



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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No. 4245

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## Government Notices

### MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 66

2009

#### REGULATIONS RELATING TO AN APPEAL TO, AND CONDUCTING OF AN APPEAL BY, APPEAL COMMITTEE OF SOCIAL WORK AND PSYCHOLOGY COUNCIL OF NAMIBIA: SOCIAL WORK AND PSYCHOLOGY ACT, 2004

Under section 56 of the Social Work and Psychology Act, 2004 (Act No. 6 of 2004), and on the recommendation of the Social Work and Psychology Council of Namibia, I have made the regulations set out in the Schedule.

**R.N. KAMWI**  
**MINISTER OF HEALTH AND SOCIAL SERVICES**

Windhoek, 2 April 2009

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PART I  
PRELIMINARY**Definitions**

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

“appellant” means the person who appeals, to the Appeal Committee in accordance with section 53(1)(a) of the Act.

“chairperson” means the chairperson of the Committee;

“Committee” means the Appeal Committee;

“parties to the appeal” means the appellant and the respondent, and “parties” has a corresponding meaning;

“party” means either the appellant or the respondent;

“respondent” means the Council; and

“the Act” means the Social Work and Psychology Act, 2004 (Act No. 6 of 2004).

(2) Any notice or particulars that must be given or submitted in accordance with these regulations -

- (a) by or to the appellant, must be given or submitted by or to the appellant, or the appellant has appointed a legal practitioner to represent appellant, by or to that legal practitioner;
- (b) by or to the respondent, must be given or submitted by or to the registrar, or if the respondent has appointed a legal practitioner to represent respondent, by or to that legal practitioner;
- (c) to the Committee, must be given or submitted to the registrar.

(3) For the purpose of the calculation of any period prescribed by these regulations, the calculation does not include a Saturday, Sunday or public holiday.

## PART II NOTICE AND CONDUCTING OF APPEAL

### **Notice of appeal to appeal Committee**

**2.** (1) A notice of appeal to the Committee contemplated in section 53(1) of the Act must be in the form of the Annexure.

### **Lodging of appeal**

**3.** (1) A notice of appeal must be lodged with the registrar at the head offices, during office hours.

(2) The registrar, or a member of the staff of the registrar, must acknowledge receipt of the notice of appeal by signing and dating a copy of the notice, which copy must be handed to the person lodging the notice.

### **Referral of notice of appeal to appeal Committee**

**4.** The registrar must -

(a) refer the notice of appeal to the Committee in accordance with section 53(1)(d) of the Act, by delivering to the chairperson a copy of -

- (i) the notice; and
- (ii) the minutes of the meeting of, or of the inquiry conducted by, the Council at which the finding, decision or penalty appealed against was made, taken or imposed, together with a copy of every document, book, record or thing submitted to the Council relating to that finding, decision or penalty, or which forms part of those minutes; and

- (b) deliver to every member of the Committee a copy of every document, book, record or thing referred to in paragraph (a).

### **Hearing of appeal**

**5.** (1) The chairperson must determine a date and time for the commencement of the hearing of the appeal and notify the registrar in writing not less than 40 days before the date for the commencement of the hearing.

(2) The registrar must notify the appellant of the date and time not less than 30 before the commencement of the hearing of the appeal determined under subregulation (1).

### **Submission of documents, records and things to the appellant**

**6.** The registrar must deliver to the appellant, at the appellant's written request, a copy of every document, book, record or thing referred to in regulation 4(a).

### **Request for further particulars**

**7.** (1) The chairperson, after receipt of the copies of the documents, books, records and things referred to in regulation 4, may request in writing -

- (a) the appellant to furnish the Committee with further particulars relating to -
- (i) any particulars submitted with, or statement made in, the appellant's notice of appeal;
  - (ii) appellant's grounds for appeal;

(b) the respondent to furnish the Committee with further particulars relating to the minutes of the meeting or of the inquiry delivered to the Committee in accordance with regulation 4(a)(ii).

(2) The appellant or the respondent, must furnish the further particulars requested under subregulation (1) to the chairperson within 10 days after receipt of the request.

(3) Further particulars furnished in accordance with subregulation (2) form part of the record of the appeal.

### **Submission of main points of argument**

**8.** (1) Not less than -

(a) 21 days before the date of the commencement of the hearing of the appeal, the appellant must submit to the registrar and to the respondent a copy of a concise statement of the main points (without elaboration) which the appellant intends to argue on appeal, including a list of the authorities to be presented in support of each of those arguments; and

(b) 15 days before the date determined for the commencement of the hearing of the appeal, the respondent must submit to the registrar and to the appellant a copy of a concise statement of the reply of the respondent (without elaboration) to the main points of argument of the appellant contemplated in paragraph (a), and the main points (without elaboration) which the respondent intends to argue on appeal, including a list of the authorities to be presented in support of each of those arguments.

(2) The registrar must deliver, not less than 12 days before the date determined under regulation 5(1) for the commencement of the hearing of the appeal, a copy of each of the statements submitted to the registrar in terms of subregulation (1), to the chairperson and to every member of the Committee.

### **Conducting of appeal by appeal Committee**

**9.** (1) In this regulation, and in regulations 10, 11 and 12, the -

(a) “appellant”, includes the legal practitioner representing the appellant; and

(b) “representative of the respondent” means a legal practitioner or any other person appointed by the respondent to represent the respondent at the hearing of the appeal.

(2) The chairperson must preside at the hearing of an appeal in accordance with section 53 of the Act and these regulations.

(3) The appellant may address the Committee on the main points of argument submitted to the registrar in terms of regulation 8(1)(a).

(4) The representative of the respondent may address the Committee on the respondent’s reply and main points of argument submitted to the appellant in terms of regulation 8(1)(b).

(5) Despite subregulations (3) and (4), the appellant or the representative of the respondent may address the Committee, with the consent of the Committee, on any matter relevant to the appeal not specified in the statements contemplated in regulation 8(1)(a) or (b).

(6) The representative of the respondent or the appellant may reply to the address of the appellant or the representative of the respondent, made in terms of subregulation (5).

### **Calling of witnesses and submission of documents, books, records or things**

**10.** (1) The Committee may -

(a) instruct the appellant or the respondent, at any time during the hearing of the appeal, to call witnesses to give evidence before the Committee on any issue relevant to the appeal to be determined by the Committee;

(b) on the application by any party, allow that party to call a witness or submit to the Committee a copy of any document, book, record or thing not submitted to the Council, if the Committee is satisfied that -

(i) that party making the application was not aware, and could not reasonably have been aware, of the existence of that witness, document, book, record or thing at the time when the Council made the decision appealed against; and

(ii) it would not be reasonable, under the circumstances to deny that party the opportunity to call that witness or submit that document, book, record or thing to the Committee for consideration.

(2) If a party calls a witness to testify in accordance with subregulation (1)

(a) the other party and the Committee may cross-examine that witness; and

- (b) that witness is entitled to all the privileges that a witness giving evidence in the High Court is entitled to.

**PART III**  
**CONDUCTING OF APPEAL ON WRITTEN SUBMISSIONS ONLY**

**Conducting of appeal on written submissions**

**11.** (1) The Committee, at any time after the receipt by all the members of the notice of appeal referred to the Committee by the registrar under regulation 4, may decide, despite Part II, but subject to this regulation, to conduct the appeal on written submissions by the parties, if the Committee is satisfied that it is appropriate and fair to both parties, in the circumstances of the case, to so conduct the appeal.

(2) For the purposes of this regulation, “written submission” means a written submission by a party as contemplated in subregulation (4).

(3) If the Committee decides under subregulation (1) to conduct the appeal on written submissions by the parties -

(a) the Committee must determine a reasonable period within which the parties must lodge their written submissions with the Committee; and

(b) the registrar must inform the parties in writing -

(i) of the decision of the Committee to conduct the appeal on written submissions; and

(ii) of period determined under paragraph (a) within which the parties must lodge their written submissions.

(4) A written submission by a party to the Committee contemplated in subregulation (1) must -

(a) set out the arguments of that party relating to the appeal, with an elaboration on each one of those arguments, including a list of the authorities in support of the arguments;

(b) be lodged with the registrar within the period determined under regulation (3)(a).

(5) The registrar must deliver a copy of a written submission lodged by a party in accordance with subregulation (4)(b) to the other party within seven days after the receipt thereof.

(6) A party may lodge with the registrar, a written reply within 14 days after receipt of the copy of the written submission delivered to that party by the registrar in accordance with subregulation (5).

(7) The registrar must deliver, within three days after the expiry of the period of 14 days prescribed by subregulation (6), to the chairperson and to every member of the Committee, a copy of every written submission, and of every reply to a written submission, lodged with the registrar.

(8) The Committee may conduct, and take a decision on, the appeal on the contents of the notice of appeal, minutes, documents, books, records and things delivered to the Committee in accordance with regulation 4, and the arguments raised in the submissions delivered to the Committee in accordance with subregulation (7), without requiring the parties -

- (a) to submit to the Committee their main points of argument in accordance with regulation 8; or
- (b) to address the Committee in accordance with regulation 9.

PART IV  
FINDINGS OF APPEAL COMMITTEE

**Findings of appeal Committee**

**12.** (1) After having conducted an appeal in accordance with section 53 of the Act and these regulations, the chairperson may make known the findings of the Committee relating to the appeal, or may postpone the announcement of those findings until a date and time determined by the Committee.

- (2) The chairperson of the Committee must make known in writing -
  - (a) the findings of; and
  - (b) any orders made by,

the Committee under section 53 of the Act, and must submit a copy of the findings and orders to the registrar.

(3) The registrar must deliver a copy of the findings and orders contemplated in subregulation (2) to the appellant.

(4) When making an order as to the payment of costs under section 53(2)(b)(v) of the Act, the Committee may award costs in accordance with the fees that may be charged by legal practitioners as prescribed by the Rules of the High Court.

(5) The chairperson of the Committee must tax a bill of costs in accordance with the Rules of the High Court referred to in subregulation (4), with the necessary changes.

PART V  
GENERAL

**Granting of extension and condonation of failure**

**13.** (1) Despite any provision of these regulations, the Committee may grant, on good cause shown and subject to such conditions as the Committee may determine, to any of the parties to the appeal an extension of time for the lodging of any document in terms of, or condone any failure by a party to comply with, any of these regulations.

(2) The conditions determined by the Committee under subregulation (1) may include an order as to the payment of costs by the party who is granted an extension of time or whose failure is condoned.

**Service of notices on the respondent**

**14.** A notice to the respondent in terms of any of the provisions of these regulations must be served upon the registrar or a member of the staff of the registrar, at the offices of the registrar at the address specified in the Annexure.

**Application of Rules of High Court**

**15.** When conducting an appeal in accordance with section 53 of the Act, the Committee may apply any of the Rules of the High Court, as it may determine and with the necessary changes, to any matter not provided for in the Act or these regulations, and if the Rules so applied are not inconsistent with the Act or these regulations.

**ANNEXURES**

**SOCIAL WORK AND PSYCHOLOGY ACT, 2004  
(ACT NO. 6 OF 2004)**

**NOTICE OF APPEAL TO APPEAL COMMITTEE  
(Section 53, Regulation 2)**

In the matter between ..... Appellant

and

THE SOCIAL WORK AND PSYCHOLOGY  
COUNCIL OF NAMIBIA ..... Respondent

To:  
The Respondent,  
C/o the Office of the Registrar of the Social Work and Psychology Council of Namibia,  
No. 36/37 Schönlein Street,  
Windhoek West  
WINDHOEK.

In accordance with section 53(1) of the Social Work and Psychology Act, 2004 (Act No. 6 of 2004),  
the Appellant appeals to the -

**APPEAL COMMITTEE OF THE SOCIAL WORK AND PSYCHOLOGY  
COUNCIL OF NAMIBIA**

against -

- \* (a) the finding or decision by the Respondent as set out below;
- \* (b) the penalty imposed by the Respondent as set out below; or
- \* (c) the refusal or failure of the Respondent to make a finding or take a decision as set out below.

\*(Delete whatever is or are not applicable.)

Dated at ..... this ..... day of ..... 20 .....

.....  
**\*Signature of Appellant  
or appellant's Legal Practitioner**

Physical address of \*Appellant or appellant's Legal Practitioner for service of notices and documents:

.....  
.....  
.....

(This address for service must be located within a distance of ten kilometres from the Office of the Registrar aforementioned.)

Full names and surname, identity number and profession of the Appellant:

.....  
.....  
.....

Registration number of the Appellant with the Council (if any): .....

Received this Notice of Appeal:

.....

**Signature of recipient**

For and on behalf of the registrar of the Social work and psychology Council of Namibia:

Date: .....

Time:.....

**PARTICULARS OF FINDING OR DECISION, OR PENALTY IMPOSED, OR REFUSAL OR FAILURE BY COUNCIL, APPEALED AGAINST:**

\*(a) Date of finding or decision, or penalty imposed, if applicable:

.....

\*(b) Particulars of finding or decision, or penalty imposed, by the respondent:

.....  
.....  
.....

(If this space is insufficient, add a schedule setting out particulars.)

\*(c) Particulars of the refusal or failure of the Respondent to make a finding or take a decision:

.....  
.....  
.....

(If this space is insufficient, add a schedule setting out particulars.)

\*(Delete whatever is or are not applicable.)

GROUND S THAT APPEAL IS BASED ON

Set out in full the grounds that the appeal is based on:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

(If this space is insufficient, add a schedule setting out the particulars.)

**MINISTRY OF HEALTH AND SOCIAL SERVICES**

No. 67

2009

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

The Minister of Health and Social Services has, 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 -

- (a) made the regulations set out in the Schedule; and
- (b) withdrawn the rules published under Government Notice No. R 2343 of 3 December 1976.

**R.N. KAMWI**  
**MINISTER OF HEALTH AND SOCIAL SERVICES**

Windhoek, 2 April 2009

**SCHEDULE**

**Definitions**

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

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

**Minimum requirements of study for registration as dietician**

**2.** The minimum requirements for registration with the Council referred to in section 19(1) of the Act, insofar as the minimum requirements apply to the registration of a person as a dietician under the Act, subject to compliance with other requirements prescribed by or under the Act, including the successful completion of the prescribed internship and the passing of an evaluation conducted by the Council in accordance with section 21(3) of the Act, are any of the following qualifications:

**Examining authority and qualification****Abbreviation for registration**

## REPUBLIC OF SOUTH AFRICA

***University of Durban-Westville:***

Bachelor in Medical Science

B Med Sc (Nutrition) Durban-Westville

***University of Cape Town:***

Diploma in Therapeutic Dietetics

(If obtained prior to 31 July 1984)

Dip Ther Diet Cape Town

Bachelor of Science (Medicine)

Honours Degree in Therapeutic Dietetics

BSc (Med) (Hons) Cape Town

***Medical University of Southern-Africa:***

Bachelor of Science in Dietetics

BSc (Dietetics) Medunsa

Diploma in Dietetics

(If obtained prior to 31 July 1984)

Dip Dietetics Medunsa

***University of Natal:***

Bachelor of Science in Dietetics

BSc (Dietetics) Natal

***University of the Free State:***

Bachelor of Science in Dietetics

BSc (Dietetics) Free State

***Potchefstroom University for CHE:***

Bachelor of Science in Dietetics

BSc (Dietetics) Potchefstroom

Bachelor of Science in Home Economics

BSc (Home Economics)  
Potchefstroom***North-West University:***

Bachelor of Science in Dietetics

BSc (Dietetics) North-West

Bachelor of Science in Home Economics

BSc (Home Economics)  
North-West***University of Pretoria:***

Bachelor of Science in Dietetics

BSc (Dietetics) Pret

Bachelor of Science in Home Economics  
(Food and Nutrition)

(If obtained prior to 31 December 1985)

BSc (Home Economics)  
Pret***University of Stellenbosch:***

Bachelor of Science in Dietetics

BSc (Dietetics) Stell

Bachelor of Science in Home Economics

BSc (Home Economics)  
Stell

Bachelor in Nutrition

(If obtained prior to 31 December 1985)

B(Nutrition) Stell

**University of the North:**

Bachelor of Nutrition

B (Nutrition) North

**University of the Limpopo:**

Bachelor of Nutrition

B (Nutrition) Limpopo

## UNITED STATES OF AMERICA

Registration as a Dietician,  
American Dietetic Association  
(A person registered as a dietician  
with the American Dietician Association  
must also hold the relevant Bachelor's  
Degree, and must complete the prescribed  
Internship, before that person may be  
registered as a dietician.)

Reg Dietician ADA

## THE NETHERLANDS

**North Holland Scholengemeenschap:**

Diploma Diëtetiek

Dip Dietetics N Holland  
Scholengemeenschap.

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**MINISTRY OF HEALTH AND SOCIAL SERVICES**

No. 68

2009

REGULATIONS RELATING TO ADDITIONAL EXAMINATIONS THAT MAY  
BE CONDUCTED BY THE ALLIED HEALTH PROFESSIONS COUNCIL OF  
NAMIBIA UNDER SECTION 22(1)(b)(ii) OF THE ALLIED HEALTH  
PROFESSIONS ACT, 2004, IN RESPECT OF DIETICIANS

The Minister of Health and Social Services has, under section 55 of the Allied Health Professions Act, 2004 (Act No. 7 of 2004), read with section 22(1)(b)(ii) of that Act, and 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, 17 April 2009

## SCHEDULE

**Definitions**

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

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

**Prescribed additional examinations for dieticians**

**2.** (1) A person registered conditionally as a dietician under section 22(2) of the Act, before being entitled to full registration as a dietician under section 21 of the Act, must pass, in addition to the other requirements prescribed by or under the Act, the additional examinations prescribed by subregulation (2).

(2) The prescribed additional examinations referred to in section 22(1)(b)(ii) of the Act and in subregulation (1), are examinations in or relating to -

- (a) each of the following domains :
  - (i) therapeutic nutrition;
  - (ii) food service management; and
  - (iii) community nutrition;
- (b) the ethics relating to dietetics; and
- (c) the Act and the regulations made under that Act, in so far as that Act and regulations relate to dieticians.

### **Conducting of examinations**

- 3.** (1) Any of the examinations prescribed by regulation 2 -
- (a) must be conducted -
    - (i) by the Council; or
    - (ii) for and on behalf of the Council by a person or institution, whether in Namibia or elsewhere, appointed by the Council for the purpose; or
    - (iii) by an institution outside Namibia recognised by the Council as competent to conduct examinations in the domains prescribed by regulations 2;
  - (b) may be written, oral or practical examinations, or written, oral and practical examinations; and
  - (c) must be taken by the applicant on the date and at the time and place notified in writing to the applicant by the Council.
- (2) A notice by the Council in terms of subregulation (1)(c) must be sent -
- (a) by pre-paid registered post to the applicant, addressed to the applicant's postal address as it appears on the applicant's application for registration; and
  - (b) not less than 30 days and not more than 60 days before the date of the examinations prescribed by subregulation (1).
-

## MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 69

2009

REGULATIONS RELATING TO: THE REGISTRATION OF DIETICIANS, DIETICIAN  
INTERNS, QUALIFICATIONS THAT MAY BE REGISTERED AS ADDITIONAL  
QUALIFICATIONS, MAINTAINING OF REGISTERS AND  
RESTORATION OF A NAME TO A REGISTER:  
ALLIED HEALTH PROFESSIONS ACT, 2004

The Minister of Health and Social Services has, under section 55 of the Allied Health Professions Act, 2004 (Act No. 7 of 2004), read with sections 26 and 32 of that Act, 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, 17 April 2009

## SCHEDULE

## ARRANGEMENT OF REGULATIONS

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4. Additional education, tuition and training

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6. Contract of internship training
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ANNEXURE A

Criteria pertaining to the one year period of internship training programme

ANNEXURE B

Registrable additional qualifications

PART I  
DEFINITIONS

**Definitions**

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

“additional qualification” means an additional qualification referred to in section 32(1)(a) of the Act and awarded by an educational institution prescribed by regulation 10;

“approved facility” means a facility approved by the Council for the purpose of training of dietician interns;

“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);

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

PART II  
REGISTRATION OF DIETICIANS

**Application for registration as dietician**

2. (1) An application for the registration of a person as a dietician under section 20 section 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 passport of the applicant; and
- (b) if the qualification upon which the applicant relies for registration as a dietician is a qualification referred to in section 22(1)(a) of the Act, the original certificate of registration to practise as a dietician in the country where the applicant obtained the qualification, issued by the relevant registration authority of the country.

(2) If the applicant referred to in subregulation (1)(b) is not registered with the registration authority referred to in that subregulation, the applicant must submit to the registrar, together with the applicant’s application for registration -

- (a) a certificate, issued by that registration authority, certifying that the qualification which the applicant holds, entitles the applicant to registration as a dietician in the country where the applicant obtained the qualification; or

(b) if the applicant had been registered previously, a certificate issued by that registration authority, specifying that the applicant had been previously registered, that the applicant's name had been removed and the grounds for the removal.

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

#### **Additional examinations**

**3.** (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 or oral or practical examinations, or of written and oral and practical examinations, in such disciplines as the Council may specify for the purpose of determining whether that person possesses the knowledge, skills and competence required for registration as a dietician under section 21 of the Act.

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

#### **Additional education, tuition and training**

**4.** (1) If the Council registers a person conditionally under section 22(2)(a) of the Act, the Council must determine the additional education, tuition or training, to be undertaken by the person conditionally registered in order to qualify for registration as a dietician.

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

### **PART III DIETICIAN INTERNS**

#### **Completion of internship before registration as dietician**

**5.** (1) A person who holds a qualification prescribed under section 19(1) of the Act, for registration as a dietician under the Act, must complete, after obtaining that qualification and before being entitled to registration as a dietician, internship as a dietician intern for the period of one year during which period the dietician must complete the disciplines specified in Annexure A.

(2) An application for registration as a dietician intern must be made in such form as the Council may determine and be submitted to the registrar.

(3) An application referred to in subregulation (2) must be accompanied by -

(a) a certificate or a certified copy of the certificate, to the satisfaction of the Council, as proof that the applicant holds a prescribed qualification referred to in subregulation (1);

(b) if the applicant had been registered previously in a country other than Namibia as a dietician intern or as a dietician, or is still so registered, a certificate of good standing from the registration authority with which the applicant had been registered or is still registered, which certificate must have been issued not more than 120 days before the date of the submission of the application for registration to the registrar in accordance with subregulation (2);

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

- (d) such additional documents and information as the Council may determine; and
  - (e) a certified copy of the contract of internship training entered into by and between the applicant and an approved facility; and
  - (f) proof of payment of the application fees, determined by the Council under section 27(1) of the Act, relating to the registration of a dietician intern.
- (4) If the applicant referred to in subregulation (1) is not registered with the registration authority referred to in subregulation (3)(b), the applicant must submit, together with the application of registration -
- (a) a certificate, issued by that registration authority, certifying that the qualification which the applicant holds, entitles the applicant to registration as a dietician in that country; or
  - (b) if the applicant had been registered previously, a certificate issued by that registration authority, specifying that the applicant had been registered previously, that the applicant's name been removed from the register and the grounds for removal.
- (5) The Council may require the applicant to provide proof, in such manner as the Council may determine, of the applicant's proficiency in the English language.
- (6) The registrar must, on receipt of an application for registration as a dietician intern in terms of subregulation (2), submit the application to the Council for its consideration and decision.
- (7) The Council, after having considered the application for registration as a dietician intern, and the documents and other information referred to in subregulation (3), may -
- (a) grant the application if the Council is satisfied that the applicant -
    - (i) meets the requirements relating to the registration of a dietician intern;
    - (ii) has complied with subregulation (3); 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 relating to the registration of a dietician intern;
    - (ii) has not complied with subregulation (3); or
    - (iii) is not proficient in the English language.
- (8) The Council must -
- (a) inform the applicant in writing of the decision of the Council under subregulation (7);
  - (b) issue the applicant with a certificate of registration as a dietician intern, if the application for registration as dietician intern is granted, in such form as the Council may determine, and enter the name of the applicant into the relevant register; and

- (c) inform the applicant in writing, if the application for registration as a dietician intern is refused, as soon as practicable of the reasons for refusal.

(9) Notwithstanding subregulation (1), the Council may exempt, on such conditions as it may determine, a person from the requirements of registration and training as a dietician intern in accordance with these regulations, or may reduce the prescribed period of training as a dietician intern by such period of time as the Council may determine, if the applicant for registration as a dietician intern under subregulation (2) submits together with the application documentary proof to the satisfaction of the Council the applicant has -

- (a) completed training substantially equivalent to the training prescribed by subregulation (1), in another country and in accordance with the laws of that country relating to dieticians interns, with a person or at a training facility; or
- (b) practised in another country, in accordance with the laws of that country, as a dietician for such period and under such circumstances as may give the applicant experience and training substantially equivalent to the applicable training referred to in subregulation (1).

### **Contract of internship training**

**6.** (1) A contract of internship training entered into by and between an approved facility and a dietician intern, must-

- (a) be in such form and contain such particulars as the Council may determine;
- (b) provide for training, in the disciplines and other requirements set out in Annexure A, which is in the opinion of the Council adequate and satisfactory for purposes of the internship; and
- (c) be approved by the Council.

(2) If at any time during the period of internship of a dietician intern referred to in this regulation, the Council considers any training approved for such purpose to be inadequate or unsatisfactory for any reason, the Council may withdraw the approval by means of a written notice to both the dietician and the dietician intern, after having afforded both the dietician and the dietician intern the opportunity to be heard.

(3) Unless the Council otherwise determines, on good cause shown, any period of internship completed by a dietician under a contract of training in respect of which the Council withdraws its approval in accordance with subregulation (2), or which is cancelled or terminated for any reason before the completion of the internship is, for purposes of regulation 5 void.

(4) The period of dietician internship prescribed by regulation 5 must be completed within a period of two years after the date of the first registration of the relevant person as a dietician intern.

(5) If a dietician intern fails to comply with subregulation (4), the intern's registration as a dietician intern must be regarded as cancelled, subject to subregulation (6), as from the date upon which the period of two years is exceeded.

(6) The Council may extend in writing, on good cause shown, the period of two years prescribed by subregulation (4).

- (7) Before a person begins a dietician internship at an approved facility, the person must -

- (a) enter, in accordance with subregulation (1), into a written agreement of internship with the approved facility at which the person is to complete the internship; and
- (b) register with the Council as a dietician intern in accordance with the Act and these regulations.

(8) A dietician intern is subject, during the period of internship, to all the rules of professional conduct applicable to dieticians.

(9) The Council must provide a dietician intern, before the intern begins with the internship, with copies of the rules of professional conduct applicable to dieticians.

### **Cancellation or cession of internship, or change of name**

- 7.** (1) A dietician intern must, notify the Council in writing -
- (a) as soon as the intern assumes duty as a dietician intern, of that fact and provide to the Council the name and business address, including the telephone number, of the approved facility at which the intern has assumed duty;
  - (b) if the intern intends to terminate the internship with an approved facility;
  - (c) if the intern intends to cease the internship with an approved facility and to begin internship at another approved facility, not less than 30 days before the intended date of the start of the internship at the other approved facility, and submit to the Council -
    - (i) proof of the cancellation of the existing contract of internship; and
    - (ii) a certified copy of the agreement of internship entered into by the dietician intern and the other approved facility at which the internship is to be completed, which agreement must be approved by the Council; and
    - (iii) proof of payment of fees determined by the Council, relating to such application for cession of the internship.

(2) If the name or surname of a dietician intern is changed for any reason, the intern must notify the Council in writing of the change of name or surname within 30 days after the change of name, and submit to the Council documentary proof of the change of name and such other particulars relating to the change of name as the Council may require.

### **Completion of internship**

**8.** (1) A dietician intern must, upon the completion of the internship in accordance with these regulations, submit proof to the Council, in the form of a certificate, to the satisfaction of the Council, issued by the approved facility at which the intern completed the internship, that the intern has duly undertaken and completed the prescribed internship.

(2) A dietician intern may not be registered as a dietician unless the intern has submitted to the Council the certificate referred to in subregulation (1).

### **Evaluation to be conducted by Council**

**9.** (1) A person who has completed internship in accordance with these regulations must be evaluated by the Council in accordance with section 21(3) of the Act.

(2) Notwithstanding subregulation (1), the evaluation to be conducted by the Council in accordance with this regulation may be conducted in part by the Council and in such manner as the Council determines, by means of continual evaluation during the period of internship of the person concerned.

(3) The fees determined by the Council under section 27 of the Act, relating to an evaluation referred to in this regulation must be paid to the Council before the evaluation starts.

#### PART IV REGISTRATION OF ADDITIONAL QUALIFICATIONS

##### **Registrable additional qualifications**

**10.** The qualifications specified in Annexure B are additional qualifications referred to in section 32(1)(a) of the Act, which may be registered by the Council in respect of a person registered as a dietician.

##### **Requirements for registration of an additional qualification**

**11.** An application made in accordance with section 32(2) of the Act must be accompanied, in addition to the documents and particulars specified in section 32(3) of the Act, by a certified copy of the identity document or passport of the applicant.

#### PART V REGISTERS AND RESTORATION OF NAME TO REGISTER

##### **Register of dieticians and dietician interns**

**12.** The register of dieticians and dietician interns established and kept 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 additional qualifications entered against the name of the dietician concerned in accordance with section 32(4) of the Act, including any change in any of the particulars recorded in the register.

##### **Restoration of name to register**

**13.** (1) An application in accordance with section 26 of the Act for the restoration of the name of a person to a register, in addition to the documentation referred to in subsection (2) of that section, must be accompanied by -

- (a) the original registration certificate issued under section 21(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 was so registered; and
- (b) a certified copy of the identity document or passport of the applicant.

#### PART VI 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 of the form or document in English, which translation must be acceptable to the Council.

**ANNEXURE A**  
**CRITERIA PERTAINING TO THE ONE YEAR PERIOD DIETICIAN INTERNSHIP**  
**TRAINING PROGRAMME**  
*(Regulation 5)*

1. Clinical nutrition (4 months)
2. Food service management (4 months)
3. Community nutrition (4 months)

**ANNEXURE B**  
**REGISTRABLE ADDITIONAL QUALIFICATIONS**  
*(Regulation 10)*

<b>Examining authority</b>	<b>Qualification</b>	<b>Abbreviation for registration</b>
Potchefstroom University for CHE	Honours Baccalaureus Scientiae in Dietetics	Hons BSc (Dietetics) Potchefstroom
	Magister Scientiae in Dietetics	MSc (Dietetics) Potchefstroom
	Doctor Scientiae in Dietetics	DSc (Dietetics) Potchefstroom
North-West University	Honours Baccalaureus Scientiae in Dietetics	Hons BSc (Dietetics) North-West
	Magister Scientiae in Dietetics	MSc (Dietetics) North-West
	Doctor Scientiae in Dietetics	DSc (Dietetics) North-West
University of Pretoria	Bachelor of Dietetics (Honours)	BSc (Dietetics) Hons Pret
	Master of Dietetics	MSc (Dietetics) Pret
	Doctor of Science in Dietetics	DSc (Dietetics) Pret
University of Stellenbosch	Honours Bachelor's Degree in Science with Dietetics	Hons BSc (with Dietetics) Stell
	Master's Degree in Science with Dietetics	MSc (with Dietetics) Stell

	Doctor's Degree in Science with Dietetics	DSc (with Dietetics) Stell
	Master of Science in Nutrition (The qualification must be obtained in Nutrition)	MSc Stell
	Doctor of Philosophy in Nutrition	PhD Stell
	Master of Science in Health Sciences (Epidemiology)	MSc in Health Sciences (Epidemiology) Stell
Medical University of South Africa	Bachelor of Science in Dietetics	BSc (Diet) (Hons) Medunsa
	Master of Science in Dietetics	MSc (Diet) Medunsa
	Doctor of Philosophy in Dietetics	PhD Medunsa
University of Natal	Bachelor of Science in Dietetics (Honours)	BSc Diet (Hons) Natal
	Master of Science in Dietetics	MSc Diet Natal
	Doctor of Philosophy in Dietetics	PhD Diet Natal
University of the Free State	Master of Science in Dietetics	MSc (Dietetics) Free State
Cornell University (USA)	Master of Science	MSc Cornell (USA)
	Doctor of Philosophy (Qualification must be obtained in Dietetics)	PhD Cornell (USA)
University of London (GB)	Doctor in Philosophy (Qualification must be obtained in Dietetics)	PhD London (GB)
Polytechnic of North London	Diploma in Dietetics  (Qualification must be obtained in Dietetics)	Dip (Dietetics) N London (GB)