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CONTENTS

Page

GOVERNMENT NOTICE

No. 250	Regulations relating to the registration of nurses, midwives and accoucheur specialities and additional qualifications; the listing of subjects and courses; the maintaining of registers and the restoration of a name to a register: The Nursing Act, 2004	1
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Government Notice

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 250 2008

**REGULATIONS RELATING TO THE REGISTRATION OF NURSES, MIDWIVES
AND ACCOUCHEUR SPECIALITIES AND ADDITIONAL QUALIFICATIONS;
THE LISTING OF SUBJECTS AND COURSES; THE MAINTAINING
OF REGISTERS AND THE RESTORATION OF A NAME TO A REGISTER:
THE NURSING ACT, 2004**

Under section 59 of the Nursing Act, 2004 (Act No. 8 of 2004), read with sections 27 and 33 of that Act, and on the recommendation of the Nursing Council of Namibia, I have -

- (a) made the regulations set out in the Schedule; and
- (b) repealed Part II of Government Notice No. 11 of 28 January 1999.

**MINISTER OF HEALTH
AND SOCIAL SERVICES**

Windhoek, 1 October 2008

SCHEDULE

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

1. Definitions

PART II

REGISTRATION OF NURSES, OF MIDWIVES AND OF ACCOUCHEURS

2. Application for registration as a nurse or as a midwife or as an accoucheur
3. Additional education, tuition and training

PART III

REGISTRATION OF SPECIALITIES
AND ADDITIONAL QUALIFICATIONS

4. Registrable specialities
5. Application for registration of speciality and the submitting of particulars
6. Limitation on the practising of specialities
7. Examinations, fees and treatment of patients
8. Registrable additional qualifications
9. Requirements for registration of additional qualification
10. Subjects or courses that may be listed
11. Requirements for listing of subjects or courses

PART IV

REGISTERS AND RESTORATION OF NAME TO REGISTER

12. Register of nurses, midwives and accoucheurs
13. Restoration of name to register

PART V

GENERAL

14. Language of forms and documents

ANNEXURE A

ANNEXURE B

ANNEXURE C

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 33(1)(a) of the Act, awarded by and educational institution and prescribed by regulation 8;

“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);

“nurse, midwife and accoucheur” means any person registered under the Act as a nurse, as a midwife and as an accoucheur;

“speciality” means a speciality in nursing or midwifery referred to in section 33(1)(a) of the Act, awarded by an educational institution and prescribed by regulation 4;

“subjects or courses that may be listed” means a subject or a course prescribed by regulation 10; and

“the Act” means the Nursing Act, 2004 (Act No. 8 of 2004).

PART II REGISTRATION OF NURSES AND OF MIDWIVES

Application for registration as a nurse or as a midwife or as an accoucheur

2. (1) An application for the registration of a person as a nurse or as a midwife or as an accoucheur under section 19 of the Act must be accompanied, in addition to the documents, particulars and payments specified in subsection (2) of that section, by -

- (a) a certified copy of the identity document or valid passport of the applicant; and
- (b) if the qualification upon which the applicant relies for registration as a nurse or as a midwife or as an accoucheur is a qualification referred to in section 23(1)(a) of the Act, the original certificate of registration to practise as a nurse or as a midwife or as an accoucheur, as the case may be, in the country where the applicant obtained the qualification, issued by the relevant registration authority of that country.

(2) If the applicant referred to in paragraph (b) of subregulation (1) is not registered with the registration authority referred to in that paragraph, he or she must submit, 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 a nurse or as a midwife, as the case may be, in that country; or
- (b) if he or she had been so registered previously, a certificate issued by that registration authority, specifying the reasons why the applicant is not so registered any longer.

(3) The Council may require the applicant to furnish proof, in such manner as the Council may determine, of the applicant’s proficiency in the English language.

Additional education, tuition and training

3. (1) The Council must determine, when registering a person conditionally under section 23(2)(a) of the Act, the additional education, tuition or training, as the case may be, to be undertaken by the person so conditionally registered in order for him or her to qualify for registration as a nurse or as a midwife or as an accoucheur.

(2) Particulars of the additional education, tuition or training determined by the Council under subregulation (1), must be endorsed upon the certificate of conditional registration issued by the Council, under section 23(2)(b) of the Act, in the name of the person registered conditionally.

PART III
REGISTRATION OF SPECIALITIES
AND ADDITIONAL QUALIFICATIONS

Registrable specialities

4. (1) The qualifications specified in Annexure A are the specialities prescribed under section 33(1)(a) of the Act that may be registered, subject to compliance with the requirements of these regulations, against the name of a person registered as a nurse or as a midwife or as an accoucheur under the Act.

(2) The standard of the education, tuition and training provided by an educational institution relating to a speciality prescribed by subregulation (1) must be adequate and satisfactory, in the opinion of the Council.

Application for registration of speciality and submitting of particulars

5. An application by a nurse or a midwife or an accoucheur in terms of section 33 of the Act for the registration of a speciality must be accompanied, in addition to the documents, particulars and payments specified in subsection (3) of that section, by documentary proof that the applicant -

- (a) is registered to practise as a nurse or as a midwife or as an accoucheur in Namibia, or if he or she is not so registered, that he or she is the holder of a qualification prescribed under section 18(1) that entitles him or her to registration as a nurse or as a midwife or as an accoucheur;
- (b) had practised, subject to subregulation (2) as a nurse or as a midwife or as an accoucheur for a period of not less than five years before submitting his or her application to the Council; and
- (c) obtained the speciality qualification after the full-time study of a period of not less than three years at a training hospital or other training facility acceptable to the Council.

Limitation on practising of specialities

6. (1) A nurse or midwife or accoucheur registered as a specialist must limit the conducting of his or her practice to the registered speciality.

(2) A nurse or a midwife or an accoucheur may not practise more than one speciality at any point in time.

Examinations, fees and treatment of patients

7. (1) A nurse or midwife or accoucheur registered as a specialist nurse or midwife or accoucheur may charge fees for conducting examinations or procedures relating to his or her patients, which examinations or procedures pertain to any other speciality, only if such examination or procedures are recognised by the Council as generally accepted practice in the speciality for which the specialist nurse or midwife or accoucheur is registered.

(2) The fees chargeable for the conducting of examinations or procedures in accordance with subregulation (1) may not exceed the fees chargeable for corresponding examinations or procedures conducted by a specialist nurse or midwife or accoucheur practising such other speciality referred to in that subregulation.

(3) The examinations and procedures referred to in subregulation (1) and (2) must be conducted only for, or for the benefit of, the *bona fide* patients of the specialist nurse or midwife or accoucheur.

(4) A specialist nurse or midwife or accoucheur, as the case may be, must restrict his or her practice to the speciality registered in his or her name.

(5) A specialist nurse or midwife or accoucheur may treat any person who consults him or her directly, without a referral by any -

- (a) nurse or midwife or accoucheur not registered as a specialist;
- (b) specialist nurse or midwife or accoucheur;
- (c) dentist; or
- (d) medical practitioner.

(6) A specialist nurse or midwife or accoucheur who is consulted by a patient, or who treats a patient, must take all reasonable steps to ensure the co-operation of the medical practitioner who normally treats that patient.

Registrable additional qualifications

8. (1) The qualifications specified in Annexure B are the additional qualifications prescribed under section 33(1)(a) of the Act, which may be registered, subject to compliance with the requirements of these regulations, against the name of a person registered as a nurse or as a midwife or as an accoucheur under the Act.

(2) The standard of the education, tuition and training provided by an educational institution relating to an additional qualifications prescribed by subregulation (1) must be adequate and satisfactory, in the opinion of the Council.

Requirements for registration of an additional qualification

9. An application by a nurse or a midwife or accoucheur in accordance with section 33 of the Act, to have an additional qualification prescribed by regulation 10 registered against his or her name, must be accompanied, in addition to the documents, particulars and payments specified by subsection (3) of that section, by a certified copy of the identity document or valid passport of the applicant.

Subjects or courses that may be listed

10. (1) The subjects and courses specified in Annexure C are the subjects and courses prescribed under section 33(1)(b) of the Act, which may be registered, subject to compliance with the requirements of these regulations, against the name of a person registered as a nurse or as a midwife or as an accoucheur, as the case may be, under the Act.

(2) The standard of the education, tuition and training provided by an educational institution relating to a subject or course prescribed by subregulation (1) must be adequate and satisfactory, in the opinion of the Council.

Requirements for listing of subjects or courses

11. An application by a nurse or a midwife or an accoucheur in accordance with section 33 of the Act, to have a course or subject prescribed by regulation 9 listed against his or her name, must be accompanied, in addition to the documents and particulars specified by subsection (3) of that section, a certified copy of the identity document or a valid passport of the applicant.

PART IV REGISTERS AND RESTORATION OF NAME TO REGISTER

Register of nurses, midwives and or accoucheurs

12. The register of nurses, midwives or accoucheurs established and kept in accordance with subsection (2) of section 25 of the Act, must contain, in addition to the particulars specified by subsection (3) of that section, particulars of -

- (a) the specialities and additional qualifications registered, and the subjects or courses listed, against the name of the nurses or midwives or accoucheurs in accordance with subsection (4) of section 33 of the Act; and
- (b) any change in any of the particulars recorded in the register.

Restoration of name to register

13. An application by any person in accordance with section 27(2) of the Act for the restoration of his or her name to a register, must be accompanied by -

- (a) the original registration certificate issued under section 20(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 had been so registered; and
- (b) a certified copy of the identity document or valid passport of the applicant.

PART V GENERAL

Language of forms and documents

14. (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 thereof into that language, acceptable to the Council.

ANNEXURE A Registrable Specialities (Regulation 4)

The following qualifications may be registered as specialities:

Speciality	Designation
A Masters Degree (Clinical) in Midwifery and Neonatology	Specialist Midwife (Midwifery and Neonatology)

A Masters Degree (Clinical) in Critical Care Nursing	Specialist Nurse (Critical Care)
A Masters Degree (Clinical) in Psychiatric Nursing (Mental Health)	Specialist Nurse (Mental Health)

ANNEXURE B
Registrable Additional Qualifications
(Regulation 8)

The following qualifications may be registered as additional qualifications:

- (a) an “Advanced University Diploma in Operating Room Nursing Science” obtained at the University of Namibia in accordance with the requirements prescribed by Government Notice No. 14 of 28 January 1999;
- (b) a “Diploma in Ophthalmological Nursing” obtained at the University of Namibia in accordance with the requirements prescribed by the regulations made under Government Notice No. 15 of 28 January 1999;
- (c) an “Advanced University Diploma in Health Promotion, Clinical Diagnosis and Treatment” obtained at the University of Namibia in accordance with the requirements prescribed by the regulations made under Government Notice No. 17 of 1 February 1999;
- (d) an “Advanced Diploma in Nursing Education” obtained at the University of Namibia in accordance with the requirements prescribed by the regulations made under Government Notice No. 194 dated 7 August 2000;
- (e) an “Advanced Diploma in Critical Care Nursing” obtained at the University of Namibia in accordance with the requirements prescribed by the regulations made under Government Notice No. 196 of 7 August 2000;
- (f) an “Advanced Diploma in Dermatology” obtained at the University of Namibia or any other educational institution approved by the Council for such purpose;
- (g) an Advanced Diploma in Anaesthetics;
- (h) an Advanced Diploma in Health Service Management;
- (i) an Advanced Diploma in Nursing Management;
- (j) an Advanced Diploma in Unit Management for Registered Nurses;
- (k) an Advanced Diploma in Nursing Education;
- (l) an Advanced Diploma in Clinical Nursing Science, Health Assessment, Treatment and Care;
- (m) an Advanced Diploma in Community Health Nursing Science;
- (n) an Advanced Diploma in Midwifery and Neonatal Nursing Science;
- (o) an Advanced Diploma in Critical Care Nursing Science;
- (p) an Advanced Diploma in Occupational Health Nursing Science;

- (q) an Advanced Diploma in Psychiatric Nursing Science (Elective: Adults or Elective: Children or Elective: Adolescents);
- (r) an Advanced Diploma in Gerontological Nursing Science;
- (s) an Advanced Diploma in Child Nursing Science;
- (t) an Advanced Diploma in Operating Theatre Nursing Science;
- (u) an Advanced Diploma in Ophthalmological Nursing Science;
- (v) an Advanced Diploma in Orthopaedic Nursing Science;
- (w) an Advanced Diploma in Medical and Surgical Nursing Science;
- (x) an Advanced Diploma in Oncology;
- (y) an Advanced Diploma in Neonatology;
- (z) an Advanced Diploma in Trauma Nursing Science.

ANNEXURE C
Subjects or Courses that may listed
(Regulation 10)

The following subjects or courses may be listed:

- (a) A Subject or Course in Emergency Care Nursing;
 - (b) a Subject or Course in Operating Room Techniques;
 - (c) a Subject or Course in Advanced Nursing Skills (Wound Care);
 - (d) a Subject or Course in Pharmacotherapy;
 - (e) a Subject or course in Clinical Instruction.
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