



# OFFICIAL GAZETTE

EXTRAORDINARY

of South West Africa.

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 BUITENGEWONE

# OFFISIËLE KOERANT

van Suidwes-Afrika.

Uitgegeef op gesag.

1/- Saturday, 11th April, 1936. WINDHOEK Saterdag, 11 April 1936. No. 667

## Government Notice.

The following Government Notice is published for general information.

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

Office of the Administrator,  
 Windhoek.

No. 66.]

[9th April, 1936.

### ORDINANCES, 1936: PROMULGATION OF.

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

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2.	Additional Appropriation (1935—'36) Ordinance, 1936 . . . . .	166
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## Goewermentskennisgewing.

Die volgende Goewermentskennisgewing word vir algemene informasie gepubliseer.

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

Kantoor van die Administrateur,  
 Windhoek.

Nr. 66.]

[9 April 1936.

### ORDONNANSIES 1936: UITVAARDIGING VAN.

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

No.	Titel.	Bladsy.
1.	Konsolidasie-Wysigingsordonnansie betreffende Lisensies 1936 . . . . .	165
2.	Addisionele Middele- (1935—'36) Ordonnansie 1936 . . . . .	166
3.	Veebrandmerke-Wysigingsordonnansie 1936 . . . . .	167
4.	Dranklisensiewet Wysigingsordonnansie 1936 . . . . .	167

No. 1 of 1936.]

**ORDINANCE**

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

(Assented to 9th April, 1936.)

(English Text signed by the Administrator.)

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

1. Section *twelve* of the Licences Consolidation Ordinance, 1935 (Ordinance No. 13 of 1935), hereinafter called the principal Ordinance, is hereby amended by the addition of the following sub-section as sub-section (2), the present section becoming sub-section (1):

“(2) If at any time during the year 1936 any person previously licensed in respect of any trade or occupation mentioned in the First Schedule to this Ordinance has omitted to make due application in respect of such licence in terms of the provisions of this Ordinance owing to negligence or inadvertence, the Administrator may in his discretion authorise the issue of a licence to such person in respect of any such trade or occupation as aforesaid, notwithstanding any provisions to the contrary in this Ordinance contained.”

2. Item 9 of Part I of the First Schedule to the principal Ordinance 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 any item occurring in Part I of this Schedule, with the exception of items 5 and 15, and to manufacturers, as hereinafter defined.

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.

No. 1 van 1936.]

**ORDONNANSIE**

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

(Goedgekeur 9 April 1936.)

(Engelse teks deur die Administrateur geteken.)

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

1. Artikel *twaalf* van die Konsolidasie-Ordonnansie betreffende Lisensies 1935 (Ordonnansie No. 13 van 1935), hierna die hoofordonnansie genoem, word hiermee gewysig deur die toevoeging van die volgende sub-artikel as sub-artikel (2), die teenswoordige artikel word sub-artikel (1):

“(2) Indien te eniger tyd gedurende die jaar 1936 iemand wat vantevore gelisensieër was ten aansien van enige handel of bedryf vermeld in die Eerste Bylae van hierdie Ordonnansie versuim het om behoorlike applikasie te maak ten aansien van sodanige lisensie ooreenkomstig die bepalings van hierdie Ordonnansie weens nalatigheid of onagsaamheid, kan die Administrateur na goedvinde die uitreiking van 'n lisensie aan so 'n persoon magtig ten aansien van enig sodanige voormelde handel of bedryf, niesteenstaande enige teenoorgestelde bepalings in hierdie Ordonnansie bevat.”

2. Item 9 van Deel I van die Eerste Bylae van die hoofordonnansie 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 gelisensieërde handelaars in terme van enige item wat in Deel I van hierdie Bylae voorkom behalwe items 5 and 15, en aan vervaardigers soos hierinlater bepaal.

Vrystelling:

- (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.

“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.”

Provided that any retail General Dealer’s Licence granted under the provisions of the principal Ordinance shall be deemed to be an unrestricted general dealer’s licence in terms of the said Ordinance as amended by this Ordinance.

3. Item 1 of Part II of the First Schedule to the principal Ordinance is hereby amended by the deletion of the words “Items 3, 4, 9, 10, 12 and 14 of Part I of this Schedule”, occurring in paragraph (1) of Section A thereof, and the substitution therefor of the words —

“any item occurring in Part I of this Schedule with the exception of items 5 and 15, and to manufacturers, as defined in item 9 of Part I of this Schedule.”

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

No. 2 of 1936.]

## ORDINANCE

To apply a further sum not exceeding twenty-four thousand two hundred and sixty-four pounds towards the service of the Territory of South West Africa for the financial year ending on the 31st day of March, 1936.

(Assented to 9th April, 1936.)

(Afrikaans text signed by the Administrator.)

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

1. The Administration Account of the Territory of South West Africa is hereby charged with the sum of Twenty-one thousand two hundred and sixty-four pounds on Revenue Account and Three thousand pounds on Loan Account to meet certain expenditure over and above the amounts appropriated for the service of the financial year ending on 31st March, 1936, as specified in Ordinance No. 3 of 1935.

2. The money appropriated by this Ordinance shall be applied to the services detailed in the Schedule hereto and more particularly specified in the Estimates of the Additional Expenditure to be defrayed from Revenue and Loan Funds (S.W.A. 2—’36) as approved by the Legislative Assembly.

3. This Ordinance may be cited for all purposes as the Additional Appropriation (1935—’36) Ordinance, 1936.

### SCHEDULE.

Vote No.	Designation of Vote	Amount
ON REVENUE ACCOUNT.		
3	Agriculture . . . . .	£11,324
4	Audit . . . . .	150
10	Lands, Deeds and Surveys . . . . .	790
12	Native Affairs . . . . .	9,000
		£21,264
ON LOAN ACCOUNT.		
H	Loans to Local Authorities . . . . .	3,000
Total .		£24,264

“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 net die produkte van sy eie bedrewenheid en werk verkoop.”

Met die verstande dat enige Algemene Handelaarslisensie by die kleinmaat wat onder die bepaling van die hoofordonnansie toegestaan is, geag word ’n onbepaalde Algemene Handelaarslisensie in terme van die genoemde Ordonnansie, soos gewysig deur hierdie Ordonnansie, te wees.”

3. Item 1 van Deel II van die Eerste Bylae van die hoofordonnansie word hiermee gewysig deur skraping van die woorde “Items 3, 4, 9, 10, 12 en 14 van Deel I van hierdie Bylae”, wat in paragraaf (1) van Artikel A daarvan voorkom, en deur vervanging daarvan van die woorde —

“enige item wat in Deel I van hierdie Bylae voorkom behalwe items 5 en 15, en aan vervaardigers, soos bepaal in item 9 van Deel I van hierdie Bylae.”

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

No. 2 van 1936.]

## ORDONNANSIE

Tot aanwending van ’n verdere geldbedrag van nie meer as vier-en-twintig duisend tweehonderd vier-en-sestig pond vir die diens van die Gebied Suidwes-Afrika vir die boekjaar eindigende op die een-en-dertigste dag van Maart 1936.

(Goedgekeur 9 April 1936.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. Die Administrasierekening van die Gebied Suidwes-Afrika word hiermee belas met die bedrag van een-en-twintig duisend tweehonderd vier-en-sestig pond op die Inkomsterekening en met drieduisend pond op die Leningsrekening tot dekking van sekere uitgawes bo en behalwe die bedrag beskikbaar gestel vir die diens van die boekjaar eindigende op 31 Maart 1936, soos in Ordonnansie No. 3 van 1935 vermeld is.

2. Die geld wat deur hierdie Ordonnansie beskikbaar gestel word moet aangewend word vir die dienste in besonderhede vermeld in die Bylae tot hierdie Ordonnansie en omstandiger uiteengesit in die Begroting van Addisionele Uitgawes wat gedek moet word uit Inkomste- en Leningsfondse (S.W.A. 2—’36), soos deur die Wetgewende Vergadering goedgekeur.

3. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Addisionele Middele- (1935—’36) Ordonnansie 1936.

### BYLAE.

No. van Begrotingspos.	Benaming van Begrotingspos	Bedrag
OP INKOMSTEREKENING.		
3	Landbou . . . . .	£11,324
4	Ouditeursafdeling . . . . .	150
10	Lande, Registrasie en Opmetings . . . . .	790
12	Naturellesake . . . . .	9,000
		£21,264
OP LENINGSREKENING.		
H	Lenings aan Plaaslikebesture . . . . .	3,000
Totaal .		£24,264

No. 3 of 1936.]

**ORDINANCE**

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

(Assented to 9th April, 1936.)

(English Text signed by the Administrator.)

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.

No. 4 of 1936.]

**ORDINANCE**

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

(Assented to 9th April, 1936.)

(Afrikaans text signed by the Administrator.)

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, and on the sale or consumption of wine other than the produce of South West Africa only one shilling per bulk gallon or part thereof.

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

No. 3 van 1936.]

**ORDONNANSIE**

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

(Goedgekeur 9 April 1936.)

(Engelse teks deur die Administrateur geteken.)

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 sub-artikel (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 sub-artikel (h):—

“behalwe wanneer vee gekoop is van persone wat spesiaal vrygestel is in terme van sub-artikel (g)”.

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

No. 4 van 1936.]

**ORDONNANSIE**

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

(Goedgekeur 9 April 1936.)

(Afrikaanse teks deur die Administrateur geteken.)

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 en op de verkoop of verbruik van wijn, de niet een produkt van Zuidwest-Afrika is, slegs een shilling per gelling bij volume of gedeelte ervan, betalen moeten”.

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