



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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## Government Notice

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### OFFICE OF THE PRIME MINISTER

No. 208

2023

#### 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. 3 of 2023:      Police Amendment Act, 2023.

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Act No. 3, 2023

POLICE AMENDMENT ACT, 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.

**ACT**

**To amend the Police Act, 1990 so as to authorise the Inspector-General to share, with the approval of the Minister, information obtained during investigations of money laundering and associated predicate offences, the financing of terrorism or proliferation activities or any other offences of interest with foreign law enforcement agencies and foreign non-law enforcement agencies; and to provide for incidental matters.**

*(Signed by the President on 14 July 2023)*

**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. 19 of 1990 as amended by section 1 of Act No. 14 of 2005**

1. Section 1 of the Police Act, 1990 is amended by –
  - (a) the insertion after the definition of “auxiliary member” of the following definition:
 

““competent authority” means a competent authority as defined in section 1 of the Financial Intelligence Act, 2012 (Act No. 13 of 2012);”;
  - (b) the insertion after the definition of “Inspector-General” of the following definition:
 

““funding of terrorism” means funding of terrorism as defined in section 1 of the Prevention and Combating of Terrorist and Proliferation Activities Act, 2014 (Act No. 4 of 2014);”;
  - (c) the insertion after the definition of “misconduct” of the following definition:
 

““money laundering” means money laundering as defined in section 1 of the Financial Intelligence Act, 2012 (Act No. 13 of 2012);”;
  - (d) the insertion after the definition of “prescribe” of the following definition:
 

““proliferation activity” means proliferation activity as defined in section 1 of the Prevention and Combating of Terrorist and Proliferation Activities Act, 2014 (Act No. 4 of 2014);”.

**Act No. 3, 2023****POLICE AMENDMENT ACT, 2023****Insertion of section 14A in Act No. 19 of 1990**

2. The Police Act, 1990 is amended by the insertion after section 14 of the following section:

**“Sharing of information with foreign authorities”**

14A. (1) The Inspector-General or a member authorised by the Inspector-General may, with the approval of the Minister, share information obtained during an investigation of money laundering and its associated predicate offence, the funding of terrorism or proliferation activity or any other offence of interest with a foreign law enforcement agency, on such terms as the Inspector-General may deem appropriate.

(2) The Inspector-General or a member authorised by the Inspector-General may, with the approval of the Minister, co-ordinate with a domestic competent authority regarding the sharing of information in possession of the Force with a foreign non-law enforcement agency, on such terms as the Inspector-General may deem appropriate.

(3) A request for the sharing of information relating to money laundering and its associated predicate offence, the funding of terrorism or proliferation activity or any other offence of interest from the Force shall be addressed to the Inspector General.”

**Short title**

3. This Act is called the Police Amendment Act, 2023.

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