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EXTRAORDINARY
OF SOUTH WEST AFRICA.

BUITENGEWONE

OFFISIËLE KOERANT



UITGAWE OP GESAG.

VAN SUIDWES-AFRIKA.

PUBLISHED BY AUTHORITY.

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WINDHOEK

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

J. NESER,
Secretary for South West Africa.

Administrator's Office,
Windhoek.

Die volgende Ontwerpordonnansie, wat gedurende die volgende Sessie aan die Wetgewende Vergadering voorgelê sal word, word vir algemene inligting gepubliseer.

J. NESER,
Skretaris van Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

	<i>Page</i>	<i>Bladsy</i>
South West African Meat Industry Ordinance, 1955.	1074	Ordonnansie op die Suidwes-Afrikaanse Vleisnywerheid 1955. 1074
Motor Vehicle and Wheel Tax Further Amendment Ordinance, 1955.	1086	Wysigingsordonnansie op Motorvoertuie en Wielbelasting 1955. 1086

DRAFT ORDINANCE

To provide for the control of the meat industry in the Territory and for that purpose to establish the South West African Meat Corporation and define its functions and powers, for the taking over of existing meat concerns, meat canning factories, abattoirs and cold storage chambers and their management, for the chilling, freezing and storing of meat for the purpose of processing and consumption within the Territory and for import and export, for levies and handling fees on stock, for the taking over of the Meat Trade Control Board and for other incidental matters.

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

1. As from a day to be fixed by the Administrator by proclamation in the *Official Gazette*, there shall be established a body to be known as the South West African Meat Corporation (hereinafter called the corporation) which shall be a body corporate capable of suing and being sued in its corporate name and, subject to the provisions of this Ordinance, of performing all such acts as are necessary for, or incidental to, the carrying out of its objects and powers.

2. (1) The work of the corporation shall, subject to the provisions of this Ordinance, be managed and controlled by a board of directors (hereinafter called the board) consisting of five members who shall be appointed by the Administrator and who shall hold office for a period of three years.

(2) Any member shall be eligible for reappointment after the expiration of his term of office.

(3) The Administrator shall designate one of the directors so appointed to be chairman of the board and another to be vice-chairman thereof.

(4) Every appointment of a director and every designation of a director as chairman or vice-chairman of the board or as acting chairman in terms of sub-section (5) of section three, shall be published in the *Official Gazette*.

(5) In appointing the directors, the Administrator shall as far as is practicable give preference to persons representative of organized agriculture and business in the Territory and of the Administration of South West Africa.

3. (1) No person shall be appointed as a director if he—

- (a) is an unrehabilitated insolvent; or
- (b) has been convicted of an offence and sentenced to death or to imprisonment without the option of a fine.

(2) A director shall vacate his office if he—

- (a) becomes subject to disqualification in terms of sub-section (1);
- (b) gives notice in writing to the Administrator of his desire to resign office, and his resignation is accepted by the Administrator;
- (c) becomes unsound of mind or physically unfit;

ONTWERPORDONNANSIE

Om voorsiening te maak vir die beheer van die vleisnywerheid in die Gebied en vir daardie doel die Suidwes-Afrikaanse Vleiskorporasie te stig en sy werksaamhede en bevoegdhede te bepaal, vir die oorname van bestaande vleissake, vleisvleisfabrieke, abattoirs en koelkamers en die bestuur daarvan, vir die verkoeling, bevriessing en opberging van vleis vir verwerking en verbruik in die Gebied en vir in- en uitvoer, vir heffings en hanteringsgelde op vee, vir die oorname van die Vleishandel Kontrole Raad en om voorsiening te maak vir ander verbandhoudende sake.

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika VERORDEN:—

1. Vanaf 'n dag wat die Administrateur by proklamasie in die *Offisiële Koerant* bepaal, word daar 'n liggaam gestig met die name die Suidwes-Afrikaanse Vleiskorporasie (hierna die Korporasie genoem), met regs persoonlikheid beklee, wat as eiser en verweerder in sy naam as regspersoon in regte kan optree en wat onderhewig aan die bepalings van hierdie Ordonnansie alle sodanige handelinge kan verrig wat nodig of nuttig is vir, of in verband staan met, die uitvoering van sy oogmerke en bevoegdhede.

2. (1) Die verrgtinge van die Korporasie word, met inagneming van die bepalings van hierdie Ordonnansie, bestuur en beheer deur 'n Raad van Direkteure (hierna die Raad genoem) bestaande uit vyf lede wat deur die Administrateur aangestel word en luid amp beklee vir 'n tydperk van drie jaar.

(2) 'n Lid kan na verstryking van sy ampstyd weer aangestel word.

(3) Die Administrateur wys een van die aldus aangestelde direkteure aan om voorsitter van die Raad te wees en 'n ander om vise-voorsitter daarvan te wees.

(4) Iedere aanstelling van 'n direkteur en iedere aanwysing van 'n direkteur as voorsitter of vise-voorsitter van die Raad of as waarnemende voorsitter ingevolge sub-artikel (5) van artikel drie, word in die *Offisiële Koerant* bekendgemaak.

(5) By die aanstelling van die direkteure gee die Administrateur sover doenlik voorkeur aan persone verteenwoordigend van georganiseerde landbou en handel in die Gebied en van die Administrasie van Suidwes-Afrika.

3. (1) Niemand word as 'n direkteur aangestel nie indien hy—

- (a) 'n ongerchabiliteerde insolvent is; of
- (b) skuldig bevind is aan 'n misdad en veroordeel is tot die dood of gevangenisstraf sonder die keuse van 'n boete.

(2) 'n Direkteur se amp word vakant indien hy—

- (a) onderhewig word aan 'n onbevoegdheid in sub-artikel (1) bedoel;
- (b) die Administrateur skriftelik in kennis stel van sy verlange om sy amp neer te lê en sy bedanking deur die Administrateur aangeneem word;
- (c) kruksinnig of liggannlik ongeskik word;

- (d) has been absent, without the permission of the chairman, from three consecutive meetings of directors, of which he has had notice;
- (e) in the opinion of the Administrator has been guilty of improper conduct or is incapable of efficiently performing his duties;
- (f) has an interest or share in the profits of any contract with, or work performed for, the corporation otherwise than as a member of the board, or as a seller of stock.

(3) Every vacancy caused by a director's death, or in terms of sub-section (2), shall be filled by the appointment by the Administrator of another director who shall hold office for the unexpired portion of the period for which the director, whose office has so become vacant, had been appointed.

(4) If the director whose office has so become vacant was the chairman or vice-chairman of the board, the Administrator shall designate another director as chairman or vice-chairman, as the case may be.

(5) The Administrator may, if circumstances so require, designate a director to be acting chairman for such period as the Administrator may determine.

(6) If any director is prevented by illness, absence from the Territory or other sufficient cause from performing his duties as a director, the Administrator may appoint another person to act as the deputy of such director for the period of his absence.

4. There shall be paid to the chairman, the vice-chairman and the other directors, out of the funds of the corporation, such salaries as the Administrator may determine, and in addition they may be paid out of the said funds such allowances for expenses incurred by them in the performance of their duties as the Administrator may from time to time determine.

5. (1) The first meeting of the board shall be held on a day and at a place to be appointed by the Administrator.

(2) Subsequent meetings shall be held at least once in every calendar month and at such times and places as the board may from time to time determine: Provided that it shall not be necessary to hold any such meeting if permission thereto has been obtained from the Administrator.

(3) Special meetings may be convened by the chairman of the board, and shall be convened by him upon the written request of at least two directors: Provided that the request shall state clearly the purposes for which the meeting is to be convened.

(4) The meetings of the board shall be convened by notice given by, or on behalf of, the chairman of the board to the members of the board.

(5) The board may in its discretion call or adjourn meetings.

(6) Unless the place, date and time of any meeting is determined at a previous meeting, every member shall, as far as is practicable, receive written notice of all meetings at least ten days in advance of the date on which such meeting is to take place.

6. (1) The chairman shall preside at the meetings of the board, and in his absence from any meeting the vice-chairman shall preside. If both the chairman and the vice-chairman are absent from any meeting, the directors who are present may elect from amongst themselves a chairman to preside at that meeting.

(2) Three directors shall form a quorum at any meeting of the board: Provided that if a mere quorum is present any decision passed shall be unanimous.

(3) Subject to the provisions of sub-section (2) the decision passed by the majority of the directors present at any meeting shall constitute the decision of the board:

(d) sonder verloop van die voorsitter afwesig is van drie agtereenvolgende vergaderings van direkteure, waarvan hy in kennis gestel is;

(e) na die mening van die Administrateur hom skuldig gemaak het aan onbetamelike gedrag of nie in staat is om sy pligte op doeltreffende wyse te vervul nie;

(f) 'n belang het by, of 'n deel het in, die winste van enige kontrak met, of werk verrig vir, die Korporasie andersins as 'n raadslid of as 'n verkoper van vee.

(3) Iedere vakature veroorsaak deur die dood van 'n direkteur of ooreenkomsig die bepalings van sub-artikel (2) word gevul deur die aanstelling deur die Administrateur van 'n ander direkteur wat sy amp beklee vir die onverstrekte gedeelte van die tydperk waarvoor die direkteur wie se amp aldus vakant geword het, aangestel was.

(4) Indien die direkteur wie se amp aldus vakant geword het die voorsitter of vise-voorsitter van die Raad was, wys die Administrateur, na gelang van die geval, 'n ander direkteur as voorsitter of vise-voorsitter aan.

(5) Die Administrateur kan, indien omstandighede sulks vereis, 'n direkteur aanwys om waarnemende voorsitter te wees vir die tydperk wat die Administrateur bepaal.

(6) Die Administrateur kan, indien 'n direkteur deur siekte, afwesigheid uit die Gebied of weens ander aanneemlike redes nie sy werksaamhede as direkteur kan behartig nie, 'n persoon as plansvervanger vir die tydperk van afwesigheid van sodanige direkteur aanstel.

4. Aan die voorsitter, vise-voorsitter en ander direkteure word uit die fondse van die Korporasie salarisse, deur die Administrateur vasgestel, betaal, en bowendien kan uit die bedoelde fondse sodanige toelae aan hulde betaal word vir koste deur hul by die verrigting van hul pligte beloop wat die Administrateur van tyd tot tyd vasstel.

5. (1) Die eerste vergadering van die Raad word gehou op 'n dag en plek wat die Administrateur moet vasstel.

(2) Danopvolgende vergaderings word minstens een keer in elke kalendermaand gehou op sodanige tyd en plekke wat die Raad van tyd tot tyd vasstel: Met dien verstande dat die hou van enige sodanige vergadering nie nodig is nie as die toestemming van die Administrateur verkry is om die vergadering nie te hou nie.

(3) Spesiale vergaderings kan deur die voorsitter van die Raad belê word, en moet deur hom belê word op skriftelike aansoek van minstens twee direkteure: Met dien verstande dat die aansoek die doel waarvoor die vergaderings belê moet word, duidelik uiteensit.

(4) Vergaderings van die Raad word belê by kennisgewing aan die lede van die Raad deur of namens die voorsitter van die Raad uitgereik.

(5) Die Raad kan vergaderings saamroep of verdrag na goeddunke.

(6) Tensy die plek, datum en tyd van 'n vergadering in 'n voorafgaande vergadering bepaal word, moet elke lid sover doeilik skriftelik kennis gegee word van alle vergaderings minstens tien dae voorafgaande die datum waarop die vergadering moet plaasvind.

6. (1) Die voorsitter presideer op vergaderings van die Raad, en by afwesigheid van 'n vergadering presideer die vise-voorsitter. Indien sowel die voorsitter as die vise-voorsitter afwesig is van 'n vergadering, kan die aanwesige direkteure uit hul midde 'n voorsitter kies om op daardie vergadering te presideer.

(2) Drie direkteure maak 'n kworum uit op 'n vergadering van die Raad, maar waar daar net 'n kworum is, moet hulle beslissings eenparig wees.

(3) Onderworpe aan die bepalinge van sub-artikel (2) maak die beslissing van die meerderheid van die direkteure in 'n vergadering aanwesig, die beslissing van die Raad uit: Met dien verstande dat die voorsitter by 'n staking

Provided that in the event of an equality of votes the chairman shall have a casting vote in addition to his deliberative vote: Provided further that the vice-chairman when presiding at any meeting or a director elected to preside at any meeting in terms of sub-section (1) shall have no such casting vote.

(4) When for any reason it is not practicable to hold a meeting of the board for the transaction of any business of an urgent nature the assent of all the members of the board signified in writing or by telegram to the doing of any act or thing or the giving of any order, direction, instruction, consent or approval or the exercise of any act of authority shall be as effective as, and be deemed to be, a decision of the board: Provided that a record of every such assent shall be entered in the minutes of the next meeting of the board.

7. (1) Minutes shall be kept of the proceedings of every meeting of the board.

(2) The minutes of a meeting shall be read at the next ensuing meeting and shall, if they are passed as correct, be signed by the chairman presiding at that meeting.

(3) Any record purporting to be the minutes of a meeting of the board held under this Ordinance and purporting to have been signed by a person describing himself as the chairman, acting chairman, vice-chairman or presiding director, shall upon its mere production by any person be accepted as *prima facie* evidence of the proceedings recorded therein.

8. (1) The vice-chairman shall act as chairman whenever the chairman, or the acting chairman, if one has been designated, is unable to act, and shall, subject to the provisions of sub-section (3) of section *six*, when so acting, have all the powers and discharge all the duties of the chairman.

(2) An acting chairman shall have all the powers and discharge all the duties of the chairman.

9. No decision or act of the board or act done under the authority of the board, shall be invalid by reason only of the fact that the board did not consist of the full number of members for which provision is made in section two, or by reason only of the fact that a disqualified person sat or acted as a member of the board at the time such decision or act was taken, done or authorized: Provided that if a disqualified person sat or acted as a member of the board, such decision or act was taken, done or authorized by a majority of the members present at the time, who were duly qualified to sit or act as members of the board, and who formed a quorum.

10. (1) The board may, with the approval of the Administrator, appoint a general manager, and if and when so appointed, such general manager shall be the chief executive officer of the corporation and shall devote his full-time attention to the business of the corporation.

(2) The general manager shall, whenever practicable, attend all the meetings of the board, but only in an advisory capacity, and shall not have the right to vote.

(3) The salary of the general manager shall be determined by the Administrator and paid out of the revenue of the corporation.

(4) The board may, with the approval of the Administrator, delegate such powers to the general manager, as it may, in its discretion, deem necessary or convenient.

11. (1) The objects of the corporation shall be—

(a) to exercise control over the meat industry in the Territory:

van stemme bencwens sy beraadslagende stem ook 'n beslissende stem het: Met dien verstande voorts dat die vise-voorsitter, wanneer hy op 'n vergadering presideer, of 'n direkteur wat ooreenkomstig sub-artikel (1) gekies is om op 'n vergadering te presideer, nie so 'n beslissende stem het nie.

(4) Wanneer om die een of ander rede dit nie doenlik is om 'n vergadering van die Raad te hou vir die behandeling van 'n saak van dringende aard nie, is die toestemming van alle lede van die Raad, skriftelik of telegrafies verleen, tot die verrigting van 'n handeling of saak of die verlening van 'n bevel, lasgewing, instruksie, toestemming of goedkeuring of die uitoefening van 'n daad van gesag ewe geldig as 'n beslissing van die Raad en word dit as sodanig geag: Met dien verstande dat 'n aantekening van elke sodanige toestemming in die notule van die volgende vergadering van die Raad gemaak word.

7. (1) Notule word gehou van die verrigtinge van elke vergadering van die Raad.

(2) Die notule van 'n vergadering word by die oorsvoldende vergadering gelees, en word, indien aangeneem, deur die voorsitter wat op laasgenoemde vergadering presideer, onderteken.

(3) 'n Verslag wat heet die notule te wees van 'n vergadering van die Raad ingevolge hierdie Ordonnansie gehou, en wat heet onderteken te wees deur iemand wat homself noem as voorsitter, waarnemende voorsitter, vise-voorsitter of presiderende direkteur, strek by blote voorlegging deur een of ander persoon tot bewys *prima facie* van die daarin opgetekende verrigtinge.

8. (1) Die vise-voorsitter tree op as voorsitter wanneer die voorsitter of die waarnemende voorsitter, as daar een aangewys is, nie kan optree nie, en het behoudens die bepalinge van sub-artikel (3) van artikel *ses*, wanneer hy aldus optree, al die bevoegdhede en vervul al die pligte van die voorsitter.

(2) 'n Waarnemende voorsitter het al die bevoegdhede en vervul al die pligte van die voorsitter.

9. Geen beslissing of handeling van die Raad, of handeling op gesag van die Raad verrig, is ongeldig bloot weens die feit dat die Raad nie uit die volle getal lede waarvoor voorsiening gemaak is in artikel *twee*, bestaan het nie, of bloot weens die feit dat 'n onbevoegde persoon sitting geneem het of opgetree het as 'n lid van die Raad toe daardie beslissing of handeling geneem, verrig of gemagtig is nie: Met dien verstande dat indien 'n onbevoegde persoon sitting geneem het of opgetree het as 'n lid van die Raad, bedoelde beslissing of handeling geneem, verrig of gemagtig is deur die meerderheid van die lede wat toe aanwesig was en wat wel bevoeg was om sitting te neem of op te tree as lede van die Raad en wat 'n kworum uitmaak.

10. (1) Die Raad kan, met die toestemming van die Administrator, 'n hoofbestuurder aanstel en indien en wanneer aangestel, is hy die vernamekste uitvoerende amp-tentuur van die Korporasie en moet hy sy volle tyd aan die sake daarvan wy.

(2) Die hoofbestuurder moet wanneer doentlik alle vergaderings van die Raad bywoon, maar slegs in 'n adviserende hoedanigheid, en is nie geregtig om te stem nie.

(3) Die salaris van die hoofbestuurder word deur die Administrateur vasgestel en word uit die inkomste van die Korporasie betaal.

(4) Die Raad kan, met die goedkeuring van die Administrateur, al die bevoegdhede wat syns-insiens nodig of gerieflik blyk aan die hoofbestuurder oordra.

11. (1) Die oogmerke van die Korporasie is—

(a) om beheer oor die vleisnywerheid in die Gebied uit te oefen;

- (b) to carry on the trade or business of meat canners, wholesale butchers and merchants in all meat products, owners of cold storage chambers and dealers in hides and skins on a wholesale basis in their respective spheres, to can, chill, freeze and store meat for the purpose of processing and consumption in the Territory, and to export meat and meat products;
- (c) to purchase or otherwise acquire, as a going concern, the whole or any part of the business, property and obligations of any person or company carrying on any trade or business in the Territory, which the corporation is empowered to exercise, and to carry on, close down, alienate or otherwise dispose of any trade or business thus acquired;
- (d) to erect, acquire, stabilize and maintain abattoirs, slaughter-houses or butcheries;
- (e) to erect, acquire, stabilize and maintain factories for the canning and manufacture of meat and polony and other kinds of sausages;
- (f) to erect, acquire, stabilize and maintain cold storage and cooling chambers;
- (g) to export or authorize the export against permits from the Territory of live stock, meat and meat products;
- (h) to impose and collect levies and handling fees on stock;
- (i) to fix and collect insurance, grading, abattoir and slaughtering fees;
- (j) to act as agents for the purchase and sale of stock and of fresh, chilled, frozen and processed meat or meat in any form whatsoever, either on its own account or on account of others within or outside the Territory of South West Africa and the Union of South Africa.

(2) The corporation may further do all such other things as are incidental or conducive to the achievement of any of its objects, or which are incidental to any of the powers or functions mentioned in this section, or which are calculated, directly or indirectly, to increase the value of any of the corporation's undertakings, property or rights.

12. The corporation may for the purpose of carrying out its objects—

- (a) acquire, build, stabilize, maintain and use meat canning factories and polony and sausage factories for the purpose of manufacturing meat, bacon, ham, meat products, polony and sausages, whether fresh or canned, for consumption within the Territory and for export;
- (b) carry on as wholesale butchers and merchants in meat, bacon, ham and all meat products, as dealers in stock and other live animals, as dealers in skins and hides, as manufacturers of ice, as general dealers and contractors for the supply of the abovementioned goods;
- (c) do business as importers and exporters of cattle, sheep, pigs, goats and any other animals on the hoof, and as importers and exporters of carcases of cattle, sheep, goats, pigs and other animals, whether in frozen or any other form, and as importers and exporters of canned meats;
- (d) acquire, erect, stabilize, maintain and use abattoirs, cold storage chambers and cooling plant or rooms for the purpose of chilling, freezing and storing of beef, mutton, lamb, goat's meat, pork and veal, and other meat foods (including game) for consumption within the Territory and for export;
- (e) erect, maintain, alter or improve buildings, works, machinery and plant as it may find necessary or convenient for the carrying on of its business, or dispose of such buildings, works, machinery and plant;
- (f) carry on the business of warehousing, acquire or erect customs or other warehouses or storage rooms, and wholly or partly control, direct, manage, lease or dispose of them;

- (b) om die bedrywe of besighede van vleisinnemakers, groot-handelsslagers en handelaars van alle vleis-produkte, koelkammerinrigtingeinnemars, lui-de- en vel-handelaars op 'n groot-handel-basis in hul respektiewe afdelings, uit te oefen, om vleis in te maak, te verkoel, te bevries en op te berg vir verwerking en verbruik in die Gebied en om vleis en vleisprodukte uit te voer;
- (c) om as lopende saak die hele of enige deel van 'n besigheid, eiendom en verpligtings van enige persoon of maatskappy, wat enige bedryf of besigheid in die Gebied uitoefen wat die Korporasie genstig is om uit te oefen, te koop of op ander wyse te verkry, en om enige bedryf of besigheid aldus verkry uit te oefen, te sluit, van die hand te sit, of op enige ander wyse daarmee te handel;
- (d) om abattoirs, slaginrigtings of slaghuse te bou, aan te skaf, te stabiliseer en te onderhou;
- (e) om fabriek vir die innmaak en vervaardiging van vleis en polonie en worssoorte te bou, aan te skaf, te stabiliseer en te onderhou;
- (f) om koelkamers en verkoelingskamers te bou, aan te skaf, te stabiliseer en te onderhou;
- (g) om lewende vee en vleis en vleisprodukte, uit die Gebied uit te voer of die uitvoer daarvan teen per-mitte te magtig;
- (h) om heffings en hanterings-gelde op vee te lê en in te stel;
- (i) om versekerings-, graderings-, abattoir- en slag-gelde vas te stel en in te stel;
- (j) om as agente vir die koop en verkoop van vee en van vars, verkoelde, bevore, en bewerkte vleis, of vleissoorte in watter vorm ook al, vir eie rekening of vir rekening van andere binne of buite die Gebied van Suidwes-Afrika en die Unie van Suid-Afrika op te tree.

(2) Die Korporasie kan ook alle sodanige ander dinge verrig wat in verband staan met of bevoordelik is vir die bereiking van enige doel, of in verband staan met enige bevoegdheids- of werksaamhede in hierdie artikel vermeld, of wat bereken is om direk of indirek die waarde te verhoog van enige van die Korporasie se ondernemings, eiendom of regte.

12. Die Korporasie kan, vir die uitvoering van sy oogmerke—

- (a) vleisinnmaakfabrieke, polonie- en worsfabrieke aanskaf, bou, stabiliseer, onderhou en aanwend vir die doel om vleis, spek, ham, vleisprodukte, polonie en worssoorte te vervaardig, hetsy vars of ingemaak, vir verbruik binne die Gebied en vir uitvoer;
- (b) groot-handelsake doen as slagters en handelaars in vleis, spekvleis, ham, en alle vleisprodukte, as handelaars van vee en ander lewende hawe, as lui-de- en vel-handelaars, as vervaardigers van ys, as algemene handelaars, en as kontrakteurs vir die lewering van bogenoemde ware;
- (c) sake doen as in- en uitvoerders van beeste, skaap, varke, bokke en enige ander lewende diere, en as in- en uitvoerders van karkasse van beeste, skaap, bokke, varke, en ander diere, hetsy in 'n bevrore of ander toestand en as in- en uitvoerders van ingemaakte vleissoorte;
- (d) abattoirs, koelkamers en verkoelingswerke of kamers aanskaf, bou, stabiliseer, onderhou en aanwend vir die doel van verkoeling, bevestiging en opberging van beestvleis, skaap- en lamvleis, bokvleis, varkvleis en kalfvleis en ander vleis-saamstellings (insluitende wild-vleis) vir verbruik binne die Gebied en vir uitvoer;
- (e) geboue, werke, masjinerie en inrigtings wat vir sy sake nodig of gerieflik is, bou, in stand hou, verander, verhoer of hulle van die hand sit;
- (f) pakhuisbedryf voer, doene- of ander pakhuse of bewaarkamers aanskaf of oprig, en hullo geheel of gedeeltelik beheer, dryf, bestuur, verhuur of van die hand sit;

- (g) purchase, exchange or hire, or otherwise acquire property, whether movable or immovable, or rights or privileges, where the corporation in consideration of one or another of its objects, deems it necessary or convenient to do so, or where such acquisition would probably facilitate the realization of the corporation's stocks, funds or securities, or where it would avoid or reduce anticipated losses or liabilities;
- (h) invest all moneys of the corporation which have not to be deposited into the reserve, stabilization or development funds and which are not immediately required, against such security and in such a manner as the board may think fit, and change or realize such investments;
- (i) and with the approval of the Administrator, and subject to such conditions as the Administrator may impose, raise money by way of loans in such amounts and ways and for such purposes as the Administrator may authorize, and redeem such loans;
- (j) draw, accept, endorse, negotiate, execute and issue bills of exchange, debentures, bills of lading, consignment notes, orders, warrants and other negotiable or transferable instruments or securities;
- (k) appoint and take into its service technical officers, secretaries, accountants, clerks, employees and such other servants as it may need and dismiss them: Provided that any appointment of a person on a salary scale of which the maximum exceeds £1000, or on a salary exceeding £1000, shall be approved by the Administrator, and that the creation of posts with salary scales of which the maximum exceeds £600, or with proposed salaries exceeding £600, shall likewise be approved by the Administrator;
- (l) pay any person in its employ such salary, wages or other remuneration as it may think fit, grant him bonuses, and in its discretion grant him leave of absence, and establish a pension or retirement fund and a medical fund for its employees and make contributions towards such funds;
- (m) conclude agreements and stand or find security in respect of any part of the corporation's business or property, and amend or cancel such agreements;
- (n) where it appears conducive to the interests of one or more of the corporation's objects, make, renew, cancel or abandon all arrangements with any government or other power or authority, whether local or otherwise, and obtain from such government or other authority such rights, privileges and concessions as the corporation may deem desirable, and observe, exercise and enjoy such arrangements, rights, privileges and concessions;
- (o) for the purpose of exercising the rights, interests and powers granted to it under this Ordinance, use, exchange, lease, sell or mortgage, alienate or hypothecate any part of the property, rights, privileges, machinery or plant which it has acquired or erected;
- (p) do everything it may lawfully do which may be incidental or conducive to the exercise or enjoyment of its rights, interests and powers in terms of this Ordinance, and such other things as may be necessary for, or incidental to, the achievement of its objects.
- (g) eiendom, hetsy roerend of onroerend, of regte, of voorregte, koop, ruil of huur of andersins verkry, waar die Korporasie, met inagneming van die een of die ander van sy oogmerke, dit nodig of gerieflik ag om dit te doen, of waar so 'n verkryging waarskynlik die realisering van die Korporasie se effekte, fondse en sekuriteite sou vergemaklik, of waar dit voorsien verlies of aanspreklikheid sou uitmaak of verminder;
- (h) alle gelde van die Korporasie wat nie in die Reserwe-, Stabilisasie- of Ontwikkelingsfondse gestort moet word nie en wat hy nie onmiddellik nodig het nie, teen sodanige sekerheidsstelling en op sodanige wyse soos die Raad goedgevind, belê, en sodanige beleggings of verander of tot geld maak;
- (i) met die goedkeuring van die Administrateur en onderworpe aan die voorwaardes wat die Administrateur vasstel, by wyse van lenings, geld verkry vir bedrae en op wyse en met oogmerke wat die Administrateur goedkeur, en daardie lenings delg;
- (j) wissels, skuldbriewe, vragnote, orders, lasbriewe en ander verhandelbare of oordraagbare dokumente of sekuriteite trek, aksepteer, endosseer, verdiskonteer, verly en uitreik;
- (k) tegniese beamptes, sekretarisse, rekenmeesters, klerke, werksmense en ander dienare wat hy nodig het, aanstel en in diens neem en hulle afdank: Met dien verstande dat enige aanstelling waar die maksimum van die skaal waarop 'n persoon aangestel is of waar die salaris waarteen hy aangestel word £1000 oorskry, deur die Administrateur moet goedgekeur moet word en dat die skepping van poste waarvan die maksimum van die betrokke skaal £600 oorskry af waar die salaris wat beoog word meer as £600 is, ook met die goedkeuring van die Administrateur moet geskied;
- (l) enige iemand in sy diens die salaris, loon of ander besoldiging wat hy goedgevind, betaal, en bonusse aan so iemand gee, en hom na goedgekeurde verlof toestaan, en 'n pensioen- of aftredingsfonds en 'n mediese hulpfonds vir sy werknemers stig, en bydraes daartoe maak;
- (m) kontrakte aangaan en sekerheid stel of verkry ten opsigte van enige deel van die besigheid of eiendom van die Korporasie en sodanige kontrakte wysig of heroop;
- (n) met 'n staats- of ander owerheid of gesag, hetsy plaaslik of andersins, alle reëlings tref, hiernu, intrek of laat vaar, waar dit bevoordelik blyk vir een of almal van die Korporasie se oogmerke, en regte, voorregte en vergunnings van so 'n staats- of ander owerheid verkry wat die Korporasie wenslik ag, en sodanige reëlings, regte, voorregte en vergunnings naskom, uitoefen en geniet;
- (o) enige deel van die eiendom, regte, voorregte, masjinerie of inrigtings wat aangeskaf of aangehou is, benut, ruil, verloor, verkoop of beswaar, van die hand sit of verpand ter uitoefening van die regte, belange, en bevoegdheid wat by hierdie Ordonnansie aan hom verleen word;
- (p) alles wat regmatig is, doen wat hy, en vir, die uitoefening of genieting van sy regte, belange en bevoegdheid uit kragte van hierdie Ordonnansie toevallig of bevoordelik is, en sodanige ander dinge doen wat nodig is vir, of in verband staan met, die bereiking van sy oogmerke.

13. (1) Notwithstanding the provisions of section twelve the board is hereby authorized to take over on the basis of negotiation, mutual agreement and/or expropriation, as a going concern the existing abattoirs, cold storage chambers, factories and assets of the following businesses:—

- (i) The South West African Cold Storage and Stock Farmers Ltd.;
- (ii) The Damara Meat Packers Ltd.;
- (iii) The African Meat Camers (Pty) Ltd.

(2) The said abattoirs, cold storage chambers, factories and assets may be expropriated for the better carrying into effect of the objects of this Ordinance, and in the event of such expropriation the procedure as set out in the Expropriation of Lands Ordinance, 1927 (Ordinance 13 of 1927) shall *mutatis mutandis* apply.

13. (1) Nieteenstaande die bepalinge van artikel twaalf word die Raad gemagtig om as lopende saak die bestaande abattoirs, koelkamers, fabriekke en bates van die volgende sake op grondslag van onderhandelinge, ouderlinge ooreenkoms eis/of oteiening oor te neem:—

- (i) „The South West African Cold Storage and Stock Farmers Ltd.“;
- (ii) „The Damara Meat Packers Ltd.“;
- (iii) „The African Meat Camers (Pty) Ltd.“

(2) Die genoemde abattoirs, koelkamers, fabriekke en bates kan oteien word ter verbeterde uitvoering van die oogmerke van hierdie Ordonnansie en in die geval van sodanige oteiening geld die prosedure in die Grondont-eienings Ordonnansie 1927 (Ordonnansie 13 van 1927) be-paal, *mutatis mutandis*.

(3) As from a date to be fixed by the Administrator in terms of section one the corporation shall take over all the assets, liabilities and financial obligations of the Meat Trade Control Board established in terms of section one of Ordinance No. 8 of 1935: Provided that any moneys standing to the credit of the Meat Trade Control Board shall immediately be deposited in the development fund by the corporation.

(4) (a) The corporation may at any time take over any assets of the Administration at a valuation to be fixed by the Administrator.

(b) Any assets so taken over shall for all purposes be regarded as a loan to the corporation from the Administration and shall bear interest at a rate to be fixed by the Administrator.

(5) No transfer-dues shall be payable in respect of the transfer to the corporation of immovable property acquired by the corporation in terms of sub-sections (1), (2), (3) and (4).

14. (1) As from a date to be fixed by the Administrator in terms of section one all control of the meat industry within the Territory shall be vested in the corporation.

(2) For the purposes of this Ordinance "meat industry" means the slaughtering and meat processing industry as a whole and includes the slaughtering, handling, chilling, freezing, storage, transport, and purchase and sale of all edible meats (including game), as well as offal and by-products, hides and skins in all forms whatsoever, within the Territory and the purchase and sale and import and export of stock.

15. (1) No person may sell, supply or deliver stock or the flesh of stock in any form to butchers, slaughter-houses or canning factories within or outside the Territory except under the authority of a permit issued or granted by the board.

(2) No butcher, slaughter-house or canning factory may export stock or the flesh of stock in any form from the Territory except under the authority of a permit issued or granted by the board.

(3) All permits issued or granted in terms of sub-sections (1) and (2) shall be subject to such provisions and conditions as the board may think fit to impose.

(4) Any person who contravenes any provision of this section or who fails to comply with any provision or condition of a permit shall be guilty of an offence and liable on conviction to a fine not exceeding £100, or in default of payment to imprisonment, with or without hard labour, for a period not exceeding six months.

16. The corporation shall establish a general fund into which all moneys received by the corporation shall be paid and out of which all payments by the corporation, other than payments to be effected out of the reserve and development fund, shall be made.

17. (1) The corporation shall establish a reserve fund and shall, at the end of each financial year of the corporation, pay into such fund and from the moneys credited to the general fund an amount not exceeding four per cent of the total sum of the corporation's capital expenditure for that financial year.

(2) The said fund shall be used to defray the cost of replacing obsolete plant or equipment and of exceptional repairs or improvements to any plant or equipment used by the corporation, but shall not be used to defray the costs of the ordinary maintenance of any such plant or equipment.

(3) The corporation may invest the moneys in the said fund in securities approved by the Administrator.

18. (1) The corporation shall further establish a development fund into which shall be paid at the end of each financial year of the corporation so much of the amount by which the corporation's revenue exceeds its expenditure during that year, as the Administrator may decide.

(3) Vanaf die datum deur die Administrateur ingevolge artikel een vasgestel neem die Korporasie alle bates, skulde wat by artikel een van die Oordnansie 8 van 1935 ingestel is, oor: Met dien verstande dat enige gelde wat tot die krediet van die Vleishandel-Kontroleeraad staan, deur die Korporasie onmiddellik in die Ontwikkelingsfonds gestort moet word.

(4) (a) Die Korporasie kan te eniger tyd enige bates van die Administrasie, teen 'n waardasie deur die Administrateur vasgestel, oorneem.

(b) Enige bates so oorgeneem moet vir alle doeleindes as 'n lening deur die Korporasie van die Administrasie beskou word en dra rente teen 'n koers wat deur die Administrateur vasgestel word.

(5) Geen hereregte is betaalbaar ten opsigte van die transport aan die Korporasie van onroerende goed deur die Korporasie ingevolge sub-artikels (1), (2), (3) en (4) verkry nie.

14. (1) Vanaf die datum deur die Administrateur ingevolge artikel een vasgestel, gaan alle beheer oor die vleisnywerheid binne die Gebied oor op die Korporasie.

(2) Vir die doeleindes van hierdie Oordnansie, beteken „vleisnywerheid" die slag- en vleisverwerkingsnywerheid in die geheel en sluit in die slagting, hantering, verkoeling, bevriesing, obergang, en vervoer en koop en verkoop van alle soorte eetbare vleis (insluitende wildvleis) en afval en nweprodukte, huide, velle van alle soorte hoegenaamd binne die Gebied en die koop en verkoop en in- en uitvoer van vee.

15. (1) Niemand mag vee of die vleis van vee in enige vorm aan slagters, slaginrigtings- of inmaakfabrieke binne of buite die Gebied verkoop, verskak of lewer nie behalwe kragtens 'n permit uitgereik of gemagtig deur die Raad.

(2) Slagters, slaginrigtings- en inmaakfabrieke mag geen vee, of die vleis van vee in enige vorm uit die Gebied uitvoer nie behalwe kragtens 'n permit uitgereik of gemagtig deur die Raad.

(3) Alle perमितte uitgereik of gemagtig oorneemstig die bepaling van sub-artikels (1) en (2) is onderworpe aan die bepalinge en voorwaardes wat die Raad, na goed-danke, vastel.

(4) Elkeen wat 'n bepaling van hierdie artikel oortree of wat 'n bepaling of voorwaarde van 'n permit verontagsaam, is skuldig aan 'n oortreding en by skuldigbevinding strafbaar met 'n boete van hoogstens £100, of by wanbataling met gevangenisstraf, met of sonder dwangarbeid, van hoogstens ses maande.

16. Die Korporasie stig 'n algemene londs waarin alle gelde, deur die Korporasie ontvang, gestort word en waarvan alle betalings deur die Korporasie, behalwe betalings wat uit die Reserve- of Ontwikkelingsfonds gemaak moet word, geskied.

17. (1) Die Korporasie stig 'n reservefonds en stort in daardie fonds aan die einde van elke boekjaar van die Korporasie, van die gelde in die algemene fonds gestort, 'n bedrag wat hoogstens vier persent van die totaal-bedrag van die Korporasie se kapitale uitgawes vir daardie boekjaar.

(2) Die vermelde fonds word aangewend ter bestryding van die koste van die vervanging van veronderdele inrigtings- of toerusting en vir buitengewone reparasies of die verandering van enige inrigting of toerusting deur die Korporasie gebruik, maar word nie aangewend ter bestryding van die gewone onderhoud van sodanige inrigting of toerusting nie.

(3) Die Korporasie kan die gelde in die vermelde fonds in sekuriteite deur die Administrateur goedgekeur, belê.

18. (1) Die Korporasie stig verder 'n ontwikkelingsfonds waarin aan die einde van elke boekjaar van die Korporasie, soveel van die oorskot van die Korporasie se inkomste by soveel van die oorskot van die Korporasie se uitgawes in daardie jaar, soos deur die Administrateur vasgestel, gestort moet word.

(2) The development fund shall be used to defray expenditure which would otherwise necessitate the raising of a loan.

(3) The corporation may invest the moneys in the said fund in securities approved by the Administrator.

19. (1) The corporation may, with the approval of the Administrator, establish a stabilization fund, and may annually set apart for such fund amounts approved by the Administrator.

(2) The stabilization fund shall be used for the following purposes—

(a) to make good any losses;

(b) to stabilize the price of meat and other products which the corporation deals with.

(3) The corporation may invest the moneys in the said fund in securities approved by the Administrator.

20. The corporation shall keep a proper record of its property and transactions and shall each year prepare accounts of its revenue and expenditure, and balance sheets showing in all necessary detail the assets and liabilities of the corporation as on the thirtieth day of November.

21. (1) The Administrator shall appoint two or more persons who publicly carry on the profession of accountants (hereinafter called the accountants) to examine the accounts of the corporation.

(2) The board shall produce and lay before the accountants all the books and accounts of the corporation with all the vouchers in support thereof, and all books, documents and papers in its possession or control relating thereto.

(3) The accountants shall—

(a) disallow every payment made without due authority according to law and report the disallowance to the board;

(b) surcharge so much of the unauthorized payment as is not condoned by the board, to the person who made or authorized the payment;

(c) charge against any person responsible therefor the amount of any deficiency or loss arising from the negligence or misconduct of that person or of any sum which ought to have been, but has not been, brought into account by that person; and

(d) certify in every case that the amount so charged or surcharged is correct.

(4) Every amount so certified by the accountants shall be paid by such person to the secretary or other officer appointed by the corporation within fourteen days after such amount has been so certified, and if it is not so paid may be recovered from such person as a debt by the accountants.

(5) Any amount so recovered shall be paid to the secretary or other officer appointed by the corporation.

(6) The corporation shall pay to the accountants all reasonable costs incurred by them in so recovering such amount.

(7) It shall be the duty of the accountants, in addition to the ordinary duties of accountants, to certify not less than once in every year—

(a) whether or not, in their opinion—

(i) the accounts of the corporation are in order;

(ii) such accounts present a true and correct view of the financial position of the corporation and of its transactions;

(iii) due provision has been made for the redemption and repayment of loans raised by the corporation;

(iv) the value of the assets of the corporation has been correctly stated; and

(2) Die ontwikkelingsfonds word aangewend om sodanige uitgawes te dek, wat andersins die aangaan van 'n lening sou noodsaak.

(3) Die Korporasie kan die gelde in vermelde fonds in sekuriteite, deur die Administrateur goedgekeur, belê.

19. (1) Die Korporasie kan, met die Administrateur se goedkeuring, 'n stabilisasiefonds stig en kan jaarliks bedrae wat die Administrateur goedkeur, afsonder vir sodanige fonds.

(2) Die stabilisasiefonds moet vir die volgende doeleindes gebruik word—

(a) ter dekking van verliese;

(b) ter stabilisering van die pryse van vleis en ander produkte waarmee die Korporasie handel.

(3) Die Korporasie kan die gelde in vermelde fonds in sekuriteite, deur die Administrateur goedgekeur, belê.

20. Die Korporasie hou behoorlik aantekening van sy besittings en transaksies en stel elke jaar rekenings op van sy inkomste en uitgawes en balansstate waarin die bates en laste van die Korporasie, soos hul bestaan op die dertigste dag van November, met al die nodige besonderhede, aangegee word.

21. (1) Die Administrateur stel twee of meer persone aan wat in die openbaar die beroep van rekenmeesters uitoefen (hierna die rekenmeesters genoem) om die rekenings van die Korporasie na te sien.

(2) Die Raad toon aan vermelde rekenmeesters en lê aan hulle voor alle boeke en rekenings van die Korporasie met alle bewysstukke ter staving daarvan, en alle boeke, dokumente en geskrifte in sy besit of onder sy beheer in verband daarmee.

(3) Die rekenmeesters—

(a) laat geen betaling toe wat sonder behoorlike magtiging ingevolge die wet geskied het nie, en rapporteer die nie-toelating aan die Raad;

(b) bring soveel van die ongemagtigde betaling as wat nie deur die Raad kwytgeskeld word nie, in rekening teen die persoon wat die betaling gemaak of gemagtig het;

(c) debiteer die persoon wat daarvoor verantwoordelik is met die bedrag van enige tekort of verlies wat ontstaan het ten gevolge van die nalatigheid of wangedrag van daardie persoon, of met enige bedrag wat deur daardie persoon in rekening gebring moes gewees het maar nie in rekening gebring is nie; en

(d) sertifiseer in ieder geval dat die bedrag aldus ge-debiteer of in rekening gebring, juis is.

(4) 'n Bedrag aldus deur die rekenmeesters gesertifiseer moet deur bedoelde persoon aan die sekretaris of 'n ander deur die Korporasie aangestelde beampte binne 14 dae nadat dit aldus gesertifiseer is, betaal word, en indien dit nie aldus betaal word nie kan dit as 'n skuld deur die rekenmeesters op bedoelde persoon verhaal word.

(5) 'n Aldus verhaalde bedrag word aan die sekretaris of 'n ander deur die Korporasie aangestelde beampte betaal.

(6) Die Korporasie betaal aan die rekenmeesters alle redelike koste deur hul by die verhaal van bedoelde bedrag gemaak.

(7) Dit is die plig van die rekenmeesters, benevens die gewone pligte van rekenmeesters, om minstens een maal in elke jaar te sertifiseer—

(a) af al dan nie, na hul mening—

(i) die rekenings van die Korporasie in orde is;

(ii) daardie rekenings 'n getroue en juiste oorsig gee van die finansiële toestand van die Korporasie en van sy transaksies;

(iii) daar behoorlike voorsiening gemaak is vir die aflossing en terugbetaling van lenings deur die Korporasie aangegaan;

(iv) die waarde van die bates van die Korporasie juis opgegee is; en

- (b) whether or not—
 (i) the amounts to be paid into the funds established under this Ordinance have been so paid;
 (ii) all their requirements and recommendations as accountants have been complied with and carried out.

(B) The expenses of, and in connection with the accountants, be borne by the corporation.

22. (1) The Controller and Auditor-General may at any time examine the accounts of the corporation, and shall have free access to all accounts, books and documents with all the vouchers in support thereof and all other documents and papers in the corporation's possession and under its control relating thereto.

(2) The corporation shall at all times furnish the Controller and Auditor-General with any information he may require.

(3) The Administrator may at any time cause an examination to be instituted of the books and documents of the corporation by the Controller and Auditor-General, and may at any time require information from the corporation in order to ascertain whether the provisions of this Ordinance and the regulations framed thereunder are being complied with.

(4) In payment for such auditing, an amount to be fixed by the Administrator in consultation with the Controller and Auditor-General, shall be paid by the corporation out of its funds into the Territorial Revenue Fund.

23. (1) The board shall, on or before the thirtieth day of November in each year furnish to the Administrator a report on the work of the corporation during the year ending the thirtieth day of June of the preceding year together with a balance sheet and a complete statement of revenue and expenditure for that year, which have been duly certified by the accountants, and the report of the accountants, and shall in the report so furnished give particulars as to—

- the extent and value of all classes of property owned by the corporation;
- the amount of loans still outstanding and the interest thereon, whether paid or unpaid;
- the position of each fund established under this Ordinance;
- the expenses of management and administration and all other expenses of the corporation;
- the erection and construction, repair, improvement or alteration of any plant, building or equipment and the cost thereof;
- the price of rent of any land or other immovable property acquired or hired;
- any other matter which the Administrator may require the board to deal with.

24. (1) As from a date to be fixed by the Administrator in terms of section one a levy on all cattle, sheep, goats and pigs slaughtered by the corporation within the Territory shall be payable at the following tariff:—

- £1 per head of cattle;
 2/- per head of sheep and goats;
 5/- per head of pigs;

Provided that where the warm dressed weight of a calf does not exceed 125 lb. the levy shall be 2/- per head. For the purposes of this section "warm dressed weight" shall mean the weight of a warm carcass, ascertained after the skin or hide, the intestines including the pluck, and the shanks, head, tail, diaphragm and thick flesh (skirt) round it have been removed.

(b) of al dan nie—

- die bedrae wat in die fondse ingevolge hierdie Ordinance gestig, gestort moet word, aldus gestort is;
- al hul vereistes en aanbevelings as rekenmeesters nagekom en uitgevoer is.

(B) Die koste van, en in verband met, die rekenmeesters word deur die Korporasie gedra.

22. (1) Die Kontroleur en Ouditeur-generaal kan te eniger tyd die rekenings van die Korporasie ondersoek, en het vrye toegang tot alle rekenings, boeke en dokumente met al die stawende bewysstukke in die verband en alle ander desbetreffende dokumente en geskrifte in die Korporasie se besit en beheer.

(2) Die Korporasie moet ten alle tye alle sodanige informasie wat die Kontroleur en Ouditeur-generaal nodig het, aan hom lewer.

(3) Die Administrateur kan te eniger tyd 'n ondersoek van die boeke en stukke van die Korporasie deur die Kontroleur en Ouditeur-generaal laat instel en kan te eniger tyd die Korporasie om gegewe versoek om vas te stel of die bepaling van hierdie Ordinance, en van die regulasies wat uit kragte daarvan uitgevaardig is, nagekom word.

(4) 'n Bedrag wat deur die Administrateur na raadpleging met die Kontroleur en Ouditeur-generaal vir sodanige oudit bepaal word, word deur die Korporasie uit sy fondse betaal en word in die Gebieds-Inkomste-Fonds inbetaal.

23. Die Raad verstrekk op of voor die dertigste dag van November in elke jaar aan die Administrateur 'n verslag oor die werk van die Korporasie gedurende die jaar eindigende op die dertigste dag van Junie van die voorgaande jaar, tesame met 'n balansstaat en 'n volledige staat van inkomste en uitgawes vir daardie jaar, wat behoortlik deur die rekenmeesters gesertifiseer is, en die verslag van die rekenmeesters, en geef in die aldus verstrekte verslag besonderhede aan wat betref—

- die hoeveelheid en waar van alle soorte eiendom wat die Korporasie besit;
- die bedrag van uitstaande lenings en die rente daarop, hetsy betaal of nie;
- die stand van elke fonds ingevolge hierdie Ordinance gestig;
- die ontkoste van bestuur en administrasie en alle ander ontkoste van die Korporasie;
- die oprigting en bou, reparasie, verbetering of verandering van enige inrigting, gebou of toerusting en die koste daarvan;
- die prys of huurprys van grond of ander onroerende goed wat verkry of gehuur is;
- enige ander aangeleentheid waarmee die Raad op versoek van die Administrateur moet handel.

24. (1) Vanaf die datum deur die Administrateur ingevolge artikel een vasgestel is 'n heffing teen die oordersaande tarief op alle beeste, skape, bokke en varke wat binne die Gebied deur die Korporasie geslag is, betaalbaar:—

- £1 stuk vir beeste;
 2/- stuk vir skape en bokke;
 5/- stuk vir varke;

Met dien verstande dat waar die warm gedresseerde gewig van 'n kalf nie 125 lb. oorskry nie, die heffing 2/- stuk is. Vir die doeleindes van hierdie artikel beteken „warm gesteld" gewig, die gewig van die warm karkas vasgestel nadat die vel of huid, die ingewande met inbegrip van die harslag, en die skenkels, kop, stert, mantelvels met dikvels daarom, verwyder is.

(2) The tariff of the said levy may be increased by the board with the approval of the Administrator, but such increase shall have no force and effect until it has been published in the *Official Gazette*: Provided that the Administrator may at any time in consultation with the board and by notice in the *Official Gazette* increase such levy.

(3) The levy shall be paid by sellers of stock to the corporation and shall be used for the redemption of the capital and interest of all loans raised by the corporation, and shall not be deemed to be part of the revenue of the corporation.

25. (1) Whenever the business undertakings of the corporation in any financial year result in a loss, the corporation shall, as soon as the fact of such loss is established, with the approval of the Administrator, impose an extraordinary levy on all cattle slaughtered within the Territory by the corporation.

(2) The corporation may with the approval of the Administrator impose such an extraordinary levy also on sheep, goats and pigs slaughtered within the Territory by the corporation.

(3) The amount of such levy shall be determined by the corporation with the approval of the Administrator, on a basis calculated to make good the said loss within a period not exceeding two years, as well as any other losses which may be incurred during such period.

(4) The above extraordinary levy shall be paid by sellers of stock to the corporation and shall from time to time, in accordance with the circumstances and with the approval of the Administrator be increased or decreased, and shall have no force and effect until it has been published in the *Official Gazette*: Provided that the Administrator may at any time and after consultation with the board, by notice in the *Official Gazette* impose or increase such extraordinary levy.

26. (1) The levies mentioned in sections *twenty-four* and *twenty-five* shall also be paid to the corporation by all persons who export stock, or on whose behalf the corporation has exported stock.

(2) The provisions of sub-section (1) shall not apply to—

- (a) registered stock exported for stud purposes; and
- (b) stock exported temporarily on account of drought:

Provided that such export is effected in accordance with the requirements, provisions and conditions, including financial guarantees, which may be prescribed by regulation.

(3) Whenever the corporation slaughters stock on behalf of any person or allows any person to slaughter stock at its abattoirs for consumption within the Territory the levies imposed by sections *twenty-four* and *twenty-five* shall not be paid.

(4) Any person failing to comply with any requirement, provision or condition to which such export is subject, shall be guilty of an offence and liable on conviction to a fine not exceeding £100, or in default of payment to imprisonment, with or without hard labour, for a period not exceeding six months.

(5) Any increase in the tariff of a levy under the provisions of sub-section (2) of section *twenty-four* and of sub-section (5) of section *twenty-five* shall also apply to this section.

27. (1) All fees fixed by regulation in respect of the slaughtering of stock within the Territory, whether insurance, grading, abattoir or slaughtering fees, shall be paid by the persons selling such stock to the corporation.

(2) Where the stock has been purchased by the corporation, exported from the Territory and slaughtered outside the Territory the fees mentioned in sub-section (1) shall also be paid to the corporation by the sellers of such stock.

(2) Die tarief van vermelde heffing kan, met die toestemming van die Administrateur deur die Raad verhoog word, maar sodanige verhoging is nie van krag nie totdat dit in die *Offisiële Koerant* gepubliseer is: Met dien verstande dat die Administrateur, te eniger tyd, bogemelde heffing na raadpleging met die Raad, by kennisgewing in die *Offisiële Koerant* kan verhoog.

(3) Die heffing word deur die verkopers van vee aan die Korporasie betaal en word aangewend ter vereffening van die kapitaal en regte van alle lenings wat deur die Korporasie aangegaan is en word nie beskou as deel van die inkomste van die Korporasie nie.

25. (1) Wanneer die werksaamhede van die Korporasie in enige boekjaar op 'n verlies uitloop, lê die Korporasie, sodra die feit van sodanige verlies vasgestel is, 'n buitengewone heffing, deur die Administrateur goedgekeur, op alle beeste wat binne die Gebied deur die Korporasie geslag word.

(2) Die Korporasie kan, met die goedkeuring van die Administrateur, bedoelde buitengewone heffing ook op skape, bokke en varke wat binne die Gebied deur die Korporasie geslag word, ople.

(3) Die bedrag van sodanige heffing word deur die Korporasie, met goedkeuring van die Administrateur, bepaal op 'n grondslag wat bedoel is om binne 'n tydperk van hoogstens twee jaar genoemde verlies benevens enige verdere verlies wat binne bedoelde tydperk mag ontstaan, uit te wis.

(4) Genoemde buitengewone heffing word deur die verkopers van vee aan die Korporasie betaal en word van tyd tot tyd, na gelang van omstandighede en met goedkeuring van die Administrateur, verhoog of verminder en word nie van krag nie totdat in die *Offisiële Koerant* gepubliseer is: Met dien verstande dat die Administrateur, te eniger tyd, bedoelde buitengewone heffing, na raadpleging met die Raad, by kennisgewing in die *Offisiële Koerant* kan ople of verhoog.

26. (1) Die heffings in artikels *vier-en-twintig* en *vyf-en-twintig* vermeld word ook aan die Korporasie deur alle persone wat vee uitvoer of namens wie die Korporasie vee uitgevoer het, betaal.

(2) Die bepaling van sub-artikel (1) geld nie—

- (a) geregistreerde vee wat vir stoetdoeleindes uitgevoer word; of
- (b) vee wat weens droogte tydelik uitgevoer word nie:

mits sodanige uitvoer geskied onderhewig aan die vereistes, bepalinge en voorwaardes, insluitende geldelike waarborges, wat by regulasie voorgeskryf is.

(3) Wanneer die Korporasie vee namens iemand slag of iemand toelaat om vee by sy abattoirs te slag vir verbruik binne die Gebied, is die heffings ingevolge artikels *vier-en-twintig* en *vyf-en-twintig* nie betaalbaar nie.

(4) Elkeen wat 'n vereiste, bepaling of voorwaarde, waaraan sodanige uitvoer onderhewig is, verontagsaam, is skuldig aan 'n oortreding en by skuldigbevinding strafbaar met 'n boete van hoogstens £100, of by wanbetaling met gevangenisstraf, met of sonder dwangarbeid, van hoogstens ses maande.

(5) Enige verhoging in die tarief van 'n heffing wat ingevolge die bepaling van sub-artikel (2) van artikel *vier-en-twintig* of van sub-artikel (5) van artikel *vyf-en-twintig* geskied, geld ook vir hierdie artikel.

27. (1) Alle gelde, by regulasie vasgestel, ten opsigte van slagtens van vee binne die Gebied hetsy verskerings-, graderings-, abattoirs- of slaggelde word deur alle verkopers van vee aan die Korporasie betaal.

(2) Waar die vee deur die Korporasie aangekoop is en vanuit die Gebied uitgevoer is en buite die Gebied geslag is, moet die verkopers van die vee die gelde in sub-artikel (1) vermeld, ook aan die Korporasie betaal.

voting power of a participant) as the Administrator may impose, take over the corporation with its assets and liabilities as a business concern in the form of a registered company or a co-operative society; Provided that such company or society, as the case may be, shall, at its registration, secure the balance of the amount owing to the Administration by the corporation, through the registration of a bond or bonds in favour of the Administration over the assets of the company or society, as the case may be.

(4) The bonds mentioned in sub-sections (2) and (3) shall be effected by the preparation and registration of a first mortgage bond over the immovable property of the company or society, as the case may be, and an accompanying notarial bond or bonds over the movable property of the company or society, as the case may be.

(5) The board shall from time to time and whenever the Administrator so requires, notify the participants in writing of the amounts in levies paid by them in terms of section *twenty-four* and entered against their names in the books of the corporation.

(6) In any such registered company or co-operative society, as the case may be, established in terms of this section, the Administrator shall appoint two directors to act in such capacity until all amounts owed to the Administration by such company or society, as the case may be, have been redeemed, and thereafter the Administrator shall appoint one director.

33. The provisions of the Companies Ordinance, 1928 (Ordinance 19 of 1928) shall not apply to the corporation.

34. (1) The Board may with the approval of the Administrator make regulations, not inconsistent with the provisions of this Ordinance, as to all or any of the following matters—

- (a) the manner in which the accounts of the board shall be kept;
- (b) the procedure to be followed at the meetings of the board;
- (c) the duties, remuneration and conditions of service of officers of the corporation;
- (d) the establishment and control of any society or institution conducive to the interests of such officers or their dependants;
- (e) the establishment and control of a pension or provident fund, the corporation to be made by corporation and such officers, respectively, to such fund, and the financial benefits accruing to such officers or their dependants in the event of their resignation or the termination of their service;
- (f) the times when and the manner in which levies on stock shall be paid;
- (g) the times when and the manner in which handling fees on stock shall be paid;
- (h) the fixing of fees in respect of insurance, grading, abattoir and slaughtering costs, and the times when and the manner in which such fees shall be paid;
- (i) the forms of permits, the form and manner in which applications for such permits shall be made, and the particulars which shall be furnished by an applicant for such a permit;
- (j) the requirements, provisions and conditions under which stock may be exported in terms of sub-section (2) of section *twenty-six*;
- (k) the returns or information required from local authorities, market-masters, auctioneers and persons engaged in the meat industry or trade, in respect of such industry or trade, and the forms on which and the manner in which such returns or information shall be drawn up and furnished;
- (l) all other matters which may appear necessary for the administration of this Ordinance.

(2) All the regulations made under the provisions of sub-section (1) shall be published in the *Official Gazette*.

stemkring van 'n deelnemer, soos die Administrateur bepaal, die Korporasie met sy bates en laste as 'n besigheids-onderneming in die vorm van 'n geregistreerde maatskappy of kooperatiewe vereniging oorneem: Met dien verstande dat sodanige maatskappy of vereniging, na gelang van die geval, by registrasie, die balans van die geld verskuldig deur die Korporasie aan die Administrasie moet dek deur die registrasie van 'n verband of verbande, ten gunste van die Administrasie, op die bates van die maatskappy of vereniging, na gelang van die geval.

(4) Die verbande in sub-artikels (2) en (3) genoem, word bewerkstellig deur die uitmaak en registrasie van 'n eerste verband wat die onroerende goed van die maatskappy of vereniging, na gelang van die geval, verbind en deur 'n meegaande notariële verband of verbande wat die roerende goed van die maatskappy of vereniging, na gelang van die geval, verbind.

(5) Die Raad stel die deelnemers van tyd tot tyd en wanneer die Administrateur dit versoek, skriftelik in kennis van die bedrae van die heffings wat hulle ingevolgt artikel *vier-en-twintig* betaal het en wat teenoor hulle name in die boeke van die Korporasie aangeteken staan.

(6) In enige geregistreerde maatskappy of kooperatiewe vereniging, na gelang van die geval, wat ingevolgt die bepaling van hierdie artikel gestig is, stel die Administrateur twee direkteure aan totdat alle gelde verskuldig aan die Administrasie deur vermelde maatskappy of vereniging, na gelang van die geval, terugbetaal is, en daarna stel die Administrateur een direkteur aan.

33. Die bepalinge van die Maatskappyordonnansie 1928 (Ordonnansie 19 van 1928), is nie van toepassing op die Korporasie nie.

34. (1) Die Raad kan, behoudens die goedkeuring van die Administrateur, regulasies maak wat nie teenstrydig met hierdie Ordonnansie is nie, oor al, of enige van, die volgende aangeleenthede—

- (a) die wyse waarop die rekeninge van die Raad gelou moet word;
- (b) die prosedure wat op vergaderings van die Raad gevolg moet word;
- (c) die pligte, besodigings en diensvoorwaardes van beamptes van die Korporasie;
- (d) die stigting, ter bevordering van die belange van vermelde beamptes of hul afhanklikes, van enige vereniging of instelling en die beheer daarvan;
- (e) die stigting en beheer van 'n pensioen- of ondersteuningsfonds, die bydraes wat deur die Korporasie en vermelde beamptes onderskeidelik in so 'n fonds gestort moet word en die geldlike voordele wat aan bedoelde beamptes of hul afhanklikes by uitdiens-trede of beëindiging van diens toekom;
- (f) die tye wanneer, en die wyse waarop, heffings op vee betaal moet word;
- (g) die tye wanneer, en die wyse waarop, hanteringsgelde op vee betaal moet word;
- (h) die vaststelling van gelde in verband met versekerings-, graderings-, abattoir- en slagkoste en die tye wanneer, en die wyse waarop, sodanige gelde betaal moet word;
- (i) die vorm van permitte, die vorm en metode van aansoek daarom en die besonderhede wat deur die applikant om enige sodanige permit verskaf moet word;
- (j) die vereistes, bepalinge en voorwaardes waar ingevolgt vee kragtens sub-artikel (2) van artikel *ses-en-twintig* uitgevoer kan word;
- (k) die opgawes of informasie wat van plaaslike owerhede, markmeesters, vendusiafslaers en persone wat die vleisnyerheid of die vleischand dryf: verlang word aangaande die vleisnyerheid en die vorme en wyses waarop sodanige opgawes of informasie opgestel en verskaf moet word;
- (l) alle ander aangeleenthede wat nodig blyk vir die uitvoering van hierdie Ordonnansie.

(2) Alle regulasies ingevolgt die bepalinge van sub-artikel (1) gemaak, word in die *Offisiële Koerant* gepubliseer.

(3) Regulations made in terms of this section may impose presumptions and burdens of proof and may impose penalties which shall not exceed a fine of one hundred pounds or imprisonment, with or without hard labour, for a period of six months, for any contravention thereof.

35. (1) If any director, general manager, manager or any member of the staff of the board, receives, directly or indirectly, any fee or reward (other than that authorized under this Ordinance) from any person in respect of, or in connection with, any contract, undertaking or business of the corporation, he shall be guilty of an offence and liable on conviction to a fine not exceeding £500 or in default of payment to imprisonment, with or without hard labour, for a period not exceeding five years, or to both such fine and such imprisonment.

(2) Any person who, in respect of, or in connection with, any contract, undertaking or business of the corporation deceitfully bribes or influences or attempts to bribe or to influence any director, general manager, manager or member of the staff of the board, shall be guilty of an offence and liable on conviction to a fine not exceeding £500, or, in default of payment, to imprisonment, with or without hard labour, for a period not exceeding five years, or to both such fine and such imprisonment.

36. Paragraph (g) of sub-section (1) of section six of the Territorial Development and Reserve Fund Ordinance, 1944 (Ordinance No. 13 of 1944), as amended, is hereby amended by the insertion of the following sub-paragraph (b), the existing paragraph becoming sub-paragraph (a):—

"(b) For the payment of loans to institutions established by law and operating within the Territory."

37. The Promotion of Farming Interests Ordinance, 1952 (Ordinance No. 29 of 1952) is hereby amended by the insertion of the following section after section nine:—

"9 bis. Notwithstanding anything to the contrary the board may make advances of money to the Administration up to any amount, provided such advances are intended for the promotion of the interests of the farmers of the Territory."

38. In this Ordinance and in the regulations made thereunder, unless inconsistent with the context—

"stock" shall mean cattle, goats, sheep and pigs.

39. The laws mentioned in the schedule to this Ordinance are hereby repealed to the extent indicated in the third column of such schedule, but notwithstanding such repeal all regulations, by-laws, tariffs and orders issued in terms of any of the said laws in so far as they are not inconsistent or incompatible with the provisions of this Ordinance or of any regulations or tariffs issued in terms of this Ordinance, shall remain in force until they are substituted, amended or repealed.

40. This Ordinance shall be called the South West African Meat Industry Ordinance, 1955.

(3) Regulasies gemaak ingevolge hierdie artikel kan vermoedens en bewyslaste opleë en kan strawwe, wat 'n hoëte van honderd pond of gevangenisstraf van ses maande, met of sonder dwangarbeid, nie te bowe gaan nie, voorskryf vir enige oortreding van bedoelde regulasies.

35. (1) Indien enige direkteur, hoofbestuurder, bestuurder of enige lid van die personeel van die Raad, direk of indirek enige gelde of beloning (buiten wat by hierdie Ordonnansie gemagtig is) van enige persoon ontvang ten aansien van, of in verband met, enige kontrak, onderneeming of besigheid van die Korporasie, is hy skuldig aan 'n oortreding en by skuldigbevinding strafbaar met 'n boete van hoogstens £500 of by wanbetaling met gevangenisstraf, met of sonder dwangarbeid, van hoogstens vyf jaar of met albei sodanige boete en gevangenisstraf.

(2) Enige persoon wat, ten aansien van, of in verband met, enige kontrak, onderneeming of besigheid van die Korporasie op bedrieglike wyse 'n direkteur, hoofbestuurder, bestuurder of enige lid van die personeel van die Raad omkoop of beïnvloed of probeer omkoop of beïnvloed, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens £500 of by wanbetaling met gevangenisstraf, met of sonder dwangarbeid, van hoogstens vyf jaar, of met albei sodanige boete en gevangenisstraf.

36. Paragraaf (g) van sub-artikel (1) van artikel ses van die Ordonnansie op die Gebiedsontwikkelings- en reserwefonds, 1944 (Ordonnansie 13 van 1944), soos gewysig, word hierby gewysig deur die volgende sub-paragraaf (b) in te voeg. die huidige paragraaf word sub-paragraaf (a):—

"(b) Vir die uitbetaling van lenings aan inrigtings wat by wet ingestel is, en in die Gebied diens doen."

37. Die Ordonnansie op die Bevordering van Boerderybelange 1952 (Ordonnansie 29 van 1952) word hierby gewysig deur die volgende artikel na artikel nege in te voeg:—

"9 bis. Strydige bepalings desondanks, kan die Raad geldvoorskotte tot enige som aan die Administrasie toestaan, mits sodanige geldvoorskotte bedoel is om die belange van die boere van die Gebied te bevorder."

38. In hierdie Ordonnansie en in regulasies wat daar ingevolge gemaak is, beteken, tensy die samehang anders bewys:—

"Vee", heeste, bokke, skape en varke.

39. Die wette genoem in die bylae tot hierdie Ordonnansie, word hierby herroep, vir sover in die derde kolom van daardie bylae aangedui word, maar nie teenstaande sodanige herroeping, bly alle regulasies, verordeninge, tussentydse bevels wat ingevolge die bepalings van enige van riewe en bevels wat ingevolge die bepalings van enige van genoemde wette uitgewaardig is, vir sover hulle nie teen genoemde wette uitgewaardig is met die bepalings van hierdie Ordonnansie of van enige regulasies of tariewe wat ingevolge die bepalings van hierdie Ordonnansie uitgewaardig is nie, van krag totdat hulle vervang, gewysig of herroep word.

40. Hierdie Ordonnansie heet die Ordonnansie op die Suidwes-Afrikaanse Vleisnywerheid 1955.

SCHEDULE.

<i>No. and Year.</i>	<i>Short Title.</i>	<i>Extent of repeal.</i>
1. Ordinance No. 8 of 1935	Meat Trade Control Ordinance, 1935	The whole
2. Ordinance No. 20 of 1935	Meat Trade Control Amendment Ordinance, 1935	The whole
3. Proclamation No. 5 of 1936	Meat Trade Control Board Proclamation, 1936	The whole
4. Ordinance No. 11 of 1937	Meat Trade Control Amendment Ordinance, 1937	The whole
5. Ordinance No. 14 of 1944	Meat Trade Control Amendment Ordinance, 1944	The whole
6. Ordinance No. 2 of 1946	Meat Trade Control Amendment Ordinance, 1946	The whole
7. Ordinance No. 8 of 1949	Meat Trade Control Amendment Ordinance, 1949	The whole
8. Ordinance No. 29 of 1952	Promotion of Farming Interests Ordinance, 1952	Sub-sections (1) (iv) and (2) of section 3.

BYLAE.

<i>No. en Jaar.</i>	<i>Kort titel.</i>	<i>Omvang van herroeping.</i>
1. Ordonnansie No. 8 van 1935	Ordonnansie betreffende die Kontrole van Vleishandel, 1935	Die geheel
2. Ordonnansie No. 20 van 1935	Wysigingsordonnansie betreffende die Kontrole van Vleishandel, 1935	Die geheel
3. Proklamasie No. 5 van 1936	Vleishandel-Kontroleeraad Proklamasie, 1936	Die geheel
4. Ordonnansie No. 11 van 1937	Wysigingsordonnansie op die Kontrole van Vleishandel, 1937	Die geheel
5. Ordonnansie No. 14 van 1944	Wysigingsordonnansie betreffende die Beheer van Vleishandel, 1944	Die geheel
6. Ordonnansie No. 2 van 1946	Wysigingsordonnansie betreffende die Beheer van Vleishandel, 1946	Die geheel
7. Ordonnansie No. 8 van 1949	Wysigingsordonnansie op die Beheer van Vleishandel, 1949	Die geheel
8. Ordonnansie No. 29 van 1952	Ordonnansie op die Bevordering van Boerderybelange, 1952	Sub-artikels (1) (iv) en (2) van artikel 3.

DRAFT ORDINANCE

To amend the Motor Vehicle and Wheel Tax Ordinance, 1937.

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

1. Section *seventeen* of the Motor Vehicle and Wheel Tax Ordinance, 1937 (Ordinance No. 17 of 1937), is hereby amended by the substitution of the following words for the fullstop at the end thereof:—

“and shall be liable on conviction to a fine not exceeding £500 or in default of payment to imprisonment for a period not exceeding five years, or to both such fine and imprisonment”.

2. This Ordinance shall be called the Motor Vehicle and Wheel Tax Further Amendment Ordinance, 1955.

ONTWERPORDONNANSIE

Ter wysiging van die Ordonnansie op Motorvoertuie en Wielbelasting 1937.

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika VERORDEN:—

1. Artikel *sewentien* van die Ordonnansie op Motorvoertuie en Wielbelasting 1937 (Ordonnansie 17 van 1937) word hierby gewysig deur die vervanging van die punt aan die einde daarvan deur die ouderstaande woorde:—

„en is, by skuldigbevinding, strafbaar met 'n boete van hoogstens £500, of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar, of met beide sodanige boete en gevangenisstraf.”

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op Motorvoertuie en Wielbelasting 1955.