

No. 47488

**South Africa
and
Namibia**

Agreement between the Government of the Republic of South Africa and the Government of the Republic of Namibia concerning hospital and health services in Walvis Bay. Windhoek, 28 April 1994 and Cape Town, 5 May 1994

Entry into force: *with retroactive effect from 1 March 1994, in accordance with article 8*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *South Africa, 18 May 2010*

**Afrique du Sud
et
Namibie**

Accord entre le Gouvernement de la République sud-africaine et le Gouvernement de la République de Namibie relatif aux services hospitaliers et sanitaires à Walvis Bay. Windhoek, 28 avril 1994 et Le Cap, 5 mai 1994

Entrée en vigueur : *avec effet rétroactif à compter du 1^{er} mars 1994, conformément à l'article 8*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 18 mai 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

**THE GOVERNMENT OF THE REPUBLIC
OF SOUTH AFRICA**

AND

**THE GOVERNMENT OF THE REPUBLIC
OF NAMIBIA**

**CONCERNING HOSPITAL AND
HEALTH SERVICES IN
WALVIS BAY**

PREAMBLE

WHEREAS the Government of the Republic of South Africa and the Government of the Republic of Namibia (hereinafter referred to as "the Parties") have agreed that Walvis Bay shall be transferred to/reintegrated into Namibia with effect from 1 March 1994 or such other date as may be agreed to by the Parties;

AND WHEREAS the Parties are committed to the resolution of all matters in connection therewith in such a way as to ensure an orderly and smooth transition without disruption of existing services;

AND WHEREAS in the furtherance of this goal the Parties consider it desirable to regulate matters relating to hospital and health services in so far as they concern Walvis Bay;

NOW THEREFORE, the Parties have agreed as follows:

ARTICLE 1

In this Agreement, except where the context indicates otherwise -

"Administration" means the Provincial Administration of the Cape of Good Hope;

"date of transfer" means 1 March 1994 or such other date as may be agreed by the Parties for the transfer/reintegration of Walvis Bay;

"Ministry" means the Ministry of Health and Social Services of the Republic of Namibia;

"Walvis Bay" means the port, settlement and territory described in the Walvis Bay and St John's River Territories Annexation Act, 1884 (Act No. 35 of 1884), of the Cape of Good Hope, as "the Port or Settlement of Walfish Bay situated on the west coast of South Africa, to the north of the Tropic of

Capricorn, together with certain Territory surrounding the same" and includes the Island of Ichaboe and Penguin Islands Act, 1874 (Act No. 4 of 1874), of the Cape of Good Hope as well as the territorial waters of the said territory and islands.

ARTICLE 2

The functions and duties in connection with the hospital and health services listed in Annexure A to this Agreement which prior to the date of transfer were carried out and performed in Walvis Bay by the Government of the Republic of South Africa shall from that date be carried out and performed by the Government of the Republic of Namibia.

ARTICLE 3

The Administration will with effect from the date of transfer donate to the Ministry all furniture, equipment and other property in Walvis Bay which prior to that date was the property of the Administration, as well as all stocks held in the hospital stores, valued at approximately R185 000, which prior to such date had not been issued.

ARTICLE 4

All consumable and non-consumable stocks ordered by the Administration and delivered to it prior to the date of transfer shall be for the account of the Administration and all such stock delivered after that date shall be for the account of the Ministry. All services rendered to the Administration prior to the date of transfer, including services in connection with the supply of water, electricity and telecommunications, shall be for the account of the Administration.