



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$1.35

WINDHOEK - 19 October 1999

No. 2209

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Government Notices

MINISTRY OF HOME AFFAIRS

No. 211 1999

COMMENCEMENT OF THE SECOND HAND GOODS ACT, 1998 (ACT NO. 23 OF 1998)

Under the powers vested in me by section 23 of the Second Hand Goods Act, 1998 (Act No. 23 of 1998) I hereby determine that the said Act shall come into operation on 1 November 1999.

J EK ANDJO
MINISTER OF HOME AFFAIRS

Windhoek, 4 October 1999

MINISTRY OF HOME AFFAIRS

No. 212 1999

REGULATIONS MADE UNDER THE SECOND HAND GOODS ACT, 1998

The Minister of Home Affairs has under section 18 of the Second Hand Goods Act, 1998 (Act No. 23 of 1998) made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In these regulations, unless the context otherwise indicates, a word or an expression defined in the Act has a corresponding meaning, and -

“certificate” means the certificate issued in terms of section 4(3)(a) of the Act, authorizing a person to carry on a business as a dealer or pawnbroker; and

“the Act” means the Second Hand Goods Act, 1998 (Act No. 23 of 1998).

Application for certificate

2. (1) A person who in terms of section 4(1) of the Act wishes to apply for a certificate shall complete Form Pol 92 set out in Annexure 1 to these regulations.

(2) Where the application referred to in subregulation (1) is made by a corporate body or an institution, a person who has been authorized in writing by that body or institution to make the application shall complete Form Pol 92, and the application shall be accompanied by -

- (a) documentary proof of registration of the body or institution, where applicable; and
- (b) a copy of the document which authorizes the person who makes the application to represent the body or institution.

Issuing of certificate

3. The certificate shall be in Form Pol 93 set out in Annexure 1 to these regulations.

Amendment of certificate

4. A person who wishes to apply for an amendment of the certificate shall complete Form Pol 94 set out in Annexure 1 to these regulations, and submit it to the Regional Commander of the police region within which the applicant intends to carry on a business, or to the officer in charge of a police station in the area where the applicant intends to carry on a business.

Withdrawal of certificate

5. If the Inspector-General withdraws the certificate in terms of section 4(7) of the Act, he or she shall deliver by hand to the holder of the certificate or deliver by registered post at the address supplied in Form Pol 92 set out in Annexure 1 to these regulations, a written notice, which shall -

- (a) advise the holder of the certificate about the withdrawal and the reasons for such withdrawal; and
- (b) demand that the holder of the certificate surrender the certificate to a person who is named in the notice.

Duplicate certificate

6. A person who wishes to apply for a duplicate certificate shall complete Form Pol 95 set out in Annexure 1 to these regulations and submit it to the officer in charge of a police station in the area where the applicant carries on a business.

Renewal of certificate

7. A person who wishes to apply for a renewal of the certificate shall do so at least ninety days before the date of expiration of that certificate by completing Form Pol 96 set out in Annexure 1 to these regulations and submitting it to the Regional Commander of the police region within which the applicant carries on a business.

Fees

8. The fees payable for an application made or certificate issued in terms of the Act or these regulations are as set out in Annexure 2 to these regulations.

Offences and penalties

9. A person who contravenes or fails to comply with these regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months, or to both such fine and such imprisonment.

POL 92

**ANNEXURE 1
(Regulations 1 to 6)**

NAMIBIAN POLICE

APPLICATION FOR CERTIFICATE

(SECOND HAND GOODS ACT, 1998 (ACT NO. 23 OF 1998))

A. TYPE OF BUSINESS Second Hand Goods Pawnshop

B. PARTICULARS OF APPLICANT

1. Sole Ownership:

(a) Surname

(b) Other name(s)

(b) (i) Namibian ID. No. _____

(ii) Passport/Work/Residence Permit No. * _____

(Only persons not in possession of a Namibian Identity document)

(c) Residential address

(d) Business address

(e) Postal address

(f) Telephone No. (h) (w)

2. Other bodies (indicate with x):

| | | | | | |
|---------|-------------------|-------------|-------------|------|-------|
| Company | Close Corporation | Partnership | Association | Club | Other |
| | | | | | |

(a) Name

(b) Licence Holder's Registration No. _____

(c) Postal address

(d) Business address

.....

.....

(e) Telephone No.

(f) Responsible person

C. OTHER PARTICULARS

(a) Have you ever been convicted of an offence where dishonesty was involved?

Yes/No*

If yes, state:

| Offence | Date and place of conviction | Sentence |
|---------|------------------------------|----------|
| | | |
| | | |
| | | |

(b) Have you ever been convicted of any other offence?

Yes/No*

If yes, state:

| Offence | Date and place of conviction | Sentence |
|---------|------------------------------|----------|
| | | |
| | | |
| | | |

D. SPECIFIED CLASSES OF GOODS YOU INTEND DEALING IN

.....

.....

.....

I hereby certify that the information furnished is true and correct to the best of my knowledge.

Place:

Date:

.....
Signature of applicant

* Delete whichever is not applicable

POL 93

NAMIBIAN POLICE

CERTIFICATE
(SECOND HAND GOODS ACT, 1998 (ACT NO. 23 OF 1998))

Certificate Number _____

It is hereby certified that

(Name of business)

has been registered as a dealer/pawnbroker*.

Business Address

Postal Address

The business is authorized to deal in the following classes of goods:

.....

.....

Other

.....

The certificate shall expire on

Office date
stamp

.....
Inspector-General: Namibian Police

* Delete whichever is not applicable

POL 94

NAMIBIAN POLICE

APPLICATION FOR AMENDMENT OF CERTIFICATE
(SECOND HAND GOODS ACT, 1998 (ACT NO. 23 OF 1998))

1. Particulars of certificate holder:

Name of Business
Surname
Other name(s)
Business Address

2. New particulars

Surname
Other name(s)
Name of Business
Postal Address
Business Address
Telephone number: (w) (h)
Classes of goods
.....
.....

3. Reason for change(s)

.....
.....

Place:

Date:

.....
Signature of applicant

The new information was verified and found to be correct.

Office date
stamp

.....
Station Commander

No.: Rank:

* Delete whichever is not applicable

POL 95

NAMIBIAN POLICE

APPLICATION FOR DUPLICATE CERTIFICATE

(SECOND HAND GOODS ACT, 1998 (ACT NO. 23 OF 1998))

I, declare that on or about
(Full Names)

the day or,, I lost/misplaced/destroyed* a certificate
issued to me under the authority of the Second Hand Goods Act, 1998 as a dealer/pawnbroker*.

Particulars of applicant:

Name of Business

.....

Business Address

.....

Postal Address

.....

.....

Tel. No.

Place:

Date:

.....

Signature of applicant

* Delete whichever is not applicable

POL 96

NAMIBIAN POLICE

APPLICATION FOR THE RENEWAL OF CERTIFICATE
(SECOND HAND GOODS ACT, 1998 (ACT NO. 23 OF 1998))

I,

(Full names)

hereby apply for the renewal of a certificate as a dealer/pawnbroker*

1. (a) Applicant's identity Number _____

(b) Applicant's address

2. Name under which business is to be carried on:

.....

3. Full name(s), identity number(s) and residential address(es) of proprietor, every partner, or in the case of a company, of the directors and manager:

.....
.....
.....
.....
.....
.....

4. Particulars of person in actual control of business:

(a) Surname

(b) Other name(s)

(c) Address

(d) Identity Number _____

5. Full address of the premises at which business will be carried on:

.....

6. Renewal date:

7. Period for which certificate is required:

I hereby certify that the information furnished is true and correct to the best of my knowledge.

Date:

Place:

.....
Signature of applicant

* Delete whichever is not applicable

**ANNEXURE 2
(Regulation 7)**

FEES PAYABLE IN TERMS OF THE ACT AND REGULATIONS

(All fees payable in revenue stamps)

| Purpose | Fee |
|--|-----------|
| 1. Application for certificate (section 4(3) of the Act) | N\$250,00 |
| 2. Application for amendment of certificate (regulation 3) | N\$ 25,00 |
| 3. Application for duplicate certificate (regulation 5) | N\$ 25,00 |
| 4. Renewal of certificate (regulation 6) | N\$250,00 |