



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$2.20

WINDHOEK - 16 June 2003

No.2994

CONTENTS

	<i>Page</i>
PROCLAMATION	
No. 18 Notification of name of returning officer: By-election of member of Ohangwena Regional Council in the Oshikango Constituency: Electoral Act, 1992	2
GOVERNMENT NOTICES	
No. 119 Amendment of Supreme Court Rules	2
No. 120 Amendment of regulations made under the Communal Land Reform Act, 2002 (Act No. 5 of 2002)	3
No. 121 Nature Conservation Ordinance, 1975: Notification of hunting seasons in respect of the period 1 May 2003 until 31 August 2003 for huntable game and until 30 April 2004 for huntable game birds	4
No. 122 Notification of public hearing of applications for ancillary rights by Minerals Ancillary Rights Commission	6
GENERAL NOTICES	
No. 98 Tsumeb Municipality: General valuation of rateable properties situated within the Tsumeb Municipal Area	7
No. 99 Rehoboth Town Council: Sewage tariffs	7
No. 100 Rehoboth Town Council: Water supply tariffs and charges	7
No. 101 Permanent closing of Portion A for (remainder of Portion 4) Extension 7, Ondangwa, as street	8
No. 102 Permanent closing of Portion A of remainder of Portion 2, Extension 2, Oshakati, as a street	9
No. 103 Windhoek Amendment Scheme No. 62	9
No. 104 Stampriet Village Council: Sewerage and refuse removal tariffs and charges	9
No. 105 Stampriet Village Council: Water supply tariffs and charges	10

Proclamation

by the

PRESIDENT OF THE REPUBLIC OF NAMIBIA

No. 18

2003

**NOTIFICATION OF NAME OF RETURNING OFFICER:
BY-ELECTION OF MEMBER OF OHANGWENA REGIONAL
COUNCIL IN THE OSHIKANGO CONSTITUENCY: ELECTORAL ACT, 1992**

Under the powers vested in me by section 50(1)(c) of the Electoral Act, 1992 (Act No. 24 of 1992), I make known that TOMAS TUHAFENI MWANDINGI, ID 69091300485 has been appointed in terms of section 51 of that Act as returning officer for the by-election of a member of the Regional Council of Ohangwena in the Oshikango Constituency.

Given under my Hand and Seal of the Republic of Namibia, at Windhoek, this 30th day of May, Two Thousand and Three.

**S. NUJOMA
PRESIDENT**

BY ORDER OF THE PRESIDENT-IN-CABINET

Government Notices

MINISTRY OF JUSTICE

No. 119

2003

AMENDMENT OF SUPREME COURT RULES

The Chief Justice has under section 37 of the Supreme Court Act, 1990 (Act No. 15 of 1990), with the approval of the President, made the rules as set out in the Schedule.

SCHEDULE

1. In this Schedule "the Rules" means the Rules of the Supreme Court of Namibia promulgated under Government Notice No. 56 of 1990.

2. Rule 8 of the Rules is amended -

(a) by the substitution for subrule (1) of the following subrule:

“(1) If the judgment appealed from is carried into execution by direction of the court appealed from, the party requesting execution shall, before such execution, enter into good and sufficient security *de restituendo*.”;

(b) by the substitution for subrule (2) of the following subrule:

“(2) If the execution of a judgment is suspended pending appeal, the appellant shall, before lodging with the registrar copies of the record, enter into good and sufficient security for the respondent's costs of appeal, unless -

(a) the respondent waives the right to security within 15 days of receipt of the appellant's notice of appeal; or

- (b) the court appealed from, upon application of the appellant delivered within 15 days after delivery of the appellant's notice of appeal, or such longer period as that court on good cause shown may allow, releases the appellant wholly or partially from that obligation."; and
- (c) by the substitution for subrule (3) of the following subrule:
- “(3) If the execution of a judgment is suspended pending appeal, the appellant shall, when copies of the record are lodged with the registrar, inform the registrar in writing whether he or she -
- (a) has entered into security in terms of this rule; or
- (b) has been released from that obligation, either by virtue of waiver by the respondent or release by the court appealed from, as contemplated in subrule (2),

and failure to inform the registrar accordingly within the period referred to in rule 5(5) shall be deemed to be failure to comply with the provisions of that rule.”.

MINISTRY OF LANDS, RESETTLEMENT AND REHABILITATION

No. 120

2003

AMENDMENT OF REGULATIONS MADE UNDER THE COMMUNAL LAND REFORM ACT, 2002 (ACT NO. 5 OF 2002)

The Minister of Lands, Resettlement and Rehabilitation has under section 45 of the Communal Land Reform Act, 2002 (Act No. 5 of 2002), made the regulations set out in the Schedule.

SCHEDULE

1. In these regulations “the Regulations” means the Communal Land Reform Regulations published under Government Notice No. 37 of 1 March 2003.
2. The arrangements of regulations are amended by the substitution for PART IV of the following part:

PART IV

GENERAL

24. Application for transfer of customary land right or right of leasehold
25. Appeal against decision of Chief, Traditional Authority or board
26. Exemptions regarding retention of fences on communal land
27. Procedure for application for authorisation for erection of a fence on communal land and circumstances in which such authorisation is not required
28. Procedure for investigation to be conducted by board for purpose of considering an application, including the summoning of witnesses.
29. Procedure for referral of a matter to an arbitrator
30. Conditions under which prospecting or mining operations may be carried out on communal land
31. Combating and prevention of soil erosion
32. Protection of pastoral resources

33. Matters relating to roads, watercourses, woods and the use of water, wood, clay and stone on communal land
34. Functions of secretary of a board
35. Eviction of persons occupying communal land
36. Offences and penalties
37. Fees payable
38. Repeal of regulations

Annexure 1

Annexure 2

3. Regulation 1 of the Regulations is amended by the deletion of the following definition:

““writing” excludes handwriting”.

4. Regulations 24(2) is amended by the substitution for the phrase “Forms 12 and 13” of the phrase “Forms 13 and 14”.

5. Annexure 2 to the Regulations is amended by the substitution for the phrase “(Section 45 and regulation 38)” of the phrase “(Section 45 and regulation 37)”.

MINISTRY OF ENVIRONMENT AND TOURISM

No. 121

2003

NATURE CONSERVATION ORDINANCE, 1975: NOTIFICATION OF HUNTING SEASONS IN RESPECT OF THE PERIOD 1 MAY 2003 UNTIL 31 AUGUST 2003 FOR HUNTABLE GAME AND UNTIL 30 APRIL 2004 FOR HUNTABLE GAME BIRDS

In terms of subsection (2) of section 25 of the Nature Conservation Ordinance, 1975 (Ordinance No. 4 of 1975), it is hereby made known that the Minister of Environment and Tourism has, under subsection (1) of that section, determined that, in respect of the period from 1 May 2003 until 31 August 2003 for huntable game and until 30 April 2004 for huntable game birds, the hunting season -

- (a) during which any of the species of huntable game specified in Annexure A hereto may be hunted by virtue of a permit granted under section 30 of the Ordinance on a farm or a piece of land, being in extent not less than one thousand hectares, shall be the period -
 - (i) 1 May 2003 to 31 August 2003 in the case of a farm which is enclosed with a game-proof fence as defined in section 1 of the Ordinance; and
 - (ii) 1 June 2003 to 31 July 2003, in the case of a farm, or such a piece of land which is enclosed with an adequate fence as defined in section 1 of the Ordinance;
- (b) during which any of the species of huntable game birds specified in Annexure B hereto may be hunted by virtue of a written authority granted under section 32 of the Ordinance, shall be the period as specified in that Annexure in respect of each species, but subject to the restriction on the number of birds that may be hunted per day as so specified in respect of each species; and
- (c) during which huntable game specified in Annexure A or huntable game birds specified in Annexure B, may, by virtue of any written permission granted under section 28 of the Ordinance, be hunted within an area which has been declared a conservancy under section 24A of the Ordinance, shall be the period 1 June 2003 to 31 July 2003 for huntable game, and for huntable game birds the periods and

restrictions as specified in Annexure B in respect of such specified huntable bird each species.

ANNEXURE A

HUNTABLE GAME (paragraph (a) or (c))

Oryx (*Oryx gazella*)
Kudu (*Tragelaphus strepsiceros*)
Springbok (*Antidorcas marsupialis*)
Warthog (*Phacochoerus aethiopicus*)

ANNEXURE B

HUNTABLE GAME BIRDS (paragraph (b) or (c))

SPECIES	HUNTING SEASON	LIMIT PER HUNTER PER DAY
Helmeted guineafowl (<i>Numida meleagris</i>)	1 June 2003 to 30 September 2003	10
Kurrichane buttonquail (<i>Turnix sylvatica</i>)	1 May 2003 to 31 July 2003	10
Harlequin quail (<i>Coturnix delegorguei</i>) in the districts of Rundu and Katima Mulilo only)	1 June 2003 to 31 August 2003	5
Redbilled francolin (<i>Francolinus adspersus</i>)	1 June 2003 to 31 August 2003	10
Swainsons's francolin (<i>Francolinus swainsonii</i>)	1 June 2003 to 31 August 2003	10
Orange River francolin (<i>Francolinus evaillantoides</i>)	1 June 2003 to 31 August 2003	10
Egyptian goose (<i>Alopochen aegyptiacus</i>)	1 January 2004 to 31 March 2004	5
Cape teal (<i>Anas capensis</i>)	1 August 2003 to 31 October 2003	10
Redbilled teal (<i>Anas erythrorhyncha</i>)	1 August 2003 to 31 October 2003	10
Cape Turtle dove (<i>Streptopelia capicola</i>)	1 May 2003 to 31 October 2003	10
Laughing dove (<i>Streptopelia senegalensis</i>)	1 May 2003 to 31 October 2003	10
Rock pigeon (<i>Columbaguinea</i>)	1 July 2003 to 31 October 2003	10
Namaqua sandgrouse (<i>Pterocles namaqua</i>)	1 September 2003 to 30 November 2003	10
Doublebanded sandgrouse (<i>Pterocles bicinctus</i>)	1 September 2003 to 30 November 2003	5
Burchell's sandgrouse (<i>Pterocles burchelli</i>)	1 October 2003 to 30 November 2003	5

MINISTRY OF MINES AND ENERGY

No. 122

2003

NOTIFICATION OF PUBLIC HEARING OF APPLICATIONS FOR ANCILLARY RIGHTS BY MINERALS ANCILLARY RIGHTS COMMISSION

In terms of subsection (3) of section 109 of the Minerals (Prospecting and Mining) Act, 1992 (Act No. 33 of 1992) it is hereby made known that the persons mentioned in the first column of the table set out in the Schedule, being the holders of the type of licences specified in the second column, have in terms of subsection (1) of that section applied to the Minerals Ancillary Right Commission for the granting of the right mentioned in the third column in respect of land described in the fourth column.

The application shall be heard by the Commission at a public hearing to be held as from Monday and Tuesday, 14-15th July 2003 at 08h00 - 17h00, in the Auditorium Hall, Ministry of Mines and Energy, 1st Aviation Road, Windhoek.

Any other interested person who wishes to make any representation in opposition to any application referred to in the table, must, deliver or send by registered post his or her written representation in quadruplicate to the Secretary, Minerals Ancillary Right Commission, Private Bag 13297, Windhoek, to reach the secretary not later than 7 days before the date of the public hearing mentioned above, and any person whose interests are or may be prejudicially affected by the grant of a right mentioned in the table shall be entitled to appear before the Commission at the public hearing, either personally or through his or her legal representatives.

SCHEDULE

Column 1	Column 2	Column 3	Column 4
Name of licence holder	Type of licence	Nature of right required	Description of land in respect of right required
1. Steven Ndango	NEPL 4368	Right to enter land to carry out prospecting authorised by said licence and such rights contemplated in section 109(1)	Farm Otjimbojo No. 48 Windhoek District, Registration Division <u>H</u> Mr. Kaese
2. Immanuel Hochobeb	NEPL 4126	Right to enter land to carry out prospecting authorised by said licence and such rights contemplated in section 109(1)	Farm Berlin No. 325 Windhoek District, Registration Division <u>K</u> Mr. Deloch
3. Dawid Beukes	NEPL 2323	Right to enter land to carry out prospecting authorised by said licence and such rights contemplated in section 109(1)	Farm Chaibis No. 29 Windhoek District, Registration Division <u>M</u> Mr R Bredenkamp
4. Libertine Uiras	NEPL 3559	Right to enter land to carry out prospecting authorised by said licence and such rights contemplated in section 109(1)	Farm Otjakatjongo No. 3 Karibib District, Registration Division <u>H</u> Mr P Munchen
5. Ernst Naomab	NEPL 2121	Right to enter land to carry out prospecting authorised by said licence and such rights contemplated in section 109(1)	Farm Otjakatjongo No. 3 Karibib District, Registration Division <u>H</u> Mr P Munchen

General Notices

TSUMEB MUNICIPALITY

No. 98

2003

GENERAL VALUATION OF RATEABLE PROPERTIES SITUATED WITHIN THE TSUMEB MUNICIPAL AREA

Notice is hereby given in terms of the provisions of Section 66(1) of the Local Authorities Act, 1992 (Act No. 23 of 1992) as amended, that a general valuation of all rateable properties, situated in the Tsumeb Municipal Area will be carried out as from 1 June 2003 in accordance with the provisions and stipulations contained in Section 67 to 72 inclusive of the aforesaid Local Authorities Act, 1992.

E.M. HAUANGA
ACTING CHIEF EXECUTIVE OFFICER
TSUMEB MUNICIPAL COUNCIL

28 April 2003

REHOBOTH TOWN COUNCIL

No. 99

2003

SEWAGE TARIFFS

The Town Council of Rehoboth has under section 30(1)(u) of the Local Authorities Act, 1992 (Act No. 23 of 1992) determined the tariffs and charges for sewage as set out in the Schedule, with effect from 1 July 2003.

SCHEDULE

Tariff Category	Proposed Tariff N\$	
	Domestic	Other
Basic charge (vacant plots)	10 m ³ /month (N\$ 26.00)	20 m ³ / month (N\$52.00)
Sewage	2.60 / m ³	2.60 / m ³
Pumping drains without network	Privatised	Privatised
Blockages	69.00	138.00
New connections	Cost + 16%	Cost + 16%
Complaints & queries	0.00	0.00

BY ORDER OF THE COUNCIL

D.J. IZAAKS
CHAIRPERSON OF THE COUNCIL

Rehoboth, 14 May 2003

REHOBOTH TOWN COUNCIL

No. 100

2003

WATER SUPPLY TARIFFS AND CHARGES

The Rehoboth Town Council has under Section 30(1)(u) of the Local Authorities Act, 1992 (Act No. 23 of 1992) determined the tariffs and charges for the supply of water as set out in the Schedule, with effect from 1 July 2003.

SCHEDULE**A. SUNDRY CHARGES**

	Domestic N\$	Other Users N\$
a. Deposit	150.00	330.00
b. Meter Testing	120.00	165.00
c. Re-connections	66.00	135.00
d. Special Readings	70.00	145.00
e. Meter Tampering	1 000.00	1 500.00
f. Disconnection	110.00	220.00
g. Late Payment	5.00	25.00
h. Tokens pre-paid	150.00	150.00
i. Lost Token	150.00	150.00
j. Connection	actual cost + 15%	

B. BASIC CHARGES

	Meter inlet	Monthly tariff N\$
a. Residential	Any size	25.00
b. Non-residential	15.20 & 25 mm	60.00
	40.50 mm	250.00
	80 mm	500.00
	larger than 80 mm	1 000.00
c. Residential Vacant Plots		25.00
d. Non-residential Vacant Plots		60.00

C. CONSUMPTION CHARGES

Consumer Category	Proposed		Vacant Plots* N\$
	Meter Inlet	Monthly Tariff N\$	
Residential	Any size	25	25
Non-Residential	15 & 20 & 25 mm	60	60 minimum
	40,50 mm	250	
	80 mm	500	
	Larger than 80	1000	

BY ORDER OF THE COUNCIL

D.J. IZAAKS
CHAIRPERSON OF THE COUNCIL

Rehoboth, 14 May 2003

No. 101

2003

**PERMANENT CLOSING OF PORTION A FOR (REMAINDER OF
PORTION 4) EXTENSION 7, ONDANGWA, AS STREET**

Notice is hereby given in terms of article 50(3)(a)(ii) of the Local Authorities Act, 1992 (Act No. 23 of 1992) that the Town Council of Ondangwa proposes to close permanently the abovementioned portion of Street as indicated on the plan Osh-002SC which lies for inspection during office hours at the office of Town Planning Office, Ondangwa Town Council, Main Road, opposite Rossing Foundation, Ondangwa.

Objections to the proposed closing are to be served on the Secretary: Townships Board, Private Bag 13289, Windhoek, and the Chief Executive Officer, P/Bag 3032, Ondangwa, within 14 days after the appearance of this notice in accordance with Article 50(3)(a)(iv) of the above Act, which will be 30 June 2003.

URBAN DYNAMICS AFRICA
TOWN AND REGIONAL PLANNERS
P O Box 20837
Windhoek

No. 102

2003

PERMANENT CLOSING OF PORTION A OF REMAINDER OF PORTION 2,
EXTENSION 2, OSHAKATI, AS A STREET

Notice is hereby given in terms of article 50(3)(a)(ii) of the Local Authorities Act, 1992 (Act No. 23 of 1992) that the Town Council of Oshakati proposes to permanently close the abovementioned portion of Street as indicated on the plan 010/389_SC lies for inspection during office hours at the Town Planning Office, Oshakati Town Council, Sam Nujoma Road, Oshakati.

Objections to the proposed closing are to be served on the Secretary: Townships Board, Private Bag 13289, Windhoek, and the Chief Executive Officer, Private Bag 5530, Oshakati, within 14 days after the appearance of this notice in accordance with Article 50(3)(a)(iv) of the above Act, which will be 30 June 2003.

URBAN DYNAMICS AFRICA
TOWN AND REGIONAL PLANNERS
P O Box 20837
Windhoek

No. 103

2003

WINDHOEK AMENDMENT SCHEME NO. 62

Notice is hereby given in terms of Section 23 of the Town Planning Ordinance 1954, (Ordinance 18 of 1954), as amended, that the **Windhoek Amendment Scheme No. 62** has been submitted to the Minister of Regional and Local Government and Housing for approval.

Copies of the Windhoek Amendment Scheme No. 62 and the maps, plans, documents and other relevant matters are lying for inspection during office hours at the Windhoek Municipality and also at the Namibia Planning Advisory Board, Ministry of Regional and Local Government and Housing, 2nd Floor, Room 241, Windhoek.

Any person, who wishes to object to the approval of the Town Planning Scheme, should lodge objections in writing to the Secretary, Namibia Planning Advisory Board (NAMPAB), Private Bag 13289, Windhoek on or before 31 July 2003.

STAMPRIET VILLAGE COUNCIL

No. 104

2003

SEWERAGE AND REFUSE REMOVAL TARIFFS AND CHARGES

The Stampriet Village Council has under Section 30(1)(u) of the Local Authorities Act, (Act No. 23 of 1992) determined the Sewerage and Refuse Removal Tariffs and Charges as set out in the Schedule with effect from 1 July 2003.

SCHEDULE

A. SEWERAGE BASIC CHARGES (WATERBORNE SEWERAGE)

a)	Residential per month	20-00
b)	Business per month	50-00

B. SEWERAGE DISCHARGE PER MONTH (WATERBORNE SEWERAGE)

a)	Residential per Toilet	20-00
b)	Business per Toilet	50-00

C. NEW SEWERAGE CONNECTIONS

a)	Residential	300-00
b)	Business	Actual cost + 15% surcharge

D. SEWERAGE SUMPS

Removal per 1 500 litre or part thereof	30-00
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E. NIGHT SOIL REMOVAL

Removal per bucket per month	20-00
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F. HOUSEHOLD REFUSE REMOVAL

Residential per standard receptacle per month	20-00
Business per standard receptacle per month	100-00
Business per non-standard receptacle per month	120-00

G. GARDEN, SPECIAL DOMESTIC WASTE AND BUILDERS RUBBLE

Residential and Business per receptacle per month	50-00
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BY ORDER OF THE COUNCIL

**S. MOTHINGA
CHAIRPERSON
STAMPRIET VILLAGE COUNCIL**

STAMPRIET VILLAGE COUNCIL

No. 105

2003

WATER SUPPLY TARIFFS AND CHARGES

The Stampriet Village Council has under Section 30(1)(a) and 73(1) of the Local Authorities Act, (Act No. 23 of 1992) determined the tariffs and charges as set out in the Schedule, with effect from 1 July 2003.

SCHEDULE**A. DEPOSITS**

a)	Residential per month	100-00
b)	All other consumers	250-00

B. CONNECTION FEES

(1m within erf boundary)

a)	Residential	300-00
b)	Business	Actual cost + 15% surcharge

C. MONTHLY BASIC CHARGES

a)	Residential	20-00
b)	Business	100-00

D. CONSUMPTION COST

Per 1000 litre	4-50
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E. DETECTIVE METERS

The testing of meters is free of charge where it is found that the meter has a defect. If it is on good working order, the customer must pay the actual cost of the test.

F. SITE RENT

Residential shack per month	15-00
Residential shack with shebeen per month	20-00

BY ORDER OF THE COUNCIL**S. MOTHINGA
CHAIRPERSON
STAMPRIET VILLAGE COUNCIL**
