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CONTENTS

	<i>Page</i>
GOVERNMENT NOTICE	
No. 185 Promulgation of General Law Amendment Act, 2005 (Act No. 14 of 2005), of the Parliament.....	1

Government Notice

OFFICE OF THE PRIME MINISTER

No. 185

2005

PROMULGATION OF ACT OF PARLIAMENT

The following Act which has been passed by the Parliament and signed by the President in terms of the Namibian Constitution is hereby published in terms of Article 56 of that Constitution.

No. 14 of 2005: General Law Amendment Act, 2005.

Act No. 14, 2005 GENERAL LAW AMENDMENT ACT, 2005**EXPLANATORY NOTE:**

_____ Words underlined with a solid line indicate insertions in existing provisions.

[] Words in bold type in square brackets indicate omissions from existing provisions.

ACT

To amend the following laws, namely the Stock Theft Act, 1990; the Police Act, 1990; the Arms and Ammunition Act, 1996; the Security Enterprises and Security Officers Act, 1998; the Second Hand Goods Act, 1998; and the Motor Vehicle Theft Act, 1999, so as to assign the administration of those Acts to the Minister responsible for policing; and to amend the Prisons Act, 1998, so as to assign the administration of that Act to the Minister responsible for prison services; and to provide for certain other matters.

(Signed by the President on 23 December 2005)

BE IT ENACTED by the Parliament of the Republic of Namibia, as follows:-

Amendment of section 1 of Act No. 12 of 1990, as amended by section 1 of Act No. 19 of 1993 and section 1 of Act No. 19 of 2004

1. Section 1 of the Stock Theft Act, 1990, is amended by the substitution for the definition of “Minister” of the following definition:

“ ‘Minister’ means the Minister **[of Home Affairs]** responsible for policing;”.

Amendment of section 1 of Act No. 19 of 1990

2. Section 1 of the Police Act, 1990, is amended by the substitution for the definition of “Minister” of the following definition:

“ ‘Minister’ means the Minister **[of Home Affairs]** responsible for policing;”.

Amendment of section 1 of Act No. 7 of 1996

3. Section 1 of the Arms and Ammunition Act, 1996, is amended by the substitution for the definition of “Minister” of the following definition:

“ ‘Minister’ means the Minister **[of Home Affairs]** responsible for policing;”.

Amendment of section 1 of Act No. 17 of 1998

4. Section 1 of the Prisons Act, 1998, is amended -

(a) by the substitution for the definition of “Minister” of the following definition:

“ ‘Minister’ means the Minister **[of Prisons and Correctional Services]** responsible for prison services;” and

Act No. 14, 2005 GENERAL LAW AMENDMENT ACT, 2005

(b) by the insertion after the definition of “Minister” of the following definition:

“ ‘Ministry’ means the Ministry charged with the administration of affairs related to prison services;”.

Amendment of section 112 of Act No. 17 of 1998

5. Section 112 of the Prisons Act, 1998, is amended by the substitution for paragraph (c) of subsection (1) of the following paragraph:

“(c) the Permanent Secretary [**:Prisons and Correctional Services**] of the Ministry, in respect of all prisons in Namibia;”.

Amendment of section 1 of Act No. 19 of 1998

6. Section 1 of the Security Enterprises and Security Officers Act, 1998, is amended by the substitution for the definition of “Minister” of the following definition:

“ ‘Minister’ means the Minister [**of Home Affairs**] responsible for policing;”.

Amendment of section 1 of Act No. 23 of 1998

7. Section 1 of the Second Hand Goods Act, 1998, is amended by the substitution for the definition of “Minister” of the following definition:

“ ‘Minister’ means the Minister [**of Home Affairs**] responsible for policing;”.

Amendment of section 1 of Act No. 12 of 1999, as amended by section 1 of Act No. 17 of 2004

8. Section 1 of the Motor Vehicle Theft Act, 1999, is amended by the substitution for the definition of “Minister” of the following definition:

“ ‘Minister’ means the Minister [**of Home Affairs**] responsible for policing;”.

Amendment of section 2 of Act No. 21 of 2002

9. Section 2 of the Security Enterprises and Security Officers Amendment Act, 2002, is amended by the substitution for subsection (1) of the following subsection:

“(1) Section 5 of the principal Act is amended by the substitution for subsection (1) of the following subsection:

‘(1) SESORB shall consist of -

- (a) one staff member of the Ministry charged with the administration of affairs related to policing designated by the Minister responsible for policing, who shall be the chairperson;
- (b) one member of the Namibian Police Force, designated by the Inspector-General of Police, who shall be the vice-chairperson;
- (c) one staff member of the Ministry charged with the administration

Act No. 14, 2005**GENERAL LAW AMENDMENT ACT, 2005**

of labour matters, designated by the Minister responsible for labour matters;

- (d) one staff member of the Ministry of Justice, designated by the Minister responsible for the administration of justice; and
- (e) six security officers selected by the Minister from among persons whose names appear on a list compiled in terms of subsection (3), of whom three shall be representative of employers and three representative of employees.' ”.

Substitution of section 5 of Act No. 21 of 2002

10. (1) The following section is substituted for section 5 of the Security Enterprises and Security Officers Amendment Act, 2002:

“Short title and commencement

5. This Act is called the Security Enterprises and Security Officers Amendment Act, 2002, and comes into operation on **[a date to be determined by the Minister by notice in the *Gazette*] 1 September 2004.**”.

(2) Subsection (1) is deemed to have come into operation on 31 December 2002.

Short title

11. This Act is called the General Law Amendment Act, 2005.
