

Namibia

Second Hand Goods Act, 1998

General Regulations, 1999

Government Notice 212 of 1999

Legislation as at 15 November 2017

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General Regulations, 1999

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Republic of Namibia
Annotated Statutes

Second Hand Goods Act, 1998

General Regulations, 1999

Government Notice 212 of 1999

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[Note: The version of this legislation as at 15 November 2017 was revised and consolidated by the Legal Assistance Centre and the Government of the Republic of Namibia. All subsequent amendments have been researched and applied by Laws.Africa for Namibia.]

1. Definitions

In these regulations, unless the context otherwise indicates, a word or an expression defined in the Act has a corresponding meaning, and-

“**certificate**” means the certificate issued in terms of section 4(3)(a) of the Act, authorizing a person to carry on a business as a dealer or pawnbroker; and

“**the Act**” means the Second Hand Goods Act, 1998 (Act [No. 23 of 1998](#)).

2. Application for certificate

- (1) A person who in terms of section 4(1) of the Act wishes to apply for a certificate shall complete Form Pol 92 set out in Annexure 1 to these regulations.
- (2) Where the application referred to in subregulation (1) is made by a corporate body or an institution, a person who has been authorized in writing by that body or institution to make the application shall complete Form Pol 92, and the application shall be accompanied by-
 - (a) documentary proof of registration of the body or institution, where applicable; and
 - (b) a copy of the document which authorizes the person who makes the application to represent the body or institution.

3. Issuing of certificate

The certificate shall be in Form Pol 93 set out in Annexure 1 to these regulations.

4. Amendment of certificate

A person who wishes to apply for an amendment of the certificate shall complete Form Pol 94 set out in Annexure 1 to these regulations, and submit it to the Regional Commander of the police region within which the applicant intends to carry on a business, or to the officer in charge of a police station in the area where the applicant intends to carry on a business.

5. Withdrawal of certificate

If the Inspector-General withdraws the certificate in terms of section 4(7) of the Act, he or she shall deliver by hand to the holder of the certificate or deliver by registered post at the address supplied in Form Pol 92 set out in Annexure 1 to these regulations, a written notice, which shall-

- (a) advise the holder of the certificate about the withdrawal and the reasons for such withdrawal; and
- (b) demand that the holder of the certificate surrender the certificate to a person who is named in the notice.

6. Duplicate certificate

A person who wishes to apply for a duplicate certificate shall complete Form Pol 95 set out in Annexure 1 to these regulations and submit it to the officer in charge of a police station in the area where the applicant carries on a business.

7. Renewal of certificate

A person who wishes to apply for a renewal of the certificate shall do so at least ninety days before the date of expiration of that certificate by completing Form Pol 96 set out in Annexure 1 to these regulations and submitting it to the Regional Commander of the police region within which the applicant carries on a business.

8. Fees

The fees payable for an application made or certificate issued in terms of the Act or these regulations are as set out in Annexure 2 to these regulations.

9. Offences and penalties

A person who contravenes or fails to comply with these regulations shall be guilty of an offence and shall on conviction be 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.

ANNEXURE 1 (Regulations 1 to 6)

FORMS

[Editorial note: The forms have not been reproduced.]

ANNEXURE 2 (Regulation 7)

FEES PAYABLE IN TERMS OF THE ACT AND REGULATIONS

(All fees payable in revenue stamps)

Purpose		Fee
1.	Application for certificate (section 4(3) of the Act)	N\$250,00
2.	Application for amendment of certificate (regulation 3)	N\$25,00
3.	Application for duplicate certificate (regulation 5)	N\$25,00
4.	Renewal of certificate (regulation 6)	N\$250,00