



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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No. 8819

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General Notice

MUNICIPALITY OF GROOTFONTEIN

No. 961

2025

ANIMAL POUND REGULATIONS: LOCAL AUTHORITIES ACT, 1992

Under section 94(1)(r)(iv) of the Local Authorities Act, 1992 (Act No. 23 of 1992), the Council of the Municipality of Grootfontein, after consultation with the Minister of Urban and Rural Development, has made the regulations set out in the Schedule.

CHAIRPERSON
BY ORDER OF THE COUNCIL

Grootfontein, 8 December 2025

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PART 1
DEFINITIONS

Definitions

1. In these regulations a word or an expression to which a meaning has been assigned in the Act has that meaning and, unless the context otherwise indicates –

“animal” means cattle, donkey, goat, horse, mule, sheep and pig;

“auction” means a public sale conducted by an auctioneer registered in terms of the applicable laws;

“Council” means the Municipal Council of Grootfontein;

“fee” means a fee determined by the Council under section 30(1)(u) of the Act;

“impound” means to seize or remove an animal for confinement in a pound;

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

“owner” in relation to –

(a) an animal, includes a person having lawful custody, control or possession of an animal; and

(b) property includes the owner, lessee or lawful occupier of the property;

“pound” means a pound established in terms of regulation 2;

“poundmaster” means a person appointed in terms of regulation 3 and includes a person acting as a poundmaster;

“pound register” means a register referred to in regulation 4(1);

“property” means land, premises or structure situated in the local authority area; and

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

PART 2
ESTABLISHMENT AND IMPOUNDMENT

Establishment of pounds

2. (1) The Council must establish pounds within the local authority area.

(2) The office hours of a pound referred to in subregulation (1) are from 07h00 to 16h00 Monday to Friday, excluding Saturdays, Sundays and public holidays, unless the Council indicates otherwise by notice to the residents of the local authority area.

Appointment of poundmaster

3. (1) The Council must appoint a poundmaster for each pound.

(2) The poundmaster is responsible for the administration and maintenance of the pound in accordance with these regulations.

Keeping of pound register

4. (1) The poundmaster must keep a pound register.
- (2) The poundmaster must record the following information in the pound register –
 - (a) the number of animals delivered for impoundment;
 - (b) the type of animal and its estimated age;
 - (c) the ear tag and brand registration information, if available;
 - (d) the distinguishing colours and marks the animal has;
 - (e) the physical condition of the animal;
 - (f) the address or the description of the property on which the animal is found;
 - (g) the name, address and contact details of the person who delivers the animal for impoundment;
 - (h) the name, address and contact details of the owner of the animal, if known;
 - (i) the date of impoundment of the animal by the poundmaster;
 - (j) the date of release of the animal by the poundmaster and the name, address and contact details of the person to whom the poundmaster releases the animal;
 - (k) in the case of an auction of an impounded animal, the name, address and contact details of the purchaser, and the purchase price paid;
 - (l) in the case of the death of an impounded animal, the date, cause of death and method of disposal of the carcass of that animal;
 - (m) expenses incurred by the Council in respect of an impounded animal;
 - (n) claims of damages filed in respect of an impounded animal;
 - (o) in the case where an impounded animal is claimed, the name, address and contact details of the claimant; and
 - (p) if damages claimed by the Council in terms of regulation 21(1) is paid in respect of an impounded animal, the date and amount of payment.
- (3) A person commits an offence if the person –
 - (a) knowingly makes a false entry in the pound register;
 - (b) intentionally destroys or erases an entry in the pound register; or
 - (c) intentionally alters, falsifies or incompletely reproduces a copy of or extract from the pound register to any person.
- (4) A person who commits an offence in terms of subregulation (3) is on conviction liable to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Capture and delivery of straying animals

5. (1) For the purpose of this regulation, “adequately fenced property” means –
- (a) property which is enclosed by a brick wall, boundary wall, corrugated iron, precast slab or mesh fence, of at least 2 metres high with gates that close properly; or
 - (b) property enclosed by a wire fence of at least 2 metres high to prevent an animal from straying, with gates that close properly.
- (2) A person who finds a straying animal on a public road or in a public place within the local authority area may capture that animal for the purpose of impoundment.
- (3) A person who captures a straying animal must deliver the animal to the nearest pound –
- (a) within 24 hours after capturing it; or
 - (b) on the next day if the pound is closed.
- (4) A person referred to in subregulation (3) must keep the animal on the property that is adequately fenced until it is delivered to the pound.
- (5) A person referred to in subregulation (3) may not –
- (a) keep an animal for the purpose of impounding for a period longer than six hours without providing that animal with –
 - (i) adequate food including grazing or fodder if the animal requires grazing or fodder; and
 - (ii) water;
 - (b) capture an animal unless it is for the purpose of impounding that animal in terms of these regulations;
- (6) A person who contravenes subregulation (5) commits an offence and is liable on conviction to a fine not exceeding N\$1 000 or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

Delivery fee

6. (1) The Council must pay a delivery fee to the person who delivers an animal for impoundment.
- (2) The poundmaster must record the payment of the delivery fee in the pound register.
- (3) The delivery fee referred to in subregulation (1) is payable only for delivering the animal to the pound.
- (4) The delivery fee referred to in subregulation (1) is only payable to an individual person who delivers an animal for impounding.
- (5) The Council may recover the delivery fee paid in terms of subregulation (1) from the owner of the animal, if the owner of the animal is known.

(6) If the owner of the animal is not known, the Council may recover the delivery fee paid in terms of subregulation (1) from the proceeds of the sale of that animal at an auction in terms of these regulations.

Care of impounded animals

7. (1) The poundmaster must take care of impounded animals and must ensure that each animal is at all times provided with adequate food and water, including grazing or fodder for animals that require it.

(2) The poundmaster or any person may not –

- (a) abuse, ill-treat or overwork an impounded animal;
 - (b) confine an impounded animal unnecessarily, except where isolation is required under Part 3;
 - (c) expose an impounded animal to poison or infectious agents without taking reasonable precautions; or
 - (d) cause unnecessary harm, suffering or distress to an impounded animal.
- (3) A person may not forcibly or otherwise release an impounded animal.

(4) The Council must, in terms of these regulations, recover from the owner of an impounded animal or from the proceeds of the sale of that animal at an auction the fee for dipping, inoculation, medical care or other treatment provided to the impounded animal in terms of these regulations.

(5) A person who contravenes subregulations (1), (2) or (3) commits an offence and on conviction is liable to a fine not exceeding N\$1 000 or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

Notice to owner

8. (1) The poundmaster must, within seven days after the impoundment of an animal, in terms of section 93 of the Act notify the owner of the animal, if the owner is known, that the animal has been impounded.

(2) The notice referred to in subregulation (1) must contain the following information –

- (a) the type of animal and its estimated age;
- (b) the ear tag and brand registration number;
- (c) the estimated value of the animal;
- (d) the fees that the owner may be liable for in respect of the impounded animal in terms of these regulations;
- (e) the amount payable for the release of the animal in terms of these regulations;
- (f) the date of impoundment of the animal by the poundmaster;
- (g) the name and address of the person by whom the animal was delivered to the pound; and

- (h) that the animal will be auctioned if it is not claimed by its owner within 30 days from the date of the notification referred to in subregulation (1).

(3) The poundmaster must, if the owner of an impounded animal is not known, within seven days after the impoundment of that animal, publish a notice on a public notice board of the Council, social media platform or local radio station within the local authority area, containing the following information –

- (a) the type of animal and its estimated age;
- (b) the ear tag and brand registration number;
- (c) the estimated value of the animal;
- (d) the fees that the owner may be liable for in respect of the impounded animal in terms of these regulations;
- (e) the amount payable for the release of the animal in terms of these regulations;
- (f) the date of impoundment of the animal by the poundmaster;
- (g) the name and address of the person by whom the animal was delivered to the pound; and
- (h) that the animal will be auctioned if it is not claimed by its owner within 30 days from the date of publication of the notice.

PART 3

SEPARATION AND ISOLATION OF IMPOUNDED ANIMALS

Separation of impounded animals

9. (1) A pound must be divided into separate enclosures to isolate animals which are –

- (a) of a different species;
- (b) infected with disease as referred to in regulation 10; or
- (c) vicious as referred to in regulation 11.

(2) The poundmaster must keep the following animals in a separate enclosure or isolate them from other animals in the pound –

- (a) uncastrated male horses over the age of two years;
- (b) uncastrated male bovines over the age of two years; and
- (c) male goats and male sheep over the age of six months.

Isolation of infected animals

10. (1) The poundmaster must –

- (a) if he or she has reasonable grounds to believe that an animal delivered to the pound is infected with a disease; or

- (b) if an impounded animal is or becomes infected with a disease –

isolate that animal in a separate enclosure and notify the Council in writing.

- (2) The Council must upon receiving a notice in terms of subregulation (1) –
 - (a) cause an investigation to be conducted into the condition of that animal;
 - (b) instruct the poundmaster as it considers appropriate regarding that animal; or
 - (c) where necessary, authorise the poundmaster to request a state veterinarian to examine that animal; and
 - (d) based on the advice or recommendations of the state veterinarian, instruct the poundmaster as the Council considers appropriate.

(3) The poundmaster must comply with the directions given by the Council in terms of subregulation (2).

(4) The Council must recover fees incurred by the Council in respect of the services of a state veterinarian or in connection with treatment given to an impounded animal from –

- (a) the owner of the animal, if the owner is known; or
- (b) the proceeds of the sale of that animal at an auction in terms of these regulations.

Isolation of vicious animals

- 11.** (1) The poundmaster must –
- (a) if an animal delivered to the pound for impoundment in terms of these regulations is vicious; or
 - (b) if an impounded animal is vicious and its impoundment poses a danger to another animal in the pound or a person –

isolate that animal in a separate enclosure and notify the Council in writing.

(2) The Council may upon receiving notice in terms of subregulation (1) instruct the poundmaster to –

- (a) continue to isolate that animal in a separate enclosure; or
- (b) comply with such instructions as the Council considers appropriate.

(3) The poundmaster must comply with the instructions given by the Council in terms of subregulation (2).

Dealing with injured animals

- 12.** The poundmaster must, if an animal delivered for impounding is injured –
- (a) record the injury and the cause of injury, if known, with the description of the animal in the pound register;

- (b) depending on the gravity of the injury, isolate that animal in a separate enclosure;
- (c) notify the owner of that animal, if the owner is known;
- (d) notify the Council in writing; and
- (e) deal with the animal in such a manner as the Council instructs.

Dealing with dead animals

- 13.** The poundmaster must, if an impounded animal dies –
- (a) record the death and cause of death, if known, with the description of the animal in the pound register;
 - (b) isolate the carcass of that animal in a separate enclosure;
 - (c) notify the owner of that animal, if the owner is known;
 - (d) notify the Council in writing; and
 - (e) dispose of the carcass in a manner as the Council instructs.

PART 4 SALE BY AUCTION

Sale by auction of unclaimed impounded animals

14. The poundmaster must cause that an auction be held to sell an impounded animal which has not been claimed for release within 30 days from the date on which –

- (a) the owner was notified in terms of regulation 8(1), if the owner is known; or
- (b) the notice was published in terms of regulation 8(3), if the owner is not known.

Notice of intention to sell by auction

15. (1) The poundmaster must, after expiry of the 30 day period referred to in regulation 14, publish a notice of the intended auction of the impounded animal on a public notice board of the Council, a social media platform or a local radio station within the local authority area.

- (2) The notice referred to in subregulation (1), must include –
- (a) the place, the date and time of the auction;
 - (b) the description of the animals to be auctioned;
 - (c) the number of animals to be auctioned;
 - (d) the date on which the animal was impounded; and
 - (e) the name and address of the person who delivered the animal for impoundment.

(3) The poundmaster must give notice of the intended auction not less seven days before the date of the auction by affixing a notice in a clearly visible place on the notice board at –

- (a) the office of the Council;
- (b) the pound; and
- (c) the place where the auction will take place.

(4) The date of the auction may not be less than seven days after publication of the notice referred to in subregulation (3).

(5) The notice referred to in subregulation (3) must include –

- (a) the place, the date and time of the auction;
- (b) the description of the animals to be sold;
- (c) the number of animals to be sold;
- (d) the date on which the animal was impounded; and
- (e) the name and address of the person who delivered the animal for impoundment.

Auction

16. The poundmaster must cause the auction referred to in regulation 14 to be held at a public place which is reasonably accessible to residents within the local authority area.

Conduct of auctioneer

17. (1) The Council must cause that an auctioneer conduct the auction of animals in terms of these regulations.

(2) At an auction of impounded animals held in terms of these regulations all animals must be sold individually, except –

- (a) the offspring of an animal which is still dependent on that animal for its food must be sold together with that animal;
- (b) sheep or goats may be sold together in lots of not more than 10.

(3) The poundmaster may not, whether personally or through an agent, purchase an impounded animal which is being sold in terms of these regulations.

(4) A poundmaster who contravenes subregulation (3) 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 such fine and such imprisonment.

Apportionment of proceeds of sale

18. (1) The proceeds from the sale of an impounded animal at auction in terms of these regulations must be apportioned in the following order –

- (a) to the payment of expenses incurred in connection with the impoundment, keeping, feeding, care and sale of that animal in terms of these regulations, including –
 - (i) a commission of five percent on the gross proceeds of the sale, payable to Council; and
 - (ii) any other fees due to the Council in terms of these regulations,
- (b) to the settlement of a claim of damages if any is instituted by the Council in terms of regulation 21.

(2) If there are competing claims, the surplus remaining after the payments under subregulation (1) are made, must be distributed pro-rata among the claimants.

(3) Any surplus that remains after the payments referred to in this regulation must be deposited in the Council's bank account.

Claim of proceeds

19. (1) The Council must, subject to subregulation (2), pay the surplus of the proceeds referred to in regulation 18(3) to a person who makes a claim to that surplus within six months after the sale of an animal at an auction in terms of these regulations.

(2) Before paying the surplus referred to in subregulation (1), the Council must be satisfied that the person making the claim is the owner of the animal that was sold or is lawfully entitled to that animal.

Ownership of sold animals

20. Ownership of an animal which is sold in terms of these regulations passes to the purchaser.

PART 5

DAMAGES AND RELEASE OF IMPOUNDED ANIMAL

Right to claim damages

21. (1) The Council may claim damages from the owner of an impounded animal for any loss or damage to Council property caused by that animal.

(2) The owner of the impounded animal that caused the damage referred to in subregulation (1) is liable to pay the damages to the Council.

(3) If the owner of the impounded animal is not known and cannot be traced, damages referred to in this regulation must be paid from the proceeds of the sale of that animal at an auction in terms of these regulations.

Council claiming damages

22. If the Council wishes to claim damages under regulation 21(1), the poundmaster and two staff members of the Council designated by the Council must inspect the property and determine the value of the damages.

Conditions for release of animal

- 23.** The poundmaster may not release an impounded animal unless –
- (a) the fees payable in terms of these regulations are paid;
 - (b) damages, if any, are paid in terms of regulation 21; and
 - (c) proof of the payment of the damages referred to in paragraph (b) is shown to poundmaster.

Conditions for release of animal where claim of damages is disputed

24. The poundmaster may release an impounded animal, despite a dispute over a claim for damages made under regulation 21, if other fees in terms of these regulations have been paid.

Proof of ownership

25. (1) Before releasing an impounded animal the poundmaster must require the person claiming the release of that animal to provide, to the satisfaction of the poundmaster –

- (a) proof by sworn declaration; or
- (b) a document that identifies that animal;

that the person claiming the release of that animal is the owner of that animal or has been authorised by the owner of that animal to claim its release.

(2) The poundmaster must record the information provided under subregulation (1) in the pound register.
