



BUITENGEWONE OFFISIELLE KOERANT

van Suidwes-Afrika.

Uitgegee op gesag.

OFFICIAL GAZETTE EXTRAORDINARY of South West Africa.

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Die volgende Ontwerpordonnansie, wat gedurende die Tweede Sessie van die Derde Wetgewende Vergadering voorgelê sal word, word vir algemene informasie gepubliseer.

F. P. COURTNEY CLARKE,
Sekretaris vir Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

The following Draft Ordinance which will be introduced during the Second Session of the Third Legislative Assembly is published for general information.

F. P. COURTNEY CLARKE,
Secretary for South West Africa.

Administrator's Office,
Windhoek.

Bladsy

Konsolidasie-Ordonnansie betreffende Lisenſies 1935 . 9582 Licences Consolidation Ordinance, 1935

Repeated by
Act 10/95

ONTWERPORDONNANSIE

Om voorstiening te maak vir die konsolidasie van die wet betreffende die lisensieverlening aan bedrywe en beroepe binne die Gebied Suidwes-Afrika en om die betaalbare lisensieregte te bepaal.

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

1. Alle definisies, vrystellinge en ander bepalinge in die Eerste Bylae van hierdie Ordonnansie bevat, word geag te wees en sal gelees word as 'n deel van hierdie Ordonnansie.

2. (1) Vanaf die eerste dag van Januarie 1936 sal die lisensieregte gespesifiseer in die Eerste Bylae van hierdie Ordonnansie en die boetes gespesifiseer in hierdie Ordonnansie en die Eerste Bylae daarvan ingevorder word en betaalbaar wees ten opsigte van die uitvoering van bedrywe of beroepe of die doen van of ingebreke bly om te doen van die dade of dinge in hierdie Ordonnansie of sodanige Bylae omskrywe.

(2) Die lisensieregte en boetes ingevorder kragtens hierdie Ordonnansie en die Eerste Bylae daarvan moet gestort word in die Gebieds-Inkomste-Fonds van die Administrasie van Suidwes-Afrika.

3. Die lisensies gespesifiseer in die Eerste Bylae van hierdie Ordonnansie is van volle krag en werking deur die hele Gebied Suidwes-Afrika, behalwe in die geval van daardie lisensies wat ooreenkomsdig die bepalinge van hierdie Ordonnansie en die voormalde Bylae daarvan benodig is vir of beperk is tot spesifieke persele of wyke.

4. (1) Die verpligting om die lisensieregte te betaal begin vanaf die datum waarop enige bedryf of beroep begin word, of in die geval van 'n hernuwing, op die eerste dag van Januarie in elke jaar, en ten opsigte van elke lisensie uitgereik kragtens hierdie Ordonnansie word die bedrag wat in die Eerste Bylae van hierdie Ordonnansie gespesifiseer is, gevorder en betaalbaar:

Met die verstande dat as sodanige verpligting om enige lisensie uit te neem, ander dan die van 'n spekulateur in karakoelvleue of 'n spekulateur in lewende hawe en boerdery produkte, op of na die 1ste dag van Julie in enige jaar begin, die betaalbare bedrag, uitgesonderd en behalwe soos andersins bepaal, die helfte van daardie bedrag moet wees.

(2) Elke sodanige lisensie moet uitgeneem word in die distrik waar die bedryf of beroep uitgeoefen word, of waarin die verpligting vir die lisensie eerste ontstaan en moet, behalwe soos andersins bepaal, jaarliks uitgeneem en betaal word en verväl op die een-en-dertigste dag van Desember van die jaar van uitreiking.

(3) Alle lisensies wat hernu moet word mag nie later as die een-en-dertigste dag van Januarie in elke jaar aldus hernu word nie, en versuum om aldus te hernu sal 'n misdryf uitmaak.

5. Enige persoon wat in gebreke bly om 'n lisensie uit te neem, soos deur hierdie Ordonnansie vereis, binne een maand vanaf die datum waarop sy verpligting begin of betaal 'n bedrag wat minder is as die betaalbare bedrag vir of ten opsigte van sodanige lisensie, insluitende enige bedrag op omset bereken, moet betaal vir elke maand of gedeelte van 'n maand gedurende welke hy enige bedryf of beroep uitgeoefen sonder die voorgeskrewe lisensie of gedurende welke enige betaalbare bedrag ten opsigte daarvan onderbetaal is, 'n som ~~bergken~~ teen tien persent van die jaarlike lisensieregte wat voorgeskrewe is ten opsigte van sodanige bedryf of beroep of van die bedrag wat te min betaal is ten opsigte van sodanige lisensie, soos die geval mag wees, boonop die belasting in die Eerste Bylae van hierdie Ordonnansie gespesifiseer:

DRAFT ORDINANCE

To provide for the consolidation of the law relating to the licensing of trades and occupations within the Territory of South West Africa and to fix the licence duties payable.

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

1. All definitions, exemptions and other provisions contained in the First Schedule to this Ordinance shall be deemed to be and shall be read as part of this Ordinance.

2. (1) As from the first day of January, 1936, the licence duties specified in the First Schedule to this Ordinance and the penalties specified in this Ordinance and the First Schedule thereto shall be charged and payable in respect of the carrying on of trades or occupations or the doing or failure to do the acts or things in this Ordinance or such Schedule described.

(2) The licence duties and penalties collected under this Ordinance and the First Schedule thereto shall be paid to the Territory Revenue Fund of the Administration of South West Africa.

3. The licences specified in the First Schedule to this Ordinance shall be of full force and effect throughout the Territory of South West Africa except in the case of those licences which in terms of the provisions of this Ordinance and the said Schedule thereto are required for or restricted to specific premises or areas.

4. (1) Liability for licence duty arises as from the date on which any trade or occupation is commenced, or in the case of a renewal, on the first day of January in each year, and in respect of every licence issued under this Ordinance there shall be charged and payable the amount specified in the First Schedule to this Ordinance:

Provided that if such liability to take out any licence other than that of a speculator in Karakul pelts or a speculator in livestock and farm produce commences on or after the 1st day of July in any year, the amount payable shall, save and except as otherwise provided, be one half of that amount.

(2) Every such licence shall be taken out in the district where the trade or occupation is carried on or in which the liability for the licence first arises and shall, except as otherwise provided, be taken out and paid for yearly and shall expire on the thirty-first day of December of the year of issue.

(3) All licences requiring to be renewed shall be so renewed not later than the thirty-first day of January in each year, and failure so to renew will constitute an offence.

5. Any person who fails to take out a licence as required by this Ordinance within one month of the date when his liability commenced or pays an amount less than the sum due for or in respect of such licence, including any amount calculated on turnover, shall pay for each month or part of a month during which he carries on any trade or occupation without the prescribed licence or during which any amount due in respect thereof is short paid, a sum calculated at the rate of ten per cent of the yearly licence duty prescribed in respect of such trade or occupation or of the amount short paid in respect of such licensee, as the case may be, in addition to the duty specified in the First Schedule to this Ordinance:

Met die verstande dat sodanige bykomende bedrag nie die bedrag van die lisenstieregte aldus gespesifieer of van die te min betaalde bedrag, soos die geval mag wees, te bowe mag gaan nie.

Met die verstande verder dat waar enige gedeelte van lisenstieregte op omset geskat word, sodanige gedeelte geag word op die 31ste dag van Januarie van die eersvolgende jaar verskuldig en betaalbaar te wees.

Die betaling deur enige persoon van enige som op grond van hierdie artikel word nie geag sodanige persoon te vrywaar teen enige kriminele aanspreeklikheid op die hals gehaal deur sy versuum om 'n lisenstie uit te neem, ook sal die feit dat enige kriminele aanspreeklikheid op enige persoon weens enige sodanige versuum opgeleë is, hom nie vrystel van enige verpligting om enige bedrag onder hierdie artikel te betaal nie.

6. Behoudens die spesiale bepalings in hierdie Ordonnansie, moet elke persoon wat in enige winkel of besigheidsplek enige bedryf uitoefen waarvoor een van die lisensties gespesifieer in Deel I van die Eerste Bylae van hierdie Ordonnansie uitgeneem moet word, 'n afsonderlike lisenstie uitneem teen die fooi wat in daardie Bylae ten opsigte van elke winkel of besigheidsplek, waarin daardie bedryf uitgevoer word, voorgeskrywe is.

7. Lisensties kan uitgereik word deur enige magistraat of ander behoorlik gemagtigde publieke amptenaar, nadat aansoek aan hom, soos hierna bepaal, gemaak is.

8. (1) 'n Applikasievorm moet in elke geval deur die applikant vir 'n lisenstie of deur sy behoorlik gemagtigde verteenwoordiger ingevul word. Alle lisensties en applikasies vir lisensties moet in sodanige vorm wees, as die Sekretaris van tyd tot tyd mag voorskrywe.

(2) Elke applikasie vir 'n lisenstie en elke uitgereikte lisenstie moet *onder andere* bekendstel:

- die volle naam van die individu aan wie die lisenstie uitgereik moet word;
- in die geval van 'n firma, die volle name van elke lid van die firma;
- in die geval van 'n venootskap, die volle name van elkeen van die vennote;
- in die geval van 'n naamlose venootskap of koöperatiewe vereniging, die volle name van die direkteure en van die bestuurder of sekretaris;
- 'n beskrywing van die bedryf of beroep ten opsigte waarvan die lisenstie benodig is.

Burtdien moet sodanige applikasie en lisenstie die volle naam of firma waaronder en die adres waar die bedryf of beroep uitgeoefen sal word, bevat.

9. (1) 'n Hof (hierna 'n "lisenstiehof" genoem) vir die oorweging van applikasies vir of met betrekking tot die uitreiking of verwijdering van enige lisenstie in Deel I van die Eerste Bylae van hierdie Ordonnansie (uitgesonderd en behalwe tydelike lisensties) genoem, word hierby gevorm en word in en vir elke distrik van die Gebied op die eerste Woensdag in die maande Maart, Junie, September en Desember van elke jaar gehou. Die voormalde Hof bestaan uit die Magistraat van die distrik.

(2) Applikasies vir die uitreiking of verwijdering van sodanige voormalde lisensties moet op die voorgeskrewwe vorm aan die betrokke Magistraat of ander behoorlik gemagtigde amptenaar ten minste een maand voor die sitting van die lisenstiehof wat sodanige applikasie moet oorweeg, gemaak word, en moet vergesel word deur 'n deposito wat voldoende is om die onkoste verbonde met die kennisgewing in die koerant wat in die eersvolgende sub-artikel genoem word, te dek en welke gesegde onkoste deur die applikant gedra moet word: met die verstande dat applikasies wat laat gemaak word, tot een-en-twintig dae voor sodanige sitting aangeneem mag word teen betaling van sodanige boete, wat nie 'n groter som bedra as die jaarlike lisenstieregte wat betaalbaar is ten opsigte van die betrokke lisenstie, soos die voormalde Magistraat of ander behoorlik gemagtigde amptenaar mag bepaal.

(3) Op ontvangs van enige sodanige applikasie soos voormeld, moet die betrokke Magistraat of ander behoorlik gemagtigde amptenaar veroorsaak dat 'n kennisgewing op 'n in die oog vallende plek by of in sy kantoor opgeplak word, en dat dit gepubliseer word in 'n koerant wat in sy distrik sirkuleer, wat die applikant se naam, die beskrywing van die persele in die applikasie na verwys, die geaardheid van die applikasie, en die dag wanneer en die plek waar die Hof sal sit om sodanige applikasie te hoor, bevat.

Sodanige kennisgewing moet ten minste veertien dae voor die sitting van genoemde Hof opgeplak en gepubliseer word.

Provided that such additional amount shall not exceed the amount of the licence duty so specified or of the amount short paid, as the case may be.

Provided further that where any portion of licence duty is assessed upon turnover that portion shall be deemed to be due and payable by the 31st day of January of the ensuing year.

The payment by any person of any sum under this section shall not be deemed to relieve such person of any criminal liability incurred through his failure to take out a licence, nor shall the fact of any criminal liability having been imposed upon any person for any such failure relieve him from any obligation to pay any amount under this section.

6. Save as is specially provided in this Ordinance, every person who carries on in any shop or place of business any trade for which one of the licences specified in Part I of the First Schedule to this Ordinance is required to be taken out shall take out a separate licence at the rate prescribed in that Schedule in respect of every shop or place of business in which that trade is carried on.

7. Licences may be issued by any Magistrate or other duly authorised public officer on application being made to him as hereinafter provided.

8. (1) An application form must in every case be completed by the applicant for a licence or by his duly authorised representative. All licences and applications for licences shall be in such form as the Secretary may from time to time prescribe.

(2) Every application for a licence and every licence issued must disclose *inter alia*:

- the full name of the individual to whom the licence is to be issued;
- in the case of a firm, the full names of each member of the firm;
- in the case of a partnership, the full names of each of the partners;
- in the case of a Joint Stock Company or Co-operative Society, the full names of the Directors and of the Manager or Secretary;
- a description of the trade, or occupation in respect of which the licence is required.

In addition such application and licence shall contain the full name or style under which and the address at which the trade or occupation is to be carried on.

9. (1) A Court (hereinafter called a "licensing Court") for the consideration of applications for or relating to the granting or removal, of any licence mentioned in Part I of the First Schedule to this Ordinance (save and excepting temporary licences) is hereby constituted and shall be held in and for each district of the Territory, on the first Wednesday in the months of March, June, September and December in each year, the said Court consisting of the Magistrate of the District.

(2) Applications for the granting, or removal of such licences as aforesaid must be made on the prescribed form to the Magistrate or other duly authorised officer concerned at least one month before the sitting of the licensing Court at which such application is to be considered, and must be accompanied by a deposit sufficient to cover the expense connected with the newspaper notice mentioned in the next succeeding sub-section, which said expense shall be borne by the applicant: Provided that late applications may be accepted up to twenty-one days before such sitting on payment of such penalty, not amounting to a sum greater than the annual licence duty payable in respect of the licence concerned, as the aforesaid Magistrate or other duly authorised officer may decide.

(3) On receipt of any such application as aforesaid, the Magistrate or other duly authorised officer concerned shall cause a notice to be posted in some conspicuous place at or in his office, and to be published in a newspaper circulating in his district, containing the name of the applicant, the description of the premises referred to in the application, the nature of the application, and the day on which and the place where the Court will sit for hearing such application.

Such notice shall be posted and published at least fourteen days before the sitting of the said Court.

(4) Ingeval dat die applikant vir enige lisensie sterwe of insolvent gaan nadat hy vir die uitreiking, oordrag of verwijdering van 'n lisensie applikasie gemaak het, maar op of voor die dag wanneer sodanige applikasie deur die lisensiehof oorweeg moet word, mag sodanige Hof, as dit goedvind, applikasie toestaan soos uit naam van die weduwee van enige oorlede applikant, of aan die eksekuteur, *curator bonis*, of kurator, soos die geval mag wees, van die boedel van sodanige applikant. Daarna is die bepalings van sub-artikel (1) van artikel vyftien mutatis mutandis van toepassing ten opsigte van sodanige lisensie.

(5) Enige belanghebbende persoon mag skriftelik of persoonlik op enige vergadering van die Licensiehof beswaar maak teen die toestaan van enige sodanige applikasie as voormeld; en sodanige beswaar word behoorlik deur die Hof oorweeg.

(6) Die Hof mag na goedvindende beslis om die lisensie waarvoor applikasie gemaak is, te verleen, weier of op 'n ander wyse handel. Die Hof mag die rapport van 'n polisie, stadsingenieur of mediese beampete ten opsigte van die wenslikheid om sodanige applikasie toe te staan, inroep en in oorweging neem ten einde die Hof in staat te stel om sy beslissing te maak. Waar enige bedryf uitgeoefen word of uitgeoefen sal word op 'n sekere perseel, moet die lisensie, indien dit uitgereik word, ten opsigte van sodanige perseel verleen word.

10. Tydelike lisensies soos in artikel *actien* bepaal, en die lisensies in Deel II van die Eerste Bylae genoem, mag verleen, geweier of andersins daarmee gehandel word deur die Magistraat of ander behoorlik gemagtigde amptenaar aan wie die applikasie gemaak word, uit die hand en te enige tyd. Applikasies vir sodanige lisensies moet op die voorgeskreve vorm gemaak word en die bepalings van sub-artikel (6) van die voorgaande artikel is mutatis mutandis ten opsigte van sodanige applikasies van toepassing.

11. Enige gekrenkte persoon het die reg van appèl van enige beslissing van die Hof ooreenkomsdig artikel *nege* of van die Magistraat of ander behoorlik gemagtigde amptenaar ooreenkomsdig artikel *tien* aan die Administrateur in Uitvoerende Komitee, wat nadat hy enige redes deur die Hof of die Magistraat of ander behoorlik gemagtigde publieke amptenaar, soos die geval mag wees, ingeroep en oorweeg het, sodanige beslissing mag bekragtig of verwerp: Met die verstande dat wanneer die Hof, of die Magistraat of ander behoorlik gemagtigde amptenaar, soos die geval mag wees, geweier het om 'n nuwe lisensie ten opsigte van 'n bestaande besigheid uit te reik, sodanige besigheid verder mag voortbestaan, hangende die besluit van enige appèl soos voormeld, onder die voorwaarde dat kennisgewing van voorname van appèl aan die betrokke Magistraat of amptenaar gegee word en dat sodanige appèl binne veertien dae nadat die applikant in kennis gestel is dat sy applikasie geweier is, voortgesit word.

12. Wanneer enige lisensie op agtelosige wyse uitgereik is of nie in ooreenstemming met die bepalings van hierdie Ordonnansie, is sodanige lisensie van nul en gener waarde, en die persoon op wie se naam sodanige lisensie uitgereik is, word geag ongelisensiér te wees.

13. 'n Offisiële register van die lisensies in elke distrik uitgereik kragtens hierdie Ordonnansie, wat al die informasie waarna in artikel *agt* verwys word, asook die datum van uitreiking en die nommer van die lisensie moet bevat, moet deur die Magistraat van sodanige distrik gehou word. Sodanige register moet te alle redelike tye ter insage oopèle vir enige blanke lid van die Polisie van Suidwes-Afrika of enige behoorlik gemagtigde publieke amptenaar.

14. Die lisensies in die Tweede Bylae van hierdie Ordonnansie gespesifiseer mag nie sonder die goedkeuring van die Administrateur, gegee onder die hand van die Sekretaris van Suidwes-Afrika, verleen word nie ten opsigte van Kroonlande of enige gebied, waaromtrek ingevolge die regulasies hieronder opgestel verklaar kan word dat dit 'n naturelle-reservaat vir die doeleindes van hierdie Ordonnansie is. Die Administrateur kan verder by regulasie die voorwaardes voor-skrywe, waaronder sodanige lisensie toegestaan sal word, watter voorwaardes deur die Magistraat of ander behoorlik gemagtigde publieke amptenaar wat dit uitgee, op die lisensie geëndosseer moet word.

15. (1) Ingeval van die dood van enige lisensiehouers mag die weduwee of wewenaar of eksekuteur van die oorlede persoon, en in geval daar geen eksekuteur aangestel is nie, enige *curator bonis* aangestel deur die Meester van die Hoogregshof om die boedel van sodanige oorlede persoon te beheer, of enige persoon deur die Magistraat goedgekeur, en in geval van insolvensie of boedelafstand die trustee of kurator van die boedel van sodanige persoon, en in geval van 'n maatskappy in likwidasie die likwidateur, en in enige geval

(4) In case the applicant for any licence shall die or shall become insolvent after applying for the grant, transfer or removal of a licence, but on or before the day for considering such application by the licensing Court, such Court may, if it shall think fit, grant the application as on behalf of the widow of any deceased applicant, or to the executor, *curator bonis*, or trustee, as the case may be, of the estate of such applicant. Thereafter the provisions of sub-section (1) of section fifteen shall apply mutatis mutandis in respect of such licence.

(5) Any interested party may object in writing or personally at any meeting of the licensing Court to the granting of any such application as aforesaid; and such objection shall be duly considered by the Court.

(6) The Court may in its discretion decide to grant, refuse or otherwise deal with the licence applied for. In arriving at its decision the Court may call for and take into consideration a police, town engineer or medical officer's report with regard to the desirability of granting such application. Where any trade is carried on or is to be carried on at certain premises, the licence if issued shall be granted in respect of such premises.

10. Temporary licences as provided for in section eighteen, and the licences mentioned in Part II of the First Schedule, may be granted, refused or otherwise dealt with by the Magistrate or other duly authorised officer to whom application is made, out of hand and at any time. Applications for such licences must be made on the prescribed form and the provisions of sub-section (6) of the preceding section shall apply mutatis mutandis in regard to such applications.

11. From any decision of the Court under section nine or of the Magistrate or other duly authorised officer under section ten, any aggrieved party will have the right of appeal to the Administrator in Executive Committee, who may after calling for and considering any reasons given by the Court or the Magistrate or other duly authorised public officer, as the case may be, confirm or set aside such decision: Provided that where the Court, or the Magistrate or other duly authorised officer, as the case may be, has refused to issue a fresh licence in respect of an existing business, such business may continue to operate, pending the decision of any appeal as aforesaid, on condition that notice of intention to appeal is given to the Magistrate or officer concerned and that such appeal is prosecuted within fourteen days after the applicant is informed that his application has been refused.

12. If any licence is issued inadvertently or not in conformity with the provisions of this Ordinance such licence shall be null and void, and the person in whose name such licence has been issued shall be deemed to be unlicensed.

13. An official record of the licences issued in each district under this Ordinance, which shall contain all the information referred to in section eight, as also the date of issue and number of licence, shall be kept by the Magistrate of such district. Such record shall at all reasonable times be open to inspection by any European member of the South West Africa Police or any duly authorised revenue officer.

14. The licences specified in the Second Schedule to this Ordinance shall not be granted in respect of Crown Land or any area which in pursuance of regulations framed hereunder may be declared a Native Reserve for the purposes of this Ordinance, without the sanction of the Administrator issued under the hand of the Secretary for South West Africa. The Administrator may by regulation further prescribe the conditions under which such licence shall be granted, which conditions shall be endorsed upon the licence by the Magistrate or other duly authorised public officer issuing the same.

15. (1) In the event of the death of the holder of any licence, the widow or widower or executor of the deceased person, and failing the appointment of an executor, any *curator bonis* appointed by the Master of the High Court for taking charge of the estate of such deceased person or any person approved by the Magistrate, and in case of insolvency or assignment the trustee or assignee of the estate of such person, and in case of a

waar die houer onder enige wetlike onbevoegdheid kom, enige *curator bonis* benoem kragtens enige order van die Hof, sonder betaling van enige fooi 'n oordragslisensie van die betrokke Magistraat of ander behoorlik gemagtigde amptenaar kry om die bedryf of beroep ten opsigte waarvan die bestaande lisensie uitgereik is, vir die onverstneke tyd deur sodanige lisensie gedeck, en na betaling van lisensieregte vir sodanige verdere tydperk as wat nodig mag wees vir die voordelige likwidasie van die boedel. Die bestaande lisensie moet daarna gekanselleer en teruggehou word as bewys van die uitreiking van die oordragslisensie.

(2) Ingeval een of meer van die vennote wat voor die 31ste dag van Desember in enige jaar ten opsigte waarvan 'n lisensie aan sodanige vennootskap uitgereik is, uit 'n vennootskap uittree, kan die orige vennoot of vennote van die vennootskap, na betaling van 'n fooi van een pond 'n oordragslisensie van die betrokke Magistraat of ander behoorlik gemagtigde amptenaar kry om die bedryf of beroep ten opsigte waarvan die bestaande lisensie uitgereik is, vir die onverstneke tyd deur sodanige lisensie gedeck, uit te oefen, behalwe dat ingeval van enige lisensie van die waarde van £1 of minder die oordragslisensieregte die som van vyf sielings moet bedra. Die bestaande lisensie moet daarna gekanselleer en teruggehou word as bewys van die uitreiking van die oordragslisensie: Met die verstande dat enige verandering in die lidmaatskap van 'n vennootskap veroorsaak deur die toelating van 'n nuwe vennoot, die uitneming van 'n nuwe lisensie nodig maak.

16. Enige persoon wat 'n bestaande besigheid waarvoor 'n lisensie uitgereik is ten opsigte van sekere persele oorgeneem het of voorinemens is om sodanige besigheid oor te neem, kan aansoek doen vir 'n nuwe lisensie ten opsigte van sodanige besigheid, nadat bewys gelewer is dat die teenswoordige houer 'n kennisgewing van veertien dae van sy voorname om die voormalde besigheid te verkoop of oor te dra, met die naam van die distrik en straat of plek waar die voormalde besigheid geleë is, in die Offisiële Koerant geplaas het en in een koerant wat in die distrik waarin sodanige besigheid uitgeoefen word, sirkuleer. Na uitreiking van 'n nuwe lisensie aan die konssessionaris van sodanige besigheid word die bestaande lisensie geag outomatis gekanselleer te wees.

17. As die houer van enige bedryfs- of beroepslisensie wat ten opsigte van sekere perseel verleen is, te enige tyd wens om sy besigheid gedurende die voortbestaan van 'n lisensie na 'n ander perseel in dieselfde distrik te verwijder, kan hy van die Licensiehof, nadat bewys gelewer is dat sodanige bedryf of beroep inderdaad op die plek waarvoor sodanige lisensie verleen is, gestaak is, 'n lisensie vir verwijdering na die nuwe adres in ruiling vir die bestaande lisensie kry. Die bestaande lisensie word daarna gekanselleer en teruggehou as 'n bewys vir die uitreiking van die verwyderingslisensie. 'n Vordering van tien sielings word vir elke verwyderingslisensie gemaak.

As enige persoon soos voormeld van die perseel in sy lisensie genoem wegtrek en versuim of nalaat om 'n verwyderingslisensie te verkry, word die bestaande lisensie van null en gener waarde en die persoon in wie se naam sodanige lisensie uitgereik is, word geag ongelisensieer te wees.

Die bepalings van artikel *nege* is van toepassing ten opsigte van applikasies ooreenkomsdig hierdie artikel gemaak.

18. Aan enige persoon wat die houer van 'n lopende lisensie ten opsigte van enige van die volgende bedrywe is, en wat wens om sy bedryf uit te oefen op enige tentoonstelling of vertoning deur enige landbou of industriële organisasie gehou, kan na betaling van die som van tien sielings 'n tydelike lisensie ten opsigte van die bedryf waarvoor hy 'n lisensie hou, verleen word. 'n Aparte lisensie is nodig vir elke standplaas en is beskikbaar vir 'n tydperk van drie dae:

Bakker,
Slagter,
Handelaar in vars produkte,
Algemene handelaar,
Wildhandelaar,
Houer van 'n restaurant, verversings- of teekamer.

Met die verstande dat die Sekretaris bevoeg sal wees, op aansoek aan hom gerig, om enige persoon wat tydelik enige van die bovemelde bedrywe, of die bedryf van spuit- of mineraalwater-handelaar uitoefen van die betaling van lisensieregte vry te stel, hetsy op 'n tentoonstelling of vertoning soos voormeld of elders, as die opbrengs van sodanige bedryf, nadat die redelike onkoste afgetrek is, heeltemal bestee word.

- (a) aan godsdiestige, liefdadigheids- of opvoekundige doeleindes in hierdie Gebied, of
- (b) aan 'n klub of vereniging wat vir die bevordering van atletiek of enige ooplugspel of spelletjie in die lewe geopen is.

company in liquidation the liquidator, and in any case where the holder comes under any legal disability, any *curator bonis* appointed under any Order of Court, may, without payment of any fee, obtain a transfer licence from the Magistrate or other duly authorised officer concerned to carry on the trade or occupation in respect of which the existing licence was issued, for the unexpired term covered by such licence, and, on payment of licence duty, for such further period as may be required for the beneficial winding up of the estate. The existing licence shall thereupon be cancelled and retained as a voucher for the issue of the transfer licence.

(2) In the event of one or more of the partners retiring from a partnership before the 31st day of December in any year in respect of which a licence was issued to such partnership, the remaining partner or partners of the partnership may, on payment of a fee of one pound, obtain a transfer licence from the Magistrate or other duly authorised officer concerned to carry on the trade or occupation in respect of which the existing licence was issued, for the unexpired term covered by such licence, except that in the case of any licence of the value of £1 or less, the transfer licence duty shall be the sum of five shillings. The existing licence shall thereupon be cancelled and retained as a voucher for the issue of the transfer licence: Provided that any change in the membership of a partnership occasioned through the admission of a new partner shall necessitate the taking out of a new licence.

16. Any person who has acquired or proposes to acquire an existing business, for which a licence has been issued in respect of certain premises, may apply for a new licence in respect of such business, upon proof that the present holder has given fourteen days notice of his intention to sell or transfer the said business, with the name of the district and street or place where the said business is situated, in the Official Gazette and in one newspaper circulating in the district in which such business is carried on. Upon issue of a new licence to the transferee of such business, the existing licence shall be deemed to be automatically cancelled.

17. If at any time during the continuance of a licence the holder of any trade or occupational licence which has been granted in respect of certain premises, desires to remove his business to other premises in the same district, he may obtain from the Licensing Court, on proof that such trade or occupation has in fact been discontinued at the place for which such licence was granted, a removal licence to the new address in exchange for the existing licence. The existing licence shall thereupon be cancelled and retained as a voucher for the issue of the removal licence. A charge of ten shillings for each removal licence shall be made.

If any such person as aforesaid shall remove from the premises mentioned in his licence and shall neglect or omit to obtain a removal licence the existing licence shall be null and void and the person in whose name such licence was issued shall be deemed to be unlicensed.

The provisions of section *nine* shall apply in respect of applications made in terms of this section.

18. Any person being the holder of a current licence in respect of any of the following trades, who desires to trade at any exhibition or show held by any agricultural or industrial organisation may be granted a temporary licence in respect of the trade for which he holds a licence upon payment of the sum of ten shillings. A separate licence shall be required for each stand and shall be available for a period of three days:

Baker,
Butcher,
Fresh Produce Dealer,
General Dealer,
Game Dealer,
Restaurant, Refreshment or Tea Room Keeper.

Provided that it shall be competent for the Secretary, upon application made to him, to exempt from payment of licence duty any person exercising temporarily any of the above-mentioned trades, or the trade of aerated or mineral water dealer, whether at an exhibition or show as aforesaid or elsewhere, if the proceeds of such trade, after the deduction of reasonable expenses, are to be devoted wholly—

- (a) to religious, charitable or educational purposes in this Territory; or
- (b) to a club or society formed for the advancement of athletics or any outdoor game or games.

19. Elke houer van enige bedryfs- of beroepslisensie moet sy naam aan die buitekant van enige winkel of plek waarin die bedryf of beroep uitgeoefen word, skilder of aanheg, en sodanige naam moet op 'n in die oog vallende plek en in maklik leesbare letters geskilder of aangeheg gehou word. Geen ongelisensiëerde persoon mag enige woorde of letters op 'n winkel of besigheidsplek hê nie wat te kenne gee dat hy gelisensiëer is.

20. Wanneer lisensieregte ten opsigte van enige lisensie kragtens hierdie Ordonnansie uitgereik gedeeltelik op omset geskat word, moet sodanige omset die totale bedrag van bruto verkopinge in 'n besigheid gedurende elke jaar vir die tydperk van twaalf maande eindigende op die 30ste dag van Junie in die jaar wat die betaling van lisensieregte voorafgaan, wees:

Met die verstande dat —

- (1) In die geval van 'n nuwe besigheid net die minimum lisensie betaalbaar is, totdat die tydperk gedurende welke 'n bedryf uitgeoefen is, dit moontlik maak dat 'n omset vasgestel kan word; daarna is 'n belasting op omset verskuldig en betaalbaar selfs as die lisensie nie hernu is nie, asof die lisensie feitlik hermu is.
- (2) In die geval van 'n besigheid wat vir 'n tydperk van minder as twaalf maande voor die 30ste dag van Junie in enige jaar uitgeoefen is, moet die lisensieregte op die bedrag van die omset gedurende sodanige werklike tydperk van bedryfsuitoefening gehef word.
- (3) In die geval van 'n besigheid wat vir 'n tydperk van twaalf maande voor die 30ste dag van Junie in enige jaar uitgeoefen is, moet die lisensieregte op die bedrag van omset gedurende daardie tydperk gehef word.
- (4) In die geval van goedere wat in die Gebied gekoop en buitekant die Gebied verkoop word, mag sulke verkopinge nie in die berekening van die omset ingesluit word nie.

Vir die doel om omset te bereken, sluit die uitdrukking "bruto verkopinge" ruilhandel-transaksies in, asook huurkontrakte van goedere met 'n opsie om hulle te koop, as ooreenkomsdig sodanige huurkontrakte die huur deur die huurder betaal in werklikheid geheel of gedeeltelik 'n paaiement van die uiteindelike koopsom is.

21. Dit is die plig van elke persoon wat enige besigheid drywe ten opsigte waarvan die betaalbare lisensieregte op omset, bruto ontvangste of inkope bereken word, om —

- (1) die Magistraat van die distrik waar die lisensie ten opsigte van die betrokke besigheid uitgereik is, vir die jaar wat die betaling van lisensieregte voorafgaan, te voorsien van opgawe vir die berekening van sodanige regte in die vorm soos by regulasie voorgeskrywe is. Die voormalde opgawe moet voor die 30ste dag van September in elke jaar verskaf word.
- (2) Behoorlike boeke te hou en om altyd vragbrieve, fakture en ander dokumente wat al die nodige besonderhede aangaande omset, bruto ontvangste of inkope gee, by die hand te hê.

22. (1) Vir die doel om homself te oortuig aangaande die juistheid van enige informasie bevat in die opgaaf waarna in artikel een-en-twintig verwys is, mag die Magistraat van die betrokke distrik of enige ander behoorlik gemagtigde publieke amptenaar van die lisensiehouer verlang dat hy enige boeke, rekenings, aktes, bedryfslysste, voorraadslysste of ander dokumente wat hy nodig mag ag vir die doel om die bedrag van die omset, bruto ontvangste of inkope vas te stel en om die raming te maak, vir sy inspeksie voorlê.

(2) Ingeval die informasie deur die lisensiehouer gelever ooreenkomsdig subartikel (1) hiervan onvoldoende is om die voormalde Magistraat of ander behoorlik gemagtigde publieke amptenaar in staat te stel om die juistheid van enige informasie in die voormalde opgaaf bevat vas te stel, moet die voormalde Magistraat of amptenaar sodanige skattung van omset, bruto ontvangste of inkope maak, as hy mag ag gepas te wees en die betaalbare lisensieregte op sodanige skattung bereken. Enige berekening van lisensieregte aldus deur die Magistraat of ander behoorlik gemagtigde publieke amptenaar gedoen, is onderhewig aan appèl ooreenkomsdig die bepalings van artikel elf.

23. Dit is wettig vir 'n blanke lid van die Polisie van Suidwes-Afrika of 'n magistraat of ander behoorlik gemagtigde publieke amptenaar om te enige redelike tyd van 'n persoon wat enige bedryf of beroep uitgeoefen waarvoor 'n lisensie kragtens hierdie Ordonnansie benodig is, te verlang dat hy die nodige lisensie voorlê, en tensy sodanige persoon op aanvraag 'n behoorlike lisensie wat dan geldig is voorlê of die Hof kan oortuig dat ten tyde van die aanvraag hy die wettige houer van 'n lisensie was, is hy blootgestel aan die boetes hierin voorgeskrywe weens uitoefening van 'n bedryf of beroep sonder dat hy vooraf die besondere lisensie of lisensies te dien behoeue vereis uitgeneem het.

19. Every holder of any trade or occupational licence shall have his name painted or affixed on the outside of any shop or place in which the trade or occupation is carried on, and such name shall be kept painted or affixed in a conspicuous place and in letters easily legible. No person not licensed shall have any words or letters on a shop or place of business, purporting that he is licensed.

20. When licence duty in respect of any licence issued under this Ordinance is assessed partly on turnover, such turnover shall be the total amount of gross sales in a business during each year for the period of twelve months ending on the 30th day of June in the year preceding the payment of licence duty: Provided —

- (1) In the case of a new business the minimum licence only shall be payable until the period during which trading has been carried on will admit of turnover being ascertained; thereafter a tax on turnover will be due and payable, even if the licence is not renewed, as if the licence had in fact been renewed.
- (2) In the case of a business which has been carried on for a period less than twelve months prior to the 30th day of June in any year the licence duty shall be levied on the amount of turnover during such actual period of trading.
- (3) In the case of a business which has been carried on for a period of twelve months prior to the 30th day of June in any year, the licence duty shall be levied on the amount of turnover during that period.
- (4) In the case of goods purchased in the Territory which are sold outside the Territory, such sales shall not be included in the calculation of turnover.

For the purpose of assessing turnover, the term "gross sales" shall include transactions of barter, as well as leases of goods with an option of purchase, if in terms of such leases the rent paid by the lessee is, in effect, wholly or partly an instalment of the ultimate purchase price.

21. It shall be the duty of every person carrying on any business in respect of which the licence duty payable is assessed on turnover, gross receipts or purchases —

- (1) to furnish the Magistrate of the District where the licence in respect of the business concerned was issued, as for the year preceding the payment of licence duty, with returns for the assessment of such duty in the form as prescribed by regulation. The said returns shall be furnished before the 30th day of September in each year;
- (2) to keep proper books and to have at hand at all times waybills, invoices and other documents giving all necessary particulars with regard to turnover, gross receipts or purchases.

22. (1) For the purposes of satisfying himself as to the correctness of any information contained in the return referred to in section twenty-one, the Magistrate of the district concerned or any other duly authorised public officer may require the licensee to produce for his inspection any books, accounts, deeds, trade-lists, stock-lists or other documents which he may deem to be necessary for the purpose of ascertaining the amount of turnover, gross receipts or purchases and of making the assessment.

(2) In the event of the information furnished by a licensee in accordance with sub-section (1) hereof being insufficient to enable the aforesaid Magistrate or other duly authorised public officer to determine the correctness of any information contained in the aforesaid return, the said Magistrate or officer shall make such an estimate of turnover, gross receipts or purchases as he may think to be proper and assess the licence duty payable on such estimate. Any assessment of licence duty so made by the Magistrate or other duly authorised public officer shall be subject to appeal in accordance with the provisions of section eleven.

23. It shall be lawful for a European member of the South West Africa Police, or a Magistrate or other duly authorised public officer at any reasonable time to demand from a person carrying on any trade, or occupation for which a licence is required under this Ordinance, the production of the necessary licence, and unless such person shall upon demand produce a proper licence then in force or is able to satisfy the Court that at the time of demand he was the lawful holder of a licence, he shall be liable to the penalties herein prescribed for carrying on a trade or occupation without having previously taken out the particular licence or licences in that behalf required.

Vir die doeleindes van hierdie artikel mag 'n inkomstekertikaat deur die regte amptenaar geteken in plaas van 'n lisensie aangeneem word.

24. In enige vervolging weens oortreding van enige artikel van hierdie Ordonnansie deurdat enigets sonder lisensie gedoen is, is dit vir die vervolger *prima facie* voldoende om 'n sertikaat voor te teekendeur die amptenaar wat toentertyd belas was met die plig om die offisiële register van lisensies uitgereik in die distrik waarin beweer word dat die oortreding begaan is, behelsende dat sy naam nie daarin as lisensiehouer voorkom nie; maar dit is vir sodanige beskuldigde persoon wettig om sodanige getuenis te weerlê deur bewys te lewer dat hy die gesagraafte tyd waarmontrent beweer word dat hy die misdryf gepleeg het, feitlik die wettige houer van sodanige lisensie was.

25. Enige persoon wat enige bedryf of beroep uitoefen sonder dat hy in besit is van 'n lisensie soos deur hierdie Ordonnansie vereis, is skuldig aan 'n misdryf en is na skuldigbevinding blootgestel aan 'n boete van hoogstens drie maal die bedrag van die onbetaalde regte of, by wanbetaling, aan gevengenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande, of aan albei, sodanige boete en sodanige gevengenisstraf.

26. Enige persoon wat 'n lisensie kragtens hierdie Ordonnansie verkry of probeer om te verkry deur enige valse voorstellinge in sy applikasie te maak, of deur enige onwaardheid, bedrog, bedriegery of lis, is skuldig aan 'n oortreding en is na skuldigbevinding blootgestel aan 'n boete van hoogstens £50, of aan gevengenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens ses maande of aan albei, sodanige boete en sodanige gevengenisstraf.

27. Enige persoon wat skuldig is aan die oortreding van enige bepaling van hierdie Ordonnansie of van enige regulasie daaronder opgestel waarvoor geen ander strafbepaling voorseen is nie, is blootgestel aan 'n boete van hoogstens £50, of, by wanbetaling, aan gevengenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens ses maande.

28. Dit sal binne die diskresie van enige bevoegde hof lê om enige lisensie onder die bepaling van hierdie Ordonnansie uitgereik as 'n addisionele straf te kanselleer, nadat enige houer van sodanige lisensie skuldig gevind is aan oortreding van enige bepaling van hierdie Ordonnansie of van "De Drank Licentie Proklamatie 1920", soos gewysig van "De Pblieke Gezondheids Wet 1919", soos op hierdie Gebediening deur "De Pblieke Gezondheids Proklamatie 1920" toegepas.

29. Vir die doeleinde van hierdie Ordonnansie —
beteken "behoorlik gemagtigde inkomste-amptenaar" of "behoorlik gemagtigde publieke amptenaar" 'n amptenaar deur die Sekretaris gemagtig om in sodanige hoedanigheid te handel;
sluit "persoon" in 'n firma, venootskap, maatskappy of koöperatiewe vereniging;
sluit "magistraat" in 'n assistent-magistraat en addisionele magistraat;
beteken "Sekretaris" die Sekretaris vir Suidwes-Afrika;
sluit "hierdie Ordonnansie" in die bylae en die regulasies daaronder uitgevaardig.

30. Die Administrateur kan regulasies uitvaardig vir die behoorlike uitvoering van die oogmerke en doeleindes van hierdie Ordonnansie, en kan voorsiening maak vir strafbepalinge weens die oortreding van sodanige regulasies.

31. Die wette opgenoem in die Derde Bylae van hierdie Ordonnansie word hiermee herroep vanaf die 1ste dag van Januarie 1936, in die omvang uiteengesit in die derde kolom van daardie Bylae, met die verstande dat die Regulasies kragtens sodanige wette opgestel nieteenstaande sodanige herroeping in krag bly, totdat hulle herroep word en dat hulle vir alle doeleindes geag word regulasies te wees wat kragtens die bepalings van hierdie Ordonnansie opgestel is.

32. Hierdie Ordonnansie kan aangehaal word as die Konsolidasie-Ordonnansie betreffende Lisensies 1935 en tree in werking vanaf die 1ste dag van Januarie 1936.

EERSTE BYLAE.

DEEL I. BEDRYFSLISENSIES.

Item 1.

Vervaardigers van spuit- of mineraalwater . . .	£1.
Boonop £2 as die jaarlikse omset ten minste £250 is.	

For the purposes of this section a certificate of revenue under the hand of the proper officer may be accepted in lieu of a licence.

24. In any prosecution for infringement of any section of this Ordinance by doing anything without a licence, it shall be *prima facie* sufficient for the prosecutor to produce a certificate signed by the officer for the time being charged with the duty of keeping the official record of licences issued in the district in which the offence is alleged to have been committed, to the effect that his name does not appear therein as the holder of a licence; but it shall be lawful for such accused person to rebut such evidence by proof that he was in fact, at the time he was alleged to have committed the offence, the lawful holder of such licence.

25. Any person who carries on any trade, or occupation without being in possession of a licence as required by this Ordinance shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three times the amount of the unpaid duty or in default of payment to imprisonment with or without hard labour for a period not exceeding three months, or to both such fine and such imprisonment.

26. Any person who obtains or endeavours to obtain a licence under this Ordinance by making any false representation in his application, or by any falsehood, fraud, art or contrivance whatever, shall be guilty of an offence and liable on conviction to a fine not exceeding £50, or to imprisonment with or without hard labour for a period not exceeding six months, or to both such fine and such imprisonment.

27. Any person guilty of the contravention of any provision of this Ordinance or of any regulation framed thereunder for which no other penalty has been provided shall be liable to a fine not exceeding £50 or in default of payment to imprisonment with or without hard labour for a period not exceeding six months.

28. It shall be within the discretion of any competent Court to cancel any licence issued under the provisions of this Ordinance as an additional penalty upon the conviction of any holder of such licence for contravention of any of the provisions of this Ordinance, or of the Liquor Licensing Proclamation, 1920, as amended, or of the Public Health Act, 1919, as applied to this Territory by the Public Health Proclamation, 1920.

29. For the purposes of this Ordinance—

"duly authorised revenue officer" or "duly authorised public officer" shall mean an officer authorised by the Secretary to act in such capacity;

"person" shall include a firm, partnership, company or co-operative society;

"Magistrate" shall include Assistant Magistrate and Additional Magistrate;

"Secretary" shall mean the Secretary for South West Africa;

"this Ordinance" shall include the Schedules and the regulations made thereunder.

30. The Administrator may make regulations for the proper carrying out of the objects and purposes of this Ordinance, and may provide penalties for the contravention of such regulations.

31. The laws set out in the Third Schedule to this Ordinance are hereby repealed as from the 1st day of January, 1936, to the extent set out in the third column of that Schedule, provided that the Regulations framed under such laws shall notwithstanding such repeal remain in force until repealed, and shall be deemed for all purposes to be regulations framed under the provisions of this Ordinance:

32. This Ordinance may be cited as the Licences Consolidation Ordinance, 1935, and shall take effect as from the 1st day of January, 1936.

FIRST SCHEDULE.

PART I. TRADING LICENCES.

Item 1.

Aerated or Mineral Water Manufacturers . . .	£1.
In addition £2, if annual turnover is at least £250.	

Hierdie lisensie is benodig deur elke persoon wat vir die doel van verkoop vervaardig enige spuit- of mineraalwater, gemberbier, hopbier, weissbier of ander drank van soortgelyke aard, die verkoop waarvan nie onderhewig gemaak is aan die besit van 'n lisensie kragtens enige wet betreffende die verkoop van bedwelmende drank nie.

Item 2.

Handelaar in spuit- of mineraalwater £2.

(1) Hierdie lisensie is benodig deur elke persoon, insluitende enige persoon gelisensiëer om wyn, spiritueëe of ander bedwelmende dranke te verkoop, wat spuit- of mineraalwater vir die vervaardiging waarvan 'n spuit- of mineraalwatervervaardigerslisensie benodig is, verkoop of verskaf, hetsy in hoeveelhede vir verbruik buite die perseel of opgedien in glase of ander vergaarbakke of afsonderlik of gemeng met enige bedwelmende drank of nie-bedwelmende likeurs.

(2) 'n Tydelike lisensie om spuit- of mineraalwater te verkoop kan verleen word aan enige persoon na betaling van die som van twee sielings en sikspens. Sodanige lisensie is geldig vir 'n tydperk van een dag.

Item 3.

Apteker £5.

Boonop £1 op elke £1000 of gedeelte daarvan van omset tot £5000, en £2 op elke £1000 of gedeelte daarvan van omset £5000 te boewe-gaande.

Maksimum toevoeging £300.

(1) Hierdie lisensie is benodig deur elke persoon wat enige geneeskruie of medisyne by die kleinmaat verkoop of verskaf, of wat resepte meng of klaarmaak, en is ook geldig vir die verkoop van mediese of heelkundige toestelle, fotografiese materiale, toiletbenodighede en sodanige ander artikels van soortgelyke aard wat gewoonlik deur persone verkoop word, wat besigheid van hierdie aard drywe.

(2) Hierdie lisensie word alleen uitgereik aan 'n persoon wat behoorlik geregistreer is as 'n bevoegde apteker en drogis kragtens die wette en regulasies betreffende mediese praktisyens en aptekers wat in hierdie Gebied van krag is: Met die verstande dat 'n lisensie aan 'n firma, vennootskap of maatskappy uitgereik kan word, as 'n behoorlik gekwalificeerde en geregistreerde apteker en drogis die toesig het oor 'n plek waar sodanige besigheid gedrywe word, wie se naam op die lisensie ten opsigte daarvan uitgereik, geëndosseer moet word.

(3) Hierdie lisensie is nie benodig deur mediese praktisyens ten opsigte van die meng en klaarmaak van hulle eie resepte nie.

Item 4.

Bakker £5.

Boonop £1 op elke £1000 of gedeelte daarvan van omset tot £5000, en £2 op elke £1000 of gedeelte daarvan van omset £5000 te boewe-gaande.

Maksimum toevoeging £300.

(1) Hierdie lisensie is benodig deur elke persoon wat die besigheid drywe van verkoop, hetsy by die groot- of kleinmaat, van brood, beskuit, koek of gebak deur hom vervaardig, maar is nie benodig deur die besitter van 'n algemene handelaarslisensie nie wat sodanige voormalde bakkersprodukte gebak en vervaardig op 'n plek of perseel van enige persoon wat 'n bakkerslisensie uitgeneem het, verkoop.

(2) 'n Licensie is nie benodig ten opsigte van die verkoop van enige brood, beskuit, koek of gebak nie wat deur sodanige bakker gebak of vervaardig is, deur enige bediende van 'n behoorlik gelisensiëerde bakker vanaf 'n aflewer-wa of kar.

Item 5.

Kos- en Losieshuishouer £1.

Boonop £4, as die jaarlike bruto inkomste ten minste £1000 is.

Hierdie lisensie is benodig deur elke persoon wat die besigheid van 'n kos- of losieshuishouer drywe, deurdat hy maaltye en losies verskaf aan andere vir geld of iets gelykswaardigs of wat die besigheid van die verhuur van verdiepingshuise of kamers drywe.

Die beginsels van artikel *twintig* van die Ordonnansie is *mutatis mutandis* van toepassing ten opsigte van die berekening van lisensieregte.

Vrystellinge:

- (1) Enige hotelhouer wat die wetlike houer is van 'n kleinhandel-dranklisensie of ligte-dranklisensie ooreenkomsdig "De Drank Licentie Proclamatie, 1920" (Proklamasie No. 6 van 1920) of enige wysiging daarvan.
- (2) Enige persoon wat 'n kos-, of losieshuis uitsluitlik vir skoolgaande kinders of studente hou.

This licence shall be required by every person who manufactures for the purpose of sale any aerated or mineral waters, ginger beer, hop beer, Weiss Bier, or other beverage of a similar nature the sale of which is not made subject to the holding of a licence under any law relating to the sale of intoxicating liquor.

Item 2.

Aerated or Mineral Water Dealer £2.

(1) This licence shall be required by every person, including any person licensed to sell by retail wines, spirits or other intoxicating liquors, who sells or supplies aerated or mineral waters for the manufacture of which an aerated or mineral water manufacturer's licence is required, whether in quantities for consumption off the premises or served in glasses or other receptacles either separately or mixed with any intoxicating liquor or non-intoxicating cordials.

(2) A temporary licence to sell aerated or mineral waters may be granted to any person on payment of the sum of two shillings and six pence. Such licence shall be available for a period of one day.

Item 3.

Apothecary £8.

In addition £1 on every £1000 or part thereof of Turnover up to £5000, and £2 on every £1000 or part thereof of Turnover exceeding £5,000.

Maximum addition £300.

(1) This licence shall be required by every person who sells or supplies by retail any drug or medicine, or who compounds or dispenses prescriptions and shall cover the sale of medical or surgical appliances, photographic materials, toilet requisites and such other articles of a like nature as are by custom sold by persons carrying on businesses of this nature.

(2) This licence shall only be issued to a person who is duly registered as a qualified chemist and druggist under the laws and regulations relating to medical practitioners and apothecaries in force in this Territory: Provided that a licence may be issued to a firm, partnership or company if a duly qualified and registered chemist and druggist is in charge of the place where such business is carried on, whose name shall be endorsed on the licence issued in respect thereof.

(3) This licence shall not be required by medical practitioners in respect of the compounding and dispensing of their own prescriptions.

Item 4.

Baker £5.

In addition £1 on every £1000 or part thereof of Turnover up to £5000, and £2 on every £1000 or part thereof of Turnover exceeding £5,000.

Maximum addition £300.

(1) This licence shall be required by every person who carries on the business of selling, whether by wholesale or by retail, bread, biscuits, cakes or pastry baked or made by him, but shall not be required by the holder of a general dealer's licence who sells such baker's products as aforesaid, which are baked and made at the place or premises of any person who shall have taken out a baker's licence.

(2) A licence shall not be required in respect of the sale by any servant of a duly licensed baker from a delivery van or cart of any bread, biscuits, cakes or pastry baked or made by such baker.

Item 5.

Boarding and Lodging House Keeper £1.

In addition £4, if annual gross receipts total at least £1000.

This licence shall be required by every person who carries on the business of a boarding or lodging house keeper by supplying meals and lodging to others for money or its equivalent or who carries on the business of letting residential flats or rooms.

The principles of section *twenty* of the Ordinance shall apply *mutatis mutandis* in regard to the assessment of licensing duty.

Exemptions:

- (1) Any hotel-keeper who is the lawful holder of a retail liquor licence or light liquor licence in terms of the Liquor Licensing Proclamation, 1920 (Proclamation No. 6 of 1920), or any amendment thereof.
- (2) Any person keeping or conducting a boarding or lodging house exclusively for school-going children or students.

Item 6.

Slagter: (1) Groothandel £50.

Boonop £1 op elke £1000 of gedeelte daarvan van omset tot £5000, en £2 op elke £1000 of gedeelte daarvan van omset £5000 te bowe-gaande.

Maksimum toevoeging £300.

(i) Hierdie lisensie is benodig deur elke persoon wat die besigheid drywe van vleis verkoop in groot hoeveelhede aan slagters wat by die kleinmaat verkoop.

(ii) Die houer van hierdie lisensie is geregtig om op die selfde besigheidsplek net die besigheid van slagter wat by die kleinmaat verkoop te drywe, sonder om die lisensie wat ten opsigte van sodanige besigheid vorderbaar is, uit te neem.

(2) Kleinhandel £5.

Boonop £1 op elke £1000 of gedeelte daarvan van omset tot £5000, en £2 op elke £1000 of gedeelte daarvan van omset £5000 te bowe-gaande.

Maksimum toevoeging £300.

Hierdie lisensie is benodig deur elke persoon wat besigheid drywe deur vleis of vis by die kleinmaat in 'n winkel of bepaalde plek te koop, aan te bied of uit te stal, of deur vleis of vis te koop, aan te bied vir aflewering vanaf enige ander plek: Met die verstande dat die besitter van 'n kleinmaat slagterlisensie worste, afval, ham, spek en gesout, bevriesde of ingelegde vleis of vis op grond daarvan mag verkoop.

Vrystellinge:

Hierdie lisensie is nie benodig nie ten opsigte van

(a) te koop, uitstal of aanbied van vleis op enige publieke of munisipale mark vir verkoop deur die markmeester of uit die hand ooreenkomsdig die markregulasies wat dan van krag is;

(b) verkope deur 'n groothandel-slagter op die besigheidsplek wat vir die drywe van sy groothandelbesigheid gelisensieer is.

Item 7.

Handelaar in vars produkte £2.

Hierdie lisensie is deur elke persoon benodig wat vrugte, neutie, vars groente, eiers, pluimvee, honing, brood, beskuit, koek en gebak (mits sodanige brood, beskuit, koek of gebak nie deur homself gebak of vervaardig is nie), suikergoed, lekkers of suiwelprodukte, mits die aldus verkooppte artikels die produk of fabrikaat van die Unie of Suidwes-Afrika is.

Item 8.

Wildhandelaar £4.

Hierdie lisensie is benodig deur elke persoon wat enige wild verkoop, verruil of te koop uitstal: Met die verstande dat niks in hierdie artikel bevat toepassing het op die verkoop, verruiling, smousery, of te koop uitstalling van enige wild deur die grondeienaar doodgemaak op die grond deur hom besit.

Vir die doeleindes van hierdie lisensie word wild-biltong geag "wild" te wees.

*Item 9.**Algemene Handelaar (Groot- of kleinhandel):*

As die omset £1000 nie te bowe gaan nie £ 7.10.0.

As die omset £1000 te bowe gaan £10. 0.0.

Boonop £1 op elke £1000 van omset of gedeelte daarvan £1000 te bowe gaande tot £5000 en £2 op elke £1000 van omset of gedeelte daarvan £5000 te bowe gaande.

Maksimum toevoeging £300.

Hierdie lisensie word benodig deur elke persoon wat 'n bedryf uitoefen of besigheid drywe in enige winkel, pakhuys of plek waar goedere, ware, koopware, boerderyprodukte of lewende hawe verkoop, verruil of uitgewissel of te koop vir verruiling of uitwisseling aangebied of uitgestal word:

(a) by die kleinmaat aan die algemene publiek, in die geval van 'n kleinhandel-lisensie;

(b) vir die levering in enige hoeveelheid aan behoorlik gelisensieerde handelaars, in die geval van 'n groothandel-lisensie.

Met die verstande dat die bedryf of besigheid wat aldus uitgeoefen of gedrywe word nie deur enige ander lisensie wat kragtens hierdie Ordonnansie uitreikbaar is, gedek is nie.

Met die verstande verder dat 'n groothandel-lisensie wanneer uitgereik, as volg geëndosseer moet wees:

"Net om transaksies by die grootmaat te dek."

Item 6.

Butcher: (1) Wholesale £50.

In addition £1 on every £1000 or part thereof of Turnover up to £5000, and £2 on every £1000 or part thereof of Turnover exceeding £5,000.

Maximum addition £300.

(i) This licence shall be required by every person who carries on the business of selling meat in large quantities to retail butchers.

(ii) The holder of this licence shall be entitled to carry on at the same place of business only the business of a retail butcher without taking out the licence chargeable in respect of such a business.

(2) Retail £5.

In addition £1 on every £1000 or part thereof of Turnover up to £5000, and £2 on every £1000 or part thereof of Turnover exceeding £5,000.

Maximum addition £300.

This licence shall be required by every person who carries on the business of offering or exposing meat or fish for sale by retail in a shop or fixed place or by offering meat or fish for sale for delivery from some other place: Provided that the holder of a retail butcher's licence may sell thereunder sausages, polonies, tripe, ham, bacon, and salted, frozen or preserved meat or fish.

Exemptions:

This licence shall not be required in respect of —

(a) exposing or offering for sale meat on any public or municipal market for sale by the market master or out of hand in accordance with market regulations for the time being in force.

(b) sales by a wholesale butcher at the place of business licensed for the conduct of his wholesale business.

Item 7.

Fresh Produce Dealer £2.

This licence shall be required by every person who sells in a shop or other premises fruit, nuts, fresh vegetables, eggs, poultry, honey, bread, biscuits, cakes and pastry (provided such bread, biscuits, cakes or pastry have not been baked or made by himself), confectionery, sweets or dairy produce, provided that the articles so sold are the produce or manufacture of the Union or of South West Africa.

Item 8.

Game Dealer £4.

This licence shall be required by every person who sells, barterers or exposes for sale any game: Provided that nothing in this section contained shall apply to the selling, bartering, hawking or exposing for sale by the owner of land of any game killed upon the land owned by him.

For the purpose of this licence game biltong shall be deemed to be game.

*Item 9.**General Dealer: (Retail or Wholesale):*

When the turnover does not exceed £1000 — £ 7.10.0.

When the turnover does exceed £1000 — £10. 0.0.

In addition £1 on every £1000 or part thereof of Turnover exceeding £1000 and up to £5000 and £2 on every £1000 or part thereof of Turnover exceeding £5000.

Maximum addition £300.

This licence shall be required by every person who carries on a trade or business in any shop, store or place where goods, wares, merchandise, farm produce or livestock are sold, bartered or exchanged or offered or exposed for sale, barter or exchange:

(a) by retail to the general public, in the case of a retail licence;

(b) for the supply in any quantity to duly licensed traders, in the case of a wholesale licence.

Provided that the trade or business so carried on is not covered by any other licence issuable under this Ordinance.

Provided further that a wholesale licence is endorsed as follows, when issued:

"To cover wholesale transactions only."

Vrystellinge:

- (i) 'n Boer of marktuinier ten opsigte van die verkoop van produkte deur homself aangekweek of gegroei.
(ii) 'n Vervaardiger, soos hierin later omskrywe, ten opsigte van die verkoop van goedere wat deur hom binne Suidwes-Afrika vervaardig of voortgebring is; onderhewig aan die bepalings van "De Brouwers en Distilleerders Licentie Belasting Proklamatie 1924" (Proklamasie No. 3 van 1924), of enige wysiging daarvan.

"Vervaardiger" beteken enige persoon of vereniging van persone of maatskappy wat binne Suidwes-Afrika besig is met die produksie van 'n klaargemaakte artikel van ruwe materiaal of van 'n verbinding van ander materiale.

- (iii) Enige houer of aannemer, ambagsman of enige ander persoon wat materiale of vaste uitrusting in nakoming van sy kontrak om enige werk te doen of as gedeelte van gedane werk of wat op bestelling net die produkte van sy eie bedrewenheid en werk verkoop.

*Item 10.***Smous —**

Om as 'n smous te handel net in een distrik buite munisipale gebiede	£5.
Vir elke rytuig, pakdier of draer een te bowe gaande	£1.
Om net met vrugte, vis, vars groente, roomys, eiers, pluimvee, heuning of suiwelprodukte in een distrik te smous —	
Buite munisipale gebiede, vir elke rytuig, pakdier of draer	5/-.
Binne een munisipale gebied, vir elke rytuig, pakdier of draer	5/-.

(1) 'n Smouslisensie is benodig deur elke persoon wat, hetsy as prinsipaal, agent of werknemer van enige persoon, die bedryf of besigheid uitoefen van enige goedere, ware, boerdery-produkte, vis, roomys, of koopware elders as op 'n bepaalde plek te koop, vir ruiling of uitwisseling aan te bied of uit te stal en wat vir daardie doel met goedere op 'n motorkar, wa, kar of ander rytuig (ander dan 'n kruiwa of voertuig deur homself voorbeweeg) of met 'n pakdier of draer van plek tot plek rondry.

Vrystellinge:

- (a) Enige persoon wat die produkte van grond waarvan hy die eienaar, huurder of bewoner is, of van sy eie lewende hawe te koop, vir ruiling of uitwisseling aanbied of uitstal; mits sodanige handel nie deur sodanige persoon gedrywe word nie deur middel van 'n agent ander dan 'n werknemer van sodanige persoon.
(b) Enige visser wat enige vis deur homself gevang te koop, vir ruiling of uitwisseling aanbied of uitstal.
(c) Enige persoon wat goedere op enige publieke of munisipale mark verkoop.
(d) Enige verkoper van net hout en sout.
(e) Enige straatverkoper van vuurhoutjies, skoenveters, blomme of koerante (met inbegrip van enige ander drukwerk wat nie 'n gebonde band is nie).
(f) Enige naturel woonagtig binne enige naturelle-reservaatgebied deur die Administrateur as sodanige verklaar ingevolge die bevoegdhede hom verleen by artikel elf van hierdie Ordonnansie, wat die bedryf of besigheid uitoefen van binne daardie gebied enige goedere, ware of koopware in die voormalde gebied gegroei of voortgebring te verkoop of te koop, vir ruiling of uitwisseling aan te bied of uit te stal.

(2) Wanneer die magistraat of ander behoorlik gemagtigde inkomste-amptenaar vir die distrik Rehoboth 'n smouslisensie verleen, kan hy dit verleen onderhewig aan die beperking dat sodanige lisensie nie geldig is nie vir die gebied wat die *Gebiet* genoem word in die Ooreenkoms vervat in die Bylae van Proklamasie van die Administrateur gedagteken die 28ste dag van September 1923 (Proklamasie No. 18 van 1923), soos uitgebrei deur artikel 14 van die Rehoboth-Gebiet-Aangeleenthede Proklamasie 1928 (Proklamasie No. 9 van 1928), (hierna "die Gebiet" genoem).

In sulke gevalle moet daar op die voorkant van sodanige lisensie die woorde "nie geldig vir handel in die Rehoboth-Gebiet nie" geskrywe word, en die regte wat op die lisensie betaalbaar is, is die som van £3.

(3) Enige smous wat enige goedere nie deur 'n lisensie gedek of nie vrygestel ooreenkomsdig paragraaf (1) hiervan nie, verkoop of daarmee smous, is skuldig aan 'n misdryf kragtens hierdie Ordonnansie.

Exemptions:

- (i) A farmer or market gardener in respect of the sale of produce raised or grown by himself.
(ii) A manufacturer as hereinafter defined in respect of the sale of goods manufactured or produced by him within South West Africa; subject to the provisions of the Brewers and Distillers Licences Duty Proclamation, 1924 (Proclamation No. 3 of 1924), or any amendment thereof.
 "Manufacturer" means any person or association of persons or company engaged within South West Africa in the production of a finished article from raw materials or from a combination of other materials.
(iii) Any builder or contractor, artisan or any other person who supplies materials or fixtures in fulfilment of his contract to do any work or as part of work done or who sells to order only the product of his own skill and labour.

*Item 10.***Hawker —**

To trade as a hawker in one district only outside Municipal Areas	£5.
For each vehicle, pack animal or carrier in excess of one	£1.
To hawk fruit, fish, fresh vegetables, ice cream, eggs, poultry, honey or dairy produce only — in one district —	
Outside municipal areas for each vehicle, pack animal or carrier	5/-.
Within one municipal area, for each vehicle, pack animal or carrier	5/-.

(1) A hawker's licence shall be required by every person who, whether as principal, agent, or employee of any person, carries on the trade or business of offering or exposing for sale, barter or exchange elsewhere than at a fixed place any goods, wares, farm produce, fish, ice cream or merchandise and for that purpose travels about from place to place with goods on a motor-car, wagon, cart or other vehicle (other than a hand-barrow or vehicle propelled by himself) or with a pack animal or carrier.

Exemptions:

- (a) any person who offers or exposes for sale, barter or exchange the produce of land of which he is the owner, lessee, or occupier, or of his own livestock: provided such trading is not carried on by such person through an agent other than an employee of such person;
(b) any fisherman who offers or exposes for sale, barter or exchange any fish caught by himself;
(c) any person selling goods at any public or municipal market;
(d) any seller of wood and salt only;
(e) any street vendor of matches, bootlaces, flowers or newspapers (including any other printed matter not being a bound volume);
(f) Any native resident within any native reserve area declared as such by the Administrator in pursuance of the powers conferred upon him by section eleven of this Ordinance who carries on the trade or business of selling or offering or exposing for sale, barter or exchange within that area any goods, wares or merchandise grown or produced in the said area.

(2) Whenever the Magistrate or other duly authorised revenue officer for the District of Rehoboth grants a hawker's licence he may grant it subject to the restriction that such licence shall not be available for the territory referred to as the *Gebiet* in the agreement set out in the Schedule to Proclamation of the Administrator dated the 28th day of September, 1923 (Proclamation No. 18 of 1923), as extended by section 14 of the Rehoboth Gebiet Affairs Proclamation, 1928 (Proclamation No. 9 of 1928), (hereinafter referred to as "the Gebiet").

In such cases there shall be written upon the face of such licence the words "not available for trading in the Rehoboth Gebiet"; and the duty payable upon the licence shall be the sum of £3.

(3) Any hawker selling or hawking any goods not covered by a licence or not exempted in terms of paragraph (1) hereof, shall be guilty of an offence under this Ordinance.

Item 11.

Wassery — Stoom	£1.	<i>Item 11.</i>	£1.
Boonop £4, as jaarlike bruto inkomste ten minste £500 is.		In addition £4, if annual gross receipts total at least £500.	
Ander Boonop 17/6, as jaarlike bruto inkomste ten minste £250 is.	2/6.	Other In addition 17/6, if annual gross receipts total at least £250.	2/6.

Hierdie lisensie is benodig deur elke persoon wat die besigheid van 'n bleiker of uitstomer van klere drywe.

"Stoomwassery" sluit in enige wassery wat masjinerie, instrumente of toestelle het wat elektries of werktuiglik ge-drywe of gekontroleer word.

Die beginsels van Artikel *twintig* van die Ordonnansie is *mutatis mutandis* van toepassing ten opsigte van die ramming van lisensieregte.

Item 12.

Motorgarage	£3.	<i>Item 12.</i>	£3.
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(1) Hierdie lisensie is benodig deur elke persoon wat die bedryf uitvoer of besigheid drywe om motorkarre, motorfiets of enige werktuiglik voorbeweegde rytue teen betaling of beloning te repareer, ontvang, stal of bêre, en moet verkry word behalwe enige lisensie as 'n algemene handelaar wat die lisensiehouer verplig mag wees om te verkry.

(2) Die houer van hierdie lisensie is geregtig om petrol, olie, bande en ander motorbenodighede ander dan motorkarre, motorfiets of ander selfbeweegde rytue daaronder te verkoop.

Item 13.

Patente en Eiendomsgeneesmiddels (te verkoop)	£2.	<i>Item 13.</i>	£2.
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Hierdie lisensie is benodig deur elke persoon, ander dan die houer van 'n lisensie as 'n apteker, wat patente of eiendomsgeneesmiddels verkoop, mits die houer van 'n algemene handelaarslisensie verlof kry om die sogenaamde Hollandse Medisyne daaronder te verkoop.

Hierdie lisensie word alleen aan behoorlik gelisensieerde algemene handelaars uitgereik.

"Patente en Eiendomsgeneesmiddels" beteken enige medisyne —

- (a) in hierdie Gebied beskerm onder lopende oktrooibriewe; of
- (b) aangemaak of waaromtrent beweer of voorgegee word dat dit aangemaak is volgens 'n geheime formule;
- (c) aangemaak of waaromtrent beweer of voorgegee word dat dit aangemaak is deur 'n geheime of verborge kuns, onverskillig of die formule geheim is of voorgegee word dat dit geheim is; of
- (d) verkoop onder 'n naam of handelsmerk spesiaal ten opsigte daarvan geregistreer; of
- (e) verkoop onder enige beskrywing wat eiendomsregte behels of aandui.

Item 14.

Pandhouer	£10.	<i>Item 14.</i>	£10.
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(1) Hierdie lisensie is benodig deur elke persoon wat die besigheid van 'n pandhouer drywe, deurdat hy goedere of artikels van waarde in pand of as sekuriteit vir geleende of voorgeskiete geld neem of ontvang.

(2) As 'n pandhouer skuldig gevind word aan enige bedrog in sy besigheid of aan die ontvang van gesteelde goedere, wetende dat hulle gesteel is, kan die hof wat hom skuldig vind, sy lisensie na goedvinde kanselleer.

Item 15.

Voetsmous (bondeldraer) —	£1.10.0.	<i>Item 15.</i>	£1.10.0.
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Om as 'n voetsmous te handel net binne een distrik buite munisipale gebiede, ten opsigte van elke persoon wat besig is met verkoop, onverskillig of as prinsipaal, agent of werk-nemer

Om as 'n voetsmous net in vrugte, vis, room-ys, vars groente, eiers, pluimvee, heuning of swielprodukte te handel, ten opsigte van elke persoon wat besig is met verkoop, hetsy as prinsipaal, agent of werk-nemer —

Net vir een distrik buite munisipale ge-biede

5/-.

Net vir een munisipale gebied

5/-.

Net vir een distrik buite munisipale ge-biede	5/-.
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Net vir een munisipale gebied	5/-.
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For one district outside municipal areas only	5/-.
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For one municipal area only	5/-.
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For one municipal area only	5/-.
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For one municipal area only	5/-.
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(1) 'n Voetsmouslisensie is benodig deur elke persoon wat, onverskillig of as prinsipaal, agent of werknemer, die bedryf uitoefen of besigheid drywe van enige goedere te koop, vir ruiling of uitwisseling aan te bied of uit te stal, en wat vir die doel met sy goedere van plek tot plek reis, hetby te voet of met 'n rytuig deur homself voortbeweeg: Met die verstande dat geen sodanige lisensie benodig is deur:

- (a) enige straatverkoper van vuurhoutjies, skoenveters, blomme of koerante (met inbegrip van enige drukwerk wat nie 'n gebonde band is nie);
- (b) enige naturel woonagtig binne enige naturelle-reservaatgebied deur die Administrateur ingevolge die bevoegdheede hom verleen by artikel *veertien* van hierdie Ordonnansie as sodanige verklaar, wat die bedryf uitoefen of besigheid drywe van enige goedere wat in daardie gebied gegroeï of geproduseer is binne daardie gebied, te koop, vir ruiling of uitwisseling aan te bied of uit te stal; of
- (c) enige persoon wat as 'n voetsmous handel met die produkte, met inbegrip van lewende hawe, van grond waarvan hy die eienaar, huurder of bewoner is; Mits sodanige handel nie deur sodanige persoon deur middel van 'n agent ander dan 'n werknemer van sodanige persoon gedrywe word nie;
- (d) enige persoon wat handel as 'n voetsmous ten opsigte van vis wat hy self gevang het.

(2) Wanneer die magistraat of ander behoorlik gemagtigde inkomste-amptenaar vir die distrik Rehoboth 'n voetsmouslisensie verleen, mag hy dit verleen onderhewig aan die beperking dat sodanige lisensie nie vir die Gebiet geldig is nie.

In sodanige gevalle moet daar op die voorenkant van sodanige lisensie die woorde:

"Nie geldig vir handel in die Rehoboth-Gebiet nie"
geskrywe word, en die regte wat op sodanige lisensie betaalbaar is, is £1.

(3) Enige voetsmous wat enige goedere nie deur 'n lisensie gedek of nie vrygestel ooreenkomsdig paragraaf (1) hiervan nie te koop, vir ruiling of uitwisseling aanbied of uitstel, is skuldig aan 'n misdryf onder hierdie Ordonnansie.

Item 16.

Houer van 'n restaurant, verversings- of teekamer £2.10.0.

(1) Hierdie lisensie is benodig deur elke persoon wat 'n openbare restaurant, koffiehuis of teekamer hou, onverskillig of binnenshuis of buitenshuis, vir die verkoop of verskaffing van maaltye of verversingsdranke (wat nie bedwelmende drank is nie vir die verkoop waarvan 'n drank lisensie benodig is).

(2) Die houer van hierdie lisensie is geregtig om op grond daarvan brood, beskuit, koek, gebak (mits sodanige brood, beskuit, koek en gebak nie deur homself gebak of vervaardig is nie), suikergoed en lekkers te verkoop.

Item 17.

Kopers van karakoelvelle —

Een distrik	£10.
Die hele Gebied	£25.
Boonop £1 op elke £1000 of gedeelte daarvan van die hele koopprys of waarde van karakoelvelle wat gedurende die 12 maande eindigende op die 30ste Junie van die jaar wat aan die betaling van lisensieregte tot £5000 voorafgaan gekoop, geruil of uitgewissel is, en £2 op elke £1000 of gedeelte daarvan £5000 te bove gaande. Die beginsels van artikel <i>twintig</i> van die Ordonnansie het toepassing <i>mutatis mutandis</i> ten opsigte van die vasstelling van lisensieregte.	
Maksimum toevoeging	£300.

(1) Hierdie lisensie is benodig deur elke persoon wat enige karakoelvelle koop of teen waardevolle vergoeding verwerf vir die doel van verkoop, versending, ruilings of uitwisseling, hetby deur veiling of uit die hand, onverskillig of die aldus handelende persoon 'n erkende besigheidsplek het al dan nie. Dit sal voldoende *prima facie* bewys wees dat velle gekoop is vir die doel van verkoop, as hulle vir en ten behoeve van 'n handelsfirma gekoop is.

(2) (a) Al die kopers van karakoelvelle moet 'n register van alle gekoopte velle hou en in elke geval aangee —

- (i) die datum en plek van die transaksie;
- (ii) die hoeveelheid velle wat hy gekoop het;
- (iii) die naam en adres van die verkoper;
- (iv) die koopsom.

(1) A pedlar's licence shall be required by every person who, whether as principal, agent or employee, carries on the trade of business of offering or exposing for sale, barter or exchange any goods, and for that purpose travels with his goods from place to place either on foot or with a vehicle propelled by himself: Provided that no such licence shall be required by:

- (a) any street vendor of matches, bootlaces, flowers or newspapers (including any printed matter not being a bound volume);
- (b) any native resident within any native reserve area declared as such by the Administrator in pursuance of the powers conferred upon him by section *fourteen* of this Ordinance, who carries on the trade or business of selling or offering or exposing for sale, barter or exchange, within that area any goods grown or produced in that area; or
- (c) any person who trades as a pedlar in the produce, including livestock, of land of which he is the owner, lessee or occupier: Provided such trading is not carried on by such person through an agent other than an employee of such person;
- (d) any person who trades as a pedlar in respect of fish caught by himself.

(2) Whenever the Magistrate or other duly authorised revenue officer for the District of Rehoboth grants a pedlar's licence, he may grant it subject to the restriction that such licence shall not be available for the Gebiet.

In such cases there shall be written upon the face of such licence the words: "Not available for trading in the Rehoboth Gebiet", and the duty payable on such licence shall be £1.

(3) Any pedlar offering or exposing for sale, barter or exchange any goods not covered by a licence or not exempted in terms of paragraph (1) hereof, shall be guilty of an offence under this Ordinance.

Item 16.

Restaurant, Refreshment or Tea Room Keeper . . . £2.10.0.

(1) This licence shall be required by every person who keeps a public restaurant, café or tea room, whether indoors or in the open air, for the sale or supply of meals or liquid refreshments (not being intoxicating liquors for the sale of which a liquor licence is required).

(2) The holder of this licence shall be entitled to sell thereunder bread, biscuits, cakes and pastry (provided such bread, biscuits, cakes or pastry have not been baked or made by himself), confectionery and sweets.

Item 17.

Buyers of Karakul Pelts —

One district	£10.
The whole Territory	£25.

In addition £1 on every £1000 or part thereof of the total purchase price or value of Karakul pelts bought, bartered or exchanged during the 12 months ending 30th June of the year preceding payment of licence duty up to £5000 and £2 on every £1000 or part thereof exceeding £5000.

The principles of section *twenty* of the Ordinance shall apply *mutatis mutandis* in regard to the assessment of licence duty.

Maximum addition £300.

(1) This licence shall be required by every person who buys, or acquires for valuable consideration any karakul pelts for the purpose of sale, consignment, barter or exchange whether by auction or out of hand, and whether or not the person so dealing has a recognised place of business. It shall be sufficient *prima facie* evidence that pelts are bought for the purpose of sale if they are bought for and on behalf of any mercantile firm.

(2) (a) All buyers of Karakul pelts shall keep a record of all pelts purchased, stating in every case —

- (i) the date and place of the transaction;
- (ii) the quantity of pelts purchased;
- (iii) the name and address of the sellers;
- (iv) the purchase price.

(b) Die vereiste inskrywings moet dadelik na die koopvereenkoms afgehandel is, gemaak word en moet daar en dan deur beide die koper en die verkoper geteken word.

(Die genoemde inskrywings wat aldus geteken is word hierna 'n "koopsertifikaat" genoem.)

(c) Alle koopsertifikate moet in drievoudig ingeval word, een word aan die verkoper oorhandig, een word deur die koper gehou, en een word deur die koper aan die magistraat van die distrik waarin die transaksie plaasgevind het, oorhandig. Daar is 'n verpligtiging op die koper om aan die genoemde magistraat binne vyfien dae na die end van elke almanak-maand soos voormeld verantwoording te doen.

(d) Koopsertifikate wat in die besit van kopers of verkopers is, moet te alle redelike tye ooplig vir inspeksie van blanke lede van die Polisie van Suidwes-Afrika of 'n ander behoorlik gemagtigde publieke amptenaar.

(e) Koopsertifikate wat in die besit van magistrate is, mag deur die gemagtigde amptenare van 'n maatskappy, koöperatiewe vereniging, sindikaat of ander vereniging van persone ondersoek word ten opsigte van verkoping deur aandeelhouers of lede van sodanige maatskappy, koöperatiewe vereniging, sindikaat of ander vereniging van persone, teen betaling van 'n fooi van een sieling.

(f) Enige persoon wat enige bepaling van hierdie paragraaf oortree, is skuldig aan 'n oortreding en is na skuldig bevinding blootgestel aan 'n boete van hoogstens £50, of by wanbetaling, aan gevangenisstraf vir 'n tydperk van hoogstens drie maande.

(3) In die geval van 'n persoon wat nie in die Gebied woonagtig is nie, kan enige agent wat vir hom in die Gebied werk, in alle opsigte verantwoordelik gehou word vir die betaling van lisensieregtes, asof hy die betrokke prinsipaal was.

Item 18.

Spekulateur in lewende hawe en boerderyprodukte . . . £10.

Boonop £1 op elke £1000 of gedeelte daarvan van totale koopprys of waarde van lewende hawe en boerderyprodukte wat gedurende die twaalf maande eindigende op die 30ste Junie van die jaar wat die betaling van lisensieregtes voorafgaan, gekoop, geruil of uitgewissel is, tot £10,000 en £2 op elke £1000 of gedeelte daarvan £10,000 te bowe gaande. Die beginsels van artikel *twintig* van die Ordonnansie het *mutatis mutandis* toepassing ten opsigte van die vasstelling van lisensieregtes.

Maksimum toevoeging £300.

(1) Hierdie lisensie is benodig deur elke persoon wat die bedryf uitoefen of besigheid drywe (ander dan in die loop van sy besigheid as 'n algemene handelaar) van lewende hawe of boerderyprodukte, ander dan karakoelvelle koop vir die doel van verkoop, versending, ruiling of uitwisseling, hetsy deur veiling of uit die hand, en onverskillig of die persoon wat aldus handel 'n erkende besigheidsplek het al dan nie.

Dit sal voldoende *prima facie* bewys wees dat lewende hawe of boerderyprodukte vir die doel van verkoop gekoop is, as dit vir en ten behoeve van enige handelsfirma gekoop is.

(2) In die geval van 'n persoon wat nie in die Gebied woonagtig is nie, kan enige agent wat vir hom in die Gebied werk, in alle opsigte verantwoordelik gehou word vir die betaling van lisensieregtes, asof hy die betrokke prinsipaal was.

Vrystelling:

'n Boer of veeteler ten opsigte van die verkoop, ruiling of uitwisseling van lewende hawe deur hom aangeteel of produkte deur hom gegroeï in die loop van sy gewone boerdery-werksaamhede gekoop en weer verkoop.

Item 19.

Tabak — verkoop by die kleinmaat £3.

Hierdie lisensie is benodig deur elke persoon wat tabak, sigare en sigarette by die kleinmaat binne enige munisipaliteit of dorpsbestuursraadsgebied verkoop.

Vrystelling:

Enige persoon wat alreeds as 'n algemene handelaar gesensieëer is.

(b) The necessary entries shall be made as soon as the agreement of sale is concluded and shall be signed there and then by both the buyer and the seller.

(The said entries so signed shall be called hereinafter a "certificate of sale".)

(c) All certificates of sale shall be completed in triplicate, one being handed to the seller, one being retained by the buyer, and one being handed by the buyer to the Magistrate of the district in which the transaction took place. It shall be an obligation upon the buyer to account as aforesaid to the said Magistrate within fifteen days after the end of each calendar month.

(d) Certificates of sale in the possession of buyers or sellers shall be open to inspection at all reasonable times by an European member of the South West Africa Police, or any duly authorised public officer.

(e) Certificates of sale in the possession of Magistrates, may be inspected by the authorised officials of a Company, co-operative society, syndicate or other association of persons, in respect of sales by shareholders or members of such company, co-operative society, syndicate or other association of persons, on payment of a fee of one shilling.

(f) Any person who contravenes any provision of this paragraph shall be guilty of an offence and liable on conviction to a fine not exceeding £50 or in default of payment to imprisonment for a period not exceeding three months.

(3) In the case of a person not resident in the Territory, any agent operating in the Territory on his behalf, may be held responsible in all respects for the payment of licence duty as if he were the principal concerned.

Item 18.

Speculator in Livestock and Farm Produce £10.

In addition £1 on every £1000 or part thereof of total purchase price or value of Livestock and Farm Produce bought, bartered or exchanged during the twelve months ending 30th June of the year preceding payment of licence duty up to £10,000 and £2 on every £1000 or part thereof exceeding £10,000. The principles of section *twenty* of the Ordinance shall apply *mutatis mutandis* in regard to the assessment of licence duty.

Maximum addition £300.

(1) This licence shall be required by every person who carries on the trade or business (otherwise than in the course of his business as a General Dealer) of buying livestock or farm produce other than Karakul pelts for the purpose of sale, consignment, barter or exchange whether by auction or out of hand and whether or not the person so dealing has a recognised place of business:

It shall be sufficient *prima facie* evidence that livestock or farm produce is bought for the purpose of sale if it is bought for and on behalf of any mercantile firm.

(2) In the case of a person not resident in the Territory, any agent operating in the Territory on his behalf, may be held responsible in all respects for the payment of licence duty as if he were the principal concerned.

Exemption:

A farmer or breeder of livestock in respect of the sale, barter or exchange of livestock bred or produce grown by him or purchased and re-sold in the course of his ordinary farming operations.

Item 19.

Tobacco — Selling by Retail £3.

This licence shall be required by every person who sells tobacco, cigars, and cigarettes by retail within any Municipality or Village Management Board Area.

Exemption:

Any person who is already licensed as a General Dealer.

DEEL II. BEROEPSLISENSIES.

Item 1.

Agent van 'n uitheemse firma —

Vir een firma	£25.
Vir elke bykomende firma	£10.
Met die verstande dat die regte betaalbaar deur enige sodanige agent wat twee jare lank onmiddellik voor dat hy enige sodanige lisensie uitgeneem het, gewoonlik binne die Gebied Suidwes-Afrika metterwoon gevestig, was £12.10.0 vir een firma en £5 vir elke bykomende firma is.	
Boonop £2 op elke £1000 of gedeelte daarvan van omset £10,000 te bove gaande.	
Maksimum toevoeging	£300.
Met die verstande verder dat die regte betaalbaar deur enige sodanige agent wat 'n bona fide werknemer van 'n behoorlik gelisensieerde agent van 'n uitheemse firma is, die som van £10 vir een firma en £2.10.0 vir elke bykomende firma is.	

(1) Behalwe enige ander lisensie deur hom gehou, is hierdie lisensie benodig deur elke persoon wat op enige manier adverteer of voorspieël dat hy die gemagtigde verteenwoordiger of agent van enige fabrieks- of handelsinrigting buite hierdie Gebied of die Unie van Suid-Afrika is, of wat, hetsy as prinsaal, agent of werknemer van enige behoorlik gelisensieerde persoon, werklik bestellings vra, versoek, werf of aanneem vir die koop of verskaffing van goedere deur enige sodanige fabrieks- of handelsinrigting aan persone in die Gebied.

(2) Elke lisensie moet in die naam van die gelisensieerde persoon uitgemaak word en moet die naam of name van elke verteenwoordigde maatskappy, firma of handelaar gee.

Item 2.

Afslaer £15.

(1) Hierdie lisensie is benodig deur elke persoon wat enige artikel of ding met inbegrip van vaste eiendom en lewende hawe op enige publieke veiling verkoop, waar die hoogste bieder, hetsy die bod op prysverhoging of prysdaling berus, die koper word.

(2) Elke sodanige lisensie moet onder die naam van een enkele individu uitgereik word en mag nie in die naam van enige maatskappy, firma of vennootskap uitgereik word nie, en word, behalwe soos hierna bepaal, deur enige persoon benodig wat as die werknemer van 'n persoon wat besighheid as 'n afslaer drywe, veilings ten behoeve van sy werkgever lei.

(3) 'n Afslaerslisensie dek nie verkope uit die hand deur 'n afslaer en verkope van nuwe en gebruikte goedere of ware deur 'n afslaer of by veiling of uit die hand nie; sodanige verkope moet gedek word deur die toepaslike lisensie kragtens hierdie Ordonnansie bepaal: Met die verstande dat verkope van lewende hawe of onroerende eiendom uit die hand deur 'n behoorlik gelisensieerde afslaer op die dag van die veiling gedek sal word deur die lisensie wat hy as afslaer hou. Met die verstande verder dat as 'n behoorlik gelisensieerde afslaer 'n algemene handelaarslisensie verkry mag hy nuwe en ongebruikte goedere deur veiling op enige plek in die Gebied verkoop en nie slegs op die persele ten opsigte waarvan sy algemene handelaarslisensie uitgereik is.

Vrystellinge:

- (a) 'n bode van 'n magistraatshof of sy plaasvervanger of 'n balju of sy plaasvervanger, of enige ander behoorlik gemagtigde amptenaar van die hof of kurator van 'n insolvente boedel of 'n eksekuteur van 'n oorlede boedel wanneer hy in sy hoedanigheid as sodanige optree, en 'n markmeester of skutmeester, wanneer hy in sy hoedanigheid as sodanige optree;
- (b) persone aangestel om roerende en onroerende goedere vir of ten behoeve van die Administrasie van Suidwes-Afrika, of die Suid-Afrikaanse Spoerweë en Hawens Administrasie te verkoop, wanneer hy kragtens sodanige aanstelling handel;
- (c) persone aangestel om ten behoeve van enige assosiasie of vereniging vir die bevordering van landbou en die verbetering van lewende hawe op enige landboutentoonstellinge, jaarmarkte of markte deur sodanige assosiasie of vereniging gehou, by veiling te verkoop, wanneer hy kragtens sodanige aanstelling handel;
- (d) enige werknemer of ander individu deur diehouer van 'n afslaerslisensie aangestel om verkope ten behoeve van sodanige lisensiehouers te lei gedurende 'n tydperk van tydelike afwesigheid wat geen verbinding het met die lei van verkope in enige ander plek nie: Met die verstande dat enige individu wat aldus aan-

PART II. OCCUPATIONAL LICENCES.

Item 1.

Agent for a foreign firm —

For one firm	£25.
For each additional firm	£10.

Provided that the duty payable by any such agent who has been ordinarily resident within the Territory of South West Africa for two years immediately prior to the taking out by him of any such licence shall be £12.10.0 for one firm, and £5 for each additional firm. In addition £2 on every £1000 or part thereof of Turnover in excess of £10,000. Maximum addition £300.

Provided further that the duty payable by any such agent who is the bona fide employee of a duly licensed agent of a foreign firm shall be the sum of £10 for one firm and £2.10.0 for each additional firm.

(1) This licence shall be required by every person in addition to any other licence held by him, who in any way advertises or holds himself out as the authorised representative or agent of any manufacturing or trading establishment outside this Territory or the Union of South Africa, or who, whether as principal, agent or employee of any duly licensed person actually invites, solicits, canvasses or accepts orders for the sale or supply of goods by any such manufacturing or trading establishment to persons in the Territory.

(2) Every licence shall be made out in the name of the person licensed and shall give the name or names of each company, firm or trader represented.

Item 2.

Auctioneer £15.

(1) This licence shall be required by every person who sells any article or thing including fixed property and livestock at any public sale where the highest bidder, whether the bidding be by the rise or by the fall, becomes the purchaser.

(2) Every such licence shall be issued under the name of one individual only and shall not be issued in the name of any company, firm or partnership, and shall, save as is hereinafter provided, be required by any person who as the employee of a person carrying on business as an auctioneer, conducts sales on behalf of his employer.

(3) An auctioneer's licence shall not cover sales out of hand by an auctioneer and sales of new or unused goods or merchandise by an auctioneer either by auction or out of hand; such sales shall be covered by the appropriate licence provided under this Ordinance: Provided that sales of livestock or immovable property out of hand by a duly licensed auctioneer on the day of an auction sale shall be covered by the licence held by him as an auctioneer. Provided further that if a duly licensed auctioneer obtains a general dealer's licence he may sell new and unused goods by auction anywhere in the Territory and not merely at the premises in respect of which his general dealer's licence has been issued.

Exemptions:

- (a) a messenger of a Magistrate's Court or his deputy, or a Sheriff or his deputy, or any other duly authorised officer of the Court or trustee of an insolvent estate or an executor of a deceased estate when acting in his capacity as such, and a market master or pound master when acting in his capacity as such;
- (b) Persons appointed to sell movable or immovable property for or on account of the South West Africa Administration, or the South African Railways and Harbours Administration, when acting under such appointment;
- (c) Persons appointed to sell by auction on behalf of any association or society for the promotion of Agriculture and the improvement of livestock when acting under such appointment, at any agricultural shows, fairs, or markets held by such association or society;
- (d) Any employee or other individual nominated by the holder of an auctioneer's licence to conduct sales on behalf of such licence holder during a period of temporary absence not connected with the conduct of

gestel is nie geoorloof is nie om verkope te lei ten behoeve van die licensiehouer gedurende enige aanhoudende tydperk wat 6 maande in enige jaar te bowe gaan; met die verstande verder dat die licensie van die afslaer met die naam van die aangestelde persoon en die tydperk van die tydelike oordrag van die licensie geendosseer is.

Item 3.

(1) Bakateltafelhouer (vir elke tafel) £1.

Hierdie licensie is benodig deur elke persoon wat 'n openbare bakateltafel hou onverskillig of 'n vordering gemaak word vir die reg om te speel al dan nie.

(2) Biljarttafelhouer (vir elke tafel) £5.

Hierdie licensie is benodig deur elke persoon wat 'n openbare biljarttafel hou onverskillig of 'n vordering gemaak word vir die reg om te speel al dan nie.

Wanneer 'n tydelike oordrag van 'n dranklisensie kragtens die bepalings van die dranklisensiewette wat in die Gebed van krag is, toegestaan is, en die oorspronklike houer van daardie licensie ook die houer van 'n licensie om 'n bakateltafel en/of biljarttafel op die gelisensieerde perseel te hou, mag hy, deur applikasie aan en endossement onder die hand van die magistraat, oordrag van die licensie om sodanige bakateltafel en/of biljarttafel vir die onafgelede tydperk daarvan te hou, aan die persoon aan wie die eersgenoemde licensie tydelik oorgedra is, bewerkstellig.

Item 4.

Makelaar of Agent £10.

(1) Hierdie licensie is benodig deur elke persoon wat die besigheid drywe:

- (a) van kope of kontrakte sluit tussen ander persone in sake bedrywe, handel of skeepvaart; met inbegrip van verkope of ander beskikkinge oor roerende of onroerende eiendom teen 'n vergoeding gewoonlik kommissie of makelaarsloon genoem; of
- (b) van enige agentskap onderneem of uitvoer, insluitende huise of ander vaste eiendomme teen kommissie verhuur; of
- (c) van die beheer van uitgestorwe boedels of die trusteeskap in insolvente boedels onderneem.

Vrystellinge:

- (1) Agente van uitheemse firmas en handelsreisigers, wanneer hulle lisensies as sodanige hou en daaronder handel.
- (2) Behoorlik gelisensieerde prokureurs, rekenmeesters of auditeurs, wanneer hulle in hulle professionele hoe danigheid handel.
- (3) Markmeesters ten opsigte van goedere op 'n publieke mark verkoop.

(2) Wanneer twee of meer lede van 'n firma die besigheid van makelaars of agente drywe, moet elke lid wat die besigheid aldus drywe, 'n afsonderlike en onderskeie licensie in sy eie naam uitneem.

Item 5.

Werwer vir verkoop van aandele en/of grond £50.

Hierdie licensie is benodig deur elke persoon wat van plek tot plek reis en aandele in enige maatskappy, geregistreer of ongeregistreer, verkoop, te koop aanbied of vir die verkoop daarvan werf, of wat onroerende eiendom verkoop, te koop aanbied of vir die verkoop daarvan werf. Die houer van hierdie licensie het nie nodig om 'n makelaarslisensie uit te neem nie.

Item 6.

Handelsreisiger: (1) Groothandel —

- (a) om Unie firmas te verteenwoordig £25.
- (b) om Suidwes-Afrikaanse firmas te verteen woordig £10.

Hierdie licensie is deur elke persoon benodig wat die verteenwoordiger, reisiger, agent of werknemer van enige fabrieks- of handelsinrigting is, wat binne die Unie van Suid-Afrika of Suidwes-Afrika besigheid drywe en wat ten behoeve van sodanige fabrieks-, of handelsinrigting van behoorlik gelisensieerde handelaars bestellings vir die verkoop of verskaffing van goedere, ware of koopware vra, werf, sollister en aanneem.

(2) Kleinhandel —

- (a) om Unie firmas te verteenwoordig £50.
- (b) om Suidwes-Afrikaanse firmas te verteen woordig £7.10.0.

sales in any other place: Provided that any individual so nominated shall not be permitted to conduct sales on behalf of the licence holder during any continuous period exceeding 6 months in any one year; and provided further that the licensee of the auctioneer is endorsed with the name of the nominee and the period of the temporary transfer of the licence.

Item 3.

(1) Bagatelle Table Keeper (for each table) £1.

This licence shall be required by every person who keeps a public bagatelle table, whether a charge is made for the right to play or not.

(2) Billiard Table Keeper (for each table) £5.

This licence shall be required by every person who keeps a public billiard table, whether a charge is made for the right to play or not.

When temporary transfer of a liquor licence shall have been granted under the provisions of the liquor licensing laws in force in the Territory and the original holder of that licence shall also be the holder of a licence to keep a bagatelle table and/or billiard table upon the licensed premises, he may, by application to and endorsement under the hand of the Magistrate, make transfer of the licence to keep such bagatelle table and/or billiard table for the unexpired period thereof to the person to whom the first-mentioned licence has been temporarily transferred.

Item 4.

Broker or Agent £10.

(1) This licence shall be required by every person who carries on the business:

- (a) of negotiating bargains or contracts between other persons in matters of trade, commerce or navigation; including sales or other dispositions of movable or immovable property, for a remuneration commonly called commission or brokerage; or
- (b) of undertaking or executing any agency including the letting of houses or other fixed property on commission; or
- (c) of undertaking the administration of deceased estates or the trusteeship in insolvent estates.

Exemptions:

(1) Agents of foreign firms and commercial travellers when holding and acting under licences as such.

(2) Duly licensed attorneys, accountants, or auditors when acting in their professional capacity.

(3) Market masters in respect of goods sold on a public market.

(2) When two or more members of a firm carry on the business of brokers or agents, each member so carrying on the business shall take out a separate and distinct licence in his own name.

Item 5.

Canvasser for Sale of Shares and/or Land £50.

This licence shall be required by every person who travels about from place to place selling, offering for sale or canvassing for the sale of shares in any company, registered or unregistered, or selling, offering for sale or canvassing for the sale of immovable property. The holder of this licence shall not be required to take out a broker's licence.

Item 6.

Commercial Traveller: (1) Wholesale:—

- (a) For representing Union firms £25.
- (b) For representing South West Africa firms £10.

This licence shall be required by every person who is the representative, traveller, agent or employee of any manufacturing or trading establishments carrying on business within the Union of South Africa or South West Africa and who on behalf of such manufacturing or trading establishments invites, canvasses, solicits or accepts orders from duly licensed traders for the sale or supply to them of goods, wares or merchandise.

(2) Retail:—

- (a) For representing Union firms £50.
- (b) For representing South West Africa firms £7.10.0.

Hierdie lisensie word benodig deur elke persoon wat die verteenwoordiger, agent of werknemer is van enige fabrieks- of handelsinrigting wat binne die Unie of Suidwes-Afrika besigheid drywe en wat ten behoeve van sodanige fabrieks- of handelsinrigting bestellinge van persone, ander dan behoorlik gelisensieerde handelaars, vir verkoop of verskaffing aan hulle van goedere, ware of koopware vra, werf, versoek of aanneem.

Ingeval die houer van 'n handelsreisigerslisensie, het sy vir groothandel of kleinhandel, wat 'n *bona fide* werknemer van die persoon of firma is wat hy verteenwoordig, deur enige oorsaak buite staat gestel word om van sy lisensie gebruik te maak, kan die lisensie, op aansoek gedoen deur die werkewer by die magistraat van die distrik waarin die lisensie uitgereik is, en na betaling van 'n fooi van £1 vir die res van die tydperk waarvoor dit geldig is, op 'n ander werknemer deur sodanige werknemer benoem, oorgedra word.

Item 7.

Invoerder	£1.
Boonop vir elke persoon ten opsigte van die waarde van goedere in elke kalenderjaar bo en £100 te boven gaande ingevoer.	
Vir elke £100 of gedeelte daarvan	£1.

Maksimum lisensie £300.

(1) Hierdie lisensie is benodig deur elke persoon wat goedere ander dan die produk van die Unie van Suid-Afrika in die Gebied vir die doel van verkoop, handel of ruiling bring.

(2) Vir die doel van berekening van die voormalde lisensieregte is die waarde van goedere die waarde soos vir doeanedoelendes vasgestel: Met die verstande dat vir die doel van berekening van die bedrag van die lisensieregte wat deur 'n invoerder betaalbaar is, daar nie in aanmerking geneem word nie:

- (a) die waarde van goedere wat vir die doel van oorskeping oor die grense van hierdie Gebied in hierdie Gebied ingevoer is;
- (b) die waarde van goedere wat 'n gewas, produk of fabrikaat van die Unie van Suid-Afrika is, uit enige Provinsie van die Unie in hierdie Gebied ingevoer is.

(3) Die lisensieregte is betaalbaar aan die magistraat van die distrik, waarin die invoerder sy vernaamste besighedsplek het, en die invoerder moet telkens as hy aanspreeklik word vir lisensieregte, die magistraat voorsien van 'n verklaring aangaande die waarde van sy invoer-artikels in sodanige vorm as deur regulasie voorgeskrywe mag word.

TWEEDE BYLAE.

1. Vervaardigers van sput- of mineraalwater;
2. Handelaars in sput- of mineraalwater;
3. Agent van 'n uitheemse firma;
4. Apteker;
5. Bakker;
6. Bakateltafelhouer;
7. Biljarttafelhouer;
8. Slagter;
9. Werwer vir aandele of verkope van grond;
10. Handelsreisiger;
11. Handelaar in vars produkte;
12. Wildhandelaar;
13. Algemene handelaar;
14. Smous;
15. Invoerder;
16. Patente en Eiendomsgeneesmiddels;
17. Pandhouer;
18. Voetsmous;
19. Spekulateur in karakoolvelle;
20. Spekulateur in lewende hawe en boerderyprodukte;
21. Tabak — verkoop by die kleinmaat.

This licence shall be required by every person who is the representative, traveller, agent or employee of any manufacturing or trading establishments carrying on business within the Union or South West Africa and who on behalf of such manufacturing or trading establishments invites, canvasses, solicits, or accepts orders from persons other than duly licensed traders, for the sale or supply to them of goods, wares, or merchandise.

In the event of the holder of a Commercial Traveller's licence, whether wholesale or retail, who is the *bona fide* employee of the person or firm which he represents, becoming incapacitated for any reason from making use of his licence, the licence may, on application being made by the employer to the Magistrate of the district in which the licence was issued, and on payment of a fee of £1, be transferred for the remainder of the period for which it is current to another employee nominated by such employer.

Item 7.

Importeur	£1.
In addition for every person in respect of the value of goods imported in each calendar year over and above £100.	
For every £100 or part thereof	£1.

Maximum licence £300.

(1) This licence shall be required by every person who brings goods other than the produce of the Union of South Africa into the Territory for the purpose of sale, trade, or barter.

(2) For the purpose of calculating the said licence duty the value of goods shall be the value as ascertained for Customs purposes: Provided that for the purpose of calculating the amount of licence duty payable by an importer there shall not be taken into account:

- (a) the value of goods imported into this Territory for the purpose of transhipment beyond the borders of this Territory;
- (b) the value of goods which being the growth, produce or manufacture of the Union of South Africa are imported into this Territory from any Province of the Union.

(3) The licence duty shall be payable to the Magistrate of the District in which the Importer has his principal place of business, and the importer shall on each occasion that he becomes liable for licence duty furnish the Magistrate with a declaration as to the value of his importations in such form as may by regulation be prescribed.

SECOND SCHEDULE.

1. Aerated or Mineral Water Manufacturers;
2. Aerated or Mineral Water Dealers;
3. Agent of a Foreign Firm;
4. Apothecary;
5. Baker;
6. Bagatelle Table Keeper;
7. Billiard Table Keeper;
8. Butcher;
9. Canvasser for Shares or Sale of land;
10. Commercial Traveller;
11. Fresh Produce Dealer;
12. Game Dealer;
13. General Dealer;
14. Hawker;
15. Importer;
16. Patent and Proprietary Medicines;
17. Pawnbroker;
18. Pedlar;
19. Speculator in Karakul Pelts;
20. Speculator in Livestock and Farm Produce.
21. Tobacco — Selling by Retail;

DERDE BYLAE.

THIRD SCHEDULE.

Nommer en Jaar van Wet.	Kort Titel.	Omvang van Herroeping.	Number & Year of Law.	Short Title of Law	Extent of Repeal
Proklamasie No. 21 van 1921	De Licentie Proklamatie 1921	Die hele.	Proclamation No. 21 of 1921	Licences Proclamation, 1921.	The whole.
Proklamasie No. 33 van 1921	De Licentie Wijziging Proklamatie 1921	"	Proclamation No. 33 of 1921	Licences Amendment Proclamation, 1921.	"
Proklamasie No. 21 van 1922	De Verdere Licenties Wijzigings Proklamatie 1922	"	Proclamation No. 21 of 1922	Licences Further Amendment Proclamation, 1922.	"
Proklamasie No. 29 van 1925	De Licentie Proklamatie Wijzigings Proklamatie 1925	"	Proclamation No. 29 of 1925	Licences Proclamation Amendment Proclamation, 1925.	"
Ordonnansie No. 12 van 1928	Die Licensiewet Wysigingsordonnansie 1928	"	Ordinance No. 12 of 1928	Licences Law Amendment Ordinance, 1928.	"
Ordonnansie No. 7 van 1929	Die Licensiewet Verder Wysigingsordonnansie 1929	"	Ordinance No. 7 of 1929	Licences Law Further Amendment Ordinance, 1929.	"
Ordonnansie No. 1 van 1930	Die Licensiewet Verder Wysigingsordonnansie 1930	"	Ordinance No. 1 of 1930	Licences Law Further Amendment Ordinance, 1930.	"
Proklamasie No. 13 van 1931	Die Licensiewet Wysigingsproklamasie 1931	"	Proclamation No. 13 of 1931	Licences Law Amendment Proclamation, 1931.	"
Proklamasie No. 18 van 1931	Die Licensiewet Verder Wysigingsproklamasie 1931	"	Proclamation No. 18 of 1931	Licences Law Further Amendment Proclamation, 1931.	"
Ordonnansie No. 1 van 1932	Die Ordonnansie van 1932 op Paalemente van Licensies wielbelastings en motorvoertuiglisensie	Artikels een, twee, drie, vier, vyf en ses.	Ordinance No. 1 of 1932	Licences, Wheel Tax & Motor Vehicle Licence Instalments Ordinance, 1932.	Sections one, two, three, four, five and six.
Ordonnansie No. 3 van 1932	Die Licensiewet Wysigingsordonnansie 1932	Die hele.	Ordinance No. 3 of 1932	Licences Law Amendment Ordinance, 1932.	The whole.
Proklamasie No. 8 van 1933	Die Licensiewet Wysiging Verder Wysigingsproklamasie 1933	"	Proclamation No. 8 of 1933	Licences Law Amendment Further Amendment Proclamation, 1933.	"