

Republic of Namibia

Annotated Statutes

**REGULATIONS** 

#### REGULATIONS SURVIVING IN TERMS OF

## Police Act 19 of 1990

section 45(2)

# Regulations made under the Police Act, 1958 (Act 7 of 1958); Decorations and Medals

Government Notice AG 155 of 1981 (OG 4558)

came into force on date of publication: 4 December 1981

These regulations were originally made in terms of section 33 of the Police Act 7 of 1958, which was repealed by the Police Act 19 of 1990. Pursuant to section 45(2) of the Police Act 19 of 1990, the regulations are deemed to have been made under that Act.

## as amended by

Government Notice AG 44 of 1986 (OG 5181)

came into force on date of publication: 15 March 1986

Government Notice AG 45 of 1986 (OG 5181)

came into force on date of publication: 15 March 1986

### ARRANGEMENT OF REGULATIONS

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## ANNEXURE

## DESIGN OF DECORATIONS AND MEDALS, AND RIBBONS, BARS AND CLASPS IN CONNECTION THEREWITH

### Design of decorations and medals, and ribbons, bars and clasps in connection therewith

1. The decorations and medals, and the ribbons, bars and clasps in connection therewith, shall be in the form set out in the Annexure.

### Award of decorations and medals, and ribbons in connection therewith

- 2. (1) The decorations and medals, and the ribbons in connection therewith, which have been instituted under the Police Act, 1958, shall be awarded by the Administrator-General on the recommendation of the Commissioner of the South West African Police (hereinafter referred to as the Commissioner), and may, subject to the provisions of regulation 10, be so declared forfeited.
- (2) The Administrator-General may award to any person who is or has been a member of the South West African Police (hereinafter referred to as the Force) -
  - (a) the "South West African Police Star for Outstanding Service" if any such person in his opinion -
    - (i) has, in the performance of his functions or in his capacity as such a member, and while he acted in the protection or rescue of property or lives or attempted to do so, displayed particular bravery or exceptional ingenuity, skill or perseverance; or
    - (ii) has distinguished himself as such a member in that he displayed exceptional resourcefulness, leadership or sense of responsibility and personal example in any division or branch of the Force;
  - (b) the "South West African Police Star for Distinguished Service" if any such person in his opinion has, in the performance of his functions, performed services of a particulary distinguished or exemplary nature;

## [Subregulation (b) is substituted by GN AG 45/1986. The word "particularly" is misspelt in the *Official Gazette* as reproduced above.]

- (bA) the "South West African Police Star for Merit" if any such person in his opinion -
  - (i) has, in the performance of his functions, performed services of a particularly meritorious nature; or

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(ii) has displayed an irreproachable character and exemplary conduct for a period of service of not less than thirty years, which need not necessarily be continous as a member of the Force or, in the case of such a member who was a member of the South African Police before his appointment, for a period of service which tother with a period of service as a member of the South African Police amounts to at least thirty years;

## [Paragraph (bA) is inserted by GN AG 45/1986. The words "continuous" and "together" are misspelt in the *Official Gazette*, as reproduced above.]

- (c) the "South West African Police Star for Faithful Service" if any such person in his opinion has displayed an irreproachable character and exemplary conduct for a period of service of not less than twenty years, which need not necessarily be continuous, as a member of the Force or, in the case of such a member who was a member of the South African Police before his appointment, for a period of service which together with a period of service as member of the South African Police amounts to at least twenty years;
- (d) the "South West African Police Medal for Faithful Service" if any such person in his opinion has displayed an irreproachable character and exemplary conduct for a period of service of not less than ten years, which need not necessarily be continuous, as a member of the Force or, in the case of such a member who was a member of the South African Police before his appointment, for a period of service which together with a period of service as member of the South African Police amounts to at least ten years;
- (e) the "Medal for Establishment of the South West African Police" if any such person has served in the Force on the first day of April 1981.

#### Award of bars in connection with decorations and medals

- 3. (1) The bars which have been instituted under the Police Act, 1958, shall be awarded by the Administrator-General on the recommendation of the Commissioner, and may, subject to the provisions of regulation 10, be so declared forfeited.
- (2) A bar may be awarded to any person who is or has been a member of the Force and to whom-
  - (a) the "South West African Police Star for Outstanding Service" has been awarded and who subsequent to such award and while still serving as a member of the Force, has again in the opinion of the Administrator-General, distinguished himself in a manner referred to in regulation 2(2)(a);
  - (b) the "South West African Police Star for Distinguished Service" has been awarded and who subsequent to such award and while still serving as a member of the Force, has again in the opinion of the Administrator-General, distinguished himself in a manner referred to in regulation 2(2)(b);

## [subregulation (b) amended by GN AG 45/1986]

(bA) the "South West African Police Star for Merit" has been awarded and who subsequent to such award and while still serving as a member of the Force has

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again in the opinion of the Administrator-General, distinguished himself in a manner referred to in regulation 2(2)(bA); or

#### [subregulation (bA) inserted by GN AG 45/1986]

- (c) the "South West African Police Star for Faithful Service" has been awarded and who subsequent to such award and while still serving as a member of the Force, has again distinguished himself in that he displayed in the opinion of the Administrator-General, and irreproachable character and exemplary conduct for a further period of twenty years, which need not necessarily be continuous.
- (3) In respect of every additional distinction referred to in paragraphs (a), (b) and (bA) of subregulation (2) an additional bar may so be awarded.

#### [subregulation (3) amended by GN AG 45/1986]

### Award of decorations, medals and bars posthumously

**4.** All the decorations and medals referred to in regulation 2, as well as the bars referred to in regulation 3 may be awarded posthumously.

#### **Issue of clasps**

5. Together with each bar which is awarded under regulation 3, a clasp relating thereto shall be issued.

#### Certificate of award

**6.** A certificate of award in the form determined by the Administrator-General and signed by the Administrator-General, shall be issued in respect of every decoration, medal or bar which is awarded.

## Presentation of decorations, medals and bars

- 7. A decoration, medal or bar and a certificate of award in respect thereof, shall, unless the Commissioner directs otherwise, be presented -
  - (a) to the person to whom it has been awarded or, in the case of a posthumous award, to a next-of-kin, other relative or legal heir of such a person designated by the Commissioner; and
  - (b) on parade or at a special gathering convened by the Commissioner or a person acting under his authority.

## Publication in relation to award of decorations, medals and bars and keeping of registers in connection therewith

**8.** The name of the person to whom a decoration, medal or bar has been awarded, shall be published in the South West African Police Force Orders and shall, together with such particulars as the Commissioner may deem expedient, be recorded in a register kept in his office.

### Use of decorations, medals, bars, clasps and ribbons

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- **9.** (1) The order of precedence of the decorations and medals instituted under the Police Act, 1958, shall be as follows -
  - (a) The "South West African Police Star for Outstanding Service";
  - (b) The "South West African Police Star for Distinguished Service";
  - (bA) The "South West African Police Star of Merit";

## [subregulation (bA) inserted by GN AG 44/1986]

- (c) The "South West African Police Star for Faithful Service";
- (d) The "South West African Police Medal for Faithful Service"; and
- (e) The "Medal for the Establishment of the South West African Police".
- (2) The award of the afore-mentioned decorations and medals, as well as the bars referred to in regulation 3, shall not entitle the recipient to any individual precedence, but shall entitle the recipient of -
  - (a) the "South West African Police Star for Outstanding Service" to add the letters "S.O.E.", an abbreviation of "Stella Officii Egrigii", after his name; and
  - (b) The "South West African Police Star for Distinguished Service" to add the letters "S.O.O.", an abbreviation of "Stella Officii Optimi", after his name.

#### [subregulation (b) substituted by GN AG 44/1986]

- (3) The decorations, medals, bars, clasps and ribbons instituted under the Police Act, 1958, shall be used as follows-
  - (a) The "South West African Police Star for Outstanding Service" shall be worn around the neck by the chain from which it is suspended;

## [subregulation (a) substituted by GN AG 44/1986]

(b) the "South West African Police Star for Distinguished Service", the "South West African Police Star for Merit", the "South West African Police Star for Faithful Service", the "South West African Police Medal for Faithful Service" and the "Medal for the Establishment of the South West African Police", shall be worn on the left breast and a bar which has been awarded in respect of the "South West African Police Star for Distinguished Service", the "South West African Police Star for Fiathful Service", shall be affixed to the ribbon from which such decoration is suspended.

[Paragraph (b) substituted by GN AG 44/1986. The word "of" in the phrase "Medal for the Establishment of the South West African Police" is duplicated in the *Official Gazette*, as reproduced above. The word "Faithful" in its last appearance in paragraph (b) is misspelt in the *Official Gazette*, as reproduced above.]

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- (4) When the decorations or medals mentioned in subregulation (3) are not worn, only the ribbon relating thereto shall be worn, and in such case the clasp issued with the bar, shall be affixed to the ribbon as an indication of the award of such bar.
- (5) The occasions at which and the circumstances under which decorations, medals and bars, as well as miniature reproductions thereof, may be worn, shall be published from time to time in the South West African Police Force Orders.
- (6) Except in the case of a posthumous award, the Commissioner may require any person to whom the decoration, medal or bar has been awarded, to give an undertaking that he will not, at any time, give away, throw away, sell, pledge, barter or in any way other than by bequest, alienate such decoration, medal, bar, clasp or certificate of award in respect thereof.

#### Forfeiture of decoration or medal

- **10.** (1) A decoration or medal may be declared forfeited if the person to whom it has been awarded-
  - (a) deserts from the Force or is dismissed or discharged therefrom on account of misconduct; or
  - (b) is found guilty of treason, *crimen laesae majestatis*, sedition or any other offence, either in terms of the common law or any statute, calculated to endanger the safety of the territory of South West Africa; or
  - (c) is found guilty of any other offence which in the opinion of the Administrator-General is of a dishonest or disgraceful nature.
- (2) The forfeiture of a decoration or medal in terms of subregulation (1) shall have the effect that any bar or clasp in respect thereof, as well as the certificate of award, is also forfeited.
- (3) A decoration or medal, as well as any bar, clasp and certificate of award in respect thereof, shall, upon forfeiture, forthwith be returned to the Commissioner.
- (4) The provisions of regulation 8 shall *mutatis mutandis* apply in respect of the forfeiture and restoration of a decoration, medal or bar.

#### Restoration of forfeited decoration, medal or bar

11. A decoration, medal or bar which has been declared forfeited under regulation 10, may be restored by the Administrator-General on the recommendation of the Commissioner.

## Theft, loss, destruction of, or damage to, decorations, medals, bars, clasps and certificates of award

- **12.** (1) The theft, loss, destruction of, or damage to, a decoration, medal, bar, clasp or certificate of award, shall forthwith be reported to the Commissioner.
- (2) The Commissioner may authorise that a decoration, medal, bar or clasp, as well as the ribbon in respect thereof, which has been stolen, lost, destroyed or irreparably damaged be replaced at the expense of the recipient: Provided that such replacement may be authorised at the expense of the State if the Commissioner, after due investigation, is satisfied on sworn

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information that such theft, loss, destruction or damage has not been due to the negligence or carelessness of the recipient.

### Reproductions in miniature of decorations and medals

- 13. (1) A reproduction of the decoration or medal provided for in these regulations, in miniature, half the size of the decoration or medal concerned, may be worn at occasions published in the South West African Police Force Orders.
- (2) A miniature reproduction of a decoration, medal, bar or clasp shall be issued only at the expense of the recipient concerned.

#### **ANNEXURE**

#### [Annexure amended by GN AG 44/1986]

## DESIGN OF DECORATIONS AND MEDALS, AND RIBBONS, BARS AND CLASPS IN CONNECTION THEREWITH

## A. DECORATIONS AND RIBBONS, BARS AND CLAPS IN CONNECTION THEREWITH

- 1. (a) The "South West African Police Star for Outstanding Service" shall be in the shape of a Maltese cross in red enamel, defined with a gilded edge. The centre of the cross shall be decorated with an image in relief, of the "Franke Fort" on a circular gilded background. This design encircled with a wreath of gilded *aloe dechotoma* leaves shall be mounted on the cross. The size of the cross shall he such as to permit the points of the star to be enclosed by a circle with a diameter of 40 millimetres. The reverse shall bear, in relief, the design of the official badge of the South West African Police with the words "STELLA OFFICII EGREGII", as circumscription.
- (b) The decoration shall be suspended from a golden chain of which the links are charged with red enamel and the official badge of the South West African Police in gold and the said chain shall be attached to the decoration by means of a gilded chain link.

## [paragraph (b) substituted by GN AG 44/1986]

(bA) The ribbon relating to the decoration is of silk divided in vertical stripes of white, red, gold, red, white, in that sequence and 4, 12, 4, 12 and 4 millimetres, respectively, wide.

### [paragraph (bA) inserted by GN AG 44/1986]

- (c) The bar shall be gilded, 36 millimetre long and 6,25 millimetres wide, embossed in the centre with a four-pointed star.
- (d) The clasp shall be gilded and in the shape of a four-pointed star.
- 2. (a) The "South West African Police Star for Distinguished Service" shall consist of a circular gilded decoration with a diameter of 37,5 millimetres. Within the circle shall appear a twenty-two pointed star, gilded and set in blue enamel. The obverse

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side shall be decorated with a relief design of the "Ouden Bogenfels" encircled by a wreath of *aloe dicholoma* leaves. The reverse shall bear, in relief, the design of the official badge of the South West African Police with the words "STELLA OFFICII OPTIMI", as circumscription.

- (b) The decoration shall be suspended from a silk ribbon divided in vertical stripes of blue, white, blue, gold, blue, white, blue, in that sequence and 6.5, 4, 6.5, 2, 6.5, 4 and 6.5 millimetres, respectively, wide. The silk ribbon shall be attached to the decoration by means of a gilded chain link.
- (c) The bar shall be gilded, 36 millimetres long and 6,25 millimetres wide, embossed in the centre with a twenty-two pointed star.
- (d) The clasp shall be gilded and in the shape of a twenty-two pointed star.

[In the Official Gazette, this paragraph is mistakenly labelled as paragraph (4) instead of paragraph (d); it has been corrected here for ease of reference.]

- 2A. (a) The "South West African Police Star for Merit" shall be gilded and in the shape of an eight-pointed star with a diameter of 58 millimetres. The centre of the star shall be decorated with an image in relief of the "Reiter Denkmal" on a circular gilded background, defined with a star shaped motif in red and blue enamel. The reverse shall bear, in relief, the design of the official badge of the South West African Police.
  - (b) The decoration shall be suspended from a silk ribbon divided in vertical stripes of red, silver, red, in that sequence and 15, 2 and 15 millimetres, respectively, wide, and the silk ribbon shall be attached to the decoration by means of a gilded wingshape stirrup.
  - (c) The bar shall be gilded, 36 millimetres long and 6,25 millimetres wide, embossed in the centre thereof with an eight-pointed star.
  - (d) The clasp shall be gilded and in the shape of an eight-pointed star.

#### [paragraph 2A inserted by GN 44/1986]

3. On the reverse of the afore-mentioned decorations and bars in connection therewith shall be stamped the Force number, rank and name of the person to whom it has been awarded.

## B. MEDALS AND RIBBONS, BARS AND CLASPS IN CONNECTION THEREWITH

- 1. (a) The "South West African Police Star for Faithful Service" shall be silvered and defined by a stylised Welwitschia.
  - The inside of the medal shall bear, in relief, a Welwitschia in the foreground against a background of sand dunes bordered by sunbeams, diagonally cut to meet the sand dunes in the background. The medal shall be 37,5 millimetres in diameter and 50 millimetres long. The reverse shall bear, in relief, the design of the official badge of the South West African Police.
  - (b) The medal shall be suspended from a silk ribbon divided in vertical stripes of green, silver, orange, silver, green, silver, orange, silver, green, in that sequence

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- and 5, 3, 3, 3, 8, 3, 3 and 5 millimetres, respectively, wide. The silk ribbon shall be attached to the medal by means of a silver stirrup with a circular attachment.
- (c) The bar shall be silvered, 36 millimetres long and 6,25 millimetres wide, embossed in the centre with a Welwitschia plant.
- (d) The clasp shall be silvered and in the shape of a Welwitschia plant.
- 2. (a) The "South West African Police Medal for Faithful Service" shall be of bronze, circular, with a diameter of 37,5 millimetres. Within the circle shall appear the relief of a Welwitschia in the foreground against sand dunes in the background bordered by sunbeams, diagonally cut to meet the sand dunes in the background. The reverse shall bear, in relief, the design of the official badge of the South West African Police.
  - (b) The medal shall be suspended from a silk ribbon divided in vertical stripes of brown, green, brown, green, brown, green, brown, in that sequence and 3.5, 3.5, 3.5, 3.5, 3.5, 3.5, 3.5, 3.5 and 3.5 millimetres, respectively wide. The silk ribbon shall be attached to the medal by means of a bronze stirrup with a circular attachment.
- 3. (a) The "Medal for the Establishment of the South West African Police" shall be in the form of a circular gilded star, 44 millimetres in diameter with eleven pillars of thirty-three stylised beams divided into equal quantities. The obverse shall be charged with a circle in blue enamel with eleven stylised aloes in green and red. The centrepiece shall consist of an image, in relief, of the needle rock with sunbeams, diagonally emerging from behind the rock to meet the circle. The reverse shall bear, in relief, the design of the official badge of the South West African Police.
  - (b) The medal shall be suspended from a silk ribbon divided in vertical stripes of orange, blue, orange, blue, orange, in that sequence and 7, 5, 12, 5 and 7 millimetres, respectively, wide. The silk ribbon shall be attached to the medal by means of a gilded stirrup.
- 4. On the reverse of the afore-mentioned medals and bars in connection therewith shall be stamped the Force number, rank and name of the person to whom it has been awarded.