

SOCIAL WELFARE

Friendly Societies Act 25 of 1956, as amended in South Africa prior to Namibian independence.

Summary: This Act regulates friendly societies, which are associations of persons established to provide relief to children, the aged, the sick, widows and so forth.

Applicability to SWA: Section 1 defines “Union” to include “the Territory”, which is defined as “the Territory of South West Africa”. “Court” and “Gazette” are defined accordingly. Section 52 states “This Act shall apply also in the Territory.” Although the wording of section 52 did not make amendments to the Act automatically applicable to South West Africa, they may be applicable by virtue of the definition of “Union”,

Transfer of administration to SWA: This Act was administered by the Minister of Finance. Thus, there appears to be no applicable transfer proclamation.

Amendments: The Short-term Insurance Act 4 of 1998 repeals section 50 insofar as it relates to short-term insurance. The Long-term Insurance Act 5 of 1998 repeals the remainder of section 50. The Namibia Financial Institutions Supervisory Authority Act 3 of 2001 amends section 1, substitutes section 4 and repeals section 4A.

Appointments: A Registrar and Deputy Registrar of Friendly Societies are appointed in General Notice 27/1991 (GG 174).

National Welfare Act 79 of 1965, as amended in South Africa to November 1977.

Summary: This Act establishes a National Welfare Board of Namibia and provides for the registration and control of certain welfare organisations.

Applicability to SWA: Section 1 defines “Republic” to include “the territory”, which is defined as “the territory of South West Africa”. Section 43A states “This Act and any amendment thereof shall apply also in the territory, including the Eastern Caprivi Zipfel.”

Transfer of administration to SWA: The administration of this Act was transferred to SWA by the Executive Powers (Social Welfare and Pensions) Transfer Proclamation (AG 11/1977), dated 30 November 1977. None of the amendments to the Act in South Africa after the date of transfer were made expressly applicable to SWA.

In South Africa, the portions of the Act relating to the National Welfare Board and to welfare organisations were repealed by the *National Welfare Act 100 of 1978*. The portions of the Act relating to social workers were repealed by the *Social and Associated Workers Act 110 of 1978*. The remainder of the Act was repealed by the *Pension Laws Amendment Act 81 of 1982*. None of the repealing acts were made expressly applicable to SWA.

Amendments: Act 12/1979 amends this Act substantially to provide for a National Welfare Board of South West Africa.

The Act is also substantially amended to make it consistent with an independent Namibia by Act 9/1993, which came into operation on 1 July 1994 (GN 117/1994, GG 875). This amending act amends sections 1-8, 10, 11, 14, 18, 19, 21, 25 38, 39, 42; repeals sections 33-37, 40 and 43A; and substitutes certain expressions and the long title. Act 20/1994 amends section 1 and repeals section 38, which formerly required that only registered welfare workers could be appointed as professional welfare officers in the public service.

Regulations: Regulations are contained in RSA GN R.1363/1973, RSA GN R.2138/1974 and RSA GN R.105/1976.

Namibia Red Cross Act 16 of 1991.

Summary: This Act recognises the Namibia Red Cross Society as the only Red Cross society in Namibia, and prohibits the unauthorised use of the name or emblem of the Red Cross or Red Crescent.

Veterans Act 2 of 2008.

Summary: This Act (promulgated by GN 115/2008 (GG 4051)) provides for the establishment of a Veterans Fund for the provision of assistance to veterans and their dependants, and projects for the benefit of veterans. It also provides for the integration of the pension benefits of veterans. It establishes a Veterans Board and Veterans Appeal Board. It repeals the War Veterans Subvention Act 16 of 1999.

Part IV of the Act came into operation on 23 June 2008 (GN 156/2008, GG 4072). The remainder of the Act, except for section 37, came into force on 8 July 2008 (GN 167/2008, GG 4080). Section 37, which deals with the pension integration scheme for veterans, will come into force on a date set by the Minister.

Regulations: Regulations made under the repealed Act survive under this Act. The repealed Act replaced the unrepealed portions of the *War Veterans' Pensions Act 25 of 1968*, which applied only to coloured persons resident outside the territory of South West Africa; regulations made under that Act also appear to survive.

Regulations on the registration and benefits of veterans and their dependants are contained in GN 168/2008 (GG 4080).

See also Social Work and Psychology Act 6 of 2004 (**MEDICINE AND MEDICAL PROFESSIONS**).

See also **PENSIONS**.

See also Social Security Act 34 of 1994 (**SOCIAL SECURITY**).

See also National Youth Service Act 6 of 2005 (**YOUTH**).