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Government Notice

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 92 2017

REGULATIONS RELATING TO MINIMUM REQUIREMENTS OF STUDY, REGISTRATION AND SCOPE OF PRACTICE OF ARTS THERAPIST: ALLIED HEALTH PROFESSIONS ACT, 2004

In terms of section 56 of the Allied Health Professions Act, 2004 (Act No. 7 of 2004), read with section 19(5) of that Act, and on the recommendation of the Allied Health Professions Council of Namibia, I have made the regulations set out in the Schedule.

B. HAUFIKU
MINISTER OF HEALTH AND SOCIAL SERVICES

Windhoek, 26 March 2017

SCHEDULE

Definitions

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

“applicant” means a person making an application in accordance with these regulations;

“arts therapy” includes art therapy, music therapy, dance movement therapy and drama therapy;

“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);

“registration authority” means the registration authority of a country responsible for the registration of a person to practice as an arts therapist in that country; and

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

Minimum qualifications required for registration as arts therapist

2. (1) The minimum qualification, required by the Council for the registration of a person as an arts therapist in terms of section 17(1) of the Act, is an Honours Bachelors Degree of Arts with a Masters in one of the following fields -

- (a) art therapy;
- (b) music therapy;
- (c) dance movement therapy; or
- (d) drama therapy,

obtained at an educational institution after the successful completion of full-time study for a period of not less than six years, at that educational institution.

Recognition of qualification by Council

3. The Council may recognise, for the purpose of the registration of a person as an arts therapist, a qualification prescribed by regulation 2(1), if the -

- (a) educational institution at which that person obtained that qualification is recognised by the Council for that purpose;
- (b) curriculum prescribed by the educational institution to obtain a qualification is recognised by the Council;
- (c) responsible registration authority of the country, where the qualification is obtained, confirms in writing that such qualified art therapist may practise as an arts therapist in that country; and
- (d) applicant complies with the other requirements for registration as an arts therapist prescribed by or under the Act.

Application for registration as arts therapist and submitting of particulars

4. (1) An application for the registration of a person as an arts therapist must be made in accordance with section 20 of the Act.

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

- (a) a certified copy of the identity document or passport of the applicant; and

- (b) the original certificate of registration to practise as an arts therapist in the country where the applicant obtained the qualification.
- (3) If the applicant is not registered with the registration authority referred to in that sub-regulation, the applicant must submit -
 - (a) a certificate, issued by that registration authority, certifying that the qualification which the applicant holds entitles the applicant to be registered as an arts therapist in that country; or
 - (b) if the applicant had been so registered previously, a certificate issued by that registration authority, confirming that the applicant has been registered in that country and the applicant's name has been removed from the register of the registration authority and specifying the grounds for the removal.
- (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 the Council with proof of the applicant's proficiency in English, in a manner as the Council may determine.

Additional examinations

5. (1) An additional examination referred to in section 22(1)(b)(ii) of the Act, in respect of a person referred to in that section, must consist of written, oral or practical examinations as the Council may determine.

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

Additional education, tuition and training

6. (1) If the Council registers a person conditionally as arts therapist under section 22(2)(a) of the Act, the Council may determine the additional education, tuition or training that the person so conditionally registered must undertake in order to qualify for registration as an arts therapist under the Act.

(2) The particulars of the additional education, tuition or training, referred to in sub regulation (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.

Registrable specialty or additional qualifications

7. A specialty or additional qualification may be deemed as registerable, by resolution of the Council, to be of a standard of professional education equivalent to the qualification prescribed in terms of section 32(5).

Requirements for registration of specialty or as additional qualification

8. An application in terms of section 32 of the Act for registration a specialty or as an additional qualification must be accompanied by in addition to the documents and particulars specified in subsection (3) of that section by a certified copy of the identity document or valid passport of the applicant.

Recognition of specialities or additional qualifications obtained in and outside Namibia

9. The Council may recognise, for the purpose of the registration or listing thereof, whichever may be applicable, specialities or additional qualifications obtained in and outside Namibia, if -

- (a) the educational institution at which that person obtained that speciality or additional qualification, must be adequate and satisfactory in the opinion of the Council;
- (b) the registration authority responsible for the registration of a person to practice as a practice as an arts therapist in the country in which that person obtained the qualification, recognizes that specialty, or additional qualification, for registration, whichever may be applicable; and
- (c) that specialty or additional qualification, obtained in and outside Namibia, complies with the other requirements determined by the Council.

Register of arts therapist

10. The register of an arts therapist established and kept in terms of subsection (2) of section 24 of the Act, must contain, in addition to the particulars specified by subsection (3) of that section -

- (a) particulars of the additional qualifications registered against the name of the arts therapist; and
- (b) any change in any of the particulars recorded in the register.

Restoration of name to register

11. An application in terms of section 26(1) of the Act for the restoration of a person to a register must be accompanied, in addition to the documents and particulars specified in subsection (2) of that section, by-

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

Language of forms and documents

12. (1) Subject to subregulation (2) any document required to be submitted to the Council or the Registrar in terms of the regulations must be in the English language.

(2) Any document that is not in the English language must be accompanied by a sworn translation of it in English.

Scope of practice of arts therapy

13. The following acts are regarded to be acts specially pertaining to the practising scope of practice by an arts therapist -

- (a) identifying and solving problems by using critical and creative thinking;
- (b) working effectively with others as co-therapists, as a member of a team or group, within an organisation or institution, or community;

- (c) organising and managing activities responsibly and effectively;
 - (d) collecting, analysing, organising and critically evaluating information;
 - (e) communicating effectively in the modes of oral or written persuasion;
 - (f) using professional relating skills, showing responsibility towards the environment and health of others;
 - (g) demonstrating and understanding of the world as a set of related systems by recognising that problem solving contexts do not exist in isolation;
 - (h) contributing to the full personal development of each learner and the social and economic development of society at large by making it the underlying intention of any programme of learning to make an individual aware of the importance of -
 - (i) reflecting on and exploring a variety of strategies to learn more effectively;
 - (ii) participating as responsible citizens in the lives of local, national and global communities;
 - (iii) being culturally and aesthetically sensitive across a range of social contexts;
 - (iv) exploring education and career opportunities; and
 - (v) developing entrepreneurial opportunities.
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