



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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No. 4307

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GOVERNMENT NOTICE

No. 151 Promulgation of Magistrates Amendment Act, 2009 (Act No. 5 of 2009), of the Parliament 1

Government Notice

OFFICE OF THE PRIME MINISTER

No. 151

2009

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. 5 of 2009: Magistrates Amendment Act, 2009.

Act No. 5, 2009 MAGISTRATES' AMENDMENT ACT, 2009**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 Magistrates Act, 2003 so as to delete the definition of Chief: Lower Courts”; to define the expression “Chief Magistrate”; to provide for the head of the Magistracy; to substitute the expression “Chief Magistrate” for the expressions “Chief: Lower Courts” and “Chief of lower courts” wherever they occur in any legislation; and to provide for incidental matters.

(signed by the President on 12 July 2009)

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

Amendment of section 1 of Act No. 3 of 2003

1. Section 1 of the Magistrates Act, 2003 (hereinafter referred to as the principal Act) is amended -

- (a) by the deletion of the definition of “Chief: Lower Courts”; and
- (b) by the insertion after the definition of “chairperson” of the following definition:

“Chief Magistrate means a magistrate who is the head of the Magistracy referred to in section 11(1A);”

Amendment of section 11 of Act No. 3 of 2003

2. Section 11 of the principal Act is amended by the insertion after subsection (1) of the following subsection:

“(1A) The Chief Magistrate is the head of the Magistracy and may preside over cases in any lower court.”

Substitution of expression “Chief Magistracy” for expressions “Chief: Lower Courts” and “Chief of lower courts”

3. The expression “Chief Magistrate” is substituted for the expressions “Chief: Lower Courts” and “Chief of lower courts” wherever they occur in any legislation.

Short title

- 4.** This Act is called the Magistrates Amendment Act, 2009.
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