



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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MINISTRY OF JUSTICE

No. 154

2023

AMENDMENT OF REGULATIONS OF COMMUNITY COURTS: COMMUNITY COURTS ACT, 2003

In terms of section 32 of the Community Courts Act, 2003 (Act No. 10 of 2003), I amend the Regulations of Community Courts published under Government Notice No. 237 of 17 November 2003 as set out in the Schedule.

Y. DAUSAB
MINISTER OF JUSTICE

Windhoek, 16 May 2023

SCHEDULE

Definitions

1. In these regulations, “the Regulations” means the Regulations of Community Courts published under Government Notice No. 237 of 17 November 2003 as amended by Government Notice No. 280 of 1 November 2018 and Government Notice No. 269 of 15 September 2022.

Amendment of regulation 12 of Regulations

2. Regulation 12 of the Regulations is amended by the substitution for Table A to D of the following Tables:

**“TABLE A
ALLOWANCES PAYABLE TO JUSTICES
(Section 10(2), regulation 12)**

For every community court session -

- (a) an attendance sitting allowance is payable at the rate of N\$50,00 per hour or a part of the hour;
- (b) an attendance is to be calculated from the hour from which the case commences to the hour at which judgement is given or reserved, or to the hour at which the Justice is expressly released by the community court from further attendance, whichever is earlier;
- (c) when the case is adjourned, postponed or settled, attendance is to be calculated from the hour from which a case commences to the hour at which the case is adjourned, postponed or settled, or to the hour at which the Justice is expressly released by the community court from further attendance, which ever is the earlier;
- (d) a justice who has neither a residence within 2 to 100 kilometres of the place of sitting of the community court is also entitled to a travel allowance at the rate of N\$3,50 per kilometre for each journey actually and necessarily taken between the place of sitting of the community court and his or her residence or place of business;
- (e) a justice who has neither a residence within 2 to 150 kilometres of the place of sitting of the community court is also entitled to public transport for each journey actually and necessary taken between the place of sitting of the community court and his or her residence or place of business;
- (f) only three justices may be paid the allowance contemplated in paragraphs (a) to (e); and
- (g) a justice may be paid a subsistence allowance at a rate of N\$800,00 for attending a training workshop.

**TABLE B
ALLOWANCES PAYABLE TO ASSESSORS
(Sections 7(5) and 27(5), regulation 12)**

For every community court session -

- (a) an attendance sitting allowance is payable at the rate of N\$30,00 per hour or a part of the hour;
- (b) an attendance is to be calculated from the hour from which the case commences to the hour at which judgement is given or reserved, or to the hour at which the assessor is expressly released by the community court from further attendance, whichever is the earlier;

- (c) when the case is adjourned, postponed or settled, attendance is to be calculated from the hour from which case commence to the hour at which the case is adjourned, postponed or settled, or to the hour at which the assessor is expressly released by the community court from further attendance, whichever is the earlier;
- (d) an assessor who has neither a residence within 2 to 100 kilometres of the place of sitting of the community court is also entitled to a travel allowance at the rate of N\$3,50 per kilometre for each journey actually and necessarily taken between the place of sitting of the community court and his or her residence or place of business;
- (e) an assessor who has neither a residence within 2 to 150 kilometres of the place of sitting of the community court is also entitled to public transport for each journey actually and necessary taken between the place of sitting of the community court and his or her residence or place of business;
- (f) only three assessors may be paid the allowances contemplated in paragraph (a) to (e);
- (g) an assessor may be paid a subsistence allowance at a rate of N\$800,00 for attending a training workshop.

TABLE C
ALLOWANCES PAYABLE TO INTERPRETERS
(Section 32(1), regulation 12)

1. For every community court session -
 - (a) an attendance sitting allowance is payable at the rate of N\$55,00 per hour or a part of the hour;
 - (b) attendance is to be calculated from the hour from which a case commence to the hour at which judgement is given or reserved, or to the hour at which the interpreter is expressly released by the community court from further attendance, whichever is the earlier;
 - (c) when the case is adjourned, postponed or settled, attendance is to be calculated from the hour from which the case commence to the hour at which the case is adjourned, postponed or settled, or to the hour at which the interpreter is expressly released by the community court from further attendance, whichever is the earlier; and
 - (d) an interpreter who has neither a residence nor a place of business within 2 kilometres of the place of sitting of the community court is also entitled to a travel allowance at the rate of N\$3,50 per kilometre for each journey actually and necessary taken between the place of sitting of the community court and his or her residence or place of business.
2. An interpreter may be paid a subsistence allowance at a rate of N\$800,00 for any interpreting services provided at a training workshop.

TABLE D
RENUMERATION AND ALLOWANCES PAYABLE TO CLERKS
AND MESSENGERS OF COMMUNITY COURT
(Section 10(2), regulation 12)

1. A messenger of a community court may be paid -
 - (a) as remuneration an amount of N\$1800,00 per month;
 - (b) a thirteenth cheque equal to the monthly remuneration at the end of each succeeding year;
 - (c) a subsistence allowance at a rate of N\$800,00 for attending a training workshop;
and
 - (d) a travel allowance at a rate of N\$4,00 for each kilometre travelled to serve court process.

 2. A clerk of a community court may be paid -
 - (a) a remuneration an amount of N\$3000,00 per month;
 - (b) a thirteenth cheque equal to the monthly remuneration at the end of each succeeding year;
 - (c) a subsistence allowance at a rate of N\$800,00 for attending a training workshop;
and
 - (d) a transport allowance at the rate of N\$800,00 per month.”
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