



No. 32 van 1967.]

## ORDONNANSIE

Om voorsiening te maak vir die onteining van grond en ander goed vir openbare doeleindes, om voorsiening te maak vir aangeleenthede wat daarmee in verband staan en om Ordonnansie 30 van 1963 te wysig.

(Goedgekeur 20 November 1967)

(Afrikaanse teks deur die Administrateur geteken)

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

1. Tensy uit die samehang anders blyk, beteken in hierdie ordonnansie —

- (i) „datum van kennisgewing” die datum waarop ’n kennisgewing ingevolge subartikel (1) van artikel 4 aan iemand afgelewer of gepos of ingevolge subartikel (4) van genoemde artikel in die *Offisiële Koerant* gepubliseer word, en indien ’n kennisgewing ten opsigte van dieselfde goed aldus afgelewer of gepos en gepubliseer word, die datum waarop dit aldus gepubliseer word; (i)
- (ii) „eenaar”, met betrekking tot grond of ’n geregistreerde reg in of oor grond, die persoon op wie se naam dié grond of reg geregistreer is, en —
  - (a) indien die eenaar van enige goed oorlede is, die eksekuteur van sy boedel;
  - (b) indien die boedel van die eenaar van enige goed gesekwestreer is, die kurator van sy insolvente boedel;
  - (c) indien die eenaar van enige goed ’n maatskappy is wat gelikwieder word, die likwidateur daarvan;
  - (d) indien enige goed oorgegaan het op ’n berederaar of kurator gekies of aangestel ingevolge die Boerebystandsortonnansie 1962 (Ordonnansie 11 van 1962), daardie berederaar of kurator;
  - (e) indien die handelingsbevoegdheid van die eenaar van enige goed andersins beperk is, sy verteenwoordiger in regte;
  - (f) met betrekking tot ’n hoewe wat ingevolge die Landnedersetting Gekonsolideerde en Wysigingsproklamasie 1927 (Proklamasie 310 van 1927) van die Unie van Suid-Afrika, toegeken, verhuur, verkoop of uitgegee is, die persoon aan wie dit aldus toegeken, verhuur, verkoop of uitgegee is;
  - (g) indien die eenaar van enige goed uit die Gebied afwesig is of dit nie bekend is waar hy hom bevind nie, sy gevolmagtigde verteenwoordiger in die Gebied; (iv)
- (iii) „goed” roerende sowel as onroerende goed; (v)
- (iv) „onroerende goed” ook ’n saaklike reg in of oor grond; (ii)
- (v) „plaaslike bestuur” ’n munisipale raad of ’n dorpsbestuur; (iii).

Woordbepaling.

Bevoegdheid van Administrateur om goed vir openbare doeleindes te onteien of om die reg te neem om goed vir openbare doeleindes te gebruik.

2. Behoudens die bepalings van hierdie ordonnansie kan die Administrateur, onderhewig aan ’n verpligting om vergoeding te betaal, enige goed vir openbare doeleindes onteien of die reg neem om enige goed vir openbare doeleindes tydelik te gebruik.

No. 32 of 1967.]

## ORDINANCE

To provide for the expropriation of land and other property for public purposes, to provide for matters incidental thereto, and to amend Ordinance 30 of 1963.

(Assented to 20th November, 1967)

(Afrikaans text signed by the Administrator)

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

1. In this ordinance, unless the context otherwise indicates — Definitions.

- (i) "date of notice" means the date on which a notice is in terms of sub-section (1) of section 4 delivered or posted to a person or is in terms of sub-section (4) of the said section published in the *Official Gazette* and if a notice in respect of the same property is so delivered or posted and published, the date on which it is so published; (i)
- (ii) "immovable property" includes a real right in or over land; (iv)
- (iii) "local authority" means a municipal council or a village management board; (v)
- (iv) "owner" means, in relation to land or a registered right in or over land, the person in whose name such land or right is registered, and —
  - (a) if the owner of any property is deceased, the executor in his estate;
  - (b) if the estate of the owner of any property has been sequestrated, the trustee of his insolvent estate;
  - (c) if the owner of any property is a company which is being wound up, the liquidator thereof;
  - (d) if any property has vested in a liquidator or trustee elected or appointed in terms of the Farmers' Assistance Ordinance 1962 (Ordinance 11 of 1962), that liquidator or trustee;
  - (e) if the owner of any property is otherwise under legal disability, his legal representative;
  - (f) in relation to a holding allotted, leased, sold or granted in terms of the Land Settlement Consolidation and Amendment Proclamation, 1927 (Union of South Africa Proclamation 310 of 1927), the person to whom it has been so allotted, leased, sold or granted;
  - (g) if the owner of any property is absent from the Territory or his whereabouts are unknown, his authorized representative in the Territory; (ii)
- (v) "property" means both movable and immovable property; (iii)

2. Subject to the provisions of this ordinance the Administrator may, subject to an obligation to pay compensation, expropriate, or take the right to use temporarily, any property for public purposes.

Powers of Administrator to expropriate, or to take the right to use, property for public purposes.

Ondersoek van grond vir doeleindes van onteiening of neem van reg op tydelike gebruik.

3. (1) Indien grond of die tydelike gebruik van grond vir openbare doeleindes benodig is, kan die Administrateur —

- (a) ten einde vas te stel of enige bepaalde grond vir die beoogde doeleindes of gebruik geskik is, iemand magtig om —
  - (i) daardie grond met die nodige werksmense, toerusting en voertuie te betree;
  - (ii) daardie grond op te meet en die hoogtes daarvan te bepaal;
  - (iii) op of in daardie grond te grawe of te boor;
  - (iv) 'n meetdam in enige rivier of stroom te bou en in stand te hou;
  - (v) vir sover dit nodig is om toegang tot daardie grond te verkry, met die nodige werksmense, toerusting en voertuie enige ander grond te betree en daarvoor te gaan;
  - (vi) enige ander handeling te verrig wat nodig is om hom in staat te stel om tot 'n besluit daarvoor te geraak;
- (b) iemand magtig om die grense van enige grond wat vir genoemde doeleindes of gebruik benodig is, af te baken:

Met dien verstande dat so iemand nie sonder die toestemming van die eienaar of bewoner enige handeling in subparagrafe (i), (ii), (iii), (iv) en (vi) van paragraaf (a) en in paragraaf (b) van hierdie subartikel genoem, mag verrig nie tensy hy die eienaar of bewoner minstens veertien dae kennis gegee het van sy voorneme om dit te doen: Met dien verstande voorts dat indien enige sodanige handeling volgens die oordeel van die Administrateur dringend uitgevoer moet word, vier-en-twintig uur kennisgewing van sodanige voorneme voldoende is.

(2) Indien iemand skade gely het as gevolg van die uitoefening van 'n bevoegdheid ingevolge subartikel (1) verleen, moet die Administrateur vergoeding vir sodanige skade betaal.

(3) Die bedrag van sodanige vergoeding word by ontstentenis van ooreenkoms deur die hof bepaal, en die bepalinge van artikel 7, 9 en 10 is *mutatis mutandis* van toepassing in verband met die bepaling van sodanige bedrag.

Kennisgewing dat goed onteien of tydelik gebruik gaan word.

4. (1) Indien die Administrateur besluit het om ingevolge die bepalinge van artikel 2 enige goed te onteien of die reg te neem om goed tydelik te gebruik, moet hy, behoudens die bepalinge van subartikel (4) van hierdie artikel, aan die betrokke eienaar 'n gepaste kennisgewing laat bestel deur dit aan hom te laat oorhandig of per aangetekende pos aan hom te laat stuur.

(2) Indien die goed wat onteien of gebruik gaan word, grond is, moet die Administrateur, behoudens die bepalinge van subartikel (4), 'n afskrif van sodanige kennisgewing aldus laat bestel aan iedereen wat, volgens die titelbewys van dié grond of die registers van die Registrateur van Aktes of van enige ander Staatskantoor waar regte aangeteken word wat toegestaan is ingevolge 'n wet op prospekter- of mynbouwerkzaamhede, enige belang in daardie grond het, en, indien die grond binne die gebied van 'n plaaslike bestuur geleë is, aan dié plaaslike bestuur.

(3) Sodanige kennisgewing moet 'n duidelike en volledige beskrywing bevat van die betrokke goed of, indien 'n reg om goed te gebruik geneem word, van dié reg, moet, met inagneming van die bepalinge van subartikels (5) en (6), die datum vermeld waarop die onteiening van krag word of, na gelang, die datum vermeld van wanneer af die goed gebruik sal word, sowel as die tydperk waarin dit gebruik sal word, en moet óf die bedrag vermeld wat as vergoeding vir die goed of die gebruik daarvan aangebied word, en die eienaar aansê om die Administrateur binne dertig dae skriftelik in kennis te stel of hy dié bedrag

3. (1) If any land or the temporary use of any land is required for public purposes, the Administrator may —

Exploring of land for purposes of expropriation or taking of right to use temporarily.

- (a) for the purpose of ascertaining whether any particular land is suitable for the purposes of the use contemplated, authorize any person to —
  - (i) enter upon that land with the necessary workmen, equipment and vehicles;
  - (ii) survey and take levels of that land;
  - (iii) dig or bore on or into that land;
  - (iv) construct and maintain a measuring weir in any river or stream;
  - (v) in so far as it may be necessary to gain access to that land, enter upon and go across any other land with the necessary workmen, equipment and vehicles;
  - (vi) do any other act which may be necessary to enable him to come to a decision thereon;
- (b) authorize any person to demarcate the boundaries of any land required for the said purposes or use:

Provided that no such person shall, without the consent of the owner or occupier, perform any act referred to in sub-paragraphs (i), (ii), (iii), (iv) and (vi) of paragraph (a) and in paragraph (b) of this sub-section unless he has given the owner or occupier at least fourteen days notice of his intention to do so: Provided further that if in the opinion of the Administrator any such act is to be performed urgently, twenty-four hours notice of such intention shall be sufficient.

(2) If any person has suffered any damage as a result of the exercise of any power conferred in terms of sub-section (1), the Administrator shall pay compensation for any such damage.

(3) The amount of such compensation shall, in the absence of agreement, be determined by the court, and the provisions of sections 7, 9 and 10 shall *mutatis mutandis* apply in connection with the determination of such amount.

4. (1) If the Administrator has decided to expropriate, or to take the right to use temporarily, any property in terms of the provisions of section 2, he shall, subject to the provisions of sub-section (4) of this section, cause to be served upon the owner in question an appropriate notice by having it delivered or sent by registered post to him.

Notification that property is to be expropriated or is to be used temporarily.

(2) If the property to be expropriated or used is land, the Administrator shall, subject to the provisions of sub-section (4), cause a copy of such notice to be so served upon every person who, according to the title deed of that land or the registers of the Registrar of Deeds or of any other Government office in which rights granted in terms of any law relating to prospecting or mining are recorded, has any interest in that land, and, if such land is situated within the area of a local authority, upon such local authority.

(3) Such notice shall contain a clear and full description of the property in question or, if a right to use property is being taken, of such right, shall, subject to the provisions of sub-sections (5) and (6), state the date on which the expropriation shall take effect or, as the case may be, the date as from which the property will be used as well as the period during which it will be used, and shall either state the amount offered as compensation for the property or the use thereof, and require the owner to notify the Administrator in writing within thirty days whether he accepts that amount, or require the owner to

aanneem, óf die eenaar aansê om die Administrateur binne dertig dae skriftelik in kennis te stel wat die bedrag is wat hy as sodanige vergoeding eis.

(4) Indien die Administrateur nie die verblyfplek van die eenaar of van iedere eenaar van die betrokke goed of van iemand in subartikel (2) vermeld, geredelik kan vasstel nie, of indien hy, vanweë die aantal eenaars of persone wat 'n belang, in genoemde subartikel beoog, in dié goed het, oortuig is dat die bestelling van 'n kennisgewing volgens voorskrif van subartikel (1) of (2) nie doenlik is nie, of indien die goed aan 'n fideikommis onderhewig is en die Administrateur nie weet wie almal fideikommissêre erfgename is of gaan wees nie, moet hy een maal in die *Offisiële Koerant* en een maal per week vir twee agtereenvolgende weke in 'n Afrikaanse en 'n Engelse nuusblad wat in omloop is in die distrik waarin die betrokke goed is of geleë is, 'n kennisgewing wat aan die bepalings van subartikel (3) voldoen, laat publiseer.

(5) Behalwe wanneer goed volgens die oordeel van die Administrateur dringend benodig is, moet daar minstens sestig dae verloop tussen die datum van kennisgewing en die datum in subartikel (3) beoog.

(6) Indien die Administrateur 'n kennisgewing ingevolge subartikel (1) laat bestel of ingevolge subartikel (4) laat publiseer het, kan hy, behoudens die bepalings van subartikels (2) en (5), die datum vermeld in dié kennisgewing vervoeg deur 'n kennisgewing in dier voege te laat bestel of te laat publiseer, na gelang volgens voorskrif van subartikel (1) of (4), en sodanige vervoegde datum word vir alle doeleindes geag die datum te wees wat ingevolge subartikel (3) in eersgenoemde kennisgewing vermeld is.

Oorgang van eiendomsreg op onteiene goed en uitoefening van reg om goed te gebruik.

5. (1) Indien goed ingevolge artikel 2 onteien word, gaan die eiendomsreg op dié goed, op die datum vermeld in die betrokke kennisgewing, op die Administrasie oor, bevry van alle verbande, as daar is, en kan die Administrasie die goed op die datum betree of in besit neem en van dié datum gebruik, maar indien sodanige goed grond is, bly dit onderhewig aan alle geregistreerde saaklike regte (uitgesonderd verbande) ten gunste van derdes waarmee dit onmiddellik vóór genoemde datum beswaar was, tensy en totdat sodanige regte ooreenkomstig die bepalings van artikel 2 van die eenaar daarvan onteien is.

(2) Indien die Administrateur ingevolge artikel 2 die reg om goed vir die een of ander doel te gebruik, geneem het, kan die Administrasie van die datum in die betrokke kennisgewing vermeld, daardie reg uitoefen.

Pligte van eenaar van en van houër van verband oor goed wat onteien is, en van eenaar van goed wat deur Administrasie gebruik gaan word.

6. (1) 'n Eenaar wie se goed ingevolge artikel 2 onteien is, moet binne dertig dae (of die langer tydperk wat die Administrateur skriftelik toelaat) van die betrokke datum van kennisgewing aan die Administrateur lewer of laat lewer —

- (a) 'n skriftelike verklaring waarin aangedui word —
  - (i) indien vergoeding vir dié goed aangebied is, of hy daardie vergoeding aanneem of nie en, indien hy dit nie aanneem nie, wat die bedrag is wat hy as vergoeding eis; of
  - (ii) indien geen sodanige vergoeding aangebied is nie, wat die bedrag is wat hy as vergoeding eis;
- (b) indien dié goed onroerende goed is, sy titelbewys daarvan, indien dit in sy besit of onder sy beheer is;
- (c) indien sodanige titelbewys nie in sy besit of onder sy beheer is nie, skriftelike besonderhede van die naam en adres van die persoon in wie se besit of onder wie se beheer dit is.

(2) Die Administrateur kan iemand beoog in subartikel (1) (c) by skriftelike kennisgewing aansê om binne die tydperk in die kennisgewing vermeld, die betrokke titelbewys aan hom te lewer of te laat lewer.

(3) Die bepalings van subartikel (1) (a) van hierdie artikel is *mutatis mutandis* van toepassing ten opsigte van die neem, ingevolge artikel 2, van 'n reg om goed vir openbare doeleindes te gebruik.

notify the Administrator in writing within thirty days of the amount claimed by him as such compensation.

(4) If the whereabouts of the owner or of every owner of the property in question or of a person referred to in sub-section (2) is not readily ascertained by the Administrator, or, if by reason of the number of owners or persons having such an interest, as is contemplated in the said sub-section, in that property, the Administrator is satisfied that service of a notice in accordance with sub-section (1) or (2) is not practicable, or if the property is subject to a *fideicommissum* and it is not known to him who all the *fideicommissaries* are or will be, he shall cause to be published once in the *Official Gazette* and once a week during two consecutive weeks in an Afrikaans and in an English newspaper circulating in the district in which the property in question is or is situated, a notice complying with the provisions of sub-section (3).

(5) Except where property is, in the opinion of the Administrator urgently required, at least sixty days shall lapse between the date of notice and the date contemplated in sub-section (3).

(6) If the Administrator has caused a notice to be served in terms of sub-section (1) or to be published in terms of sub-section (4), he may, subject to the provisions of sub-sections (2) and (5), advance the date stated in such notice by causing to be served or published, as the case may be, a notice to that effect in accordance with sub-section (1) or (4), and such advanced date shall for all purposes be deemed to be the date stated in terms of sub-section (3) in the firstmentioned notice.

5. (1) If any property is expropriated in terms of section 2 the ownership in such property shall, on the date stated in the notice in question, vest in the Administration, released from all mortgage bonds, if any, and the Administration may on such date enter upon or take possession of and use as from that date such property, but if such property is land, it shall remain subject to all registered real rights (except mortgage bonds), in favour of third parties, with which it was burdened immediately prior to the said date, unless and until such rights have been expropriated from the owner thereof in accordance with the provisions of section 2.

Passing of ownership in expropriated property and exercise of right to use property.

(2) If the Administrator has in terms of section 2 taken the right to use any property for any purpose, the Administration may, as from the date stated in the notice in question, exercise that right.

6. (1) An owner whose property has been expropriated in terms of section 2, shall within thirty days (or such longer period as the Administrator may in writing allow) from the date of notice in question deliver or cause to be delivered to the Administrator —

Duties of owner of, and of holder of mortgage bond over, property expropriated and of owner of property which is to be used by Administration.

- (a) a written statement indicating —
  - (i) if any compensation was offered for such property, whether or not he accepts that compensation and, if he does not accept it, the amount claimed by him as compensation; or
  - (ii) if no such compensation was offered, the amount claimed by him as compensation;
- (b) if such property is immovable property, his title deed thereof, if it is in his possession or under his control;
- (c) if such title deed is not in his possession or under his control, written particulars of the name and address of the person in whose possession or under whose control it is.

(2) The Administrator may by written notice require any person contemplated in sub-section (1) (c) to deliver or cause to be delivered to him within the period stated in the notice, the title deed in question.

(3) The provisions of sub-section (1) (a) of this section shall *mutatis mutandis* apply in respect of the taking, in terms of section 2, of a right to use any property for public purposes.

## (4) Iemand wat —

- (a) versuim om te voldoen aan die bepalings van paragraaf (b) of (c) van subartikel (1);
- (b) versuim om te voldoen aan die bepalings van 'n kennisgewing kragtens subartikel (2); of
- (c) opsetlik valse besonderhede verstrek in 'n skriftelike stuk wat hy ingevolge subartikel (1) (c) aan die Administrateur moet lewer of laat lewer,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.

Vasstelling van vergoeding by ontstentenis van ooreenkoms.

7. (1) By ontstentenis van ooreenkoms word die vergoeding wat die Administrasie moet betaal vir goed wat deur die Administrateur onteien is of vir 'n reg om goed te gebruik wat deur die Administrateur geneem is, op aansoek van enige betrokke party vasgestel deur die landdros-hof van die distrik waarin die betrokke goed is of geleë is, indien die bedrag van die vergoeding wat aangebied is, of indien geen aanbod gedoen is nie, die bedrag van die vergoeding wat geëis word, minder as drieduisend rand is, of deur die Suidwes-Afrika-afdeling van die Hooggereshof van Suid-Afrika indien die bedrag wat aangebied is of aldus geëis word, drieduisend rand of meer bedra.

(2) Indien die Administrateur vergoeding aangebied het en so 'n aansoek nie binne ses maande (of die langer tydperk wat die Administrateur bepaal) van die datum van kennisgewing by die gepaste hof deur die betrokke eienaar ingedien word nie, word dié eienaar geag die aangebode vergoeding te aanvaar het.

(3) In 'n geding ingevolge subartikel (1) kan die landdros of regter, na gelang die hulp inroep van hoogstens twee persone wat in die saak kundig en ervare is en bereid is om as assessors in 'n raadgewende hoedanigheid sitting te neem.

(4) So 'n assessor ontvang besoldiging teen die skaal van toepassing ten opsigte van assessore in 'n landdros-hof of hooggereshof, na gelang.

Grondslag waarop vergoeding bereken moet word.

8. (1) Die bedrag van die vergoeding wat ingevolge hierdie ordonnansie aan 'n eienaar betaal moet word ten opsigte van goed wat ingevolge hierdie ordonnansie onteien is, of ten opsigte van die neem, ingevolge hierdie ordonnansie, van 'n reg om goed te gebruik, mag nie meer beloop nie as —

- (a) in die geval van ander goed as 'n reg, die som van —
  - (i) die bedrag wat vir die goed verkry sou geword het indien dit op die datum van kennisgewing op die ope mark deur 'n gewillige verkoper aan 'n gewillige koper verkoop was; en
  - (ii) 'n bedrag om enige werklike geldelike verlies of ongerief wat deur die onteiening veroorsaak word, te vergoed; en
- (b) in die geval van 'n reg, 'n bedrag om enige werklike geldelike verlies of ongerief wat deur die onteiening of die neem van die reg veroorsaak word, te vergoed.

(2) Rente teen 'n koers wat van tyd tot tyd deur die Administrateur bepaal word, moet met ingang van die datum bedoel in artikel 4 (3), of, in 'n geval beoog in artikel 12 (4), van die datum van beslegting van die geskil of verdwyning van die twyfel, maar behoudens die bepalings van subartikel (3) van hierdie artikel, betaal word op enige uitstaande bedrag wat ingevolge hierdie ordonnansie as vergoeding betaalbaar is.

(3) Indien die eienaar van goed wat onteien is, toegelaat word en instem om op die voorwaardes deur die Administrateur bepaal, daardie goed of enige gedeelte daarvan te okkupeer of te benut, word geen rente ingevolge subartikel (2) betaal nie op soveel van die uitstaande bedrag as wat, volgens die oordeel van die Administrateur, betrekking het op die goed wat aldus geokkupeer of benut word.

(4) Any person who —

- (a) fails to comply with the provisions of paragraph (b) or (c) of sub-section (1);
- (b) fails to comply with the provisions of a notice under sub-section (2); or
- (c) wilfully furnishes false particulars, in any written instrument which he is in terms of sub-section (1) (c) required to deliver or cause to be delivered to the Administrator,

shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

7. (1) In the absence of agreement the compensation to be paid by the Administration for property expropriated by the Administrator, or for a right to use any property taken by the Administrator, shall on the application of any party in question be determined by the magistrate's court of the district in which the property in question is or is situated, if the amount of compensation offered or, if no offer was made, the amount of compensation claimed is less than three thousand rand, or by the South West Africa Division of the Supreme Court of South Africa if the amount offered or so claimed is three thousand rand or more.

Determination of compensation in absence of agreement.

(2) If the Administrator has offered compensation and no such application is filed with the proper court by the owner in question within six months (or such longer period as the Administrator may determine) from the date of notice, such owner shall be deemed to have accepted the compensation offered.

(3) In any proceeding in terms of sub-section (1) the magistrate or judge, as the case may be, may invoke the assistance of not more than two persons who are skilled and experienced in the matter and are prepared to sit as assessors in an advisory capacity.

(4) Any such assessor shall receive remuneration at the rate applicable in respect of assessors in a magistrate's court or a superior court, as the case may be.

8. (1) The amount of the compensation to be paid in terms of this ordinance to an owner in respect of property expropriated in terms of this ordinance, or in respect of the taking, in terms of this ordinance, of a right to use property, shall not exceed —

Basis on which compensation is to be determined.

- (a) in the case of any property other than a right, the aggregate of —
  - (i) the amount which the property would have realized if sold on the date of notice in the open market by a willing seller to a willing buyer; and
  - (ii) an amount to make good any actual financial loss or inconvenience caused by the expropriation; and
- (b) in the case of a right, an amount to make good any actual financial loss or inconvenience caused by the expropriation or the taking of the right.

(2) Interest at a rate determined from time to time by the Administrator shall, with effect from the date referred to in section 4 (3) or, in a case contemplated in section 12 (4), from the date of the settlement of the dispute or the resolution of the doubt, but subject to the provisions of sub-section (3) of this section, be paid on any outstanding amount payable as compensation in terms of this ordinance.

(3) If the owner of property which has been expropriated is permitted and agrees to occupy or utilize that property or any portion thereof on such conditions as the Administrator may determine, no interest shall in terms of sub-section (2) be paid on so much of the outstanding amount as, in the opinion of the Administrator, relates to the property so occupied or utilized.

(4) By die vasstelling van die bedrag van die vergoeding wat ingevolge hierdie ordonnansie betaal moet word, geld die volgende reëls vir sover hulle ter sake is —

- (a) die feit dat die goed of die reg op die gebruik van die goed sonder die toestemming van die betrokke eienaar geneem is, word buite rekening gelaat;
- (b) die besondere geskiktheid of bruikbaarheid van die betrokke goed vir die doel waarvoor dit deur die Administrasie benodig is, word nie in aanmerking geneem nie, indien dit onwaarskynlik is dat die goed vir daardie doel, of die reg om die goed vir daardie doel te gebruik, op die ope mark gekoop sou geword het;
- (c) indien die waarde van die goed verhoog is ten gevolge van die gebruik daarvan op 'n wyse wat onwettig is of skadelik is vir die gesondheid van iemand wat daarop woon of dit benut, of vir die openbare gesondheid, word geen rekening met sodanige verhoging gehou nie;
- (d) verbeterings wat na die datum van kennisgewing op of aan die betrokke goed aangebring is (behalwe waar dit nodig was om bestaande verbeterings behoorlik in stand te hou of waar dit onderneem is ingevolge verpligtings wat vóór genoemde datum aangegaan is), word nie in aanmerking geneem nie;
- (e) 'n ongeregistreerde reg ten opsigte van ander goed, of indirekte skade of winsderwing of enigiets wat gedoen is met die oogmerk om vergoeding daarvoor te verkry, word buite rekening gelaat;
- (f) enige verhoging vóór of ná die datum van kennisgewing in die waarde van die betrokke goed wat toe te skryf is aan die doel waarvoor of in verband waarmee die goed onteien of gebruik gaan word, of wat die gevolg is van enige werk of handeling wat die Administrasie in verband met sodanige doel uitvoer of verrig of voornemens is om uit te voer of te verrig, word nie in aanmerking geneem nie;
- (g) rekening word gehou met —
  - (i) die koste van enige werke wat die Administrasie gebou het of onderneem het om te bou ten bate van die persoon wat vergoed moet word, met die oog op vermindering van sy skade;
  - (ii) enige voordeel wat deur sodanige persoon behaal sal word as gevolg van die onteiening van die goed of die gebruik daarvan vir die doel waarvoor dit onteien is of, na gelang, die betrokke reg geneem is.

**Prosedure.**

9. (1) 'n Geding beoog in artikel 7 (1) word by wyse van aksie ingestel en gevoer.

(2) Die prosesreg wat geld in siviele gedinge in die hof waarin so 'n geding gevoer word, geld, *mutatis mutandis* en behoudens die bepalings van hierdie Ordonnansie en enige regulasies daarkragtens uitgevaardig, ten opsigte van so 'n geding, en 'n toekenning van vergoeding word beskou asof dit 'n siviele vonnis van daardie hof was.

**Koste.**

10. (1) Koste in 'n geding beoog in artikel 7 (1) word bereken volgens die tabel van koste van toepassing in die betrokke hof.

(2) Indien die vergoeding wat in so 'n geding deur die hof toegeken word —

- (a) gelyk is aan of meer is as die bedrag wat deur die betrokke eienaar laas vóór die aanvang van die geding geëis is, word koste teen die Administrateur toegeken;
- (b) gelyk is aan of minder is as die bedrag wat deur die Administrateur laas vóór die aanvang van die geding aangebied is, word koste teen die betrokke eienaar toegeken;

(4) In determining the amount of the compensation to be paid in terms of this ordinance the following rules shall apply in so far as they may be relevant —

- (a) No allowance shall be made for the fact that the property or the right to use the property has been taken without the consent of the owner in question;
- (b) the special suitability or usefulness of the property in question for the purpose for which it is required by the Administration, shall not be taken into account if it is unlikely that the property would have been purchased for that purpose in the open market or that the right to use the property for that purpose would have been so purchased;
- (c) if the value of the property has been enhanced in consequence of the use thereof in a manner which is unlawful or detrimental to the health of a person living thereon or utilizing it, or to the public health, such enhancement shall not be taken into account;
- (d) improvements made after the date of notice on or to the property in question (except where they were necessary for the proper maintenance of existing improvements or where they were undertaken in pursuance of obligations entered into before that date); shall not be taken into account;
- (e) no allowance shall be made for any unregistered right in respect of any other property, or any indirect damage or loss of profit or anything done with the object of obtaining compensation therefor;
- (f) any enhancement, before or after the date of notice, in the value of the goods in question, which may be due to the purpose for which or in connection with which the property is being expropriated or is to be used, or which is a consequence of any work or act which the Administration may carry out or perform or intends to carry out or perform in connection with such purpose, shall not be taken into account;
- (g) account shall be taken of —
  - (i) the cost of any works which the Administration may have constructed or undertaken to construct for the benefit of the person to be compensated, with a view to mitigating his damage;
  - (ii) any benefit which will enure to such person in consequence, of the expropriation of the property or the use thereof for the purpose for which it was expropriated or, as the case may be, the right in question was taken.

9. (1) Proceedings contemplated in section 7 (1) shall be instituted and conducted by way of action. Procedure.

(2) The law of procedure applicable in civil proceedings in the court in which such proceedings are conducted shall, subject to the provisions of this ordinance and any regulations made thereunder, apply *mutatis mutandis* in respect of such proceedings, and any award of compensation shall be regarded as if it were a civil judgment of that court.

10. (1) Costs in any proceedings contemplated in section 7 (1) shall be calculated in accordance with the table of costs applicable in the court in question. Costs.

(2) If the compensation awarded by the court in any such proceedings —

- (a) is equal to or exceeds the amount last claimed by the owner in question before the commencement of the proceedings, costs shall be awarded against the Administrator;
- (b) is equal to or less than the amount last offered by the Administrator before the commencement of the proceedings, costs shall be awarded against the owner in question; or

- (c) minder is as die bedrag wat laas deur die betrokke eienaar aldus geëis is, maar meer is as die bedrag wat laas deur die Administrateur aldus aangebied is, word soveel van die koste van die eienaar teen die Administrateur toegeken as wat tot sodanige koste in dieselfde verhouding staan as wat die verskil tussen die vergoeding aldus toegeken en die bedrag aldus aangebied, staan tot die verskil tussen die bedrag aldus aangebied en die bedrag aldus geëis.

(3) In enige geval nie in subartikel (2) vermeld nie, beslis die hof na goeddunke oor koste.

(4) Die aanspreeklikheid van 'n party wat vergoed moet word, vir koste en taksasiegelde is 'n preferente vordering teen die geld wat ingevolge die hofbevel aan hom betaal moet word, en daardie geld word vir sover nodig ter vereffening van daardie koste en gelde aangewend.

Delging van skuld verseker deur verband oor grond.

11. (1) Indien grond wat ingevolge hierdie Ordonnansie onteien is, onmiddellik vóór die onteiening met 'n geregistreerde verband beswaar was, mag die Administrateur geen gedeelte van die betrokke vergoedingsgeld uitbetaal nie, behalwe aan die persoon op wie, en op die voorwaardes waarop, tussen die eienaar van daardie grond en die verbandhouer ooreengekom is en van wie en waarvan hulle die Administrateur skriftelik in kennis gestel het.

(2) Indien die betrokke eienaar en verbandhouer nie aldus oor die uitbetaling van die vergoedingsgeld kan ooreenkom nie, kan die Administrateur, na skriftelike kennisgewing aan dié eienaar en verbandhouer, aansoek doen by die hof wat ingevolge artikel 7 (1) bevoeg sou gewees het om 'n geskil met betrekking tot die vergoeding betaalbaar deur die Administrateur ten opsigte van die onteiening te besleg, om 'n opdrag omtrent hoe daar oor die vergoedingsgeld beskik moet word, en dié hof kan aan die hand van die aansoek die bevel uitreik wat hy goedvind.

(3) Die hof kan beveel dat die koste wat deur die Administrasie in verband met die aansoek aangegaan is, betaal word deur die eienaar of die verbandhouer of deur hulle gesamentlik in die verhouding wat die hof goedvind, en enige bedrag wat aldus deur enigeen van hulle betaalbaar word, maak 'n preferente vordering uit teen enige gedeelte van die vergoedingsgeld wat ingevolge die bevel van die hof aan hom betaal moet word.

(4) Enige bevel deur 'n hof ingevolge hierdie artikel uitgereik, word geag 'n bevel te wees wat in 'n siviele geding uitgereik is.

Inbetaling van vergoedingsgeld by Meester en terughouding daarvan deur Administrateur, in sekere gevalle.

12. (1) Indien goed wat kragtens hierdie ordonnansie onteien is, met 'n fideikommis belas was, of indien vergoeding ingevolge hierdie ordonnansie betaalbaar is aan iemand wie se verblyfplek onbekend is, kan die Administrateur die bedrag van die vergoeding wat ingevolge hierdie ordonnansie betaalbaar is, inbetaal by die Meester van die Hooggeregshof en ná sodanige inbetaling is die Administrateur nie verder ten opsigte van daardie bedrag aanspreeklik nie.

(2) Geld wat ingevolge subartikel (1) deur die Meester ontvang word —

(a) is, indien die betrokke goed met 'n fideikommis belas was, *mutatis mutandis* onderhewig aan al die bepalings en voorwaardes wat vervat is in die testament of ander geskrif waardeur dié fideikommis geskep is; en

(b) word, behoudens die bepalings van paragraaf (a) ten voordele van die persone wat daarop geregtig is of word, in die Voogdyfonds vermeld in artikel 91 van die Boedelwet, 1913 (Wet 24 van 1913) soos op die Gebied toegepas by die Betere Rechtsbedeling Proklamatie 1921 (Proklamasie 52 van 1921) gestort, en dra rente teen 'n koers wat die Administrateur van tyd tot tyd bepaal.

(3) Die bepalings van subartikels (1) en (2) raak nie die bevoegdheid van 'n hof om ten opsigte van sodanige geld 'n bevel uit te reik nie.

- (c) is less than the amount last so claimed by the owner in question, but exceeds the amount last so offered by the Administrator, so much of the costs of the owner shall be awarded against the Administrator as bears to such costs the same proportion as the difference between the compensation so awarded and the amount so offered bears to the difference between the amount so offered and the amount so claimed.

(3) In any case not referred to in sub-section (2) the court shall in its discretion decide as to costs.

(4) The liability for costs and taxation fees of a party to be compensated shall be a first charge against the money which, in terms of the order of court, is to be paid to him, and that money shall be applied as far as it may be required towards the payment of those costs and fees.

11. (1) If any land expropriated in terms of this ordinance was encumbered by a registered mortgage bond immediately prior to such expropriation, the Administrator shall not pay out any portion of the compensation money in question, except to such person and on such terms as may have been agreed upon between the owner of that land and the mortgagee and as the Administrator may have been notified of in writing by them.

Discharge of debt secured by mortgage bond over land.

(2) If the owner and mortgagee in question cannot so come to an agreement as to the payment of the compensation money, the Administrator may, after written notice to such owner and mortgagee, apply to the court which would, in terms of section 7 (1), have been competent to determine a dispute with regard to the compensation payable by the Administrator in respect of the expropriation, for directions as to disposal of the compensation money, and the court may make such order on the application as it may deem fit.

(3) The court may order the costs incurred by the Administration in connection with such application to be paid by the owner or the mortgagee, or by them jointly, in such proportion as it may deem fit, and any amount so becoming payable by either of them shall form a first charge against any portion of the compensation money which, in terms of the order of the court, is to be paid to him.

(4) Any order made by a court in terms of this section shall be deemed to be an order made in civil proceedings.

12. (1) If property expropriated under this ordinance was burdened with a *fideicommissum* or if compensation is payable in terms of this ordinance to a person whose place of residence is not known, the Administrator may pay the amount of the compensation payable in terms of this ordinance to the Master of the Supreme Court and after such payment the Administrator shall cease to be liable in respect of that amount.

Payment of compensation money to Master, and retention thereof by Administrator in certain cases.

(2) Any moneys received by the Master in terms of sub-section (1) shall —

- (a) if the property in question was burdened with a *fideicommissum*, *mutatis mutandis* be subject to all the terms and conditions contained in the will or other instrument by which such *fideicommissum* was constituted; and
- (b) subject to the provisions of paragraph (a), be paid into the Guardian's Fund referred to in section 91 of the Administration of Estates Act, 1913 (Act 24 of 1913), as applied to the Territory by the Better Administration of Justice Proclamation, 1921 (Proclamation 52 of 1921), for the benefit of the persons who are or may become entitled thereto, and bear interest at a rate determined from time to time by the Administrator.

(3) The provisions of sub-sections (1) and (2) shall not affect the jurisdiction of any court to make an order in respect of any such moneys.

(4) In die geval van geskil of twyfel oor wie enige vergoeding moet ontvang wat ingevolge hierdie ordonnansie betaalbaar is, of in die geval van die uitreiking van 'n interdik ten opsigte van die uitbetaling van sodanige vergoeding, hou die Administrateur die bedrag van sodanige vergoeding totdat die geskil besleg is of die twyfel verdwyn het.

Beëindiging van ongeregisteerde regte ten opsigte van ontelende grond.

13. Indien 'n kennisgewing ingevolge subartikel (1) of (4) van artikel 4 op die onteiening van grond betrekking het, word alle regte ten opsigte van dié grond wat nie teen die titelbewys daarvan of in 'n kantoor bedoel in subartikel (2) van genoemde artikel geregistreer is nie, beëindig op die datum bedoel in artikel 5 (1) en die Administrasie is nie verplig om enige vergoeding vir sodanige regte te betaal nie.

Oordrag van bevoegdheede en pligte.

14. Die Administrateur kan 'n bevoegdheid of plig by of ingevolge hierdie ordonnansie aan hom verleen of opgedra, aan 'n beamppte in diens van die Administrasie in die algemeen of met betrekking tot bepaalde goed of in 'n bepaalde geval oordra.

Verlening deur die Administrateur aan 'n plaaslike bestuur van dieselfde bevoegdheid as wat hy ingevolge hierdie ordonnansie met betrekking tot grond besit.

15. Die Administrateur kan aan 'n plaaslike bestuur wat by ordonnansie gemagtig is om grond te onteien, in die algemeen of met betrekking tot bepaalde grond of in 'n bepaalde geval enige bevoegdheid verleen soos dié wat hy ingevolge hierdie ordonnansie met betrekking tot grond of 'n reg in, oor of ten opsigte van grond besit, uitgesonderd die bevoegdheid by artikel 14 aan hom verleen, en by die uitoefening van so 'n bevoegdheid deur so 'n plaaslike bestuur geld die bepalings van hierdie ordonnansie en word enige verwysing daarin na die Administrateur en die Administrasie as 'n verwysing na sodanige plaaslike bestuur uitgelê.

Regulasies.

16. Die Administrateur kan die regulasies uitvaardig wat hy nodig of dienstig ag vir die verwesenliking van die oogmerke en doeleindes van hierdie ordonnansie.

Herroeping van Ordonnansie 13 van 1927.

17. Die Grondonteieningsordonnansie 1927 (Ordonnansie 13 van 1927) word hierby herroep.

Toepassing van Ordonnansie.

18. (1) Die bepalings van hierdie ordonnansie word nie uitgelê asof hulle enige wetsbepalings op onteiening vervang nie, en enige sodanige wetsbepaling bly, ondanks die bepalings van hierdie ordonnansie, ten volle van krag.

(2) Die feit dat sodanige wetsbepaling vir die onteiening van enige goed of 'n reg of belang in of oor enige goed voorsiening maak, belet, behoudens die bepalings van subartikel (3), nie dat sodanige goed, reg of belang ooreenkomstig die bepalings van hierdie ordonnansie onteien word nie.

(3) 'n Doel waarvoor die Administrasie van die Suid-Afrikaanse Spoorweë en Hawens enige goed nodig het of wil gebruik, word by die toepassing van hierdie ordonnansie nie as 'n openbare doel beskou nie.

Vervanging van artikel 73 van Ordonnansie 30 van 1963.

19. Artikel 73 van die Posordonnansie 1963 word hierby deur die volgende artikel vervang:—

„Direkteur kan private lyme na kennisgewing oorneem.

73. Die Direkteur kan onderhewig aan 'n verpligting om vergoeding te betaal, wat by ontstentenis van ooreenkoms, *mutatis mutandis*, deur die hof, ooreenkomstig die bepalings van artikels 7, 8, 9 en 10 van die Onteieningsordonnansie 1967 bepaal word, en na ses maande kennisgewing van sy voorname om dit te doen, 'n telegraaflyn of -stelsel (of deel daarvan) hetsy voor of na die inwerkingtreding van hierdie ordonnansie en hetsy ingevolge spesiale of algemene wetgewende gesag of andersins opgerig, in stand gehou of geëksploiteer, uitgesonderd 'n kommunikasiestelsel wat deur die Suid-Afrikaanse Spoorweg- en Hawensadministrasie opgerig is en in stand gehou word, oorneem.”.

Wysiging van artikel 76 van Ordonnansie 30 van 1963.

20. Artikel 76 van die Posordonnansie 1963 word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang —

(4) In the event of a dispute or doubt as to the person who is to receive any compensation payable in terms of this ordinance, or in the event of the issue of an interdict in respect of the payment of any such compensation, the Administrator shall retain the amount of such compensation until the dispute has been settled or the doubt has been resolved.

13. If a notice in terms of sub-section (1) or (4) of section 4 relates to the expropriation of any land, all rights in respect of such land not registered against the title deed thereof or in any office referred to in sub-section (2) of the said section, shall terminate on the date referred to in section 5 (1), and the Administration shall not be obliged to pay any compensation for such rights.

Termination of unregistered rights in respect of expropriated land.

14. The Administrator may either generally or in relation to particular property or in any particular case assign to an officer in the employment of the Administration any power or duty conferred or imposed on him by or in terms of this ordinance.

Assignment of powers and duties.

15. The Administrator may either generally or in relation to particular land or in a particular case confer on a local authority which is by ordinance empowered to expropriate land, any such power as he has in terms of this ordinance in relation to land or any right in, over or in respect of land, other than the power conferred upon him by section 14, and in the exercise of such power by such local authority the provisions of this ordinance shall apply and any reference therein to the Administrator and the Administration shall be construed as a reference to such local authority.

Conferring by the Administrator on a local authority of the same powers that he has in terms of this ordinance in relation to land.

16. The Administrator may make such regulations as he may deem necessary or expedient for achieving the objects and purposes of this ordinance.

Regulations.

17. The Expropriation of Lands Ordinance, 1927 (Ordinance 13 of 1927) is hereby repealed.

Ordinance 13 of 1927 repealed.

18. (1) The provisions of this ordinance shall not be construed as if they supersede the provisions of any law relating to expropriation, and any provision of any such law shall, notwithstanding those provisions, remain of full force and effect.

Application of Ordinance.

(2) The fact that any such law makes provision for the expropriation of any property, or any right or interest in or over any property shall, subject to the provisions of sub-section (3), not be a bar to such property, right or interest being expropriated in terms of the provisions of this ordinance.

(3) Any purpose for which the South African Railways and Harbours Administration requires or intends to use any property, shall for the purpose of this ordinance not be regarded as a public purpose.

19. The following section is hereby substituted for section 73 of the Post Office Ordinance, 1963 —

Substitution of section 73 of Ordinance 30 of 1963.

"Director may take over private lines after notice.

73. The Director may, subject to an obligation to pay such compensation as may, in the absence of agreement, be determined by the court, *mutatis mutandis*, in accordance with the provisions of sections 7, 8, 9 and 10 of the Expropriation Ordinance, 1967 after giving six months' notice of his intention to do so, take over the whole or any part of any telegraph line or system, not being a system of communication constructed and maintained by the South African Railways and Harbours Administration, whether constructed before or after the commencement of this ordinance, and whether constructed, maintained or operated under any special or general legislative authority or otherwise."

20. Section 76 of the Post Office Ordinance, 1963, is hereby amended by the substitution for sub-section (2) of the following sub-section —

Amendment of section 76 of Ordinance 30 of 1963.

„(2) Die skadevergoeding in die geval van skade soos voormeld aan enige werk, eiendom of op die land staande oeste veroorsaak, word, indien die bedrag nie by skikking bepaal kan word nie, *mutatis mutandis* deur die hof ooreenkomstig die bepalinge van artikels 7, 8, 9 en 10 van die Onteieningsordonnansie 1967, vasgestel.”.

Vorbehoud.

21. Onteieningsverrigtinge en verrigtinge ter vasstelling van vergoeding waarmee voor die inwerkingtreding van hierdie ordonnansie begin is, word voltooi asof hierdie ordonnansie nie aangeneem was nie.

Kort titel.

22. Hierdie ordonnansie heet die Onteieningsordonnansie 1967.

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“(2) The compensation in the case of injury aforesaid being caused to any work, property or standing crops shall, if the amount cannot be otherwise agreed upon, be settled by the court, *mutatis mutandis*, in accordance with the provisions of sections 7, 8, 9 and 10 of the Expropriation Ordinance, 1967.”.

21. Expropriation proceedings and proceedings for the determination of compensation commenced before the commencement of this ordinance, shall be concluded as if this ordinance had not been passed. Savings.

22. This ordinance shall be called the Expropriation Ordinance, 1967. Short title.

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No. 33 van 1967.]

**ORDONNANSIE**

Tot aanwending van 'n verdere geldbedrag van hoogstens ses honderd drie-en-dertig duisend sewe honderd-en-vyftig rand ten behoeve van die diens van die Gebied Suidwes-Afrika vir die boekjaar wat op die een-en-dertigste dag van Maart 1968 eindig.

(Goedgekeur 20 November 1967)

(Engelse teks deur die Administrateur geteken)

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

Gebledsinkomstefonds belas met R633,750 op Inkomsterekening.

1. Die Gebiedsinkomstefonds word hiermee belas met die bedrag van ses honderd drie-en-dertig duisend sewe honderd-en-vyftig rand op die Inkomsterekening soos uiteengesit in die Bylae, tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die boekjaar wat op 31 Maart 1968 eindig soos in Ordonnansie 11 van 1967 vermeld is.

Aanwending van geld.

2. Die geld wat deur hierdie ordonnansie beskikbaar gestel word, moet aangewend word vir die dienste in besonderhede vermeld in die Bylae tot hierdie ordonnansie en meer omstandig uiteengesit in die Eerste Begroting van Bykomende Uitgawe (S.W.A. 4-1967) soos deur die Wetgewende Vergadering goedgekeur en vir geen ander doel nie.

Met goedkeuring van Administrateur kan besparings ter bestryding van oorskrydings aangewend word.

3. Met die goedkeuring van die Administrateur kan 'n besparing onder die een subhoof van 'n begrotingspos aangewend word tot dekking van 'n oorskryding onder enige ander subhoof, of van uitgawe onder 'n nuwe subhoof van dieselfde begrotingspos: Met dien verstande dat die somme wat in kolom 2 van die Eerste Bylae tot Ordonnansie 11 van 1967 voorkom, nie oorskry mag word nie, en besparings daarop ewemin aangewend mag word vir enige ander doel as dié waarvoor die geld toegestaan was soos in die gemelde Bylae aangedui.

Kort titel.

4. Hierdie ordonnansie heet die Eerste Addisionele Middele (1967-1968) Ordonnansie 1967.

**BYLAE.**

(Ten laste van Inkomsterekening.)

<i>No. van Begrotingspos</i>	<i>Benaming van Begrotingspos</i>	<i>Bedrag R</i>
1	Administrasie . . . . .	600,000
6	Onderwys . . . . .	6,000
9	Staatsnederstelling en Boerebystand, Aktes en Opmetings . . . . .	27,750
	TOTAAL	633,750

No. 33 of 1967.]

**ORDINANCE**

To apply a further sum not exceeding six hundred and thirty-three thousand seven hundred and fifty rand towards the service of the Territory of South West Africa for the financial year ending on the thirty-first day of March, 1968.

(Assented to 20th November, 1967)

(English text signed by the Administrator)

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

1. The Territory Revenue Fund is hereby charged with the sum of six hundred and thirty-three thousand seven hundred and fifty rand on Revenue Account as shown in the Schedule to meet certain expenditure over and above the amounts appropriated for the service of the financial year ending on the 31st March, 1968, as specified in Ordinance 11 of 1967.

Territory Revenue  
R633,750 on  
Fund charged with  
Revenue Account.

2. The money appropriated by this ordinance shall be applied to the services detailed in the Schedule to this ordinance and more particularly specified in the First Additional Estimates (S.W.A. 4-1967) as approved by the Legislative Assembly and to no other purpose.

Application of  
money.

3. With the approval of the Administrator, a saving on any sub-head of a Vote may be made available to meet excess expenditure on any other sub-head, or expenditure on a new sub-head of the same Vote: Provided that the sums appearing in column 2 of the First Schedule to Ordinance 11 of 1967 shall not be exceeded, nor shall savings thereon be available for any purpose other than that for which the money was granted as indicated in the said Schedule.

With approval of  
Administrator  
savings may be  
made available to  
meet excesses.

4. This ordinance shall be called the First Additional Appropriation (1967-1968) Ordinance, 1967.

Short title.

**SCHEDULE.**

(Chargeable to Revenue Account.)

<i>Vote No.</i>	<i>Vote Designation</i>	<i>Amount R</i>
1	Administration . . . . .	600,000
6	Education . . . . .	6,000
9	State Settlement and Farmers' Assistance, Deeds and Surveys . . . . .	27,750
	TOTAL	633,750

No. 34 van 1967.]

## ORDONNANSIE

Ter geldigmaking van die reëls van die hof ingevolge die Ordonnansie op Landdroshowe 1963, gepubliseer by Goewermentskennisgewing 107 op die eerste dag van Julie 1965, die vyftiende dag van Julie 1965 en die tweede dag van Augustus 1965 in die *Offisiële Koerant*; ter geldigmaking van optrede ingevolge die reëls van die hof vervat in die Tweede Bylae by die Magistraatshowe Proklamasie 1935 in die tydperk van die eerste dag van September 1965 tot die datum van inwerkingtreding van hierdie ordonnansie en ter herroeping van die laasgenoemde reëls van die hof.

(Goedgekeur 20 November 1967)

(Afrikaanse teks deur die Administrateur geteken)

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

Geldigmaking van reëls van die hof en van optrede ingevolge sekere reëls van die hof en herroeping van sekere reëls van die hof.

1. (1) Die publikasie van die reëls van die hof ingevolge die Ordonnansie op Landdroshowe 1963 (Ordonnansie 29 van 1963) by Goewermentskennisgewing 107 van die eerste dag van Julie 1965, die vyftiende dag van Julie 1965 en die tweede dag van Augustus 1965 in die *Offisiële Koerant* word beskou as publikasie in nakoming van die bepalings van artikel 24 (3) van die bogenoemde ordonnansie, en sodanige reëls van die hof word hierby geldig gemaak met ingang van die eerste dag van September 1965.

(2) Elke optrede gedoen of na bedoeling gedoen ingevolge die reëls van die hof vervat in die Tweede Bylae by die Magistraatshowe Proklamasie 1935 (Proklamasie 31 van 1935) in die tydperk van die eerste dag van September 1965 tot die datum van inwerkingtreding van hierdie ordonnansie word hierby geldig gemaak.

(3) Die reëls van die hof genoem in subartikel (2) word hierby herroep.

**Kort titel.**

2. Hierdie ordonnansie heet die Ordonnansie op die Geldigmaking van Reëls van die Hof 1967.

No. 34 of 1967.]

## ORDINANCE

To validate the rules of court under the Magistrates' Courts Ordinance, 1963 published by Government Notice 107 on the first day of July, 1965, the fifteenth day of July, 1965 and the second day of August, 1965 in the *Official Gazette*; to validate action taken in terms of the rules of court contained in the Second Schedule to the Magistrates' Courts Proclamation, 1935 during the period from the first day of September, 1965 to the date of commencement of this ordinance and to repeal the last-mentioned rules of court.

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(Assented to 20th November, 1967)  
(Afrikaans 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. (1) The publication of the rules of court under the Magistrates' Courts Ordinance, 1963 (Ordinance 29 of 1963) by Government Notice 107 on the first day of July, 1965, the fifteenth day of July, 1965 and the second day of August, 1965 in the *Official Gazette* shall be deemed to have been so published in compliance with the provisions of section 24 (3) of the above-mentioned ordinance and such rules of court are hereby validated with effect from the first day of September, 1965.

Validation of rules of court and of action taken under certain rules of court and repeal of certain rules of court.

(2) Any action taken or purported to have been taken in terms of the rules of court contained in the Second Schedule to the Magistrates' Courts Proclamation, 1935 (Proclamation 31 of 1935) during the period from the first day of September, 1965 to the date of commencement of this ordinance, is hereby validated.

(3) The rules of court mentioned in sub-section (2) are hereby repealed.

2. This ordinance shall be called the Rules of Court (Validation) Ordinance, 1967.

Short title.

No. 35 van 1967.]

**ORDONNANSIE**

Om voorsiening te maak vir die afsondering en reservering van staatsgrond vir gebruik en besit deur inboorlinge.

(Goedgekeur 20 November 1967)

(Afrikaanse teks deur die Administrateur geteken)

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika, met die toestemming van die Staatspresident dermate sodanige toestemming nodig is, vooraf verkreë en deur boodskap van die Administrateur aan die Wetgewende Vergadering meegeedeel ooreenkomstig die bepalings van artikel 26 van die Zuidwest-Afrika Konstitusie Wet 1925 soos gewysig by artikel 16 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika 1949 van die Republiek van Suid-Afrika VERORDEN:—

Administrateur kan grond afsonder en reserveer vir gebruik en bewoning deur inboorlinge.

1. Die Administrateur kan van tyd tot tyd by proklamasie in die *Offisiële Koerant* enige staatsgrond soos in die bylae tot hierdie ordonnansie uiteengesit, of enige gedeelte van sodanige grond soos in enige sodanige proklamasie omskryf, afsonder en reserveer vir die alleengebruik en bewoning deur inboorlinge.

Uitvoering van handeling om gevolg te gee aan die afsondering en reservering van grond.

2. Alle sodanige handeling wat by wet uitgevoer moet word om behoorlik gevolg te gee aan enige afsondering of reservering van grond ingevolge artikel 1, word hierby vereis om uitgevoer te word deur sodanige persone aan wie enige sodanige wet, die plig om sodanige handeling uit te voer, toevertrou het.

Kort titel.

3. Hierdie ordonnansie heet die Ordonnansie op die Reservering van Staatsgrond vir Inboorlinge 1967.

**BYLAE.****DISTRIK BETHANIE.**

Plaas	No.	Grootte.	
		Hektare	vk. meters
Doachas	57	9,740	7,474
Landschut	58	7,895	0,606
Gunab	59	9,606	4,615
Gedeelte 1 van Misgund	60	6,590	8,053
Restant van Misgund	60	10,017	5,785
Pfalz	61	13,551	0,803
Nugoais	65	13,605	1,384
Tafelberge	66	10,084	6,037
Sonnenhof	67	7,582	5,411
Gedeelte 1 van Hünsruck	68	6,740	2,323
Restant van Hünsruck	68	6,738	1,027
Gedeelte 1 van Flörsheim	69	7,150	3,808
Restant van Flörsheim	69	7,149	5,287
Gangeis	70	3,642	3,777
Kosis	72	10,126	2,004
Schnepfenrivier	73	14,825	0,071
Garis	74	14,878	4,285

**DISTRIK GIBEON.**

Plaas	No.	Grootte.	
		Hektare	vk. meters
Gedeelte 1 van Hatzium II	18	3,999	7,937
Restant van Hatzium II	28	7,110	8,223

No. 35 of 1967.]

## ORDINANCE

To provide for the setting apart and reservation of state land for the use and occupation of Natives.

(Assented to 20th November, 1967)

(Afrikaans text signed by the Administrator)

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the State President, in so far as such consent is necessary, previously obtained and communicated to the Legislative Assembly by message from the Administrator in accordance with the provisions of section 26 of the South West Africa Constitution Act 1925, as amended by section 16 of the South West Africa Affairs Amendment Act 1949 of the Republic of South Africa, as follows:—

1. The Administrator may from time to time by proclamation in the *Official Gazette* set apart and reserve for the sole use and occupation of Natives any state land set out in the schedule to this ordinance or any portion of such land as may be specified in any such proclamation.

Administrator may set apart and reserve land for use and occupation by Natives.

2. All such acts as may by law be required to be performed for the giving of proper effect to any setting apart or reservation of land in terms of section 1 are hereby required to be performed by such persons as may by any such law be entrusted with the duty of performing such acts.

Performance of acts for giving effect to the setting apart or reservation of land.

3. This ordinance shall be called the Reservation of State Land for Natives Ordinance, 1967.

Short title.

### SCHEDULE.

#### DISTRICT OF BETHANIE.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Doachas	57	9,740	7,474
Landschut	58	7,895	0,606
Gunab	59	9,606	4,615
Portion 1 of Misgund	60	6,590	8,053
Remainder of Misgund	60	10,017	5,785
Pfalz	61	13,551	0,803
Nugoaais	65	13,605	1,384
Tafelberge	66	10,084	6,037
Sonnenhof	67	7,582	5,411
Portion 1 of Hünsruck	68	6,740	2,323
Remainder of Hünsruck	68	6,738	1,027
Portion 1 of Flörsheim	69	7,150	3,808
Remainder of Flörsheim	69	7,149	5,287
Gangeis	70	3,642	3,777
Kosis	72	10,126	2,004
Schnepfenrivier	73	14,825	0,071
Garis	74	14,878	4,285

#### DISTRICT OF GIBEON.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Portion 1 of Hatziium II	18	3,999	7,937
Remainder of Hatziium II	28	7,110	8,223

Zubgaus	29	5,138	0,000
Restant van Rietkuil	30	13,490	4,495
Ubiams	32	10,649	5,605
Gedeelte A van Fleyfeld	33	5,639	8,143
Gedeelte B van Fleyfeld	33	7,384	3,677
Kamagams	35	8,484	4,077
Kosis	36	4,231	9,909
Kinachas	37	12,893	0,000
Rooikranz	38	12,296	0,000
Gedeelte 1 van Hatzium	40	7,812	4,451
Restant van Hatzium I	40	8,268	6,703
Gedeelte 1 van Kaitzub- Kaudus	42	12,433	4,354
Restant van Kaitzub- Kaudus	42	6,070	3,334
Gedeelte 1 van Hanaus	43	3,693	4,709
Gedeelte 2 van Hanaus	43	4,109	9,732
Gedeelte 3 van Hanaus	43	3,640	0,245
Gedeelte van Hanaus	43	7,169	7,190
Restant van Hanaus	43	1,610	5,715
Gedeelte 1 van Hanaus	44	1,338	9,733
Gedeelte 2 van Hanaus	44	2,322	2,825
Restant van Hanaus	44	1,599	8,192
Gedeelte 1 van Aurus	45	5,000	0,020
Restant van Aurus	45	5,198	7,929
Gedeelte 1 van Docheib	46	6,092	4,653
Restant van Docheib	46	6,096	8,654
Gedeelte 1 van Tempelhof	47	3,262	6,149
Gedeelte 2 van Tempelhof	47	3,064	7,053
Restant van Tempelhof	47	4,950	8,826
Teschenbrugge	48	9,559	6,736
Gedeelte 1 van Treseburg	49	4,950	4,838
Restant van Treseburg	49	6,009	1,690
Aneis	52	12,547	0,000
Gedeelte 1 van Kabiais	54	5,063	2,946
Restant van Kabiais	54	7,477	7,054
Gedeelte A van Akam	55	4,578	7,991
Restant van Akam	55	4,542	6,471
Gedeelte 1 van Koherab	56	4,912	3,449
Restant van Koherab	56	4,910	0,000
Deutsche Erde	57	8,098	0,000
Gedeelte 1 van Gelwater	58	4,847	1,382
Restant van Gelwater	58	9,435	7,710
Achterfontein	59	10,993	0,000
Achterfontein II	60	6,487	6,070
Faalgras	61	4,739	4,295
Gedeelte 1 van Gründorn	62	11,218	8,374
Restant van Gründorn	62	8,756	9,780
Viperstorf	63	10,131	6,506
Gedeelte 1 van Amalia	64	11,239	1,748
Gedeelte A van Gaus Sued	65	618	0,944
Restant van Gaus Sued	65	2,546	4,390
Gaus Noord	66	4,284	0,000
Gedeelte A van Garichanab	67	5,532	6,698
Gedeelte B van Garichanab	67	4,796	6,077
Goamus Ost	69	9,537	2,044
Gedeelte A van Goamus	70	10,379	5,935
Restant van Goamus	70	10,384	1,156
Gedeelte 1 van Noronaub	71	5,298	4,056
Restant van Noronaub	71	5,076	8,096
Korra Korrabes	72	10,685	4,296
Gedeelte A van Kameel- haar	73	5,000	8,104
Restant van Kameelhaar	73	10,579	5,102
Restant van Gedeelte 2 van Kameelhaar	73	3,000	2,697
Gedeelte 3 van Kameel- haar	73	2,999	8,945
Kameelhaar Nord	74	3,569	9,603
Gedeelte C van Gibeon Dorp en Dorpsgronde	75	0	2,240
Gibeon Dorpsgronde	75	9,166	0,000
Glencoe	78	9,144	1,890
Anis Kubub	96	6,970	1,829
Restant van Rosenhof	97	11,121	0,954
Gedeelte 1 van Ventershoop	164	4,012	9,285
Gedeelte 2 (Nooitgedacht) van Gedeelte 1 van Ventershoop	164	3,000	0,058
Restant van Ventershoop	164	3,005	6,778
Kameelhaar	165	5,174	6,911

Zubgaus	29	5,138	0,000
Remainder of Rietkuil	30	13,490	4,495
Ubiams	32	10,649	5,605
Portion A of Fleyfeld	33	5,639	8,143
Portion B of Fleyfeld	33	7,384	3,677
Kamagams	35	8,484	4,077
Kosis	36	4,231	9,909
Kinachas	37	12,893	0,000
Rookkranz	38	12,296	0,000
Remainder of Hatzium I	40	7,812	4,451
Remainder of Hatzium	40	8,268	6,703
Portion 1 of Kaitzub- Kaudus	42	12,433	4,354
Remainder of Kaitzub- Kaudus	42	6,070	3,334
Portion 1 of Hanaus	43	3,693	4,709
Portion 2 of Hanaus	43	4,109	9,732
Portion 3 of Hanaus	43	3,640	0,245
Portion 4 of Hanaus	43	7,169	7,190
Remainder of Hanaus	43	1,610	5,715
Portion 1 of Hanaus	44	1,338	9,733
Portion 2 of Hanaus	44	2,322	2,825
Remainder of Hanaus	44	1,599	8,192
Portion 1 of Aurus	45	5,000	0,020
Remainder of Aurus	45	5,198	7,929
Portion 1 of Docheib	46	6,092	4,653
Remainder of Docheib	46	6,096	8,654
Portion 1 of Tempelhof	47	3,262	6,149
Portion 2 of Tempelhof	47	3,064	7,053
Remainder of Tempelhof	47	4,950	8,826
Teschenbrugge	48	9,559	6,736
Portion 1 of Treseburg	49	4,950	4,838
Remainder of Treseburg	49	6,009	1,690
Aneis	52	12,547	0,000
Portion 1 of Kabiais	54	5,063	2,946
Remainder of Kabiais	54	7,477	7,054
Portion A of Akam	55	4,578	7,991
Remainder of Akam	55	4,542	6,471
Portion 1 of Koherab	56	4,912	3,449
Remainder of Koherab	56	4,910	0,000
Deutsche Erde	57	8,098	0,000
Portion 1 of Gelwater	58	4,847	1,382
Remainder of Gelwater	58	9,435	7,710
Achterfontein	59	10,993	0,000
Achterfontein II	60	6,487	6,070
Faalgras	61	4,739	4,295
Portion 1 of Gründorn	62	11,218	8,374
Remainder of Gründorn	62	8,756	9,780
Viperstorf	63	10,131	6,506
Portion 1 of Amalia	64	11,239	1,748
Portion A of Gaus Sued	65	618	0,944
Remainder of Gaus Sued	65	2,546	4,390
Gaus Noord	66	4,284	0,000
Portion A of Garichanab	67	5,532	6,698
Portion B of Garichanab	67	4,796	6,077
Goamus Ost	69	9,537	2,044
Portion A of Goamus	70	10,379	5,935
Remainder of Goamus	70	10,384	1,156
Portion 1 of Noronaub	71	5,298	4,056
Remainder of Noronaub	71	5,076	8,096
Korra Korrabes	72	10,685	4,296
Portion A of Kameelhaar	73	5,000	8,104
Remainder of Kameelhaar	73	10,579	5,102
Remainder of Portion 2 of Kameelhaar	73	3,000	2,697
Portion 3 of Kameelhaar	73	2,999	8,945
Kameelhaar Nord	74	3,569	9,603
Portion C of Gibeon Town and Townlands	75	0	2,240
Gibeon Townlands	75	9,166	0,000
Glencoe	78	9,144	1,890
Anis Kubub	96	6,970	1,829
Remainder of Rosenhof	97	11,121	0,954
Portion 1 of Ventershoop	164	4,012	9,285
Portion 2 (Nooitgedacht) of Portion 1 of Ventershoop	164	3,000	0,058
Remainder of Ventershoop	164	3,005	6,778
Kameelhaar	165	5,174	6,911

Gedeelte 1 van Newcastle	218	5,395	4,284
Restant van Newcastle	218	5,393	8,992
Gedeelte 1 van Kriess	219	5,799	9,995
Restant van Kriess	219	5,073	9,253
Zoekmekaar	236	12,462	0,967
Gedeelte 1 van Spring- bokvlei	237	4,746	7,619
Restant van Springbok- vlei	237	4,746	7,206
Morgenrood	238	9,940	7,512
Gedeelte 1 van Salami	239	4,923	7,669
Gedeelte 2 van Salami	239	2,184	8,179
Restant van Salami	239	4,452	8,024
Gedeelte 1 van Vlakplaats	240	470	9,561
Restant van Vlakplaats	240	9,451	1,875
Gedeelte 1 van Dautschas	241	2,568	6,400
Gedeelte 2 van Dautschas	241	4,894	8,483
Restant van Dautschas	241	5,423	2,088
Gründorner Fläche	242	19,863	7,841
Nico	377	9,731	4,990
Vergeleë	380	10,760	7,948
Hobby Garden	513	7,525	5,265
Tafelkop	514	8,202	6,613
Sukses	515	8,203	6,292
Diamantkop	516	7,550	7,544

## DISTRIK GOBABIS.

Plaas	No.	Grootte.	
		Hektare	vk. meters
—	832	6,066	5,902
—	833	6,202	7,212
—	834	6,188	2,238
—	835	6,151	7,249
—	836	6,102	9,456
—	837	6,265	3,537
—	838	6,399	5,848
—	839	6,357	7,065
—	840	6,218	2,688
—	841	6,234	9,515
—	842	6,554	1,292
—	843	6,136	8,692
—	844	6,331	5,926
—	845	6,325	3,385
—	846	6,303	0,366
—	847	6,303	2,877
—	848	6,357	4,147
—	849	6,581	8,614
—	850	6,606	8,562
—	851	6,623	4,654
—	852	6,653	5,856
—	853	6,624	1,291
—	854	6,771	4,653
—	855	6,255	6,321
—	856	6,419	8,653
—	857	6,378	8,614
Die-Ou-Pad	858	6,642	5,532
Tiervlei	859	6,180	1,097
Talismanis	860	6,594	4,082
Welgeluk	861	6,627	8,557
Houghswil	862	6,465	1,133
Dyrttresh	863	6,825	0,459
Paradys	864	6,496	0,425
Leeudrink	865	6,048	8,951
Rietrivier	866	6,480	6,950
Rietfontein	867	6,115	0,127
Lister	868	6,329	4,378
Prosit	869	6,067	6,409
Nuwe Môre	870	6,446	6,904
Bella Vista	871	6,557	2,373
Wilskrag	872	6,242	8,704
Grobbelaarsrus	873	5,775	0,924
Julendan	874	5,895	8,053
Sukkelaar	875	6,360	0,225
Klipaar	876	6,327	3,499
Pioniersweg	877	5,912	1,113
De Hoek	878	6,385	8,119
—	879	6,535	8,582
—	880	6,531	1,752

Portion 1 of Newcastle	218	5,395	4,284
Remainder of Newcastle	218	5,393	8,992
Portion 1 of Kriess	219	5,799	9,995
Remainder of Kriess	219	5,073	9,253
Zoekmekaar	236	12,462	0,967
Portion 1 of Springbok- vlei	237	4,746	7,619
Remainder of Springbok- vlei	237	4,746	7,206
Morgenrood	238	9,940	7,512
Portion 1 of Salami	239	4,923	7,669
Portion 2 of Salami	239	2,184	8,179
Remainder of Salami	239	4,452	8,024
Portion 1 of Vlakplaats	240	470	9,561
Remainder of Vlakplaats	240	9,451	1,875
Portion 1 of Dautschas	241	2,568	6,400
Portion 2 of Dautschas	241	4,894	8,483
Remainder of Dautschas	241	5,423	2,088
Gründorner Fläche	242	19,863	7,841
Nico	377	9,731	4,990
Vergeleë	380	10,760	7,948
Hobby Garden	513	7,525	5,265
Tafelkop	514	8,202	6,613
Sukşes	515	8,203	6,292
Diamantkop	516	7,550	7,544

## DISTRICT OF GOBABIS.

Farm.	No.	Extent.	
		Hectares	Sq. metres
—	832	6,066	5,902
—	833	6,202	7,212
—	834	6,188	2,238
—	835	6,151	7,249
—	836	6,102	9,456
—	837	6,265	3,537
—	838	6,399	5,848
—	839	6,357	7,065
—	840	6,218	2,688
—	841	6,234	9,515
—	842	6,554	1,292
—	843	6,136	8,692
—	844	6,331	5,926
—	845	6,325	3,385
—	846	6,303	0,366
—	847	6,303	2,877
—	848	6,357	4,147
—	849	6,581	8,614
—	850	6,606	8,562
—	851	6,623	4,654
—	852	6,653	5,856
—	853	6,624	1,291
—	854	6,771	4,653
—	855	6,255	6,321
—	856	6,419	8,653
—	857	6,378	8,614
Die-Ou-Pad	858	6,642	5,532
Tiervlei	859	6,180	1,097
Talismanis	860	6,594	4,082
Welgeluk	861	6,627	8,557
Houghswil	862	6,465	1,133
Dyrttresh	863	6,825	0,459
Paradys	864	6,496	0,425
Leeudrink	865	6,048	8,951
Rietrivier	866	6,480	6,950
Rietfontein	867	6,115	0,127
Lister	868	6,329	4,378
Prosit	869	6,067	6,409
Nuwe Môre	870	6,446	6,904
Bella Vista	871	6,557	2,373
Wilskrag	872	6,242	8,704
Grobbelaarsrus	873	5,775	0,924
Julendan	874	5,895	8,053
Sukkelaar	875	6,360	0,225
Klipaar	876	6,327	3,499
Pioniersweg	877	5,912	1,113
De Hoek	878	6,385	8,119
—	879	6,535	8,582
—	880	6,531	1,752

—	881	6,439	0,611
—	882	6,717	9,240
—	883	6,715	2,153
—	884	6,740	9,057
—	885	6,287	6,814
—	886	6,644	1,753
—	887	6,442	0,002
—	888	6,147	3,100
—	889	6,703	4,628
—	890	6,758	0,814
—	891	6,619	2,682
—	892	6,761	0,270
—	893	6,188	8,477
—	894	7,174	1,990
—	895	7,160	1,249
—	896	6,733	8,650
—	897	7,260	8,555
—	898	6,285	9,184
—	899	6,438	3,620
—	900	6,796	1,548
—	901	6,799	9,971
—	902	6,618	7,825
—	903	6,961	9,995
—	904	6,174	8,688
—	905	6,300	8,931
—	906	6,972	1,275
—	907	6,392	4,423
—	908	6,393	7,683
—	909	6,200	7,245
—	910	6,604	9,724
—	911	6,009	7,297
—	912	6,317	5,315
—	913	6,742	1,293
—	914	6,375	9,129
—	915	6,062	2,108
—	916	6,454	5,081
—	917	6,393	4,373
—	918	6,477	0,397
—	919	6,451	2,012
—	920	6,370	6,353
—	921	6,123	7,431
—	922	6,918	1,900
—	948	7,597	6,074
—	949	7,599	5,205
—	950	7,692	1,694
—	951	7,698	4,622
—	952	7,918	4,884
—	953	7,967	3,700
—	954	7,671	0,070
—	955	7,620	4,996
—	956	7,144	9,195
—	957	7,162	9,946
—	958	7,290	6,118
—	959	7,308	1,276
—	960	7,293	2,341
—	961	7,310	4,786
—	962	7,233	6,338
—	963	7,248	7,619
—	964	7,230	1,773
—	965	7,245	2,048
—	966	7,184	0,212
—	967	7,154	7,483
—	968	7,513	0,006
—	969	7,428	0,803

## DISTRIK KARIBIB.

Plaas.	No.	Grootte.	
		Hektare	vk. meters
Kudubis	19	10,653	2,519
Tumib	20	9,065	0,000
Springbokfontein	21	11,006	0,000
Tubussis	22	14,493	9,349
Lêwater	57	5	9,999
Sandamap	64	9,002	2,178
Gedeelte 1 van Pforte	65	4,103	5,353
Gedeelte 2 van Pforte	65	4,103	5,340

—	881	6,439	0,611
—	882	6,717	9,240
—	883	6,715	2,153
—	884	6,740	9,057
—	885	6,287	6,814
—	886	6,644	1,753
—	887	6,442	0,002
—	888	6,147	3,100
—	889	6,703	4,628
—	890	6,758	0,814
—	891	6,619	2,682
—	892	6,761	0,270
—	893	6,188	8,477
—	894	7,174	1,990
—	895	7,160	1,249
—	896	6,733	8,650
—	897	7,260	8,555
—	898	6,285	9,184
—	899	6,438	3,620
—	900	6,796	1,548
—	901	6,799	9,971
—	902	6,618	7,825
—	903	6,961	9,995
—	904	6,174	8,688
—	905	6,300	8,931
—	906	6,972	1,275
—	907	6,392	4,423
—	908	6,393	7,683
—	909	6,200	7,245
—	910	6,604	9,724
—	911	6,009	7,297
—	912	6,317	5,315
—	913	6,742	1,293
—	914	6,375	9,129
—	915	6,062	2,108
—	916	6,454	5,081
—	917	6,393	4,373
—	918	6,477	0,397
—	919	6,451	2,012
—	920	6,370	6,353
—	921	6,123	7,431
—	922	6,918	1,900
—	948	7,597	6,074
—	949	7,599	5,205
—	950	7,692	1,694
—	951	7,698	4,622
—	952	7,918	4,884
—	953	7,967	3,700
—	954	7,671	0,070
—	955	7,620	4,996
—	956	7,144	9,195
—	957	7,162	9,946
—	958	7,290	6,118
—	959	7,308	1,276
—	960	7,293	2,341
—	961	7,310	4,786
—	962	7,233	6,338
—	963	7,248	7,619
—	964	7,230	1,773
—	965	7,245	2,048
—	966	7,184	0,212
—	967	7,154	7,483
—	968	7,513	0,006
—	969	7,428	0,803

## DISTRICT OF KARIBIB.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Kudubis	19	10,653	2,519
Tumib	20	9,065	0,000
Springbokfontein	21	11,006	0,000
Tubussis	22	14,493	9,349
Lêwater	57	5	9,999
Sandamap	64	9,002	2,178
Portion 1 of Pforte	65	4,103	5,353
Portion 2 of Pforte	65	4,103	5,340

Restant van Pforte	65	8,291	8,842
Gedeelte 1 van Ketelbank	66	5,784	6,811
Restant van Ketelbank	66	5,784	6,545
Graniet	67	14,276	2,428
Libertas	68	15,052	1,109
Gedeelte 1 van Schwarz Spitzkoppe	69	5,450	0,027
Gedeelte 2 van Schwarz Spitzkoppe	69	5,397	6,619
Gedeelte 3 van Schwarz Spitzkoppe	69	52	3,411
Restant van Schwarz Spitzkoppe	69	5,450	0,682
Gedeelte 1 van Klein Spitzkoppe	70	5,639	9,665
Restant van Klein Spitzkoppe	70	15,496	5,366
Gedeelte 1 van Gross Spitzkoppe	71	5,000	0,513
Restant van Gross Spitzkoppe	71	10,516	4,956
Gedeelte 1 van Black Range	72	8,326	9,491
Restant van Black Range	72	8,326	9,415
Elim	84	6,206	3,735
Twyfel	85	8,390	3,557
Gedeelte 1 van Ootmoed	86	8,242	3,842
Restant van Ootmoed	86	7,210	1,482
Gedeelte 1 van Uithou	87	9,000	0,001
Restant van Uithou	87	9,986	0,326
Gedeelte 1 van Hoopverloor	88	10,945	6,636
Restant van Hoopverloor	88	10,956	0,395
Hakskeen	89	24,100	5,125
Sukses	90	16,650	4,679
Eureka	99	9,303	5,753
Sorento	113	9,667	1,274
Marenica	114	26,343	1,915
Sandamap-Nord	115	8,045	1,977
Harmonie	117	8,043	4,350
Oberwasser	118	11,769	1,839
Vrede	119	6,112	5,776
Goeie Geluk	121	7,286	9,949
Capri	175	6,153	8,836
Rietkuil	176	763	6,025
Oberwasser-West	182	9,715	8,705

## DISTRIK KEETMANSHOOP.

Plaas.	No.	Grootte.	
		Hektare	vk. meters
Gedeelte 1 van Gellap-West	4	6,909	9,586
Restant van Gellap-West	4	6,909	9,594
Besondermaid	5	10,660	1,086
Nabaos	7	12,809	0,000
Gedeelte 1 van Itzawisis	9	17,105	9,505
Gedeelte 3 van Itzawisis	9	5,110	2,561
Gedeelte 4 van Itzawisis	9	7,964	9,072
Gedeelte 5 van Itzawisis	9	5,029	1,631
Restant van Itzawisis	9	6,334	4,574
Lichtenfels	10	15,672	0,000
Gavetemas	11	10,827	2,049
Gedeelte 1 van Aretitis	12	7,518	9,789
Restant van Aretitis	12	8,473	5,329
Dickdorn	13	10,286	7,449
Restant van Mukorob	14	6,293	0,298
Gedeelte 2 van Daberas Pforte	15	2,999	9,999
Gedeelte 3 Uitsig van Daberas Pforte	15	2,999	9,983
Restant van Daberas Pforte	15	9,912	0,750
Restant van Ged. van Gross Daberas	17	4,563	0,070
Gedeelte 2 van Gross Daberas	17	4,999	8,327
Gedeelte 3 van Gross Daberas	17	4,782	6,537
Restant van Gross Daberas	17	4,782	6,544

Remainder of Pforte	65	8,291	8,842
Portion 1 of Ketelbank	66	5,784	6,811
Remainder of Ketelbank	66	5,784	6,545
Graniet	67	14,276	2,428
Libertas	68	15,052	1,109
Portion 1 of Schwarz			
Spitzkoppe	69	5,450	0,027
Portion 2 of Schwarz			
Spitzkoppe	69	5,397	6,619
Portion 3 of Schwarz			
Spitzkoppe	69	52	3,411
Remainder of Schwarz			
Spitzkoppe	69	5,450	0,682
Portion 1 of Klein			
Spitzkoppe	70	5,639	9,665
Remainder of Klein			
Spitzkoppe	70	15,496	5,366
Portion 1 of Gross			
Spitzkoppe	71	5,000	0,513
Remainder of Gross			
Spitzkoppe	71	10,516	4,956
Portion 1 of Black Range	72	8,326	9,491
Remainder of Black Range	72	8,326	9,415
Elim	84	6,206	3,735
Twyfel	85	8,390	3,557
Portion 1 of Ootmoed	86	8,242	3,842
Remainder of Ootmoed	86	7,210	1,482
Portion 1 of Uithou	87	9,000	0,001
Remainedr of Uithou	87	9,986	0,326
Portion 1 of Hoopverloor	88	10,945	6,636
Remainder of Hoopverloor	88	10,956	0,395
Hakskeen	89	24,100	5,125
Sukses	90	16,650	4,679
Eureka	99	9,303	5,753
Sorento	113	9,667	1,274
Marenica	114	26,343	1,915
Sandamap-Nord	115	8,045	1,977
Harmonie	117	8,043	4,350
Oberwasser	118	11,769	1,839
Vrede	119	6,112	5,776
Goeie Geluk	121	7,286	9,949
Capri	175	6,153	8,836
Rietkuil	176	763	6,025
Oberwasser-West	182	9,715	8,705

## DISTRICT OF KEETMANSHOOP.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Portion 1 of Gellap-West	4	6,909	9,586
Remainder of Gellap-West	4	6,909	9,594
Besondermaid	5	10,660	1,086
Nabaos	7	12,809	0,000
Portion 1 of Itzawisis	9	17,105	9,505
Portion 3 of Itzawisis	9	5,110	2,561
Portion 4 of Itzawisis	9	7,964	9,072
Portion 5 of Itzawisis	9	5,029	1,631
Remainder of Itzawisis	9	6,334	4,574
Lichtenfels	10	15,672	0,000
Gavetemas	11	10,827	2,049
Portion 1 of Aretitis	12	7,518	9,789
Remainder of Aretitis	12	8,473	5,329
Dickdorn	13	10,286	7,449
Remainder of Mukorob	14	6,293	0,298
Portion 2 of Daberas Pforte	15	2,999	9,999
Portion 3 of Uitsig of Daberas Pforte	15	2,999	9,983
Remainder of Daberas Pforte	15	9,912	0,750
Remainder of Portion 1 of Gross Daberas	17	4,563	0,070
Portion 2 of Gross Daberas	17	4,999	8,327
Portion 3 of Gross Daberas	17	4,782	6,537
Remainder of Gross Daberas	17	4,782	6,544

Gedeelte 1 van Daberas			
Ost	18	5,897	7,191
Gedeelte 2 van Daberas			
Ost	18	5,897	6,305
Restant van Daberas			
Ost	18	5,897	7,818
Gedeelte 1 van Klein			
Daberas	19	9,595	4,316
Gedeelte 2 van Klein			
Daberas	19	3,377	2,757
Gedeelte 3 van Klein			
Daberas	19	1,000	2,785
Restant van Klein			
Daberas	19	5,217	8,821
Gedeelte 1 van Zaris	20	6,577	3,804
Gedeelte 2 van Zaris	20	4,999	3,088
Gedeelte 3 van Zaris	20	5,000	3,088
Restant van Zaris	20	3,288	6,895
Blaukehl-Nord	141	14,956	0,000
Blaukehl-Süd	142	15,115	2,013
Blau-Ost	143	10,157	0,000
Gedeelte 1 van Blau-Ost	144	2,158	2,846
Restant van Blau-Ost	144	3,558	0,246
Petisie	193	4,104	5,572
Bloemhof	311	9,401	8,631
Vaalheuwel	358	10,139	0,433

## DISTRIK OMARURU.

Plaas.	No.	Grootte.	
		Hektare	vk. meters
Gedeelte B van die Plaas Okombahe	148	0	1,198
Gedeelte D van die Plaas Okombahe	148	0	2,750

## DISTRIK OUTJO.

Plaas.	No.	Grootte.	
		Hektare	vk. meters
Orusewa	1	5,151	7,499
Tsawisis	2	5,891	9,771
Elba	3	5,171	7,852
Löwenfontein	84	5,027	7,649
Gedeelte 3 van Sorris- Sorris	186	2,966	6,971
Gedeelte 5 van Sorris- Sorris	186	5,275	5,798
Gedeelte 6 van Sorris- Sorris	186	6,165	5,123
Restant van Sorris- Sorris	186	5,646	5,317
Gedeelte 1 van Grootberg	191	5,085	5,134
Gedeelte 2 van Grootberg	191	5,041	8,949
Gedeelte 3 van Grootberg	191	5,021	6,563
Gedeelte 4 van Grootberg	191	4,902	0,400
Gedeelte 5 van Grootberg	191	4,956	0,395
Restant van Grootberg	191	5,050	2,221
Kakatswa Onguati	236	14,756	2,292
Gedeelte 1 van Amkarub	269	1,699	9,661
Gedeelte 2 van Amkarub	269	1,652	9,673
Gedeelte 1 van Brambach	271	1,562	8,378
Restant van Brambach	271	6,999	9,052
Gedeelte 1 van Engel- brecht	272	1,199	5,752
Restant van Engel- brecht	272	9,200	3,403
Mikberg	274	3,690	7,419
Kowares	276	15,531	3,627
Halt	379	5,634	3,221
Korechas	381	5,596	3,898
Gedeelte 1 van Radyn	382	41	2,901
Restant van Radyn	382	5,432	4,009
Navarre	383	5,889	4,678
Waterval	384	5,376	9,600

Portion 1 of Daberas Ost	18	5,897	7,191
Portion 2 of Daberas Ost	18	5,897	6,305
Remainder of Daberas Ost	18	5,897	7,818
Portion 1 of Klein Daberas	19	9,595	4,316
Portion 2 of Klein Daberas	19	3,377	2,757
Portion 3 of Klein Daberas	19	1,000	2,785
Remainder of Klein Daberas	19	5,217	8,821
Portion 1 of Zaris	20	6,577	3,804
Portion 2 of Zaris	20	4,999	3,088
Portion 3 of Zaris	20	5,000	3,088
Remainder of Zaris	20	3,288	6,895
Blaukehl-Nord	141	14,956	0,000
Blaukehl-Süd	142	15,115	2,013
Blau-Ost	143	10,157	0,000
Portion 1 of Blau-Ost	144	2,158	2,846
Remainder of Blau-Ost	144	3,558	0,246
Petisie	193	4,104	5,572
Bloemhof	311	9,401	8,631
Vaalheuwel	358	10,139	0,433

## DISTRICT OF OMARURU.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Portion B of the Farm Okombahe	148	0	1,198
Portion D of the Farm Okombahe	148	0	2,750

## DISTRICT OF OUTJO.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Orusewa	1	5,151	7,499
Tsawisis	2	5,891	9,771
Elba	3	5,171	7,852
Löwenfontein	84	5,027	7,649
Portion 3 of Sorris-Sorris	186	2,966	6,971
Portion 5 of Sorris-Sorris	186	5,275	5,798
Portion 6 of Sorris-Sorris	186	6,165	5,123
Remainder of Sorris-Sorris	186	5,646	5,317
Portion 1 of Grootberg	191	5,085	5,134
Portion 2 of Grootberg	191	5,041	8,949
Portion 3 of Grootberg	191	5,021	6,563
Portion 4 of Grootberg	191	4,902	0,400
Portion 5 of Grootberg	191	4,956	0,395
Remainder of Grootberg	191	5,050	2,221
Kakatswa Onguati	236	14,756	2,292
Portion 1 of Amkarub	269	1,699	9,661
Portion 2 of Amkarub	269	1,652	9,673
Portion 1 of Brambach	271	1,562	8,378
Remainder of Brambach	271	6,999	9,052
Portion 1 of Engelbrecht	272	1,199	5,752
Remainder of Engelbrecht	272	9,200	3,403
Mikberg	274	3,690	7,419
Kowares	276	15,531	3,627
Halt	379	5,634	3,221
Korechas	381	5,596	3,898
Portion 1 of Radyn	382	41	2,901
Remainder of Radyn	382	5,432	4,009
Navarre	383	5,889	4,678
Waterval	384	5,376	9,600

Renosterwraak	385	5,578	0,852
Stillewoning	386	5,502	3,774
Braunfels	387	5,328	5,548
Olifantshoek	388	5,646	4,423
Renosterkop	389	5,587	6,607
Macaria	390	10,406	9,035
Belmont	392	5,685	3,950
Dieprivier	393	5,619	2,551
Welbedacht	394	6,055	4,722
Uitskot	395	5,596	8,842
Middelplaas	396	5,648	5,860
Vaalhoek	397	6,153	1,326
Weltevrede	398	6,181	6,193
Nooitgedacht	399	5,951	1,282
Delta	400	5,172	9,373
Iris	401	5,441	7,864
Moedhou	402	5,165	8,227
Omborombongo	403	5,167	4,918
Plaas	404	3,203	9,448
Karstenville	405	5,734	2,052
Terra Mea	406	5,954	8,990
Houmoed	407	5,821	8,854
Biessiepoort	408	5,962	7,437
Welverdiend	409	5,322	7,309
Zebrakop	410	5,475	4,010
Leeushoek	411	5,996	0,070
Onverwags	412	6,147	8,791
Irene	413	5,823	6,135
Rooipoort	414	6,603	7,277
Gedeelte I van Welwitschia			
Dorp en Dorpsgronde	416	120	7,589
Gedeelte II van Welwitschia			
Dorp en Dorpsgronde	416	1	2,500
Restant van Welwitschia			
Dorp en Dorpsgronde	416	1,698	5,564
Eindelik	478	6,553	0,033
Arbeidsadel	479	6,332	2,624
Môrewag	480	6,761	1,097
Florida	481	5,586	3,425
Inhoek	482	5,595	9,033
Bella Vista	483	6,080	1,723
Bloemhof	484	6,403	9,515
Versteendewoud	485	6,865	0,791
Oas	486	5,905	2,710
Kaokokroon	487	5,254	5,312
Kleinfontein	488	2,967	2,276
Gedeelte 1 van Horison	489	4,167	9,015
Bergville	490	6,495	3,540
Lofdal	491	6,227	8,054
Braklaagte	492	6,224	3,797
Dagbreek	495	6,231	3,007
Môreson	496	6,387	7,666
Langberg	497	5,726	8,820
Groenvlei	498	6,272	2,165
Losberg	499	6,099	0,403
Goedgevind	500	6,040	7,725
Arbeidsgenot	501	6,690	3,453
Renosterberg	502	7,094	0,488
Goeie Hoop	503	7,172	2,159
Mesopotamie	504	7,102	1,271
Soutput	505	7,107	0,107
Rooikop	506	8,272	2,339
Boesmanpan	507	7,242	6,263
Toekoms	508	7,120	5,556
Rushof	509	6,426	1,005
Ruimte	510	6,458	6,285
Naauwpoort	511	6,254	8,649
Blaauwkrans	512	6,757	4,255
Loerkop	513	6,362	7,807
Bethanis	514	10,792	3,436
Austerlitz	515	8,277	4,296
Drie Krone	516	8,351	1,932
Rooiberg	517	6,482	4,469
Rietkuil	518	7,009	3,885
Malansrust	519	7,509	0,157
Blaauwpoort	520	10,097	8,868
Witwatersrand	521	8,272	8,235
Granietkop	522	7,218	8,745
Banksfontein	523	6,814	2,522

Renosterwraak	385	5,578	0,852
Stillewoning	386	5,502	3,774
Braunfels	387	5,328	5,548
Olifantshoek	388	5,646	4,423
Renosterkop	389	5,587	6,607
Macaria	390	10,406	9,035
Belmont	392	5,685	3,950
Dieprivier	393	5,619	2,551
Welbedacht	394	6,055	4,722
Uitskot	395	5,596	8,842
Middelplaas	396	5,648	5,860
Vaalhoek	397	6,153	1,326
Weltevrede	398	6,181	6,193
Nooitgedacht	399	5,951	1,282
Delta	400	5,172	9,373
Iris	401	5,441	7,864
Moedhou	402	5,165	8,227
Omborombongo	403	5,167	4,918
Farm	404	3,203	9,448
Karstenville	405	5,734	2,052
Terra Mea	406	5,954	8,990
Houmoed	407	5,821	8,854
Biessiepoort	408	5,962	7,437
Welverdiend	409	5,322	7,309
Zebrakop	410	5,475	4,010
Leeushoek	411	5,996	0,070
Onverwags	412	6,147	8,791
Irene	413	5,823	6,135
Rooipoort	414	6,603	7,277
Portion 1 of Welwitschia Town and Townlands	416	120	7,589
Portion 2 of Welwitschia Town and Townlands	416	1	2,500
Remainder of Welwitschia Town and Townlands	416	1,698	5,564
Eindelik	478	6,553	0,033
Arbeidsadel	479	6,332	2,624
Môrewag	480	6,761	1,097
Florida	481	5,586	3,425
Inhoek	482	5,595	9,033
Bella Vista	483	6,080	1,723
Bloemhof	484	6,403	9,515
Versteendewoud	485	6,865	0,791
Oas	486	5,905	2,710
Kaokokroon	487	5,254	5,312
Kleinfontein	488	2,967	2,276
Portion 1 of Horison	489	4,167	9,015
Bergville	490	6,495	3,540
Lofdal	491	6,227	8,054
Braklaagte	492	6,224	3,797
Dagbreek	495	6,231	3,007
Môreson	496	6,387	7,666
Langberg	497	5,726	8,820
Groenvlei	498	6,272	2,165
Losberg	499	6,099	0,403
Goedgevind	500	6,040	7,725
Arbeidsgenot	501	6,690	3,453
Renosterberg	502	7,094	0,488
Goeie Hoop	503	7,172	2,159
Mesopotamie	504	7,102	1,271
Soutput	505	7,107	0,107
Rooikop	506	8,272	2,339
Boesmanpan	507	7,242	6,263
Toekoms	508	7,120	5,556
Rushof	509	6,426	1,005
Ruimte	510	6,458	6,285
Naauwpoort	511	6,254	8,649
Blaauwkrans	512	6,757	4,255
Loerkop	513	6,362	7,807
Bethanis	514	10,792	3,436
Austerlitz	515	8,277	4,296
Drie Krone	516	8,351	1,932
Rooiberg	517	6,482	4,469
Rietkuil	518	7,009	3,885
Malansrust	519	7,509	0,157
Blaauwpoort	520	10,097	8,868
Witwatersrand	521	8,272	8,235
Granietkop	522	7,218	8,745
Banksfontein	523	6,814	2,522

Mispah	524	9,711	2,625
Uitkoms	525	10,014	6,525
Goedgenoeg	526	10,570	3,468
Draaihoek	527	11,928	6,184
Vegkop	528	9,540	3,195
Duineveld	529	8,327	9,499
Saulstraat	530	9,695	0,053
Alfa	531	9,077	5,645
De Rust	532	11,197	4,989
Rendezvous	533	11,411	3,359
Twyfelfontein	534	12,223	0,220
Probeer	535	17,999	1,269
Moria	601	5,010	7,234
Anker	602	5,797	1,435
Deo Valento	610	5,649	7,721
Dwarsstrek	611	5,641	7,327
Neuland	612	5,822	5,141
Emanuel	613	6,165	4,566
Condor	617	5,494	7,845
Atlanta	618	5,518	1,915
Eendrag	619	5,207	4,498
Kaiserfontein	620	5,609	6,984
Dorsland	621	7,208	5,029
Oortrek	622	5,280	4,876
Waterbron	623	5,420	9,381
Kamdesha	624	6,038	6,825
Quo Vadis	625	5,235	7,144
De Ville	638	5,586	9,809
Marienhöhe	639	5,293	0,259
Swartskamp	640	6,654	7,289
Marienphil	641	5,046	8,004
Westend	642	4,569	8,827
Tevrede	643	6,161	9,044
Leeukop	664	11,126	2,042
Verpaaie	665	4,735	8,696
Kuyper	666	10,657	8,329
Nugas	667	13,631	4,188
Suiderkruis	668	9,647	5,914
Ruspoort	669	10,492	9,233
Brakwater	670	10,174	5,430
Freyer	671	9,844	2,624
Avante	672	13,070	2,933
Aandgloed	673	11,631	7,687
Noute	674	11,275	1,465
Eersbegin	675	10,987	6,898
Tweelingskop	676	9,095	6,835
Anabis	677	7,583	7,685
Spitskop	678	5,875	8,614
Nantis	679	6,220	6,759
Welkom	680	9,182	0,365
Heuwels	681	6,345	7,994
Rockeys	682	5,787	4,649
Gedeelte 1 van Aub	683	1,934	3,982
Restant van Aub	683	4,643	3,568
Smalruggens	684	5,199	0,911
Palmwag	702	20,076	1,628
Otjihavera	703	17,540	7,981
Humor	704	19,362	2,323
Rusdal	705	13,459	8,804
Tafelberg	706	13,154	3,158
Kliprivier	707	16,776	3,596
Palm	708	19,895	1,837
Juriesdraai	709	22,819	6,760
Rooiplaat	710	21,460	5,202
Spaarwater	711	20,826	6,380
Tweespruit	712	16,932	0,000
Nil Despuradum	713	15,510	0,135
Bergsig	714	20,159	6,814
Wêreldsend	715	24,107	0,438
Driefontein	716	23,894	5,296
Fonteine	717	17,523	9,324
Opraend	718	14,737	3,498
Vrede	719	15,961	2,206
Die Riet	720	15,660	3,333
Krone	721	19,073	2,710
Tussenby	729	2,967	2,168
Plaas	731	1,499	8,869
Moorivier	738	4,797	3,033
Plaas	741	3,799	2,066

Mispah	524	9,711	2,625
Uitkoms	525	10,014	6,525
Goedgenoeg	526	10,570	3,468
Draaihoek	527	11,928	6,184
Vegkop	528	9,540	3,195
Duineveld	529	8,327	9,499
Saulstraat	530	9,695	0,053
Alfa	531	9,077	5,645
De Rust	532	11,197	4,989
Rendezvous	533	11,411	3,359
Twyfelfontein	534	12,223	0,220
Probeer	535	17,999	1,269
Moria	601	5,010	7,234
Anker	602	5,797	1,435
Deo Valento	610	5,649	7,721
Dwarstrek	611	5,641	7,327
Neuland	612	5,822	5,141
Emanuel	613	6,165	4,566
Condor	617	5,494	7,845
Atlanta	618	5,518	1,915
Eendrag	619	5,207	4,498
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Dorsland	621	7,208	5,029
Oortrek	622	5,280	4,876
Waterbron	623	5,420	9,381
Kamdesha	624	6,038	6,825
Quo Vadis	625	5,235	7,144
De Ville	638	5,586	9,809
Marienhöhe	639	5,293	0,259
Swartskamp	640	6,654	7,289
Marienphil	641	5,046	8,004
Westend	642	4,569	8,827
Tevrede	643	6,161	9,044
Leeukop	664	11,126	2,042
Verpaaie	665	4,735	8,696
Kuyper	666	10,657	8,329
Nugas	667	13,631	4,188
Suiderkruis	668	9,647	5,914
Ruspoort	669	10,492	9,233
Brakwater	670	10,174	5,430
Freyer	671	9,844	2,624
Avante	672	13,070	2,933
Aandgloed	673	11,631	7,687
Noute	674	11,275	1,465
Eersbegin	675	10,987	6,898
Tweelingskop	676	9,095	6,835
Anabis	677	7,583	7,685
Spitskop	678	5,875	8,614
Nantis	679	6,220	6,759
Welkom	680	9,182	0,365
Heuwels	681	6,345	7,994
Rockeys	682	5,787	4,649
Portion 1 of Aub	683	1,934	3,982
Remainder of Aub	683	4,643	3,568
Smalruggens	684	5,199	0,911
Palmwag	702	20,076	1,628
Otjihavera	703	17,540	7,981
Humor	704	19,362	2,323
Rusdal	705	13,459	8,804
Tafelberg	706	13,154	3,158
Kliprivier	707	16,776	3,596
Palm	708	19,895	1,837
Juriesdraai	709	22,819	6,760
Rooiplaat	710	21,460	5,202
Spaarwater	711	20,826	6,380
Tweespruit	712	16,932	0,000
Nil Despuradum	713	15,510	0,135
Bergsig	714	20,159	6,814
Wêreldsend	715	24,107	0,438
Driefontein	716	23,894	5,296
Fonteine	717	17,523	9,324
Opraend	718	14,737	3,498
Vrede	719	15,961	2,206
Die Riet	720	15,660	3,333
Krone	721	19,073	2,710
Tussenby	729	2,967	2,168
Farm	731	1,499	8,869
Moorivier	738	4,797	3,033
Farm	741	3,799	2,066

## GIBEON DORP.

Erf.	No.	Grootte vk. meters
	1	1,909
	2	2,168
	3	2,176
	4	1,920
	5	1,921
	7	3,692
	9	19,416
	12	3,486
	13	0,793
	14	1,327
	15	3,681
	16	2,210
	17	4,716
	18	3,285
	19	6,478
	20	3,413
	21	5,527
	22	8,197
	23	3,122
	24	9,697
	25	2,722
Gedeelte A van	26	1,399
Restant van	26	6,928
	27	4,704
	28	0,439
	30	0,876
	31	3,527
	32	1,313
	33	3,941
	34	1,542
	35	1,412
	38	0,513
	39	1,203
	40	1,183
	42	1,118
	43	1,226
	45	1,597
	46	1,599
	47	1,603
	48	2,906
	49	1,342
	52	1,331
	53	1,621
	54	1,785
	55	1,179
	56	1,182
	57	1,061
	58	1,129
	59	16,806
	60	7,345
	61	4,599
	62	3,850
	63	4,601
	64	4,932
	65	1,575
	66	16,640
	67	4,052
	68	4,968
	69	7,000
	71	3,973
	73	1,410

## WELWITSCHIA DORP.

Erf.	No.	Grootte vk. meters
	1	4,188
	2	1,488
	3	1,500
	4	1,500
	5	1,500
	6	1,500
	7	1,488
	8	1,488
	9	1,500

GIBEON TOWNSHIP.

Erf.	No.	Extent sq. metres
_____	1	1,909
_____	2	2,168
_____	3	2,176
_____	4	1,920
_____	5	1,921
_____	7	3,692
_____	9	19,416
_____	12	3,486
_____	13	0,793
_____	14	1,327
_____	15	3,681
_____	16	2,210
_____	17	4,716
_____	18	3,285
_____	19	6,478
_____	20	3,413
_____	21	5,527
_____	22	8,197
_____	23	3,122
_____	24	9,697
_____	25	2,722
_____	26	1,399
Portion A of Remainder of	26	6,928
_____	27	4,704
_____	28	0,439
_____	30	0,876
_____	31	3,527
_____	32	1,313
_____	33	3,941
_____	34	1,542
_____	35	1,412
_____	38	0,513
_____	39	1,203
_____	40	1,183
_____	42	1,118
_____	43	1,226
_____	45	1,597
_____	46	1,599
_____	47	1,603
_____	48	2,906
_____	49	1,342
_____	52	1,331
_____	53	1,621
_____	54	1,785
_____	55	1,179
_____	56	1,182
_____	57	1,061
_____	58	1,129
_____	59	16,806
_____	60	7,345
_____	61	4,599
_____	62	3,850
_____	63	4,601
_____	64	4,932
_____	65	1,575
_____	66	16,640
_____	67	4,052
_____	68	4,968
_____	69	7,000
_____	71	3,973
_____	73	1,410

WELWITSCHIA TOWNSHIP.

Erf.	No.	Extent sq. metres
_____	1	4,188
_____	2	1,488
_____	3	1,500
_____	4	1,500
_____	5	1,500
_____	6	1,500
_____	7	1,488
_____	8	1,488
_____	9	1,500

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—	10	1,500
—	11	1,500
—	12	1,500
—	13	1,488
—	14	17,950
—	15	12,550
—	16	8,350
—	17	2,050
—	18	86,379
—	19	1,268
—	20	2,508
—	22	2,850
—	23	1,425
—	26	2,693
—	27	1,425
—	28	2,508
—	31	1,300
—	32	1,312
—	33	2,751
—	34	1,271
—	36	2,608
—	38	1,173
—	39	0,941
—	40	1,002
—	41	1,312
—	42	1,312
—	43	1,358
—	44	1,467
—	45	1,312
—	46	1,312
—	47	1,312
—	48	1,112
—	49	1,087
—	50	1,275
—	51	2,506
—	53	1,139
—	55	1,901
—	56	0,905

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—	10	1,500
—	11	1,500
—	12	1,500
—	13	1,488
—	14	17,950
—	15	12,550
—	16	8,350
—	17	2,050
—	18	86,379
—	19	1,268
—	20	2,508
—	22	2,850
—	23	1,425
—	26	2,693
—	27	1,425
—	28	2,508
—	31	1,300
—	32	1,312
—	33	2,751
—	34	1,271
—	36	2,608
—	38	1,173
—	39	0,941
—	40	1,002
—	41	1,312
—	42	1,312
—	43	1,358
—	44	1,467
—	45	1,312
—	46	1,312
—	47	1,312
—	48	1,112
—	49	1,087
—	50	1,275
—	51	2,506
—	53	1,139
—	55	1,901
—	56	0,905

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No. 36 van 1967.]

## ORDONNANSIE

Ter wysiging van die Ordonnansie op Dorpe en Grondverdeling 1963, om die woordbepaling van die uitdrukking „openbare plek” te vervang en om die woordbepaling van die uitdrukking „vroeëre wet” in te voeg; om in artikel 5 te bepaal dat kennis gegee moet word dat ’n aansoek om toestemming tot die stigting van ’n dorp ter insae lê vir inspeksie by die kantoor van die Landmeter-generaal en op sodanige ander plekke soos in sodanige kennisgewing gemeld word; om in artikel 13 te bepaal dat die proklamasie wat ’n gebied tot ’n goedgekeurde dorp verklaar in ’n bylae daarby die voorwaardes ingevolge waarvan die aansoek om verlof tot stigting van die betrokke dorp toegestaan is, uiteen moet sit; om in artikel 22 te bepaal dat wanneer die Administrateur ’n eienaar of huurder van grond verbied het om ’n gebou op sodanige grond op te rig, ’n afskrif van sodanige verbod ingedien moet word by die Registrateur van Aktes wat ’n aantekening van sodanige verbod in sy registers laat maak en dit laat endosseer op die betrokke titelbewys; om te bepaal dat voorwaardes gestel deur die Administrateur ingevolge die genoemde ordonnansie of enige ander wet afgedwing kan word en om strawwe te bepaal vir nie-nakoming van sodanige voorwaardes; om voorsiening te maak vir die verandering van enige voorwaardes gestel ingevolge die genoemde ordonnansie of enige vroeëre wet en vir die rojering deur die Registrateur van Aktes van enige sodanige voorwaardes; om te bepaal dat gelde voorgeskryf ingevolge die genoemde ordonnansie deur die Administrateur in die Inkomstefonds van die Gebied gestort word en om voorsiening te maak vir verbandhoudende sake.

(Goedgekeur 20 November 1967)

(Engelse teks deur die Administrateur geteken.)

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

Wysiging van  
artikel 1 van  
Ordonnansie 11  
van 1963.

1. Artikel 1 van die Ordonnansie op Dorpe en Grondverdeling (Ordonnansie 11 van 1963) — hierna heet dit die hoofordonnansie — word hierby gewysig —

(a) deur die vervanging van die woordbepaling van „openbare plek” deur die volgende woordbepaling:—

„(vii) „openbare plek” ook enige straat, pad, steeg, laan, deurgang, sanitêre deurloop, park, ontspannings- of sportgrond, plein of ander oop ruimte —

(a) wat as sodanig op ’n algemene plan van ’n goedgekeurde dorp soos op lias in die Aktekantoor of die kantoor van die Landmeter-generaal aangedui word; of

(b) wat voorgestel word deur ’n kaart aangeheg by ’n akte wat dit as ’n openbare plek oordra aan ’n plaaslike bestuur ingevolge enige onderverdeling van grond; of

(c) waarop die publiek ’n gemeenskaplike reg verkry het of te eniger tyd kan verkry;”;

(b) deur die invoeging na die woordbepaling van „voorgeskryf” van die volgende woordbepaling:—

No. 36 of 1967.]

## ORDINANCE

To amend the Townships and Division of Land Ordinance 1963, to redefine the expression "public place" and to define the expression "prior law"; to provide in section 5 that notice shall be given that an application for permission to establish a township is open for inspection at the office of the Surveyor-General and at such other places as may be stated in such notice; to provide in section 13 that the proclamation which declares an area to be an approved township shall set forth in a schedule thereto the conditions subject to which the application for permission to establish the township concerned has been granted; to provide in section 22 that when the Administrator has prohibited an owner or lessee of land from erecting any building on such land, a copy of such prohibition shall be lodged with the Registrar of Deeds who shall cause a note of such prohibition to be made in his registers and to be endorsed on the title deed concerned; to provide that conditions imposed by the Administrator in terms of the said ordinance or any other law may be enforced and to provide penalties for non-compliance with such conditions; to provide for the variation of any conditions imposed in terms of the said ordinance or any prior law and for the cancellation by the Registrar of Deeds of any such conditions; to provide that fees prescribed in terms of the said ordinance shall be paid by the Administrator into the Territory Revenue Fund and to provide for matters incidental thereto.

(Assented to 20th November, 1967)

(English text signed by the Administrator)

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

1. Section 1 of the Townships and Division of Land Ordinance 1963 (Ordinance 11 of 1963) — hereinafter called the principal ordinance — is hereby amended —

Amendment of section 1 of Ordinance 11 of 1963.

(a) by the substitution for the definition of "public place" of the following definition:—

"(vii) 'public place' includes any street, road, lane, avenue, thoroughfare, sanitary passage, park, recreation or sports ground, square or other open space —

(a) which is shown as such on a general plan of an approved township, as filed in the Deeds Registry or the Surveyor-General's Office; or

(b) which is represented by a diagram annexed to a deed conveying it as a public place to a local authority in pursuance of any sub-division of land; or

(c) to which the public have acquired or at any time may acquire a common right;"

(b) by the insertion after the definition of "prescribed" of the following definition:—

„(viiiA) ‚vroeëre wet’ die Dorpen Proklamatie 1920 (Proklamasie 68 van 1920) en die Dorpe-Ordonnansie 1928 (Ordonnansie 11 van 1928);”.

Wysiging van artikel 5 van Ordonnansie 11 van 1963.

2. Artikel 5 van die hoofordonnansie word hierby gewysig —

(a) deur die vervanging van subartikel (5) deur die volgende subartikel:—

„(5) By ontvangs van die aansoek verwys die Administrateur dit na die raad ter oorweging en verslagdoening en daarop publiseer die raad onverwyld ’n kennisgewing een keer in die *Offisiële Koerant* en een keer in sodanige nuusblad of nuusblaai soos die raad goedvind, dat so ’n aansoek geskied het en by die kantoor van die Landmeter-generaal en by sodanige ander plekke (as daar is) soos in sodanige kennisgewing vermeld, ter insae lê.”;

(b) deur die vervanging van subartikel (6) deur die volgende subartikel:—

„(6) Elkeen wat beswaar het teen die toestaan van die aansoek of wat daarvoor verhoor wil word of verhoor wil rig, kan skriftelik met die raad in verbinding tree of kan getuienis voor die raad aflê op die datum en plek bepaal deur die raad in die kennisgewing bedoel in subartikel (5): Met dien verstande dat elk so ’n skriftelike medeling die raad moet bereik uiterlik een maand van die datum van publikasie van sodanige kennisgewing.”;

(c) deur die skraping van subartikel (9).

Wysiging van artikel 6 van Ordonnansie 11 van 1963.

3. Artikel 6 van die hoofordonnansie word hierby gewysig deur die skraping van subartikel (5).

Wysiging van artikel 13 van Ordonnansie 11 van 1963.

4. Artikel 13 van die hoofordonnansie word hierby gewysig deur die byvoeging aan die slot daarvan van die woorde „en sodanige proklamasie moet in ’n bylae daarby die voorwaardes ingevolge waarvan die aansoek om verlof tot stigting van die betrokke dorp toegestaan is, uiteengesit.”.

Wysiging van artikel 17 van Ordonnansie 11 van 1963.

5. Artikel 17 van die hoofordonnansie word hierby gewysig deur die vervanging van die woorde „die Dorpen Proklamatie 1920 (Proklamasie 68 van 1920) of ingevolge die bepalings van hierdie of enige ander ordonnansie” deur die woorde „hierdie ordonnansie of enige vroeëre wet” en deur die vervanging van die woorde „die genoemde proklamasie” deur die woorde „die Dorpen Proklamatie 1920 (Proklamasie 68 van 1920)”.

Wysiging van artikel 19 van Ordonnansie 11 van 1963.

6. Artikel 19 van die hoofordonnansie word hierby gewysig —

(a) deur die skraping in subartikel (1) van die woorde „of van ’n stuk grond geleë binne die dorpsgrond van ’n goedgekeurde dorp”;

(b) deur die skraping van subartikels (11) en (12),

Wysiging van artikel 20 van Ordonnansie 11 van 1963.

7. Artikel 20 van die hoofordonnansie word hierby gewysig deur die skraping van subartikels (7) en (8).

Wysiging van artikel 22 van Ordonnansie 11 van 1963.

8. Artikel 22 van die hoofordonnansie word hierby gewysig deur die byvoeging van die volgende subartikel:—

„(4) Wanneer die Administrateur ingevolge subartikel (1) ’n eenaar of huurder van grond verbied het om enige gebou of geboue op sodanige grond op te rig, moet ’n afskrif van sodanige verbod ingedien word by die Registrateur van Aktes wat ’n aantekening van sodanige verbod in sy registers moet laat maak en laat endosseer op die kantoorafskrif van die betrokke titelbewys, en as die oorspronk-

“(viiiA) ‘prior law’ means the Townships Proclamation, 1920 (Proclamation 68 of 1920) and the Townships Ordinance, 1928 (Ordinance 11 of 1928);”.

2. Section 5 of the principal ordinance is hereby amended —

Amendment of section 5 of Ordinance 11 of 1963.

(a) by the substitution for sub-section (5) of the following sub-section:—

“(5) The Administrator shall upon receipt thereof refer the application to the Board for consideration and report, and the Board shall forthwith publish once in the *Official Gazette* and once in such newspaper or newspapers as it may deem fit, a notice that such application has been made and is open for inspection at the office of the Surveyor-General and at such other places (if any) as may be stated in such notice”;

(b) by the substitution for sub-section (6) of the following sub-section:—

“(6) Any person who objects to the granting of the application or who is desirous of being heard or of making representations in the matter may communicate in writing with the Board or may give evidence before the Board on the date and at the place stipulated by the Board in the notice referred to in sub-section (5): Provided that any such written communication shall be in the hands of the Board not later than one month as from date of publication of such notice.”;

(c) by the deletion of sub-section (9).

3. Section 6 of the principal ordinance is hereby amended by the deletion of sub-section (5).

Amendment of section 6 of Ordinance 11 of 1963.

4. Section 13 of the principal ordinance is hereby amended by the addition at the end thereof of the words “and such proclamation shall set forth in a schedule thereto the conditions subject to which the application for permission to establish the township concerned has been granted”.

Amendment of section 13 of Ordinance 11 of 1963.

5. Section 17 of the principal ordinance is hereby amended by the substitution for the words “the Townships Proclamation, 1920 (Proclamation 68 of 1920), or under the provisions of this or any other Ordinance” of the words “this Ordinance or any prior law” and by the substitution for the words “the said proclamation” of the words “the Townships Proclamation, 1920 (Proclamation 68 of 1920)”.

Amendment of section 17 of Ordinance 11 of 1963.

6. Section 19 of the principal ordinance is hereby amended —

Amendment of section 19 of Ordinance 11 of 1963.

(a) by the deletion in sub-section (1) of the words “or of any piece of land situated within the townlands of any approved township”;

(b) by the deletion of sub-sections (11) and (12).

7. Section 20 of the principal ordinance is hereby amended by the deletion of sub-sections (7) and (8).

Amendment of section 20 of Ordinance 11 of 1963.

8. Section 22 of the principal ordinance is hereby amended by the addition of the following sub-section:—

Amendment of section 22 of Ordinance 11 of 1963.

“(4) When the Administrator has, in terms of sub-section (1), prohibited an owner or lessee of land from erecting any building or buildings on such land, a copy of such prohibition shall be lodged with the Registrar of Deeds, who shall cause a note of such prohibition to be made in his registers and to be endorsed on the office copy of the title deed concerned, and if at any time the original of such

like van sodanige titelbewys te eniger tyd in sy aktekantoor vir enige doel ingedien word, moet hy 'n soortgelyke aantekening daarop laat endosseer."

Wysiging van artikel 30 van Ordonnansie 11 van 1963.

9. Artikel 30 (2) van die hoofordonnansie word hierby gewysig deur die vervanging van die woorde „ten gunste van” deur die woord „deur” en deur die vervanging van die woord „ander” waar dit die eerste keer voorkom deur die woord „vroeëre”.

Vervanging van artikel 31 van Ordonnansie 11 van 1963.

10. Artikel 31 van die hoofordonnansie word hierby vervang deur die onderstaande artikel:—

„Voorwaardes gestel, kan afdwinging word en strawwe weens nie-nakoming van sodanige voorwaardes opgelê word.

31 (1) As die Administrateur voorwaardes ingevolge hierdie ordonnansie of enige ander wet gestel het —

- (a) ten opsigte van grond geleë binne die regsgebied van 'n plaaslike bestuur, kan sodanige plaaslike bestuur nakoming van sodanige voorwaardes afdwing; of
- (b) ten opsigte van grond geleë buite so 'n gebied, kan die Administrateur nakoming van sodanige voorwaardes afdwing.

(2) Elkeen wat enige van die voorwaardes bedoel in subartikel (1) oortree of verzuim om daaraan te voldoen, is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande."

Invoeging van artikels 31A en 31B in Ordonnansie 11 van 1963.

11. Die volgende artikels word hierby na artikel 31 van die hoofordonnansie ingevoeg:—

„Verandering van voorwaardes ingevolge hierdie ordonnansie of enige vroeëre wet.

31A (1) Die Administrateur kan, op aansoek deur die eienaar van grond waarvan die titelbewys onderhewig is aan voorwaardes gestel ingevolge hierdie ordonnansie of enige vroeëre wet, sodanige voorwaardes verander deur enige sodanige voorwaardes te wysig, te vervang of te skrap of verdere voorwaardes by sodanige voorwaardes te voeg: Met dien verstande dat —

- (a) die Administrateur, voordat hy enige voorgestelde verandering maak, kan vereis dat openbare kennisgewing daarvan soos hy nodig vind, geskied;
- (b) die Administrateur die saak na die raad verwys voordat hy sodanige verandering maak;
- (c) as sodanige grond binne die regsgebied van 'n plaaslike bestuur geleë is, die raad, voordat hy enige aanbeveling doen by die Administrateur, die saak na sodanige plaaslike bestuur vir sy kommentaar verwys;
- (d) as sodanige grond geleë is binne 'n gebied waarop 'n skema goedgekeur ingevolge die Dorpsbeplanningsordonnansie 1954 (Ordonnansie 18 van 1954) van toepassing is, die Administrateur geen sodanige verandering maak wat indruis teen enige bepaling van daardie skema nie.

(2) Die Administrateur kan, op aansoek deur 'n dorpseienaar, die voorwaardes uiteengesit in die bylae by 'n proklamasie uitgereik ingevolge artikel 13 ten opsigte van die betrokke dorp, verander deur enige sodanige voorwaardes te wysig, te vervang of te skrap of verdere voorwaardes by sodanige voorwaardes te voeg: Met dien verstande dat —

title deed is lodged in his registry for any purpose, he shall cause a similar note to be endorsed thereon."

9. Section 30 (2) of the principal ordinance is hereby amended by the substitution for the words "in favour of" of the word "by" and by the substitution for the word "other" of the word "prior".

Amendment of section 30 of Ordinance 11 of 1963.

10. The following section is hereby substituted for section 31 of the principal ordinance:—

Substitution of section 31 of Ordinance 11 of 1963.

"Conditions imposed may be enforced and penalties for non-compliance with conditions imposed.

31 (1) If the Administrator has imposed conditions in terms of this ordinance or any other law —

- (a) in respect of land situated within the area of jurisdiction of a local authority, such local authority may enforce compliance with such conditions; or
- (b) in respect of land situated outside such an area, the Administrator may enforce compliance with such conditions.

(2) Any person who contravenes or fails to comply with any of the conditions mentioned in sub-section (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment for a period not exceeding six months."

11. The following sections are hereby inserted after section 31 of the principal ordinance:—

Insertion of sections 31A, and 31B in Ordinance 11 of 1963.

"Variation of conditions in terms of this Ordinance or any prior law.

31A (1) The Administrator may, on application by the owner of any land, the title deeds of which are subject to conditions, imposed in terms of this ordinance or any prior law, vary such conditions, by amending, substituting or deleting any such conditions or by adding further conditions to such conditions: Provided that —

- (a) the Administrator may, before making any proposed variation, require public notification thereof to be given as he may deem necessary;
- (b) the Administrator shall refer the matter to the Board before making such variation;
- (c) if such land is situated within the area of jurisdiction of a local authority, the Board shall before making any recommendation to the Administrator, refer the matter to such local authority for its comments;
- (d) if such land is situated within an area to which a scheme approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) applies, the Administrator shall not make any such variation which is in conflict with any of the provisions of that scheme.

(2) The Administrator may, on the application of a township owner, vary the conditions set forth in the schedule to a proclamation issued in terms of section 13 in respect of the township concerned, by amending, substituting or deleting any such conditions or by adding further conditions to such conditions: Provided that —

- (a) die bepalings van die voorbehoud by subartikel (1) *mutatis mutandis* van toepassing is ten opsigte van sodanige aansoek; en
- (b) die maak van enige verandering aan enige sodanige voorwaardes ingevolge hierdie subartikel, tesame met besonderhede oor sodanige verandering, deur die Administrateur by proklamasie in die *Offisiële Koerant* bekend gemaak moet word.

Rojering deur  
Registrateur  
van Aktes van  
gestelde  
voorwaardes.

31B. Nieteenstaande andersluidende bepalings in enige ander wet kan die Registrateur van Aktes, met die skriftelike goedkeuring van die Administrateur en by betaling van enige regte of gelde voorgeskryf by die Registrasie van Aktes Proklamasie 1939 (Proklamasie 37 van 1939) enige voorwaarde wat ingevolge hierdie ordonnansie of enige vroeëre wet in 'n akte van transport of titelsertifikaat ingevoeg is of op 'n titelbewys geëndosseer is, deur endossement rojeer."

Wysiging van  
artikel 36 van  
Ordonnansie 11  
van 1963.

12. Artikel 36 van die hoofordonnansie word hierby gewysig deur die byvoeging daarby van die volgende subartikel; die huidige artikel word nou subartikel (1):—

- „(2) Enige gelde voorgeskryf ingevolge subartikel (1) (c) word by betaling deur die Administrateur in die Inkomstefonds van die Gebied gestort.”

Kort titel.

13. Hierdie ordonnansie heet die Wysigingsordonnansie op Dorpe en Grondverdeling 1967.

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- (a) the provisions of the proviso to sub-section (1) shall *mutatis mutandis* apply in respect of such application; and
- (b) the making of any variation of any such conditions in terms of this sub-section, together with particulars of such variation, shall be notified by the Administrator by proclamation in the *Official Gazette*.

Cancellation by Registrar of Deeds of conditions imposed.

31B. Notwithstanding anything to the contrary in any other law contained, the Registrar of Deeds may, with the written approval of the Administrator and upon payment of any duty or fee prescribed by the Deeds Registry Proclamation, 1939 (Proclamation 37 of 1939), cancel by endorsement any conditions which has, in terms of this ordinance or any prior law, been inserted in a deed of transfer or certificate of title or endorsed upon a title deed."

12. Section 36 of the principal ordinance is hereby amended by the addition thereto of the following sub-section, the existing section becoming sub-section (1):—

Amendment of section 36 of Ordinance 11 of 1963.

"(2) Any fees prescribed in terms of sub-section (1) (c) shall upon payment, be paid by the Administrator into the Territory Revenue Fund."

13. This ordinance shall be called the Townships and Division of Land Amendment Ordinance, 1967.

Short title.

No. 37 van 1967.]

## ORDONNANSIE

Ter wysiging van die Munisipale Ordonnansie 1963 om voorsiening te maak vir die betaling van toelaes aan raadslede en ampsdraers van die raad van enige munisipaliteit; om in artikel 233 te bepaal dat dit 'n voorwaarde is van elke lening toegestaan ingevolge daardie artikel aan enigiemand deur die raad van enige munisipaliteit vir die doel van 'n behuisingskema, dat so iemand geen woning opgerig deur middel van sodanige lening binne 'n tydperk bepaal in daardie artikel mag verkoop of andersins vervreem nie tensy sodanige woning eers aan sodanige raad te koop aangebied is teen 'n prys bepaal in daardie artikel; om voorsiening te maak vir die maak van regulasies ter bereiking van die doelstellings van artikel 233; om voorsiening te maak vir die maak van regulasies ten opsigte van die verbod op die oprigting van, en voorsiening vir die herstel, verandering, verwydering of sloping deur die eienaar, of deur die raad op koste van die eienaar, van geboue wat onooglik, gevaarlik, ongesond, onhigiënies, aanstootlik, ongeskik of daarop bereken is om ergernis aan die inwoners van die omgewing te veroorsaak en vir die maak van regulasies ten opsigte van die verbod op en beheer oor die ophoping, storting of plasing op enige grond of perseel van vullis of afvalmateriaal, in-onbruik geraakte voertuie en masjinerie en in-onbruik geraakte onderdele van voertuie en masjinerie en die verwydering en wegdoening van sodanige vullis, afvalmateriaal, in-onbruik geraakte voertuie en masjinerie en in-onbruik geraakte onderdele van voertuie en masjinerie.

(Goedgekeur 20 November 1967)

(Engelse teks deur die Administrateur geteken)

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

Wysiging van artikel 147 van Ordonnansie 13 van 1963.

1. (1) Artikel 147 van die Munisipale Ordonnansie 1963 (Ordonnansie 13 van 1963) — hierna heet dit die hoofordonnansie — word hierby gewysig deur subartikel (6) deur die onderstaande subartikel te vervang:—

„(6) (a) Die raad kan sodanige toelaes aan die burgemeester, lede van die bestuurskomitee en ander ampsdraers van die raad en aan die raadslede betaal soos die Administrateur van tyd tot tyd bepaal, onderhewig aan die voorwaardes wat hy voorskryf, en by die bepaling van sodanige toelaes kan die Administrateur onderskei tussen die raadslede van verskillende munisipaliteite en tussen die ampsdraers van verskillende rade en tussen verskillende ampsdraers van enige raad.

(b) Enige toelae betaalbaar aan so 'n ampsdraer ingevolge paragraaf (a) of enige regulasie gemaak ingevolge paragraaf (c) —

- (i) is betaalbaar benewens enige toelae betaalbaar aan sodanige ampsdraer as raadslid;
- (ii) kan met die goedkeuring van die Administrateur betaalbaar wees benewens enige ander toelae aan sodanige ampsdraer betaalbaar ten opsigte van enige ander amp wat hy as ampsdraer van die raad beklee.

(c) Nieteenstaande die bepaling van paragraaf (a) kan die Administrateur van tyd tot tyd

No. 37 of 1967.]

## ORDINANCE

To amend the Municipal Ordinance, 1963 to provide for the payment of allowances to councillors and office bearers of the council of any municipality; to provide in section 233 that it shall be a condition of every loan granted in terms of that section to any person by the council of any municipality for the purpose of a housing scheme, that such person shall not sell or otherwise alienate any dwelling constructed by means of such loan within a period fixed in that section unless such dwelling has first been offered for sale to such council at a price determined in that section; to provide for the making of regulations in order that the objects of section 233 may be achieved; to provide for the making of regulations for prohibiting the erection of, and providing for the repair, alteration, removal or demolition by the owner or by the council at the cost of the owner, of buildings which are unsightly, dangerous, unhealthy, insanitary, objectionable, unsuitable or calculated to cause annoyance to the inhabitants of the neighbourhood, and for the making of regulations for prohibiting and controlling the accumulation, dumping or placing on any ground or premises of refuse or waste material, disused vehicles and machinery and disused parts of vehicles and machinery and the removal and disposal of such refuse, waste material, disused vehicles and machinery and disused parts of vehicles and machinery.

(Assented to 20th November, 1967)

(English text signed by the Administrator)

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

1. (1) Section 147 of the Municipal Ordinance, 1963 (Ordinance 13 of 1963) hereinafter referred to as the principal ordinance, is hereby amended by the substitution for sub-section (6) of the following sub-section:—

Amendment of section 147 of Ordinance 13 of 1963.

“(6) (a) The council may pay such allowances to the mayor, members of the Management Committee and other office bearers of the council and the councillors as the Administrator may, from time to time, determine, subject to such conditions as he may prescribe, and in so determining such allowances the Administrator may differentiate between the councillors of different municipalities and between the office bearers of different councils and between different office bearers of any council.

(b) Any allowance payable to any such office bearer in terms of paragraph (a) or any regulation made in terms of paragraph (c) —

- (i) shall be payable in addition to any allowance payable to such office bearer as councillor;
- (ii) may be payable, with the approval of the Administrator, in addition to any other allowance payable to such office bearer in respect of any other office held by him as office bearer of the council.

(c) Notwithstanding the provisions of paragraph (a), the Administrator may, from time to

regulasies maak ter voorskrywing en regulering van —

- (i) die toelaes betaalbaar deur die raad aan die burgemeester, lede van die bestuurskomitee en ander ampsdraers van die raad en die raadslede;
- (ii) die voorwaardes waarop enige sodanige toelae betaalbaar is;
- (iii) die wyse waarop enige sodanige toelae betaalbaar is;
- (iv) enige saak wat verband hou met die betaling van so 'n toelae.

(d) Verskillende regulasies kan ingevolge paragraaf (c) gemaak word ten opsigte van die raadslede van verskillende munisipaliteite of die ampsdraers van verskillende rade of ten opsigte van verskillende ampsdraers van 'n raad.

(e) Geen toelae betaalbaar ingevolge hierdie subartikel is onderhewig aan ouditering wat betref die besteding daarvan deur die ontvangers nie.

(f) Die raad kan versekeringsdekking verskaf vir enige raadslid ten opsigte van liggaamlike besering, verminking of dood wat regstreeks spruit uit 'n ongeluk wat uit en in die loop van die verrigting van sy amptelike pligte ontstaan."

(2) Subartikel (1) word beskou as in werking met ingang van die eerste dag van Julie 1967 en aan enige regulasies gemaak ingevolge artikel 147 (6) van die hoofordonnansie kan terugwerkende krag van sodanige datum verleen word.

Wysiging van artikel 233 van Ordonnansie 13 van 1963.

2. Artikel 233 van die hoofordonnansie word hierby gewysig —

- (a) deur die vervanging van paragrawe (a), (b), (c) en (d) van subartikel (4) deur die volgende paragrawe:—

„(a) Dit is 'n voorwaarde van elke lening wat ingevolge subartikel (1) aan iemand toegestaan word dat, al is die totale bedrag van die lening tesame met al die rente daarop terugbetaal en die verband wat bedoelde lening verseker het weens die terugbetaling gekanselleer, so iemand of sy regsopvolgers geen woning wat deur middel van sodanige lening opgerig is binne 'n tydperk bepaal ingevolge paragraaf (c) mag verkoop of andersins mag vervreem nie tensy die woning eers aan die betrokke raad te koop aangebied is teen 'n prys bepaal ooreenkomstig die bepalings van paragraaf (d).

(b) So 'n aanbod moet skriftelik geskied en die raad moet dit binne sestig dae na ontvangs aanneem of verwerp.

(c) Die tydperk bedoel in paragraaf (a) begin op die datum van die registrasie van die betrokke verband en word bereken op die basis van een kwart van die tydperk waarin die lening toegestaan ingevolge subartikel (1) terugbetaal moet word: Met dien verstande dat 'n kwart van 'n jaar beskou word as drie kalendermaande: Met dien verstande voorts dat as die tydperk waarin die betrokke lening terugbetaal moet word ingevolge die voorwaardes van 'n behuisingskema verleng of verkort word, die tydperk bedoel in paragraaf (a) ingevolge genoemde basis verleng of verkort moet word.

(d) Die prys bedoel in paragraaf (a) word bepaal ten tyde van die registrasie van die betrokke verband en moet die werklike koste van die grond wat sodanige verband verseker en die werklike koste van die permanente verbeter-

time, make regulations prescribing and regulating —

- (i) the allowances payable by the council to the mayor, members of the Management Committee and other office bearers of the council and the councillors;
- (ii) the conditions subject to which any such allowance is payable;
- (iii) the manner in which any such allowance is payable;
- (iv) any matter incidental to the payment of any such allowance.

(d) Different regulations may be made in terms of paragraph (c) in respect of the councillors of different municipalities or the office bearers of different councils or in respect of different office bearers of any council.

(e) Any allowance payable in terms of this sub-section shall not be subject to audit as to spending by the recipients.

(f) The council may provide insurance cover for any councillor in respect of bodily injury, disablement or death resulting directly from an accident arising out of and in the course of the performance of his official duties."

(2) Sub-section (1) shall be deemed to have come into operation on the 1st day of July, 1967 and any regulations made under section 147 (6) of the principal ordinance may be given retrospective effect from such date.

2. Section 233 of the principal ordinance is hereby amended —

Amendment of  
section 233 of  
Ordinance 13  
of 1963.

- (a) by the substitution for paragraphs (a), (b), (c) and (d) of sub-section (4) of the following paragraphs: —

"(a) It shall be a condition of every loan granted in terms of sub-section (1) to any person, that, notwithstanding the fact that the total amount of the loan, together with all interest thereon, has been repaid and that the mortgage bond which secured such loan has been cancelled by reason of such repayment, such person or his successors in title shall not sell or otherwise alienate any dwelling constructed by means of such loan within a period fixed in terms of paragraph (c) unless such dwelling has first been offered for sale to the council concerned at a price determined in accordance with the provisions of paragraph (d).

(b) Any such offer shall be made in writing and shall be accepted or rejected by the council within sixty days after receipt thereof.

(c) The period referred to in paragraph (a) shall commence on the date of registration of the mortgage bond concerned and shall be calculated on the basis of one quarter of the period within which the loan granted in terms of sub-section (1) is to be repaid: Provided that any quarter of a year shall be regarded as three calendar months: Provided further that if the period within which the loan in question is to be repaid is increased or decreased in terms of the conditions of any housing scheme, the period referred to in paragraph (a) shall be increased or decreased in terms of the said basis.

(d) the price referred to in paragraph (a) shall be determined at the time of registration of the mortgage bond concerned and shall be the actual cost of the land which secures such bond and the actual cost of the permanent im-

ings op sodanige grond wees: Met dien verstande dat as daar enige permanente verbeterings aangebring word na die registrasie van die bedoelde verband, die waarde van sodanige verbeterings soos bepaal deur 'n waardeerder aangestel deur die raad, min sodanige waardevermindering, maar hoogstens vyf persent, soos die bedoelde waardeerder bepaal, bygevoeg moet word by die prys wat ten tyde van die registrasie van bedoelde verband bepaal is en sodanige nuwe prys in die prys bedoel in paragraaf (a).";

- (b) deur die skraping van paragraaf (e) van subartikel (4);
- (c) deur die skraping in subartikel (5) (c) (iii) van die woorde „paragraaf (c) van”.

Invoeging van artikel 233A in Ordonnansie 13 van 1963.

3. Die onderstaande artikel word hierby na artikel 233 van die hoofordonnansie ingevoeg —

„Regulasies vir die doeleindes van artikel 233.

233A (1) Die Administrateur kan enige regulasies wat hy nodig of dienstig ag, maak ter bereiking van die doelstellings van artikel 233.

(2) Enige regulasie gemaak ingevolge subartikel (1) kan vir enige oortreding daarvan of versuim om daaraan te voldoen strawwe voorskryf wat nie 'n boete van twee honderd rand of gevangenisstraf van ses maande oorskry nie.

Wysiging van artikel 242 van Ordonnansie 13 van 1963 soos gewysig by artikel 18 van Ordonnansie 13 van 1967.

4. Artikel 242 van die hoofordonnansie word hierby gewysig:—

- (a) deur in subartikel (9) (o) die woorde „strukture (uitgesonderd geboue)” deur die woord „geboue” te vervang en die woorde „om eiendomme in die omtrek in waarde te laat verminder of” te skrap;
- (b) deur na paragraaf (h) van subartikel (30) die volgende paragraaf in te voeg:—

„(i) die verbod op en beheer oor die ophoping, storting of plasing op enige grond of perseel van vullis, afvalmateriaal, in-onbruikgemaakte voertuie en masjinerie en in-onbruikgemaakte onderdele van voertuie en masjinerie en die verwydering en wegdoening van sodanige vullis, afvalmateriaal, in-onbruikgemaakte voertuie en masjinerie en in-onbruikgemaakte onderdele van voertuie en masjinerie.

Kort titel.

5. Hierdie ordonnansie heet die Munisipale Wysigingsordonnansie 1967.

provements on such land: Provided that if any permanent improvements are effected after registration of the said bond, the value of such improvements as determined by a valuator appointed by the council less such depreciation not exceeding five per centum as the said valuator determines, shall be added to the price determined at the time of registration of the said bond and such new price shall be the price referred to in paragraph (a)";

- (b) by the deletion of paragraph (e) of sub-section (4);
- (c) by the deletion in sub-section (5) (c) (iii) of the words "paragraph (c) of".

3. The following section is hereby inserted after section 233 of the principal ordinance:—

Insertion of section 233A in Ordinance 13 of 1963.

"Regulations for the purposes of section 233.

233A (1) The Administrator may make any regulations which he deems necessary or expedient in order that the objects of section 233 may be achieved.

(2) Any regulation made under sub-section (1) may prescribe penalties for any contravention thereof or failure to comply therewith, not exceeding a fine of two hundred rand or imprisonment for a period of six months."

4. Section 242 of the principal ordinance is hereby amended —

Amendment of section 242 of Ordinance 13 of 1963 as amended by section 18 of Ordinance 13 of 1967.

- (a) by the substitution in sub-section (9) (o) for the words "structures (not being buildings)" of the word "buildings" and the deletion of the words "to depreciate properties in the locality or";
- (b) by the insertion after paragraph (h) of sub-section (30) of the following paragraph:—
  - (i) prohibiting and controlling the accumulation, dumping or placing on any ground or premises of refuse, waste material, disused vehicles and machinery and disused parts of vehicles and machinery and the removal and disposal of such refuse waste material, disused vehicles and machinery and disused parts of vehicles and machinery;

5. This ordinance shall be called the Municipal Amendment Ordinance, 1967.

Short title.

No. 38 van 1967.]

## ORDONNANSIE

Ter wysiging van die Ordonnansie op Robbevings en Visserye 1949 om in artikel 1 „regulasie” en „vissersboot” en „vaartuig” te omskryf; om in artikel 2B „voorrade” te omskryf; om die bewoording van artikel 12 (1) (f) te verbeter; om in artikel 13 die gebruik van ’n boot as ’n vissersboot of vaartuig, tensy dit gelisensieer is, te verbied en die gebruik van ’n vaartuig of perseel as ’n fabriek, tensy dit gelisensieer is, te verbied; om in artikel 18 ’n oortreding van die bepalings van artikel 13 ’n misdryf te maak en ’n sekere straf te verhoog; om in artikel 25 (3) ’n sekere straf te verhoog en om te bepaal dat die bepalings van bogenoemde ordonnansie nie van toepassing is nie ten opsigte van ’n gebied wat tot ’n wildtuin kragtens die bepalings van die Ordonnansie op Natuurbe-waring 1967 verklaar is.

(Goedgekeur 20 November 1967)

(Engelse teks deur die Administrateur geteken)

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika, met die toestemming van die Staatspresident dermate sodanige toestemming nodig is, vooraf verkreë 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) soos gewysig by artikel 16 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika 1949 van die Parlement van die Republiek van Suid-Afrika, VERORDEN:—

Wysiging van artikel 1 van Ordonnansie 12 van 1949 soos gewysig by artikel 1 van Ordonnansie 26 van 1967.

1. Artikel 1 van die Ordonnansie op Robbevings en Visserye 1949 (Ordonnansie 12 van 1949) — hierna die hoofordonnansie genoem — word hierby gewysig —

(a) deur na die woordbepaling van „voorgeskryf” die volgende woordbepaling in te voeg:—

„regulasie’ ’n regulasie kragtens hierdie ordonnansie uitgevaardig;”;

(b) deur die woordbepaling van „vissersboot” of „vaartuig” deur die volgende woordbepaling te vervang:—

„vissersboot’ of vaartuig’ enige boot of vaartuig, afgesien van sy grootte of voortbewegingswyse, wat op enige tydstep gebruik word vir robbbevings of vir visvangs vir handelsdoelendes;”.

Wysiging van artikel 2B van Ordonnansie 12 van 1949 soos ingevoeg by artikel 3 van Ordonnansie 26 van 1967.

2. Artikel 2B van die hoofordonnansie word hierby gewysig deur die volgende subartikel by te voeg:—

„(4) Vir die doeleindes van hierdie artikel beteken „voorrade” ook gas en brandstof asook werktuie vir gebruik by die verwerking van vis en visprodukte.”.

Wysiging van artikel 12 van Ordonnansie 12 van 1949 soos gewysig by artikel 4 van Ordonnansie 26 van 1967.

3. Artikel 12 (1) van die hoofordonnansie word hierby gewysig deur paragraaf (f) deur die volgende paragraaf te vervang:—

„(f) met ’n voorgeskrewe teken, die skipper van ’n vissersboot beveel om sy boot te halt of gelas om na ’n hawe in die Gebied soos deur die beampte of geregsdienaar aangedui, te vaar.”.

No. 38 of 1967.]

## ORDINANCE

To amend the Sealing and Fisheries Ordinance, 1949, to define "regulation" and "fishing boat" and "vessel" in section 1; to define "provisions" in section 2B; to correct the wording of section 12 (1) (f); to prohibit in section 13 the use of a boat as a fishing boat or vessel unless it is licensed, and to prohibit the use of a vessel or premises as a factory unless it is licensed; to provide in section 18 that a contravention of the provisions of section 13 shall be an offence and to increase a certain penalty; to increase a certain penalty in section 25 (3) and to provide that the provisions of the above-mentioned ordinance shall not apply in respect of an area which has been declared a game park in terms of the provisions of the Nature Conservation Ordinance, 1967.

(Assented to 20th November, 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) as amended by section 16 of the South West Africa Affairs Amendment Act, 1949 of the Parliament of the Republic of South Africa as follows:—

1. Section 1 of the Sealing and Fisheries Ordinance, 1949 (Ordinance 12 of 1949) — hereinafter referred to as the principal ordinance — is hereby amended —

Amendment of section 1 of Ordinance 12 of 1949, as amended by section 1 of Ordinance 26 of 1967.

(a) by the insertion after the definition of the word "prescribed" of the following definition:—

"'regulation' means a regulation issued in terms of this ordinance;";

(b) by the substitution for the definition of "fishing boat" or "vessel" of the following definition:—

"'fishing boat' or 'vessel' means any boat or vessel, irrespective of its size or method of propulsion, which is for the time being employed for the purpose of sealing or fishing for the trade;".

2. Section 2B of the principal ordinance is hereby amended by the addition of the following sub-section:—

Amendment of section 2B of Ordinance 12 of 1949 as inserted by section 3 of Ordinance 26 of 1967.

"(4) For the purpose of this section "provisions" includes gas and fuel as well as implements employed in the processing of fish and fish products."

3. Section 12 (1) of the principal ordinance is hereby amended by the substitution for paragraph (f) of the following paragraph:—

Amendment of section 12 of Ordinance 12 of 1949 as amended by section 4 of Ordinance 26 of 1967.

"(f) by a prescribed signal order the skipper of any fishing boat to stop his boat or instruct the skipper to sail to a harbour in the Territory as indicated by the officer or policeman."

Vervanging van artikel 13 van Ordonnansie 12 van 1949.

4. Artikel 13 van die hoofordonnansie word hierby deur die volgende artikel vervang:—

„Lisensies.

13 (1) Niemand mag 'n boot as 'n vis-sersboot of vaartuig gebruik nie tensy dit gelisensieer is soos by regulasie voorgeskryf.

(2) Niemand mag 'n vaartuig of perseel as 'n fabriek gebruik nie tensy dit gelisensieer is soos by regulasie voorgeskryf.”

Wysiging van artikel 18 van Ordonnansie 12 van 1949 soos gewysig by artikel 5 van Ordonnansie 26 van 1967.

5. Artikel 18 van die hoofordonnansie word hierby gewysig —

(a) deur na paragraaf (f) van subartikel (1) die volgende paragraaf in te voeg:—

„(fA) die bepalings van artikel 13 oortree; of”;

(b) deur in subartikel (1) die woorde „honderd pond” deur die woorde „vyfhonderd rand” te vervang;

(c) deur in subartikel (2) na die letter „(a)” die letters „(fA)” in te voeg.

Wysiging van artikel 25 van Ordonnansie 12 van 1949 soos gewysig by artikel 1 van Ordonnansie 15 van 1956 en artikel 1 van Ordonnansie 24 van 1965.

6. Artikel 25 van die hoofordonnansie word hierby gewysig deur in subartikel (3) die woorde „eenhonderd pond” deur die woorde „vyfhonderd rand” te vervang.

Vervanging van artikel 26 van Ordonnansie 12 van 1949

7. Artikel 26 van die hoofordonnansie word hierby deur die volgende artikel vervang:—

„Toepassing van ordonnansie.

26. Hierdie ordonnansie is nie van toepassing ten opsigte van —

(a) visvangs in waters wat slegs tydelik of nooit deel van die see uitmaak nie;

(b) 'n gebied wat kragtens die bepalings van artikel 38 van die Ordonnansie op Natuurbe-waring 1937 (Ordonnansie 31 van 1967) tot 'n wildduin verklaar is nie.”

Kort titel.

8. Hierdie ordonnansie heet die Verdere Wysigings-ordonnansie op Robbevangs en Visserye 1967.

4. The following section is hereby substituted for section 13 of the principal ordinance:—

Substitution of section 13 of Ordinance 12 of 1949.

"Licences.

13 (1) No person shall employ a boat as a fishing boat or vessel unless it is licensed as prescribed by regulation.

(2) No person shall employ a vessel or premises as a factory unless it is licensed as prescribed by regulation."

5. Section 18 of the principal ordinance is hereby amended —

Amendment of section 18 of Ordinance 12 of 1949 as amended by section 5 of Ordinance 26 of 1967.

(a) by the insertion after paragraph (f) of sub-section (1) of the following paragraph:—

"(fA) contravenes the provisions of section 13; or";

(b) by the substitution in sub-section (1) for the words "one hundred pounds" of the words "five hundred rand";

(c) by the insertion in sub-section (2) after the letter "(a)" of the letters "(fA)".

6. Section 25 of the principal ordinance is hereby amended by the substitution in sub-section (3) for the words "one hundred pounds" of the words "five hundred rand".

Amendment of section 25 of Ordinance 12 of 1949 as amended by section 1 of Ordinance 15 of 1956 and section 1 of Ordinance 24 of 1965.

7. The following section is hereby substituted for section 26 of the principal ordinance:—

Substitution of section 26 of Ordinance 12 of 1949.

"Application of ordinance.

26. This ordinance shall not apply in respect of —

(a) the catching of fish in waters which only temporarily or never form part of the sea;

(b) an area declared to be a game park under the provisions of section 38 of the Nature Conservation Ordinance, 1967 (Ordinance 31 of 1967)."

8. This ordinance shall be called the Sealing and Fisheries Further Amendment Ordinance, 1967.

Short title.

No. 39 van 1967.]

## ORDONNANSIE

Om die Vermaaklikheidsbelastingsordonnansie 1930, die Konsolidasie Ordonnansie betreffende Lisensies 1935, die Landbank Proklamasie 1935 en die Boerebystand Ordonnansie 1962 te wysig om voorsiening te maak vir strafbepalings vir die aflê van valse verklarings.

(Goedgekeur 20 November 1967)

(Afrikaanse teks deur die Administrateur geteken)

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

Invoeging van artikel 6A in Ordonnansie 11 van 1930.

1. Die Vermaaklikheidsbelastingsordonnansie 1930 (Ordonnansie 11 van 1930) word hierby gewysig deur die invoeging van die volgende artikel na artikel 6 —

„Straf weens verstrekking van valse verklaring in opgaaf.

6A. Enige eienaar of persoon van wie dit vereis word om 'n opgaaf van die betalings vir toelating tot 'n plek of plekke van vermaaklikheid te verstrek soos deur die Administrateur by regulasie voorgeskryf wat opsetlik 'n valse verklaring in sodanige opgaaf maak, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens twee honderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en sodanige gevangenisstraf.”

Invoeging van artikel 22A in Ordonnansie 13 van 1935.

2. Die Konsolidasie Ordonnansie betreffende Lisensies 1935 (Ordonnansie 13 van 1935) word hierby gewysig deur die invoeging van die volgende artikel na artikel 22 —

„Straf weens verstrekking van valse verklaring in opgaaf.

22A. Enige persoon wat opsetlik 'n valse verklaring maak in enige opgaaf wat ingevolge artikel 22 verstrek word, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens twee honderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en sodanige gevangenisstraf.”

Wysiging van artikel 73 van Proklamasie 22 van 1935 soos gewysig deur artikel 1 van Proklamasie 12 van 1939.

3. Artikel 73 van die Landbank Proklamasie (Proklamasie 22 van 1935) word hierby gewysig deur die vervanging van subartikel (2) deur die volgende subartikel —

„(2) Elkeen wat ten aansien van of in verband met enige voorskot of applikasie daarom ingevolge hierdie proklamasie —

(a) 'n valse verklaring aflê, wetende dat sodanige verklaring vals is, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens twee honderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en sodanige gevangenisstraf;

No. 39 of 1967.]

## ORDINANCE

To amend the Entertainment Tax Ordinance, 1930, the Licences Consolidation Ordinance, 1935, the Land Bank Proclamation, 1935, and the Farmers' Assistance Ordinance, 1962 to provide penalties for the making of false statements.

(Assented to 20th November, 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 Entertainment Tax Ordinance, 1930 (Ordinance 11 of 1930) is hereby amended by the insertion after section 6 of the following section —

Insertion of section 6A in Ordinance 11 of 1930.

"Penalty for making of false statement in return rendered.

6A. Any proprietor or person who is required to render a return of payments for admission to a place or places of entertainment as prescribed by the Administrator by regulation, and who makes a false statement in any such return so rendered, knowing such statement to be false, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

2. The Licences Consolidation Ordinance, 1935 (Ordinance 13 of 1935) is hereby amended by the insertion after section 22 of the following section —

Insertion of section 22A in Ordinance 13 of 1935.

"Penalty for making of false statement in return rendered.

22A. Any person who makes a false statement in any return rendered in terms of section 22, knowing such statement to be false, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment for a period not exceeding six months or to both such fine and such imprisonment."

3. Section 73 of the Land Bank Proclamation, 1935 (Proclamation 22 of 1935), is hereby amended by the substitution for sub-section (2) of the following sub-section —

Amendment of section 73 of Proclamation 22 of 1935 as amended by section 1 of Proclamation 12 of 1939.

"(2) Any person who, in respect of or in connection with any advance or application therefor under this proclamation —

(a) makes a false statement knowing such statement to be false, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment for a period not exceeding six months or to both such fine and such imprisonment;

- (b) die besturende direkteur, die bestuurder of enige lid van die raad, of van die personeel, of 'n agent, inspekteur of taksateur van die Bank omkoop, of probeer om hom om te koop, of op bedrieglike wyse beïnvloed of probeer om hom op bedrieglike wyse te beïnvloed, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens een duisend rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar, of met beide sodanige boete en sodanige gevangenisstraf."

Vervanging van artikel 6 van Ordonnansie 11 van 1962.

4. Die Boerebystandsordonnansie 1962 (Ordonnansie 11 van 1962) word hierby gewysig deur artikel 6 deur die volgende artikel te vervang —

„Vorm van aansoek om bystand en straf vir die afleë van 'n valse verklaring in sodanige aansoek.

6 (1) Elke aansoek om bystand ingevolge hierdie ordonnansie moet gedoen word in die vorm deur die raad voorgeskryf, waarin die redes vir die aansoek volledig vermeld moet word en waarin aangegee moet word alle bates en alle regte op bates, hetsy reeds verkry of voorwaardelik van die applikant en sy waardering daarvan, en elke skuld hoe genaamd, hetsy openbaar, of voorwaardelik, van die applikant, die naam en adres van die persoon aan wie dit verskuldig is, die wyse waarop en die tyd wanneer die skuld aangegaan is, asook sodanige nadere inligting soos die raad vereis.

(2) Enige applikant wat 'n valse verklaring in enige sodanige aansoek maak, wetende dat sodanige verklaring vals is, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens twee honderd rand, of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en sodanige gevangenisstraf."

Kort titel.

5. Hierdie ordonnansie heet die Algemene Regswysigingsordonnansie 1967.

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- (b) bribes or attempts to bribe or corruptly influence or attempts corruptly to influence the managing director, the manager or any member of the board, or of the staff, or an agent, inspector or valuator for the Bank, shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rand or, in default of payment, to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment."

4. The Farmers' Assistance Ordinance, 1962 (Ordinance 11 of 1962) is hereby amended by the substitution for section 6 of the following section —

Substitution of section 6 of Ordinance 11 of 1962.

"Form of application for assistance and penalty for making of false statement in any such application.

6 (1) Every application for assistance under this ordinance shall be in the form prescribed by the board, which shall set forth fully the reasons for the application and disclose every asset and every right to an asset, whether accrued or contingent, of the applicant and his valuation thereof, and every liability, of whatsoever kind, whether already due or contingent, of the applicant, and the name and address of the person to whom it is owing, the manner in which and the time when it was incurred and such further information as the board may require.

(2) Any applicant who makes a false statement in any such application, knowing such statement to be false, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment not exceeding six months or to both such fine and such imprisonment."

5. This ordinance shall be called the General Law Amendment Ordinance, 1967. Short title.

No. 40 van 1967.]

## ORDONNANSIE

Ter wysiging van die Ordonnansie op Fabriek, Masjinerie en Bouwerk 1952 om enige perseel waarop werk gedoen word in verband met die bou, verandering, opknapping, herstel of sloping van 'n gebou, brug, pad, besproeiingswerk of soortgelyke werk by die woordbepaling van „fabriek” in te sluit.

(Goedgekeur 20 November 1967)

(Engelse teks deur die Administrateur geteken)

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

Wysiging van artikel 3 van Ordonnansie 34 van 1952 soos gewysig by artikel 1 van Ordonnansie 28 van 1957.

1. Artikel 3 van die Ordonnansie op Fabriek, Masjinerie en Bouwerk 1952 (Ordonnansie 34 van 1952) word hierby gewysig —

(a) deur na subparagraaf (v) van paragraaf (a) van subartikel (1) die volgende subparagraaf in te voeg:

„(vA) die bou, verandering, opknapping, herstel of sloping van enige gebou, brug, pad, besproeiingswerk of soortgelyke werk onderwyl dit gebou, verander, opgeknop, herstel of gesloop word.”;

(b) deur paragraaf (e) van subartikel (2) te skrap.

Kort titel.

2. Hierdie ordonnansie heet die Wysigingsordonnansie op Fabriek, Masjinerie en Bouwerk 1967.

No. 40 of 1967.]

## ORDINANCE

To amend the Factories, Machinery and Building Work Ordinance, 1952, to include any premises on which work is performed in connection with the construction, alteration, renovation, repair or demolition of any building, bridge, road, irrigation work or similar work in the definition of a "factory".

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*(Assented to 20th November, 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. Section 3 of the Factories, Machinery and Building Work Ordinance, 1952 (Ordinance 34 of 1952) is hereby amended —

Amendment of section 3 of Ordinance 34 of 1952 as amended by section 1 of Ordinance 28 of 1957.

(a) by the insertion after sub-paragraph (v) of paragraph (a) of sub-section (1) of the following sub-paragraph:—

“(vA) the construction, alteration, renovation, repair or demolition of any building, bridge, road, irrigation work or similar work in the course of construction, alteration, renovation, repair or demolition;

(b) by the deletion of paragraph (e) of sub-section (2).

2. This ordinance shall be called the Factories, Machinery and Building Work Amendment Ordinance, 1967. **Short title.**

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No. 41 van 1967.]

## ORDONNANSIE

Ter wysiging van die Munisipale Hondebelastingordonnansie 1967 om te bepaal dat die woord „jaar” die tydperk van die eerste dag van Januarie tot die een-en-dertigste dag van Desember in dieselfde jaar, beteken; om die datum van inwerkingtreding van daardie ordonnansie na die eerste dag van Januarie 1969 te verander en om die bewoording van sekere artikels reg te stel.

(Goedgekeur 20 November 1967)

(Afrikaanse teks deur die Administrateur geteken)

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

Wysiging van artikel 1 van Ordonnansie 13 van 1967.

1. Artikel 1 van die Munisipale Hondebelastingordonnansie 1967 (Ordonnansie 13 van 1967) — hierna heet dit die hoofordonnansie — word hierby gewysig deur die woordbepaling van die woord „jaar” deur die volgende woordbepaling te vervang:—

„beteken jaar die tydperk van die eerste dag van Januarie tot die een-en-dertigste dag van Desember in dieselfde jaar en het „jaarliks’ of „jaarlikse’ ’n ooreenstemmende betekenis;”.

Vervanging van artikel 2 van Ordonnansie 13 van 1967.

2. Artikel 2 van die hoofordonnansie word hierby deur die volgende artikel vervang:—

„Oplegging van belasting. 2. Elke raad lê ’n belasting soos hierna bepaal op die aanhou van enige hond binne sy munisipale gebied en vorder sodanige belasting in soos by regulasie voorgeskryf.”

Wysiging van artikel 4 van Ordonnansie 13 van 1967.

3. Artikel 4 van die hoofordonnansie word hierby gewysig deur die vervanging in subartikel (2) van die woorde „April”, „Maart” en „September” deur die woorde „Januarie”, „Desember” en „Junie”, onderskeidelik.

Wysiging van artikel 15 van Ordonnansie 13 van 1967.

4. Artikel 15 van die hoofordonnansie word hierby gewysig —

- (a) deur die syfer „(1)” na die syfer „15” te skrap;
- (b) deur in die Afrikaanse teks van paragraaf (d) die woord „ingesamel” deur die woord „ingevorder” te vervang.

Wysiging van artikel 19 van Ordonnansie 13 van 1967.

5. Artikel 19 van die hoofordonnansie word hierby gewysig deur die uitdrukking „die eerste dag van April 1968” deur die uitdrukking „die eerste dag van Januarie 1969” te vervang.

Kort titel.

6. Hierdie ordonnansie heet die Munisipale Hondebelastingwysigingsordonnansie 1967.

No. 41 of 1967.]

## ORDINANCE

To amend the Municipal Dog Tax Ordinance 1967, to provide that the word "year" shall mean the period from the first day of January to the thirty-first day of December in the same year; to alter the date of commencement of such ordinance to the first day of January 1969 and to correct the wording of certain sections.

(Assented to 20th November, 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 1 of the Municipal Dog Tax Ordinance 1967 (Ordinance 13 of 1967) — hereinafter called the principal ordinance — is hereby amended by the substitution for the definition of the word "year" of the following definition:—

Amendment of section 1 of Ordinance 13 of 1967.

"'year' means the period from the first day of January to the thirty-first day of December in the same year and 'annual' or 'annually' shall have a corresponding meaning;".

2. The following section is hereby substituted for Section 2 of the principal ordinance:—

Substitution of section 2 of Ordinance 13 of 1967.

"Imposition of tax.

2. Every council shall impose a tax as hereinafter provided on the keeping of any dog within its municipal area and shall collect such tax as prescribed by regulation."

3. Section 4 of the principal ordinance is hereby amended by the substitution in sub-section (2) for the words "April", "March" and "September" of the words "January", "December" and "June", respectively.

Amendment of section 4 of Ordinance 13 of 1967.

4. Section 15 of the principal ordinance is hereby amended —

Amendment of section 15 of Ordinance 13 of 1967.

(a) by the deletion of the figure "(1)" after the figure "15";

(b) by the substitution in the Afrikaans text of paragraph (d) for the word "ingesamel" of the word "ingevorder".

5. Section 19 of the principal ordinance is hereby amended by the substitution for the expression "the 1st day of April, 1968" of the expression "the first day of January 1969".

Amendment of section 19 of Ordinance 13 of 1967.

6. This ordinance shall be called the Municipal Dog Tax Amendment Ordinance, 1967.

Short title.

No. 42 van 1967.]

## ORDONNANSIE

Ter wysiging van die Ordonnansie insake Heffings en Behuisingshuurbydraes vir Inboorlingbehuising 1961, om voorsiening te maak vir die wysiging van sekere bepalinge met betrekking tot die bydraes wat deur werkgewers betaal moet word ten opsigte van volwasse manlike inboorlinge wat by sodanige werkgewers werk.

(Goedgekeur 21 November 1967)

(Engelse teks deur die Administrateur geteken)

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

Wysiging van artikel 3 van Ordonnansie 33 van 1961 soos gewysig by artikel 1 van Ordonnansie 10 van 1966 en soos vervang by artikel 3 van Ordonnansie 24 van 1967.

1. Artikel 3 van die Ordonnansie insake Heffings en Behuisingshuurbydraes vir Inboorlingbehuising, 1961 (Ordonnansie 33 van 1961) — hierna heet dit die hoofordonnansie — word hierby gewysig —

- (a) deur in subartikel (1) die uitdrukking „subartikels (2) en (3)” deur die uitdrukking „subartikel (3)” te vervang;
- (b) deur die vervanging in subartikel (1) (b) van al die woorde onmiddellik voor die woorde „Met dien verstande dat” deur die volgende woorde:—  
„'n maandelikse bydrae, soos die Administrateur by kennisgewing in die *Offisiële Koerant* van tyd tot tyd kan gelas, ten opsigte van elke volwasse manlike inboorling wat by sodanige werkgewer of sodanige plaaslike bestuur, na gelang, werk”;
- (c) deur die invoeging in subartikel (1) (b) (i) na die woorde „bepaling van 'n” van die woorde „bydrae of 'n”;
- (d) deur die skraping in subartikel (1) (b) (iii) van die woorde „ten opsigte van huurgeld vir behuising”;
- (e) deur die skraping van subartikel (2).

Wysiging van artikel 10 van Ordonnansie 33 van 1961 soos gewysig by artikel 9 van Ordonnansie 24 van 1967.

2. Artikel 10 van die hoofordonnansie word hierby gewysig deur die vervanging van die woord „Behuisingshuurbydraes” deur die woord „Bydraes”.

Wysiging van die Bylae tot Ordonnansie 33 van 1961 soos bygevoeg by artikel 10 van Ordonnansie 24 van 1967.

3. Die Bylae tot die hoofordonnansie word hierby gewysig deur die uitdrukking „Maandelikse bedrag van vergoeding” deur die uitdrukking „Maksimum maandelikse bedrag van vergoeding” te vervang.

Kort titel.

4. Hierdie ordonnansie heet die Verdere Wysigingsordonnansie op Heffings vir Inboorlingbehuising 1967.

No. 42 of 1967.]

## ORDINANCE

To amend the Native Housing Levy and Housing Rent Contributions Ordinance, 1961, to provide for the amendment of certain provisions with reference to contributions payable by employers in respect of adult male Natives employed by such employers.

(Assented to 21st November, 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 Parliament of the Republic of South Africa, as follows:—

1. Section 3 of the Native Housing Levy and Housing Rent Contributions Ordinance, 1961 (Ordinance 33 of 1961) — hereinafter called the principal ordinance — is hereby amended —

Amendment of section 3 of Ordinance 33 of 1961 as amended by section 1 of Ordinance 10 of 1966 and as substituted by section 3 of Ordinance 24 of 1967.

- (a) by the substitution in sub-section (1) for the expression "sub-sections (2) and (3)" of the expression "sub-section (3)";
- (b) by the substitution in sub-section (1) (b) for all the words immediately preceding the words "Provided that" of the following words:—  
"as the Administrator by notice in the *Official Gazette* may from time to time direct, a monthly contribution in respect of every adult male Native employed by such employer or such local authority, as the case may be:";
- (c) by the insertion in sub-section (1) (b) (i) after the word "determining" of the words "a contribution or";
- (d) by the deletion in sub-section (1) (b) (iii) of the words "in respect of rent for housing";
- (e) by the deletion of sub-section (2).

2. Section 10 of the principal ordinance is hereby amended by the substitution for the words "Housing Rent Contributions" of the word "Contributions".

Amendment of section 10 of Ordinance 33 of 1961 as amended by section 9 of Ordinance 24 of 1967.

3. The Schedule to the principal ordinance is hereby amended by the substitution for the expression "Monthly amount of reimbursement" of the expression "Maximum monthly amount of reimbursement".

Amendment of the Schedule to Ordinance 33 of 1961 as added by section 10 of Ordinance 24 of 1967.

4. This ordinance shall be called the Native Housing Levy Further Amendment Ordinance, 1967.

Short title.