



# GOVERNMENT GAZETTE

OF THE

# REPUBLIC OF NAMIBIA

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WINDHOEK — 20 March 1995

No. 1051

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## PROCLAMATION

by the

PRESIDENT OF THE REPUBLIC OF NAMIBIA

No. 3

1995

### ANNOUNCEMENT OF PRESIDENTIAL PARDON TO CERTAIN CATEGORIES OF OFFENDERS

In terms of subarticle (8) of Article 32 of the Namibian Consitution, I hereby announce that I have, under the powers vested in me by subarticle (3)(d) of the said Article 32, on the 19th day of March 1995

1. pardoned -

- (a) all serving prisoners whose conditional release on parole for 1995 has been approved on or before 21st March 1995;
- (b) all first offenders currently serving effective sentences of not more than two (2) years, except offenders serving sentences for the following crimes (or an attempt to commit, where applicable): robbery; murder; rape; indecent assault; treason; culpable homicide; assault with intent to do grievous bodily harm; fraud; malicious damage to state property; housebreaking with intent to commit a crime; possession of arms and ammunition; theft, whether statutory or common law for which a sentence of six (6) months or more has been imposed; bribery and statutory corruption; defeating the ends of

justice; dealing in, or possession of, any dependence-producing drug under the Abuse of Dependence-Producing Substances and Rehabilitation Centres Act, 1971 (Act 41 of 1971); any offence under section 2(1) of the Controlled Game Products Proclamation, 1980 (Proclamation AG 42 of 1980); any offence for which a sentence under section 20 (2)(a) or section 26 (3)(a) of the Nature Conservation Ordinance, 1975 (Ordinance 4 of 1975); prisoners who have previously breached Presidential pardon, escapees at large, escapees currently serving sentences, attempted escapees and judgment debtors convicted for contempt of court in terms of the provisions of the Magistrate's Courts Act of 1944;

2. granted a remission of -

- (a) nine (9) months in case of those serving ten (10) years and above;
- (b) six (6) months in case of those serving five (5) years to ten (10) years; and
- (c) three (3) months in case of those serving below five (5) years,

except for those mentioned in paragraphs (a), (b) and (c) above serving sentences for the following crimes (or an attempt to commit, where applicable):

- (i) escape from lawful custody;
- (ii) treason;
- (iii) rape;
- (iv) any offence of violence against women and children;
- (v) any offence mentioned in paragraph 1(b) where a fire-arm was used;
- (vi) murder;
- (vii) housebreaking with intent to commit any crime;
- (viii) theft, whether under the common law or any statute;
- (ix) dealing in or possession of any dependence-producing drug under the Abuse of Dependence-Producing Substances and Rehabilitation Centres Act, 1971 (Act 41 of 1971).

Given under my Hand and the Seal of the Republic of Namibia at Windhoek this 19th day of March, One Thousand Nine Hundred and Ninety-Five.

Sam Nujoma

President

BY ORDER OF THE PRESIDENT-IN-CABINET