



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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WINDHOEK - 1 April 2014

No. 5438

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### Government Notice

#### MINISTRY OF JUSTICE

No. 38

2014

#### DECLARATION OF PEACE OFFICERS IN TERMS OF CRIMINAL PROCEDURE ACT, 1977 (ACT NO. 51 OF 1977)

Under section 334 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), I -

- (a) under subsection (1) of that section, declare that every person who, by virtue of his or her office, falls within the category defined in Column 1 of the Schedule, in the area specified in Column 2 of the Schedule, be a peace officer for the purpose of exercising, with reference to the offences specified in column 3 of the Schedule, the powers defined in Column 4 of the Schedule;
- (b) under paragraph (b) of subsection (3) of that section, prescribe that the following must appear on the certificate of appointment referred to in subsection (2) of that section, issued to any person referred to in column 1 of the Schedule, namely:
  - (i) the full name of that person;
  - (ii) his or her identity number;
  - (iii) his or her signature;

- (iv) his or her photograph;
- (v) a description of the capacity in which he or she was appointed;
- (vi) the name of the minister which, subject to the approval of the Public Service Act, 1995 (Act No. 13 of 1995), made the designation; and
- (vii) the signature and official stamp of the employer or responsible person.

**U. NUJOMA**  
**MINISTER OF JUSTICE**

Windhoek, 28 February 2014

**SCHEDULE**

| COLUMN 1   | COLUMN 2   | COLUMN 3  | COLUMN 4   |
|--|--|---|--|
| Fisheries inspectors designated in terms of section 4 of the Marine Resources Act, 2000 (Act No. 27 of 2000) and inspectors designated under section 23 of the Inland Fisheries Resources Act, 2003 (Act No. 1 of 2003). | Area of jurisdiction is where the Marine Resources Act, 2000 (Act No. 27 of 2000) and the Inland Fisheries Resources Act, 2003 (Act No. 1 of 2003) find application, respectively. | Any offence committed, under the Marine Resources Act, 2000 (Act No. 27 of 2000), or the Inland Fisheries Resources Act, 2003 (Act No. 1 of 2003), respectively | The powers conferred on a peace officer by-<br>(a) The following provisions of the Criminal Procedure Act, 1977 (Act No. 51 of 1977):<br>(i) the power to search arrest and seize articles under section 23(a) of that Act;<br>(ii) the power to arrest;<br>(iii) a person without a warrant in terms of section 40(1) of that Act;<br>(iv) the power to request particulars and the power to arrest in terms of section 41(1) of that Act;<br>(v) the power to execute warrants of arrest in terms of section 44 of that Act;<br>(vi) the power to arrest in terms of section 45 of that Act;<br>(vii) the power to hand an accused a written notice as means to secure attendance in a magistrates court in terms of section 56 of that Act; |

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|--|--|--|--|
|  |  |  | <p>(viii) the power to apply in terms of section 68(2) for the issue of a warrant of arrest of accused person released on bail in circumstances referred to in that section;</p> <p>(ix) the power to demand the production of licenses, permits under section 250(2) of that Act;</p> <p>(x) the power to issue written notices in terms of section 341(1) of that Act; and</p> <p>(b) the provisions of any other law.</p> |
|--|--|--|--|