



BUITENGEWONE
OFFISIËLE KOERANT

van Suidwes-Afrika.
 Uitgegee op gesag.

OFFICIAL GAZETTE

EXTRAORDINARY
 of South West Africa.
 Published by Authority.

1/- Woensdag, 23 Augustus 1933. WINDHOEK Wednesday, 23rd August, 1933. No. 529

Die volgende Goewermentskennisgewings word vir algemene informasie gepubliseer.

H. P. SMIT,
Sekretaris vir Suidwes-Afrika.

Kantoor van die Administrateur,
 Windhoek.

The following Government Notices are published for general information.

H. P. SMIT,
Secretary for South West Africa.

Administrator's Office,
 Windhoek.

No. 126.]

[21. Augustus, 1933.

ORDONNANSIES 1933: UITVAARDIGING VAN.

Dit het Sy Edele die Administrateur behaag om sy goedkeuring te heg, ooreenkomstig artikel *twee-en-dertig* van "De Zuidwest-Afrika Konstitutie Wet 1925" (Wet No. 42 van 1925), aan die volgende Ordonnansies, wat hiermee vir algemene informasie gepubliseer word ooreenkomstig artikel *vier-en-dertig* van gemelde Wet:—

| No. | Titel. | Bladsy. |
|-----|--|---------|
| 7. | Wysigingsordonnansie van 1933 betreffende die Beskerming van Tabakverbouers. | 8591 |
| 8. | Landbank Vrystelling van Belasting Ordonnansie 1933. | 8591 |
| 9. | Addisionele Middele (1932 - '33) Ordonnansie 1933. | 8592 |
| 10. | Wysigingsordonnansie op Hospitale en Liefdadighedsinrigtings 1933. | 8593 |
| 11. | Sigarette en Sigarettabak Verkoopsbelasting Ordonnansie 1933. | 8593 |
| 12. | Middele- (1933 - '34) Ordonnansie 1933. | 8595 |

Goewermentskennisgewing —

No. 127. Ordonnansie van 1933 betreffende die Beskerming van Tabakverbouers: Regulasie. 8597

No. 126.]

[21st. August, 1933.

ORDINANCES, 1933: PROMULGATION OF

His Honour the Administrator has been pleased to assent, in terms of Section *thirty-two* of the South West Africa Constitution Act, 1925 (Act No. 42 of 1925), to the following Ordinances which are hereby published for general information in terms of Section *thirty-four* of the said Act:—

| No. | Title. | Page. |
|-----|--|-------|
| 7. | Tobacco Growers Protection Amendment Ordinance, 1933. | 8591 |
| 8. | Land Bank Exemption from Taxation Ordinance, 1933. | 8591 |
| 9. | Additional Appropriation (1932 - '33) Ordinance 1933. | 8592 |
| 10. | Hospitals and Charitable Institutions Amendment Ordinance, 1933. | 8593 |
| 11. | Cigarettes and Cigarette Tobacco Sales Tax Ordinance, 1933. | 8593 |
| 12. | Appropriation (1933 - '34) Ordinance, 1933. | 8595 |

Government Notice —

No. 127. Tobacco Growers Protection Ordinance, 1933: Regulation. 8597

Ord. No. 7 van 1933.]

ORDONNANSIE

Om voorsiening te maak vir die wysiging van die wet betreffende die kontrole van die invoer en verkoping van tabak, wat vir boerdery-doeleindes gebruik word.

(Goedgekeur 21 Augustus 1933.)
(Afrikaanse teks deur die Administrateur geteken.)

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika as volg:—

1. Artikel twee van die Ordonnansie van 1933 betreffende die Beskerming van Tabakverbouers (Ordonnansie No. 2 van 1933) word hierby gewysig deur die toevoeging van die volgende woorde aan die end daarvan:—

“Sodanige regulasies kan deur die Administrateur vasgestel word.”

2. Hierdie Ordonnansie kan aangehaal word as die Wysigingsordonnansie van 1933 betreffende die Beskerming van Tabakverbouers.

Ord. No. 8 van 1933.]

ORDONNANSIE

Om voorsiening te maak vir die vrystelling van die Land- en Landboubank van Suidwes-Afrika van belasting ten opsigte van grondbesit.

(Goedgekeur 21 Augustus 1933.)
(Engelse teks deur die Administrateur geteken.)

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika as volg:—

1. Artikel sewe van die Ordonnansie van die Keiserlike Goewerneur van Duits Suidwes-Afrika van die 19de dag van Maart 1909, soos gewysig by “De Belasting op Grondeigendom Verdere Wijzigings-Proklamatie, 1925” (Proklamasie No. 19 van 1925), word verder gewysig deur die toevoeging van die volgende paragraaf:

“(f) De Land- en Landboubank van Zuidwest-Afrika.”

2. Subartikel (1) van artikel vier-en-twintig van die Paaie en Uitspanplekke Ordonnansie 1927 (Ordonnansie No. 15 van 1927) word gewysig deur die toevoeging van die volgende voorbehoudsbepaling:

“Met dien verstande dat die Land- en Landboubank van Suidwes-Afrika vrygestel sal wees van die betaling van enige sodanige belasting.”

3. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Landbank Vrystelling van Belasting Ordonnansie 1933 en word geag op die 1ste dag van April 1933 in werking getree te hê.

Ord. No. 7 of 1933.]

ORDINANCE

To provide for the amendment of the law relating to the control of the importation and sale of tobacco used for farming purposes.

(Assented to 21st August, 1933.)
(Afrikaans text signed by the Administrator.)

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:—

1. Section two of the Tobacco Growers Protection Ordinance 1933 (Ordinance No. 2 of 1933), is hereby amended by the addition of the following words at the end thereof—

“Such regulations may be made by the Administrator.”

2. This Ordinance may be cited as the Tobacco Growers Protection Amendment Ordinance, 1933.

Ord. No. 8 of 1933.]

ORDINANCE

To provide for the exemption of the Land and Agricultural Bank of South West Africa from taxation in respect of landed property.

(Assented to 21st August, 1933.)
(English text signed by the Administrator.)

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:—

1. Section seven of the Ordinance of the Imperial Governor of German South West Africa of the 19th day of March, 1909, as amended by the Taxation of Landed Property Further Amendment Proclamation, 1925, (Proclamation No. 19 of 1925), is further amended by the addition thereto of the following paragraph:

“(f) The Land and Agricultural Bank of South West Africa.”

2. Sub-section (1) of section twenty-four of the Roads and Outspans Ordinance, 1927 (Ordinance No. 15 of 1927), is amended by the addition thereto of the following proviso:—

“provided that the Land and Agricultural Bank of South West Africa shall be exempted from the payment of any such rate.”

3. This Ordinance may be cited for all purposes as the Land Bank Exemption from Taxation Ordinance, 1933, and shall be deemed to have come into operation on the 1st day of April, 1933.

Ord. No. 9 van 1933.]

Ord. No. 9 of 1933.]

ORDONNANSIE

Tot aanwending van 'n verder som van nie meer as agtienduisend negehoeder vier-en-negentig pond vir die diens van die Gebied van Suidwes-Afrika vir die jaar wat geëindig het op die een-en-dertigste dag van Maart 1933.

(Goedgekeur 21 Augustus 1933.)
(Afrikaanse teks deur die Administrateur geteken.)

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika as volg:—

1. Die Administrasierekening vir die Gebied Suidwes-Afrika word hiermee belas met sodanige somme geld as wat nodig mag wees vir die diens van die Gebied (en wel ten laste van die Inkomsterekening) gedurende die jaar wat geëindig het op die een-en-dertigste dag van Maart 1933, maar gesamentlik nie meer as dertienduisend seshonderd-vier-en-veertig pond buiten en behalwe die somme uitgetrek kragtens die Middele (1932-'33) Ordonnansie 1932 (Ordonnansie No. 12 van 1932).

2. Die Administrasierekening word hiermee belas met sodanige somme geld as wat nodig mag wees vir die diens van die Gebied (en wel ten laste van Leningsrekening) gedurende die jaar wat geëindig het op die een-en-dertigste dag van Maart 1933, maar gesamentlik nie meer as vyfduisend driehonderd-en-veertig pond buiten en behalwe die somme uitgetrek kragtens die Middele (1932-'33) Ordonnansie 1932 (Ordonnansie No. 12 van 1932).

3. Die geld deur hierdie Ordonnansie beskikbaar gestel, moet aangewend word vir die dienste opgenoem in die aangehegte Bylae en met meer besonderhede vermeld in die begroting van Addisionele Uitgawe (S.W.A. 3-'33) soos deur die Wetgewende Vergadering goedgekeur en vir geen ander doel nie.

4. Hierdie Ordonnansie mag aangehaal word as die Addisionele Middele (1932-'33) Ordonnansie 1933.

BYLAE.

| No. van Begrotingspos. | Onderhoof. | Titel van Begrotingspos. | Bedrag. |
|-----------------------------|------------|--|----------|
| <i>Op Inkomsterekening.</i> | | | |
| | | | £ |
| 3. | K. | Landbou | 1,030 |
| 6. | C. | Verdediging | 14 |
| 6. | D. | Verdediging | 5,450 |
| 12. | H. | Naturellesake | 2,500 |
| 16. | A.(III) | Rente en Aflossingskoste | 3,650 |
| 17. | H. | Volksgesondheid | 1,000 |
| | | | 13,644 |
| <i>Op Leningsrekening.</i> | | | |
| B. | | Boor vir water | 1,000 |
| F. | | Voorskotte aan setlaars en aankoop van grond vir nedersetting en publieke doeleindes en verbeterings | 4,350 |
| | | | 5,350 |
| | | TOTAAL | £ 18,994 |

ORDINANCE

To apply a further sum not exceeding eighteen thousand nine hundred and ninety-four pounds towards the service of the Territory of South West Africa for the financial year ended on the 31st day of March, 1933.

(Assented to 21st August, 1933.)
(Afrikaans text signed by the Administrator.)

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:—

1. The Administration Account of the Territory of South West Africa is hereby charged with such sums of money as may be required for the service of the Territory (and chargeable to Revenue Account) during the year ended on the thirty-first day of March, 1933, not exceeding in the whole the sum of thirteen thousand six hundred and forty-four pounds, in addition to the sums charged by the Appropriation (1932-'33) Ordinance, 1932 (Ordinance No. 12 of 1932).

2. The Administration Account is hereby charged with such sums of money as may be required for the service of the Territory (and chargeable to Loan Account) during the year ended on the thirty-first day of March, 1933, not exceeding in the whole the sum of five thousand three hundred and fifty pounds, in addition to the sums charged by the Appropriation (1932-'33) Ordinance, 1932 (Ordinance No. 12 of 1932).

3. The money appropriated by this Ordinance shall be applied to the services detailed in the Schedule hereto and more particularly specified in the estimates of Additional Expenditure (S.W.A. 3-'33), as approved by the Legislative Assembly, and to no other purpose.

4. This Ordinance may be cited as the Additional Appropriation (1932-'33) Ordinance, 1933.

→ 9 Gov. N. 126/2010

SCHEDULE.

| No. of Vote. | Sub-Head. | Title of Vote. | Amount. |
|----------------------------|-----------|---|----------|
| <i>On Revenue Account.</i> | | | |
| | | | £ |
| 3. | K. | Agriculture | 1,030 |
| 6. | C. | Defence | 14 |
| 6. | D. | Defence | 5,450 |
| 12. | H. | Native Affairs | 2,500 |
| 16. | A.(III) | Interest and Redemption Charges | 3,650 |
| 17. | H. | Public Health | 1,000 |
| | | | 13,644 |
| <i>On Loan Account.</i> | | | |
| B. | | Water boring | 1,000 |
| F. | | Advances to Settlers and Purchase of Land for settlement and Public purposes and Improvements | 4,350 |
| | | | 5,350 |
| | | TOTAL | £ 18,994 |

Ord. No. 10 van 1933.]

ORDONNANSIE

Om voorsiening te maak vir die wysiging van die wet betreffende die oprigting, onderhoud en bestuur van hospitale en dergelike liefdadigheidsinrigtings.

(Goedgekeur 21 Augustus 1933.)

(Engelse teks deur die Administrateur geteken.)

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika as volg:—

1. Subartikel (3) van artikel *nege-en-veertig* van die Ordonnansie op Hospitale en Liefdadigheids-inrigtings 1930 (Ordonnansie No. 16 van 1930) word hierby geskrap en deur die volgende nuwe subartikel vervang:—

“(3) Hierdie artikel is nie van toepassing nie op enige applikant wat onderneem om vir sodanige hulpverlening teen minstens die algemene hospitaaltarief van daardie besonder inrigting te betaal, wat van tyd tot tyd deur die raad bepaal word; op enige applikant vir die betaling van wie se rekening die Administrasie verantwoordelik is; op enige geregistreerde mediese praktisyn of enige lid van sy familie, wat alleenlik van hom afhanklik is; op enige verpleegster, wat geregtig is om as sodanige in die Gebied te praktiseer; op enige aspirant-verpleegster, wat in enige inrigting in diens geneem is.

Daarenbove is die drie laasgenoemde klasse van persone vrygestel van die betaling van hospitaalgelde.”

2. Hierdie Ordonnansie kan aangehaal word as die Wysigingsordonnansie op Hospitale en Liefdadigheidsinrigtings 1933 en word geag op die eerste dag van Julie 1930 in werking getree te hê.

Ord. No. 10 of 1933.]

ORDINANCE

To provide for the amendment of the law relating to the establishment, maintenance and management of hospitals and kindred charitable institutions.

(Assented to 21st August, 1933.)

(English text signed by the Administrator.)

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:—

1. Sub-section (3) of section *forty-nine* of the Hospitals and Charitable Institutions Ordinance, 1930 (Ordinance No. 16 of 1930), is hereby deleted and the following new sub-section substituted therefor:—

“(3) This section shall not apply to any applicant undertaking to pay for such relief at a rate not less than the general ward tariff for that particular institution, fixed from time to time by the board; to any applicant for the payment of whose charges the Administration is responsible; to any registered medical practitioner or any member of his family solely dependent upon him; to any nurse entitled to practise as such in the Territory; or to any probationer nurse employed in any institution.

Moreover the last three classes of persons mentioned above shall be exempted from paying hospital fees.”

2. This Ordinance may be cited as the Hospitals and Charitable Institutions Amendment Ordinance, 1933, and shall be deemed to have come into force on the first day of July, 1930.

Ord. No. 11 van 1933.]

ORDONNANSIE

Om voorsiening te maak vir die heffing van 'n belasting op die verkoping van sigarettabak en die wysiging van die wet betreffende die heffing van 'n belasting op die verkoping van sigarette.

(Goedgekeur 21 Augustus 1933.)

(Afrikaanse teks deur die Administrateur geteken.)

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika as volg:—

1. In hierdie Ordonnansie, tensy onbestaanbaar met die samehang, —

beteken en omvat “sigarette” alle artikels uit tabak gemaak, in papier of enige stof ander as tabak gerol of daarmee omhul;

omvat “tabak” enige surrogaat van tabak;

beteken “sigarettabak” —

(a) enige tabak in repe van minder as een vyf-en-twintigste duim breedte gesny sowel as enige gesnede tabak wat as tabak vir die maak van sigarette beskrywe of te koop aangebied word; of

(b) 'n mengsel van enige gesnede tabak met tabak soos omskrywe in paragraaf (a);

beteken “houer” enige blikkie, kisse, karton, pakkie of ander artikel waarin sigarette of sigarettabak, wat by die kleinmaat verkoop of by die kleinmaat vir verkoop uitgestal word, onmiddellik ingesluit is;

omvat “vir verkoping by die kleinmaat uitgestal” die feit dat hulle in enige winkel of perseel is, waarin die kleinhandel-transaksies plaasvind, en dat hulle in die bewaring of onder die beheer is van die okkupeerder van sodanige winkel of perseel;

Ord. No. 11 of 1933.]

ORDINANCE

To provide for the imposition of a tax on the sale of cigarette tobacco and the amendment of the law relating to the imposition of a tax on the sale of cigarettes.

(Assented to 21st August, 1933.)

(Afrikaans text signed by the Administrator.)

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:—

1. In this Ordinance, unless inconsistent with the context—

“cigarettes” means and includes all articles made of tobacco rolled or enveloped in paper or any substance other than tobacco;

“tobacco” includes any substitute for tobacco;

“cigarette tobacco” means—

(a) any tobacco cut into strips less than one-twenty-fifth of an inch in width and includes any cut tobacco described or offered for sale as tobacco for making into cigarettes; or

(b) a mixture of any cut tobacco with such tobacco as is defined in paragraph (a);

“container” means any tin, box, carton, package or other article in which cigarettes, or cigarette tobacco, sold by retail or exposed for sale by retail are immediately enclosed;

“exposed for sale by retail” includes being in any shop or premises in which retail transactions take place, and in the custody or under the control of the occupier of such shop or premises;

betekenen en omvat "lisensiehouer" die Suid-Afrikaanse Spoorweë en Hawens Administrasie en elke houër van 'n handelaarslisensie, 'n algemene handelaarslisensie, 'n venterslisensie of 'n lisensie vir die verkoop van tabak by die kleinmaat binne 'n munisipaliteit, en elke houër van 'n kleinhandel-dranklisensie, 'n bottellisensie of 'n klublisensie, wat 'n lisensie as 'n handelaar in koolsuurhoudende waters of mineraalwaters hou;

betekenen "nettogewig", in die geval van sigarette, die gewig van tabak, met inbegrip van die gewig van die bedekking en aangehegte mondstuk van individuele sigarette, en, in die geval van sigarettabak, die gewig van tabak in enige houër, afgesien van die gewig van die houër;

betekenen "verkoop by die kleinmaat" enige verkoping in watter hoeveelheid dit ook mag wees, aan enige persoon, wat vir enige doel koop ander dan die *bona fide* doel van weerverkoping onder 'n lisensie in die gewone loop van sy besigheid;

omvat "hierdie Ordonnansie" enige regulasies daaronder vasgestel.

2. Die Sigare en Sigarette Verkoopsbelasting Ordonnansie 1931 (Ordonnansie No. 1 van 1931), soos gewysig by die Sigare en Sigarette Verkoopsbelasting Wysigingsordonnansie 1933 (Ordonnansie No. 6 van 1933) word hierby herroep.

3. Vanaf en na die inwerkingtreding van hierdie Ordonnansie moet elke lisensiehouer of ander persoon wat enige sigarette of sigarettabak by die kleinmaat verkoop of enige sigarette of sigarettabak by die kleinmaat vir verkoop uitstal, 'n verkoopsbelasting op alle sodanige sigarette of sigarettabak betaal: Die voormelde belasting bedra, in die geval van sigarettabak, een en 'n half pennie op elke twee onse nettogewig of breuk daarvan en, in die geval van sigarette, een pennie op elke halwe ons nettogewig of breuk daarvan, of, waar die getal van die sigarette op die houër gemerk is, een pennie op elke tien sigarette of breuk daarvan, tensy hulle werklik meer weeg, in watter geval die belasting volgens die nettogewig bereken moet word. Die verkoopsbelasting is buiten en behalwe enige ander belasting, reg of gelde, wat op of ten opsigte van sigarette of sigarettabak betaalbaar is.

4. Die belasting, deur hierdie Ordonnansie opgelê, word betaal deur middel van seëls, wat op die wyse deur regulasie voorgeskrywe, op die houër geplak is: Met dien verstande dat, in die geval van sigarettabak wat by die inwerkingtreding van hierdie Ordonnansie deur enige persoon in voorraad gehou is vir verkoop en wat nie in 'n ongeskonde houër verpak is om verkoop te word nie, die belasting deur daardie persoon in kontant in die magistraatskantoor van die distrik, waarin hy woon, binne veertien dae na die inwerkingtreding van hierdie Ordonnansie, betaal word.

5. (1) Geen lisensiehouer of ander persoon mag enige sigarette of sigarettabak verkoop of probeer verkoop of in sy besit hê vir die doel om te verkoop, hetsy by die grootmaat of by die kleinmaat, of, met die uitsondering van die geval van 'n *bona fide* reisiger soos bepaal in artikel nege, in die Gebied invoer nie behalwe in 'n ongeskonde houër en tensy sodanige houër op die wyse, voorgeskrywe deur regulasie, beplak is met 'n seël van 'n waarde wat ekwivalent is met die verkoopsbelasting, wat op die inhoud van die houër betaalbaar is en wat, soos by artikel sewe voorgeskrywe, gemerk is met die nettogewig of die getal van die sigarette daarin bevat of die nettogewig van die sigarettabak daarin bevat, na die geval mag wees:

Met dien verstande dat hierdie artikel nie van toepassing is nie op sigarettabak wat by die inwerkingtreding van hierdie Ordonnansie in voorraad gehou is vir verkoop en nie in 'n ongeskonde houër verpak is om verkoop te word nie.

(2) Alle sigarette of sigarettabak ten opsigte waarvan daar enige oortreding van hierdie artikel was, word verbeurd verklaar.

6. Niemand mag enige seël ander as dié wat deur die Administrasie vir hierdie doel verskaf is, of enige seël wat aldus verskaf maar voorheen gebruik is, gebruik of verskaf of aanbied om dit te verskaf nie vir die doel om enige houër, wat sigarette of sigarettabak bevat, daarmee te beplak en alle sigarette of sigarettabak, wat met enige sodanige ongeautoriseerde of voorheen gebruikte seël beplak is, word verbeurd verklaar.

7. Elke houër, wat sigarette of sigarettabak bevat, wat verkoop is of in verband waarmee pogings gemaak word om te verkoop, of wat gehou word met die doel om te verkoop, hetsy by die grootmaat of by die kleinmaat, of, met die uitsondering van die geval van 'n *bona fide* reisiger, soos bepaal in subartikel (1) van artikel vyf, in die Gebied ingevoer word, word na verkiesing van die persoon, wat verplig is om die belasting te betaal, gemerk met die ware getal of die nettogewig van die sigarette daarin bevat, of met die nettogewig van die sigarettabak daarin bevat, na die geval mag wees.

"licensee" means and includes the South African Railways and Harbours Administration and every holder of a dealer's licence, a general dealer's licence, a hawker's licence, or a licence for the sale of tobacco by retail within a municipality, and every holder of a retail liquor licence, a bottle licence or a club licence who holds a licence as a dealer in aerated or mineral waters;

"nett weight" means, in the case of cigarettes, the weight of tobacco, together with that of the covering and attached mouthpiece of individual cigarettes, and in the case of cigarette tobacco, the weight of tobacco in any container apart from the weight of the container;

"sale by retail" means any sale in whatever quantity to any person purchasing for any purpose other than the *bona fide* purpose of resale by licence in the ordinary course of his business;

"this Ordinance" includes any regulations made thereunder.

2. The Cigars and Cigarettes Sales Tax Ordinance, 1931 (Ordinance No. 1 of 1931), as amended by the Cigars and Cigarettes Sales Tax Amendment Ordinance, 1933 (Ordinance No. 6 of 1933), is hereby repealed.

3. From and after the commencement of this Ordinance every licensee or other person who sells any cigarettes or cigarette tobacco by retail, or exposes any cigarettes or cigarette tobacco for sale by retail, shall pay a sales tax on all such cigarettes or cigarette tobacco: The said tax shall amount, in the case of cigarette tobacco, to one penny half-penny on every two ounces nett weight or fraction thereof, and in the case of cigarettes to one penny on every one-half ounce nett weight or fraction thereof, or where the number of the cigarettes is marked on the container, to one penny on every ten cigarettes or fraction thereof, unless they actually weigh more, in which case the tax shall be calculated according to the nett weight. The sales tax shall be in addition to any other tax, duty or fee payable on or in respect of cigarettes or cigarette tobacco.

4. The tax imposed by this Ordinance shall be paid by means of stamps affixed to the container in the manner prescribed by regulation: Provided that in the case of cigarette tobacco which at the commencement of this Ordinance is held in stock for purposes of sale by any person and which is not packed for sale in an unbroken container, the tax shall be paid by that person in cash at the office of the magistrate for the district in which he resides within fourteen days after the commencement of this Ordinance.

5. (1) No licensee or other person shall sell, or attempt to sell, or have in his possession for the purpose of sale, whether by wholesale or retail, or, except in the case of a *bona fide* traveller as provided in section nine, import into the Territory any cigarettes or cigarette tobacco except in an unbroken container, and unless such container has been stamped in the manner prescribed by regulation with a stamp of the value equivalent to the sales tax payable on the contents of the container, and is marked as prescribed by section seven with the nett weight or the number of the cigarettes contained therein, or the nett weight of the cigarette tobacco contained therein, as the case may be:

Provided that this section shall not apply to cigarette tobacco which is held in stock for purposes of sale at the commencement of this Ordinance and which is not packed for sale in an unbroken container.

(2) All cigarettes or cigarette tobacco in respect of which there has been any contravention of this section shall be forfeited.

6. No person shall, for the purpose of stamping any container containing cigarettes or cigarette tobacco, use or supply, or offer to supply any stamp other than a stamp supplied by the Administration for the purpose, or any stamp so supplied but previously used, and all cigarettes or cigarette tobacco stamped with any such unauthorised or previously used stamp shall be forfeited.

7. Every container containing cigarettes, or cigarette tobacco, sold, or attempted to be sold, or kept for the purpose of sale, whether by wholesale or retail, or, except in the case of a *bona fide* traveller as provided in sub-section (1) of section five, imported into the Territory, shall, at the option of the person liable to pay the tax, be marked with the true number or the nett weight of the cigarettes contained therein, or with the nett weight of the cigarette tobacco contained therein, as the case may be.

8. (1) Enige polisiebeampte, wat die rang van sersant of enige hoër rang beklee, of enige ander polisiebeampte be hoorlik en skriflik daartoe gemagtig deur 'n polisiebeampte, wat die rang van sersant of 'n hoëre rang beklee, kan te alle tye die gebou binnegaan en ondersoek van enige persoon, wat sigarette of sigarettabak verkoop of wat verdink word sigarette of sigarettabak te verkoop in stryd met of sonder om aan die bepalings van hierdie Ordonnansie te voldoen en kan in sodanige gebou beslag lê op enige sigarette of sigaret tabak of die houers daarvan, ten opsigte waarvan vermoed word dat 'n oortreding of 'n versuim om te voldoen aan die bepalings van hierdie Ordonnansie plaasgevind het.

(2) Enige persoon, wat aan sodanige beampte by die wettige uitoefening van sy bevoegdhede kragtens subartikel (1) weerstand bied, of hom by sodanige uitoefening hinder of belemmer, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens eenhonderd pond, of by wanbetaling, met gevangenisstraf van hoogstens ses maande, of met beide sodanige boete en gevangenisstraf.

9. Niemand anders dan 'n lisensiehouer mag enige sigarette of sigarettabak van welke aard ook, hetsy vir verkoop of andersins in die Gebied invoer nie, tensy dit gebeur op grond van 'n permit, geteken deur 'n beampte, wat be hoorlik deur die Administrateur daartoe gemagtig is. Hierdie permit word uitgereik na betaling van die geld en onder hewig aan die voorwaardes, wat deur die Administrateur bepaal mag word. Die bepalings van hierdie artikel is nie van toepassing nie op 'n *bona fide* reisiger, wat 'n hoeveelheid van hoogstens honderd sigarette of 'n hoeveelheid van hoogstens agt onse sigarettabak of sodanige hoeveelheid sigarette sowel as sodanige hoeveelheid sigarettabak met hom na die Gebied meebring.

10. Die Administrateur kan regulasies vasstel —

- (a) wat voorsiening maak vir die verkoop van die seëls, wat op die houers van sigarette of sigarettabak geplak moet word;
- (b) wat die vorm van seël voorskrywe, wat op die houers van sigarette of sigarettabak geplak moet word en die wyse waarop sodanige seëls daarop geplak moet word;
- (c) in die algemeen vir die beter uitvoering van die oogmerke en doeleindes van hierdie Ordonnansie.

11. Enige persoon, wat enige bepaling van hierdie Ordonnansie oortree of versuim om daaraan te voldoen, vir die oortreding waarvan of vir die nie-voldoen waaraan geen straf spesiaal bepaal is nie, of enige voorwaarde van enige permit, uitgereik onder artikel *negen*, is skuldig aan 'n oortreding en na skuldigbevinding blootgestel aan 'n boete van hoogstens vyftig pond of aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens ses maande. Die blootgesteldheid aan enige sodanige straf is buiten en behalwe die blootgesteldheid aan die ondergaan van enige inbeslag-neming kragtens die bepalings van hierdie Ordonnansie.

12. Hierdie Ordonnansie kan aangehaal word as die Sigarette en Sigarettabak Verkoopsbelasting Ordonnansie 1933 en tree in werking en word van krag op 'n datum deur die Administrateur by kennisgewing in die *Offisiële Koerant* bepaal te word.

8. (1) Any police officer of the rank of sergeant or above such rank, or any other police officer duly authorised thereto in writing by a police officer of the rank of sergeant or above such rank, may at all times enter and search the premises of any person who sells cigarettes or cigarette tobacco, or who is suspected of selling cigarettes or cigarette tobacco in contravention of or without complying with the provisions of this Ordinance, and may seize upon such premises any cigarettes, or cigarette tobacco, or the containers thereof in respect of which a contravention or non-compliance with the provisions of this Ordinance is suspected of having taken place.

(2) Any person who resists, hinders or obstructs any such officer in the lawful exercise of his powers under sub-section (1) shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds, or, in default of payment to imprisonment for a period not exceeding six months, or to both such fine and such imprisonment.

9. No person other than a licensee shall import into the Territory any cigarettes or cigarette tobacco whatsoever, whether for sale or otherwise, except upon a permit signed by an officer duly authorised thereto by the Administrator, which permit shall be issued upon payment of such fees and subject to such conditions as may be fixed by the Administrator.

The provisions of this section shall not apply to a *bona fide* traveller who brings with him into the Territory a quantity of cigarettes not exceeding one hundred in number, or a quantity of cigarette tobacco not exceeding eight ounces in weight, or both such quantity of cigarettes and such quantity of cigarette tobacco.

10. The Administrator may make regulations—

- (a) providing for the sale of the stamps required to be affixed to containers of cigarettes or cigarette tobacco;
- (b) prescribing the form of stamp to be affixed and the manner of affixing such stamp to containers of cigarettes or cigarette tobacco;
- (c) generally for the better carrying out of the objects and purposes of this Ordinance.

11. Any person who contravenes or fails to comply with any provision of this Ordinance for which a definite penalty has not been prescribed, or any condition of any permit issued under section *nine* shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a period not exceeding six months. The liability to any such punishment shall be in addition to the liability to suffer any forfeiture under the provisions of this Ordinance.

12. This Ordinance may be cited as the Cigarettes and Cigarette Tobacco Sales Tax Ordinance, 1933, and shall commence and come into operation on a date to be fixed by the Administrator by notice in the *Official Gazette*.

Ord. No. 12 van 1933.)

ORDONNANSIE

Tot aanwending van 'n som van nie meer as seshonderd- agt-en-negentigduisend eenhonderd-en-vyftien pond ten behoeve van die diens van die Gebied van Suidwes-Afrika vir die finansiële jaar wat eindig op die een-en-dertigste dag van Maart 1934.

(Goedgekeur 21 Augustus 1933.)

(Engelse teks deur die Administrateur geteken.)

Ord. No. 12 of 1933.)

ORDINANCE

To apply a sum not exceeding six hundred and ninety-eight thousand one hundred and fifteen pounds towards the service of the Territory of South West Africa for the financial year ending on the thirty-first day of March, 1934.

(Assented to 21st August, 1933.)

(English text signed by the Administrator.)

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika as volg:—

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:—

1. Die Administrasierekening vir die Gebied Suidwes-Afrika word hiermee belas met sodanige somme geld as wat benodig mag wees vir die diens van die Gebied vir die finansiële jaar wat eindig op die een-en-dertigste dag van Maart 1934, maargesamentlik nie meer as seshonderd-agt-en-twintigduisend eenhonderd-en-veftien pond op die inkomsterekening soos uiteengesit in Kolom 1 van die Eerste Bylae tot hierdie Ordonnansie.

2. Die Administrasierekening vir die Gebied Suidwes-Afrika word hiermee belas met sodanige somme geld as wat benodig mag wees vir die diens van die Gebied vir die finansiële jaar wat eindig op die een-en-dertigste dag van Maart 1934, maar gesamentlik nie meer as sewentigduisend pond op die leningsrekening soos uiteengesit in die Tweede Bylae tot hierdie Ordonnansie.

3. Die geld wat deur hierdie Ordonnansie beskikbaar gestel word, moet aangewend word vir die dienste, in besonderhede vermeld in die Bylae tot hierdie Ordonnansie en omstandiger uiteengesit in die Begroting van Uitgawe wat gedek moet word uit Inkomste- en Leningsfondse (S.W.A. 2—1933), soos deur die Wetgewende Vergadering goedgekeur, en behoudens artikel vier hiervan, vir geen ander doel nie.

4. Met die goedkeuring van die Administrateur kan 'n besparing onder die een sub-rubriek van 'n begrotingspos aangewend word tot dekking van 'n te grote uitgawe onder enige ander sub-rubriek of van uitgawe onder 'n nuwe sub-rubriek van dieselfde begrotingspos: Met dien verstande dat die somme wat voorkom in kolom 2 van die Bylae tot hierdie Ordonnansie nie oorskry mag word nie en daarop gemaakte besparings ewemin aangewend mag word vir enige ander doel as waarvoor die geld hierby toegestaan word soos aangedui in die gemelde Bylae.

5. Hierdie Ordonnansie kan aangehaal word as die Middele- (1933—'34) Ordonnansie 1933.

1. The Administration Account of the Territory of South West Africa is hereby charged with such sums of money as may be required for the service of the Territory for the financial year ending on the thirty-first day of March, 1934, not exceeding in the aggregate the sum of six hundred and twenty-eight thousand one hundred and fifteen pounds on revenue account as shown in Column 1 of the First Schedule hereto.

2. The Administration Account of the Territory of South West Africa is hereby charged with such sums of money as may be required for the service of the Territory for the financial year ending on the thirty-first day of March, 1934, not exceeding in the aggregate the sum of seventy thousand pounds on loan account as shown in the Second Schedule hereto.

3. The money appropriated by this Ordinance shall be applied to the services detailed in the Schedules hereto and more particularly specified in the Estimates of Expenditure to be defrayed from Revenue and Loan Funds (S.W.A. 2—1933) as approved by the Legislative Assembly, and subject to section four hereof, to no other purpose.

4. With the approval of the Administrator a saving on any sub-head of a Vote may be made available to meet excess expenditure on any other sub-head or expenditure on a new sub-head of the same Vote: Provided that no excess shall be incurred on the sums appearing in Column 2 of the Schedules hereto, nor shall savings thereon be available for any purpose other than that for which the money is hereby granted as indicated in the said Schedules.

5. This Ordinance may be cited as the Appropriation (1933—'34) Ordinance, 1933.

EERSTE BYLAE.

INKOMSTEREKENING.

| Begrotingspos. | | Kolom 1. | Kolom 2. |
|----------------|---|----------|----------|
| No. | Benaming. | £ | £ |
| 1. | Administrasie Dit sluit in Museums, Biblioteke, ens. | 32,595 | 10 |
| 2. | Wetgewende Vergadering, ens. | 6,850 | |
| 3. | Landbou Dit sluit in Toelae aan Landbou- en ander tentoonstellings en Landbouverenigings, Studiebeurse, Deskundige Hulp en Landboujoernaal | 18,000 | 120 |
| 4. | Auditeursafdeling | 2,270 | |
| 5. | Doeane en Aksyns | 5,020 | |
| 6. | Verdediging | 25 | |
| 7. | Onderwys | 107,075 | |
| 8. | Werke | 37,075 | |
| 9. | Regspiegling | 33,780 | |
| 10. | Lande, Registrasie en Opmetings | 6,510 | |
| 11. | Mynwese | 2,000 | |
| 12. | Naturellesake | 14,740 | |
| 13. | Pensioene en Gratifikasies | 16,600 | |
| 14. | Pos-, Telegraaf- en Telefoonwese | 51,400 | |
| 15. | Gevangenis en Verbeteringsgestigte | 14,730 | |
| 16. | Rente en Aflossingskoste | 168,885 | |
| 17. | Volksgesondheid | 22,210 | |
| 18. | Suidwes-Afrika Polisie | 85,700 | |
| 19. | Premies | 2,650 | |
| TOTAAL | | 628,115 | |

FIRST SCHEDULE.

REVENUE ACCOUNT.

| Vote. | | Column 1. | Column 2. |
|-------|---|-----------|-----------|
| No. | Designation. | £ | £ |
| 1. | Administration Including Museums, Libraries etc. | 32,595 | 10 |
| 2. | Legislative Assembly, etc. | 6,850 | |
| 3. | Agriculture Including Grants to Agricultural and other Shows and Agricultural Societies, Bursaries, Expert Assistance and Agricultural Journal | 18,000 | 120 |
| 4. | Audit | 2,270 | |
| 5. | Customs and Excise | 5,020 | |
| 6. | Defence | 25 | |
| 7. | Education | 107,075 | |
| 8. | Works | 37,075 | |
| 9. | Administration of Justice | 33,780 | |
| 10. | Lands, Deeds and Surveys | 6,510 | |
| 11. | Mines | 2,000 | |
| 12. | Native Affairs | 14,740 | |
| 13. | Pensions and Gratuities | 16,600 | |
| 14. | Posts, Telegraphs and Telephones | 51,400 | |
| 15. | Prisons and Reformatories | 14,730 | |
| 16. | Interest and Redemption charges | 168,885 | |
| 17. | Public Health | 22,210 | |
| 18. | South West Africa Police | 85,700 | |
| 19. | Bounties | 2,650 | |
| TOTAL | | 628,115 | |

TWEEDE BYLAE.

SECOND SCHEDULE.

LENINGSREKENING.

LOAN ACCOUNT.

| Begrotingspos. | | Kolom | Kolom |
|----------------|---|--------|-------|
| No. | Benaming. | 1. | 2. |
| | | £ | £ |
| A. | Geboue, ens. | 1,500 | 1,500 |
| B. | Boor vir water | 2,000 | |
| C. | Telegraaf- en Telefoon-Uitbreidings en Vernuwings | 1,000 | |
| D. | Lenings aan Plaaslike Besture . | 1,650 | |
| E. | Noodleniging en Droogteonderstand | 50,850 | |
| F. | Lande | 13,000 | |
| TOTAAL | | 70,000 | |

| Vote. | | Column | Column |
|-------|--|--------|--------|
| No. | Designation. | 1. | 2. |
| | | £ | £ |
| A. | Buildings, etc. | 1,500 | 1,500 |
| B. | Water Boring | 2,000 | |
| C. | Telegraphs and Telephone Extensions and Renewals . | 1,000 | |
| D. | Loans to Local Authorities | 1,650 | |
| E. | Relief of Distress and Drought Relief | 50,850 | |
| F. | Lands | 13,000 | |
| TOTAL | | 70,000 | |

SAMEVATTING.

SUMMARY.

| | |
|---|-----------|
| Bedrag ten laste van Inkomsterekening | £628,115. |
| Bedrag ten laste van Leningsrekening | £70,000. |
| TOTAAL | £698,115. |

| | |
|--|-----------|
| Amount chargeable to Revenue Account | £628,115. |
| Amount chargeable to Loan Account | £70,000. |
| TOTAL | £698,115. |

Goewermmentskennisgewing.

Government Notice.

No. 127.]

[21. Augustus, 1933.

Hierby word bekendgemaak dat dit die Administrateur behaag het, om, ooreenkomstig artikel twee van die Ordonnansie van 1933 betreffende die Beskerming van Tabakverbouers (Ordonnansie No. 2 van 1933) die volgende regulasie vas te stel:—

REGULASIE.

Lek- en dip-tabak word behandel deur dit te meng met blom van swawel in die verhouding van een pond swawel teen vyf pond tabak.

No. 127.]

[21st. August, 1933.

It is hereby notified that the Administrator has been pleased, in terms of section two of the Tobacco Growers Protection Ordinance, 1933, (Ordinance No. 2 of 1933), to make the following regulation:—

REGULATION.

Lick and dip tobacco shall be treated by being mixed with flowers of sulphur, in the proportion of one pound of sulphur to five pounds of tobacco.