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OFFISIËLE KOERANT

UITGAWE OP GESAG.

VAN SUIDWES-AFRIKA.

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Government Notice.

Goewermentskennisgewing.

The following Government Notice is published for general information.

J. J. KLOPPER,
Secretary for South West Africa.

Administrator's Office,
Windhoek.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

J. J. KLOPPER,
Sekretaris van Suidwes-Afrika.

Windhoek.
Kantoor van die Administrateur,

No. 39.]

[9 March, 1967

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[9 Maart 1967

MUNICIPALITY OF OTAVI.

MUNISIPALITEIT VAN OTAVI.

NATIVE LOCATION REGULATIONS.

INBOORLINGLOKASIEREGULASIES.

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The Minister of Bantu Administration and Development has been pleased, under and by virtue of the powers in him vested by sub-section (4) of Section *thirty-two* of the Natives (Urban Areas) Proclamation 1951 (No. 56 of 1951) (South West Africa), read with Section *three* of the South West Africa Native Affairs Administration Act, 1954 (No. 56 of 1954) and Section *two* of the Administration of Native Affairs in South West Africa Proclamation, 1958 (No. 119 of 1958), to approve the regulations set out in the attached schedule.

Dit het die Minister van Bantoe-administrasie en -ontwikkeling behaag om kragtens die bevoegdheid hom verleen by subartikel (4) van artikel *twee-en-dertig* van die Proklamasie op Inboorlinge in Stedelike Gebiede, 1951 (No. 56 van 1951), (Suidwes-Afrika), gelees met artikel *drie* van die Wet op die Administrasie van Naturellesake in Suidwes-Afrika, 1954 (No. 56 van 1954), en artikel *twee* van die Proklamasie op die Administrasie van Naturellesake in Suidwes-Afrika, 1958 (No. 119 van 1958), sy goedkeuring te heg aan die regulasies in bygaande Bylae uiteengesit.

SCHEDULE.

MUNICIPALITY OF OTAVI.

NATIVE LOCATION REGULATIONS.

CHAPTER I.

GENERAL.

DEFINITIONS.

1. For the purposes of these regulations, unless the context indicates otherwise —

“Advisory Board” in relation to any location or Native village, shall mean the Native Advisory Board constituted for such location or Native village in terms of the provisions of Section *twenty* of the Proclamation;

“Cemetery” shall mean a piece of land set aside by the Council, with the approval of the Minister of Bantu Administration and Development, as public cemetery for the exclusive use of Natives;

“Certificate holder” shall mean any person to whom a residential certificate has been issued;

“Committee” shall mean the Non-European Affairs Committee of the Council;

“Council” shall mean the Municipal Council of Otavi;

“Customary union” shall mean the association of a man and woman in a conjugal relationship according to Native law and custom;

“Electoral Officer” shall mean the person appointed by the Council to exercise the powers and duties conferred on electoral officers by these regulations;

“Engineer” shall mean the Town Engineer of Otavi and shall include any person acting on his behalf in the execution of his duties;

“Family” in relation to the holder of a site or residential permit or residential certificate, shall mean —

- (a) the wife and all unmarried children under the age of 18 years of such holder;
- (b) all unmarried or widowed daughters of the holder of such site or residential permit who reside with such holder, together with their children under the age of 18 years;

BYLAE.

MUNISIPALITEIT VAN OTAVI.

INBOORLINGLOKASIEREGULASIES.

HOOFSTUK I.

ALGEMENE

WOORDOMSKRYWING.

1. Vir die toepassing van hierdie regulasies, tensy die sinsverband anders aandui, beteken —

„Adviesraad”, met betrekking tot ’n lokasie of inboorlingdorp, die Inboorlingadviesraad wat vir dié lokasie of inboorlingdorp ingevolge die bepalings van artikel *twintig* van die Proklamasie saamgestel is;

„Bestuurder” die amptenaar wat deur die Raad aangesel en ingevolge die bepalings van subartikel (1) van artikel *een-en-twintig* van die Proklamasie gelisensieer is om die Raad se afdeling Inboorlingadministrasie te bestuur;

„bewoningsertifikaat” — ’n sertifikaat uitgereik kragtens die bepalings van subregulasie (3) van regulasie 26;

„Finansieël in staat” —

- (a) dat die applikant likwiede bates gelykstaande met die geraamde koste van die goedgekeurde gebou by die Raad gedeponeer het; of
- (b) indien hy om ’n boulening ooreenkomstig hierdie regulasies aansoek doen hy —
 - (i) aldus likwiede bates gelykstaande met 20% van sodanige geraamde koste gedeponeer het; en
 - (ii) sy inkomste minstens ses maal soveel is as die bedrag van die maandelikse paaielement wat ooreenkomstig hierdie regulasies ten opsigte van kapitaal, rente en huurgeld betaal moet word;

met dien verstande egter dat die Komitee na goedgekeurde en op aanbeveling van die superintendent, ’n applikant kan goedkeur wie se maandelikse inkomste nie aan die vereistes van hierdie regulasies voldoen nie indien die Komitee oortuig is dat sodanige applikant in staat sal wees om sy finansiële verpligtings teenoor die Raad na te kom.

- (c) any parent or grandparent of such holder or of his wife who are dependent upon such holder as a result of old age, weakness or any other incapacity; and
- (d) any other person who, in the opinion of the Superintendent, is *bona fide* dependent upon such holder;

"Financially able" shall mean —

- (a) that the applicant has deposited liquid assets equal to the estimated value of the proposed building with the Council; or
- (b) in the event of his having applied for a building loan in terms of these regulations —
 - (i) he has deposited with the Council liquid assets equal to 20% of such estimated value; and
 - (ii) his income is at least six times as much as the amount of the monthly payment to be made in terms of these regulations in respect of capital, interest and rent; provided, however, that the Committee may, in its discretion and on the recommendation of the Superintendent, approve an applicant whose monthly income does not conform to the requirements of this regulation, if the Committee is satisfied that the applicant will be able to meet his financial obligations towards the Council;

"Fit and proper person" shall mean a person who —

- (a) is of good character; and
- (b) submits proof that he is married either by Christian rites or civil law or that a customary union exists between himself and the woman he describes as his wife, or that he or she is a widower or widow or divorcee or single person with minor unmarried children or other dependants living together as a family;

"Hall" shall mean any communal hall provided by the Council for the use of the Native inhabitants of the location;

"Hirer" shall mean a person whose application for the hire or use of a communal hall has been granted, whether against payment or otherwise, and "hire" shall have a corresponding meaning;

"Hostel" shall mean any Native hostel erected in terms of the provisions of Section *two* of the Proclamation;

"Location" shall mean any area defined, set apart and laid out as location or Native village or as an extension of a location or Native village by the Council, with the approval of the Minister, under the provisions of Section *two* of the Proclamation;

"Manager" shall mean the official appointed by the Council and licensed in terms of the provisions of sub-section (1) of Section *twenty-one* of the Proclamation to manage the Council's Native Administration Department;

"Medical Officer of Health" shall mean the person for the time being lawfully acting in the capacity either of Medical Officer of Health or Deputy Medical Officer of Health of the Council;

"Native" shall mean a person belonging to a Native race or tribe of Africa. In case of reasonable doubt as to whether a person falls within this category, the onus of proof shall rest on such person;

"Nuisance" shall mean —

- (a) any premises or part thereof of such a construction or in such a state as to be offensive,

„Geneeskundige Gesondheidsbeampte" die persoon wat asdan wettiglik optree in die hoedanigheid van òf Geneeskundige Gesondheidsbeampte òf Assistent-Geneeskundige Gesondheidsbeampte van die Raad;

„geregistreerde bewoner" die persoon wie se naam verskyn in die register van bewoners wat gehou word deur die superintendent ingevolge die bepaling van subregulasie (1) van regulasie 10 van Hoofstuk 2 van hierdie regulasies as 'n persoon aan wie 'n perseel-, woon- of loseerderspermit of bewonings-sertifikaat ingevolge hierdie regulasies uitgereik is;

„gesin", met betrekking tot die houer van 'n perseel-woonpermit of bewoningsertifikaat —

- (a) die vrou en alle ongetroude kinders onder die ouderdom van 18 jaar van sodanige houer;
- (b) alle ongetroude of weduweedogters van die houer van die perseel- of woonpermit wat by sodanige houer woon en hulle kinders onder 18 jaar;
- (c) enige ouer of grootouer van sodanige houer of van sy vrou wat weens hoë ouderdom, swaakheid of enige ander ongeskiktheid, van sodanige houer afhanklik is; en
- (d) enige ander persoon wat na die mening van die superintendent *bona fide* afhanklik van die houer is;

„geskikte persoon", iemand wat —

- (a) van goeie karakter is;
- (b) bewys lewer dat hy getroud is òf volgens Christelike seremonie òf volgens burgerlike reg, of dat 'n gewoonteverbintenis bestaan tussen hom en die vrou wat hy as sy eggenote beskryf, of dat hy of sy 'n wewenaar of weduwee of 'n geskeide of ongetroude persoon is met minderjarige ongetroude kinders of ander afhanklikes wat as 'n gesin met hom of haar saamwoon;

„gewoonteverbintenis", die verbintenis van 'n man en 'n vrou in 'n huweliksverhouding volgens Naturelle-reg en -gebruik;

„handelaar", enige inboorling ten opsigte van wie 'n aansoek ingevolge hierdie regulasies toegestaan is, om 'n wettige ambag, besigheid of beroep in die lokasie te beoefen;

„handelsperseel", enige goedgekeurde winkel, kraampie, gebou of terrein wat vir toewysing aan inboorlinge vir handels- of besigheidsdoeleindes opsy gesit is ingevolge die bepaling van hierdie regulasies;

„huurder", iemand wie se aansoek om die huur of gebruik van 'n gemeenskapsel toegestaan is, hetsy teen betaling van 'n huurgeld of nie, en „huur" het 'n ooreenstemmende betekenis;

„inboorling", 'n persoon wat tot 'n inboorlingras of -stam van Afrika behoort. Wanneer daar redelike twyfel bestaan of 'n persoon in hierdie Kategorie val, rus die bewyslas op daardie persoon;

„ingenieur", die Stadingenieur van Otavi en omvat enigeen wat namens hom optree in die uitvoering van sy pligte;

„kiesbeampte", die persoon wat deur die Raad benoem is om die bevoegdhede en pligte uit te oefen wat ingevolge hierdie regulasies aan kiesbeamptes toegewys word;

„komitee", die Komitee vir Nie-Blankesake van die Raad;

„kerkhof", 'n stuk grond wat deur die Raad opsy gesit is met die goedkeuring van die Minister van Bantoe-administrasie en -ontwikkeling as 'n openbare begraafplaas vir die uitsluitlike gebruik van in-

- (b) any street, stream, pool, lagoon, ditch, gutter, watercourse, sink, cistern, water-closet, earth closet, pail closet, privy, urinal, cesspool, drain, sewer, waste water receptacle, sloptank, dung-pit, ashbin, ashpit, or manure heap so foul or in such a state or so situated or constructed as to be a nuisance or offensive, injurious or dangerous to health;
- (c) any well or other source of water supply which is injurious or dangerous to health;
- (d) any tank or cistern used for the supply of water for domestic purposes so placed, constructed or kept as to render the water therein liable to contamination, causing or likely to cause risk to health or to facilitate the breeding of mosquitoes;
- (e) any stable, cowshed, animal kraal, fowlhouse or premises in which any animal or animals or bird or birds are kept in such a manner or in such numbers as to be offensive, injurious or dangerous to health;
- (f) any accumulation or deposit of refuse, offal, manure or other matter which is offensive, injurious or dangerous to health, or any offensive matter, refuse or offal or manure lying or being within fifty yards of any street, or contained in uncovered trucks or wagons, standing or being at any station or siding or elsewhere on a railway so as to be offensive, injurious or dangerous to health;
- (g) any work, manufacture, trade or business causing or giving rise to smells or effluvia which are offensive or which are injurious to the health of the neighbourhood or so conducted as to be offensive, injurious or dangerous to health;
- (h) any house or part of a house so overcrowded as to be injurious or dangerous to the health of the inhabitants, or in which there is not for each person of over 10 years simultaneously occupying the same, whether by night or day, at least 400 cubic feet of air space and 40 square feet of floor space and at least 200 cubic feet of air space and 20 square feet of floor space for each person under 10 years;
- (i) any school house or any factory, workshop or workplace or part thereof —
- (i) which is not kept clean and free from effluvia arising from any drain, privy, water-closet, earth closet, urinal or other source of nuisance; or
 - (ii) which is not ventilated in such a manner as to render harmless, as far as practicable, any gases, vapours, dust or other impurities generated in the course of the work carried out therein that are offensive, injurious or dangerous to health; or
 - (iii) in which the average proportion of carbonic acid in the air at or about breathing level exceeds 10 volumes in 10,000 or where oil or gas is used for lighting purposes, exceeds 18 volumes in 10,000 while such oil or gas is in actual use; or
 - (iv) which is so overcrowded while work is being carried out therein as to be injurious or dangerous to the health of those employed therein;
- (j) any chimney sending forth smoke, grit, ash or soot in such quantity or in such a manner as to be offensive, injurious or dangerous to health;
- (k) any other condition whatever which is offensive, injurious or dangerous to health; the generality of this provision not being limited by the particular matters provided in the „lokasie”, ’n gebied wat bepaal, afgesonder en aangelê is as lokasie of inboorlingdorp of as ’n uitbreiding van ’n lokasie of inboorlingdorp deur die Raad met die goedkeuring van die Minister ingevolge die bepalinge van artikel twee van die Proklamasie;
- „onderneming” enige ambag, besigheid of beroep wat deur enige handelaar op enige goedgekeurde handelsperseel beoefen of gedryf word;
- „oorlas”,
- (a) ’n perseel of gedeelte daarvan wat op so ’n wyse gebou is of in so ’n toestand verkeer dat dit aanstootlik, nadelig of gevaarlik vir die gesondheid is;
 - (b) ’n straat, stroom, poel, lagune, sloot, geut, waterloop, wasbak, waterbak, waterkloset, putgemak, emmergemak, privaat, urinoir, vuilput, sinkput, riool, straat-riool, afvalwaterbak, vuilwatertenk, misput, asbak, asput of mishoop, wat so aanstootlik of in so ’n toestand of sodanig geleë of gemaak is dat die oorlas veroorsaak of aanstootlik of nadelig of gevaarlik vir die gesondheid is;
 - (c) ’n put of ander watervoorraad wat nadelig of gevaarlik vir die gesondheid is;
 - (d) ’n tenk of waterbak wat gebruik word vir die lewering van water vir huishoudelike doeleindes en wat so geplaas of vervaardig is of gehou word dat die water daarin blootstaan aan verontreiniging, waardeur dit ’n gevaar vir die gesondheid veroorsaak of kan veroorsaak, of die uitbroei van muskiete kan bevorder;
 - (e) ’n stal, koeistal, veekraal, hoenderhok of perseel waarin diere of kleinvee gehou word op so ’n wyse of in sodanige getalle dat die aanstootlik, nadelig of gevaarlik vir die gesondheid is;
 - (f) ’n versameling of ophoping van vullis, afval, mis of ander stof wat aanstootlik, nadelig of gevaarlik vir die gesondheid is, of enige aanstootlike stof, vullis, afval of mis wat binne vyftig tree van enige straat af lê, of is, of wat in oop trokke of waens op of by ’n stasie of halte, of elders op ’n spoorweg staan of is, sodat dit aanstootlik, nadelig of gevaarlik vir die gesondheid is;
 - (g) enige werke, fabriek, bedryf of besigheid wat stank of uitvloeielsels of dampe veroorsaak of kan veroorsaak wat aanstootlik of nadelig of gevaarlik vir die gesondheid van die buurt is, of wat op so ’n wyse bestuur word dat hulle hinderlik, nadelig of gevaarlik vir die gesondheid is;
 - (h) ’n huis of gedeelte van ’n huis wat so oorvol is dat dit nadelig of gevaarlik vir die gesondheid van die inwoners is, of waarin, hetsy bedags of snags, vir elkeen van die persone oor die ouderdom van 10 jaar wat dit gelyktydig bewoon, nie minstens 400 kubieke voet lugruimte en 40 vierkante voet vloerruimte en vir elke persoon onder die ouderdom van 10 jaar, nie minstens 200 kubieke voet lugruimte en 20 vierkante voet vloerruimte is nie;
 - (i) ’n skoolgebou of ’n fabriek, werkwinkel of werkplek of gedeelte daarvan —
 - (i) wat nie in ’n sindelike toestand en vry van uitvloeiings uit enige riool, privaat, waterkloset, putgemak, urinoir of ander bron van oorlas gehou word nie;
 - (ii) wat nie op so ’n wyse geventileer is dat daardeur soveel moontlik alle gasse, dampe, stof of ander onsuiverhede wat ontstaan gedurende die werk daarin ver- rig en wat aanstootlik, nadelig of gevaarlik vir die gesondheid is onskadelik ge-

“Proclamation” shall mean the Natives (Urban Areas) Proclamation No. 56 of 1951, as amended;

“Registered Occupier” shall mean the person whose name appears in the register of occupiers kept by the Superintendent in terms of the provisions of sub-regulation (1) of Regulation 10 of Chapter 2 of these regulations as a person to whom a site, residential or lodger’s permit or a residential certificate has been issued in terms of these regulations;

“Residential certificate” shall mean a certificate issued in terms of the provisions of sub-regulation (3) of Regulation 26;

“Residential permit” shall mean a permit issued in terms of the provisions of sub-regulation (1) of Regulation 21;

“Site permit” shall mean a permit issued in terms of the provisions of sub-regulation (2) of Regulation 22;

“Superintendent” shall mean the official appointed and licensed for the management of the location in terms of the provisions of sub-section (1) of Section *twenty-one* of the Proclamation, or his substitute or his authorised representative;

“Trader” shall mean any Native in respect of whom an application has been granted in terms of these regulations to carry on a lawful trade, business or occupation in the location;

„Trading Site” shall mean any approved shop, stall, building or site set aside for allocation to Natives for trade or business purposes in terms of the provisions of these regulations;

“Undertaking” shall mean any trade, business or occupation carried out or conducted by any trader on any approved trading site;

“Urban area” shall mean the municipal area of Otavi.

APPLICATION.

2. Unless otherwise stated, these regulations shall apply in a location, Native village or Native hostel only.

REPEAL OF REGULATIONS.

3. The regulations promulgated by Government Notice No. 434 of 15 October 1951, as amended are hereby repealed.

CHAPTER II.

LOCATION ADMINISTRATION.

APPOINTMENT AND DUTIES OF OFFICERS.

1. (1) The Council may, in terms of the provisions of Section *twenty-one* of the Proclamation, appoint an officer known as the Manager, to manage the Council’s Department of Native Administration generally. All instructions affecting his Department and which may be issued from time to time by the Council shall be transmitted to the relative officers by the Manager.

(2) The Council shall, in terms of Section *twenty-*

(iii) waarin die gemiddelde verhouding van koolsuur in die lug by of ongeveer by die asemhalingshoogte meer as 10 volumes op 10,000 bedra, of waar gas of olie vir die verligting gebruik word, dit meer as 18 volumes op 10,000 bedra, terwyl sodanige gas of olie werklik gebruik word; of

(iv) wat so oorvol is terwyl die werk verrig word dat dit nadelig of gevaarlik is vir die gesondheid van die werksmense daarin;

(j) ’n skoorsteen wat so erg of op so ’n wyse rook, steenkoolgruit, as of roes afgee dat dit aanstootlik, nadelig of gevaarlik vir die gesondheid is;

(k) enige ander toestand wat aanstootlik, nadelig of gevaarlik vir die gesondheid is. Die algemeenheid van hierdie bepaling word nie beperk deur die bepaalde aangeleenthede waarvoor in die voorafgaande subartikels voorsiening gemaak is nie;

„perseelpermit” — ’n permit uitgereik kragtens die bepalings van subregulasie (2) van regulasie 22;

„Proklamasie” — die Proklamasie op Inboorlinge in Stedelike Gebiede, 1951 (No. 56 van 1951), soos gewysig;

„Raad” — die Munisipale Raad van Otavi;

„saal” — enige gemeenskapsaal wat deur die Raad verskaf is vir die gebruik van die inboorlinginwoners van die lokasie;

„sertifikaathouer” — iemand aan wie ’n bewoningssertifikaat uitgereik is;

„stadsgebied” — die munisipale gebied van Otavi;

„superintendent” — die amptenaar, wat ingevolge die bepalings van subartikel (1) van artikel *een-en-twintig* van die Proklamasie vir die bestuur van die lokasie aangestel en gelisensieer is, of sy plaasvervanger of gemagtigde verteenwoordiger;

„tehuis” — enige inboorlingtehuis opgerig ingevolge die bepalings van artikel *twee* van die Proklamasie;

„woonpermit” — ’n permit uitgereik kragtens die bepalings van subregulasie (1) van regulasie 21.

TOEPASSING.

2. Tensy anders aangedui, is hierdie regulasies slegs in ’n lokasie, inboorlingdorp of inboorlingtehuis van toepassing.

HERROEPING VAN REGULASIES.

3. Die regulasies afgekondig by Goewermentskennisgewing No. 434 van 15 Oktober 1951 soos gewysig, is hierby herroep.

HOOFSTUK II.

LOKASIEADMINISTRASIE.

AANSTELLING EN PLIGTE VAN AMPTENARE.

1. (1) Die Raad kan ingevolge die bepalings van artikel *een-en-twintig* van die Proklamasie ’n amptenaar aanstel wat as die Bestuurder bekend staan om die Raad se afdeling Inboorlingadministrasie in die algemeen te bestuur. Alle voorskrifte wat op sy afdeling betrekking het en wat van tyd tot tyd deur die Raad uitgereik word, moet aan die betrokke amptenare deur die Bestuurder oorgedra word.

(2) Die Raad stel, ingevolge artikel *een-en-twintig*

Location Superintendent (hereinafter called the Superintendent) to manage the whole or part of the location in terms of these regulations, who shall act in accordance with such lawful instructions as he may from time to time receive from the manager.

(3) The Council shall appoint such officers and other persons as he may deem necessary to assist the Superintendent in the administration of these regulations.

MANAGER'S REPORT.

2. The Manager shall, when required to do so by the Council, submit a report in writing on the conditions in and the management of the location.

POSTING OF REGULATIONS, ORDERS, ETC.

3. The Superintendent shall cause a copy of all regulations, orders or directions relating to the location, in English and Afrikaans to be posted and maintained in a conspicuous place at his office for the information of the residents.

BUILDINGS TO BE NUMBERED.

4. The Superintendent shall allot to each site in the location a number and shall cause the number allotted to each site to be legibly painted or inscribed on or affixed in a conspicuous place to the outside of any buildings erected on such site. The Superintendent shall at all times cause such numbers to be kept in a legible condition and no person shall obscure, remove, deface, obliterate or destroy such number.

RECORD OF REFUSALS.

5. The Superintendent shall keep a record of the names of the persons whose written applications for site, residential or lodger's permits or residential certificates have been refused and the reason for such refusal.

SITES, DWELLINGS AND BUILDINGS TO BE KEPT CLEAN.

6. Every holder of a site or residential permit or residential certificate shall keep the stand and buildings thereon clean and free of vermin and, in the case of a residential permit holder, shall keep the stand and buildings thereon in good condition, fair wear and tear excepted, and shall not deface or damage the premises, installations or fittings, nor shall he interfere with the water, electrical or sewerage installations.

REPORT OF BIRTHS AND DEATHS.

7. The registered occupier of any dwelling in which a birth or death occurs, or in the case of his death, absence or incapacity, the eldest adult resident in such dwelling, shall forthwith report to the Superintendent all the facts necessarily required for the proper keeping of any register which the Superintendent may be required to keep.

ENTERING OF PREMISES.

8. The Superintendent or any of his assistants, the Medical Officer of Health or other authorised health official, or other authorised employee of the Council, may, for any purpose connected with the carrying out of these regulations, at all reasonable times enter without previous notice upon any premises whatsoever and make such examination and enquiry as he may deem necessary.

FURNISHING OF NAMES AND ADDRESSES.

9. Any person found in the location shall on demand furnish the Superintendent or any of his assistants with his full name and address and such other information as may be required.

REGISTER OF OCCUPIERS.

10. (1) The Superintendent shall keep a register

Lokasiesuperintendent (hieronder die Superintendent genoem) om die lokasie of 'n gedeelte daarvan te bestuur ingevolge hierdie regulasies en hy tree op ooreenkomstig sodanige wettige voorskrifte as wat hy van tyd tot tyd van die Bestuurder mag ontvang.

(3) Die Raad stel sodanige amptenare en ander persone aan as wat hy nodig ag om die superintendent by die administrasie van hierdie regulasies by te staan.

BESTUURDER SE VERSLAG.

2. Die Bestuurder moet, wanneer dit deur die Raad van hom verlang word, 'n skriftelike verslag oor die toestande in en bestuur van die lokasie indien.

AANPLAK VAN REGULASIES, BEVELE, ENS.

3. Die Superintendent moet, vir die inligting van die inwoners, 'n afskrif van alle regulasies, bevele of voorskrifte wat betrekking het op die lokasie in Engels en Afrikaans op 'n in die oog lopende plek by sy kantoor laat aanplak en onderhou.

GEBOU E MOET GENOMMER WORD.

4. Die Superintendent moet aan elke perseel in die lokasie 'n nommer toewys en moet die nommer wat aan elke perseel toegewys is, duidelik op 'n in die oog lopende plek aan die buitekant van enige geboue wat op so 'n perseel opgerig is, laat verf of opskryf of aanbring. Die Superintendent moet toesien dat sodanige nommers op alle tye in 'n leesbare toestand gehou word en niemand mag so 'n nommer verberg, verwyder, skend, uitwis of vernietig nie.

AANTEKENING VAN GEWEIERDE AANSOEKE.

5. Die Superintendent moet aantekening hou van die name van persone wie se skriftelike aansoek om perseel-, woon- of loseerderspermitte of bewoningstifikate geweier is asook die redes vir sodanige weiering.

PERSELE, WONINGS EN GEBOU E MOET SINDELIK GEHOU WORD.

6. Elke houer van 'n perseel- of woonpermit of bewoningstifikaat moet die perseel en geboue op sy perseel skoon en vry van ongedierte hou en, in die geval van die houer van 'n woonpermit, moet hy die perseel en die geboue daarop in 'n goeie toestand hou, met inagneming van billike slytasie, en hy mag nie die perseel, installasies of toebehore ontsier of beskadig nie en hy mag ook nie aan die water-, elektriese of rioolinstallasies peuter nie.

AANGIFTE VAN GEBOORTES EN STERFGEVALLE.

7. Die geregistreerde bewoner van 'n woning waarin 'n geboorte of sterfgeval plaasvind, of ingeval van sy dood, afwesigheid of onbekwaamheid, die oudste volwasse inwoner in sodanige woning, moet onmiddellik aan die superintendent al die vereiste besonderhede omtrent sodanige geboorte of sterfgeval verstrek wat nodig is vir die behoorlike invul van enige register wat die Superintendent moet hou.

BETREDING VAN PERSELE.

8. Die Superintendent of enigeen van sy assistente, die geneeskundige gesondheidsbeampte of ander gemagtigde gesondheidsbeampte of ander gemagtigde werknemer van die Raad kan vir enige doel in verband met die uitvoer van hierdie regulasies, op alle redelike tye, sonder om vooraf kennis te gee, enige perseel betree en sodanige ondersoek instel en navraag doen as wat hy nodig ag.

VERSTREKKING VAN NAME EN ADRESSE.

9. Iedereen wat in die lokasie aangetref word, moet sy volle naam en adres en sodanige inligting as wat verlang word aan die Superintendent of enigeen van sy assistente op aanvraag verstrek.

REGISTER VAN BEWONERS.

10. (1) Die Superintendent moet 'n register hou

which he shall enter the name and full particulars of every person to whom a site, residential or lodger's permit or residential certificate has been issued in accordance with these regulations, the name and full particulars of every person who is entitled to reside in single quarters or a hostel situated within the location and the name of every other person who, in terms of these regulations, is permitted, by virtue of any site, residential or lodger's permit or residential certificate, to reside in the location.

(2) The appearance of any person's name in the register of occupiers shall be *prima facie* proof of such person's rights to reside and be in the location.

(3) The Superintendent shall delete from the register of occupiers the names of such occupiers whose permits have lapsed or which may otherwise have been cancelled or terminated in accordance with these regulations.

(4) Every registered occupier shall forthwith on the arrival in his dwelling or on his site of any person than a person authorised to be therein or thereon, report to the Superintendent the presence of such person and he shall at the same time apply to the Superintendent for a permit authorising the continued presence of such person in his dwelling or on his site.

(5) Every registered occupier shall report to the Superintendent any change in the persons set out in his permit and of their marital status.

PUBLIC MEETINGS, ASSEMBLIES AND ENTERTAINMENTS.

11. (1) Every person who proposes to convene or address a public meeting or assembly of persons in the location shall notify the Superintendent at least 48 hours before such meeting or assembly; provided that the Superintendent may, in his own discretion, accept shorter notice.

(2) No public meeting or entertainment in the location shall be continued later than 12 midnight without the approval of the Superintendent, nor shall any public meeting or entertainment in the location be continued later than the extended time to which permission has been granted by the Superintendent.

(3) If there be reasonable grounds for believing that the holding of any meeting or assembly in the location might provoke or tend to a breach of the peace, the Superintendent may, subject to the provisions of paragraph (r) of sub-section (2) of section 32 of the Proclamation, prohibit such meeting or assembly.

(4) Nothing in this regulation contained shall apply to any meeting or assembly for *bona fide* wedding, funeral, church, educational, sport, concert, or entertainment purposes or for the arrangement of domestic affairs.

(5) No person shall, without the prior approval of the Superintendent and subject to the provisions of any other legal enactment, collect from any person in the location any money for any purpose whatsoever.

DISTURBANCE OF THE PUBLIC PEACE.

12. No person shall in any street, road or public place or in any private dwelling or premises within the location, disturb the public peace by shouting, wrangling, quarrelling, swearing, or by using obscene abusive, insulting or threatening language or by unseemly, disorderly or violent behaviour.

OBSTRUCTION AND LOITERING.

13. (1) No person shall sit, stand, lie, loiter or congregate in or in any other manner encumber any street, road or public place within the location so as to obstruct traffic or to jostle or otherwise to interfere with any person lawfully using such street, road or public place.

hy die naam en volle besonderhede moet aantekene van elke persoon aan wie 'n perseel-, woon- of loseerders-permit of bewoningssertifikaat ooreenkomstig hierdie regulasies uitgereik is, die naam en volle besonderhede van iedereen wat die reg het om in 'n woning vir eenlopendes of 'n tehuis in die lokasie te woon, en die naam van alle ander persone wat ingevolge die bepalings van hierdie regulasies toegelaat word om kragtens 'n perseel-, woon-, of loseerders-permit of bewoningssertifikaat in die lokasie te woon.

(2) Die voorkoms van 'n persoon se naam in die register van bewoners is *prima facie*-bewys van die reg wat sodanige persoon het om in die lokasie te woon en om daar te wees.

(3) Die Superintendent moet die name van sodanige bewoners wie se permitte verval het of wat andersins ooreenkomstig hierdie regulasies ingetrek of beëindig is, uit die register van bewoners skrap.

(4) Elke geregistreerde bewoner moet sodra enigeen, behalwe 'n persoon wat daartoe gemagtig is, in sy woning of op sy perseel aankom, dit aan die Superintendent rapporteer en hy moet terselfdertyd by die Superintendent aansoek doen om 'n permit wat so 'n persoon magtig om in sodanige woning of op sodanige perseel te wees.

(5) Elke geregistreerde bewoner moet aan die Superintendent enige verandering in die persone in sy permit uiteengesit, en van hulle huwelikstaat, rapporteer.

OPENBARE VERGADERINGS, BYEENKOMSTE EN VERMAAKLIKHEDE.

11. (1) Iedereen wat voornemens is om 'n openbare vergadering of byeenkoms van persone in die lokasie te belê of toe te spreek, moet die Superintendent minstens agt-en-veertig uur voor sodanige vergadering of byeenkoms in kennis te stel; met dien verstande dat die Superintendent na goeddunke korter kennisgewing kan aanvaar.

(2) Geen openbare vergadering of vermaaklikheid in die lokasie mag later as 12-uur middernag sonder die goedkeuring van die Superintendent voortgesit word nie. Ook mag geen openbare vergadering of vermaaklikheid in die lokasie later as die verlengde tyd wat deur die Superintendent goedgekeur is, voortgesit word nie.

(3) Indien daar redelike grond is om te vermoed dat die hou van 'n vergadering of 'n byeenkoms in die lokasie 'n rusverstoring kan veroorsaak of daartoe aanleiding kan gee, kan die Superintendent, behoudens die bepalings van paragraaf (r) van subartikel (2) van artikel *twee-en-dertig* van die Proklamasie, sodanige vergadering of byeenkoms verbied.

(4) Geen bepalings in hierdie regulasie is op 'n vergadering of byeenkoms vir *bona fide*-bruilof-, begrafnis- of kerk-, onderrig-, sport-, konsert- of vermaaklikheidsdoeleindes, of vir die reëling van huishoudelike sake van toepassing nie.

(5) Niemand mag, sonder dat goedkeuring van die Superintendent vooraf verkry is, en behoudens die bepalings van enige ander wetlike bepaling van enigeen in die lokasie geld vir enige doel hoegenaamd kollekteer nie.

OPENBARE RUSVERSTORING.

12. Niemand mag in enige straat, pad of openbare plek of in 'n private woning of perseel binne die lokasie die openbare vrede verstoor deur te skreeu, rusie te maak, te twis, te vloek of vuil, skeld, beledigende of dreigende taal te gebruik of deur onbetaamlike, wanordelike of gewelddadige gedrag nie.

OBSTRUKSIE EN DRENTEL.

13. (1) Niemand mag in enige straat, pad of openbare plek binne die lokasie sit, lê, staan, drentel of vergader of op 'n ander wyse sodanige straat, pad of openbare plek belemmer sodat die verkeer verhinder word, of teen iemand wat wettiglik van sodanige straat, pad of openbare plek gebruik maak, stamp of so 'n persoon andersins lastig val nie.

(2) No person shall impede, obstruct or interfere with the rendering of any service undertaken by the Council.

SOLICITING.

14. No person shall in or near any street or in any other place in the location, in any way loiter or solicit or importune any other person for the purpose of prostitution or mendicancy.

FENCES IN OR AROUND THE LOCATION.

15. No person shall climb onto, under or over or through any gate, fence, wall or railing (being the property of the Council) in or around the location, or enter or leave otherwise than through some authorised means of ingress or egress.

DAMAGE TO OR REMOVAL OF FENCES, GATES AND WALLS.

16. No person shall damage or remove any gate, fence, wall or railing (being the property of the Council) enclosing or within the location without the authority of the Council.

KNOBKERRIES OR DANGEROUS WEAPONS.

17. (1) No Native shall carry or be in possession in a public place of a knobkerrie or other dangerous weapon. The Court convicting any person of a contravention of this regulation may, in addition to any penalty, order the confiscation of such knobkerrie or other weapon in respect of which such person is convicted.

(2) For the purpose of this regulation "dangerous weapon" shall include: Swords or daggers; knives with a cutting edge of 4 inches or more in length, or pocket knives, the blades of which can be fixed, spears, assegais and loaded sticks or sticks with nails or sticks which are not used for the lomotion of persons; knuckle dusters; sand bags; jumpers, crow bars or hammers which exceed 3 lbs. in weight; axes or pick-axes; solid rubber batons; chains and loaded belts; lead or iron pipes; straps or sjamboks or any other object which is obviously dangerous.

A chain on a stick is a loaded stick, and a belt with any metal attached to it is a loaded belt.

DAMAGING OF TREES, ETC.

18. No person shall unlawfully damage or destroy any tree, hedge, road, building, or erection, or any pipe, refuse receptacle, or other fitting or appliance in the location which is the property of the Council.

CONTROL OF GAMES AND ENTERTAINMENTS.

19. (1) No person shall conduct or carry on any game, gambling or entertainment in the location which is likely to create a disturbance or be a nuisance or annoyance to the residents or officials or be indecent or subversive of good morals.

(2) The registered occupier of any site or dwelling in the location who permits any such game, gambling or entertainment to take place on his premises, as well as all persons taking part therein, shall be guilty of an offence.

EXCAVATIONS.

20. No person shall make any excavation or dig any hole within the location without the written permission of the Superintendent.

RESIDENTIAL PERMITS.

21. (1) Any person who is the head of a family and is desirous of taking up his residence in the location and of occupying together with the members of his family a dwelling erected or owned by the Council, shall personally

(2) Niemand mag die uitvoering van enige diens deur die Raad verhinder, belemmer of hom daarmee bemoei nie.

AANHOUDING OP STRAAT.

14. Niemand mag in of naby 'n straat of in 'n ander plek in die lokasie op watter wyse ook al talm of iemand anders aanspreek of lastig val vir die doel van prostitusie of bedelary nie.

HEININGS IN OF OM LOKASIE.

15. Niemand mag op, onder, oor of deur 'n hek, heining, muur of tralie (wat die eiendom van die Raad is) in of om die lokasie klim of deur 'n ander as 'n goed-gekeurde in- of uitgang binnekome of uitgaan nie.

SKADE AAN OF VERWYDERING VAN HEININGS, HEKKE EN MURE.

16. Niemand mag 'n hek, heining, muur of tralie (wat die eiendom van die Raad is) wat die lokasie omhein of daarbinne is, sonder die magtiging van die Raad beskadig of verwyder nie.

KNOPKIERIES OF GEVAARLIKE WAPENS.

17. (1) Geen inboorling mag in 'n openbare plek 'n knopkerrie of ander gevaarlike wapen dra of in besit daarvan wees nie. Die hof wat enigiemand skuldig verklaar aan 'n oortreding van hierdie regulasie kan, benevens enige straf, die inbeslagneming van sodanige knopkerrie of ander wapen ten opsigte waarvan sodanige persoon skuldig verklaar is, gelas.

(2) Vir die doeleindes van hierdie regulasie omvat „gevaarlike wapen” swaarde of dolke, messe met 'n lem van 4 duim of meer in lengte of sakmesse waarvan die lemme so gestel kan word dat hulle nie weer kan toe-gaan nie; spiese, assegaie en gelaaiide stokke of stokke met spykers daarin; of stokke wat nie gebruik word om mee te loop nie; vuistysters, sandsakke; slagbore, koevoete of hamers van meer as 3 lb in gewig; byle of pikbyle, soliede rubberknuppels, kettings en gelaaiide gordels, lood- of ysterpype, plakke, sambokke en enige ander voorwerp wat klaarblyklik gevaarlik is.

'n Ketting aan 'n stok is 'n gelaaiide stok en 'n gordel met enige metaal daaraan is 'n gelaaiide gordel.

BESKADIGING VAN BOME ENS.

18. Niemand mag wederregtelik 'n boom, heg, pad, gebou of oprigting, of enige pyp, vullisbak of ander toe-behore of toestel in die lokasie, wat die eiendom van die Raad is, beskadig of vernietig nie.

BEHEER OOR SPELE EN VERMAAKLIKHEID.

19. (1) Niemand mag enige spel, dobbelary of vermaaklikheid wat moontlik 'n stoornis kan veroorsaak of die inwoners of beamptes tot oorlas kan wees of aanstoot kan gee, of wat onbetaamlik is of wat sedelike gedrag kan ondermyn, in die lokasie bestuur of daaraan deelneem nie.

(2) Die geregistreerde bewoner van 'n perseel of woning in die lokasie, wat toelaat dat enige sodanige spel, dobbelary of vermaaklikheid op sy perseel plaasvind, asook alle persone wat daaraan deelneem, begaan 'n misdryf.

UITGRAWINGS.

20. Niemand mag binne die lokasie 'n uitgraving maak of 'n gat grawe sonder die skriftelike toestemming van die Superintendent nie.

WOONPERMITTE.

21. (1) Iedereen wat 'n gesinshoof is en wat hom in die lokasie wil vestig en met die lede van sy gesin 'n woning wat deur die Raad opgerig is of besit word, wil bewoon, moet persoonlik by die Superintendent aansoek

apply to the Superintendent for a permit (hereinafter called a residential permit) authorising his residence in the location and occupation of such dwelling. The Superintendent, on being satisfied that —

- (a) a suitable dwelling is available;
- (b) such dwelling can be so occupied by the applicant and his family;
- (c) the applicant is a fit and proper person to reside in the location;
- (d) the applicant is *bona fide* employed or is carrying on some lawful occupation within the urban area;
- (e) the applicant is lawfully permitted to enter, be and remain in the urban area; and
- (f) the applicant is not already the holder of a residential or site permit or a residential certificate;
- (g) the applicant was born within South West Africa or the Republic of South Africa,

shall issue to such applicant a residential permit substantially in the form set out in Schedule I of these regulations and shall allot to him such dwelling; provided that, where the applicant is under the age of 21 years, such permit shall be issued in the name of the guardian of the applicant in trust for such applicant for the period of his minority.

(2) A residential permit shall —

- (a) specify the dwelling allotted;
- (b) be deemed to be granted only in respect of the dwelling mentioned therein;
- (c) specify the person to whom it is granted;
- (d) specify all persons, excluding lodgers, who are entitled to reside with the holder.

(3) The holder of a residential permit issued in terms of sub-regulation (1) shall, during the currency thereof, permanently reside in the dwelling allotted to him and he shall not absent himself therefrom or from the location for a period of more than one month without the written permission of the Superintendent.

(4) Every dwelling which was allocated and any permit which was issued in respect of such dwelling in terms of the regulations repealed by regulation 3 of Chapter I of these regulations, and which, on the date of promulgation hereof, has not been cancelled, shall be deemed to have been allocated or issued in terms of these regulations.

SITE PERMITS.

22. (1) Every person who is the head of a family and who is desirous of settling in the location and erecting a dwelling therein, shall apply in person to the Superintendent for a site permit.

(2) The Superintendent, on being satisfied that —

- (a) a suitable site is available;
- (b) the applicant is a fit and proper person to reside in the location;
- (c) the applicant is *bona fide* employed or carrying on a lawful trade within the urban area;
- (d) the applicant is lawfully authorised to enter, be and remain in the location;
- (e) the applicant is not already the holder of a residential or site permit or residential certificate;
- (f) the applicant was born in South West Africa or the Republic of South Africa;
- (g) the applicant is financially able and willing to erect a dwelling in terms of these regulations within the period laid down herein;
- (h) the applicant, if at the time of his application he is already a registered occupier, undertakes to

doen om 'n permit (hieronder 'n woonpermit genoem) wat sy verblyf in die lokasie en bewoning van sodanige woning magtig. Sodra die Superintendent daarvan oortuig is dat —

- (a) 'n geskikte woning beskikbaar is;
- (b) sodanige woning deur die applikant en sy gesin aldus bewoon kan word;
- (c) die applikant 'n geskikte persoon is om in die lokasie te woon;
- (d) die applikant *bona fide* in diens is of 'n wettige ambag beoefen binne die stadsgebied;
- (e) die applikant wettiglik toegelaat word om die stadsgebied binne te kom, daar te wees en daar te bly;
- (f) die applikant nie alreeds die houer van 'n woon- of perseelpermit of 'n bewoningstifikaat is nie;
- (g) die applikant binne Suidwes-Afrika of die Republiek van Suid-Afrika gebore is,

moet hy aan sodanige applikant 'n woonpermit uitreik in hoofsaak in die vorm in Bylae I van hierdie regulasies uiteengesit en so 'n woning aan hom toewys; met dien verstande dat as die applikant onder 21 jaar is dit op naam van die voog van die applikant in trust vir sodanige applikant gedurende die termyn van sy minderjarigheid uitgereik moet word.

(2) 'n Woonpermit moet —

- (a) die woning vermeld wat toegewys word;
- (b) beskou word verleen te wees slegs ten opsigte van die woning daarin vermeld;
- (c) die persoon vermeld aan wie dit verleen is;
- (d) alle persone vermeld, uitgesonderd loseerders, wat geregtig is om by die houer in te woon.

(3) Die houer van 'n woonpermit uitgereik ingevolge subregulasie (1) moet tydens die geldigheidsduur daarvan permanent in die woning aan hom toegewys woon en hy mag nie sonder die skriftelike toestemming van die Superintendent vir 'n langer tydperk as een maand daaruit of uit die lokasie afwesig wees nie.

(4) Enige woning wat toegeken is en enige permit wat uitgereik is ten opsigte van sodanige woning kragtens enigeen van die regulasies wat by regulasie 3 van Hoofstuk I van hierdie regulasies herroep is en wat nie op die datum van afkondiging van hierdie regulasies ingetrek is nie word geag kragtens hierdie regulasies toegeken of uitgereik te gewees het.

PERSEELPERMITTE.

22. (1) Iedereen wat 'n gesinshoof is en wat hom in die lokasie wil vestig en 'n woning daarin wil oprig, moet persoonlik by die Superintendent om 'n perseelpermit aansoek doen.

(2) As die Superintendent daarvan oortuig is dat —

- (a) 'n geskikte perseel beskikbaar is;
- (b) die applikant 'n geskikte persoon is om in die lokasie te woon;
- (c) die applikant *bona fide* in diens is of 'n wettige ambag beoefen binne die stadsgebied;
- (d) die applikant wettiglik gemagtig is om die stadsgebied binne te kom, daar te wees en daar te bly;
- (e) die applikant nie reeds die houer van 'n woon- of perseelpermit of bewoningstifikaat is nie;
- (f) die applikant binne Suidwes-Afrika of die Republiek van Suid-Afrika gebore is;
- (g) die applikant finansieel daartoe in staat en gewillig is om binne die tydperk wat ingevolge hierdie regulasies bepaal word 'n woning ooreenkomstig hierdie regulasies op te rig;
- (h) die applikant indien hy ten tyde van sy aansoek

surrender his existing residential, site or lodger's permit or residential certificate and to consent to the cancellation thereof upon receipt of a site permit in terms of these regulations;

- (i) the applicant has submitted to him a properly drawn plan, in duplicate, of the proposed dwelling, approved by the Engineer and the Medical Officer of Health;
- (j) the applicant has paid a deposit which is sufficient to cover the estimated supervision fees referred to in sub-regulation (8) of regulation 25 of these regulations (any balance of the deposit must be refunded to the applicant after completion of the building activities and the determination of the final costs thereof);

shall allocate such site to the applicant and issue to him a site permit in the form prescribed in Schedule II; provided that, where the applicant is under the age of 21 years, such permit shall be issued in the name of the guardian in trust for the applicant for the period of his minority.

(3) The Council may make available to any *bona fide* applicant who conforms to the requirements of sub-regulation (2), a plan of a standard dwelling acceptable to the Council, free of charge.

(4) Any site which was allocated and any permit which was issued in respect of such site in terms of the regulations repealed by regulation (3) of Chapter I of these regulations, and which, at the date of promulgation of these regulations, has not been cancelled, shall be deemed to have been issued or allocated in terms of these regulations.

PRIVILEGES DERIVED FROM AND OBLIGATIONS IMPOSED BY A SITE PERMIT.

23. (1) A site permit —

- (a) confers upon the holder thereof the right to the sole use and occupation, together with his family, of the site described therein, subject, however, to these regulations, for a period deemed fit by the Council but not exceeding thirty years from the date of issue thereof; provided that, where the applicant for such permit has, for a period of five years immediately preceding the date of the application, not been in *bona fide* employment within the urban area, or has not been carrying on some lawful trade or occupation therein or has not been receiving training in any lawful trade or occupation therein, the occupation by him of such site shall be on a monthly basis;
- (b) shall contain a description of the site concerned;
- (c) shall indicate the buildings, structures or hedges erected on the site or capable of being erected thereon;
- (d) is deemed to have been issued in respect of the site mentioned therein only;
- (e) shall indicate the person to whom it has been issued.

(2) Not more than one site may be allocated to any one person. For the purposes of this regulation, an adult male and an adult female living together shall be regarded as one person.

(3) The site may only be used for residential purposes, which shall include a garden in which fruit, flowers and vegetables for domestic use only may be grown.

(4) No site may be sub-divided.

(5) No holder of a site permit may sublet the dwelling, outbuildings or site or any portion thereof or cause or permit any person other than himself and his family to occupy the same without the written consent of the Council, which consent the Council may in its discretion grant or refuse.

by die ontvangs van 'n perseelpermit ingevolge hierdie regulasies sy bestaande woon-, perseel- of loseerderspermit of bewoningcertifikaat sal opgee en tot die intrekking daarvan sal toestem;

- (i) die applikant by hom, in tweevoud, 'n behoorlike getekende plan van die voorgestelde woning, wat deur die ingenieur en geneeskundige gesondheids-beampte goedgekeur is, ingedien het; en
- (j) die applikant 'n deposito betaal het wat voldoende is om die geraamde toesigkoste waarvan in sub-regulasie (8) van regulasie 25 van hierdie regulasies melding gemaak word, te dek (enige saldo van die deposito moet, na afloop van die bouwerk-saamhede, en nadat die finale koste daarvan bereken is aan die applikant terugbetaal word),

moet hy sodanige perseel aan sodanige applikant toeken en 'n perseelpermit soos uiteengesit in Bylae II aan hom uitreik; met dien verstande dat as die applikant onder 21 jaar is dit op naam van die voog van die applikant in trust vir sodanige applikant gedurende die termyn van sy minderjarigheid uitgereik moet word.

(3) Die Raad kan aan enige *bona fide*-applikant wat aan die voorwaardes uiteengesit in subregulasie (2) voldoen, 'n plan van 'n standaardwoning wat vir die Raad aanneemlik is, kosteloos verskaf.

(4) Enige perseel toegeken en enige permit uitgereik ten opsigte van sodanige perseel kragtens enigeen van die regulasies wat by regulasie 3 van Hoofstuk I van hierdie regulasies herroep is en wat nie op die datum van afkondiging van hierdie regulasies ingetrek is nie word geag kragtens hierdie regulasies, toegeken of uitgereik te gewees het.

REGTE VERLEEN EN VERPLIGTINGE OPGELE DEUR 'N PERSEELPERMIT.

23. (1) 'n Perseelpermit —

- (a) verleen aan die houër daarvan die reg op die uitsluitende gebruik en bewoning, tesame met sy gesin, maar behoudens hierdie regulasies, van die perseel wat daarin beskryf word, vir 'n tydperk wat die Raad goeddink maar vir hoogstens dertig jaar van die datum van uitreiking daarvan; met dien verstande dat waar die applikant om sodanige permit nie wettig in die stadsgebied in diens was of nie die een of ander wettige ambag of beroep daarin beoefen het of nie opleiding vir of onder-rig in die een of ander wettige ambag of beroep daarin ontvang het vir vyf jaar onmiddellik voor die datum van die aansoek nie sodanige bewoning op 'n maandelikse basis geskied;
- (b) moet 'n beskrywing van die betrokke perseel bevat;
- (c) moet aandui watter geboue, strukture of heinings op die betrokke perseel opgerig is of opgerig kan word;
- (d) word beskou as toegestaan alleenlik ten opsigte van die perseel wat daarin genoem word; en
- (e) moet die persoon aandui aan wie dit uitgereik is.

(2) Hoogstens een perseel mag aan een persoon toegeken word. Vir sover dit hierdie subregulasie betref word 'n manlike volwassene en 'n vroulike volwassene wat saamwoon, as een persoon beskou.

(3) Die perseel mag vir geen ander doel as vir woon-doeleindes gebruik word nie; hierby word 'n tuin ingesluit waarin vrugte, blomme en groente slegs vir huishoudelike gebruik gekweek kan word.

(4) Persele mag nie onderverdeel word nie.

(5) Die houër van 'n perseelpermit mag nie die huis, buitegeboue of perseel, of 'n gedeelte daarvan, sonder die skriftelike toestemming van die Raad onderverhuur, of toelaat dat iemand anders as hyself en sy gesin dit bewoon nie, en die Raad kan na goeë dunks hierdie toestemming

(6) An allotted site shall be measured off in a proper and efficient manner by the Superintendent.

(7) No site may be allocated to children residing with their parents or guardians.

SUBLETTING, TRANSFER OR ENCUMBERING OF DWELLINGS.

24. (1) The holder of a site permit or residential certificate shall not have the right to mortgage, pledge or in any other manner whatsoever encumber his site permit or his rights to or his interest in the site or any improvements thereon to any person other than the Council or a person approved by the Council.

(2) The holder of a site permit, residential permit or residential certificate shall not have the right, without the written consent of the Council, to let, sell or transfer his site permit, residential permit or certificate or his interests (if any) in any building erected on the site to any other person. This consent will be granted upon the Council being satisfied that the person to whom the lease, sale or transfer is to be made, conforms to the requirements of paragraphs (a) to (g) inclusive, of sub-regulation (2) of regulation 21 in the case of a residential permit or to the requirements of paragraphs (a) to (j) inclusive, of sub-regulation (2) of regulation 22 in the case of a site permit or to the requirements of paragraphs (a) to (d) inclusive, of sub-regulation (3) of regulation 26, in the case of a residential certificate, and provided the fees prescribed in these regulations have duly been paid by such person.

(3) The transfer of a site permit or a residential certificate takes place by —

- (a) registration thereof in the "register of occupiers" kept by the Superintendent in terms of regulation 10; and
- (b) the endorsement on the permit in question of the name and address of the person taking transfer, the purchase price paid and the fact that both parties had consented to the transfer;
- (c) handing the permit in question to the person taking transfer.

ERECTION OF BUILDINGS, FENCES, OUT-BUILDINGS OR OTHER STRUCTURES.

25. (1) The holder of a site permit shall, within three months from the date of issue of a site permit to him, commence with the erection on the site of a dwelling in accordance with the plan attached to his site permit; he shall proceed with the building work expeditiously and shall complete the same within a period of twelve months from the date on which the permit was issued to him; provided, however, that the Committee may, for good cause shown, extend either of or both these periods. In the event of a breach of the provisions of this regulation, the Council may —

- (a) extend the term by a given period; or
- (b) enter upon the site and erect or complete the approved buildings and recover the costs from the holder of the site permit; or
- (c) cancel the permit, subject to the holder's rights to compensation for improvements, and re-allocate the site to some other suitable applicant.

(2) The holder of a site permit shall within three months (which period may be extended by the Committee for good cause shown and at its discretion) carry out any written instruction given to him by the Superintendent, acting upon a report by the Medical Officer of Health or by the Engineer, to the effect that he shall, for good and sufficient reasons, repair, alter, rebuild or demolish any dwelling, building, outbuilding, fence or other structure; provided that such instruction shall be

(6) 'n Toegewese perseel moet op behoorlike en doeltreffende wyse deur die Superintendent afgemeet word.

(7) Geen perseel mag aan kinders wat by hul ouers of voogde woon, toegeken word nie.

ONDERVERHURING, OORDRAG OF DIE BESWARING VAN WONINGS.

24. (1) Die houer van 'n perseelpermit of bewoning-sertifikaat mag op generlei wyse sy perseelpermit, of sy reg op, of belang in dié perseel of enige verbeterings daarop aan iemand anders as die Raad, of aan iemand wat die Raad na goeddunke goedkeur, verpand, verbind of op enige ander wyse beswaar nie.

(2) Die houer van 'n perseelpermit, woonpermit of bewoning-sertifikaat mag nie sonder die skriftelike toestemming van die Raad sy perseelpermit, woonpermit of bewoning-sertifikaat of sy belang, as daar is, in 'n gebou wat op die perseel opgerig is, aan iemand anders verhuur, verkoop of oordra nie. Hierdie toestemming word verleen sodra die Raad oortuig is dat die persoon aan wie verhuur, verkoop of oorgedra word, voldoen aan die voorwaardes uiteengesit in paragrafe (a) tot en met (g) van subregulasie (2) van regulasie 21 in die geval van 'n woonpermit, of aan die voorwaardes uiteengesit in paragrafe (a) tot en met (j) van subregulasie (2) van regulasie 22 in die geval van 'n perseelpermit of aan die voorwaardes in paragrafe (a) tot en met (d) van subregulasie (3) van regulasie 26 in die geval van 'n bewoning-sertifikaat en teen betaling deur sodanige persoon van die gelde wat in hierdie regulasie voorgeskryf word.

(3) Die odrag van 'n perseelpermit of bewoning-sertifikaat geskied by wyse van:—

- (a) registrasie daarvan in die „register van bewoners" wat die Superintendent ingevolge regulasie 10 moet hou; en
- (b) die endossering op die betrokke permit van die naam en adres van die persoon wat odrag neem, die koopprys wat betaal is en die feit dat beide partye ingestem het tot die odrag; en
- (c) die oorhandiging van die betrokke permit aan die persoon wat odrag neem.

OPRIGTING VAN GEBOUE, HEININGS, BUITE-GEBOUE OF ANDER BOUWERKE.

25. (1) Die houer van 'n perseelpermit moet binne drie maande nadat die perseelpermit aan hom uitgereik is 'n huis ooreenkomstig die goedgekeurde plan wat aan sy perseelpermit geheg is, op sy perseel begin oprig, en moet sonder oponthoud daaraan bou en dit ooreenkomstig die genoemde plan voltooi binne 'n termyn van twaalf maande vanaf die datum waarop die perseelpermit uitgereik is, met dien verstande dat die Komitee enigeen van, of albei die voorgeskrewe tydperke om goeie redes kan verleng. Ingeval hierdie regulasie oortree word, kan die Raad —

- (a) die termyn met 'n bepaalde tydperk verleng; of
- (b) die perseel betree en die goedgekeurde geboue oprig of voltooi en die koste daarvan op die houer van die perseelpermit verhaal; of
- (c) die perseelpermit intrek, behoudens die reg op vergoeding ten opsigte van verbeterings, en die perseel weer aan 'n ander geskikte applikant toewys.

(2) Die houer van 'n perseelpermit moet binne drie maande (dié tydperk kan deur die Komitee na goeddunke en om grondige redes verleng word) enige skriftelike opdrag uitvoer wat die Superintendent, handelende op enige verslag van die geneeskundige gesondheidsbeampste of die ingenieur, aan hom gee, naamlik dat hy om grondige redes 'n woonhuis, gebou, buitegebou, heining of ander bouwerk moet herstel, verander, herbou of sloop; met dien verstande dat die skriftelike opdrag vergesel moet

accompanied by a written offer by the Council to advance to the holder the materials required to carry out the instruction, upon such conditions regarding interests and redemption as are laid down in these regulations.

(3) No room wholly or partly used by human beings for sleeping purposes shall be occupied by a greater number of persons than will allow four hundred cubic feet of free air space and forty square feet of floor space for each person of or over the age of ten years, and two hundred cubic feet of free air space and twenty square feet of floor space for each person under the age of ten years; provided that under no circumstances shall any latrine or any passage, staircase, landing or cupboard or any outbuildings, garage, stable, tent, storeroom, leanto, shed, cellar or loft be used for sleeping purposes by any human being unless its use for that purpose has been approved by the Council.

(4) No dwelling the estimated cost of which, together with that of the normal outbuildings, amounts to less than R200, may be erected in the location.

(5) No building or structure other than one dwelling house, with the customary outbuildings, may be erected on any site.

(6) No material which has not been approved by the Council or its officials, may be used in the erection or alteration of any dwelling or outbuilding. The Council has the right to require the holder of the site permit to purchase all the materials used for this purpose either from the Council at cost, or from a dealer in building materials, selected from a list of such dealers approved by the Council, and every permit holder shall likewise have the right to purchase the materials either from the Council or from a dealer in building materials, selected from a list of such dealers.

(7) No buildings of wood and iron or similar structures, or buildings constructed from raw bricks, mud or clay shall be erected in the location.

(8) Every dwelling and outbuilding shall conform to the approved plan attached to the site permit, or to any subsequent plan approved by the Council or its officials, and also to the requirements of these regulations. All building work carried out by or on behalf of the holder of a site permit or residential certificate, shall be inspected and supervised by such of its officials as the Council may appoint for this purpose, and shall be carried out by capable building workers approved by the said officials only. The holder of a site permit or residential certificate and/or the builder shall, when he/they are engaged in building activities, comply with all instructions and directions of such officials. The holder of a site permit or residential certificate shall pay to the Council an amount equal to 2 per cent of the cost of the dwelling and outbuildings erected on the site by him, in respect of and in payment for the supervision of the building work by the Council.

(9) Any dwelling, outbuilding or fence, or any alteration thereof or addition thereto which does not conform to the approved plans, or which has not been erected under supervision in terms of these regulations, or which has been erected with materials not approved by the Council, and any building other than one dwelling with the customary outbuildings which has been erected on one site, may be demolished by the Council at the expense of the holder of the site permit and without any obligation to pay compensation in respect thereof.

(10) The holder of a site permit or residential certificate shall, after the completion of any dwelling or outbuildings or of any alteration thereof or addition thereto, report such completion to the Superintendent, who shall, on receipt of a certificate from the Medical Officer of Health or the Engineer to the effect that the dwelling and/or outbuildings has been completed in terms of these regulations and is fit for occupation, issue a statement accordingly. The Superintendent shall, within three days

waardes met betrekking tot rente en terugbetaling, wat in hierdie regulasies gespesifiseer word, aan die houer materiaal voor te skiet ten einde hom in staat te stel om die opdrag uit te voer.

(3) 'n Vertrek wat heeltemal of gedeeltelik deur mense gebruik word om in te slaap, mag deur hoogstens sodanige aantal persone bewoon word wat sal meebring dat daar vrye lugruimte van vierhonderd kubieke voet en vloerruimte van veertig vierkante voet is ten opsigte van elke persoon wat tien jaar of ouer is, en vrye lugruimte van tweehonderd kubieke voet en vloerruimte van twintig vierkante voet ten opsigte van elke persoon wat jonger as tien jaar is; met die verstande dat onder geen omstandighede 'n latrine, gang, trap, trapportaal of kas, of 'n buitegebou, garage, stal, tent, pakkamer, afdak, skuur, kelder of solder gebruik mag word vir mense om in te slaap nie, tensy die Raad goedkeur dat dit vir die doel gebruik mag word.

(4) Daar mag geen woning in 'n lokasie opgerig word waarvan die beraamde koste, tesame met die van die gewone buitegeboue, minder as R200 beloop nie;

(5) Daar mag geen ander geboue of bouwerke, behalwe een woonhuis, tesame met die gewone buitegeboue, op een perseel opgerig word nie.

(6) Daar mag geen materiaal wat nie deur die Raad of sy beamptes goedgekeur is, vir die oprigting of verbouing van enige woning of buitegeboue gebruik word nie. Die Raad het die reg om te eis dat die houer van die perseelpermit al die materiaal wat vir dié doel gebruik word of van die Raad teen koste gekoop word, of van 'n handelaar in boumateriaal gekies uit 'n lys van handelaars deur die Raad goedgekeur, en elke houer van 'n perseelpermit het insgelyks die reg om die materiaal of van die Raad of van 'n handelaar in boumateriaal gekies uit 'n lys van sodanige handelaars, aan te koop.

(7) Daar mag geen hout-en-sink- of soortgelyke geboue of geboue van rou stene, modder of klei opgerig word nie.

(8) Elke huis en buitegeboue moet aan die goedgekeurde plan wat aan die perseelpermit geheg is, of aan enige latere plan wat deur die Raad of sy beamptes goedgekeur is, asook aan die bepalinge van hierdie regulasies, voldoen. Alle bouwerk wat deur of namens 'n houer van 'n perseelpermit of bewoningstifikaat verrig word, moet ondersoek word deur, en onder toesig staan van sodanige beamptes van die Raad as wat die Raad aanwys, en mag slegs deur bevoegde bouwerkers wat deur die beamptes goedgekeur is, verrig word, en die houer van die perseelpermit of bewoningstifikaat en/of die bouer moet, wanneer hy/hulle die bouwerk verrig, alle opdragte en voorskrifte wat sodanige beamptes aan hom/hulle uitreik, nakom. Die houer van 'n perseelpermit of bewoningstifikaat moet ten opsigte van, en ter vergoeding vir, die toesig wat die Raad aldus oor die bouwerk laat hou, 'n bedrag gelyk aan 2 persent van die koste van die huis en buitegeboue wat hy op sy perseel opgerig het, aan die Raad betaal.

(9) 'n Huis, buitegebou of heining, of enige verandering daarvan of aanbousel daaraan wat nie aan die goedgekeurde planne voldoen nie, of wat nie ooreenkomstig hierdie regulasies onder toesig opgerig is nie, of wat nie met materiaal deur die Raad goedgekeur opgerig is nie, en enige gebou, behalwe een huis, tesame met die gebruikelike buitegeboue, wat op een perseel staan, kan deur die Raad op koste van die houer van die perseelpermit, en sonder om vergoeding daarvoor te betaal, gesloop word.

(10) Die houer van die perseelpermit of bewoningstifikaat moet, nadat 'n huis of buitegeboue, of enige verandering daarvan of aanbousel daaraan, voltooi is, die Superintendent daarvan verwittig en die Superintendent moet, nadat hy 'n sertifikaat van die geneeskundige gesondheidsbeampte of van die ingenieur ontvang het dat die huis en/of buitegeboue ooreenkomstig die bepalinge van hierdie regulasie voltooi is, en geskik is vir bewoning, 'n sertifikaat uitreik.

of his having received notification of the completion of the dwelling and/or outbuildings from the permit holder, inform such permit holder whether such dwelling and/or outbuildings have been erected in terms of the provisions of these regulations.

(11) The registered holder of the site permit or residential certificate shall, during the whole of the currency thereof, be held personally responsible for the maintenance of, and any repairs to any dwelling and/or outbuildings erected on the site, and shall at all times during such currency, keep such dwelling and outbuildings in a proper and habitable state of repair.

RESIDENTIAL CERTIFICATES.

26. (1) The Council may erect or acquire dwellings in the location and may dispose of the right of occupation in respect thereof to suitable applicants.

(2) Any person who is the head of a family and is desirous of obtaining the right of occupation of a dwelling referred to in sub-regulation (1), shall apply in person to the Superintendent for a certificate.

(3) The Superintendent, upon being satisfied that —

- (a) a suitable dwelling is available;
- (b) the applicant conforms *mutatis mutandis* to the requirements of paragraphs (b), (c), (d), (e), (f) and (h) of sub-regulation (2) of regulation 22;
- (c) the applicant is financially able and willing to pay for the right of occupation of the dwelling;
- (d) the applicant has entered into an agreement of sale substantially in the form of Schedule VII with the Council, signed by the Manager and the Superintendent;

shall issue to the applicant, on behalf of the Council and subject to these regulations, a certificate substantially in the form set out in Schedule III to these regulations; provided that, in the event of the applicant being under the age of 21 years, the certificate shall be issued in the name of the guardian of the minor in trust for such minor for the remainder of the period of his minority.

(4) A certificate —

- (a) confers upon the holder thereof the right to the sole use and occupation, together with his family, but subject to the provisions of these regulations, of the dwelling described therein and the site upon which such dwelling is situated, for a period to be determined by the Council in its discretion but not exceeding thirty years from the date of issue thereof; provided that, where the applicant for such certificate has, for a period of five years immediately preceding such application, not been in lawful employment within the urban area, or has not been following some lawful trade or occupation therein, or has not been undergoing training or instruction in any lawful trade or occupation therein, the occupation of such site shall be granted on a monthly basis only;
- (b) shall contain a description of the dwelling concerned of the site upon which such dwelling is situated; and
- (c) shall indicate the person to whom it has been issued.

(5) An applicant to whom a certificate has been issued in terms of sub-regulation (3) and who has not paid the full purchase price in respect of the right of occupation, shall be deemed to have received a loan from the Council for the unpaid portion of the purchase price, and the provisions of regulation 27 shall *mutatis mutandis* apply as in the case of a loan actually granted by the Council

Superintendent moet binne drie dae nadat hy van die houer van die perseelpermit of bewoningstifikaat kennis ontvang het dat die huis en/of buitgebou voltooi is, sodanige houer in kennis stel of genoemde huis en/of buitgebou ooreenkomstig die bepalings van hierdie regulasies voltooi is.

(11) Die geregistreerde houer van die perseelpermit of bewoningstifikaat is gedurende die hele termyn daarvan self verantwoordelik vir die onderhoud van en die herstelwerk aan enige huis en/of buitgebou wat op die perseel opgerig is, en moet gedurende die hele termyn sodanige huis en buitgebou in 'n goeie en bewoonbare toestand onderhou.

BEWONINGSERTIFIKATE.

26. (1) Die Raad kan self wonings in die lokasie oprig of verkry en die reg van bewoning daarvan aan geskikte applikante van die hand sit.

(2) Iedereen wat 'n gesinshoof is en die reg op bewoning wil verkry ten opsigte van 'n woning in sub-regulasie (1) genoem, moet persoonlik by die Superintendent om 'n sertifikaat aansoek doen.

(3) Sodra die Superintendent daarvan oortuig is dat —

- (a) 'n geskikte woning beskikbaar is;
- (b) die applikant *mutatis mutandis* voldoen aan die vereistes genoem in paragrawe (b), (c), (d), (e), (f) en (h) van subregulasie (2) van regulasie 22;
- (c) die applikant finansieel daartoe in staat en gewillig is om vir die reg van bewoning van die woning te betaal; en
- (d) die applikant 'n verkoopporeenkoms wesenlik in die vorm van Bylae VII met die Raad aangegaan het;

moet hy namens die Raad en behoudens hierdie regulasies, 'n sertifikaat, wesenlik in die vorm in Bylae III van hierdie regulasies uiteengesit, aan sodanige applikant uitreik; met dien verstande dat wanneer die applikant iemand onder die ouderdom van 21 jaar is, die sertifikaat op naam van die voog van die minderjarige in trust vir sodanige minderjarige vir die res van sy minderjarigheid uitgereik moet word.

(4) 'n Sertifikaat —

- (a) verleen aan die sertifikaathouer die reg op die uitsluitende gebruik en bewoning, tesame met sy gesin, maar behoudens hierdie regulasies, van die woning wat daarin beskryf word en die perseel waarop so 'n woning geleë is, vir 'n tydperk wat die Raad na goeddunke bepaal maar vir hoogstens dertig jaar van die datum van uitreiking daarvan; met dien verstande dat waar die applikant vir sodanige sertifikaat nie wettig in die stadsgebied in diens was of nie die een of ander wettige ambag of beroep daarin beoefen het of nie opleiding vir of onderrig in die een of ander wettige ambag of beroep daarin ontvang het vir vyf jaar onmiddellik voor die datum van die aansoek nie, bewoning van sodanige perseel op 'n maandelikse basis geskied;
- (b) moet 'n beskrywing bevat van die betrokke woning en die perseel waarop sodanige woning geleë is; en
- (c) moet die persoon aandui aan wie dit uitgereik is.

(5) Daar word geag dat daar aan 'n applikant aan wie 'n sertifikaat uitgereik is kragtens subregulasie (3) en wat nie die volle koopprijs van die bewoningsreg betaal het nie, 'n lening deur die Raad toegeken is vir die onbetaalde gedeelte van die koopprijs en die bepalings van regulasie 27 is *mutatis mutandis* van toepassing soos in die geval van 'n lening wat deur die Raad toegeken word

(6) All moneys or other charges due in respect of a dwelling sold in terms of this regulation, are payable in advance on or before the seventh day of each and every month, with effect from the date of issue of the certificate.

GRANTING OF BUILDING LOANS AND THE CONDITIONS AND TERMS IN RESPECT OF THE REPAYMENT THEREOF.

27. (1) The Council may in its discretion, on application by the holder of a site permit or residential certificate, grant to him a building loan of not more than 80 per cent of the value of the proposed building after completion (as estimated by the Engineer on the basis of the plans submitted for approval), or, in the case of a residential certificate, of the purchase price of the right of occupation.

(2) Advances may be granted in accordance with the progress made with the building work and on the strength of monthly certificates by the Engineer stating the value of the completed work, such advances to conform as closely as possible with the actual cost of the work carried out. The cost of building materials supplied, will be paid by the Council direct to the builder concerned on production of detailed invoices.

(3) With a view to economy, the Council may arrange by means of tenders for building material merchants to supply building materials at a stated price. A condition of any loan made hereunder shall be that the Council shall have the option to require either that all building materials shall be supplied by such an approved building material merchant selected from a list of such merchants approved by the Council against written requisition by the Council on the Native's behalf, or that such materials shall be supplied by the Council itself.

(4) Advances on account of loans shall bear interest at such rate as the Council may by resolution from time to time determine, but such interest shall not be more than $\frac{1}{4}$ per cent above the interest payable by the Council on any loan raised by it to finance such building loans. Such interest shall be calculated monthly in advance on the balance of the loan then owing.

(5) Loans shall be repayable in equal monthly instalments on account of capital and interest over a period not exceeding 20 years. The period of repayment shall be calculated from the date on which the last advance on account of the loan was made. Any amount advanced for the carrying out of repairs in accordance with these regulations shall be added to the balance due on any loan already made and the remaining period allowed for the repayment of the balance of any loan already made, shall, unless otherwise agreed upon between the Council and the holder of the site permit or residential certificate, be so extended as to ensure that the monthly payments on account of capital and interest required for both loans are not increased beyond the payments required under the original loan. In the event of an advance for the purpose of repairs being made to a Native who has not received a housing loan from the Council or does not owe any balance of any such loan, such advance shall be repaid in equal instalments of capital and interest over a period of five years from the date of the payment thereof.

(6) A loan shall be secured by a cession to the Council of the borrower's site permit or residential certificate, which shall be deposited with the Council. The borrower shall sign and also deposit with the Council a written acknowledgement of debt in respect of such loan, together with an undertaking to repay the loan in accordance with these regulations.

(6) Alle gelde of ander vorderings wat verskuldig is ten opsigte van 'n woning wat kragtens hierdie regulasie verkoop word, is vooruitbetaalbaar voor of op die sewende dag van elke maand met ingang van die datum van die uitreiking van die sertifikaat.

TOESTAAN VAN WONINGBOULENINGS EN DIE VOORWAARDES EN BEPALINGS TEN OPSIGTE VAN DIE TERUGBETALING DAARVAN.

27. (1) Die Raad kan na goeddunke op aansoek van die houër van 'n perseelpermit of bewoningssertifikaat aan hom 'n boulening toestaan van hoogstens 80 persent van die waarde van die voorgestelde gebou nadat dit voltooi is (soos geraam deur die ingenieur volgens die planne wat vir goedkeuring voorgelê is) of in die geval van 'n bewoningssertifikaat van die koopprys van die reg van bewoning van die huis.

(2) Voorskotte kan toegestaan word ooreenkomstig dié vordering van die boubedrywighede en op grond van maandelikse sertifikate van die ingenieur waarin hy die waarde van die werk wat verrig is, aangee; die voorskot moet so na as moontlik ooreenkom met die werklike koste van die werk wat verrig is. Die Raad sal die koste van boumateriaal wat verskaf word, regstreeks aan die betrokke bouer betaal, mits gedetailleerde fakture ingedien word.

(3) Die Raad kan, met die oog op besparing, reëlings tref dat handelaars in boumateriaal by wyse van tenders die boumateriaal teen 'n bepaalde prys lewer. Een van die voorwaardes ten opsigte van 'n lening wat ingevolge hiervan toegestaan word, is dat die Raad kan eis dat alle boumateriaal of deur 'n goedgekeurde handelaar in boumateriaal, gekies uit 'n lys van sodanige handelaars deur die Raad goedgekeur, op 'n skriftelike rekwisisie deur die Raad ten behoeve van die inboorling, gelewer moet word, of dat die Raad self sodanige materiaal moet lewer.

(4) Voorskotte ten opsigte van lenings geskied teen 'n rentekoers wat die Raad van tyd tot tyd by wyse van besluit kan vasstel, maar sodanige rente mag nie meer as $\frac{1}{4}$ persent hoër wees as die rente wat die Raad betaal op enige lening wat gesluit is om sodanige boulenings te finansier nie. Die rente word maandeliks vooruit bereken op die saldo van die lening wat dan nog verskuldig is.

(5) Lenings moet in gelyke maandelikse paaieimente ten opsigte van die kapitaal en die rente oor 'n tydperk van hoogstens twintig jaar terugbetaal word.

Die terugbetalingstermyn word bereken vanaf die datum waarop die laaste voorskot ten opsigte van die lening toegestaan is. Enige bedrag wat voorgeskiet word ten einde herstelwerk ooreenkomstig hierdie regulasies aan te bring, moet by die saldo wat verskuldig is op enige lening wat reeds toegestaan is, gevoeg word, en die tydperk wat ten opsigte van die terugbetaling van die saldo van enige lening wat reeds toegestaan is, toegelaat word, moet, tensy daar anders tussen die Raad en die houër van die perseelpermit of bewoningssertifikaat ooreengekom word, verleng word sodat die maandelikse paaieimente ten opsigte van die kapitaal en die rente wat ten aansien van albei lenings vereis word, nie hoër is as die paaieimente wat ten opsigte van die oorspronklike lening vereis is nie. Ingeval daar 'n bedrag ten opsigte van herstelwerk voorgeskiet word aan 'n inboorling wat nie 'n woningboulening van die Raad verkry het nie, of wat nie 'n saldo op so 'n lening verskuldig is nie, moet sodanige voorskot oor 'n tydperk van 5 jaar vanaf die datum waarop dit betaal is, in gelyke maandelikse paaieimente ten opsigte van die kapitaal en die rente terugbetaal word.

(6) 'n Lening moet gedek word deur die sessie aan die Raad van die lener se perseelpermit of bewoningssertifikaat, wat by die Raad gedeponeer moet word. Die lener moet 'n skriftelike skuldbewys van sodanige lening, tesame met 'n onderneming om die lening ooreenkomstig hierdie regulasies terug te betaal, onderteken en dit ook

(7) Monthly instalments in terms of sub-regulation (5) shall respectively become due and payable on the first day of each succeeding month commencing with the first calendar month after the date of the last advance under a loan.

CANCELLATION OF RESIDENTIAL PERMIT, SITE PERMIT AND RESIDENTIAL CERTIFICATE.

28. (1) A residential permit may be cancelled —

- (a) by the holder thereof, by giving the Superintendent one month's written notice of such cancellation;
- (b) by the Superintendent, by giving the holder one month's written notice, if such holder —
 - (i) has, for a period of one month prior to the issue of such notice, been unemployed or has not been following some lawful trade or occupation within the urban area; provided that, in the case of illness substantiated by a medical certificate, the period of unemployment shall be calculated from the date on which the holder has, according to the medical certificate, been regarded as capable of resuming his duties;
 - (ii) has, for a period in excess of one month, been employed outside the urban area, except where, in the normal course of his duties, he is required by his conditions of service temporarily to follow his customary employer or to join the latter at places outside the urban area and he had notified the Superintendent of his absence before his departure;
 - (iii) fails to pay any amount for which he is responsible in terms of these regulations within one month from the date on which such amount becomes due and payable;
 - (iv) has obtained such permit by making a false, incorrect or misleading statement which had an important bearing on the issue of such permit;
 - (v) vacates the dwelling in respect of which the residential permit was issued, or leaves the same for a period in excess of one month without the written permission of the Superintendent;
 - (vi) has, in the opinion of the Superintendent, ceased to be a fit and proper person to reside in the location;
 - (vii) has been found guilty of an offence and sentenced to imprisonment without the option of a fine for a period of more than three months;
 - (viii) has become the occupier of another site in the location or a lodger in the location;
 - (ix) is no longer lawfully permitted to remain within the proclaimed area, and upon the cancellation of the residential permit the holder thereof shall —
 - (aa) surrender his permit to the Superintendent;
 - (bb) immediately grant the Superintendent the undisturbed possession of the dwelling;
 - (cc) immediately leave the location together with the members of his family, unless otherwise authorised to remain therein;

provided that such cancellation shall not prejudice the Council's rights (which are hereby reserved) to recover all rentals or other moneys which have become due up to and including the date of such cancellation.

(7) Maandelikse paaieente ingevolge subregulasie (5) is onderskeidelik verskuldig en betaalbaar op die eerste dag van elke volgende maand, gereken vanaf die eerste kalendermaand na die datum waarop die laaste voorskot ingevolge 'n lening uitbetaal is.

INTREKKING VAN WOONPERMIT, PERSEELPERMIT EN BEWONINGSERTIFIKAAT.

28. (1) 'n Woonpermit kan ingetrek word —

- (a) deur die houer daarvan deur skriftelike kennis van een maand aan die Superintendent te gee;
- (b) deur die Superintendent deur skriftelike kennis van een maand aan die houer te gee, as sodanige houer —
 - (i) vir 'n tydperk van meer as een maand voor die uitreiking van sodanige kennisgewing werkloos was of nie 'n wettige ambag of beroep binne die stadsgebied beoefen het nie; met dien verstande dat in geval van siekte deur 'n mediese sertifikaat gestaaf, die tydperk van werkloosheid bereken word met ingang van die datum waarop die houer volgens die mediese sertifikaat weer geskik geag word om diens te aanvaar;
 - (ii) vir 'n ononderbroke tydperk van meer as een maand buite die stadsgebied in diens was, uitgesonderd waar hy ooreenkomstig sy diensvoorwaardes sy gewone werkgewer tydelik volg na, of by hom aansluit op, plekke buite die stadsgebied en die Superintendent hiervan in kennis gestel het voordat hy vertrek het;
 - (iii) in gebreke bly om 'n bedrag waarvoor hy ingevolge die bepaling van hierdie hoofstuk aanspreeklik is, te betaal binne een maand van die datum waarop sodanige bedrag verskuldig en betaalbaar word;
 - (iv) so 'n permit verkry het deur 'n valse, onjuiste of misleidende verklaring te doen wat van belang was in verband met die uitreiking van so 'n permit;
 - (v) die woning ten opsigte waarvan die woonpermit uitgereik is, vir 'n tydperk van meer as een maand verlaat of ontruim sonder die skriftelike toestemming van die superintendent;
 - (vi) na die mening van die Superintendent nie meer 'n geskikte persoon is om in die lokasie te woon nie;
 - (vii) skuldig bevind is aan 'n misdryf en gevonnissen is tot gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van meer as drie maande;
 - (viii) die bewoner van 'n ander perseel in die lokasie of 'n loseerder in die lokasie geword het;
 - (ix) nie meer wettig toegelaat word om in die geproklameerde gebied te bly nie; en by sodanige intrekking van die woonpermit moet die houer daarvan —
 - (aa) sy permit aan die Superintendent oorhandig;
 - (bb) die Superintendent dadelik en ongestoorde besit van die woning stel; en
 - (cc) tesame met die lede van sy gesin onverwyld die lokasie verlaat, tensy andersins gemagtig om daarin te bly;

met dien verstande dat sodanige intrekking nie inbreuk maak op die reg wat hierby aan die Raad voorbehou word nie om alle huur of ander gelde in te vorder wat tot die datum van sodanige intrekking toe is.

(2) A site permit or residential certificate may be cancelled —

- (a) by the holder thereof, by giving the Superintendent one month's written notice of such cancellation;
- (b) by the Superintendent, by giving the holder one month's written notice of such cancellation —
 - (i) if such permit or certificate holder has, for a period in excess of one month immediately preceding the issue of such notice, been unemployed or has not been following some lawful trade or occupation within the urban area; provided that, in the case of illness substantiated by a medical certificate, the period of unemployment shall be calculated from the date on which the holder has, according to the medical certificate, been regarded as capable of resuming his duties;
 - (ii) if such holder has, for a period in excess of one month, been employed outside the urban area, except where, in accordance with his conditions of his employment, he is required temporarily to follow his customary employer to or to join the latter at places outside the urban area, and he had notified the Superintendent of his absence before his departure;
 - (iii) if such holder fails to pay any amount for which he is responsible in terms of these regulations within one month from the date on which such amount becomes due and payable;
 - (iv) if such holder has obtained such site permit or residential certificate by making a false, incorrect or misleading statement which had an important bearing on the issue of such permit or certificate;
 - (v) if such holder vacates the dwelling in respect of which the permit or certificate was issued, or leaves the same for a period in excess of two months without the written permission of the Superintendent;
 - (vi) if such holder has, in the opinion of the Superintendent, ceased to be a fit and proper person to reside in the location;
 - (vii) if such holder has been found guilty of an offence and sentenced to imprisonment without the option of a fine for a period of more than six months;
 - (viii) if such holder has become the occupier of another municipal site in the location or a lodger in the location;
 - (ix) if such holder fails without good cause to complete any approved building on the site in respect of which the permit or certificate was issued, within the prescribed period;
 - (x) if such holder, after having received written instructions from the Superintendent, acting upon a report by the Medical Officer of Health or the Engineer, to repair, alter, paint, white-wash, disinfect, rebuild or demolish any dwelling, building, outbuilding, fence or other structure on the site in respect of which the permit or certificate has been issued, fails or neglects or refuses without good and sufficient reason to carry out such instructions within three months from the date of receipt of such

(2) 'n Perseelpermit of bewoningcertifikaat kan ingetrek word —

- (a) deur die permit- of sertifikaathouer deur skriftelike kennis van een maand aan die Superintendent te gee;
- (b) deur die Superintendent deur skriftelike kennis van een maand aan die permit- of sertifikaathouer te gee —
 - (i) as sodanige permit- of sertifikaathouer vir 'n ononderbroke tydperk van meer as een maand, voor die uitreiking van sodanige kennisgewing werkloos was of nie 'n wettige ambag of beroep binne die stadsgebied beoefen het nie; met dien verstande dat in die geval van siekte deur 'n mediese sertifikaat gestaaf, die tydperk van werkloosheid bereken word van die datum waarop die permit- of sertifikaathouer volgens die mediese sertifikaat weer geskik geag word om diens te aanvaar;
 - (ii) as sodanige permit- of sertifikaathouer vir 'n tydperk van meer as een maand buite die stadsgebied in diens was, uitgesonderd waar hy ooreenkomstig sy diensvoorraades sy gewone werkgewer tydelik volg na, of by hom aansluit of plekke buite die stadsgebied en die Superintendent hiervan in kennis gestel het voordat hy vertrek het;
 - (iii) as sodanige permit- of sertifikaathouer in gebreke bly om 'n bedrag waarvoor hy ingevolge die bepaling van hierdie regulasies aanspreeklik is, te betaal binne een maand van die datum waarop sodanige bedrag verskuldig en betaalbaar word;
 - (iv) as sodanige permit- of sertifikaathouer so 'n permit of sertifikaat verkry het deur 'n valse, onjuiste of misleidende verklaring te doen wat van belang was in verband met die uitreiking van so 'n permit of sertifikaat;
 - (v) as sodanige permit- of sertifikaathouer die perseel of woning ten opsigte waarvan sodanige permit of sertifikaat uitgereik is, vir 'n tydperk van meer as twee maande verlaat of ontruim sonder die skriftelike toestemming van die Superintendent;
 - (vi) as sodanige permit- of sertifikaathouer na die mening van die Superintendent nie meer 'n geskikte persoon is om in die lokasie te woon nie;
 - (vii) as sodanige permit- of sertifikaathouer skuldig bevind is aan 'n misdryf en gevonnissen is tot gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van meer as ses maande;
 - (viii) as sodanige permit- of sertifikaathouer die bewoner van 'n ander munisipale perseel of 'n loseerder in die lokasie geword het;
 - (ix) as sodanige permithouer sonder grondige rede versuim om binne die bepaalde tydperk, enige goedgekeurde gebou op die perseel ten opsigte waarvan sodanige permit of sertifikaat uitgereik is, te voltooi;
 - (x) as sodanige permithouer, nadat hy skriftelik kennisgewing van die Superintendent, handelende volgens die verslag van die geneeskundige gesondheidsbeampte of die ingenieur, ontvang het om 'n woning, gebou, buitegebou of ander struktuur op die perseel ten opsigte waarvan sodanige permit of sertifikaat uitgereik is te herstel, te verander, te verf, te wit, te ontsmet, te herbou of te sloop, sonder grondige rede versuim, weier of nalaat om binne drie maande van die datum van ontvangs van sodanige kennisgewing sodanige voorskrifte uit te voer;

- (xi) if such permit or certificate holder is no longer lawfully permitted to remain within the proclaimed area;

and upon such cancellation the permit or certificate holder shall, together with the members of his family, leave the location forthwith, unless they be otherwise authorised to remain therein, and he shall surrender his permit or certificate to the Superintendent; provided that such cancellation shall not prejudice the Council's rights (which are hereby reserved) to recover any rental, loans or other moneys which have become due and payable up to the date of such cancellation.

(3) The holder of any site permit or residential certificate so cancelled who has effected any improvements on the site referred to in such permit or certificate or who has acquired an interest in such improvements, shall have the right, before the date upon which such cancellation shall become effective —

- (a) to remove such improvements from the site; or
(b) to sell his interest in such improvements to a person approved by the Council.

(4) In the event of the holder of a site permit or residential certificate on the date on which the cancellation of his permit or certificate becomes effective, still owing a balance on either the capital or interest in respect of any loan granted to him by the Council for the purpose of effecting such improvements, the Council may —

- (a) sell the holder's interest in such improvements by public auction, and in such event the Council shall, after deduction of the balance of the loan still due and any costs necessarily incurred in respect of such sale, pay the full balance of the proceeds of such sale to the holder; or
(b) allow the holder to dispose of his interest in the site and the improvements thereon, to a person approved by the Council;

Provided that where it is the intention to cancel the site permit or residential certificate because the holder has failed to pay an amount due to the Council by him in respect of a loan for any improvements which he has effected on the site or in which he has acquired an interest, the holder shall have the right at any time before such cancellation becomes effective, to pay to the Council any amount due by him in terms of the conditions of the loan, in which event the site permit or residential certificate shall not be cancelled.

(5) In the event of the holder of any cancelled site permit or residential certificate failing, neglecting or refusing to avail himself of the rights conferred upon him by sub-regulation (3), the Council may take over his interest in the manner prescribed in sub-regulation (2) of regulation 30, and the Council shall, after deducting all moneys due and all costs incurred by the Council, refund the balance to the holder.

(6) In the event of the death of the holder of any site permit or residential certificate referred to in sub-regulation (3), (4) or (5), the persons lawfully authorised to administer his estate shall, in terms of sub-regulation (3), (4) or (5), have the same rights as the holder in respect of the removal, sale or disposal of improvements, notwithstanding the provisions of sub-regulations (10) and (11) of this regulation.

(7) Whenever any person has been issued with a site or residential permit or residential certificate in the location by virtue of his being an employee or representative of a body such as a church, a school, or the Union Government, the Administration of South West Africa, or a local authority, and such person ceases to hold that office or position, or dies, such permit or certificate may be cancelled, and such person and the members of this

- (xi) as sodanige permit- of sertifikaathouer nie meer wettig toegelaat word om in die geproklameerde gebied te bly nie;

en by sodanige intrekking moet so 'n permit- of sertifikaathouer en lede van sy gesin die lokasie onmiddellik verlaat, tensy andersins gemagtig om daarin te bly, en die permit of sertifikaat aan die Superintendent oorhandig, met dien verstande dat sodanige intrekking nie inbreuk maak op die reg wat hierby aan die Raad voorbehou word nie om alle huurgeld, lenings of gelde in te vorder wat tot die datum van sodanige intrekking verskuldig en betaalbaar is.

(3) Die houer van enige perseelpermit of bewoning-sertifikaat aldus ingetrek wat enige verbeterings op die perseel wat in die perseelpermit of bewoning-sertifikaat vermeld word, aangebring het of 'n belang daarin verkry het, het die reg om voor die datum waarop die intrekking van sodanige permit of sertifikaat in werking tree —

- (a) sodanige verbeterings van die perseel te verwyder; of
(b) sy belang in sodanige verbeterings aan 'n persoon wat deur die Raad goedgekeur is, te verkoop.

(4) Indien die houer van die perseelpermit of bewoning-sertifikaat op die datum waarop die intrekking van sy perseelpermit of bewoning-sertifikaat van krag word, nog 'n saldo verskuldig is òf die kapitaal òf die rente ten opsigte van 'n lening wat die Raad in verband met sodanige verbeterings aan hom toegestaan het, kan die Raad —

- (a) die houer se belang in sodanige verbeterings per openbare veiling verkoop en hy moet in dié geval, nadat die bedrag wat nog op die lening verskuldig is, en enige onkoste wat hy noodsaaklikerwyse in verband met die verkoping moes aangaan, afgetrek is, die saldo van die opbrengs aan die houer uitbetaal; of
(b) die houer toelaat om sy belang in die perseel en die verbeterings daarop, aan 'n persoon deur die Raad goedgekeur, van die hand sit;

Met dien verstande dat indien dit die voorneme is om die perseelpermit of bewoning-sertifikaat in te trek omdat die houer versuim het om 'n bedrag te betaal wat hy aan die Raad skuld ten opsigte van 'n lening in verband met enige verbeterings wat hy op die perseel aangebring het of waarin hy 'n belang verkry, die houer die reg het om te eniger tyd voordat die intrekking van krag word, aan die Raad enige bedrag wat ingevolge die voorwaardes van die lening verskuldig is, te betaal, en dan word sy perseelpermit of bewoning-sertifikaat ook nie ingetrek nie.

(5) As die houer van enige perseelpermit of bewoning-sertifikaat wat ingetrek is, versuim, nalaat of weier om gebruik te maak van die reg wat in subregulasie (3) aan hom verleen word, kan die Raad die belang van sodanige houer oorneem op die wyse in subregulasie (2) van regulasie 30 voorgeskryf, en, nadat alle gelde wat verskuldig is en alle koste wat deur die Raad aangegaan is, afgetrek is, moet die Raad die saldo aan die houer uitbetaal.

(6) As enige perseelpermithouer of bewoning-sertifikaathouer in subregulasie (3), (4) of (5) vermeld, sterf, het die persoon wat by wet daartoe geregtig is om die boedel van sodanige houer te beredder, dieselfde regte ingevolge subregulasie (3), (4) of (5) ten opsigte van die verwydering, verkoop of van die hand sit van verbeterings as sodanige houer, ongeag die bepalinge van subregulasies (10) en (11) van hierdie regulasie.

(7) Wanneer 'n perseel- of woonpermit of bewoning-sertifikaat aan iemand in die lokasie uitgereik word uit hoofde daarvan dat hy 'n werknemer of verteenwoordiger is van 'n liggaam soos byvoorbeeld 'n kerk, 'n skool of die Unieregering, die Administrasie vir Suidwes-Afrika of 'n plaaslike bestuur, en so iemand nie meer daardie amp of betrekking beklee nie, of sterf, kan sodanige permit of sertifikaat ingetrek word en so iemand en die lede

family or the members of the family of every deceased employee or representative shall, when required so to do by notice under the hand of the Superintendent and within the period stipulated in such notice, leave the premises in which the employee or representative and the members of his family have previously resided by virtue of his office or position.

(8) In the event of the holder of a site permit or a residential certificate ceasing to be the owner of the buildings and improvements on the site mentioned in the site permit or residential certificate, such permit or certificate shall forthwith be cancelled by the Superintendent.

(9) In the event of a judicial attachment of a site permit or residential certificate or of the holder's interest, if any, in any buildings erected on the site to which such permit or certificate relates or in the event of the holder becoming insolvent the Council shall have the right to repossess itself of the site in question, together with all the buildings thereon subject to any rights to compensation in respect of such buildings, which rights may in terms of these regulations have vested in the holder of the site or residential permit.

(10) In the event of the holder of a site permit or residential certificate dying, the Council may allow the permit or certificate to be transferred to the heir of such holder, provided he conforms to the requirements of paragraphs (b), (c), (d), (e), (f), (g), (h), (i) and (j) of sub-regulation (2) of regulation 22 in the case of a site permit or paragraphs (a), (b), (c) and (d) of sub-regulation (2) of Regulation 26 in the case of a residential certificate; provided further that, in the event of the heir being a widow and one or more members of her family lawfully residing with her, conforming to the requirements mentioned above, the permit or certificate may be transferred to such widow.

(11) (a) If the heir of a holder mentioned in sub-regulation (10) is a daughter or a son under the age of 21 years, the Council shall allow the site permit or residential certificate to be transferred to the lawful guardian of the child (which has been declared as such by the Native Commissioner) to be kept on behalf of such child until attaining the age of 21 years, provided that such guardian —

- (i) conforms to the requirements outlined in paragraphs (b), (c), (d), (e), (f) and (h) of sub-regulation (2) of Regulation 22 in the case of a site permit or residential certificate;
- (ii) undertakes in writing personally to occupy the site covered by the site permit or residential certificate and to provide thereupon a home for the minor heir and for all other minor children of the deceased holder of the site permit or residential certificate until such time as the minor heir attains the age of 21 years;
- (iii) undertakes in writing to be bound in all respects by these regulations and to comply with all the provisions and conditions thereof.

(b) A minor heir on whose behalf the guardian holds the site permit or residential certificate in terms of paragraph (a) of this sub-regulation, shall have the right to claim that the permit or certificate be transferred to him upon attaining the age of 21 years, provided that he conforms to the requirements of sub-regulation (10) when attaining such majority.

(12) In the absence of the possibilities provided for in sub-regulations (10) and (11) of this regulation, the site permit or residential certificate shall lapse and the Council shall have the right to claim possession of the site and the buildings thereon, subject, however, to any rights to compensation in respect of such buildings to which the owner may have become entitled in accordance with these regulations.

(13) In the event of the decease of the holder of a site permit, his permit shall be regarded as cancelled and the provisions of regulation 21 shall apply to any

van sy gesin, of die lede van die gesin van elke oorlede werknemer of verteenwoordiger, moet, wanneer hulle 'n kennisgewing, deur die Superintendent onderteken, ontvang om dit te doen en binne die tydperk in sodanige kennisgewing genoem die perseel verlaat waarop die werknemer of verteenwoordiger en die lede van sy gesin voorheen uit hoofde van sy amp of betrekking gewoon het.

(8) As die houer van 'n perseelpermit of bewoning-sertifikaat ophou om die eienaar te wees van die geboue en verbeterings op die perseel in sy permit of sertifikaat genoem, moet die Superintendent so 'n permit onverwyld intrek.

(9) In die geval van 'n geregtelike beslaglegging op 'n perseelpermit of bewoningssertifikaat of op die houer daarvan se belang, indien hy belang het in geboue wat op die perseel wat daardeur gedek word, opgerig is, of ingeval die houer insolvent raak, is die Raad daarop geregtig om die betrokke perseel tesame met al die geboue daarop in besit te neem, behoudens enige reg op vergoeding ten opsigte van sodanige geboue, wat ingevolge hierdie regulasies aan die houer van die perseelpermit of bewoningssertifikaat verleen is.

(10) Ingeval die houer van 'n perseelpermit of bewoningssertifikaat te sterwe kom, kan die Raad toelaat dat die permit of sertifikaat aan die erfgenaam van sodanige houer oorgedra word mits hy voldoen aan die voorwaardes van paragrawe (b), (c), (d), (e), (f), (g), (h), (i) en (j) van subregulasie (2) van regulasie 22 in die geval van 'n perseelpermit of paragrawe (a), (b), (c) en (d) van subregulasie (2) van regulasie 26 in die geval van 'n bewoningssertifikaat; met dien verstande dat indien die erfgenaam 'n weduwee is en een of meer van die lede van haar gesin wat wettiglik by haar inwoon, aan gemelde voorwaardes voldoen, die permit of sertifikaat aan sodanige weduwee oorgedra kan word.

(11) (a) Indien die erfgenaam van 'n houer gemeld in subregulasie (10) 'n dogter of 'n seun is wat nog nie 21 jaar oud is nie, moet die Raad toelaat dat die perseelpermit of bewoningssertifikaat aan die wettige voog van die kind (wat behoorlik deur die Naturellekommissaris as sodanig verklaar is) oorgedra word om dit ten behoeve van die kind te bewaar totdat hy/sy 21 jaar oud is; mits sodanige voog —

- (i) voldoen aan die voorwaardes wat uiteengesit is in paragrawe (b), (c), (d), (e), (f) en (h) van subregulasie (2) van regulasie 22 in die geval van 'n perseel permit of bewoningssertifikaat;
- (ii) skriftelik onderneem om persoonlik die perseel wat deur die perseelpermit of bewoningssertifikaat gedek word, te bewoon en om vir die minderjarige erfgenaam en vir alle ander minderjarige kinders van die afgestorwe houer van die perseelpermit of bewoningssertifikaat 'n tuisde daarop te verskaf tot tyd en wyl die minderjarige erfgenaam die ouderdom van 21 jaar bereik;
- (iii) skriftelik onderneem om in alle opsigte gebind te wees deur hierdie regulasies en al die bepalinge en voorwaardes daarvan na te kom.

(b) 'n Minderjarige erfgenaam ten behoeve van wie die voog ingevolge paragraaf (a) van hierdie subregulasie die perseelpermit of bewoningssertifikaat in bewaring hou, is geregtig om te eis dat die permit of sertifikaat aan hom oorgedra word sodra hy 21 jaar oud is, mits hy aan die voorwaardes vermeld in subregulasie (10) moet voldoen by bereiking van daardie ouderdom.

(12) By ontstentenis van die moontlikhede waarvoor daar in subregulasies (10) en (11) van hierdie regulasie voorsiening gemaak is, verval die perseelpermit of bewoningssertifikaat en die Raad is dan geregtig om die perseel en die geboue daarop onmiddellik te eis, maar behoudens die reg op vergoeding ten opsigte van sodanige geboue waartoe die eienaar ooreenkomstig hierdie regulasie geregtig is.

(13) In die geval van die oorlyde van die houer van 'n woonpermit word sy permit geag ingetrek te wees en is die bepalinge van regulasie 21 van toepassing op enige

re-allocation of the site mentioned in the permit; provided that the site shall not be allocated to any person other than the heir of the deceased holder unless such heir has failed within 30 days from the deceased of the holder to apply for such allocation or has in fact applied but does not conform to the requirements of Regulation 21.

ACTION FOR RENTS AND COSTS.

29. Any person found guilty of a contravention in that he has neglected within one month from the date on which the same became due and payable to pay an amount for which he is liable in terms of the provisions of this chapter, may, in addition to any other penalty which the Court may impose, be instructed by the Court to pay the amount due by him within such period as is mentioned in the Court Order or, failing such payments within such period, he may be sentenced to imprisonment for a period of not more than one month, provided that no period of imprisonment served shall be deemed to exempt the person from his liability for the amount due or shall prevent action for the recovery thereof being instituted by the Council, provided further that no person may be sentenced for a second time for default in respect of the same debt.

EJECTION DUE TO NON-PAYMENT AND CANCELLATION OF PERMITS.

30. (1) In the event of any person failing to pay an amount for which he is liable in terms of the provisions of this regulation within one month from the date on which the amount becomes due and payable, the Superintendent may, after having given such person one month's written notice of his intention so to do, cancel any permit issued to such person authorising him to be or to reside in the location, with effect from a date mentioned in such notice. The Superintendent may also order such person to leave the location, together with all the members of his family, immediately after the cancellation of his permit.

(2) Should a registered occupier be ejected in terms of the provisions of sub-regulation (1), the Council shall have the right to take over any improvements or property on the site belonging to such registered owner at a price to be mutually agreed upon or, in the absence of such agreement, to be fixed by means of arbitration, and to re-allocate such site and property to an approved person. After any amounts due by the registered owner plus reasonable costs have been deducted from such purchase price, the balance, if any, shall be handed to the person thus ejected, provided that the Council has given at least 14 days prior notice of its intention to exercise this right by serving upon the registered owner a notice to that effect, or, if his place of residence is unknown, by attaching a copy of such notice to the main door of the building or room occupied by him.

LODGER'S PERMITS.

31. (1) No person other than the holder of a site permit, residential certificate or residential permit or the family of such holder of a site permit or residential certificate or residential permit, may reside in the location unless he has first obtained a lodger's permit substantially in the form set out in Schedule IV of these regulations. The Superintendent, upon being satisfied that —

- (a) the applicant is of good character;
- (b) the applicant is *bona fide* employed within the urban area or is carrying on some lawful occupation therein;
- (c) the applicant may lawfully be permitted to enter,

nuwe toekening van die perseel in die permit genoem; met dien verstande dat die perseel nie aan 'n ander applikant as die erfgenaam van die oorlede houër toegeken mag word nie, tensy sodanige erfgenaam versuim het om binne dertig dae na die oorlyde van die houër om sodanige toekening aansoek te doen of wel aansoek gedoen het, maar nie aan die vereistes van regulasie 21 voldoen nie.

AKSIE VIR HUURGELDE EN KOSTE.

29. Enigeen wat skuldig bevind is aan 'n oortreding dat hy versuim het om binne een maand na die datum waarop 'n bedrag verskuldig en betaalbaar is, dié bedrag te betaal waarvoor hy ingevolge die bepalings van hierdie Hoofstuk aanspreeklik is, kan benewens enige ander straf wat die Hof mag ople, deur die Hof gelas word om die bedrag deur hom verskuldig binne sodanige tydperk as wat in die hofbevel genoem word, te betaal, of by wanbetaling binne sodanige tydperk, kan hy gevonnissen word tot gevangenisstraf vir 'n tydperk van hoogstens een maand; met dien verstande dat geen gevangenisstraf wat uitgedien is die persoon van sy aanspreeklikheid vir die verskuldigde bedrag onthef, of verhoed dat 'n aksie vir die invordering daarvan ingestel kan word nie; voorts met dien verstande dat niemand ten opsigte van versuim om dieselfde skuld te betaal 'n tweede keer gevonnissen mag word nie.

UITSETTING WEENS WANBETALING EN INTREKKING VAN PERMITTE.

30. (1) As iemand versuim om 'n bedrag waarvoor hy ooreenkomstig die bepalings van hierdie regulasie aanspreeklik is, binne een maand na die datum waarop sodanige bedrag verskuldig en betaalbaar is, te betaal, kan die Superintendent, nadat hy sodanige persoon skriftelik kennis van een maand van sy voorneme gegee het, enige permit wat aan sodanige persoon uitgereik is en wat hom magtig om in die lokasie te wees of te woon, intrek met ingang van die datum in sodanige kennisgewing genoem. Die Superintendent kan ook sodanige persoon gelas om tesame met al die lede van sy gesin die lokasie te verlaat onmiddellik na intrekking van sy permit.

(2) Indien 'n geregistreerde bewoner ingevolge die bepalings van subregulasie (1) uitgesit word, het die Raad die reg om enige verbeterings of eiendom op die perseel, wat aan sodanige geregistreerde bewoner behoort, oor te neem teen 'n prys waaromtrent onderling ooreengekom is of wat by onstentenis van sodanige ooreenkoms, by wyse van arbitrasie vasgestel is, en om sodanige perseel en eiendom aan 'n goedgekeurde persoon toe te ken. Nadat die bedrag wat deur die geregistreerde bewoner verskuldig is, plus redelike koste, afgetrek is van sodanige koopprys, moet die saldo, as daar is, oorhandig word aan die persoon wat aldus uitgesit is, mits die Raad minstens veertien dae vooraf kennis gee van sy voorneme om hierdie reg uit te oefen deur sodanige kennisgewing aan die geregistreerde bewoner te beteken, of as sy verblyfplek onbekend is, deur 'n afskrif van die kennisgewing op die voordeur van die woning of kamer deur hom bewoon, te laat aanplak.

LOSEERDERSPERMITTE.

31. (1) Niemand behalwe die houër van 'n perseelpermit, bewoningstifikaat of woonpermit, of die gesin van sodanige houër van 'n perseelpermit of bewoningstifikaat of woonpermit mag in die lokasie woon nie, tensy hy eers 'n loseerderspermit verkry het in hoofsaak in die vorm wat in Bylae IV van hierdie regulasies uiteengesit is. Indien die Superintendent daarvan oortuig is dat —

- (a) die applikant van goeie karakter is;
- (b) die applikant binne die stadsgebied in diens is of 'n wettige beroep daarin beoefen;
- (c) die applikant wettiglik toegelaat kan word om

- (d) the applicant has obtained suitable accommodation approved by the Superintendent in the location (for the purpose of obtaining such accommodation, a permit with a currency of seven days (hereinafter called a temporary permit) shall be issued to the applicant);
- (e) the applicant paid in advance all moneys due by him in terms of Regulation 34;
- (f) no accommodation is available to the applicant and/or his family, as the case may be, in a dwelling or other quarters erected by the Council for the accommodation of Natives;

shall issue to such applicant a lodger's permit substantially in the form set out in Schedule IV to these regulations; provided that no unmarried child or any lodger who resides with his parent or parents and who is under the age of eighteen years, shall be required to have a lodger's permit; provided further that, in special cases, where the applicant, owing to extreme old age, infirmity or similar incapacity, cannot comply with the requirements of paragraph (b) or (e), the Superintendent may, in his discretion, treat the application for the renewal or issue of a lodger's permit as if the requirements of such paragraphs have in fact been complied with.

(2) Every lodger's permit issued before the promulgation of these regulations, shall lapse on the last day of the calendar month following upon such promulgation and may thereafter be renewed in the manner hereinafter provided as if it has been issued in terms of these regulations.

(3) Every lodger's permit issued in terms of sub-regulation (1) shall lapse on the last day of the calendar month in which it was issued.

(4) Every lodger's permit may be renewed on application to the Superintendent within seven days from the date of expiry and the Superintendent, on being satisfied that the applicant conforms to the requirements outlined in paragraphs (a) to (f) inclusive, of sub-regulation (1), shall renew such lodger's permit. A permit thus renewed, shall lapse on the last day of the month within which it was renewed.

(5) Every lodger's permit shall bear the name of the holder and the names of the members of his family, if any, the name of the holder of the site or residential permit or residential certificate who is authorised to accommodate the holder of such lodger's permit and the members of his family mentioned therein and the number of the site or dwelling were the holder of such lodger's permit and the members of his family mentioned therein are accommodated. No holder of a lodger's permit may reside on any site or in any dwelling other than that mentioned in his lodger's permit.

(6) A lodger's permit is not transferable and shall lapse and be cancelled *ipso facto* when the holder thereof changes his place of residence as set out in such permit, or when the site or residential permit or residential certificate concerned is cancelled, has lapsed or has been terminated.

(7) The Superintendent shall not issue a lodger's permit unless the holder of the site or residential permit or residential certificate in respect of which the lodger's permit is to be issued, has consented to the issue thereof.

(8) The holder of a site or residential permit or residential certificate in respect of which a lodger's permit has been issued, shall immediately report to the Superintendent the fact of the lodger no longer residing in his dwelling.

(9) No person may accommodate or permit to be accommodated in any dwelling or place under his control in the location any person not in possession of a current lodger's permit issued in respect of his site, unless such person is otherwise authorised in terms of these regula-

(d) die applikant geskikte huisvesting wat deur die Superintendent goedgekeur is, in die lokasie verkry het (vir die doel van die verkryging van sodanige huisvesting word 'n permit met 'n geldigheidsduur van sewe dae (hieronder 'n tydelike permit genoem) aan die applikant verleen;

(e) die applikant, indien hy daarvoor aanspreeklik is, die gelde genoem in regulasie 34, vooruitbetaal het; en

(f) daar geen huisvesting vir die applikant en/of sy gesin, na gelang van die geval, beskikbaar is nie in 'n woning of ander kwartiere wat deur die Raad vir die huisvesting van inboorlinge opgerig is,

moet hy aan sodanige applikant 'n loseerderspermit uitreik in hoofsaak in die vorm in Bylae IV van hierdie regulasies uiteengesit; met dien verstande dat daar van geen loseerder se ongetroude kind onder agtien jaar wat by sy ouer of ouers woon, vereis word dat hy 'n loseerderspermit moet hê nie; voorts met dien verstande dat in 'n spesiale geval waar die applikant, weens hoë ouderdom, swakheid of dergelike onbekwaamheid, nie aan die vereistes van paragraaf (b) of (e) kan voldoen nie, die Superintendent volgens goeddunke die aansoek om hernuwing of uitreiking van 'n loseerderspermit kan behandel asof die vereistes van genoemde paragrawe wel nagekom is.

(2) Elke loseerderspermit wat voor die afkondiging van hierdie regulasies uitgereik is, verval op die laaste dag van die kalendermaand wat op sodanige afkondiging volg en mag daarna hernieu word op die wyse hieronder bepaal, asof dit ingevolge hierdie regulasies uitgereik is.

(3) Elke loseerderspermit wat ooreenkomstig die bepaling van subregulasie (1) uitgereik is, verval op die laaste dag van die kalendermaand waarin dit uitgereik is.

(4) Elke loseerderspermit kan hernieu word as daar binne sewe dae na die vervaldatum aansoek gedoen word by die Superintendent, wat, as hy daarvan oortuig is dat die applikant voldoen aan die voorwaardes wat in paragrawe (a) tot en met (f) van subregulasie (1) uiteengesit is, sodanige loseerderspremit moet hernieu. 'n Permit aldus hernieu verval op die laaste dag van die maand waarin dit hernieu is.

(5) Elke loseerderspermit moet die naam dra van die houer en die name van die lede van sy gesin, as daar is, die naam van die houer van die perseel- of woonpermit, of bewoningstifikaat, wat gemagtig is om die houer van sodanige loseerderspermit en die lede van sy gesin wat daarin vermeld word, te huisves, en die nommer van die perseel of woning waar die houer van sodanige loseerderspermit en die lede van sy gesin wat daarin vermeld word, gehuisves is. Geen houer van 'n loseerderspermit mag in 'n ander perseel of woning as dié wat in sy loseerderspermit aangedui word, woon nie.

(6) 'n Loseerderspermit is nie oordraagbaar nie en verval en word *ipso facto* ingetrek wanneer die houer daarvan van woonplek verander, soos in sodanige permit uiteengesit of wanneer die betrokke perseel- of woonpermit of bewoningstifikaat ingetrek word, verval het of beëindig is.

(7) Die Superintendent mag nie 'n loseerderspermit uitreik nie tensy die houer van die perseel- of woonpermit of bewoningstifikaat ten opsigte waarvan die loseerderspermit uitgereik gaan word, tot die uitreiking daarvan ingestem het.

(8) Die houer van 'n perseel- of woonpermit of bewoningstifikaat ten opsigte waarvan 'n loseerderspermit uitgereik is, moet, sodra die loseerder nie meer in sy woning woon nie, hierdie feit aan die Superintendent rapporteer.

(9) Niemand mag in die lokasie iemand wat nie 'n geldige loseerderspermit ten opsigte van sy perseel uitgereik, het nie, in 'n woning of plek onder sy beheer huisves of laat woon of toelaat dat hy daar gehuisves word of woon nie, tensy sodanige persoon andersins in-

(10) In respect of every lodger's permit issued in terms of these regulations, the fees referred to in regulation 34 shall be paid in advance by the registered occupier of the site upon which such lodger resides in respect of communal water and other services.

(11) Any person desiring temporarily to enter, be or remain within the location, shall obtain a permit, hereinafter called a visitor's permit, from the Superintendent or from another person duly authorised by the Superintendent to issue such permits during the absence of the Superintendent. Any person found in the location without a visitor's permit, shall be guilty of an offence. The provisions of this sub-regulation shall not apply to any person authorised by law to reside in the location or to the Mayor of Otavi, the chairman of the committee, the chairman of the Native Advisory Board, any official or employee of the Council or any authorised official or member of the South African Police in the lawful execution of his duties, or to any practising medical practitioner, or minister of any church recognised by the Government in the lawful execution of his duties, or to any person who is lawfully authorised to enter the location or to be or to remain therein, provided that, where such minister resides or will reside on any site allocated or leased to the church to which he belongs, the provisions of sub-regulation (1) shall apply.

PERMITS TO BE SIGNED.

32. Every registered occupier to whom a permit is issued in terms of these regulations, shall sign such permit and the counterfoil relating thereto, or, in the event of his being unable to write, he shall place the impression of his thumb on such permit and counterfoil. Until the registered occupier has thus signed the permit or placed his thumb-print thereon in terms of these regulations, the permit shall be regarded as not having been issued.

DOGS AND OTHER ANIMALS.

33. (1) The holder of a site permit or residential permit or residential certificate may introduce and keep on his site one dog, provided that such dog is duly licensed or exempted in terms of the provisions of Ordinance No. 14 of 1927, as amended; provided further that the dog has duly been registered by the Superintendent in a register showing the name of the owner and particulars regarding the breed, sex, colour and age of the dog, and a registration certificate has thereafter been issued to him. The Superintendent shall have the right immediately to destroy any dog not registered in the manner aforesaid.

(2) Where any dog in respect of which a registration certificate has been issued, is, in the opinion of the Superintendent, undernourished, maltreated or neglected, the Superintendent may cancel the registration certificate and destroy the dog.

(3) Notwithstanding the provisions of sub-regulation (1), no person may introduce or keep within the location any greyhound or any dog which, in the opinion of the Superintendent, belongs to the greyhound breed.

(4) The local authority shall allocate a place or places in the vicinity of the location for the erection of kraals, camps, sheds or buildings for the keeping of the livestock belonging to the inhabitants of the location and shall issue reasonable instructions regarding the proper control thereof and no person may keep in the location any horse, mule, donkey, cattle, sheep, goat, pig or any similar animal without the consent of the Superintendent and then subject to his approval of the suitability and cleanliness of the accommodation provided for such animals.

(10) Ten opsigte van elke loseerderspermit wat in gevolge hierdie regulasies uitgereik word, moet die geld genoem in regulasie 34 vooruitbetaal word deur die geregistreerde bewoner van die terrein waarop sodanige loseerder woon ten opsigte van gemeenskaplike water- en ander dienste.

(11) Enigeen wat die lokasie tydelik wil binnegaan of tydelik daarin wil wees of bly, moet 'n permit, hieronder 'n besoekerspermit genoem, van die Superintendent of van 'n ander persoon verkry wat behoorlik deur die Superintendent gemagtig is om tydens sy afwesigheid sodanige permitte uit te reik. Enigeen wat sonder 'n besoekerspermit in die lokasie gevind word, begaan 'n misdryf. Die bepalings van hierdie subregulasie is nie van toepassing nie op enigeen wat by wet gemagtig is om in die lokasie te woon, of op die Burgermeester van Otavi, die Voorsitter van die Komitee, die Voorsitter van die Inboorlingadviesraad, enige beamppte of werknemer van die Raad of enige gemagtigde beamppte of lid van die Suid-Afrikaanse Polisie in die wettige uitvoering van sy pligte, of op enige praktiserende geneesheer, of predikant van 'n kerk wat deur die Regering erken word, in die wettige uitvoering van sy pligte, of op enigeen wat by wet gemagtig is om die lokasie binne te gaan of daarin te wees of te bly nie; met dien verstande dat waar sodanige predikant op enige perseel wat aan die kerk waartoe hy behoort toegeken of verhuur is, woon of gaan, is die bepalings van subregulasie (1) van toepassing.

PERMITTE MOET ONDERTEKEN WORD.

32. Elkeen geregistreerde bewoner aan wie 'n permit in gevolge hierdie regulasies uitgereik word, moet sodanige permit en die ooreenstemmende teenblad onderteken, of, as hy nie kan skryf nie, die afdruk van sy duim op sodanige permit en teenblad plaas. Totdat die geregistreerde bewoner die permit onderteken of die afdruk van sy duim, soos in hierdie regulasie bepaal, daarop geplaas het, word die permit beskou as nie uitgereik nie.

HONDE EN ANDER DIERE.

33. (1) Die houer van 'n perseelpermit of woonpermit of bewoningsertifikaat kan op sy perseel een hond bring en aanhou, mits die hond behoorlik in gevolge die bepalings van Ordonnansie No. 14 van 1927, soos gewysig, gelisensieer of vrygestel is, en mits die hond behoorlik deur die Superintendent geregistreer is in 'n register waarin hy die naam van die eienaar en besonderhede aangaande die ras, geslag, kleur en ouderdom van die hond aanteken, en daarna 'n registrasiesertifikaat aan die eienaar uitgereik is.

Die Superintendent het die reg om onmiddellik enige hond wat nie op voornoemde wyse geregistreer is nie, te laat doodmaak.

(2) Waar enige hond ten opsigte waarvan 'n registrasiesertifikaat uitgereik is, na die mening van die Superintendent ondervoed, mishandel of verwaarloos word, kan die Superintendent die registrasiesertifikaat intrek en die hond laat doodmaak.

(3) Ongeag die bepalings van subregulasie (1) mag geen persoon enige windhond of 'n hond wat na die mening van die Superintendent tot die windhondras behoort, in die lokasie bring of aanhou nie.

(4) Die plaaslike bestuur moet 'n plek of plekke in die omgewing van die lokasie opsy sit vir die oprigting van krale, kampe, skure of geboue vir die aanhou van die lewende hawe wat aan die inwoners van die lokasie behoort, en moet redelike voorskrifte uitreik vir die behoorlike beheer daarvoor; en geen persoon mag in die lokasie enige perd, muil, donkie, bees, skaap, bok, vark of enige soortgelyke dier, aanhou sonder die toestemming van die Superintendent nie, en dan onderworpe aan sy goedkeuring van die geskiktheid en skoonheid van die

TARIFF OF RENTS AND CHARGES.

34. Any person responsible for the payment of any fees or charges shall pay such amounts at the office of the Superintendent in advance and in accordance with the tariffs laid down in Schedule V.

APPEAL.

35. Every person shall have the right to appeal to the Council against any action of the Superintendent or any other official of the Council entrusted with the administration of these regulations. After due investigation, at which such Superintendent or other official of the Council shall have the right to be heard in support of his action, the Council —

- (a) may order such Superintendent or other official to grant facilities to the appellant in terms of these regulations if such facilities would appear to have been unreasonably withheld; or
- (b) issue such other order as may be deemed expedient.

Such appeal shall be lodged within seven days of such action, and notice thereof shall be given to the Council and the Superintendent or other official of the Council.

OFFENCES AND PENALTIES.

36. Any person —

- (a) who contravenes or fails to comply with the provisions of regulations 6, 7, sub-regulation (4) or (5) of regulation 10, regulation 12, sub-regulation (1) or (2) of regulation 13, regulations 14, 15, 16, sub-regulation (1) of regulation 17, regulations 18, 19, 20, sub-regulation (3), (4) or (5) of regulation 23, sub-regulation (1) or (2) of regulation 24, sub-regulation (6), (7), (10) or (11) of regulation 25, sub-regulation (8) or (9) of regulation 31; or
- (b) who, wilfully and without the consent of the Council, defaces or interferes with any regulations, orders or directions which are posted up and maintained in terms of the provisions of regulation 3; or
- (c) who, wilfully and without the approval of the Council obscures, removes, defaces, obliterates or interferes in any manner with any number affixed to the outside of any building in terms of regulation 4; or
- (d) who obstructs the Superintendent or other officials of the Council in the execution of the duties imposed upon them in terms of these regulations; or
- (e) who neglects or refuses to supply his full name and address or such other information as may be required in terms of the provisions of regulation 9; or
- (f) who, after having been requested by the Superintendent to supply such information as may be required by the Superintendent in order to keep the register to be kept by him in terms of the provisions of sub-regulation (1) of regulation 10 of these regulations, neglects or refuses without good and sufficient reason to supply such information or supplies false or misleading information, knowing the same to be false and misleading; or
- (g) who convenes or addresses a public meeting or gathering in the location, of which meeting or gathering the Superintendent has not been informed beforehand in terms of the provisions of sub-regulation (1) of regulation 11; or
- (h) who, having convened a public meeting or entertainment in the location, allows such meeting or entertainment to continue beyond midnight without the approval of the Superintendent or beyond the extension of time granted by the Superintendent in terms of the provisions of sub-regulation

TARIEF VAN HUURGELDE EN VORDERINGS.

34. Iedereen wat aanspreeklik is vir die betaling van gelde of vorderings, moet sodanige bedrae by die kantoor van die Superintendent vooruitbetaal ooreenkomstig die tarief in Bylae V.

APPÊL.

35. Iedereen het die reg om by die raad appél aan te teken teen enige optrede van die Superintendent of ander beampte van die Raad wat met die toepassing van hierdie regulasies belas is. Na behoorlike ondersoek, waar die Superintendent of ander beampte van die Raad ter ondersteuning van sy optrede die reg het om gehoor te word, kan die Raad —

- (a) sodanige Superintendent of ander beampte gelas om aan die appellant fasiliteite kragtens die regulasies toe te staan as dit skynbaar onredelik teruggehou was; of
- (b) sodanige ander bevel uitvaardig as wat wenslik blyk.

Sodanige appél moet binne sewe dae na sodanige optrede aangeteken word en kennis daarvan moet aan die Raad en aan die Superintendent of ander beampte van die Raad gegee word.

MISDRYWE EN STRAFBEPALINGS.

36. Enigeen —

- (a) wat die bepalings van regulasies 6, 7, subregulasie (4) of (5) van regulasie 10, regulasie 12, subregulasie (1) of (2) van regulasie 13, regulasie 14, 15, 16, subregulasie (1) van regulasie 17, regulasies 18, 19, 20, subregulasie (3), (4) of (5) van regulasie 23, subregulasie (1) of (2) van regulasie 24, subregulasies (6), (7), (10) of (11) van regulasie 25, subregulasie (8) of (9) van regulasie 31 oortree of in gebreke bly om daaraan te voldoen; of
- (b) wat opsetlik en sonder die toestemming van die Raad, enige regulasies, bevels of voorskrifte wat aangeplak en in stand gehou word soos bepaal in regulasie 3, ontsier of daaraan peuter; of
- (c) wat opsetlik en sonder die goedkeuring van die Raad enige nommer wat aan die buitekant van 'n gebou ingevolge regulasie 4 aangebring is, verberg, verwyder, uitwis, skend of daaraan peuter; of
- (d) wat die superintendent of ander beamptes van die Raad verhinder in die uitvoering van sy of hulle pligte ingevolge hierdie regulasies opgedra; of
- (e) wat weier of versuim om sy volle naam en adres of sodanige ander inligting as wat vereis word kragtens regulasie 9; of
- (f) wat nadat hy deur die Superintendent versoek is om sodanige inligting te verstrek as wat deur die Superintendent verlang word om 'n register wat hy kragtens hierdie regulasies soos bepaal in subregulasie (1) van regulasie 10 moet hou, nalaat of sonder grondige redes weier om sodanige inligting te verstrek of inligting verstrek wat vals of misleidend is wetende dat dit vals of misleidend is; of
- (g) wat 'n openbare vergadering of byeenkoms waarvan die Superintendent nie vooraf in kennis gestel is nie soos bepaal word in subregulasie (1) van regulasie 11, in die lokasie belê of toespreek; of
- (h) wat nadat hy 'n openbare vergadering of vermaaklikheid in die lokasie belê het, toelaat dat sodanige vergadering of vermaaklikheid later as middernag voortgesit word sonder die goedkeuring van die Superintendent of later as die verlengde tyd wat deur die superintendent goedgekeur is kragtens

- (i) who collects money from persons in the location without having obtained the prior approval of the Superintendent in terms of the provisions of sub-regulation (5) of regulation 11; or
- (j) who erects a house or outbuilding which does not conform to the approved plans or who fails to comply with the instructions and directions issued to him in terms of the provisions of sub-regulation (10) of regulation 25; or
- (k) who, having been the holder of a site or residential permit or residential certificate, fails or refuses to leave the location immediately upon the cancellation of such permit or certificate in terms of the provisions of sub-regulations (1), (2), (7) or (8) of regulation 28; or
- (l) who fails, neglects or refuses to obey an order issued in terms of the provisions of sub-regulation (1) of regulation 30; or
- (m) who contravenes or fails to comply with the provisions of sub-regulation (11) of regulation 31; or
- (n) who fails to pay any amount for which he is liable in terms of Regulation 34, within one month from the date on which such amount has become due and payable;

shall be guilty of an offence and shall be subject to the penalties prescribed in Section *thirty-six* of the Proclamation.

CHAPTER III.

HOSTELS.

APPOINTMENT OF HOSTEL SUPERINTENDENT.

37. The Council shall in respect of each hostel appoint an officer, known as the hostel superintendent, to manage the hostel in terms of these regulations and in accordance with such lawful instructions as he may from time to time receive from the Manager.

38. The regulations in this Chapter are applicable to and are of full force and effect within any area under the jurisdiction of the Council which has been declared a Native hostel or which may hereafter be declared as such in terms of the Proclamation.

DUTIES OF THE HOSTEL SUPERINTENDENT.

39. The hostel superintendent shall —

- (1) when required to do so by the Manager, submit written reports on the conditions in and the management of the hostel. Such reports shall be available for inspection by an officer appointed under sub-section (3) of section *twenty-one* of the Proclamation;
- (2) cause copies of these regulations, in English, Afrikaans and the Native language used by the majority of the inhabitants of the hostel, to be placed and maintained in a conspicuous place on a public notice board at the office of the hostel superintendent, for the information of the residents;
- (3) allot to each bed in the hostel a number and shall cause the number allotted to be legibly painted or inscribed in a conspicuous place at the head of the bed;
- (4) allot a number to each bedroom in the hostel and such number shall be painted or otherwise inscribed in a conspicuous place on the door of such bedroom. The numbers allotted to beds in the room shall likewise be indicated on the outside of the door:

- (i) wat sonder dat die goedkeuring van die Superintendent vooraf verkry is kragtens subregulasie (5) van regulasie 11 van persone in die lokasie geld kollekteer; of
- (j) wat 'n huis of buitegebou oprig wat nie ooreenstem met goedgekeurde planne nie of wat nie die opdragte en voorskrifte ingevolge subregulasie (10) van regulasie 25 aan hom uitgereik, nakom nie; of
- (k) wat die houer van 'n perseel- of woonpermit of bewoningssertifikaat was, en versuim of weier om die lokasie onverwyld te verlaat na intrekking van sodanige permit of sertifikaat ingevolge die bepalings van subregulasies (1), (2), (7) of (8) van regulasie 28; of
- (l) wat versuim, nalaat of weier om gehoor te gee aan 'n bevel uitgereik ingevolge subregulasie (1) van regulasie 30; of
- (m) wat die bepalings van subregulasie (11) van regulasie 31 oortree of in gebreke bly om daaraan te voldoen; of
- (n) wat versuim om enige bedrag te betaal waarvoor hy ingevolge regulasie 34 aanspreeklik is, binne een maand na die datum waarop sodanige bedrag verskuldig en betaalbaar geword het;

begaan 'n misdryf en is strafbaar met die strawwe voorgeskryf in artikel *ses-en-dertig* van die Proklamasie.

HOOFSTUK III.

TEHUISE.

AANSTELLING VAN TEHUISSUPERINTENDENT.

37. Ten aansien van elke tehuis stel die Raad 'n beamppte bekend as die tehuissuperintendent, aan om die tehuis te bestuur ooreenkomstig hierdie regulasies, en in ooreenstemming met sodanige wettige opdragte as wat hy van tyd tot tyd van die Bestuurder ontvang.

38. Die regulasies in hierdie Hoofstuk is van toepassing op en is geldig en van krag in enige gebied onder die beheer van die Raad wat tot 'n inboorlingtehuis verklaar is of hierna verklaar word ingevolge die bepalings van die Proklamasie.

PLIGTE VAN TEHUISSUPERINTENDENT.

39. Die tehuissuperintendent moet —

- (1) wanneer die Bestuurder dit vereis, skriftelik verslag doen van die toestand en bestuur van die tehuis. Sodanige verslae lê ter insae van 'n amptenaar wat by subartikel (3) van artikel *een-en-twintig* van die Proklamasie aangestel is;
- (2) toesien dat afskrifte van hierdie regulasies in Engels en Afrikaans en in die inboorlingtaal wat deur die meeste persone in die tehuis gebesig word ter inligting van die inwoners op 'n in die ooglopende plek in die tehuis en by die kantoor van die tehuissuperintendent geplaas word;
- (3) aan elke bed in die tehuis 'n nommer toewys, en toesien dat sodanige toegewese nommer leesbaar geverf of geskryf word op 'n in die ooglopende plek aan die koppen van die bed;
- (4) aan elke slaapkamer in die tehuis 'n nommer toewys, en dié nommer moet op 'n in die ooglopende plek aan die deur van sodanige slaapkamer geverf of geskryf word. Die nommers wat aan die beddens in die kamer toegewys is, moet ingelyks aan die buitekant van die deur aangedui word.

- (5) provide receptacles for the deposit of rubbish or litter of any kind;
- (6) cause all floors, passages, stairways, ablution blocks, conveniences and pathways to be kept in a clean and hygienic condition;
- (7) keep a register of all inmates of the hostel. The name, employer's name, service contract or exemption certificate number and tax identity of such inmate shall be entered in such register.

RIGHT OF ENTRY.

40. The hostel superintendent, his assistants or other employee of the Council authorised by the Manager, or any officer appointed in terms of sub-section (1) or (3) of section *twenty-one* of the Proclamation, may, in the performance of his duties, enter any room in the hostel for such examination, enquiry or action as may be deemed necessary.

MEDICAL OFFICER OF HEALTH.

41. (1) The Medical Officer of Health may at any reasonable time enter and inspect those premises in which he has reason to believe that any person suffering or who has recently suffered from any infectious disease is or has recently been present or any inmate of which has recently been exposed to the infection of infectious disease, and may medically examine any person in such premises for the purpose of ascertaining whether such person is suffering or has recently suffered from any such disease.

(2) Where, in the opinion of the Medical Officer of Health, any person found to be suffering from an infectious disease is not being treated or nursed in such manner as adequately to guard against the spread of the disease, such person may, on the order of the Medical Officer of Health, be removed from the hostel and refused admission thereto until the Medical Officer is satisfied that he is free from infection or can be re-admitted to the hostel without danger to the public health.

TERMS AND CONDITIONS OF RESIDENCE IN A HOSTEL.

42. The following terms and conditions shall apply to residence in the hostel:—

- (1) Charges for accommodation shall be paid in advance at the rates laid down in Schedule V to these regulations.
- (2) No resident of a hostel shall dispose of or transfer his right to a bed, acquired by virtue of a payment under sub-regulation (1) above, without the written consent of the hostel superintendent.
- (3) No application for a part refund of an amount paid under sub-regulation (1) if claimed in respect of a night or nights not slept in a hostel will be entertained.
- (4) Any resident of a hostel who has paid for a bed and who through unforeseen circumstances is compelled to give up such bed and vacate the hostel before the period paid for has expired, may apply for a refund of such amount, less the amount he would have paid up to the time of his departure, calculated on a daily tariff basis.
- (5) No resident of a hostel to whom a bed has been allotted shall remove therefrom for the purpose of occupying another bed without the written consent of the hostel superintendent.

- (5) bakke verskaf vir vullis of rommel van watter aard ook al;
- (6) toesien dat alle vloere, gange, trappe, reinigings-blokke, geriewe en paadjies in 'n skoon en higiëniese toestand gehou word;
- (7) 'n register hou van alle inwoners van die tehuis. Die naam, naam van werkgewer, dienskontrak of vrystellingsertifikaatnommer, en belastingsidentiteit van die inwoner moet in sodanige register aangeteken word.

REG VAN TOEGANG.

40. Die tehuissuperintendent, sy assistente of 'n ander werknemer van die Raad wat deur die Bestuurder daartoe gemagtig is, of 'n amptenaar wat kragtens subartikel (1) of (3) van artikel *een-en-twintig* van die Proklamasie aangestel is, mag, by die uitvoering van sy pligte, enige vertrek in die tehuis betree vir die doel van sodanige ondersoek, inspeksie of optrede as wat nodig geag word.

GENEESKUNDIGE GESONDHEIDSBEAMPTTE.

41. (1) Die geneeskundige gesondheidsbeampte kan op enige redelike tydstip die perseel betree en ondersoek as hy vermoed dat iemand wat aan 'n besmetlike siekte ly of onlangs daaraan gely het, daarin teenwoordig is of onlangs was, of dat 'n inwoner daarvan onlangs aan 'n besmetlike siekte blootgestel was, en hy kan iedereen op sodanige perseel medies ondersoek om vas te stel of so 'n persoon aan so 'n siekte ly of onlangs daaraan gely het.

(2) Waar iemand wat aan 'n besmetlike siekte ly, na die mening van die geneeskundige gesondheidsbeampte, nie op so 'n wyse behandel of verpleeg word dat daar doeltreffend gewaak word teen die verspreiding van die siekte nie, kan so 'n persoon op las van die geneeskundige gesondheidsbeampte, uit die tehuis verwyder word en toegang daartoe geweier word totdat die geneeskundige gesondheidsbeampte oortuig is dat hy vry van besmetting is of sonder gevaar vir die openbare gesondheid weer tot die tehuis toegelaat kan word.

BEPALINGS EN VOORWAARDES VAN INWONING IN DIE TEHUIS.

42. Onderstaande bepalings en voorwaardes is van toepassing op inwoning in die tehuis —

- (1) Gelde vir huisvesting is vooruitbetaalbaar teen die tariewe in Bylae V van hierdie regulasies bepaal.
- (2) Geen inwoner van 'n tehuis mag, sonder die skriftelike toestemming van die tehuissuperintendent, van sy reg op 'n bed, verkry teen betaling ingevolge subregulasie (1) hierbo, afstand doen of dit aan 'n ander persoon oordra nie.
- (3) Geen aansoek om 'n gedeeltelike terugbetaling van 'n bedrag ingevolge subregulasie (1) betaal, wat geëis word ten opsigte van 'n nag of nagte wat nie in 'n tehuis deurgebring is nie, sal oorweeg word nie.
- (4) Enige inwoner van 'n tehuis wat vir sy bed betaal het, en wat weens onvoorsiene omstandighede verplig is om sodanige bed prys te gee en die tehuis te verlaat voordat die tydperk waarvoor hy betaal het, verstryk het, kan aansoek doen om terugbetaling van sodanige bedrag, min die bedrag wat hy tot op datum van sy vertrek sou betaal het, bereken op 'n daaglikse tariefbasis.
- (5) Geen inwoner van 'n tehuis aan wie 'n bed toegewys is, mag dit, sonder die skriftelike toestemming van die tehuissuperintendent, verlaat met die doel om 'n ander bed te gebruik nie.

- (6) Every resident shall at all times keep the portion of a room allotted to him, and the communal dining room, ablution, washing and sanitary facilities in a clean and orderly condition.
 - (7) If the presence of vermin is suspected, all personal effects of any resident, together with his bed, and mattress may, on the instructions of the hostel superintendent, be removed to the fumigation chamber for deverminising.
 - (8) Clothing shall only be washed in the communal wash house provided for this purpose.
 - (9) Eating utensils shall only be washed in the properly appointed washing places.
 - (10) No fire shall be made or kept in any bedroom.
 - (11) Any resident in possession of a bicycle shall, when such bicycle is not in use, store it at his own risk in the shed provided for the purpose.
 - (12) The Council shall not be responsible for any loss by theft or otherwise of any valuables, clothing or other articles belonging to any person residing in a hostel unless such article(s) have been specially entrusted to the hostel superintendent for safekeeping.
 - (13) Should any resident of a hostel, after due warning by the hostel superintendent or his authorised assistants, persist in contravening or ignoring the terms and conditions of residence in the hostel as set out in these regulations, the hostel superintendent may serve written notice on such resident ordering him to vacate the hostel within seven days or at the expiry of such period as he might have paid for in advance, whichever is the shorter.
- (6) Elke inwoner moet op alle tye die gedeelte van 'n kamer wat aan hom toegewys is, en die gemeenskaplike eetkamer, reinigings-, was- en sanitêre geriewe in 'n skoon en netjiese toestand hou.
 - (7) Indien die aanwesigheid van ongedierte vermoed word, mag alle persoonlike besittings van enige inwoner, tesame met sy bed en matras, op las van die tehuissuperintendent na die berokingslokaal verwyder word om van die ongedierte ontslae te raak.
 - (8) Klere mag slegs in die gesamentlike washuis wat vir die doel verskaf is, gewas word.
 - (9) Eetgerei mag slegs in die behoorlik toegeruste wasplekke gewas word.
 - (10) Geen vuur mag in enige slaapkamer aangesteek of aan die brand gehou word nie.
 - (11) Enige inwoner wat in besit is van 'n fiets, moet so 'n fiets, wanneer dit nie gebruik word nie, op sy eie risiko bêre in die fietsloods wat vir daardie doel verskaf is.
 - (12) Die Raad is nie aanspreeklik nie vir enige verlies van waardevolle artikels, kledingstukke of ander artikels wat behoort aan enige persoon wat in 'n tehuis woon, hetsy weens diefstal of andersins, tensy sodanige artikel of artikels spesiaal aan die tehuissuperintendent vir bewaring toevertrou is.
 - (13) Indien enige inwoner van 'n tehuis, na behoorlike waarskuwing deur die tehuissuperintendent of sy daartoe gemagtigde assistente, nog steeds die bepalings en voorwaardes van inwoning in die tehuis, soos in hierdie regulasies uiteengesit, oortree of verontagsaam, mag die tehuissuperintendent sodanige inwoner skriftelik in kennis stel om die tehuis binne sewe dae te verlaat, of na verstryking van sodanige tydperk as waarvoor hy vooruitbetaal het, naamlik die kortste tydperk is.

APPLICATION FOR ACCOMMODATION.

43. The term "accommodation" where used in the succeeding regulations shall mean the right to occupy a bed or a bed and mattress in a hostel and the use of such communal sanitary conveniences, ablution, cloths washing and other services as may be provided.

44. Any male Native over the apparent age of 18 years desirous of being accommodated in a hostel shall personally or through his employer apply to the hostel superintendent for accommodation and the hostel superintendent, on being satisfied that accommodation is available and that the applicant —

- (1) is a fit and proper person to reside in the hostel;
- (2) is in *bona fide* employment in the urban area or is carrying on some lawful occupation therein;
- (3) is lawfully permitted to enter, be and remain in the urban area; and
- (4) understands, accepts and undertakes to abide by the terms and conditions of residence in the hostel as laid down under these regulations;

shall on payment by the applicant of the charges for which he is liable in accordance with the tariff of charges, allocate to him a bed and issue him with a permit (hereinafter referred to as a hostel permit) entitling him to accommodation in the hostel specified in such permit for the period for which he shall have paid.

45. Whenever a bed has been allocated to an inmate of a hostel in terms of these regulations, he shall satisfy himself that such bed or bed and mattress is in good order and condition. Any defect shall immediately be brought to the notice of the hostel superintendent who shall keep a record of such defects.

46. The hostel superintendent may require any applicant for residence in the hostel to produce a medical cer-

AANSOEK OM HUISVESTING.

43. Die uitdrukking „huisvesting” waar dit in die volgende regulasies gebruik word, beteken die reg om 'n bed of 'n bed en matras in 'n tehuis te gebruik en die gebruik van sodanige gemeenskaplike sanitêre geriewe, reinigings-, klerewas- en ander dienste wat verskaf word.

44. Enige manlike inboorling, bo die skynbare ouderdom van 18 jaar, wat verlang om huisvesting in 'n tehuis te verkry moet of persoonlik of deur bemiddeling van sy werkgewer, by die tehuissuperintendent om huisvesting aansoek doen, en die tehuissuperintendent moet, indien hy daarvan oortuig is dat huisvesting beskikbaar is en dat die applikant —

- (1) 'n geskikte persoon is om in die tehuis te woon;
- (2) in *bona fide*-diens is in die stadsgebied, of dat hy een of ander wettige beroepe daarin beoefen;
- (3) wettig daartoe geregtig is om die stadsgebied binne te kom, daarin te wees, en daarin te bly; en
- (4) die bepalings en voorwaardes van inwoning in die tehuis, soos bepaal by hierdie regulasies, verstaan, aanneem en onderneem om hom daarby te hou;

teen betaling deur die applikant van die gelde waarvoor hy ooreenkomstig die tarief van gelde aanspreeklik is, 'n bed aan hom toewys en 'n permit aan hom uitreik (hieronder 'n tehuispermit genoem) wat aan hom die reg verleen om in die tehuis wat in die permit genoem word, gehuisves te wees vir die tydperk waarvoor hy betaal het.

45. Wanneer ook al 'n bed ooreenkomstig die bepalings van hierdie regulasies aan 'n inwoner van die tehuis toegewys is, moet hy hom daarvan vergewis dat sodanige bed of bed en matras in 'n goeie toestand is. Enige gebrek moet onmiddellik onder die aandag gebring word van die tehuissuperintendent wat 'n register van sodanige gebreke moet hou.

46. Die tehuissuperintendent kan vereis dat enige applikant vir inwoning in die tehuis 'n geneeskundige ser-

tificate proving that he is medically fit to reside in the hostel.

47. (1) Should a resident of a hostel absent himself or fail to occupy the bed allocated to him for a period of three consecutive days without advising the hostel superintendent of his intention so to absent himself, the hostel superintendent shall have the right to re-allocate such bed forthwith.

(2) Any personal effects of such resident found in the quarters formerly occupied by him shall be retained in safe custody by the hostel superintendent and if unclaimed within a period of three months shall be sold to the best advantage and the proceeds paid to the Native Commissioner for safekeeping on behalf of the Native concerned, provided that, subject to the laws governing the administration and distribution of Native estates, nothing in this paragraph contained shall be deemed to deprive the heir of any resident who dies, of his right to the personal effects of such resident, or if such effects have been sold in terms of this paragraph, of the right to the proceeds of the sale.

(3) The hostel superintendent shall keep a register in which shall be recorded:—

- (a) full particulars of all such effects so retained and placed in safe custody;
- (b) the date such effects were so retained and the name and bed number of the owner; and
- (c) the signature or thumb impression of the person claiming ownership and to whom delivery has been made; or full particulars of the amount realized at the sale of such effects on the date of such sale.

48. The holder of a hostel permit issued in his name in terms of regulation 44 shall, during the currency thereof, be deemed to be in possession of a "permit to enter" any Native location under the control of the Council, provided the hostel in which he resides is situated within any such location.

GENERAL.

49. No unauthorised person shall enter, be or remain at any hostel without the written consent of the hostel superintendent or some person duly authorised thereto by the location superintendent.

50. No person shall disturb the peace within the precincts of any hostel or the hostel grounds by shouting, wrangling, quarrelling, swearing or by using obscene, abusive, insulting or threatening language, or by unseemly, disorderly or violent behaviour.

51. No person shall in any hostel or hostel grounds, defecate or urinate in any any place other than a lavatory or urinal provided for the purpose.

52. No person shall conduct or carry on any game or entertainment in any hostel which from its character is likely to create a disturbance or be a nuisance or annoyance to the residents or be indecent or subversive of good morals.

53. No female shall enter any hostel or hostel grounds without the written consent of the hostel superintendent.

54. Any person resident in any hostel —

- (a) who is unemployed for more than three days; or
- (b) who is certified by a registered medical practitioner to be suffering from sickness or disease; or
- (c) who has been convicted of a criminal offence committed in any hostel or in any hostel area;

tifikaat moet toon as bewys dat sodanige applikant geneeskundig geskik is om in die tehuis te woon.

47. (1) Indien 'n inwoner van 'n tehuis afwesig sou wees of sou nalaat om die bed wat aan hom toegewys is vir 'n tydperk van drie agtereenvolgende dae te gebruik sonder om die tehuissuperintendent in kennis te stel van sy voorneme om aldus afwesig te wees, het die tehuissuperintendent die reg om sodanige bed onmiddellik aan iemand anders toe te wys.

(2) Enige persoonlike besittings van sodanige inwoner wat gevind word in die kwartiere voorheen deur hom bewoon, moet deur die tehuissuperintendent in veilige bewaring gehou word, en indien dit nie binne 'n tydperk van drie maande opgeëis word nie, moet dit so voordelig moontlik verkoop en die opbrengs by die Naturellekommissaris inbetaal word vir veilige bewaring ten behoeve van die betrokke inboorling met dien verstande dat, behoudens die wette insake die administrasie en verdeling van inboorlingboedels, geen bepaling in hierdie paragraaf vervat, geag word as sou dit die erfgenaam van enige inwoner wat te sterwe kom sy reg op die persoonlike besittings van sodanige inwoner ontnem nie, of indien sodanige persoonlike besittings ingevolge hierdie paragraaf verkoop is, sy reg op die opbrengs van die verkoop.

(3) Die tehuissuperintendent moet 'n register hou waarin opgeteken word —

- (a) volledige besonderhede van al sodanige besittings aldus gehou en in veilige bewaring geplaas;
- (b) die datum waarop sodanige besittings aldus gehou is en die naam en bednommer van die eienaar; en
- (c) die handtekening of duimafdruk van die persoon wat aanspraak maak op die eiendomsreg en aan wie die besittings oorhandig is; of volle besonderhede van die opbrengs van die verkoopte besittings en die datum van sodanige verkoping.

48. Die houër van 'n tehuispermit wat ooreenkomstig regulasie 44 op sy naam uitgereik is, word vir die geldigheidsduur daarvan beskou as synde in besit van 'n permit om enige inboorlingdorp of lokasie onder beheer van die Raad binne te gaan, mits die tehuis waarin hy woon, binne enige sodanige lokasie geleë is.

ALGEMEEN.

49. Geen ongemagtigde persoon mag sonder die skriftelike toestemming van die tehuissuperintendent, of van die een of ander persoon wat behoorlik deur die lokasiesuperintendent daartoe gemagtig is, 'n tehuis binnegaan, daarbinne wees of bly nie.

50. Niemand mag die vrede binne die grense van die tehuis of die tehuisterrein versteur deur te skreeu, te twis, rusie te maak, te vloek of vuil, skeld-, beledigende of dreigende taal te gebruik, of weens onbetaamlike op-roerige of gewelddadige gedrag nie.

51. Niemand mag in enige tehuis of die tehuisterrein hom op enige plek ontlas of urineer behalwe in 'n gemak-huis of urinoir wat vir die doel verskaf is nie.

52. Niemand mag enige spel of vermaaklikheid binne enige tehuis bestuur, of daaraan deelneem, wat uit die aard daarvan waarskynlik 'n stoornis kan veroorsaak of tot 'n oorlas kan wees van of aanstoot kan gee aan dié inwoners, of wat onbetaamlik is of wat sedelike gedrag kan ondermyn nie.

53. Geen vroulike persoon mag sonder die skriftelike toestemming van die tehuissuperintendent enige tehuis of tehuisterrein binnegaan nie.

54. Enige inwoner van enige tehuis —

- (a) wat vir meer as drie dae werkloos is; of
- (b) van wie 'n geregistreerde geneesheer sertifiseer dat hy aan 'n siekte of kwaal ly; of
- (c) wat skuldig bevind is aan 'n strafbare misdryf wat in die tehuis of in die tehuisgebied begaan is; of

- (d) fails to comply with any of the terms and conditions of residence in the hostel;

may be required by the hostel superintendent to cease to reside in such hostel, and in such event shall forthwith leave such hostel and hostel area, and his hostel permit shall cease to be valid.

55. Where a resident applies to the hostel superintendent for a duplicate of his current hostel permit the hostel superintendent shall issue a duplicate thereof on payment of a fee of ten cent, provided that such resident satisfies him that such hostel permit has been lost, destroyed or mutilated.

56. No person shall bring into or keep in or cause to be brought into or kept in any hostel or any hostel area any animal or any noisy or offensive thing.

57. No person shall tamper with, deface or damage any notice put up in any hostel or in any hostel area by the superintendent or on his authority.

58. No person shall gamble in any hostel or in any hostel area.

TARIFF OF CHARGES.

59. Every person accommodated in a hostel in terms of these regulations shall pay to the Council in advance at the office of the hostel superintendent, the amounts set out in Schedule V to these regulations.

ACTION FOR RECOVERY OF CHARGES.

60. Any person accommodated in a hostel in terms of these regulations, on failing to pay any sum for which he may be liable under these regulations, shall forthwith vacate the bed allocated to him and leave the hostel. Failure on the part of any person so to vacate shall constitute an offence and the court convicting may, in addition to any penalty imposed —

- (i) order the payment by such person of any amount due to the Council within such period as the Court may specify;
- (ii) grant an order for the ejection of such person from the hostel.

OFFENCES AND PENALTIES.

61. Any person who —

- (a) contravenes or fails to comply with the provisions of regulations 49, 50, 51, 52, 53, 56, 57, 58 or 60; or
- (b) obstructs the hostel superintendent, his assistants or any other authorised employee of the Council in the execution of their duties in terms of the provisions of these regulations; or
- (c) refuses to allow the Medical Officer of Health to examine him in terms of the provisions of regulation 41 or re-enters the hostel after he has been removed therefrom, in terms of the said regulation, and before he has been re-admitted; or
- (d) fails, neglects or refuses to obey an order issued in terms of the provisions of sub-regulation (13) of regulation 42, or who, having obeyed such order, re-enters the hostel without the approval of the hostel superintendent; or
- (e) who, having been an inmate of the hostel, fails or refuses to leave the hostel immediately upon being instructed so to do by the hostel superintendent in terms of the provisions of regulation 54,

shall be guilty of an offence and shall be subject to the penalties prescribed in section *thirty-six* of the Procla-

- (d) wat nie aan enigeen van die verblyfvoorwaardes in die tehuis voldoen nie;

kan deur die tehuissuperintendent aangesê word om nie langer in die tehuis in te woon nie, en in so 'n geval moet hy onverwyld die tehuis en die tehuisgebied verlaat, en sy tehuispermit is dan ongeldig.

55. Wanneer 'n inwoner by die tehuissuperintendent aansoek doen om 'n duplikaat van sy geldige tehuispermit, reik die tehuissuperintendent 'n duplikaat uit by betaling van 'n bedrag van tien sent, mits sodanige inwoner hom daarvan oortuig dat sodanige tehuispermit verlore geraak het, of vernietig of geskend is.

56. Niemand mag 'n dier of 'n raserige of aanstootlike ding in enige tehuis of enige tehuisgebied inbring of hou of laat inbring of hou nie.

57. Niemand mag aan 'n kennisgewing in enige tehuis of in enige tehuisgebied, wat deur die tehuissuperintendent of op sy gesag opgerig is, peuter, dit skend of beskadig nie.

58. Niemand mag in enige tehuis of tehuisgebied dobbel nie.

TARIEF VAN GELDE.

59. Alle persone wat ooreenkomstig hierdie regulasies in enige tehuis gehuisves is, moet aan die Raad in die kantoor van die tehuissuperintendent sodanige bedrae vooruitbetaal as wat in Bylae V van hierdie regulasies uiteengesit is.

AKSIE VIR DIE VERHAAL VAN GELDE.

60. Enige persoon wat ooreenkomstig hierdie regulasies in die tehuis gehuisves is, en wat nalaat om enige bedrag waarvoor hy ingevolge hierdie regulasies aanspreeklik is, te betaal, moet onmiddellik die bed aan hom toegewys, ontruim en die tehuis verlaat. As enige persoon in gebreke bly om sodanige bed aldus te ontruim, begaan hy 'n misdryf, en die hof wat hom skuldig bevind, kan, benewens enige straf wat hy opgelê het —

- (i) beveel dat sodanige persoon enige bedrag aan die Raad verskuldig binne sodanige tydperk as wat die hof bepaal, moet betaal;
- (ii) 'n bevel uitreik vir die uitsetting van sodanige persoon uit die tehuis.

MISDRYWE EN STRAFBEPALINGS.

61. Enigeen —

- (a) wat die bepalinge van regulasies 49, 50, 51, 52, 53, 56, 57, 58 of 60 oortree of in gebreke bly om daaraan te voldoen; of
- (b) wat die tehuissuperintendent, sy assistente, of 'n ander gemagtigde werknemer van die Raad belemmer by die uitvoering van sy pligte ooreenkomstig hierdie regulasies; of
- (c) wat weier dat die geneeskundige gesondheidsbeampte hom ingevolge die bepalinge van regulasie 41 medies ondersoek of die tehuis weer binne gaan nadat hy daaruit verwyder is, ingevolge die bepalinge van genoemde regulasie en voordat hy weer toegelaat is om dit weer binne te gaan; of
- (d) wat versuim, nalaat of weier om gehoor te gee aan 'n bevel uitgereik ingevolge subregulasie (13) van regulasie 42 of wat nadat hy daaraan gehoor gegee het sonder die tehuissuperintendent se toestemming weer die tehuis binnekom; of
- (e) wat 'n inwoner van die tehuis was en versuim of weier om die tehuis onverwyld te verlaat nadat hy aldus beveel is deur die tehuissuperintendent ingevolge die bepalinge van regulasie 54,

begaan 'n misdryf en is strafbaar met die strawwe voor-

CHAPTER IV.

COMMUNAL HALLS.

APPLICATION FOR HIRE.

62. Any person desiring to hire a hall shall make application therefor to the Superintendent and shall furnish such particulars as may be required from time to time.

GRANTING OF APPLICATION.

63. The grant of any application for the hire of a hall shall be in the sole and absolute discretion of the Superintendent.

TARIFF FOR HIRE.

64. (1) The tariff for the hire of a hall shall be as set out in Schedule V to these regulations. All payments for the hire of a hall shall be made in advance at the office of the Superintendent.

(2) The Superintendent may, in his discretion, demand and require from the applicant a deposit not exceeding R10, to indemnify the Council against any breakage, loss of or damage to any property of the Council.

RESPONSIBILITY OF HIRER.

65. The hirer shall at the conclusion of the hire —

- (a) leave the hall in a clean, tidy and sanitary condition;
- (b) remove any furniture brought therein by him or on his behalf during the course of the hire;
- (c) replace and rearrange any furniture or like fittings forming part of the normal equipment of the hall and removed therefrom or displaced by him during the course of the hire;
- (d) make good any damage to the hall or to the fixtures and furniture therein or fences on the premises caused during and arising out of the hire.

FURNITURE.

66. All removals, replacements and rearrangement of furniture and cleaning of the hall shall be completed before 10 o'clock in the morning following the termination of the hire.

GOOD CONDUCT OF PERSONS USING THE HALL.

67. The hirer shall be responsible for the good conduct and orderliness of all persons allowed on the premises in the course of the hire and shall take all reasonable steps to ensure that such persons are of good and orderly conduct during such period.

TERMINATION OF HIRE.

68. The Superintendent may terminate any hire at any time for any of the following reasons —

- (a) where a breach of these regulations has been committed by the hirer of the hall;
- (b) where damage has been done or is likely to be done to the hall, or any of its fixtures, furniture or fittings.

CHAPTER V.

CHURCHES AND SCHOOLS IN LOCATION.

APPLICATION FOR SITE.

69. (1) The Council shall set aside sites in the location which are to be utilised for church and school purposes only.

(2) Any person desiring the use of a site in the location for church or school purposes shall make written application to the Council therefor and shall furnish such

HOOFSTUK IV.

GEMEENSKAPSALE.

AANSOEK OM HUUR.

62. Iedereen wat 'n saal wil huur, moet by die Superintendent daarom aansoek doen en sodanige besonderhede verstrek as wat van tyd tot tyd verlang word.

TOESTAAN VAN AANSOEK.

63. Die Superintendent besluit geheel en al na goed-dunke of hy 'n aansoek om die huur van 'n saal sal toestaan of nie.

TARIEF VIR HUUR.

64. (1) Die tarief vir die huur van 'n saal is dié wat in Bylae V van hierdie regulasies uiteengesit is. Alle betalings vir die huur van 'n saal moet vooruit by die kantoor van die Superintendent gedoen word.

(2) Die Superintendent kan na goeddunke van die applikant 'n deposito eis ten bedrae van hoogstens R10 om die Raad te vrywaar teen enige breekskade, verlies of beskadiging aan enige eiendom van die Raad.

AANSPREEKLIKHEID VAN HUURDER.

65. Die huurder moet by verstryking van die huur —

- (a) die saal in 'n skoon, netjiese en sanitêre toestand laat;
- (b) alle meubels, wat tydens die huurtermyn deur hom of namens hom daarin gebring word, verwyder;
- (c) meubels of dergelike toebehore, wat deel uitmaak van die normale toerusting van die saal en wat tydens die huurtermyn daarvan deur hom verwyder of verskuif is, terugsit en herrangskik;
- (d) enige skade aan die saal of die vaste toerusting en meubels daarin of heinings op die perseel wat tydens en as gevolg van die huur aangerig is, vergoed.

MEUBELS.

66. Alle meubels moet voor 10-uur die oggend wat volg op die verstryking van die huur, verwyder, teruggesit en herrangskik word en die saal skoongemaak word.

GOEIE GEDRAG VAN PERSONE WAT DIE SAAL GEBRUIK.

67. Die huurder is aanspreeklik vir die goeie gedrag en ordelikheid van alle persone wat tydens die huurtermyn op die perseel toegelaat word en moet alle redelike stappe doen om te verseker dat sodanige persone hulle tydens sodanige tydperk behoorlik en ordelik gedra.

OPSEGGING VAN HUUR.

68. Die Superintendent kan enige huur te eniger tyd om enigeen van die volgende redes opsê:—

- (a) waar hierdie regulasies deur die huurder van die saal oortree is;
- (b) waar skade aan die saal of enige vaste toerusting, meubels of toebehore daarin aangerig is of moontlik aangerig sal word.

HOOFSTUK V.

KERKE EN SKOLE IN LOKASIE.

AANSOEK OM PERSEEL.

69. (1) Die Raad sonder persele in die lokasie af, wat slegs vir kerk- en skooldoeleindes gebruik word.

(2) Iedereen wat die gebruik van 'n perseel in die lokasie vir kerk- of skooldoeleindes verlang, moet skriftelik by die Raad aansoek daarom doen en sodanige beson-

GRANTING OF APPLICATION.

70. The grant of any application for the use of a site for church or school purposes shall be in respect of a specified site only and shall, subject to authority and approval being obtained in terms of paragraph (f) of Section *thirty-five* of the Proclamation, be in the discretion of the Council.

APPLICATIONS FOR CHURCHES.

71. No application by or on behalf of any church shall be considered unless proof to the satisfaction of the Council has been produced that —

- (a) such church has an enrolled membership of not less than 200 members in the urban area;
- (b) such church is immediately possessed of sufficient assets to enable it satisfactorily to complete the proposed building on the site applied for.

RENTAL.

72. The rental of any site shall be fixed by the Council in its agreement with the grantee.

ERECTION OF BUILDINGS ON SITE.

73. The application for a site shall be accompanied by a properly drawn plan, in duplicate, of the proposed buildings to be erected on the site and no building operations shall be commenced before the Council has approved such plan. Such buildings shall be completed within a period of one year from the date of the granting of such site. The Council may, in its discretion, extend such time for such period as it may deem fit.

FENCING.

74. The grantee shall fence the site in a neat and workmanlike manner with materials and to a design approved by the Superintendent.

REPAIR AND CLEANLINESS OF PREMISES.

75. The grantee shall keep all buildings and other structures in a good and proper state of repair and in a clean and sanitary condition.

WATER AND SERVICES.

76. The grantee shall, if required by the Council —

- (a) at his own expense provide, instal, lay down and maintain upon his premises pipes and other apparatus for a supply of water by the Council and shall thereafter apply to the Council for a connection and supply thereto;
- (b) pay for all water supplied and all rubbish removed, sanitary and other services rendered by the Council on such site; and
- (c) pay such sum as may be prescribed for the installation of water, or electricity including a deposit for meters thereof.

USE OF BUILDINGS.

77. (1) If at any time the grantee abandons the site or ceases to use it for the purpose for which it was granted, the Council shall have the right to purchase all buildings and structures on such site at a price to be agreed upon or, failing agreement, to be fixed by arbitration in the manner provided by law.

(2) If the Council decides not to exercise such right of purchase the grantee shall, upon being called upon to do so by the Council, remove all such buildings and structures at his own expense. Where such removal is not effected by the grantee the Council shall be entitled to enter upon the site and remove the same.

TOESTAAN VAN AANSOEK.

70. 'n Aansoek om die gebruik van 'n perseel vir kerk- of skooldoeleindes word slegs ten opsigte van 'n gespesifiseerde perseel toegestaan en word behoudens die verkryging van magtiging en goedkeuring ingevolge paragraaf (f) van artikel *vyf-en-dertig* van die Proklamasie, na goeddunke van die Raad toegestaan.

AANSOEK OM KERKE.

71. Geen aansoek van of namens 'n kerk word oorweeg nie, tensy bewys tot tevredenheid van die Raad gelewer is dat —

- (a) sodanige kerk 'n ingeskrewe lidmaatskap van minstens 200 lede het in die stadsgebied;
- (b) sodanige kerk onmiddellik voldoende bates besit om dit in staat te stel om die voorgestelde gebou op die perseel waarom aansoek gedoen is, op bevredigende wyse te voltooi.

HUURGELD.

72. Die huurgeld van 'n perseel word deur die Raad in sy ooreenkoms met die konsessionaris vasgestel.

OPRIGTING VAN GEBOUE OP PERSEEL.

73. Die aansoek om 'n perseel moet vergesel gaan van 'n behoorlike getekende plan, in duplo, van die voorgestelde geboue wat op die perseel opgerig sal word en daar mag nie met bouwerkzaamhede begin word voordat die Raad sodanige plan goedgekeur het nie. Sodanige geboue moet binne 'n tydperk van een jaar nadat sodanige perseel toegestaan is, voltooi wees. Die Raad kan, na goeddunke, hierdie tyd verleng vir solank hy dit goed ag.

OMHEINING.

74. Die konsessionaris moet die perseel op 'n netjiese en deeglike wyse omhein met materiale en volgens 'n ontwerp wat deur die Superintendent goedgekeur is.

REPARASIE EN SINDELIKHEID VAN PERSELE.

75. Die konsessionaris moet alle geboue en ander bouwerke in 'n goeie en behoorlike onderhoudstoestand en in 'n sindelike en sanitêre toestand hou.

WATER EN DIENSTE.

76. Die konsessionaris moet, indien die Raad dit vereis —

- (a) op eie koste op die perseel pype en ander apparaat verskaf, installeer, aanlê en onderhou vir 'n watertoevoer deur die Raad en moet daarna by die Raad aansoek doen om 'n aansluiting en toevoer daarteen;
- (b) vir alle water wat gelewer word, asook vir alle rommel wat verwyder word, sowel as sanitêre en ander dienste wat deur die Raad op sodanige perseel gelewer word, betaal; en
- (c) sodanige bedrag as wat voorgeskryf word vir die installasie van water of elektrisiteit en wat 'n deposito ten opsigte van meters insluit, betaal.

GEBRUIK VAN GEBOUE.

77. (1) As die konsessionaris te eniger tyd die perseel verlaat of ophou om dit vir die doel waarvoor dit toegestaan is te gebruik, het die Raad die reg om alle geboue en bouwerke op sodanige perseel te koop teen 'n prys waarvoor onderling ooreengekom word, of wat, by ontstentenis van ooreenkoms, op die wyse by wet bepaal by wyse van arbitrasie vasgestel moet word.

(2) As die Raad besluit om nie van sodanige koopreg gebruik te maak nie, moet die konsessionaris wanneer hy deur die Raad daartoe aangesê word, al sodanige geboue en bouwerke op eie koste verwyder. Waar sodanige verwydering nie deur die konsessionaris uitgevoer word

structures at the expense of the grantee, provided that nothing herein contained shall prohibit the grantee from disposing of the buildings on the site to a church or school approved by the Council.

LIMITATION OF USE OF SITES.

78. The grantee shall not, without the written consent of the Council, use any building or other structure on the site for any purpose other than that for which it was granted.

DISPOSAL OF BUILDINGS.

79. The grantee shall not dispose of any building or other structure on the site without the written consent of the Council.

RESIDING ON SITE.

80. No person shall reside on any church or school site except with the prior written consent of the Superintendent.

COMPLETION OF AGREEMENT.

81. In respect of any site set aside for church or school purposes, the grantee shall enter into an agreement of lease with the Council, which shall contain additional conditions and which shall be subject to the approval of the Minister of Bantu Administration and Development.

EXISTING CHURCH AND SCHOOL SITES.

82. Leases in respect of existing sites shall on termination of the lease be renewed in terms of the preceding regulations.

CHAPTER VI.

TRADING.

SOLICITING ORDERS.

83. No person shall, without the prior written approval of the Superintendent, canvass or solicit orders within the location for any trade or business not conducted in the location.

TRADING SITES.

84. The Council may set aside sites in the location and may erect buildings thereon for allotment to Natives for trading or business purposes, provided that it shall be lawful for the Council to grant permission to any Native who, at the date of the coming into operation of these regulations, is carrying on any lawful trade or business in the location, to continue to carry on, on such terms and conditions as the Council may prescribe and subject to the provisions of these regulations, such trade or business. For the purpose of regulation 108 of these regulations, where such business is conducted on any site, it shall be deemed to have been allotted in terms of these regulations as from the date of commencement of these regulations.

AUTHORITY TO COMMENCE TRADING.

85. (1) No person shall carry on any trade or business on any site in the location unless such site has been allotted to him for that purpose by the Council, provided that nothing contained herein shall absolve any person from obtaining any licence or other authority which is required by any other law as a condition precedent to the commencement of any such trade or business.

(2) Any Native resident of the location, who is over 21 years of age and who desires to carry on any trade or business on any site or in any building erected by the Council shall make written application, wherein the nature of such trade or business shall be disclosed

sodanige geboue en bouwerke op koste van die konsessionaris te verwyder; met dien verstande dat geen bepaling hierin vervat die konsessionaris belet om die geboue op die perseel van die hand te sit aan 'n kerk of skool wat deur die Raad goedgekeur is nie.

BESPREKING OF GEBRUIK VAN PERSELE.

78. Die konsessionaris mag nie sonder die skriftelike toestemming van die Raad enige gebou of ander bouwerk op die perseel gebruik vir 'n ander doel as dié waarvoor dit toegestaan is nie.

VAN DIE HAND SIT VAN GEBOU.

79. Die konsessionaris mag geen gebou of ander bouwerk op die perseel sonder die skriftelike toestemming van die Raad van die hand sit nie.

BEWONING VAN PERSEEL.

80. Nemand mag op 'n kerk- of skoolperseel woon nie, behalwe met die voorafverkreë skriftelike toestemming van die Superintendent.

VOLTOOIING VAN OOREENKOMS.

81. Ten opsigte van enige perseel afgesonder vir kerk of skooldoeleindes moet die konsessionaris 'n huurkontrak met die Raad aangaan wat bykomende voorwaardes bevat en deur die Minister van Bantoe-administrasie en -ontwikkeling goedgekeur moet word.

BESTAANDE KERK EN SKOOLPERSELE.

82. Huurkontrakte ten opsigte van bestaande persele moet by verstryking van die huurtermyn ingevolge die voorgaande regulasies hernieu word.

HOOFSTUK VI.

HANDEL.

WERWING VAN BESTELLINGS.

83. Geen persoon mag sonder die voorafverkreë skriftelike toestemming van die Superintendent binne die lokasie bestellings werf vir enige handel of besigheid wat nie in die lokasie gedryf word nie.

HANDELSPERSELE.

84. Die Raad kan persele in die lokasie opsy sit en geboue daarop oprig vir toewysing aan Inboorlinge vir handels- of besigheidsdoeleindes. Met dien verstande dat dit vir die Raad wettig is om aan enige inboorling wat ten tyde van die inwerkingtreding van hierdie regulasies enige wettige handel of besigheid in die lokasie dryf, toestemming te verleen om sodanige handel of besigheid voort te sit op sodanige voorwaardes as wat die Raad mag voorskryf en behoudens die bepalings van hierdie regulasies. Vir die doeleindes van regulasie 108 van hierdie regulasies, waar sodanige besigheid op enige perseel gedryf word, sal gesag word dat die perseel ingevolge hierdie regulasies toegewys is met ingang van die datum van inwerkingtreding van hierdie regulasies.

MAGTIGING OM TE BEGIN HANDEL, DRYF.

85. (1) Niemand mag enige handel of besigheid op enige perseel in die lokasie dryf tensy sodanige perseel vir die doel deur die Raad aan hom toegewys is nie; met dien verstande dat geen bepaling hiervan enige persoon vrystel van die verkryging van enige lisensie of ander magtiging wat by enige ander wet vereis word voordat met so 'n handel of besigheid 'n aanvang gemaak mag word nie.

(2) Enige inboorlinglokasiebewoner bo die ouderdom van 21 jaar wat enige handel of besigheid op enige perseel of in enige gebou deur die Raad opgerig, wil dryf, moet 'n skriftelike aansoek waarin die aard van die handel of besigheid gemeld word, by die Raad indien

conditions contained in these regulations, allot to the applicant a site or building, if any is available, on or in which he may carry on his trade or business and issue to him a trading site permit substantially in the form set out in Schedule VI.

AVAILABLE SITES OR BUILDINGS MUST BE ADVERTISED.

86. Should any trading site or building be available for allotment, the Superintendent shall publish a notice inviting applications for the allotment of the site or building to be lodged in writing at his office not later than a date to be specified in the notice, being not less than 14 days from the date of publication of the notice. All applications received shall be forwarded by the Superintendent to the Council for decision.

ONLY NATIVE TRADERS AND ASSISTANTS PERMITTED TO TRADE.

87. No site or building in the location shall be let for trading or business purposes to a person who is not a Native and no person who is not a Native shall be employed on any such site or in any such building.

BUSINESS HOURS.

88. The hours during which shops may open for conducting business shall not be less than those prescribed in the urban area in respect of shop hours.

ALTERATIONS TO BUILDINGS OR FITTINGS.

89. No trader shall effect any structural or other alterations to any buildings or fittings on the site occupied by him or place any additional fittings thereon without the written permission of the Superintendent.

WHEN BUILDINGS ARE TO BE ERECTED BY TRADER.

90. Except where the Council has erected the necessary buildings, the trader shall erect upon the trading site, the buildings or other structures necessary for his undertaking, but no building or structure shall be erected by him on such site otherwise than in accordance with plans and specifications approved by the Council.

Any buildings erected on such site otherwise than in accordance with the plans and specifications approved by the Council may be demolished or suitably altered by the Council at the expense of the trader.

FENCING AND SANITATION.

91. The trader shall, if required by the Council to do so, properly fence the site occupied by him and provide thereon adequate sanitary accommodation to the satisfaction of the Council.

RESIDING ON TRADING SITE.

92. No person shall reside on a trading site, unless such residence has been approved by the Council on such conditions as the Council may prescribe.

SUB-LETTING AND CESSION.

93. A person to whom a trading site has been allotted shall not sublet such site or building or any portion thereof nor cede or assign his right thereto without the written permission of the Council.

MANAGEMENT OF UNDERTAKING.

94. Every trader shall personally carry on his undertaking and supervise the work of his assistants, of any, provided that the Superintendent may permit any

die bepalings van hierdie regulasies aan die applikant 'n perseel of gebou toewys indien daar een beskikbaar is, waarop of waarin hy sy handel of besigheid kan dryf en aan hom 'n handelsperseelpermit uitreik in hoofsaak in die vorm in Bylae VI uiteengesit.

BESKIKBARE PERSELE OF GEBOUE MOET GEADVERTEER WORD.

86. Indien enige handelsperseel of -gebou vir toewysing beskikbaar is, moet die Superintendent 'n kennisgewing publiseer wat aansoeke om die toewysing van die perseel of gebou vra, wat skriftelik by sy kantoor ingelewer moet word voor of op 'n dag wat in die kennisgewing vermeld moet word en minstens 14 dae na die datum van die publikasie van die kennisgewing moet val. Alle aansoeke wat ontvang word, moet deur die Superintendent aan die Raad gestuur word vir beslissing.

SLEGS INBOORLINGHANDELAARS EN -ASSISTENTE WORD TOEGELAAT OM HANDEL TE DRYF.

87. Geen perseel of gebou in die lokasie mag vir handels- of besigheidsdoeleindes verhuur word aan 'n persoon wat nie 'n inboorling is nie, en geen persoon wat nie 'n inboorling is nie, mag op enige sodanige perseel of enige gebou in diens geneem word nie.

BESIGHEIDSURE.

88. Die ure wanneer dié winkels oop mag wees om besigheid te dryf, mag nie minder wees as dié wat in die stadsgebied voorgeskryf is vir winkelure nie.

VERANDERING AAN GEBOUE OF TOEBEHORE.

89. 'n Handelaar mag nie sonder die skriftelike toestemming van die Superintendent enige veranderinge aan geboue of toebehore op die perseel wat hy okkupeer, aanbring of enige addisionele toebehore daarop aanbring nie.

WANNEER GEBOUE DEUR HANDELAAR OPPERIG MOET WORD.

90. Behalwe as die Raad die nodige geboue opgerig het, moet elke handelaar op die handelsperseel die geboue of ander bouwerke wat vir sy onderneming nodig is, oprig, maar 'n gebou of bouwerk mag alleen deur hom op sy perseel opgerig word in ooreenstemming met planne en spesifikasies wat deur die Raad goedgekeur is.

Enige gebou wat op sodanige perseel opgerig is, maar wat nie ooreenstem met planne en spesifikasies deur die Raad goedgekeur nie, kan deur die Raad op koste van die handelaar afgebreek word of op geskikte wyse verander word.

OMHEINING EN SANITASIE.

91. Die handelaar moet, indien dit deur die Raad vereis word, die perseel wat hy okkupeer op doeltreffende wyse omhein en daarop voorsiening maak vir genoegsame sanitêre geriewe tot tevredenheid van die Raad.

BEWONING VAN HANDELSPERSEEL.

92. Geen persoon mag op 'n handelsperseel woon nie, tensy sodanige bewoning deur die Raad goedgekeur is op sodanige voorwaardes as wat deur die Raad voorgeskryf mag word.

ONDERVERHURING EN AFSTAND VAN REGTE.

93. Geen persoon aan wie 'n handelsperseel toegewys is, mag sodanige perseel of gebou of enige gedeelte daarvan onderverhuur of afstand van sy regte daarop doen nie, tensy die Raad se skriftelike toestemming daartoe verkry is.

BESTUUR VAN ONDERNEMING.

94. Elke handelaar moet persoonlik sy onderneming dryf en toesig hou oor die werk van sy assistente, as daar is, met dien verstande dat die Superintendent enige

such trader to be absent for a period not exceeding 3 months, during which a manager approved in writing by the Superintendent may carry on the undertaking; provided further that, with the approval of the Council, the Superintendent may permit a trader to be absent for a specified period of longer than three (3) months.

EMPLOYEES.

95. Every trader may employ, for the purpose of his undertaking, such number of Native assistants as may be approved by the Superintendent in writing.

The trader shall submit to the Superintendent for approval the name and full particulars of identity of each assistant he desires to employ, and no such assistant shall commence work for such trader within the location without such approval being first obtained.

CLEANLINESS.

96. Every trader shall take all reasonable steps to ensure that at all times his premises and all utensils and equipment used in his undertaking are in good state of repair and in a clean and hygienic condition, and that all persons employed on his premises, including himself, are in a proper state of cleanliness.

MAINTENANCE OF COUNCILS BUILDINGS.

97. The tenant of any building erected by the Council shall be responsible for the maintenance in a clean and proper state of repair of the inside and the Council for that of the outside of such buildings.

MEDICAL EXAMINATION OF TRADERS AND EMPLOYEES.

98. All traders and their assistants shall, when required by the Superintendent, submit themselves to medical examination by the Medical Officer of Health, which examination shall be free of charge. Any such trader or assistant certified by such Medical Officer of Health to be suffering from any infectious or contagious disease shall be prohibited by the Superintendent from being employed on any trading site or in any trading undertaking or handling any foodstuffs for sale therein, or thereon, or in connection therewith until he has obtained a certificate from the Medical Officer of Health to the effect that he is no longer suffering from such disease.

LIMITATION OF TRADER'S INTEREST IN THE AUTHORISED UNDERTAKING.

99. No trader or any partnership in which he has any interest or share shall receive or have any direct or indirect pecuniary interest in any business, trade or occupation carried on in the location or Native hostel other than the undertaking in respect of which he or such partnership has obtained authority from the Council.

DISCLOSURE OF INTEREST IN TRADING SITE.

100. Any person who advances money to another to enable such latter person to commence or carry on a trade, business or occupation, or who, not being a trader, acquires or holds any interest whatsoever in an undertaking carried on, on a trading site, shall forthwith disclose such fact to the Council.

TRADING TO BE CONFINED TO TRADING SITE.

101. No trader shall carry on his undertaking elsewhere than upon an authorised trading site.

USE OF SITE AND BUILDINGS.

102. No trader shall use or cause or permit to be used any trading site or any building or structure there-

handelaar kan toelaat om afwesig te wees vir 'n tydperk van hoogstens drie maande, en gedurende dié tydperk kan 'n bestuurder wat skriftelik deur die Superintendent goedgekeur is die onderneming dryf; met dien verstande dat, met die toestemming van die Raad, die Superintendent 'n handelaar kan toelaat om afwesig te wees vir 'n gegewe tydperk van langer as drie maande.

WERKNEMERS.

95. Enige handelaar kan, vir die doeleindes van sy onderneming, soveel inboorlingassistente in diens neem as wat die Superintendent skriftelik goedkeur.

Elke handelaar moet die naam en volle besonderhede van die identiteit van elke assistent wat hy in diens wil neem, aan die Superintendent vir goedkeuring voorlê, en 'n assistent mag nie binne die lokasie vir so 'n handelaar begin werk sonder dat dié goedkeuring eers verkry is nie.

SINDELIKHEID.

96. Elke handelaar moet alle redelike stappe doen om seker te maak dat sy perseel en alle gereedskap en uitrusting wat in verband met sy onderneming gebruik word, op alle tye in 'n goeie onderhoudstoestand en in 'n skoon en higiëniese toestand is, en dat alle persone wat op sy perseel in diens is, met inbegrip van hom behoorlik skoon is.

ONDERHOUD VAN RAAD SE GEBOUE.

97. Die Raad is verantwoordelik vir die onderhoud van die buitekant van enige gebou deur hom opgerig, en die huurder moet die binnekant in 'n goeie en skoon toestand hou.

MEDIESE ONDERSOEK VAN HANDELAARS EN WERKNEMERS.

98. Wanneer die Superintendent dit verlang, moet alle handelaars en hul assistente hulle aan mediese ondersoek deur die geneeskundige gesondheidsbeampte onderwerp, en dié ondersoek sal kosteloos geskied. So 'n handelaar of assistent van wie die geneeskundige gesondheidsbeampte sertifiseer dat hy aan enige besmetlike of aansteeklike siekte ly, moet deur die Superintendent verbied word om op enige handelsperseel of in enige handelonderneming in diens te wees of om eetware vir verkoop daarop of daarin of in verband daarmee te hanteer totdat hy 'n sertifikaat van die geneeskundige gesondheidsbeampte verkry het dat hy nie meer aan sodanige siekte ly nie.

BEPERKING VAN HANDELAAR SE BELANGE IN DIE GEMAGTIGDE ONDERNEMING.

99. Geen handelaar of enige vennootskap waarin hy 'n belang of aandeel het, mag enige direkte of indirekte geldelike belang hê of verkry in enige handel, besigheid of beroep in die lokasie of inboorlingtehuis nie, behalwe dié onderneming ten opsigte waarvan hy of die betrokke vennootskap die nodige magtiging van die Raad verkry het.

BEKENDMAKING VAN BELANG IN HANDELSPERSEEL.

100. Enige persoon wat geld aan 'n ander persoon voorskiet ten einde laasgenoemde in staat te stel om enige handel, besigheid of beroep te begin dryf en enige persoon wat nie 'n handelaar is nie en wat enige belang hoegenaamd in 'n handelonderneming op 'n handelsperseel het of verkry, moet sodanige feit onmiddellik aan die Raad bekendmaak.

HANDEL MOET TOT PERSEEL BEPERK WEES.

101. Geen handelaar mag sy onderneming op 'n ander plek as op 'n goedgekeurde handelsperseel dryf nie.

GEBRUIK VAN PERSEEL EN GEBOUE.

102. Geen handelaar mag enige handelsperseel of enige gebou of bouwerke daaron vir enige ander doel as

on for any purpose other than that for which authority has been granted.

KEEPING OF BOOKS.

103. Every trader shall keep proper books of account in one of the official languages, which shall be open for inspection by the Council or its duly authorised officials.

TERMINATION BY TRADER OF RIGHT TO TRADE.

104. Any trader may terminate his right to occupy any site in the location for trading or business purposes by giving at least one (1) month's written notice to the Superintendent of his intention to do so.

EXPIRATION AND RENEWAL OF RIGHT TO TRADE.

105. The right to carry on any undertaking, and to occupy any site in terms of these regulations, shall expire on the 31st day of December in each year, but shall be renewed by the Council on the application of the trader provided that the trader —

- (a) is lawfully resident in the location;
- (b) has paid his rental, fees and other charges due to the Council up to the 30th November of the year in which the application for such renewal is made;
- (c) is not suffering from any infectious disease;
- (d) complies with the requirements of these regulations.

TERMINATION OF RIGHT TO TRADE.

106. (1) Should any trader during the terms of his trading site permit —

- (a) be convicted of an offence mentioned in the first Schedule to the Criminal Procedure and Evidence Proclamation, 1935 (Proclamation No. 30 of 1935), as amended, or of a contravention of any law in force relating to the possession or supply of dagga or intoxicating liquor;
 - (b) be convicted more than once of a contravention of these regulations;
 - (c) be convicted of a contravention of Section *one-hundred and thirteen* of the Public Health Act, 1919 (Act No. 36 of 1919), as amended, and as applied to the Territory of South West Africa;
 - (d) die, or be declared, of unsound mind by a competent Court; or
 - (e) have his estate sequestrated as insolvent;
- the Council may, on giving him one month's notice of its intention to do so, cancel his right to carry on any undertaking on any site in the location, provided that in the circumstances mentioned in paragraphs (d) and (e) the notice shall be given to the executor, curator or trustee of such trader or his estate.

(2) The Council may, for any reason it may deem sufficient and subject to the approval of the Minister of Bantu Administration and Development, cancel any trading site permit in respect of any trading site in the location, after giving twelve (12) month's notice of its intention of doing so.

DAMAGE TO SITE OR COUNCIL'S PROPERTY.

107. (1) No trader shall cause or permit any damage whatsoever to the trading site or to any buildings or structures erected thereon by the Council, including fixtures, furniture and fittings and fencing.

dié waarvoor magtiging verleen is, gebruik of laat gebruik of toelaat dat dit aldus gebruik word nie.

HOU VAN BOEKE.

103. Elke handelaar moet behoorlike rekeningboeke in een van die amptelike tale hou, en die boeke moet ter insae lê van die Raad of sy behoorlik gemagtigde amptenare.

BEËINDIGING DEUR HANDELAAR VAN REG OM HANDEL TE DRYF.

104. Enige handelaar kan sy reg op okkupasie van enige perseel in die lokasie vir handels- of besigheids-doeleindes beëindig deur die Superintendent minstens 'n maand tevore skriftelik van sy voorneme in kennis te stel.

VERVAL EN HERNUWING VAN REG OM HANDEL TE DRYF.

105. Die reg om ooreenkomstig die bepalings van hierdie regulasies enige onderneming te dryf en om 'n perseel te okkupeer, verval op die 31ste dag van Desember in elke jaar, maar moet deur die Raad hernieu word op aansoek van die handelaar, met dien verstande dat die handelaar —

- (a) wettiglik in die lokasie woonagtig is;
- (b) sy huurgelde, gelde en alle ander vorderings aan die Raad verskuldig, tot op 30 November van die jaar waarin aansoek om die hernuwing gedoen word, betaal het;
- (c) nie aan enige besmetlike siekte ly nie; en
- (d) aan die vereistes van hierdie regulasies voldoen.

BEËINDIGING VAN REG OM HANDEL TE DRYF.

106. (1) As enige handelaar gedurende die termyn van sy handelsperseelpermit —

- (a) weens 'n misdryf genoem in die eerste Bylae van die Proklamasie op die Kriminele Prosedure en Bewyslewering, 1935 (Proklamasie No. 30 van 1935), soos gewysig, of weens oortreding van enige wet wat van krag is met betrekking tot die besit of verskaffing van dagga of bedwelmende drank, veroordeel word;
- (b) meer as eenmaal weens oortreding van hierdie regulasie veroordeel word;
- (c) weens oortreding van artikel *honderd-en-dertien* van die Volksgezondheidswet, 1919 (Wet No. 36 van 1919), soos gewysig, en soos op die Gebied van Suidwes-Afrika van toepassing gemaak, veroordeel word;
- (d) sterf, of volgens die verklaring van 'n bevoegde hof nie by sy volle verstand is nie; of
- (e) bankrot gaan en sy boedel gesekwesteer word, kan die Raad, na kennisgewing van een mand van sy voorneme om dit te doen, sy reg om enige onderneming op enige perseel in die lokasie te dryf, intrek, met dien verstande dat onder die omstandighede in paragrawe (d) en (e) genoem, die kennis aan die eksekuteur, kurator of trustee van sodanige handelaar of van sy boedel gegee moet word.

(2) Die Raad mag vir enige rede deur hom vol-doende geag en behoudens die goedkeuring van die Minister van Bantoe-administrasie en -ontwikkeling die handelsperseelpermit intrek ten opsigte van enige handelsperseel in die lokasie, na kennisgewing van twaalf (12) maande van sy voorneme om dit te doen.

SKADE AAN PERSEEL OF AAN RAAD SE EIENDOM.

107. (1) Geen handelaar mag enige skade hoege-naamd aan die handelsperseel of aan enige geboue of bouwerke deur die Raad daarop opgerig, waarby vaste en ander toebehore, meubels en omheining ingesluit is, aanrig of laat aanrig of toelaat dat dit aanrig word nie.

(2) Every trader shall be responsible to the Council for such damages and shall take out an insurance policy to its satisfaction to cover such responsibility and cede such policy to the Council.

(3) The Council shall not be responsible for any damage done to the lessees's stock, books, papers and other property, by rain, wind, hail, lightning, stormwater or fire or by reason of riot, strikes, of the State's enemies or through any other cause of a like nature, in respect of buildings erected by the Council for hire to trader; provided that any essential repairs to the buildings concerned necessitated by such causes shall be effected by the Council within a reasonable time after the receipt of information from the trader concerned that such repairs are necessary.

TARIFF OF CHARGES.

108. Every trader to whom a site is allotted in terms of these regulations, shall on allotment pay and thereafter pay in advance on or before the 7th day of every month, an inclusive charge covering rental and fees for sanitary and water services rendered by the Council —

- (a) in respect of a site on which the Council has erected or acquired buildings, the fees prescribed in Schedule V hereof;
- (b) in respect of a site on which the buildings etc. have been erected or acquired by the trader, the fees as prescribed in Schedule V hereof.

LIMITATION OF NUMBER OF BUSINESSES.

109. The Council may, in its discretion, impose a limitation on the number of businesses of any particular type allowed in the location at any given time.

OFFENCES AND PENALTIES.

110. Any person who —

- (a) contravenes or fails to comply with the provisions of sub-regulation (1) of regulation 85, regulations 87, 89, 92, 93, 99, 100, 101, 102 and 103, or sub-regulation (1) of regulation 107;
- (b) is a trader and who employs, for the purposes of his undertaking, any assistant not approved by the Superintendent in terms of regulation 95;
- (c) is a trader and who occupies any building which is the property of the Council, and who fails to keep the inside of such building in a clean and proper state in terms of regulation 97, or
- (d) who is a trader or an assistant of a trader and who fails, when required by the Superintendent to do so in terms of regulation 98, to submit himself to a medical examination by the Medical Officer of Health,

shall be guilty of an offence and shall be subject to the penalties prescribed in section *thirty-six* of the Proclamation.

CHAPTER VII.

GENERAL SANITATION.

NUISANCES AND KINDRED MATTERS.

NUISANCE PROHIBITED.

111. (1) No person shall by his act or default cause a nuisance to exist on any premises, and every owner and every occupier of any premises shall at all times ensure that such premises are clean and free from any nuisance.

(2) Elke handelaar is aan die Raad verantwoordelik vir sodanige skade en moet 'n versekeringspolis tot tevredeheid van die Raad uitneem om sodanige verantwoordelikheid te dek en dié polis moet aan die Raad gesedeer word.

(3) Die Raad is nie, ten opsigte van geboue wat deur die Raad opgerig is om aan handelaars te verhuur, aanspreeklik vir enige skade aan die huurder se voorrade, boeke, dokumente ens, veroorsaak deur seën, wind, hael, weerlig, vloedwater of brand, of as gevolg van oproer, stakings, die Staat se vyande of enige soortgelyke oorsake nie, mits enige noodsaaklike herstelwerk aan die betrokke geboue wat deur sulke oorsake noodsaaklik gemaak is, deur die Raad uitgevoer word binne 'n redelike tydperk nadat die Raad kennis van die handelaar ontvang het dat sodanige herstelwerk nodig is.

HUURGELDE.

108. Elke handelaar aan wie 'n perseel kragtens hierdie regulasies toegewys is, moet by toewysing en daarna voor of op die 7de dag van elke maand, 'n bedrag vooruitbetaal, waarby huurgeld en gelde vir water en sanitêre dienste deur die Raad verrig, inbegrepe is:

- (a) ten opsigte van 'n perseel waarop die geboue deur die Raad opgerig of verkry is, die gelde soos voorgeskryf in Bylae V hiervan;
- (b) ten opsigte van 'n perseel waarop die geboue, ens. deur die handelaar opgerig of verkry is, die gelde soos voorgeskryf in Bylae V hiervan.

BEPERKING OP GETAL BESIGHEDE.

109. Die Raad kan, na goeddunke, 'n beperking plaas op die getal besighede van enige besondere soort wat hy op enige tyd in die lokasie sal toelaat.

MISDRYWE EN STRAFBEPALINGS.

110. Enigeen wat —

- (a) die bepalinge van subregulasie (1) van regulasie 85, regulasie 87, 89, 92, 93, 99, 100, 101, 102, 193 of subregulasie (1) van regulasie 107 oortree of in gebreke bly om daaraan te voldoen; of
- (b) 'n handelaar is en vir die doeleindes van sy onderneming enige assistent in diens neem wat nie deur die Superintendent goedgekeur is nie soos bepaal in regulasie 95; of
- (c) 'n handelaar is en 'n gebou okkupeer waarvan die Raad die eienaar is, en wat versuim om die binnekant van sodanige gebou in 'n goeie en skoon toestand te hou soos in regulasie 97 bepaal; of
- (d) 'n handelaar of 'n assistent van 'n handelaar is, en in gebreke bly, wanneer die Superintendent dit ingevolge regulasie 98, verlang, om hom aan 'n mediese ondersoek deur die geneeskundige gesondheidsbeampte te onderwerp,

begaan 'n misdryf en is strafbaar met die strawwe voorgeskryf in artikel *ses-en-dertig* van die Proklamasie.

HOOFSTUK VII.

ALGEMENE SANITASIE.

OORLASTE EN AANVERWANTE SAKE.

OORLAS VERBODE.

111. (1) Niemand mag deur sy optrede of versuim veroorsaak dat daar op enige perseel 'n oorlas bestaan nie, en iedere eienaar en iedere okkupeerder van 'n perseel moet toesien dat sodanige perseel op alle tye sindelik en vry van alle oorlas gehou word.

(2) No person shall conduct himself in such a manner as is liable to be injurious or dangerous to health or to create any state or condition of premises which is injurious or dangerous to health.

ENTRY AND INSPECTION FOR NUISANCE.

112. (1) The Medical Officer of Health, the Superintendent or other official of the Council duly authorised thereto may enter and inspect or make enquiries on, any premises with a view to ascertaining the existence or cause of any nuisance thereon or in connection therewith.

(2) The Council may do such work as may be necessary for ascertaining the existence or cause of such nuisance and for remedying the same, and may recover from the owner or occupier of the premises or from the author of the nuisance the amount of such expenses incurred by it in respect thereof, and such owner or occupier or author shall, on demand, refund such amount to the Council.

PROCEDURE FOR ABATEMENT OF NUISANCE.

113. (1) Whenever a nuisance exists, or has existed and is liable to recur, on any premises, the Council may serve a notice either upon the author of the nuisance, or upon the owner or occupier of the premises on which the nuisance exists, or has existed and liable to recur, requiring him to remove or abate the nuisance and to do such work (with or without specifying the nature thereof) within a reasonable time to be specified in the notice, as is necessary for the removal or abatement and the prevention of recurrence of the nuisance as the case may be, provided that —

- (a) where the nuisance arises from want or defect of a structural character or where the premises are unoccupied, the notice shall be served on the owner;
- (b) where the person causing the nuisance cannot be found, and such nuisance does not exist by the act or default or sufferance of the occupier or owner of the premises, the Council may itself take such steps as may be necessary to abate or remove the nuisance or prevent the recurrence thereof.

(2) Where any person upon whom such notice has been served fails to comply with the terms thereof, the Council may enter upon the premises in respect of which such nuisance exists or is liable to recur, and may itself carry out such work as may be necessary for the removal or abatement and the prevention of recurrence of the nuisance, as the case may be. The Council may recover from such aforementioned person the amount of any expense incurred by it in carrying out such work and such person shall, on demand, refund such amount to the Council.

(3) Where it appears that a nuisance existing within the location has been caused either wholly or in part by the act or default of some person outside the location, the provisions of this section shall *mutatis mutandis* apply to such person in respect of such act or default.

KEEPING OF PREMISES CLEAN AND FREE FROM UNSIGHTLY ACCUMULATIONS.

114. Every person shall keep any premises owned or occupied by him clean and free from filth, debris, rubbish, glass, paper, rags, tins, lumber, weeds and undergrowth which are unsightly or likely to become a nuisance or injurious to health or to cause an annoyance to the in-

(2) Niemand mag hom op so 'n wyse gedra dat dit nadelig of gevaarlik vir die gesondheid kan wees of op die perseel 'n toestand kan skep wat nadelig of gevaarlik vir die gesondheid is nie.

BETREDING EN INSPEKSIE TEN OPSIGTE VAN OORLAS.

112. (1) Die geneeskundige gesondheidsbeampte, die Superintendent of ander beampte van die Raad wat behoorlik daartoe gemagtig is, kan enige perseel betree en inspekteer, of navraag daarop doen, ten einde die bestaan of oorsaak vas te stel van enige oorlas daarop of in verband daarmee.

(2) Die Raad kan die werk verrig wat nodig is om die bestaan of oorsaak van so 'n oorlas vas te stel en om dit te verhelp, en kan op die eienaar of bewoner van die perseel of op, die persoon wat die oorsaak is van die oorlas die bedrag verhaal van die koste wat die Raad ten opsigte daarvan aangegaan het en sodanige eienaar of okkupeerder of oorsaak moet, op aanvraag, sodanige bedrag aan die Raad terugbetaal.

PROSEDURE VIR VERWYDERING VAN OORLAS.

113. (1) Wanneer daar ook al op 'n perseel 'n oorlas bestaan, of bestaan het, en waarskynlik weer kan voorkom, kan die Raad 'n kennisgewing beteken aan of die oorsaak van die oorlas of die eienaar of bewoner van die perseel waarop die oorlas bestaan of bestaan het en waarskynlik weer kan voorkom waarby hy aangesê word om die oorlas te verwyder of uit die weg te ruim en om dié werk te verrig (met of sonder vermelding van die aard daarvan) binne 'n redelike tyd wat in die kennisgewing vermeld moet word, wat nodig is om die oorlas te verwyder of uit die weg te ruim of om 'n herhaling daarvan te voorkom, na gelang van die geval; met dien verstande dat —

- (a) as die oorlas veroorsaak word deur 'n tekort of gebrek van 'n boukundige aard, of as die perseel onbewoon is, die kennisgewing aan die eienaar beteken moet word; of
- (b) as die persoon wat die oorlas veroorsaak nie opgespoor kan word nie en sodanige oorlas nie deur die optrede of versuim of toelating van die eienaar of bewoner van die perseel ontstaan nie,

die Raad self die stappe kan doen wat nodig is om die oorlas te verwyder of uit die weg te ruim of die herhaling daarvan te voorkom.

(2) Wanneer 'n persoon aan wie so 'n kennisgewing beteken is, in gebreke bly om aan die voorwaardes daarvan te voldoen, kan die Raad die perseel betree ten opsigte waarvan so 'n oorlas bestaan of waarskynlik weer sal voorkom en self die werk uitvoer wat nodig is om die oorlas te verwyder of uit die weg te ruim en die herhaling daarvan te voorkom, na gelang van die geval. Die Raad kan op sodanige voornoemde persoon die bedrag verhaal van enige koste deur die Raad aangegaan by die uitvoer van sodanige werk en sodanige persoon moet, op aanvraag, sodanige bedrag aan die Raad terugbetaal.

(3) Waar dit blyk dat 'n oorlas wat binne die lokasie bestaan, óf geheel óf ten dele veroorsaak is deur die optrede of versuim van iemand buite die lokasie, is die bepaling van hierdie regulasie *mutatis mutandis* van toepassing op sodanige persoon ten opsigte van sodanige optrede of versuim.

PERSELE MOET SINDELIK EN VRY VAN ONOGLIKE OPHOPINGS GEHOU WORD.

114. Elke persoon is verplig om enige perseel wat aan hom behoort of wat hy bewoon, sindelik en skoon te hou van vullis, puin, afval, glas, papier, vodde, blikke, rommel, onkruid en struikgewasse wat onooglik is of tot 'n oorlas kan word of nadelig vir die gesondheid kan wees of wat moontlik aanstoot aan die inwoners van die

PREVENTION OF MOSQUITO BREEDING, FLY BREEDING AND RAT HARBOURAGE.

115. (a) No person shall —

- (i) place, throw or leave or permit to remain on any premises any refuse or other matter whatsoever in such a manner or for such a time as to favour the breeding of flies, or to encourage rats or other vermin to frequent such premises;
- (ii) use manure for gardening purposes that is not so manured or well rotted as to be incapable of breeding flies;
- (iii) store or keep manure except in such manner as to preclude the open attraction and breeding of flies.

(b) Every person shall —

- (i) keep any premises of which he is the owner or occupier free from stagnant water and from articles such as bottles or crockery, whether whole or broken, tins, tanks, and similar articles which may contain water;
- (ii) provide all tanks, barrels and similar containers on any premises of which he is the owner or occupier, with covers of wood or metal, and screen with mosquito wire netting all openings other than the delivery exit;
- (iii) maintain all gutters and downpipes on any premises of which he is the owner or occupier free from sagging and from obstructions such as mud, leaves and other substances so as to prevent the accumulation of water therein;
- (iv) take adequate measure to protect from mosquitoes, the water in ponds, excavations or wells, on any premises of which he is the owner or occupier by filling in, draining off, or covering with oil at least every seven (7) days such ponds, excavations or wells, or, in the case of wells, providing a mosquito-proof cover and a pump.

FOULING AND LITTERING PUBLIC PLACES AND OPEN SPACES.

116. No person shall throw, deposit or drop or cause or permit to be thrown, deposited or dropped —

- (a) any filth, rubbish or refuse in or on any public place;
- (b) any filth, rubbish, glass, tins, paper, dead animals waste or flushing water or other refuse whether liquid or solid, in or on any street, road, bridge, thoroughfare, open space, vacant stand or erf, spruit or watercourse, or cause or permit any such liquid to flow into any such place.

BATHING AND WASHING IN PUBLIC PLACES AND OPEN SPACES.

117. No person shall bath or wash himself or any other person or any clothing, vehicle, animals or any articles or utensil in any place other than a place set aside by the Council for this purpose.

PPREVENTION OF DUST NUISANCE.

118. No person shall cause or permit to be discharged into the surrounding atmosphere from any building or structure in the course of erection or demolition or from any premises at any time any dust in such quantities or in such a manner as to be offensive, injurious or dangerous to health.

BURNING OF REFUSE.

119. No person shall burn any stable litter, trade waste, weeds or other refuse in such a manner as to be a nuisance or offensive, injurious or dangerous to health.

VOORKOMING VAN DIE UITBROEI VAN VLEEË EN MUSKIETE EN SKUILPPLEK VIR ROTTE.

115. (a) Niemand mag —

- (i) enige afval of ander stof hoegenaamd, op 'n perseel plaas, uitgooi of laat staan of toelaat dat dit daar bly op so 'n wyse en vir so 'n tydperk dat dit die uitbroei van vlieë bevorder nie of dat dit rotte of ander ongedierte na so 'n perseel aanlok nie;
- (ii) mis vir tuinmaakdoeleindes gebruik nie tensy dit op so 'n wyse bewerk of so goed verrot is dat daar geen vlieë in kan broei nie;
- (iii) mis opberg of aanhou, behalwe op so 'n manier dat dit nie ooplê sodat vlieë aangelok word en daarin broei nie.

(b) Elke persoon moet —

- (i) enige perseel waarvan hy die eienaar of bewoner is, vry hou van stilstaande water en van artikels soos bottles of breekgoed, hetsy heel of gebreek, blikke, tenke en dergelike artikels waarin water kan staan;
- (ii) alle tenke, vate en dergelike houers op enige persele waarvan hy die eienaar of bewoner is, van bedekkings van hout of metaal voorsien en alle openinge, behalwe die opening waaruit die inhoud gegooi word, met muskietgaasdraad bedek;
- (iii) alle geute en afleipype op enige perseel waarvan hy die eienaar of bewoner is, reguit en skoon hou van verstoppings veroorsaak deur modder, blare en ander voorwerpe, om sodoende te verhoed dat water daarin sal opgaar;
- (iv) doeltreffende maatreëls tref om die water in poele, uitgrawings of putte op enige perseel waarvan hy die eienaar of bewoner is, teen muskiete te beskerm deur sodanige poele, uitgrawings of putte op te vul, te dreineer of minstens elke sewe (7) dae met olie te bedek of, in die geval van putte deur dit van 'n muskietvrye bedekking en pomp te voorsien.

BEVUILING EN BESTROOING VAN PUBLIEKE PLEKKE EN OOP RUIMTES.

116. Niemand mag —

- (a) vullis, vuilgoed of afval in of op 'n publieke plek gooi, stort of laat val, of veroorsaak of toelaat dat dit daar gegooi of gestort of laat val word nie;
- (b) vullis, vuilgoed, glas, blikke, papier, dooie diere, afval- of spoelwater of ander afval, hetsy vloeibaar of vas, in of op 'n straat, pad, brug, verkeersweg, oop ruimte, oop bouperseel of erf, spruit of waterloop gooi, stort of laat val of veroorsaak of toelaat dat dit daar gegooi of gestort of laat val word nie, of veroorsaak of toelaat dat enige sodanige vloeistof in so 'n plek uitloop nie.

BAD EN WAS IN PUBLIEKE PLEKKE EN OOP RUIMTES.

117. Niemand mag homself of iemand anders of klere, voertuie, diere of 'n artikel, werktuig of gereedskap op 'n ander plek as dié wat deur die Raad daarvoor afgesonder is, bad of was nie.

VOORKOMING VAN OORLAS VAN STOF.

118. Niemand mag veroorsaak of toelaat dat stof uit 'n gebou of bouwerk wat opgerig of gesloop word, of uit enige perseel te eniger tyd in so 'n hoeveelheid of op so 'n wyse in die buitlug ontlast word dat dit aanstootlik, nadelig of gevaarlik vir die gesondheid is nie.

VERBRANDING VAN AFVAL.

119. Niemand mag stalmis, bedryfsafval, onkruid of ander vullis op so 'n manier verbrand dat dit 'n oorlas of aanstootlik, nadelig of gevaarlik vir die gesondheid is.

**PROHIBITION AGAINST USE OF PAIL CLOSET
UNDER SAME ROOF AS DWELLING.**

120. No person shall provide, construct, fix, retain or use any pail closet inside or under the same roof as any dwelling.

**SCREENING OF CLOSETS, URINALS AND
LATRINES.**

121. The owner of any premises on which a closet, urinal or latrine is provided, shall screen both the entrance and the pail recess thereof from public view and shall also have such closet, urinal or latrine suitably and effectively fly-screened.

**CLOSETS, LATRINES, URINALS, YARDS AND
APPROACHES THERETO TO BE KEPT CLEAN.**

122. (1) Every yard and every approach thereto and every closet, latrine and urinal shall at all times be kept in a clean and tidy condition, and the owner and occupier and every person in control of such yard or the approach thereto or of any closet, latrine or urinal shall be jointly and severally liable for the due observance of this sub-regulation; provided that, except in the case of premises occupied by a number of tenants where any portion of such premises is available for the common use of such tenants, the owner shall not be convicted of a breach of this sub-regulation if he shall prove to the satisfaction of the court that he had no reasonable opportunity of ensuring that this sub-regulation was complied with.

(2) Where the owner or occupier or person in control of any closet, latrine, urinal, yard or approach thereto, has failed to comply with a notice from the Council calling upon him to cause such place to be cleaned, the Council may itself cause such place to be cleaned and may recover from any owner, occupier or person in control thereof the amount of such expenses incurred by it in respect thereof and such person shall, on demand, refund such amount to the Council.

IMPROPER USE OF LATRINES AND URINALS.

123. No person shall make any improper or unclean use of any latrine or urinal.

DAMAGE TO SANITARY FITTINGS.

124. No person shall wilfully or negligently damage or cause or permit to be damaged, any earth-closet, water-closet, pail-closet, privy, asphit, ash-bin, urinal sink, fixed bath or basin, wastepipe, drain or slop-tank in or in connection with any building.

**ONLY DOMESTIC REFUSE TO BE PLACED IN
RECEPTACLES FOR DOMESTIC REFUSE.**

125. No person shall place any bricks, grass, sand, loppings of trees, hedges or fences or garden refuse or any such matter or thing which is not household refuse in any receptacle for domestic refuse.

DISPOSAL OF DEAD ANIMALS.

126. (1) The owner of any animal which dies within the location shall, within 24 hours of the death thereof cause the carcass to be disposed of in such a manner as to prevent any nuisance or danger to health or annoyance to the occupants of any premises in the neighbourhood.

(2) The Council may, at the request of the owner of such dead animal, carry out the disposal of the carcass at the rate laid down from time to time, and the person liable for causing such carcass to be disposed of as above

**VERBOD OP GEBRUIK VAN EMMERKLOSET ONDER
DIESELFDE DAK AS 'N WOONHUIS.**

120. Niemand mag enige emmerkloset binne of onder dieselfde dak as 'n woonhuis verskaf, maak, oprig, behou of gebruik nie.

**VERBERGING VAN KLOSETTE, URINOIRS EN
LATRINES.**

121. Die eienaar van 'n perseel waarop 'n kloset, urinoir of latrine verskaf word, moet sowel die ingang daarvan as die emmerafskorting vir die gesig van die publiek verberg, en moet ook toesien dat so 'n kloset, urinoir of latrine behoorlik en doeltreffend teen vlieë beskut is.

**KLOSETTE, LATRINES, URINOIRS, AGTERPLASE
EN TOEGANGE DAARTOE MOET SINDELIK GEHOU
WORD.**

122. (1) Iedere agterplaas en iedere toegang daartoe, en iedere kloset, latrine en urinoir moet op alle tye in 'n sindelike en netjiese toestand gehou word, en die eienaar en bewoner en iedereen wat beheer het oor so 'n agterplaas of die toegang daartoe of oor enige kloset, latrine of urinoir is gesamentlik en afsonderlik aanspreeklik vir die behoorlike nakoming van die bepalings van hierdie subregulasie; met dien verstande dat, behalwe in die geval van 'n perseel deur 'n aantal huurders bewoon, waar enige gedeelte van sodanige perseel beskikbaar is vir die gemeenskaplike gebruik van sodanige huurders, die eienaar nie weens 'n oortreding van hierdie subregulasie skuldig bevind kan word indien hy tot tevredenheid van die hof kan bewys dat hy geen redelike geleentheid gehad het om te verseker dat aan die bepalings van hierdie subregulasie voldoen word nie.

(2) Waar die eienaar of bewoner of persoon wat die beheer het oor enige kloset, latrine, urinoir, agterplaas of toegang daartoe, in gebreke gebly het om te voldoen aan 'n kennisgewing van die Raad waarin hy gelas word om so 'n plek te laat skoonmaak, kan die Raad self sodanige plek laat skoonmaak en of enige sodanige eienaar, bewoner of persoon wat die beheer daarvoor het, die bedrag verhaal van die koste wat die Raad ten opsigte daarvan aangegaan het en sodanige persoon moet dan, op aanvraag, sodanige bedrag aan die Raad terugbetaal.

**ONBEHOORLIKE GEBRUIK VAN LATRINES EN
URINOIRS.**

123. Niemand mag 'n latrine of urinoir op 'n onbehoorlike of onsindelike wyse gebruik nie.

BESKADIGING VAN SANITÊRE INRIGTINGS.

124. Niemand mag 'n putgemak, waterkloset, emmerkloset, privaat, asput, asbak, urinoir, opwasbak, vaste bad of wasbak, afvoerpyp, riool of vuilwatertenk in of in verband met enige gebou moedswillig of weens nalatigheid beskadig of laat beskadig of toelaat dat die beskadig word nie.

**SLEGS HUISVULLIS MAG IN BAK VIR HUISVULLIS
GEPLAAS WORD.**

125. Niemand mag bakstene, gras, sand, snoeisels van bome, hegge of heinings, of tuinvullis, of enigiets of enige voorwerp wat nie huisvullis is nie, in 'n bak vir huisvullis plaas nie.

WEGDOEN VAN DOOIE DIERE.

126. (1) Die eienaar van 'n dier wat binne die lokasie doodgaan, moet binne 24 uur na die dood daarvan die karkas laat wegdoen op so 'n wyse dat daar geen oorlas of gevaar vir die gesondheid of ergernis vir die bewoners van enige persele in die omgewing ontstaan nie.

(2) Die Raad kan op versoek van die eienaar van so 'n dooie dier, die wegdoen van die karkas uitvoer teen die tarief soos van tyd tot tyd bepaal, en die persoon wat aanspreeklik is vir die wegdoen van so 'n karkas soos

provided shall on demand pay the amount of such rate to the Council.

INTERFERENCE WITH TRAPS FOR RODENTS OR CAGE-TRAPS FOR DOGS.

127. No person shall remove, destroy, interfere or tamper with any contrivance or mechanism for the catching or destruction of rodents or dogs which has been set or placed on any premises by any servant of the Council acting in the course of his duty.

FURNISHING INFORMATION TO TRACE SOURCE OF INFECTIOUS DISEASE.

128. Every person shall, on demand, furnish the Medical Officer of Health with any information, document or other evidence in the possession of such person required for the purpose of tracing the source and preventing the spread of infection.

OFFENCES AND PENALTIES.

129. Any person who —

- (a) contravenes or fails to comply with the provisions of sub-regulation (1) or (2) of regulation 111, regulations 114, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127 and 128; or
- (b) obstructs or hampers or attempts to obstruct or hamper the Medical Officer of Health or the Superintendent or any other authorised officer in the lawful performance of his duties in terms of these regulations, or who neglects or refuses to allow such Medical Officer of Health, Superintendent or authorised officer to enter upon any premises in the execution of such duties, shall be guilty of an offence and shall be subject to the penalties prescribed in Section 36 of the Proclamation.

CHAPTER VIII.

NATIVE ADVISORY BOARD.

CONSTITUTION OF NATIVE ADVISORY BOARD.

130. (1) For each location under the control and jurisdiction of the Council there shall be established a Native advisory board which shall consist of one representative for each ward elected in the manner hereinafter prescribed and not more than three members appointed by the Council.

(2) Should the registered occupiers of any ward in respect of which any election is held in terms of these regulations for any reason whatsoever fail duly to nominate and elect a member, the Council may appoint as a member of the advisory board for that ward a duly qualified person and such person shall then be deemed to have been duly elected.

(3) A member of the Council or another White person who is conversant with Native affairs, shall be the chairman of the advisory board. The chairman shall preside at meetings of the advisory board and generally act in an advisory capacity in regard to it, but shall not have a vote. In the absence of the chairman from any meeting, his deputy shall take the chair and he shall perform all the functions and duties of the chairman in connection with the meeting over which he presides.

WARDS.

131. (1) For the purpose of the election of members of the advisory board the location shall be divided into wards, provided that at the time of promulgation of these regulations, the location shall be divided into three wards.

(2) The Superintendent shall, as soon as practicable,

hierbo bepaal, moet op aanvraag die bedrag van sodanige gelde aan die Raad betaal.

BEMOEIING MET VALLE VIR KNAAGDIERE OF VANGHOKKE VIR HONDE.

127. Niemand mag enige toestel of meganisme wat vir die vang of uitroei van knaagdiere of honde gestel of geplaas is deur 'n beampete van die Raad in die uitvoering van sy plig, verwyder, vernietig, daaraan peuter of hom daarmee bemoei nie.

VERSKAFFING VAN INLIGTING OM BRON VAN BESMETLIKE SIEKTE OP TE SPOOR.

128. Iedereen moet, op aanvraag, die geneeskundige gesondheidsbeampte voorsien van alle inligting, dokumente of ander getuienis in besit van sodanige persoon, wat nodig is om die oorsprong van besmetting op te spoor en die verspreiding daarvan te voorkom.

MISDRYWE EN STRAFBEPALINGS.

129. Enigeen wat —

- (a) die bepalings van subregulasie (1) of (2) van regulasie 111, regulasie 114, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127 of 128 oortree of in gebreke bly om daaraan te voldoen; of
- (b) die geneeskundige gesondheidsbeampte, superintendent of enige gemagtigde beampte in die wettige uitvoering van sy plig kragtens hierdie regulasies belemmer of verhinder of probeer belemmer of verhinder, of versuim of weier om sodanige geneeskundige gesondheidsbeampte, Superintendent of gemagtigde beampte toe te laat om enige perseel in die uitvoering van sodanige plig te betree,

begaan 'n misdryf en is strafbaar met die strawwe voorgeskryf in artikel *ses-en-dertig* van die Proklamasie.

HOOFSTUK VIII.

INBOORLINGADVIESRAAD.

SAMESTELLING VAN INBOORLINGADVIESRAAD.

130. (1) Vir elke lokasie onder die beheer en jurisdiksie van die Raad word 'n inboorlingadviesraad ingestel, wat bestaan uit een verteenwoordiger vir elke wyk, verkies op die wyse hieronder voorgeskryf, en hoogstens drie lede deur die Raad benoem.

(2) As die geregistreerde bewoners van enige wyk ten opsigte waarvan 'n verkiesing ingevolge hierdie regulasies gehou word, om watter rede ook al, versuim om 'n lid behoorlik te nominier en te verkies, kan die Raad 'n behoorlik gekwalifiseerde persoon vir daardie wyk tot lid van die adviserende komitee genoem en sodanige persoon word dan as behoorlik verkose beskou.

(3) 'n Lid van die Raad of 'n ander Blanke wat vertrou is met inboorlingsake is voorsitter van die adviesraad. Die voorsitter moet by vergaderings van die adviesraad voorsit en in die algemeen in 'n raadgewende hoedanigheid vir die Raad optree, maar het nie 'n stem nie. As die voorsitter van 'n vergadering afwesig is, moet sy plaasvervanger die voorsitterstoel inneem en moet hy al die funksies en pligte van die voorsitter in verband met die vergadering waarop hy voorsit, uitoefen en vervul.

WYKE.

131. (1) Vir die doel van die verkiesing van lede van die adviesraad word die lokasie in wyke verdeel met dien verstande dat by die afkondiging van hierdie regulasies die lokasie in drie wyke verdeel moet word.

(2) Die bestuurder moet so spoedig moontlik die

These boundaries shall be determined in such a manner that the number of voters in each ward shall, as far as possible be equal, and the wards shall as far as possible, coincide with the ethnic grouping of the inhabitants.

(3) Notification of every such division shall be conspicuously displayed at the office of the Superintendent.

(4) Upon a petition presented to it by the Advisory Board or upon its own motion, the Council may, subject to the provisions of these regulations —

- (a) increase or decrease the number of wards in the location;
- (b) alter the boundaries of existing wards; provided, however, that such alteration shall only take effect at the next ensuing election. The provisions of sub-regulations (3) and (4) shall *mutatis mutandis* apply to any such alteration.

QUALIFICATION OF MEMBERS.

132. No person other than the chairman shall be eligible for election or appointment to the Advisory Board who —

- (a) is not lawfully residing in the location; or
- (b) being a registered occupier in the location, has not paid all rent and other charges due by him to the Council up to the end of the month preceding his nomination or appointment; or
- (c) has, within the period of two years immediately preceding the date of his nomination or appointment, been convicted of an offence in respect of which he has been sentenced to imprisonment without the option of a fine for a period of more than seven days or with the option of a fine for a period of more than one month; or
- (d) has, within the period mentioned in paragraph (c) hereof, been convicted of any contravention of the location regulations or any amendment thereof; or
- (e) by reason of any physical or mental disability is unfit to hold office as a member of the advisory board; or
- (f) is in the service of the Council, except with the written permission of the Council.

NOTICE OF NOMINATION.

133. The Superintendent shall annually, not later than the first day of September, convene a meeting of the registered occupiers in the location for the purpose of explaining to them these regulations and of calling for the nomination of candidates for the election of members of the advisory board for the ensuing three years from 1st October of that year, but subject to the provisions of regulation 145, notice of such meeting shall be given by posting a notice thereof during the month of August of each year on the notice board at the office of the Superintendent and in a conspicuous place in each ward for a period of not less than fourteen days, provided that such meeting shall not be held on a Sunday, Good Friday, Ascension Day, Christmas Day or the Day of the Covenant.

PROCEDURE WHERE NO ADVISORY BOARD EXISTS.

134. Where no advisory board is in existence at the date of promulgation of these regulations, or where, for some reason or other, an advisory board has not been properly constituted in terms of these regulations, or when it becomes necessary to hold a by-election in terms of sub-regulation (4) of regulation 146, the Superintendent shall, as soon as may be, issue a notice convening a meeting of registered occupiers resident within the location

op so 'n wyse vasgestel word dat die getal stemgeregtigdes in elke wyk sover moontlik gelyk is, en die wyke moet sover prakties moontlik saamval met die etniese groepering van die inwoners.

(3) Kennisgewing van elke sodanige verdeling moet duidelik by die kantoor van die Superintendent vertoon word.

(4) Die Raad kan, indien 'n versoekskrif deur die adviesraad aan hom voorgelê word of uit eie beweging en behoudens die bepalings van die regulasies —

- (a) die getal wyke in die lokasie vermeerder of verminder;
- (b) die grense van bestaande wyke verander; met dien verstande egter dat sodanige verandering eers by die volgende verkiesing van krag word. Die bepalings van subregulasies (3) en (4) is *mutatis mutandis* op enige sodanige verandering van toepassing.

BEVOEGDHEID VAN LEDE.

132. Niemand behalwe die voorsitter is bevoeg om tot lid van die adviesraad verkies of benoem te word nie wat —

- (a) nie 'n wettige inwoner van die lokasie is nie; of
- (b) terwyl hy 'n geregistreerde bewoner van die lokasie is, nie alle huur en ander vorderings wat deur hom verskuldig is aan die Raad tot aan die end van die maand wat sy nominasie of benoeming voorafgaan, betaal het nie; of
- (c) binne die tydperk van twee jaar onmiddellik voor die datum van sy nominasie of benoeming skuldig bevind is aan 'n misdryf waarvoor hy gevonnissen is tot gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van meer as sewe dae, of met die keuse van 'n boete vir 'n tydperk van meer as een maand; of
- (d) binne die tydperk genoem in paragraaf (c) hiervan skuldig bevind is aan oortreding van die lokasieregulasies of wysigings daarvan; of
- (e) liggaamlik of verstandelik onbevoeg is om die amp van lid van die adviesraad te beklee; of
- (f) in diens van die Raad is tensy die Raad skriftelik in sy verkiesing of benoeming toestem.

KENNISGEWING VAN NOMINASIE.

133. Die Superintendent moet, jaarliks, nie later as die eerste dag van September nie, 'n vergadering van die geregistreerde bewoners van die lokasie belê ten einde hierdie regulasies aan hulle te verduidelik en om te vra om nominasies van kandidate vir die verkiesing van lede van die adviesraad vir die volgende drie jaar van 1 Oktober van daardie jaar af, maar behoudens die bepalings van regulasie 145; sodanige vergadering moet bekendgemaak word deur gedurende Augustus van elke jaar 'n kennisgewing op die aanplakbord by die kantoor van die Superintendent en op 'n in die ooglopende plek in elke wyk vir 'n tydperk van minstens 14 dae aan te plak; met dien verstande dat sodanige vergadering nie gehou word op 'n Sondag, Goeie Vrydag, Hemelvaartdag, Kersdag of Geloftedag nie.

PROSEDURE WAAR GEEN ADVIESRAAD BESTAAN NIE.

134. Waar daar geen adviesraad op die datum waarop hierdie regulasies afgekondig word, bestaan nie, of waar om die een of ander rede 'n adviesraad nie behoorlik volgens voorskrif van hierdie regulasies saamgestel is nie, of wanneer dit nodig word om 'n tussenverkiesing in gevolge subregulasie (4) van regulasie 146 te hou, reik die Superintendent so gou moontlik 'n kennisgewing uit waarby 'n vergadering van die geregistreerde bewoners van die lokasie belê word met die doel om hierdie regula-

for the purpose of explaining these regulations to them and of calling for nominations of candidates for the election of the required number of members of the advisory board. Thereafter the election of such members and, where necessary, the constitution of an advisory board in terms of these regulations shall be proceeded with. The members of an advisory board constituted in terms of this regulation, shall remain in office until 30th September of the third year after their election or appointment, but may be elected or appointed for any subsequent period of three years, subject, however, to the provisions of regulation 145 and sub-regulation (5) of regulation 146.

NOMINATIONS TO BE IN WRITING.

135. (1) Nominations for candidates for election as members of the advisory board shall be submitted in writing to the Superintendent and shall be supported by the signatures or marks, duly witnessed, of not less than ten registered occupiers resident in the ward in respect of which the nominations are made and each of whom shall have paid all moneys due by him to the Council as rent, fees or charges under these regulations up to the end of the month preceding that in which the nominations are called for, and shall be accompanied by the nominated person's written acceptance of the nomination.

(2) Such nominations shall be lodged with the Superintendent not later than the seventh day after the date of the nomination meeting referred to in regulation 133 or 134. The Manager shall, after the receipt of the nominations, examine them and shall lodge them, with his report thereon, with the returning officer.

(3) The returning officer shall as soon as practicable after the period for lodging such nominations has expired, affix on the notice board at the office of the Superintendent a list of the candidates nominated and a notice convening a further meeting of the registered occupiers of the location, which meeting shall be held not less than ten and not more than fourteen days after the period for lodging such nominations has expired, and on a day other than a Sunday, Good Friday, Ascension Day, Christmas Day or Day of the Covenant.

ANNOUNCEMENT OF NOMINATIONS.

136. At the meeting held in terms of the last preceding regulation the returning officer shall announce the names of the nominees in respect of each ward concerned, and if not more than one qualified candidate has been nominated in respect of each ward concerned, he shall declare such candidate to be duly elected as a member of the advisory board for that ward. In the event of more than one qualified candidate having been nominated in respect of any one ward, the returning officer shall appoint a day, other than a Sunday, Good Friday, Ascension Day, Christmas Day or Day of the Covenant on which a poll shall be held for the election of one candidate for the ward in respect of which more than one candidate has been nominated, not more than ten days after the holding of the said meeting, and shall announce for what period, being not less than two hours between the hours of 8 a.m. and 9 p.m. the poll shall be open on such day and the place at which the poll shall be held. The returning officer shall fix the hours during which the poll shall be open with due regard to the convenience of the majority of the registered occupiers of the location.

POLLING DAY.

137. The returning officer shall cause to be posted on the notice board at the office of the Superintendent not less than seven days before the polling day, a notice intimating the date upon which, the place at which and the hours during which the poll will be held.

THE RECORDING OF VOTES.

138. The returning officer shall attend during the hours and at the place fixed for the poll and shall record the votes given for each candidate.

sies aan hulle te verduidelik en om te vra om nominasies van kandidate vir die verkiesing van die vereiste getal lede van die adviesraad en daarna word met die verkiesing van sodanige lede en waar nodig, met die samestelling van 'n adviesraad ooreenkomstig die bepalings van hierdie regulasies voortgegaan. Die lede van 'n adviesraad wat ooreenkomstig hierdie regulasie saamgestel is, beklee hul ampte tot 30 September van die derde jaar volgende op hul verkiesing of aanstelling maar kan vir enige daaropvolgende tydperk van drie jaar verkies of aangestel word maar behoudens die bepalings van regulasie 145 en subregulasie (5) van regulasie 146.

NOMINASIES MOET SKRIFTELIK WEES.

135. (1) Nominasies van kandidate vir verkiesing tot lede van die adviesraad moet skriftelik by die Superintendent ingedien word en moet die handtekenings of merke, behoorlik deur getuies gestaaf, dra van minstens 10 geregistreerde bewoners woonagtig in die wyk ten opsigte waarvan die nominasie gedoen is en van wie elkeen alle gelde deur hom verskuldig aan die Raad betaal het ten opsigte van huur, gelde of vorderings ingevolge hierdie regulasies, tot aan die end van die maand voor dié waarin daar om nominasies gevra is, en moet vergesel gaan van die genomineerde persoon se skriftelike aanvaarding van die nominasie.

(2) Hierdie nominasies moet ten laatste op die sewende dag na die datum van die nominasievergadering, vermeld in regulasie 133 of 134, by die Superintendent ingedien word. Die Superintendent moet na die ontvangs van die nominasies, hulle ondersoek en hulle dan, met sy verslag daaroor, by die kiesbeampte indien.

(3) Die kiesbeampte moet, sodra moontlik nadat die tydperk vir indiening van hierdie nominasies verstryk het, 'n lys van genomineerde kandidate op die aanplakbord by die kantoor van die Superintendent aanplak, asook 'n kennisgewing waarby 'n verdere vergadering van die geregistreerde bewoners van die lokasie belê word. Hierdie vergadering moet gehou word minstens 10 en hoogstens 14 dae nadat die tydperk vir die indiening van sodanige nominasies verstryk het op 'n dag uitgesonderd 'n Sondag, Goeie Vrydag, Hemelvaartdag, Kersdag of Geloftedag.

BEKENDMAKING VAN NOMINASIES.

136. Op die vergadering, gehou ingevolge die voorgaande regulasie, moet die kiesbeampte die name van die genomineerdes ten opsigte van elke betrokke wyk aankondig en as daar nie meer as een bevoegde kandidaat ten opsigte van elke betrokke wyk genomineer is nie, moet hy sodanige kandidaat tot behoorlik verkose lid van die adviesraad vir daardie wyk verklaar. Ingeval meer as een bevoegde kandidaat ten opsigte van enige afsonderlike wyk genomineer is, moet die kiesbeampte 'n dag uitgesonderd 'n Sondag, Goeie Vrydag, Hemelvaartdag, Kersdag of Geloftedag vasstel waarop 'n stemming gehou moet word vir die verkiesing van een kandidaat vir die wyk ten opsigte waarvan meer as een kandidaat genomineer is, hoogstens 10 dae na vermelde vergadering en moet hy aankondig hoe lank, maar minstens twee uur, tussen 8 vm. en 9 nm., en waar daar op sodanige dag gestem kan word. Die kiesbeampte moet die gerief van die meeste van die geregistreerde bewoners van die lokasie in aanmerking neem as hy die ure vasstel wanneer daar gestem kan word.

STEMDAG.

137. Minstens sewe dae voor die stembag moet die kiesbeampte 'n kennisgewing wat die datum, plek en tyd van stemming bekendmaak, op die aanplakbord by die kantoor van die Superintendent laat aanplak.

AAANTEKENING VAN STEMME.

138. Die kiesbeampte moet aanwesig wees gedurende die ure en op die plek wat vir die stemming vasgestel is en moet die stemme, wat op elke kandidaat uitgebring word, aanteken.

POLLING STATION.

139. No person other than the returning officer, his assistants and the person at the time recording his vote shall be admitted to the polling station.

QUALIFICATION OF VOTERS.

140. (1) No person other than a male registered occupier of the location who appears to the returning officer to have attained the age of eighteen years and who, during the polling hours fixed for any election, produces to the returning officer a receipt showing that he is not more than two months in arrear with his rent and any other charges due by him to the Council in terms of the location regulations, shall be permitted to take part in such elections.

(2) Every person who is entitled to vote shall be permitted to vote for one of the candidates for his ward only.

MANNER OF VOTING.

141. The returning officer, after satisfying himself that the person desirous of recording his vote is entitled to do so, shall ask him for which candidate nominated in respect of the ward where the registered occupier is resident he wishes to vote, and shall record the vote given any such candidate by placing on a list of names of the nominated candidates, a mark opposite the name of the nominated candidate named by the elector. The returning officer shall thereupon mark such person's receipt referred to in Regulation 140, so as to show that he has recorded his vote.

RESULT OF ELECTION.

142. As soon after the closing of the poll as practicable the returning officer shall count the votes given for each candidate for election and shall declare the candidates who have received the greatest number of votes to be duly elected as members of the Advisory Board for their respective wards.

DETERMINATION IN EVENT OF EQUAL NUMBER OF VOTES.

143. If two or more candidates for election receive an equal number of votes, the successful candidate shall be determined by the casting of lots in the presence of the returning officer and in the manner prescribed by him.

NOTIFICATION OF MEMBERS APPOINTED BY COUNCIL.

144. The names of the members of the advisory board appointed by the Council, in terms of regulation 130 shall be notified by posting a notice on the notice board at the office of the Superintendent as soon as practicable after the announcement of the names of the elected members in terms of regulation 136 or 142.

TERM OF OFFICE OF MEMBERS.

145. (1) Subject to the provisions of regulation 146 of these regulations the members of the advisory board shall hold office for a period of three years; provided that, at the first election of an advisory board in terms of these regulations, that one-third of the elected members who received the least number of votes shall remain in office for a period of one year only, and that one third of the elected members who received the second least number of votes, shall remain in office for a period of two years only; thereafter the election in respect of that one-third of the members who remained in office for a period of three years, shall take place annually.

(2) Members may be re-elected or re-appointed on the expiry of their term of office.

STEMLOKAAL.

139. Niemand, behalwe die kiesbeampte, sy assistente en die persoon wat op daardie oomblik sy stem uitbring, mag in die stemlokaal toegelaat word nie.

STEMGEREGTIGDES.

140. (1) Niemand, behalwe 'n manlike geregistreerde bewoner van die lokasie wat vir die kiesbeampte 18 jaar of ouer voorkom en wat gedurende die ure wat vir 'n verkiesing vasgestel is, aan die kiesbeampte 'n kwitansie toon om te bewys dat sy huur en enige ander vorderings wat hy aan die Raad verskuldig is, in gevolge die lokasie-regulasies, nie meer as twee maande agterstallig is nie, word toegelaat om aan die verkiesing deel te neem nie.

(2) Iedereen wat geregtig is om te stem, word toegelaat om slegs vir een van die kandidate vir sy wyk te stem.

HOE GESTEM WORD.

141. Nadat hy daarvan oortuig is dat die persoon wat wil stem daartoe geregtig is, moet die kiesbeampte hom vra vir watter van die genomineerde kandidate ten opsigte van die wyk waar die geregistreerde bewoner woonagtig is, hy wil stem en moet hy die stemme wat op enige sodanige kandidaat uitgebring is, aanteken deur op 'n lys van name van die genomineerde kandidate 'n merk te plaas teenoor die naam van die genomineerde kandidaat deur die kieser genoem. Daarna moet die kiesbeampte 'n merk op so 'n persoon se kwitansie, genoem in regulasie 140, maak om aan te toon dat hy sy stem uitgebring het.

UITSLAG VAN VERKIESING.

142. So gou moontlik nadat die stembus gesluit is, moet die kiesbeampte die stemme wat op elke kandidaat vir die verkiesing uitgebring is, stel en moet hy die kandidaat wat die meeste stemme ontvang het, as behoorlik verkose verklaar tot lede van die adviesraad vir hulle onderskeie wyke.

BESLISSING INGEVAL VAN STAKING VAN STEMME

143. Ingeval eweveel stemme op twee of meer kandidate uitgebring word, word die suksesvolle kandidaat in die teenwoordigheid van die kiesbeampte, op 'n wyse deur hom voorgeskryf, deur loting aangewys.

BEKENDMAKING VAN LEDE DEUR DIE RAAD BENOEM.

144. Die name van die lede van die adviesraad wat ingevolge regulasie 130 deur die Raad benoem is, word bekendgemaak deur, so gou doenlik na die aankondiging van die name van die verkose lede ingevolge regulasie 136 of 142, 'n kennisgewing op die aanplakbord by die kantoor van die Superintendent aan te plak.

AMPSTERMYN VAN LEDE.

145. (1) Behoudens die bepalinge van regulasie 146 van hierdie regulasies, is die ampstermyne van die lede van die adviesraad 'n tydperk van drie jaar; met dien verstande dat met die eerste verkiesing van 'n adviesraad ingevolge die bepalinge van hierdie regulasies, die een derde van die verkose lede wat die minste stemme gekry het, vir 'n tydperk van net een jaar aanbly en die een derde van die verkose lede wat die tweede minste stemme gekry het vir 'n tydperk van net twee jaar aanbly; daarna vind die verkiesing elke jaar plaas ten opsigte van die een derde van die lede wat vir 'n tydperk van 3 jaar fungeer het.

(2) Lede kan weer verkies of benoem word na die verstrikking van hulle ampstermyne.

VACANCIES.

146. (1) Any member of the advisory board may, by giving notice in writing under his hand delivered to the chairman, resign his seat, which shall thereupon become vacant.

(2) The seat of any member shall *ipso facto* become vacant if such member —

- (a) is sentenced, in respect of a conviction for any offence to imprisonment without the option of a fine for a period of more than seven days, or with the option of a fine for a period of more than one month;
- (b) is convicted of any contravention of the location regulations;
- (c) being a registered occupier in the location, leaves or absents himself from such location without the consent of the advisory board, for a continuous period of not less than six weeks, after his election or appointment;
- (d) fails, without the leave of the chairman of the advisory board, to attend three consecutive meetings of such board; or withdraws from any meeting of the board without the consent of the board;
- (e) by reason of any physical or mental disability becomes unfit to continue in office as a member of the advisory board;
- (f) is inadvertently elected or appointed as a member of the advisory board, in spite of not being eligible for election or appointment thereto in terms of the provisions of regulation 132;
- (g) dies.

(3) If for any of the reasons set out in paragraphs (a) to (f) of sub-regulation (2) of this regulation a member's seat shall have become vacant, the Chairman shall cause a written notice under his hand to be delivered to such member's last known place of residence, advising him that his seat has become vacant.

(4) Upon a vacancy occurring in terms of sub-regulation (1) or (2) of this regulation, the chairman shall forthwith call upon the returning officer to hold a by-election in terms of these regulations to fill the vacancy; provided that if the said vacancy occurs between the first day of July and the 30th day of September, it shall not be necessary to hold an election and the Council may appoint a member to fill the vacancy. A member thus appointed shall be deemed to have been duly elected.

(5) Any member appointed or elected under sub-regulation (4) of this regulation shall hold office only for the unexpired portion of the term of office of the member in whose place he has been appointed or elected, but shall be eligible for election or appointment for any ensuing period of three years.

ORDINARY MEETINGS.

147. (1) The advisory board shall hold its first meeting after its constitution in terms of these regulations, at such time and place as the chairman may direct; Provided that such first meeting shall be held within a period of one month after the constitution of the advisory board.

(2) The ordinary meeting of the advisory board shall be held once a month on a day at a time to be decided by the chairman; Provided that, if for any reason such meeting cannot be held on the prescribed day, the chairman may fix another day therefor and in such event he shall, at least three days before such a meeting, inform each member thereof.

VAKATURES.

146. (1) 'n Lid van die adviesraad kan, deur 'n skriftelike kennisgewing onder sy hand by die voorsitter in te dien, sy setel bedank, wat dan vakant word.

(2) Die setel van 'n lid word *ipso facto* vakant as so 'n lid —

- (a) weens skuldigbevinding aan 'n misdryf gevonnisd word tot gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van meer as sewe dae of met die keuse van 'n boete vir 'n tydperk van meer as een maand;
- (b) skuldig bevind word aan 'n oortreding van die lokasieregulasies;
- (c) terwyl hy 'n geregistreerde bewoner van die lokasie is, so 'n lokasie verlaat of daaruit afwesig is sonder die toestemming van die adviesraad vir 'n ononderbroke tydperk van minstens ses weke na sy verkiesing of benoeming;
- (d) sonder die toestemming van die voorsitter van die adviesraad versuim om drie agtereenvolgende vergaderings van sodanige raad by te woon of hom sonder die toestemming van die voorsitter aan enige vergadering van die raad onttrek;
- (e) liggaamlik of verstandelik onbevoeg word om langer as lid van die adviesraad te fungeer;
- (f) per abuis tot lid van die adviesraad verkies of benoem word, hoewel hy nie bevoeg is om tot lid daarvan ingevolge die bepalings van regulasie 132 verkies of benoem te word nie; of
- (g) te sterwe kom.

(3) As die setel van 'n lid om enigeen van die redes vermeld in paragrawe (a) tot (f) van subregulasie (2) van hierdie regulasie, vakant word, moet die voorsitter 'n skriftelike kennisgewing onder sy hand aan so 'n lid se jongsbekende woonplek laat aflewer waarin hy meegedeel word dat sy setel vakant geword het.

(4) As 'n vakature ingevolge subregulasie (1) of (2) van hierdie regulasie ontstaan, moet die voorsitter dadelik die kiesbeampte gelas om 'n tussenverkiesing ooreenkomstig hierdie regulasies te hou ten einde die vakature aan te vul; met dien verstande dat as genoemde vakature tussen die eerste dag van Julie en die dertigste dag van September ontstaan, dit onnodig is om 'n verkiesing te hou en die Raad 'n lid kan benoem om die vakature aan te vul. 'n Aldus benoemde lid word as behoorlik verkose beskou.

(5) 'n Lid wat ingevolge subregulasie (4) van hierdie regulasie benoem of verkies word, fungeer slegs vir die onverstreke gedeelte van die ampstermyn van die lid in wie se plek hy benoem of verkies is, dog kan vir enige daaropvolgende tydperk van drie jaar benoem of verkies word.

GEWONE VERGADERINGS.

147. (1) Die adviesraad hou sy eerste vergadering na sy samestelling ingevolge hierdie regulasies, op 'n tyd en plek wat deur die voorsitter bepaal word; Met dien verstande dat so 'n eerste vergadering gehou word binne 'n tydperk van een maand na die samestelling van die adviesraad.

(2) Die gewone vergadering van die adviesraad moet een maal per maand op 'n dag en 'n tyd wat deur die voorsitter vasgestel word, gehou word; Met dien verstande dat as so 'n vergadering om die een of ander rede nie op die voorgeskrewe dag gehou kan word nie die voorsitter 'n ander dag daarvoor kan vasstel en in so 'n geval moet hy minstens drie dae voor so 'n vergadering elke lid daarvan in kennis stel.