



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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N\$4.65

WINDHOEK - 1 April 2000

No. 2304

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## Government Notices

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### MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 86

2000

#### CHANGE OF NAME OF A REGISTERED MEDICAL AID FUND: MEDICAL AID FUNDS ACT, 1995

In terms of section 25(4)(c) of the Medical Aid Funds Act, 1995 (Act No. 23 of 1995), I hereby make known that the NMA Health Care Medical Aid Fund has changed its name to Fedsure Health Namibia Medical Aid Fund with effect from 1 January 2000.

**E.U. TJIPEPA****REGISTRAR OF MEDICAL AID FUNDS**

Windhoek, 16 March 2000

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### MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 87

2000

#### COUNCIL FOR HEALTH AND SOCIAL SERVICES PROFESSIONS ACT, 1993:

#### NOTICE OF MEETING BY ALLIED HEALTH SERVICES PROFESSIONS TO ELECT MEMBERS FOR APPOINTMENT TO COUNCIL

Notice is hereby given in terms of the provisions of section 5(4) of the Council for Health and Social Services Professions Act, 1993 (Act 29 of 1993), of a meeting to be held at the Chapel, Windhoek Central Hospital Basement, Ministry of Health and Social Services, Windhoek on Wednesday, 19 April 2000 at 14h00, to be attended by the representatives of the Allied Health Services Professions appointed in terms of the provisions of paragraph 2 of Government Notice 159 of 1994 for the purpose of electing three persons registered under the provisions of the Allied Health Services Professions Act, 1993 (Act 20 of 1993), for appointment as members of the Council for Health and Social Services Professions in terms of the provisions of section 5(1)(g) of the Council for Health and Social Services Professions Act, 1993.

**E. BARLOW****REGISTRAR:****COUNCIL FOR HEALTH AND  
SOCIAL SERVICES PROFESSIONS**

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### MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 88

2000

#### ALLIED HEALTH SERVICES PROFESSIONS ACT, 1993: CONSTITUTION OF THE CLINICAL PSYCHOLOGY BOARD

The Secretary of the Clinical Psychology Board, in terms of Section 5(5) of the Allied Health Services Professions Act, 1993 (Act 20 of 1993), hereby gives notice that the following persons have been duly elected as members of the Clinical Psychology Board in terms of Section 5(2) of that Act and such members should hold office for a period of 3 years in terms of Section 5(4) of that Act as from 1 February 2000.

H.A. Raath (Dr)

- President

S. Whittaker (Dr) - Vice-President  
 G.D. Kober (Dr) - Treasurer  
 J. Rieckert (Dr) - Secretary  
 A. Mouton-Kotze (Ms)

**J. RIECKERT**  
**SECRETARY:**  
**CLINICAL PSYCHOLOGY BOARD**

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**MINISTRY OF ENVIRONMENT AND TOURISM**

No. 89

2000

**ACCOMMODATION ESTABLISHMENTS AND TOURISM  
 ORDINANCE, 1973: AMENDMENT OF REGULATIONS**

The Minister of Environment and Tourism has under section 56 of the Accommodation Establishments and Tourism Ordinance, 1973 (Ordinance No. 20 of 1973), made the regulations set out in the Schedule.

**SCHEDULE**

**Definition**

1. In these regulations "the Regulations" means the regulations promulgated under Government Notice No. 75 of 18 April 1974, as amended by Government Notices Nos. 119 of 1 July 1974, 130 of 2 June 1975, 315 of 15 September 1977 and 24 of 25 January 2000.

**Amendment of regulation 1 of the Regulations**

2. Regulation 1 of the Regulations is amended -
- (a) by the insertion after the definition of "bedroom with bathroom" of the following definition:

"bedroom with shower' means a unit comprising a bedroom and a shower with toilet facilities, and for the purposes of this definition two units each comprising a bedroom with shower but without toilet facilities shall be regarded as one bedroom with shower;"; and

- (b) by the substitution for the definition of -
- (i) "backpackers accommodation" of the following definition:

"backpackers accommodation' means any premises on which accommodation is provided against payment to backpackers;"; and

- (ii) "bedroom with bathroom" of the following definition:

"bedroom with bathroom' means a unit comprising a bedroom and a bathroom with toilet facilities, and for the purposes of this definition, two units each comprising a bedroom and a bathroom but without toilet facilities shall be regarded as one bedroom with bathroom;".

**Substitution of Schedule II to the Regulations**

3. The Regulations are amended by the substitution for Schedule II to the

Regulations of the following Schedule:

**"SCHEDULE II****MINIMUM GRADING REQUIREMENTS**

	Five-star	Four-star	Three-star	Two-star	One-star
A. Sleeping Accomodation for guests	5% suites or bed-sitting rooms or mixed and balance to 80% bedrooms with bath-rooms and balance bedrooms with showers.	100% bedrooms with bathrooms or 60% bedrooms with bathrooms and balance bedrooms with showers.	75% bedrooms with bathrooms or 50% bedrooms with bathrooms and balance to 75% bedrooms with showers and balance ordinary bedrooms.	50% bedrooms with bathrooms or 25% bedrooms with bathrooms and balance to 50% bedrooms with showers and balance ordinary bedrooms.	25% bedrooms with bathrooms or 10% bedrooms with bathrooms and balance to 25% bedrooms with showers and balance ordinary bedrooms.
		Tolerance factor 1	Tolerance factor 2(a)	Tolerance factor 2(a)	Tolerance factor 2(a) or 2(b)
B. Airconditioning and heating	In all bedrooms and publicrooms	In all bedrooms and diningrooms	Heating in all bedrooms and public rooms	Heating in all bedrooms on request.	—
	Tolerance factor 3	Tolerance factor 3	Tolerance factor 3	Tolerance factor 3	—
C. Radio Service	Three-channel in every bedroom.	Three-channel in every bedroom.	Three-channel in every bedroom.	—	—
	Tolerance factor 4	Tolerance factor 4	Tolerance factor 4	—	—
D. Telephone	In every bedroom for internal and external calls 24 hours per day	In every bedroom for internal and external calls 24 hours per day	In every bedroom for internal and external calls.	Available on premises for external calls	Available on premises for external calls
	Tolerance factor 5	Tolerance factor 5	Tolerance factor 5	—	—
E. Valet Service	Available on premises 7:00 to 22:00	Available on premises 7:00 to 20:00	Available on premises	—	—

F. Floor covering	All bedrooms lounges and other public areas tiled with ceramic, marble or wooden tiles or carpeted wall to wall  Tolerance factor 6	All bedrooms with bath rooms and bedrooms with showers tiled with ceramic, marble or wooden tiles or carpeted wall to wall  Tolerance factor 6	All bedrooms with bath rooms and bedrooms with showers tiled with ceramic, marble or wooden tiles or carpeted wall to wall  Tolerance factor 6	—  —	—  —
G. Ratio of communal bathrooms and lavatories to beds in ordinary bedrooms	—  —	1:4  Tolerance factor 7(a)	1:6  Tolerance factor 7(a)	1:7  Tolerance factor 7(a)	1:8 or 1:12 in the case of an hotel for which an hotel liquor licence is not held and which was erected or in the course of construction prior to 2 December 1968  Tolerance factor 7(a) or 7(b)
H. Dining-rooms or Restaurants	Two which are open every day to the public for serving a'la carte lunches and dinners, and at least one of which is open until 00:00  Tolerance factor 3	One which is open every day to the public for serving a'la carte lunches and dinners, and which is open until 23:00  Tolerance factor 3	One which is open every day to the public for serving a'la carte lunches and dinners  Tolerance factor 3	one  —	one  —
I. Head chef and head waiter	One head chef and one head waiter in full-time employment	One head chef and one head waiter in full-time employment	One cook and one waiter in full-time employment  Not applicable to a hotel which does not hold an on consumption licence	One cook and one waiter in full-time employment  Not applicable to a hotel which does not hold an on consumption licence	One cook and one waiter in full-time employment  Not applicable to a hotel which does not hold an on consumption licence

J. Floor Service	Available - (a) for service of full meals in bedrooms 7:00 to 00:00  (b) 24 hours per day for service of light refreshments	Available - (a) for service of full meals in bedrooms 7:00 to 21:00  (b) 24 hours per day for service of light refreshments	Available 18 hours per day for service of light refreshment	Available - (a) 16 hours per day for service of light refreshments;  (b) 14 hours per day for service of light refreshments in an hotel in respect of which an hotel liquor licence is not held	Available - (a) 16 hours per day for service of light refreshments;  (b) 14 hours per day for service of light refreshments in an hotel in respect of which an hotel liquor licence is not held
K. Permanent function rooms	Two, excluding lounges and dining-rooms	Two, excluding lounges and dining-rooms	One, excluding lounges and dining-rooms	-	-
L. Reception office service	Full-time reception service 24 hours per day	Member of personnel 24 hours per day	Member of personnel 24 hours per day	Member of personnel 14 hours per day Thereafter member of personnel who can be summoned by means of a bell at the counter of the reception office and at the main entrance	Member of personnel who can be summoned by means of a bell at the counter of the reception office and at the main entrance
M. Lifts	One separate for luggage and personnel and one for guests, if building is more than two floors high	One separate for luggage and personnel and one for guests, if building is more than two floors high	One if building is more than two floors high	One if building is more than three floors high	One if building is more than three floors high
N. Furniture and equipment, kitchen utensils, cutlery, glassware, crockery, bedding, linen, curtain, carpets, rugs and other floor covering	Best quality throughout	Outstanding quality throughout	Outstanding quality throughout	Good quality throughout	Good quality throughout

O. Hair dressing salon	Full-time on premises for both sexes Tolerance factor 8	Full-time on premises for females Tolerance factor 8	-	-	-
P. Transport	Available for guests	Available for guests	Available for guests	-	-
Q. Secretarial service	Arrangements to be made by hotel management	Arrangements to be made by hotel management	-	-	-

**Amendment of Schedule IV to the Regulations**

4. Schedule IV to the Regulations is amended by the substitution for item 1.1 (a) of the following item:

**“UNITS**

	<b>Bedrooms with bath-rooms</b>	<b>Bedrooms with showers</b>	<b>Ordinary Bedrooms</b>
	<b>Points</b>	<b>Points</b>	<b>Points</b>
1.1 Bathroom and Toilet facilities (100)			
(a) Percentage of units to total number of bedrooms (N.B. 1 suite = 1 bedroom)			
0 - 10 per cent . . . . .	0 - 10 . . . . .	0 - 8 . . . . .	0 - 4 . . . . .
11 - 20 per cent . . . . .	11 - 20 . . . . .	9 - 16 . . . . .	5 - 8 . . . . .
21 - 30 per cent . . . . .	21 - 30 . . . . .	17 - 24 . . . . .	9 - 12 . . . . .
31 - 40 per cent . . . . .	31 - 40 . . . . .	25 - 32 . . . . .	13 - 16 . . . . .
41 - 50 per cent . . . . .	41 - 50 . . . . .	33 - 40 . . . . .	17 - 20 . . . . .
51 - 60 per cent . . . . .	51 - 60 . . . . .	41 - 48 . . . . .	21 - 24 . . . . .
61 - 70 per cent . . . . .	61 - 70 . . . . .	49 - 56 . . . . .	25 - 28 . . . . .
71 - 80 per cent . . . . .	71 - 80 . . . . .	57 - 64 . . . . .	29 - 32 . . . . .
81 - 90 per cent . . . . .	81 - 90 . . . . .	65 - 72 . . . . .	33 - 36 . . . . .
91 - 100 per cent . . . . .	91 - 100 . . . . .	73 - 80 . . . . .	37 - 40 . . . . .
Maximum points . . . . .	100 . . . . .	80 . . . . .	40.” . . . . .

**General Notices**

No. 45

2000

**WINDHOEK AMENDMENT SCHEME NO. 43**

Notice is hereby given in terms of section 23 of the Town Planning Ordinance 1954, (Ordinance 18 of 1954), as amended, that the **Windhoek Amendment Scheme No. 43** has been submitted to the Minister of Regional and Local Government and Housing for approval.

Copies of the Windhoek Amendment Scheme No. 43 and the maps, plans, documents and other relevant matters are lying for inspection during office hours at the Windhoek

Municipality and also at the Namibia Planning Advisory Board, Ministry of Regional and Local Government and Housing, 2nd Floor, Room 241, Windhoek.

Any person who wishes to object to the approval of the Town Planning Scheme should lodge objections in writing to the Secretary, Namibia Planning Advisory Board (NAMPAB), Private Bag 13289, Windhoek on or before 2 May 2000.

No. 46

2000

CLOSURE OF PORTION Z (STREET), SONARA

Notice is hereby given in terms of Section 50(1) of the Local Authorities Act 5 of 1992 (Act 23 of 1992), that the Village Council of Aranos proposes to close permanently a portion of the Remainder of Portion 9 of the Farm Aranos Townlands No. 167 (Street) as indicated on plan W/98750-1 which lies for inspection during office hours at the offices of the Aranos Village Council.

CLOSURE OF PORTION Z (STREET), A PORTION OF THE REMAINDER OF  
PORTION 9 OF THE FARM ARANOS TOWNLANDS NO. 167,  
SONARA (ARANOS)

Objections to the proposed closing are to be served on the Village Secretary, Village Council of Aranos; P O Box 157, Aranos, within 14 days after the appearance of this notice in accordance with Section 50(3) of the Local Authorities Act of 1992, (Act 23 of 1992).

**MR. N.P. GORASEB**  
**VILLAGE SECRETARY**  
**ARANOS VILLAGE COUNCIL**

No. 47

2000

PERMANENT CLOSURE OF ERF 130 (PUBLIC OPEN SPACE)  
SONARA, ARANOS

Notice is hereby given in terms of article 50(1) of the Local Authorities Act of 1992 (Act 23 of 1992), that the Village Council of Aranos proposes to close permanently the undermentioned erf as indicated on plan W/98750/1 which lies for inspection during office hours at the office of the Village Secretary, Village Council Offices, Aranos.

PERMANENT CLOSURE OF ERF 130  
(PUBLIC OPEN SPACE) SONARA, ARANOS

Objections to the permanent closing are to be served on the Village Secretary, Village Council of Aranos, P O Box 157, Aranos, and/or Stubenrauch Planning Consultant cc, P O Box 11869, Windhoek, within 14 days after the appearance of this notice in accordance with Article 50(3) of the above Act.

**MR. N.P. GORASEB**  
**VILLAGE SECRETARY**  
**ARANOS VILLAGE COUNCIL**

**MUNICIPALITY OF KARASBURG**

No. 48

2000

AMENDMENT OF WATER SUPPLY REGULATIONS

The Council of the Municipality of Karasburg under section 30(1)(u) of the Local



Authorities Act, 1992 (Act 23 of 1992) further amends the water supply regulations promulgated under Government Notice 267 of 1997 as set out in the Schedule.

### SCHEDULE

**Schedule B is hereby amended:**

By the substitution in item 2 for the amount "N\$4.07 of the amount N\$4.88".

BY ORDER OF THE COUNCIL

**COUNCILLOR  
W.H. CLOETE  
CHAIRPERSON OF COUNCIL**

Karasburg, 23 February 2000

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### MUNICIPALITY OF MARIENTAL

No. 49

2000

#### NOTICE OF VACANCY IN THE MEMBERSHIP OF THE MUNICIPAL COUNCIL OF MARIENTAL

In terms of Section 13(2) of the Local Authorities Act, 1992 (Act 23 of 1992), notice is hereby given that Councillor Paul Nghiwilepo resigned on 18 February 2000.

Notice is further given to SWAPO of Namibia to nominate a member to the Municipal Council of Mariental within three months from the date of publication of this notice.

**H.P. MEYER  
ACTING TOWN CLERK  
P O Box 110  
Mariental**

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### MUNICIPALITY OF OUTJO

No. 50

2000

#### AMENDMENT OF WATER SUPPLY REGULATIONS

The Council of the Municipality of Outjo under Section 30(1)(u) of the Local Authorities Act, 1992 (Act 23 of 1992), further amends the Water Supply Regulations promulgated under Government Notice 16 of 1974 as set out in the Schedule.

### SCHEDULE

**Annexure A is hereby amended:**

(a) By the substitution for item 1 of the following item:

"1. SUPPLY OF WATER:

- (a) A basic monthly charge of N\$12.00 is payable on every property where a meter other than a prepaid meter is installed or where any such property, with or without improvements, can reasonably be connected to the council's main water supply line.
- (b) Industrial water, where a meter other than a prepaid meter is installed, per kilolitre supplied ..... N\$1.30
- (c) Industrial water, where a prepaid meter is installed, per kilolitre supplied ..... N\$4.50

- (d) Other water, where a meter other than a prepaid meter is installed, per kilolitre supplied ..... N\$1.60
- (e) Other water, where a prepaid meter is installed, per kilolitre . N\$5.30
- (f) Charges which become due in terms of subparagraphs (a), (b), (c), (d) and (e) are payable on or before the fifteenth day of the month following the month during which the water was supplied.”

BY ORDER OF THE COUNCIL

**S.S. LUIPERTH**  
**CHAIRPERSON OF THE COUNCIL**

Outjo, 13 December 1999

**MUNICIPALITY OF HENTIES BAY**

No. 51

2000

**TOWN HALL REGULATIONS**

The Council of the Municipality of Henties Bay has under and, by virtue of Section 94(1)(ae) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended, made the regulations as set out in the Schedule.

BY ORDER OF THE COUNCIL

**A.J. DAMES**  
**CHAIRPERSON OF THE COUNCIL**

**SCHEDULE**

1. In these regulations, unless inconsistent with the context -
  - (i) “caretaker” means the person holding office as town hall caretaker with the Council or any person lawfully acting on his behalf (iv);
  - (ii) “Council” means the Council of the Municipality of Henties Bay.
  - (iii) “day” means the time from 06h00 until 18h00 and “by day” has a corresponding meaning (i);
  - (iv) “Lessee means any person who has received written approval from the Council to use the town hall or any person lawfully acting on the lessee’s behalf (ii);
  - (v) “night” means the time from 18h00 until 06h00 and “by night” has a corresponding meaning (ii);
  - (vi) “town clerk” means the person holding office as town clerk with the Council or any person lawfully acting on his behalf (vi)
2. “(1) The town hall may be leased from the Council for any of the purposes for which a tariff has been prescribed by special resolution and in cases where no tariff has been prescribed the Council may let the town hall at tariffs to be fixed at the time.”
  - (2) Notwithstanding the fact that specific tariffs for the lease of the town hall are prescribed, the Council reserves the right to refuse any application for letting without giving reasons for such refusal.
  - (3) The Council shall, under no circumstances, let the town hall for any purposes which are in conflict with the provisions of the Lord’s Day Observance Proclamation, 1921 (Proclamation 54 of 1921) or any other law.
  - (4) The Council may, as the case may

be, impose any further conditions in addition to the provisions of these regulations whenever he approves an application for the lease of the town hall.

3. (1) Any person wishing to lease the town hall or any part thereof from the Council shall apply therefor in writing in the form prescribed in Annexure A hereto and the prescribed fees shall accompany such application. Verbal applications shall only be accepted by the Council on condition that it be confirmed within seven days after such verbal application by a written application in the prescribed manner, accompanied by the prescribed fees.
- (2) Advance bookings of the town hall will be accepted by the Council in respect of a date up to six months in advance on condition that the applicable prescribed fees shall accompany such application.
- (3) No booking of the town hall shall be considered approved until the council's written confirmation thereto has been received.
- (4) Where a booking of the town hall has been confirmed by the council and such booking is cancelled by the lessee;
  - (a) the Council shall retain 25% of the rental where the booking is cancelled with at least thirty days' notice;
  - (b) the Council shall retain all the rental where the booking is cancelled with less than thirty days notice and the town hall is not let for the same purpose on that day;
  - (c) the Council shall repay the deposit in full unless the Council has to incur specific expenditure to purchase equipment for such letting in which case the Council shall utilise the deposit to cover the expenses and if the deposit is not sufficient to cover the Council's expenses the Council may recover the shortfall from the rental.
- (5) The Council may terminate any approved letting of the town hall forthwith in writing if the lessee violates

the regulations or if the Council is of opinion that a performance is not in the public interest.

- (6) All applications to lease the town hall will be considered in the sequence of date in which they were received.
- “(7) The cloakrooms shall be let only to persons who present dramatic performances, concerts and similar functions.”
- (8) A lessee may not sublet the town hall or any part thereof.
4. (1) The deposit that is paid shall be utilised by the Council for replacement or repair of any damages or losses which the Council may suffer as a result of the letting of the town hall.

Where the town hall has at any time already leased and a second lessee leases the town hall any time following so shortly before or after the lease that it will result in work being done outside normal working hours to prepare the town hall for either the first or the second lessee's use, an amount of N\$20-00 additional to the normal tariffs prescribed shall be payable by the second lessee to cover the costs of such work outside normal hours. This additional amount of N\$20-00 will be recovered from the deposit paid.

- (2) If the deposit which was paid is not sufficient to cover the damages or losses the lessee shall remain responsible to the Council for any extra amount needed.
5. (1) The Council accepts no responsibility for any damages or loss to any property, article or thing which the lessee or any other person may bring to leave on the town hall grounds or in the town hall.
- (2) If the Council suffers any

- damage on account of any claims or actions instituted by any person on the ground of any damage or loss resulting from the lease of the town hall, the Council may recover such damage or loss from the lessee.
6. (1) A grand piano is made available for approved purposes when the main hall of the town hall is let and no other piano may be used unless the Council's written approval thereto has been obtained.
- (2) Only the cooking apparatus provided by the Council may be used by the lessee and such cooking apparatus shall only be used under supervision of the caretaker unless otherwise approved.
- (3) The moving of any furniture from the town hall or from one hall or place to another hall or place may be undertaken only with the approval of an under supervision of the caretaker.
7. (1) No extra or special lighting may be installed without the approval of the Council and where such approval is granted it shall be done on condition that such extra or special lighting shall be installed under supervision of the town electrical engineer of the Council.
- (2) All lighting and other electrical appliances shall be handled by the caretaker unless the Council has approved the handling thereof by some other person.
- (3) The Council accepts no responsibility for any damage or loss a lessee may experience as a result of a power failure or as a result of defective machinery, appliances or installations for lighting of the town hall however caused.
8. (1) The lessee shall at the start of his lease satisfy himself that all furniture and equipment included in his lease are complete, intact and in working order.
- (2) All furniture or equipment found defective by the lessee at the start of the lease shall be reported to the caretaker who shall make an inspection thereof, make a list thereof and have the lessee sign such list.
- (3) Where a lessee neglects to report such defective furniture or equipment to the caretaker at the start of his lease it will be assumed that such furniture or equipment was intact and in working order and the lessee shall be held responsible for the repair or replacement costs of such defective furniture or equipment found at the termination of his lease.
- (4) At the termination of the lease a joint inspection of the town hall, furniture and equipment shall be made by the lessee and the caretaker to ascertain whether any damage has occurred or whether there are any shortages and the lessee shall be held responsible for the repair of such damage and the making good of such shortages.
9. It shall be the duty of the lessee to ensure that
- (a) the town hall is used for the purposes for which it has been leased;
- (b) no intoxicating liquor except as approved by the Council is brought into or used in the town hall;
- (c) admittance to the town hall is limited to the maximum admissible number of persons to whom seating can be given without providing extra seats and without allowing persons to sit or stand in the aisles;
- (d) all arrangements are made in connection with the admission of the public, the provision of usherettes and the maintenance of law and order;
- (e) proper supervision takes place at any performance.
10. (1) No placards or related advertisements shall be allowed on the town hall

- grounds or in the town hall without the approval of the town clerk, DURATION OF FUNCTION FROM ..... UNTIL .....
- (2) No mural decorations of any kind shall be allowed and no interior decorations, flags, emblems or related things shall be allowed without the approval of the town clerk. I/We undertake to inspect the furniture and equipment leased in the presence of the caretaker to establish whether any damages or defects exist and I/We declare herewith that I/We assume full responsibility for any damage which may occur while the furniture and equipment are leased by me/us.
- 11. Any authorised employce of the Council may enter the town hall during a performance in order to determine whether the town hall is being used for the purpose for which it was leased. I/We undertake to comply with the provisions of the Town Hall Regulations and to abide with any instructions given by the caretaker in the execution of his duties.
- 12. Should it be found during an inspection that the lessee violates any provision of these regulations or uses the town hall for purposes other than those approved, the Council shall have the right to cancel the lease forthwith and on such cancellation the lessee shall forfeit all moneys paid by him. I/We undertake to pay any shortfall on the deposit paid for the use of the town hall or equipment to the Council if such extra amount is needed to replace or repair any furniture or equipment which have been damaged during my/our lease thereof,
- 13. Any person who contravens any provision of these regulations or who obstructs the caretaker in the execution of his duties, shall be guilty of an offence. I/We undertake to compensate the Council for any damage which the Council may suffer on account of any claims or actions instituted by any person on the grounds of any damages or losses resulting from the lease of the town hall by me/us.
- 14. The Council may delegate any of its powers in terms of these regulations to the town clerk. I/We undertake to vacate the town hall at ..... on the date my/our lease expires.
- 15. Government Notice 29 of 1967 as amended is hereby repealed. I/We admit that I/We are conversant with the contents of this application and the Town Hall Regulations and that I/We understand it.

**ANNEXURE A.**

**APPLICATION FOR THE LEASE OF THE TOWN HALL**

NAME OF APPLICANT .....

ADDRESS ..... TEL NO .....

NAME AND ADDRESS OF RESPONSIBLE PERSON DURING PERIOD OF LEASE .....

REQUIRE MAIN HALL/SIDE/HALL/KITCHEN/BAR/CLOAKROOMS/CELLAR. (Delete items not required),

NATURE OF FUNCTION .....

DATE ON WHICH REQUIRED .....

.....  
**APPLICANT RESPONSIBLE PERSON**

.....  
**DATE**

**(For office use only)**

Rental : N\$ ..... Deposit N\$ .....  
Receipt No ..... Date : .....  
Application approved/not approved.

TOWN CLERK \_\_\_\_\_

**MUNICIPALITY OF GROOTFONTEIN**

No. 52

2000

**OUTDOOR ADVERTISING REGULATIONS**

The Council of the Municipality of Grootfontein, after consultation with the Minister, has under section 94(1)(ac) of the Local Authorities Act, 1992 (Act 23 of 1992) -

- (a) made the regulations set out in the schedule.

**SCHEDULE****OUTDOOR ADVERTISEMENT REGULATIONS****ARRANGEMENT OF REGULATIONS**

1. Definitions
2. Advertisements on Council property, streets and public places other property
3. Advertisements on other property
4. Authorised advertisements
5. Prohibited advertisements
6. Conditions applicable to advertisements
7. Powers of Council
8. Reconsideration of decisions
9. Offences and penalties
10. Savings

**Definitions**

1. In these regulations a word or expression to which a meaning has been given in the Local Authorities Act, 1992 (Act 23 of 1992) shall bear that meaning and, unless the context otherwise indicates -

“Act” means the Local Authorities Act, 1992 (Act 23 of 1992);

“advertisement” means any written, graphic or pictorial representation of information which is erected, or displayed at any place for the purpose conveying information about the existence of a product, service, event, place or anything of interest to any person but does not include a road traffic sign;

“advertisement hoarding” means any structure which is used or is intended to be used for the purpose of posting, exhibiting or displaying an advertisement;

“aerial advertisement” means any advertisement which is exhibited, displayed or performed in the air by any means;

“Council” means the Municipal Council of Grootfontein which is constituted under section 6 of the Act and includes any officer or employee of the Council on whom the Council has delegated or assigned any power, function or duty which is to be executed or performed under these regulations;

“Council area” means the local authority area of the Municipal Council of Grootfontein;

“erf ” means an erf as defined in section 1 of the Townships and Division of Land Ordinance 1963 (Ordinance 11 of 1963)

“repealed regulation” means Regulation 30 of the Street and Traffic Regulations promulgated by Government Notice 304 of 1951;

“road traffic sign” means a road traffic sign as defined in section 1 of the Road Traffic Ordinance, 1967 (Ordinance 30 of 1967);

“scheme” means the Grootfontein Town Planning Scheme prepared under section 16 of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954); and

“subdivision” means a subdivision as defined in section 1 of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963).

### **Advertisements on Council property, streets and public spaces**

2. (1) No person shall erect or display an advertisement on Council property, a street or a public place situated in the Council area, unless, he or she has been given written authority to do so by the Council.

(2) A person who wishes to apply for authority to erect or display an advertisement on Council property, a street or a public place situated in the Council area shall complete the form approved by the Council and shall submit it to the Council.

(3) An application under subregulation (2) shall, unless the Council otherwise determines, be accompanied by -

- (a) a plan of the site on which the advertisement is to be erected or displayed and the plan must -
    - (i) be drawn to a scale of not less than 1:500;
    - (ii) show the position of each surrounding building on the site and the position of any Council water, sewerage, stormwater drainage, electricity installation or any other installation situated on the site; and
    - (iii) show the dimensional position of the advertisement in relation to the boundaries of the site;
  - (b) a drawing of the proposed advertisement and the drawing must -
    - (i) show the information that will be displayed on the advertisement as well as the colour of the proposed advertisement; and
    - (ii) be drawn to scale of not less than 1:10;
  - (c) a photograph of the site where the advertisement is to be erected or displayed and the proposed position of the advertisement must be shown on the photograph;
  - (d) in the case of an advertisement which is to remain on the site for more than 60 days, a certificate from a person registered under the Engineering Profession Act, 1986 (Act 18 of 1986) and the certificate must indicate that the proposed advertisement when erected or displayed, will not be dangerous to any person or property; and
- (4) On receipt of an application made under subregulation (2) the Council may -
- (a) allow the application without imposing any condition;

- (b) refuse the application and supply to the applicant written reasons for the refusal; or
- (c) allow the application and impose conditions, including conditions which restrict the period within which the advertisement can be erected or displayed, which are necessary and reasonable in the circumstances.

(5) Unless an application has been refused under subregulation (4)(b), the Council, may retain any document which is submitted to it by a person making an application under this regulation.

(6) Unless authorised by the Council, no person shall move, remove or alter an advertisement which was erected or displayed under the regulation, but the owner of that advertisement or a person authorised by him or her, may, for the purpose of maintaining or renovating that advertisement, move, remove or alter it.

(7) Where an advertisement erected or displayed under this regulation is in a state of disrepair, is not being properly maintained or is erected or displayed in contravention of a condition imposed under this regulation, the Council may -

- (a) withdraw or amend the authority to erect or display that advertisement and advise the owner of that advertisement about the withdrawal or amendment in writing;
- (b) in writing, instruct the owner of that advertisement to repair or maintain that advertisement or to comply with any condition within a specified period; or
- (c) if the owner of the advertisement fails to comply with an instruction given under paragraph (b), repair or maintain the advertisement or do any act to ensure compliance with the condition and thereafter recover any costs incurred from the owner of the advertisement.

(8) Notwithstanding subregulation (7), and when it is reasonable and necessary, the Council may in respect of an advertisement erected or displayed under this regulation -

- (a) after giving 30 days written notice to the owner of that advertisement, withdraw the authority to erect or display that advertisement;
- (b) after giving 30 days written notice to the owner of that advertisement, amend or remove a condition which was imposed when the authority to erect or display was granted; or
- (c) after giving 30 days written notice to the owner of that advertisement, impose a new condition for the erection or display of that advertisement.

### **Advertisements on other property**

3. (1) Subject to regulation 2 and 4, no person shall, in the Council area, erect or display an advertisement or any place, unless he or she has been authorised by the Council in writing, to erect or display that advertisement.

(2) A person who wishes to obtain the written authority contemplated in subregulation 91) shall, subject to necessary changes, comply with the procedures laid down in regulation 2 and any authority granted by the Council shall be granted and used in accordance with that regulation.

### **Authorised advertisements**

4. (1) Notwithstanding regulation 3, a person may erect or display an advertisement at any place other than the places referred to in regulation 2 if -



- (a) that advertisement falls under subregulation (2);
  - (b) that advertisement is not prohibited by regulation 5;
  - (c) that advertisement complies with regulation 6; and
  - (d) the owner of the property on which that advertisement is to be erected or displayed has consented in writing to the erection or display of that advertisement.
- (2) Subject to subregulation (1), a person does not require Council's authority before he or she can erect or display any of the following advertisements -
- (a) an aerial advertisement as long as the advertisement does not cause environmental pollution or produce excessive noise;
  - (b) an advertisement showing the street number of a place or an advertisement showing the name and address of the occupant or owner of a place as long as that advertisement does not exceed half a square meter in area;
  - (c) in an area zoned as residential in the scheme, an advertisement showing the name, logo, address and telephone number of -
    - (i) a resident occupation referred to in the scheme;
    - (ii) a person to whom under the scheme, consent use has been given by the Council;
    - (iii) a person who has been engaged to give security services at the place or a neighbourhood watch body; or
    - (iv) a person who at the place, is doing an activity which has been approved in writing by the Council,can be erected or displayed as long as the advertisement does not exceed one square metre in area and only one advertisement is erected or displayed on each erf, farm portion or subdivision;
  - (d) in an area zoned residential 2, residential 3 or undetermined and which is predominantly used or is intended to be used for residential purposes under the scheme, an advertisement showing the name, logo, address and telephone number of -
    - (i) a resident occupation referred to in the scheme;
    - (ii) a person to whom under the scheme, consent use has been given by the Council;
    - (iii) a person who has been engaged to give security services at the place or a neighbourhood watch body; or
    - (iv) a person who at the place, is doing an activity which has been approved in writing by the Council,can be erected or displayed as long as the advertisement erected or displayed on each erf, farm portion or subdivision does not exceed two square metres in area,, and unless the person concerned is engaged to give security services at the place or is a neighbourhood watch body, only one advertisement is erected or displayed on each erf, farm portion or subdivision;
  - (e) in an area zoned as business, restricted business, garage, industrial or special

under the scheme, and where business is the primary use as defined in the scheme, any advertisement can be erected or displayed as long as the height of that advertisement does not exceed five metres above the natural ground level and the advertisement does not go above the roof level of any building which is situated in that area;

- (f) in an area zoned as office or special under the scheme, and where business is not the primary use as defined in the scheme, any advertisement can be erected or displayed as long as the height of that advertisement does not go above the roof level of any building which is situated in that area and the area of that advertisement does not exceed two square metres;
- (g) in an area zoned as office or special under the scheme, and where business is not the primary use as defined in the scheme, any advertisement can be erected or displayed as long as the height of that advertisement does not go above the roof level of any building which is situated in that area and the area of that advertisement does not exceed two square metres;
- (h) in an area reserved as private open space under the scheme, any advertisement can be erected or displayed as long as the height of that advertisement does not go above the roof level of any building which is situated in that area and the area of that advertisement does not exceed ten square metres;
- (i) where construction is taking place, an advertisement, can be erected or displayed for the duration of the construction and that advertisement shall -
  - (i) show the name and particulars of the person carrying out the construction;
  - (ii) show the name and particulars of the person on whose behalf the construction is being carried out; and
  - (iii) not exceed ten square metres in area;
- (j) an advertisement can be erected or displayed for the duration of the construction and that advertisement shall -
  - (i) is erected or displayed at the residence or office of the candidate;
  - (ii) is erected or displayed for the duration of the election; and
  - (iii) does not exceed ten square metres in area;
- (k) an advertisement which is erected or displayed in the interior of a building as long as that advertisement is not visible from a street or public place;
- (l) a handbill, leaflet or an advertisement which is contained in a book, newspaper or pamphlet as long as the distributor does not litter any place which is situated within the Council area; or
- (m) an advertisement which is affixed to a person or vehicle, excluding a vehicle which is used exclusively for the purposes of advertising or erecting or displaying an advertisement, as long as that advertisement does not disrupt the movement of people or traffic.

#### **Prohibited advertisements**

- 5. No person, shall in the Council area, erect or display an advertisement -
  - (a) which obscures a road traffic sign;
  - (b) which contravenes any law which is applicable to Namibia;

- (c) which obstructs the flow of light or air into or out of a building or obstructs the movement of people into, within or out of a building unless the person concerned has obtained the consent of the owner or occupant of that building;
- (d) which obscures an advertisement which was lawfully erected or displayed by another person, unless that other person consents to the erection or display of that advertisement;
- (e) which is dangerous to any person or property;
- (f) which interferes with the enjoyment of the environment or obscures viewing of a place or thing which the Council may determine;
- (g) which obscures the viewing of a thing or place which has been declared a national monument in terms of section 10 of the National Monuments act, 1969 (Act 28 of 1969) unless permission to erect or display that advertisement has been obtained from the National Monuments Council established under that Act; and
- (h) by affixing it to, or by placing it onto, a vehicle unless the owner of that vehicle consents to the erection or display of that advertisement onto the vehicle.

#### **Conditions applicable to advertisements**

6. (1) A person who, under these regulations, erects or displays an advertisement or causes an advertisement to be erected or displayed shall -

- (a) ensure that the advertisement is securely erected or displayed and that it does not cause damage to any property, animal, or plant;
- (b) not, on any place other than an advertisement hoarding or a structure approved by the Council, use water soluble adhesive, adhesive tape or other similar material to secure the advertisement;
- (c) take measures to prevent damage to that advertisement or its supporting structure by water;
- (d) ensure that electrical cables or conduct pipes which are connected to that advertisement are safe and covered in such a manner that they do not pose danger to any property to any property, plant, animal or person;
- (e) comply with any law which governs the supply of electricity or the electrical wiring or premises in the Council area;
- (f) prior to connecting the advertisement to any electricity supply point, obtain the written permission of the Council; and
- (g) comply with any law which governs the construction of buildings in the Council area;

(2) The owner of property on which an advertisement is erected or displayed and the owner of any advertisement are both jointly and severally responsible for the maintenance and repair of that advertisement.

(3) A person who, whilst erecting, displaying or removing an advertisement, internationally causes damage to any plant, animal, property or Council service commits a crime and is liable on conviction to the penalties provided for in regulation 9.

#### **Powers of Council**

7. (1) Where an advertisement is not repaired or is not being properly maintained or poses a danger to any person or property, the Council may serve a written notice on the owner of that advertisement if known, or on the owner or occupier of the place or premises on which the advertisement is erected or displayed.

(2) A notice referred to in subregulation (1) shall -

- (a) advise the recipient to repair or maintain the advertisement within a specified period;
- (b) request the recipient to repair or maintain the advertisement within a specified period;
- (c) inform the recipient that if he or she fails to repair or maintain the advertisement within the specified period, the Council may repair or maintain that advertisement, and thereafter recover the cost of doing so from the recipient.

(3) If at the end of the period specified in subregulation (2), the recipient fails to repair or maintain the advertisement, the Council may repair or maintain that advertisement and thereafter recover the cost from the person on whom the notice under subregulation (1) was served.

(4) Where a person erects or displays an advertisement in contravention of these regulations or condition, including conditions relating to time limits, imposed by the Council, or where a person erects or displays an advertisement which is prohibited by regulation 5 the Council may -

- (a) in the case of a prohibited advertisement, serve a written notice on the person who erected or displayed that advertisement if known, the owner of that advertisement and the owner of the property where that advertisement is situated; or
- (b) in any other case serve a notice on the owner of that advertisement.

(5) A notice referred to in subregulation (4) shall -

- (a) advise the person concerned to comply with these regulations or a condition, including a condition relating to time limits, imposed by the Council within a specified period; or
- (b) in the case of a prohibited advertisement, order the person concerned to remove the advertisement immediately.

(6) If a person fails to comply with a notice given under subregulation (4), the Council may remove, deface, obliterate or destroy the advertisement or take any other remedial action which is necessary and reasonable in the circumstances and thereafter recover any costs incurred from the person who failed to comply with that notice.

(7) Any action taken by the Council under this regulation shall be in addition to any penalty imposed under regulation 9 for contravening these regulations.

(8) For the purposes of enforcing these regulations any officer or employee of the Council may exercise the powers conferred by section 91 of the Act.

(9) A notice required to be served under these regulations shall be served in compliance with section 93 of the Act.

#### **Reconsideration of decision**

8. (1) A person who is aggrieved by a decision of the Council made under these regulations may, within 30 days of receiving that decision, apply to the Council for reconsideration of that decision.

(2) An application made under subregulation (1) shall be in writing and shall contain the grounds on which the decision should be reconsidered.

(3) On receipt of an application made under this regulation, the Council shall reconsider its decision and may -

(a) reserves the earlier decision;

(b) reverse the earlier decision and impose conditions, including conditions relating to time limits, which are necessary and reasonable in the circumstances; or

(c) confirm the earlier decision.

(4) The Council shall, within 60 days of receiving an application under this regulation, notify the applicant in writing of the decision made under subregulation (3).

### **Offences and penalties**

9. (1) A person who -

(a) in the Council area, erects, displays or uses an advertisement or causes an advertisement to be erected, displayed or used contrary to these regulations;

(b) in the Council area, erects, displays or uses a prohibited advertisement or causes a prohibited advertisement to be erected, displayed or used;

(c) contravenes or fails to comply with a requirement set out in a notice issued and served on him or her under these regulations;

(d) intentionally makes a false statement when making an application under these regulations; or

(e) contravenes or fails to comply with any provision of these regulations or a condition, including a condition relating to time limits, imposed under these regulations,

commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both the fine and imprisonment.

(2) In a prosecution for an offence under these regulations-

(a) the owner of land or a building on which an advertisement was erected or displayed is deemed to have erected or displayed that advertisement or caused it to be erected or displayed;

(b) any person who was, either alone or jointly with any other person, responsible for organising, or was in control of, any meeting, function or event to which an advertisement relate, is deemed to have erected or displayed any advertisement erected or displayed in connection with that meeting, function or event or to have caused or allowed that advertisement to be erected or displayed; and

(c) any person whose name appears on an advertisement is deemed to have erected or displayed that advertisement or to have caused or allowed that advertisement to be erected or displayed;

unless the contrary is provided.

10. (1) Anything which was done under the repealed regulations and prior to the commencement of these regulations is deemed to have been done under these regulations and is valid for all purposes.

(2) An application which was made to the Council under the repealed regulations and prior to the commencement of these shall be determined in accordance to the repealed regulations.

(3) The owner of an advertisement which, with the authorisation of Council, was erected or displayed before the commencement of these regulations and the owner of the property on which an advertisement was, with the authorisation of Council, erected or displayed before the commencement of these regulations shall, within 12 months after the commencement of these regulations, remove that advertisement, if that advertisement is prohibited by these regulations, or after that advertisement to comply with these regulations, if it does not comply with these regulations, if it does not comply with these regulations.

BY ORDER OF THE COUNCIL

**G. SCHÜSTER**  
CHAIRPERSON OF THE COUNCIL

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**SWAKOPMUND MUNICIPALITY**

No. 53

2000

**REGULATIONS RELATING TO EARLY CHILDHOOD DEVELOPMENT CENTRES**

The Council of the Town of Swakopmund under section 94(1)(p)(ii) of the Local Authorities Act, 1992, 1992 (Act 23 of 1992) approved the following regulations:

**1. Definitions**

In these regulations, unless the context otherwise indicates -

“adequate”, “effective”, “suitable”, “sufficient”, “proper” or “satisfactory” shall mean adequate, effective, suitable, effective, suitable, sufficient, proper or satisfactory in the discretion of the Town Health Officer, who shall exercise his discretion with due regard to the preservation and safeguarding of public health and safety;

“approved” means approved by the Town Health Officer;

“child” means a child between the ages of 3 months old and 6 years, admitted to a Early Childhood Development Center in terms of these regulations, and

“children” shall have a corresponding meaning;

“Council” means the Municipal Council of Swakopmund and includes any committee or employee of the Council exercising powers or performing duties or functions delegated to it or him by the Council;

“ECDC”, OR “Early Childhood Development Centre” or Centre means any building or premises maintained or utilised for the custody, care and/or tuition of children during the whole or part of the day, on all or only some days of the week, irrespective of whether such centre is subject to registration in terms of the NATIONAL EARLY CHILDHOOD DEVELOPMENT POLICY or any other legislation and includes, day care centres, kindergarten, crèches, pre-schools and nurseries;

“**licensee**” means the holder of a Certificate of Fitness issued in terms of the provisions of regulation 3;

“**Town Health Officer**” means the Chief Health Inspector of the Council or any officer authorised to act on his behalf;

## 2. Scope of Regulations

These regulations shall apply to Early Childhood Development Centres in the Municipal area of Swakopmund.

## 3. Registration

3.1 No person shall establish, erect, maintain, run or operate an Early Childhood Development Center unless such person is the holder of a valid Certificate of Fitness issued to him by the Council in terms of the provisions of these regulations in respect of such Early Childhood Development Centre.

3.2 No Certificate of Fitness as referred to in sub-regulation 3.1 shall be issued unless -

3.2.1 application has been made in the form as prescribed in Annexure “A” hereto, and

3.2.2 such application is accompanied by -

3.2.2.1 written comments of the immediate neighbours of the centre in terms whereif the said neighbours grant their unconditional consents to the establishment and operation of the centre in respect of which application is made;

3.2.2.2 a written nomination as referred to in sub-regulations 3.3, if applicable, and

3.2.3 the Early Childhood Development Centre to which the application relates, complies, in the discretion of the Town Health Officer, with the provisions of these regulations, and

3.2.4 the applicable business registration fee, viz:

3.2.4.1 Centres with a turnover of less than N\$50 000,00 per annum  
..... N\$65.00

3.2.4.2 Centres with a turnover of more than N\$50 000,00 per annum  
..... N\$300.00  
has been paid.

3.3 If the applicant for a Certificate of Fitness is a juristic person, the Certificate of Fitness shall be issued to and held by the manager of the centre or other person in charge of the day to day operation of the centre, duly nominated by the applicant.

3.3.1 The Certificate of Fitness shall be valid from the day of issue, until 31 March of the following year, and shall be renewed annually and before or on 31 March.

3.3.2 A late fee of 10% per month or part of a month shall be charged in addition to the registration fee in respect of each application submitted after 31 March of that year, the date of the official municipal receipt to be accepted as the date of application.

3.4 The issue of a Certificate of Fitness in terms of these regulations, does not exempt

the holder thereof from compliance with the provisions of any other regulations an/or legislation which may be applicable.

#### **4. Minimum requirements for establishing and maintaining an Early Development Centre**

##### **Physical Requirements**

##### **4.1 Space**

- 4.1.1 Sufficient space shall be provided inside and outside of the centre for the children to play and move around freely.
- 4.1.2 An inside playroom for playing activities, serving of meals and sleeping purposes, adequate in size in relation to the number of children, must be provided. Each child shall have his/her own small bed, mattress, blanket or mat.
- 4.1.3 An outdoor play area shall be provided. It shall be free of excavations and dangerous steps or levels.
- 4.1.4 An isolation room, equipped with at least a first - aid kit, a wash basin and a bed shall be provided.
- 4.1.5 The centre shall be well ventilated to ensure sufficient cross ventilation.
- 4.1.6 The centre shall have sufficient lighting.

##### **4.2 Shade**

The children shall be protected against the harmful effects of the sun and against heat by means of shade netting, trees or verandas or any other facility, which, in the discretion of the Town Health Officer, provides adequate and proper protection.

##### **4.3 Water**

A constant and sufficient supply of cold and hot water from an approved source shall be provided at the centre for drinking, cooking, washing and cleaning purposes.

##### **4.4 Sanitary and Ablution Facilities**

A centre shall provide and maintain the following minimum ablution and sanitary facilities:

- 4.4.1 adequate (in relation to the number of children), and approved sanitary facilities, easily accessible to all children. Each child younger than 2 years, shall have its own separate potty.
- 4.4.2 adequate (in relation to the number of children), wash basins, soap and clean towels. A constant supply of cold and warm running water shall be provided to the wash-hand basin.
- 4.4.3 The floors of the ablution facilities shall be tiled, or smooth-surfaces and painted with a washable finish.

#### **5. Safety Requirements**

- 4.1 The buildings and structures comprising the centre, shall be constructed, or altered, as the case may be, in accordance with prior by the Council approved



building plans and shall be maintained so as to conform at all times with the building regulations of the Council.

- 5.2 Adequate measures shall be taken for the protection of the children against fires, hot water installations, electrical fittings and appliances, heat appliances and any other article or thing which may be dangerous or cause injury to any child.
- 5.3 The centre shall be entirely enclosed by means of a suitable fence, wall or other means so constructed as to completely preclude children from leaving the confines of the centre of their own accord and prevent the entrance of animals and which shall not be less than 1.5 metres in height. All gates and doors in such enclosure shall be close fitting and securely locked or otherwise closed, so as to prevent children and animals from opening same.
- 5.4 A first aid kit sufficiently and adequately stocked shall be provided and shall be readily available for use and must be kept out of the reach of children.
- 5.5 All medicines and corrosive substances and other harmful substances shall be stored in a safe manner, and shall not be accessible to children.
- 5.6 No noxious or poisonous plants or shrubs shall be planted or permitted on the premises of a centre.
- 5.7 No person suffering from any infectious disease shall be permitted on the premises of a centre

## 6. Hygiene Requirements

- 6.1 All working surfaces shall be of an approved material.
- 6.2 All cupboards, shelves and other equipment for the storage of kitchen utensils and equipment shall be of approved materials and shall be so fitted or situated as to be easily cleaned and not to favour the harbouring of insects, rodents and other vermin.
- 6.3 A sufficient number of bins with covers for the temporary storage of refuse pending disposal shall be provided.
- 6.4 A constant supply of running cold water or thermostatically controlled water shall be provided to the wash-hand basins set aside for use by the children.

## 7. Medical care of Children

- 7.1 Each centre shall make arrangements for mobile medical clinics manned by trained and qualified staff, to visit the centre once every two months for the purpose of evaluating the health conditions of all children at the centre;
- 7.2 It shall be a requirement for admission of a child to any centre, that a certified copy of the child's immunisation record be handed in and kept at the centre and no child shall be admitted to a centre unless the child has been immunised.
- 7.3 No child suffering from a contagious disease shall be permitted to attend a centre and shall be kept at home until it has completely recovered.
- 7.4 The licensee or person(s) in charge of the children at a centre shall -
  - 7.4.1 strictly observe all children for any signs of illness, indisposition or other abnormal conditions;

- 7.4.2 notify the parent(s) or sutodian or guardian, as the case may be, forthwith of any illness, indisposition or other abnormal condition detected;
- 7.4.3 if the circumstances of any illness or dispostion of any child at a centre require immediate and undelayed medical attention and subject to prior consent of the parent, custodian or guardian, as the case may be, summon the private medical practitioner of any child so suffering form any illness or indisposition , or, in the event of the unaveilability of such medical practitioner, summon any other registered nedical practitioner forthwith;
- 7.4.4 Immediately isolate the child so affected in the isolation room provided for the purpose, and devote all care necessary to the comfort and treatment of the child whilst on the premises;
- 7.4.5 Carry out all instructions issued by the medical practitioner and, in the event of a communicable disease, notify the Town Health Officer immediately.
- 7.5 A record shall be kept at all times of -
- 7.5.1 all injuries sustained by a child at a centre (inclusive of the manner in which such injury was sustained);
- 7.5.2 all illnesses or indisposition of a child noticed or observed whilst at the centre.
- 7.5.3 All persons employed at the centre who, in the descretion of the Town Health Officer, are or may be in direct contact with the children, shall have basic firt-aid training and shall undergo refresher courses in first-aid training at intervals of not less than every third year.
- 7.6 No child shall be abused verbally, emotionally, sexually or physically.

#### **Admission Procedure**

- 8.1 A record of each child admitted at a centre shall be kept and maintained.
- 8.2 The record referred to in the previous sub-regulations shall contain the following information-
- 8.2.1 in respect of each child:
- full name
  - date of birth
  - sex of child
  - name of parents, and if the parents are divorced or separated, names of the custodian and/or guardian
  - residential address
  - important medical imformation
  - immunisation record of child
  - contacting person in case of an emergency
- 8.2.2 total number of children admitted
- 8.2.3 list of names of children admitted.

**9. Duties of the licensee**

- 9.1 The licensee shall be responsible to the Council for the due and proper compliance with each and every provision of these regulations.
- 9.2 Without derogating from the generality of the preceding subregulation, the licensee shall ensure that -
- 9.2.1 the Early Childhood Development Center and any part thereof (whether movable or immovable) shall be maintained and kept in good order and state or repair and in a tidy condition free of dirt, filth, litter or noxious matters or things;
- 9.2.2 all cutlery, crockery, utensils, vessels, containers, receptacles, appliances and equipment used for the storage, preparation and serving of foodstuffs and perishables are kept in a clean and sanitary condition;
- 9.2.3 effective measures be taken and maintained for the prevention and destruction of flies, cockroaches, rodents, insects and other vermin in such Early Childhood Development Center;
- 9.2.4 suitable measures be applied for protecting all foodstuffs from contamination by dust, dirt, flies or any other cause;
- 9.2.5 adequate supply of soap, clean towels and nailbrushes at wash-hand basins are provided.
- 9.2.6 that all personnel, workers, helpers or any other persons engaged in the Early Childhood Development Centre are clean in person and clothing at all times;
- 9.2.7 clear and sound overalls or coats of light-coloured washable material and suitable head-coverings for the use of persons engaged in the handling, preparation and serving of food, and ensure that such overalls or coats are worn at all times;
- 9.2.8 the children attending the centre are at all times under the direct supervision and control of at least one adult;
- 9.2.9 personnel or persons in charge of food-handling are medically examined before employment or engagement at the Centre and proved to be free from infectious or contagious diseases and that the said personnel or persons be medically examined on an annual basis.

**10. Existing Early Childhood Development Centres**

Notwithstanding any provisions of these regulations, the owner of an Early Childhood Development Center already in existence on date of coming into operation of these regulations, shall be permitted and obliged to comply with the provisions of these regulations within a period of twelve months as from the date on which these regulations came into operation; provided that the Council may extend such period by a period not exceeding three months.

**11. Exemption**

Notwithstanding any provisions of these regulations, the Council may, on the

recommendation of the Town Health Officer and subject to the conditions he may stipulate, grant any licensee temporary or permanent exemption from compliance with any one or more provision of these regulations.

## **12. Inspections**

The Town Health Officer shall be entitled at any reasonable time to enter an Early Childhood Development Center to inspect the premises or buildings or any book, record, article or object thereon or therein to determine whether the provisions of these regulations are being complied with.

## **13. Offences and Penalties**

13.1 Any licensee or other person who -

13.1.1 deliberately furnishes false information in any application in terms of regulation 3, or

13.1.2 of the provisions of these regulations or permits the contravention of or non-compliance with any one or more of the provisions of these regulations,

shall be guilty of an offence and liable on conviction to a penalty not exceeding N\$200,00, and in the case of a continuing offence, to a penalty not exceeding N\$10.00 for every day during which such offence continues and, in default of payment, to imprisonment for a period not exceeding three months.

13.2 In addition to any fine or penalty in terms of the preceding sub-regulation the Council may, at its discretion, withdraw a Certificate of Fitness issued in terms of these regulations, alternatively, suspend such Certificate pending due and proper compliance with the provisions of these regulations, upon written notice to the licensee.

HEALTH DEPARTMENT

APPLICATION FOR CERTIFICATE OF FITNESS - EARLY CHILDHOOD DEVELOPMENT CENTRE (ECDC)

PLEASE NOTE: Final registration of an ECDC shall be considered by the Community Development Officer who can be contacted at the Mondesa Municipal Offices, Swakopmund.

**A. IDENTIFYING PARTICULARS**

- 1. Name of ECDC (Day Care Centre/Play Group/After School Centre etc.): .....
- 1.1 Street Address: .....
- 1.2 Postal Address: .....
- 1.3 Name of Person in charge: ..... TelNo: .....
- 1.4 Name of Owner/Manager: ..... TelNo: .....

**B. CHILDREN**

- 1. State the number of children to be accommodated: .....
- 2. State the Age range of the children .....

**C. SERVICES**

- 1. Which of the following services do you provide or plan to provide? (Tick the appropriate blocks)

	Currently Providing	Plan to Provide
Meals		
Care for the Handicapped		
Creche Ages (0-3) years)		
Educare Centre (2-6 years)		
Nursery School (2-6 years)		
Pre-Primary School (5-6 years)		
After School Educational Training		
Clinic/Medical and Dental Services		
Other (Specify)		

**D. BUILDING**

	Yes	No
Fresh Running Water		
Number of Toilets		
Hand wash Basin		
Walls Painted		
Windows		
Ceiling		
Ventilation (Cross)		
Indoor Space (m <sup>2</sup> )		

MUNICIPALITY OF SWAKOPMUND

ANNEXURE A



IMF - Special Drawing Rights	121,813	122,028
Investments - Road Currency	726,181,593	891,513,080
- Other Currency	1,222,698,357	1,202,284,752
- Interest Accrued	7,560,474	8,542,978
<b>Domestic:</b>		
Currency Inventory Account	5,133,936	5,300,596
Loans and Advances	48,089,504	47,671,726
Fixed Assets	126,485,188	127,780,547
Other Assets	6,005,897	1,877,610
	<u>2,168,878,932</u>	<u>2,326,452,671</u>

**L S IPANGELWA**  
**DEPUTY GOVERNOR**

**U DAVIDS**  
**CHIEF FINANCIAL OFFICER**

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