



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N\$4.00

WINDHOEK - 9 October 2015

No. 5851

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## Government Notice

### OFFICE OF THE PRIME MINISTER

No. 233

2015

#### AMENDMENT OF REGULATIONS MADE UNDER PUBLIC SERVICE ACT, 1995

Under section 34(1) of the Public Service Act, 1995 (Act No. 13 of 1995), I have amended the Regulations set out in the Schedule with effect from 10 July 2015.

**S. KUUGONGELWA-AMADHILA**  
**PRIME MINISTER**

Windhoek, 8 October 2015

### SCHEDULE

#### Definitions

1.        In these regulations, “the Regulations” means the Regulations made under the Public Service Act, 1995 (Act No. 13 of 1995), published under Government Notice No. 211 of 1995, as amended by Government Notice No. 179 of 2001.

#### Substitution of regulation 11 of Regulations

2.        The Regulations are amended by the substitution for regulation 11 of the following regulation:

**“Conduct of staff members and declaration of interests****11.**

(1) A staff member shall not subordinate his or her public duties to his or her private interests, or conduct himself or herself in such a manner as is likely to -

- (a) bring his or her private interests into conflict with his or her public duties; or
- (b) cause a reasonable suspicion that -
  - (i) he or she has allowed his or her private interests to come into conflict with his or her public duties resulting in his or her usefulness in the Public Service being impaired; or
  - (ii) he or she has used his or her public position to gain any personal advantage.

(2) For the purposes of section 17 of the Act, a staff member shall, in the form of Form 1, declare -

- (a) his or her engagement in any scheme of self-employment; and
- (b) any connection which the staff member has in any business operation for private purposes.

(3) A declaration in terms of subregulation (2), shall be made -

- (a) to the Permanent Secretary of the relevant office, ministry or agency, if the staff member is not a staff member referred to in paragraph (b) and (c);
- (b) to the Secretary to the Cabinet, if the staff member is a Permanent Secretary; or
- (c) to the Prime Minister, if the staff member is the Secretary to the Cabinet or the Secretary to the President.

(4) A person -

- (a) who is a staff member at the date of the commencement of this regulation, shall comply with it within five days of that date; or
- (b) who assumes duty as a staff member after the commencement of this regulation, shall comply with it within five working days of the date of the assumption of duty.

(5) If a staff member intends to engage in a scheme of self-employment or in any business operation for private purposes, the staff member shall, before engaging in that scheme or business, obtain approval to do so from -

- (a) the Permanent Secretary of the relevant office, ministry or agency, if the staff member is not a staff member referred to in paragraph (b) and (c);

- 
- (b) the Secretary to the Cabinet, if the staff member is a Permanent Secretary; or
  - (c) the Prime Minister, if the staff member is the Secretary to the Cabinet or the Secretary to the President.
- (6) For the purposes of subregulation (5), a staff member shall apply for the approval referred to in that subregulation in the form of Form 2.
- (7) A staff member who, at the date of commencement of this regulation is already engaged in a scheme of self-employment or business operation for private purposes, shall apply for the approval referred to in subregulation (5) in the form of Form 2 at the time at which the staff member declares his or her engagement in that scheme or operation.”



**REPUBLIC OF NAMIBIA**

**DECLARATION OF ENGAGEMENT IN REMUNERATIVE WORK  
OUTSIDE PUBLIC SERVICE EMPLOYMENT AND OTHER PERSONAL INTERESTS**

*(Regulation 11 of the Regulations made under the Public Service Act (Act No. 13 of 1995))*

Secretary to Cabinet: .....

Permanent Secretary:.....

Office/Ministry/Agency: .....

I, .....

ID No: ..... employed as .....

in the Office/Ministry/Agency .....

do hereby solemnly declare that –

**1. (a)** My current position is .....; and

**(b)** The core functions of my position are the following:  
.....  
.....  
.....  
.....

**2.** I am engaged in or connected to remunerative work outside the Public Service, as defined in Section 17(3) of the Public Service Act, 1995 (Act No. 13 of 1995), namely:

**(a)** in the form of self-employment – Yes  No

or

**(b)** any business operation for private purposes – Yes  No

*(Tick the applicable box: If the answer is yes in the case of Section 2(a) and/or (b), please provide details in Section 3(a) and/or (b) below and Form 2)*

<b>3.</b> I am engaged in the under-mentioned remunerative work outside my normal employment in the Public Service:		
(a) Self-employment:		
Name of company / business	Type of business	
(b) Other business operation:		
Name of company / business	Type of business	
(c) Approval for the aforementioned has been obtained: * copy of approval attached / not yet obtained / amended approval * Note: Please delete whichever item is not applicable.		
<b>4.</b> (a) To avoid potentially perceived conflict of interest, I declare that my spouse operates or undertakes such private agency related to the field of work of my office/ministry/agency:		
Name of company / business / benefit	Type of company / business / benefit	
(b) I declare that my spouse is employed at or is self-employed as:		
Name of spouse's employer or self-employer	Occupation	
<b>5.</b> I am appointed and/or involved in the following directorships and/or partnerships:		
Directorship / Partnership in any Corporate Body	Type of Business Activity	
<b>6.</b> I am involved in the following consultancies and/or receive retainerships for my services:		
Name of Organisation	Type of Business Activity	Value of any Benefits derived
<b>7.</b> I am receiving the following sponsorships:		
Source of Sponsorship	Description of Assistance / Sponsorship	Value
<b>8.</b> I have received and/or am receiving the following gifts and hospitalities:		
Description	Source	Value

<b>9.</b> I have received and/or am receiving or deriving the following benefits:		
Source of Benefit	Description of Benefit	Value of Benefit
<b>10.</b> I have received and/or am receiving sponsored travelling:		
Sponsor	Description of Journey	Value of Journey
<b>11.</b> I receive the following income from pensions, insurance and retirement benefits:		
Source of receipts	Public or private	Value of receipts
Signed at ..... (place) on this day ..... of ..... 20.....		
..... STAFF MEMBER/ MEMBER OF THE SERVICE		
WITNESS:		
_____		
_____		



**REPUBLIC OF NAMIBIA**

**APPLICATION FOR APPROVAL OF ENGAGEMENT IN REMUNERATIVE WORK  
OUTSIDE PUBLIC SERVICE EMPLOYMENT**

*[Regulation 11(5) of the Regulations made under the Public Service Act, 1995 (Act No. 13 of 1995)]*

Secretary to Cabinet: .....

Permanent Secretary: .....

Office/Ministry/Agency: .....

**PART A**

**APPLICATION FOR APPROVAL TO ENGAGE IN REMUNERATIVE WORK OUTSIDE  
EMPLOYMENT IN THE PUBLIC SERVICE**

I, .....

ID No: ..... employed as .....

in the Office/Ministry/Agency .....

hereby apply for approval to engage in, or perform, the remunerative work, which is described in this part, outside the Public Service as defined in Section 17(3) of the Public Service Act, 1995 (Act No. 13 of 1995)

**DESCRIPTION OF CURRENT POSITION AND FUNCTIONS**

My current position is .....; and

The core functions of my position are the following:

.....

.....

.....

.....

**DESCRIPTION OF REMUNERATIVE WORK  
OUTSIDE EMPLOYMENT IN THE PUBLIC SERVICE**

Self-employment/Business operation (Please delete whichever item is not applicable):

.....

.....

Signed at ..... (place) on this day ..... of ..... 20 .....

.....  
STAFF MEMBER/ MEMBER OF THE SERVICE

WITNESS:

.....  
.....

**PART B**  
**FOR OFFICIAL USE ONLY**

ENGAGEMENT IN REMUNERATIVE WORK OUTSIDE EMPLOYMENT IN THE PUBLIC SERVICE

I, ....., have acquainted myself with the content of this request. In my view, the involvement of ..... (*name of staff member*) in remunerative work outside employment will not represent a conflict of interest, neither will it impact on his/her performance of official duties.

APPROVED/NOT APPROVED/AMENDED

Comments:

.....  
.....

.....  
Signature of Approving Authority

Official Stamp

.....  
Name (print)

.....  
Date

.....  
Place