



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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Government Notices

MINISTRY OF AGRICULTURE, WATER AND RURAL DEVELOPMENT

No. 72 2004

DECLARATION OF SHEEP AND GOATS TO BE STOCK

Under section 2 of the Stock Brands Act, 1995 (Act No. 24 of 1995), I declare sheep and goats as stock as contemplated in that section.

H. ANGULA
MINISTER OF AGRICULTURE,
WATER AND RURAL DEVELOPMENT

Windhoek, 29 March 2004

MINISTRY OF AGRICULTURE, WATER AND RURAL DEVELOPMENT

No. 73 2004

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under section 20 of the Stock Brands Act, 1995 (Act No. 24 of 1995), made the regulations set out in the Schedule and repealed the regulations published by Government Notice No. 58 of 1999.

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°E 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 subregulation (2), regulation 10 and regulation 13(5), 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, 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: Provided that if the brand consists of more than four characters no more than three characters may be placed in the same line.

(2) When a brand is registered, the Registrar may indicate that the indicated character that forms part of the brand shall not be used in the normal orientation, but shall be toppled to the left or to the right.

(3) The Registrar may allocate letters and numerals in the order in which he or she thinks fit.

Special brands

10. Special brands registered before the commencement of these regulations shall remain valid, but no special brands shall be registered after the commencement of these regulations.

Size of brands

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

(2) The size of the characters of every allotted brand branded on sheep or goats by means of a tattoo as contemplated in regulation 13(6) shall be not less than 8 millimetres in height.

(3) The size of the characters of every allotted brand branded on sheep or goats by means of an approved tag as contemplated in regulation 13(7) shall be not less than 3 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 -

- (a) any new born cattle to be branded upon attaining the age of six months;
- (b) any new born sheep or goats to be branded upon attaining the age of three months or when such sheep or goats are removed from the farm on which they are born or sold to another person before they have reached that age.

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

Method of imprinting brand

13. (1) An allotted brand shall be imprinted on cattle, 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 cattle shall be imprinted on the left hind leg, on the lateral area above (proximal) the knee-joint and below (distal) the hip joint, 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 hip joint;
- (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.

(3) Subject to subregulation (5), an allotted brand shall be imprinted on sheep and goats in accordance with the provisions of subregulation (4) by means of a tattoo or an approved tag.

(4) The first brand on sheep and goats shall be imprinted on the inside of the left ear and subsequent brands shall be imprinted on the following parts, next in order -

- (a) the inside of the right ear;
- (b) the inside of the left ear, nearer the head (cranial) to the previous brand on that ear;

- (c) the inside of the right ear, nearer the head (cranial) to the previous brand on that ear.

(5) When the characters of an allotted brand is in a triangular form, as contemplated in regulation 9(1)(a), the characters shall when such a brand is imprinted on sheep or goats by means of a tattoo contemplated in subregulations 6 or by means of an approved tag as contemplated in subregulation (7), be in one line with the characters in the first line separated from the character below by means of a forward slash (“/”) character.

(6) For the purposes of subregulation (3) a tattoo means a mark created by the insertion of indelible pigment into punctures in the skin.

(7) Approved tag means a plate, tag or similar object containing a brand and -

- (a) which is of a type manufactured or supplied by a person approved by the Registrar; or
- (b) which is of such quality, type and material as may be approved by the Registrar and is attached and secured in a manner approved by the Registrar.

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 is 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 equipment 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) from the name of (previous owner) 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 in the Public Service 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 |
|---|---|
| <p>1. The following magisterial districts, but excluding any area mentioned in paragraph 2 of this Annexure which falls in any such magisterial district -</p> <p>Bethanie Gobabis Grootfontein Karasburg..... Karibib Keetmanshoop Lüderitz Malthahöhe Mariental Okahandja Omaruru Otjiwarongo Outjo Rehoboth Swakopmund Tsumeb Windhoek</p> | <p>B S F D K P L E N J U T O R M A W</p> |
| <p>2. The following other areas:</p> <p>(a) in the Caprivi Region - (a) in the Caprivi Region -</p> <p>the area west of the Kwando river the area east of the Kwando river the area west of the Kavango river</p> <p>(b) in the Erongo Region -</p> <p>Kuiseb area Okombahe Otjihorongo area Otjimbingwe area</p> <p>(c) in the Hardap Region -</p> <p>Gibeon area Hoachanas area</p> <p>(d) in the Karas Region -</p> <p>the areas of Tses and Berseba Bondelswarts area and all other portions of unsurveyed State land in that region.....</p> <p>(e) in the Kunene Region north of the veterinary cordon fence -</p> <p>Opuwa district Khorixas district, the area north of the veterinary</p> | <p>EB EC ED</p> <p>KD OK UF KC</p> <p>NC NH</p> <p>PF PS</p> <p>XA XB</p> |

| Stock brand areas | Area indication symbol |
|---|--|
| (f) in the Kunene Region south of the veterinary cordon fence, in the Khorixas district - Uis area north of the Ugabriver Houmoed area Braunfels area Fransfontein area Grootberg area | DA DC DD DG DN |
| (g) the Ohangwena Region - | ZC |
| (h) in the Okavango Region - Kwangali area Mbunza area Sambui area Gciricku area | YA YB YC YD |
| (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 |