



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Allied Health Professions Act 7 of 2004
section 59

**Regulations relating to Minimum Requirements of Study
for Registration and Registration of Clinical Officer and
Clinical Officer Interns**

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PART 1
PRELIMINARY

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 -

“approved facility” means a hospital or health facility as defined in section 1 of the Hospitals and Health Facilities Act, 1994 (Act No. 36 of 1994), approved by the Council for the purpose of training clinical officer interns, and “facility” has a corresponding meaning;

“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);

“clinical officer intern” means a person registered as a clinical officer intern under these regulations;

“registration authority” means the registration authority of a country responsible for the registration of a person to practice as a clinical officer in that country; and

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

PART 2

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**MINIMUM QUALIFICATIONS REQUIRED FOR REGISTRATION AS
CLINICAL OFFICER**

Minimum qualifications required for registration as clinical officer

2. (1) Subject to compliance with the other requirements specified by or under the Act, the Council may register a person as a clinical officer if the person holds any of the qualifications specified in Annexure 1.

(2) The Council may register a person, as a clinical officer, who is not a holder of the qualification referred to in subregulation (1), if the person -

- (a) holds a diploma or bachelor's degree in clinical medicine obtained from an educational institution that complies with the provision of regulation 3; and
- (b) has received full time education, tuition and training in clinical medicine at the educational institution referred to in paragraph (a) for a minimum period of four years.

(3) A qualification referred to in subregulation (2)(a) must include education, tuition and training in the subjects of -

- (a) paediatrics;
- (b) obstetrics and gynaecology;
- (c) internal medicine;
- (d) general surgery;
- (e) community medicine;
- (f) ophthalmology;
- (g) pharmacology;
- (h) pathology;
- (i) epidemiology;
- (j) health management;
- (k) microbiology and biochemistry;
- (l) anatomy and physiology;
- (m) ear, nose and throat;
- (n) anaesthesiology;
- (o) dermatology;

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- (p) dental surgery;
- (q) radiology and imaging;
- (r) environmental health;
- (s) immunology; and
- (t) parasitology,

to the satisfaction of the Council.

Recognition of qualification by Council

3. For the purpose of registering a person as a clinical officer under regulation 2(2), the Council may recognise a diploma or bachelor's degree referred to in paragraph (a) of that regulation if the -

- (a) educational institution at which the person obtained the diploma or bachelor's degree is approved by the Council;
- (b) registration authority responsible for the registration of persons to practice as clinical officers in that country in which the person obtained the diploma or bachelor's degree, recognises the diploma or bachelor's degree for registration of persons as a clinical officers in that country; and
- (c) person complies with other requirements for registration as a clinical officer required by or under the Act.

PART 3
REGISTRATION OF CLINICAL OFFICERS

Application for registration as clinical officer

4. (1) An application for the registration of a person as a clinical officer in terms of section 19 of the Act must, in addition to the documents and particulars specified by subsection (2) of that section, be accompanied by -

- (a) a certified copy of the identity document or passport of the applicant;
- (b) a certificate issued by the Council in the form that the Council may determine, certifying that the applicant has passed the evaluation referred to in section 20(3) of the Act, if applicable; and
- (c) the original certificate of registration to practice as a clinical officer issued by the registration authority of a country in which the applicant has obtained the qualification referred to in section 19(2)(a) of the Act.

(2) If the applicant is not registered with the registration authority referred to in subregulation (1)(c), the applicant must, together with his or her application for registration as a clinical officer, submit to the registrar -

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- (a) a certificate issued by that registration authority certifying that the qualification which the applicant holds entitles him or her to be registered as a clinical officer in that country; or
 - (b) a certificate issued by that registration authority confirming that the applicant has been registered in that country and his or her name has been removed from the register and specifying the grounds for the removal.
- (3) If the applicant is registered in any other country other than the country referred to in subregulation (1)(c), the application for registration as a clinical officer must be accompanied by an -
- (a) original certificate of registration to practice as a clinical officer issued by the registration authority of the country where the applicant lastly practiced as a clinical officer; and
 - (b) original qualification or a certified copy of the qualification referred to in subregulation (1)(c).
- (4) The Council may require the applicant to furnish proof of proficiency in the English language in a manner determined by the Council.

Additional education, tuition and training

5. (1) The Council must determine, when registering a person conditionally as a clinical officer under section 21(2)(a) of the Act, the additional education, tuition or training that the person so conditionally registered must undertake in order for him or her to qualify for registration as a clinical officer under the Act.

(2) Particulars of the additional education, tuition or training referred to in subregulation must be endorsed by the Council on the certificate of conditional registration issued by the Council under section 21(2)(b) of the Act.

PART 4
CLINICAL OFFICER INTERNS

Application for registration as clinical officer intern

6. (1) A person who holds a minimum qualification required for registration as a clinical officer must complete an internship as a clinical officer intern before the person is registered as a clinical officer.

- (2) An application for registration as a clinical officer intern must be -
 - (a) made in the form determined by the Council; and
 - (b) submitted to the registrar.
- (3) An application referred to in subregulation (2) must be accompanied by -
 - (a) an original qualification or a certified copy of the qualification referred to in subregulation (1) as proof that the applicant holds a minimum qualification required for registration as clinical officer;

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- (b) a certificate of good standing, if the applicant is or has been previously registered as a clinical officer or as a clinical officer intern in a country other than Namibia, from the registration authority with which the applicant is or has been registered which certificate is issued not more than 120 days before the date of the submission of the application for registration as a clinical officer intern;
- (c) a certified copy of the identity document or passport of the applicant; and
- (d) a certified copy of the agreement of internship training entered into by and between the applicant and an approved facility under regulation 8(3)(b).

(4) If the applicant making an application under subregulation (2) is not registered with any registration authority, the applicant must, together with his or her application for registration as clinical officer intern, submit a certificate issued by the registration authority of the country in which the person obtained the qualification referred to in subregulation (1) -

- (a) certifying that the qualification which the applicant holds entitles him or her to be registered as a clinical officer in that country; or
- (b) confirming that the applicant has been registered in that country and his or her name has been removed from the register of that registration authority and specifying the grounds for the removal.

The Council may require the applicant to furnish proof of proficiency in the English language in a manner determined by the Council.

Consideration of application by Council

7. (1) The Registrar must submit the application for registration as a clinical officer intern, submitted under regulation 6(2), to the Council for its decision.

(2) The Council, after having considered the application for registration as a clinical officer intern may -

- (a) grant the application if the Council is satisfied that the applicant -
 - (i) meets the requirements relating to the registration as a clinical officer intern;
 - (ii) has complied with the provisions of the Act; and
 - (iii) is proficient in the English language;
 - (b) refuse the application if the Council is satisfied that the applicant does not meet the requirements referred to in paragraph (a).
- (3) The Council must -
- (a) inform the applicant in writing of the decision the Council made under subregulation (2);

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- (b) if the application for registration as a clinical officer intern is granted, issue to the applicant a certificate of registration, as a clinical officer intern, in the form that the Council determines and enter the name of the applicant into the register;
- (c) if the application for registration as clinical officer intern is refused, inform the applicant in writing of the refusal and the grounds for the refusal as soon as practicable to do so.

(8) Despite regulation 6(1), the Council may exempt, on the conditions that it may determine, a person from being registered as a clinical officer intern or may reduce the period of internship referred to in regulation 9(1) by the period that the Council determines if the person submits documentary proof to the satisfaction of the Council that he or she has -

- (a) completed a practical training substantially equivalent to the training referred to in regulation 8(1) at a training facility in a country other than Namibia and in accordance with the laws of that country relating to clinical officers or to clinical officer interns; or
- (b) practiced as a clinical officer in a country other than Namibia and in accordance with the laws of that country for the period of time and under the circumstances as may afford him or her experience and training substantially equivalent to the internship training referred to in regulation 8(1).

Internship

8. (1) During the period of internship referred to in regulation 8, a clinical officer intern must successfully complete the practical internship training to the satisfaction of the Council in the domains specified in Annexure 2.

(2) A clinical officer intern must complete his or her internship training at an approved facility.

(3) A person may not commence with his or her internship at an approved facility, unless he or she -

- (a) is registered with the Council as a clinical officer intern in accordance with these regulations;
- (b) has entered into a written agreement of internship with the approved facility at which he or she must complete the internship;
- (c) has obtained from the Council a written approval of the agreement of internship entered into under paragraph (b);

(4) The agreement referred to in subregulation (2)(b) must be in the form and contain conditions and particulars determined by the Council.

(5) Unless the Council otherwise determines, on good cause shown, any period of internship completed by a clinical officer intern under an agreement of internship -

- (a) which is cancelled under regulation 9(5);

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(b) in respect of which the Council has withdrawn its approval under regulation 10(7);
or

(c) terminated in terms of regulation 11 (1)(b),

is null and void.

(6) A clinical officer intern is subjected to all the rules of professional conduct applicable to a clinical officer during his or her term of internship.

Period of internship

9. (1) A clinical officer intern must complete an internship training for a period of not less than 12 months.

(2) If the period of internship training referred to in subregulation (1) is interrupted at any time, the internship training must consist of periods which when added together are not less than 12 months in aggregate.

(3) Any leave including sick leave taken or any other absence from the approved facility or any other interruption in the internship training during the period of internship referred to in subregulation (1), must be added to the period of internship to ensure that a clinical officer intern completes not less than of 12 months of internship training.

(4) If there is any interruption in the period of internship referred to in subregulation (1), the clinical officer intern must complete the internship within a period of 24 months from the date of the first registration as a clinical officer intern.

(5) If a clinical officer intern fails to comply with subregulation (4), his or her registration as a clinical officer intern is considered to have been cancelled from the date on which the period of 24 months referred to in that subregulation is exceeded.

(6) Despite subregulation (5), the Council may extend in writing, on good cause shown, the period of 24 months referred to in subregulation (4) within which a clinical officer intern must complete his **or her internship**.

Approved facilities

10. (1) The Council must approve a facility where a clinical officer intern undergoes internship training in accordance with these regulations.

(2) An application for the approval of a facility under subregulation (1) must be submitted to the registrar and must be -

(a) in the form and manner;

(b) accompanied by the documents and particulars; and

(c) accompanied by an application fee,

determined by the Council.

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(3) Before the Council approves a facility for the purposes of subregulation (1), the Council may conduct an inspection of the facility in accordance with section 55 of the Act.

(4) If the Council under subregulation (1) approves a facility for the purposes of training clinical officer interns, the Council must in the name of that facility issue a certificate of approval in the form, and specifying the particulars, determined by the Council.

(5) An approval granted under subregulation (1) is subject to the conditions and is valid for the period of time that the Council determines and specifies in the certificate of approval issued under subregulation (4).

(6) When approving a facility for the purpose of training clinical officer interns under subregulation (1), the Council may, in writing, specify that the clinical officer intern must undertake a specified portion of the training at that approved facility and the remainder of the training must be undertaken at another approved facility specified by the Council.

(7) If Council at any time during the period of internship considers any training provided by an approved facility to be inadequate or unsatisfactory for any reason, the Council may withdraw its approval of the written agreement of internship referred to in regulation 8(3)(c) by means of a written notice to the approved facility and the clinical officer intern after having afforded them an opportunity to be heard.

Notification to Council

11. (1) A clinical officer intern must, in writing, notify the Council -

- (a) as soon as he or she commences internship and furnish the Council with the name and business address, including the telephone number and the other particulars that the Council may require, of the approved facility where he or she has commenced with internship training;
- (b) if he or she terminates his or her internship training with the approved facility referred to in paragraph (a) within 30 days from the date of termination;
- (c) if he or she intends to terminate his or her internship training with the approved facility referred to in paragraph (a) and to commence internship with any other approved facility at least 30 days before the date of the intended termination.

(2) If the clinical officer intern terminates his or her internship training under subregulation (1)(b) or (c) and intends to commence an internship with another approved facility the clinical officer intern must, in the form determined by the Council, apply to the Council for approval of the new agreement of internship between himself or herself and that approved facility.

(3) If any personal details or other particulars of a clinical officer intern change, the clinical officer intern must give written notice to the Council of that change and submit documentary proof of that change, to the satisfaction of the Council, within 30 days after the occurrence of that change.

Completion of internship

12. (1) On the completion of the internship undertaken by a clinical officer intern in accordance with these regulations, the approved facility must issue to the clinical officer

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intern a certificate of the completion in the form, and containing the particulars, determined by the Council.

(2) The clinical officer intern must, after having received the certificate referred to in subregulation (1), submit the certificate to the Council as proof that he or she has completed the internship training.

(3) The Council may not register a person as a clinical officer unless he or she has submitted to the Council the certificate issued under subregulation (1).

PART 5
REGISTERS AND RESTORATION OF NAME TO REGISTER

Register of clinical officers

13. The register of clinical officers established and kept in accordance with subsection (2) of section 23 of the Act must, in addition to the particulars specified by subsection (3) of that section, contain particulars of the additional qualifications entered against the name of the clinical officer in accordance with section 31(4) of the Act, including any change in any of the particulars recorded in the register.

Register of clinical officer interns

14. The register of clinical officer interns established and kept in accordance with subsection (2)(c) of section 23 of the Act must, in addition to the particulars specified by subsection of that section, contain -

- (a) particulars of the approved facility where the clinical officer intern is completing his or her internship;
- (b) the date on which the clinical officer intern commenced with his or her internship;
- (c) the date on which the internship is completed; and
- (d) any change in any of the particulars recorded in the register.

Restoration of name to register

15. An application in terms of section 25(1) of the Act for the restoration of the name of a person to a register must in addition to the documents and particulars specified by subsection (2) of that section, be accompanied by -

- (a) a certified copy of the identity document or passport of the applicant; and
- (b) the original registration certificate issued to the applicant under section 20(4)(b) of the Act or a certified copy of the certificate.

PART 6 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 in the English language.

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(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 that form or document into the English language.

ANNEXURE 1
(Regulation 2(1))

Qualification	Educational Institution	Country
Bachelor of Clinical Medicine	Egerton University	Republic of Kenya
Bachelor of Clinical Medicine and Community Health	Kampala International University	Republic of Tanzania
Diploma in Clinical Medicine (Clinical Officer)	City University College of Science and Technology	Republic of Zambia

ANNEXURE 2
(Regulation 8(1))

The following are the domains of internship training for clinical officer interns:

- (a) medicine;
- (b) surgery;
- (c) paediatrics;
- (d) obstetrics and gynaecology;
- (e) casualty;
- (d) practice management; and
- (g) Ethics and Jurisprudence in Clinical Health.