



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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No. 3550

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Government Notice

OFFICE OF THE PRIME MINISTER

No. 176

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. 11 of 2005: Communal Land Reform Amendment Act, 2005.

Act No. 11, 2005 COMMUNAL LAND REFORM 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 Communal Land Reform Act, 2002, so as to define or redefine certain expressions; to incorporate certain portions of unalienated State land as part of existing communal land areas; to replace an incorrect reference in the description of the Damaraland Communal Land Area; and to provide for incidental matters.

(Signed by the President on 21 November 2005)

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

Amendment of section 1 of Act No. 5 of 2002

1. Section 1 of the Communal Land Reform Act, 2002 (Act No. 5 of 2002) is amended -

(a) by the insertion after the definition of “leasehold” of the following definition:

“ ‘local authority area’ means -

(a) an area declared or deemed to have been declared under section 3 of the Local Authorities Act, 1992 (Act No. 23 of 1992), to be a municipality, town or village;

(b) an area declared under section 31 of the Regional Councils Act, 1992 (Act No. 22 of 1992), to be a settlement;”;

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

“ ‘Minister’ means the Minister responsible for affairs relating to land matters;” and

(c) by the substitution for the definition of “Permanent Secretary” of the following definition:

“ ‘Permanent Secretary’ means the Permanent Secretary of the Ministry charged with the administration of affairs relating to land matters;”.

Amendment of Schedule 1 to Act No. 5 of 2002

2. Schedule 1 to the Communal Land Reform Act, 2002, is amended -

(a) by the insertion under the heading “DAMARALAND” of the sub-heading “Area I”;

Act No. 11, 2005 COMMUNAL LAND REFORM AMENDMENT ACT, 2005

- (b) by the substitution in Area 1 of the description of the communal land area of Damaraland for the expression “Otjiwarongo 150” of the expression “Otjohorongo 150”;
- (c) by the addition to the description of the communal land area of Damaraland of the following:

“Area 2

Otjimbingwe 104, Registration Division H.”;

- (d) by the insertion under the heading “HEREROLAND WEST” of the sub-heading “*Area 1*”; and
- (e) by the addition to the description of the communal land area of Hereroland West of the following:

“Area 2

Ovitoto 55, Registration Division J.”.

Short title

- 3. This Act is called the Communal Land Reform Amendment Act, 2005.
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