



# OFFICIAL GAZETTE

EXTRAORDINARY

of South West Africa.

Published by Authority.

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BUITENGEWONE

# OFFISIËLE KOERANT

van Suidwes-Afrika.

Uitgegee op gesag.

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1/- Tuesday, 24th December, 1940. WINDHOEK Dinsdag, 24 Desember 1940. No. 875

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**PROCLAMATION**

BY HIS EXCELLENCY THE RIGHT HONOURABLE SIR PATRICK DUNCAN, A MEMBER OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL, KNIGHT GRAND CROSS OF THE MOST DISTINGUISHED ORDER OF SAINT MICHAEL AND SAINT GEORGE, ONE OF HIS MAJESTY'S COUNSEL LEARNED IN THE LAW, DOCTOR OF LAWS, GOVERNOR-GENERAL OF THE UNION OF SOUTH AFRICA

No. 248, 1940 (Union).]

Under the powers conferred upon me by section *one bis* of the War Measures Act, 1940 (Act No. 13 of 1940), as inserted by section *one* of the War Measures (Amendment) Act, 1940 (Act No. 32 of 1940), I do hereby make the regulations set forth in the Annexure to this Proclamation, which shall be in force in the Union and in the Mandated Territory of South West Africa.

This Proclamation shall be called War Measure No. 11 of 1940.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Pretoria this Seventeenth day of December One thousand Nine hundred and Forty.

PATRICK DUNCAN,  
Governor-General.

By Command of His Excellency the  
Governor-General-in-Council.

C. F. STEYN,

**ANNEXURE.****REGULATIONS TO RESTRICT THE STANDING OF DRINKS.**

## 1. In these regulations—

“licensed premises” means any premises on which liquor may lawfully be sold for consumption on those premises under a licence issued in terms of the law relating to the supply of intoxicating liquor;

“liquor” means spirits, wine or malt liquor.

## 2. Subject to the provisions of Regulation 5, no person shall, on licensed premises—

- (a) order any liquor for consumption on those premises by any other person; or
- (b) pay for any liquor supplied to any other person for consumption on those premises; or
- (c) consume any liquor ordered or paid for by any other person.

## 3. Subject to the provisions of Regulation 5, no person shall, on licensed premises, either personally or through an agent—

- (a) supply any liquor free of charge or at a price lower than the price usually charged on those premises for the class and quantity of liquor so supplied; or
- (b) supply any liquor to any person who has not ordered it himself; or
- (c) supply any liquor if he has reason to suspect that the liquor supplied or part of it is intended for a person other than the person to whom the liquor is supplied; or
- (d) accept payment for any liquor consumed or to be consumed by a person other than the person who makes the payment.

## 4. Subject to the provisions of Regulation 5, no person shall give or lend any money to any person for the purpose of enabling him to pay therewith the price or part of the price of any liquor purchased or to be purchased on licensed premises.

**PROKLAMASIE**

VAN SY EKSELLENSIE DIE HOOGDELAGBARE SIR PATRICK DUNCAN, LID VAN DIE MEES EERVOLLE GEHEIME RAAD VAN SY MAJESTEIT, GROOTKRUISRIDDER VAN DIE MEES ONDER-SKEIE ORDE VAN SINT MICHIËL EN SINT JORIS, EEN VAN SY MAJESTEIT SE ADVOKATE BELESË IN DIE REG, DOKTOR IN DIE REGTE, GOEWER-NEUR-GENERAAL VAN DIE UNIE VAN SUID-AFRIKA.

No. 248, 1940 (Unie).]

Kragtens die bevoegdheid my verleen by artikel *een bis* van die Wet op Oorlogsmaatreëls, 1940 (Wet No. 13 van 1940), soos ingevoegd deur artikel *een* van die Oorlogsmaatreëls-Wysigingswet, 1940 (Wet No. 32 van 1940), vaardig ek hierby die regulasies uiteengesit in die aanhangsel van hierdie proklamasie uit om in die Unie en die Mandaatgebied Suidwes-Afrika van krag te wees.

Hierdie proklamasie staan bekend as Oorlogsmaatreël No. 11 van 1940.

GOD BEHOEDE DIE KONING.

Gegee onder my Hand en die Grootseël van die Unie van Suid-Afrika te Pretoria op hede die Sewentiende dag van Desember Eenduisend Negehonderd en Veertig.

PATRICK DUNCAN,  
Goewerneur-generaal.

Op las van Sy Eksellensie die  
Goewerneur-generaal-in-rade.

C. F. STEYN,

**AANHANGSEL.****REGULASIES TOT BEPERKING VAN DIE TRAKTEER OP DRANK.**

## 1. In hierdie regulasies beteken—

„gelisensieerde perseel” ’n perseel waarop drank wettiglik verkoop mag word vir verbruik op daardie perseel kragtens ’n lisensie uitgereik ingevolge die wet betreffende die verskaffing van sterk drank;

„drank” spiritus, wyn of moutdrank.

## 2. Behoudens die bepalinge van regulasie 5 mag niemand op ’n gelisensieerde perseel—

- (a) enige drank bestel vir verbruik deur iemand anders op daardie perseel; of
- (b) betaal vir enige drank verskaf aan iemand anders vir verbruik op daardie perseel; of
- (c) enige drank verbruik wat iemand anders bestel het, of waarvoor so iemand betaal het.

## 3. Behoudens die bepalinge van regulasie 5 mag niemand op ’n gelisensieerde perseel, hetsy persoonlik of deur ’n agent—

- (a) enige drank kosteloos of teen ’n laer prys verskaf as die prys wat gewoonlik op daardie perseel vir die aldus verskafte klas en hoeveelheid drank betaal word; of
- (b) enige drank verskaf aan iemand wie dit nie self bestel het nie; of
- (c) enige drank verskaf indien hy rede het te vermoed dat die verskafte drank of gedeelte daarvan, bestemd is vir iemand anders as die persoon aan wie die drank verskaf is; of
- (d) betaling ontvang vir enige drank wat verbruik is of sal word deur iemand anders as die persoon wat daarvoor betaal.

## 4. Behoudens die bepalinge van regulasie 5 mag niemand enige geld gee of leen aan enigiemand met die doel om hom in staat te stel om daarmee die prys of gedeelte van die prys van enige drank wat op ’n gelisensieerde perseel gekoop is of sal word, te betaal nie.

5. Regulations 2, 3 and 4 shall not apply in connection with liquor supplied or to be supplied—

- (a) with a *bona fide* lunch or dinner actually supplied at a price of not less than one shilling, exclusive of the price of the liquor;
- (b) to a woman;
- (c) to persons assembled as the guests of a person to whom the Magistrate or Police Commandant of the district in which the assemblage is to take place, has granted permission, in writing, to entertain guests at the time when and in the room or at the place where the assemblage takes place;
- (d) to the guest of a person who resides on the licensed premises in question, in a private room in which the said person resides.

6. Any person who contravenes any provision of these regulations shall be guilty of an offence and liable to a fine not exceeding twenty-five pounds.

5. Regulasies 2, 3 en 4 is nie van toepassing nie in verband met drank wat verskaf is of sal word—

- (a) by 'n *bona fide* middag- of aandete wat werklik verskaf is teen 'n prys van minstens een sjieling, uitluitende die prys van die drank;
- (b) aan 'n vrouspersoon;
- (c) aan persone byeen as gaste van iemand aan wie die magistraat of polisiekommandant van die distrik waarin die byeenkoms plaasvind, sy skriftelike vergunning verleen het om gaste te onthaal op die tyd waarop en in die vertrek of plek waarin die byeenkoms plaasvind;
- (d) aan 'n gas van iemand wat woon op die betrokke gelisensieerde perseel, in 'n private vertrek waarin genoemde persoon woon.

6. Iemand wat 'n bepaling van hierdie regulasies oortree is skuldig aan 'n misdryf en strafbaar met 'n boete van hoogstens vyf-en-twintig pond.