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Government Notice

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 172

2014

REGULATIONS RELATING TO MINIMUM REQUIREMENTS OF STUDY FOR REGISTRATION AND REGISTRATION AS OSTEOPATH: ALLIED HEALTH PROFESSIONS ACT, 2004

Under section 55 of the Allied Health Professions Act, 2004 (Act No. 7 of 2004), I have, on the recommendation of the Allied Health Professions Council of Namibia, made the regulations set out in the Schedule.

R. N. KAMWI

MINISTER OF HEALTH AND SOCIAL SERVICES

Windhoek, 8 September 2014

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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 -

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

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

“approved facility” means any private practice, hospital, clinic or other 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 purposes of training osteopathy 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);

“osteopathy intern” means a person registered as an osteopathy intern under these regulations;

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

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

PART 2

MINIMUM REQUIREMENTS OF STUDY FOR REGISTRATION AS OSTEOPATH

Minimum qualifications required for registration as osteopath

2. (1) Subject to compliance with the other requirements required by or under the Act and subregulation (2), the Council may register a person as an osteopath if the person holds any of the following qualifications -

- (a) a masters degree in osteopathy or osteopathic medicine; or
- (b) a bachelors degree in osteopathy or osteopathic medicine,

obtained from an educational institution or other examining authority approved by the Council under subregulation (2)(a), after receiving full time study for a minimum period of four years.

(2) The Council may register a person referred to in subregulation (1) as an osteopath if -

- (a) the educational institution or other examining authority at which the person obtained the qualification referred to in that subregulation is approved by the Council; and
- (b) the registration authority responsible for the registration of persons to practice as osteopath in the country in which the person obtained the qualification referred to in that subregulation recognises that qualification for the registration of a person to practise as an osteopath in that country.

PART 3

REGISTRATION OF OSTEOPATHS AND ADDITIONAL EDUCATION, TUITION AND TRAINING

Application for registration as osteopath

3. (1) An application for registration as an osteopath in terms of section 20(1) of the Act must, in addition to the documents and particulars specified in 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 a form determined by the Council, certifying that the applicant has passed the evaluation referred to in section 21(3) of the Act, if applicable; and
- (c) an original certificate of registration to practise as an osteopath issued by the registration authority of a country in which the applicant has obtained the qualification referred to in subsection (2)(a) of that section.

(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 an osteopath, submit -

- (a) a certificate issued by that registration authority certifying that the qualification which the applicant holds entitles him or her to be registered as an osteopath 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 of that registering authority and specifying the grounds for the removal.

(3) If the applicant is registered in any country other than the country referred to in subregulation (1)(c), the application for registration as an osteopath must be accompanied by the -

- (a) original certificate of registration to practice as an osteopath issued by the registration authority of the country where the applicant lastly practiced as an osteopath; and
- (b) original qualification or a certified copy of the qualification referred to in section 20(2)(a).

(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

4. (1) The Council must determine the additional education, tuition or training that the person conditionally registered under section 22(2)(a) must undertake in order for him or her to qualify for registration as an osteopath.

(2) Particulars of the additional education, tuition or training referred to in subregulation (1) must be endorsed by the Council on the certificate of conditional registration issued by the Council under section 22(2)(b) of the Act.

PART 4 OSTEOPATHY INTERNS

Application for registration as osteopathy intern

5. (1) A person who holds a minimum qualification required for registration as an osteopath must complete an internship training as an osteopathy intern before the person is registered as osteopath.

(2) An application for registration as an osteopathy 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) a 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 an osteopath;

- (b) if the applicant has been registered or is registered in a country other than Namibia as an osteopath or as an osteopathy intern, a certificate of good standing issued by the registration authority of a country in which the applicant has been so registered, which certificate is issued not more than 120 days before the date of the submission of the application for registration as an osteopathy intern;
 - (c) a certified copy of the identity document or passport of the applicant;
 - (d) the additional documents and information that the Council may require; and
 - (e) a certified copy of the agreement of internship training entered into by and between the applicant and the approved facility under regulation 8(2)(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 an osteopathy intern, submit -
- (a) a certificate issued by the registration authority of the country in which the person obtain the qualification referred to in subregulation (1) certifying that the qualification which the applicant holds entitles him or her to be registered as an osteopath in that country; or
 - (b) a certificate issued by the registration authority of the country in which the person obtain the qualification referred to in subregulation (1) confirming that the applicant has been registered in that country and his or her name has been removed from the register of the registration authority and specify the grounds for the removal.
- (5) 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

- 6.** (1) The registrar must submit the application for registration as an osteopathy intern, submitted under regulation 5(2), to the Council for its decision.
- (2) The Council, after having considered the application referred to in subregulation (1), may -
- (a) grant the application if the Council is satisfied that the applicant -
 - (i) meets all the requirements required for the registration as an osteopathy 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 -
 - (i) does not meet the requirements required for the registration as an osteopathy intern;
 - (ii) has not complied with the provisions of the Act; or
 - (iii) is not proficient in the English language.

- (3) The Council must -
- (a) inform the applicant in writing of the decision of the Council made under subregulation (2);
 - (b) if the application for registration as an osteopathy intern is granted, issue to the applicant a certificate of registration as an osteopathy intern in the form that the Council determine and enter the name of the applicant into the register;
 - (c) inform the applicant in writing if the application for registration as an osteopathy intern is refused and grounds for the refusal as soon as it is practicable to do so.

(4) Despite regulation 5(1), the Council may exempt a person from being registered as an osteopathy intern or may reduce the period of internship referred to in regulation 7(1) by the period that the Council determines if the person submit 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(4) at a training facility in a country other than Namibia and in accordance with the laws of that country relating to osteopaths or osteopathy interns; or
- (b) practised as an osteopath in a country other than Namibia in accordance with the laws of that country for the period of time and under the circumstances as may afford him or her an experience and training substantially equivalent to the internship training referred to in regulation 8(4).

Period of internship

7. (1) An osteopathy intern must complete an internship training for a period of not less than 12 months.

(2) If the 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, 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 an osteopathy intern completes not less than 12 months of internship.

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

(5) Subject to subregulation (6), if an osteopathy intern fails to comply with subregulation (4), his or her registration as an osteopathy intern is considered to have been cancelled from the date on which the period of 24 months referred to in subregulation (4) is exceeded.

(6) The Council may extend in writing, on good cause shown, the period of 24 months referred to in subregulation (4) within which an osteopathy intern must complete his or her internship.

Internship

8. (1) An osteopathy intern must complete his or her internship training at an approved facility.

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

- (a) is register with the Council as an osteopathy intern in accordance with these regulations;
- (b) has enter into a written agreement of internship with the approved facility at which he or she must complete the internship; and
- (c) has obtain from the Council a written approval of the agreement of internship entered into under paragraph (b).

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

(4) During the period of internship referred to in regulation 7, an osteopathy intern must successfully complete the practical training to the satisfaction of the Council in the domain of osteopathy specified in the Annexure to the degree and extent determined by the Council.

(5) When approving a facility for the training of an osteopathy intern under regulation 9, the Council may, in writing, specify that the osteopathy 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.

(6) If the Council at any time during the period of internship considers any training provided by an approved facility to be inadequate or unsatisfactory the Council may withdraw its approval of the written agreement of internship referred to in subregulation (2)(c) by means of a written notice to the approved facility and the osteopathy intern after having afforded them an opportunity to be heard.

(7) Unless if the Council otherwise determines, on good cause shown, any period of internship completed by an osteopathy intern under an agreement of internship cancelled under regulation 7(5) or in respect of which the Council has withdrawn its approval under subregulation (6) or terminated in terms of regulation 10, is null and void.

(8) An osteopathy intern is subject to all the rules of professional conduct applicable to an osteopath during his or her term of internship.

Approved facilities

9. (1) The Council must approve a facility where an osteopathy 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 be -

- (a) made in the form and manner; and
- (b) accompanied by the documents and particulars,

determined by the Council.

(3) Before the Council approves a facility for the purpose of subregulation (1), the Council may conduct an inspection of the facility in accordance with section 51 of the Act.

(4) If the Council, under subregulation (1), approves a facility as an approved facility for the purposes of the training of an osteopathy intern, 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 under subregulation (1) is subject to the conditions and is valid for the period of time that the Council may determine and specify in the certificate of approval issued under subregulation (4).

Commencement or termination of internship or change of name

10. (1) An osteopathy intern must in writing -

- (a) notify the Council as soon as he or she commences with an internship;
- (b) 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;
- (c) notify the Council if he or she has terminated his or her internship with the approved facility referred to in paragraph (a), within 30 days from the date of termination;
- (d) notify the Council if he or she intends to terminate his or her internship training with the approved facility referred to in paragraph (a) and to commence the internship with any other approved facility, at least 30 days before the date of the intended termination.

(2) If the osteopathy intern terminates his or her internship training under subregulation (1) and wishes to commence the internship with another approved facility, the osteopathy 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 an osteopathy intern change the osteopathy must give written notice to the Council of that change and submit documentary proof to the Council within 30 days from the date of the change.

Completion of internship

11. (1) On the completion of the internship undertaken by an osteopathy intern in accordance with these regulations, the approved facility must issue to an osteopathy intern a certificate of completion in the form and containing the particulars determine by the Council.

(2) Osteopathy 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 an osteopath unless he or she has submitted to the Council the certificate issued under subregulation (1).

PART 5 ADDITIONAL QUALIFICATIONS

Additional qualifications and requirements for registration of additional qualifications

12. (1) For the purposes of section 32(1)(a) of the Act, a Diploma in Clinical Nutrition from the International Academy of Nutrition, Sydney, Australia may be registered as an additional qualification by the person registered as osteopath.

(2) An application to have an additional qualification registered under subsection (2) of section 32 of the Act must be accompanied, in addition to the documents and particulars specified in subsection (3) of that section, by -

- (a) a certified copy of the identity document or passport of the applicant; and
- (b) documentary proof that the registration authority of the country in which the applicant obtained the additional qualification, recognises that qualification as a qualification that may be registered as an additional qualification by an osteopath registered in that country.

PART 6

REGISTERS AND RESTORATION OF NAMES TO REGISTERS

Register of osteopaths

13. The register of osteopaths established and kept in accordance with subsection (2) of section 24 of the Act must, in addition to the particulars specified by subsection (3) of that section, contain particulars of the additional qualification entered against the name of osteopath in accordance with section 32(4) of the Act and any change in any of the particulars recorded in the register.

Register of osteopathy interns

14. The register of osteopathy interns established and kept in accordance with subsection (2)(c) of section 24 of the Act must, in addition to the particulars specified by subsection (3) of that section, contain -

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

Restoration of name to register

15. An application for the restoration of a name of an osteopath to a register under section 26 must, in addition to the documents and particulars specified in 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 21(4)(b) of the Act or a certified copy of that certificate.

PART 7 GENERAL

Language of forms and documents

16. (1) Any form or document required to be submitted to the Council or to the registrar under these regulations must, subject to subregulation (2), be 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 that form or document into the English language acceptable to the Council.

ANNEXURE
DOMAINS OF INTERNSHIP TRAINING
(Regulation 8(3))

The followings are the domains of internship training for osteopathy interns:

- (a) Clinical Diagnostic Competence;
 - (b) Principles of Natural Medicine;
 - (c) Practice Management;
 - (d) Integrated Patient Management;
 - (e) Ethics and Jurisprudence; and
 - (f) Treatment Plan and Application.
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