

GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N$2.00 WINDHOEK - 15 November 2004 No.3322

CONTENTS

Page

PROCLAMATION

No. 56 Announcement in terms of Article 32(8) of the Namibian Constitution of certain appointments 2

GOVERNMENT NOTICES

No. 244 Town Planning Ordinance, 1954: Walvis Bay Amendment Scheme No. 9 2

No. 245 Walvis Bay: Extension of boundaries 3

No. 246 Tsumeb: Extension of boundaries 3

No. 247 Proposal that a portion of district road 2302 be closed: Districts of Khorixas and Opuwo 3

No. 248 Determination of rates of royalties leviable in respect of certain groups of minerals: Minerals (Prospecting and Mining) Act, 1992 4

GENERAL NOTICES

No. 260 Rehoboth Town Planning Scheme 5

No. 261 Windhoek Amendment Scheme No. 71 5

No. 262 Grootfontein Town Planning Amendment Scheme No. 6 5

No. 263 Swakopmund Town Planning Amendment Scheme No. 20 6

No. 264 Declaration of a settlement area: Kriess 6

No. 265 Namibian Communications Commission: Granting of a satellite earth station licence: Trinity Broadcasting Namibia 6

No. 266 Namibian Communications Commission: Application for a satellite earth station licence: One Africa Television 7

No. 267 Namibian Communications Commission: Application for name change: TV Africa Namibia (Pty) Ltd 7

No. 268 Namibian Communications Commission: Granting of a operators licence to operate a private radio trunking service: City of Windhoek 7

No. 269 Namibian Communications Commission: Granting of a commercial radio re-broadcasting licence: Radio Wave CC 8

No. 270 Municipality of Otjiwarongo: Amendment of Otjiwarongo Local Authority Street and Traffic Regulations 8

Proclamation

by the

PRESIDENT OF THE REPUBLIC OF NAMIBIA

No. 56 2004

ANNOUNCEMENT IN TERMS OF ARTICLE 32(8) OF THE NAMIBIAN CONSTITUTION OF CERTAIN APPOINTMENTS

In terms of Sub-Article (8) of Article 32 of the Namibian Constitution, I announce that I have, under Sub-Article (4)(a)(aa) of that Article read with Article 82(1) of the Namibian Constitution, appointed, on the recommendation of the Judicial Service Commission -

(a) for the period 1 November 2004 to 30 November 2004, Mr Justice S.V. Mtambanengwe as Acting Chief Justice of the Supreme Court of Namibia; and

(b) with effect from 1 December 2004 -

(i) Mr Justice P. Shivute as Chief Justice of the Supreme Court of Namibia; and

(ii) Mr Justice P. Damaseb as Judge-President of the High Court of Namibia.

Given under my Hand and the Seal of the Republic of Namibia, at Windhoek, this 9th day of November, Two Thousand and Four.

SAM NUJOMA
President
BY ORDER OF THE PRESIDENT-IN-CABINET

Government Notices

MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 244 2004

TOWN PLANNING ORDINANCE, 1954:
WALVIS BAY AMENDMENT SCHEME NO. 9

In terms of section 26(2) of the Town Planning Ordinance, 1954 (Ordinance No. 18 of 1954), I give notice that I have under section 26(1) of that Ordinance, read with section 27(1) thereof, approved the Walvis Bay Amendment Scheme No. 9 of the Municipality of Walvis Bay.

J.KAAPANDA
MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING Windhoek, 1 November 2004

MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 245 2004

WALVIS BAY: EXTENSION OF BOUNDARIES

Under section 29(1) of the Townships and Division of Land Ordinance, 1963 (Ordinance No. 11 of 1963), I extend the boundaries of the Township of Walvis Bay to include Portions 16, 17, 18 and 19 (portions of Portion B) of the farm Walvis Bay Town and Townlands No. 1 situated in the Registration Division "F" and represented by Cadastral Diagrams Nos. A 66/49, A 67/49, A 68/49 and A 69/49, respectively, which diagrams lie open for inspection at the office of the Surveyor-General, Windhoek, during normal office hours.

The properties so included are to be known as Erven 1750, 1751, 1752 and 1753, respectively, Walvis Bay.

J.KAAPANDA
MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING Windhoek, 1 November 2004

MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 246 2004

TSUMEB: EXTENSION OF BOUNDARIES

Under section 29(1) of the Townships and Division of Land Ordinance, 1963 (Ordinance No. 11 of 1963), I extend the boundaries of the Township of Tsumeb to include Portion 60 (a portion of Portion B) of the farm Town of Tsumeb No. 103 situated in the Registration Division "B" and represented by Cadastral Diagram No. A11/2001, which diagram lies open for inspection at the office of the Surveyor-General, Windhoek, during normal office hours.

The property so included is to be known as Erf 673, Tsumeb.

J.KAAPANDA
MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING Windhoek, 18 October 2004

MINISTRY OF WORKS, TRANSPORT AND COMMUNICATION

No. 247 2004

PROPOSAL THAT A PORTION OF DISTRICT ROAD 2302 BE CLOSED: DISTRICTS OF KHORIXAS AND OPUWO

In terms of section 20(1)(b) of the Roads Ordinance, 1972 (Ordinance 17 of 1972), it is hereby made known that the Roads Authority on behalf of the Permanent Secretary: Works, Transport and Communication proposes that, in the districts of Khorixas and Opuwo, a portion of district road 2302 be closed as described in the Schedule and showm on sketch-map P2156 by the symbols A-B.

A copy of this notice and the said sketch-map on which the roads to which the proposal refers and other proclaimed, minor and private roads in the area are shown, shall for the full period of 30 days, mentioned below, lie open to inspection at the offices of the Roads Authority, Windhoek, and the District Manager of the Roads Authority, Opuwo, during normal office hours.

Every person having any objection to the above-mentioned proposal is hereby commanded to lodge his or her objection in writing, with the grounds upon which it is based clearly and specifically therein stated, with the Liaision Officer: Roads Boards, Private Bag 12030, Ausspannplatz, within a period of 30 days from the date of publication of this notice.

SCHEDULE

From a point (A on sketch-map P2156) at the place known as Terrace Bay in the Skeleton Coast Park generally northwards across the said Park to a point (B on sketch-map P2156) at the place known as Möwe Bay in the said Park.

MINISTRY OF MINES AND ENERGY

No. 248 2004

DETERMINATION OF RATES OF ROYALTIES LEVIABLE IN RESPECT OF CERTAIN GROUPS OF MINERALS: MINERALS (PROSPECTING AND MINING) ACT, 1992

Under subsection 1(c) of section 114 of the Minerals (Prospecting and Mining) Act, 1992 (Act No. 33 of 1992), I, with effect from 1 December 2004 -

(a) determine that the holder of a mining claim or a mining licence who has won or mined in the course of any prospecting or mining operations carried on by him or her, and the holder of any non-exclusive prospecting licence, exclusive prospecting licence or mineral deposit retention licence who has found or incidentally won in the course of any prospecting operations carried on by him or her, any mineral of the group of minerals specified in Column 1 of the Schedule or any group of minerals so specified, shall be liable to pay to the Mining Commissioner for the benefit of the State Revenue Fund a royalty levied in accordance with subsection (2) of that section at the rate specified opposite that group of minerals in Column 2 of the Schedule;

(b) withdraw Government Notice No. 35 of 1 March 1999.

SCHEDULE

Column 1	**Column 2**
Group of minerals	**Percentage of market value of group of minerals leviable as royalty**
Precious metals group	5%
Base and rare metals group	5%
Semi-precious stones group	4%
Industrial minerals group	4%
Non-nuclear fuel minerals group	4%
Nuclear fuel minerals group	5%

N. IYAMBO
MINISTER OF MINES AND ENERGY Windhoek, 19 October 2004

General Notices

No. 260 2004

REHOBOTH TOWN PLANNING SCHEME

Notice is hereby given in terms of Section 23 of the Town Planning Ordinance 1954, (Ordinance 18 of 1954), as amended, that the **Rehoboth Town Planning Scheme,** has been submitted to the Minister of Regional and Local Government and Housing for approval.

Copies of the Rehoboth Town Planning Scheme and the maps, plans, documents and other relevant matters are lying for inspection during office hours at the Rehoboth Town Council and also at the Namibia Planning Advisory Board, Ministry of Regional and Local Government and Housing, 2nd Floor, Room 236, 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 15 December 2004.

No. 261 2004

WINDHOEK AMENDMENT SCHEME NO. 71

Notice is hereby given in terms of Section 23 of the Town Planning Ordinance 1954, (Ordinance 18 of 1954), as amended, that the **Windhoek Amendment Scheme No. 71,** has been submitted to the Minister of Regional and Local Government and Housing for approval.

Copies of the Windhoek Amendment Scheme No. 71 and the maps, plans, documents and other relevant matters are lying for inspection during office hours at the Windhoek Municipality and also at the Namibia Planning Advisory Board, Ministry of Regional and Local Government and Housing, 2nd Floor, Room 236, 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 31 December 2004.

No. 262 2004

GROOTFONTEIN TOWN PLANNING AMENDMENT SCHEME NO. 6

Notice is hereby given in terms of Section 23 of the Town Planning Ordinance 1954, (Ordinance 18 of 1954), as amended, that the **Grootfontein Town Planning Amendment Scheme No. 6,** has been submitted to the Minister of Regional and Local Government and Housing for approval.

Copies of the Grootfontein Town Planning Amendment Scheme No. 6 and the maps, plans, documents and other relevant matters are lying for inspection during office hours at the Grootfontein Municipality and also at the Namibia Planning Advisory Board, Ministry of Regional and Local Government and Housing, 2nd Floor, Room 241, 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 31 December 2004.

No. 263 2004

SWAKOPMUND TOWN PLANNING AMENDMENT SCHEME NO. 20

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. 20,** has been submitted to the Minister of Regional and Local Government and Housing for approval.

Copies of the Swakopmund Town Planning Amendment Scheme No. 20 and the maps, plans, documents and other relevant matters are lying for inspection during office hours at the Swakopmund Municipality and also at the Namibia Planning Advisory Board, Ministry of Regional and Local Government and Housing, 2nd Floor, Room 241, Windhoek. The amendment proposes the height relaxation of Residential 1 zoned erven to a maximum height of 13 meters.

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 31 December 2004.

REGIONAL COUNCIL OF HARDAP

No. 264 2004

DECLARATION OF A SETTLEMENT AREA: KRIESS

Under section 31(1) of the Regional Councils Act, 1992 (Act No. 22 of 1992), the Regional Council of Hardap declares Portion 2 of the Farm Kriess No. 219, situated in the Hardap Region, Registration Division R, the boundaries of which are represented by Cadastral Diagram No. A714/2003, to be a settlement area and assigns to that settlement area the name Kriess.

P. BOLTMAN
Governor
BY ORDER OF THE REGIONAL
COUNCIL HARDAP 30 September 2004

NAMIBIAN COMMUNICATIONS COMMISSION

No. 265 2004

GRANTING OF A SATELLITE EARTH STATION LICENCE

In accordance with section 2(2) of the Post and Telecommunications Act, 1992 (Act No. 19 of 1992) and section 22(A)(1)(b) of the Namibian Communications Commission Act, 1992 (Act No. 4 of 1992), the following company has been granted a licence to operate a satellite earth station.

Company Name	:	Trinity Broadcasting Namibia
Coverage Area	:	Namibia
Validity Period	:	27 October, 2009

D. IMBILI
CHAIRMAN

NAMIBIAN COMMUNICATIONS COMMISSION

No. 266 2004

APPLICATION FOR A SATELLITE EARTH STATION LICENCE

In accordance with section 22A(1)(b) of the Namibian Communications Commission Act, 1992 (Act No. 4 of 1992) One Africa Television has applied to be licensed to operate a satellite earth station.

Company : One Africa Television

Coverage Area : Namibia

Section 22A(2)(b) provides that "any person may within 14 days of publication of a notice in terms of paragraph (a) lodge with the Commission written representations opposing the application in question and such representations shall be taken into account when the Commission considers that application".

Contact Persons: Jan Kruger: Deputy Director
Johan Schutte: Control Officer

D. IMBILI
CHAIRMAN

NAMIBIAN COMMUNICATIONS COMMISSION

No. 267 2004

APPLICATION FOR NAME CHANGE

In accordance with Section 17(5) of the Namibian Communications Commission Act, 1992 (Act No. 4 of 1992) the Commission has approved an application for change of name as follows:

Previous Name of Company:

TV Africa Namibia (Pty) Ltd.
New Name of Company:

One Africa Television (Pty) Ltd.

D. IMBILI
CHAIRMAN

NAMIBIAN COMMUNICATIONS COMMISSION

No. 268 2004

GRANTING OF A OPERATORS LICENCE TO OPERATE A PRIVATE RADIO TRUNKING SERVICE

In accordance with section 2(2) of the Posts and Telecommunications Act, 1992 (Act No. 19 of 1992) and section 22(A)(1)(b) of the Namibian Communications Commission Act, 1992 (Act No. 1 of 1992), the following Company has been granted a private radio trunking service licence:

Name of Organization : City of Windhoek

Coverage Area : Windhoek Municipal Area

Validity Period : 27 October, 2009

D. IMBILI
CHAIRMAN

NAMIBIAN COMMUNICATIONS COMMISSION

No. 269 2004

GRANTING OF A COMMERCIAL RADIO RE-BROADCASTING LICENCE

In accordance with section 17(5) of the Namibian Communications Act, 1992 (Act No. 4 of 1992), the following Company was issued with a commercial radio re-broadcasting licence:

Name of Organization	:	Radio Wave CC
Name of Station	:	Radio Wave 96.7 FM
Coverage area	:	Erongo

D. IMBILI
CHAIRMAN

MUNICIPALITY OF OTJIWARONGO

No. 270 2004

AMENDMENT OF OTJIWARONGO LOCAL AUTHORITY STREET AND TRAFFIC REGULATIONS

The Council of the Municipality of Otjiwarongo, under section 30(1)(x) of the Local Authorities Act, 1992 (Act No. 23 of 1992), as amended, amends the Street and Traffic Regulations, as set out in the Schedule.

SCHEDULE

1. Public Nuisance

According to the proposed new regulations, no person shall create a public nuisance on any street, in a public place or residential premises by -

a) shouting, quarreling or fighting;
b) singing or playing any musical instrument, recorded music, a radio, television or similar device, or allowing it to be played or used;
c) using a loudspeaker, amplifier, public address system or similar device;
d) behaving in a riotous, violent or unseemly manner;
e) burning of rubble, refuse or any other objectionable substance;
f) causing of unpleasant or offensive smells;
g) repairing or operating vehicles or any other machinery in a noisy manner.

2. Hawkers

Display of articles or goods for sale -

No person other than a duly licensed pedlar or hawker or other person lawfully entitled to trade on a street or in a public place shall on any street or in any public place exhibit for sale or otherwise display any article, object, item or thing whatsoever.

BY ORDER OF THE COUNCIL

O. IPINGE
CHAIRPERSON OF THE COUNCIL
