

### **GOVERNMENT GAZETTE**

OF THE

### REPUBLIC OF NAMIBIA

N\$3.60

WINDHOEK — 1 June 1995

No. 1090

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#### **Government Notices**

### MINISTRY OF WORKS, TRANSPORT AND COMMUNICATION

No. 86 1995

### APPOINTMENT OF MEMBERS OF THE NAMIBIA COUNCIL FOR ARCHITECTS AND QUANTITY SURVEYORS

In terms of section 3(5) of the Architects' and Quantity Surveyors' Act, 1979 (Act 13 of 1979) it is hereby notified that the Minister of Works, Transport and Communication has under section 3(1) of that Act appointed, with effect from 1 March 1995, the following persons to hold office as member of the Namibia Council for Architects and Quantity Surveyors for a period of 2 years:

G. Burger

K. McNamara

W. Jacobs

R. Bailey

### MINISTRY OF FISHERIES & MARINE RESOURCES

No. 87

1995

#### IMPOSITION OF LEVIES ON FISH: SEA FISHERIES ACT, 1992

Under section 25 of the Sea Fisheries Act, 1992 (Act 29 of 1992), and after consultation with the Sea Fisheries Advisory Council, and with the concurrence of the Minister of Finance, I hereby impose a levy on fish, as set out in the Schedule.

#### **SCHEDULE**

1. In this notice, any word or expression to which a meaning has been assigned in the Sea Fisheries Act, 1992 (Act 29 of 1992), shall have that meaning and, unless the context otherwise indicates -

"hake", means any fish of the species Merluccius capensis or para-doxus;

"horse-mackerel", means any fish of the genus Trachurus;

"pilchard", means any fish of the species Sardinops ocellata;

"West Coast steenbras", also known as "white fish" means any fish of the species Lithognathus aureti;

"blacktail", also known as "dassie", means any fish of the species Diplodus sargus;

"snoek", means any fish of the species Thyrsitus atun;

"galjoen", means any fish of the species Coracinus capensis.

- 2. Every quota holder who lands any fish or portions of fish of any of the species mentioned in paragraph 3, shall pay in respect of every metric ton so landed the appropriate levy prescribed in that paragraph, and in respect of a part of a metric ton, a *pro rata* portion of the prescribed amount.
- 3. Levies per metric ton

Species of Fish	Levy per metric ton
(a) Pilchard -	
<ul><li>(i) Intended for human consumption</li><li>(ii) Intended for use as bait or to be processed</li></ul>	N\$ 25,00
into fish meal	N\$ 10,00
(b) Other pelagic fish	N\$ 10,00
(c) Kingklip	N\$ 25,00

(d)	Monk		N\$ 25,00
(e)	West Coast sole		N\$ 25,00
<b>(f)</b>	Hake -		
	<ul><li>(i) Whole fish</li><li>(ii) Headed and gutted</li><li>(iii) Fillets</li><li>(iv) Broken sour</li></ul>		N\$ 18,00 N\$ 25,00 N\$ 45,00 N\$ 25,00
(g)	Rock lobster		N\$125,00
(h)	Horse mackerel		N\$ 10,00
(i)	Tuna -		
	<ul><li>(i) Intended for sashimi</li><li>(ii) Caught by pole and line method</li></ul>		50,00 25,00
(j)	Crab	N\$	50,00
(k)	Kob, steenbras, snoek, blacktail, galjoen		N\$ 10,00
(l)	Panga, reds, gurnards, jacopever, John Dory, skate, squid, angelfish, roes and offal		N\$ 1,00
(m)	Any other species		N\$ 1,00

- 4. For the purpose of paragraph 3 the mass of any fish shall be determined in accordance with the provisions of the Sea Fisheries Regulations promulgated under Government Notice 1 of 1993.
- 5. The levy payable in terms of paragraph 3 shall be paid to the Permanent Secretary, Ministry of Fisheries and Marine Resources, Private Bag 13355, Windhoek, within 30 days from the date on which the fish in question has been landed.
- 6. Interest at the rate determined by the Minister of Finance from time to time under section 35(b) of the State Finance Act, 1991 (Act 31 of 1991), shall be payable on late payments.
- 7. Every payment in terms of paragraph 5 shall be accompanied by a statement certified by the fishery control officer referred to in regulation 37 of the Sea Fisheries Regulations showing the mass of each species of fish for which payment is made.

H. POHAMBA MINISTER OF FISHERIES & MARINE RESOURCES

Windhoek, 28 April 1995

### MINISTRY OF FISHERIES & MARINE RESOURCES

No. 88

1995

#### AMENDMENT OF SEA FISHERIES REGULATIONS

The Minister of Fisheries and Marine Resources has under section 32 of the Sea Fisheries Act, 1992 (Act 29 of 1992), amended the Sea Fisheries Regulations, promulgated by Government Notice No. 1 of 1993, as set out in the Schedule.

#### **SCHEDULE**

Annexure Q is hereby amended by the substitution of the following Annexure:

# "ANNEXURE Q REPUBLIC OF NAMIBIA MINISTRY OF FISHERIES & MARINE RESOURCES SEA FISHERIES ACT, 1992

### CONVERSION FACTORS APPLICABLE FOR FISH CAUGHT IN NAMIBIAN WATERS

For the purpose of determining the mass of any processed fish landed in Namibia into live (round) weight, the following conversion factors shall apply:

	SPECIES & PRODUCT	CONVERSION FACTOR
(a)	Hake -	
	Headed and gutted Trimmed skinless fillets Untrimmed skin-on fillets Broken sour Gutted	1.46 2.25 1.94 1.46 1.04
(b)	Kingklip -	
	Headed and gutted	1.52
(c)	Monk -	,
	Headed and gutted	3.04
(d)	Sole -	
	Gutted	1.04
(e)	Horse mackerel -	
	Headed and tail off Fillets Fishmeal Canned (tins)	1.570 1.859 5.556 1.570

The live (round) weight of landed processed fish shall be calculated by multiplying the mass of the landed product with the appropriate conversion factor indicated in the above table."

H. POHAMBA MINISTER OF FISHERIES & MARINE RESOURCES

Windhoek, 28 April 1995

### MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 89

#### GOBABIS TOWN PLANNING AMENDMENT SCHEME NO. 1

In terms of section 26(2) of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954), I hereby give notice that I have under section 26(1) of the said Ordinance, read with section 27(1) thereof, approved the Gobabis Town Planning Amendment Scheme No. 1.

DR. L. AMATHILA MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

Windhoek, 8 May 1995

### MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 90

1995

### DECLARATION OF OSHAKATI TO BE AN APPROVED TOWNSHIP

Under section 13 of the Townships and division of Land Ordinance, 1963 (Ordinance 11 of 1963), I hereby declare the area situated on Portion 1 of the farm Oshakati Town and Townlands No. 880 in the Town of Oshakati, Registration Division A and represented by General Plan A 89 (SG A110/93) to be an approved township.

The conditions subject to which the application for permission to establish the township concerned has been granted, are set forth in the Schedule below in terms of that section 13.

DR. L. AMATHILA MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

Windhoek, 5 May 1995

#### **SCHEDULE**

#### Name of Township

1. The Township shall be called Oshakati.

#### Composition of Township

2. The Township comprises 349 erven numbered from 1 to 349 and streets as indicated on General Plan A89 (SG No. A.110/1993).

#### Reservation of erven

- 3. (1) The following erven are reserved for the State -
  - (a) erven 261, 265 and 268 for education purposes; and
  - (b) erven 8, 256, 262 and 267 for general administration purposes.
  - (2) The following erven are reserved for the local authority erven 250, 266, 275, 277 and 348 for general local authority purposes.

#### Conditions of title

- 4. (1) The following conditions shall be registered in favour of the local authority against the title deeds of erven 1 to 349, except the erven referred to in paragraph 3:
  - "(a) There shall be no obstruction or deviation of any natural course of storm-water over the erf without the written approval of the local authority.
  - (b) The erf is subject to the reservation for the local authority of the right of access and use without compensation of the area within a distance of three metres from any boundary of such erf, for the construction, maintenance or removal of municipal services in respect of water, sewerage, drainage, electricity or gas, which right includes the right to temporarily place on the erf any material that may be excavated during such operation on the erf or on any adjacent erf or other property.
  - (c) If the erf has more than one street frontage, access to the erf shall be obtained from the street determined by the local authority.
  - (d) No offensive trade whatsoever shall be established or conducted on the erf.
    - For the purposes of this paragraph, 'offensive trade' means any of the businesses, trades, works or institutions mentioned in regulation 1(a) of the regulations promulgated under Government Notice 141 of 1926.
  - (e) No cattle, pigs, goats, sheep, donkeys, monkeys, beasts of prey or draught animals shall be kept or allowed on the erf.".

- (2) The following conditions shall, in addition to those enumerated in paragraph (1), be registered in favour of the local authority against the title deeds of erven 11 to 113, 115 to 224, 226 to 249, 280 to 289, 291 to 308, 311 to 330, 332 to 342, 344 and 345:
  - "(a) The erf shall be used for residential purposes only.
  - (b) No building or structure, as the case may be, or any part of such building or structure, but excluding boundary walls, fences, fire walls or railway lines, shall, except with the written approval of the local authority, be erected on the erf within a distance of three metres from any boundary of the erf.
  - (c) The minimum value of the main building, including the outbuildings, which may be erected upon the erf shall be equal to twice the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.".
- (3) The following conditions shall, in addition to those enumerated in paragraph (1), be registered in favour of the local authority against the title deeds of erven 1 to 7, 9, 10, 251 to 255, 257 to 260, 263, 264, 269 to 274, 276 to 279, 290, 309, 310, 331, 343, 346, 347 and 349:
  - "(a) The erf shall, subject to the provisions of paragraph (b), only be used for -
    - (i) business purposes; or
    - (ii) the erection of flats.
  - (b) Notwithstanding the provisions of paragraph (a) -
    - (i) the ground floor of a main building on the erf shall not be used as a flat or flats; and
    - (ii) flats shall not be on the same floor of a building as offices or businesses.
  - (c) For the purposes of paragraph (a) or (b), "business" or "business purposes" included retail trade, wholesale trade, service stations, garages, bottle stores, offices, banks, professional services or similar activities, but does not include a factory as defined in section 3 of the Factories, Machinery and Building Work Ordinance, 1952 (Ordinance 34 of 1952).
  - (d) The minimum value of the main building, including the outbuildings, which may be erected on the erf shall be three times the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.".
- (4) The following conditions shall, in addition to those enumerated in paragraph (1), be registered against the title deeds of erven 114 and 225:
  - "(a) The erf shall only be used for religious purposes.

- (b) Only a church, a church hall, and outbuildings shall be erected on the erf.
- (c) The minimum value of the church and church hall, respectively, excluding any outbuildings, which may be erected on the erf shall be twice the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.".

Reference to Government Notice

5. Every deed of transfer relating to an erf forming part of the township shall contain a reference to this Government Notice.

### MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 91

### DECLARATION OF OSHAKATI (EXTENSION 1)TO BE AN APPROVED TOWNSHIP

Under section 13 of the Townships and division of Land Ordinance, 1963 (Ordinance 11 of 1963), I hereby declare the area situated on Portion 2 of the farm Oshakati Town and Townlands No. 880 in the Town of Oshakati, Registration Division A and represented by General Plan A 90 (SG A761/93) to be an approved township.

The conditions subject to which the application for permission to establish the township concerned has been granted, are set forth in the Schedule below in terms of that section 13.

DR. L. AMATHILA MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

Windhoek, 5 May 1995

#### **SCHEDULE**

Name of Township

1. The Township shall be called Oshakati (Extension 1).

Composition of Township

2. The Township comprises 396 erven numbered from 350 to 740, and 1299 to 1303 and streets as indicated on General Plan A90 (SG No. A761/1993).

#### Reservation of erven

- 3. (1) The following erven are reserved for the State -
  - (a) erven 539 and 678 for education purposes; and
  - (b) erf 390 for general administration purposes.
  - (2) The following erven are reserved for the local authority -
    - (a) erf 740 for a sports field; and
    - (b) erven 550, 679, 700, 708 and 738 for general local authority purposes.

#### Conditions of title

- 4. (1) The following conditions shall be registered in favour of the local authority against the title deeds of erven 350 to 740 and erven 1299 to 1303, except the erven referred to in paragraph 3:
  - "(a) There shall be no obstruction or deviation of any natural course of storm-water over the erf without the written approval of the local authority.
    - (b) The erf is subject to the reservation for the local authority of the right of access and use without compensation of the area within a distance of three metres from any boundary of such erf, for the construction, maintenance or removal of municipal services in respect of water, sewerage, drainage, electricity or gas, which right includes the right to temporarily place on the erf any material that may be excavated during such operation on the erf or on any adjacent erf or other property.
    - (c) If the erf has more than one street frontage, access to the erf shall be obtained from the street determined by the local authority.
    - (d) No offensive trade whatsoever shall be established or conducted on the erf.
      - For the purposes of this paragraph, 'offensive trade' means any of the businesses, trades, works or institutions mentioned in regulation 1(a) of the regulations promulgated under Government Notice 141 of 1926.
    - (e) No cattle, pigs, goats, sheep, donkeys, monkeys, beasts of prey or draught animals shall be kept or allowed on the erf.".
- (2) The following conditions shall, in addition to those enumerated in paragraph (1), be registered in favour of the local authority against the title deeds of erven 351 to 370, 372 to 381, 383 to 386, 391 to 397, 400 to 466, 468 to 490, 492 to 538, 540 to 549, 551 to 559, 562 to 581, 583 to 592, 595 to 604, 607 to 629, 633 to 643, 645 to 654, 656 to 677, 680 to 699, 701, 709 to 713, 715 to 725, 727 to 731, 733 to 735 and 739:

- "(a) The erf shall be used for residential purposes only.
- (b) No building or structure, as the case may be, or any part of such building or structure, but excluding boundary walls, fences, fire walls or railway lines, shall, except with the written approval of the local authority, be erected on the erf within a distance of three metres from any boundary of the erf.
- (c) The minimum value of the dwelling, including the outbuildings, which may be erected upon the erf shall be equal to twice the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.".
- (3) The following conditions shall, in addition to those enumerated in paragraph (1), be registered in favour of the local authority against the title deeds of erven 350, 371, 387 to 389, 398, 399, 467, 560, 561, 593, 594, 606, 632, 644, 702 to 707, 736, 737 and 1299 to 1303:
  - "(a) The erf shall, subject to the provisions of subparagraph (b), only be used for -
    - (i) business purposes; or
    - (ii) the erection of flats.
  - (b) Notwithstanding the provisions of paragraph (a) -
    - (i) the ground floor or any part of such ground floor, of a main building on the erf shall not be used as a flat or flats; and
    - (ii) flats shall not be on the same floor of a building as offices or businesses.
  - (c) For the purposes of paragraph (a) or (b), "business" or "business purposes" included retail trade, wholesale trade, service stations, garages, bottle stores, offices, banks, professional services or similar activities, but does not include a factory as defined in section 3 of the Factories, Machinery and Building Work Ordinance, 1952 (Ordinance 34 of 1952).
  - (d) The minimum value of the main building, including the outbuildings, which may be erected on the erf shall be three times the local authority valuation of such erf as at the date of the approval by the local authority of the building plans relating to such buildings.".
- (4) The following conditions shall, in addition to those enumerated in paragraph (1), be registered against the title deeds of erven 382, 491, 582, 605, 631, 714, 726 and 732:
  - "(a) The erf shall only be used for religious purposes.
  - (b) Only a church, a church hall, and outbuildings shall be erected on the erf.

(c) The minimum value of the church and church hall, respectively, excluding any outbuildings, which may be erected on the erf shall be twice the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.".

#### Reference to Government Notice

5. Every deed of transfer relating to an erf forming part of the township shall contain a reference to this Government Notice.

### MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 92

### DECLARATION OF OSHAKATI (EXTENSION 2)TO BE AN APPROVED TOWNSHIP

Under section 13 of the Townships and division of Land Ordinance, 1963 (Ordinance 11 of 1963), I hereby declare the area situated on Portion 3 of the farm Oshakati Town and Townlands No. 880 in the Town of Oshakati, Registration Division A and represented by General Plan A 91 (SG A195/94) to be an approved township.

The conditions subject to which the application for permission to establish the township concerned has been granted, are set forth in the Schedule below in terms of that section 13.

DR. L. AMATHILA MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

Windhoek, 5 May 1995

#### **SCHEDULE**

#### Name of Township

1. The Township shall be called Oshakati (Extension 2).

#### Composition of Township

2. The Township comprises 281 erven numbered from 741 to 1017 and from 1363 to 1366, and streets as indicated on General Plan A91 (SG No. A195/1994).

#### Reservation of erven

3. (1) The following erven are reserved for the State -

erven 746, 747, 757, 791, 843, 850, 853, 855, 873, 907, 928, 943 and 981 for general administration purposes; and

- 2) The following erven are reserved for the local authority -
  - (2) The following erven are reserved for the local authority -
    - (a) erven 857, 908 and 909 as open spaces;
    - (b) erf 897 as a sports field; and
    - (c) erven 751 and 906 for general local authority purposes.

#### Conditions of title

- 4. (1) The following conditions shall be registered in favour of the local authority against the title deeds of erven 741 to 1017 and from 1363 to 1366, except the erven referred to in paragraph 3:
  - "(a) There shall be no obstruction or deviation of any natural course of storm-water over the erf without the written approval of the local authority.
  - (b) The erf is subject to the reservation for the local authority of the right of access and use without compensation of the area within a distance of three metres from any boundary of such erf, for the construction, maintenance or removal of municipal services in respect of water, sewerage, drainage, electricity or gas, which right includes the right to temporarily place on the erf any material excavated during such operation on the erf or on any adjacent erf or other property.
  - (c) If the erf has more than one street frontage, access to the erf shall be obtained from the street determined by the local authority.
  - (d) No offensive trade whatsoever shall be established or conducted on the erf.

For the purposes of this paragraph, 'offensive trade' means any of the businesses, trades, works or institutions mentioned in regulation 1(a) of the regulations promulgated under Government Notice 141 of 1926.

- (e) No cattle, pigs, goats, sheep, donkeys, monkeys, beasts of prey or draught animals shall be kept or allowed on the erf.".
- (2) The following conditions shall, in addition to those enumerated in paragraph (1), be registered in favour of the local authority against the title deeds of erven 744, 753, 754 to 756, 758 to 774, 778 to 790, 792 to 827, 828 to 841, 858 to 872, 874 to 895, 900 to 905, 910 to 927, 929 to 931, 933 to 938, 940 to 942, 944 to 980, 982 to 986, 988 to 990, 993 to 1017:
  - "(a) The erf shall be used for residential purposes only.
  - (b) No building or structure, as the case may be, or any part of such building or structure, but excluding boundary walls, fences, fire walls or railway lines, shall, except with the written approval of the local authority, be erected on the erf within a distance of three metres from any boundary of the erf.

- (c) The minimum value of the main building, including the outbuildings, which may be erected upon the erf shall be equal to twice the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.".
- (3) The following conditions shall, in addition to those enumerated in paragraph (1), be registered in favour of the local authority against the title deeds of erven 741 to 743, 745, 748 to 750, 752, 775 to 777, 842, 844 to 849, 851, 852, 854, 856, 896, 898, 932, 939, 987, 991, 992 and 1363 and 1366:
  - "(a) The erf shall, subject to the provisions of subparagraph (b), only be used for -
    - (i) business purposes; or
    - (ii) the erection of flats.
  - (b) Notwithstanding the provisions of subparagraph (a) -
    - (i) the ground floor or any part of such ground floor, of a main building on the erf shall not be used as a flat or flats; and
    - (ii) flats shall not be on the same floor of a building as offices or businesses.
  - (c) For the purposes of paragraphs (a) and (b), "business" or "business purposes" includes retail trade, wholesale trade, service stations, garages, bottle stores, offices, banks, professional services or similar activities, but does not include a factory as defined in section 3 of the Factories, Machinery and Building Work Ordinance, 1952 (Ordinance 34 of 1952).
  - (d) The minimum value of the main building, including the outbuildings, which may be erected on the erf shall be three times the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.".

Reference to Government Notice

5. Every deed of transfer relating to an erf forming part of the township shall contain a reference to this Government Notice.

### MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 93

### DECLARATION OF OSHAKATI (EXTENSION 3)TO BE AN APPROVED TOWNSHIP

Under section 13 of the Townships and division of Land Ordinance, 1963 (Ordinance 11 of 1963), I hereby declare the area situated on Portion 2 of the farm Oshakati Town and Townlands No. 880 in the Town of Oshakati, Registration Division A and represented by General Plan A92 (SG A763/93) to be an approved township.

The conditions subject to which the application for permission to establish the township concerned has been granted, are set forth in the Schedule below in terms of that section 13.

DR. L. AMATHILA MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

Windhoek, 5 May 1995

#### **SCHEDULE**

Name of Township

1. The Township shall be called Oshakati (Extension 3).

Composition of Township

2. The Township comprises 282 erven numbered from 1018 to 1298, 1362 and streets as indicated on General Plan A92 (SG No. A763/1993).

#### Reservation of erven

- 3. (1) The following erven are reserved for the State -
  - (a) erven 1279 and 1297 for education purposes; and
  - (b) erven 1119, 1270, 1271, 1276, 1281 and 1291 for general administration purposes.
  - (2) The following erven are reserved for the local authority -
    - (a) erf 1283 for an open space; and
    - (b) erven 1269, 1272, 1282 and 1292 for general local authority purposes.

#### Conditions of title

- 4. (1) The following conditions shall be registered in favour of the local authority against the title deeds of erven 1018 to 1298 and of 1362, except the erven referred to in paragraph 3:
  - "(a) There shall be no obstruction or deviation of any natural course of storm-water over the erf without the written approval of the local authority.
  - (b) The erf is subject to the reservation for the local authority of the right of access and use without compensation of the area within a distance of three metres from any boundary of such erf, for the construction, maintenance or removal of municipal services in respect of water, sewerage, drainage, electricity or gas, which right includes the right to temporarily place on the erf any material excavated during such operation on the erf or on any adjacent erf or other property.
  - (c) If the erf has more than one street frontage, access to the erf shall be obtained from the street determined by the local authority.
  - (d) No offensive trade whatsoever shall be established or conducted on the erf.
    - For the purposes of this paragraph, 'offensive trade' means any of the businesses, trades, works or institutions mentioned in regulation 1(a) of the regulations promulgated under Government Notice 141 of 1926.
  - (e) No cattle, pigs, goats, sheep, donkeys, monkeys, beasts of prey or draught animals shall be kept or allowed on the erf.".
- (2) The following conditions shall, in addition to those enumerated in paragraph (1), be registered in favour of the local authority against the title deeds of erven 1018 to 1057, 1059, 1060 to 1118, 1120 to 1122, 1151 to 1268, 1275, 1277, 1278, 1285 to 1290, 1294 to 1296, 1298 and 1362:
  - "(a) The erf shall be used for residential purposes only.
  - (b) No building or structure, as the case may be, or any part of such building or structure, but excluding boundary walls, fences, fire walls or railway lines, shall, except with the written approval of the local authority, be erected on the erf within a distance of three metres from any boundary of the erf.
  - (c) The minimum value of the dwelling, including the outbuildings, which may be erected upon the erf shall be equal to twice the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.".

- (3) The following conditions shall, in addition to those enumerated in paragraph (1), be registered in favour of the local authority against the title deeds of erven 1058, 1274, 1280, 1284 and 1293:
  - "(a) The erf shall, subject to the provisions of subparagraph (b), only be used for -
    - (i) business purposes; or
    - (ii) the erection of flats.
  - (b) Notwithstanding the provisions of subparagraph (a) -
    - (i) the ground floor or any part of such ground floor, of a main building on the erf shall not be used as a flat or flats; and
    - (ii) flats shall not be on the same floor of a building as offices or businesses.
  - (c) For the purposes of paragraph (a) or (b), "business" or "business purposes" includes retail trade, wholesale trade, service stations, garages, bottle stores, offices, banks, professional services or similar activities, but does not include a factory as defined in section 3 of the Factories, Machinery and Building Work Ordinance, 1952 (Ordinance 34 of 1952).
  - (d) The minimum value of the main building, including the outbuildings, which may be erected on the erf shall be three times the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.".

#### Reference to Government Notice

5. Every deed of transfer relating to an erf forming part of the township shall contain a reference to this Government Notice.

### MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 94 1995

### DECLARATION OF OSHAKATI (EXTENSION 4)TO BE AN APPROVED TOWNSHIP

Under section 13 of the Townships and division of Land Ordinance, 1963 (Ordinance 11 of 1963), I hereby declare the area situated on Portion 5 of the farm Oshakati Town and Townlands No. 880 in the Town of Oshakati, Registration Division A and represented by General Plan A93 (SG A229/94) to be an approved township.

The conditions subject to which the application for permission to establish the township concerned has been granted, are set forth in the Schedule below in terms of that section 13.

DR. L. AMATHILA MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

Windhoek, 5 May 1995

#### **SCHEDULE**

#### Name of Township

1. The Township shall be called Oshakati (Extension 4).

#### Composition of Township

2. The Township comprises 58 erven numbered from 1304 to 1361 and streets as indicated on General Plan A93 (SG No. A229/1994).

#### Reservation of erven

3. Erven 1319 and 1327 shall be reserved for the State for general administration purposes.

#### Conditions of title

- 4. (1) The following conditions shall be registered in favour of the local authority against the title deeds of erven 1304 to 1361, except the erven referred to in paragraph 3:
  - "(a) There shall be no obstruction or deviation of any natural course of storm-water over the erf without the written approval of the local authority.
  - (b) The erf is subject to the reservation for the local authority of the right of access and use without compensation of the area within a distance of three metres from any boundary of such erf, for the construction, maintenance or removal of municipal services in respect of water, sewerage, drainage, electricity or gas, which right includes the right to temporarily place on the erf any material excavated during such operation on the erf or on any adjacent erf or other property.
  - (c) If the erf has more than one street frontage, access to the erf shall be obtained from the street determined by the local authority.
  - (d) No offensive trade whatsoever shall, subject to paragraph (2), be established or conducted on the erf.

For the purposes of this paragraph, 'offensive trade' means any of the businesses, trades, works or institutions mentioned in regulation 1(a) of the regulations promulgated under Government Notice 141 of 1926.

- (e) No cattle, pigs, goats, sheep, donkeys, monkeys, beasts of prey or draught animals shall be kept or allowed on the erf.".
- (2) The following conditions shall, in addition to those enumerated in paragraph (1), be registered in favour of the local authority against the title deeds of erven 1304 to 1318, 1320 to 1326, and 1328 to 1361:
  - "(a) The erf shall, except with the written approval of the local authority, but subject to the provisions of subparagraph (e), be used for industrial purposes only.
  - (b) "Industrial purposes", for the purposes of this paragraph, means a factory as defined in section 3 of the Factories, Machinery and Building Work Ordinance, 1952 (Ordinance 34 of 1952).
  - (c) No building or structure, as the case may be, or any part of such building or structure, but excluding boundary walls, fences, fire walls or railway lines, shall, except with the written approval of the local authority, be erected on the erf within a distance of three metres from any boundary of the erf.
  - (d) The minimum value of the main building, including the outbuildings, which may be erected upon the erf shall be equal to four times the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.".
  - (e) Notwithstanding the provisions of subparagraphs (a) and (b), no tannery or abattoir of any kind shall, without the written consent of the Minister, be allowed or conducted on the erf.".

#### Reference to Government Notice

5. Every deed of transfer relating to an erf forming part of the township shall contain a reference to this Government Notice.

### MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 95

### DECLARATION OF OSHAKATI (EXTENSION 5)TO BE AN APPROVED TOWNSHIP

Under section 13 of the Townships and division of Land Ordinance, 1963 (Ordinance 11 of 1963), I hereby declare the area situated on Portion 6 of the farm Oshakati Town and Townlands No. 880 in the Town of Oshakati, Registration Division A and represented by General Plan A98 (SG A236/94) to be an approved township.

The conditions subject to which the application for permission to establish the township concerned has been granted, are set forth in the Schedule below in terms of that section 13.

DR. L. AMATHILA MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

Windhoek, 5 May 1995

#### **SCHEDULE**

#### Name of Township

1. The Township shall be called Oshakati (Extension 5).

#### Composition of Township

2. The Township comprises 23 erven numbered from 1380 to 1402 and streets as indicated on General Plan A98 (SG No. A236/1994).

#### Conditions of title

- 3. The following conditions shall be registered in favour of the local authority against the title deeds of erven 1380 to 1402:
  - "(a) There shall be no obstruction or deviation of any natural course of storm-water over the erf without the written approval of the local authority.
  - (b) The erf is subject to the reservation for the local authority of the right of access and use without compensation of the area within a distance of three metres from any boundary of such erf, for the construction, maintenance or removal of municipal services in respect of water, sewerage, drainage, electricity or gas, which right includes the right to temporarily place on the erf any material excavated during such operation on the erf or on any adjacent erf or other property.
  - (c) If the erf has more than one street frontage, access to the erf shall be obtained from the street determined by the local authority.
  - (d) No offensive trade whatsoever shall, except with the written approval of the local authority, but subject to subparagraph (j), be established or conducted on the erf.
    - For the purposes of this paragraph, 'offensive trade' means any of the businesses, trades, works or institutions mentioned in regulation 1(a) of the regulations promulgated under Government Notice 141 of 1926.
  - (e) No cattle, pigs, goats, sheep, donkeys, monkeys, beasts of prey or draught animals shall be kept or allowed on the erf.".
  - (f) The erf shall be used for industrial purposes only.

- (g) "Industrial purposes", for the purposes of this paragraph, means a factory defined in section 3 of the Factories Machinery and Building Work Ordinance, 1952 (Ordinance 34 of 1952).
- (h) No building or structure, as the case may be, or any part of such building or structure, but excluding boundary walls, fences, fire walls or railway lines, shall, except with the written approval of the local authority, be erected on the erf within a distance of three metres from any boundary of the erf.
- (i) The minimum value of the dwelling, including the out-buildings, which may be erected upon the erf shall be equal to not less than four times the local authority valuation of the erf as at the date of the approval by the local authority of the building plans relating to such buildings.
- (j) Notwithstanding the provisions of subparagraphs (d) and (g), no tannery or abattoir of any kind shall, without the written consent of the Minister, be allowed or conducted on any erf.

Reference to Government Notice

4. Every deed of transfer relating to an erf forming part of the township shall contain a reference to this Government Notice.

#### MINISTRY OF HIGHER EDUCATION, VOCATIONAL TRAINING, SCIENCE AND TECHNOLOGY

No. 96 1995

#### POLYTECHNIC OF NAMIBIA ACT, 1994: DESIGNATION OF CERTAIN BODIES IN TERMS OF SECTION 6

In terms of subparagraph (iv) of paragraph (c) of section 6(2) of the Polytechnic of Namibia Act, 1994 (Act 33 of 1994), I hereby designate the following bodies to represent the interests of the sectors referred to in that subparagraph:

Chamber of Mines of Namibia

Namibia National Farmers Union

Namibia Agricultural Union

Windhoek Chamber of Commerce

and Industries

Namibia National Chamber of Commerce and Industry

N. ANGULA MINISTER OF HIGHER EDUCATION, VOCATIONAL TRANING, SCIENCE AND TECHNOLOGY

Windhoek, 3 May 1995

#### MINISTRY OF FINANCE

No. 97

#### DETERMINATION OF MAXIMUM ANNUAL FINANCE CHARGE RATES: USURY ACT, 1968

In accordance with the directions of the Minister of Finance, I determine in terms of subsections (1), (2) and (3) of section 2 of the Usury Act, 1968, (Act 73 of 1968) that -

- (a) no money lender shall in connection with any money lending transaction;
- (b) no credit grantor shall in connection with any credit transaction; and
- (c) no lessor shall in connection with any leasing transaction,

stipulate for, demand or receive finance charges at an annual finance charge rage greater than the appropriate percentage specified in the Schedule in relations to such transaction.

Government Notice 47 of 1 March 1995 is hereby repealed.

G. GAOSEB REGISTRAR OF FINANCIAL INSTITUTIONS

Windhoek, 24 May 1994

#### **SCHEDULE**

- 1. For the purposes of section 2(1) of the Act, in respect of money lending transactions -
  - (a) 29% where the total amount of money does not exceed R6 000; and
  - (b) 26% where the total amount of money exceeds R6 000.
- 2. For the purposes of section 2(2) of the Act, in respect of credit transactions -
  - (a) 29% where the principal debt does not exceed R6 000; and
  - (b) 26% where the principal debt exceeds R6 000.
- 3. For the purposes of section 2(3) of the Act, in respect of leasing transactions -
  - (a) 29% where the principal debt does not exceed R6 000; and
  - (b) 26% where the principal debt exceeds R6 000.

### MINISTRY OF LANDS, RESETTLEMENT AND REHABILITATION

No. 98

AGRICULTURAL (COMMERCIAL) LAND REFORM ACT, 1995:
DESIGNATION OF ASSOCIATIONS OR BODIES TO
NOMINATE MEMBERS FOR APPOINTMENT TO
THE LAND REFORM COMMISSION

In terms of section 4(1)(c) of the Agricultural (Commercial) Land Reform Act, 1995 (Act 6 of 1995), read with section 12(3) of The Interpretation of Laws Proclamation, 1920 (Proclamation 37 of 1920), I hereby designate the Namibia Agricultural Union, the Namibia Farm Workers Union and the Namibia National Farmers Union, as associations or bodies involved in agricultural affairs, to each nominate two persons for appointment as members of the Land Reform Commission.

R.K. KABAJANI MINISTER OF LANDS, RESETTLEMENT AND REHABILITATION

Windhoek, 18 May 1995

#### **General Notices**

No. 128

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1995

#### APPLICATIONS FOR BROADCASTING LICENCES

In accordance with Section 17(4)(a) of the Namibian Communications Commission Act, Act No. 4 of 1992, the following instances applied for broadcasting licences:

1.	Radio Antenna Namibia	(rebroadcast Radio 99 in Oshakati)
2.	Reho-TV	(community television station in Reho-
		both)
3.	Media for Christ	(rebroadcast Channel 7 in Keetmanshoop)
4.	Media for Christ	(rebroadcast Channel 7 in Mariental)
5.	Media for Christ	(rebroadcast Channel 7 in Gobabis)
6.	Media for Christ	(rebroadcast Channel 7 in Outjo)
7.	Media for Christ	(rebroadcast Channel 7 in Otjiwarongo)
8.	Media for Christ	(rebroadcast Channel 7 in Grootfontein)
9.	Media for Christ	(rebroadcast Channel 7 in Omaruru/
		Erongo)
10.	Media for Christ	(rebroadcast Channel 7 in Rehoboth)

Section 17(4)(b) of the said Act provides that "any person may within fourteen days of publication of a notice in terms of paragraph 4(a) lodge with the Commission written representations opposing the issue of a broadcasting licence, and such representation shall be taken into account when the Commission considers the application".

Contact: Acting Secretary of the Namibian Communications Commission
"Broadcasting Licences"
Private Bag 13344
Windhoek

#### NAMIBIA ESTATE AGENTS BOARD

No. 129 1995

### EXAMINATION IN ACCORDANCE WITH GOVERNMENT NOTICE R1409 OF 1 JULY 1983 (AS AMENDED)

An examination in accordance with abovementioned notice will take place on 22 June 1995 at 14:00 at the following address:

Hervormde Kerksaal, Peter Müller Street, Windhoek

#### REGISTRATION

- (a) From 29th May 1995 to 2nd June 1995 at the offices of the Namibia Estate Agents Board. Candidates writing in Swakopmund can register at the offices of Namib Estate Agency, SWABOU Building, Swakopmund, Tel. (0641) 4267.
- (b) Examination Fee: N\$125.00
- (c) Prescribed application form and information with regard to the Board's examination as well as information regarding the prescribed study material may be obtained from the Namibia Estate Agents Board. (Enquiries: Mornings only Tel. 249885 from 9 a.m. to 12 p.m. Mrs. M. Stainton).
- (d) Candidates interested in the examination course must contact The Institute of Estate Agents at Tel. 221080.

#### MUNICIPALITY OF GOBABIS

No. 130

1995

#### AMENDMENT OF WATER SUPPLY REGULATIONS

The Council of the Municipality of Gobabis, under Section 30(1)(u) of the Local Authorities Act, 1992 (Act 23 of 1992), further amends the Water Supply Regulations promulgated under Government Notice 17 of 1958 as set out in the Schedule.

#### **SCHEDULE**

Schedule B is hereby amended by the substitution for Item I of the following item:

"1. (a) Monthly minimum charge including rental for a water meter:

Up to 25mm	connection — N\$ 8,50
Over 25mm — 37,5mm	connection — N\$15,60
Over 37,5mm — 75mm	connection — N\$28,50
Over 75mm — 100m	connection — N\$43,00
Over 100m — 150mm	connection — N\$50,00
Over 150mm	connection — N\$70,00

- (b) Basic charge payable on all vacant erven per month or part of a month N\$ 8,50
- (c) From 1 cubic metre up to 10 cubic metres of water consumed per cubic metre

  N\$ 1,80
- (d) From 11 cubic metres up to 60 cubic metres of water consumed per cubic metre

  N\$ 2,05
- (e) From 61 cubic metres up to 120 cubic metres of water consumed per cubic metre

  N\$ 2.50
- (f) From 121 cubic metres up to 200 cubic metres of water consumed per cubic metre N\$ 3.50
- (g) Over 201 cubic metres of water consumed per cubic metre

  N\$ 7,00"

BY ORDER OF THE COUNCIL

J.A. VAN DER MERWE TOWN CLERK

Gobabis, 27 April 1995

#### MUNICIPALITY OF KARASBURG

No. 131

1995

#### AMENDMENT OF SANITARY REGULATIONS

The Council of the Municipality of Karasburg under section 30(1)(u) of the Local Authorities Act, 1992 (Act No. 23 of 1992), further amends the Sanitary Regulations promulgated under Government Notice 160 of 1939 as set out in the Schedule.

#### **SCHEDULE**

The Schedule is hereby amended -

- (a) By the substitution in item (a)(i) for the amount "N\$14,00" of the amount "N\$16,00"; and
- (b) By the substitution in item (b)(i) for the amount "N\$9,00" of the amount "N\$16,00".

BY ORDER OF THE COUNCIL

M. WALTERS CHAIRPERSON OF THE COUNCIL

Karasburg, 2 May 1995

#### MUNICIPALITY OF OKAHANDJA

No. 132

1995

### CLOSURE OF A PORTION OF THE CONSOLIDATED ERF 131 (STREET) OKAHANDJA

Notice is hereby given in terms of Section 50(3)(a) of the Local Authorities Act of 1992 (Act 23 of 1992), that the Municipality of Okahandja proposes the closure of a portion of the consolidated Erf 131 (Street) Okahandja which lies for inspection during normal office hours at the office of the Town Clerk.

#### Closure of a portion of the Consolidated Erf 131 (Street) Okahandja

Objections to the proposed closure are to be served to the Town Clerk, P.O. Box 15, Okahandja within 30 days after appearance of this notice in accordance with Section 50(3)(a) of the above Act.

MR. B. OPPERMAN TOWN CLERK

#### MUNICIPALITY OF WINDHOEK

No. 133

1995

### MUNICIPALITY OF WINDHOEK: AMENDMENT OF PARKING METER REGULATIONS

The Council of the Municipality of Windhoek, under section 94(1) of the Local Authorities Act, 1992 (Act 23 of 1992), further amends the Parking Meter Regulations promulgated under Government Notice 226 of 1974, as set out in the Schedule.

BY ORDER OF THE COUNCIL

MATHEUS SHIKONGO CHAIRPERSON OF THE COUNCIL

Windhoek, 18 April 1995

#### SCHEDULE

- 1. Regulation 1 is hereby amended -
- (a) by the insertion of the following definition before the definition of "council":
  - "'cash key' means a device referred to in regulation 3A by means of which a parking meter can be put into operation and payment for the required parking period can be made, as alternative to the insertion of a coin;"; and
- (b) by the substitution for the definition of "parking meter" of the following definition:
  - "'parking meter' means a device which indicates the passage of time of the parking period selected by a user when it is put into operation in accordance with subregulation 3(1), and includes any post or fixture to which it is attached;".
- 2. Regulation 2 is hereby deleted.
- 3. The following regulation is hereby substituted for regulation 3:
- "3. (1) Subject to subregulation (2) and regulation 10, no person shall park any vehicle in a demarcated parking place which is served by a parking meter without putting such parking meter into operation -
  - (a) by means of the insertion of the appropriate coin indicated in the legend on such meter and, if so equipped, by turning the operating handle thereof to the position where the parking period is registered and indicated by the meter; or

- (b) in the case of a parking meter equipped with a cash key option, by means of the insertion of the cash key until the parking period required by the user is registered and indicated by the meter.
- (2) The provisions of subsection (1) shall not apply -
- (a) during the period between 13:00 on Saturdays and 08:00 on Mondays, and between such other hours as determined by the Council and indicated in the legend on the parking meter;
- (b) where a vehicle is parked in a vacant demarcated parking place for the unexpired parking period indicated by the parking meter when the vehicle is so parked.".
- 4. The following regulation is hereby inserted after regulations 3:
- "3A. (1) Any person may, upon payment of a deposit determined by the Council, obtain from the Council a cash key which may, in lieu of coins, be used for putting into operation a parking meter equipped with a facility for that purpose and for paying for the required parking period through the credit encoded on such cash key in accordance with subregulation (2).
- (2) Upon payment of the required amount by the holder of a cash key, the Council shall cause a credit to be value of the amount so paid to be electronically encoded on the cash key concerned.
- (3) Notwithstanding payment of the deposit in respect of a cash key and the delivery thereof to any person, a cash key shall remain the property of the Council.
- (4) A cash key shall not be transferable and shall be returned to the Council upon discontinuation of the use thereof.
- (5) Where a cash key is surrendered to the Council by the holder thereof, or by a person acting in a representative capacity of such person or the deceased estate or insolvent estate of such person, the Council shall, subject to subregulation (6), refund to the person concerned, or his or her deceased estate or insolvent estate, as the case may be -
  - (a) the amount which was deposited in respect of the cash key concerned in terms of subregulation (1); and
  - (b) the amount of any credit available on the cash key at the time it is so surrendered.
- (6) Notwithstanding subregulation (5), the Council may set off against an amount refundable in terms of that subregulation any debt owed by the person concerned to the Council.
- (7) The Council shall not be obliged to make any refund of the deposit or any other amount paid in relation to a cash key in the event it is lost or stolen, and any such occurrence shall be reported forthwith to the City Treasurer."

- 3. Regulation 6 is hereby amended by the substitution in paragraph (a) for the expression "South African currency" of the expression "Namibian currency".
- 4. Regulation 10 is hereby amended by the substitution for the phrase "inserting the prescribed coin in the parking meter" of the phrase "putting into operation the parking meter as required by regulation 3(1)".
- 5. Regulation 11 is hereby amended by the substitution for the amount "R100" of the amount "N\$200".

#### CITY OF WINDHOEK

No. 134

1995

### PERMANENT CLOSING OF PORTION 1 OF ERF 1505 WINDHOEK, AS STREET

Notice is hereby given in terms of article 50(1)(C) of the Local Authorities Act of 1992 (Act 23 of 1992), that the Municipality of Windhoek proposes to close permanently the undermentioned portions as indicated on the locality plan P/3333/A which lies for inspection during office hours at the office of the Town Planner, Room702, Municipal Offices, Independence Avenue.

### Portion 1 of Erf 1505 Windhoek, as Street (Corner of Mandume Ndemufayo Avenue and Railway Line)

Objections to the proposed closing are to be served on the Director, Local Authorities and Development Planning, Private Bag 13289, and the Town Clerk, P.O. Box 59, Windhoek, within 30 days after the appearance of this notice in accordance with Article 50(a)(C) of the above Act.

VINSON HAILULU TOWN CLERK

#### MUNICIPALITY OF WALVIS BAY

No. 135

1995

## TARIFFS FOR THE LEASING OF FACILITIES AT THE INDOOR SPORTS COMPLEX: WALVIS BAY

The Council of the Municipality of Walvis Bay under Section 30(1)(u) of the Local Authorities Act, 1992 (Act 23 of 1992) hereby determines the tariffs for the leasing of facilities at the Indoor Sports Complex (Walvis Bay) as set out in the Schedule.

#### **SCHEDULE**

Tariffs for the leasing of facilities at the Indoor Sports Complex:

(a) Main Hall

: N\$20,00 per hour (17:00 — 21:00: Monday to

Friday)

N\$10,00 per hour (Any other time)

(b) Aerobis Hall

: 10% of the amount charged by the instructor

per pupil per month.

BY ORDER OF THE COUNCIL OF WALVIS BAY

BALBINA DAES PIENAAR VICE-CHAIRPERSON OF THE COUNCIL

Walvis Bay, 5 May 1995

#### MUNICIPALITY OF SWAKOPMUND

No. 136

1995

### GENERAL VALUATION OF SITE AND IMPROVEMENTS: SWAKOPMUND

In terms of Section 66(a) of the Local Authorities Act, (Act 23 of 1992), notice is hereby given that a general valuation roll of site and improvements in respect of Swakopmund, Mondesa and Tamariskia was compiled for the five years period ending 31 January 1995.

A Valuation Court will be held at the Magistrate's Office Swakopmund on Wednesday 21 June 1995 at 09:00 to consider the roll.

BY ORDER OF THE COUNCIL

D.H. KAMHO CHAIRPERSON OF THE COUNCIL E.U.W. DEMASIUS TOWN CLERK