

**REPUBLIC OF NAMIBIA**

**NATIONAL ASSEMBLY**

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**FORMER PRESIDENTS'  
PENSION AND OTHER BENEFITS  
AMENDMENT BILL**

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*(As read a First Time)*

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*(Introduced by the Prime Minister)*

**[B. 8 - 2012]**

**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 Former Presidents' Pension and Other Benefits Act, 2004, so as to adjust the gratuity and housing benefits payable to former Presidents and their families; and to provide for incidental matters.**

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

**Amendment of section 2 of Act No. 18 of 2004**

1. Section 2 of the Former Presidents' Pension and Other Benefits Act, 2004 (Act No. 18 of 2004) (in this Act referred to as "the principal Act") is amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

"(b) be paid a gratuity in an amount equal to the annual salary which was payable to him or her immediately before he or she ceased to hold office as President[,] for each term of office that he or she served as President of the Republic of Namibia;";

**Amendment of Schedule to Act No. 18 of 2004**

2. The Schedule to the principal Act is amended by the substitution for paragraph (a) of item 3 of the following paragraphs:

"(a) Residential accommodation namely -

<p>(i) a furnished official residence at any place in Windhoek; or</p> <p>(ii) in <i>lieu</i> of subparagraph (i), and at the request of the former President made at the time of ceasing to hold office or prior to that -</p> <p>(aa) such housing allowance as may be determined by the Cabinet;</p> <p>(bb) a single private residence acquired or constructed on his or her behalf at any place of his or her choice in Namibia; or</p> <p>(cc) in <i>lieu</i> of items (aa) and (bb), payment of an amount which is equal or equivalent to the value of the private residence referred to in item (bb),</p>
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including an allowance for telephone expenses and water and electricity charges in respect of a residence other than an official residence;

- (aA) in the case of official residence referred to in subparagraph (i), if the former President dies, his or her surviving spouse, or if there is no surviving spouse, his or her dependent child, must continue to be provided with suitable State residential accommodation until -
- (i) in the case of a surviving spouse, the date on which he or she dies or remarries, whichever event occurs first; and
  - (ii) in the case of a dependent child, the date he or she dies or the date on which he or she attains the age of 21 years, whichever event occurs first; and
- (aB) the private residence referred to in subparagraph (ii)(bb) may be constructed on one or more erven which in total may not exceed an area of 5000 square metres and the residence itself may not exceed a reasonably sized house with five bedrooms, a guest wing with three bedrooms, a study, a swimming pool, two guardrooms and four garages.”.

#### **Short title and commencement**

3. This Act is called the Former Presidents' Pension and Other Benefits Amendment Act, 2012 and is deemed to have come into operation on 18 December 2004.

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