



Republic of Namibia  
Annotated Statutes

**REGULATIONS**

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REGULATIONS MADE IN TERMS OF

**Namibia Refugees (Recognition and Control)  
Act 2 of 1999**  
section 31

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**Namibia Refugees (Recognition and Control) Regulations**

Government Notice 236 of 2000

[\(GG 2412\)](#)

came into force on date of publication: 22 September 2000

**as amended by**

**Government Notice 156 of 2021** [\(GG 7583\)](#)

came into force on date of publication: 19 July 2021

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**ARRANGEMENT OF REGULATIONS**

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**REGULATIONS**  
**Namibia Refugees (Recognition and Control) Act 2 of 1999**  
**Namibia Refugees (Recognition and Control) Regulations**

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16. Compliance with Article 35 of the UN Convention on Refugees, 1951, and Article II of the Protocol on Refugees, 1967.
17. Short title

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**APPLICATION FORM FOR REFUGEE STATUS**

**ANNEXURE B**  
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**DATA UPDATE ACQUISITION APPLICATION FORM,**  
**DUPLICATE OR CORRECTION**

**[Annexure AB inserted by GN 156/2021]**

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**[Annexure C substituted by GN 156/2021]**

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**Definitions**

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

“the Act” means the Namibia Refugees (Recognition and Control) Act, 1999 (Act No. 2 of 1999).

**Application for refugee status**

**2.** An application for refugee status contemplated in section 13(1) of the Act shall be made to an authorized officer on a form similar to the form contained in Annexure A, and shall contain all the required information.

**Loss of refugee status**

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3. Where a recognized refugee loses his or her refugee status in terms of section 5 of the Act, the Commissioner shall by written notice, served in accordance with the provisions of regulation 15, notify such recognized refugee of his or her loss of refugee status, and shall in particular specify in that notice the reasons for such loss of refugee status.

#### **Temporary identification documents**

4. (1) The Commissioner shall issue to each person who has applied in terms of section 13(1) of the Act for refugee status, and to every member of the family of such person, a temporary identification document substantially in the form as set out in the Annexure B.

(2) Every person to whom a temporary identification document has been issued in terms of subregulation (1), shall at all times carry on his or her person or have readily available in his or her immediate vicinity such identification document.

#### **Issue of identity cards**

5. (1) The Commissioner shall, on application in the form set out in Annexure AB, issue to -

- (a) each person who has been granted refugee status in terms of section 13(4)(a) of the Act; and
- (b) every member of the family of such recognised refugee who has entered Namibia, an identity card substantially in the form as set out in Annexure C.

(2) A person who has been issued with an identity card in terms of subregulation (1) shall, at all times carry on him or her the identity card or, have the identity card readily available in his or her immediate vicinity.

**[The punctuation in this provision is reproduced as it appears in the Government Gazette.]**

(3) An identity document referred to in subregulation (1) shall -

- (a) be predominantly yellow in colour; and
- (b) contain -
  - (i) the signature or mark of the person to whom it was issued;
  - (ii) a machine readable zone; and
  - (iii) a quick response code.

(4) The Commissioner shall issue an identity card to a person who has applied for an identity card under subregulation (1) free of charge if -

- (a) it is a first issuance;
- (b) the person was issued with the identity card five years earlier; or

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- (c) it is an update of a photo, signature or surname of the applicant on the identity card that the applicant currently holds.
- (5) An applicant who applies for a duplicate of the identity card shall pay the following fees:
- |   |                |
|---|----------------|
| (a) first duplicate                           | N\$150.00;     |
| (b) second duplicate                          | N\$300.00;     |
| (c) third duplicate                           | N\$450.00;     |
| (d) fourth duplicate                          | N\$600.00; and |
| (e) fifth duplicate and subsequent duplicates | N\$750.00.     |

[regulation 5 substituted by GN 156/2021]

### Travel documents

6. (1) If a recognised refugee or protected person intends to travel outside Namibia he or she shall apply in the form available at the Ministry, to the Commissioner for the Commissioner to issue the applicant with a travel document.

(2) On receipt of an application made in terms of subregulation (1), the Commissioner shall, if he or she is satisfied as to the purposes of the intended travelling outside Namibia, issue a travel document to such applicant.

(3) If the Commissioner is not satisfied as contemplated in subregulation (2), he or she shall, in writing, notify the applicant of the decision taken and provide reasons of the Commissioner's decision.

[The phrase "reasons of the Commissioner's decision" should be  
"reasons for the Commissioner's decision".]

(4) The Commissioner shall keep and maintain a register of all the recognised refugees and protected persons who have, in accordance with subregulation (2), been issued with travel documents.

(5) A person who applies for a travel document as contemplated in subregulation (1) shall pay a fee of N\$400 if it is a first time application or a renewal of a travel document.

(6) Despite subregulation (5), a person who has been issued with a travel document as contemplated in subregulation (1), and whose travel document has either been lost or damaged, shall pay a fee of N\$800 to be issued with a new travel document.

[regulation 6 substituted by GN 156/2021]

### Register of recognized refugees and protected persons

7. (1) The Commissioner shall keep proper record, or cause proper record to be kept, of all applications for the granting of refugee status transmitted to him or her in terms of section 13(2)(c) of the Act, including particulars as to how every application was disposed of.

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(2) The Commissioner shall maintain a register in which shall, in respect of every recognized refugee and protected person, be entered the following particulars:

- (a) Full names and address;
- (b) registration number;
- (c) nationality or citizenship;
- (d) sex;
- (e) marital status;
- (f) date of birth;
- (g) occupation, trade or profession;
- (h) names of dependants (where applicable);
- (i) date of entry into Namibia;
- (j) date of becoming a recognized refugee or protected person; and
- (k) such additional particulars relating to the registration of recognized refugees and protected persons as the Commissioner may consider necessary.

**Withdrawal of refugee status**

8. A notice of intention to withdraw a person's refugee status, as contemplated in section 23(2)(b) of the Act, shall be substantially in the form as set out in Annexure D.

**Detention or expulsion of recognized refugees and protected persons**

9. (1) A notice of intention to detain or expel a recognized refugee or protected person, as contemplated in section 24(3)(b) of the Act, shall be substantially in the form as set out in Annexure E.

- (2) An order -
- (a) for the detention of a recognized refugee or protected person, as contemplated in section 24(7)(a) of the Act, shall be substantially in the form as set out in the Annexure F;
  - (b) for the expulsion of a recognized refugee or protected person, as contemplated in the said section 24(7)(a), shall be substantially in the form as set out in the Annexure G.

(3) Notwithstanding the provisions of regulation 15, an order of detention or expulsion referred to in subregulation (2) shall be served personally on the recognized refugee or protected person concerned.

**Other functions of Committee**

**REGULATIONS**  
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**10.** In addition to any other powers conferred or duties imposed upon the Committee by or under the Act, the Committee shall be responsible for -

- (a) creating or providing, with the concurrence of the Minister, suitable temporary reception centres and facilities at which refugees would be accommodated before being transferred to the reception area or refugee settlement in which they are pursuant to an order made under section 20(1) of the Act required to reside;
- (b) ensuring that adequate provision is made to feed, accommodate and provide health and sanitary care to refugees;
- (c) investigating complaints regarding any ill-treatment of refugees by governmental authorities;
- (d) assisting skilled recognized refugees and protected persons in seeking gainful employment in Namibia;
- (e) promoting gainful agricultural activity and other income generating activities by recognized refugees and protected persons in reception areas and refugee settlements; and
- (f) promoting education and training skills among recognized refugees and protected persons in reception areas and refugee settlements.

**Subcommittees of Committee**

- 11.** (1) A subcommittee appointed under section 11(1) of the Act shall consist of -
- (a) at least one member of the Committee, nominated by the Committee for that purpose; and
  - (b) one or more other persons, not being a member or members of the Committee, appointed by the Committee:

Provided that, if a member of the Committee appointed as such in terms of section 7(2)(f) of the Act is nominated as a member of a subcommittee, he or she shall hold observer status with no voting right and act only in an advisory capacity.

(2) The Committee shall designate one of the members of the subcommittee as chairperson thereof.

(3) A subcommittee shall meet at such intervals as determined by its activities and the dates for the completion of its tasks.

(4) The Committee may direct a subcommittee to call an urgent meeting to resolve any matter determined by the Committee.

(5) The majority of the members of a subcommittee shall constitute a quorum for any meeting of the subcommittee.

(6) The chairperson of the Committee may attend any meeting of a subcommittee and shall be entitled to take part in the proceedings at such meeting.

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(7) If consensus cannot be reached on any matter under consideration by any subcommittee, the matter shall be referred to the Committee for decision.

(8) A subcommittee shall cause proper record to be kept of the proceedings at its meetings, and the Committee may at any time request that such record be submitted to it by the subcommittee for inspection.

#### **Reception areas and refugee settlements**

**12.** The authorized officer or any other person in charge of a reception area or refugee settlement shall -

- (a) maintain a register of all persons who have pursuant to an order or a permit made or issued under section 20 of the Act been admitted to the reception area or refugee settlement under his or her control; and
- (b) submit monthly returns to the Commissioner containing such information relating to the reception area or refugee settlement under his or her control as the Commissioner may consider necessary to effectively perform his or her functions under the Act or these regulations.

#### **Employment of recognized refugees and protected persons**

**13.** In the employment of persons who are not Namibian citizens, every employer shall, with due regard to efficiency, economy and practicability, give preference to applicants who -

- (a) are recognized refugees or protected persons; and
- (b) possess the qualifications, expertise and experience required for such employment.

Provided that those recognized refugees or protected persons have, except to the extent otherwise provided in paragraph 2 of Article 17 of UN Convention on Refugees, 1951, complied with the requirements of Part V of the Immigration Control Act in so far as those requirements relate to employment in Namibia.

#### **Offences and penalties**

**14.** Any person who -

- (a) contravenes or fails to comply with a provision of regulation 4(2), 5(2) or 13; or
- (b) for the purposes of being granted refugee status in terms of the Act, whether for himself or herself or for any other person, makes a false statement or representation, or furnishes any false information, to an authorized officer or any other person knowing such statement, representation or information to be false or misleading in any material respect or not believing it to be true,

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

#### **Serving of documents**

**REGULATIONS**  
**Namibia Refugees (Recognition and Control) Act 2 of 1999**  
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**15.** Unless otherwise provided in the Act, a notice, order or other document which is required in terms of the Act or these regulations to be served on or delivered to a person, will have been properly served or delivered if it has been either -

- (a) served on or delivered to that person personally; or
- (b) sent by registered post to that person's last known address; or
- (c) published in the *Gazette*.

**Compliance with Article 35 of the UN Convention on Refugees, 1951, and Article II of the Protocol on Refugees, 1967**

**16.** The Commissioner shall periodically or otherwise and before the dates or within the period determined by the Minister furnish the representative in Namibia of the United Nations High Commissioner for Refugees with information relating to -

- (a) applications for the granting of refugee status;
- (b) persons who have been granted refugee status;
- (c) members of the families of recognized refugees;
- (d) the withdrawal of refugee status;
- (e) the detention or expulsion of recognized refugees and protected persons;
- (f) the treatment and welfare of refugees;
- (g) the implementation of the Conventions; and
- (h) such additional information as the Minister may determine or as such representative may reasonable require.

[The word "reasonable" in paragraph (h) should be "reasonably".]

**Short title**

**17.** These regulations shall be called the Namibia Refugees (Recognition and Control) Regulations, 2000.



**REGULATIONS**  
**Namibia Refugees (Recognition and Control) Act 2 of 1999**  
**Namibia Refugees (Recognition and Control) Regulations**

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**ANNEXURES**

To view content without printing, scroll down.

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



Annexures

[Annexure AB inserted by GN 156/2021]

[Annexure C substituted by GN 156/2021]

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**REGULATIONS**  
**Namibia Refugees (Recognition and Control) Act 2 of 1999**  
**Namibia Refugees (Recognition and Control) Regulations**

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**ANNEXURE A**

**APPLICATION FORM FOR REFUGEE STATUS**  
(Regulation 2)

**SECTION A: PERSONAL PARTICULARS OF APPLICANT**

Family name .....

Maiden name (if any) .....

Forename(s) .....

Date of birth .....

Country of birth ..... Place of birth .....

Marital Status .....

Nationality/Citizenship at birth .....

Nationality/Citizenship now .....

Country of habitual residence .....

Religion .....

Ethnic group to which you belong .....

Date of entry into Namibia .....

When and how did you leave your home country? .....

Why did you leave your home country? .....

Place of entry into Namibia .....

Method of entry e.g. walking, by train, road, by air etc. ....

In what manner did you enter? (clandestinely, with authorization, did you have a passport, travel document, visa or work permit?) .....

Have you got a fixed place of abode in Namibia? Yes/No\* .....

If yes, state full address and telephone number .....

Have you been recognized as a refugee in some other country before? Yes/No\* .....

If yes, give details and reasons for changing .....

.....



**REGULATIONS**  
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**SECTION E: NEXT OF KIN/RELATIONS**

Immediate next of kin:

- (a) In Namibia .....  
Address (if any) .....  
.....
- (a) Outside Namibia .....  
Address (if any) .....  
.....

If not accepted in Namibia, where would you want to go? .....  
.....

.....  
**Date**

.....  
**Signature of Applicant**

\*Delete whichever is inapplicable.

† Indicate if more than one nationality/citizenship.

**REGULATIONS**  
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**Namibia Refugees (Recognition and Control) Regulations**

**ANNEXURE B**

**TEMPORARY IDENTIFICATION DOCUMENT**

(Regulation 4(1))

Name of applicant .....

Date of application .....

Nationality/Citizenship\* .....

Place where application was made .....

.....

Reference of application .....

.....

Marital status .....

Name of spouse .....

**MEMBERS OF FAMILY OF APPLICANT**

<b>Name</b>	<b>Date of birth</b>	<b>Sex</b>	<b>Relationship to applicant</b>	<b>Nationality/ citizenship+</b>	<b>Professional qualifications</b>
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....

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

**Commissioner for Refugees**  
**(Official Stamp)**

\* Indicate if more than one nationality/citizenship.

**REGULATIONS**  
**Namibia Refugees (Recognition and Control) Act 2 of 1999**  
**Namibia Refugees (Recognition and Control) Regulations**

[Annexure AB inserted by GN 156/2021]

Annexure AB (Regulation 5(1))

**REPUBLIC OF NAMIBIA**

**MINISTRY OF HOME AFFAIRS & IMMIGRATION      DEPARTMENT OF CIVIL REGISTRATION**  
**DATA UPDATE ACQUISITION APPLICATION FORM, DUPLICATE OR CORRECTION**

*A This form must be completed in block letters with an ink ballpoint pen. This form must not be used when applying for an identity document for the 1st time.*

Identity number	Have you been issued or applied for an identity document in the past	Y	N	Original application number						
Surname					Tel/Cell No.					
First Name(s)										
Maiden/Previous Surname										
Sex	Male	Female	Single	Married	Widowed	Divorced	Date of Birth	Year	Month	Day
* Mark with an X	M	F	1	2	3	4				
Place of birth	Country of birth									

Present Citizenship	Namibian citizenship acquired by				
Height in meters	Ordinary resident since				
* Mark with an X	Brown	Blue	Green	Grey	Other
Eye Colour	1	2	3	8	16

Office chosen for collection of ready document	<b>FOR OFFICE USE</b> Number of source document _____ Completed by _____ Full Name _____ Application Number _____ Date _____ Date stamp of application office _____													
Residential Address														
Usual Place of Residence														
E-mail Address														
Instruction														
PLEASE SIGN INSIDE THE MARKED AREA. (IF POSSIBLE)														
 0972EG														
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:40%;">Permanent residence permit number</td> <td style="width:20%;">Passport number</td> <td style="width:40%;">Original application number</td> </tr> <tr> <td>Date of issue of permanent residence permit</td> <td colspan="2"></td> </tr> <tr> <td>File number</td> <td colspan="2"></td> </tr> <tr> <td>Country that issued passport</td> <td colspan="2"></td> </tr> </table>		Permanent residence permit number	Passport number	Original application number	Date of issue of permanent residence permit			File number			Country that issued passport			
Permanent residence permit number		Passport number	Original application number											
Date of issue of permanent residence permit														
File number														
Country that issued passport														
Left thumb → 														

*C This section is applicable to permanent residence permit holders only.*

*D Proof of registration. This proof must be submitted in exchange for the new identity document*

Surname	First name(s)	
Address	Country of birth	Date of birth
Ordinary resident since		
Existing identity number	has today applied for an identity document.	
Office chosen for collection of ready document	Date stamp of application office	
Original application number  0972EG		
Signature of registration officer		

**REGULATIONS**  
**Namibia Refugees (Recognition and Control) Act 2 of 1999**  
**Namibia Refugees (Recognition and Control) Regulations**

E.

**Do not fold. Post unfolded**

Left Hand

Plain Prints

Right Hand

Left thumb	Right thumb

F.

**FINGERPRINT CLASSIFICATION**

Surname and initials.....

Identity number.....

Fingerprints taken by.....

Classification:

	Male	Female
Sex*	M	F

When a finger is missing, deformed, or so injured that the impression cannot be taken, this should be noted in the space provided for that impression.

RIGHT THUMB	RIGHT INDEX	RIGHT MIDDLE	RIGHT RING	RIGHT SMALL
LEFT THUMB	LEFT INDEX	LEFT MIDDLE	LEFT RING	LEFT SMALL

I declare that the information furnished by me herein is true and correct

.....  
 Signature of left thumb print of applicant

Left thumb	Left thumb	Right thumb

**KINDLY TAKE NOTE: CHANGE OF PARTICULARS ONLY**

1. If you have minor child(ren) born after 2012 your particulars will automatically be changed on your child's / children's birth record.
2. If your child(ren) were born before 2012 you must file an application to get your child's / children's birth records amended.

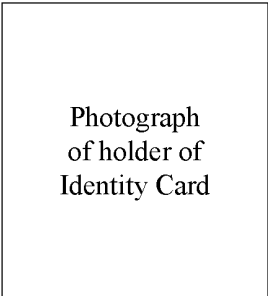
**REGULATIONS**  
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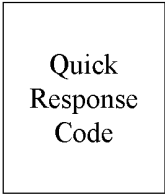
[Annexure C substituted by GN 156/2021]

Annexure C (Regulation 5(1))

FRONT

REPUBLIC OF NAMIBIA REFUGEE IDENTITY CARD	
	No.
	SURNAME
	FIRST NAME(S)
	<i>SIGNATURE</i>

BACK

DATE OF BIRTH	CITIZENSHIP		
COUNTRY OF BIRTH			
GENDER	HEIGHT/M	EYE COLOUR	
DATE OF ISSUE			
APPL. NO			
MACHINE READABLE ZONE			

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**ANNEXURE D**

**NOTICE OF INTENTION TO WITHDRAW REFUGEE STATUS**

(Regulation 8)

Registration number .....  
Name of recognized refugee .....  
Address .....  
.....  
Date of recognition as a refugee .....  
Number of dependants .....

You are hereby notified that your refugee status is in terms of section 23(1) of the Namibia Refugees (Recognition and Control) Act, 1999, under reconsideration for the following reasons:

.....  
.....  
.....  
.....

You are hereby called upon to make oral or written representations with regard to the intended withdrawal of your refugee status to the Namibia Refugees Committee within 14 days from the date of service of this notice.

Should you elect to make oral representations to the Committee, you shall have the right -

- (a) to be personally present at the inquiry, to be assisted or represented by a legal practitioner or any other person of your choice and to give or submit oral or documentary evidence; and
- (b) to have an interpreter assigned to you by the Committee, if the inquiry is conducted in a language that you do not understand.

Date ..... Signature .....  
Chairperson of Committee

Date ..... Signature .....  
Recognized Refugee

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**REGULATIONS**  
**Namibia Refugees (Recognition and Control) Act 2 of 1999**  
**Namibia Refugees (Recognition and Control) Regulations**

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ANNEXURE E

**NOTICE OF INTENTION TO DETAIN OR EXPEL  
RECOGNIZED REFUGEE/PROTECTED PERSON\***

(Regulation 9(1))

Registration number .....  
Name of recognized refugee/protected person\* .....  
Address .....  
.....  
Date of becoming a recognized refugee/protected person\* .....

You are hereby notified that the Minister of Home Affairs has under section 24(1) of the Namibia Refugees (Recognition and Control) Act, 1999, requested your detention/expulsion from Namibia to\* .....  
for the following reasons:

.....  
.....  
.....  
.....

You are hereby called upon to make oral or written representations with regard to the intended detention or expulsion to the Namibia Refugees Committee within 7 days from the date of service of this notice.

Should you elect to make oral representations to the Committee, you shall have the right -

- (a) to be personally present at the inquiry, to be assisted or represented by a legal practitioner or any other person of your choice and to give or submit oral or documentary evidence; and
- (b) to have an interpreter assigned to you by the Committee, if the inquiry is conducted in a language that you do not understand.

Date ..... Signature .....  
Chairperson of Committee

Date ..... Signature .....  
Recognized Refugee/Protected Person\*

\* Delete whichever is inapplicable.

**REGULATIONS**  
**Namibia Refugees (Recognition and Control) Act 2 of 1999**  
**Namibia Refugees (Recognition and Control) Regulations**

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**ANNEXURE F**

**ORDER OF DETENTION**

(Regulation 9(2)(a))

Registration number .....  
Name of recognized refugee/protected person\* .....  
Address .....  
.....  
Date of becoming a recognized refugee/protected person\* .....  
Date of notice of intended detention .....  
Date of representations (if any) .....

I, ....., being the Commissioner for Refugees, hereby under section 24(5) of the Namibia Refugees (Recognition and Control) Act, 1999, order that you be detained until/pending \* ..... for the following reasons:

.....  
.....  
.....

You have the right to appeal within 7 days from the date of service of this order to the Namibia Refugees Appeal Board against the decision to order your detention.

Date ..... Signature .....  
Commissioner for Refugees

Date ..... Signature .....  
Recognized Refugee/Protected Person\*

\_\_\_\_\_

\* Delete whichever is inapplicable.

**REGULATIONS**  
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**Namibia Refugees (Recognition and Control) Regulations**

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**ANNEXURE G**

**ORDER OF EXPULSION**

(Regulation 9(2)(a))

Registration number .....  
Name of recognized refugee/protected person\* .....  
Address .....  
.....  
Date of becoming a recognized refugee/protected person\* .....  
Date of notice of intended expulsion .....  
Date of representations (if any) .....

I, ....., being the Commissioner for Refugees, hereby under section 24(5) of the Namibia Refugees (Recognition and Control) Act, 1999, order that you be expelled from Namibia to ..... for the following reasons:

.....  
.....  
.....

You have the right to appeal within 7 days from the date of service of this order to the Namibia Refugees Appeal Board against the decision to order your expulsion from Namibia.

**Date** ..... **Signature** .....  
**Commissioner for Refugees**

**Date** ..... **Signature** .....  
**Recognized Refugee/Protected Person\***

\* Delete whichever is inapplicable.