



BUITENGEWONE
OFFISIËLE KOERANT

van Suidwes-Afrika.

Uitgegeë op gesag.

OFFICIAL GAZETTE

EXTRAORDINARY

of South West Africa.

Published by Authority.

1/- Woensdag, 25 Maart 1936. WINDHOEK Wednesday, 25th March, 1936. No. 663

Die volgende Ontwerpordonnansies, wat gedurende die Tweede Sessie van die Derde Wetgewende Vergadering voor-gelê sal word, word vir algemene informasie gepubliseer.

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

Kantoor van die Administrateur,
Windhoek.

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

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

Administrator's Office,
Windhoek.

| | <i>Bladsy.</i> | | <i>Page.</i> |
|--|----------------|--|--------------|
| Konsolidasie-Wysigingsordonnansie betreffende Lisensies 1936 | 141 | Licences Consolidation Amendment Ordinance, 1936 | 141 |
| Dranklisensiewet Wysigingsordonnansie 1936 | 142 | Liquor Licensing Law Amendment Ordinance, 1936 | 142 |
| Veebrandmerke-Wysigingsordonnansie 1936 | 142 | Stock Brands Amendment Ordinance, 1936 | 142 |

Repealed by Act 10/95

ONTWERPORDONNANSIE

Om voorsiening te maak vir die wysiging van die wet betreffende die lisensie verlening aan handel en bedrywe.

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

1. Item 9 van die Eerste Bylae van die Konsolidasie-Ordonnansie betreffende Lisensies 1935 (Ordonnansie No. 13 van 1935) word hiermee geskrap en deur die volgende nuwe item vervang:—

“Item 9.

Algemene Handelaar —

| | |
|--|----------|
| 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 0 0 |

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

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 sodanige lisensie beperk mag word tot transaksies by die grootmaat, in welke geval dit geëndosseer moet wees met die woorde — “Net om transaksies by die grootmaat te dek.” Die houër van 'n lisensie wat aldus geëndosseer is wat 'n bedryf uitoefen of besigheid drywe soos voormeld en wat nie by die grootmaat is nie, word geag aldus sonder 'n lisensie te handel.

Die uitdrukkings “transaksies by die grootmaat” of “by die grootmaat” beteken die lewering in enige hoeveelheid aan behoorlik gelisensieerde handelaars in terme van items 3, 4, 9, 10, 12 en 14.

Vrystellinge:

- (i) 'n Boer of marktuinier ten opsigte van die verkoop van produkte deur homself aangekweek of gegroei.
- (ii) 'n Vervaardiger, soos hierinlater 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 materiale of van 'n verbinding van ander materiale.
- (iii) Enige bouer 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 met die produkte van sy eie bedrewenheid en werk verkoop.”

2. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Konsolidasie-Wysigingsordonnansie betreffende Lisensies 1936.

DRAFT ORDINANCE

To provide for the amendment of the law relating to the licensing of trades and occupations.

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

1. Item 9 of the First Schedule to the Licences Consolidation Ordinance, 1935 (Ordinance No. 13 of 1935), is hereby deleted and the following new item substituted therefor:—

“Item 9.

General Dealer —

| | |
|--|----------|
| 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:

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

Provided further that such licence may be restricted to wholesale transactions, in which case it shall be endorsed with the words — “To cover wholesale transactions only”. The holder of a licence which is so endorsed who carries on a trade or business as aforesaid otherwise than by wholesale shall be deemed to do so without a licence.

The expressions “wholesale transactions” or “by wholesale” shall mean the supply in any quantity to traders duly licensed in terms of Items 3, 4, 9, 10, 12 and 14.

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.”

2. This Ordinance may be cited for all purposes as the Licences Consolidation Amendment Ordinance, 1936.

ONTWERPORDONNANSIE

Om die wet met betrekking tot die verkoop van bedwelvende drank te wysig.

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

1. Die Tweede Bylae van "De Drank Licentie Proklamasie 1920" (Proklamasie No. 6 van 1920), soos gewysig deur die Dranklisensie Verder Wysigingsordonnansie 1931 (Ordonnansie No. 7 van 1931), die Dranklisensie Wet Verder Wysigingsproklamasie 1934 (Proklamasie No. 27 van 1934) en die Dranklisensiewet Wysigingsordonnansie 1935 (Ordonnansie No. 14 van 1935), word hiermee verder gewysig deur die toevoeging van die volgende voorbehoudsbepaling aan die end van paragraaf (9) daarvan —

"Met dien verstande dat houders van bottellicenties op de verkoop of verbruik van brandewijn, de niet een produkt van Zuidwest-Afrika is, slegs zes shillings per gelling bij volume of gedeelte ervan, betalen moeten".

2. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Dranklisensiewet Wysigingsordonnansie 1936.

ONTWERPORDONNANSIE

Om die wet betreffende die brandmerking van vee behorende aan persone ander as naturelle te wysig.

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

1. Artikel *drie-en-twintig* van die Veebrandmerke-Ordonnansie 1931 (Ordonnansie No. 8 van 1931) word hiermee gewysig —

(1) deur die toevoeging van die volgende woorde aan die end van subartikel (g):—

"behalwe sodanige persone as van wie vereis word om 'n register in terme van artikel *twintig* te hou";

(2) deur die toevoeging van die volgende woorde aan die end van subartikel (h):—

"behalwe wanneer vee gekoop is van persone wat spesiaal vrygestel is in terme van subartikel (g)".

2. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Veebrandmerke-Wysigingsordonnansie 1936.

DRAFT ORDINANCE

To amend the law relating to the sale of intoxicating liquor.

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

1. The Second Schedule to the Liquor Licensing Proclamation, 1920 (Proclamation No. 6 of 1920), as amended by the Liquor Licensing Law Further Amendment Ordinance, 1931 (Ordinance No. 7 of 1931), the Liquor Licensing Law Further Amendment Proclamation, 1934 (Proclamation No. 27 of 1934), and the Liquor Licensing Amendment Ordinance, 1935 (Ordinance No. 14 of 1935), is hereby further amended by the addition at the end of paragraph (9) thereof of the following proviso —

"Provided that holders of bottle licences shall pay on the sale or consumption of brandy other than the produce of South West Africa, only six shillings per bulk gallon or part thereof."

2. This Ordinance may be cited for all purposes as the Liquor Licensing Law Amendment Ordinance, 1936.

DRAFT ORDINANCE

To amend the law relating to the branding of stock belonging to persons other than natives.

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

1. Section *twenty-three* of the Stock Brands Ordinance, 1931 (Ordinance No. 8 of 1931), is hereby amended —

(1) by the addition of the following words at the end of sub-section (g):—

"except such persons as are required to keep a register in terms of section *twenty*";

(2) by the addition of the following words at the end of sub-section (h):—

"except where stock is purchased from persons specially exempted in terms of sub-section (g)".

2. This Ordinance may be cited for all purposes as the Stock Brands Amendment Ordinance, 1936.