

REPUBLIC OF NAMIBIA

NATIONAL ASSEMBLY

**LIVESTOCK AND LIVESTOCK
PRODUCTS AMENDMENT BILL**

(As read a First Time)

(Introduced by the Minister of Agriculture, Water and Land Reform)

[B. 4 - 2023]

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.
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BILL

To **amend the Meat Industry Act, 1981 so as to amend the long title; to amend certain definitions and insert new definitions; to change the name of the board and amend the objectives of the board; to include in the Act provisions relating to livestock products in general; to provide that poultry is livestock for purposes of the Act and that dairy products are livestock products for purposes of the Act; to amend the short title of the Act; and to provide for matters incidental thereto.**

(Introduced by the Minister of Agriculture, Water and Land Reform)

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

Amendment of section 1 of Act No. 12 of 1981

1. (1) Section 1 of the Meat Industry Act, 1981, (hereinafter referred to as the principal Act), is amended by the -

- (a) substitution for the definition of “board” of the following definition:
- “ “board” means the **[Meat]** Livestock and Livestock Products Board of Namibia referred to in section 2;”;
- (b) substitution for the definition of “controlled product” of the following definition:
- “ “controlled product” means livestock **[, meat or meat]** or livestock products;”;
- (c) insertion of the following definitions after the definition of “controlled product”:
- “ “dairy product” means milk, including any product derived from milk, which is intended for human consumption;
- ““dairy product substitute” means any substance declared by the Minister to be a dairy product substitute under section 1A;”;
- (d) substitution for the definition of “livestock” of the following definition:
- “ “livestock” means cattle, sheep, goats, pigs, poultry or meat derived **[therefrom;]** from such animals or any other animal which the Minister has declared as livestock under section 1B(1)(a);”;

- (e) insertion of the following definition after the definition of “livestock”:
 ““livestock product” means -
- (a) meat derived from livestock;
 - (b) meat products;
 - (c) dairy products and dairy product substitutes;
 - (d) any other product derived from livestock; or
 - (e) any other product which the Minister has declared to be a livestock product under section 1B(1)(b);”;
- (f) insertion of the following definition after the definition of “meat product”:
 ““milk” means milk derived from the mammary glands of livestock;”;
- (g) by the substitution for the definition of “Minister” of the following definition:
 ““Minister” means the Minister responsible for [of Agriculture, Water and Rural Development] agriculture;”
- (h) by the insertion of the following definition after the definition of “Minister”:
 ““poultry” means fowl, duck, geese, turkey and any other domesticated bird which the Minister has declared to be poultry under subsection (2) of section 1B”; and
- (i) by the substitution for the definition of “slaughter animals” of the following definition:
 ““slaughter animals” means cattle, sheep, goats, [or] pigs, poultry or any other animal which the Minister has declared to be livestock under section 1B(1)(a), slaughtered or intended to be slaughtered;”.

Insertion of sections 1A and 1B in Act No. 12 of 1981

2. The principal Act is amended by the insertion after section 1 of the following sections:

“Declaration of dairy product substitute

1A. The Minister, after consultation with the board, may declare by notice in the *Gazette* any substance which -

- (a) irrespective of whether or not any dairy product was used in its production, processing, or manufacture;
- (b) is made from animal or vegetable fats or oils or a mixture thereof in imitation, form, or resemblance of a dairy product; and

(c) is intended for human consumption,

to be a dairy product substitute for the purposes of this Act.

Declaration of other animals to be livestock and meat or poultry to be livestock products

1B. (1) The Minister, after consultation with the board, may by notice in the *Gazette* declare any other -

(a) animal to be livestock; and

(b) meat or poultry product to be a livestock product,

for the purposes of this Act.

(2) The Minister, after consultation with the board, may by notice in the *Gazette*, declare any other domesticated bird to be poultry.”

Substitution of section 2 of Act No. 12 of 1981

3. (1) The principal Act is amended by the substitution for section 2 of the following section:

“Change of name of board

2. (1) The **[South West African Meat Board established by this section before the amendment thereof]** Meat Board of Namibia renamed by section 2 of the Meat Industry Amendment Act, 1992, shall, as from commencement of the **[said Meat Industry Amendment Act, 1992,]** Livestock and Livestock Products Amendment Act, 2023, continue to exist under the name of the **[Meat]** Livestock and Livestock Products Board of Namibia, and to be a **[body corporate.]** juristic person.

(2) The Registrar of Deeds shall, after the date of commencement of the **[Meat Industry Amendment]** Livestock and Livestock Products Amendment Act, [1992] 2023, make such entries or endorsements which he or she deems necessary so as to comply with the provisions of subsection (1), in or any relevant register, title deed or other document in his or her office, on written request and submitted to him or her, and no levy or moneys shall be payable in respect of such entry or endorsement.

[(2)] (3) Any reference in or in respect of any law, regulation, levy, prohibition, permit, exemption, certificate, registration or appointment to the **[South West Africa]** Meat Board of Namibia shall be construed as a reference to the **[Meat]** Livestock and Livestock Products Board of Namibia.”

Substitution of section 3 of Act No. 12 of 1981

4. The principal Act is amended by the substitution for section 3 of the following section:

“Objects of board

3. The objects of the board are to promote the interests of the **[meat]** livestock and livestock products industry of Namibia in Namibia and elsewhere.”

Amendment of section 4 of Act No. 12 of 1981

5. The principal Act is amended by the substitution for subsection (1) of section 4 of the following subsection:

“(1) The board shall consist, subject to any determination under section 4(2) and to section 8(5)(a) of the Public Enterprises Governance Act, 2019 (Act No. 1 of 2019), of thirteen members appointed by the Minister, of whom -

- (a) **[nine]** seven persons shall be selected by the Minister from amongst persons nominated at his or her request by any body or organization which in his or her opinion is representative of producers of livestock;
- (b) one person shall be a person selected by the Minister from amongst persons nominated at his or her request by any body or organization which in his or her opinion is a representative of manufacturers of **[meat]** livestock products;
- (bA) one person shall be selected by the Minister from amongst persons nominated at his or her request by any body or organization which in his or her opinion is a representative of the dairy industry;
- (bB) one person shall be selected by the Minister from amongst persons nominated at his or her request by any body or organization which in his or her opinion is a representative of the poultry industry;
- (c) one person shall be a person selected by the Minister from amongst persons nominated at his or her request by any body or organization which in his or her opinion is representative of persons trading in meat;
- (d) one person **[who is a]** shall be a marketing agent of any controlled product; and
- (e) one person shall be **[an officer employed in]** a staff member of the Ministry responsible for [of] [Agriculture, Water and Rural Development] agriculture.”.

Substitution of section 20 of Act No. 12 of 1981

6. The principal Act is amended by the substitution for section 20 of the following section:

“Import and export of controlled products

20. The Minister may, after consultation with the board, by notice in the *Gazette* -

- (a) prohibit the import**[ation]** into or the export from Namibia of any controlled product **[other than stud stock]** or any category or class thereof;
- (b) subject to such conditions as may be mentioned in the notice, including conditions relating to the quantity of controlled product that may be imported or exported -

- (i) prohibit **[the said]** such import**[ation]** or export by any person other than the board;
- (ii) prohibit such import**[ation]** or export except by the holder of a permit issued at the discretion of the board, but subject to the right of appeal to the Minister and in accordance with such conditions as may be stated by the board in such permit.”.

Repeal of law

7. The Control of the Import and Export of Dairy Products and Dairy Product Substitutes Act, 1986 (Act No. 5 of 1986) is repealed.

Substitution of short title and commencement of Act No. 12 of 1981

8. The principal Act is amended by the substitution for section 27 of the following section:

27. This Act shall be called the **[Meat Industry]** Livestock and Livestock Products Act, 1981 and shall come into operation on a date to be fixed by the Minister by proclamation in the *Gazette*.”.

Substitution of long title of Act No. 12 of 1981 as amended by section 10 of Act No. 21 of 1992

9. The following long title is substituted for the long title of the principal Act:

“To **[establish a Namibian meat board]** provide for the continued existence of the Meat Board of Namibia as the Livestock and Livestock Products Board of Namibia; **[and]** to define its **[objects]** objectives, powers, duties and functions; **[and]** to provide for control over the grading, classification, sale, import**[ation]** and export of and the imposition of levies in respect of livestock[, **meat**] or **[meat]** livestock products [,]; and to provide for other incidental matters.”.

Short title

10. This Act is called the Livestock and Livestock Products Amendment Act, 2023.
