



Republic of Namibia

MINISTRY OF JUSTICE

PERFORMANCE AGREEMENT 2019/20

The Contracting Parties

This **Performance Agreement** (hereinafter referred to as "PA") is entered into between the Government of the Republic of Namibia (hereinafter referred to as GRN), represented by the President **H.E. Dr. Hage G. Geingob**, on the one part, and the Ministry of Justice, (hereinafter referred to as the Ministry), represented by the Minister, **Hon. Sakeus E. Shanghala**, on the other part.

PREAMBLE

WHEREAS The People of Namibia overwhelmingly and willingly gave the Government the mandate to consolidate past gains and to pursue the lofty ideals set out in Vision 2030;

WHEREAS The Government is determined to remain faithful to the People's mandate and to build the Namibian House in which all its residents have a sense of shared identity;

A handwritten signature in black ink, appearing to be 'S. Shanghala', written over a horizontal line.

WHEREAS The Parties to this Performance Agreement are not only committed to the attainment of the strategic objectives outlined in Vision 2030 but are also fully conscious of the necessity to serve the People of Namibia promptly, diligently, and without regard to the ethnic origin, socio-economic status, gender, religious, ideological, or political affiliation of the service beneficiary;

WHEREAS The Performance Agreement represents the Minister's avowed commitment to the realization of national strategic objectives, and signifies the Government's determination to support the Ministry's efforts;

NOW, THEREFORE, the parties hereto agree as follows:

Part I: Undertaking by the First Party

THE FIRST PARTY, the GOVERNMENT, undertakes to provide the necessary resources needed in line with MTEF to fulfil the Ministry's statutory mandate and attain national strategic objectives, including but not limited to, those set out in Vision 2030, the NDP 5, and the SWAPO Manifesto and Harambee Prosperity Plan. The national strategic objectives will also be informed by the SADC Revised Regional Indicative Strategic Development Plan and the African Union Agenda 63.

His Excellency the President undertakes to facilitate clearance of obstacles that might be beyond the capacity of the ministry to resolve, and which must be brought to the attention of the President by the Minister. The President further undertakes to:

1. Provide high level support and facilitate realization of the Minister's commitments, obligations, and strategic intention.

Part II: Undertaking by the Second Party

In consideration of the Government's undertakings and assurances, THE SECOND PARTY, the Minister agrees to:



- a) Improve timely delivery of quality legal services and enhance access to justice
- b) Ensure Regulatory Framework & compliance
- c) Effective Governance and Improved Service Delivery

(See Annex A for a matrix depicting the deliverables, performance indicators and annual targets)

Part III: Notes on Strategic Directions

In specific terms, the Ministry will in the short- to medium-term record measurable achievements in the following areas:

- Improved legal services delivery
- E-laws and law reporting implemented
- Guideline on gazetting of Notices and Proclamations developed
- Child Justice Bill finalised & tabled in Parliament
- Amended Ombudsman Act
- Enacted Stalking and Harassment legislation
- Repealed Animals Protection Act
- Promulgation of the Animals Protection Act
- Proposed amendment to the Maintenance Act finalised and tabled in Parliament
- Proposed Amendment to the Magistrate's Courts finalised and tabled in Parliament
- Proposed Amendment to the Magistrate's Act finalised and tabled in Parliament
- Proposed Amendment to the Combating of Domestic Violence Act finalised and tabled in Parliament
- HPP01.2. Improved our ranking from 4, to become the most transparent country in Africa as measured by Transparency International by 2020
- Operationalized National Symbol Act of the Republic of Namibia, 2018 (Act No. 17 of 2018)



- Reformed Community Act, 2003 (Act No.10 of 2003)
- Insolvency Bill tabled before CCL.

Part IV: Reporting lines and requirements:

- I. The ED will be required to submit quarterly performance progress reports to the Minister;
- II. Minister will submit Quarterly Progress reports on performance of the ministry for submission to, and discussion with, H.E. the President, through the Rt. Hon. Prime Minister;
- III. The Minister undertakes to give feedback to the Deputy Minister and ED on the quarterly performance report;
- IV. The Minister further undertakes to provide leadership to ensure that annual performance report is prepared and submitted to the President a month after the end of the financial year;
- V. H.E. the President undertakes to provide feedback on the performance evaluation of Ministers within two (2) months after the end of the financial year.

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Part V: Duration of the Performance Agreement

This PA will run for the twelve (12) months coinciding with the financial year i.e. 1st April 2019 to the 31st March 2020.

Part VI: Ratification of the PA Signed:

Cabinet Minister: Hon. Sakeus E. Shanghala,
Sign.....
Date..... 25/06/2019

The President, H.E. Hage-G. Geingob
Sign.....
Date..... 25/06/19

Witness

Right Hon. Prime Minister, Dr. Saara Kuugongelwa -Amadhila
Sign.....
Date..... 21/06/19

ANNEXURE A: PERFORMANCE MATRIX FOR MINISTERS:

MINISTRY:	MINISTRY OF JUSTICE
NAME OF OFFICE HOLDER:	HON. SAKEUS E. SHANGHALA (MP)
PERFORMANCE AGREEMENT PERIOD:	1ST APRIL 2019 – 31ST MARCH 2020

FORM 1: MINISTER'S ANNUAL PERFORMANCE AGREEMENT MATRIX											
Strategic Objectives	Weight (distributed across 100%)	Expected Result	Indicator of Performance	Indicator Definition	Indicator Type	Baseline	Quarterly Targets				Annual Target
							Q1	Q2	Q3	Q4	
Improve timely delivery of quality legal services and enhance access to justice	30%	Improved legal services delivery	% of legal services rendered and completed on time	Legal services delivered through agreements signed on extradition and international cooperation	Incremental	0	25	35	50	50	
		E-laws and law reporting implemented	% progress made in the implementation of the e-laws database	The implementation process toward financial and human resources to maintain the online database of laws and law report	incremental	0	20	30	50	50	
Ensure Regulatory Framework & compliance	40%	Guideline on gazetting of Notices and Proclamations developed	% progress made in the development of checklist on gazetting of notices and proclamations	Completion of the Checklist/ explanatory document that will be strictly adhered to for the gazetting of notices and Proclamations.	Incremental	0	50	75	100	100	
		Child Justice Bill finalised & tabled in Parliament	% progress made in the finalisation of the Bill	Legislative processes completed and tabled in Parliament	Incremental	65	75	85	100	100	

	Amended Ombudsman Act	% progress made in the finalisation of the Bill	Review the Ombudsman Act 7 of 1990 with the view to propose amendment to provide for the operational independence of the institution for the Office of the Ombudsman completed	Incremental	35	40	50	75	100	100
	Enacted Stalking and Harassment legislation	% progress made in the finalisation of the Bill	The progress towards the draft bill on stalking and harassment including online bully	Incremental	0	10	30	40	50	50
	Repealed Animals Protection Act	% progress made toward the repeal of the Animals Protection Act	Legislative processes completed and tabled in Parliament	Incremental	0	50	100	0	0	0
	Promulgation of the Animals Protection Act	% progress made in the finalisation of the amendment Bill	Legislative processes completed and tabled in Parliament	Incremental	0	0	30	40	50	50
	Proposed amendment to the Maintenance Act finalised and tabled in Parliament	% progress made in the finalisation of the amendment Bill	Legislative processes completed and tabled in Parliament	Incremental	20	25	30	40	50	50
	Proposed Amendment to the Magistrate's Courts finalised and tabled in Parliament	% progress made in the finalisation of the amendment Bill	Legislative processes completed and tabled in Parliament	Incremental	50	60	70	80	100	100
	Proposed Amendment to the Magistrate's Act finalised and tabled in Parliament	% of work done towards finalisation of amendment Bill	Legislative processes completed and tabled in Parliament	Incremental	50	60	70	80	100	100
	Proposed Amendment to the Combating of Domestic Violence Act finalised and tabled in	% progress made in the finalisation of the amendment Bill	Legislative processes completed and tabled in Parliament	Incremental	65	70	80	90	100	100

	Parliament															
Effective Governance and Improved Service Delivery	HPP01.2. Improved our ranking from 4, to become the most transparent country in Africa as measured by Transparency International by 2020	% progress made on a study to be conducted	Incremental	75	75	80	90	100	100							
		% progress made toward the operationalisation of the Act	Incremental	0	25	50	75	100	100							100
		% progress made toward the reform	incremental	0	10	30	40	50	50							50
		% progress made toward the process of tabling the Bill before CCL	Incremental	0	0	50	75	100	100							100
Total Weight															100%	

