

JUDGES

Judges' Remuneration Act 18 of 1990

Summary: This Act ([GG 107](#)) covers remuneration, additional service benefits and motor vehicles for judges.

Amendments: Act 24/1994 ([GG 966](#)) amends sections 2 and 3.

Amendments to the Schedules appended to the Act are as follows:

- Proc. 12/1994 ([GG 848](#)) amends the First Schedule to the Act.
- Act 24/1994 ([GG 966](#)) repeals Proc. 12/1994, substitutes the First Schedule, adds a new Second Schedule, and makes the original Second Schedule into the Third Schedule (laws repealed by the principal Act).
- Proc. 2/1999 ([GG 2022](#)) amends the new Second Schedule.
- Proc. 14/2003 ([GG 2974](#)) substitutes the Second Schedule.
- Proc. 11/2007 ([GG 3869](#)) substitutes the Second Schedule.
- Proc. 10/2012 ([GG 4941](#)) substitutes the Second Schedule.
- Proc. 6/2014 ([GG 5451](#)) substitutes the Second Schedule.
- Proc. 5/2015 ([GG 5689](#)) substitutes the Second Schedule.
- Proc. 45/2015 ([GG 5914](#)) substitutes the Second Schedule.
- Proc. 10/2018 ([GG 6584](#)) substitutes the Second Schedule.

Regulations: Regulations relating to Conditions of Service of Judges are contained in Proc. 28/2015 ([GG 5834](#)). (This Proclamation repeals the regulations in GN 107/2003 ([GG 2986](#)), as amended by GN 33/2005 ([GG 3410](#)), Proc. 5/2014 ([GG 5451](#)) and Proc. 4/2015 ([GG 5689](#)).) Regulations 5(7)(d), 5(8)(d), 10 and 13 are applied with the necessary changes to the Ombudsman with effect from 23 September 2015 by Proc. 45/2019 ([GG 7049](#)).

Regulations were previously promulgated in GN 76/1990 ([GG 108](#)), as amended by GN 65/1994 ([GG 848](#)) and GN 1/1999 ([GG 2022](#)). GN 107/2003 repealed GN 76/1990 and GN 65/1994, but not GN 1/1999. However, GN 1/1999 would appear to have no relevance on its own despite remaining technically in force.

Judicial Service Commission Act 18 of 1995

Summary: This Act ([GG 1195](#)) governs the operation of the Judicial Service Commission established by Article 85 of the Constitution. It was brought into force on 20 November 1995 by GN 220/1995 ([GG 1197](#)).

Appointments: See Proc. 1/1990 ([GG 1](#)), GN 96/2002 ([GG 2759](#)), Proc. 7/2009 ([GG 4251](#)) and Proc. 15/2021 ([GG 7482](#)).

Regulations: The Judicial Service Commission issued regulations in terms of Article 85(3) of the Constitution in GN 60/2011 ([GG 4674](#)).

Cases: *S v Zemburuka (2)* 2003 NR 200 (HC).

Judiciary Act 11 of 2015

Summary: This Act ([GG 5902](#)) provides for administrative and financial independence of the Office of the Judiciary. It was brought into force on 1 December 2015 by GN 313/2015 ([GG 5914](#)).

Regulations: Regulations are authorised by section 17 of the Act, but none have yet been promulgated.

APPOINTMENTS OF JUDGES AND ACTING JUDGES

Chief Justice, Judge President, Judge of High Court, Proc. 31/1991

Judges of High Court, Proc. 17/1992

Judge of High Court, Proc. 26/1994

Chief Justice of Supreme Court, Judge of High Court, and Acting Judge of High Court, Proc. 1/1999 ([GG 2022](#))

Note: There are two Proclamations numbered “Proc. 1/1999” in the 1999 government gazettes – one in [GG 2022](#) and one in [GG 2032](#). The one referred to here appears in [GG 2022](#).

Judges of High Court, Judge President of High Court, Judge of Supreme Court, Proc. 22/2003 ([GG 3034](#))

Acting Judges of Supreme Court and High Court, Proc. 30/2003 ([GG 3092](#))

Acting Judge of High Court, Proc. 3/2004 ([GG 3128](#))

Acting Judges of High Court, Proc. 4/2004 ([GG 3133](#))

Acting Judges of High Court, Proc. 35/2004 ([GG 3207](#))

Acting Judges of High Court, Proc. 36/2004 ([GG 3207](#))

Acting Chief Justice of Supreme Court, Judges of High Court, Proc. 41/2004 ([GG 3259](#))

Acting Judges of High Court, Proc. 49/2004 ([GG 3304](#))

Acting Chief Justice of Supreme Court, Acting Judges of High Court, Proc. 55/2004 ([GG 3319](#))

Chief Justice of Supreme Court, Judge President of High Court, Proc. 56/2004 ([GG 3322](#))

Acting Judges of High Court, Proc. 58/2004 ([GG 3336](#))

Acting Judge of High Court, Proc. 59/2004 ([GG 3336](#))

Acting Judges of High Court, Proc. 2/2005 ([GG 3410](#))

Acting Judges of High Court, Proc. 16/2005 ([GG 3532](#))

Acting Judges of High Court and Judge of Supreme Court, Proc. 20/2005 ([GG 3562](#))

Acting Judges of High Court, Proc. 2/2006 ([GG 3603](#))

Acting Judges of High Court, Proc. 6/2006 ([GG 3632](#))

Acting Judge of High Court, Proc. 7/2006 ([GG 3647](#))

Acting Judge of High Court, Proc. 8/2006 ([GG 3679](#))

Acting Judges of High Court, Proc. 11/2006 ([GG 3715](#))

Judge of High Court, Proc. 14/2006 ([GG 3746](#))

Acting Judges of High Court, Proc. 9/2007 ([GG 3826](#))

Acting Judges of High Court, Proc. 12/2007 ([GG 3877](#))

Acting Judges of Supreme Court and High Court, Proc. 14/2007 ([GG 3912](#))

Acting Judge of High Court, Proc. 15/2007 ([GG 3928](#))

Acting Judge of High Court, Proc. 18/2007 ([GG 3928](#))

Acting Judges of High Court, Proc. 11/2008 ([GG 4005](#))

Acting Judge of High Court, Proc. 20/2008 ([GG 4066](#))

Judge of High Court, Proc. 21/2008 ([GG 4066](#))

Acting Judges of Supreme Court, Proc. 25/2008 ([GG 4085](#))

Acting Judge of High Court, Proc. 30/2008 ([GG 4101](#))

Acting Judges of High Court, Proc. 36/2008 ([GG 4129](#))

Acting Judges of Supreme Court, Proc. 37/2008 ([GG 4153](#))

Acting Judges of Supreme Court and High Court, Proc. 38/2008 ([GG 4156](#))

Acting Judges of Supreme Court and High Court, Proc. 4/2009 ([GG 4225](#))

Acting Judges of High Court, Proc. 8/2009 ([GG 4260](#))

Acting Judges of Supreme Court and High Court, Proc. 16/2009 ([GG 4371](#))
Acting Judges of High Court, Proc. 17/2009 ([GG 4371](#))
Judges of High Court, and Acting Judges of Supreme Court and High Court, Proc. 20/2009 ([GG 4391](#))
Judges and Acting Judges of High Court and Supreme Court, Proc. 7/2010 ([GG 4440](#))
Acting Judge President, Proc. 11/2010 ([GG 4514](#))
Acting Judges of High Court, Proc. 12/2010 ([GG 4514](#))
Acting Judges of High Court, Proc. 15/2010 ([GG 4561](#))
Acting Judges of Supreme Court and High Court, Proc. 2/2011 ([GG 4640](#))
Acting Judges of High Court, Proc. 6/2011 ([GG 4688](#))
Acting Judges of High Court, Proc. 13/2011 ([GG 4787](#))
Ad Hoc Judge of Supreme Court, Acting Judges of High Court, Proc. 15/2011 ([GG 4792](#))
Acting Judge of High Court, Proc. 7/2012 ([GG 4891](#))
Acting Judge of High Court, Proc. 8/2012 ([GG 4915](#))
Judge of High Court, Proc. 9/2012 ([GG 4941](#))
Acting Judge of High Court, Proc. 12/2012 ([GG 4958](#))
Acting Judge of High Court, Proc. 21/2012 ([GG 5015](#))
Acting Judge of High Court, Proc. 27/2012 ([GG 5069](#))
Acting Judge of High Court, Proc. 28/2012 ([GG 5076](#))
Acting Judges of High Court, Ad Hoc Judges of Supreme Court, Proc. 2/2013 ([GG 5519](#))
Acting Judges of High Court, Proc. 6/2013 ([GG 5143](#))
Ad Hoc Judges of Supreme Court, Proc. 15/2013 ([GG 5188](#))
Acting Judges of High Court, Proc. 17/2013 ([GG 5188](#))
Judge of High Court, Proc. 30/2013 ([GG 5284](#))
Ad Hoc Judges of Supreme Court, Proc. 33/2013 ([GG 5328](#))
Acting Judge of High Court, Proc. 2/2014 ([GG 5397](#))
Ad Hoc Judges of Supreme Court, Proc. 3/2014 ([GG 5397](#))
Acting Judge of High Court, Proc. 29/2014 ([GG 5567](#))
Judge of High Court, Proc. 30/2014 ([GG 5567](#)).
Acting Judge of High Court, Proc. 1/2015 ([GG 5660](#))
Judge of Supreme Court and Acting Judges of Supreme Court and High Court, Proc. 10/2015 ([GG 5711](#))
Acting Judge of High Court, Proc. 19/2015 ([GG 5751](#))
Acting Judges of High Court, Proc. 39/2015 ([GG 5892](#))
Ad Hoc Judges of Supreme Court, Proc. 40/2015 ([GG 5892](#))
Acting Judge of High Court, Proc. 42/2015 ([GG 5914](#))
Deputy Judge-President of High Court, Proc. 43/2015 ([GG 5914](#))
Judge of High Court, Proc. 44/2015 ([GG 5914](#))
Judge of High Court, Proc. 46/2015 ([GG 5914](#))
Acting Judge of High Court, Proc. 1/2016 ([GG 5986](#))
Judge of Supreme Court, Proc. 3/2016 ([GG 6024](#))
Acting Judges of High Court, Proc. 6/2016 ([GG 6164](#))
Acting Judges of High Court, Proc. 3/2017 ([GG 6238](#))
Acting Judges of High Court, Proc. 5/2017 ([GG 6285](#))
Acting Judge of High Court, Proc. 12/2017 ([GG 6346](#))
Acting Judges of High Court, Proc. 23/2017 ([GG 6426](#))
Acting Judge of High Court, Proc. 25/2017 ([GG 6482](#))
Acting Judge of High Court, Proc. 16/2019 ([GG 6920](#))
Extension of Retiring Ages of Judges of Supreme Court, Proc. 17/2019 ([GG 6920](#))
Acting Judges of High Court, Proc. 26/2019 ([GG 6952](#))
Acting Judges of High Court, Proc. 27/2019 ([GG 6965](#))
Judge of High Court, Proc. 30/2019 ([GG 6973](#))
Acting Judges of High Court, Proc. 63/2019 ([GG 7077](#))
Acting Judge of Supreme Court, Proc. 64/2019 ([GG 7077](#))
Acting Judge of High Court, Proc. 12/2020 ([GG 7178](#))

Acting Judges of High Court, Proc. 35/2020 ([GG 7271](#))
Extension of Retiring Ages of Judges of High Court, Proc. 41/2020 ([GG 7290](#)).

COMMENTARY

Peter Von Doepp, “Politics and Judicial Decision Making in Namibia: Separate or Connected Realms?”, Institute for Public Policy Research, 2006, available at www.ippr.org.na (analysis of 250 cases to test judicial independence)

Nico Horn & Anton Boesl, *The Independence of the Judiciary in Namibia*, Konrad Adenauer Stiftung, 2008, available at www.kas.de (reviewed by Yvonne Dauseb in *Namibia Law Journal*, Volume 1, Issue 1, 2009, available at www.kas.de)

Ndjodi ML Ndeunyema, “Terminological Conundrums: how to refer to Judges of the Supreme Court of Namibia and related abbreviations”, *UNAM Law Review*, Volume 1, Issue 2, 2013, available at <http://unamlawreview.info>.

See also **COURTS**.

See also Medical Scheme for Members of the National Assembly, Judges and Other Office Bearers Act 23 of 1990 (**MEDICAL AID**).

See also Judges’ Pensions Act 13 of 2011 (**PENSIONS**).