



REPUBLIC OF NAMIBIA

MINISTRY OF JUSTICE

PUBLIC NOTICE

CHARGES FOR THE ISSUANCE OF APOSTILLES BY THE MINISTRY OF JUSTICE

A. INTRODUCTION

1. Apostilles are issued in terms of The Hague (Apostille) Convention of 05 October 1961 Abolishing the Requirements of Legalization for Foreign Public Documents. Namibia acceded to this Convention on January 30, 2001.

2. As a result of Namibia being a State party to this Convention, the Permanent Secretary of the Ministry of Justice and the Registrar of the High Court have been designated to issue apostilles on behalf of the Republic of Namibia to the public and to foreign nationals on national public documents such as Marriage Certificates, Confirmation of Marital Status certificates, to mention but a few. The Directorate of Legal Services in the Ministry of Justice and the Registrar of the High Court of Namibia are two offices tasked with the duty of issuing apostilles to Namibians and foreign nationals.

3. This notice therefore serves to inform the Namibian public and foreign nationals residing either temporarily or permanently in Namibia that the Ministry of Justice, after internal consultations regarding the above subject matter, has decided to charge fees for the issuance of apostilles in line with international practices. This move has been necessitated by the fact that the Ministry of Justice has been incurring costs in the production of apostilles. Indeed, the costs for producing an apostille has gone up exponentially in recent years. The costs of issuing apostilles includes: costs of advertisements, production of brochures, purchasing of specialized papers, legal tapes and other items necessary for the processing of apostilles. In order to recover the costs of production and to efficiently provide quality service to our clients, the Ministry of Justice, with approval from the Treasury (Ministry of Finance) and in terms of **Section 22 (b) of the State Finance Act, Act 31 of 1991** will now be charging a fee of **NS 50.00** for each application made to issue an apostille on a single document. The Ministry of Justice took into consideration the financial status and/or class of our clients to arrive at the amount to be charged. The new charges are also aimed at dissuading the public from abusing the current system. Issuing of apostilles for free resulted in the Ministry accumulating hundreds of uncollected apostilles, some as old as 2009. This has not only resulted

in incurring more costs for the Ministry but also resulted in the Directorate of Legal Services running out of space to archive the said documents.

4. Government offices, ministries, agencies and State Owned Enterprises (SOEs) as well as other government agencies such as Regional Councils and local authorities are exempted from paying these fees. However, such an exemption has to be applied for through the Office of the Permanent Secretary in the case of O/M/A's and Chief Executive Officers or his/her delegated officials in the case of State Owned Enterprises.

5. The public is further reminded that the new charges only apply to apostilles issued by the Ministry of Justice. All apostilles issued on Supreme and High Court documents by the Office of the Registrar of the High Court of Namibia remain free of charge.

B. MODALITIES OF PAYING FOR APOSTILLES

6. Payments for apostilles will be done through Revenue Stamps. Revenue stamps can be obtained from the Ministry of Finance and any branch of the Namibia Posting and Telecom Holdings. (NAMPOST). In some cases and with permission from the Permanent Secretary of the Ministry of Justice, Electronic Funds Transfers and other methods of payments may be accepted.

C. COMMENCEMENT OF CHARGES FOR THE ISSUANCE OF APOSTILLES

7. The commencement of charges for the issuance of apostilles will be the **1st of August 2018**.

D. DOCUMENTS WHICH MAY BE PRESENTED FOR APOSTILISATION TO THE REGISTRAR OF THE HIGH COURT AND THE DIRECTORATE OF LEGAL SERVICES IN THE MINISTRY OF JUSTICE ARE AS FOLLOWS:

- High and Supreme Court documents and Notarial Certificates must be submitted to the Registrar of the High Court for apostilisation.
- All public documents issued by any Office, Ministry, Agencies (O.M.A) or body other than the High or the Supreme Court or a Notary Public must be submitted to the Directorate of Legal Services in the Ministry of Justice.

Address of the Registrar:

(a) Registrar of the High Court of Namibia, Main Division, General Office, High Court Building, corner of John Meinert and Luderitz Street, Windhoek.
Tel: 061 292 1253/4

(b) Registrar of the High Court of Namibia, Main Division, SADC Building, corner of John Meinert and Robert Mugabe Street, Windhoek.
Tel: 061 292 1353

Address of the Directorate of Legal Services

1st floor, Justitia Building

Ministry of Justice
Independence Avenue
Justitia Building
Private Bag 13302
Windhoek

8. Furthermore, application forms for an apostille can be downloaded from the website www.ejustice.moj.na, under the heading-High Court forms and Precedents. Application made to both the Directorate of Legal Services and the Registrar for an apostille may not be done through e-mail or fax, because the original documents must be submitted.

E. PROCEDURES TO BE FOLLOWED WHEN APPLYING FOR AN APOSTILLE

9. Applicants for Apostilles on Public Documents are required to complete an application form which can be collected from our offices on the 1st floor, Rooms 138-144, Ministry of Justice, Head Office, Justitia Building, Independence Avenue. Application Forms can be obtained at our offices during designated hours only.

9. Applicants are required to provide the full names, surname and capacity of the person who signed the document. Applicants are further requested to attach the original document on which you want an Apostille to be issued on to the application. In the case of an ID or Passport, only copies certified by a Notary Public or a Commissioner of Oaths will be accepted.

F. FRAUD, BRIBERY AND CORRUPT CONDUCT PREVENTION POLICY

10. Bribery of public servants is a serious offence punishable by law and members of the public are warned to refrain from this practice when dealing with our staff members. We reserve the right to report any attempt to bribe our officials to facilitate the issuing of Apostilles. The Directorate of Legal Services, the Registrar and the Ministry of Justice at large strives for equality, fairness and timeliness in all its operations.

G. APPLICATIONS AND COLLECTION OF APOSTILLES

The Application and the collection of Apostilles at the Directorate of Legal Services are done as follows:


08:30 – 10:30 (Submissions of applications as well as general inquiries)

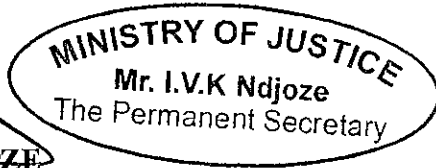
15:00 – 16:00 (Collection of apostilles)

For any enquiries relating to the applications for apostilles on public documents please contact any of the following staff members:

Mr. Christian Harris, Ms. Fatima Mendonsa, and Mr. Alex Zambwe at Tel: 061 – 2805111 / 2805318/2805319.

Dated: 12 June 2018


MR. I.V.K. NDJOZE
PERMANENT SECRETARY
MINISTRY OF JUSTICE


MINISTRY OF JUSTICE
Mr. I.V.K Ndjoze
The Permanent Secretary