GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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Government Notice

OFFICE OF THE PRIME MINISTER

No. 255   2010

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. 16 of 2010:   Second Regional Councils Amendment Act, 2010.

Act No. 16, 2010   SECOND REGIONAL COUNCILS AMENDMENT ACT, 2010

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 Regional Councils Act, 1992, to provide for the separation of the office of chairperson of regional council and that of governor of the region and to provide for matters incidental thereto.

(Signed by the President on 18 November 2010)

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

Amendment of section 1 of Act No. 1 of Act No. 22 of 1992 as amended by section 1 of Act No. 30 of 2000 and section 1 of Act No. 12 of 2002

1.   Section 1 of the Regional Councils Act, 1992, (hereinafter referred to as "the principal Act") is amended by -

(a)   the substitution for the definition of "chairperson" of the following definition:

"chairperson" means the [**Governor**] chairperson of a regional council referred to in section 18;";

(b)   the insertion of the following definition after the definition of "chief regional officer":

"governor" means the Governor of the region concerned appointed under section 2 of the Special Advisors and Regional Governors Appointment Act, 1990 (Act No. 6 of 1990);";

Amendment of section 11 of Act No. 22 of 1992 as amended by section 9 of Act No. 30 of 2000 and section 5 of Act No. 12 of 2002

2.   Section 11 of the principal Act is amended by the insertion of the following subsection after subsection (7):

(8)   The governor of a region -

(a)   must be informed of every meeting of the regional council of that region;

(b)   has the right to attend every meeting of that regional council, whether such meeting is open to the public or closed to the public, as provided in subsection (2);

(c)   has the right to take part in the deliberations of that regional council;

(d)   does not have the right to vote at any meeting of that regional council,

and the provisions of subsection (1)(d) and subsection (7) apply *mutatis mutandis* to the regional governor as if he or she was a member of the regional council.

Amendment of section 18 of Act No 22 of 1992

3.   Section 18 of the principal Act is amended by the substitution for the words in subsection (1) preceding paragraph (a) of the following words:

"(1)   There shall be a management committee for every regional council consisting of a chairperson, [**who shall be called the Governor of the regional council**], and -".

Amendment of section 18A of Act No. 22 of 1992 inserted by section 2 of Act No. 19 of 1997 and amended by section 3 of Act No. 30 of 2000

4.   Section 18A of the principal Act is amended by the deletion of paragraph (c) of subsection (1).

Amendedment of section 21 of Act No. 22 of 1992 as amended by section 3 of Act No. 17 of 1997

5.   Section 21 of the principal Act is amended by the insertion of the following subsection after subsection (4):

"(5)   The governor of a region -

(a)   must beforehand be informed of every meeting of the management committee of the region concerned;

(b)   has the right to attend meetings of that management committee;

(c)   has the right to take part in the deliberations of that management committee;

(d)   does not have the right to vote at any meeting of that management committee.".

Short title

6.   This Act is called the Second Regional Councils Amendment Act, 2010.

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