



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Affirmative Action (Employment) Act 29 of 1998
section 48

General Regulations

Government Notice 159 of 1999

[\(GG 2161\)](#)

came into force on date of publication: 6 August 1999

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REGULATIONS
Affirmative Action (Employment) Act 29 of 1998
General Regulations

Definitions

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

“the Act” means the Affirmative Action (Employment) Act, 1998 (Act No. 29 of 1998).

PART I

ADMINISTRATION

Keeping of records

2. The documents, notices and forms issued in terms of the Act to or by a relevant employer shall be kept, in addition to the records to be kept in terms of section 26 of the Act, by such relevant employer and shall be made available to a review officer, at the review officer's request, for the purpose of inspection.

PART II

AFFIRMATIVE ACTION

Notice by relevant employer

3. (1) Every employer who as the result of a change in the number of employees employed by him, her or it, as the case may be, becomes a relevant employer, shall in writing notify the Commission within 30 days of such change.

(2) The date on which the Commissioner receives the notice referred to in subregulation (1) shall be deemed to be the date of identification as a relevant employer referred to in section 27(1)(a) of the Act.

(3) If the number of employees employed by a relevant employer is reduced to such an extent that the number of such employees so employed by such relevant employer is less than the number of employees as set out in a notice published under section 20 of the Act, causing such relevant employer, subject to subregulation (4), not to be a relevant employer any longer, such employer shall not less than 30 days after such change in the number of employees, in writing, notify the Commission thereof and shall in such notice furnish full particulars of such change in the number of employees.

Form of summons

4. The summons referred to in section 36(3) of the Act shall be in the form of Form EEC 1.

PART III

MISCELLANEOUS

Offences and penalties

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5. Any person who contravenes or fails to comply with the provisions of any regulation shall be guilty of an offence and on conviction be liable to a fine not exceeding N\$8 000 or to imprisonment for a period not exceeding 2 (two) years or to both such fine and such imprisonment.

Form EEC I

To view content without printing, scroll down.

To print at full scale (A4), double-click the icon below.



Form EEC 1

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Form EEC 1

AFFIRMATIVE ACTION (EMPLOYMENT) ACT, 1998
(Act No. 29 of 1998)

SUMMONS TO APPEAR BEFORE A REVIEW PANEL
(Section 36 / Regulation 4)

Case No. :

AFFIRMATIVE ACTION PLAN TO BE REVIEWED:

Name of relevant employer:
Address:
.....

PARTICULARS OF PERSON SUMMONED:

Surname and full names:
Address:
.....

**YOU ARE HEREBY SUMMONED TO PERSONALLY APPEAR BEFORE A REVIEW
PANEL AT THE VENUE AND ON THE DATE AND AT THE TIME SPECIFIED
BELOW:**

VENUE:
.....
DATE: TIME:

Books, documents or records to be produced at the hearing:
.....

Note 1: You are required to remain in attendance at the hearing until excused by the
Chairperson of the Panel.

Note 2: You are entitled to be represented by a legal practitioner.

Note 3: Failure to appear and to stay in attendance as required by this summons, or to
produce any of the books, documents or records specified in this summons, is a
criminal offence and upon conviction you may be sentenced to a fine not
exceeding N\$8 000 or to imprisonment for a period not exceeding two years, or
to both such fine and such imprisonment.

Issued at this day of
.....
Chairperson of the Review Panel

Address:
.....

RETURN OF SERVICE

I certify that I have served the above summons on the person named therein-

- a. by delivering a copy thereof to him or her personally; or
 - b. ~~at~~ the person could not be found, by delivering a copy to
-

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a person apparently over the age of 16 years and apparently residing at the person's place of residence or apparently employed at the person's place of business.

Address where summons was served:
.....
.....

Date and time of service of summons:

The nature and importance of this summons was duly explained to the recipient thereof.

Summons served by me:

.....
Signature

Surname and full names:

Designation:

Address:

Telephone number: