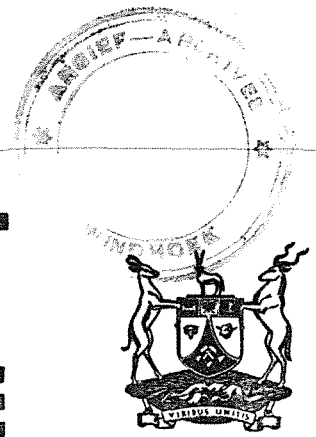


Original



BUITENGEWONE
OFFISIËLE KOERANT
VAN SUIDWES-AFRIKA.
OFFICIAL GAZETTE
EXTRAORDINARY
OF SOUTH WEST AFRICA.

UITGAWE OP GESAG.

PUBLISHED BY AUTHORITY.

10c

Vrydag, 24 Mei 1968

WINDHOEK

Friday, 24 May 1968

No. 2891

INHOUD

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Goewermentskennisgewing.

Government Notice.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

The following Government Notice is published for general information.

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

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

Kantoor van die Administrateur,
Windhoek.

Administrator's Office,
Windhoek.

No. 75.]

[24 Mei 1968

No. 75.]

[24 May 1968

ORDONNANSIES, 1968: UITVAARDIGING VAN

ORDINANCES, 1968: PROMULGATION OF

Dit behaag die Administrateur om sy goedkeuring te heg, ooreenkomstig artikel 27 van die Wet op die Konstitusie van Suidwes-Afrika 1968 (Wet 39 van 1968) aan die volgende Ordonnansies wat hierby vir algemene inligting gepubliseer word, ooreenkomstig artikel 29 van genoemde Wet:—

The Administrator has been pleased to assent, in terms of section 27 of the South West Africa Constitution Act, 1968 (Act 39 of 1968) to the following Ordinances which are hereby published for general information in terms of section 29 of the said Act:—

No.	Titel	Bladsy
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No. 15 van 1968.]

ORDONNANSIE

Om voorsiening te maak vir die beskikbaarstelling van vry biblioteekfasiliteite aan die publiek, vir die instelling vir daardie doel, van 'n Biblioteekdiens vir Suidwes-Afrika en vir aangeleenthede wat daarmee in verband staan.

(Goedgekeur 14 Mei 1968.)

(Afrikaanse teks deur die Administrateur geteken)

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika VERORDEN:

Woordomskrywing.

1. In hierdie ordonnansie, tensy uit die samehang anders blyk, beteken —

- „biblioteekfasiliteite” ook biblioteekmateriaal;
- „biblioteekmateriaal” boeke, tydskrifte, pamflette, prente, kaarte, films en soortgelyke materiaal wat gewoonlik deur biblioteke georganiseer en ter beskikking van gebruikers van biblioteke gestel word;
- „Diens” die by artikel 2 ingestelde Biblioteekdiens vir Suidwes-Afrika;
- „Direkteur” die in artikel 4 (1) (a) van die Onderwys-ordonnansie 1962 (Ordonnansie 27 van 1962) bedoelde Direkteur van Onderwys;
- „genomineerde lid” ’n lid van die Raad wat kragtens artikel 8 (1) (f) of (g) genomineer word;
- „lidbiblioteek” enige biblioteek wat kragtens artikel 5 (a) toegelaat is as lid van die Diens;
- „medewerkende biblioteek” ’n biblioteek wat nie as lid van die Diens toegelaat is nie maar wat sy biblioteekfasiliteite of een of ander vorm daarvan ter beskikking van die Diens gestel het vir gebruik deur die Diens;
- „openbare biblioteek” enige biblioteek, hetsy dit deur subskripsies of andersins in stand gehou word, wat biblioteekfasiliteite aan die algemene publiek voorsien;
- „plaaslike bestuur” ’n munisipale raad of dorpsbestuurraad;
- „Raad” die kragtens artikel 6 ingestelde Adviserende Raad vir die Biblioteekdiens; en
- „stedelike biblioteekgebied” ’n gebied wat kragtens artikel 13 (1) tot ’n stedelike biblioteekgebied verklaar is.

Instelling van die Biblioteekdiens vir Suidwes-Afrika.

2. Daar word hierby vir die Gebied ’n biblioteekdiens ingestel wat bekend staan as die Biblioteekdiens vir Suidwes-Afrika.

Oogmerke van die Diens.

3. Die oogmerke van die Diens is om biblioteekfasiliteite op so ’n groot skaal as moontlik op doeltreffende wyse kosteloos aan die algemene publiek beskikbaar te stel.

Bestuur en beheer van die Diens.

4. Die bestuur van en beheer oor die Diens berus by die Direkteur.

No. 15 of 1968.]

ORDINANCE

To provide for the provision of free library facilities to the public, for the institution for that purpose of a library service for South West Africa and for matters incidental thereto.

(Assented to 14th May 1968.)

(Afrikaans text signed by the Administrator)

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

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

“library facilities” includes library material;

“library material” means books, periodicals, pamphlets, pictures, maps, films and similar material which are ordinarily organised by libraries and put at the disposal of users of libraries;

“Service” means the South West Africa Library Service instituted by section 2;

“Director” means the Director of Education referred to in section 4 (1) (a) of the Education Ordinance, 1962, (Ordinance 27 of 1962);

“nominated member” means a member of the Board nominated under section 8 (1) (f) or (g);

“member library” means any library admitted as a member of the Service under section 5 (a);

“co-operating library” means a library not admitted as a member of the Service but which puts its library facilities or some or other form thereof at the disposal of the Service for use by the Service;

“public library” means any library, whether maintained by subscriptions or otherwise, which provides library facilities to the general public;

“local authority” means any municipal council or village management board;

“Board” means the Library Service Advisory Board established under section 6; and

“urban library area” means an area declared to be an urban library area under section 13 (1).

2. A library service, to be called the South West Africa Library Service, is hereby instituted for the Territory.

Institution of
the South West
Africa Library
Service.

3. The objects of the Service shall be to provide library facilities on as large a scale as possible in an efficient manner to the general public free of charge.

Objects of the
Service.

4. The conduct and control of the Service shall vest in the Director.

Conduct and
control of the
Service.

Bevoegdheid
van die
Direkteur.

5. Die Direkteur kan vir die bereiking van die oogmerke van die Diens, al die stappe doen en die maatreëls tref wat hy vir die doel nodig ag en kan in die verband —

- (a) enige bestaande openbare biblioteek, behalwe so 'n biblioteek in 'n stedelike biblioteekgebied, tot die Diens as lid daarvan toelaat op die wyse by regulasie voorgeskryf en op die voorwaardes wat hy in iedere geval bepaal;
- (b) die persoon of liggaam wat so 'n lidbiblioteek beheer, van advies bedien met betrekking tot die beheer, bestuur of organisasie van die biblioteek of die wyse waarop die biblioteek beheer, bestuur of georganiseer moet word, voorskryf;
- (c) aan so 'n persoon of liggaam sodanige hulp, behalwe geldelike hulp, verleen met betrekking tot toerusting wat vir die biblioteek nodig mag wees, as wat hy goedvind;
- (d) enige persoon wat nie in staat is om geredelik van die dienste van 'n openbare biblioteek gebruik te maak nie, tot die Diens as lid toelaat op die wyse by regulasie voorgeskryf en op die voorwaardes wat hy in iedere geval bepaal;
- (e) enige lid van die Diens se lidmaatskap beëindig op die wyse en op die gronde by regulasie voorgeskryf;
- (f) ondergeskikte biblioteke, 'n sentrale naslaanbiblioteek, streekbiblioteke, takbiblioteke, biblioteekdepots en reisende biblioteke na goedvinde stig en in stand hou.

Adviserende
Raad vir die
Biblioteekdiens.

6. Daar word hierby 'n Raad wat bekend staan as die Adviserende Raad vir die Biblioteekdiens, ingestel.

Werkzaamhede
van die Raad.

7. (1) Die werkzaamhede van die Raad is om die Direkteur van advies te bedien met betrekking tot —

- (a) aangeleenthede rakende die bestuur en beheer van die Diens;
- (b) enige aangeleentheid wat deur die Direkteur na die Raad vir sy advies verwys word;
- (c) enige aangeleentheid wat na die mening van die Raad in belang van die Diens onder die aandag van die Direkteur gebring behoort te word; en
- (d) enige ander aangeleentheid wat by regulasie voorgeskryf word.

(2) Die Raad kan uit sy geledere die komitees wat hy nodig ag aanwys om enige aangeleentheid wat die Raad aan so 'n komitee opdra te ondersoek en daarvoor aan die Raad verslag te doen en aanbevelings te maak.

Samestelling van
die Raad.

8. (1) Die Raad bestaan uit —

- (a) die Adjunk-Direkteur van die in artikel 4 (1) (a) van die Onderwysordonnansie 1962 (Ordonnansie 27 van 1962) bedoelde Departement van Onderwys;
- (b) die Hoofrekenmeester van die Administrasie;
- (c) die senior administratiewe beampte in die in paragraaf (a) bedoelde Departement van Onderwys;
- (d) een persoon in diens van die Administrasie deur die Administrateur benoem;
- (e) die in artikel 12 (1) bedoelde Hoof van die Biblioteekdiens;
- (f) een persoon deur die munisipale raad van Windhoek uit sy lede genomineer;

5. The Director may for the attainment of the objects of the Service take all such steps and such measures as he may deem necessary for the purpose and may in this connection —

Powers of the Director.

- (a) admit any existing public library, except any such library in an urban library area, to the Service as a member thereof in the manner prescribed by regulation and on such conditions as he may in each case determine;
- (b) advise the person or body controlling any such member library in respect of the control, conduct or organisation of the library or prescribe the manner in which the library is to be controlled, conducted or organised;
- (c) render any such person or body such assistance, not being financial assistance, in respect of equipment which may be necessary for the library, as he deems fit;
- (d) admit any person who is unable readily to make use of the services of any public library, to the Service as a member in the manner prescribed by regulation and on the conditions which he determines in each case;
- (e) terminate the membership of any member of the Service in the manner and on the grounds prescribed by regulation;
- (f) in his discretion establish and maintain subsidiary libraries, a central reference library, regional libraries, branch libraries, library depots and travelling libraries.

6. A board, to be called the Library Service Advisory Board, is hereby established for the Library Service.

Library Service Advisory Board.

7. (1) The functions of the Board shall be to advise the Director on —

Functions of the Board.

- (a) matters pertaining to the conduct and control of the Service;
- (b) any matter referred to the Board by the Director for its advice;
- (c) any matter which, in the opinion of the Board, should be brought to the attention of the Director in the interests of the Service; and
- (d) any other matter which may be prescribed by regulation.

(2) The Board may, from amongst its members, designate such committees as it may deem necessary, to investigate any matter which the Board may refer to any such committee and report and make recommendations thereon to the Board.

8. (1) The Board shall consist of —

Composition of the Board.

- (a) the Deputy Director of the Department of Education referred to in section 4 (1) (a) of the Education Ordinance, 1962 (Ordinance 27 of 1962);
- (b) the Chief Accountant of the Administration;
- (c) the senior administrative officer in the Department of Education referred to in paragraph (a);
- (d) one person in the service of the Administration nominated by the Administrator;
- (e) the Head of the Library Service referred to in section 12 (1);
- (f) one person nominated by the Municipal Council of Windhoek from amongst its members;

- (g) twee lede van 'n ander plaaslike bestuur as die munisipale raad van Windhoek, deur die Munisipale Vereniging van Suidwes-Afrika genomineer.

(2) Indien die munisipale raad van Windhoek of die Munisipale Vereniging van Suidwes-Afrika na gelang van die geval, versuim om binne 'n tydperk van drie maande na die inwerkingtreding van hierdie ordonnansie of binne 'n tydperk van drie maande nadat die ampstermyn van sy genomineerde lid of lede verstryk het, na gelang van die geval, 'n lid of lede te nomineer, benoem die Administrateur 'n persoon of persone om genoemde raad of Vereniging in die Raad te verteenwoordig.

Ampstermyn en vergoeding van lede van die Raad.

9. (1) Die genomineerde lede van die Raad beklee hul amp vir 'n tydperk van twee jaar en die eerste sodanige tydperk word bereken met ingang van die datum van inwerkingtreding van hierdie ordonnansie.

(2) Indien iemand wat 'n in artikel 8 (1) (a), (b) of (c) bedoelde pos beklee, die betrokke pos ontruim, word hy as lid van die Raad deur sy opvolger in die pos vervang.

(3) Die genomineerde lede van die Raad ontvang die vergoeding of toelaes wat die Administrateur van tyd tot tyd bepaal.

Ontruiming van hul amp deur genomineerde lede en die vulling van vakatures.

10. (1) 'n Genomineerde lid van die Raad ontruim sy amp indien hy —

- (a) 'n ongerehabiliteerde insolvent is;
- (b) geestelik versteurd raak;
- (c) aan 'n misdryf skuldig bevind en sonder die keuse van 'n boete tot gevangenisstraf gevonnissen word;
- (d) sonder verlof van die voorsitter van die Raad van drie agtereenvolgende vergaderings van die Raad afwesig is; of
- (e) sterf of bedank.

(2) Indien 'n genomineerde lid ophou om lid van die Raad te wees nomineer die liggaam wat hom ooreenkomstig artikel 8 (1) (f) of (g), na gelang van die geval, genomineer het iemand anders om die vakature te vul en so 'n lid beklee sy amp as lid van die Raad vir die onverstreke gedeelte van die termyn waarvoor die persoon ten opsigte van wie die vakature ontstaan het, genomineer was.

Voorsitter, onder-voorsitter en vergaderings van die Raad.

11. (1) Die Administrateur wys een van die lede van die Raad as voorsitter en een as onder-voorsitter van die Raad aan.

(2) Die Raad hou minstens twee gewone vergaderings elke jaar.

(3) 'n Spesiale vergadering van die Raad kan te eniger tyd deur die voorsitter belê word en moet deur hom belê word op versoek van die Direkteur of op skriftelike versoek van minstens twee genomineerde lede waarin die doel waarvoor die vergadering gehou moet word, duidelik vermeld word.

(4) Die kworum vir 'n vergadering van die Raad is die meerderheid van die lede daarvan: Met dien verstande dat geen vergadering van die Raad gehou word nie, tensy minstens een genomineerde lid aanwesig is.

(5) Wanneer die voorsitter van die Raad afwesig is of nie in staat is om sy werksaamhede as voorsitter te verrig nie, tree die onder-voorsitter gedurende sodanige afwesigheid of onvermoë as voorsitter op en het hy al die bevoegdhede en verrig hy al die werksaamhede van die voorsitter.

- (g) two members of a local authority other than the Municipal Council of Windhoek, nominated by the Municipal Association of South West Africa.

(2) If the Municipal Council of Windhoek or the Municipal Association of South West Africa, as the case may be, fails within a period of three months after the commencement of this ordinance or within a period of three months after the expiry of the term of office of its nominated member or members, as the case may be, to nominate a member or members, the Administrator shall nominate a person or persons to represent the said Council or Association on the Board.

9. (1) The nominated members of the Board shall hold office for a period of two years and the first such period shall be calculated with effect from the date of commencement of this ordinance.

Term of office and remuneration of members of the Board.

(2) If any person occupying any post referred to in section 8 (1) (a), (b) or (c) vacates the post concerned he shall be replaced as member on the Board by his successor in the post.

(3) The nominated members of the Board shall be paid such remuneration or allowances as the Administrator may from time to time determine.

10. (1) A nominated member of the Board shall vacate his office if he —

Vacating of office by nominated members and the filling of vacancies.

- (a) is an unrehabilitated insolvent;
- (b) becomes of unsound mind;
- (c) is convicted of an offence and sentenced to imprisonment without the option of a fine;
- (d) is absent from three consecutive meetings of the Board without the permission of the chairman of the Board; or
- (e) dies or resigns.

(2) If a nominated member ceases to be a member of the Board, the body which nominated him in terms of section 8 (1) (f) or (g), as the case may be, shall nominate another person to fill the vacancy, and such member shall hold office as a member of the Board for the unexpired portion of the term for which the person in respect of whom the vacancy arose, had been nominated.

11. (1) The Administrator shall designate one of the members of the Board as chairman and one as vice-chairman of the Board.

Chairman, vice-chairman and meetings of the Board.

(2) The Board shall hold not less than two ordinary meetings every year.

(3) A special meeting of the Board may at any time be convened by the chairman, and shall be convened by him at the request of the Director or at the written request of not less than two nominated members, stating clearly the purpose for which the meeting is to be held.

(4) The majority of the members of the Board shall form a quorum at any meeting of the Board: Provided that no meeting of the Board shall be held unless at least one nominated member is present.

(5) When the chairman of the Board is absent or unable to perform his functions as chairman, the vice-chairman shall act as chairman during such absence or inability and shall have all the powers and exercise all the functions of the chairman.

(6) Die beslissing van 'n meerderheid van die lede van die Raad wat op 'n vergadering van die Raad aanwesig is, maak 'n besluit van die Raad uit en by 'n staking van stemme het die persoon wat daarby voorsit benewens sy beraadslagende stem ook 'n beslissende stem.

Hoof van die
Diens en
personeel.

12. (1) Behoudens die bepalings van die Administrasiewerknemersordonnansie 1957 (Ordonnansie 17 van 1957) stel die Administrateur iemand as Hoof van die Biblioteekdiens vir Suidwes-Afrika en sodanige ander persone as wat hy vir die doeltreffende beheer en bestuur van die Diens nodig ag, aan.

(2) Enigiemand wat voor die inwerkingtreding van hierdie ordonnansie kragtens die bepalings van die Administrasiewerknemersordonnansie 1957 aangestel is om diens in verband met biblioteekdienste van die Administrasie te doen, word geag ooreenkomstig die bepalings van subartikel (1) aangestel te gewees het.

Stedelike
biblioteekgebiede.

13. (1) Indien na die oordeel van die Administrateur 'n plaaslike bestuur met 'n bevolking van minstens tien-duisend blanke persone, in staat is om 'n vry openbare biblioteekdiens in stand te hou, kan hy in oorleg met of op versoek van so 'n plaaslike bestuur die gebied onder beheer van die plaaslike bestuur by kennisgewing in die *Offisiële Koerant* tot 'n stedelike biblioteekgebied verklaar en so 'n plaaslike bestuur moet daarna, tensy hy reeds 'n vry openbare biblioteekdiens ingestel het, binne 'n tydperk deur die Administrateur in daardie kennisgewing bepaal, so 'n diens instel en in stand hou.

(2) Die voorsiening van biblioteekfasiliteite in 'n stedelike biblioteekgebied is die uitsluitlike verantwoordelikheid van die betrokke plaaslike bestuur: Met dien verstande dat sodanige biblioteekfasiliteite as wat die Direkteur vir die bereiking van die oogmerke van die Diens nodig ag, deur die Diens alleen of in samewerking met die plaaslike bestuur in so 'n gebied voorsien kan word.

Subsidies
betaalbaar aan
die plaaslike
bestuur in 'n
stedelike
biblioteekgebied.

14. (1) Behoudens die bepalings van artikel 15 kan die Administrateur uit gelde vir die doel deur die Wetgewende Vergadering bewillig, aan die plaaslike bestuur in 'n stedelike biblioteekgebied 'n jaarlikse subsidie toeken vir die instandhouding van 'n vry openbare biblioteekdiens deur die plaaslike bestuur.

(2) Enige subsidie kragtens subartikel (1) toegeken is onderworpe aan die voorwaardes wat die Administrateur in elke geval bepaal met inbegrip van voorwaardes met betrekking tot —

- (a) die stigting en instandhouding deur die plaaslike bestuur van een of meer takbiblioteke, en
- (b) die stigting van 'n komitee om elke biblioteek of takbiblioteek van die plaaslike bestuur te bestuur en te beheer.

Berekening van
bedrag van
subsidie.

15. (1) Die plaaslike bestuur in enige stedelike biblioteekgebied moet op of voor 'n datum by regulasie bepaal, aan die Administrateur 'n begroting van sy beoogde uitgawes gedurende die daaropvolgende boekjaar van die plaaslike bestuur, in verband met die voorsiening van biblioteekfasiliteite, voorlê.

(2) Die Administrateur bepaal met inagneming van elke item van uitgawe in so 'n begroting genoem, die bedrag waarop 'n subsidie betaalbaar is.

(3) Die Administrateur betaal aan die plaaslike bestuur met betrekking tot die boekjaar ten opsigte waarvan 'n begroting ooreenkomstig subartikel (1) aan hom voorgelê is, 'n subsidie gelykstaande aan vyftig persent van die werklike uitgawes deur die plaaslike bestuur aangegaan in verband met die voorsiening van biblioteekfasili-

(6) The decision of a majority of the members of the Board present at any meeting of the Board shall constitute a decision of the Board and in the event of equality of votes the person presiding at such meeting shall have a casting as well as a deliberative vote.

12. (1) Subject to the provisions of the Administration Employees Ordinance, 1957 (Ordinance 17 of 1957) the Administrator shall appoint a person as Head of the South West Africa Library Service and such other persons as he may deem necessary for the efficient control and conduct of the Service.

Head of Service
and staff.

(2) Any person appointed before the commencement of this ordinance under the provisions of the Administration Employees Ordinance, 1957, to serve in connection with library services of the Administration, shall be deemed to have been appointed in terms of the provisions of subsection (1).

13. (1) If in the opinion of the Administrator a local authority whose area has a population of not less than ten thousand white persons is able to maintain a free public library service, he may in consultation with or at the request of any such local authority by notice in the *Official Gazette* declare the area under the control of the local authority to be an urban library area, and such local authority shall thereupon, unless it has already instituted a free public library service, institute and maintain such a service within a period determined by the Administrator in that notice.

Urban library
areas.

(2) The provision of library facilities in an urban library area shall be the sole responsibility of the local authority concerned: Provided that such library facilities as the Director deems necessary for the attainment of the objects of the Service may be provided by the Service alone or in co-operation with the local authority in such an area.

14. (1) Subject to the provisions of section 15 the Administrator may, out of moneys voted for the purpose by the Legislative Assembly, grant to the local authority in an urban library area an annual subsidy for the maintenance of a free public library service by the local authority.

Subsidies payable
to the local
authority in an
urban library
area.

(2) Any subsidy granted under subsection (1) shall be subject to the conditions which the Administrator determines in every case, including conditions in respect of —

- (a) the establishment and maintenance by the local authority of one or more branch libraries; and
- (b) the establishment of a committee to conduct and control every library or branch library of the local authority.

15. (1) The local authority in any urban library area shall, on or before a date determined by regulation, submit to the Administrator estimates of its proposed expenditure during the next succeeding financial year of the local authority in respect of the provision of library facilities.

Calculation of
amount of
subsidy.

(2) The Administrator shall, with due regard to each item of expenditure mentioned in such estimates, determine the amount on which a subsidy shall be payable.

(3) The Administrator shall, in respect of the financial year for which estimates in terms of subsection (1) are submitted to him, pay to the local authority a subsidy equal to fifty percent of the actual expenditure incurred by the local authority in connection with the pro-

teite gedurende daardie jaar: Met dien verstande dat die bedrag aldus betaalbaar nie die bedrag ooreenkomstig subartikel (2) bepaal, te bowe mag gaan nie.

Voorskotte op
subsidie.

16. Behoudens sodanige regstellings as wat nodig mag wees nadat 'n geouditeerde staat van die werklike uitgawes wat deur 'n plaaslike bestuur aangegaan is in verband met die voorsiening van biblioteekfasiliteite gedurende die betrokke jaar, voorgelê is kan die Administrateur kwartaallikse voorskotte maak teen enige subsidie wat kragtens artikel 15 betaalbaar is.

Geldelike hulp
aan lidbiblioteke.

17. (1) Die Administrateur kan uit gelde vir die doel deur die Wetgewende Vergadering bewillig, aan enige lidbiblioteek op die voorwaardes wat hy in elke geval bepaal —

- (a) 'n rentevrye lening toestaan vir die oprigting van sodanige gebou as wat nodig mag wees vir die huisvesting van die biblioteek; en
- (b) 'n subsidie, bereken volgens 'n formule by regulasie voorgeskryf, betaal vir die bestryding van uitgawes verbonde aan die voorsiening van biblioteekfasiliteite.

(2) Die bepaling van artikel 16 is vir sover dit toegepas kan word *mutatis mutandis* van toepassing met betrekking tot enige subsidie wat kragtens paragraaf (b) van subartikel (1) betaalbaar is.

Jaarverslag.

18. Die Direkteur moet so spoedig doenlik na die een-en-dertigste dag van Desember in elke jaar aan die Administrateur 'n verslag oor die werksaamhede van die Diens gedurende daardie jaar voorlê en die Administrateur lê daardie verslag in die Wetgewende Vergadering ter Tafel binne veertien dae na ontvangs daarvan indien die Wetgewende Vergadering dan in gewone sessie is, of, indien die Wetgewende Vergadering dan nie in gewone sessie is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sessie.

Biblioteek-
fasiliteite moet
afsonderlik vir
blankes en nie-
blankes voorsien
word.

19. Alle biblioteekfasiliteite wat deur die Diens, 'n plaaslike bestuur of enige openbare biblioteek voorsien word, moet afsonderlik vir blankes en nie-blankes voorsien word.

Regulasies.

20. Die Administrateur kan regulasies uitvaardig met betrekking tot —

- (a) enige aangeleentheid wat kragtens enige bepaling van hierdie ordonnansie voorgeskryf of bepaal moet of kan word, en
- (b) in die algemeen, alle aangeleenthede wat hy nodig of raadsaam ag om voor te skryf ten einde die oogmerke van hierdie ordonnansie te bereik.

Kort titel en
inwerkingtreding.

21. Hierdie ordonnansie heet die Ordonnansie op die Biblioteekdiens vir Suidwes-Afrika 1968 en tree in werking op 'n datum deur die Administrateur by kennisgewing in die *Offisiële Koerant* bepaal.

vision of library facilities during that year: Provided that the amount so payable shall not exceed the amount determined in terms of subsection (2).

16. Subject to such adjustments as may be necessary after an audited statement of the actual expenditure incurred by a local authority in connection with the provision of library facilities during the year concerned, has been submitted, the Administrator may make quarterly advances against any subsidy payable under section 15.

Advances on
subsidy.

17. (1) The Administrator may out of moneys voted for the purpose by the Legislative Assembly on such conditions as he may in each case determine —

Financial
assistance to
member
libraries.

- (a) grant to any member library an interest-free loan for the erection of such buildings as may be necessary for the housing of the library; and
- (b) pay to any member library a subsidy calculated according to a formula prescribed by regulation for the defrayal of expenditure in connection with the provision of library facilities.

(2) The provisions of section 16 in so far as they can be applied become applicable *mutatis mutandis* in respect of any subsidy payable under paragraph (b) of subsection (1).

18. The Director shall, as soon as may be after the thirty-first day of December in every year, submit to the Administrator a report on the activities of the Service during that year and the Administrator shall table that report in the Legislative Assembly within fourteen days after receipt thereof if the Legislative Assembly is then in ordinary session or, if the Legislative Assembly is not then in ordinary session, within fourteen days after the beginning of its next succeeding ordinary session.

Annual report.

19. All library facilities provided by the Service, a local authority or any public library, shall be provided separately for whites and non-whites.

Library facilities
to be provided
separately for
whites and non-
whites.

20. The Administrator may promulgate regulations in respect of —

Regulations.

- (a) any matter which shall or may be prescribed or determined under any provision of this ordinance, and
- (b) all matters in general, which he considers necessary or advisable to prescribe in order that the objects of this ordinance may be attained.

21. This ordinance shall be called the South West Africa Library Service Ordinance, 1968, and shall come into operation on a date determined by the Administrator by notice in the *Official Gazette*.

Short title and
commencement.

No. 16 van 1968.]

ORDONNANSIE

Om voorsiening te maak vir die instelling van 'n Komitee vir Vissersboot- en Fabriekseienaars, om sy bevoegdhede, pligte en funksies te bepaal en om voorsiening te maak vir verbandhoudende sake.

(Goedgekeur 14 Mei 1968.)

(Afrikaanse teks deur die Administrateur geteken)

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

Woordbepaling.

1. In hierdie ordonnansie, tensy die samehang anders aandui, beteken —

„komitee” die Komitee vir Vissersboot- en Fabriekseienaars bedoel in artikel 2;

„fabriekseienaar” die eienaar van enige sardynmaakfabriek geleë in die Gebied of, waar sodanige eienaar 'n maatskappy of 'n vereniging van persone is, die besturende direkteur van sodanige maatskappy of die persoon in administratiewe beheer van sodanige maatskappy of vereniging van persone; en

„vissersbooteienaar” die eienaar van een of meer vissersboot of vissersbote wat gebruik word vir die vang van sardyne vir die handel of wins in die Gebied, of waar sodanige eienaar 'n maatskappy of 'n vereniging van persone is, die besturende direkteur van sodanige maatskappy of die persoon in administratiewe beheer van sodanige maatskappy of vereniging van persone.

Instelling van Komitee vir Vissersboot- en Fabriekseienaars.

2. Daar word met ingang van 'n datum deur die Administrateur by kennisgewing in die *Offisiële Koerant* bepaal, 'n komitee ingestel wat heet die Komitee vir Vissersboot- en Fabriekseienaars.

Doelstellings van die komitee.

3. Die doelstellings van die komitee is om gesonde verhoudings tussen vissersbooteienaars aan die een kant en fabriekseienaars aan die ander kant te vestig, om enige geskil tussen een of meer vissersbooteienaar of -eienaars en een of meer fabriekseienaar of -eienaars deur onderhandeling te skik en op hierdie wyse die belange van die visnywerheid te bevorder.

Funksies en bevoegdhede van die komitee.

4. Die funksies van die komitee is om die doelstellings waarvoor dit ingestel is, te probeer bereik en ten einde sodanige doelstellings te bereik, kan die komitee sodanige ondersoeke soos hy nodig vind instel na enige geskil bedoel in artikel 3, wat onder sy aandag gebring word en na enige saak wat deur die Administrateur na hom verwys word of, syns insiens, die belange van vissersboot- en fabriekseienaars onderling raak.

Samestelling van komitee.

5. (1) Die komitee bestaan uit soveel lede soos die Administrateur van tyd tot tyd bepaal.

(2) Die lede van die komitee, buiten die lede bedoel in subartikel (5), word deur die Administrateur aangesel na oorleg met sodanige liggaam van persone soos na die mening van die Administrateur behoorlik verteenwoordigend is van die belange van vissersbooteienaars en van fabriekseienaars onderskeidelik, en 'n gelyke aantal

No. 16 of 1968.]

ORDINANCE

To provide for the establishment of a Fishing Boat and Factory Owners' Committee, to prescribe its powers, duties and functions and to provide for matters incidental thereto.

(Assented to 14th May 1968.)

(Afrikaans text signed by the Administrator)

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

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

“committee”, means the Fishing Boat and Factory Owners' Committee referred to in section 2;

“factory owner”, means the owner of any pilchard processing factory situated in the Territory or where such owner is a company or any association of persons, the managing director of such company or the person in administrative control of such company or association of persons; and

“fishing boat owner”, means the owner of one or more fishing boat or boats used for the purpose of catching pilchards for trade or profit in the Territory, or where such owner is a company or any association of persons, the managing director of such company or the person in administrative control of such company or association of persons.

2. There shall be established with effect from a date determined by the Administrator by notice in the *Official Gazette*, a committee to be known as the Fishing Boat and Factory Owners' Committee. Establishment of Fishing Boat and Factory Owners' Committee.

3. The objects of the committee shall be to establish sound relations between fishing boat owners on the one hand and factory owners on the other hand, to settle by negotiation, any dispute between any one or more fishing boat owner or owners and any one or more factory owner or owners and by such means to further the interests of the fishing industry. Objects of the committee.

4. The functions of the committee shall be to endeavour to achieve the objects for which it has been established and for the purpose of achieving those objects the committee may institute such inquiries as it may deem necessary into any dispute referred to in section 3 which has been brought to its notice and into any matter referred to it by the Administrator or which in its opinion mutually affects the interests of fishing boat and factory owners. Functions and powers of the committee.

5. (1) The committee shall consist of so many members as may from time to time be determined by the Administrator. Constitution of committee.

(2) The members of the committee other than the members referred to in subsection (5), shall be appointed by the Administrator after consultation with such body of persons as in the opinion of the Administrator is sufficiently representative of the interests of fishing boat owners and of factory owners respectively and an equal

lede moet aangestel word om die vissersbooteienaars en die fabriekseienaars onderskeidelik te verteenwoordig.

(3) Enige lid van die komitee aangestel ingevolge subartikel (2) kan te eniger tyd binne twee maande na die datum van sy aanstelling iemand as sy sekundus benoem om in sy plek te dien as 'n lid van die komitee by enige vergadering daarvan wat hy nie kan bywoon nie.

(4) Niemand mag enige vergadering van die komitee as sekundus vir enige lid bywoon nie tensy sy benoeming as sodanige sekundus deur die Administrateur goedgekeur is en tensy die betrokke lid die voorsitter minstens een week voor die datum van die begin van die betrokke vergadering skriftelik meegedeel het dat hy sodanige vergadering nie kan bywoon nie en dat sy sekundus sodanige vergadering in sy plek sal bywoon.

(5) Die Sekretaris van Suidwes-Afrika of 'n beamppte deur hom benoem en die beamppte in beheer van die Seksie Seevisserye van die Afdeling Nywerheidsake van die Administrasie is onderskeidelik voorsitter en ondervoorsitter van die komitee.

(6) Wanneer ook al die voorsitter van die komitee afwesig is of sy funksies as voorsitter nie kan vervul nie, tree die ondervoorsitter as voorsitter op tydens sodanige afwesigheid of onvermoë en het hy al die bevoegdhede en moet hy al die funksies van die voorsitter verrig.

(7) Die Sekretaris van Suidwes-Afrika stel iemand in die diens van die Administrasie as sekretaris van die komitee aan.

Diskwalifikasies.

6. Niemand kan as lid van die komitee aangestel word of sodanige amp bly beklee nie, as hy —

- (a) 'n ongerehabiliteerde insolvent is;
- (b) as hy kranksinnig word;
- (c) skuldig bevind word aan 'n misdryf en gevonnissen word tot gevangenisstraf sonder die keuse van 'n boete; of
- (d) ingevolge artikel 7 van sy amp onthef word.

Ontheffing van amp.

7. Die Administrateur kan enige lid van die komitee van sy amp onthef wat —

- (a) versuim om te voldoen aan enige voorwaarde van sy aanstelling waaraan hy pligshalwe moet voldoen;
- (b) na die mening van die Administrateur skuldig is aan wangedrag met betrekking tot die verrigting van sy funksies of die uitoefening van sy bevoegdhede as 'n lid van die komitee;
- (c) sy pligte uit gewoonte versuim of versuim om sy funksies te verrig as 'n lid van die komitee; of
- (d) sonder skriftelike toestemming van die voorsitter wegbly van drie opeenvolgende vergaderings van die komitee, waarvan hy behoorlik kennis gekry het.

Vulling van vakatures.

8. As enige lid van die komitee, buiten 'n lid bedoel in artikel 5 (5), sterf of bedank of ophou om die amp as sodanige lid te beklee, stel die Administrateur, behoudens die paslike bepalinge van artikel 5 (2) iemand anders aan om die vakature te vul en so iemand dien daarop as lid in die komitee vir die onverstreke deel van die tydperk waarvoor die lid wat gesterf of bedank het of opgehou het om sy amp te beklee, aangestel was.

number of members shall be appointed to represent fishing boat owners and factory owners respectively.

(3) Any member of the committee appointed in terms of subsection (2) may at any time within two months after the date of his appointment nominate any person as his alternate to serve in his stead as a member of the committee at any meeting thereof at which he is unable to attend.

(4) No person shall be permitted to attend any meeting of the committee as an alternate for any member unless his nomination as such alternate has been approved by the Administrator and unless the member concerned has notified the chairman in writing at least one week before the date of commencement of the meeting concerned that he is unable to attend such meeting and that his alternate will attend such meeting in his stead.

(5) The Secretary for South West Africa or an official nominated by him and the officer in charge of the Sea Fisheries Section of the Industrial Affairs Branch of the Administration shall be the chairman and vice-chairman of the committee respectively.

(6) Whenever the chairman of the committee is absent or unable to perform his functions as chairman, the vice-chairman shall act as chairman during such absence or incapacity and shall have all the powers and perform all the functions of the chairman.

(7) The Secretary for South West Africa shall appoint a person in the service of the Administration as secretary of the committee.

6. No person shall be eligible for appointment or continue to hold office as a member of the committee if he — Disqualifications.

- (a) is an unrehabilitated insolvent;
- (b) becomes of unsound mind;
- (c) is convicted of an offence and sentenced to imprisonment without the option of a fine; or
- (d) is removed from office in terms of section 7.

7. The Administrator may remove from office any member of the committee who — Removal from office.

- (a) fails to comply with any condition of his appointment with which it is his duty to comply;
- (b) in the opinion of the Administrator, is guilty of misconduct in relation to the performance of his functions or the exercise of his powers as a member of the committee;
- (c) habitually neglects his duties or fails to perform his functions as a member of the committee; or
- (d) has been absent without the written permission of the chairman, from three consecutive meetings of the committee of which notice was duly given to him.

8. If any member of the committee other than a member referred to in section 5 (5), dies or resigns or ceases to hold office as such a member, the Administrator shall subject to the appropriate provisions of section 5 (2), appoint another person to fill the vacancy and such person shall thereupon serve as a member of the committee for the unexpired portion of the period for which the member who has died, resigned or ceased to hold office, had been appointed. Filling of vacancies.

Ampstermyn en
besoldiging.

9. (1) Elke lid van die komitee, buiten die lede bedoel in artikel 5 (5), word aangestel vir 'n tydperk van twee jaar en is, behoudens die bepalings van artikel 6, heraanstelbaar.

(2) Die lede van die komitee, buiten die lede bedoel in artikel 5 (5), word aangestel op sodanige voorwaardes, insluitende besoldiging en die betaling van toelaes ten opsigte van vervoer en verblyf soos by regulasie voorgeskryf word.

Kworum en
meerderheids-
besuite.

10. (1) Een helfte van die totale getal lede van die komitee, uitsluitende die lede bedoel in artikel 5 (5), is 'n kworum by enige vergadering van die komitee.

(2) Nieteenstaande die bepalings van subartikel (1) word geen vergadering van die komitee gehou nie tensy daar minstens twee lede aangestel ingevolge artikel 5 (2) om die vissersbooteienaars te verteenwoordig en minstens twee lede aldus aangestel om die fabriekseienaars te verteenwoordig, aanwesig is.

Vergaderings
van die komitee.

11. (1) Die eerste vergadering van die komitee word gehou op 'n tyd en plek bepaal deur die Administrateur en elke daaropvolgende vergadering word gehou op 'n tyd en plek bepaal deur die voorsitter.

(2) Die voorsitter moet, wanneer daartoe gelas deur die Administrateur of wanneer skriftelik daartoe versoek deur minstens een kwart van die totale getal lede van die komitee 'n vergadering byeenroep om enige saak wat verband hou met die doelstellings van hierdie ordonnansie wat die Administrateur na hom verwys of wat sodanige lede deur die komitee wil laat afhandel, te oorweeg.

Regulasies.

12. Die Administrateur kan regulasies maak oor enige saak wat ingevolge enige bepaling van hierdie ordonnansie by regulasie voorgeskryf kan word en oor alle sake ten opsigte waarvan hy dit nodig of dienstig ag om regulasies te maak sodat die doelstellings van hierdie ordonnansie bereik kan word.

Kort titel.

13. Hierdie ordonnansie heet die Ordonnansie op die Komitee vir Vissersboot- en Fabriekseienaars 1968.

9. (1) Every member of the committee other than the members referred to in section 5 (5), shall be appointed for a period of two years and shall, subject to the provisions of section 6, be eligible for reappointment. Period of office and remuneration.

(2) The members of the committee other than the members referred to in section 5 (5), shall be appointed on such conditions, including payment of remuneration and allowances in respect of transport and subsistence, as may be prescribed by regulation.

10. (1) One-half of the total number of members of the committee excluding the members referred to in section 5 (5), shall form a quorum for any meeting of the committee. Quorum and majority decisions.

(2) Notwithstanding the provisions of subsection (1), no meeting of the committee shall be held unless there are present at least two members appointed in terms of section 5 (2) to represent fishing boat owners and at least two members so appointed to represent factory owners.

11. (1) The first meeting of the committee shall be held at a time and place determined by the Administrator and every subsequent meeting shall be held at a time and place determined by the chairman. Meetings of the committee.

(2) The chairman shall, when directed to do so by the Administrator or when requested to do so in writing by at least one-quarter of the total number of members of the committee, call a meeting to consider any matter relevant to the objects of this ordinance referred to it by the Administrator or which such members wish to be dealt with by the committee.

12. The Administrator may make regulations as to any matter which in terms of any provision of this ordinance may be prescribed by regulation and as to all matters in respect of which he considers it necessary or expedient to make regulations in order that the objects of this ordinance may be achieved. Regulations.

13. This ordinance shall be called the Fishing Boat and Factory Owners' Committee Ordinance, 1968. Short title.

