

Namibia

Livestock and Livestock Products Act, 1981

Livestock and Livestock Products Regulations

Government Notice 381 of 2024

Legislation as at 13 December 2024

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Livestock and Livestock Products Regulations (Government Notice 381 of 2024)

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Republic of Namibia
Annotated Statutes

Livestock and Livestock Products Act, 1981

Livestock and Livestock Products Regulations
Government Notice 381 of 2024

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Under section [24\(1\)](#) of the Livestock and Livestock Products Act, 1981 ([Act No. 12 of 1981](#)), I have -

- (a) made the regulations set out in the Schedule which regulations will come into operation 30 days after the date of publication of this notice in the *Gazette*; and
- (b) repealed -
 - (i) the Meat Trade Control Regulations published in Government Notice No. 87 of 1 June 1963; and
 - (ii) Government Notices No. AG. 153 of 1 December 1981, No. 110 of 1 September 1992, No. 126 of 21 September 1992, No. 4 of 15 January 2013 and No. 289 of 30 September 2022,with effect from the date of operation of the regulations referred to in paragraph [\(a\)](#).

1. Definitions

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

“**account holder**” means a person who has an approved account with the board;

“**appellant**” means a person contemplated in regulation [2\(1\)](#);

“**chief executive officer**” means chief executive officer of the board;

“**data message**” means a data message as defined in section 1 of the Electronic Transactions Act, 2019 ([Act No. 4 of 2019](#));

“**eggs**” means the eggs of poultry;

“**egg products**” means processed products, fresh, dried, frozen, liquid or powdered, whole or portion, resulting from the processing of eggs or of various components or mixtures of eggs, or from the further

processing of such processed products including, but not limited to, egg whites, egg yolks, salted yolks, sugared yolks, salted whole eggs, sugared whole eggs, and various yolk and white blends with or without added sugar or salt, egg albumen powder, egg white powder, whole egg powder, egg yolk powder, egg yolks fluid, whole egg fluid;

“**exporter**” means a person that undertakes or is permitted to undertake exports of a controlled product and includes any person, agent or assignee, whatsoever acting on behalf of the exporter, whether or not they have an interest in the controlled product concerned;

“**green hide or skin**” means freshly flayed hides and skins not salted, dried, or processed;

“**hide**” means the hide of a bovine;

“**importer**” means a person that undertakes or is permitted to undertake imports of a controlled product and includes any person, agent or assignee, whatsoever acting on behalf of the importer, whether or not they have an interest in the controlled product concerned;

“**levy**” means a levy imposed under section [17\(1\)](#) of the Act;

“**non-account holder**” means a person who does not have an approved account with the board;

“**raw milk**” means milk that has not been pasteurised, sterilised or subjected to heat treatment, whether with full fat or with reduced fat content;

“**skin**” means the skin of a sheep or goat; and

“**the Act**” means the Livestock and Livestock Products Act, 1981 ([Act No. 12 of 1981](#)).

2. Appeal against decision of board

- (1) A person who intends to appeal to the Minister against any decision of the board must -
 - (a) within the period contemplated in section [11](#) of the Act after the board has advised the person of its decision, lodge with the Minister a written notice of appeal setting out the grounds of appeal; and
 - (b) by -
 - (i) registered post, forward a copy of the written notice of appeal referred to in paragraph [\(a\)](#) to the chief executive officer;
 - (ii) hand, deliver a copy of the written notice of appeal referred to in paragraph [\(a\)](#) to the chief executive officer; or
 - (iii) data message, send a copy of the written notice of appeal referred to in paragraph [\(a\)](#) to the chief executive officer.
- (2) Within 14 days after receipt of the copy of the notice of appeal referred to in subregulation [\(1\)\(a\)](#), the board must furnish written reasons for its decision to the Minister and -
 - (a) by registered post, forward a copy of the notice to the appellant;
 - (b) by hand, deliver a copy of the notice to the appellant; or
 - (c) by data message, send a copy of the notice to the appellant.
- (3) If the appellant decides to proceed with the appeal after receipt of the written reasons referred to in subregulation [\(2\)](#), the appellant must, within 21 days after receipt of the reasons, confirm in writing to the Minister that the appellant intends to proceed with the appeal, and the Minister must proceed in accordance with section 11 of the Act.
- (4) If the Minister is satisfied that the board has not complied with subregulation [\(2\)](#), the Minister must proceed as if the board has acquiesced in the setting aside of its decision.
- (5) The Minister must notify the appellant of his or her decision within 30 days.

3. Payment of levies

- (1) A levy which relates to -
 - (a) the selling transaction of cattle, sheep, goats, pigs, poultry, raw milk, eggs, green skins, wet salted and dry salted skins, green hides, wet salted and dry salted hides, or the slaughtering of cattle, sheep, goats, pigs and poultry must be paid to the board before or on the last day of the month which follows the month in which the cattle, sheep, goats, pigs, poultry, raw milk, eggs, green skins, wet salted and dry salted skins, green hides and wet salted and dry salted hides were sold or the cattle, sheep, goats, pigs and poultry were slaughtered;
 - (b) the export transaction of cattle, sheep, goats, pigs, poultry, raw milk, eggs, green skins, wet salted and dry salted skins, green hides and wet salted and dry salted hides must be paid to the board -
 - (i) in the case of approved account holders whose accounts are in good standing with the board, before or on the last day of the month which follows the month in which the cattle, sheep, goats, pigs, poultry, raw milk, eggs, green skins, wet and dry salted skins, green hides and wet salted and dry salted hides concerned have been exported;
 - (ii) in the case of non-account holders, must be paid to the board when the exporter applies for an export permit;
 - (c) the import transaction of cattle, sheep, goats, pigs, poultry, meat and meat products, dairy products, eggs, egg products, green skins, wet and dry salted skins, pickled and further processed skins, green hides, wet salted and dry salted hides and pickled hides and further processed hides, into Namibia must be paid to the board -
 - (i) in the case of approved account holders whose accounts are in good standing with the board, before or on the last day of the month which follows the month in which the cattle, sheep, goats, pigs, poultry, meat and meat products, dairy products, eggs, egg products, green skins, wet salted and dry salted skins, pickled and further processed skins, green hides, wet salted and dry salted hides, and pickled and further processed hides concerned have been imported;
 - (ii) in the case of non-account holders, when the importer applies for an import permit; and
 - (d) an in-transit or in bond transaction in respect of cattle, sheep, goats, pigs, poultry, meat and meat products, dairy products, eggs, egg products, green skins, wet salted and dry salted skins, pickled and further processed skins, green hides, wet salted and dry salted hides and pickled and further processed hides, must be paid to the board -
 - (i) in the case of approved account holders whose accounts are in good standing with the board, the levy concerned must be paid before or on the last day of the month which follows the month in which the cattle, sheep, goats, pigs, poultry, meat and meat products, dairy products, eggs, egg products, green skins, wet salted and dry salted skins, pickled and further processed skins, green hides, wet salted and dry salted hides and pickled and further processed hides, concerned was conveyed in-transit or in bond;
 - (ii) in the case of non-account holders, must be paid to the board when the importer applies for the permit concerned.
- (2) Irrespective whether payment of a levy contemplated in subregulation (1) has been made to the board, the person responsible to pay the levy concerned must submit to the board, before or on

the 7th day of the month which follows the month in which the transaction was made, a statement indicating -

- (a) particulars of the controlled products concerned sold, exported, imported, slaughtered, moved in-transit or in bond as contemplated in subregulation (1); and
 - (b) the value of each unit of livestock and the value of each category of livestock product unit so sold, exported, imported, slaughtered, moved in-transit or in bond with regard to quantity, prices, units, quality and category.
- (3) If cattle, sheep, goats, pigs and poultry are slaughtered at an abattoir the abattoir owner, operator or manager must -
- (a) on behalf of a person liable in terms of subregulation (1) to pay any levy referred to in that subregulation, not later than the last day of the month which follows the month in which the slaughtering concerned took place, pay to the board the levy in question; and
 - (b) must furnish the board before or on the 7th day of the month which follows the month in which the slaughtering took place, with a statement showing the number, type, mass, classification and value of cattle, sheep, goats, pigs and poultry slaughtered at that abattoir during the preceding month.
- (4) If green skins, wet and dry salted skins, green hides and wet salted and dry salted hides are bought from any producer the buyer of such skins and hides must -
- (a) not later than the last day of the month which follows the month in which the hides and skins were bought, pay to the board the levy in question; and
 - (b) furnish the board before or on the 7th day of the month which follows the month in which the hides and skins were bought, with a statement showing the total number and types of hides and skins so bought during the preceding month.
- (5) Any person who pays in terms of these regulations any levy to the board in respect of any controlled product of which he or she is not the owner may recover the amount of such levy from the owner concerned.
- (6) A person who pays a levy to the board on behalf of another person is entitled to be paid by the board a commission equal to 3% of such levy.

4. Application for registration as a producer of or speculator in controlled product

- (1) An application for registration as producer of or speculator in any controlled product as contemplated in section 10(1)(1) of the Act must be completed in a form which is substantially similar to Form 1 set out in the Annexure and must be accompanied by all documents and information required in Forms 1 and 2.
- (2) An application contemplated in subregulation (1) must be -
 - (a) duly completed and signed by the applicant; and
 - (b) submitted to the chief executive officer.
- (3) On registration of a producer or speculator the board must issue to the producer or speculator such proof of registration as the board may determine.

5. Publication of particulars and requesting of additional information and particulars

- (1) The board may publish particulars of the -
 - (a) producer prices of controlled products;
 - (b) wholesale and retail prices of livestock products;

- (c) consumer, export and import prices; and
 - (d) general information concerning the livestock and livestock products industry.
- (2) The board may in addition request producers of or speculators in controlled products to provide the board in writing with any information and particulars relating to the powers of the board as the board may specify in such request.

Annexure (Regulation 4(1))

Forms

[Editorial note: The forms have not been reproduced.]