

Basic laws impeding nation's progress

The Ministry of Justice and Labour Relations recently called on members of the public to submit laws which, in their view, were or are impeding socio-economic development or progress of the country and set last week Friday, 13 June 2025, the deadline for submissions.

This unusual request was indeed unprecedented and should, with all due respect, be accorded accordingly. I should admit that I indeed grabbed this grand opportunity to critically identify and eventually submit just in time, the relevant laws which in my opinion are a hindrance to our progress in maturing democracy or nation. So, Minister of Justice and Labour, kindly receive my suggestions on laws that in my opinion, need to be reviewed and subsequently amended, which I strongly believe are impeding our socio-economic development and progress as a nation that one day wants to be industrialised.

I however sincerely hope this was a sincere and honest request from the relevant authority and that they will do the right thing and consider the input from the public and amend the laws accordingly for the true benefit and progress of our country.

My submission in this regard are therefore as follows:

1. That the Vice President of the country be elected directly by members of the public who are eligible to do so as per our nation's Constitution instead of being appointed by the President as is currently the case. As any national "Executive" powers that are bestowed upon any citizen's hands should come directly from the public as an appointed individual does not represent the true wishes of the voting masses in a democratic setting.

That he or she was not given that democratic right by the people and should hence have no such powers to supremely govern them in any way possible.

And that failure to amend such a law, the National Assembly should vote as per our Constitution that such a position in its current shape or form be abolished as it could pose huge constitutional challenges or risks in the foreseeable future as the nation could one day find itself with an unelected individual wielding too much undesired power, who could take the country in the wrong direction with no legal constitutional consequences or even being held accountable due to the fact that he/she was never elected directly by the people.

2. That all regional governors be elected directly by the people or alternatively by the regional councilors through an internal democratic process, and that the elected governors should have budgetary powers to contribute directly to their broader regional socio-economic development programmes.

This is to ensure that elected regional governors are accountable directly to the people of their regions and not to the president as is currently the case. That they are directly responsible for the development and oversight programmes of their respective regions which in my view, could fast-track socio-economic development or progress thereof under their jurisdictions.

3. That the Municipality and Town Council chief executive officers (CEOs) be appointed directly by the councilors and not by the Minister of Urban and Rural Development. This is to ensure that non-

performing CEOs after due observation and processes are easier removed or fired from their position as they could be the stumbling blocks impeding efficient implementation of council resolutions for the core delivery of essential services for the development and progress of their respective residents.

4. That the extension of national election days of voting be at the discretion of the National Assembly, which if approved, should be signed off by a sitting elected President and should not be for more than one extra day of voting and should be as per the original fixed gazetted polling stations. This is to ensure that consensus is hence achieved through a collective democratic process rather than this power be in the hands of a single individual.

5. That for national elections, eligible voters should also vote in the constituency they registered for ease of planning and execution of elections. This is to ensure that elections are conducted in a predicted and certain manner so that voting materials and personnel are allocated and coordinated based on available data or information as per the respected periodic voter registration outcome.

6. That all public local procurement of more than N\$20 million should have a Namibian partner(s), that joint venture bank accounts should have a Namibian as a co-signatory and should receive no less than 30% profit sharing and those local procurement below N\$20 million should have Namibians with a minimum of 50% shareholding.

7. That all medium to large sized companies operating in Namibia should have a mandatory Corporate Social Responsibility or Social Investment programme of not less than 2.5% of their annual operating turnover, that it should be part of their income or expenditure statement.

This is to ensure that all businesses operating in Namibia have corporate social responsibility programmes to that effect social progress in the communities they operate in.

8. That all Chinese or foreign owned companies, regardless of their size operating in Namibia, should be officially registered for tax purposes and should always issue authentic receipts to customers.

9. That all foreign owned retail shops operating in Namibia should adhere at least a minimum of 20% of what can, as per acceptable international standards, be produced and manufactured in Namibia failure of which a set import tariffs, or tax regime/incentive be imposed on them.

This is to spur industrialisation in key product areas Namibians can venture into and distribute through already well-established market platforms in the country.

10. That with the above laws in place that Namibia completely delinks itself from the South African rand within a set agreed period of 10 years and as a critical foundation believes more in the strength of its people and its natural resources as a solid back-up to maintain and sustain all the above suggestions.

"Pendapala Hangala believes in the potential of Namibians to achieve great things for themselves if given the chance. He writes in his personal capacity."

Pendapala Hangala



City of Windhoek
Vision To be a Sustainable and Caring City by 2027

PUBLIC NOTICE

ENVIRONMENTAL IMPACT ASSESSMENT (EIA) PUBLIC PARTICIPATION PROCESS

11 June 2025

The Windhoek Municipal Council hereby give notice to all potentially interested and Affected Parties (BAP) that an Application for the Environmental Clearance Certificate will be made to the Environmental Commissioner as per the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (Government Notice No 30 of 2012) for the following Activities:

Project Name:

EIA process for Subdivision, Zoning and Development of Municipal Services for the Okuryangava Extension 3 infill.

Project location: Open Space (Okuryangava Ext 3, infill), erven, 1714 and 1714, 2508, 2509, 2518, 2519, 1718 and 1719 situated within the boundaries of Etalowa Street and Omungwind Street bordered by a public School (Hage Geigala Secondary School) and a functional business node (22°30'29.04"S, 17°02'32.30"E).

The Proponent: Windhoek Municipal Council
Environmental Assessment Practitioner: Health and Environment Services Division (Windhoek Municipal Council)

REGISTRATION OF BAPs AND SUBMISSION OF COMMENTS:

In line with Namibia's Environmental Management Act (No. 7 of 2007) and EIA Regulations (GN 30 of 6 February 2012), all BAPs are hereby invited to register and submit their comments, concerns or questions to the contact details below, by 2 July 2025.

Public Meeting: A Public meeting will be held on 28 June 2025 at 10h00, at Omibil Community Centre, Omungwind Street.

Contact: Ms. Grazy Tshipa

Email: Grazy.Tshipa@windhoekcc.org.na

Tel: +264 612902373

Issued for: Office of the Chief Executive Officer
Corporate Communications, Monitoring and Public Participation



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Drugs worth N\$49m confiscated

...Shikongo calls for united front against drug abuse



■ Lohja Nashanta

The Namibian Police Force has confiscated illicit drugs valued at more than N\$49.3 million during nationwide operations conducted between January and December 2023.

Police chief Joseph Shikongo confirmed the figures in a statement issued as part of the commemoration of the International Day Against Drug Abuse and Illicit Trafficking on 26 June. He said a total of 1 164 suspects were arrested in connection with drug-related offences during the period under review.

The arrests stemmed from continued efforts by law enforcement to disrupt drug trafficking networks operating in Namibia.

"We remain committed to dismantling the syndicates and local networks that continue to smuggle and distribute illicit substances in our communities," Shikongo stated.

The confiscated drugs include 4 031.56kg cannabis valued at N\$40 313 568.70, 11 228 mandrax tablets valued at N\$1 347 366, cocaine powder (14.90kg) valued at N\$7 451 415, crack cocaine (1 458.27 units) worth N\$145 827, methamphetamine (215g) valued at N\$107 500, crystal meth ("Tik")

25g valued at N\$12 500, ecstasy (26 tablets) valued at N\$3 120 and MDMA 2.5 capsules valued at N\$300.

Shikongo said foreign nationals were arrested during the drug operations.

The arrests included 32 Zambians, 23 Angolans, 14 Congolese, six Tanzanians, four Zimbabweans, four South Africans, three Burundians, two Nigerians, two Botswanas, one Mozambican and one Sudanese national. Shikongo expressed serious concern over the growing vulnerability of Namibian youth to drug trafficking syndicates.

He said many are being recruited either as users or couriers. "These substances are destroying lives, tearing apart families and fuelling a cycle of crime and hopelessness across our society," he remarked.

"Once trapped in the web of addiction, many of our youth struggle to escape," Shikongo added. He stressed that while policing is essential, the fight against drug abuse must also involve prevention, education and rehabilitation.

"We are working with schools, parents, youth organisations and religious institutions to build resilience among our young people," he said.

He had ongoing collaborations with the health and education ministries as well as international partners such as the United Nations Office on Drugs and Crime.

"Enforcement alone is not enough. Prevention, treatment and rehabilitation are just as critical," Shikongo added.

"Let us support those who are struggling with addiction – not with judgment but compassion. Let today be a renewal of our collective purpose to build a Namibia free from the grip of drugs and addiction," he remarked.

— nashanta@nepc.com.na

Sankwasa's modus operandi divides opinion

■ Lohja Nashanta

Legal experts have raised serious questions about the extent of the Minister of Urban and Rural Development James Sankwasa's authority over local and regional councils.

They warned that recent interventions may be overstepping legal limits and threatening local democracy.

Legal commentator Natji Tjirera said the Namibian Constitution and relevant laws prioritise the right to a fair hearing and protect elected officials from arbitrary removal.

"Arbitrary dismissals have no place in Namibian law. Any decision that negatively affects someone must be preceded by a fair process, including a chance to be heard. The minister has no legal authority to unilaterally fire elected local authority members," he stated.

Tjirera referred to Section 13(2) of the Local Authorities Act.

It sets clear conditions for removing a council member: the council must first recommend the removal, and the affected member must be given a proper hearing.

"It is not up to the minister alone. Even with a recommendation, the law insists on fair treatment," he noted.

"This clause exists to safeguard against central government abusing power over local councils," he added.

While the minister does have the power to dissolve a council under Section 92, this too is only allowed in specific circumstances, such as when a council fails to perform its duties or manage its finances, and only after giving the council a chance to respond.

Tjirera believes recent actions by the minister appear



Minister of Urban and Rural Development James Sankwasa

to be politically driven.

"Even if well-intentioned, acting outside the law ultra vires can erode public trust and disrupt democratic governance," he stated.

Governance expert Ntumba Kamwanya offered a more cautious view.

He said the law does give the minister powers to guide and oversee councils under both the Local Authorities Act and the Regional Councils Act.

This includes approving budgets and policies as well as intervening in cases of non-performance.

"From a legal standpoint, the minister does have oversight powers. But the challenge comes when those powers are exercised without proper process," Kamwanya stated.

"If the minister appears to override or

micromanage elected council without legal justification, it raises serious concerns about undermining local democracy," he added.

He said any such action must follow the procedures set out in law, such as investigations or formal recommendations.

In addition, the action must not violate constitutional protections for elected leaders.

Dianne Hubbard, coordinator of the Gender Research and Advocacy Project at the Legal Assistance Centre, pointed to Article 111(2) of the Constitution.

It states that matters relating to local governance must be handled by Acts of Parliament.

The key piece of legislation is the Local Authorities Act of 1992.

"The Act gives councils the power to appoint or discharge chief executive officers – but even then, it requires the minister's written approval. For elected councillors, the minister can only act based on a recommendation by the council, and only after a fair hearing," Hubbard said.

She noted that the Act does not grant the minister any special powers over members of management committees.

The law allows the minister to suspend or remove council members under certain conditions, such as if a councillor is under investigation for an offence or breach of the code of conduct.

However, this too must follow a strict process.

"Unless those steps are followed, any ministerial interference may be legally challenged," Hubbard clarified.

— nashanta@nepc.com.na

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City of Windhoek
PUBLIC NOTICE
ENVIRONMENTAL IMPACT ASSESSMENT (EIA) PUBLIC PARTICIPATION PROCESS
19 June 2025

The Windhoek Municipality (Wm) is seeking to do a public hearing to discuss the proposed EIA for the proposed Windhoek Water Treatment Works (WWTW) Phase 2. The public hearing will be held on 19 June 2025 at the Windhoek City Council Chamber, 1st Floor, Windhoek City Council Building, Windhoek.

Agenda:

1. Welcome to the public hearing.
2. Presentation of the proposed EIA for the proposed WWTW Phase 2.
3. Public comments and questions.
4. Closing remarks.

Registration: The public hearing is open to all interested parties. Registration is required. Registration will be held from 14 June 2025 to 18 June 2025. Registration is free of charge. Registration is required for all interested parties. Registration is required for all interested parties. Registration is required for all interested parties.

Contact: Mr. Ruan Venter
Public Hearing Officer
Tel: 061 234 5678

NAPOTEL MEDICAL AID FUND



REQUEST FOR PROPOSAL: RFP – NAP/001/2025

NAPOTEL MEDICAL AID FUND hereby invites suitably qualified companies to provide bids for the following tender:

1. Description: Provision of External Audit Services to Napotel Medical Aid Fund
2. Closing Date: 30 June 2025 at 12:00
3. Tender documents to be requested by mail from the Principal Officer.
4. Delivery Address by hand, courier or by mail:

The Principal Officer: The Principal Officer
Telecom Head Office P.O. Box 297
Cnr of Independence Avenue and Daniel Munene Street Windhoek
Telecom Human Resources Department
M-FLOOR Room B101
Windhoek
Namibia

5. Contact Person for Tender inquiries and clarifications:

The Principal Officer:
Attention: Ms. Gertrud Batsako
P.O. Box 297
Windhoek
Namibia
Telephone: +264-61-201 2079
E-mail: batsakog@telecom.na

www.napotelmedicalaid.com.na

Job Watch Alert

The following vacancy
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Letshego Bank Namibia

Accountant: Procurement & Insurance

Closing Date – 04 July 2025

For a full Advert visit the link below to apply:

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People in designated groups are encouraged to apply.

Applications that do not meet the minimum requirements will not be considered.
Only shortlisted candidates will be contacted.



City of Windhoek Water for a Sustainable and Thriving City in 2027

PUBLIC NOTICE

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Project Name: DA process for Subdivision, Zoning and Development of Municipal Services for the Okuryangwa Extension 3 IntR.

Project location: Open Space (Okuryangwa Ext 3, IntR, erven, 1714 and 1715, 2506, 2508, 2516, 2519, 1716 and 1719 situated within the boundaries of Estrova Street and Okuryangwa Street bordered by a public School (Pigeon Gorge Secondary School) and a functional business node (22°30'25.04"S, 17°02'32.30"E).

The Proponent: Windhoek Municipal Council
Environmental Assessment Practitioner: Health and Environment Services Division (Windhoek Municipal Council)

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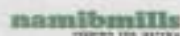
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Contact: Ms. Geazy Tulipo
Email: Geazy.Tulipo@windhoek.na
Tel: +264 612902379

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The MVA Fund invites prospective tenants to lease part of its premises at the following Service Centres:

Walvis Bay

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Doro Bess (Doro Bess)
Available from 2025

Keetmanshoop

Tel: 079
Doro Bess (Doro Bess)
Available from 2025

Rundu, IntR

Tel: 079
Doro Bess (Doro Bess)
Available 01 September 2025

The spaces are suitable for desks in consulting centres, call centres, general office space and can be altered to individual needs with minimal parking area (24-hour access).

Prospective tenants are urged to register their interest:

Contact Person: Doro Bess (Doro Bess) Doro.Bess@mva-fund.com.na
Tel: 0661 200 1101 | Email: Doro.Bess@mva-fund.com.na

Health and Safety: What Employers Should Know

• PIETER COLYN

NAMIBIA IS ON the cusp of a significant transformation in its approach to occupational safety and health (OSH) regulations.

The draft occupational safety and health bill of 2024 proposes sweeping changes to the current regime established under the Labour Act of 2007.

This article highlights the key changes, what will remain unchanged, and the practical implications for employers, human resources professionals, and compliance officers.

OSH COMMISSIONS

The OSH draft bill creates a new occupational safety and health commission, responsible for national coordination, policy development, and oversight of OSH matters.

New roles are introduced, including the occupational safety and health commissioner, chief inspector, chief inspector for mines, and chief medical officer of occupational health, each with defined mandates.

Technical committees and approved inspection authorities will provide sector-specific expertise and oversight.

EXPANDED SCOPE

The OSH draft bill applies to all workers and employers, including those in the informal economy, self-employed persons, contractors, and volunteers.

The definition of 'worker' is broadened, ensuring protection for non-traditional employment relationships and vulnerable groups.

The OSH draft bill does not appear to repeal laws which may be in conflict with the provisions contained in the OSH draft bill. However, Section 2 provides: "In case of conflict between a provision of this act and a provision of any other law listed in first schedule, in connection with the safety and health of workers, unless the provision of other law is more favourable to the worker, the provision of this Act shall prevail to the extent of the conflict."

ENHANCED EMPLOYER DUTIES

Section 21 of the OSH draft bill seeks to impose general duties to employers and persons in charge of premises, without reference to the criterion of "reasonably practicable". For instance, this section provides: "Every employer or person in charge of premises shall, without charge to the workers, provide and maintain a working environment that is safe and without risk to the health of workers."

It also provides: "An employer or person in charge of premises who has entered into an agreement with a contractor to perform certain tasks shall ensure that such a contractor complies with this act."

Although "reasonably practicable" is defined in Chapter 1 of the draft OSH

bill, and included in provisions dealing with, among others, employer's duties to conduct risk assessments; duty to provide protective equipment and clothing; and the obligation of persons who erect or install articles for use at work or in any premises, the exclusion thereof under the general duties contemplated in Section 21, may be suggestive of an absolute obligation to employers and persons in charge of premises.

The effect thereof is that an absolute obligation rests upon employers and persons in charge of premises to "provide and maintain a working environment that is safe and without risk to the health of workers".

Employers will be required to conduct regular risk assessments, provide personal protective equipment, and implement comprehensive OSH policies and wellness programmes.

There are new obligations to register workplaces, notify authorities of construction and hazardous activities, and appoint safety and health officers.

Psychosocial risks and employee wellness are now explicitly included in employer responsibilities.

BETTER WORKER PARTICIPATION

All workers will have the right to nominate and elect safety and health representatives, with clear rules for elections and terms.

Safety and health committees will be mandatory in workplaces with 20 or more workers, with equal representation from workers and employers.

Worker representatives will have expanded rights, including participation in audits and policy development.

ROBUST ENFORCEMENT

Inspectors will have enhanced powers, including the ability to impose fines directly, prohibit dangerous activities, and require police assistance. A clear appeals process is introduced, allowing decisions to be challenged up to the Labour Court.

Offences and penalties are more detailed, with higher maximum fines (up to N\$200 000) and explicit criminal liability for a wider range of contraventions.

RIGOROUS REPORTING AND RECORD KEEPING

Employers must comply with detailed requirements for notification and investigation of accidents, dangerous occurrences, and occupational diseases.

Record-keeping periods are extended (up to 45 years for accidents, 30 years for exposures and diseases).

Medical surveillance and occupational hygiene records are now mandatory.

PRACTICAL IMPLICATIONS FOR EMPLOYERS

Review and update policies: Employers should begin reviewing their current OSH policies and procedures

to ensure alignment with the new requirements, particularly regarding assessments, psychosocial, and wellness programmes.

Prepare for enhanced enforcement: Expect more frequent and inspections, with the possibility of direct fines and stricter enforcement.

Strengthen worker engagement: Prepare for more formalised participation in OSH matters, including the election of representatives and establishment of committees.

Record-keeping: Ensure compliance in place for long-term OSH records, including surveillance and accident records.

Training and communication: Invest in training for management on the new requirements and on mandated rights and duties.

CONCLUSION

The OSH draft bill represents a comprehensive overhaul of occupational safety and health governance.

Employers should take steps to understand the new requirements and begin preparing for compliance.

The changes are designed to strengthen OSH governance, protect workers, and foster a culture of prevention and safety in the workplace.

— Pieter Colyn is the former and occupational safety department of DWS

City of Windhoek
Water Supply and Sewerage Division of Windhoek City Council

PUBLIC NOTICE

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11 June 2025

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Project location: Open Space (Olunyangwa 3d 5, 3d 6, 3d 7, 3d 8, 3d 9, 3d 10, 3d 11, 3d 12, 3d 13, 3d 14, 3d 15, 3d 16, 3d 17, 3d 18, 3d 19, 3d 20, 3d 21, 3d 22, 3d 23, 3d 24, 3d 25, 3d 26, 3d 27, 3d 28, 3d 29, 3d 30, 3d 31, 3d 32, 3d 33, 3d 34, 3d 35, 3d 36, 3d 37, 3d 38, 3d 39, 3d 40, 3d 41, 3d 42, 3d 43, 3d 44, 3d 45, 3d 46, 3d 47, 3d 48, 3d 49, 3d 50, 3d 51, 3d 52, 3d 53, 3d 54, 3d 55, 3d 56, 3d 57, 3d 58, 3d 59, 3d 60, 3d 61, 3d 62, 3d 63, 3d 64, 3d 65, 3d 66, 3d 67, 3d 68, 3d 69, 3d 70, 3d 71, 3d 72, 3d 73, 3d 74, 3d 75, 3d 76, 3d 77, 3d 78, 3d 79, 3d 80, 3d 81, 3d 82, 3d 83, 3d 84, 3d 85, 3d 86, 3d 87, 3d 88, 3d 89, 3d 90, 3d 91, 3d 92, 3d 93, 3d 94, 3d 95, 3d 96, 3d 97, 3d 98, 3d 99, 3d 100, 3d 101, 3d 102, 3d 103, 3d 104, 3d 105, 3d 106, 3d 107, 3d 108, 3d 109, 3d 110, 3d 111, 3d 112, 3d 113, 3d 114, 3d 115, 3d 116, 3d 117, 3d 118, 3d 119, 3d 120, 3d 121, 3d 122, 3d 123, 3d 124, 3d 125, 3d 126, 3d 127, 3d 128, 3d 129, 3d 130, 3d 131, 3d 132, 3d 133, 3d 134, 3d 135, 3d 136, 3d 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3d 1122, 3d 1123, 3d 1124, 3d 1125, 3d 1126, 3d 1127, 3d 1128, 3d 1129, 3d 1130, 3d 1131, 3d 1132, 3d 1133, 3d 1134, 3d 1135, 3d 1136, 3d 1137, 3d 1138, 3d 1139, 3d 1140, 3d 1141, 3d 1142, 3d 1143, 3d 1144, 3d 1145, 3d 1146, 3d 1147, 3d 1148, 3d 1149, 3d 1150, 3d 1151, 3d 1152, 3d 1153, 3d 1154, 3d 1155, 3d 1156, 3d 1157, 3d 1158,