



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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### Government Notice

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#### OFFICE OF THE PRIME MINISTER

No. 234 2002

#### 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. 21 of 2002: Security Enterprises and Security Officers Amendment Act, 2002.

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**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.

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**ACT**

**To amend the Security Enterprises and Security Officers Act, 1998, so as to define or further define certain expressions; to provide for the reconstitution of the Security Enterprises and Security Officers Regulation Board; to delimit the power of the Minister to make regulations; and to provide for matters incidental thereto.**

*(Signed by the President on 23 December 2002)*

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

**Amendment of section 1 of Act No. 19 of 1998**

**1.** Section 1 of the Security Enterprises and Security Officers Act, 1998 (hereinafter referred to as the principal Act), is amended -

- (a) by the substitution for the definition of “chairperson” of the following definition:
 

“ ‘chairperson’ means the chairperson of SESORB referred to in section 5(1)(a);”
- (b) by the insertion after the definition of “SESORB” of the following definition:
 

“ ‘staff member’ means a staff member as defined in section 1(1) of the Public Service Act, 1995 (Act No. 13 of 1995);”; and
- (c) by the substitution for the definition of “vice-chairperson” of the following definition:
 

“ ‘vice-chairperson’ means the vice-chairperson of SESORB referred to in section 5(1)(b).”

**Amendment of section 5 of Act No. 19 of 1998**

**2.** (1) Section 5 of the principal Act is amended by the substitution for subsection (1) of the following subsection:

“(1) SESORB shall consist of -

- (a) one staff member of the Ministry of Home Affairs, who shall be the chairperson;
- (b) one member of the Namibian Police Force, designated by the Inspector-General of Police, who shall be the vice-chairperson;

- (c) one staff member of the Ministry of Labour, designated by the Minister of Labour;
  - (d) one staff member of the Office of the Attorney-General, designated by the Attorney-General; and
  - (e) six security officers selected by the Minister from among persons whose names appear on a list compiled in terms of subsection (3), of whom three shall be representative of employers and three representative of employees.”.
- (2) Any person who -
- (a) immediately before the commencement of this Act held office as a member of SESORB referred to in section 2 of the principal Act by virtue of his or her appointment under section 5 of the principal Act before the amendment of the said section 5 by this Act (in this subsection referred to as an existing member), shall continue to hold office for the unexpired portion of his or her term of office or until he or she vacates office, as if he or she were appointed under the said section 5 as amended by this Act;
  - (b) at the commencement of this Act is by virtue of subsection (1)(d) of section 5 of the principal Act, as amended by this Act, appointed under that section as a member of SESORB, shall notwithstanding subsection (6) of that section hold office only until the expiry of the term of office of the existing members.

**Amendment of section 9 of Act No. 19 of 1998**

3. Section 9 of the principal Act is amended by the deletion of subsections (1) and (2).

**Amendment of section 38 of Act No. 19 of 1998**

4. Section 38 of the principal Act is amended by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

“The Minister may [**after consultation with SESORB**] make regulations not inconsistent with this Act -”.

**Short title and commencement**

5. This Act is called the Security Enterprises and Security Officers Amendment Act, 2002, and comes into operation on a date to be determined by the Minister by notice in the *Gazette*.

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