



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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### Government Notice

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#### OFFICE OF THE PRIME MINISTER

No. 239 2003

#### 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. 14 of 2003: Agricultural (Commercial) Land Reform Amendment Act, 2003.

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(b) by the substitution for subsection (2) of the following subsection:

"(2) The Minister may under subsection (1) acquire -

- (a) any agricultural land offered for sale to the Minister in terms of section 17(4), whether or not the offer is subsequently withdrawn;
- (b) any agricultural land which has been acquired by a foreign national, or by a nominee owner on behalf or in the interest of a foreign national, in contravention of section 58 or 59; or
- (c) any agricultural land which the Minister considers to be appropriate for the purposes contemplated in that subsection."; and

(c) by the deletion of subsections (3), (4), (5), (6), (7), (8) and (9).

#### **Amendment of section 19 of Act No. 6 of 1995**

3. Section 19 of the principal Act is amended by the substitution for paragraph (a) of the following paragraph:

"(a) any agricultural land contemplated in section 14(2)[**(b) or (c)**]; or".

#### **Amendment of section 20 of Act No. 6 of 1995**

4. Section 20 of the principal Act is amended by the substitution for subsection (1) of the following subsection:

"(1) Where the Minister, after consultation with the Commission, decides to acquire any property for the purposes of section 14(1) and -

- (a) the Minister [**acting on the recommendation of the Commission**] and the owner of such property are unable to negotiate the sale of such property by mutual agreement; or
- (b) the whereabouts of the owner of such property cannot be ascertained after diligent inquiry,

the Minister may, subject to the payment of compensation in accordance with the provisions of this Act, expropriate such property for such purpose."

#### **Amendment of section 78 of Act No. 6 of 1995**

5. Section 78 of the principal Act is amended by the substitution for subsection (1) of the following subsection:

"(1) Any notice, document or other communication required or authorised under the provisions of this Act to be given to or served, or caused to be given to or served, on any person by the Minister shall be considered to have been duly given or served if, subject to subsection (2), the original or a true copy thereof is delivered or tendered to the person concerned personally or sent by registered post to such person."

#### **Short title**

6. This Act is called the Agricultural (Commercial) Land Reform Amendment Act, 2003.

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