



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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## Government Notices

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### MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 215

1999

#### REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE CLINICAL PSYCHOLOGY BOARD UNDER THE ALLIED HEALTH SERVICES PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Clinical Psychology Board, has under section 45 of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993), made the regulations set out in the Schedule.

#### SCHEDULE

##### Definitions

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

“Board” means the Clinical Psychology Board established under section 2 of the Act;

“clinical psychologist” means a person registered as such under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to vote at an election of members of the Board, being a registered person who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993).

##### Returning officer

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

##### Nomination of candidates

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in a notice in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

#### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a clinical psychologist who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

(2) The nomination of a person as candidate for election is not valid, unless-

- (a) the nomination is made by two other clinical psychologists on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;
- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
- (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

(3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.

(4) A clinical psychologist may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by that person.

(5) A person nominated in terms of this regulation may withdraw his or her

candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
- (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.

(3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;

- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her, and, as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

## ANNEXURE

## FORM 1

**CLINICAL PSYCHOLOGY BOARD:  
INVITATION FOR SUBMISSION OF NOMINATIONS OF  
CANDIDATES FOR ELECTION AS MEMBERS**

Notice is hereby given that an election of ..... (*number*) member(s) of the Clinical Psychology Board is to be held in terms of section 5/section 7(2)\* of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993)

Nominations of eligible clinical psychologists as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than .....(*time*) on .....(*date*)

## GENERAL NOTES:

1. Any registered clinical psychologist resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
2. Nominations must be made on a nomination form substantially in the form of Form 2 of the Regulations Relating to the Election of Members of the Clinical Psychology Board under the Allied Health Services Professions Act, 1993. Nomination forms can be obtained from the returning officer.
3. Each candidate must be nominated on a separate nomination form.
4. Every registered clinical psychologist is entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
5. Each nomination form must state the full names of the person nominated and must be signed by two other registered clinical psychologists. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....

**Returning officer**

Clinical Psychology Board

.....(*Address*)

\*Delete which is not applicable

FORM 2

CLINICAL PSYCHOLOGY BOARD:  
NOMINATION FORM

We, the undersigned, being registered clinical psychologists, hereby nominate  
.....  
of....., a registered clinical psychologist, as a candidate for election  
as member of the Clinical Psychology Board.

1. Full names .....  
  
Signature ..... Date .....  
  
Registration number .....  
  
Registered address .....  
  
Witness ..... (Name and address)

2. Full names .....  
  
Signature ..... Date .....  
  
Registration number .....  
  
Registered address .....  
  
Witness .....(Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Clinical Psychology Board.

..... <b>Signature</b>	..... <b>Date</b>
..... Registered address	
..... Registration number	

FORM 3

CLINICAL PSYCHOLOGY BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:

Election of .....(number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

- 1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.



2. A ballot paper shall be invalidated if the voter -  

(a) votes for more candidates than the number of persons to be elected;  
(b) votes for a person who has not been validly nominated;  
(c) votes more than once for the same person or returns more than one ballot paper; or  
(d) does not clearly indicate the candidate for whom he or she is voting.
3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Clinical Psychology Board, .....  
*(insert address)*, so as to be received by the returning officer not later than .....  
*(insert cut-off day and time for the return of votes)*

FORM 4

CLINICAL PSYCHOLOGY BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, *(full names)* ....., Identity No. ...., being .....*(profession)*  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper was addressed, that I am resident in Namibia and that I have not returned any other ballot paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 216

1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
DENTAL BOARD UNDER THE MEDICAL AND DENTAL  
PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Dental Board, has under section 50 of the Medical and Dental Professions Act, 1993 (Act No. 21 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

1. In these regulations, unless the context otherwise indicates, any word or

expression defined in the Act has that meaning and -

“Board” means the Dental Board established by section 2 of the Act;

“qualified voter” means a dentist who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Medical and Dental Professions Act, 1993 (Act No. 21 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as the returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a dentist who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-
  - (a) the nomination is made by two other dentists on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;

- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
- (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

(2) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.

(3) A dentist may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by that person.

(4) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
- (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.

(3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;

- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her, and, as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

ANNEXURE

FORM 1

DENTAL BOARD:  
INVITATION FOR SUBMISSION OF NOMINATIONS OF  
CANDIDATES FOR ELECTION AS MEMBERS

Notice is hereby given that an election of ..... (number) member(s) of the Dental Board is to be held in terms of section 5/section 7(2)\* of the Medical and Dental Professions Act, 1993, (Act No. 21 of 1993)

Nominations of eligible dentists as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than .....(time) on .....(date)

GENERAL NOTES:

- 1. Any registered dentist resident in Namibia, who is not disqualified in terms of section 6 of the Medical and Dental Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
- 2. Nominations must be made on a nomination form substantially conforming to Form 2 of the Regulations Relating to the Election of Members of the Dental Board under the Medical and Dental Professions Act, 1993. Nomination forms can be obtained from the returning officer.
- 3. Each candidate must be nominated on a separate nomination form.
- 4. Every registered dentist is entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
- 5. Each nomination form must state the full names of the person nominated and must be signed by two other registered dentists. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Dental Board  
.....(Address)

\*Delete which is not applicable

FORM 2

DENTAL BOARD:  
NOMINATION FORM

We, the undersigned, being registered dentists, hereby nominate .....  
of....., a registered dentist, as a candidate for election as member  
of the Dental Board.

1.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Dental Board.

.....

Signature

.....

Date

.....

Registered address

.....

Registration number

FORM 3

DENTAL BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:

Election of ..... (number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

- 1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

2. A ballot paper shall be invalidated if the voter -  

(a) votes for more candidates than the number of persons to be elected;  
(b) votes for a person who has not been validly nominated;  
(c) votes more than once for the same person or returns more than one ballot paper; or  
(d) does not clearly indicate the candidate for whom he or she is voting.
3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Dental Board, ..... (*insert address*), so as to be received by the returning officer not later than ..... (*insert cut-off day and time for the return of votes*)

FORM 4

DENTAL BOARD  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, (*full names*) ....., Identity No. ...., being a ..... (*profession*)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper  
was addressed, that I am resident in Namibia and that I have not returned any other ballot  
paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 217

1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
DENTAL TECHNOLOGY BOARD UNDER THE ALLIED HEALTH  
SERVICES PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Dental  
Technology Board, has under section 45 of the Allied Health Services Professions Act,  
1993 (Act No. 20 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

1. In these regulations, unless the context otherwise indicates, any word or  
expression defined in the Act has that meaning and -  
“Board” means the Dental Technology Board established under section 2 of the Act;



“dental technologist” means a person registered as such under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to vote at an election of members of the Board, being a registered person who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in a notice in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a dental technologist who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

(2) The nomination of a person as candidate for election is not valid, unless-

- (a) the nomination is made by two other dental technologists on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;

- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
- (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

(3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.

(4) A dental technologist may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by that person.

(5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
- (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.

(3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;

- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her, and, as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

**ANNEXURE****FORM 1**

**DENTAL TECHNOLOGY BOARD:  
INVITATION FOR SUBMISSION OF NOMINATIONS OF  
CANDIDATES FOR ELECTION AS MEMBERS**

Notice is hereby given that an election of ..... (*number*) member(s) of the Dental Technology Board is to be held in terms of section 5/section 7(2)\* of the Allied Health Services Professions Act, 1993, (Act No. 20 of 1993)

Nominations of eligible dental technologists as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (*time*) on ..... (*date*)

**GENERAL NOTES:**

1. Any registered dental technologist resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
2. Nominations must be made on a nomination form substantially conforming to Form 2 of the Regulations. Nomination forms can be obtained from the returning officer.
3. Each candidate must be nominated on a separate nomination form.
4. Every registered dental technologist is entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
5. Each nomination form must state the full names of the person nominated and must be signed by two other registered dental technologists. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....

**Returning officer**

Dental Technology Board

.....(*Address*)

\*Delete which is not applicable

FORM 2

DENTAL TECHNOLOGY BOARD:  
NOMINATION FORM

We, the undersigned, being registered dental technologists, hereby nominate  
.....  
of....., a registered dental technologist, as a candidate for election  
as member of the Dental Technology Board.

1.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Dental Technology Board.

.....

Signature

.....

Registered address

.....

Registration number

.....

Date

FORM 3

DENTAL TECHNOLOGY BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:

Election of .....(number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

2. A ballot paper shall be invalidated if the voter -  

(a) votes for more candidates than the number of persons to be elected;  
(b) votes for a person who has not been validly nominated;  
(c) votes more than once for the same person or returns more than one ballot paper; or  
(d) does not clearly indicate the candidate for whom he or she is voting.
3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Dental Technology Board, .....(insert address), so as to be received by the returning officer not later than ..... (insert cut-off day and time for the return of votes)

FORM 4

DENTAL TECHNOLOGY BOARD  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, (full names) ....., Identity No. ...., being ..... (profession) Registration No. ...., declare that I am the person to whom the enclosed ballot paper was addressed, that I am resident in Namibia and that I have not returned any other ballot paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 218

1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
HEALTH INSPECTORS BOARD UNDER THE ALLIED HEALTH  
SERVICES PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Health Inspectors Board, has under section 45 of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

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

“Board” means the Health Inspectors Board established under section 2 of the Act;

“health inspector” means a person registered as such under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to vote at an election of members of the Board, being a registered person who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a health inspector who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-
  - (a) the nomination is made by two other health inspectors on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;



- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
  - (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.
- (3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.
- (4) A health inspector may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by that person.
- (5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
  - (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.
- (3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -
- (a) a ballot paper in the form of Form 3; and
  - (b) an identification envelope which bears a declaration in the form of Form 4.
- (4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate

for whom he or she intends to vote, but not exceeding the number of persons to be elected;

- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her, and, as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may

be present when the ballot box is opened and during the subsequent proceedings.

(4) All identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

ANNEXURE

FORM 1

HEALTH INSPECTORS BOARD:  
INVITATION FOR SUBMISSION OF NOMINATIONS OF  
CANDIDATES FOR ELECTION AS MEMBERS

Notice is hereby given that an election of ..... (number) member(s) of the Health Inspectors Board is to be held in terms of section 5/section 7(2)\* of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993)

Nominations of eligible health inspectors as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (time) on ..... (date)

GENERAL NOTES:

- 1. Any registered health inspector resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
- 2. Nominations must be made on a nomination form substantially in the form of Form 2 of the Regulations Relating to the Election of Members of the Health Inspectors Board under the Allied Health Services Professions Act, 1993. Nomination forms can be obtained from the returning officer.
- 3. Each candidate must be nominated on a separate nomination form.
- 4. Every registered health inspector is entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
- 5. Each nomination form must state the full names of the person nominated and must be signed by two other registered health inspectors. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Health Inspectors Board  
..... (Address)

\*Delete which is not applicable

FORM 2

HEALTH INSPECTORS BOARD:  
NOMINATION FORM

We, the undersigned, being registered health inspectors, hereby nominate .....  
of....., a registered health inspector, as a candidate for election as  
member of the Health Inspectors Board.

1.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Health Inspectors Board.

.....  
Signature

.....  
Date

.....  
Registered address

.....  
Registration number

FORM 3

HEALTH INSPECTORS BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:

Election of ..... (number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

- 1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

- 2. A ballot paper shall be invalidated if the voter -
  - (a) votes for more candidates than the number of persons to be elected;
  - (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper; or
  - (d) does not clearly indicate the candidate for whom he or she is voting.
- 3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the returning Officer, Health Inspectors Board, ..... (*insert address*), so as to be received by the returning officer not later than ..... (*insert cut-off and time for the return of votes*)

**FORM 4**

**HEALTH INSPECTORS BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE**

I, (*full names*) ....., Identity No. ...., being ..... (*profession*)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper  
was addressed, that I am resident in Namibia and that I have not returned any other ballot  
paper in this election.

.....  
**Signature**

.....  
**Date**

.....  
Witness

**MINISTRY OF HEALTH AND SOCIAL SERVICES**

No. 2191999

**REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
HOMOEOPATHIC BOARD UNDER THE ALLIED HEALTH  
SERVICES PROFESSIONS ACT, 1993**

The Minister of Health and Social Services, on the recommendation of the Homoeopathic Board, has under section 45 of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993), made the regulations set out in the Schedule.

**SCHEDULE**

**Definitions**

- 1. In these regulations, unless the context otherwise indicates, any word or expression defined in the Act has that meaning and -
  - “Board” means the Homoeopathic Board established under section 2 of the Act;
  - “homoeopath” means a person registered as such under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to vote at an election of members of the Board, being a registered person who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2

“the Act” means the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a homoeopath who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-
  - (a) the nomination is made by two other homoeopaths on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;
  - (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and

- (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

(3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.

(4) A homoeopath may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by that person.

(5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
- (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.

(3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;



- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her, and, as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

ANNEXURE

FORM 1

**HOMOEOPATHIC BOARD:  
INVITATION FOR SUBMISSION OF NOMINATIONS OF  
CANDIDATES FOR ELECTION AS MEMBERS**

Notice is hereby given that an election of ..... (*number*) member(s) of the Homoeopathic Board is to be held in terms of section 5/section 7(2) \* of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993)

Nominations of eligible homoeopaths as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (*time*) on ..... (*date*)

GENERAL NOTES:

- 1. Any registered homoeopath resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
- 2. Nominations must be made on a nomination form substantially in the form of Form 2 of the Regulations Relating to the Election of Members of the Homoeopathic Board under the Allied Health Services Professions Act, 1993. Nomination forms can be obtained from the returning officer.
- 3. Each candidate must be nominated on a separate nomination form.
- 4. Every registered homocopath is entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
- 5. Each nomination form must state the full names of the person nominated and must be signed by two other registered homoeopaths. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Homoeopathic Board  
.....(*Address*)

\*Delete which is not applicable

FORM 2

HOMOEOPATHIC BOARD:  
NOMINATION FORM

We, the undersigned, being registered homoeopaths, hereby nominate  
.....  
of....., a registered homoeopath, as a candidate for election as  
member of the Homoeopathic Board.

1.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Homoeopathic Board.

.....

Signature

.....

Date

.....

Registered address

.....

Registration number

FORM 3

HOMOEOPATHIC BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:

Election of .....(number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

2. A ballot paper shall be invalidated if the voter -  

(a) votes for more candidates than the number of persons to be elected;  
(b) votes for a person who has not been validly nominated;  
(c) votes more than once for the same person or returns more than one ballot paper; or  
(d) does not clearly indicate the candidate for whom he or she is voting.
3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Homeopathic Board, .....  
(insert address), so as to be received by the returning officer not later than .....  
(insert cut-off day and time for the return of votes)

FORM 4

HOMEOPATHIC BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, (full names) ....., Identity No. ...., being ..... (profession)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper  
was addressed, that I am resident in Namibia and that I have not returned any other ballot  
paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 220

1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
MEDICAL ASSISTANTS AND CLINICAL OFFICERS BOARD UNDER  
THE ALLIED HEALTH SERVICES PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Medical Assistants and Clinical Officers Board, has under section 45 of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

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

“Board” means the Medical Assistants and Clinical Officers Board established under section 2 of the Act;

“clinical officer” means a person registered as such under the Act;

“medical assistant” means a person registered as such under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to vote at an election of members of the Board, being a registered person who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in a notice in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a medical assistant or clinical officer who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-
  - (a) the nomination is made by two registered persons, either as medical assistant or clinical officer on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;
  - (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
  - (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.
- (3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.
- (4) A medical assistant or clinical officer may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by that person.
- (5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

- 5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.
- (2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -
  - (a) stating the names of the persons validly nominated; and
  - (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.
- (3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -
  - (a) a ballot paper in the form of Form 3; and
  - (b) an identification envelope which bears a declaration in the form of Form 4.
- (4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoiled his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her, and, as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election,



the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All identification envelopes and ballot papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

ANNEXURE

FORM 1

MEDICAL ASSISTANTS AND CLINICAL OFFICERS BOARD:  
INVITATION FOR SUBMISSION OF NOMINATIONS OF  
CANDIDATES FOR ELECTION AS MEMBERS

Notice is hereby given that an election of ..... (number) member(s) of the Medical Assistants and Clinical Officers Board is to be held in terms of section 5/section 7(2)\* of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993)

Nominations of eligible medical assistant or clinical officers as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (time) on .....(date)

GENERAL NOTES:

- 1. Any registered medical assistant or clinical officer resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
- 2. Nominations must be made on a nomination form substantially in the form of Form 2 of the Regulations Relating to the Election of Members of the Medical Assistants and Clinical Officers Board under the Allied Health Services Professions Act, 1993. Nomination forms can be obtained from the returning officer.
- 3. Each candidate must be nominated on a separate nomination form.
- 4. Every registered medical assistant or clinical officer is entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
- 5. Each nomination form must state the full names of the person nominated and must be signed by two registered persons, either as medical assistant or clinical officer. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Medical Assistants and Clinical Officers Board  
.....(Address)

\*Delete which is not applicable

FORM 2

MEDICAL ASSISTANTS AND CLINICAL OFFICERS BOARD:  
NOMINATION FORM

We, the undersigned, being registered medical assistant or clinical officers, hereby nominate .....  
of....., a registered medical assistant or clinical officer, as a candidate for election as member of the Medical Assistants and Clinical Officers Board.

1.

Full names .....

Signature ..... Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature ..... Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the Medical Assistants and Clinical Officers Board.

.....

Signature

.....

Date

.....

Registered address

.....

Registration number

**FORM 3**

## MEDICAL ASSISTANTS AND CLINICAL OFFICERS BOARD: BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:

Election of .....(*number*) members

[illegible]

INSTRUCTIONS TO VOTERS:

1.

A voter is entitled to vote for .... (*number*) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.
2.

A ballot paper shall be invalidated if the voter -

(a)

votes for more candidates than the number of persons to be elected;

(b)

votes for a person who has not been validly nominated;

(c)

votes for more than once for the same person or returns more than one ballot paper; or

(d)

does not clearly indicate the candidate for whom he or she is voting.
3.

The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Medical Assistants and Clinical Officers Board, ..... (*insert address*), so as to be received by the returning officer not later than ..... (*insert cut-off day and time for the return of votes*)

FORM 4

MEDICAL ASSISTANTS AND CLINICAL OFFICERS BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, (*full names*) ....., Identity No. ...., being ..... (*profession*)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper  
was addressed, that I am resident in Namibia and that I have not returned any other ballot  
paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 221

1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
MEDICAL BOARD UNDER THE MEDICAL AND DENTAL  
PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Medical Board, has under section 50 of the Medical and Dental Professions Act, 1993 (Act No. 21 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

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

“Board” means the Medical Board established by section 2 of the Act;

“qualified voter” means a medical practitioner or a medical intern who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Medical and Dental Professions Act, 1993 (Act No. 21 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a medical practitioner who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

(2) The nomination of a person as candidate for election is not valid, unless-

- (a) the nomination is made by two other medical practitioners on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;

- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
- (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

(3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.

(4) A medical practitioner may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by him or her.

(5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
- (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.

(3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
  - (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
  - (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
  - (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).
- (2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -
- (a) votes for more candidates than the number to be elected;
  - (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper;
  - (d) does not clearly indicate the candidate for whom he or she is voting.
- (3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### Counting of votes

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her and as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

## ANNEXURE

### FORM 1

#### MEDICAL BOARD: INVITATION FOR SUBMISSION OF NOMINATIONS OF CANDIDATES FOR ELECTION AS MEMBERS

Notice is hereby given that an election of ..... (number) member(s) of the Medical Board is to be held in terms of section 5/section 7(2)\* of the Medical and Dental Professions Act, 1993, (Act No. 21 of 1993)

Nominations of eligible medical practitioners as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than .....(time) on .....(date)

#### GENERAL NOTES:

1. Any registered medical practitioner resident in Namibia, who is not disqualified in terms of section 6 of the Medical and Dental Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
2. Nominations must be made on a nomination form substantially conforming to Form 2 of the Regulations Relating to the Election of Members of the Medical Board under the Medical and Dental Professions Act, 1993. Nomination forms can be obtained from the returning officer.
3. Each candidate must be nominated on a separate nomination form.
4. Every registered medical practitioner is entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
5. Each nomination form must state the full names of the person nominated and must be signed by two other registered medical practitioners. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Medical Board  
.....(Address)

\*Delete which is not applicable



FORM 2

MEDICAL BOARD:  
NOMINATION FORM

We, the undersigned, being registered medical practitioners, hereby nominate ..... of ....., a registered medical practitioner as a candidate for election as member of the Medical Board.

1.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature .....Date.....

Registration number .....

Registration address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the Medical Board.

.....

Signature

.....

Date

.....

Registered address

.....

Registration number

FORM 3

MEDICAL BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:

Election of .....(number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

- 1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

- 2. A ballot paper shall be invalidated if the voter -
  - (a) votes for more candidates than the number of persons to be elected;
  - (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper;
  - (d) does not clearly indicate the candidate for whom he or she is voting;
- 3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Medical Board, ..... (*insert address*), so as to be received by the returning officer not later than ..... (*insert cut-off day and time for the return of votes*)

FORM 4

MEDICAL BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, (*full names*) ....., Identity No. ...., being ..... (*profession*)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper  
was addressed, that I am resident in Namibia and that I have not returned any other ballot  
paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 222

1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
MEDICAL TECHNOLOGY BOARD UNDER THE ALLIED HEALTH  
SERVICES PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Medical  
Technology Board, has under section 45 of the Allied Health Services Professions Act,  
1993 (Act No. 20 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

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

“Board” means the Medical Technology Board established under section 2 of the Act;

“medical technologist” means a person registered as such under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to vote at an election of members of the Board, being a registered person who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a medical technologist who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-
  - (a) the nomination is made by two other medical technologists on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;
  - (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
  - (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.
- (3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.
- (4) A medical technologist may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed that person.
- (5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

- 5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.
- (2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -
  - (a) stating the names of the persons validly nominated; and
  - (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.
- (3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -
  - (a) a ballot paper in the form of Form 3; and
  - (b) an identification envelope which bears a declaration in the form of Form 4.
- (4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

**Manner of voting**

6.(1) A qualified voter who wishes to cast a vote at the election of members of the Board, must-

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoiled his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

**Counting of votes**

6. (1) The returning officer must keep in safe custody all identification envelopes received by him or her, and, as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded,

equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

## ANNEXURE

### FORM 1

#### MEDICAL TECHNOLOGY BOARD: INVITATION FOR SUBMISSION OF NOMINATIONS OF CANDIDATES FOR ELECTION AS MEMBERS

Notice is hereby given that an election of ..... (number) member(s) of the Medical Technology Board is to be held in terms of section 5/section 7(2)\* of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993)

Nominations of eligible medical technologists as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than .....(time) on .....(date)

#### GENERAL NOTES:

1. Any registered medical technologist resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
2. Nominations must be made on a nomination form substantially in the form of Form 2 of the Regulations Relating to the Election of Members of the Medical Technology Board under the Allied Health Services Professions Act, 1993. Nomination forms can be obtained from the returning officer.
3. Each candidate must be nominated on a separate nomination form.
4. Every registered medical technologist is entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
5. Each nomination form must state the full names of the person nominated and must be signed by two other registered medical technologists. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Medical Technology Board  
.....(Address)

\*Delete which is not applicable

FORM 2

MEDICAL TECHNOLOGY BOARD:  
NOMINATION FORM

We, the undersigned, being registered medical technologists, hereby nominate.....  
..... of ....., a registered medical technologist, as a candidate  
for election as member of the Medical Technology Board.

1.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature .....Date.....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (*Full names*) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Medical Technology Board.

.....

Signature

.....

Date

.....

Registered address

.....

Registration number



FORM 3

MEDICAL TECHNOLOGY BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:

Election of ..... (number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

- 1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

2. A ballot paper shall be invalidated if the voter -  

(a) votes for more candidates than the number of persons to be elected;  
(b) votes for a person who has not been validly nominated;  
(c) votes more than once for the same person or returns more than one ballot paper; or  
(d) does not clearly indicate the candidate for whom he or she is voting;
3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Medical Technology Board, ..... (*insert address*), so as to be received by the returning officer not later than ..... (*insert cut-off day and time for the return of votes*)

FORM 4

MEDICAL TECHNOLOGY BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, (*full names*) ....., Identity No. ...., being ..... (*profession*)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper  
was addressed, that I am resident in Namibia and that I have not returned any other ballot  
paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 223

1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
NURSING BOARD UNDER THE NURSING PROFESSIONS ACT, 1993

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

SCHEDULE

Definitions

1. In these regulations, unless the context otherwise indicates, any word or  
expression defined in the Act has that meaning and -  
“Board” means the Nursing Board established by section 2 of the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act is qualified to vote at an election of members of the Board, being any registered nurse, registered midwife, enrolled nurse, enrolled midwife or nursing auxiliary who is a Namibian citizen, or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

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

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a registered nurse or a registered midwife who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

(2) The nomination of a person as candidate for election is not valid, unless-

- (a) the nomination is made by two other persons being either of the profession of registered nurse or registered midwife, on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;

- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
- (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

(3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.

(4) A registered nurse or registered midwife may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by him or her.

(5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
- (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.

(3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
  - (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
  - (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
  - (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).
- (2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -
- (a) votes for more candidates than the number to be elected;
  - (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper;
  - (d) does not clearly indicate the candidate for whom he or she is voting.
- (3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### Counting of votes

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her and as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
  - (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
  - (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.
- (2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and ballot papers applicable to the election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in the election were ascertained in terms of subregulation (1).

## ANNEXURE

### FORM 1

#### **NURSING BOARD: INVITATION FOR SUBMISSION OF NOMINATIONS OF CANDIDATES FOR ELECTION AS MEMBERS**

Notice is hereby given that an election of ..... (*number*) member(s) of the Nursing Board is to be held in terms of section 5/section 7(2)\* of the Nursing Professions Act, 1993 (Act No. 30 of 1993)

Nominations of eligible registered nurses or registered midwives as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than .....(*time*) on .....(*date*)

#### GENERAL NOTES:

1. Any registered nurses or registered midwives resident in Namibia, who is not disqualified in terms of section 6 of the Nursing Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
2. Nominations must be made on a nomination form substantially in the form of Form 2 of the Regulations Relating to the Election of Members of the Medical Nursing Board under the Nursing Professions Act, 1993. Nomination forms can be obtained from the returning officer.
3. Each candidate must be nominated on a separate nomination form.
4. Every registered nurse and registered midwife is entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
5. Each nomination form must state the full names of the person nominated and must be signed by two other registered nurses or registered midwives. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Nursing Board  
.....(*Address*)

\*Delete which is not applicable

FORM 2

NURSING BOARD:  
NOMINATION FORM

We, the undersigned, hereby nominate.....  
of ....., a registered nurse/midwife\*, as a candidate for election  
as member of the Nursing Board.

1.

Full names ....., a registered nurse/midwife\*

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names ....., a registered nurse/midwife\*

Signature .....Date.....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Nursing Board.

.....

Signature

.....

Date

.....

Registered address

.....

Registration number

FORM 3

NURSING BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:

Election of ..... (number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.
2. A ballot paper shall be invalidated if the voter -



- (a) votes for more candidates than the number of persons to be elected;
  - (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper; or
  - (d) does not clearly indicate the candidate for whom he or she is voting;
3. The ballot paper must be folded inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Nursing Board, .....  
(insert address), so as to be received by the returning officer not later than .....  
(insert cut-off day and time for the return of votes)

FORM 4

NURSING BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, (full names) ....., Identity No. ...., being ..... (state profession)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper  
was addressed, that I am resident in Namibia and that I have not returned any other ballot  
paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 224

1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
OCCUPATIONAL THERAPY BOARD UNDER THE ALLIED HEALTH  
SERIVCES PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Occupational  
Therapy Board, has under section 45 of the Allied Health Services Professions Act, 1993  
(Act No. 20 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

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

Board” means the Occupational Therapy Board established under section 2 of the Act;

“occupational therapist” means a person registered as such under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to  
vote at an election of members of the Board, being a registered person who is a Namibian

citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is an occupational therapist who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-
  - (a) the nomination is made by two other occupational therapists on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;
  - (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
  - (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer

so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

(3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.

(4) An occupational therapist may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by that person.

(5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
- (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.

(3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address

of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoiled his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her and as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

ANNEXURE

FORM 1

OCCUPATIONAL THERAPY BOARD:  
INVITATION FOR SUBMISSION OF NOMINATIONS OF  
CANDIDATES FOR ELECTION AS MEMBERS

Notice is hereby given that an election of ..... (*number*) member(s) of the Occupational Therapy Board is to be held in terms of section 5/section 7(2) \* of the Allied Health Services Professions Act, 1993, (Act No. 20 of 1993)

Nominations of eligible occupational therapists as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (*time*) on ..... (*date*)

GENERAL NOTES:

1. Any registered occupational therapists resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
2. Nominations must be made On a nomination form substantially conforming to Form 2 of the Regulations Relating to the Election of Members of the Occupational Therapy Board under the Allied Health Services Professions Act, 1993. Nomination forms can be obtained from the returning officer.
3. Each candidate must be nominated on a separate nomination form.
4. Every registered occupational therapists entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
5. Each nomination form must state the full names of the person nominated and must be signed by two other registered occupational therapists. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Occupational Therapy Board  
..... (*Address*)

\*Delete which is not applicable

FORM 2

OCCUPATIONAL THERAPY BOARD:  
NOMINATION FORM

We, the undersigned, being registered occupational therapists, hereby nominate  
.....  
of ....., a registered occupational therapist, as a candidate for  
election as member of the Occupational Therapy Board.

1. Full names .....

Signature .....

Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)

2. Full names .....

Signature .....

Date.....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Occupational Therapy Board.

.....  
**Signature**

.....  
**Date**

.....  
Registered address

.....  
Registration number

FORM 3

OCCUPATIONAL THERAPY BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:

Election of .....(number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.
2. A ballot paper shall be invalidated if the voter -

(a) votes for more candidates than the number of persons to be elected;

- (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper; or
  - (d) does not clearly indicate the candidate for whom he or she is voting.
3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Occupational Therapy Board, ..... (*insert address*), so as to be received by the returning officer not later than ..... (*insert cut-off day and time for the return of votes*)

FORM 4

OCCUPATIONAL THERAPY BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, (*full names*) ....., Identity No. ...., being ..... (*profession*)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper was addressed, that I am resedent in Namibia and that I have not returned any other ballot paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 225 1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
OPTOMETRIC BOARD UNDER THE ALLIED HEALTH  
SERIVCES PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Optometric Board, has under section 45 of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

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

“Board” means the Optometric Board established under section 2 of the Act;



“optometrist” means a person registered as such under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to vote at an election of members of the Board, being a registered person who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of a Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the Gazette, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a optometrist who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

(2) The nomination of a person as candidate for election is not valid, unless-

- (a) the nomination is made by two other optometrist on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;

- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
  - (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.
- (3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.
- (4) An optometrist may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's shall be invalid on all nomination forms signed by that person.
- (5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
- (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.

(3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate

for whom he or she intends to vote, but not exceeding the number of persons to be elected;

- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her and as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

## ANNEXURE

### FORM 1

#### OPTOMETRIC BOARD: INVITATION FOR SUBMISSION OF NOMINATIONS OF CANDIDATES FOR ELECTION AS MEMBERS

Notice is hereby given that an election of ..... (*number*) member(s) of the Optometric Board is to be held in terms of section 5/section 7(2)\* of the Allied Health Services Professions Act, 1993, (Act No. 20 of 1993)

Nominations of eligible optometrists as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (*time*) on ..... (*date*)

#### GENERAL NOTES:

1. Any registered optometrists resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
2. Nominations must be made On a nomination form substantially conforming to Form 2 of the Regulations Relating to the Election of Members of the Medical Board under the Allied Health Services Professions Act, 1993. Nomination forms can be obtained from the returning officer.
3. Each candidate must be nominated on a separate nomination form.
4. Every registered optometrist entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
5. Each nomination form must state the full names of the person nominated and must be signed by two other registered optometrists. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Optometric Board  
..... (*Address*)

\*Delete which is not applicable

FORM 2

OPTOMETRIC BOARD:  
NOMINATION FORM

We, the undersigned, being registered optometrists, hereby nominate.....  
..... of ....., a registered optometrist, as a candidate for  
election as member of the Optometric Board.

1. Full names .....
- Signature .....Date .....
- Registration number .....
- Registered address .....
- Witness ..... (Name and address)
2. Full names .....
- Signature .....Date.....
- Registration number .....
- Registered address .....
- Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Optometric Board.

.....  
SignatureDate

.....  
Registered address

.....  
Registration number

FORM 3

OCCUPATIONAL THERAPY BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:  
Election of .....(number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

- 1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

2. A ballot paper shall be invalidated if the voter -  

(a) votes for more candidates than the number of persons to be elected;

(b) votes for a person who has not been validly nominated;

(c) votes more than once for the same person or returns more than one ballot paper; or

(d) does not clearly indicate the candidate for whom he or she is voting.
3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Optometric Board, .....  
*(insert address)*, so as to be received by the returning officer not later than .....  
*(insert cut-off day and time for the return of votes)*

FORM 4

OPTOMETRIC BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, *(full names)* ....., Identity No. ...., being ..... *(profession)* Registration No. ...., declare that I am the person to whom the enclosed ballot paper was addressed, that I am resident in Namibia and that I have not returned any other ballot paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 226

1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
PHARMACY BOARD UNDER THE PHARMACY PROFESSION ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Pharmacy Board, has under section 51 of the Pharmacy Profession Act, 1993 (Act No. 23 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

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

“Board” means the Pharmacy Board established by section 2 of the Act;

“qualified voter” means a pharmacist, pharmacist’s assistant or a pharmaceutical technician who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Pharmacy Profession Act, 1993 (Act No. 23 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a Pharmacist who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-
  - (a) the nomination is made by two other Pharmacists on a nomination form, substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;



- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
  - (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.
- (3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.
- (4) Any pharmacist may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by him or her.
- (5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
  - (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.
- (3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -
- (a) a ballot paper in the form of Form 3; and
  - (b) an identification envelope which bears a declaration in the form of Form 4.
- (4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her and as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board concerned for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

## ANNEXURE

### FORM 1

#### PHARMACY BOARD: INVITATION FOR SUBMISSION OF NOMINATIONS OF CANDIDATES FOR ELECTION AS MEMBERS

Notice is hereby given that an election of ..... (*number*) member(s) of the Pharmacy Board is to be held in terms of section 5/section 7(2)\* of the Pharmacy Profession Act, 1993, (Act No. 23 of 1993)

Nominations of eligible Pharmacists as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (*time*) on ..... (*date*)

#### GENERAL NOTES:

1. Any registered Pharmacist resident in Namibia, who is not disqualified in terms of section 6 of the Pharmacy Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
2. Nominations must be made on a nomination form substantially conforming to Form 2 of the Regulations Relating to the Election of Members of the Medical Board under the Pharmacy Professions Act, 1993. Nomination forms can be obtained from the returning officer.
3. Each candidate must be nominated on a separate nomination form.
4. Every registered Pharmacist entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
5. Each nomination form must state the full names of the person nominated and must be signed by two other registered pharmacists. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Pharmacy Board  
..... (*Address*)

\*Delete which is not applicable

FORM 2

PHARMACY BOARD:  
NOMINATION FORM

We, the undersigned, being registered pharmacists, hereby nominate.....  
..... of ....., a registered pharmacist, as a candidate for  
election as member of the Pharmacy Board.

1.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature .....Date.....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Pharmacy Board.

.....

Signature

.....

Registered address

.....

Registration number

.....

Date

FORM 3

PHARMACY BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:  
Election of ..... (number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

1.
- A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

2. A ballot paper shall be invalidated if the voter -
  - (a) votes for more candidates than the number of persons to be elected;
  - (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper; or
  - (d) does not clearly indicate the candidate for whom he or she is voting.
3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Pharmacy Board, .....  
(insert address), so as to be received by the returning officer not later than .....  
(insert cut-off day and time for the return of votes)

**FORM 4**

**PHARMACY BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE**

I, (full names) ....., Identity No. ...., being ..... (profession)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper  
was addressed, that I am resident in Namibia and that I have not returned any other ballot  
paper in this election.

.....  
**Signature**

.....  
**Date**

.....  
**Witness**

**MINISTRY OF HEALTH AND SOCIAL SERVICES**

No. 227

1999

**REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
PHYSIOTHERAPY BOARD UNDER THE ALLIED HEALTH SERVICES  
PROFESSIONS ACT, 1993**

The Minister of Health and Social Services, on the recommendation of the Physiotherapy Board, has under section 45 of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993), made the regulations set out in the Schedule.

**SCHEDULE****Definitions**

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

“Board” means the Physiotherapy Board established under section 2 of the Act;

“physiotherapist” means a person registered as such under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to vote at an election of members of the Board, being a registered person who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia

“returning officer” means the person appointed under regulation 2;

“the Act” means the Allied Health Services Professions Act, 1993 (Act No. 23 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a physiotherapist who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-

- (a) the nomination is made by two other physiotherapists on a nomination form,

substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;

- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
- (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

(3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.

(4) A physiotherapist may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by that person.

(5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
- (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.

(3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board, must -



- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoiled his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her and as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

### **Amendment of Regulations Relating to the Physiotherapy Board**

8. The Regulations Relating to the Psysiotherapy Board promulgated by Government Notice No. 49 of 29 March 1997, are amended by the repeal of regulations 2, 3, 4, 5, 6, 7 and 8 thereof.

## **ANNEXURE**

### **FORM 1**

### **PHYSIOTHERAPY BOARD: INVITATION FOR SUBMISSION OF NOMINATIONS OF CANDIDATES FOR ELECTION AS MEMBERS**

Notice is hereby given that an election of ..... (*number*) member(s) of the Physiotherapy Board is to be held in terms of section 5/section 7(2)\* of the Allied Health Services Professions Act, 1993, (Act No. 20 of 1993)

Nominations of eligible physiotherapists as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (*time*) on ..... (*date*)

#### **GENERAL NOTES:**

1. Any registered physiotherapists resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
2. Nominations must be made On a nomination form substantially conforming to Form 2 of the Regulations Relating to the Election of Members of the Physiotherapy Board under the Allied Health Services Professions Act, 1993. Nomination forms can be obtained from the returning officer.
3. Each candidate must be nominated on a separate nomination form.
4. Every registered physiotherapist entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
5. Each nomination form must state the full names of the person nominated and must be signed by two other registered physiotherapists. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
 Physiotherapy Board  
 ..... (*Address*)

\*Delete which is not applicable

FORM 2

PHYSIOTHERAPY BOARD:  
NOMINATION FORM

We, the undersigned, being registered physiotherapists, hereby nominate.....  
..... of ....., a registered physiotherapist, as a candidate  
for election as member of the Physiotherapy Board.

1.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature .....Date.....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Physiotherapy Board.

.....

Signature

.....

Date

.....

Registered address

.....

Registration number

FORM 3

PHYSIOTHERAPY BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:  
Election of ..... (number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

- 2. A ballot paper shall be invalidated if the voter -
  - (a) votes for more candidates than the number of persons to be elected;
  - (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper; or
  - (d) does not clearly indicate the candidate for whom he or she is voting.
- 3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Physiotherapy Board, .....  
(insert address), so as to be received by the returning officer not later than .....  
(insert cut-off day and time for the return of votes)

FORM 4

PHYSIOTHERAPY BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, (full names) ....., Identity No. ...., being ..... (profession)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper  
was addressed, that I am resident in Namibia and that I have not returned any other ballot  
paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 228

1999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
RADIOGRAPHY BOARD UNDER THE ALLIED HEALTH  
SERVICES PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Radiography  
Board, has under section 45 of the Allied Health Services Professions Act, 1993 (Act  
No. 20 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

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

“Board” means the Radiography Board established under section 2 of the Act;

“radiographer” means a person registered as such under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to vote at an election of members of the Board, being a registered person who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia

“returning officer” means the person appointed under regulation 2;

“the Act” means the Allied Health Services Professions Act, 1993 (Act No. 23 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the Gazette, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the Gazette, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a radiographer who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-
  - (a) the nomination is made by two other radiographers on a nomination form,

substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;

- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
- (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

(3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.

(4) A radiographer may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by that person.

(5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
  - (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.
- (3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of

the Board, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoiled his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### Counting of votes

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her and as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.



- (3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.
- (4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

ANNEXURE

FORM 1

**RADIOGRAPHY BOARD:  
INVITATION FOR SUBMISSION OF NOMINATIONS OF  
CANDIDATES FOR ELECTION AS MEMBERS**

Notice is hereby given that an election of ..... (*number*) member(s) of the Radiography Board is to be held in terms of section 5/section 7(2)\* of the Allied Health Services Professions Act, 1993, (Act No. 20 of 1993)

Nominations of eligible radiographers as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (*time*) on ..... (*date*)

GENERAL NOTES:

- 1. Any registered radiographer resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
- 2. Nominations must be made On a nomination form substantially conforming to Form 2 of the Regulations Relating to the Election of Members of the Radiography Board under the Allied Health Services Professions Act, 1993. Nomination forms can be obtained from the returning officer.
- 3. Each candidate must be nominated on a separate nomination form.
- 4. Every registered radiographer entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
- 5. Each nomination form must state the full names of the person nominated and must be signed by two other registered radiographers. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Radiography Board  
..... (*Address*)

\*Delete which is not applicable

FORM 2

RADIOGRAPHY BOARD:  
NOMINATION FORM

We, the undersigned, being registered radiographers, hereby nominate.....  
..... of ....., a registered radiographer, as a candidate for  
election as member of the Radiography Board.

1.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature .....Date.....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Radiography Board.

.....

Signature

.....

Date

.....

Registered address

.....

Registration number

FORM 3

**RADIOGRAPHY BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS**

Official mark of returning officer:  
Election of .....(number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

**INSTRUCTIONS TO VOTERS:**

1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

2. A ballot paper shall be invalidated if the voter -
  - (a) votes for more candidates than the number of persons to be elected;
  - (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper; or
  - (d) does not clearly indicate the candidate for whom he or she is voting.
3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Radiography Board, .....  
(insert address), so as to be received by the returning officer not later than .....  
(insert cut-off day and time for the return of votes)

**FORM 4**

**RADIOGRAPHY BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE**

I, (full names) ....., Identity No. ...., being ..... (profession) Registration No. ...., declare that I am the person to whom the enclosed ballot paper was addressed, that I am resident in Namibia and that I have not returned any other ballot paper in this election.

.....  
**Signature**

.....  
**Date**

.....  
**Witness**

**MINISTRY OF HEALTH AND SOCIAL SERVICES**

No. 229

1999

**REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
SOCIAL AND SOCIAL AUXILIARY WORKERS' BOARD UNDER THE SOCIAL  
AND SOCIAL AUXILIARY WORKERS' PROFESSIONS ACT, 1993**

The Minister of Health and Social Services, on the recommendation of the Social and Social Auxiliary Workers' Board, has under section 46 of the Social and Social Auxiliary Worker's Professions Act, 1993 (Act No. 22 of 1993), made the regulations set out in the Schedule.

**SCHEDULE**

**Definitions**

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

“Board” means the Social and Social Auxiliary Workers’ Board established by section 2 of the Act;

“qualified voter” means any social worker or social auxiliary worker who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the Act” means the Social and Social Auxiliary Workers’ Professions Act, 1993 (Act No. 22 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the Gazette, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the Gazette, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a social worker or social auxiliary worker who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-
  - (a) the nomination is made by two persons, being registered in either the profession of social worker or social auxiliary worker, on a nomination form,

substantially in the form of Form 2, which must state their full names and registered addresses and must be signed by them;

- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
- (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

(3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.

(4) Any social worker or social auxiliary worker may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by him or her.

(5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the *Gazette* a notice -

- (a) stating the names of the persons validly nominated; and
- (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.

(3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -

- (a) a ballot paper in the form of Form 3; and
- (b) an identification envelope which bears a declaration in the form of Form 4.

(4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election, must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
  - (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
  - (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
  - (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).
- (2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -
- (a) votes for more candidates than the number to be elected;
  - (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper;
  - (d) does not clearly indicate the candidate for whom he or she is voting.
- (3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### Counting of votes

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her and as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
  - (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
  - (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.
- (2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.
- (3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board concerned for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

ANNEXURE

FORM 1

SOCIAL AND SOCIAL AUXILIARY WORKERS' BOARD:  
INVITATION FOR SUBMISSION OF NOMINATIONS OF  
CANDIDATES FOR ELECTION AS MEMBERS

Notice is hereby given that an election of ..... (number) member(s) of the Social and Social Auxillary Workers' Board is to be held in terms of section 5/section 7(2)\* of the Social and Social Auxillary Workers' Professions Act, 1993, (Act No. 22 of 1993)

Nominations of eligible social workers or social auxillary workers as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (time) on ..... (date)

GENERAL NOTES:

- 1. Any registered social workers or social auxillary workers resident in Namibia, who is not disqualified in terms of section 6 of the Social and Social Auxillary Workers' Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
- 2. Nominations must be made On a nomination form substantially conforming to Form 2 of the Regulations Relating to the Election of Members of the Social and Social Auxiliary Workers' Board under the Social and Social Auxillary Workers' Professions Act, 1993. Nomination forms can be obtained from the returning officer.
- 3. Each candidate must be nominated on a separate nomination form.
- 4. Every registered social worker and social auxillary workers entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
- 5. Each nomination form must state the full names of the person nominated and must be signed by two other registered social workers or social auxillary workers. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....  
**Returning officer**  
Social and Social Auxillary Workers  
..... (Address)

\*Delete which is not applicable



FORM 2

SOCIAL AND SOCIAL AUXILIARY WORKERS' BOARD:  
NOMINATION FORM

We, the undersigned, hereby nominate.....  
of ....., a registered social worker/social auxiliary worker', as a  
candidate for election as member of the Social and Social Auxiliary Workers' Board.

1. Full names ....., a registered social worker/social auxiliary worker

Signature ..... Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)

2. Full names ....., a registered social worker/social auxiliary worker

Signature ..... Date.....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Social and Social Auxiliary Worker's Board.

.....  
**Signature**.....**Date**.....

.....  
Registered address

.....  
Registration number

FORM 3

SOCIAL AND SOCIAL AUXILIARY BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:  
Election of .....(number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

- 1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

2. A ballot paper shall be invalidated if the voter -  

(a) votes for more candidates than the number of persons to be elected;  
(b) votes for a person who has not been validly nominated;  
(c) votes more than once for the same person or returns more than one ballot paper; or  
(d) does not clearly indicate the candidate for whom he or she is voting.
3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Social and Social Auxiliary Workers' Board, ..... (*insert address*), so as to be received by the returning officer not later than ..... (*insert cut-off day and time for the return of votes*)

FORM 4

SOCIAL AND SOCIAL AUXILIARY WORKERS' BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE

I, (*full names*) ....., Identity No. ...., being ..... (*profession*)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper  
was addressed, that I am resident in Namibia and that I have not returned any other ballot  
paper in this election.

.....  
Signature

.....  
Date

.....  
Witness

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 2301999

REGULATIONS RELATING TO THE ELECTION OF MEMBERS OF THE  
TRADITIONAL HEALERS BOARD UNDER THE ALLIED HEALTH  
SERVICES PROFESSIONS ACT, 1993

The Minister of Health and Social Services, on the recommendation of the Traditional Healers Board, has under section 45 of the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993), made the regulations set out in the Schedule.

SCHEDULE

Definitions

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

“Board” means the Traditional Healers Board established under section 2 of the Act;

“traditional healer” means a person registered as such as under the Act;

“qualified voter” means a person who, in terms of section 5(2) of the Act, is entitled to vote at an election of members of the Board, being a registered person who is a Namibian citizen or has been lawfully admitted to Namibia for permanent residence therein and is resident in Namibia;

“returning officer” means the person appointed under regulation 2;

“the act” means the Allied Health Services Professions Act, 1993 (Act No. 20 of 1993).

### **Returning officer**

2. The president of the Board must appoint a person to act as returning officer for the purposes of these regulations.

### **Nomination of candidates**

3. (1) When, in terms of section 5 of the Act, a general election of members of the Board is to be held, the returning officer must, not less than three months before the date of expiry of the term of office of the existing members of the Board, publish in the Gazette, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(2) When, in terms of section 7(2) of the Act, an election is to be held to fill a casual vacancy on the Board, the returning officer, with the concurrence of the president of the Board, must publish in the *Gazette*, and transmit by post to the registered address of every qualified voter, a notice, substantially in the form of Form 1 -

- (a) inviting the submission of nominations of candidates for election as a member or members of the Board; and
- (b) stating the cut-off date, and the closing time on that date, by which nominations must be submitted.

(3) The cut-off date notified in terms of subregulation (1)(b) or (2)(b) must be a date not less than 30 days after the date of publication of the notice.

(4) Nomination forms may be submitted to the returning officer at any time after the publication of the notice referred to in subregulation (1) or (2) but before the closing time on the cut-off date stipulated in that notice.

### **Eligibility for election as member**

4. (1) No person may be nominated as a candidate for election unless he or she is a traditional healer who is not disqualified in terms of section 6 of the Act to be elected as a member of the Board.

- (2) The nomination of a person as candidate for election is not valid, unless-
  - (a) the nomination is made by two other traditional healers on a nomination

form, substantially in the form of Form 2, which must state their full names and registered address and must be signed by them;

- (b) the nomination form is transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date stated in the notice referred to in regulation 3; and
  - (c) the person nominated as candidate signifies his or her consent to the nomination in writing, either on the nomination form or by separate letter, telegram or telefacsimile which must be transmitted to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.
- (3) A nomination of a person as candidate is not valid if on the relevant nomination form more than one person is nominated.
- (4) A traditional healer may sign nomination forms for any number of candidates not exceeding the number to be elected, and his or her signature shall be invalid on any nomination form received by the returning officer after he or she has signed nomination forms for the full number of candidates to be elected: Provided that if the returning officer cannot determine in which chronological sequence nomination forms signed by a person in excess of the permitted number were received, such person's signature shall be invalid on all nomination forms signed by that person .
- (5) A person nominated in terms of this regulation may withdraw his or her candidature by notice in writing transmitted or delivered to the returning officer so as to be received by the returning officer not later than the closing time on the cut-off date for the submission of nominations.

#### **Nomination list and voting date**

5. (1) If the number of persons validly nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected.

(2) If the number of persons validly nominated exceeds the number to be elected the returning officer must publish in the Gazette a notice -

- (a) stating the names of the persons validly nominated; and
  - (b) appointing a day, and the hour on that day, (not being less than one month after the publication of the notice) being the cut-off day and time for the return of votes in accordance with regulation 6.
- (3) Not less than one month before the appointed day referred to in subregulation (2)(b), the returning officer must transmit by post to the registered address of every qualified voter -
- (a) a ballot paper in the form of Form 3; and
  - (b) an identification envelope which bears a declaration in the form of Form 4.
- (4) If a ballot paper or envelope transmitted in terms of subregulation (3) is lost, destroyed or spoilt the returning officer must, if satisfied of the loss, destruction or spoiling and at the request of the person to whom it was transmitted, transmit or deliver to such person a fresh ballot paper or envelope, or both.

#### **Manner of voting**

6. (1) A qualified voter who wishes to cast a vote at the election of members of the Board must -

- (a) mark the ballot paper with a cross ("X") opposite the name of each candidate for whom he or she intends to vote, but not exceeding the number of persons to be elected;
- (b) place the ballot paper, folded face inwards, in the identification envelope and seal the envelope;
- (c) sign the declaration printed on the identification envelope in the presence of a witness, who must also sign the envelope; and
- (d) place the identification envelope in a covering envelope and transmit it by post or deliver it to the returning officer so as to be received at the address of the returning officer not later than the cut-off day and time for the return of votes notified under regulation 5(2)(b).

(2) A voter shall be deemed to have spoilt his or her ballot paper, and the votes thereon shall not be counted, if he or she -

- (a) votes for more candidates than the number to be elected;
- (b) votes for a person who has not been validly nominated;
- (c) votes more than once for the same person or returns more than one ballot paper;
- (d) does not clearly indicate the candidate for whom he or she is voting.

(3) A person may exercise his or her vote in accordance with subregulation (1) at any time after receipt of the ballot paper in terms of regulation 5(3) and before the cut-off day and time for the return of votes notified under regulation 5(2)(b), and no vote recorded on a ballot paper shall be counted unless the ballot paper, enclosed in the identification envelope, is received at the address of the returning officer before such cut-off day and time.

### **Counting of votes**

7. (1) The returning officer must keep in safe custody all identification envelopes received by him or her and as soon as possible after the day referred to in regulation 5(2)(b), in conjunction with a scrutineer appointed by the Minister -

- (a) examine each identification envelope duly received by the cut-off day and time to verify whether the declaration thereon has been signed by a qualified voter;
- (b) open such of the identification envelopes as he or she is satisfied are signed by qualified voters and place the ballot papers, kept folded, into a closed ballot box with an aperture for inserting the ballot papers;
- (c) open the ballot box, examine the ballot papers and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded, equal to the number of members of the Board to be elected, shall be deemed to be duly elected members of the Board and, in the event of the number of votes recorded for any two or more candidates being equal and of the equality affecting the result of the election, the returning officer must immediately, in the presence of the scrutineer, determine by lot which of the candidates with equal votes must be declared elected.

(3) Any candidate, or a representative appointed by him or her in writing, may be present when the ballot box is opened and during the subsequent proceedings.

(4) All the identification envelopes and voting papers applicable to an election must be kept in safe custody by the Board for a period of six months from the date on which the votes recorded in that election were ascertained in terms of subregulation (1).

## ANNEXURE

### FORM 1

#### TRADITIONAL HEALERS BOARD: INVITATION FOR SUBMISSION OF NOMINATIONS OF CANDIDATES FOR ELECTION AS MEMBERS

Notice is hereby given that an election of ..... (*number*) member(s) of the Traditional Healers is to be held in terms of section 5/section 7(2)\* of the Allied Health Services Professions Act, 1993, (Act No. 20 of 1993)

Nominations of eligible traditional healers as candidates for election are invited. All nominations must be delivered or transmitted to the address of the returning officer stated below so as to be received at that address not later than ..... (*time*) on ..... (*date*)

#### GENERAL NOTES:

1. Any registered traditional healer resident in Namibia, who is not disqualified in terms of section 6 of the Allied Health Services Professions Act, 1993 to be elected as a member of the Board, is eligible for nomination.
2. Nominations must be made on a nomination form substantially conforming to Form 2 of the Regulations Relating to the Election of Members of the Traditional Healers Board under the Allied Health Services Professions Act, 1993. Nomination forms can be obtained from the returning officer.
3. Each candidate must be nominated on a separate nomination form.
4. Every registered traditional healer entitled to sign nomination forms in respect of any number of candidates not exceeding the number to be elected.
5. Each nomination form must state the full names of the person nominated and must be signed by two other registered traditional healers. The person nominated must also sign the form confirming that he or she consents to be nominated. The registered address and qualifications of each signatory must be given on the form. If the person nominated is unable to sign the nomination form he or she may transmit his or her consent to the returning officer by letter, telegram or telefacsimile, so as to be received by the returning officer not later than the cut-off date and time for the submission of nominations.

.....

**Returning officer**

Traditional Healers Board

..... (*Address*)

\*Delete which is not applicable

FORM 2

TRADITIONAL HEALERS BOARD:  
NOMINATION FORM

We, the undersigned, being registered traditional healers, hereby nominate..... of ....., a registered traditional healer , as a candidate for election as member of theTraditional Healers Board.

1.

Full names .....

Signature .....Date .....

Registration number .....

Registered address .....

Witness ..... (Name and address)
2.

Full names .....

Signature .....Date.....

Registration number .....

Registered address .....

Witness ..... (Name and address)

I, (Full names) .....  
the undersigned, consent to my nomination as candidate for election as a member of the  
Traditional Healers Board.

.....

Signature

.....

Date

.....

Registered address

.....

Registration number



FORM 3

TRADITIONAL HEALERS BOARD:  
BALLOT PAPER FOR ELECTION OF MEMBERS

Official mark of returning officer:  
Election of ..... (number) members

Column for voter's mark (X)	Names of validly nominated candidates (in alphabetical order)	Address	Registered quali- fications
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....
	..... .....	..... .....	..... .....

INSTRUCTIONS TO VOTERS:

1. A voter is entitled to vote for .... (number) candidates and no more and must vote by placing a mark (X) opposite the name of each candidate for whom he or she intends to vote.

- 2. A ballot paper shall be invalidated if the voter -
  - (a) votes for more candidates than the number of persons to be elected;
  - (b) votes for a person who has not been validly nominated;
  - (c) votes more than once for the same person or returns more than one ballot paper; or
  - (d) does not clearly indicate the candidate for whom he or she is voting.
- 3. The ballot paper must be folded face inwards and placed in the accompanying identification envelope, which must be sealed and then placed in a covering envelope which must be sent to the Returning Officer, Traditional Healers Board, ..... (*insert address*), so as to be received by the returning officer not later than ..... (*insert cut-off day and time for the return of votes*)

**FORM 4**

**TRADITIONAL HEALERS BOARD:  
FORM OF DECLARATION ON IDENTIFICATION ENVELOPE**

I, (*full names*) ....., Identity No. ...., being ..... (*profession*)  
Registration No. ...., declare that I am the person to whom the enclosed ballot paper was addressed, that I am resident in Namibia and that I have not returned any other ballot paper in this election.

.....  
**Signature**

.....  
**Date**

.....  
**Witness**

\_\_\_\_\_