

REPUBLIC OF NAMIBIA

NATIONAL ASSEMBLY

**NAMIBIAN CITIZENSHIP (SECOND)
SPECIAL CONFERMENT BILL**

(As read a First Time)

(Introduced by the Minister of Home Affairs and Immigration)

[B. 3 - 2015]

BILL

To provide for the conferment of Namibian citizenship upon certain descendants of persons who left Namibia owing to persecution by the colonial government that was in control of the country before 1915; and to provide for incidental matters.

BE IT ENACTED as passed by the Parliament, and assented to by the President, of the Republic of Namibia as follows:

ARRANGEMENT OF SECTIONS

1. Definition
2. Conferment of Namibian citizenship upon certain persons
3. Application of certain provisions of Act 14 of 1990
4. Delegation of powers
5. Regulations
6. Short title

Definitions

- 1.** In this Act, unless the context otherwise indicates -

“Minister” means the Minister responsible for home affairs; and

“prescribed” means prescribed by regulations.

Conferment of Namibian citizenship upon certain persons

- 2.** (1) Subject to this Act, any descendant of a person who -

- (a) is a Namibian citizen by birth or would have been such a citizen had he or she been alive; and
- (b) had left Namibia owing to persecution by the colonial government which was in control of the country before 1915,

is, by virtue of commitment to the Namibian nation, entitled to acquire, at any time within a period of five years after the commencement of this Act, Namibian citizenship in accordance with this Act if such descendant does not qualify for such citizenship on any other ground.

(2) A person who is entitled to Namibian citizenship in terms of subsection (1), may, within the period mentioned in that subsection and in the prescribed form, apply for registration as a Namibian citizen.

(3) The Minister must, if the Minister is satisfied that an applicant for citizenship in terms of subsection (2) -

- (a) is a person referred to in subsection (1);

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- (b) has renounced the citizenship of any foreign country of which the applicant is a citizen; and
 - (c) is or intends to become ordinarily resident in Namibia,

confer Namibian citizenship upon such person and cause a certificate of registration as such citizen as prescribed to be issued to him or her.

(4) For the purposes of an application under subsection (2), the Minister may require the applicant or any other person to submit such statements made under oath or affirmation or such other documents in support of the application as the Minister may think necessary.

Application of certain provisions of Act 14 of 1990

3. (1) Sections 2(4), 7 to 13, 16 to 23, 26 and 27 of the Namibian Citizenship Act, 1990, and any regulation made under section 28 of that Act, in so far as it is not inconsistent with this Act, apply with the necessary changes to any person upon whom Namibian citizenship has been conferred under this Act.

(2) For the purposes of the application of the provisions of the Namibian Citizenship Act, 1990 referred to in subsection (1) to a person who acquired Namibian citizenship in terms of this Act, such person is deemed to have acquired such citizenship by virtue of naturalisation in terms of that Act.

Delegation of powers

4. (1) The Minister, subject to such conditions as the Minister may think fit to impose, may delegate the powers conferred by this Act, except the power to make regulations, to any officer or employee in the public service attached to the Ministry.

(2) The Minister is not divested of any power delegated under subsection (1), and the Minister, without prejudice of a right, may amend or set aside anything decision made by virtue of a power so delegated.

Regulations

5. The Minister may make regulations relating to generally any matter that is required or permitted to be prescribed and any matter which the Minister thinks necessary or expedient to prescribe to achieve the objects of this Act.

Short title

6. This Act is called the Namibian Citizenship (Second) Special Conferment Act, 2015.
