

BUITENGEWONE  
**OFFISIËLE KOERANT**  
VAN SUIDWES-AFRIKA.  
**OFFICIAL GAZETTE**



UITGAWE OP GESAG.

EXTRAORDINARY  
OF SOUTH WEST AFRICA.

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**INHOUD**

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**Goewermentskennisgewing.**

**Government Notice.**

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

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

Kantoor van die Administrateur,  
Windhoek.

The following Government Notice is published for general information.

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

Administrator's Office,  
Windhoek.

No. 89.] [16 Junie 1967. No. 89.] [16 June 1967.

ORDONNANSIES, 1967: UITVAARDIGING VAN

ORDINANCES, 1967: PROMULGATION OF

Dit het die Administrateur behaag om sy goedkeuring te heg, ooreenkomstig artikel *twee-en-dertig* van „De Zuidwest-Afrika Konstitutie Wet 1925” (Wet 42 van 1925), aan die volgende Ordonnansies wat hiermee vir algemene inligting gepubliseer word, ooreenkomstig artikel *vier-en-dertig* van gemelde Wet:—

The Administrator has been pleased to assent, in terms of section *thirty-two* of the South West Africa Constitution Act, 1925 (Act 42 of 1925), to the following Ordinances which are hereby published for general information in terms of section *thirty-four* of the said Act:—

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No. 18 van 1967.]

**ORDONNANSIE**

Ter wysiging van die Huweliksordonnansie 1963, om voorsiening te maak vir die geldigheid in die Gebied van 'n kennisgewing van voorneme om te trou gepubliseer en 'n spesiale huwelikslisensie uitgereik in die Republiek van Suid-Afrika.

(Goedgekeur 12 Junie 1967)

(Afrikaanse teks deur die Administrateur geteken.)

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

Invoeging van artikel 17A in Ordonnansie 33 van 1963.

1. Die volgende artikel word hierby ingevoeg na artikel 17 van die Huweliksordonnansie 1963 (Ordonnansie 33 van 1963):—

„Kennisgewing van voorneme om te trou gepubliseer en spesiale huwelikslisensie uitgereik in die Republiek van Suid-Afrika geldig in die Gebied.

17A. (1) 'n Kennisgewing van voorneme om te trou gepubliseer of 'n spesiale huwelikslisensie uitgereik in die Republiek van Suid-Afrika, word by die toepassing van hierdie ordonnansie geag gepubliseer of uitgereik te gewees het, na gelang in die Gebied, maar 'n huweliksbevestiger mag nie na aanleiding daarvan 'n huwelik voltrek nie tensy aan hom die voorgeskrewe bewys voorgelê word dat die kennisgewing of lisensie behoorlik gepubliseer of uitgereik is, na gelang, ooreenkomstig die reg van die genoemde Republiek.

(2) Die bepalings van artikel 19 is *mutatis mutandis* met betrekking tot sodanige kennisgewing of lisensie van toepassing.”

Kort titel.

2. Hierdie ordonnansie heet die Huwelikswysigingsordonnansie 1967 en word beskou as in werking van die eerste dag van Januarie 1964.

No. 19 van 1967.]

**ORDONNANSIE**

ter wysiging van die Strafprosesordonnansie 1963 om voorsiening te maak vir die instelling van 'n hoërhof en verbandhoudende aangeleenthede.

(Goedgekeur 12 Junie 1967)

(Engelse teks deur die Administrateur geteken)

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika, met toestemming van die Staatspresident, dermate sodanige toestemming nodig is, vooraf verkreeë en deur boodskap van die Administrateur aan die Wetgewende Vergadering meegedeel ooreenkomstig die bepalings van artikel 26 van die Zuidwest Afrika Konstitusie Wet 1925 (Wet 42 van 1925) van die Republiek van Suid-Afrika, VERORDEN:—

Wysiging van artikel 113 van Ordonnansie 34 van 1963, soos vervang deur artikel 9 van Ordonnansie 35 van 1965.

1. Artikel 113 van die strafprosesordonnansie 1963 (Ordonnansie 34 van 1963) word hierby gewysig deur die vervanging van subartikel (2) deur die volgende subartikel:—

„(2) Minstens een van die persone wat ingevolge subartikel (1) as 'n assessor aangestel word moet 'n advokaat van die Hooggeregshof wees met minstens vyf jaar ervaring as sodanig of iemand wat die amp van landdros in die Republiek of in die Gebied beklee of bevoeg is om dit te beklee en die ander assessor wat aldus aangestel word kan 'n

No. 18 of 1967.]

**ORDINANCE**

To amend the Marriage Ordinance, 1963 to provide for the validity in the Territory of a notice of intention to marry published and a special marriage licence issued in the Republic of South Africa.

(Assented to 12th June, 1967)

(Afrikaans text signed by the Administrator)

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

1. The following section is hereby inserted after section 17 of the Marriage Ordinance, 1963 (Ordinance 33 of 1963):—

Insertion of section 17A in Ordinance 33 of 1963.

"Notice of intention to marry published and special marriage licence issued in the Republic of South Africa valid in the Territory.

17A. (1) A notice of intention to marry published or a special marriage licence issued in the Republic of South Africa, shall for the purposes of this Ordinance be regarded as having been so published or issued, as the case may be, in the Territory, but a marriage officer shall not solemnize any marriage in pursuance thereof unless there is produced to him the prescribed proof that such notice or licence was duly published or issued, as the case may be, according to the law of the said Republic.

(2) The provisions of section 19 shall *mutatis mutandis* apply with reference to such notice or licence."

2. This ordinance shall be called the Marriage Amendment Ordinance, 1967 and shall be deemed to have come into operation on the first day of January, 1964.

Short title.

No. 19 of 1967. ]

**ORDINANCE**

to amend the Criminal Procedure Ordinance, 1963, to provide for the constitution of a superior court and for matters incidental thereto.

(Assented to 12th June, 1967)

(English text signed by the Administrator)

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the State President in so far as such consent is necessary, previously obtained and communicated to the Legislative Assembly by message from the Administrator in accordance with the provisions of section 26 of the South West Africa Constitution Act, 1925 (Act 42 of 1925) of the Republic of South Africa, as follows:—

1. Section 113 of the Criminal Procedure Ordinance, 1963 (Ordinance 34 of 1963) is hereby amended by the substitution for sub-section (2) of the following sub-section:—

Amendment of section 113 of Ordinance 34 of 1963, as substituted by section 9 of Ordinance 35 of 1965.

"(2) At least one of the persons appointed as an assessor under sub-section (1) shall be an advocate of the Supreme Court of not less than five years standing or a person holding or qualified to hold within the Republic or the Territory the office of magistrate and the other assessor so appointed may be a person who, in the opinion of the judge, has

persoon wees wat na die oordeel van die regter bedrewe is in een of ander onderwerp wat waarskynlik by die verhoor oorweeg sal moet word.”

Kort titel.

2. Hierdie ordonnansie heet die Strafproseswysigings-ordonnansie 1967.

No. 20 van 1967.]

## ORDONNANSIE

Ter wysiging van die Ordonnansie op Staatshospitale 1966, om voorsiening te maak dat hospitale, inrigtings vir die opleiding van medici, verpleegsters, paramedici en ander aanverwante beroepe, en laboratoria wat dienste lewer aan sekere inrigtings en/of sodanige beroepe, insluit, en om voorsiening te maak vir verbandhoudende sake.

(Goedgekeur 12 Junie 1967)

(Engelse teks deur die Administrateur geteken)

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

Wysiging van artikel 2 van Ordonnansie 17 van 1966.

1. Artikel 2 van die Ordonnansie op Staatshospitale 1966 (Ordonnansie 17 van 1966) — hierna die hoofordonnansie genoem, word hierby gewysig deur die woordbepaling van „hospitaal” deur die volgende woordbepaling te vervang:—

„beteken ‚hospitaal’ enige inrigting, insluitende ’n kraaminrigting, ’n aansterkingstehuis, ’n kliniek en enige ander plek hoegenaamd waar persone behandeling of hospitaaldienste as binne en/of buitepasiënte ontvang; enige inrigting vir die opleiding van medici, verpleegsters, paramedici en enige ander verwante beroep; enige laboratorium wat dienste aan enige sodanige inrigting en-of beroep lewer, en omvat dit alle ander dienste wat met enige sodanige inrigting en beroep gepaard gaan, maar sluit dit uit ambulansdienste en ook ’n spreekkamer, behandelingskamer, apteek, laboratorium of opleidingsinrigting van ’n geneesheer waar slegs buitepasiënte behandel word, en waar sodanige geneesheer uitsluitlik sy private praktyk beoefen en dienste uitsluitlik ten behoeve van sy eie praktyk en pasiënte lewer.”

Wysiging van artikel 31 van Ordonnansie 17 van 1966.

2. Artikel 31 (3) van die hoofordonnansie word hierby gewysig deur die volgende woorde aan die einde daarvan by te voeg:—

„’n Registrasiesertifikaat uitgereik ten opsigte van ’n opleidingsinrigting genoem in die woordbepaling van ‚hospitaal’ in artikel 2 moet die doel van die betrokke opleiding en die maksimum getal leerlinge wat gelyktydig in sodanige inrigting opgelei kan word en enige ander bepaling wat die Administrateur by regulasie voorgeskryf het, vermeld, en so ’n sertifikaat uitgereik ten opsigte van ’n laboratorium genoem in die genoemde woordbepaling van ‚hospitaal’ moet die aard en omvang van die betrokke dienste wat deur sodanige laboratorium gelewer moet word en enige ander bepaling wat die Administrateur by regulasie voorgeskryf het, vermeld.”

Kort titel.

3. Hierdie ordonnansie heet die Wysigingsordonnansie op Staatshospitale 1967.

skill in any matter which may have to be considered at the trial.”.

2. This ordinance shall be called the Criminal Procedure Amendment Ordinance, 1967. Short title.

No. 20 of 1967.]

## ORDINANCE

To amend the State Hospitals Ordinance, 1966, in order to make provision that hospitals include institutions for the training of medical practitioners, nurses, paramedical practitioners and other relevant professions, and laboratories that render services to certain institutions and/or such professions, and to provide for matters incidental thereto.

(Assented to 12th June, 1967)

(English text signed by the Administrator)

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

1. Section 2 of the State Hospitals Ordinance, 1966, (Ordinance 17 of 1966), hereinafter referred to as the principal ordinance, is hereby amended by the substitution for the definition of “hospital” of the following definition:—

Amendment of section 2 of Ordinance 17 of 1966.

“ ‘hospital’ means any institution including a maternity home, a convalescent home, a clinic and any other place whatever where persons receive treatment or hospital services as in- and/or out-patients; any institution for the training of medical practitioners, nurses, paramedical practitioners and any other relevant profession; any laboratory that renders services to any such institution and/or profession, and includes all other services incidental to any such institution and profession, but excludes ambulance services and also the consulting room, surgery, dispensary laboratory or training institution of a medical practitioner where solely out-patients are treated, and where such medical practitioner exclusively carries out his private practice and renders services exclusively in favour of his own practice and patients”.

2. Section 31 (3) of the principal ordinance is hereby amended by the addition of the following words at the end thereof:—

Amendment of section 31 of Ordinance 17 of 1966.

“A registration certificate issued in respect of a training institution mentioned in the definition of ‘hospital’ in section 2, shall state the purpose of the particular training and the maximum number of students that can be trained simultaneously in such institution, and any other stipulation prescribed by the Administrator by regulation, and such certificate issued in respect of a laboratory mentioned in the said definition of “hospital” shall state the nature and extent of the particular services to be rendered by such laboratory and any other stipulation prescribed by the Administrator by regulation.”

3. This ordinance shall be called the State Hospitals Amendment Ordinance, 1967. Short title.

No. 21 van 1967.]

**ORDONNANSIE**

Ter wysiging van die Ordonnansie op Paaie 1962 om voorsiening te maak vir die oprigting van heinings aan weerskante van hoof-, groot- en distrikspaaie en omskepping van heinings in jakkalsdraadheinings en vir 'n bydrae tot sodanige afkamp of omskepping in plaas van die betaling van vergoeding vir die uitkakeling van motorroosterhekke.

(Goedgekeur 12 Junie 1967)

(Afrikaanse teks deur die Administrateur geteken)

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

1. Artikel 41 van die Ordonnansie op Paaie 1962 (Ordonnansie 28 van 1962) — hierna heet dit die hoofordonnansie — word hierby gewysig deur die vervanging van subartikel (3) deur die volgende subartikel:—

„(3) (a) Wanneer 'n eienaar, huurder of bewoner van 'n plaas 'n hoof-, groot- of distrikspad wat oor sy plaas loop aan weerskante wil afkamp sodat die noodsaaklikheid van motorroosterhekke in heinings oor daardie pad onnodig is, kan hy skriftelik by die Administrateur daarom aansoek doen en die Administrateur kan die aansoek goedkeur op voorwaarde dat die betrokke heinings moet voldoen aan die standaarde wat van tyd tot tyd deur hom bepaal word en voorts op voorwaardes wat hy goedvind: Met dien verstande dat geen vergoeding betaal word aan die betrokke eienaar, huurder of bewoner ten opsigte van weidingsverlies of koste van voorsiening van water as gevolg van die oprigting van sodanige heinings nie.

(b) Die Administrateur kan as sodanige eienaar, huurder of bewoner die heinings wat ten tyde van die aansoek nodig was om die betrokke pad aan weerskante af te kamp ingevolge paragraaf (a) tot bevrediging van die Hoof Paaie-Ingenieur opgerig het, toestem om tot die helfte van die werklike koste bereken teen 'n tarief soos van tyd tot tyd deur hom bepaal, ten opsigte van die oprigting van sodanige heinings wat ten tyde van die aansoek nodig was om die pad aan weerskante af te kamp, by te dra.”

2. Artikel 42 van die hoofordonnansie word hierby gewysig —

(a) deur in subartikel (3) die woorde „word daar nie soos by subartikel (3) van artikel *een-en-veertig* bepaal vergoeding vir die uitkakeling van hekke betaal nie, maar” te skrap;

(b) deur die volgende subartikel na subartikel (3) in te voeg:—

„(4) Waar die eienaar, huurder of bewoner van 'n plaas aansoek doen om 'n heining wat ingevolge hierdie artikel of artikel 41 (3) opgerig is of enige heining langs 'n hoof-, groot- of distrikspad om te skep in 'n jakkalsdraadheining, kan die Administrateur sodanige aansoek goedkeur op voorwaardes wat hy goedvind, en as die eienaar, huurder of bewoner sodanige omskepping tot bevrediging van die Hoof Paaie-Ingenieur uitgevoer het, kan die Administrateur toestem om tot die helfte van die werklike koste bereken teen 'n tarief soos van tyd tot tyd deur hom bepaal ten opsigte van sodanige omskepping by te dra.”

3. Hierdie ordonnansie heet die Verdere Wysigingsordonnansie op Paaie 1967, en tree in werking op 'n datum deur die Administrateur by proklamasie in die *Offisiële Koerant* bepaal.

Wysiging van artikel 41 van Ordonnansie 28 van 1962 soos gewysig by artikel 3 van Ordonnansie 16 van 1963, artikel 13 van Ordonnansie 37 van 1965 en artikel 1 van Ordonnansie 6 van 1966.

Wysiging van artikel 42 van Ordonnansie 28 van 1962 soos gewysig by artikel 4 van Ordonnansie 16 van 1963, artikel 5 van Ordonnansie 6 van 1964, artikel 2 van Ordonnansie 6 van 1966 en artikel 3 van Ordonnansie 4 van 1967.

Kort titel.

No. 21 of 1967.]

## ORDINANCE

To amend the Roads Ordinance, 1962, to provide for the erection of fences on both sides of trunk, main and district roads and the conversion of fences into jackalproof fences and for a contribution to such fencing-off or conversion instead of the payment of compensation for the elimination of motor grid gates.

(Assented to 12th June, 1967)

(Afrikaans text signed by the Administrator)

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

1. Section 41 of the Roads Ordinance, 1962 (Ordinance 28 of 1962) — hereinafter called the principal ordinance — is hereby amended by the substitution for sub-section (3) of the following sub-section:—

Amendment of section 41 of Ordinance 28 of 1962 as amended by section 3 of Ordinance 16 of 1963, section 13 of Ordinance 37 of 1965 and section 1 of Ordinance 6 of 1966.

“(3) (a) Whenever an owner, lessee or occupier of a farm wishes to fence off on both sides any trunk, main or district road traversing his farm, so that motor grid gates across that road are unnecessary, he may in writing apply to the Administrator therefor, and the Administrator may approve such application on condition that the fences concerned shall comply with the standards determined by him from time to time and further on such conditions as he may deem fit: Provided that no compensation shall be paid to the owner, lessee or occupier concerned in respect of loss of grazing or any cost of providing water as a result of the erection of such fences.

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(b) The Administrator may, if such owner, lessee or occupier has in terms of paragraph (a) to the satisfaction of the Chief Roads Engineer erected the fences necessary, at the time of the application, to fence off the road concerned on both sides, agree to contribute up to half of the actual cost, calculated at a tariff determined by him from time to time, in respect of the erection of such fences which, at the time of the application, were necessary to fence off such road on both sides.”

2. Section 42 of the principal ordinance is hereby amended —

Amendment of section 42 of Ordinance 28 of 1962 as amended by section 4 of Ordinance 16 of 1963, section 5 of Ordinance 6 of 1964, section 2 of Ordinance 6 of 1966 and section 3 of Ordinance 4 of 1967.

(a) by the deletion in sub-section (3) of the words “compensation for the elimination of gates shall not be paid as provided for in sub-section (3) of section *forty-one* but”;

(b) by the insertion of the following sub-section after sub-section (3):—

“(4) Where the owner, lessee or occupier of a farm makes application to convert any fence erected in terms of this section or section 41 (3) or any fence along a trunk, main or district road into a jackalproof fence, the Administrator may approve such application on conditions which he may deem fit and if the owner, lessee or occupier has executed such conversion to the satisfaction of the Chief Roads Engineer, the Administrator may agree to contribute up to half of the actual cost, calculated at a tariff determined by him from time to time, in respect of such conversion.”

3. This ordinance shall be called the Roads Further Amendment Ordinance, 1967, and shall come into operation on a date to be determined by the Administrator by proclamation in the *Official Gazette*.

Short title.

No. 22 van 1967.]

## ORDONNANSIE

Ter wysiging van die Ordonnansie op Myne, Werke en Minerale 1954 om voorsiening te maak vir oplegging van voorwaardes in alle gevalle waar ontginning van minerale op kleims of myngebiede gemagtig word.

(Goedgekeur 12 Junie 1967)

(Engelse teks deur die Administrateur geteken)

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

Invoeging van artikel 39A in Ordonnansie 26 van 1954.

1. Die onderstaande artikel word hierby ingevoeg na artikel 39 van die Ordonnansie op Myne, Werke en Minerale 1954 (Ordonnansie 26 van 1954):—

„Voorwaardes kan gestel word in alle gevalle waar ontginning van minerale gemagtig word.

39A. Ondanks andersluidende bepalings van hierdie ordonnansie kan die Administrateur in alle gevalle waar ontginning van minerale op kleims of myngebiede ingevolgt die bepalings van hierdie ordonnansie gemagtig word, sodanige voorwaardes stel soos hy goeddink.”

Kort titel.

2. Hierdie ordonnansie heet die Verdere Wysigings-ordonnansie op Myne, Werke en Minerale 1967.



No. 22 of 1967.]

## ORDINANCE

To amend the Mines, Works and Minerals Ordinance, 1954, to provide for the imposition of conditions in all cases where the mining of minerals on a claim or mining area is authorised.

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*(Assented to 12th June, 1967)*

*(English text signed by the Administrator)*

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

1. The following section is hereby inserted after section 39 of the Mines, Works and Minerals Ordinance, 1954 (Ordinance 26 of 1954):—

Insertion of section 39A in Ordinance 26 of 1954.

“Conditions may be imposed in all cases where mining is authorised.

39A. Notwithstanding anything in this ordinance contained, the Administrator may impose such conditions as he may deem fit in all cases where the mining of minerals on a claim or mining area is authorised in pursuance of the provisions of this ordinance.”

2. This ordinance shall be called the Mines, Works and Minerals Further Amendment Ordinance, 1967. Short title.

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