



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$2.00

WINDHOEK - 15 April 2005

No.3410

CONTENTS

Page

PROCLAMATION

- No. 2 Announcement in terms of Article 32(8) of the Namibian Constitution of certain appointments 2

GOVERNMENT NOTICES

- No. 33 Amendment of the regulations made under the Judges' Remuneration Act, 1990 (Act No. 18 of 1990) 2
- No. 34 Appointment of members of Regional Liquor Licencing Committees 3
- No. 35 Okahandja: Extension of boundaries 3
- No. 36 Klein Windhoek: Extension of boundaries 3

GENERAL NOTICES

- No. 62 Calling for representations in opposition to applications made to the Minerals Ancillary Rights Commission 4
- No. 63 Walvis Bay Town Planning Amendment Scheme No. 11 to 15 5
- No. 64 Henties Bay Town Planning Amendment Scheme No. 5 to 10 5
- No. 65 Keetmanshoop Town Planning Amendment Scheme No. 6 to 11 5
- No. 66 Tsumeb Town Planning Amendment Scheme No. 5 to 10 6
- No. 67 Permanent closure of a Portion of remainder of Portion 1 Tsandi Town and Townlands as street 6
- No. 68 Katima Mulilo Town: Regulations relating to poultry 6
- No. 69 Road Fund Administration: Amendment of entry fees payable in respect of foreign vehicles: Road Fund Administration Act, 1999 9
- No. 70 Road Fund Administration: Amendment of notice under the Road Fund Administration Act, 1999 10
-

Proclamation

by the

PRESIDENT OF THE REPUBLIC OF NAMIBIA

No. 2

2005

ANNOUNCEMENT IN TERMS OF ARTICLE 32(8) OF THE NAMIBIAN CONSTITUTION OF CERTAIN APPOINTMENTS

In terms of Sub-Article (8) of Article 32 of the Namibian Constitution, I announce that I have, under Sub-Article (4)(a)(aa) of that Article read with Article 82(1) of the Namibian Constitution, appointed, on the recommendation of the Judicial Service Commission -

- (a) for the period 1 April 2005 to 31 March 2006, Mr J.O. Manyarara as Acting Judge of the High Court of Namibia; and
- (b) for the period 18 April 2005 to 18 May 2005, Mr. C.J. Hinrichsen as Acting Judge of the High Court of Namibia.

Given under my Hand and the Seal of the Republic of Namibia at Windhoek, this 18th day of March, Two Thousand and Five.

SAM NUJOMA

President

BY ORDER OF THE PRESIDENT-IN-CABINET

Government Notices

OFFICE OF THE PRESIDENT

No. 33

2005

AMENDMENT OF THE REGULATIONS MADE UNDER THE JUDGES' REMUNERATION ACT, 1990 (ACT NO. 18 OF 1990)

The President has under section 5 of the Judges' Remuneration Act, 1990 (Act No. 18 of 1990), amended regulation 2 of the regulations promulgated under Government Notice No. 107 of 30 May 2003 by the insertion after subregulation (4) of the following subregulation:

“(4A) Notwithstanding subregulation (4), payment of an allowance in lieu of leave contemplated in that subregulation, calculated on the basis of the basic salary of the particular judge may, on good work-related cause shown, be authorized by -

- (a) the President in respect of the Chief Justice;
- (b) the Chief Justice in respect of the Judge-President or any other judge of the Supreme Court;
- (c) the Judge-President in respect of any judge of the High Court,

but only if, in respect of any such Court, sufficient funds are available on the annual budget of the Ministry of Justice for that purpose.”

MINISTRY OF TRADE AND INDUSTRY

No. 34

2005

**APPOINTMENT OF MEMBERS OF REGIONAL LIQUOR LICENSING
COMMITTEES**

In terms of section 24(2)(b) of the Liquor Act, 1998 (Act No. 6 of 1998), I appoint -

(a) Mr H. !Hoxobeb to serve, in the place of the late Mr. C.H. Aspara-Ashipala; and

(b) Mr J. Hartung to serve, in the place of Mr. K. Alberts,

on the Karas Regional Liquor Licensing Committee.

B. ESAU**DEPUTY MINISTER OF TRADE AND INDUSTRY** Windhoek, 29 March 2005

MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 35

2005

OKAHANDJA: EXTENSION OF BOUNDARIES

Under section 29(1) of the Townships and Division of Land Ordinance, 1963 (Ordinance No. 11 of 1963), I extend the boundaries of the Township of Okahandja to include Portion 127 of the consolidated farm Okahandja Town and Townlands No. 277 situated in the Registration Division "J" and represented by Cadastral Diagram A117/2002, which diagram shall lie open for inspection at the office of the Surveyor-General, Windhoek, during normal office hours.

The property so included shall be known as Erf 2653, Okahandja.

J. KAAPANDA**MINISTER OF REGIONAL AND LOCAL
GOVERNMENT AND HOUSING**

Windhoek, 18 March 2005

MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 36

2005

KLEIN WINDHOEK: EXTENSION OF BOUNDARIES

Under section 29(1) of the Townships and Division of Land Ordinance, 1963 (Ordinance No. 11 of 1963), I extend the boundaries of the Township of Klein Windhoek (Extension 3) to include Portion 122 (a portion of Portion B) of the farm Klein Windhoek Town and Townlands No. 70 situated in Registration Division "K" and represented by Cadastral Diagram A26/2004, which diagram shall lie open for inspection at the office of the Surveyor-General, Windhoek, during normal office hours.

The property so included shall be known as Erf 3696, Klein Windhoek Extension 3.

J. KAAPANDA**MINISTER OF REGIONAL AND LOCAL
GOVERNMENT AND HOUSING**

Windhoek, 11 March 2005

General Notices

MINISTRY OF MINES AND ENERGY

No. 62

2005

CALLING FOR REPRESENTATIONS IN OPPOSITION TO APPLICATIONS MADE TO THE MINERALS ANCILLARY RIGHTS COMMISSION

In terms of section 109(3) of the Minerals (Prospecting and Mining) Act, 1992 (Act No. 33 of 1992), it is hereby made known that -

- (a) the person, whose name is set out in the first column of the Table below and who is a holder of the licence specified opposite that name in the second column, has in terms of subsection (1) of that section applied to the Minerals Ancillary Rights Commission for the granting of the rights mentioned in the third column in respect of the land described opposite those rights in the fourth column of that Table;
- (b) any interested person who wishes to oppose an application referred to in paragraph (a) must deliver original written representations and three copies of those representations to the Secretary of the Minerals Ancillary Rights Commission: 1st Floor, Room 116, Ministry of Mines and Energy, 1 Aviation Road, Windhoek, or must send such written representations and such copies by registered mail for the attention of the Secretary of the Minerals Ancillary Rights Commission to Private Bag 13297, Windhoek, so as to reach the Secretary on or before 29 April 2005;
- (c) the Commission shall hear representations submitted to it under paragraph (b) in the Boardroom of the Ministry of Mines and Energy Building, 2nd Floor, 1 Aviation Road, Windhoek, during the period commencing on 19 May 2005 and ending on 20 May 2005 from 9h00 to 17h00; and
- (d) any person whose interests may be prejudicially affected by the granting of the rights mentioned in the Table below may appear before the Minerals Ancillary Rights Commission personally or through a legal representative during the period referred to in paragraph (c).

TABLE

Column 1	Column 2	Column 3	Column 4
Name of licence holder	Type of licence	Nature of right required	Description of land in respect of which the right is required
1. Fillemon Awaseb	Non-exclusive prospecting licence No. 3809	Right under section 109(1)(a) to enter upon land in order to carry on operations authorized by such licence.	Farm Niewoudt No. 151, Omaruru District, Registration Division H
2. Paulus Julius	Non-exclusive prospecting licence No. 4773	Right under section 109(1)(a) to enter upon land in order to carry on operations authorized by such licence.	Farm Kaliombo No. 42(A), Karibib District, Registration Division H
3. Rediga Schiefer	Non-exclusive prospecting licence No. 4201	Right under section 109(1)(a) to enter upon land in order to carry on operations authorized by such licence.	Farm Mon Repos No. 58, Karibib District, Registration Division H
4. Christiaan Brandt	Non-exclusive prospecting licence No. 2839	Right under section 109(1)(a) to enter upon land in order to carry on operations authorized by such licence.	Farm Otjimbojo Ost No. 48, Karibib District, Registration Division H

5. Mukuve Siremo	Non-exclusive prospecting licence No. 3877	Right under section 109(1)(a) to enter upon land in order to carry on operations authorized by such licence.	Farm Okondura Süd No. 16, Karibib District, Registration Division H
------------------	--	--	---

No. 63

2005

WALVIS BAY TOWN PLANNING AMENDMENT SCHEME NO. 11 TO 15

Notice is hereby given in terms of Article 17 of the Town Planning Ordinance No. 18 of 1954 as amended, that the Municipality of Walvis Bay intends submitting for approval with the Namibia Planning Advisory Board certain amendments to the Walvis Bay Town Planning Scheme.

The amendments will include the rezoning and reservation of land.

The Honourable Minister of Regional and Local Government and Housing has granted approval for the compilation and submission of Amendment Scheme No. 11 to 15.

THE CHIEF EXECUTIVE OFFICER
Municipality of Walvis Bay

No. 64

2005

HENTIES BAY TOWN PLANNING AMENDMENT SCHEME NO. 5 TO 10

Notice is hereby given in terms of Article 17 of the Town Planning Ordinance No. 18 of 1954 as amended that the Municipality of Henties Bay intends submitting for approval with the Namibia Planning Advisory Board certain amendments to the Henties Bay Town Planning Scheme.

The amendments will include the rezoning and reservation of land.

The Honourable Minister of Regional and Local Government and Housing has granted approval for the compilation and submission of Amendment Scheme No. 5 to 10.

THE CHIEF EXECUTIVE OFFICER
Municipality of Henties Bay

No. 65

2005

KEETMANSHOOP TOWN PLANNING AMENDMENT SCHEME NO. 6 TO 11

Notice is hereby given in terms of Article 17 of the Town Planning Ordinance No. 18 of 1954 as amended that the Municipality of Keetmanshoop intends submitting for approval with the Namibia Planning Advisory Board certain amendments to the Keetmanshoop Town Planning Scheme.

The amendments will include the rezoning and reservation of land.

The Honourable Minister of Regional and Local Government and Housing has granted approval for the compilation and submission of Amendment Scheme No. 6 to 11.

THE CHIEF EXECUTIVE OFFICER
Municipality of Keetmanshoop

No. 66

2005

TSUMEB TOWN PLANNING AMENDMENT SCHEME NO. 5 TO 10

Notice is hereby given in terms of Article 17 of the Town Planning Ordinance No. 18 of 1954 as amended that the Municipality of Tsumeb intends submitting for approval with the Namibia Planning Advisory Board certain amendments to the Tsumeb Town Planning Scheme.

The amendments will include the rezoning and reservation of land.

The Honourable Minister of Regional and Local Government and Housing has granted approval for the compilation and submission of Amendment Scheme No. 5 to 10.

THE CHIEF EXECUTIVE OFFICER
Municipality of Tsumeb

No. 67

2005

**PERMANENT CLOSURE OF A PORTION OF REMAINDER OF PORTION 1
 TSANDI TOWN AND TOWNLANDS AS STREET**

Notice is hereby given in terms of Section 50 of the Local Authorities Act of 1992 (Act No. 23 of 1992), that the Omusati Regional Council proposes to permanently close a Portion of the Remainder of Portion 1 (Street) Tsandi Town and Townlands as street, as indicated on plan W/04080 which lays for inspection during office hours at the offices of the Omusati Regional Council.

Also please take notice that any person objecting against the proposed closure as indicated above may lodge an objection together with the grounds thereof, with the Chief Executive Officer, Omusati Regional Council and/or Stubenrauch Planning Consultants CC, in writing before or on the 13 May 2005.

Omusati Regional Council
Private Bag 523
Outapi

Stubenrauch Planning Consultants CC
P.O. Box 11869
Windhoek

KATIMA MULILO TOWN

No. 68

2005

REGULATIONS RELATING TO POULTRY

The Town Council of Katima Mulilo, after consultation with the Minister of Regional and Local Government and Housing, under section 94(1) of the Local Authorities Act, 1992 (Act No. 23 of 1992), has made the regulations set out in the Schedule.

SCHEDULE

Definitions

1. In these regulations, any word or expression which is defined in the Act has that meaning, and unless the context otherwise indicates -

“Council” means the Katima Mulilo Town Council;

“poultry”, includes all fowls, geese, ducks, miscopy ducks, turkeys, pigeons, doves and any other domesticated birds;

“the Act” means the Local Authorities Act, 1992 (Act No. 23 of 1992).

Keeping of poultry

2. (1) A person may not keep poultry in town without the written permission of the Council.

(2) A person who kept poultry in town at the date of commencement of these regulations must, within 12 months of commencement apply to the Council in terms of regulation 3 for permission to keep poultry.

Application for permission to keep poultry

3. (1) A person who wishes to keep poultry in town must apply to the Council for permission to keep poultry and such application must -

- (a) state the nature of all the structures in which poultry are kept or to be kept;
- (b) state the nature and extent of the premises upon which poultry are kept or to be kept;
- (c) state the number of poultry and the purpose why poultry are kept or to be kept;
- (d) include the site plan.

(2) After considering the application made to it under this section, the Council may grant or refuse the application.

Dwelling

4. A person may not keep poultry in any dwelling or part thereof.

Poultry structures to be approved

5. Any structure which has been set up or is to be set up for the purposes of keeping poultry must be approved by the Council on application made to it by the owner or any person in charge of such poultry.

Prohibitions

6. Any structure which is to be set up for the purposes of keeping poultry may not -

- (a) be within 4.50 meters of any door or window of a dwelling or inhabited out buildings or any diary or milk shop or food stores or food preparation room, or street;
- (b) be adjacent to any dwelling or servants room or inhabited outbuildings or diary or milk shop or food store or food preparation room, or street;
- (c) exceed the vertical height of 2.40 metres, or 3.60 metres in respect of pigeons;
- (d) be lower than 1.20 meter.

Hygiene

7. Any structure which has been set up for the purposes of keeping poultry may not have defects which are likely to harbour -

- (a) rodents vermin;
- (b) poultry parasites; or
- (c) parasites of any nature.

Structural Requirements

8. Any structure constructed for the purposes of keeping poultry must have -

- (a) concrete floors;
- (b) concrete walls or brick walls or other suitable materials approved by the Council;
- (c) asbestos roof or corrugated iron roof or other suitable materials approved by the Council.

Parasites

9. A person must ensure that any structure which is set up for the purposes of keeping poultry must be free from parasites.

Poultry manure

10. All the poultry manure or poultry related rejects must be stored in a non-corrugated bin with a close fitting cover.

Food storage

11. All the food for the purposes of poultry -

- (a) must be kept in metal or other rodent-proof containers;
- (b) may not be left in a manner that attracts rodents, flies or other vermin or nuisance or the breeding of flies.

Objection

12. The Council may object or prohibit the construction of any structure for the purposes of keeping poultry on reasons of its locality, construction or manner of use or fitness.

Requirements for crates

13. A person may not confine poultry in crates that do not conform with the following requirements -

- (a) a floor area of not less than 0.09 meters per bird therein confine and the height of not less than 750 mm if it contain fowls, gees, ducks or turkey;
- (b) the floor area of not less than 500 mm if it is intended for poultry other than fowl, gees, duck or turkeys;
- (c) the floor area made from solid wood or other solid materials specified by

the Council;

- (d) two drinking vessels which must be fixed in opposite corners of the crate and filled with fresh water, and that vessels must be -
 - (i) unspillable in nature;
 - (ii) not less than 125 mm in depth and 100 mm in diameter.
- (e) suitable receptacles for the purposes of containing food;
- (f) only one type of poultry species must be in a crate;

Offences and penalty

14. Any person who contravenes any provision of these regulations commits an offence and is liable to a penalty not exceeding a fine of N\$2 000 or imprisonment not exceeding a period of six months.

ROAD FUND ADMINISTRATION

No. 69

2005

AMENDMENT OF ENTRY FEES PAYABLE IN RESPECT OF FOREIGN VEHICLES: ROAD FUND ADMINISTRATION ACT, 1999

Under section 18(1)(b) of the Road Fund Administration Act, 1999 (Act No. 18 of 1999), the Road Fund Administration hereby amends Government Notice No. 263 of 2000 by the substitution of the Annexure thereto with the Annexure specified below.

T. HAIMBILI
CHAIRPERSON OF THE
ROAD FUND ADMINISTRATION

Windhoek, 4 April 2005

ANNEXURE

ROAD FUND ADMINISTRATION - CROSS BORDER CHARGES

Type	Description (Petrol and Diesel Driven)	CBC tariff (N\$)
Type 1	Motor cycles, motor tricycle and motor quadrucycle Caravans and light trailers drawn by type 2 vehicles)	N\$80.00
Type 2	All passenger cars, station wagons, S/C and D/C bakkies, 2x4 and 4x4 bakkies, Kombis, Microbus and minibus. (up to 16 seaters)	N\$120.00
Type 3	Light goods vehicle/delivery vehicle/buses>16 to 25 seaters (GVM<3500kg)	N\$250.00
HEAVY VEHICLES: (single units)		
Type 4	Bus with 2 axles. (carrying capacity of 25 or more passengers)	N\$300.00
Type 5	Bus: with 3 axles. (carrying capacity of 25 or more passengers)	N\$380.00
Type 6	Single unit Truck with 2 axles	N\$300.00
Type 7	Single unit Truck with 3 axles	N\$380.00
HEAVY VEHICLES: (Traction unit as part of a combination vehicle)		
Type 8	Truck tractor: with 2 axles	N\$300.00
Type 9	Truck tractor: with 3 axles	N\$380.00
Type 10	Truck tractor: with 4 or more axles	N\$710.00

HEAVY VEHICLES: (as part of a combination vehicle)		
Type 11	Trailer: with 1 axle (GVM>1500 kg/<3500 kg)	N\$200.00
Type 12	Trailer: with 2 axles or (GVM>3500 kg)	N\$300.00
Type 13	Trailer: with 3 axles	N\$380.00
Type 14	Trailer: with 4 axles	N\$500.00
Type 15	Trailer: with 5 or more axles	N\$610.00
CONSTRUCTION VEHICLES		
Type 16	Tyre dozer, grader motor, front-end loaders, excavators, self-propelled vibratory rollers.	N\$1030.00
Type 17	Any other vehicle not listed.	N\$200.00
Regular user permit		N\$170.00

Note: The CBC tariff for a combination vehicle is determined by the sum of the CBC tariffs for each unit in the combination vehicle. The CBC tariff is not applicable to Namibian registered units which form part of the combination vehicle. The CBC tariff includes administrative costs of N\$ 23,90 per transaction. The CBC tariff includes VAT of 15%.

ROAD FUND ADMINISTRATION

No. 70

2005

AMENDMENT OF NOTICE UNDER THE ROAD FUND ADMINISTRATION ACT, 1999

Under section 18(1)(c) of the Road Fund Administration Act, 1999 (Act No. 18 of 1999), the Road Fund Administration hereby amends Government Notice No. 134 of 2000 by the substitution for Annexure A thereof with the Annexure specified below.

T. HAIMBILI
CHAIRPERSON OF THE
ROAD FUND ADMINISTRATION

Windhoek, 4 April 2005

ANNEXURE A

REGISTRATION AND LICENCE FEES

1.	Motor vehicle licence fees:		Annual licence fee (N\$)
	Type of vehicle	Tare of vehicle in kilograms	
(a)	Motor cycles, tricycle and quadricycles	All	120
(b)	Motor-cars and other self-propelled vehicles	Up to and including	
		750	192
		751-1000	276
		1001-1250	288
		1251-1500	312
		1501-2000	396
		2001-3000	636
		3001-4000	1,224
		4001-5000	1,860
		5001-6000	4,488
		6001-7000	6,276
		7001-8000	8,004
		8001-9000	10,224
		9001-10000	12,600
		10001-11000	15,336

		11001-12000	18,504
		12001-12500	21,552
		12501-13000	22,848
		13001-13500	24,132
		13501-14000	25,428
		14001-14500	26,736
		14501-15000	27,972
		15001-15500	29,280
		15501-16000	30,552
		16001-16500	31,860
		16501-17000	33,132
		17001-17500	34,404
		17501-18000	35,688
		18001-18500	36,984
		18501-19000	38,292
		19001-19500	39,564
		19501-20000	40,848
		20000 and above	Increases by 1,284 for every 500 kg
(c)	Trailers and semi-trailers (other than caravans)	Up to and including 1000	120
		1001-2000	312
		2001-3000	564
		3001-4000	2,508
		4001-5000	3,504
		5001-6000	5,040
		6001-7000	6,240
		7001-8000	7,164
		8001-9000	10,224
		9001-10000	11,508
		10001-11000	13,260
		11001-12000	15,060
		12001-12500	16,104
		12501-13000	17,148
		13001-13500	18,216
		13501-14000	19,260
		14001-14500	20,316
		14501-15000	21,372
		15001-15500	22,416
		15501-16000	23,472
		16001-16500	24,540
		16501-17000	25,572
		17001-17500	26,640
		17501-18000	27,660
		18001-18500	28,728
		18501-19000	29,796
		19001-19500	30,816
		19501-20000	31,884
		20000 and above	Increases by 1,020 for every 500 kg
(d)	Caravans (other than self-propelled caravans)	All	168
2.	Motor vehicle registration fee:		

(a)	For any class of motor vehicle		84
(b)	Temporary Permit		84
(c)	Special Permit		48
(d)	Duplicate document or token		48
(f)	Motor Trade Numbers*		
	(i) application in respect of each motor trade number		41
	(ii) licensing of motor trade number in respect of any motor vehicle by a motor dealer, manufacturer, builder, importer or deposit taking institutions		1,716
