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Government Notices

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 104 2011

REGULATIONS RELATING TO THE SCOPE OF PRACTICE OF AN OPTOMETRIST: ALLIED HEALTH PROFESSIONS ACT, 2004

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

R.N. KAMWI
MINISTER OF HEALTH AND SOCIAL SERVICES

Windhoek, 22 June 2011

SCHEDULE**Definitions**

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

Scope of practice of an optometrist

2. (1) Optometry includes the examination of, and the ascertaining of the presence of defects and disorders in, the human eye and related structures, and the treatment of those defects and disorders.

(2) The acts especially pertaining to an optometrist in the conducting of his or her practice are -

(a) the examination of a patient's eyes with the purpose of detecting errors in the vision of that patient;

(b) the treatment of the errors in the vision of a patient detected through an examination in accordance with paragraph (a) by means of the -

(i) prescribing or provision of spectacle lenses, spectacle frames, prisms or therapeutic or refractive contact lenses, and visual aids or appliances;

(ii) fitting, adjustment and maintenance of spectacle-frames and lenses, contact lenses, visual aids and appliances; and

(iii) ascertaining of the perceptive, neural and muscular condition of the visual system;

(iv) prescribing or providing of visual therapy, therapeutic aids and other optical devices;

(v) screening of the visual system for pathological conditions, and the referral of the patient to an appropriate medical practitioner for the treatment of those conditions not treatable within the scope of practice of an optometrist;

(vi) use of scheduled substances, subject to subregulation (3), for diagnostic and therapeutic purposes, in accordance with the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003); and

(vii) use of diagnostic instruments or devices for the examination or analysis of the human visual system,

in order to provide the patient with clear, comfortable and efficient vision; and

(c) the fitting of prosthetic eyes.

(3) The pharmaceutical treatment referred to in subregulation (2)(b)(vi) must be limited to the eyelids, conjunctiva and superficial cornea.

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 105

2011

**REGULATIONS RELATING TO THE SCOPE OF PRACTICE OF A
DISPENSING OPTICIAN: ALLIED HEALTH PROFESSIONS ACT, 2004**

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

R.N. KAMWI
MINISTER OF HEALTH AND SOCIAL SERVICES

Windhoek, 22 June 2011

SCHEDULE**Definitions**

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

Scope of practice of a dispensing optician

2. (1) The acts especially pertaining to a dispensing optician in the conducting of his or her practice, are -

- (a) the provision, directly to the public, of spectacles, spectacle frames and spectacle lenses designed or intended to correct errors of refraction in the human eye;
- (b) the performance of facial measurements for the purpose of the adjustment of spectacle frames;
- (c) the repair or replacement of spectacles, spectacle frames and spectacle lenses; and
- (d) the sale and fitting of optical appliances, excluding, subject to subregulation (2), the sale and fitting of piano contact lenses,

on the prescription of a registered ophthalmologist or optometrist.

(2) Notwithstanding paragraph (d) of subregulation (1), a dispensing optician who is the holder of the prescribed additional qualification, Advanced Contact Lens Diploma, may sell and fit, on the prescription of a registered ophthalmologist or optometrist, plano contact lenses.

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 106

2011

**REGULATIONS RELATING TO THE MINIMUM REQUIREMENTS OF STUDY FOR
REGISTRATION AS AN ORTHOPTIST: ALLIED HEALTH PROFESSIONS ACT, 2004**

Under section 55 of the Allied Health Professions Act, 2004 (Act No. 7 of 2004), read with section 19(1) 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.

R.N. KAMWI
MINISTER OF HEALTH AND SOCIAL SERVICES

Windhoek, 22 June 2011

SCHEDULE

Definitions

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

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

Minimum qualifications required for registration as an orthoptist

2. (1) Subject to compliance with the other requirements prescribed by or under the Act, a person who is the holder of any of the following qualifications may be registered by the Council as an orthoptist:

Educational Institution and Country	Qualification
La Trobe University Melbourne Australia	Baccalaureus in Orthoptics
University of Sydney Sydney Australia	Baccalaureus in Orthoptics
University of Liverpool Liverpool United Kingdom	Baccalaureus in Orthoptics
University of Sheffield Sheffield United Kingdom	Baccalaureus in Orthoptics
Orthoptic and Pleoptic School St Gallen East Switzerland	Diploma in Orthoptics

(2) A person who is not the holder of a qualification prescribed by subregulation (1), but is the holder of a Baccalaureus Degree in Orthoptics, obtained at an educational institution after the full time study for a period of not less than two years, or the part time study for period of not less than four years, may be registered, subject to subregulations (3) and (4) and to compliance with the other requirements prescribed by or under the Act, as an orthoptist.

(3) A qualification prescribed by subregulation (2) must include, to the satisfaction of the Council -

(a) education, tuition and training in the main subjects of -

(i) Human Bioscience;

(ii) Binocular Vision;

- (iii) Vision Science (Eye and Visual System);
 - (iv) Management of Refractive Errors;
 - (v) Anterior segment and ocular service;
 - (vi) Concomitant and Incomitant Strabismus;
 - (vii) Eye movement control and Dysfunction;
 - (viii) Neuro Orthoptics; and
 - (ix) Pathophysiology and Pathology; and
- (b) practical training in Orthoptics for a period of one year.
- (4) The Council may register a person referred to in subregulation (2) as an orthoptist if-
- (a) the educational institution at which he or she obtained the qualification is approved by the Council;
 - (b) the registration authority responsible for the registration of a person to practise as an orthoptist in the country in which that person obtained the qualification, recognises that qualification for the registration of a person to practise as an orthoptist in that country; and
 - (c) that person complies with the other requirements for registration as an orthoptist prescribed by or under the Act.

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 107

2011

**REGULATIONS RELATING TO THE REGISTRATION OF AN ORTHOPTIST AND
ADDITIONAL QUALIFICATIONS; THE ESTABLISHING AND MAINTAINING OF
REGISTERS OF ORTHOPTISTS; AND THE RESTORATION OF A NAME TO A REGISTER:
ALLIED HEALTH PROFESSIONS ACT, 2004**

Under section 55 of the Allied Health Professions Act, 2004 (Act No. 7 of 2004), read with sections 24, 26 and 32 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.

R.N. KAMWI
MINISTER OF HEALTH AND SOCIAL SERVICES

Windhoek, 22 June 2011

SCHEDULE

ARRANGEMENT OF REGULATIONS

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PRELIMINARY

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REGISTERS AND RESTORATION OF NAME TO REGISTER

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GENERAL

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PART I
PRELIMINARY

Definitions

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

“additional qualification” means an additional qualification referred to in section 32(1)(a) of the Act and prescribed by regulation 4;

“applicant” means any person who makes an application in accordance with these regulations;

“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 practise as an orthoptist in that country;

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

Application for registration as an orthoptist and submitting of particulars

2. (1) An application for the registration of a person as an orthoptist submitted to the registrar in accordance with subsection (1) of section 20 of the Act must be accompanied, in addition to the documents and particulars specified in subsection (2) of that section, by -

- (a) a certified photocopy 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 21(3) of the Act, if applicable; and

- (c) subject to subregulation (2), the original certificate of registration to practise as an orthoptist in the country where the applicant obtained the qualification referred to in paragraph (a) of that subsection, issued by the registration authority of that country.
- (2) If the applicant is not registered with the registration authority referred to in paragraph (c) of subregulation (1), he or she must submit to the registrar, together with his or her application for registration -
- (a) a certificate, issued by that registration authority, certifying that the qualification or qualifications of which the applicant is the holder, entitles him or her to registration as an orthoptist 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 that registration authority, confirming the previous registration and that his or her name has been removed from the register, including the grounds for the removal.
- (3) The Council may require the applicant to furnish, in the manner that the Council may determine, proof of the applicant's proficiency in the English language.

Additional education, tuition and training

3. (1) If the Council registers a person conditionally under section 22(2)(a) of the Act, the Council must determine whether the person so conditionally registered requires any additional education, tuition or training to qualify for registration as an orthoptist under the Act.

(2) Particulars of the additional education, tuition or training, as the case may be, referred to in subregulation (1) must be endorsed by the Council upon the certificate of conditional registration issued by the Council in the name of the person registered conditionally under section 22(2)(b) of the Act.

PART III REGISTRATION OF ADDITIONAL QUALIFICATIONS

Registrable additional qualifications

4. (1) A Master of Science Degree in Orthoptics obtained at an educational institution may be registered under section 32 of the Act, subject to subregulation (2), as an additional qualification.

(2) An additional qualification prescribed by subregulation (1) must only be registered by the Council if -

- (a) it has been obtained at an educational institution approved by the Council for that purpose, after receiving education, tuition and training at that educational institution for a period of not less than 3 years; and
- (b) the registration authority responsible for the registration of persons to practise as an orthoptists in the country in which that person obtained that qualification, recognises that qualification for registration as an additional qualification.

Application for registration of additional qualification and submitting of particulars

5. An application in accordance with subsection (2) of section 32 of the Act for the registration of an additional qualification 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 that additional qualification, recognises that qualification as a qualification that may be registered as an additional qualification by an orthoptist registered in that country.

PART IV
REGISTERS AND RESTORATION OF NAME TO REGISTER

Register of orthoptists

6. The register of orthoptists established and maintained 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 additional qualifications entered against the name of the orthoptist under subsection (4) of section 32 of the Act, including any change in any of the particulars recorded in the register.

Restoration of name to register

7. An application in accordance with section 26(1) of the Act for the restoration of the name 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 photocopy 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 thereof.

PART V
GENERAL

Language of forms and documents

8. (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.
