# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N$10.91 WINDHOEK - 28 January 1999 No. 2040


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# Government Notices

## MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 10 1999

NURSING PROFESSIONS ACT, 1993: RULES RELATING TO THE ACTS OR OMISSIONS BY REGISTERED OR ENROLLED PERSONS CONSTITUTING IMPROPER CONDUCT OR MISCONDUCT

The Nursing Board has under section 28(1) of the Nursing Professions Act, 1993

(Act No. 30 of 1993), and, with the approval of the Minister of Health and Social Services, issued the rules set out in the Schedule.

## SCHEDULE

## CHAPTER 1

## PRELIMINARY PROVISIONS

### Definitions

**1.** In these rules, unless the context otherwise indicates, an expression defined in the Act has a corresponding meaning, and -

"advertisement" means any written, illustrated, visual or other descriptive material or verbal statement or reference which -

(a) appears in a newspaper, a magazine, a pamphlet or in any other publication;

(b) is distributed amongst members of the public;

(c) has been fixed to, or appears on, walls, windows or boards; or

(d) is brought to the attention of members of the public in any other manner,

and which is meant to -

(i) promote a specific practice or a specific technique or treatment by a nurse, a midwife or an enrolled nursing auxiliary;

(ii) make known the professional proficiency or knowledge by a nurse, a midwife or an enrolled nursing auxiliary; or

(iii) make known a product, a business, an institution or an organisation of any nature, for any purpose, and in any way,

and "advertising" has a corresponding meaning;

"*bona fide* patient" means a patient who was at any time in the past been treated by the nurse, the midwife or the enrolled nursing auxiliary concerned;

"midwife" means a registered midwife or an enrolled midwife;

"nurse" means a registered nurse or an enrolled nurse;

"practitioner" means a person registered or authorised to practise under -

(a) the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993);

(b) the Medical and Dental Professions Act, 1993 (Act No. 21 of 1993); or

(c) the Pharmacy Professions Act, 1993 (Act No. 23 of 1993);

"the Act" means the Nursing Professions Act, 1993 (Act No. 30 of 1993).

## CHAPTER 2

## ACTS OR OMISSIONS BY REGISTERED NURSES CONSTITUTING IMPROPER CONDUCT OR MISCONDUCT

**2.** The following acts or omissions by a registered nurse, as set out in this Chapter, shall constitute improper conduct or misconduct in respect of which the Board may conduct inquiries and take disciplinary steps in terms of Part V of the Act:

(a) Omitting or neglecting to carry out such acts relating to monitoring, diagnosing, treatment, prescription, collaboration, referral, co-ordination and patient advocacy as the scope of the profession of a registered nurse requires;

(b) omitting or neglecting to maintain the health status of a patient under his or her care or charge, or to protect the name, person and possessions of that patient, through -

(i) the correct identification of the patient;

(ii) the determination of the health status of the patient and the physiological responses of the body to disease conditions, trauma and stress;

(iii) the correct administration of treatment, medication and care;

(iv) the prevention of accidents, injury or other trauma;

(v) the prevention of infection and of the spread of infection;

(vi) the checking of all forms of diagnostic and therapeutic interventions for the individual;

(vii) the specific care and treatment of the seriously ill patient, the disturbed patient, the confused patient, the aged patient, infant and children patients, the unconscious patient, the patient with communication problems and the vulnerable and high-risk patient; and

(viii) the monitoring of all vital signs of the patient concerned;

(c) omitting or neglecting to keep clear and accurate records of all actions which he or she performs in connection with a patient;

(d) contravenes section 27(1)(b), (2)(b) or (c) or (3) of the Act;

(e) advertising -

(i) or permitting such advertisement, for professional gain, other than by indicating his or her name, address, telephone number, hours of attendance and registered qualification; or

(ii) of any other person, whether or not such person is registered or enrolled under the Act or is a practitioner, or any product, business, institution or organisation of any nature, for any purpose and in any way, or permitting his or her name or photograph, whether or not he or she is in uniform, to be used in such advertisement,

but the actions by a registered nurse, as set out in the Appendix to these rules shall not constitute advertising;

(f) the use by a registered nurse who is in private practice of a name plate at his or her permanent consulting rooms or permanent residence, which exceeds 360 mm x 210 mm in size and which bear other particulars in addition to his or her -

(i) title, initials and surname;

(ii) registered profession and field of practice;

(iii) professional qualifications or additional qualifications registered by him or her as such or as specialities;

(iv) telephone numbers; and

(v) hours of consultation,

but if a registered nurse prefers not to have particulars concerning telephone numbers and hours of consultation to be indicated on a name plate containing the particulars referred to in this paragraph, a separate plate, not exceeding 360 mm x 210 mm in size, with the telephone numbers and hours of consultation concerned, may be affixed directly below such name plate;

(g) in the case of an itinerant practice, the use of a name plate which exceeds the size stipulated in paragraph (f) and which bear other particulars than those referred to in that paragraph, and the days and hours of consultation when he or she will be available at his or her consulting rooms, may be indicated on a separate plate or surface, not exceeding 360 mm x 210 mm in size;

(h) the use of more than one name plate at each entrance to a building in which his or her consulting rooms are situated and on or next to the door of such consulting rooms, but -

(i) a name plate may, with the prior approval of the Board, be affixed to an outer wall or pillar of the building concerned if such building does not have suitable facilities for a name plate to be affixed to it,

and the particulars stipulated in paragraph (f) may, with the prior approval of the Board, where such building has no such facilities for a name plate to be affixed to it, be affixed in a framed area of 360 mm x 210 mm on a glass window as close as possible to the entrance of the building in which the consulting rooms are situated;

(ii) if facilities exist in the entrance hall or on the ground floor of a building in which the consulting rooms of a registered nurse are situated to indicate the names of tenants, the title, initials, surname and profession of the registered nurse may be indicated in such places;

(iii) a plate with the initials and surname of a registered nurse and a direction indicator on it may be displayed in the corridor of the floor where the consulting rooms of that nurse are situated;

(i) If -

(i) a registered nurse has taken over the practice of another registered nurse; or

(ii) a partner, a shareholder of a company or a member of a close corporation dies or retires,

the display of the name plate of the predecessor, the deceased or the retired partner, shareholder or member, for more than 12 months after the date of the take over, death or retirement, and failure by the person who has taken over the practice to display his or her name during the period referred to in this paragraph;

(j) if a registered nurse has moved to consulting rooms at a new address, the display of a notice to this effect at the previous address, mentioning the new address of his or her consulting rooms, for more than 12 months from the date of so moving;

(k) causing or permitting the appearance of any other information on professional stationery and business cards, apart from -

(i) the name of the registered nurse and partner, shareholder of a company or member of a close corporation, if any;

(ii) the registered profession, field of practice and abbreviations in respect of qualifications registered by the Board;

(iii) addresses and telephone numbers; and

(iv) hours of consultation.

(l) canvassing or touting for patients for himself or herself or for any other person, whether personally or through an agent, or in any other manner;

(m) carrying on of an itinerant practice for less than one month, at a place where a registered nurse does not render a complete and satisfactory service to his or her patients in such practice on a regular basis and which place is not similar to the place where the registered nurse carries on his or her main practice;

(n) accepting or insisting on any commission or remuneration, financial or otherwise, from manufacturers of, or dealers in, medicine, remedies or any equipment, apparatus, instrument, appliance or material which is used in the course of practice of a registered nurse or prescribed to patients;

(o) paying or giving commission or remuneration to any person, financial or otherwise, or the offering of anything to any person for the recommendation of patients;

(p) accepting commission or remuneration, financial or otherwise, from any person for the recommendation of patients;

(q) sharing of fees collected for a service, with any person other than a partner, a shareholder of a company or a member of a close corporation, unless the sharing is commensurate with the extent of the other person's participation in the rendering of that service;

(r) charging higher fees for professional services rendered than the fees prescribed in terms of the Act;

(s) issuing a certificate of sickness when a registered nurse is not convinced, from his or her personal observation or from what the patient has communicated to him or her, that the facts stated in that certificate are correct, and where a certificate of sickness is issued only on the grounds of the communication of a patient or another person the registered nurse shall specifically mention that fact in the certificate;

(t) divulging information concerning a patient, which information has become known to a registered nurse in his or her professional capacity, but this paragraph shall not apply if the information is made known -

(i) with the explicit consent, in writing, of a patient who is of age, of the parent or guardian of a patient who is a minor, or of the surviving spouse or child who is of age, or of a patient who is deceased;

(ii) on the instruction of a court of law or where a registered nurse is lawfully bound to make that information known;

(iii) in the exclusive interest of a patient who is not able to, or is not capable of, granting permission; or

(iv) in a professional consultation with anybody involved in the treatment of the patient or, in the exclusive interest of the patient, with any other person;

(u) applying or using in a practice -

(i) any form of treatment, apparatus or process which is secret or claimed to be secret;

(ii) any apparatus which upon inspection by the Board does not prove to be capable of fulfilling the claim made in respect of it; or

(iii) diagnostic and treatment methods which do not comply with the accepted standards as determined by the Board;

(v) impeding a patient, or a person properly acting on behalf of a patient, who desires to obtain the advice of, or treatment by, a practitioner, from consulting that practitioner;

(w) performing, except in a case of emergency, an act which does not pertain to his or her registered profession or for which he or she has inadequate training or experience;

(x) using consulting rooms connected to or with a corridor to premises or portion of premises where another business, trade, work or profession different from the profession in which he or she is registered in terms of the Act, is practised or carried on, but the entrance and corridors of a public building in which his or her consulting rooms are situated, or a connection which may not be used by patients, shall not be deemed to be an unauthorised connection or thoroughfare;

(y) Practising or conducting from the consulting rooms of a registered nurse any business, trade, work or profession other than the profession in which he or she is registered in terms of the Act, except with the consent, in writing, of the Board and subject to such conditions as the Board may determine;

(z) sharing consulting rooms with someone other than a person referred to in paragraph (cc), without the consent in writing of the Board;

(aa) displaying, subject to paragraph (bb), in the consulting rooms of a registered nurse, other certificates apart from -

(i) certificates, diplomas and degrees which have a bearing on the profession in which he or she is registered; and

(ii) membership certificates of professional associations with which he or she is affiliated;

(bb) omitting or neglecting to display clearly in the consulting rooms of a registered nurse the registration certificate issued to him or her in terms of the Act;

(cc) entering into a partnership, incorporating a company or establishing a close corporation or where such partnership, company or close

corporation already exists at the coming into effect of these rules, maintaining such partnership, company or close corporation, with a person who is not -

(i) registered or enrolled under the Act; or

(ii) registered under any other Act in respect of a profession which is approved by the Board in the public interest and with consideration of professional ethics, as an acceptable profession for the purpose of partnership, incorporation of a company or establishment of a close corporation;

(dd) unilaterally breaking, without the approval of the other party, a contract of service into which he or she has entered;

(ee) refusing, omitting or neglecting to execute any lawful duties for which he or she has been employed;

(ff) supporting or assisting any person in any way in illegal practice or action;

(gg) employing of any person who is not registered or enrolled in terms of the Act, to perform nursing acts, but this paragraph shall not apply in an emergency;

(hh) tendering for a full-time, part-time or any other kind of nursing appointment;

(ii) taking the place of another nurse or midwife who is in charge of a case in respect of which he or she acted together with or on behalf of that nurse or midwife, without the consent of that nurse or midwife, unless the consent is unreasonably refused or unless no other nursing, midwifery or medical assistance is available;

(jj) taking over a case of another nurse or midwife without first being convinced that the patient or the person in charge of the case has notified the nurse or the midwife who was originally in charge of the case that he or she no longer requires his or her services;

(kk) in accordance with the exigencies of the circumstances and the seriousness of the condition of a patient -

(i) neglecting to refer the patient for medical care where such care is beyond the scope of practice of the nurse and delaying that referral;

(ii) neglecting to do what he or she can do to save a life, to arrest deterioration in the health status of the patient, to prevent deformity or to reduce pain and suffering;

(iii) in circumstances where the patient is in the care of a registered nurse, but the control over the medical treatment of that patient rests with any person other than that nurse, neglecting to execute

without reasonable grounds any verbal or written prescriptions or any request made to that nurse by that person with regard to the medical treatment of that patient, or where the prescription or request is not executed, to inform that person of the non-execution as soon as practically possible;

(ll) unjustified casting of reflections, explicitly or by implication, upon the probity or professional reputation, skill, knowledge, service or qualifications of any person registered or enrolled under the Act or any practitioner;

(mm) performing any act which is calculated to -

(i) prevent the Board, a committee of the Board or the secretary of the Board from performing a duty which may be lawfully performed by the Board, the committee or the secretary; or

(ii) bring the Board or any member or official of the Board into contempt of discredit, unless the act concerned is the truth and is in the public interest;

(nn) permitting a registered nurse to be exploited in a manner detrimental to the public or professional interest;

(oo) omitting or neglecting to notify the Board that he or she acquires, possesses, uses or supplies scheduled substances in accordance with the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965);

(pp) omitting or neglecting to submit proof to the Board that he or she has followed a programme approved by the Board with regard to the acquisition, possession, use or supply of scheduled substances permitted in his or her practice in accordance with the provisions of the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965); or

(qq) recovering, where he or she conducts a private practice, more money from a patient than the costs involved in the purchase and shelving of the scheduled substances concerned plus interest on capital outlay, not exceeding the prime lending rate as determined by the Bank of Namibia.

## CHAPTER 3

## REGISTERED MIDWIVES

### Application of certain rules to registered midwives

**3.** Rule 2(e) to (qq) of these rules shall *mutatis mutandis* apply to registered midwives.

**Acts or omissions by a registered midwife constituting improper conduct or misconduct**

**4.** The following acts or omissions by a registered midwife, as set out in this Chapter, shall, in addition to those referred to in rule 3, constitute improper conduct or misconduct in respect of which the Board may conduct inquiries and take disciplinary steps in terms of Part V of the Act;

(a) Omitting or neglecting to carry out such acts relating to monitoring, diagnosing, treatment, prescription, collaboration, referral, co-ordination and patient advocacy as the scope of the profession of a registered midwife requires;

(b) omitting or neglecting to protect the name, person and possessions of a mother and child under his or her care or charge in the course of pregnancy, labour or the puerperium through -

(i) the correct identification of the mother and the child;

(ii) the prevention of accidents, injury or other trauma;

(iii) the prevention of infection and of the spread of infection;

(iv) the checking and monitoring at reasonable intervals of all forms of diagnostic and therapeutic interventions; and

(v) the specific care and treatment of the vulnerable, high-risk mother and child, the seriously ill patient, the disturbed patient, the confused patient, the unconscious patient and the patient with communication problems;

(c) omitting or neglecting to keep clear and accurate records of the progress of pregnancy, labour and the puerperium, and all actions which he or she performs in connection with a mother and child;

(d) failing to comply with any regulation setting out the conditions under which he or she may conduct his or her profession; or

(e) contravening section 27(1)(b), (2)(a) or (3).

## CHAPTER 4

## ENROLLED NURSES

**Application of certain rules to enrolled nurses**

**5.** Rule 2(e) to (qq) of these Rules shall *mutatis mutandis* apply to enrolled nurses.

**Acts or omissions of an enrolled nurse constituting improper conduct or misconduct**

**6.** The following acts or omissions by an enrolled nurse shall, in addition to those referred to in Rule 5, constitute improper conduct or misconduct in respect of which the Board may conduct inquiries and take disciplinary steps in terms of Part V of the Act:

(a) Omitting or neglecting to carry out such nursing care as his or her enrolment requires under the direct or indirect supervision or direction of a registered nurse, or where applicable, under the direct or indirect supervision of a medical practitioner or a dentist or on his or her direction or written or verbal prescription;

(b) committing any act or omission which brings or is likely to bring the Board, any committee of the Board or any of its members or officials, into contempt or disrepute, or which hampers or is likely to hamper the work of the Board; or

(c) contravening section 27(1)(b), (2) or (3).

## CHAPTER 5

## ENROLLED MIDWIVES

**Application of certain rules to enrolled midwives**

**7.** Rule 2(e) to (qq) of these rules shall *mutatis mutandis* apply to enrolled midwives.

**Acts or omissions of an enrolled midwife constituting improper conduct or misconduct**

**8.** The following acts or omissions by an enrolled midwife shall, in addition to those referred to in paragraph 7, constitute improper conduct or misconduct in respect of which the Board may conduct inquiries and take disciplinary steps in terms of Part V of the Act:

(a) Omitting or neglecting to identify health needs and to promote the health of mother and child through such acts and procedures as the scope of his or her practice permits;

(b) omitting or neglecting to protect the name, person and possessions of a mother and child under his or her care or charge through -

(i) the correct identification of the mother and the child;

(ii) the prevention of accidents, injury or other trauma;

(iii) the prevention of infection and of the spread of infection;

(iv) the carrying out at reasonable intervals of all observations and interventions while the mother and child are in his or her care, and the recording of those observations and interventions;

(c) failing to comply with any regulation setting out the conditions under which he or she may carry on his or her profession; or

(d) contravening section 27(1)(b), (2)(a) or (3).

## CHAPTER 6

## ENROLLED NURSING AUXILIARY

**Acts or omissions of an enrolled nursing auxiliary constituting improper conduct or misconduct**

**9.** The following acts or omissions by an enrolled nursing auxiliary shall constitute improper conduct or misconduct in respect of which the Board may conduct inquiries and take disciplinary steps in terms of Part V of the Act:

(a) Omitting or neglecting to carry out such nursing care as his or her enrolment permits under the direct or indirect supervision or direction of a registered nurse or an enrolled nurse, or where applicable, under the direct or indirect supervision of a medical practitioner or a dentist or on his or her direction or written or verbal prescription;

(b) advertising or permitting an advertisement, for professional gain, other than by indicating his or her name, address, telephone number, hours of attendance and enrolled qualification in that advertisement;

(c) advertising any other person, whether or not that person is registered or enrolled under the Act or is a practitioner, or any product, business, institution or organisation of any nature, for any purpose and in any way, or permitting his or her name or photograph, whether or not he or she is in uniform, to be used in that advertisement;

(d) breaking, without good cause, any contract of service into which he or she has entered;

(e) failing to observe the principles of professional secrecy; or

(f) committing any act or omission which brings or is likely to bring the Board, any committee of the Board or any of its members or officials, into contempt or disrepute, or which hampers or is likely to hamper the work of the Board.

## CHAPTER 7

## GENERAL PROVISIONS

**Acts or omissions not constituting complete list of offences**

**10.** The Acts or omissions contemplated in Chapters 2 to 6 of these rules do not constitute a complete list of offences under the Act.

**Powers of Board to take disciplinary steps in absence of complaint, charge or allegation**

**11.** The Board may take disciplinary steps even if no complaint, charge or allegation has been laid before it.

**Repeal of rules**

**12.** The rules published by Government Notices R.1648, R.1649 and R.1650 of 14 September 1973 are hereby repealed.

## APPENDIX
**(Rule 2(e) (ii))**

## ACTIONS BY A REGISTERED NURSE NOT CONSTITUTING ADVERTISING

(a) A communication to a *bona fide* patient concerning change of address, hours of consultation and telephone numbers, or the formation or dissolution of a partnership, a company or a close corporation, if such communication is addressed to the patient concerned and is enclosed in an envelope;

(b) a communication to another nurse, a midwife, an enrolled nursing auxiliary, a practitioner, a social worker, a hospital, a health facility, or other person or institution approved by the Board, that he or she has commenced a practice, if such communication is addressed to the person concerned and is enclosed in an envelope;

(c) the entry, in ordinary print, of the profession, field of practice, address and telephone numbers of the residence and consulting rooms of the registered nurse, and the name, profession and field of practice of a partner, a shareholder in a company or a member of a close corporation in a telephone directory;

(d) the publication of articles of a health science nature in professional journals and books in connection with health, with the mentioning of his or her name and with professional qualities;

(e) the divulgence of his or her views on topics of a health science nature in the lay press or on the radio or television, or the holding of a lecture or address for a lay audience, with the mentioning of his or her name, if that registered nurse -

(i) serves in a full-time or part-time health services or post-secondary educational institutions and is not in private practice; or

(ii) acts as an officer or a member of the Namibian Nursing Association or of the Board and on the instruction of such Association or the Board;

(f) the use of a name plate as stipulated in rule 2(f) or (i) of these rules;

(g) the use of stationery as stipulated in rule 2(k) of these rules;

(h) in the case of itinerant practice, making his or her intention to visit a place known to the persons referred to in paragraphs (a) and (b) of this Appendix; or

(j) the promotion of the interest of an organisation registered in terms of the National Welfare Act, 1965 (Act No. 79 of 1965), a professional nursing association or society, a health service at any level of government, an educational service approved by the Board and any other organisation, body or institution approved by the Board.

## MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 11 1999

REGULATIONS RELATING TO THE REGISTRATION AND ENROLMENT OF CERTAIN PERSONS UNDER THE NURSING PROFESSIONS ACT, 1993

The Minister of Health and Social Services has under section 48 of the Nursing Professions Act, 1993 (Act No. 30 of 1993), on the recommendation of the Nursing Board, made the regulations set out in the Schedule.

## SCHEDULE

## PART I

## PRELIMINARY

### Definitions

**1.** In these regulations any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned to it, and unless the context otherwise indicates -

"issuing authority", in relation to a certificate of qualification, means the educational institution or examining authority which has issued such certificate;

"register" means a register as defined in section 1 of the Act;

"roll" means a roll as defined in section 1 of the Act;

"the Act" means the Nursing Professions Act, 1993 (Act No. 30 of 1993).

## PART II

## REGISTERED NURSES AND MIDWIVES

### Application for registration of nurses and midwives

**2.** (1) An application for registration as a nurse or a midwife contemplated in section 13(2) of the Act shall be submitted to the Board on a form similar to the form contained in Annexure A, containing the required information, and shall be accompanied by -

(a) a certified copy of the applicant's certificate of qualification;

(b) a statement by the issuing authority as to the validity of the certificate referred to in paragraph (a);

(c) such details of the course of study followed and examinations conducted as the Board may consider necessary;

(d) if the applicant did not take the course of study through the language medium of English, a certificate, satisfactory to the Board, that the applicant is proficient in the reading, writing and speaking of English to such extent that the applicant can take and give instructions for the nursing of patients in English;

(e) such other information as the Board may reasonably require; and

(f) an application fee of N$30 for each qualification in respect of which registration is applied for, which fee shall under no circumstances be refundable.

(2) The Board may require -

(a) proof of the authenticity and validity of any document accompanying an application submitted to it;

(b) if any document so submitted to it is not in the English language, that the original document be accompanied by a sworn translation thereof in that language.

(3) A certificate of registration substantially in the form as set out in Annexure B shall, upon payment of a fee of N$15 for each qualification in respect of which an application for registration has been granted, be issued to every person who has been registered as a nurse or a midwife in terms of section 13(3) of the Act.

**Qualifications which entitle holder thereof to registration**

**3.** The qualifications contemplated in section 18(1) of the Act which, when held singly or conjointly with any other qualification, shall entitle the holder thereof to registration in the nursing or midwifery profession are as set out in Annexure C.

**Registration of additional qualifications**

**4.** (1) The provisions of regulation 2(1), excluding paragraph (d) thereof, and of regulation 2(2), shall apply *mutatis mutandis* in relation to an application for the registration of each additional qualification contemplated in section 25 of the Act, except that the application shall be submitted to the Board on a form similar to the form contained in Annexure D.

(2) A certificate of registration of an additional qualification substantially in the form as set out in Annexure E shall, upon payment of a fee of N$15 for each additional qualification in respect of which an application for registration has been granted, be issued to every person in respect of whom an additional qualification has been registered.

**Particulars to be entered in registers**

**5.** The following particulars shall, in respect of every registered nurse and registered midwife, be entered in the appropriate register in terms of section 14(1)(a) of the Act:

(a) Full names;
(b) sex;
(c) residential address;
(d) date of registration;
(e) qualification registered; and
(f) date on which such qualification was obtained.

**Restoration of names to registers**

**6.** (1) An application for the restoration of the name of a registered nurse or registered midwife to the appropriate register shall be submitted to the Board on a form similar to the form contained in Annexure F, containing the required information, and shall be accompanied by -

(a) the annual fee for the current financial year of the Board; and

(b) an additional application fee of -

(i) N$25, irrespective of the number of qualifications in respect of which restoration is desired, if the name of such nurse or midwife was removed from the appropriate register under section 15(1)(c) of the Act; or

(ii) N$30, irrespective of the number of qualifications in respect of which restoration is desired, if the name of such nurse or midwife was so removed for any other reason.

(2) A certificate of restoration substantially in the form as set out in Annexure G shall be issued to every registered nurse or registered midwife whose name has been restored to the appropriate register.

**Change of name**

**7.** (1) If the name of a registered nurse or registered midwife is changed by marriage or other process of law, he or she shall, within 30 days after such change, notify the Board in writing thereof, and the Board may require documentary or other proof of such change.

(2) A marriage certificate shall be submitted to the Board in the event of a change of name by marriage.

## PART III

## STUDENT NURSES AND STUDENT MIDWIVES

**Application for registration of student nurses and student midwives**

**8.** (1) An application for registration as a student nurse or a student midwife contemplated in section 21(2) of the Act shall, within two months after the commencement of the applicant's course of study, be submitted to the Board on a form similar to the form contained in Annexure H, containing the required information, and shall be accompanied by -

(a) the applicant's birth certificate; and

(b) an application fee of N$40, in the case of registration for a first qualification, which fee shall under no circumstances be refundable.

(2) If an application referred to in subregulation (1) is submitted to the Board after the expiry of the period referred to in that subregulation, only the tuition or training undergone during the two months immediately before the submission to the Board of such application shall be recognized as part of the course of study.

(3) A certificate of registration substantially in the form as set out in Annexure I shall be issued to every person who has been registered as a student nurse or a student midwife.

**Particulars to be entered in registers**

**9.** The following particulars shall, in respect of every student nurse and student midwife, be entered in the appropriate register in terms of section 14(1)(a) of the Act:

(a) Full names;
(b) sex;
(c) course of study;
(d) date of commencement or resumption of course of study;
(e) name of the university or nursing school which the student is attending.

**Removal of names from registers**

**10.** In addition to any other circumstances contemplated in the Act, the name of a student nurse or student midwife shall, by virtue of a notice referred to in section 21(3) of the Act, be removed from the appropriate register -

(a) on the termination for whatever reason of his or her tuition or training before completion of the course of study, including a transfer to another university or nursing school;

(b) on completion of his or her tuition or training.

**Restoration of names to registers**

**11.** (1) An application for the restoration of the name of a student nurse or student midwife to the appropriate register shall, within two months after the resumption by the applicant of his or her course of study, be submitted to the Board on a form similar to the form contained in Annexure H, containing the required information, and shall be accompanied by an application fee of N$20.

(2) If an application referred to in subregulation (1) is submitted to the Board after the expiry of the period referred to in that subregulation, only the tuition or training undergone during the two months immediately before the submission to the Board of such application shall be recognized as part of the course of study.

(3) A certificate of restoration substantially in the form as set out in Annexure J shall be issued to every student nurse or student midwife whose name has been restored to the appropriate register.

**Change of name**

**12.** (1) If the name of a student nurse or student midwife is changed by marriage or other process of law, he or she shall, within 30 days after such change, notify the Board in writing thereof, and the Board may require documentary or other proof of such change.

(2) A marriage certificate shall be submitted to the Board in the event of a change of name by marriage.

## PART IV

## ENROLLED NURSES AND MIDWIVES

**Application for enrolment of nurses and midwives**

**13.** (1) An application for enrolment as a nurse or a midwife contemplated in section 13(2) of the Act shall be submitted to the Board on a form similar to the form contained in Annexure K, containing the required information, and shall be accompanied by -

(a) a certified copy of the applicant's certificate of qualification;

(b) a statement by the issuing authority as to the validity of the certificate referred to in paragraph (a);

(c) such details of the course of study followed and examinations conducted as the Board may consider necessary;

(d) if the applicant did not take the course of study through the language medium of English, a certificate, satisfactory to the Board, that the applicant is proficient in the reading, writing and speaking of English to such extent that the applicant can take and give instructions for the nursing of patients in English;

(e) such other information as the Board may reasonably require; and

(f) an application fee of N$30, which fee shall under no circumstances be refundable.

(2) The Board may require -

(a) proof of the authenticity and validity of any document accompanying an application submitted to it;

(b) if any document so submitted to it is not in the English language, that the original document be accompanied by a sworn translation thereof in that language.

(3) A certificate of enrolment substantially in the form as set out in Annexure L shall be issued to every person who has been enrolled as a nurse or a midwife in terms of section 13(3) of the Act.

**Qualifications which entitle holder thereof to enrolment**

**14.** The qualifications contemplated in section 18(1) of the Act which, when held singly or conjointly with any other qualification, shall entitle the holder thereof to enrolment in the nursing or midwifery profession are as set out in Annexure M.

**Particulars to be entered in rolls**

**15.** The following particular shall, in respect of every enrolled nurse and enrolled midwife, be entered in the appropriate roll in terms of section 14(1)(a) of the Act:

(a) Full names;
(b) sex;
(c) residential address;
(d) date of enrolment;
(e) qualification enrolled; and
(f) date on which such qualification was obtained.

**Removal of names from rolls**

**16.** In addition to any other circumstances contemplated in the Act, the name of an enrolled nurse or enrolled midwife, who is also a registered nurse or registered midwife, may be removed from the appropriate roll, if such person's name is under section 15(1)(d) of the Act removed from the appropriate register by reason of non-payment by him or her of the annual fee in respect of such registration.

**Restoration of names to rolls**

**17.** (1) An application for the restoration of the name of an enrolled nurse or enrolled midwife to the appropriate roll shall be submitted to the Board on a form similar to the form contained in Annexure N, containing the required information, and shall be accompanied by -

(a) the annual fee for the current financial year of the Board; and

(b) an additional application fee of -

(i) N$25, irrespective of the number of qualifications in respect of which restoration is desired, if the name of such nurse or midwife was removed from the appropriate roll under section 15(1)(c) of the Act; or

(ii) N$30, irrespective of the number of qualifications in respect of which restoration is desired, if the name of such nurse or midwife was so removed for any other reason.

(2) A certificate of restoration substantially in the form as set out in Annexure O shall be issued to every enrolled nurse or enrolled midwife whose name has been restored to the appropriate roll.

**Change of name**

**18.** (1) If the name of an enrolled nurse or enrolled midwife is changed by marriage or other process of law, he or she shall, within 30 days after such change, notify the Board in writing thereof, and the Board may require documentary or other proof of such change.

(2) A marriage certificate shall be submitted to the Board in the event of a change of name by marriage.

## PART V

## ENROLLED NURSING AUXILIARIES

**Application for enrolment of nursing auxiliaries**

**19.** (1) An application for enrolment as a nursing auxiliary contemplated in section 13(2) of the Act shall be submitted to the Board on a form similar to the form contained in Annexure P, containing the required information, and shall be accompanied by -

(a) a certified copy of the applicant's certificate of qualification;

(b) a statement by the issuing authority as to the validity of the certificate referred to in paragraph (a);

(c) such details of the course of study followed and examinations conducted as the Board may consider necessary;

(d) if the applicant did not take the course of study through the language medium of English, a certificate, satisfactory to the Board, that the applicant is proficient in the reading, writing and speaking of English to such extent that the applicant can take and give instructions for the nursing of patients in English;

(e) such other information as the Board may reasonably require; and

(f) an application fee of N$30, which fee shall under no circumstances be refundable.

(2) The Board may require -

(a) proof of the authenticity and validity of any document accompanying an application submitted to it;

(b) if any document so submitted to it is not in the English language, that the original document be accompanied by a sworn translation thereof in that language.

(3) A certificate of enrolment substantially in the form as set out in Annexure Q shall be issued to every person who has been enrolled as a nursing auxiliary in terms of section 13(3) of the Act.

**Particulars to be entered in roll**

**20.** The following particulars shall, in respect of every enrolled nursing auxiliary, be entered in the appropriate roll in terms of section 14(1)(a) of the Act:

(a) Full names;
(b) sex;
(c) residential address;
(d) date of enrolment;
(e) qualification enrolled; and
(f) date on which such qualification was obtained.

**Removal of names from roll**

**21.** In addition to any other circumstances contemplated in the Act, the name of an enrolled nursing auxiliary, who is also a registered midwife or an enrolled midwife, may be removed from the appropriate roll, if such person's name is under section 15(1)(d) of the Act removed from the appropriate register or roll by reason of non-payment by him or her of the annual fee in respect of his or her registration or enrolment as a midwife.

**Restoration of names to roll**

**22.** (1) An application for the restoration of the name of an enrolled nursing auxiliary to the appropriate roll shall be submitted to the Board on a form similar to the form contained in Annexure R, containing the required information, and shall be accompanied by -

(a) the annual fee for the current financial year of the Board; and

(b) an additional application fee of -

(i) N$25, irrespective of the number of qualifications in respect of which restoration is desired, if the name of such nursing auxiliary was removed from the appropriate roll under section 15(1)(c) of the Act; or

(ii) N$30, irrespective of the number of qualifications in respect of which restoration is desired, if the name of such nursing auxiliary was so removed for any other reason.

(2) A certificate of restoration substantially in the form as set out in Annexure S shall be issued to every enrolled nursing auxiliary whose name has been restored to the appropriate roll.

**Change of name**

**23.** (1) If the name of an enrolled nursing auxiliary is changed by marriage or other process of law, he or she shall, within 30 days after such change, notify the Board in writing thereof, and the Board may require documentary or other proof of such change.

(2) A marriage certificate shall be submitted to the Board in the event of a change of name by marriage.

## PART VI

## PUPIL NURSES

**Application for enrolment of pupil nurses**

**24.** (1) An application for enrolment as a pupil nurse contemplated in section 22(2) of the Act shall, within two months after the commencement of tuition or training, be submitted to the Board on a form similar to the form contained in Annexure T, containing the required information, and shall be accompanied by -

(a) the applicant's birth certificate; and

(b) an application fee of N$20, which fee shall under no circumstances be refundable.

(2) If an application referred to in subregulation (1) is submitted to the Board after the expiry of the period referred to in that subregulation, only the tuition or training undergone during the two months immediately before the submission to the Board of such application shall be recognized as part of the course of study.

(3) A certificate of enrolment substantially in the form as set out in Annexure U shall be issued to every person who has been enrolled as a pupil nurse.

**Particulars to be entered in rolls**

**25.** The following particulars shall, in respect of every pupil nurse, be entered in the appropriate roll in terms of section 14(1)(a) of the Act:

(a) Full names;
(b) sex;
(c) course of study;
(d) date of commencement or resumption of tuition or training;
(e) name of the training school which the pupil nurse is attending.

**Removal of names from rolls**

**26.** In addition to any other circumstances contemplated in the Act, the name of a pupil nurse shall, by virtue of a notice referred to in section 22(3) of the Act, be removed from the appropriate roll -

(a) on the termination for whatever reason of his or her tuition or training before completion of the course of study, including a transfer to another training school;

(b) on completion of his or her tuition or training.

**Restoration of names to rolls**

**27.** (1) An application for the restoration of the name of a pupil nurse to the appropriate roll shall, within two months after the resumption of tuition or training, be submitted to the Board on a form similar to the form contained in Annexure T, containing the required information, and shall be accompanied by an application fee of N$20.

(2) If the application referred to in subregulation (1) is submitted to the Board after the expiry of the period referred to in that subregulation, only the tuition or training undergone during the two months immediately before the submission to the Board of such application shall be recognized as part of the course of study.

(3) A certificate of restoration substantially in the form as set out in Annexure V shall be issued to every pupil nurse whose name has been restored to the appropriate roll.

**Change of name**

**28.** (1) If the name of a pupil nurse is changed by marriage or other process of law, he or she shall, within 30 days after such change, notify the Board in writing thereof, and the Board may require documentary or other proof of such change.

(2) A marriage certificate shall be submitted to the Board in the event of a change of name by marriage.

## PART VIII

## MISCELLANEOUS

**Repeal of regulations**

**29.** The regulations published under Government Notices Nos. R3588 of 24 October 1969, R.3589 of 24 October 1969, R.3735 of 14 November 1969, R.3736 of 14 November 1969, R.170 of 12 February 1971, R.171 of 12 February 1971, R.1201 of 7 July 1972, R.1204 of 7 July 1972, R.1205 of 7 July 1972, R.1206 of 7 July 1972, R.1207 of 7 July 1972, R.772 of 11 May 1973, R.773 of 11 May 1973, R.1267 of 27 July 1973, R.1647 of 20 September 1974, R.1648 of 20 September 1974, R.1854 of 8 October 1976, R.1855 of 8 October 1976 and R.1856 of 8 October 1976 are hereby repealed.

## ANNEXURE A

## NURSING BOARD OF NAMIBIA

## APPLICATION FOR REGISTRATION AS NURSE/MIDWIFE*

(regulation 2(1))

Surname .....

Maiden name (if applicable) .....

First names in full .....

Sex ..... Date of birth .....

Present business address .....

.....

Residential address .....

Postal address .....

Reference number of Nursing Board .....

Date of arrival in Namibia .....

If not yet in Namibia, expected date of arrival .....

If you have arrived in Namibia under contract of service[1] state -

(a) duration of contract .....

(b) date of commencement of contract .....

(c) name and address of employer .....

.....

If you have not yet arrived in Namibia but will come under a contract of service[1] state -

(a) duration of contract .....

(b) name and address of employer .....

.....

Are you permanently resident in Namibia? .....

If permanently resident in Namibia, state identity number .....

.....

Have you ever been convicted of any offence in any country?[2]

Is a charge for any offence pending against you in any country?[2]

.....

Have you ever been convicted of professional misconduct or improper conduct by a disciplinary hearing of the nursing profession or a similar controlling body in any country?[2] .....

Is a charge of professional misconduct or improper conduct pending against you in any country?[2] .....

The following documents are enclosed in respect of the application. (If a document is not in the English language, the original document shall be accompanied by a sworn translation thereof in English[3]) :

(a) A certified copy of the certificate of qualification;

(b) a statement by the issuing authority as to the validity of such certificate;

(c) a statement of details of training undergone, completed in full by the person in charge of the institution where the training was undergone;

(d) if the course of study was not taken through the language medium of English, a certificate of language proficiency.

The application fee of N$30 for each qualification in respect of which registration is applied for, is enclosed.[4]

..... .....

**Signature of applicant** **Date**

---

(1) The Board may call for the original contract of service or a certified copy thereof.

(2) If the reply to any of these questions is "yes", full particulars shall be submitted with the application.

(3) The Board may call for such other information as may reasonably be required and may require proof of the authenticity and validity of the documents to it.

(4) The fee shall not be refunded if the application is withdrawn, or abandoned, or whatever the outcome of the application may be.

* Delete whichever is inapplicable.

## ANNEXURE B

## NURSING BOARD OF NAMIBIA
## CERTIFICATE OF REGISTRATION

Under the provisions of the Nursing Professions Act, 1993
(Act No. 30 of 1993), it is hereby certified that

_____

was registered on

_____

as a

_____

Given at Windhoek under the seal of the
Nursing Board of Namibia

_____

SECRETARY: NURSING BOARD

The holder of this certificate may
practice only if currently registered
with the Nursing Board of Namibia.

## ANNEXURE C

## NURSING BOARD OF NAMIBIA

## QUALIFICATIONS WHICH ENTITLE HOLDER THEREOF TO REGISTRATION IN THE NURSING OR MIDWIFERY PROFESSION

(regulation 3)

| Qualification | Educational institution where obtained | City and country |
|---|---|---|
| Diploma in Comprehensive Nursing and Midwifery Science | University of Namibia | Windhoek, Namibia |
| Diploma in General Nursing and Midwifery | University of Namibia | Windhoek, Namibia |

## ANNEXURE D

## NURSING BOARD OF NAMIBIA
## APPLICATION FOR REGISTRATION OF ADDITIONAL QUALIFICATIONS

(regulation 4(1))

Surname .....

Maiden name (if applicable) .....

First names in full .....

Postal address .....

Application is made for the registration of the following additional qualifications:

(a) .....

(b) .....

(c) .....

The following documents are enclosed in respect of each additional qualification for which registration is applied for. (If a document is not in the English language, the original document shall be accompanied by a sworn translation thereof in English[1]):

(a) A certified copy of the certificate of qualification;

(b) a statement by the issuing authority as to the validity of such certificate;

(c) a statement by the institution at which the course of study was taken, setting out the full details of such course and the examinations conducted.

The application fee of N$30 for each additional qualification in respect of which registration is applied for, is enclosed.[2]

..... .....

**Signature of applicant** **Date**

---

(1) The Board may call for such other information as may reasonably be required and may require proof of the authenticity and validity of the documents submitted to it.

(2) The fee shall not be refunded if the application is withdrawn, or abandoned, or

whatever the outcome of the application may be.

## ANNEXURE E

## NURSING BOARD OF NAMIBIA
## CERTIFICATE OF REGISTRATION OF ADDITIONAL QUALIFICATION(S)

Under the provisions of the Nursing Professions Act, 1993
(Act No. 30 of 1993), it is hereby certified that

_____

has registered on

_____

the following qualification(s) as additional qualification(s)

_____

_____

_____

Given at Windhoek under the seal of the
Nursing Board of Namibia

_____

**SECRETARY: NURSING BOARD**

## ANNEXURE F

## NURSING BOARD OF NAMIBIA

## APPLICATION FOR RESTORATION OF NAME OF REGISTERED NURSE OR MIDWIFE TO REGISTER

(regulation 6(1))

Surname .....

First names in full .....

Postal address .....

Nursing Board reference number .....

Date of birth .....

Identity number .....

Date on which practising is to be resumed .....

Name of employer .....

Restoration for which application is made: registered nurse/midwife*

Declaration: Answer the following four questions with "Yes" or "No" by making a cross in the appropriate block:

Have you ever been convicted of any offence in any country?
YES/NO

Is a charge for any offence pending against you in any country?
YES/NO

Have you ever been convicted of professional misconduct or improper conduct by a disciplinary hearing of the nursing profession or a similar controlling body in any country? YES/NO

Is a charge of professional misconduct or improper conduct pending against you in any country? YES/NO

The annual fee and the application fee are enclosed.

..... .....

**Signature of applicant** **Date**

* Delete whichever is applicable.

## ANNEXURE G

## NURSING BOARD OF NAMIBIA
## CERTIFICATE OF RESTORATION OF NAME OF REGISTERED NURSE OR REGISTERED MIDWIFE TO REGISTER

Under the provisions of the Nursing Professions Act, 1993
(Act No. 30 of 1993), it is hereby certified that

_____

was restored on

_____

to the _____ register

as a

_____

Given at Windhoek under the seal of the
Nursing Board of Namibia

_____

**SECRETARY: NURSING BOARD**

The validity of this certificate after 31 December of the year of restoration is subject to the production of a receipt of payment of the annual fee for the current financial year of the Board.

## ANNEXURE H

## NURSING BOARD OF NAMIBIA

## APPLICATION FOR REGISTRATION/RESTORATION* AS STUDENT NURSE/STUDENT MIDWIFE*

(regulations 8(1) and 11(1))

Surname .....

Maiden name (if applicable) .....

First names in full .....

Sex ..... Date of birth .....

Are you permanently resident in Namibia? .....

If permanently resident in Namibia, state identity number

.....

Educational standard .....

Course of study .....

Date of commencement/resumption* of course of study .....

Are you a registered nurse/registered midwife?* .....

Are you an enrolled nurse/enrolled midwife/enrolled nursing auxiliary?*

.....

Have you ever been convicted of any offence in any country?(1) .....

Is a charge for any offence pending against you in any country?(1) .....

..... .....

**Signature of student nurse/ student midwife*** **Date**

Name of university or nursing school .....

Remarks .....

.....

.....

.....

..... .....

**Signature of registrar of university or person in charge of nursing school** **Date**

(1) If the reply to any of these questions is "yes", full details shall be submitted with the application.

* Delete whichever is inapplicable.

## ANNEXURE I

## NURSING BOARD OF NAMIBIA
## CERTIFICATE OF REGISTRATION AS STUDENT NURSE OR STUDENT MIDWIFE

Under the provisions of the Nursing Professions Act, 1993 (Act No. 30 of 1993), it is hereby certified that

_____

was registered on

_____

as a

_____

Given at Windhoek under the seal of the Nursing Board of Namibia

_____

**SECRETARY: NURSING BOARD**

## ANNEXURE J

## NURSING BOARD OF NAMIBIA

## CERTIFICATE OF RESTORATION OF NAME OF STUDENT NURSE OR STUDENT MIDWIFE TO REGISTER

Under the provisions of the Nursing Professions Act, 1993
(Act No. 30 of 1993), it is hereby certified that

_____

was restored on

_____

to the student register

as a

_____

Given at Windhoek under the seal of the
Nursing Board of Namibia

_____

**SECRETARY: NURSING BOARD**

## ANNEXURE K

## NURSING BOARD OF NAMIBIA
## APPLICATION FOR ENROLMENT AS NURSE/MIDWIFE*

(regulation 13(1))

Surname .....

Maiden name (if applicable) .....

First names in full .....

Sex ..... Date of birth .....

Present business address .....

.....

Residential address .....

Postal address .....

Reference number of Nursing Board .....

Are you permanently resident in Namibia? .....

If permanently resident in Namibia, state identity number

.....

Have you ever been convicted of any offence in any country?(1) .....

Is a charge for any offence pending against you in any country?(1) .....

.....

Have you ever been convicted of professional misconduct or improper conduct by a disciplinary hearing of the nursing profession or a similar controlling body in any country?(1) .....

Is a charge of professional misconduct or improper conduct pending against you in any country?(1) .....

The following documents are enclosed in respect of the application. (If a document is not in the English language, the original document shall be accompanied by a sworn translation thereof in English(2)) :

(a) A certified copy of the certificate of qualification;

(b) a statement by the issuing authority as to the validity of such certificate;

(c) a statement of details of training undergone, completed in full by the person in charge of the institution where the training was undergone;

(d) if the course of study was not taken through the language medium of English, a certificate of language proficiency.

The application fee of N$30 is enclosed.(3)

..... .....

**Signature of applicant** **Date**

(1) If the reply to any of these questions is "yes", full particulars shall be submitted with the application.

(2) The Board may call for such other information as may reasonably be required and may require proof of the authenticity and validity of the documents submitted to it.

(3) The fee shall not be refunded if the application is withdrawn, or abandoned, or whatever the outcome of the application may be.

* Delete whichever is inapplicable.

## ANNEXURE L

## NURSING BOARD OF NAMIBIA

## CERTIFICATE OF ENROLMENT

Under the provisions of the Nursing Professions Act, 1993
(Act No. 30 of 1993), it is hereby certified that

_____

was enrolled on

_____

as a

_____

Given at Windhoek under the seal of the
Nursing Board of Namibia

_____
**SECRETARY: NURSING BOARD**

The holder of this certificate may
practice only if currently enrolled
with the Nursing Board of Namibia.

## ANNEXURE M

## NURSING BOARD OF NAMIBIA

## QUALIFICATIONS WHICH ENTITLE HOLDER THEREOF TO REGISTRATION IN THE NURSING OR MIDWIFERY PROFESSION

(regulation 14)

| Qualification | Educational institution where obtained | Country |
|---|---|---|
| Certificate for Enrolment as Nurse or Midwife | State hospitals in Namibia | Namibia |

## ANNEXURE N

## NURSING BOARD OF NAMIBIA

## APPLICATION FOR RESTORATION OF NAME OF ENROLLED NURSE OR ENROLLED MIDWIFE TO ROLL

(regulation 17(1))

Surname .....

First names in full .....

Postal address .....

Nursing Board reference number .....

Date of birth .....

Identity number .....

Date on which practising is to be resumed .....

Name of employer .....

Restoration for which application is made: enrolled nurse/midwife*

Declaration: Answer the following four questions with "Yes" or "No" by making a cross in the appropriate block:

Have you ever been convicted of any offence in any country? YES/NO

Is a charge for any offence pending against you in any country? YES/NO

Have you ever been convicted of professional misconduct or improper conduct by a disciplinary hearing of the nursing profession or a similar controlling body in any country? YES/NO

Is a charge of professional misconduct or improper conduct pending against you in any country? YES/NO

The annual fee and the application fee are enclosed.

..... .....

**Signature of applicant** **Date**

* Delete whichever is inapplicable.

## ANNEXURE O

## NURSING BOARD OF NAMIBIA

## CERTIFICATE OF RESTORATION OF NAME OF ENROLLED NURSE OR ENROLLED MIDWIFE TO ROLL

Under the provisions of the Nursing Professions Act, 1993
(Act No. 30 of 1993), it is hereby certified that

_____

was restored on

_____

to the _____ roll

as an

_____

Given at Windhoek under the seal of the
Nursing Board of Namibia

.....
**SECRETARY: NURSING BOARD**

The validity of this certificate after 31 December of the year of restoration is subject to the production of a receipt of payment of the annual fee for the current financial year of the Board.

## ANNEXURE P

## NURSING BOARD OF NAMIBIA

## APPLICATION FOR ENROLMENT AS NURSING AUXILIARY

(regulation 19(1))

Surname .....

Maiden name (if applicable) .....

First names in full .....

Sex ..... Date of birth .....

Present business address .....

.....

Residential address .....

Postal address .....

Reference number of Nursing Board .....

Are you permanently resident in Namibia? .....

If permanently resident in Namibia, state identity number

.....

Have you ever been convicted of any offence in any country?(1) .....

Is a charge for any offence pending against you in any country?(1) .....

.....

Have you ever been convicted of professional misconduct or improper conduct by a disciplinary hearing of the nursing profession or a similar controlling body in any country?(1) .....

Is a charge of professional misconduct or improper conduct pending against you in any country?(1) .....

The following documents are enclosed in respect of the application. (If a document is not in the English language, the original document shall be accompanied by a sworn translation thereof in English(2)) :

(a) A certified copy of the certificate of qualification;

(b) a statement by the issuing authority as to the validity of such certificate;

(c) a statement of details of training undergone, completed in full by the person in charge of the institution where the training was undergone;

(d) if the course of study was not taken through the language medium of English, a certificate of language proficiency.

The application fee of N$30 is enclosed.(3)

..... .....

**Signature of applicant** **Date**

---

(1) If the reply to any of these questions is "yes", full particulars shall be submitted with the application.

(2) The Board may call for such other information as may reasonably be required and may require proof of the authenticity and validity of the documents submitted to it.

(3) The fee shall not be refunded if the application is withdrawn, or abandoned, or whatever the outcome of the application may be.

* Delete whichever is inapplicable.

## ANNEXURE Q

## NURSING BOARD OF NAMIBIA

## CERTIFICATE OF ENROLMENT AS NURSING AUXILIARY

Under the provisions of the Nursing Professions Act, 1993
(Act No. 30 of 1993), it is hereby certified that

_____

was enrolled on

_____

as an

ENROLLED NURSING AUXILIARY

Given at Windhoek under the seal of the
Nursing Board of Namibia

_____

**SECRETARY: NURSING BOARD**

## ANNEXURE R

## NURSING BOARD OF NAMIBIA

## APPLICATION FOR RESTORATION OF NAME OF ENROLLED NURSING AUXILIARY TO ROLL

(regulation 22(1))

Surname .....

First names in full .....

Postal address .....

Nursing Board reference number .....

Date of birth .....

Identity number .....

Date on which practising is to be resumed .....

Name of employer .....

Declaration: Answer the following four questions with "Yes" or "No" by making a cross in the appropriate block:

Have you ever been convicted of any offence in any country? YES/NO

Is a charge for any offence pending against you in any country? YES/NO

Have you ever been convicted of professional misconduct or improper conduct by a disciplinary hearing of the nursing profession or a similar controlling body in any country? YES/NO

Is a charge of professional misconduct or improper conduct pending against you in any country? YES/NO

The annual fee and the application fee are enclosed.

..... .....

**Signature of applicant** **Date**

## ANNEXURE S

## NURSING BOARD OF NAMIBIA

## CERTIFICATE OF RESTORATION OF NAME OF ENROLLED NURSING AUXILIARY TO ROLL

Under the provisions of the Nursing Professions Act, 1993
(Act No. 30 of 1993), it is hereby certified that

_____

was restored on

_____

to the _____ roll

as an

ENROLLED NURSING AUXILIARY

Given at Windhoek under the seal of the
Nursing Board of Namibia

.....

**SECRETARY: NURSING BOARD**

The validity of this certificate after 31 December of the year of restoration is subject to the production of a receipt of payment of the annual fee for the current financial year of the Board.

## ANNEXURE T

## NURSING BOARD OF NAMIBIA

## APPLICATION FOR ENROLMENT/RESTORATION* AS PUPIL NURSE

(regulations 24(1) and 27(1))

Surname .....

Maiden name (if applicable) .....

First names in full .....

Sex ..... Date of birth .....

Postal address .....

Residential address .....

Are you permanently resident in Namibia? .....

If permanently resident in Namibia, state identity number

.....

Educational standard .....

Date of commencement/resumption* of tuition or training .....

Are you a registered midwife? .....

Are you an enrolled midwife? .....

Are you an enrolled nursing auxiliary? .....

Have you ever been found guilty of any offence in any country?(1) .....

.....

Is a charge for any offence pending against you in any country?(1) .....

.....

Have you ever been convicted of professional misconduct or improper conduct by a disciplinary hearing of the nursing profession or a similar controlling body in any country?(1) .....

Is a charge of professional misconduct or improper conduct pending against you in any country?(1) .....

..... .....

**Signature of pupil nurse** **Date**

Name of training school .....

Remarks .....

.....

.....

.....

..... .....

**Signature of person in charge of training school** **Date**

(1) If the reply to any of these questions is "yes", full details shall be submitted with the application.

* Delete whichever is inapplicable.

## ANNEXURE U

## NURSING BOARD OF NAMIBIA

## CERTIFICATE OF ENROLMENT AS PUPIL NURSE

Under the provisions of the Nursing Professions Act, 1993
(Act No. 30 of 1993), it is hereby certified that

_____

was enrolled on

_____

as a

_____

Given at Windhoek under the seal of the
Nursing Board of Namibia

_____

**SECRETARY: NURSING BOARD**

## ANNEXURE V

## NURSING BOARD OF NAMIBIA

## CERTIFICATE OF RESTORATION OF NAME OF PUPIL NURSE TO ROLL

Under the provisions of the Nursing Professions Act, 1993 (Act No. 30 of 1993), it is hereby certified that

_____

was restored on

_____

to the _____ roll

as a

_____

Given at Windhoek under the seal of the Nursing Board of Namibia

.....

**SECRETARY: NURSING BOARD**

_____

## MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 12 1999

NURSING PROFESSIONS ACT, 1993: REGULATIONS RELATING TO THE LODGING OF COMPLAINTS, CHARGES OR ALLEGATIONS AGAINST REGISTERED OR ENROLLED PERSONS AND THE CONDUCTING OF INQUIRIES

The Minister of Health and Social Services has under section 48 of the Nursing Professions Act, 1993 (Act No. 30 of 1993), and, on the recommendation of the Nursing Board, made the regulations set out in the Schedule.

### SCHEDULE

**Definitions**

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

"accused" means a person registered or enrolled under section 13, against whom a complaint, charge or allegation has been made or laid, to the Board;

"chairperson" means the chairperson of the disciplinary committee;

"disciplinary committee" means a committee established by the Board in terms of section 10(1)(a);

"inquiry" means a disciplinary inquiry held by the Board or a disciplinary committee in terms of Part V of the Act and these regulations;

"investigating committee" means a committee established by the Board under section 10(3) of the Act to investigate any complaint made, charge laid or allegation made against an accused;

"legal practitioner" means a legal practitioner as defined in section 1 of the Legal Practitioners Act, 1995 (Act No. 15 of 1995);

"secretary" means the secretary of the Board;

"section" means a section of the Act;

"the Act" means the Nursing Professions Act, 1993 (Act No. 30 of 1993).

**Lodging of complaints, charges or allegations**

**2.** A person who makes a complaint, lays a charge or makes an allegation against an accused on the ground of an alleged act or omission shall -

(a) make the complaint, lay the charge or make the allegation, in writing and address and deliver it to the secretary;

(b) after delivering his or her complaint, charge or allegation to the secretary in terms of paragraph (a), confirm such complaint, charge or allegation in an affidavit or solemn declaration, if requested to do so by the secretary; and

(c) if he or she makes the complaint, lays the charge or makes the allegation in terms of paragraph (a), be prepared to give evidence in the event of an inquiry being held.

**Procedure on receipt of complaint, charge, allegation or record**

**3.** On receipt of a complaint, charge or allegation or of a copy of a record transmitted in terms of section 35(2), the secretary shall, on his or her own motion or in consultation with the president of the Board -

(a) seek further information regarding the complaint, charge, allegation or record;

(b) advise the accused in writing of the nature of the complaint, charge or allegation, and afford the accused an opportunity to explain his or her conduct within 21 days, or such further period as the secretary may permit and shall inform the accused that such explanation may be used as evidence in an inquiry; or

(c) refer the matter with the relevant documents to the investigating committee.

**Reference of matter to investigating committee**

**4.** The secretary shall, on receipt of the explanation referred to in regulation 3(b), or, if no such explanation is received within the period laid down in that regulation, refer the matter, together with the relevant documents, to the investigating committee.

**Action by investigating committee**

**5.** The investigating committee shall, after the matter has been referred to it by the secretary in terms of regulation 4 -

(a) cause further investigation to be made or seek legal or other advice;

(b) if it is of the opinion that an inquiry would not be appropriate, submit a recommendation together with the relevant documents, to the Board which shall accept such recommendation; or

(c) decide that an inquiry should be held by the disciplinary committee.

**Legal representation of accused**

**6.** An accused may be represented by a legal practitioner in all proceedings under these regulations, and, if he or she is so represented, shall, in writing

and before the commencement of the proceedings, inform the secretary of the name of that legal practitioner.

**Power of Board to deal with matters**

**7.** Nothing contained in these regulations shall prevent the Board from dealing with any matter without referring that matter to a committee, and if the Board deals with any matter without referring it to a committee, these regulations shall apply *mutatis mutandis*.

**Procedure in case of an inquiry**

**8.** If the investigating committee decides, in terms of regulation 5, that an inquiry should be held, the secretary shall -

(a) determine the date, time and venue for the inquiry; and

(b) in writing, inform the members of the disciplinary committee of its decision and of the date, time and venue for that inquiry and shall furnish the members with the relevant documents.

**Form of notice**

**9.** A notice referred to in section 30(4), to a person in respect of whom an inquiry is to be held in terms of section 29 and these regulations shall -

(a) be in Form 1 set out in the Appendix to these regulations; and

(b) be accompanied by a copy of these regulations.

**Witnesses and fees**

**10.** (1) An accused may request the secretary to summon witnesses to testify on behalf of the accused during the inquiry, but the secretary shall not comply with such request unless the accused deposits an amount sufficient to cover the costs involved in the summoning of the witnesses.

(2) The secretary shall pay witness fees according to the tariff applicable to criminal cases in a magistrate's court and those fees shall be borne -

(a) if the witness was summoned to testify on behalf of the accused, by the accused; or

(b) if the witness was summoned to testify on behalf of the Board or the disciplinary committee, by the Board.

**Summons to appear before the Board or the disciplinary Committee as a witness or to produce any book, document, record or other thing**

**11.** A summons in terms of section 30(8) to appear as a witness before the Board or the disciplinary committee, or to produce any book, record, document or

thing shall be as nearly as practicable in Form 2 set out in the Appendix to these regulations.

**Chairperson**

**12.** The president of the Board, or in his or her absence, the vice-president, or in the absence of both the President and the vice-president, a chairperson appointed by the disciplinary committee from amongst its members shall act as the chairperson of that committee.

**Procedure at inquiry**

**13.** (1) The disciplinary committee shall conduct inquiries in public, but may direct that the whole or any part of the proceedings be conducted *in camera*.

(2) The secretary shall at an inquiry read out the notice delivered to the accused in terms of section 30(4), but shall not do so if the accused is absent or the accused or the legal practitioner representing the accused indicates that it is not necessary to read out the notice.

(3) The chairperson shall ask the accused, or in the absence of the accused, the legal practitioner representing the accused, to plead either guilty or not guilty to each charge and the plea shall be recorded.

(4) The chairperson shall not, in the absence of the accused, enter a plea of guilty unless the accused has clearly and in writing under his or her own signature, informed the secretary of that plea prior to the commencement of the inquiry.

(5) If an accused or the legal practitioner representing him or her refuses or fails to plead directly to a charge, the secretary shall record that fact and shall enter a plea of not guilty which plea shall have the same effect as if the accused had pleaded not guilty.

(6) If a plea of guilty is entered the disciplinary committee shall decide whether or not evidence is to be led.

(7) If a plea of not guilty is entered, the disciplinary committee shall order that evidence should be led.

(8) The disciplinary committee shall afford the proforma complainant appointed in terms of section 36 an opportunity to state his or her case, either orally or in writing, and to lead evidence, after which his or her case shall be closed.

(9) After the proforma complainant has closed his or her case, the disciplinary committee shall afford the accused or the legal practitioner representing him or her an opportunity to state his or her case, either orally or in writing, and to lead evidence, after which his or her case shall be closed.

(10) If an accused is neither present nor represented, his or her written defence, statements made by him or her or on his or her behalf or explanations, if any, shall constitute his or her defence and shall be submitted to the disciplinary committee.

(11) The chairperson may permit the proforma complainant and the accused or the legal practitioner representing the accused to lead further evidence even after the proforma complainant and the accused have closed their cases.

(12) The person, other than the person who led the evidence, shall be entitled to cross-examine the witness called by the person who led the evidence after that witness has testified.

(13) The chairperson, or with the permission of the chairperson, the members of the disciplinary committee, may question a witness after the cross-examination referred to in subregulation (12).

(14) The person who led the evidence shall be entitled to re-examine the witness, but shall confine his or her re-examination to matters raised in cross-examination and questions put to the witness in terms of subregulation (13).

(15) Oral evidence shall be given on oath or affirmation, and the chairperson shall, at the inquiry, administer an oath to a witness in Form 3 set out in the Appendix to these regulations.

(16) If a witness objects to the taking of the oath, he or she shall make an affirmation that he or she shall speak the truth.

(17) The chairperson shall warn a witness who is making an affirmation that such affirmation has the same effect as an oath.

(18) The disciplinary committee may refuse to admit evidence when a witness is not available for cross-examination or refuses to submit to the cross-examination.

(19) Subject to subregulation (18), if evidence is to be led in the absence of a witness that evidence shall be in the form of an affidavit or solemn declaration, and the opposing party may object to the admission of that evidence if he or she is not afforded the opportunity to cross-examine the witness.

(20) If any information or accusation is based on the record of a legally constituted court or on an inquest, the disciplinary committee shall accept such record as *prima facie* evidence if it is certified as a true copy.

(21) The disciplinary committee may, if practicable and if it considers it necessary to do so, summon witnesses whose evidence appears in a record referred to in subregulation (20) for purposes of further examination and cross-examination.

(22) The disciplinary committee shall -

(a) after all evidence has been given, give the *pro forma* complainant an opportunity to make a submission to the disciplinary committee on the evidence and the legal position, and shall be given this opportunity whether or not the accused has led evidence;

(b) after the *pro forma* complainant has made a submission in terms of paragraph (a), give the accused or the legal practitioner representing the

accused, if present, an opportunity to make a submission to the disciplinary committee; and

(c) after the accused or the legal practitioner representing him or her has made a submission, give the *pro forma* complainant an opportunity to reply to points of law raised by the accused or the legal practitioner representing the accused in his or her submission.

(23) The disciplinary committee shall, after the close of a case, go into committee and consider the evidence led, with a view to a finding.

(24) If after the finding referred to in subregulation (23) the disciplinary committee finds that the accused is not guilty, it shall immediately inform, him or her, in writing of that finding and report its action to the Board.

(25) The disciplinary committee may make a finding of not guilty even where the accused has pleaded guilty.

(26) If the accused is found guilty the disciplinary committee shall decide whether the complaint, charge or allegation of which the accused is found guilty constitutes improper conduct or misconduct, and the parties concerned shall be informed, in writing, of that decision immediately.

(27) The *pro forma* complainant shall, after the accused has been found guilty furnish details to the disciplinary committee of previous convictions, if any, of the accused under the Act or any law repealed by the Act, but he or she may do so only if notice was given to the accused prior to the commencement of the inquiry that this would be done in the event of a finding of guilty.

(28) Proof of previous convictions referred to in subregulation (27) shall be by means of a certificate under the hand of the secretary indicating the nature of the conviction, the date of the conviction and the penalty imposed.

(29) If the accused challenges the correctness of the certificate referred to in subregulation (28), a copy of the relevant record and a copy of the minutes of the meeting of the Board or other competent body at which the finding and the penalty were made or confirmed shall be produced, after which the fact of conviction shall be regarded as proved.

(30) The *pro forma* complainant shall be afforded the opportunity of making representations or leading evidence, either orally or in writing, regarding a suitable penalty, after which the accused or the legal practitioner representing the accused shall be afforded the same opportunity, including the adducing of evidence in mitigation of the penalty to be imposed.

(31) If an accused is neither present nor represented, any written representations or statements made by him or her or on his or her behalf or explanations, if any, and which have a bearing on a penalty shall be taken into account.

(32) The disciplinary committee shall, before imposing a penalty on an accused, go *in camera* and deliberate upon the imposition of a penalty and shall

immediately after such deliberation inform the accused, in writing, of the penalty imposed.

(33) If the penalty imposed is a caution, a reprimand or a caution and a reprimand, such penalty shall immediately be imposed by the disciplinary committee, which shall report its action to the Board.

(34) If the disciplinary committee decides on a penalty other than that referred to in subregulation (33) -

(a) the penalty decided upon shall immediately be communicated, in writing, to all the parties concerned with reference to the rights of the accused in terms of paragraph (c);

(b) the disciplinary committee shall submit all relevant documents and the record of its inquiry together with its finding and recommendation to the Board, which may confirm or vary such finding and the penalty recommended;

(c) the accused shall be entitled, within 14 days after the finding of guilty by the disciplinary committee, to make representations, in writing, to the secretary for submission to the Board; and

(d) the Board shall, if it decides to accept the recommendation of the disciplinary committee, communicate that decision to the accused immediately.

(35) The secretary shall -

(a) reduce the decision of the disciplinary committee or of the Board to writing, have it signed by the president of the Board or the vice-president of the Board and file it on the file of the accused;

(b) cause a finding of guilty and the penalty imposed to be published in the *Gazette* and in the report of the Board, if any, and shall state the name of the accused, the contravention and the penalty; and

(c) communicate a decision of the disciplinary committee relating to any point arising in connection with or in the course of an inquiry and which concerns any person not present or represented at the inquiry, to the person concerned.

(36) After deliberating *in camera* the disciplinary committee may of its own accord or at the request of the *pro forma* complainant or of the accused or the legal practitioner representing the accused, adjourn any inquiry being held in terms of these regulations, to be resumed at such date, time and place as the disciplinary committee may determine or as the secretary may by registered post communicate to all parties concerned.

(37) The procedure prescribed in these regulations shall apply *mutatis mutandis* to any inquiry conducted in terms of section 38 of the Act.

(38) In this regulation "competent body" means any body which has powers to inquire into any complaint, charge or allegation under the Act.

**Obstruction or interruption of proceedings**

**14.** Any person who obstructs or interrupts the proceedings at an inquiry, insults a member or official of the Board or of the disciplinary committee or misbehaves in any other way -

(a) shall be guilty of an offence and on conviction be liable to a fine not exceeding N$1 000 or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment; and

(b) may be removed from the proceedings by the chairperson by order of the chairperson.

**Submission of minutes of inquiry to the Board**

**15.** If the disciplinary committee has conducted an inquiry the chairperson shall submit to the Board a copy of the minutes of the inquiry.

**Repeal of regulations**

**16.** The regulations promulgated by Government Notices R.373 of 13 March 1970, R.1737 of 29 September 1972 and R.1707 of 27 September 1974 are hereby repealed.

**APPENDIX**
**(Regulations 9, 11 and 13)**

FORM 1
(Regulation 9)

NURSING BOARD: NOTICE IN TERMS OF SECTION 30(4) OF THE NURSING PROFESSIONS ACT, 1993 (ACT NO. 30 OF 1993) OF A DISCIPLINARY INQUIRY BY THE BOARD

To Mr/Mrs/Miss* .....

.....

I have been directed to inform you that the complaint/charge/allegation* that you, being a registered nurse/registered midwife/enrolled nurse/enrolled midwife/enrolled nursing auxiliary*, duly registered/enrolled as such under the Nursing Professions Act, 1993 (Act No. 30 of 1993), are guilty of improper conduct or misconduct, in that you

.....

.....

.....

.....

has been lodged with or brought before the Board, and will be considered at an inquiry of the Board/a disciplinary committee of the Board* to be held

at .....(place)

on .....(date)

at ..... (time).

..... .....

**Signature of Secretary** **Date**

**ACKNOWLEDGEMENT OF RECEIPT**

I ..... registered nurse/registered midwife/ enrolled nurse/enrolled midwife/enrolled nursing auxiliary* duly registered/enrolled under the Nursing Professions Act, 1993 (Act No. 30 of 1993), do hereby acknowledge receipt of this Notice.

..... .....

**Signature** **Date**

* Delete whichever does not apply.

FORM 2

(Regulation 11)

NURSING BOARD: SUMMONS IN TERMS OF SECTION 30(8) OF THE NURSING PROFESSIONS ACT, 1993 (ACT NO. 30 OF 1993) TO APPEAR AS A WITNESS AT AN INQUIRY BY THE BOARD OR A COMMITTEE OF THE BOARD*

You, .....

(name)

.....

(occupation)

of .....

(business address)

.....

(residential address)

are hereby summoned to appear at .....

on the ..... day of .....

199 ....., at ..... h ....., before the Nursing Board/a disciplinary committee of the Board established in terms of the Nursing Professions Act, 1993, (Act No. 30 of 1993),* to give evidence in respect of the following conduct

.....

.....

.....

.....

.....

of .....

registered/enrolled* under the said Act as a .....

.....

and you are directed to produce at the time and place aforesaid the books, records, documents and things specified in the list below, and then and there to give evidence in relation to the said inquiry.

Given under the hand of the .....

of the Board this ..... day of .....

199 .....

.....

Signature of President/Secretary*

* Delete whichever does not apply.

List of books, records, documents and things to be produced:

.....

.....

.....

.....

.....

.....

.....

Note: Your attention is directed to section 30(8)(c) of the Nursing Professions Act, 1993 (Act No. 30 of 1993), which reads as follows:

"(c) Any person who, having been duly summoned -

(i) refuses or without sufficient cause fails to attend and give evidence relevant to the inquiry at the time and place specified in the summons; or

(ii) refuses to take the prescribed oath or to make an affirmation when required by the person presiding at such inquiry to do so; or

(iii) leaves the inquiry in question without the consent of the person presiding at such inquiry, whether or not such person has given evidence; or

(iv) refuses to give evidence before the Board or refuses to answer fully and satisfactorily to the best of his or her knowledge and belief any question lawfully put to him or her or refuses to produce any book, record, document or thing which such person has in terms of the summons been required to produce,

shall be guilty of an offence and on conviction be liable to a fine not exceeding N$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment."

FORM 3
(Regulation 13(15))

NURSING BOARD: OATH BY A WITNESS

| | |
|---|---|
| Chairperson: | What are your full names? |
| Witness: | [States his or her name] |
| Chairperson: | Do you have any objection to taking the prescribed oath? |
| Witness: | [If no objection] : No!<br>[If he or she has no objection] : Yes! |
| Chairperson: | Do you swear to tell the truth, the whole truth and nothing but the truth?<br>[Only if the witness has no objection] |
| Witness: | Yes! |
| Chairperson: | Say: "So help me God." |
| Witness: | So help me God. |

Note: If the witness has an objection against the taking of the prescribed oath, he or she will only have to confirm that he or she will tell the truth.

## MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 13 1999

NURSING PROFESSIONS ACT, 1993: REGULATIONS RELATING TO THE SCOPE OF PRACTICE OF PERSONS WHO ARE REGISTERED OR ENROLLED UNDER THE NURSING PROFESSIONS ACT, 1993

The Minister of Health and Social Services has under section 48 of the Nursing Professions Act, 1993 (Act No. 30 of 1993), and, on the recommendation of the Nursing Board, made the regulations set out in the Schedule.

### SCHEDULE

**Definitions**

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

"child" includes an unborn child;

"co-ordination" means the bringing together of the acts of members of a health team to meet the spectrum of identified health needs of an individual or a group of persons;

"diagnosis" means the identification of and discrimination between physical, psychological and social signs and symptoms in man;

"health needs" means signs, symptoms and processes which denote the individual's interaction with any actual or potential health problem and which require nursing intervention;

"midwifery regimen" means the regulation and implementation of matters which, through midwifery intervention, have an influence on the course and management of pregnancy, all stages of labour and the puerperium, and includes the -

(a) provision, implementation and evaluation of midwifery care plans;

(b) recording of the course of pregnancy, labour and puerperium and of any health problem; and

(c) care received by the mother and child whilst in the charge of the midwife;

"nursing regimen" means the regulation of matters which, through nursing intervention, have an influence on the -

(a) preventative, promotive, curative or rehabilitative aspects of health care;

(b) provision, implementation and evaluation of nursing care plans;

(c) recording of the course of any health problem; and

(d) health care received by a patient and the outcome of such health care whilst the patient is in the charge of a nurse;

"prescribing" means giving written directions regarding treatment, nursing care, co-ordination, collaboration and patient advocacy functions essential to the effective execution and management of the nursing regimen or the midwifery regimen;

"registered person" means -

(a) a person registered as a nurse or a midwife under the Act;

(b) a person registered as a medical practitioner or a dentist under the Medical and Dental Professions Act, 1993 (Act No. 21 of 1993); or

(c) a registered person defined in section 1 of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993);

"the Act" means the Nursing Professions Act, 1993 (Act No. 30 of 1993);

"treatment" means the selection and performance of therapeutic measures essential to the effective execution and management of the nursing regimen.

**The scope of practice of registered nurses**

**2.** The scope of practice of a registered nurse shall entail the following acts, which acts may be performed by scientifically based physical, chemical, psychological, social, educational and technological means applicable to health care practice:

(a) The diagnosis of a health need and the prescription, provision and execution of a nursing regimen to meet the need of a patient or a group of patients or, if necessary, by referral to a registered person;

(b) the execution of a program of treatment or medication prescribed by a registered person for a patient;

(c) the treatment, care and administration of medicine to a patient, including the monitoring of the patient's vital signs and of his or her reaction to disease conditions, trauma, stress, anxiety, medication and treatment;

(d) the prevention of disease and the promotion of health and family planning by teaching and counselling individuals and groups of persons;

(e) the prescription, promotion or maintenance of hygiene, physical comfort and re-assurance of the patient;

(f) the promotion of exercise, rest and sleep with a view to the healing and rehabilitation of a patient;

(g) the facilitation of body mechanics and the prevention of bodily deformities in a patient in the execution of the nursing regimen;

(h) the supervision over and maintenance of a supply of oxygen to a patient;

(i) the supervision over and maintenance of fluid, electrolyte and acid base balance of a patient;

(j) the facilitation of the healing of wounds and fractures, the protection of the skin and the maintenance of sensory functions in a patient;

(k) the facilitation of the maintenance of bodily regulatory mechanisms and functions in a patient;

(l) the facilitation of the maintenance of nutrition of a patient;

(m) the supervision over and maintenance of elimination by a patient;

(n) the facilitation of communication by and with a patient in the execution in the execution of the nursing regimen;

(o) the facilitation of the attainment of optimum health for the individual, the family, groups and the community in the execution of the nursing regimen;

(p) the establishment and maintenance, in the execution of the nursing regimen, of an environment in which the physical and mental health of a patient is promoted;

(q) preparation for and assistance with operative, diagnostic and therapeutic acts for a patient;

(r) the co-ordination of the health care regimens provided for the patient by other categories of health personnel;

(s) the provision of effective patient advocacy to enable the patient to obtain the health care he or she needs; and

(t) care of a dying patient and of a recently deceased patient within the execution of the nursing regimen.

**The scope of practice of a registered midwife**

**3.** The scope of practice of a registered midwife shall entail the following scientifically based acts, which acts apply to the practice of midwifery and which acts relate to the mother and child in the course of pregnancy, labour and the puerperium:

(a) The diagnosis of a health need and the facilitation of the attainment of optimum physical and mental health for the mother and child by the prescription, provision and execution of a midwifery regimen or, if necessary, referral to a registered person or by obtaining the assistance of a registered person, as the case may be;

(b) the execution of a programme of treatment or medication prescribed by a registered person;

(c) the prevention of any disease relating to pregnancy, labour and the puerperium, and the promotion of health and family planning by teaching and counselling individuals, families and groups of persons, by the implementation of family planning skills and by monitoring the health status of the mother and child;

(d) the monitoring of -

(i) the progress of pregnancy, labour and the puerperium;

(ii) the vital signs of the mother and child; and

(iii) the reaction of the mother and child to disease conditions, trauma, stress, anxiety, medication and treatment;

(e) the prevention of complications relating to -

(i) pregnancy, labour and the puerperium;

(ii) the performance of an episiotomy;

(iii) the suturing of first and second degree tears or an episiotomy; and

(iv) the administration of a local anaesthetic;

(f) the administration of medicine to the mother or child;

(g) the prescription, promotion or maintenance of hygiene, physical comfort and reassurance of the mother and child;

(h) the promotion of exercise, including ante-natal and post-natal exercises, rest and sleep;

(i) the facilitation of body mechanics and the prevention of bodily deformities in the execution of the midwifery regimen;

(j) the supervision over and maintenance of a supply of oxygen to the mother and child;

(k) the supervision over and maintenance of fluid, electrolyte and acid base balance of the mother and child;

(l) the facilitation of the healing of wounds, the protection of the skin and the maintenance of sensory functions in the mother and child;

(m) the facilitation of the maintenance of bodily regulatory mechanisms and functions in the mother and child;

(n) the facilitation, maintenance and, where necessary, the improvement of the nutritional status of the mother and child;

(o) the promotion of breastfeeding;

(p) the supervision over and maintenance of elimination by the mother and child;

(q) the facilitation of communication by and with the mother and father or family in the execution of the midwifery regimen;

(r) the establishment and maintenance, in the execution of the midwifery regimen, of an environment in which the physical and mental health of mother and child is promoted;

(s) preparation for and assistance with operative, diagnostic and therapeutic acts for the mother and child;

(t) the co-ordination of the health care regimens provided for the mother and child by other registered persons;

(u) the provision of effective advocacy to enable the mother and child to obtain the health care they need; and

(v) care of a dying patient and a recently deceased patient within the execution of the midwifery regimen.

**The scope of practice of enrolled midwives**

**4.** The scope of practice of an enrolled midwife shall entail the following acts, which acts apply to the practice of midwifery:

(a) The identification of a health need and the promotion of the health of the mother and child by means of examination and advice during, and supervision over and handling of, normal pregnancy, uncomplicated labour and normal puerperium;

(b) the promotion or maintenance of hygiene and physical comfort and the reassurance of the mother and child;

(c) the promotion of exercise, rest and sleep;

(d) the control, promotion and maintenance of the following in the mother and child -

(i) respiratory functions;

(ii) intake and output functions;

(iii) blood pressure, temperature, pulse rate and foetal heart;

(e) the promotion, maintenance and improvement of the nutritional status of the mother and child;

(f) the promotion of breastfeeding;

(g) the provision of information on health and family planning; and

(h) the care of a dying patient, a recently deceased patient and a stillborn infant.

**The scope of practice of enrolled nurses**

**5.** The scope of practice of an enrolled nurse shall entail the following acts as part of the nursing regimen planned and initiated by a registered nurse or a registered midwife and carried out under his or her direct or indirect supervision:

(a) The conducting of nursing care to fulfil the health needs of a patient or a group of patients;

(b) caring for a patient and executing a nursing care plan for a patient, including the monitoring of vital signs and the observation of reactions to medication and treatment;

(c) the prevention of disease and the promotion of health and family planning by means of information to individuals and groups;

(d) the promotion and maintenance of the hygiene, physical comfort and reassurance of a patient;

(e) the promotion and maintenance of exercise, rest and sleep with a view to the healing and rehabilitation of a patient;

(f) the prevention of physical deformity and other complications in a patient;

(g) the supervision over and maintenance of a supply of oxygen to a patient;

(h) the supervision over and maintenance of the fluid balance of a patient;

(i) the promotion of the healing of wounds and fractures, the protection of the skin and the maintenance of sensory functions in a patient;

(j) the promotion and maintenance of the body regulatory mechanisms and functions in a patient;

(k) the feeding of a patient;

(l) the promotion and maintenance of elimination by a patient;

(m) the promotion of communication by and with a patient in the execution of nursing care;

(n) the promotion of the attainment of optimal health in the individual, the family, groups of persons and the community;

(o) the promotion and maintenance of an environment in which the physical and mental health of a patient are promoted;

(p) preparation for and assistance with diagnostic and therapeutic acts by a registered person;

(q) preparation for and assistance with surgical procedures and anaesthetic; and

(r) care of a dying patient and a recently deceased patient.

**The scope of practice of enrolled nursing auxiliaries**

**6.** The scope of practice of an enrolled nursing auxiliary shall entail the following acts as part of the nursing regimen planned and initiated by a registered nurse or a registered midwife and carried out under his or her direct or indirect supervision:

(a) The promotion and maintenance of the health of a patient, a family and a community;

(b) the provision of health and family planning information to individuals and groups;

(c) the care of a patient and the execution of a nursing care plan for a patient;

(d) the promotion and maintenance of the hygiene of a patient, a family and a community;

(e) the promotion and maintenance of the physical comfort, rest, sleep, exercise and reassurance of a patient;

(f) the prevention of physical deformity and other complications in a patient;

(g) the supervision over and maintenance of a supply of oxygen to a patient;

(h) the taking of the blood pressure, temperature, pulse and respiration of a patient;

(i) the promotion and maintenance of the body regulatory functions of a patient;

(j) the promotion of the nutrition of a patient, a family and a community;

(k) the maintenance of intake and elimination by a patient;

(l) the promotion of communication with a patient during his or her care;

(m) the preparation of individuals and groups for the execution of diagnostic procedures and therapeutic acts by a registered person;

(n) the preparation for and assistance during surgical procedures under anaesthetic; and

(o) the care of a dying patient and a recently deceased patient.

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## MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 14 1999

NURSING PROFESSIONS ACT, 1993: REGULATIONS RELATING TO THE ADVANCED UNIVERSITY DIPLOMA IN OPERATING ROOM NURSING SCIENCE

The Minister of Health and Social Services has under section 48 of the Nursing Professions Act, 1993 (Act No. 30 of 1993), on the recommendation of the Nursing Board -

(a) made the regulations set out in the Schedule; and

(b) repealed Government Notice No. R.44 of 9 January 1970.

### SCHEDULE

**Definitions**

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

"course" means the course for the Advanced University Diploma in Operating Room Nursing Science;

"student" means a student registered for the course; and

"the Act" means the Nursing Professions Act, 1993 (Act No. 30 of 1993).

**Conditions for approval of nursing school to provide course**

**2.** (1) The Board may, subject to the provisions of subregulation (2), approve a nursing school to provide tuition or training with regard to the course, if -

(a) the organisational structure and the facilities for the conduct of the teaching and educational programme at such school are satisfactory in the opinion of the Board; and

(b) members of the nursing staff who take part in the clinical instruction of student are registered general nurses against whose names the additional

qualification in operating room nursing science has been registered.

(2) The Board may on such conditions as it may determine, approve a nursing school even if one of the conditions referred to in subregulation (1) cannot be complied with.

**Requirements for admission to course**

**3.** Any person who wishes to undergo tuition or training in the course shall submit to the Head of the nursing school -

(a) proof that he or she is the holder of a grade 12 or senior certificate, or an equivalent qualification;

(b) proof that he or she is the holder of an approved diploma in general nursing science and midwifery;

(c) annually, together with his or her application for registration for the course, proof of his or her current registration as a nurse and midwife with the Board;

(d) have at least two year's experience as a registered nurse; and

(e) submit proof of permission to do the course from his or her employer.

**Termination and completion of course**

**4.** (1) The Head of a nursing school shall notify the Board, if a student -

(i) terminates the course before completion;

(ii) is transferred to another nursing school; or

(iii) successfully completes the course.

(2) A notice referred to in subregulation (1) shall contain a record of the theoretical and clinical instructions undergone by the student concerned.

**Duration of course**

**5.** (1) The duration of the course shall be at least one year.

(2) Where a student is transferred from one nursing school to another, he or she shall, unless the Board determines otherwise, enter the course at such other nursing school *de novo*.

**Curriculum for course**

**6.** (1) The course shall consist of the following subjects:

(a) Basic science;

(b) Operating Theatre Nursing; and

(c) Research Methodology and Interpretation of Data.

(2) All the subjects referred to in subregulation (1) shall be taught at an applied level throughout the course, with special emphasis on -

(a) the ethical foundations of nursing;

(b) the law governing the practice of nursing, including the regulations regarding the conduct of registered nurses, enrolled nurses and enrolled nursing assistants and the legislation applicable to the various aspects of the curriculum;

(c) medico-legal risks;

(d) social, psychological, cultural and physical relationship in health and disease;

(e) preventive, promotive, curative and rehabilitative aspects with regard to health and disease;

(f) science principles underlying nursing; and

(g) microbiology, parasitology and pharmacology.

**Lectures, clinical instruction and practical training**

**7.** A student shall throughout the prescribed period for the course attend both theoretical and clinical instructions, and undergo practical training in the subjects referred to in regulation 6.

**Examinations**

**8.** (1) In order to be admitted to an examination on the course a student shall -

(a) have completed the prescribed period of training and curriculum for the course by the end of the month in which the examination is held; and

(b) according to the assessment by the nursing school where the course was followed, be competent and suitable for admission in respect of attitude, approach, insight, knowledge and skills.

(2) The examinations shall be conducted in accordance with the regulations relating to the examinations of the University of Namibia.

**Registration of additional qualifications**

**9.** The secretary of the Board shall issue to a student who has passed in the examination referred to in regulation 8 and complies with any other requirements

relating to registration prescribed by or under the Act, a Certificate of Registration of the Advanced University Diploma in Operating Room Nursing Science, without the payment of a fee, provided that the notice referred to in regulation 4(1)(iii) has been lodged with the Board.

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## MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 15 1999

### REGULATIONS RELATING TO THE COURSE FOR THE DIPLOMA IN OPHTHALMOLOGICAL NURSING: NURSING PROFESSIONS ACT, 1993

The Minister of Health and Social Services has under section 48 of the Nursing Professions Act, 1993 (Act No. 30 of 1993), on the recommendation of the Nursing Board -

(a) made the regulations set out in the Schedule; and

(b) repealed Government Notices Nos. R.83 of 16 January 1970, R.265 of 14 February 1975 and R.1578 of 12 August 1977.

### SCHEDULE

**Definitions**

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

"course" means the course for the Diploma in Ophthalmological Nursing;

"examination" means the examination for the course as contemplated in regulation 7;

"period for the course" means the period referred to in regulation 4;

"student" means a student registered with a nursing school for the course; and

"the Act" means the Nursing Professions Act, 1993 (Act No. 30 of 1993).

**Conditions for approval of nursing school to provide course**

**2.** (1) The Board may, subject to the provisions of subregulation (2), approve a nursing school to provide tuition or training with regard to the course, if -

(a) the organisational structure and the facilities for the conduct of the teaching and educational programme at such school are satisfactory in the opinion of the Board; and

(b) members of the nursing staff who take part in the clinical instruction of students are registered nurses against whose names the additional qualification in ophthalmological nursing has been registered.

(2) The Board may on such conditions as it may determine, approve a nursing school even if one of the conditions referred to in subregulation (1) cannot be complied with.

**Requirements for admission to course**

**3.** Any person who wishes to undergo tuition or training in the course shall submit to the Head of the nursing school -

(a) proof that he or she is the holder of a grade 12 or senior certificate, or an equivalent qualification, unless the Board determines otherwise;

(b) proof of his or her current registration as a nurse, which registration shall be maintained throughout the period for the course and until the results of the examination concerned are published, failing which the period for the course undergone from the date of removal from the register to the date of restoration, shall be forfeited.

**Termination and completion of course**

**4.** (1) The Head of a nursing school shall notify the Board, if a student -

(i) terminates the course before completion;

(ii) is transferred to another nursing school; or

(iii) successfully completes the course.

(2) A notice referred to in subregulation (1) shall contain a record of the theoretical and clinical instructions undergone by the student concerned.

**Duration of course**

**5.** The duration of the course shall extend over 200 days, excluding days off, which unless the Board determines otherwise, shall be completed within a period of 15 months.

**Curriculum for course**

**6.** (1) The course shall consist of the following subjects:

(a) Ophthalmology;

(b) Ophthalmological Nursing;

(c) Health Care Systems; and

(d) Research Methodology and the Interpretation of Data.

(2) All the subjects referred to in subregulation (1) shall be taught at an applied level throughout the course.

**Lectures, clinical instruction and practical training**

**7.** (1) A student shall throughout the prescribed period for the course attend the lectures and clinical instruction, and undergo practical training in the subjects referred to in regulation 6.

(2) Every student shall visit organisations concerned with the prevention and treatment of blindness, the rehabilitation of the blind and the social care of the blind.

(3) (a) Every student shall undergo clinical instruction and practical training in the wards, departments and ancillary services of the nursing school, which shall include at least -

(i) three months in the wards, including rehabilitative therapy;

(ii) three months in the out-patient department; and

(iii) six weeks in the theatre.

(b) The periods referred to in paragraph (a) need not to be continuous.

(4) The full balance of the period for the course may, at the discretion of the student concerned, be undergone -

(a) in the wards and departments; or

(b) in the operation theatre,

of the nursing school.

(5) Every student shall undergo clinical instruction and practical training at night for at least one month and for not more than three months in all during the course, and these periods need not to be continuous.

**Examination**

**8.** (1) The examination for the course shall consist of two portions -

(a) a written examination of two papers of three hours each; and

(b) a practical examination conducted by the nursing school.

(2) In order to be admitted to an examination on the course a student shall -

(a) have completed the prescribed period and the curriculum for the course

by the end of the month in which the examination is held; and

(b) according to the assessment of the nursing school where the course was followed, be competent and suitable for admission in respect of attitude, approach, insight, knowledge and skills; and

**Registration of additional qualification**

**9.** The secretary of the Board shall, without the payment of a fee, issue to a student who has passed the examination referred to in regulation 7 and complies with any other requirements relating to registration prescribed by or under the Act, with a Certificate of Registration of the Diploma in Ophthalmological Nursing, provided that the notice referred to in regulation 4(1)(iii) has been lodged with the Board.