

Namibia

Namibian Broadcasting Act, 1991

## Namibian Broadcasting Corporation Regulations, 1993

Government Notice 118 of 1993

Legislation as at 15 November 2017

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Republic of Namibia  
**Annotated Statutes**

**Namibian Broadcasting Act, 1991**

**Namibian Broadcasting Corporation Regulations, 1993**  
**Government Notice 118 of 1993**

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**Commenced on 1 October 1993**

**[This is the version of this document at 15 November 2017.]**

**[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 NamibLII.]**

**1. Definitions**

In these regulations, unless the context indicates otherwise, any expression to which a meaning has been assigned in the Act, bears that meaning and “**the Act**” means the Namibian Broadcasting Act, 1991 ([Act 9 of 1991](#)).

**2. Television licence fees**

- (1) The types of television licences and the fees payable for such licences are as set out in the Annexure to these regulations.
- (2) Any person who applies for a television licence may be required to produce his or her identity document before a television licence is issued to him or her.
- (3) A television licence issued in terms of section 16(3)(a) of the Act, shall confer on the holder of such licence the right to use one television set or such number of television sets as are specified in the television licence at the address mentioned in the licence or any other address, provided notice in writing of such other address is given to the Corporation within one month of transfer of such television set or television sets to the other address.
- (4) The provisions of subregulation (3) shall not apply with respect to the temporary use of a portable television set at an address other than that specified in the television licence, provided such temporary use does not prolong for a period which exceeds thirty consecutive days at a time.

**3. Television licences for radio dealers**

- (1) Every radio dealer who in the course of his or her business hires out a television set shall whenever such television set is hired by a person provide such person with a photostat copy of the television

licence issued to such radio dealer in terms of section 16(3)(c) of the Act in respect of such television set.

- (2) Where a radio dealer in the course of his or her business makes any television set available to any person for demonstration purposes as contemplated in section 16(3)(c)(iii) of the Act such radio dealer shall at the time of delivery of the television set complete a document in duplicate specifying -
  - (a) the date of delivery of the television set to such person;
  - (b) the make and serial number of the television set;
  - (c) the name and address of the radio dealer;
  - (d) the number of the television licence issued to the radio dealer in terms of section 16(3)(c) of the Act; and
  - (e) the name and address of the person to whom such television set is delivered.
- (3) A radio dealer shall give one copy of the document referred to in subregulation (2) to the person concerned and retain the other copy in safekeeping.

#### **4. Presentation of television licences**

The holder of a television licence shall when applying for a television licence in respect of a year present such licence or a duplicate thereof or the renewal notice issued by the Corporation to such holder in respect of the previous licensing year.

#### **5. Transferability of television licences**

No television licence shall be transferable.

#### **6. Duplicates of television licence fees**

A duplicate of a television licence may be issued to the holder of a television licence upon his or her written application and against payment of N\$20,00.

[regulation 6 substituted by [General Notice 95/1999](#)]

#### **7. Applications and notices to the Corporation**

- (1) An application for the issue of a television licence or duplicate television licence or a notification to the Corporation as required by the Act or these regulations in regard to any matter relating to television licences shall be delivered to the Corporation or sent by post addressed to: Licence Section, NBC, Private Bag 14001, Bachbrecht.
- (2) Any application or notification referred to in subregulation (1) shall state the full name and address, and in the case of a natural person his or her identity number and where the person is the holder of a television licence the number and date of issue of such licence.

#### **8. Date of commencement**

These regulations shall come into operation on 1 October 1993.

## Annexure

### TELEVISION LICENCE FEES

Television licence fees are increased to N\$132/year by [General Notice 245/1995](#) (GG 1128), without amending the Annexure. It states:

“In accordance with Section 27(1)(a) of the Namibian Broadcasting Act, Act [No. 9 of 1991](#), the Minister of Information and Broadcasting wishes to introduce new regulations aimed at increasing the television licence fees from the present N\$120,00 (one hundred and twenty Namibia Dollar) per set per annum to N\$132,00 (one hundred and thirty two Namibia Dollar) per set per annum for the coming licence year 1995/96 with effect from 1 October 1995. The increase does not apply to pensioners and disabled persons.”

[General Notice 95 of 1999](#) (GG 2113) increases the television licence fees to N\$180/year, and also amends the Annexure. It states, in respect of the fee increase: “In accordance with section 27(1)(a) of the Namibian Broadcasting Act, Act [No. 9 of 1991](#), the Minister if [of] Information and Broadcasting wishes to ... Introduce new regulations aimed at increasing the television licence fees from the present N \$132-00 (one hundred and thirty two dollars) per set per annum to N\$180-00 (one hundred and eighty dollars) per set per annum for the coming licence year 1999/2000 with effect from 1 October 1999.” Although it states that it is amending the Annexure, it appears to substitute the Annexure in its entirety.

The Annexure is again substituted in its entirety by [Government Notice 220 of 2001](#) (GG 2637) and by [Government Notice 235 of 2004](#) (GG 3313).

#### 1. Television licence fees payable by different categories of persons

The annual television licence fees payable in respect of each television set, under section 16(3)(a) of the Act, in respect of the category of persons mentioned in paragraphs (a) and (b) are accordingly set out in columns 2 and 3, of the Table below, opposite the applicable month of the licencing year, as set out in column 1 of that Table-

- (a) the fees set out in column 2 are applicable to-
  - (i) persons of the age of 60 years or older and who receive an old age pension, war veteran’s pension or a disability grant;
  - (ii) inmates of a government hospital who suffer from an infectious disease, or are mental patients or feeble-minded persons who are maintained at government expenses;
  - (iii) deaf persons whose application is supported by a recommendation from a registered medical practitioner; and
- (b) the fees as set out in column 3 are applicable to all other persons.

***Table - Fees payable per licence issued under section 16(3)(a) of the Act***

| Column 1   | Column 2                                     | Column 3 |
|--|--|----------|
| Where the obligation to take out the television licence arises - |  |          |
| (a)  | in the first month of the licensing year;    | N\$60-00 |
| (b)  | in the second month of the licensing year;   | N\$55-00 |
| (c)  | in the third month of the licensing year;    | N\$50-00 |
| (d)  | in the fourth month of the licensing year;   | N\$45-00 |
| (e)  | in the fifth month of the licensing year;    | N\$40-00 |
| (f)  | in the sixth month of the licensing year;    | N\$35-00 |
| (g)  | in the seventh month of the licensing year;  | N\$30-00 |
| (h)  | in the eighth month of the licensing year;   | N\$25-00 |
| (i)  | in the ninth month of the licensing year;    | N\$20-00 |
| (j)  | in the tenth month of the licensing year;    | N\$15-00 |
| (k)  | in the eleventh month of the licensing year; | N\$10-00 |
| (l)  | in the twelfth month of the licensing year;  | N\$ 5-00 |

## 2. Television licence fees payable by owners or managers of accommodation establishments

The annual television licence fees payable in terms of section 16(3)(b) of the Act by the owner or by the manager of an accommodation establishment as defined in section 1 of the Accommodation

Establishments and Tourism Ordinance, 1973 ([Ordinance No. 20 of 1973](#)) are determined as per number of television sets, as set out in the Table below.

**Table - Television licence fees payable in respect of television sets**

| <b>Number of television sets</b>                                     | <b>Applicable annual television licence fee</b> |
|--|---|
| Where the number of television set does not exceed 10                | N\$220-00;                                      |
| Where the number of television sets exceed 10 but does not exceed 40 | N\$209-00;                                      |
| Where the number of television sets exceed 40 but does not exceed 60 | N\$198-00;                                      |
| Where the number of television sets exceed 60 but does not exceed 80 | N\$187-00; and                                  |
| Where the number of television sets exceed 80                        | N\$165-00.                                      |

### 3. **Television licence fees payable by radio dealers**

The annual television licence fee payable by a radio dealer referred to in section 16(3)(c) of the Act is-

- (a) N\$440-00 per television set used for the purposes of hiring out; and
- (b) N\$440-00 per every ten television sets, or part thereof, where such television sets are used for demonstration purposes.

### 3. **Date of Commencement**

These Regulations come into operation on 1 October 2004.

**[Please note: numbering as in original.]**