



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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Government Notice

OFFICE OF THE PRIME MINISTER

No. 69

1990

PROMULGATION OF ACT OF THE NATIONAL ASSEMBLY

The following Act which has been passed by the National Assembly and signed by the President in terms of the Namibian Constitution is hereby published in terms of Article 56 of that Constitution.

No. 17 of 1990: Presidential Emoluments and Pension Act, 1990.

**PRESIDENTIAL EMOLUMENTS
AND PENSION ACT, 1990****ACT**

To provide for the salary and allowances payable to the President; for medical aid benefits for the President, former Presidents and their surviving spouses; for the payment of pensions to former Presidents and their surviving spouses; and to provide for matters incidental thereto.

(Signed by the President on 27 October 1990)

BE IT ENACTED by the National Assembly of the Republic of Namibia, as follows:-

Definition.

1. In this Act, unless the context otherwise indicates, "President" means the President of the Republic of Namibia.

Remuneration and allowance payable to President.

2. There shall be paid to the person holding the office of President, a salary of R180 000 per annum.

Medical aid.

3. The provisions of any law in relation to the medical aid scheme established for the public service under section 28(1)(b)(i) of the Public Service Act, 1980 (Act 2 of 1980), shall apply *mutatis mutandis* to the President and any former President and, upon the death of the President or a former President, to his or her surviving spouse, as if the President or former President or such surviving spouse, as the case may be, were a member of the said medical aid scheme: Provided that the President, any former President or any such surviving spouse shall not be liable to pay any contributions payable to such medical aid scheme in terms of the provisions of such law.

Pension and gratuity payable to President.

4. (1) If the person holding the office of President ceases to hold such office and such person has held such office for a period not less than five years, there shall be paid to such person —

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(a) an annual pension equal to the annual salary;
and

(b) a gratuity equal to two times the annual salary,

which was payable to such person in terms of section 2 immediately prior to the date on which he or she ceased to hold that office.

(2) If the person holding the office of President vacates the office on account thereof that he or she is unable to fulfil his or her duties as President, and such person has held the office for a period of less than five years, such person shall, for the purposes of subsection (1), be deemed to have held that office for a period of five years.

Benefits payable to surviving spouse of President or former President.

5. (1) If the President dies at any time during his or her term of office, there shall be paid to his or her surviving spouse —

(a) an annual pension equal to 75 percent of the pension; and

(b) a gratuity equal to the amount of the gratuity,

which would have been payable to such President in terms of section 4 had he or she ceased to hold the office of President immediately prior to his or her death.

(2) If a former President dies, there shall be paid to his or her surviving spouse an annual pension equal to 75 percent of the annual pension which was payable to such former President in terms of this Act immediately prior to his or her death.

Date from which pensions are payable.

6. A pension payable —

(a) in terms of section 4(1)(a), shall be payable with effect from the day following the day on which the President ceases to hold office;

(b) in terms of subsection (1)(a) or (2) of section 5, shall be payable with effect from the day following the death of the President or former President, as the case may be.

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Supplement of pensions.

7. Any pension payable in terms of this Act shall be supplemented in accordance with such rates or scales and in such circumstances and on such conditions and with effect from such date, which may be a date in the past, as may be determined by the Cabinet from time to time.

Payments out of State Revenue Fund.

8. The salary of the President, and any pension or gratuity, payable in terms of this Act, shall be paid from the State Revenue Fund out of moneys appropriated by the National Assembly for that purpose.

Exemption from income tax.

9. The amount of any salary, pension or gratuity paid, and the value of any benefit relating to medical aid received in terms of this Act, shall be exempted from income tax.

Short title and commencement.

10. This Act shall be called the Presidential Emoluments and Pension Act, 1990, and shall be deemed to have come into operation on 21 March 1990.
