



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$6.00

WINDHOEK - 14 October 2016

No. 6149

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Government Notices

MINISTRY OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION

No. 247 2016

DECLARATION OF CONTINUOUS OPERATION IN TERMS OF SECTION 15 OF LABOUR ACT, 2007: SWAKOP URANIUM

Under section 15(1) of the Labour Act, 2007 (Act No. 11 of 2007), I -

- (a) declare the operation of Swakop Uranium to be continuous operation; and
- (b) permit the working of continuous shifts of 8 hours per day in respect of those operations, with effect from 16 September 2016 to 16 September 2019.

**E. NGHIMTINA
MINISTRY OF LABOUR, INDUSTRIAL, RELATION
AND EMPLOYMENT CREATION**

Windhoek, 3 October 2016

MINISTRY OF HIGHER EDUCATION, TRAINING AND INNOVATION

No. 248

2016

**AMENDMENT OF NOTICE RELATING TO IMPOSITION OF VOCATIONAL EDUCATION
AND TRAINING LEVY ON EMPLOYERS: VOCATIONAL EDUCATION AND TRAINING
ACT, 2008**

Under section 35(4) of the Vocational Education and Training Act, 2008 (Act No. 1 of 2008), I, with concurrence of the Minister of Finance and after consulting the board, amend the notice relating to the imposition of vocational education and training levy published under Government Notice No. 6 of 27 January 2014 as set out in the Schedule.

**I. KANDJII-MURANGI
MINISTER OF HIGHER EDUCATION,
TRAINING AND INNOVATION**

Windhoek, 15 September 2016

SCHEDULE

Definitions

1. In this notice, “the Notice” means the imposition of Vocational Education and Training Levy on Employers published under Government Notice No. 6 of 27 January 2014.

Amendment of paragraph 4 of Notice

2. (1) Paragraph 4 of the Notice is amended by the -
- (a) deletion of word “and” at the end of item (d) ; and
 - (b) addition after item (e) of the following items:
 - “(f) local authorities established by the Local Authorities Act, 1992 (Act No. 23 of 1992) except those referred to in Part 1 of Schedule 1 of the Act;
 - (g) private education and training institutions;
 - (h) diplomatic and consular missions and offices of representatives of other states;
 - (i) donor organisation and their agencies;
 - (j) non profit making voluntary organisation; and
 - (k) non profit making non-government organisations,”.
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MINISTRY OF ENVIRONMENT AND TOURISM

No. 249

2016

**IDENTIFICATION AND LISTING OF ORGANS OF STATE FOR PURPOSES OF
PART VI OF ENVIRONMENTAL MANAGEMENT ACT, 2007**

Under section 24(1) of the Environmental Management Act, 2007 (Act No. 7 of 2007), for the purpose of Part VI of the Act, I identify and list the following organs of state which are exercising functions that may affect the environment:

1. Office of the Prime Minister;
2. Ministry of Agriculture, Water and Forestry;
3. Ministry of Defence;
4. Ministry of Education, Arts and Culture;
5. Ministry of Environment and Tourism;
6. Ministry of Finance;
7. Ministry of Fisheries and Marine Resources;
8. Ministry of Health and Social Services;
9. Ministry of Higher Education, Training and Innovation;
10. Ministry of Home Affairs and Immigration;
11. Ministry of Industrialisation, Trade and SME Development;
12. Ministry of Information and Communication Technology;
13. Ministry of International Relations and Cooperation;
14. Ministry of Land Reform;
15. Ministry of Mines and Energy;
16. Ministry of Public Enterprises;
17. Ministry of Poverty Eradication and Social Welfare;
18. Ministry of Safety and Security;
19. Ministry of Sport, Youth and National Service;
20. Ministry of Urban and Rural Development;
21. Ministry of Veteran Affairs;
22. Ministry of Works and Transport; and
23. National Planning Commission.

P. SHIFETA**MINISTER OF ENVIRONMENT AND TOURISM**

Windhoek, 20 September 2016

MINISTRY OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION

No. 250

2016

**NOTICE OF VARIATION OF THE PROVISIONS OF CHAPTER 3 OF THE LABOUR ACT:
LABOUR ACT, 2007**

In terms of subsection (3)(d) of section 139 of the Labour Act, 2007 (Act No. 11 of 2007), I give notice that I have, under subsection (8) of that section and after consulting the Labour Advisory Council and satisfying myself that all the requirements of that section have been met, varied certain provisions of Chapter 3 of that Act in so far as those provisions apply to employers and employees in the fisheries industry as set out in the Schedule for a period of five years from the date of publication of this notice.

**E. NGHIMTINA
MINISTER OF LABOUR, INDUSTRIAL
RELATIONS AND EMPLOYMENT CREATION**

Windhoek, 23 September 2016

SCHEDULE

Definitions

1. In this Notice -
 - (a) “the Act” means the Labour Act, 2007 (Act No. 11 of 2007); and
 - (b) “fisher” means a person employed or engaged in any capacity or carrying out an occupation on board a fishing vessel, including persons working on board paid on the basis of a share of the catch but excluding pilots, naval personnel, shore-based persons carrying out work aboard a fishing vessel and fisheries observers.

Application of Chapter 3 of the Act

2. The provisions of Chapter 3 of the Act applies to the employers of fishers.

Variation of section 16 of the Act

3. Section 16 of the Act is varied in so far as it applies to fishers by the substitution for subsection (1)(a)(i) of the following subsection:

- “(1) An employer must not require or permit a fisher to work more than -
- (a) 54 hours in a week, and in any case not more than -
 - (i) nine hours a day if a fisher works six or fewer days a week.”.

Variation of section 17 of the Act

4. Section 17 of the Act is varied in so far as it applies to fishers by the substitution for subsection (1) of the following subsection:

- “(1) An employer must not require or permit a fisher to work overtime except in accordance with an agreement, but such an agreement may not require a fisher to work more than 35 hours of overtime in a week and in any case not more than five hours overtime in a day.”.

Variation of section 18 of the Act

5. Section 18 of the Act is varied in so far as it applies to fishers by the substitution for subsection (1) of the following subsection:

- “(1) An employer must give the fisher a meal interval of at least 30 minutes for every five hours of continuous work.”.

Variation of section 20 of the Act

6. Section 20 is varied in so far as it applies to fishers by -
 - (a) the substitution for subsection (1) of the following subsection:

- “(1) No employer may require or permit a fisher to work a spread-over of more than 14 hours.”; and
- (b) the substitution for subsection (2) of the following subsection:
- “(2) Upon the return of a fisher from sea, the employer must grant the fisher paid shore leave, calculated as follows:
- (i) one full day for every seven days worked at sea; and
- (ii) a fraction of a day calculated on a pro rata basis for less than seven days worked at sea.”.

MINISTRY OF URBAN AND RURAL DEVELOPMENT

No. 251

2016

EXTENSION OF BOUNDARIES OF APPROVED TOWNSHIP OF OMUTHIYA:
TOWN COUNCIL OF OMUTHIYA:
TOWNSHIPS AND DIVISION OF LAND ORDINANCE, 1963

Under Section 29(1) of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963), I extend the boundaries of the approved township of Omuthiya to include portions 17 and 18 of the Farm Omuthiya Townlands No. 1013, situated in the Registration Division “A” and represented by cadastral diagrams No. A297/2016 and A298/2016 which lie open for inspection at the office of the Surveyor-General, Windhoek, during normal office hours.

The portions so included are to be known as erven 1328 and 1329 (free of conditions), Omuthiya.

S. SHANINGWA**MINISTER OF URBAN AND RURAL DEVELOPMENT**

Windhoek, 26 September 2016

MINISTRY OF URBAN AND RURAL DEVELOPMENT

No. 252

2016

DECLARATION OF NARRAVILLE EXTENSION 6 TO BE AN APPROVED TOWNSHIP:
MUNICIPAL COUNCIL OF WALVIS BAY

In terms of Section 13 of the Townships and Division of Land Ordinance, 1963 (Ordinance No. 11 of 1963), I declare the area being the subdivision of Erf 3197, Narraville Extension 3, Registration Division “F” and represented by General Plan No. F 120 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 the said section 13.

S. SHANINGWA**MINISTER OF URBAN AND RURAL DEVELOPMENT**

Windhoek, 29 September 2016

SCHEDULE

1. Name of township:

The township shall be called Narraville Extension 6.

2. Composition of township:

The township comprises 127 erven numbered 3220 to 3346 and the remainder streets as indicated on General Plan F120.

3. Reservation of Erven:

The following erven are reserved for the Local Authority:

- for Public Open Space purposes: Erf 3307.
- for General Administrative purposes: Erven 3345 and 3346.

4. Conditions of Title:

The following conditions shall be registered in favour of the Local Authority against the title deeds of all erven except the erven referred to in paragraph 3:

The erf must only be used or occupied for purposes which are in accordance with, the provisions of the Walvis Bay Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954).

The building value of the main building, including the outbuildings, to be erected on the erf shall be at least four times the prevailing valuation of the erf.
