



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

R0,40

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No. 341

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Government Notices

MINISTRY OF WORKS, TRANSPORT AND COMMUNICATION

No. 5

1992

DEVIATION OF A PORTION OF DISTRICT ROAD 2170: DISTRICT OF OKAHANDJA

In terms of section 22(2) of the Roads Ordinance, 1972 (Ordinance 17 of 1972), it is hereby made known that the President has under section 22(1)(c) of the said Ordinance, in the district of Okahandja, deviated the portion of district road 2170 described in paragraph (a) of the Schedule and shown on sketch-map P1444 by the symbols A-B from the route so described and shown to the route described in paragraph (b) of the Schedule and shown on sketch-map P1444 by the symbols A-B-C.

The said sketch-map shall at all times lie open to inspection at the office of the Permanent Secretary: Works, Transport and Communication, Windhoek, during normal office hours.

SCHEDULE

- (a) From a point (A on sketch-map P1444) on the common boundary of the farms Okamapu 104 and Okowiruru 105 generally eastwards across the last-mentioned farm to a point (C on sketch-map P1444) on the common boundary of the last-mentioned farm and the farm Kataneno 106.
- (b) From a point (A on sketch-map P1444) on the common boundary of the farms Okamapu 104 and Okowiruru 105 generally east-south-eastwards across the last-mentioned farm to a point (B on sketch-map P1444) on the last-mentioned farm; thence generally east-north-eastwards across the farm Okowiruru 105 to a point (C on sketch-map P1444) on the common boundary of the said farm and the farm Kataneno 106.

MINISTRY OF WORKS, TRANSPORT AND COMMUNICATION

No. 6

1992

PROCLAMATION OF A DISTRICT ROAD (NUMBER 3827): DISTRICTS OF HEREROLAND WEST AND OTJIWARONGO

It is hereby made known -

- (a) in terms of section 22(2) of the Roads Ordinance, 1972 (Ordinance 17 of 1972), that the President has under section 22(1)(a) of the said Ordinance, in the districts of Hereroland West and Otjiwarongo, proclaimed a road on land where no road previously existed and defined the course thereof as described in the Schedule and shown on sketch-map P1461 by the symbols A-B-C-D-E; and
- (b) in terms of section 23(3) of the said Ordinance that the President has under section 23(1)(c) of the said Ordinance declared the road referred to in paragraph (a) to be a district road (Number 3827).

The said sketch-map shall at all times lie open to inspection at the office of the Permanent Secretary: Works, Transport and Communication, Windhoek, during normal office hours.

SCHEDULE

From a point (A on sketch-map P1461) on main road 101 generally north-north-westwards to a point (B on sketch-map P1461); thence generally west-north-westwards to a point (C on sketch-map P1461); thence generally north-westwards to a point (D on sketch-map P1461) on the common boundary of the districts of Hereroland West and Otjiwarongo, and the farm Okamumbonde 332; thence generally north-north-westwards across the said farm to a point (E on sketch-map P1461) on district road 2512 on the said farm.

MINISTRY OF WORKS, TRANSPORT AND COMMUNICATION

No. 7

1992

PROCLAMATION OF A DISTRICT ROAD (NUMBER 3826): DISTRICT OF HEREROLAND WEST

It is hereby made known -

- (a) in terms of section 22(2) of the Roads Ordinance, 1972 (Ordinance 17 of 1972), that the President has under section 22(1)(a) of the said Ordinance, in the district of Hereroland West, proclaimed a road on land where no road previously existed and defined the course thereof as described in the Schedule and shown on sketch-map P1467 by the symbols A-B; and
- (b) in terms of section 23(3) of the said Ordinance that the President has under section 23(1)(c) of the said Ordinance declared the road referred to in paragraph (a) to be a district road (Number 3826).

The said sketch-map shall at all times lie open to inspection at the office of the Permanent Secretary: Works, Transport and Communication, Windhoek, during normal office hours.

SCHEDULE

From a point (A on sketch-map P1467) on district road 3802 near a place known as Okamatapati generally east-north-eastwards to a point (B on sketch-map P1467) on district road 3805.

**MINISTRY OF WORKS, TRANSPORT
AND COMMUNICATION**

No. 8

1992

**CLOSING OF A PORTION OF DISTRICT ROAD 1918:
DISTRICT OF SWAKOPMUND**

In terms of section 22(2) of the Roads Ordinance 1972, (Ordinance 17 of 1972), it is hereby made known that the President has under section 22(1)(c) of the said Ordinance, in the district of Swakopmund, closed the portion of district road 1918 described in the Schedule and shown on sketch-map P1451 by the symbols A-B.

The said sketch-map shall at all times lie open to inspection at the office of the Permanent Secretary: Works, Transport and Communication, Windhoek, during normal office hours.

SCHEDULE

From a point (A on sketch-map P1451) at the junction with district road 1918 and the Jakkalsputz road on the state land generally north-eastwards across the said state land to a point (B on sketch-map P1451) on the said state land.

General Notice

MUNICIPALITY OF MARIENTAL

No. 2

1992

**REGULATIONS RELATING TO THE
KEEPING OF BEES**

The council of the Municipality of Mariental has under section 242 of the Municipal Ordinance, 1963 (Ordinance 13 of 1963), made the regulations set out in the Schedule.

The said regulations have been approved by the President under section 243 of the said Municipal Ordinance, 1963.

SCHEDULE

Definitions.

1. In these regulations, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Municipal Ordinance, 1963 (Ordinance 13 of 1963), shall bear that meaning and -

“bees” means any breed or species of social bees belonging to the genera *Apis*, *Melipona* or *Trigona* and forming part of the family *Apidae* and normally associated with the production of honey;

“City Health Officer” means the official who is the head of the Health Department of the Municipality or any official employed by the Municipality to whom he or she has delegated any power, duty or function which has been conferred upon or entrusted to him or her by these regulations;

“keep” means possess, control, supervise, keep or entrusted with;

“owner” in respect of bees, beehives, apparatus or equipment necessary for the keeping of bees, means a person who keeps such bees, beehives, apparatus or equipment;

“permit” means a permit to keep bees, issued in terms of these regulations; and

“year” means a period of 12 months ending on 30 June.

Prohibition on the keeping of bees without a permit.

2. No person shall keep bees in the municipal area of Mariental without a permit issued in terms of these regulations.

Requirements for the keeping of bees.

3. (1) Bees shall only be kept in a beehive which -

(a) is constructed of a rigid, weather-resistant material;

(b) is not constructed of metal; and

(c) is constructed in such a manner that -

(i) honeycombs are built in frames which are separated from each other and can easily be removed from the beehive concerned; and

(ii) the bees can at any time be partitioned off inside the beehive concerned.

(2) A beehive referred to in subregulation (1) shall be placed at least 100 metres from any house, dwelling, business place, public meeting place, public road or place where animals, poultry or birds are kept in cages or enclosed areas.

(3) The beehives of a person who keeps bees shall be surrounded by a strong fence, hedge or wall which is at least 1,5 metres high and which is designed and erected in such a manner that no person or animal that is able to perform an act which will result in the bees concerned becoming annoyed and attacking any person or any animal, poultry or bird in a cage or enclosed area, can crawl through it, and which is at no point nearer than 5 metres from any beehive: Provided that there shall be a gate at each gap in that fence, hedge or wall which shall be locked at all times when a person referred to in subregulation (4), is not near the beehives concerned: Provided further that such fence or wall shall not be constructed of galvanised iron.

(4) Bees that are kept, shall be under the control and supervision of a person having reasonable knowledge of bees and the handling of bees.

(5) A beehive referred to in subregulation (1) shall be placed at such a location that it receives adequate shade and shelter.

Powers of the City Health Officer.

4. The City Health Officer may -

- (a) on application at his or her discretion issue a permit, refuse to issue a permit or issue a permit for a limited number of beehives or subject to any conditions which he or she may deem necessary;
- (b) at any time, before or after the issuing of a permit, inspect any land, premises, beehive, apparatus or equipment used in connection with the keeping of bees, to ascertain whether these regulations are being or have been contravened and whether such land, premises, beehive, apparatus or equipment complies with the provisions of these regulations;
- (c) cancel and rescind a permit after he or she has at least 30 days before such cancellation and rescission given notice in writing to the permit holder concerned, of his or her intention to do so, if, in his or her opinion -
 - (i) the permit holder has contravened any provision of these regulations or failed to comply with such provision or with any condition imposed at the time of issuing the permit concerned;
 - (ii) the keeping of bees by the permit holder repeatedly causes a nuisance or disturbance to any person or any animal, poultry or bird in a cage or enclosed area in the proximate vicinity of the place where he or she keeps the bees; or

- (iii) the keeping of bees by the permit holder constitutes a health hazard to any person who lives, works or for any reason regularly finds himself or herself in the proximate vicinity of the place where he or she keeps the bees, or may cause an allergy to such person: Provided that any allegation of facts referred to in this subparagraph, shall be supported by a certificate issued by a registered medical practitioner;
- (d) subject to the provisions of regulation 11, order the owner of bees, beehives, apparatus or equipment necessary for the keeping of bees and who is not the holder of a permit, to remove, demolish or destroy such bees, beehives, apparatus or equipment within 24 hours from the receipt of such order; and
- (e) if an owner referred to in paragraph (d), fails to comply with an order referred to therein, immediately remove, demolish or destroy the bees, beehives, apparatus or equipment referred to therein, or cause it to be removed, demolished or destroyed.

Application for the issue of a permit.

5. (1) An application for the issue of a permit shall be made on a form which materially corresponds with Annexure A, and shall be signed by the applicant or his or her representative authorised thereto in writing.

(2) The applicant shall at his or her own expense cause an advertisement -

- (a) stating that he or she intends to keep bees;
- (b) stating that a person who has any objections to the keeping of bees by him or her, shall submit those objections in writing to the City Health Officer within 14 days from the date on which such advertisement last appeared; and
- (c) containing sufficient information to enable a prospective objector to identify the place where he or she intends to keep the bees,

to be published once a week for 2 consecutive weeks in 1 or more newspapers as indicated by the City Health Officer, which circulate in the municipal area.

(3) The grounds on which a person objects as envisaged in subregulation (2)(b) or regulation 6, shall be in writing and the document in which such grounds are set out, shall be handed in at the Health Department of the Municipality or sent by registered post to the City Health Officer: Provided that if the objector objects as envisaged in subregulation (2)(b), such document shall be handed in or posted within the period referred to in subregulation (2)(b).

(4) The City Health Officer shall not issue a permit if, in his or her opinion, there is at the time of the application concerned, or will probably be during the time for which the permit is to be issued, any ground for the cancellation and rescission of a permit referred to in regulation 4(c).

(5) After the City Health Officer has considered and approved an application for a permit, he or she shall issue the permit on a form which materially corresponds with Annexure B and which indicates any limitations subject to which it is issued.

(6) A permit shall be valid to the end of the year for which it has been issued, and the permit holder shall at least 30 days before the end of that year apply in accordance with the provisions of these regulations for the issue of a permit for the following year: Provided that the applicant shall not be obliged to cause an advertisement referred to in subregulation (2), to be published.

Objections to the keeping of bees by a permit holder.

6. (1) Any person can object to the keeping of bees by a permit holder.

(2) After the receipt of such objection, the City Health Officer may cancel and rescind the permit of the permit holder concerned in terms of regulation 4(c).

Keeping of register.

7. The City Health Officer shall keep a register in which he or she records -

- (a) the name and address of a person applying for a permit;
- (b) on which premises the person concerned keeps or will keep the bees;
- (c) whether any person has objected to the application concerned;
- (d) the name and address of every objector;
- (e) the grounds of objection of every objector;
- (f) whether the application for a permit has been granted or not;
- (g) the date on which the permit was issued or the date on which the application was refused; and
- (h) any particulars which he or she may deem necessary.

Appeal against the decision of the City Health Officer.

8. (1) An applicant may appeal against the refusal of his or her application for the issue of a permit or against the decision to impose a limitation or condition upon such permit.

(2) An objector referred to in regulation 5(2), may appeal against the approval and issue of a permit in the case concerned.

(3) An objector referred to in regulation 6, may appeal against the decision not to cancel and rescind the permit concerned.

(4) A permit holder may appeal against the decision to cancel and rescind his or her permit, after he or she has received the notice referred to in regulation 4(c).

(5) Any person who appeals in terms of this regulation shall, within 14 days from the date on which the decision concerned has been made known to him or her or on which he or she received the notice referred to in regulation 4(c), as the case may be, submit a full exposition of his or her grounds of appeal to the Management Committee.

(6) After the Management Committee has considered the appeal, it may confirm or set aside the decision or order against which the appeal was noted or make any decision or order in the place thereof which the City Health Officer may make in terms of these regulations.

Occupation by bees.

9. (1) If a swarm of bees occupies any object on any premises in order to form a nest, without the owner or occupier of those premises having done anything to promote such occupation, the owner or occupier concerned shall as soon as possible -

- (a) request the City Health Officer to remove or destroy the bees concerned or cause them to be removed or destroyed; or
- (b) remove or destroy the bees concerned himself or herself or cause them to be removed or destroyed.

(2) If the owner or occupier concerned has not complied with the provisions of subregulation (1) within 10 days from the occupation referred to therein, it shall be deemed for the purposes of these regulations that the owner or occupier concerned keeps those bees.

Offences.

10. (1) Any person who -

- (a) keeps bees without a permit or is deemed in terms of regulation 9(2) to keep bees and who does not have a permit;
- (b) keeps bees and contravenes or fails to comply with any provision of regulation 3;
- (c) makes any statement to the City Health Officer regarding the keeping of or control over bees, beehives, apparatus or equipment necessary for the keeping of bees which is false in any material respect, knowing it to be false;

- (d) refuses or fails to answer any question put to him or her by the City Health Officer by virtue of a power conferred upon the City Health Officer by these regulations;
- (e) fails or refuses to comply with a notice or order which the City Health Officer has by virtue of a power conferred upon him or her by these regulations, addressed to such person; or
- (f) without having reasonable knowledge of bees and the handling of bees, performs an act (except an act permitted, authorised or prescribed by these regulations) which may result in any bees becoming annoyed and stinging any person or any animal, poultry or bird in a cage or enclosed area,

shall be guilty of an offence and liable on conviction to a fine not exceeding R200,00 or to imprisonment for a period not exceeding 3 months or to both such fine and such imprisonment.

(2) Any person who continues to commit an offence referred to in subregulation (1), after the date on which he or she was found guilty of such offence or on which he or she received a notice from the City Health Officer in which he or she is ordered to stop committing that offence, shall be guilty of a continuous offence and liable on conviction to a fine not exceeding R4,00 for each day for which the offence continues after that date.

Applicability of these regulations to persons who keep bees at the date on which the regulations come into force.

11. (1) Any person who keeps bees on the date on which these regulations come into force, shall within 30 days from that date apply for the issue of a permit.

(2) If the premises or beehives of the person concerned do not comply with the provisions of regulation 3, the City Health Officer may grant a further period of 60 days in which the person concerned may alter his or her premises or beehives so that they comply with the provisions of regulation 3 or find premises which comply with the provisions of regulation 3.

(3) If the period referred to in subregulation (2) has expired, and the premises or beehives concerned still do not comply with the provisions of regulation 3, the City Health Officer shall not issue a permit and the provisions of these regulations shall then be applicable to the person concerned.

ANNEXURE A

**MUNICIPALITY OF MARIENTAL
HEALTH DEPARTMENT**

No. of application 19.....

**APPLICATION FOR A PERMIT FOR
THE KEEPING OF BEES**

1. Name of applicant: Tel. No.:
Trade name (if any):
2. Address of applicant:
3. Name, address and number of premises where the bees are to be kept:
.....
4. How far are bees to be kept from the nearest house, dwelling, business place, public meeting place, public road or place where animals, poultry or birds are kept in cages or enclosed areas?
5. Has an advertisement referred to in regulation 5(2) been published?
.....
6. Dates of publication thereof: Newspaper:
7. Type of fence surrounding beehives:
8. How far are the beehives situated from the fence?
9. Under whose control and supervision are bees to be kept?
Name:
Address:
10. Does the person have knowledge of bees and bee-keeping?
11. State purposes for which bees are to be kept:
.....

.....
Signature of Applicant

REPORT OF INSPECTOR

On I inspected the above-mentioned premises and found that applicant has / has not complied with the requirements set out in regulation 3.

Objections were submitted / not submitted. Number:
(Provide the name and address of each objector and the grounds on which he or she objected.)

.....
.....
.....
.....
.....

The application is therefore recommended / not recommended because

.....
.....
.....

.....
Signature of Inspector

.....
Date

ANNEXURE B
MUNICIPALITY OF MARIENTAL

No. of Permit:

PERMIT AUTHORISING THE KEEPING OF BEES
WITHIN THE MUNICIPAL AREA OF MARIENTAL

Name:

Address:

The above-mentioned person is hereby permitted to keep bees and
..... beehives on the premises known as

.....
Mariental, from date hereof to 30 June subject to the provisions of the Council's regulations relating to the keeping of bees.

Receipt No.:

.....
Signature of City Health Officer

.....
Date