



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

R 0.30

WINDHOEK — 7 December 1991

No. 311

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Government Notice

OFFICE OF THE PRIME MINISTER

No. 132

1991

PROMULGATION OF ACT OF THE NATIONAL ASSEMBLY

The following Act which has been passed by the National Assembly 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 1991: Namibian Citizenship Special Conferment Act, 1991.

**NAMIBIAN CITIZENSHIP SPECIAL
CONFERMENT ACT, 1991**

ACT

To make provision for the conferment of Namibian citizenship upon certain descendants of persons who left Namibia owing to persecution by the colonial government which was in control of the country before 1915; and to provide for matters incidental thereto.

(Signed by the President on 28 November 1991)

BE IT ENACTED by the National Assembly of the Republic of Namibia, as follows:-

Definitions.

1. In this Act, unless the context otherwise indicates, "Minister" means the Minister of Home Affairs.

Conferment of Namibian citizenship upon certain persons.

2. (1) Subject to the provisions of this Act, any descendant of a person who -

(a) is a Namibian citizen by birth or would have been such a citizen had he or she been alive; and

(b) had left Namibia owing to persecution by the colonial government which was in control of the country before 1915,

shall, by virtue of commitment to the Namibian nation, be entitled to acquire, at any time within a period of five years after the commencement of this Act, Namibian citizenship in accordance with the provisions of this Act if such descendant does not qualify for such citizenship on any other ground.

(2) Any person who is entitled to Namibian citizenship in terms of subsection (1), may, within the period mentioned in that subsection and in the form prescribed by the Minister by regulation, apply for registration as a Namibian citizen.

(3) The Minister shall, if the Minister is satisfied that an applicant for citizenship in terms of subsection (2) -

**NAMIBIAN CITIZENSHIP SPECIAL
CONFERMENT ACT, 1991**

- (a) is a person referred to in subsection (1);
- (b) has renounced the citizenship of any foreign country of which the applicant is a citizen; and
- (c) is or intends to become ordinarily resident in Namibia,

confer Namibian citizenship upon such person and cause a certificate of registration prescribed by regulation as such a citizen to be issued to him or her.

(4) For the purposes of an application under subsection (2), the Minister may require that the applicant or any other person submits such statements made under oath or affirmation or such other documents in support of the application as the Minister may deem necessary.

Application of certain provisions of Act 14 of 1990.

3. (1) The provisions of sections 2(4), 7 to 13, 16 to 23, 26 and 27 of the Namibian Citizenship Act, 1990, and any regulation made under section 28 of that Act, in so far as it is not inconsistent with the provisions of this Act, shall *mutatis mutandis* apply to any person upon whom Namibian citizenship has been conferred under this Act.

(2) For the purposes of the application of the provisions of the Namibian Citizenship Act, 1990, referred to in subsection (1) to a person who acquired Namibian citizenship in terms of this Act, such person shall be deemed to have acquired such citizenship by virtue of naturalisation in terms of that Act.

Delegation of powers.

4. (1) The Minister may, subject to such conditions as the Minister may deem fit to impose, delegate the powers conferred by this Act, except the power to prescribe anything by regulation, to any officer or employee in the public service attached to the Ministry.

(2) The delegation of any power under subsection (1) shall not divest the Minister of the power so delegated and the Minister may amend or set aside anything done by virtue of a power so delegated.

Short title.

5. This Act shall be called the Namibian Citizenship Special Conferment Act, 1991.
