

DIRECTORATE: Legislative drafting

HOW ADMINISTRATIVE NOTICES ARE MADE OR NOTIFIED IN THE GAZETTE



Introduction Administrative notices must be published where a law requires or authorises that certain actions or decisions taken by a functionary (*designated official*) identified in the law be notified, announced or published in the *Gazette*. An administrative notice can be published in the form of a General Notice, Government Notice or Proclamation depending on who the functionary is. Administrative acts required to be notified, made or issued by the President of the Republic of Namibia which relate to the Namibian Constitution or a law are made through a Proclamation in the *Gazette*. Other functionaries (*such as government ministers*) who are required by law to notify, make or issue actions taken or relating to a law do so through a Notice in the *Gazette*. Where non-government functionaries are required by law to notify, make or issue actions taken or relating to a law, this is done through a General Notice in the *Gazette*.

PROCEDURE FOR ADMINISTRATIVE NOTICES TO BE MADE OR NOTIFIED IN THE *GAZETTE*



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STAGE 1

Preparation of layperson's Notice or Proclamation

Functionary prepares
layperson's Notice
or Proclamation



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STAGE 2

Submission to Ministry of Justice, Directorate: Legislative Drafting

Functionary submits
the draft Notice or
Proclamation under
cover letter to the
Chief, Directorate:
Legislative Drafting,
Ministry of Justice



STAGE 3

Drafting

- > Assigned drafter consults functionary and drafts Notice or Proclamation
- > Assigned drafter finalises draft Notice, certifies it and sends it to functionary
- > In the case of a Proclamation, the assigned drafter finalises the draft Proclamation and sends it to the Attorney General for certification and submission to the President for signature.



STAGE 4

Signature by functionary

- > Functionary signs certified draft and submits Notice or Proclamation to *Gazette* Office
- > The functionary and Ministry of Justice, Directorate: Legislative Drafting proofread printed version of Notice or Proclamation



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STAGE 5

Publication

The *Gazette* Office publishes the Notice or Proclamation in the *Gazette*



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STAGE 6

Commencement

Depending on the wording of the law, the Notice or Proclamation either commences on the date of publication or may already have commenced on a date indicated in the Notice or Proclamation, in which case the Notice or Proclamation simply announces or notifies an action already taken

For further information access the Ministry of Justice website:
www.moj.gov.na