

REPUBLIC OF NAMIBIA

NATIONAL ASSEMBLY

**MAGISTRATES
AMENDMENT BILL**

(As read a First Time)

(Introduced by the Minister of Justice)

EXPLANATORY NOTE:

_____ Words underlined with a solid line indicate insertions in existing provisions.

[] Words in bold type in square brackets indicate omissions from existing provisions.

BILL

To **amend the Magistrates Act, 2003 so as to delete the definition of Chief: Lower Courts”; to define the expression “Chief Magistrate”; to provide for the head of the Magistracy; to substitute the expression “Chief Magistrate” for the expressions “Chief: Lower Courts” and “Chief of lower courts” wherever they occur in any legislation; and to provide for incidental matters.**

BE IT ENACTED by the Parliament of the Republic of Namibia as follows:

Amendment of section 1 of Act No. 3 of 2003

1. Section 1 of the Magistrates Act, 2003 (hereinafter referred to as the principal Act) is amended -

- (a) by the deletion of the definition of “Chief: Lower Courts”; and
- (b) by the insertion after the definition of “chairperson” of the following definition:

“Chief Magistrate means a magistrate who is the head of the Magistracy referred to in section 11(1A);”

Amendment of section 11 of Act No. 3 of 2003

2. Section 11 of the principal Act is amended by the insertion after subsection (1) of the following subsection:

“(1A) The Chief Magistrate is the head of the Magistracy and may preside over cases in any lower court.”

Substitution of expression “Chief Magistracy” for expressions “Chief: Lower Courts” and “Chief of lower courts”

3. The expression “Chief Magistrate” is substituted for the expressions “chief: Lower Courts” and “Chief of lower courts” wherever they occur in any legislation.

Short title

4. This Act is called the Magistrates Amendment Act, 2009.
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