



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N\$4.80

WINDHOEK - 14 December 2012

No. 5094

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# Government Notices

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## MINISTRY OF JUSTICE

No. 290

2012

### AMENDMENT OF GOVERNMENT NOTICE NO. 110 OF 20 MAY 2009: RECOGNITION OF UUKWALUUDHI CUSTOMARY COURT AS COMMUNITY COURT AND APPOINTMENT OF ASSESSORS AND JUSTICES: COMMUNITY COURTS ACT, 2003

In terms of section 8(1) of the Community Courts Act, 2003 (Act No. 10 of 2003), I amend Government Notice No. 110 of 20 May 2009 as set out in the Schedule.

**P. IIVULA-ITHANA**  
**MINISTER OF JUSTICE**

Windhoek, 20 November 2012

### SCHEDULE

The Schedule to Government Notice No. 110 of 20 May 2009 is amended by the substitution for Part III of the following Part:

#### **“PART III** **PERSONS APPOINTED AS JUSTICES IN TERMS OF SECTION 8(1) OF THE ACT**

Justices

1. Stephanus Imongwa Shou
  2. Elifas Ampueja
  3. Veiko Jakob
  4. Hilka Titus
  5. Andreas Nekwaya Shitaatala
  6. Demetrius Mutumbulwa Kamati
  7. Karolina Tetulianus
  8. David Uamuina Tjimuhiva
  9. Aludhilu Lasarus Tudhigilwa
  10. Ndundu Johannes Uushona
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**MINISTRY OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT**

No 291

2012

WITHDRAWAL OF GOVERNMENT NOTICE NO. 126 OF 2004:  
TOWNSHIPS AND DIVISION OF LAND ORDINANCE, 1963

In terms of section 13 of the Townships and Division of land Ordinance 1963, (Ordinance No. 11 of 1963), I withdraw Government Notice No. 126 of 1 June 2004.

**J. EKANDJO**  
**MINISTER OF REGIONAL AND LOCAL**  
**GOVERNMENT, HOUSING AND RURAL**  
**DEVELOPMENT**

Windhoek, 20 November 2012

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**MINISTRY OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT**

No. 292

2012

DECLARATION OF OSHIKUKU TO BE AN APPROVED TOWNSHIP: OSHIKUKU TOWN  
COUNCIL: TOWNSHIPS AND DIVISION OF LAND ORDINANCE, 1963

In terms of section 13 of the Townships and Division of Land Ordinance, 1963 (Ordinance No. 11 of 1963), I hereby declare the area situated on Portions 1 and 2 of the Farm Oshikuku Townlands No. 991 in the Registration Division "A", Omusati Region, and represented by the General Plan No. A162 (S.G. No. A169/2001) to be an approved township.

The conditions, subject to which the application for permission to establish the township concerned has been granted, are set forth in the Schedule below.

**J. EKANDJO**  
**MINISTER OF REGIONAL AND LOCAL**  
**GOVERNMENT, HOUSING AND RURAL**  
**DEVELOPMENT**

Windhoek, 20 November 2012

**SCHEDULE**

**1. Name of Township:**

The township shall be called **Oshikuku**

**2. Composition of Township:**

The township comprises 348 erven numbered 1 to 348 and the remainder streets as indicated on General Plan A 162.

**3. Reservation of erven:**

(a) The following erven are reserved for the State:

- Erven 229 to 231, 343, 346: are reserved for General Administration purposes.

- Erven 228 and 348 are reserved for Educational purposes.
- (b) The following erven are reserved for the Local Authority:
  - Erven 216, 234, 262: are reserved for General Administrative purposes.
  - Erven 3 and 208 are reserved for Public Open Spaces.

#### 4. Conditions of title:

- (1) The following conditions shall be registered in favour of the Local Authority against the title deeds of all erven, except the erven referred to in paragraph 3:
  - a) There shall be no obstruction or deviation of any natural course of storm water over the erf without written approval of the Local Authority;
  - b) The erf shall be subject to the reservation for the Local Authority of the right of access and use without compensation of the area three metres parallel with any boundary of such erf, for the construction and maintenance of municipal services in respect of water, sewerage, drainage, electricity and gas, which right includes the right to place on such erf temporarily any material that may be excavated during such operation on the erf or any adjacent erf;
  - c) Where the erf has more than one street frontage, access to such erf will be determined by the Local Authority;
  - d) No offensive trade may be established or conducted on the erf. For the purpose of this paragraph, "Offensive trade" means any of the businesses; trades, works or institutions mentioned in regulation 1(a) of the regulations promulgated under Government Notice 141 of 1926.
  - (e) No cattle, pigs, goats, sheep, monkeys, beast of prey or draught animals shall be kept or allowed on the erf.
- (2) The following conditions shall in addition to the conditions set out in subparagraph (1) be registered against the title deeds of Erven 15 to 53, 55 to 69, 71 to 207, 209 to 213, 215, 219 to 227, 269 to 342 and 347:
  - a) The erven shall be used for residential purposes only.
  - b) The building value of a dwelling unit, including the outbuildings, to be erected on the erf shall be at least four times the valuation of the erf by the Local Authority.
- (3) The following conditions shall, in addition to the conditions set out in subparagraph (1), be registered against the title deeds of Erven 1, 2, 4, 5, 8 to 14, 217, 218, 235 to 261, 263 to 268:
  - a) The erf shall only be used for flats, offices and business purposes, other than a factory, as defined in regulation 14 of the Regulations relating to Health and Safety of Employees at Work promulgated under Government Notice No. 156 of 1 August 1997, provided that where a building is erected for office or business purposes the ground floor of the main building shall not contain flats and no flats shall be constructed on the same floor as any business of offices.

- b) The building value of the main building, including the outbuildings, to be erected on the erf shall be at least four times the municipal valuation of the property.
- (4) The following conditions shall in addition to those enumerated in subparagraph (1), be registered in favour of the Local Authority against the title deeds of Erven 6, 7, 70 and 214:
- a) The erven shall only be used for institutional purposes and purposes incidental thereto.
- b) The building value of the main building, including the outbuildings, to be erected upon the erf, shall be at least two times the valuation of the erf by the Local Authority.
- (5) The following conditions shall in addition to those enumerated in subparagraph (1), be registered in favour of the Local Authority against the title deeds of Erven 54, 232, 233, 344 and 245:
- a) The erven shall only be used by Parastatal.
- b) "Parastatal purposes", for the purpose of this paragraph, means that only government corporation, semi-government institutional and related buildings shall be erected on the erf.
- c) The building value of the main building, including the outbuildings, to be erected upon the erf, shall be at least two times the prevailing valuation of the erf by the Local Authority.

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**MINISTRY OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT**

No. 293

2012

**DECLARATION OF OSHIKUKU EXTENSION 1 TO BE AN APPROVED TOWNSHIP:  
OSHIKUKU TOWN COUNCIL: TOWNSHIPS AND DIVISION OF LAND ORDINANCE, 1963**

In terms of section 13 of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) as amended, I hereby declare the area situated on Portions 1 and 2 of the Farm Oshikuku Townlands No. 991 in the Registration Division "A", Omusati Region, as represented by the General Plan No. A163 (S.G. No. A170/2001) to be an approved township.

The conditions, subject to which the application for permission to establish the township concerned has been granted, are set forth in the Schedule below.

**J. EKANDJO**  
**MINISTER OF REGIONAL AND LOCAL**  
**GOVERNMENT, HOUSING AND RURAL**  
**DEVELOPMENT**

Windhoek, 20 November 2012

**SCHEDULE**

**1. Name of Township:**

The township shall be called **Oshikuku Extension 1.**

**2. Composition of Township:**

The township comprises 328 erven numbered 349 to 676 and the remainder streets as indicated on General Plan A 163.

**3. Reservation of erven:**

(1) The following erven are reserved for the State:

- Erf 547 is reserved for General Administrative purposes.
- Erf 546 is reserved for Educational purposes.

(2) The following erven are reserved for the Local Authority:

- Erf 673 is reserved for General Administrative purposes.
- Erven 495, 505, 555, and 676 are reserved for Public Open Spaces.
- Erven 550 and 553 are reserved for Cemetery purposes.

**4. Conditions of title:**

(1) The following conditions shall be registered in favour of the Local Authority against the title deeds of all erven, except the erven referred to in paragraph 3:

- a) There shall be no obstruction or deviation of any natural course of storm water over the erf without written approval of the Local Authority;
- b) The erf shall be subject to the reservation for the Local Authority of the right of access and use without compensation of the area three metres parallel with any boundary of such erf, for the construction and maintenance of municipal services in respect of water, sewerage, drainage, electricity and gas, which right includes the right to place on such erf temporarily any material that may be excavated during such operation on the erf or any adjacent erf;
- c) Where the erf has more than one street frontage, access to such erf will be determined by the Local Authority;
- d) No offensive trade may be established or conducted on the erf. For the purpose of this paragraph, "Offensive trade" means any of the businesses; trades, works or institutions mentioned in regulation 1(a) of the regulations promulgated under Government Notice 141 of 1926.
- (e) No cattle, pigs, goats, sheep, monkeys, beast of prey or draught animals shall be kept or allowed on the erf.

(2) The following conditions shall in addition to the conditions set out in subparagraph (1) be registered against the title deeds of Erven 349 to 435, 437 to 494, 496 to 504, 506, 508 to 542, 544, 545, 551, 554, 557 to 608, 610 to 626; 628 to 672, 674 and 675:

- a) The erven shall be used for residential purposes only.
- b) The building value of a dwelling unit, including the outbuildings, to be erected on the erf shall be at least four times the valuation of the erf by the Local Authority.

- (3) The following conditions shall, in addition to the conditions set out in subparagraph (1), be registered against the title deeds of Erven 552, 609 and 627:
- a) The erf shall only be used for flats, offices and business purposes, other than a factory, as defined in regulation 14 of the Regulations relating to Health and Safety of Employees at Work promulgated under Government Notice No. 156 of 1 August 1997, provided that where a building is erected for office or business purposes the ground floor of the main building shall not contain flats and no flats shall be constructed on the same floor as any business of offices.
  - b) The building value of the main building, including the outbuildings, to be erected on the erf shall be at least four times the municipal valuation of the property.
- (4) The following conditions shall in addition to those enumerated in subparagraph (1), be registered in favour of the Local Authority against the title deeds of Erven 436, 507, 543, 549 and 556:
- a) The erven shall only be used for institutional purposes and purposes incidental thereto.
  - b) The building value of the main building, including the outbuildings, to be erected upon the erf, shall be at least two times the valuation of the erf by the Local Authority.
- (5) The following conditions shall in addition to those enumerated in subparagraph (1), be registered in favour of the Local Authority against the title deeds of Erf 548:
- a) The erf shall only be used by Parastatal.
  - b) "Parastatal purposes", for the purpose of this paragraph, means that only government corporation, semi-government institutional and related buildings shall be erected on the erf.
  - c) The building value of the main building, including the outbuildings, to be erected upon the erf, shall be at least two times the prevailing valuation of the erf by the Local Authority.

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### MINISTRY OF TRADE AND INDUSTRY

No. 294

2012

#### AMENDMENT OF THE REGULATIONS UNDER THE CLOSE CORPORATIONS ACT, 1988

In terms of section 10 of the Close Corporations Act, 1988 (Act No. 26 of 1988), I amend regulation 17(1) of the Regulations, under the Close Corporations Act, 1988 promulgated under Government Notice No. 43 of 30 March 1994, by the substitution there for of the following names:

- “(a) The Institute of Chartered Accountants of Namibia;
- (b) The Institute of Commercial and Financial Accountants of Namibia;
- (c) The Chartered Institute of Management Accountants;
- (d) The Institute of Administration and Commerce of Southern Africa;

- (e) The Southern African Institute of Chartered Accountants;
- (f) The Southern African Institute of Chartered Secretaries and Administrators;
- (g) The Chartered Association of Certified Accountants;
- (h) The Southern African Institute of Business Accountants;
- (i) South African Institute of Professional Accountants; and
- (j) Chartered Institute of Business Management”.

**H. G. GEINGOB**

**MINISTER OF TRADE AND INDUSTRY**

Windhoek, 23 November 2012

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**MINISTRY OF TRADE AND INDUSTRY**

No. 295

2012

**NOTIFICATION OF NAMES OF PROFESSIONS IN TERMS OF SECTION 60(2)  
OF THE CLOSE CORPORATIONS ACT, 1988**

In terms of section 60(2) of the Close Corporations Act, 1988 (Act No. 26 of 1988), I amend Government Notice No. 96 of 1 July 2006 by the addition, to the Schedule to that notice, of the following names of professions whose members are qualified to perform the duties of an accounting officer:

“The Institute of Commercial and Financial Accountants of Namibia

The Southern African Institute of Chartered Accountants

South African Institute of Professional Accountants

Chartered Institute of Business Management”.

**H. G. GEINGOB**

**MINISTER OF TRADE AND INDUSTRY**

Windhoek, 23 November 2012

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**MINISTRY OF MINES AND ENERGY**

No. 296

2012

**IMPOSITION OF LEVY ON ELECTRICITY SUPPLIED BY NAMIBIA POWER  
CORPORATION PROPRIETY LIMITED: PETROLEUM PRODUCTS AND  
ENERGY ACT, 1990**

In terms of section 19(1) of the Petroleum Products and Energy Act, 1990 (Act No. 13 of 1990) and after consulting the National Energy Council, I -

- (a) impose a levy on electricity supplied by Namibia Power Corporation Propriety Limited as a transmission licensee; and
- (b) set out in the Schedule the particulars referred to in section 19(3) of the Act.



**I. KATALI**  
**MINISTER OF MINES AND ENERGY**

Windhoek, 19 November 2012

**SCHEDULE**

**Definition**

1. In this notice a word or expression to which a meaning has been assigned in the Act has the same meaning -

“levy” means a levy imposed on electricity in terms of section 19(1)(b) and set out in paragraph 2 of this notice;

“the Act” means the Petroleum products and Energy Act, 1990 (Act No. 13 of 1990);

**Amount of levy**

2. The amount of the levy imposed is 1.02 cents per unit of electricity supplied by Namibia Power Corporation Propriety Limited to a customer in Namibia and which units must be measured for the purposes of such levy in kilowatthour at the point where those units exit Namibia Power Corporation Propriety Limited transmission system.

**Times of payment of levy**

3. (1) The levy is payable monthly in arrears in respect of the sum total of electricity contemplated in paragraph 2 during the relevant month, and must be paid to the National Energy Fund established by section 11 of the Act, not later than -

- (a) the 20th day of the month following the month in respect of which the levy is payable; or
- (b) if the 20th day, referred to in subparagraph (a), falls on a Saturday, a Sunday or a public holiday, the first business day after that.

(2) The levy is payable by Namibia Power Corporation Propriety Limited on the sum total of electricity contemplated in paragraph 2 and payable to the National Energy Fund without any deductions.

**Interest on late payment**

4. If the amount payable in respect of the levy is not paid by Namibia Power Corporation Propriety Limited in accordance with paragraph 3, by the last day for payment as stipulated in that paragraph, Namibia Power Corporation Propriety Limited must pay interest on the outstanding amount, compounded daily, from the date following that last day at a rate equivalent to the normal annual interest rate charged by commercial banks in Namibia on overdraft accounts and subject to any fluctuation in the rate, during the period that the amount in question or any portion of that amount remains unpaid.

**Date on which levy becomes effective**

5. The levy is effective as from the date of publication of this notice in the *Gazette*.

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**MINISTRY OF JUSTICE**

No. 297

2012

**INCREMENT OF REMUNERATION OF MAGISTRATES: MAGISTRATES ACT, 2003**

Under section 18(2) of the Magistrates Act, 2003 (Act No. 3 of 2003), in consultation with the Magistrates Commission and with the concurrence of the Minister of Finance, I increase the remuneration of magistrates with effect from 01 April 2012 as set out in the Schedule.

**U. NUJOMA**  
**MINISTER OF JUSTICE**

Windhoek, 5 December 2012

**SCHEDULE****REMUNERATION OF MAGISTRATES: SALARIES, HOUSING ALLOWANCES, CAR ALLOWANCE AND BONUS**

<b>Grade and Level</b>	<b>Annual Salary</b>	<b>Housing allowance</b>	<b>Car Allowance</b>	<b>Bonus</b>	<b>Total</b>
Chief Magistrate (Fixed)	N\$373 332	N\$86 000	N\$110 360	N\$31 111	N\$600 803
Deputy Chief Magistrate (Fixed)	N\$364 135	N\$77 000	N\$101 354	N\$30 334	N\$572 823
Divisional Court Magistrate (Fixed)	N\$364 135	N\$77 000	N\$101 354	N\$30 334	N\$572 823
Control Magistrate (Fixed)	N\$364 135	N\$77 000	N\$101 354	N\$30 334	N\$572 823
Principal Magistrate (Fixed)	N\$309 167	N\$58 000	N\$74 445	N\$25 763	N\$467 375
Senior Magistrate	N\$238 847	N\$48 000	N\$66 165	N\$19 903	N\$372 915
Magistrate	N\$179 325	N\$48 000	N\$66 165	N\$14 943	N\$308 433
<b>Salary Scale:</b>	Senior Magistrate: 238 847 x 7 814 - 254 476				
	Magistrate: 179 325 x 5 105 - 199 746				

**General Notices****MINISTRY OF AGRICULTURE, WATER AND FORESTRY**

No. 443

2012

**ELECTION OF MEMBERS OF THE VETERINARY COUNCIL OF NAMIBIA:  
PROCLAMATION 14 OF 18 JUNE 1984**

In terms of regulation 15 of the regulations relating to the Veterinary and ParaVeterinary Professions published under Government Notice No. 76 of 17 May 1985, I make known that the following persons have been elected as members of the Veterinary Council of Namibia as set out in the Table.

**TABLE**

<b>Name of elected member</b>	<b>Residential address</b>	<b>Date of commencement</b>	<b>Date of Termination</b>
Beggs, MKR	17 Omaruru Street Windhoek	1 August 2011	31 July 2014
Hassel, RH	103 Joseph Mukwajo-Ithana Street, Windhoek	1 August 2011	31 July 2014
Hikufe, EH	Erf 7821, Dorado Park, Ext. 1	1 August 2011	31 July 2014

Kamwi, JA	10 Webb Street Windhoek North	1 August 2011	31 July 2014
Visser, I	33 Independence Avenue, Windhoek	14 August 2012	13 August 2015
Voigts, AS	5 Hugo Hahn street, Klein Windhoek	1 August 2011	31 July 2014

**A.L. MARAIS**  
**REGISTRAR OF VETERINARY COUNCIL OF NAMIBIA**

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**LÜDERITZ TOWN COUNCIL**

No. 444

2012

**NOTICE OF VACANCY IN THE MEMBERSHIP OF LÜDERITZ TOWN COUNCIL.**

Notice is hereby given in terms of Section 13(3) of the Local Authorities Act, 1992 (Act No. 23 of 1992) as amended, that a vacancy occurred in the membership of the Lüderitz Town Council on 27 July 2012 due to Councilor Reginald Hercules absenteeism for more than three consecutive Council meetings without approval.

Notice is further given to the Rally for Democracy and Progress (RDP) to nominate a member for the Lüderitz Town Council within three (3) months from the date of publication of this notice.

**E. LANGER**  
**ACTING CHIEF EXECUTIVE OFFICER**  
**LÜDERITZ TOWN COUNCIL**

No. 445

2012

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**COMPILATION OF ORANJEMUND TOWN PLANNING SCHEME**

Notice is hereby given in terms of Section 7(2) of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) as amended, that the Oranjemund Town Council intends to apply to the Minister of Regional and Local Government, Housing and Rural Development for permission to compile a Town Planning Scheme for Oranjemund.

The Town Planning Scheme shall contain such provisions, as may be deemed necessary to coordinate and harmonise development in the Local Authority Area of Oranjemund.

Please take note that the Resolution Map depicting the Local Authority Boundary and the Scheme Area, lies for inspection during normal office hours at the Offices of the Oranjemund Town Council and at SPC Offices, 45 Feld Street, Windhoek.

**Applicant: Stubenrauch Planning Consultants**  
**PO Box 11869**  
**Windhoek**  
**Oranjemund**

**The Acting Chief Executive Officer**  
**Oranjemund Town Council**  
**PO Box 178**

No. 446

2012

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**OTJIWARONGO TOWN PLANNING AMENDMENT SCHEME NO. 13**

Notice is hereby given in terms of Section 23 of the Town Planning Ordinance 1954, (Ordinance 18 of 1954) as amended, that the Otjiwarongo Town Planning Amendment Scheme No. 13, has been

submitted to the Minister of Regional and Local Government, Housing and Rural Development for approval.

Copies of the Otjiwarongo Town Planning Amendment Scheme No. 13 and the maps, plans, documents and other relevant matters are lying for inspection during office hours at the Municipality of Otjiwarongo and also at the Namibia Planning Advisory Board (NAMPAB), Ministry of Regional and Local Government, Housing and Rural Development, 2nd Floor, Room 234, GRN Office Park, Windhoek.

Any person who wishes to object to the approval of the Town Planning Scheme, should lodge objections in writing to the Secretary, Namibia Planning Advisory Board (NAMPAB), Private Bag 13289, Windhoek on or before 14 January 2013.

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No. 447

2012

#### OTJIWARONGO TOWN PLANNING AMENDMENT SCHEME NO. 14

Notice is hereby given in terms of Section 23 of the Town Planning Ordinance 1954, (Ordinance 18 of 1954) as amended, that the Otjiwarongo Town Planning Amendment Scheme No. 14, has been submitted to the Minister of Regional and Local Government, Housing and Rural Development for approval.

Copies of the Otjiwarongo Town Planning Amendment Scheme No. 14 and the maps, plans, documents and other relevant matters are lying for inspection during office hours at the Municipality of Otjiwarongo and also at the Namibia Planning Advisory Board (NAMPAB), Ministry of Regional and Local Government, Housing and Rural Development, 2nd Floor, Room 234, GRN Office Park, Windhoek.

Any person who wishes to object to the approval of the Town Planning Scheme, should lodge objections in writing to the Secretary, Namibia Planning Advisory Board (NAMPAB), Private Bag 13289, Windhoek on or before 14 January 2013.

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