

No. 22 van 1965.]

ORDONNANSIE

Ter wysiging van die wet op lisensieverlening aan die handel en bedrywe binne die Gebied.

(Goedgekeur 15 Junie 1965)

(Engelse teks deur die Administrateur geteken)

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

Wysiging van tweede bylae by Ordonnansie 13 van 1935, soos gewysig by artikel 12 van Ordonnansie 13 van 1939 en artikel 1 van Ordonnansie 3 van 1942.

Kort titel en datum van inwerkingtreding.

1. Die tweede bylae by die Konsolidasie-Ordonnansie betreffende Lisensies 1935 (Ordonnansie 13 van 1935) word hierby gewysig deur die vervanging van item 15 (Invoerder) deur die volgende item:

„15. Motorgarage.”

2. Hierdie ordonnansie heet die Verdere Konsolidasie-Wysigingsordonnansie betreffende Lisensies 1965 en word beskou as in werking met ingang van die eerste dag van Januarie 1936.

No. 23 van 1965.]

ORDONNANSIE

ter wysiging van die wet op die uitroeiing van ongediertes.

(Goedgekeur 15 Junie 1965)

(Afrikaanse teks deur die Administrateur geteken)

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

Wysiging van artikel 2 van Ordonnansie 6 van 1935 soos vervang deur artikel 2 van Ordonnansie 10 van 1949.

Kort titel.

1. Artikel twee van die Ordonnansie betreffende die Uitroeiing van Ongediertes 1935 (Ordonnansie 6 van 1935) word hierby gewysig deur die vervanging van die woorde „twee sjielings en ses pennies” deur die woorde „een rand”.

2. Hierdie ordonnansie heet die Wysigingsordonnansie betreffende die Uitroeiing van Ongediertes 1965.

No. 24 van 1965.]

ORDONNANSIE

Ter wysiging van die wet op robbevangs en visserye.

(Goedgekeur 15 Junie 1965)

(Engelse teks deur die Administrateur geteken)

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

Wysiging van artikel 25 van Ordonnansie 12 van 1949.

1. Subartikel (1) van artikel vyf-en-twintig van die Ordonnansie op Robbevangs en Visserye 1949 (Ordonnansie 12 van 1949) word hierby gewysig deur die volgende paragraaf na paragraaf (xxv) in te voeg:—

„(xxv) *bis* wat voorsiening maak vir die oplegging van 'n heffing op visprodukte wat in die Gebied vervaardig of produseer word, en op vis of enige

No. 22 of 1965.]

ORDINANCE

To amend the law relating to the licensing of trades and occupations within the Territory.

(Assented to 15th June, 1965)
(English 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 Licences Consolidation Ordinance, 1935 (Ordinance 13 of 1935) is hereby amended by the substitution for item 15 (Importer) of the following item:

“15. Motor-Garage.”

Amendment of Second Schedule to Ordinance 13 of 1935, as amended by section 12 of Ordinance 13 of 1939 and section 1 of Ordinance 3 of 1942.

2. This Ordinance shall be called the Licences Consolidation Further Amendment Ordinance, 1965 and shall be deemed to have come into operation on the 1st day of January, 1936.

Short title and date of commencement.

No. 23 of 1965..]

ORDINANCE

to amend the law on the extermination of vermin.

(Assented to 15th June, 1965)
(Afrikaans text signed by the Administrator)

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

1. Section *two* of the Extermination of Vermin Ordinance 1935 (Ordinance 6 of 1935), is hereby amended by the substitution for the words “two shillings and sixpence” of the words “one rand”.

Amendment of section 2 of Ordinance 6 of 1935 as substituted by section 2 of Ordinance 10 of 1949.

2. This Ordinance shall be called the Extermination of Vermin Amendment Ordinance, 1965.

Short title.

No. 24 of 1965.]

ORDINANCE

To amend the law on sealing and fisheries.

(Assented to 15th June, 1965)
(English text signed by the Administrator)

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

1. Sub-section (1) of section *twenty-five* of the Sealing and Fisheries Ordinance, 1949 (Ordinance 12 of 1949) is hereby amended by the insertion after paragraph (xxv) of the following paragraph:—

Amendment of section 25 of Ordinance 12 of 1949.

“(xxv) *bis* providing for the imposition of a levy on fish products manufactured or produced in the Territory, and on fish or any species thereof

soort vis wat in die Gebied aan land gebring word, en die wyse en metode van insameling van sodanige heffing, en die persone of kategorieë van persone wat vir die betaling van die heffing aanspreeklik is, en die doeleindes waarvoor die opbrengs van die heffing gebruik kan word: Met dien verstande dat sodanige heffing ten opsigte van verskillende persone of verskillende kategorieë van persone volgens verskillende skale aldus opgelê kan word."

Kort titel.

2. Hierdie ordonnansie heet die Wysigingsordonnansie op Robbevangs en Visserye 1965.

No. 25 van 1965.]

ORDONNANSIE

Ter wysiging van die Woekerwinst Proklamatie 1921.

(Goedgekeur 15 Junie 1965)

(Engelse teks deur die Administrateur geteken)

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

Wysiging van artikel 1 van Proklamasie 26 van 1921.

1. Artikel *een* van die Woekerwinst Proklamatie 1921 (Proklamasie 26 van 1921) word hierby gewysig deur —

- (a) die invoeging van die woorde „nieteenstaande die bepalings van artikel *vyftien*” na die woord „zullen” waar dit vir die tweede keer voorkom, en
- (b) die byvoeging van die volgende paragraaf na paragraaf (c) —

“(d) huurkoopkontrakte soos omskryf in die Huurkoopordonnansie 1942 (Ordonnansie 7 van 1942) soos gewysig.”

Kort titel.

2. Hierdie ordonnansie heet die Wysigingsordonnansie op Woekerwins 1965.

No. 26 van 1965.]

ORDONNANSIE

Om die Omheinings Proklamatie 1921 te wysig.

(Goedgekeur 15 Junie 1965)

(Engelse teks deur die Administrateur geteken)

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

Wysiging van artikel 2 van Proklamasie 57 van 1921, soos gewysig by artikel 1 van Ordonnansie 21 van 1955 en artikel 1 van Ordonnansie 23 van 1963.

1. Artikel *twee* van die Omheinings Proklamatie 1921 (Proklamasie 57 van 1921) word hierby gewysig deur in die voorbehoudsbepaling by die woord — bepaling van „jakkalsproefomheining” die woord „regaf” in te voeg na die woord „duim” waar dit vir die eerste maal voorkom.

Kort titel.

2. Hierdie ordonnansie heet die Omheinings Proklamasie-wysigingsordonnansie 1965.

landed in the Territory, and the manner and method of collection of such levy, and the persons or categories of persons liable for the payment of the levy, and the purposes for which the proceeds of the levy may be used: Provided that such levy may in respect of different persons or categories of persons, be so imposed in accordance with different scales."

2. This Ordinance shall be called the Sealing and Fisheries Amendment Ordinance, 1965. Short Title.

No. 25 of 1965.]

ORDINANCE

To amend the Usury Proclamation 1921.

(Assented to 15th June, 1965)
(English text signed by the Administrator)

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

1. Section *one* of the Usury Proclamation 1921 (Proclamation 26 of 1921) is hereby amended by —

Amendment of Section 1 of Proclamation 26 of 1921.

- (a) the insertion after the word "shall" where it appears for the second time of the words „notwithstanding the provisions of section *fifteen*"; and
- (b) the addition of the following paragraph after paragraph (c) —

“(d) Hire-purchase agreements as defined in the Hire-Purchase Ordinance, 1942 (Ordinance 7 of 1942) as amended.”

2. This Ordinance shall be called the Usury Proclamation Amendment Ordinance, 1965. Short title.

No. 26 of 1965.]

ORDINANCE

To amend the Fencing Proclamation, 1921.

(Assented to 15th June, 1965)
(English text signed by the Administrator)

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

1. Section *two* of the Fencing Proclamation, 1921 (Proclamation 57 of 1921) is hereby amended by the insertion in the proviso to the definition of "jackalproof fence" of the words "straight down" after the word "inches" where it occurs for the first time.

Amendment of section 2 of Proclamation 57 of 1921, as amended by section 1 of Ordinance 21 of 1955 and section 1 of Ordinance 23 of 1963.

2. This Ordinance shall be called the Fencing Proclamation Amendment Ordinance, 1965. Short title.

No. 27 van 1965.]

ORDONNANSIE

Ter samevatting van die wette op die registrasie van geboortes, huwelike en sterfgevalle.

(Goedgekeur 15 Junie 1965)

(Afrikaanse teks deur die Administrateur geteken)

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika met die toestemming van die Staatspresident, dermate sodanige toestemming nodig is, vooraf verkreeë en deur boodskap van die Administrateur aan die Wetgewende Vergadering meegedeel ooreenkomstig die bepalings van artikel *ses-en-twintig* van die Suidwes-Afrika Konstitutie Wet 1925, soos gewysig by artikel *sestien* van die Wysigingswet op Aangeleenthede van Suidwes-Afrika 1949 van die Parlement van die Republiek van Suid-Afrika VERORDEN:—

Toepassing van
Wet 81 van 1963 op
die Gebied Suidwes-
Afrika.

1. Van en na die inwerkingtreëding van hierdie ordonnansie het die bepalings van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle 1963 (Wet 81 van 1963) van die Parlement van die Republiek van Suid-Afrika saam met enige wysigings daarvan en byvoegings daartoe wat hierna verorden kan word en enige regulasies wat asdan daarkragtens in werking is *mutatis mutandis* en vir sover omstandighede dit toelaat en onderhewig aan die veranderinge uiteengesit in die eerste bylae hiervan, krag en werking binne hierdie Gebied.

Herroeping van
wette.

2. Die wet genoem in die tweede bylae hiervan word hierby en is herroep in die mate aangedui in kolom drie van die bogenoemde bylae tesame met alle ander bestaande wette wat onbestaanbaar of strydig is met die bepalings van die voormelde Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle 1963 (Wet 81 van 1963).

Kort titel.

3. Hierdie ordonnansie heet die Ordonnansie op die Registrasie van Geboortes, Huwelike en Sterfgevalle 1965.

EERSTE BYLAE.

Veranderinge aan die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle 1963 (Wet 81 van 1963) is, tensy die samehang anders aandui, die volgende:—

1. Die verwysing na „Minister” in die woordomskrywing van „stadsgebied” in artikel *een* moet uitgelê word as ’n verwysing na die Administrateur van die Gebied Suidwes-Afrika.
2. Die verwysing na „Staatskoerant” in die woordomskrywing van „stadsgebied” in artikel *een* moet uitgelê word as ’n verwysing na die *Offisiële Koerant* van die Gebied Suidwes-Afrika.
3. Enige verwysing na die Republiek moet uitgelê word as ’n verwysing na die Gebied Suidwes-Afrika.
4. Elke verwysing na „Bantoesakekommissaris” moet uitgelê word as ’n verwysing na „Natuurlekkommissaris”.
5. Elke verwysing na „Bantoe” moet uitgelê word as ’n verwysing na „inboorling”.
6. Die verwysing na die Seëlwet 1962 (Wet 59 van 1962) in artikel *drie-en-veertig* moet uitgelê word as ’n verwysing na die Zegelwet 1911 (Wet 30 van 1911) soos gewysig en op die Gebied Suidwes-Afrika toegepas by Proklamasie 13 van 1915.

TWEDE BYLAE.**HERROEPE WETTE.**

No. en jaar van wet.	Titel.	Mate van herroeping.
Proklamasie 38 van 1923	Registrasie van Geboortes, Huweliken en Sterfgevallen Proklamasie 1923.	Die hele.

No. 27 of 1965.]

ORDINANCE

To consolidate the laws relating to the registration of births, marriages and deaths.

(Assented to 15th June, 1965)
(Afrikaans text signed by the Administrator)

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the State President in so far as such consent is necessary previously obtained and communicated to the Legislative Assembly by message from the Administrator in accordance with the provisions of section *twenty-six* of the South West Africa Constitution Act, 1925, as amended by section *sixteen* of the South West Africa Affairs Amendment, Act, 1949, of the Parliament of the Republic of South Africa as follows:—

1. From and after the taking of effect of this Ordinance the provisions of the Births, Marriages and Deaths Registration Act, 1963 (Act 81 of 1963) of the Parliament of the Republic of South Africa, together with any amendments thereof and additions thereto which may hereafter be enacted, and any regulations for the time being in force thereunder shall *mutatis mutandis* and so far as circumstances permit and subject to the modifications set forth in the First Schedule hereto be of force and effect within this Territory.

Application of Act 81 of 1963 to the Territory of South West Africa.

2. The law specified in the Second Schedule hereto shall be and is hereby repealed to the extent indicated in column three of the aforesaid Schedule together with all such other existing laws as may be repugnant to or in conflict with the provisions of the aforesaid Births, Marriages and Deaths Registration Act, 1963 (Act 81 of 1963).

Repeal of laws

3. This Ordinance shall be called the Births, Marriages and Deaths Registration Ordinance, 1965.

Short title.

FIRST SCHEDULE.

Modifications to the Births, Marriages and Deaths Registration Act, 1963 (Act 81 of 1963), unless the context otherwise indicates, are:—

1. The reference to "Minister" in the definition of "urban area" in section *one* shall be construed as a reference to the Administrator of the Territory of South West Africa.
2. The reference to "Gazette" in the definition of "urban area" in section *one* shall be construed as a reference to the *Official Gazette* of the Territory of South West Africa.
3. Any reference to the Republic shall be construed as a reference to the Territory of South West Africa.
4. Any reference to "Bantu Affairs Commissioner" shall be construed as a reference to "Native Commissioner".
5. Any reference to "Bantu" shall be construed as a reference to "Native".
6. The reference to the Stamp Duties Act, 1962 (Act 59 of 1962) in section *forty-three* shall be construed as a reference to the Stamp Duties and Fees Act, 1911 (Act 30 of 1911), as amended and applied to the Territory of South West Africa by Proclamation 13 of 1915.

SECOND SCHEDULE.

LAWS REPEALED.

No. and year of law.	Title.	Extent of repeal.
Proclamation 38 of 1923.	Births, Marriages and Deaths Registration Proclamation, 1923.	The whole.

No. 28 van 1965.]

ORDONNANSIE

Ter wysiging van die wet op landnedersetting.

(Goedgekeur 15 Junie 1965)

(Afrikaanse teks deur die Administrateur geteken)

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

Wysiging van artikel 2 van Unieproklamasie 310 van 1927 soos gewysig by artikel 1 van Unieproklamasie 205 van 1932.

1. Artikel *twee* van die Landnedersetting Gekonsolideerde en Wysigingsproklamasie 1927 (Unieproklamasie 310 van 1927) — hierna heet dit die hoofproklamasie — word hierby gewysig deur die woordbepaling van „die Raad” of „Landraad” deur die volgende woordbepaling te vervang:—

„raad” die Staatsnedersetting- en Boerebystandsraad wat ingevolge artikel *twee* van die Boerebystandsordonnansie, 1962 (Ordonnansie 11 van 1962) soos vervang deur artikel *een* van die Wysigingsordonnansie op Boerebystand, 1965, ingestel is;”

Vervanging van artikel 3 van Unieproklamasie 310 van 1927 soos gewysig by artikel 7 van Unieproklamasie 77 van 1936.

2. Artikel *drie* van die hoofproklamasie word hierby deur die volgende artikel vervang:—

„Uitvoering van Proklamasie.

3 (1) Sodra die raad ingevolge artikel *twee* van die Boerebystandsordonnansie, 1962 (Ordonnansie 11 van 1962) soos vervang deur artikel *een* van die Wysigingsordonnansie op Boerebystand, 1965 ingestel is, word die Landraad kragtens hierdie Proklamasie ingestel, afgeskaf.

(2) Dit sal die werk wees van die raad om die Administrateur te adviseer omtrent sake wat deur hierdie Proklamasie uitdruklik genoem is as sake vir die oorweging, advies, rapport en aanbeveling van die raad en omtrent enige ander sake wat die Administrateur in verband met die uitvoering van hierdie Proklamasie na hom verwys.”

Invoeging van artikel 54 bis in Unieproklamasie 310 van 1927.

3. Die volgende artikel word hierby na artikel *vier-en-vyftig* van die hoofproklamasie ingevoeg:—

„Delegasie van bevoegdhede.

54 bis. Die Administrateur kan skriftelik, van tyd tot tyd, en onderworpe aan die voorwaardes wat hy na goeddunke stel en vir die tydperk wat hy in elke geval aandui, enige van sy bevoegdhede of pligte kragtens hierdie Proklamasie (behalwe die bevoegdheid om regulasies te maak) aan enige beampte van die Administrasie en die raad deleger en kan te eniger tyd sodanige delegasie intrek.”

Herroeping van sekere artikels van Unieproklamasie 310 van 1927.

4. Artikels *vier*, *vyf*, *agt* en *nege* en paragrawe (a) en (c) van subartikel (1) van artikel *vier-en-vyftig* word hierby herroep.

Vervanging van die woord „Landraad” deur die woord „raad”.

5. Die hoofproklamasie word hierby gewysig deur die woord „Landraad” oral waar dit voorkom deur die woord „raad” te vervang.

Kort titel.

6. Hierdie ordonnansie heet die Verdere Wysigingsordonnansie op Landnedersetting 1965 en tree in werking op 'n datum wat die Administrateur by proklamasie in die *Offisiële Koerant* bepaal.

No. 28 of 1965.]

ORDINANCE

To amend the law relating to land settlement.

(Assented to 15th June, 1965)
(Afrikaans text signed by the Administrator)

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

1. Section *two* of the Land Settlement Consolidation and Amendment Proclamation, 1927 (Union Proclamation 310 of 1927) — hereinafter called the principal proclamation — is hereby amended by the substitution for the definition of "The Board" or "Land Board" of the following definition:—

Amendment of Section 2 of Union Proclamation 310 of 1927 as amended by section 1 of Union Proclamation 205 of 1932.

"board" means the State Settlement and Farmers Assistance Board constituted under section *two* of the Farmers Assistance Ordinance, 1962 (Ordinance 11 of 1962) as substituted by section *one* of the Farmers Assistance Amendment Ordinance, 1965;

2. The following new section is hereby substituted for section *three* of the principal proclamation:—

Substitution of new section for section 3 of Union Proclamation 310 of 1927 as amended by section 7 of Union Proclamation 77 of 1936.

"Administration of Proclamation.

3. (1) As soon as the board in terms of section *two* of the Farmers Assistance Ordinance, 1962 (Ordinance 11 of 1962) as substituted by section *one* of the Farmers Assistance Amendment Ordinance, 1965, is constituted, the Land Board constituted under this Proclamation shall be abolished.

(2) It shall be the function of the board to advise the Administrator on matters specifically expressed under this Proclamation to be matters for the consideration, advice, report and recommendation of the board and on any other matters referred to it by the Administrator in connection with the Administration of this Proclamation."

3. The following section is hereby inserted after section *fifty-four* of the principal proclamation:—

Insertion of section 54bis in Union Proclamation 310 of 1927.

"Delegation of powers.

54 *bis*. The Administrator may in writing, from time to time, and subject to such conditions as he may in his discretion impose and for such period as determined by him in each case, delegate any of his powers or duties in terms of this Proclamation (except the power to make regulations) to any officer of the Administration and the board, and may at any time withdraw such delegation."

4. Sections *four*, *five*, *eight* and *nine* and paragraphs (a) and (c) of sub-section (1) of section *fifty-four* are hereby deleted.

Deletion of certain sections of Union Proclamation 310 of 1927.

5. The principal proclamation is hereby amended by the substitution for the words "Land Board" wherever they occur of the word "board".

Substitution for the words "Land Board" of the word "board".

6. This Ordinance shall be called the Land Settlement Further Amendment Ordinance 1965, and shall come into operation on a date to be fixed by the Administrator by proclamation in the *Official Gazette*.

Short title.

No. 29 van 1965.]

ORDONNANSIE

Ter wysiging van die Munisipale Ordonnansie 1963.

(Goedgekeur 15 Junie 1965)

(Engelse teks deur die Administrateur geteken)

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

Wysiging van artikel 16 van Ordonnansie 13 van 1963 soos gewysig by artikel 2 van Ordonnansie 5 van 1964.

1. Artikel *sestien* van die Munisipale Ordonnansie 1963 (Ordonnansie 13 van 1963) — hierna heet dit die hoofordonnansie — word hierby gewysig —

- (a) deur die vervanging in subartikel (2) van die woorde „hierdie artikel” waar ook al hulle voorkom deur die woorde „subartikel (1)”;
- (b) deur die vervanging in subartikel (5) van die woorde „hierdie artikel” deur die woorde „subartikel (4)”.

Wysiging van artikel 94 van Ordonnansie 5 van 1963.

2. Artikel *vier-en-negentig* van die hoofordonnansie word hierby gewysig deur die vervanging van paragraaf (j) deur die volgende nuwe paragraaf:—

(j) elke kandidaat wat self of deur sy agent enige vergadering van kiesers op enige perseel belê of hou wat gelisensieer is vir die verkoop van drank ingevolge die Dranklicentie Proklamasie 1920 (Proklamasie 6 van 1920) of enige wysiging daarvan: Met dien verstande dat geen bepaling van hierdie paragraaf van toepassing is nie op enige deel van sodanige perseel wat gewoonlik verhuur word as buro's, kantore, winkels of ander sakepersele, of vir die hou van openbare vergaderings in sodanige deel, as sodanige deel 'n aparte ingang het en geen regstreekse verbinding het met enige deel van die perseel waar enige bedwelmende drank of verwerings verkoop of verskaf word nie;

word beskou as skuldig aan omkoperij.

Wysiging van artikel 12 van Ordonnansie 13 van 1963.

3. Artikel *eenhonderd een-en-twintig* van die hoofordonnansie word hierby gewysig deur die vervanging van paragraaf (c) deur die volgende nuwe paragraaf:—

„(c) elke kiesbeampte, stemblikskrywer of tellingsagent wat op enige stembrief enige merk plaas of enig iets daarop skryf wat nie by hierdie ordonnansie gemagtig is nie;

is skuldig aan 'n misdryf en is by skuldigbevinding strafbaar met gevangenisstraf vir 'n tydperk van hoogstens twaalf maande.”

Wysiging van artikel 161 van Ordonnansie 13 van 1963.

4. Artikel *eenhonderd een-en-sestig* van die hoofordonnansie word hierby gewysig deur die skraping van paragraaf (f) van subartikel (3).

Wysiging van artikel 162 van Ordonnansie 13 van 1963.

5. Artikel *eenhonderd twee-en-sestig* van die hoofordonnansie word hierby gewysig deur die vervanging in subartikel (1) van die woorde „waardevermindering en veroudering van werke en masjinerie gekoop uit enige lenings aangegaan deur die raad” deur die woorde „hernuwing, waardevermindering of veroudering van enige werke en masjinerie van die raad”.

Wysiging van artikel 165 van Ordonnansie 13 van 1963 soos gewysig by artikel 4 van Ordonnansie 5 van 1964.

6. Artikel *eenhonderd vyf-en-sestig* van die hoofordonnansie word hierby gewysig deur die invoeging in paragraaf (a) van subartikel (2) van die woorde „of enige inrigting wat deur die Administrasie of openbare liefdadigheid ondersteun word” na die woord „koshuis”.

Wysiging van artikel 167 van Ordonnansie 13 van 1963.

7. Artikel *eenhonderd sewe-en-sestig* van die hoofordonnansie word hierby gewysig deur die skraping van subartikel (6).

Wysiging van artikel 168 van Ordonnansie 13 van 1963.

8. Artikel *eenhonderd agt-en-sestig* van die hoofordonnansie word hierby gewysig deur die invoeging in subartikel (1) na paragraaf (c) van die volgende paragraaf:—

„(c) *bis* enige spesiale belasting gehef ingevolge die bepalings van subartikel (6) van artikel *eenhonderd ses-en-sestig*.”

9. Artikel *tweehonderd vyf-en-twintig* van die hoofordonnansie word hierby gewysig deur die byvoeging na paragraaf (c) van subartikel (3) van die volgende nuwe paragraaf:—

Wysiging van artikel 225 van Ordonnansie 13 van 1963.

„(d) enige kontrak vir die uitvoering van enige werk of enige kontrak vir die lewering van enige goedere of materiaal wat net van een bron verkrygbaar is en dit in belang van die raad is om nie tenders te vra nie: Met dien verstande dat die omstandighede en redes waarom geen tenders in-gevolge subartikel (1) aangevra is nie, in die raad se notule opgeteken moet word.”

10. Artikel *tweehonderd een-en-veertig* van die hoofordonnansie word hierby gewysig —

Wysiging van artikel 241 van Ordonnansie 13 van 1963.

- (a) deur die invoeging in paragraaf (b) van subartikel (1) van die woorde „of lenings” na die woord „beurse” en deur die invoeging van die woorde „of lening” na die woord „beurs” waar ook al dit in die paragraaf voorkom en deur die vervanging van die kantskrif tot gemelde paragraaf deur die woorde „Beurse en lenings”;
- (b) deur die vervanging van paragraaf (h) van subartikel (1) deur die volgende paragraaf:—

„Openbare en sosiale funksies

(h) die bedrae wat hy nodig of dienstig ag bydra tot enige openbare of sosiale funksie en enige openbare demonstrasie insluitende die uitgawes wat werklik en noodsaaklik aangegaan is in verband met die verteenwoordiging van die raad as sodanig by enige sodanige geleentheid: Met dien verstande dat —

- (i) geen sodanige bydrae die uitgawe wat werklik ten opsigte van enige sodanige geleentheid aangegaan is, mag oorskry nie;
- (ii) geen sodanige bydrae tot enige sodanige geleentheid buite die munisipale gebied sonder die voorafverkreë goedkeuring van die Administrateur gemaak mag word nie; en
- (iii) die omstandighede en redes waarom sodanige bydrae gemaak word, in die raad se notule opgeteken moet word.”;
- (c) deur die vervanging in subparagraaf (i) van paragraaf (b) van subartikel (2) van die Engelse teks van die woorde „sporting club, association or union” deur die woorde „sporting club, sporting association or sporting union.”;
- (d) deur die invoeging na subparagraaf (iv) van paragraaf (b) van subartikel (2) van die volgende subparagraaf:—

„(iv) *bis* enige werknemer van die raad om spesiale gereedskap of spesiale instrumente aan te skaf vir gebruik deur sodanige werknemer in die uitvoering van sy pligte, hetsy geheel of deels;”

11. Die volgende nuwe artikel word na artikel *tweehonderd twee-en-veertig* ingevoeg:—

Invoeging van artikel 242 *bis* in Ordonnansie 13 van 1963.

„Woordbepaling vir die doeleindes van die regulasies.

242*bis* By die toepassing van subartikel (9) van artikel *tweehonderd twee-en-veertig* beteken „gebou”, sonder om die gewone betekenis van die woord enigsins te beperk, ook —

- (a) enige struktuur, ongeag of dit van ’n permanente of tydelike aard is, wat opgerig is of gebruik word vir die huisvesting of herberg van mense of vir die opberging, vervaardiging of verkoop van goedere of materiaal, of vir die vernietiging of behandeling van vuilgoed of ander afvalmateriaal;
- (b) ’n muur, swempool, swembad, reservoir, toring, brug, skoorsteen, mas, somerhuisie en kweekhuis en enige struktuur wat daarby hoort, asook enige uitsteeksel van ’n gebou;
- (c) enige grensheining of grensmuur.”

12. Hierdie ordonnansie heet die Munisipale Wysigingsordonnansie 1965.

Kort titel.

No. 29 of 1965.]

ORDINANCE

To amend the Municipal Ordinance, 1963.

(Assented to 15th June, 1965)

(English text signed by the Administrator)

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

Amendment of section 16 of Ordinance 13 of 1963 as amended by section 2 of Ordinance 5 of 1964.

1. Section *sixteen* of the Municipal Ordinance, 1963 (Ordinance 13 of 1963) — hereinafter called the principal ordinance — is hereby amended —

- (a) by the substitution in sub-section (2) of the words "sub-section (1)" for the words "this section" wherever they occur.
- (b) by the substitution in sub-section (5) of the words "sub-section (4)" for the words "this section".

Amendment of section 94 of Ordinance 13 of 1963.

2. Section *ninety-four* of the principal ordinance is hereby amended by the substitution of the following new paragraph for paragraph (j):—

"(j) every candidate who, himself or by his agent, convenes or holds any meeting of voters in any premises licensed for the sale of liquor under the Liquor Licensing Proclamation, 1920 (Proclamation 6 of 1920) or any amendment thereof: Provided that nothing in this paragraph shall apply to any part of such premises which is ordinarily let for the purpose of chambers or offices, shops or other business premises or the holding of public meetings in such part if such part has a separate entrance and no direct communication with any part of the premises on which any intoxicating liquor or refreshment is sold or supplied;

shall be deemed guilty of bribery."

Amendment of section 121 of Ordinance 13 of 1963.

3. Section *one hundred and twenty-one* of the principal ordinance is hereby amended by the substitution of the following new paragraph for paragraph (c):—

"(c) every returning officer, polling clerk or scrutineer who places upon any ballot paper any mark or writing not authorised by this Ordinance;

shall be guilty of an offence and on conviction thereof shall be liable to imprisonment for a period not exceeding twelve months."

Amendment of section 161 of Ordinance 13 of 1963.

4. Section *one hundred and sixty-one* of the principal ordinance is hereby amended by the repeal of paragraph (f) of sub-section (3).

Amendment of section 162 of Ordinance 13 of 1963.

5. Section *one hundred and sixty-two* of the principal ordinance is hereby amended by the substitution of the words "renewal, depreciation or obsolescence of any works and plant of the council" for the words "depreciation and obsolescence of works and plant purchased from any loans by the council" appearing in sub-section (1).

Amendment of section 165 of Ordinance 13 of 1963 as amended by section 4 of Ordinance 5 of 1964.

6. Section *one hundred and sixty-five* of the principal ordinance is hereby amended by the insertion of the words "or any institution supported by the Administration or by public charity" after the word "hostel" appearing in paragraph (a) of sub-section (2).

Amendment of section 167 of Ordinance 13 of 1963.

7. Section *one hundred and sixty-seven* of the principal ordinance is hereby amended by the repeal of sub-section (6).

Amendment of section 168 of Ordinance 13 of 1963.

8. Section *one hundred and sixty-eight* of the principal ordinance is hereby amended by the insertion in sub-section (1) after paragraph (c) of the following paragraph:—

"(c)*bis* any special rate levied under the provisions of sub-section (6) of section *one hundred and sixty-six*,"

9. Section *two hundred and twenty-five* of the principal ordinance is hereby amended by the addition of the following new paragraph after paragraph (c) of sub-section (3):—

Amendment of section 225 of Ordinance 13 of 1963.

“(d) any contract for the execution of any work or any contract for the supply of goods or materials obtainable from one source only and it be in the interest of the council not to call for tenders: Provided that the circumstances and reasons for not calling for tenders in terms of sub-section (1) shall be recorded in the council’s minutes.”

10. Section *two hundred and forty-one* of the principal ordinance is hereby amended —

Amendment of section 241 of Ordinance 13 of 1963.

- (a) by the insertion of the words “or loans” after the word “bursaries” appearing in paragraph (b) of sub-section (1) and by the insertion of the words “or loan” after the word “bursary” wherever it appears in that paragraph and by the substitution for the marginal note to the said paragraph of the words “Bursaries and loans;”
- (b) by the substitution of the following paragraph for paragraph (h) of sub-section (1):—

“Public and social functions.

(h) pay such sums as it may deem necessary or expedient towards any public or social function and any public demonstration including the expenses actually and necessarily incurred in connection with the representation of the council as such on any such occasion: Provided that —

- (i) no such payment shall exceed the expenditure actually incurred in respect of any such occasion;
- (ii) no such payment shall be made towards any such occasion outside the municipal area without the prior approval of the Administrator; and
- (iii) the circumstances and reasons for such payment shall be recorded in the council’s minutes.”

- (c) by the substitution of the words “sporting club, sporting association or sporting union” for the words “sporting club, association or union” appearing in sub-paragraph (i) of paragraph (b) of sub-section (2);
- (d) by the insertion after sub-paragraph (iv) of paragraph (b) of sub-section (2) of the following sub-paragraph:—

“(iv)*bis* any employee of the council to acquire special tools or special instruments for use by such employee in the discharge, whether wholly or in part, of his duties;”

11. The following new section is hereby inserted after section *two hundred and forty-two*:—

Insertion of section 242 bis in Ordinance 13 of 1963.

“Definition for the purposes of the regulations.

242bis. For the purposes of sub-section (9) of section *two hundred and forty-two* the word “building” without in any way limiting the ordinary meaning of the word, shall include —

- (a) any structure whether of a permanent or temporary nature erected or used for the housing or accommodation of human beings, or for the storage, manufacture or sale of goods or materials or for the destruction or treatment of refuse or other waste material;
- (b) a wall, swimming pool, swimming bath, reservoir, tower, bridge, chimney, mast, summerhouse and hot-house or any structure appurtenant thereto and any projection from a building;
- (c) any boundary fence or boundary wall.”

12. This Ordinance shall be called the Municipal Amendment Ordinance, 1965.

Short Title.