

GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$2.80 WINDHOEK - 15 February 2006

No. 3591

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Government Notices

MINISTRY OF JUSTICE

No. 43

ASSIGNMENT OF CERTAIN POWERS OF THE MASTER OF THE HIGH COURT TO MAGISTRATES: ADMINISTRATION OF ESTATES ACT, 1965

- 1. In terms of section 4A of the Administration of Estates Act, 1965 (Act No. 66 of 1965), I, after consultation with the Master and the Chief of lower courts, determine that the powers and functions vested in or assigned to the Master by sections 5, 7, 9 and 18(3) of that Act, in relation to an intestate estate whose value does not exceed the amount determined by section 18(3) of that Act, be vested in and assigned to the magistrate of the district, as defined in section 1 of the Magistrates Courts Act, 1944 (Act No. 32 of 1944), in which the deceased person resided or carried on business.
- 2. The magistrate referred to in paragraph (1) must -
 - (a) after registering the estate, provide the Master with the full names and identification particulars of the deceased person; and
 - (b) transfer all documents pertaining to an estate which has been registered with him or her to the Master six months after finalisation of the estate.

A.G. !NARUSEB ACTING MINISTER OF JUSTICE AND ATTORNEY-GENERAL

Windhoek, 27 January 2006

MINISTRY OF LANDS AND RESETTLEMENT

No. 44 2006

COMMUNAL LAND REFORM ACT, 2002: RECOGNITION OF EXISTING RIGHTS TO OCCUPY COMMUNAL LAND

In terms of subsection (2) of section 35 of the Communal Land Reform Act, 2002 (Act No. 5 of 2002), I make known that with effect from the date of publication of this notice in the *Gazette* every person who claims to hold a right referred to in subsection (1) of that section, not being a right under customary law, to occupy any communal land, whether by virtue of any authority granted under any law or otherwise, shall be required to apply in the prescribed form and manner to the relevant Communal Land Board established under section 2 of that Act -

- (a) for the recognition of such right and the grant of a right of leasehold under that Act; and
- (b) where applicable, for authorisation for the retention of any fence or fences existing on the land, if the applicant wishes to retain such fence or fences.

An application in terms of subsection (2) of section 35 of the Communal Land Reform Act, 2002, must be made within three years from the date of publication of this notice in the *Gazette*.

J. EKANDJO MINISTER OF LANDS AND RESETTLEMENT

Windhoek, 12 January 2006

MINISTRY OF LANDS AND RESETTLEMENT

No. 45 2006

COMMUNAL LAND REFORM ACT, 2002: RECOGNITION OF EXISTING CUSTOMARY LAND RIGHTS

In terms of subsection (2) of section 28 of the Communal Land Reform Act, 2002 (Act No. 5 of 2002), I make known that with effect from the date of publication of this notice in the *Gazette* every person who claims to hold a right referred to in subsection (1) of that section in respect of the occupation or use of any communal land, being a right of a nature referred to in section 21 of that Act, and which was granted to or acquired by such person in terms of any law or otherwise, shall be required to apply in the prescribed form and manner to the relevant Communal Land Board established under section 2 of that Act -

- (a) for the recognition and registration of such right under that Act; and
- (b) where applicable, for authorisation for the retention of any fence or fences existing on the land, if the applicant wishes to retain such fence or fences.

An application in terms of the subsection (2) of section 28 of the Communal Land Reform Act, 2002, must be made within three years from the date of publication of this notice in the *Gazette*.

J. EKANDJO MINISTER OF LANDS AND RESETTLEMENT

Windhoek, 12 January 2006

MINISTRY OF LANDS AND RESETTLEMENT

No. 46 2006

COMMUNAL LAND REFORM ACT, 2002: PROHIBITION AGAINST FENCES

Subject to any exemptions prescribed under section 18 of the Communal Land Reform Act, 2002 (Act No. 5 of 2002), I make known in terms of paragraph (b) of that section that no fence of any nature which existed upon the commencement of that Act on any portion of land situated within a communal land area shall be retained on such land after 28 February 2006, unless authorisation for the erection or retention of any such fence has been granted in accordance with the provisions of the said Act.

J. EKANDJO MINISTER OF LANDS AND RESETTLEMENT

Windhoek, 16 January 2006

MINISTRY OF LANDS AND RESETTLEMENT

No. 47 2006

NOTIFICATION OF FARMING UNITS OFFERED FOR ALLOTMENT: AGRICULTURAL (COMMERCIAL) LAND REFORM ACT, 1995

In terms section 39 of the Agricultural (Commercial) Land Reform Act, 1995 (Act No. 6 of 1995) I -

- (a) make known, in terms of subsection (3) of that section, that copies of the approved allotment plans in respect of the farming units referred to in the Schedule are available for public inspection at the places and during the times mentioned in that Schedule; and
- (b) invite, in terms of subsection (4) of that section, applications for the allotment of the farming units offered for allotment, which applications shall be made in the manner stated in the Schedule.

J. EKANDJO MINISTER OF LANDS AND RESETTLEMENT

Windhoek, 24 January 2006

SCHEDULE

1. Number, location and description of farming units offered for allotment

Region	District	Farm name	Number of farming units offered for allotment	Size of farming units in hectare	Land use of farming units
Erongo	Kalkveld	Farm Klein Omahoro No. 8, situate in the Registration Division "C"	2	Unit A measuring 2727 hectares Unit B measuring 2305 hectares	Livestock farming Livestock farming
Karas	Grunau	Farm Melkbos and Portion 1 of Westerkim No. 251, situate in Registration Division "V"	2	Unit A measuring 8964,0583 hectares Unit B measuring 8916,6399 hectares	Livestock farming Livestock farming
Karas	Karasburg	Tunis No. 253, situate in Registration Division "V"	1	Measuring 7781,4585 hectares	Livestock and crop farming
Khomas	Windhoek	Farm Ongombo West No. 56 and Voigtskirch No. 135, situate in Registration Division "K"	4	Unit A measuring 1391 hectares Unit B measuring 1204 hectares Unit C measuring 386 hectares Unit D measuring 1025 hectares	Livestock and crop farming Livestock farming Crop farming by co-operative Livestock and crop farming
Otjozon- djupa	Otjiwaron- go	Farm Hannover No. 549, situate in the Registration Division "B"	3	Unit A measuring 961 hectares Unit B measuring 871 hectares Unit C measuring 962 hectares	Livestock and crop farming Livestock and crop farming Livestock and crop farming
Karas	Karasburg	Swarthuk No. 121, situate in the Registration Division "V"	3	Unit A measuring 4537 hectares Unit B measuring 4604 hectares Unit C measuring 4370 hectares	Livestock farming Livestock farming Livestock farming
Karas	Bethanie	Saraus Farm No. 16, situate in the Registration Division "S"	2	Unit A measuring 4253 hectares Unit B measuring 4437 hectares	Livestock farming Livestock farming

2. Public inspection of allotment plans

The approved allotment plans, in respect of the farming units offered for allotment, shall be available for public inspection during office hours at the offices mentioned in paragraph 3(b) for a period of 30 days from the date of publication of this notice in the *Gazette*.

3. Application for allotment of a farming unit

An application for the allotment of a farming unit shall -

- (a) be made on the form determined by the Minister for that purpose, which form may be obtained from the offices mentioned in paragraph (b); and
- (b) within 30 days from the date of publication of this notice in the *Gazette*, be delivered at or sent to any of the following offices:

Physical Address	Postal Address
The Regional Governor	The Regional Governor
Government Building	Private Bag 2032
Eenhana	Eenhana
The Regional Governor	The Regional Governor
The (Old Tswana) Government Building	Private Bag 2277
Gobabis	Gobabis
The Regional Governor	The Regional Governor
Government Building	Private Bag 35002
Katima Mulilo	Katima Mulilo
The Regional Governor	The Regional Governor
Government Building	P. O. Box 384
Keetmanshoop	Keetmanshoop
The Regional Governor	The Regional Governor
Government Building	Private Bag 321
Mariental	Mariental
The Regional Governor	The Regional Governor
Government Building	Private Bag 502
Opuwo	Opuwo
The Regional Governor	The Regional Governor
Government Building	Private Bag 5543
Oshakati	Oshakati
The Regional Governor Government Building Hospital Street Otjiwarongo	The Regional Governor P. O. Box 1682 Otjiwarongo
The Regional Governor	The Regional Governor
Government Building	Private Bag 523
Outapi	Outapi
The Regional Governor	The Regional Governor
Government Building	Private Bag 2082
Rundu	Rundu

The Regional Governor Akasia Building Mittel Street Swakopmund

The Regional Governor Private Bag 1230 Swakopmund

The Regional Governor

Main Street Tsumeb

The Regional Governor

P.O. Box 11196

Tsumeb

The Regional Governor Khomas Regional Council

Pullman Street Windhoek

The Regional Governor

P.O. Box 3379 Windhoek

The Deputy Director Resettlement Division

(Ministry of Lands and Resettlement)

2nd Floor, B.R.B.Building

Garten Street Windhoek

The Deputy Director Resettlement Division Private Bag 13343 Windhoek.

4. Notification of outcome of applications

The Minister shall, by written notice, inform all applicants of his or her decision on their applications.

5. Minimum qualification required of applicants

An applicant, other than a company or close corporation contemplated in section 41(7) of the Agricultural (Commercial) Land Reform Act, 1995 (Act No. 6 of 1995), shall be a Namibian citizen who -

- (a) is 18 years of age or older;
- (b) has a background or interest in agriculture or related activities;
- (c) has been socially, economically or educationally disadvantaged by past discriminatory laws or practices; and
- (d) has relinquished any right in respect of agricultural land.

6. Rent payable in respect of farming units

A farming unit shall be leased for a period of 99 years and the monthly rent payable in respect of a farming unit leased -

- for livestock farming shall be -(a)
 - (i) N\$ 1,50 for every large livestock unit; and
 - N\$ 0,50 for every small livestock unit; (ii)
- (b) for crop farming shall be the amount determined by the Minister in the lease agreement contemplated in paragraph 7.

7. Lease agreement

A successful applicant must enter into a lease agreement with the Minister of Lands and Resettlement.

MINISTRY OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT

No. 48 2006

KLEIN WINDHOEK: EXTENSION OF BOUNDARIES

Under section 29(1) of the Townships and Division of Land Ordinance, 1963 (Ordinance No. I I of 1963) I, extend the boundaries of the township of Klein Windhoek to include Portion 119 of the farm Klein Windhoek Town and Townlands No. 70 situated in Registration Division K and represented by Cadastral Diagram A534/2003, which diagram shall lie open for inspection at the Office of the Surveyor-General, Windhoek, during office hours.

The property so included shall be known as Erf 3702, Klein Windhoek.

J.A. PANDENI
MINISTER OF REGIONAL AND LOCAL
GOVERNMENT, HOUSING AND
RURAL DEVELOPMENT

Windhoek, 25 January 2006

MINISTRY OF WORKS, TRANSPORT AND COMMUNICATION

No. 49 2006

AMENDMENT OF TARIFF OF CONSULTING FEES CHARGEABLE BY PROFESSIONAL ENGINEERS OR INCORPORATED ENGINEERS: ENGINEERING PROFESSION ACT, 1986

The Minister of Works, Transport and Communication under section 7(3) of the Engineering Profession Act, 1986 (Act No. 18 of 1986) has, on the recommendation of the Engineering Council of Namibia, made the regulations set out in the Schedule.

SCHEDULE

1. In these regulations "the Regulations" means the regulations regarding the tariff of consulting fees for professional engineers or incorporated engineers, promulgated under Government Notice No. 24 of 25 February 1993 as amended by Government Notice No. 14 of 16 February 1998 and Government Notice No. 157 of 16 September 2002.

Amendment of tariff of consulting fees

- **2.** The Regulations are amended by -
- (a) the substitution in regulation 2.3.4.1 of the Regulations for the amount "N\$350-00" of the amount "N\$600-00";
- (b) the substitution in regulation 3.3.4.1 of the Regulations for the amount "N\$350-00" of the amount "N\$600-00"; and

(c) the substitution in regulation 4.3.4.1 of the Regulations for the amount "N\$350-00" of the amount "N\$600-00".

Date of commencement

3. These regulations come into operation on 15 February 2006.

General Notices

No. 19 2006

ESTABLISHMENT OF THE TOWNSHIP: SANGWALI: CAPRIVI REGIONAL COUNCIL

Notice is hereby given in terms of subsection (5) of section 5 of The Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) that application has been made for the establishment of the Township **Sangwali** situated on Portion 1 of the Remainder of Sangwali Townlands No. 1592 and that the application is lying open for inspection at the office of the Division Town and Regional Planning, 2nd Floor, GRN Office Park in Windhoek, the Surveyor-General in Windhoek, and at the Office of the Chief Regional Officer, Caprivi Regional Council.

Any person who wishes to object to the application, may submit written evidence to the Townships Board, Private Bag 13289, Windhoek: Provided that such written evidence shall reach the Secretary of the Townships Board not later than **28 February 2006**, for the Townships Board meeting which will be held on **14 March 2006** at **09h00** in Windhoek.

P.D. SWART CHAIRMAN: TOWNSHIPS BOARD

No. 20

ESTABLISHMENT OF THE TOWNSHIP: OKAHAO EXTENSION 2: OMUSATI REGIONAL COUNCIL

Notice is hereby given in terms of subsection (5) of section 5 of The Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) that application has been made for the establishment of the Township **Okahao Extension 2** situated on Portion 2 of the Okahao Town and Townlands No. 989 and that the application is lying open for inspection at the office of the Division Town and Regional Planning, 2nd Floor, GRN Office Park in Windhoek, the Surveyor-General in Windhoek, and at the Office of the Chief Regional Officer, Omusati Regional Council.

Any person who wishes to object to the application, may submit written evidence to the Townships Board, Private Bag 13289, Windhoek: Provided that such written evidence shall reach the Secretary of the Townships Board not later than **28 February 2006**, for the Townships Board meeting which will be held on **14 March 2006** at **09h00** in Windhoek.

P.D. SWART

CHAIRMAN: TOWNSHIPS BOARD

No. 21 2006

ESTABLISHMENT OF THE TOWNSHIP: TSANDI EXTENSION 1: OMUSATI REGIONAL COUNCIL

Notice is hereby given in terms of subsection (5) of section 5 of The Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) that application has been made for the establishment of the Township **Tsandi Extension 1** situated on Portion 2 of the Remainder of Tsandi Townlands No. 988 and that the application is lying open for inspection at the office of the Division Town and Regional Planning, 2nd Floor, GRN Office Park in Windhoek, the Surveyor-General in Windhoek, and at the Office of the Chief Regional Officer, Omusati Regional Council.

Any person who wishes to object to the application, may submit written evidence to the Townships Board, Private Bag 13289, Windhoek: Provided that such written evidence shall reach the Secretary of the Townships Board not later than **28 February 2006**, for the Townships Board meeting which will be held on **14 March 2006** at **09h00** in Windhoek.

P.D. SWART

CHAIRMAN: TOWNSHIPS BOARD

No. 22

ESTABLISHMENT OF THE TOWNSHIP: WALVIS BAY EXTENSION 13: MUNICIPALITY OF WALVIS BAY

Notice is hereby given in terms of subsection (5) of section 5 of The Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) that application has been made for the establishment of the Township **Walvis Bay Extension 13** situated on Portion 1 of Farm Walvis Bay No. 36 and that the application is lying open for inspection at the office of the Division Town and Regional Planning, 2nd Floor, GRN Office Park in Windhoek, the Surveyor-General in Windhoek, and at the Office of the Chief Regional Officer, Municipality of Walvis Bay.

Any person who wishes to object to the application, may submit written evidence to the Townships Board, Private Bag 13289, Windhoek: Provided that such written evidence shall reach the Secretary of the Townships Board not later than **28 February 2006**, for the Townships Board meeting which will be held on **14 March 2006** at **09h00** in Windhoek.

P.D. SWART

CHAIRMAN: TOWNSHIPS BOARD

No. 23 2006

ESTABLISHMENT OF THE TOWNSHIP: WALVIS BAY EXTENSION 14: MUNICIPALITY OF WALVIS BAY

Notice is hereby given in terms of subsection (5) of section 5 of The Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) that application has been made for the establishment of the Township **Walvis Bay Extension 14** situated on Portion 1 of Farm Walvis Bay No. 46 and that the application is lying open for inspection at

the office of the Division Town and Regional Planning, 2nd Floor, GRN Office Park in Windhoek, the Surveyor-General in Windhoek, and at the Office of the Chief Regional Officer, Municipality of Walvis Bay.

Any person who wishes to object to the application, may submit written evidence to the Townships Board, Private Bag 13289, Windhoek: Provided that such written evidence shall reach the Secretary of the Townships Board not later than **28 February 2006**, for the Townships Board meeting which will be held on **14 March 2006** at **09h00** in Windhoek.

P.D. SWART

CHAIRMAN: TOWNSHIPS BOARD

VILLAGE COUNCIL BERSEBA

No. 24 2006

GENERAL VALUATION OF RATEABLE AND NON-RATEABLE PROPERTIES SITUATED WITHIN THE BERSEBA LOCAL AUTHORITY AREA

Notice is hereby given in terms of the provisions of section 66 (1) of the Local Authorities Amendment Act, 2000 (Act 24 of 2000) that a General Valuation of all rateable and non-rateable properties situated within the Berseba Local Authority Area will be carried out as from 15 February 2006, in accordance with the provisions and stipulations contained in section 67 to 72, inclusive, of the Local Authorities Act (Act No. 23 of 1992).

T.W. DREYER VILLAGE SECRETARY BERSEBA VILLAGE COUNCIL

Keetmanshoop, 19 January 2006

OSHIKUKU VILLAGE COUNCIL

No. 25

GENERAL VALUATION OF RATEABLE AND NON-RATEABLE PROPERTIES SITUATED WITHIN THE OSHIKUKU LOCAL AUTHORITY 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 and none-rateable properties situated within the Oshikuku Local Authority Area will be carried out as from 1 March 2006 in accordance with the provisions and stipulations contained in section 67 to 72 inclusive of the aforesaid Local Authorities Act, 1992.

A.N. SIMON ACTING VILLAGE SECRETARY OSHIKUKU VILLAGE COUNCIL

Oshikuku, 26 January 2006

OKAHAO TOWN COUNCIL

No. 26 2006

GENERAL VALUATION OF RATEABLE AND NON-RATEABLE PROPERTIES SITUATED WITHIN THE OKAHAO LOCAL AUTHORITY AREA

Notice is hereby given in terms of provision of Section 66(1) of the Local Authorities Act (Act No. 23 of 1992), as amended, that a general valuation of all rateable and non-rateable properties situated within the Okahao Local Authority Area will be carried out as from 1 March 2006 in accordance with provisions and stipulations contained in Section 67 to 72 inclusive of the aforesaid Local Authorities Act, 1992.

L.L. VALOMBOLA ACTING CHIEF EXECUTIVE OFFICER OKAHAO TOWN COUNCIL

RUACANA VILLAGE COUNCIL

No. 27

GENERAL VALUATION OF RATEABLE AND NON-RATEABLE PROPERTIES SITUATED WITHIN THE RUACANA LOCAL AUTHORITY 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 and non-rateable properties situated within the Ruacana Local Authority Area will be carried out as from 1 March 2006 in accordance with the provisions and stipulations contained in section 67 to 72 inclusive of the aforesaid Local Authorities Act, 1992.

S.M.L. MINNIE ACTING VILLAGE SECRETARY RUACANA VILLAGE COUNCIL

No. 28 2006

SWAKOPMUND TOWN PLANNING AMENDMENT SCHEMES NO. 24 TO 30:

Notice is hereby given in terms of Section 17 of the Town Planning Ordinance No. 18 of 1954 as amended that the Municipality of Swakopmund intents submitting for approval with the Namibia Planning Advisory Board certain amendments to the Swakopmund Town Planning Scheme.

The amendments will include the rezoning and reservation of land.

The Honourable Minister of Regional and Local Government, Housing and Rural Development has granted approval for the compilation and submission of Amendment Schemes No. 24 to 30.

THE CHIEF EXECUTIVE OFFICER MUNICIPALITY OF SWAKOPMUND P.O. BOX 53 SWAKOPMUND

No. 29 2006

ONGWEDIVA TOWN PLANNING AMENDMENT SCHEMES NO. 2 TO 5

Notice is hereby given in terms of Section 17 of the Town Planning Ordinance No. 18 of 1954 as amended that the Ongwediva Town Council intents submitting for approval with the Namibia Planning Advisory Board certain amendments to the Ongwediva Town Planning Scheme,

The amendment will include the rezoning and reservation of land.

The Honourable Minister of Regional and Local Government, Housing and Rural Development has granted approval for the compilation and submission of Amendment Schemes No. 2 to 5.

THE CHIEF EXECUTIVE OFFICER ONGWEDIVA TOWN COUNCIL PRIVATE BAG 5549 ONGWEDIVA

No. 30 2006

COMPILATION OF OUTJO TOWN PLANNING AMENDMENT SCHEME

Notice is hereby given in terms of Section 17 of the Town Planning Ordinance No. 18 of 1954 as amended, that the Municipality of Outjo intends to submit for approval by the Cabinet the Outjo Town Planning Amendment Scheme No. 2.

The Honourable Minister of Regional and Local Government, Housing and Rural Development has already granted approval for the compilation of the Outjo Town Planning Amendment Scheme which will be compiled within due course.

MIX. J.A. /UKID	
TOWN CLERK	
MUNICIPALITY OF OUTJO	

MD IA /IIDID

No. 31 2006

COMPILATION OF OSHAKATI TOWN PLANNING AMENDMENT SCHEMES

Notice is hereby given in terms of Section 17 of the Town Planning Ordinance No. 18 of 1954 as amended, that the Municipality of Oshakati intends to submit for approval by the Cabinet the Oshakati Town Planning Amendment Schemes No. 2 and 3.

The Honourable Minister of Regional and Local Government, Housing and Rural Development has already granted approval for the compilation of the Oshakati Town Planning Amendment Schemes which will be compiled within due course.

MR. J.K. NGHIHEPA TOWN CLERK OSHAKATI TOWN COUNCIL

WINDHOEK MUNICIPAL COUNCIL

No. 32 2006

NOTICE OF VACANCY IN THE MEMBERSHIP OF THE MUNICIPAL COUNCIL OF WINDHOEK

Notice is hereby given in terms of section 13(3) of the Local Authorities Act. 1992 (Act No. 23 of 1992) that a vacancy has occurred in the membership of the Council in that Councillor Kavee Milka Kalomo a member of the SWAPO Party, passed away on the 8th December 2005.

Notice is hereby further given in terms of section 13(4)(a) of Act No. 23 of 1992 to SWAPO to, within three months from the date on which the vacancy occurred, being 8 December 2005, nominate a member to fill the vacancy on the Municipal Council of Windhoek.

N.K. TAAPOPI CHIEF EXECUTIVE OFFICER P.O. BOX 59 WINDHOEK

No. 33

SWAKOPMUND TOWN PLANNING AMENDMENT SCHEME NO. 23

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

Copies of the Swakopmund Town Planning Amendment Scheme No. 23 and the maps, plans, documents and other relevant matters are lying for inspection during office hours at the Municipality of Swakopmund and also at the Namibia Planning Advisory Board (NAMPAB), Minister of Regional and Local Government, Housing and Rural Development, 2nd Floor, Room 234, GRN Office Park, 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 **3 April 2006**.
