



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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Government Notice

OFFICE OF THE PRIME MINISTER

No. 232

1994

PROMULGATION OF ACT OF PARLIAMENT

The following Act which has been passed by the Parliament and signed by the President in terms of the Namibian Constitution is hereby published in terms of Article 56 of that Constitution.

No. 33 of 1994: Polytechnic of Namibia Act, 1994.

ACT

To establish the Polytechnic of Namibia and to provide for its administration and control of affairs, for the regulation of its activities and for matters incidental thereto.

(Signed by the President on 30 November 1994)

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

Definitions.

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

“academic staff” means -

- (a) all those persons employed by the Polytechnic whose conditions of employment include the obligation to undertake teaching, teaching development or applied research;
- (b) any incumbent of a post declared by the Council to be an academic post;

“academic year” means the academic year of the Polytechnic as prescribed by the statutes;

“administrative staff” means all those persons employed by the Polytechnic who are not academic staff;

“Council” means the Council of the Polytechnic referred to in section 6;

“Council Chairperson” means the Council Chairperson referred to in section 7(1)(a);

“Council Vice-Chairperson” means the Council Vice-Chairperson referred to in section 7(1)(b);

“Minister” means the Minister of Education and Culture;

“Rector” means the Rector of the Polytechnic appointed in terms of section 11(2);

“Senate” means the Senate of the Polytechnic referred to in section 13;

“statutes” means the statutes of the Polytechnic framed by the Council under section 33(1)(a);

“Students’ Representative Council” means the Students’ Representative Council referred to in section 21(1);

“the Polytechnic” means the Polytechnic of Namibia established by section 2;

“this Act” includes the statutes and regulations framed under section 33; and

“Vice-Rector” means a Vice-Rector of the Polytechnic appointed under section 12(1).

Establishment and seat of Polytechnic.

2. (1) There is hereby established a polytechnic to be known as the Polytechnic of Namibia.

(2) The seat of the Polytechnic shall be at Windhoek.

Status and proprietary capacity of Polytechnic.

3. (1) The Polytechnic shall be a juristic person capable in law of suing and being sued in its own name and shall have the power, subject to this Act, of purchasing or in any other manner acquiring, holding, hiring, letting, selling, exchanging or otherwise alienating any movable or immovable property, of granting to any person a real right in, or servitude on, its property and of investing, lending or borrowing money.

(2) The Polytechnic may receive money or property by way of donation or bequest or in trust and may control, use or administer it or deal with it in any other manner subject to those conditions, if any, of the donation, bequest or trust which are consistent with the aims of the Polytechnic.

Aims of Polytechnic.

4. The aims of the Polytechnic shall be -

(a) to provide post-secondary career-education with due regard for the human resource requirements of Namibia and with emphasis upon excellence in teaching within a climate conducive to the intellectual, social, aesthetic, and emotional development of students;

- (b) to provide continuing education at a post-secondary school level in order to expand the educational horizons of the adult community;
- (c) to conduct applied research;
- (d) to develop equal opportunities in respect of educational programmes of, admissions to, and employment at, the Polytechnic; and
- (e) to provide an effective collegial governance structure that encourages active participation of all its constituents and that reflects the collective input of all interested parties.

Constitution of Polytechnic.

5. The Polytechnic shall consist of -

- (a) a Council;
- (b) a Rector;
- (c) such Vice-Rectors as may be appointed by the Council in terms of section 12(1);
- (d) a Senate;
- (e) the academic and administrative staff of the Polytechnic; and
- (f) the students of the Polytechnic.

Council of Polytechnic.

6. (1) Subject to the provisions of this Act, the government and general control of the Polytechnic and of all its affairs and functions, and the administration of its property, shall be vested in the Council of the Polytechnic.

(2) Subject to subsection (3), the Council shall consist of -

- (a) the Rector;
- (b) all Vice-Rectors;
- (c) at least six and not more than nine members, selected and appointed by the Minister by virtue of an invitation made in terms of subsection (4), and of whom -

- (i) one shall be a person nominated for appointment by the Public Service Commission;
 - (ii) one shall be a person nominated for appointment by the Council of the Municipality of Windhoek;
 - (iii) one shall be a person nominated for appointment by the Engineering Council of Namibia; and
 - (iv) at least three and not more than six shall be persons nominated for appointment by each such institution, association or body as the Minister may by notice in the *Gazette* designate for the purposes of this subparagraph and which shall represent the interests of -
 - (aa) the private commercial sector;
 - (bb) the mining sector; and
 - (cc) the agricultural sector;
 - (d) three persons appointed by the Minister who in the opinion of the Minister represent the interests of employees, employers, and women, respectively;
 - (e) one member of the Senate appointed by the Senate; and
 - (f) two persons appointed by majority decision of the members of the Council referred to in paragraphs (a) to (e) to represent the interests of such groups as the Council may determine.
- (3) Upon recognition of the Students' Representative Council in accordance with the provisions of section 21(1), the Students' Representative Council shall elect one of its members as a member of the Council, and whereupon the Council shall consist of the members referred to in subsection (2) and such member.

(4) Whenever any nomination in terms of any subparagraph of paragraph (c) of subsection (2) becomes necessary the Minister shall, in writing, request the institution, association or body, as the case may be, referred to in that subparagraph to nominate, within the period specified by the Minister, a person for appointment to the Council.

(5) If a nomination is not received by the Minister within the period requested, the Minister may appoint such person as the Minister thinks fit, and a person so appointed shall hold office as if he or she had been nominated as required by subsection (4).

(6) A member of the academic or administrative staff shall not be appointed as a member of the Council in terms of subsection (2)(c), (d) or (f).

Council Chairperson and Council Vice-Chairperson.

7. (1) The Council shall elect from among its members referred to in paragraphs (c), (d), and (f) of subsection (2) of section 6 -

- (a) a Council Chairperson, who shall be the titular head of the Polytechnic; and
- (b) a Council Vice-Chairperson.

(2) The period of office of the Council Chairperson and the Council Vice-Chairperson shall be as prescribed by the statutes.

(3) Subject to section 9, the Council Chairperson and the Council Vice-Chairperson's powers and duties shall be as prescribed by the statutes.

Terms of office and vacating of office by members of Council.

8. (1) A member of the Council -

- (a) appointed in terms of paragraph (c), (d), (e) or (f) of subsection (2) of section 6 shall hold office for a period of three years;
- (b) elected in terms of subsection (3) of that section shall hold office for a period of one year.

(2) A member of the Council referred to in subsection (1) shall cease to hold office if -

- (a) he or she resigns in writing to the Council;
- (b) in the case of a member referred to in paragraph (c), (d) or (f) of subsection (2) of section 6, he or she becomes subject to the disqualification referred to in subsection (6) of that section;
- (c) his or her nomination is withdrawn by the body who nominated such member for appointment; or
- (d) he or she vacates his or her office on any other ground prescribed by the statutes.

(3) If the office of a member of the Council becomes vacant, the vacancy shall be filled with due regard to the provisions of section 6(2), (3), (4) and (5).

Meetings of Council.

9. (1) The Council Chairperson or, in his or her absence, the Council Vice-Chairperson or, in the absence of both the Council Chairperson and Council Vice-Chairperson, such other member as the members present shall elect, shall preside at a meeting of the Council.

(2) The Council shall hold at least one meeting in each half of the academic year.

(3) The first meeting of the Council shall be held at the time and place determined by the Minister and thereafter meetings of the Council shall be held at such times and places as the Council may determine, but the Council Chairperson may at any time, and shall at the written request of at least one third of the members of the Council, convene a special meeting of the Council.

(4) The procedures at and the quorum for a meeting of the Council shall be as prescribed by the statutes.

Committees of Council.

10. (1) The Council may establish committees of the Council consisting of members of the Council or of such members as well as other persons and designate the chairperson and the vice-chairperson thereof.

(2) The Council may -

- (a) delegate any of its powers to any such committee, but it shall not be divested of a power so delegated, and a decision of such committee may be altered or set aside by the Council at its first ensuing meeting;
- (b) assign to any such committee such functions or duties of the Council as the Council may deem expedient.

(3) The Council Chairperson, or in his or her absence the Council Vice-Chairperson, and the Rector shall be *ex officio* members of every committee established under subsection (1).

Rector of Polytechnic.

11. (1) The Rector of the Polytechnic shall be the chief academic and administrative officer of the Polytechnic.

(2) The Rector shall be appointed by the Council in the manner prescribed by the statutes on conditions of employment and privileges determined by the Council.

(3) The Rector's powers and duties shall be as prescribed by the statutes.

(4) The Rector shall hold office for a period of five years and shall be eligible for re-appointment at the expiration of his or her period of office.

(5) The Rector may from time to time designate any person in the employment of the Polytechnic to serve, in any particular case or for such period as he or she may determine, in his or her place as a member of any committee referred to in section 10(1), 17(1) or 18(1) and to perform the duties and exercise the powers connected therewith.

Vice-Rectors of Polytechnic.

12. (1) The Council may appoint one or more persons as Vice-Rectors of the Polytechnic.

(2) The conditions of employment, privileges, period of office, powers, and duties of a Vice-Rector shall be determined by the Council.

(3) The Rector may from time to time delegate to a Vice-Rector any of his or her powers, but shall not be divested of a power so delegated.

Senate of Polytechnic.

13. (1) The organisation and superintendence of instruction, examinations, lectures, classes, curricula, and research shall be vested in the Senate of the Polytechnic.

(2) Subject to subsection (3), the Senate shall consist of -

- (a) the Rector, who shall be the chairperson of the Senate;
- (b) all Vice-Rectors;
- (c) two members of the Council, other than a member referred to in section 6(3), appointed by the Council;
- (d) all academic staff with the rank of director, but excluding any associate director;
- (e) such deans of schools and heads of departments who are not members of the Senate by virtue of any other provision of this subsection;
- (f) such other persons as may be prescribed by the statutes and who shall be appointed by the Council on the recommendation of the members of the Senate referred to in paragraphs (a) to (e).

(3) Upon recognition of the Students' Representative Council in accordance with the provisions of section 21(1), the Students' Representative Council shall elect one of its members as a member of the Senate, and whereupon the Senate shall consist of the members referred to in subsection (2) and such member.

Functions of Senate.

14. (1) The Senate shall -

- (a) make recommendations to the Council in connection with matters referred to it by the Council or which the Senate considers necessary in the interest of the Polytechnic;

- (b) submit to the Council such reports in connection with the functions of the Senate as the Council may require;
- (c) perform such other functions as may be prescribed by the statutes.

Terms of office and vacating of office of members of Senate.

15. (1) A member of the Senate -

- (a) appointed in terms of paragraph (c) or (f) of subsection (2) of section 13, shall hold office for a period of three years;
- (b) elected in terms of subsection (3) of that section, shall hold office for a period of one year,

unless he or she resigns in writing to the Senate or vacates his or her office on any other ground prescribed by the statutes.

(2) Whenever the office of a member of the Senate becomes vacant, such vacancy shall be filled with due regard to the provisions of section 13(2) and (3).

Meetings of Senate.

16. (1) The Senate shall elect from among its members a vice-chairperson who shall hold office for such period as may be prescribed by the statutes.

(2) The chairperson of the Senate or, in his or her absence, the vice-chairperson of the Senate or, in the absence of both the chairperson and vice-chairperson, such other member as the members present shall elect, shall preside at a meeting of the Senate.

(3) The Senate shall hold at least three meetings in each academic year, of which at least one meeting shall be held in each half of the academic year.

(4) The first meeting of the Senate shall be held at the time and place determined by the chairperson of the Senate and thereafter meetings of the Senate shall be held at such times and places as the Senate may determine, but the chairperson may at any time, and shall at the written request of at least one third of the members of the Senate, convene a special meeting of the Senate.

(5) The procedures at and the quorum for a meeting of the Senate shall be as prescribed by the statutes.

Committees of Senate.

17. (1) The Senate may establish committees of the Senate consisting of members of the Senate or of such members as well as other persons and designate the chairperson and the vice-chairperson thereof.

(2) The Senate may -

(a) delegate any of its powers to any such committee, but it shall not be divested of a power so delegated and a decision of such a committee may be altered or set aside by the Senate at its first ensuing meeting;

(b) assign to any such committee such functions and duties of the Senate as the Senate may deem expedient.

(3) The Rector shall be an *ex officio* member of every committee established under subsection (1).

Joint committees of Council and Senate.

18. (1) The Council and the Senate may by mutual agreement establish joint committees of the Council and the Senate consisting of members of the Council and the Senate appointed by the Council and the Senate, respectively, from among their own members.

(2) The Council or the Senate may delegate any of its powers to any such joint committee, but shall not be divested of a power so delegated and may alter or set aside a decision of such joint committee at the first ensuing meeting of the Council or the Senate, as the case may be.

(3) The Council Chairperson, or in his or her absence the Council Vice-Chairperson, and the Rector shall be *ex officio* members of every joint committee established under subsection (1).

Remuneration of members of Council, Senate, and committees.

19. (1) The Council may determine the allowances payable to members of the Council and the Senate, and any committee of the Council or the Senate and any joint committee of the Council and the Senate, but any such allowance payable to a member who is in the full-time service of the State shall be subject to the laws governing his or her conditions of employment.

(2) The allowances determined under subsection (1) may differ according to the office held or the functions performed by the member concerned.

Registrar of Polytechnic.

20. The Council shall appoint a person as Registrar of the Polytechnic who shall assist the Rector in the administration of the Polytechnic and who shall be the secretary of the Council and the Senate.

Students' Representative Council.

21. (1) The Council shall -

(a) if a body is established by the students of the Polytechnic which the Council considers to be representative of such students; and

(b) if the constitution of such body is approved by the Council,

recognise such body as the Students' Representative Council of the Polytechnic.

(2) No amendment of the constitution of the Students' Representative Council shall be of force unless such amendment has been approved by the Council.

(3) The composition, mode of election, tenure of office, powers, privileges, functions, and duties of the Students' Representative Council shall be governed by its constitution.

Schools and departments.

22. (1) The Council may from time to time establish such schools and such departments of such schools as it determines on the recommendation of the Senate.

(2) There shall be constituted a board of studies for each school in the manner prescribed by the statutes and which shall perform such functions as may be determined by the Council, on the recommendation of the Senate.

Appointment of staff.

23. (1) The academic staff of the Polytechnic shall be appointed by the Council on the recommendation of the Senate.

(2) The administrative staff of the Polytechnic shall be appointed by the Council.

(3) Subject to subsection (4), the conditions of employment, including remuneration, and service benefits of the academic and administrative staff shall be determined by the Council.

(4) All persons employed by the Polytechnic who are not Namibian citizens shall be required to enter into a contract of service for a fixed period with the Polytechnic on such conditions and for such period as may be determined by the Council in each particular case.

(5) The dismissal of any member of the academic or administrative staff shall, unless such dismissal was effected by the Council, be subject to a right of appeal to the Council in the prescribed manner.

Degrees, diplomas, and certificates.

24. (1) Subject to subsection (2), the Polytechnic may -

- (a) with the approval of the Minister, confer any degree; and
- (b) confer any diploma and certificate,

as it may consider expedient to confer.

(2) Subject to section 26, the Polytechnic shall not confer a degree, diploma or certificate upon any person unless such person has -

- (a) attended, as a student thereof, the Polytechnic for such period, and satisfied such other requirements; and
- (b) attained the standard of proficiency in an examination or other test,

as determined by the Senate.

Admission to equivalent status at Polytechnic.

25. Subject to the provisions of the statutes, the Senate may -

- (a) admit a graduate of any other tertiary institution, whether in Namibia or elsewhere, to such status at the Polytechnic as the Senate may determine; and

- (b) admit as a candidate for any degree, diploma or certificate of the Polytechnic any person who has obtained credits at any other tertiary institution, whether in Namibia or elsewhere, considered by the Senate to be equivalent to or higher than such credits which is a prerequisite for such degree, diploma or certificate of the Polytechnic.

Registration and discipline of, and fees payable by, students.

26. (1) The requirements for registration as a student at the Polytechnic and the renewal and cancellation of such registration shall be determined by the Council, on the recommendation of the Senate.

(2) Every person who registers as a student of the Polytechnic shall be registered for one year of study or for such shorter period as the Council may in general or in a particular case determine, and after the expiry of such year of study or period, that person shall, if he or she wishes to remain a student of the Polytechnic, renew his or her registration.

(3) Subject to the provisions of this Act, the Council may, after consultation with the Senate -

- (a) prescribe minimum requirements of study for the purpose of the renewal of the registration of a person as a student of the Polytechnic;
- (b) refuse permission to a student who fails to satisfy such minimum requirements of study to renew his or her registration;
- (c) determine the number of students who shall be permitted to register for a particular course and select, from among the persons who satisfy the minimum requirements of study for such course, those who shall be permitted to register for such course;
- (d) refuse permission to a person to register as a student of the Polytechnic if the Council considers it to be in the interest of the Polytechnic to do so.

(4) The fees payable by a student shall be determined by the Council after consultation with the Senate.

(5) A student shall be subject to the disciplinary provisions prescribed by the statutes.

Residence and place and medium of instruction.

27. (1) The Council may require a student to reside, except during vacation periods of the Polytechnic, at a particular place of residence approved for the purpose by the Council.

(2) The Council may determine at which place under the control of the Polytechnic a student shall receive instruction.

(3) The medium of instruction at the Polytechnic shall be English.

Reports and financial statements.

28. (1) The Council shall not later than six months after the end of each academic year furnish to the Minister a report on its activities during the preceding academic year, together with certified copies of its audited financial statements in respect of that academic year.

(2) The Minister shall lay the report and audited financial statements furnished to the Minister in terms of subsection (1) on the Table of the National Assembly within seven days after receipt thereof if the National Assembly is then in ordinary session or, if the National Assembly is not then in ordinary session, within seven days after the commencement of its next ensuing ordinary session.

Subsidies and loans to Polytechnic.

29. The Minister, in consultation with the Minister of Finance, may out of moneys appropriated by Parliament for the purpose -

(a) grant subsidies to the Polytechnic in respect of capital and normal recurrent expenditure of the Polytechnic on the basis of principles mutually agreed upon by the Minister, the Minister of Finance, and the Polytechnic;

(b) subject to such conditions as the Minister may determine, grant loans to the Polytechnic in respect of -

(i) the erection of buildings and the acquisition of equipment of a permanent nature;

- (ii) the acquisition of immovable property, including rights therein or thereto, and the defrayment of costs connected with the survey and transfer thereof;
- (iii) the defrayment of the capital outlay on the improvement of immovable property of the Polytechnic;
- (iv) the purchase, lease or acquisition otherwise of movable property of a capital nature; and
- (v) the payment of any other loan raised by the Polytechnic for any purpose mentioned in subparagraphs (i) to (iv).

Vacancies not to affect powers of Polytechnic or Council or Senate.

30. No vacancy in any office at the Polytechnic or deficiency in the number of members of the Council or the Senate shall impair or affect the corporate existence of the Polytechnic or any powers, rights or privileges conferred by this Act upon the Polytechnic, the Council or the Senate.

Offences.

31. Any person who, without the authority of the Polytechnic -

- (a) establishes or conducts an institution, not being an institution established by or under any law, under a name that includes the word "Polytechnic";
- (b) in any way makes it known or pretends to any other person that he or she can offer any course of study or part thereof which shall entitle the person who has followed such a course or part thereof to the granting of a degree, diploma or certificate offered by the Polytechnic; or
- (c) confers a degree, diploma or certificate purporting to be a degree, diploma or certificate granted by the Polytechnic; or
- (d) performs any act which purports to have been done by or on behalf of the Polytechnic,

shall be guilty of an offence and liable on conviction to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding five years or to both such fine and such imprisonment.

Agreements.

32. The Council may enter into agreements with any educational or other institution, whether in Namibia or elsewhere, with a view to the better carrying out of its functions.

Statutes and regulations.

33. (1) Subject to the provisions of subsection (2), the Council may frame -

- (a) statutes relating to any matter required or permitted to be prescribed by statute in terms of this Act or any other matter which the Council considers necessary or expedient for the effective carrying out of the aims of the Polytechnic or the achievement of the purposes of this Act;
- (b) regulations for the better carrying out of the statutes.

(2) No statute or regulation proposed to be framed under subsection (1) and which deals with any matter in relation to the activities of the Senate shall be adopted by the Council unless the Council has consulted with the Senate.

Transitional provisions and savings.

34. (1) Notwithstanding the provisions of section 11, the first Rector of the Polytechnic shall be appointed by the Minister and shall hold office for a period of three years, and the person so appointed shall be deemed to have been appointed in terms of section 11.

(2) Notwithstanding the provisions of section 6, the Council shall be deemed to be duly constituted upon the persons referred to in paragraphs (a), (c), and (d) of subsection (2) of section 6 becoming members of the Council.

(3) Notwithstanding the deletion of subsection (7) of section 26 of the University of Namibia Act, 1992 (Act 18 of 1992) by section 37 of this Act -

- (a) any regulations, statutes, and rules in force immediately before the commencement of this Act by virtue of that subsection; and
- (b) any directives issued, and statutes and rules made or framed, under that subsection and in force immediately before that commencement,

shall, in so far as the provisions thereof are not inconsistent with this Act, remain in force until such regulations, statutes, rules, and directives are superseded by statutes and regulations framed under section 33 of this Act.

(4) Any person who immediately before the commencement of this Act was registered or provisionally registered as a student with the technikon or college component governed and administered by the committee referred to in subsection (6) of section 26 of the University of Namibia Act, 1992, prior to the deletion of that subsection by section 37 of this Act, shall, with effect from that commencement, be so registered or provisionally registered, as the case may be, with the Polytechnic.

(5) For the purposes of section 24(2)(a) any period attended as a student of the technikon or college referred to in subsection (4) shall be calculated as a period attended as a student of the Polytechnic.

(6) Notwithstanding the provisions of section 4, the Polytechnic may for a period of three years or such further period as the Minister may determine, continue to offer any course of vocational instruction and training which was offered, immediately before the commencement of this Act, on a pre-tertiary level at the college referred to in subsection (4) for persons who are not subject to compulsory school attendance in terms of any law or who are exempted from compulsory school attendance.

Transfer of staff.

35. (1) Subject to subsections (2) and (3), all persons who immediately before the commencement of this Act were employed in posts additional to the establishment of the University of Namibia under the supervision and control of the committee referred to in section 34(4) by virtue of the provisions of paragraph (b) of subsection (3) of section 27 of the University of Namibia Act, 1992, prior to the deletion of that paragraph by section 37 of this Act, shall, with effect from that commencement, be deemed to be in the employment of the Polytechnic.

(2) The conditions of employment and service benefits which immediately before the commencement of this Act applied to persons referred to in subsection (1) shall continue to apply to them until such conditions are amended by the Council.

(3) A person referred to in subsection (1) shall retain all vacation and sick leave which immediately before the commencement of this Act accrued to his or her credit and all monetary benefits attached thereto.

Transfer of assets, liabilities, rights, and obligations.

36. (1) As from the commencement of this Act -

- (a) the City Campus of the University of Namibia consisting of erven 3457, 3459 to 3466, 5675, 5914, 6602 and 6779 and situated within the municipality of Windhoek, with all improvements (including all fixed or purpose-made furniture and fittings) on such erven;
- (b) all furniture, equipment, and other movable property of which the technikon and college referred to in section 34(4) have had the use immediately before the commencement of this Act;
- (c) all rights, liabilities, and obligations connected with any immovable or movable property contemplated in paragraph (a) or (b), respectively,

shall vest in the Polytechnic.

(2) Notwithstanding subsection (1), the Council of the University of Namibia and the Council of the Polytechnic may agree that any assets, rights, liabilities or obligations other than those mentioned in subsection (1) shall pass to the Polytechnic.

(3) If any dispute arises -

- (a) as to whether any movable property mentioned in paragraph (b) of subsection (1) was used as contemplated in that paragraph;
- (b) as to any matter mentioned in subsection (2),

such dispute shall be determined -

- (i) by two arbitrators, one of whom shall be appointed by the Council of the University of Namibia and the other by the Council of the Polytechnic; or

- (ii) if such two arbitrators are unable to agree, by a referee appointed by the arbitrators or (if no agreement can be reached by them as to the referee) by a referee appointed by the Minister, and the decision of any such referee shall be final.

(4) The Registrar of Deeds shall without payment of transfer duty, stamps duty or any other fee or charge and on production to him or her of the title deed of any immovable property which vests in terms of subsection (1) in the Polytechnic, endorse such title deed to the effect that the immovable property described therein is vested in the Polytechnic, and shall make the necessary entries or endorsements in or on any relevant register or other document in his or her office.

Amendment of Act 18 of 1992.

37. The University of Namibia Act, 1992 (Act 18 of 1992) is hereby amended -

- (a) in section 26, by the deletion of subsections (6) and (7) and paragraph (b) of subsection (8);

(b) in section 27 -

- (i) by the deletion of paragraph (b) of subsection (2);
- (ii) by the deletion of paragraph (b) of subsection (3);
- (iii) by the deletion of the expression "or transferred", wherever it occurs, in subsection (6);

(c) in section 28 -

- (i) by the deletion of subsection (2);
- (ii) by the deletion of the expression "or (2)" in subsections (3) and (4).

Short title and commencement.

38. This Act shall be called the Polytechnic of Namibia Act, 1994, and shall come into operation on a date to be determined by the Minister by notice in the *Gazette*.
