



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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WINDHOEK - 9 April 1999

No. 2078

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Government Notices

MINISTRY OF AGRICULTURE, WATER AND RURAL DEVELOPMENT

No. 57

1999

COMMENCEMENT OF STOCK BRANDS ACT, 1995

Under section 25 of the Stock Brands Act, 1995 (Act No. 24 of 1995), I determine that the Act shall come into operation on 9 April 1999.

H. ANGULA
MINISTER OF AGRICULTURE,
WATER AND RURAL DEVELOPMENT

Windhoek, 24 March 1999

*Repealed by:
Gov N 73/2004*

**MINISTRY OF AGRICULTURE, WATER
AND RURAL DEVELOPMENT**

No. 58

1999

REGULATIONS IN TERMS OF THE STOCK BRANDS ACT, 1995

The Minister of Agriculture, Water and Rural Development has under section 20 of the Stock Brands Act, 1995 (Act No. 24 of 1995), made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In these regulations, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Act shall have that meaning, and -

"the Act" means the Stock Brands Act, 1995 (Act No. 24 of 1995); and

"veterinary cordon fence" means the fence which divides the veterinary buffer zone and the veterinary surveillance zone, commencing at Palgrave Point on the west coast of Namibia and running in a generally eastern direction to a point on the common border between the Republic of Namibia and the Republic of Botswana at 20° latitude;

Prescribed forms

2. A reference in these regulations to a specified form is a reference to the relevant form as set out in Annexure 1 to these regulations.

Applications

3. The form of an application -

- (a) for the registration of a brand in terms of section 6(1) of the Act, shall be as set out in Form BR. 1; and
- (b) for the transfer of the registration of a brand in terms of section 8(1) or 9(1) of the Act, shall be as set out in Form BR 2.

Certificate of registration or transfer of a brand

4. The form of a certificate of registration of a brand issued in terms of section 6(2) of the Act, or of a certificate of registration of the transfer of a brand issued in terms of section 8(3) or section 9(2) of the Act, shall be as set out in Form Br 3.

Certificate of authorization

5. The form of a certificate of authorization furnished in terms of section 13(3) of the Act, shall be as set out in Form BR. 4.

Request regarding cancellation of brand

6. A request by the Registrar contemplated in section 10(1)(a) of the Act, shall be made in the form as set out in Form BR. 5.

Prescribed fees

7.(1) A fee of N\$5 shall be payable to the Registrar -

- (a) for the registration of a brand in terms of section 6(2) of the Act; or

- (b) for the transfer of a registration of a brand in terms of section 8(3) or 9(2) of the Act.

(2) The fee that a poundmaster shall be entitled to recover, on the release or sale of stock, in respect of a notice of impoundment given in terms of section 15(1) of the Act, shall be N\$50.

Stock brand areas and area indication symbol of brand

8.(1) For the purposes of the Act and these regulations -

- (a) the areas mentioned in the first column of the Table in Annexure 2, are the different stock brand areas into which Namibia is divided; and
- (b) the letters or letters specified in the second column of that Table opposite each such stock brand area, shall be the area indication symbol to be included in every brand allotted in respect of stock kept in such area.

(2) Stock belonging to the Government shall be branded with the letter "G" preceding the brand allotted to the Government in respect of stock kept in a particular stock brand area.

(3) The reference in the Table in Annexure 2 -

- (a) to a magisterial district, means the magisterial district as defined in the relevant annexure to Government Notice No. 23 of 17 February 1994, excluding any subsequent amendments thereto;
- (b) to a region, means the region as defined in the First Schedule to Proclamation No. 6 of 3 March 1992, excluding any subsequent amendments thereto.

Form of brand

9.(1) Subject to regulation 10, an allotted brand -

- (a) in respect of a stock brand area mentioned in paragraph 1 of the Table in Annexure 2, shall consist of the relevant area indication symbol followed by two characters, a letter in combination with either a second letter or a numeral or both a second letter and a numeral, which shall be arranged in such manner that the brand shall be in a triangular form; and
- (b) in respect of a stock brand area mentioned in paragraph 2 of that Table, shall consist of the two letters of the relevant area indication symbol with one or more numerals between those letters, which shall be imprinted in such manner that the brand shall be in a linear form, but with not more than four characters in the same line.

(2) The area indication symbol of an allotted brand referred to in paragraph (a) of subregulation (2), or when allotted in combination with another letter, both that symbol and letter, may be used, apart from the upright position, also in a horizontally toppled position pointing either to the left or to the right.

(3) The order of allocating a letter to be used in combination with the area indication symbol of a stock brand area mentioned in paragraph 1 of the Table in Annexure 2, shall be alphabetical.

Special brands

10. Notwithstanding regulation 9, the Registrar may, in his or her sole discretion, upon application of any person, agree that any symbol or figure, not consisting of any

letters or numerals, be registered in respect of such person as a special brand for use, either -

- (a) in the stead of a brand referred to in regulation 9; or
- (b) in addition to an allotted brand referred to in regulation 9,

but the Registrar shall not register any special brand which, in his or her opinion, so closely resembles another registered special brand that it may cause confusion or can easily be modified to match another registered special brand.

Size of brands

11. The size of the characters of every allotted brand branded on stock shall be not less than 30 millimetres in height.

Age of stock at time of branding

12.(1) Except where for the purpose of compliance with any provision of the Act it is required that stock be branded sooner, every owner shall cause any new born stock to be branded upon attaining the age of six months.

(2) Where accurate records are not available to determine the age of stock, the appearance of the first molar teeth in the upper jaw shall be regarded as the time when, for the purposes of subregulation (1), stock should be branded.

Method of imprinting brand

13.(1) An allotted brand shall be imprinted on stock, in accordance with the provisions of subregulation (2), by means of a branding iron and through -

- (a) the application of heat;
- (b) a freeze application; or
- (c) the application of any appropriate chemical,

in such manner that it will leave a durable and legible mark.

(2) The first brand on stock shall be imprinted on the left hind leg, on the lateral area above (proximal) the knee-joint and below (distal) the hipjoint, and subsequent brands shall be imprinted on the following parts, next in order -

- (a) left shoulder: on the lateral area above (proximal) the elbow joint and below (distal) the shoulder joint;
- (b) left neck: behind (caudal) the angle of the jaw and to the front (cranial) of the shoulder joint;
- (c) right hind leg: on the lateral area above (proximal) the knee-joint and below (distal) the hipjoint;
- (d) right shoulder: on the lateral area above (proximal) the elbow joint and below (distal) the shoulder joint;
- (e) right neck: behind (caudal) the angle of the jaw and to the front (cranial) of the shoulder joint.

Safe keeping of branding irons

14.(1) Subject to subregulations (2), (3) and (4), every owner of a registered brand shall be responsible for the custody of the branding irons pertaining to such brand.

(2) A Traditional Authority may in writing request the Minister to issue an order whereby registered owners of brands residing in any community of that Traditional Authority are required to surrender to the Traditional Authority all branding irons of such owners for safe custody by that Traditional Authority, or any person designated by it, during times when such branding irons are not being used by the owner for the branding of stock or for any other lawful purpose, which request shall set forth the measures imposed or proposed to be imposed by the Traditional Authority to ensure the safe keeping of such branding irons and to prevent their unlawful use.

(3) If, upon a request made in terms of subregulation (2), the Minister -

(a) considers it expedient that an order to that effect should be issued; and

(b) is satisfied with regard to the measures imposed or proposed to be imposed by the Traditional Authority for the safe keeping of branding irons,

the Minister may issue such order by notice in the *Gazette*.

(4) Every owner of a registered brand who resides in a community of a Traditional Authority in respect of which an order issued under subregulation (3) becomes of effect, shall comply with the requirements of that order.

Penalties

15. Any person who fails to comply with the provisions of regulation 11, 12(1) or 14(4), shall be guilty of an offence and on conviction be liable to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months.

ANNEXURE 1

STOCK BRANDS ACT, 1995

FORM BR. 1

APPLICATION FOR REGISTRATION OF A BRAND
(Regulation 2(a))

The Registrar of Brands
Private Bag 12022
WINDHOEK

I (full name in block letters)
of (postal address) (residential address)

and farming on the following properties: *(Give the description of each property and state the district where it is situated)*

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

hereby apply in terms of section 6 of the Stock Brands Act, 1995 (Act No. 24 of 1995) for the registration of a brand in the name of

I am the registered owner of the following brand(s)

Reason for application

The prescribed fee of N\$ is included.

.....
Signature of applicant

.....
Date

STOCK BRANDS ACT, 1995

FORM BR. 2

APPLICATION FOR TRANSFER OF A REGISTERED BRAND
(Regulation 2(b))

The Registrar of Brands
Private Bag 12022
WINDHOEK

PART I

I/We (full name(s) in block letters)
of (postal address) (residential address)

and farming on the following properties: *(Give the description of each property and state the district where it is situated)*

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

hereby apply for the transfer to my/our name of the registration of the brand -

(furnish full particulars in regard to the pattern and composition) which is presently registered in the name of

(full name of owner in block letters) of *(full postal address)*

*I am/We are the registered owner(s) of the following brand(s)

.....

Reason for transferral of the brand(s)

.....

The prescribed fee of N\$ is included.

.....
Signature of applicant

.....
Date

**Delete whichever is not applicable.*

PART II

CONSENT OF OWNER/EXECUTOR* TO TRANSFER OF
REGISTRATION OF BRAND

I (*full name in block letters*)
 in my capacity as (*owner, executor, etc.*)
 of (*postal address*)
 hereby consent to the transfer of the registration of the brand described in Part I above, to the
 name of

I undertake to deliver the branding iron concerned to the applicant if the application is granted
 or to have it destroyed if the application is not approved.

.....
Owner, executor, etc.

.....
Date

STOCK BRANDS ACT, 1995

FORM BR. 3

CERTIFICATE OF REGISTRATION/TRANSFER* OF BRAND
 (*Regulation 3(a) and (b)*)

It is hereby certified that the brand

has today been -

*(a) registered in the name of
 of (*postal address*)

*(b) transferred into the name of
 of (*postal address*)

.....
Registrar of Brands

.....
Date

* Delete which is not applicable.

STOCK BRANDS ACT, 1995

FORM BR. 4

CERTIFICATE OF AUTHORIZATION
(Regulation 3(c))

It is hereby certified that
 ID number
 who holds the post of
 has under section 13(2) of the Stock Brands Act, 1995 (Act No. 13 of 1995) been authorized to
 exercise and perform the powers, duties and functions conferred or imposed upon an authorised
 person by or under that Act or as determined by the Minister of Agriculture, Water and Rural
 Development.

Issued at Windhoek on 19....

.....
 REGISTRAR OF BRANDS

STOCK BRANDS ACT, 1995

FORM BR. 5

REQUEST REGARDING CANCELLATION OF BRAND
(Regulation 4)

Since it appears that the following brand(s)
 which is/are registered in your name is/are not being made use of, you are hereby requested to
 show cause, not later than why the registration of that brand/those brands
 should not be cancelled.

.....
 REGISTRAR OF BRANDS

.....
Date

ANNEXURE 2

STOCK BRAND AREAS AND AREA INDICATION SYMBOL OF BRANDS
(Regulation 6)

Stock brand areas	Area indication symbol
1. The following magisterial districts, but excluding any area mentioned in paragraph 2 of this Annexure which falls in any such magisterial district -	
Bethanie.....	B
Gobabis	S
Grootfontein	F
Karasburg	D
Karibib	K
Keetmanshoop	P
Lüderitz	L

Stock brand areas		Area indication symbol
Maltahöhe		E
Mariental		N
Okahandja		J
Omaruru		U
Otjiwarongo		T
Outjo		O
Rehoboth		R
Swakopmund		M
Tsumeb		A
Windhoek		W
2. The following other areas:		
(a) in the Caprivi region -		
the area west of the Kwando river		EB
the area east of the Kwando river		EC
the area west of the Kavango river		ED
(b) in the Erongo region -		
Kuiseb area		KD
Okombahe		OK
Otjihorongo area		UF
Otjimbingwe area		KC
(c) in the Hardap region -		
Gibeon area		NC
Hoachanas area		NH
(d) in the Karas region -		
the areas of Tses and Berseba		PF
Bondelswarts area and all other portions of unsurveyed State land in that region		PS
(e) in the Kunene region north of the veterinary cordon fence -		
Opuwa district		XA
Khorixas district, the area north of the veterinary cordon fence		XB
(f) in the Kunene region south of the veterinary cordon fence, in the Khorixas district -		
Uis area north of the Ugabriver		DA
Houmoed area		DC
Braunfels area		DD
Fransfontein area		DG
Grootberg area		DN
(g) the Ohangwena region		
		ZC
(h) in the Okavango region -		
Kwangali area		YA
Mbunza area		YB
Sambui area		YC
Gciricku area		YD

Stock brand areas		Area indication symbol
(i) in the Omaheke region - Aminuis Corridor area Gam area Eiseb area Epukiro area Otjinene area Rietfontein area		SC SD SE SF SO RN
(j) the Omusati region		ZA
(k) the Oshana region		ZB
(l) the Oshikoto region north of the veterinary cordon fence		ZD
(m) in the Otjozondjupa region - Gam area Okakarara Okamatapati Okondjatu Otjituoo Ovitoto Tsumkwe area north of the veterinary cordon fence		SD TC OM OH FC OV QA