred to in regulation 6.

Period and manner of training by medical technology intern, and agreement of internship

6. (1) A medical technology intern must complete, in accordance with these regulations, internship training at an approved facility or approved facilities as the Council may determine, for a period of not less than 12 months.

(2) If the internship training referred to in subregulation (1) is interrupted at any point in time, the period of interruption must be added to the period of the internship training so that, notwithstanding any other provision of these regulations, a medical technology intern receives internship training for a total period of not less than 12 months.

(3) An interruption, irrespective of the length of the interruption, referred to in subregulation (2), includes any leave or sick leave taken by a medical technology intern and any other absence from the internship training, whether with or without the approval of the Council, during the period of internship.

(4) The period of 12 month medical technology internship referred to in subregulation (1) must be completed within a period of two years after the date of the first registration of the relevant person as a medical technology intern.

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

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(6) The Council may extend in writing, on good cause shown, the period of two years referred to in subregulation (4), within which the medical technology internship must be completed.

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

- (a) enter into a written agreement of internship with the approved facility at which he or she is to complete the internship, in such form and containing such conditions as the Council may determine;
- (b) register with the Council as a medical technology intern in accordance with the Act and these regulations; and
- (c) obtain from the Council a written approval of the agreement of internship referred to in paragraph (a).

(8) The Council may specify in writing, when approving a facility for the purposes of these regulations, that only a specified portion of the training of a medical technology intern must be undertaken at such facility, and that the remainder of such training must be undertaken at another approved facility or approved facilities so specified.

(9) If at any time during the period of internship of a medical technology intern referred to in this regulation, the Council considers any training approved for such purpose to be inadequate or unsatisfactory for any reason, the Council may withdraw its approval of the written agreement of internship referred to in subregulation (7)(c) by means of a written notice to both the approved facility and to the medical technology intern, after having afforded both the approved facility and the medical technology intern the opportunity to be heard.

(10) Unless the Council otherwise determines, on good cause shown, any period of internship completed by a medical technology intern under an agreement of internship cancelled in terms of these regulations, is void.

(11) If a medical technology intern enters into an agreement of employment with the Ministry of Health and Social Services for the purpose of receiving training as a medical technology intern, subregulations (7)(a) and (c), (8) and (9) of this regulation and regulation 7(1)(b) do not apply to the medical technology intern or to his or her internship.

(12) The Council must provide a medical technology intern, before he or she commences with his or her internship, with copies of all the rules of professional conduct applicable to medical technologists.

(13) A medical technology intern is subject, during his or her period of internship, to all the rules of professional conduct applicable to medical technologists referred to in subregulation (12).

(14) The criteria pertaining to medical technology internship training are specified in the Annexure to these regulations.

Cancellation or cession of internship, and change of name

7. (1) A medical technology intern must notify -

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- (a) if he or she has terminated his or her internship with an approved facility, the Council in writing within a period of 30 days of terminating the internship;
- (b) if he or she intends to terminate his or her internship with an approved facility and to assume internship with another approved facility, the Council in writing of the intended cession of internship not less than 30 days before that occurs, and the intern must submit to the Council -
 - (i) proof of the cancellation of the existing agreement of internship; and
 - (ii) a certified copy of the agreement of internship entered into between the approved facility, with which the internship is to be completed, and the medical technology intern, which agreement must be approved by the Council,

and pay to the Council the fees determined by the Council relating to such application for cession of the internship.

(2) If the name of a medical technology intern is changed for any reason, he or she must inform the Council in writing of the change of name within 30 days after the change of name, and submit to the Council documentary proof of the change of name and such other particulars relating to the change of name as the Council may require in writing.

Completion of internship

8. (1) Upon the completion of the internship undertaken by a medical technology intern in accordance with these regulations, he or she must submit proof to the Council, in the form of a certificate issued by the approved facility or approved facilities, as the case may be, in or at which he or she completed the internship, to the satisfaction of the Council, that he or she has undertaken and completed the internship concerned.

(2) The certificate referred to in subregulation (1) must be in such form, and contain such particulars, as the Council may determine.

(3) A medical technology intern may not be registered as a medical technologist unless he or she has submitted the certificate referred to in subregulation (1) to the Council.

PART IV

REGISTRATION OF SPECIALITIES AND ADDITIONAL QUALIFICATIONS

Registrable specialities

9. The following specialities may be registered under section 32 of the Act, subject to compliance with the requirements of the Act and of these regulations:

Speciality	Designation
Doctorate of Technology in Bio-Medical Technology (D Tech)	Doctor in Bio-Medical Technology
Master of Technology in Bio Medical Technology	M Tech

Requirements for the registration of a speciality

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10. (1) A medical technologist who wishes to have a speciality entered into the register must submit to the registrar an application in accordance with subsections (2) and (3) of section 32 of the Act.

(2) An application referred to in subregulation (1) must be accompanied, in addition to the documents and particulars specified in section 32(3) of the Act, by documentary proof -

- (a) that the applicant obtained a qualification relating to a speciality in the form of a degree or of a diploma from an educational institution or from any other examining authority referred to in section 19(4) of the Act, and which is of a standard acceptable to the Council; and
- (b) that a period of not less than five years has elapsed from the date upon which the applicant obtained a qualification prescribed under section 19(1) of the Act or referred to in section 22(1)(a) of the Act, in the calculation of which period the service as a medical technology intern must be included.

Registrable additional qualifications

11. The following qualifications may be registered as additional qualifications under section 32 of the Act, subject to compliance with the requirements of the Act and of these regulations:

Qualification	Abbreviation
National Higher Diploma in Medical Technology	NHD
Med Tech Bachelor of Technology in Bio Medical Technology	B Tech

Requirements for registration of an additional qualification

12. (1) A medical technologist who wishes to have an additional qualification entered into the register must submit to the registrar an application in accordance with subsections (2) and (3) of section 32 of the Act.

(2) An application referred to in subregulation (1) must be accompanied, in addition to the documents and particulars specified in section 32(3) of the Act, by documentary proof that the applicant obtained the additional qualification from an educational institution, or from any other examining authority, referred to in section 19(4) of the Act, and which qualification is of a standard acceptable to the Council.

PART V
REGISTERS AND RESTORATION OF NAME TO REGISTER

Register of medical technologists

13. The register of medical technologists established and kept in accordance with subsection (2) of section 24 of the Act, must contain, in addition to the particulars specified by subsection (3) of that section, particulars of the specialities and additional qualifications entered against the name of the medical technologist concerned in accordance with section 32(4) of the Act, including any change in any of the particulars recorded in the register.

Register of medical technology interns

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14. The register of medical technology interns established and kept in accordance with subsection (2)(c) of section 24 of the Act, must contain, in addition to the particulars specified by subsection (3) of that section, particulars of the approved facility where the medical technology intern is completing his or her internship, and the date upon which such internship commenced and is to be completed, including any change in any of the particulars recorded in the register.

Restoration of name to register

15. (1) Any person whose name has been removed from a register in accordance with section 25 of the Act and who wishes to have his or her name restored to such register in accordance with section 26 of the Act, must apply to the Council for such restoration in accordance with section 26(1) of the Act.

(2) An application referred to in subregulation (1) must comply with subregulation (3) and section 26(2) of the Act.

(3) The following documents must accompany an application referred to in subregulation (1):

- (a) the original registration certificate issued under section 21(4)(b) of the Act, or if for any reason the original certificate cannot be submitted, proof to the satisfaction of the Council that the applicant was so registered; and
- (b) a declaration by two medical technologists confirming the identity and good character of the applicant in such form as the Council may determine.

PART VI
GENERAL

Language of forms and documents

16. (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 sworn translation of the form or document in English, which translation must be acceptable to the Council.

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ANNEXURE

**CRITERIA PERTAINING TO THE 12 MONTH PERIOD MEDICAL TECHNOLOGY
INTERNSHIP TRAINING PROGRAMME**
(Regulation 6(14))

The training of a medical technology intern during the 12 month medical technology internship period must take place at an approved facility in any one of the following main categories of medical technology:

- (a) Haematology;
- (b) Chemical Pathology;
- (c) Microbiology;
- (d) Blood Transfusion;
- (e) Clinical Pathology;
- (f) Cytogenetics;
- (g) Cytotechnology;
- (h) Forensic Pathology;
- (i) Histopathological Techniques;
- (j) Immunology;
- (k) Pharmacology; or
- (l) Virology.