

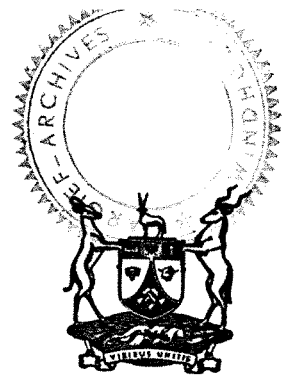
Origief (1)

# OFFICIAL GAZETTE

EXTRAORDINARY  
OF SOUTH WEST AFRICA.

BUITENGEWONE

# OFFISIËLE KOERANT



JITGAWE OP GESAG.

VAN SUIDWES-AFRIKA.

PUBLISHED BY AUTHORITY.

10c

Thursday, 20 February 1969

WINDHOEK

Donderdag, 20 Februarie 1969

No. 2970

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## Government Notice.

## Goewermentskennisgewing.

The following Government Notice is published for general information.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

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

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

Administrator's Office,  
Windhoek.

Kantoor van die Administrateur,  
Windhoek.

No. 30.]

[20 February, 1969

No. 30.]

[20 Februarie 1969

The Minister of Bantu Administration and Development has been pleased, under and by virtue of the powers vested in him by section 32 (4) of the Natives (Urban Areas) Proclamation, 1951 (No. 56 of 1951) (South West Africa) read with section 3 of the South West Africa Bantu Affairs Administration Act, 1954 (No. 56 of 1954) and section 2 of the Administration of Native Affairs in South West Africa Proclamation, 1958 (No. 119 of 1958), to approve the regulations set out in the attached Schedule.

Dit het die Minister van Bantoe-administrasie en -ontwikkeling behaag om kragtens die bevoegdheid hom verleen by artikel 32 (4) van die Proklamasie op Inboorlinge in Stedelike Gebiede, 1951 (No. 56 van 1951) (Suidwes-Afrika), gelees met artikel 3 van die Wet op die Administrasie van Bantoesake in Suidwes-Afrika, 1954 (No. 56 van 1954), en artikel 2 van die Proklamasie op die Administrasie van Naturellesake in Suidwes-Afrika, 1958 (No. 119 van 1958), sy goedkeuring te heg aan die regulasies in bygaande Bylae uiteengesit.

### MUNICIPALITY OF GOBABIS

### MUNISIPALITEIT VAN GOBABIS.

### NATIVE LOCATION REGULATIONS

### INBOORLINGLOKASIEREGULASIES.

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## SCHEDULE

## BYLAE

MUNICIPALITY OF GOBABIS  
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INBOORLINGLOKASIEREGULASIES.CHAPTER I  
GENERAL  
DEFINITIONSHOOFSTUK I.  
ALGEMEEN.  
WOOROMSKRYWING.

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

1. In hierdie regulasies, tensy die sinsverband anders aandui, beteken —

“adult” means a deceased person of or over the age of 12 years whose coffin exceeds the dimensions prescribed for children in regulation 15 of Chapter IX;

„adviesraad”, met betrekking tot ’n lokasie of inboorlingdorp, die inboorlingadviesraad wat vir die lokasie of inboorlingdorp ingevolge die bepalings van artikel 20 van die Proklamasie saamgestel is;

“advisory board” in relation to any location or Native village, means the Native advisory board constituted for such location or Native village in terms of the provisions of section 20 of the Proclamation;

„bestuurder” die amptenaar wat deur die Raad aangestel en ingevolge die bepalings van artikel 21 (1) van die Proklamasie gelisensieer is om die Raad se Afdeling Inboorlingadministrasie te bestuur;

“caretaker” means the person from time to time holding the post of caretaker of any Native cemetery or acting in such capacity in the employ of the Council;

„bewoningsertifikaat” ’n sertifikaat uitgereik kragtens die bepalings van regulasie 38 (3) van Hoofstuk II;

“cemetery” means a piece of land set aside by the Council, with the approval of the Minister, as a public cemetery for the exclusive use of Natives;

„gedenkwerk” ’n grafsteen, traliewerk, omheining, monument, gedenkteken, grafskrif of ander struktuur wat op enige graf opgerig of aangebring is of daar opgerig of aangebring kan word;

“certificate holder” means any person to whom a residential certificate has been issued;

„finansieel in staat” —

“child” means a deceased person under the age of 12 years, whose coffin does not exceed the dimensions prescribed for children in regulation 15 of Chapter IX;

(a) dat die applikant likwiede bates gelykstaande met die geraamde koste van die goedgekeurde gebou by die Raad gedeponeer het; of

“Committee” means the non-White affairs committee of the Council;

(b) indien hy om ’n behuisingslening ooreenkomstig hierdie regulasies aansoek doen hy —

“Council” means the Town Council of the Municipality of Gobabis;

“customary union” means the association of a man and woman in a conjugal relationship according to Native law and custom;

(i) aldus likwiede bates gelykstaande met 20% van sodanige geraamde koste by die Raad gedeponeer het; en

(ii) sy inkomste minstens ses maal soveel is as die bedrag van die maandelikse paaient wat ooreenkomstig hierdie regulasies ten opsigte van kapitaal, rente en huurgeld betaal moet word;

“engineer” means the town engineer or electrical engineer of the Municipality of Gobabis and includes any person acting on his behalf in the execution of his duties;

“family”, in relation to the holder of a site or residential permit or residential certificate, means —

- (a) the wife and all unmarried children under the age of 18 years of such holder;
- (b) all unmarried or widowed daughters of the holder of such permit or certificate who reside with such holder, and their children under the age of 18 years;
- (c) any parent or grandparent of such holder or of his wife who are dependent upon such holder as a result of old age, infirmity or any other incapacity; and
- (d) any other person who, in the opinion of the superintendent, is *bona fide* dependent upon such holder;

“financially able” means —

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

“fit and proper person” means a person who —

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

“hall” means any communal hall provided by the Council for the use of the Native residents in the location;

“hirer” means a person whose application for the hire or use of a communal hall has been granted, whether against payment or otherwise, and “hire” has a corresponding meaning;

“hostel” means any Native hostel erected in terms of the provisions of section 2 of the Proclamation;

“location” means any area defined, set apart and laid out as a location or Native village or as an extension of a location or Native village by the Council, with the approval of the Minister, under the provisions of section 2 of the Proclamation;

“lodger’s permit” means a permit issued in terms of the provisions of regulation 42 (1) of Chapter 2;

“manager” means the official appointed by the Council and licensed in terms of the provisions of section 21 (i) of the Proclamation to manage the Council’s Native Administration Department;

“medical officer of health” means the person for the time being lawfully acting in the capacity either as medical officer of health or assistant medical officer of health of the Council;

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

„geneeskundige gesondheidsbeampte” die persoon wat as dan wettiglik optree in die hoedanigheid van òf geneeskundige gesondheidsbeampte òf assistent-geneeskundige gesondheidsbeampte van die Raad;

„geregistreeerde bewoner” die persoon wie se naam verskyn in die register van bewoners, wat deur die superintendent gehou word ingevolge hierdie regulasies as ’n persoon aan wie ’n perseel-, woon- of loseerderspermit of bewoningssertifikaat ingevolge hierdie regulasies uitgereik is;

„gesin”, met betrekking tot die houer van ’n perseel- of woonpermit of bewoningssertifikaat, —

- (a) die vrou en alle ongetroude kinders onder die ouderdom van 18 jaar van sodanige houer;
- (b) alle ongetroude of weduweedogters van die houer van sodanige permit of sertifikaat, wat by sodanige houer woon en hulle kinders onder 18 jaar;
- (c) ’n ouer of grootouer van sodanige houer of van die vrou van sodanige houer wat as gevolg van hoë ouderdom, swakheid of enige ander ongeskiktheid, van sodanige houer afhanklik is; en
- (d) enige ander persoon wat na die mening van die superintendent *bona fide* afhanklik van die houer is;

„geskikte persoon” iemand wat —

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

„gewoonteverbintenis” die verbintenis van ’n man en ’n vrou in ’n huweliksverhouding volgens naturellerege en -gebruik;

„handelaar” ’n inboorling ten opsigte van wie ’n aansoek ingevolge hierdie regulasies toegestaan is om ’n wettige ambag, beroep of besigheid in die lokasie uit te oefen;

„handelsperseel” ’n goedgekeurde winkel, kraampie, besigheidsplek, gebou of terrein wat vir toekenning aan inboorlinge vir handels- of besigheidsdoeleindes opsygesit is ingevolge die bepalinge van hierdie regulasies;

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

„inboorling” ’n persoon wat tot ’n inboorlingras of -stam van Afrika behoort. Wanneer daar redelike twyfel bestaan of ’n persoon in hierdie kategorie val, rus die bewyslas op sodanige persoon;

„ingenieur” die dorps- of elektrotegniese ingenieur van die Munisipaliteit van Gobabis en ook enige persoon wat namens hom optree in die uitvoering van sy pligte;

„kerkhof” ’n stuk grond wat deur die Raad opsygesit is met die goedkeuring van die Minister as ’n openbare begraaflaas vir die uitsluitlike gebruik van inboorlinge;

„kiesbeampte” die persoon wat deur die Raad benoem is om die bevoegdheidspligte uit te oefen wat by hierdie regulasies aan kiesbeamptes toegewys word;

“memorial work” means any tombstone, railing, fence, monument, memorial, inscription or other structure which is or may be erected or placed upon any grave;

“Minister” means the Minister of Bantu Administration and Development;

“Native” means a person belonging to a Native race or tribe of Africa. Where there is reasonable doubt whether a person falls in the category, the onus of proof shall rest on such person;

“nuisance” means —

- (a) any premises or part thereof of such a construction or in such a state as to be offensive, or injurious or dangerous to health;
- (b) any street, stream, pool, lagoon, ditch, gutter, watercourse, sink, cistern, water-closet, earth closet, pail closet, privy, urinal, cesspool, sump, open drain, sewer, waste-water receptacle, slop tank, manure pit, ash bin, ash pit or midden, so foul or in such a state or so situated or constructed as to be a nuisance or offensive, or injurious or dangerous to health;
- (c) any well or other source of water supply which is injurious or dangerous to health;
- ((d) any tank or cistern used for the supply of water for domestic purposes so placed, constructed or kept as to render the water therein liable to contamination, causing or likely to cause risk to health or to be conducive to the breeding of mosquitoes;
- (e) any stable, cowshed, animal kraal, fowl house or premises in which any animal or bird is kept in such a manner or in such numbers as to be offensive, or injurious or dangerous to health;
- (f) any accumulation or deposit of refuse, offal, manure or other matter which is offensive, or injurious or dangerous to health, or any offensive matter, refuse, offal or manure lying or being within fifty yards of any street, or contained in uncovered trucks or wagons, standing or being at any station or halt or elsewhere on a railway so as to be offensive, or injurious or dangerous to health;
- (g) any works, factory, trade or business causing or giving rise to smells or effluvia which are offensive or which are injurious or dangerous to the health of the neighbourhood or so managed as to be offensive, or injurious or dangerous to health;
- (h) any house or part of a house so overcrowded as to be injurious or dangerous to the health of the occupants or in which there is not at least 400 cubic feet of air space and 40 square feet of floor space for each person of over 10 years simultaneously occupying such house or part thereof whether by night or day and at least 200 cubic feet of air space and 20 square feet of floor space for each person under 10 years;
- (i) any school building or any factory, workshop or workplace, or part thereof —
  - (i) which is not kept clean and free from effluvia from any drain, privy, water-closet, earth closet, urinal or other source of nuisance; or
  - (ii) which is not ventilated in such a manner as to render harmless, as far as practicable, any gases, vapours, dust or other impurities generated in the course of the work carried out therein that are offensive, or injurious or dangerous to health;
  - (iii) in which the average proportion of carbonic acid in the air at or about breathing level

„kind” ’n oorlede persoon onder die ouderdom van 12 jaar wie se doodkis nie die afmetings vir kinders soos bepaal in regulasie 15 van Hoofstuk IX oorskry nie;

„Komitee” die Komitee vir Nie-Blankesake van die Raad;

„lokasie” ’n gebied wat bepaal, afgesonder en aangelê is as lokasie of inboorlingdorp of as ’n uitbreiding van ’n lokasie of inboorlingdorp deur die Raad met die goedkeuring van die Minister ingevolge die bepalings van artikel 2 van die Proklamasie;

„loseerderspermit” ’n permit uitgereik ingevolge die bepalings van regulasie 42 (1) van Hoofstuk II;

„Minister” die Minister van Bantoe-administrasie en -ontwikkeling;

„onderneming” enige ambag, besigheid of beroep wat deur enige handelaar op enige goedgekeurde handelsperseel uitgeoefen of gedryf word;

„oorlas” —

- (a) ’n perseel of gedeelte daarvan wat op so ’n wyse gebou is of in so ’n toestand verkeer dat dit aanstootlik, of nadelig of gevaarlik vir die gesondheid is;
- (b) ’n straat, stroom, poel, lagune, sloot, geut, waterloop, wasbak, waterbak, waterkloset, putgemak, emmergemak, privaat, urinoir, vuilput, sinkput, dreineervoor, riool, afvalwaterbak, vuilwatertenk, misput, asbak, asput of mishoop, wat so aanstootlik of in so ’n toestand of sodanig geleë of gemaak is dat dit oorlas veroorsaak, of aanstootlik, of nadelig of gevaarlik vir die gesondheid is;
- (c) ’n put of ander watervoorraad wat nadelig of gevaarlik vir die gesondheid is;
- (d) ’n tenk of waterbak wat gebruik word vir die lewering van water vir huishoudelike doeleindes en wat so geplaas of vervaardig is of gehou word dat die water daarin blootstaan aan besoedeling, waardeur dit ’n gevaar vir die gesondheid veroorsaak of kan veroorsaak, of die uitbroei van muskiete kan bevorder;
- (e) ’n stal, koeistal, veekraal, hoenderhok of perseel waarin enige dier of voël gehou word op so ’n wyse of in sodanige getalle dat dit aanstootlik, of nadelig of gevaarlik vir die gesondheid is;
- (f) ’n versameling of ophoping van vullis, afval, mis of ander stof wat aanstootlik, of nadelig of gevaarlik vir die gesondheid is, of enige aanstootlike stof, vullis, afval of mis wat binne vyftig jaarts van enige straat af lê of is, of wat in oop trokke of waens op of by ’n stasie of halte, of elders op ’n spoorweg staan of is, sodat dit aanstootlik, of nadelig of gevaarlik vir die gesondheid is;
- (g) enige werke, fabriek, bedryf of besigheid wat stank of uitvloeisels of dampe veroorsaak of kan veroorsaak wat aanstootlik, of nadelig of gevaarlik vir die gesondheid van die buurt is, of wat op so ’n wyse bestuur word dat hulle aanstootlik, of nadelig of gevaarlik vir die gesondheid is;
- (h) ’n huis of gedeelte van ’n huis wat so oorvol is dat dit nadelig of gevaarlik vir die gesondheid van die inwoners is, of waarin, hetsy bedags of snags, vir elk van die persone oor ouderdom van 10 jaar wat dit gelyktydig bewoon, nie minstens 400 kubieke voet lugruimte en 40 vierkante voet vloerruimte en vir elke persoon onder die ouderdom van 10 jaar nie minstens 200 kubieke voet lugruimte en 20 vierkante voet vloerruimte is nie;
- (i) ’n skoolgebou of ’n fabriek, werkwinkel of werkplek of gedeelte daarvan —

exceeds 10 volumes in 10,000 or where oil or gas is used for lighting purposes, exceeds 18 volumes in 10,000 while such oil or gas is in actual use; or

- (iv) which is so overcrowded while work is being carried out therein as to be injurious or dangerous to the health of those employed therein;
- (j) any chimney sending forth smoke, grit, ash or soot in such quantity or in such manner as to be offensive, or injurious or dangerous to health;
- (k) any other condition whatever which is offensive, or injurious or dangerous to health, the generality of this provision not being limited by the particular matters provided in the preceding subparagraphs;

“private grave plot” means any area of land set aside for one or more graves, the exclusive interment right of which has been purchased by any person in terms of regulation 23 of Chapter IX;

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

“registered occupier” means the person whose name appears in the register of occupiers, kept by the superintendent in terms of these regulations as a person to whom a site, residential or lodger’s permit or a residential certificate has been issued in terms of these regulations;

“residential certificate” means a certificate issued in terms of the provisions of regulation 38 (3) of Chapter II;

“residential permit” means a permit issued in terms of the provisions of regulation 33 (1) of Chapter II;

„returning officer” means the person appointed by the Council to exercise the powers and duties conferred on returning officers by these regulations;

“site permit” means a permit issued in terms of the provisions of regulation 34 (2) of Chapter II;

“superintendent” means the official appointed and licensed for the management of the location in terms of the provisions of section 21 (1) of the Proclamation, or his substitute or his authorised representative;

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

“trading site” means any approved shop, stall, building or site set aside for allotment to Natives for trade or business purposes in terms of the provisions of these regulations;

“undertaking” means any trade, business or occupation carried out or conducted by any trader on any approved trading site;

“urban area” means the municipal area of Gobabis.

#### APPLICATION

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

#### REPEAL OF REGULATIONS

3. The regulations promulgated by Government Notice No. 95 dated 2nd July, 1935, as amended, are hereby repealed.

(i) wat nie in 'n sindelike toestand en vry van uitvloei uit enige riool, privaat, waterkloset, putgemak, urinoir of ander bron van oorlas gehou word nie;

(ii) wat nie op so 'n wyse geventileer is dat daardeur soveel moontlik alle gasse, dampe, stof of ander onsuiverhede wat ontstaan gedurende die werk daarin verrig en wat aanstootlik, of nadelig of gevaarlik vir die gesondheid is, onskadelik gemaak word nie; of

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

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

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

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

„opsigter” die persoon wat van tyd tot tyd die betrekking van opsigter van enige inboorlingkerkhof bekleed of in sodanige hoedanigheid in diens van die Raad optree;

„perseelpermit” 'n permit uitgereik kragtens die bepalings van regulasie 34 (2) van Hoofstuk II;

„private grafperseel” 'n stuk grond wat opsygesit is vir een of meer grafte, waarvan die alleenreg op begraving ingevolge regulasie 23 van Hoofstuk IX gekoop is;

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

„Raad” die Stadsraad van die munisipaliteit Gobabis;

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

„sertifikaathouer” iemand aan wie 'n bewoningssertifikaat uitgereik is;

„stadsgebied” die munisipale gebied van Gobabis;

„superintendent” die amptenaar wat ingevolge die bepalings van artikel 21 (1) van die Proklamasie vir die bestuur van die lokasie aangestel en gelisenseer is, of sy plaasvervanger of gemagtigde verteenwoordiger;

„tehuis” enige inboorlingtehuis opgerig ingevolge die bepalings van artikel 2 van die Proklamasie;

„volwassene” 'n oorlede persoon van die ouderdom van 12 jaar of ouer wie se doodkis die afmetings vir kinders soos bepaal in regulasie 15 van Hoofstuk IX oorskry;

„woonpermit” 'n permit uitgereik kragtens die bepalings van regulasie 33 (1) van Hoofstuk II.

#### TOEPASSING.

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

#### HERROEPING VAN REGULASIES.

3. Die regulasies afgekondig by Goewermentskennisgewing No. 95 van 2 Julie 1935, soos gewysig, word hierby herroep.

## CHAPTER II

## LOCATION ADMINISTRATION

## APPOINTMENT AND DUTIES OF OFFICIALS

1. (1) The Council may, in terms of the provisions of section 21 of the Proclamation, appoint an official to manage the Council's Department of Native Administration generally. All instructions affecting his Department and which may be issued from time to time by the Council shall be transmitted to the relative officials by the manager.

(2) The Council shall, in terms of section 21 of the Proclamation, appoint an official to manage the location or Native village or part thereof in terms of these regulations, who shall act in accordance with such lawful instructions as he may from time to time receive from the manager.

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

## MANAGER'S REPORT

2. The manager shall, not less than once in every three months or when otherwise required by the Council, report in writing to the Council in regard to the conditions, health and management of the location. Such reports shall be available for inspection by an officer appointed by the Minister in terms of section 21 (3) of the Proclamation.

## POSTING OF REGULATIONS, ORDERS, ETC.

3. The superintendent shall cause a copy of all regulations, orders or directions relating to the control, management and use of the location, in English, Afrikaans and the Native language used by the majority of persons in the location, to be posted and maintained in a conspicuous place at his office for the information of the residents.

## THE MEDICAL OFFICER'S REPORT

4. The medical officer of health shall annually on the 30th of June, report in writing to the Council on the health and sanitary conditions of the location. Copies of every such report shall be forwarded after consideration and with the Council's comments thereon to the Administrator of South West Africa and to the Secretary for Bantu Administration and Development.

## POPULATION RETURN

5. A return showing the population of the location shall be submitted by the superintendent to the Council at such intervals as may be decided upon by the Council.

## DWELLINGS AND SITES TO BE NUMBERED

6. The superintendent shall allot to each site in the location a number, and shall cause the number allotted to each site to be legibly painted, inscribed on or affixed to the outside of the main door of the dwelling erected on such site. The superintendent shall at all times keep such numbers in a legible condition. The Council shall supply the superintendent with all material necessary for the numbering of dwellings and for maintaining such numbers in a legible condition. No person shall obscure, remove, deface, obliterate or destroy such number.

## RECORD OF REFUSALS

7. The superintendent shall keep a record of the names of the persons whose applications for a site, residential or lodger's permit or a residential certificate

## HOOFSTUK II.

## LOKASIEADMINISTRASIE.

## AANSTELLING EN PLIGTE VAN AMPTENARE.

1. (1) Die Raad kan kragtens die bepalings van artikel 21 van die Proklamasie 'n amptenaar aanstel wat as die bestuurder bekend staan om die Raad se Afdeling Inboorlingadministrasie in die algemeen te bestuur. Alle voorskrifte wat op sy Afdeling betrekking het en wat van tyd tot tyd deur die Raad uitgereik word, moet aan die betrokke amptenare deur die bestuurder oorgedra word.

(2) Die Raad stel ingevolge artikel 21 van die Proklamasie 'n amptenaar aan om die lokasie of inboorlingdorp of 'n gedeelte daarvan te bestuur ingevolge hierdie regulasies en hy tree op ooreenkomstig sodanige wettige voorskrifte as wat hy van tyd tot tyd van die bestuurder ontvang.

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

## BESTUURDER SE VERSLAG.

2. Minstens een maal elke drie maande, of wanneer dit andersins deur die Raad van die bestuurder verlang word, moet hy aan die Raad skriftelik verslag doen betreffende die toestande, gesondheid en bestuur van die lokasie. Sodanige verslae moet beskikbaar wees vir inspeksie deur 'n beampte deur die Minister ingevolge artikel 21 (3) van die Proklamasie aangestel.

## AANPLAK VAN REGULASIES, BEVELE, ENS.

3. Die superintendent moet vir die inligting van die inwoners 'n afskrif van alle regulasies, bevele of voorskrifte wat betrekking het op die beheer, bestuur en gebruik van die lokasie in Engels en Afrikaans en in die inboorlingtaal wat deur die meeste persone in die lokasie gebesig word, op 'n ooglopende plek by sy kantoor laat aanplak en in stand hou.

## GENEESKUNDIGE GESONDHEIDSBEAMPTSE SE VERSLAG.

4. Die geneeskundige gesondheidsbeampte moet jaarliks op 30 Junie skriftelik verslag doen aan die Raad oor die gesondheids- en sanitêre toestande van die lokasie. Na oorweging moet afskrifte van elke sodanige verslag, tesame met die Raad se opmerkings daaroor, aan die Administrateur van Suidwes-Afrika en die Sekretaris van Bantoe-administrasie en -ontwikkeling gestuur word.

## OPGAWE VAN BEVOLKING.

5. 'n Opgawe van die bevolking van die lokasie moet by sodanige tussenpose as wat die Raad besluit, deur die superintendent by die Raad ingedien word.

## WONINGS EN PERSELE MOET GENOMMER WORD.

6. Die superintendent moet 'n nommer aan elke perseel in die lokasie toeken, en moet die nommer wat aan elke perseel toegeken is, duidelik aan die buitekant van die voordeur van die woning wat op sodanige perseel opgerig is, laat verf, opskryf of aanheg. Die superintendent moet alle sodanige nommers te alle tye in 'n leesbare toestand hou. Die Raad moet alle materiaal wat nodig is om nommers op die wonings aan te bring en in 'n leesbare toestand te hou, aan die superintendent verskaf. Niemand mag sodanige nommer verberg, skend, verwyder, uitwis of vernietig nie.

## REKORD VAN GEWEIERDE AANSOEKE.

7. Die superintendent moet 'n rekord hou van die name van persone wie se aansoeke om 'n perseel-, woon- of loseerderspermit of 'n bewoningsertifikaat geweier is,

have been refused and the reasons for such refusal and shall submit a copy of such records to the Council at each ordinary monthly meeting.

#### SITES, DWELLINGS AND BUILDINGS TO BE KEPT CLEAN

8. Every holder of a site or residential permit or residential certificate shall keep the dwellings and buildings on the site in good condition and order. No person shall accumulate or deposit or cause or permit to be accumulated or deposited on any site filth, manure, dirt, refuse, garbage or rubbish so as to be a nuisance, or injurious or dangerous to health. Sites shall at all times be kept clean and free from vermin, weeds and rubbish. In the case of a residential permit holder, he shall keep the site and buildings thereon in good condition, fair wear and tear excepted, and shall not deface or damage the premises, installations or fittings, nor shall he tamper or interfere with the water, electrical or sewerage installations.

#### PUBLIC MEETINGS, ASSEMBLIES AND ENTERTAINMENTS

9. (1) Subject to the provisions of any other law, any person who proposes to convene or address a public meeting or assembly of persons in the location shall notify the superintendent at least 72 hours before such meeting or assembly of the arrangements made for such meeting or assembly: Provided that the superintendent may in his discretion accept shorter notice.

(2) No public meeting or entertainment in the location shall be continued later than 12 midnight without the approval of the superintendent, nor shall any public meeting or entertainment in the location be continued later than any extended time approved by the superintendent.

(3) No person shall, without the prior written approval of the superintendent, collect any money for other than *bona fide* church purposes from the persons present at any public meeting or assembly in the location.

(4) If there be reasonable grounds for believing that the holding of any meeting or assembly in the location might provoke or lead to a breach of the peace, such meeting or assembly may, with the special approval of the magistrate given after reference to the local police chief and the responsible official of the Council, be prohibited by the superintendent.

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

#### DISTURBANCE OF THE PUBLIC PEACE

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

#### OBSTRUCTION OF OFFICIALS

11. No person shall obstruct the superintendent or any other employee of the Council in the execution of his official duties.

#### OBSTRUCTION AND LOITERING

12. No person shall sit, stand, lie, loiter or congregate in or in any other manner encumber any street, road or

asook die redes vir elke sodanige weiering en moet op sy gewone maandelikse vergadering 'n afskrif van sodanige rekord aan die Raad voorlê.

#### PERSELE, WONINGS EN GEBOUE MOET SINDELIK GEHOU WORD.

8. Elke houër van 'n perseel- of woonpermit of bewoningstifikaat moet die wonings en geboue op sy perseel in 'n goeie toestand en orde hou. Niemand mag vuilgoed, mis, vullis, afval, uitskot of rommel op enige perseel vergaar of stort of laat vergaar of stort of toelaat dat dit vergaar of gestort word op so 'n wyse dat dit 'n oorlas, of nadelig of gevaarlik vir die gesondheid is nie. Persele moet te alle tye skoon en vry gehou word van ongedierte, onkruid en vuilgoed. In die geval van die houër van 'n woonpermit, moet hy die perseel en die geboue daarop in 'n goeie toestand hou, met inagneming van billike slytasie, en hy mag nie die perseel, installasies of toebehore ontsier of beskadig nie en hy mag ook nie aan die water-, elektriese of rioolinstallasies peuter of hom daarmee bemoei nie.

#### OPENBARE VERGADERINGS, BYEENKOMSTE EN VERMAAKLIKHEDE.

9. (1) Behoudens die bepalings van enige ander wet, moet enigeen wat voornemens is om 'n openbare vergadering of byeenkoms in die lokasie te belê of toe te spreek, die superintendent minstens 72 uur voor sodanige vergadering of byeenkoms in kennis stel van die reëlings wat vir sodanige vergadering of byeenkoms getref is: Met dien verstande dat die superintendent na goeie dunde korter kennisgewing kan aanvaar.

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

(3) Niemand mag, sonder dat die skriftelike goedkeuring van die superintendent vooraf verkry is, van die persone wat op 'n openbare vergadering of byeenkoms in die lokasie aanwesig is, geld, uitgesonderd vir *bona fide*-kerkdoeleindes, kollekteer nie.

(4) Indien daar redelike grond bestaan om te vermoed dat die houër van 'n vergadering of byeenkoms in die lokasie 'n rusverstoring kan veroorsaak of daartoe kan lei, kan sodanige vergadering of byeenkoms, met die spesiale goedkeuring van die landdros, nadat hy oorleg gepleeg het met die plaaslike polisiehoof en die betrokke verantwoordelike amptenaar van die Raad, deur die superintendent verbied word.

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

#### OPENBARE RUSVERSTORING.

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

#### HINDER VAN AMPTENARE.

11. Niemand mag die superintendent of 'n ander werknemer van die Raad in die uitvoering van sy amptelike pligte hinder nie.

#### OBSTRUKSIE EN DRENTEL.

12. Niemand mag in enige pad, straat of openbare plek binne die lokasie sit, lê, staan, drentel of vergader of

public place within the location so as to obstruct traffic, or to jostle or otherwise to interfere with any person lawfully using such street, road or public place.

#### SOLICITING

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

#### DAMAGING OF FENCES

14. No person shall climb onto, under, over or through any gate, fence, wall or railing, being the property of the Council in or around the location, or enter or leave otherwise than through some authorised means of ingress or egress and no person shall damage or remove such gate, fence, wall or railing without the authority of the Council.

#### DEFECATING OR URINATING

15. No person shall defecate or urinate in any street, road, lane, sidewalk, foot-path, open space or public place in the location, other than in the proper place provided for the purpose in a lavatory or urinal.

#### REPORTING OF BIRTHS AND DEATHS

16. The holder of a site or residential permit or residential certificate in respect of any dwelling in which a birth or death occurs or, in the case of his death or incapacity, the eldest adult resident in such dwelling, shall forthwith report such birth or death as the case may be to the superintendent and furnish him with all the relative particulars required for the proper completion of the register.

#### INFORMATION TO BE SUPPLIED

17. To enable the superintendent to keep any register required by these regulations, it shall be the duty of every resident in the location to give the superintendent such information as he may require.

#### FURNISHING OF NAMES AND ADDRESSES

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

#### DAMAGING OF TREES ETC.

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

#### EXCAVATIONS

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

#### CONTROL OF GAMES AND ENTERTAINMENTS

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

op 'n ander wyse sodanige straat, pad of openbare plek versper sodat die verkeer belemmer word, of teen iemand wat wettiglik van sodanige straat, pad of openbare plek gebruik maak, stamp of sodanige persoon andersins lastig val nie.

#### AANLOK OF AANSPREEK OP STRAAT.

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

#### BESKADIGING VAN HEININGS.

14. Niemand mag op, onder, oor of deur 'n hek, heining, muur of tralie, wat die eiendom van die Raad is, en wat die lokasie omhein of daarbinne is, klim of deur 'n ander as 'n goedgekeurde in- of uitgang binnekom of uitgaan nie, en niemand mag sonder die magtiging van die Raad sodanige hek, heining, muur of tralie beskadig of verwyder nie.

#### ONTLASTING OF URINERING.

15. Niemand mag hom ontlast of urineer in 'n straat, pad, deurgang, sypaadjie, voetpad, oop ruimte of openbare plek in die lokasie, op 'n ander plek as in die behoorlike plek waarvoor 'n latrine of urinoir voorsiening gemaak is nie.

#### GEBOORTES EN STERFGEVALLE MOET AANGEDEE WORD.

16. Die houder van die perseel- of woonpermit of bewoningssertifikaat ten opsigte van 'n woning waarin 'n geboorte of sterfgeval plaasvind of, in geval van sy dood of ongeskiktheid, die oudste volwasse inwoner in sodanige woning, moet dadelik sodanige geboorte of sodanige sterfgeval, na gelang van die geval, by die superintendent aangee en aan hom al die besonderhede verstrek wat nodig is vir die behoorlike invul van die lokasieregister.

#### INLIGTING MOET VERSTREK WORD.

17. Ten einde die superintendent in staat te stel om 'n register wat ingevolge hierdie regulasies vereis word, by te hou, is dit die plig van elke inwoner van die lokasie om aan die superintendent sodanige inligting te verstrek as wat hy nodig het.

#### VERSTREKKING VAN NAME EN ADRESSE.

18. Enige persoon wat in die lokasie aangetref word, moet sy volle naam en adres en sodanige inligting as wat verlang word aan die superintendent of enige van sy gevolmagtigde assistente op aanvraag verstrek.

#### BESKADIGING VAN BOME ENS.

19. Niemand mag wederregtelik 'n boom, bos, struik, plant, heg, pad, gebou of struktuur of enige pyp, vullisbak of ander toebehore of toestel in die lokasie, wat die eiendom van die Raad is, beskadig of vernietig nie.

#### UITGRAWINGS.

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

#### BEHEER OOR SPELE EN VERMAAKLIKHEID.

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



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

#### KNOBKERRIES OR DANGEROUS WEAPONS

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

(2) For the purpose of this regulation "dangerous weapon" shall include:

swords or daggers; knives with a cutting edge of 4" or more in length, or pocket knives the blades of which can be fixed when opened; spears, assegais and loaded sticks or sticks with nails or sticks which are not used for the locomotion of persons; knuckledusters; sandbags; jumpers, crowbars or hammers which exceed 3 lb. in weight; axes or pickaxes; solid rubber batons; chains and loaded belts; lead or iron pipes; straps or sjamboks or any other object which is obviously dangerous. A chain on a stick shall be a loaded stick and a belt with any metal attached to it shall be a loaded belt.

#### ACTION FOR RENTS AND CHARGES

23. Any person convicted of an offence for failing to pay any amount for which he is liable in terms of the provisions of this Chapter within one month of the date in which it is due and payable, may, in addition to any other penalty which the court may impose, be ordered by the court to pay, within such period as is mentioned in the court order, the amount due by such person or, in default of payment within such period, to be sentenced to imprisonment, with or without compulsory labour, for a period not exceeding one month: Provided that no terms of imprisonment served shall be deemed to exempt the person from his liability for the amount due or shall prevent action for the recovery thereof: Provided further that no person shall be punished a second time in respect of failure to pay the same debt.

#### ENTERING OF PREMISES

24. The superintendent or any of his assistants, the medical officer of health or any other authorised officer of health, or any other authorised employee of the Council, may, for any purpose connected with the carrying out of these regulations, at all reasonable times enter without previous notice upon any premises whatsoever and make such inspection and enquiry as he may deem necessary.

#### REPORTING INFECTIOUS OR CONTAGIOUS DISEASES

25. If any person in the location suffers from any infectious or contagious disease, the holder of a site or residential permit or residential certificate in respect of the dwelling in which such person resides or is found, or in the case of his death or incapacity, the eldest adult resident in such dwelling shall immediately report to the superintendent the name of such person and all other facts known to him.

#### ENTERING OF PREMISES BY MEDICAL OFFICER OF HEALTH OR ASSISTANTS

26. The medical officer of health or his authorised assistants may at any time enter any hut or dwelling or

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

#### KNOPKIERIES OF GEVAARLIKE WAPENS.

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

(2) Vir doeleindes van hierdie regulasie omvat „gevaarlike wapen" swaarde of dolke; messe met 'n lem van 4 duim of meer in lengte of sakmesse waarvan die lemme vasgesit kan word as hulle oopgemaak word; spiese, assegaie en gelaaide stokke of stokke met spykers daarin of stokke wat nie gebruik word om mee te loop nie; vuissysters; sandsakke; slagbore, koevoete of hamers van meer as 3 lb. in gewig; byle of pikbyle; soliede rubberknuppels; kettings en gelaaide gordels; lood- of ysterpype; plakke of sambokke of enige ander voorwerp wat klaarblyklik gevaarlik is. 'n Ketting aan 'n stok is 'n gelaaide stok en 'n gordel met enige metaal daaraan is 'n gelaaide gordel.

#### AKSIE VIR HURGELDE EN VORDERINGS.

23. Enige persoon wat skuldig bevind is aan 'n oortreding dat hy versuim het om binne een maand na die datum waarop dit verskuldig en betaalbaar is, 'n bedrag te betaal waarvoor hy ingevolge die bepalinge van hierdie Hoofstuk aanspreeklik is, kan, benewens enige ander straf wat die hof opleë, deur die hof gelas word om die bedrag deur hom verskuldig binne sodanige tydperk as wat in die bevel genoem word, te betaal, of by wanbetaling binne sodanige tydperk, tot gevangenisstraf, met of sonder dwangarbeid, vir 'n tydperk van hoogstens een maand gevonnissen word: Met dien verstande dat geen gevangenisstraf wat uitgedien is die persoon van sy aanspreeklikheid vir die verskuldigde bedrag onthef, of verhoed dat 'n aksie vir die invordering daarvan ingestel kan word nie: Voorts met dien verstande dat niemand ten opsigte van versuim om dieselfde skuld te betaal 'n tweede keer gevangenisstraf mag word nie.

#### BETREDING VAN PERSELE.

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

#### AANSTEEKLIKE OF BESMETLIKE SIEKTES MOET AANGEGEE WORD.

25. Indien 'n persoon in die lokasie aan 'n aansteeklike of besmetlike siekte ly, moet die houer van 'n perseel- of woonpermit of bewoningstifikaat ten opsigte van die woning waarin sodanige persoon woon of aangetref word, of in geval van sy dood of ongeskiktheid, die oudste volwasse inwoner in sodanige woning, dadelik die naam van sodanige persoon en alle ander feite waarvan hy kennis dra, by die superintendent aangee.

#### GENEESKUNDIGE GESONDHEIDSBEAMPTE OF ASSISTENTE KAN PERSELE BETREE.

26. Die geneeskundige gesondheidsbeampte of sy gemagtigde assistente kan te eniger tyd enige hut of woning

building in the location and examine all persons therein suspected of suffering from any infectious or contagious disease or of having been exposed to such infection or contagion and any person who appears to the medical officer of health or to his authorised assistants to be suffering from or to have been exposed to the infection of any infectious or contagious disease, may by order of the medical officer of health be removed to such place either within or beyond such location as the Council may appoint for receiving such persons and may by a like order be therein detained until such time as in the opinion of the medical officer of health he shall be free from infection.

#### WASHING FACILITIES

27. The Council may set apart a place in the location and provide thereat suitable clothes-washing facilities where the residents may wash clothes, and the superintendent shall from time to time issue instructions regulating the use of such washing facilities.

#### DOGS AND OTHER ANIMALS

28. (1) No person shall keep any dog in the location save with the written permission of the superintendent who may grant or refuse any application for such permission. If such permission is granted the owner shall comply in every respect with the provisions of the Council's regulations. The superintendent shall register such dog in a register showing the name of the owner and particulars regarding the breed, sex, colour and age of the dog, and he shall issue a registration certificate to the owner. The superintendent shall have the right immediately to have destroyed any dog not registered in the manner aforesaid.

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

(3) Notwithstanding the provisions of subregulation (1), no person may introduce into or keep within the location any greyhound or any dog which, in the opinion of the superintendent, belong to the greyhound breed.

(4) No person may keep in the location any horse, mule, donkey, cattle, sheep, goat, pig, or any similar livestock without the consent of the superintendent and then subject to his approval of the suitability and cleanliness of the accommodation provided for such animals.

#### TARIFF OF RENTS AND CHARGES

29. Any person liable for the payment of any fees or charges shall pay such amounts at the office of the superintendent in advance and in accordance with the tariffs laid down in Annexure V.

#### APPEAL

30. (1) Any person who has been refused a site permit, a residential permit, a lodger's permit, a visitor's permit or a residential certificate by the superintendent may appeal to the Native Commissioner.

(2) Every resident of the location shall have the right to appeal to the Native Commissioner against any action of the superintendent or any other official of the Council charged with the administration of these regulations.

(3) After due inquiry, at which the superintendent or other official of the Council shall be entitled to be heard in support of his action, the Native Commissioner

of gebou in die lokasie binnegaan en alle persone daarbinne wat vermoedelik aan 'n aansteeklike of besmetlike siekte ly of aan sodanige aansteeking of besmetting blootgestel was, ondersoek, en enige persoon wat by die geneeskundige gesondheidsbeampte of sy gemagtigde assistente die indruk wek dat hy aan enige aansteeklike of besmetlike siekte ly of aan die besmetting daarvan blootgestel was, kan op las van die geneeskundige gesondheidsbeampte verwyder word na sodanige plek binne of buite sodanige lokasie as wat die Raad aanwys vir die opneming van sodanige persone, en kan deur 'n soortgelyke bevel daar aangehou word totdat hulle, volgens die mening van die geneeskundige gesondheidsbeampte, vry van besmetting is.

#### KLEREWASGERIEWE.

27. Die Raad kan 'n plek in die lokasie afsonder en daar geskikte geriewe verskaf waar die inwoners klere kan was, en die superintendent moet van tyd tot tyd voorskrifte uitreik waarby die gebruik van sodanige wasgeriewe gereguleer word.

#### HONDE EN ANDER DIERE.

28. (1) Niemand mag 'n hond in die lokasie aanhou nie, uitgesonderd met die skriftelike toestemming van die superintendent wat enige aansoek om sodanige toestemming kan toestaan of weier. As sodanige toestemming verleen is, moet die eienaar in elke opsig voldoen aan die bepalings van die Raad se regulasies. Sodanige hond moet behoorlik deur die superintendent geregistreer word in 'n register waarin hy die naam van die eienaar en besonderhede van die ras, geslag, kleur en ouderdom van die hond aanteken, en daarna 'n registrasiesertifikaat aan die eienaar uitreik. Die superintendent het die reg om onmiddellik enige hond wat nie op voornoemde wyse geregistreer is nie, te laat doodmaak.

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

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

(4) Geen persoon mag in die lokasie enige perd, bees, muil, donkie, skaap, bok, vark of enige soortgelyke lewendige hawe aanhou sonder die skriftelike toestemming van die superintendent nie, en dan behoudens sy goedkeuring van die geskiktheid en skoonheid van die akkommodasie wat vir sodanige vee verskaf word.

#### TARIEF VAN HUURGELDE EN VORDERINGS.

29. Enige persoon wat aanspreeklik is vir die betaling van gelde of vorderings moet sodanige bedrae by die kantoor van die superintendent vooruitbetaal ooreenkomstig die tarief in Aanhangsel V van hierdie regulasies.

#### APPÉL.

30. (1) Enige persoon wie se aansoek om 'n perseel-, woon-, loseerders- of besoekerspermit of bewoningsertifikaat deur die superintendent geweier is, kan na die natuurlekommisaris appelleer.

(2) Elke inwoner van die lokasie het die reg om na die natuurlekommisaris teen enige optrede van die superintendent of 'n amptenaar van die Raad, aan wie die administrasie van hierdie regulasies opgedra is, te appelleer.

(3) Nadat behoorlike ondersoek ingestel is, waarby die superintendent of ander amptenaar van die Raad geregtig is om sy optrede te verdedig, kan die naturelle-

may (i) order such superintendent or other official of the Council to grant the appellant facilities under these regulations if it appears that such have been unreasonably withheld, or (ii) make such other order as may be deemed fit.

(4) A further appeal against the decision of the Native Commissioner shall lie by means of an affidavit to the Chief Native Commissioner having jurisdiction, whose decision shall be final.

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

#### REFUSE RECEPTACLES

31. (1) Every holder of a site or residential permit or residential certificate shall, on occupying the site allotted to him, obtain a refuse receptacle of a kind approved by the Council into which all rubbish, filth or litter of any kind shall be deposited.

(2) No person shall deposit or cause or permit to be deposited in any place other than in a refuse receptacle provided in terms of subregulation (1) any rubbish, filth or litter of any description.

(3) The Council shall cause all rubbish, filth or litter deposited in the refuse receptacles provided in accordance with this regulation, to be removed from the location at regular intervals to be prescribed by the medical officer of health and deposited at such site or sites as may be approved of by the Council.

(4) The Council may in its discretion advance to any holder of a site or residential permit or residential certificate the cost of any refuse receptacle required to be provided in terms of subregulation (1) and may recover such cost in instalments.

#### REGISTER OF OCCUPIERS

32. (1) The superintendent shall keep a register (hereinafter referred to as a "register of occupiers") in which he shall enter the name and full particulars of every person to whom a site, residential or lodger's permit or residential certificate has been issued in accordance with these regulations, the name and full particulars of every person who is entitled to reside in single quarters or a hostel situated within the location and the name of every other person who, in terms of these regulations, is permitted, by virtue of any site, residential or lodger's permit or residential certificate, to reside in the location.

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

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

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

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

#### RESIDENTIAL PERMITS

33. (1) Any person who is the head of a family and is desirous of taking up residence in the location and of

kommissaris (i) sodanige superintendent of ander amptenaar van die Raad gelas om fasiliteite ingevolge die regulasies aan die appellant toe te staan, as dit blyk dat sodanige fasiliteite sonder goeie rede geweier is, of (ii) 'n ander bevel na goëddunke uitreik.

(4) 'n Verdere reg van appél teen die beslissing van die naturellekommissaris is by wyse van beëdigde verklaring by die Hoofnaturellekommissaris met regsbevoegdheid, wie se beslissing afdoende is.

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

#### VULLISBAKKE.

31. (1) Elke houer van 'n perseel- of woonpermit of 'n bewoningstifikaat moet, sodra hy die perseel wat aan hom toegeken is, in besit neem, 'n vullisbak kry van die soort wat deur die Raad goedgekeur is en waarin rommel, vuilgoed of afval van watter soort ook al, geplaas moet word.

(2) Niemand mag enige rommel, vuilgoed of afval, van watter aard ook al, op 'n ander plek as in 'n vullisbak wat ingevolge subregulasie (1) verskaf word, plaas of laat plaas of toelaat dat dit aldus geplaas word nie.

(3) Die Raad moet alle rommel, vuilgoed of afval wat in die vullisbak wat ooreenkomstig hierdie regulasies verskaf is geplaas word, met gereelde tussenpose, soos deur die geneeskundige gesondheidsbeampte voorgeskryf, van die lokasie laat verwyder en op sodanige plek of plekke as wat deur die Raad goedgekeur word, laat stort.

(4) Die Raad kan na goëddunke aan enige houer van 'n perseel- of woonpermit of bewoningstifikaat die koste van 'n vullisbak wat ingevolge hierdie regulasies verskaf moet word, voorskiet en kan sodanige koste in paaiemente verhaal.

#### REGISTER VAN BEWONERS.

32. (1) Die superintendent moet 'n register hou (hieronder 'n „register van bewoners" genoem) waarin hy die naam en volle besonderhede moet aanteken van elke persoon aan wie 'n perseel-, woon- of loseerderspermit of bewoningstifikaat ooreenkomstig hierdie regulasies uitgereik is, die naam en volle besonderhede van elke persoon wat die reg het om in enkelkwartiere of 'n tehuis in die lokasie te woon, en die naam van alle persone wat kragtens hierdie regulasies toegelaat word om kragtens 'n perseel-, woon- of loseerderspermit of bewoningstifikaat in die lokasie te woon.

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

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

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

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

#### WOONPERMITTE.

33. (1) Enige persoon wat 'n gesinshoof is en wat hom in die lokasie wil vestig en met die lede van sy gesin 'n

occupying together with the members of his family a dwelling erected or owned by the Council, shall apply in person to the superintendent for a permit (hereinafter referred to as a residential permit) authorising his residence in the location and occupation of such dwelling. The superintendent, on being satisfied that —

- (a) a suitable dwelling is available;
- (b) such dwelling can be so occupied by the applicant and his family;
- (c) the applicant is a fit and proper person to reside in the location;
- (d) the applicant has been *bona fide* employed in the urban area for a period of not less than 10 years or has carried on some lawful occupation therein for such period;
- (e) the applicant is lawfully permitted to enter, be and remain in the urban area;
- (f) the applicant is not already the holder of a residential or site permit or a residential certificate; and
- (g) the applicant was born in South West Africa or the Republic of South Africa,

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

(2) A residential permit shall —

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

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

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

#### SITE PERMITS

34. (1) Any person who is the head of a family and who is desirous of taking up residence in the location together with his family and erecting a dwelling therein, shall apply in person to the superintendent for a site permit.

(2) The superintendent, on being satisfied that —

- (a) a suitable site is available;
- (b) the applicant is a fit and proper person to reside in the location;
- (c) the applicant and his family has been *bona fide* employed for a period of not less than 10 years or has carried on a lawful occupation within the urban area for such period;
- (d) the applicant and his family are lawfully authorised to enter, be and remain in the location;
- (e) the applicant is not already the holder of a residential or site permit or residential certificate;
- (f) the applicant was born in South West Africa or the Republic of South Africa;

woning wat deur die Raad opgerig is of die eiendom van die Raad is, wil bewoon, moet persoonlik by die superintendent aansoek doen om 'n permit (hieronder 'n woonpermit genoem) wat sy verblyf in die lokasie en bewoning van sodanige woning magtig. As die superintendent daarvan oortuig is dat —

- (a) 'n geskikte woning beskikbaar is;
- (b) sodanige woning deur die applikant en sy gesin aldus bewoon kan word;
- (c) die applikant 'n geskikte persoon is om in die lokasie te woon;
- (d) die applikant vir 'n tydperk van minstens 10 jaar in die stadsgebied *bona fide* in diens is of vir sodanige tydperk 'n wettige ambag daarin uitgeoefen het;
- (e) die applikant wettiglik toegelaat word om die stadsgebied binne te kom, daar te wees en daar te bly;
- (f) die applikant nie alreeds die houer van 'n woon- of perseelpermit of 'n bewoningssertifikaat is nie; en
- (g) die applikant binne Suidwes-Afrika of die Republiek van Suidwes-Afrika gebore is,

kan hy aan sodanige applikant 'n woonpermit uitreik in hoofsaak in die vorm in Aanhangsel I van hierdie regulasies uiteengesit en sodanige woning aan hom toeken: Met dien verstande dat as die applikant onder 21 jaar is sodanige permit op naam van die voog van die applikant in trust vir sodanige applikant gedurende die tydperk van sy minderjarigheid uitgereik moet word.

(2) 'n Woonpermit moet —

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

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

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

#### PERSEELPERMITTE.

34. (1) Enige persoon wat 'n gesinshoof is en wat hom in die lokasie tesame met sy gesin wil vestig en 'n woning daarin wil oprig, moet persoonlik by die superintendent om 'n perseelpermit aansoek doen.

(2) As die superintendent daarvan oortuig is dat —

- (a) 'n geskikte perseel beskikbaar is;
- (b) die applikant 'n geskikte persoon is om in die lokasie te woon;
- (c) die applikant vir 'n tydperk van minstens 10 jaar *bona fide* in diens was of 'n wettige ambag uitgeoefen het binne die stadsgebied;
- (d) die applikant en sy gesin wettiglik gemagtig is om die stadsgebied binne te kom, daar te wees en daar te bly;
- (e) die applikant nie reeds die houer van 'n woon- of perseelpermit of bewoningssertifikaat is nie;
- (f) die applikant binne Suidwes-Afrika of die Republiek van Suid-Afrika gebore is;

- (g) the applicant is financially able and willing to erect a dwelling in terms of these regulations within the period laid down herein;
- (h) the applicant, if at the time of his application he is already a registered occupier, undertakes to surrender his existing residential, site or lodger's permit or residential certificate and to consent to the cancellation thereof upon receipt of a site permit in terms of these regulations;
- (i) the applicant has submitted to him a properly drawn plan, in duplicate, of the proposed dwelling, approved by the engineer and the medical officer of health; and
- (j) the applicant has paid a deposit which is sufficient to cover the estimated supervision fees referred to in regulation 37 (8) of this Chapter (any balance of the deposit must be refunded to the applicant after completion of the building activities and the determination of the final costs thereof),

may allot such site to such applicant and issue to him a site permit in the form set out in Annexure II: Provided that, where the applicant is under the age of 21 years, such permit shall be issued in the name of the guardian of the applicant in trust for such applicant for the period of his minority.

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

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

#### RIGHTS CONFERRED AND OBLIGATIONS IMPOSED BY A SITE PERMIT

##### 35. (1) A site permit —

- (a) shall confer upon the holder thereof the right to the sole use and occupation, together with his family, of the site described therein, subject, however, to these regulations, for a period deemed fit by the Council but not exceeding 30 years from the date of issue thereof: Provided that, where the applicant for such permit has, for a period of 10 years immediately preceding the date of the application, not been in *bona fide* employment within the urban area or has not been carrying on some lawful occupation therein, the occupation by him of such site shall be on a monthly basis;
- (b) shall contain a description of the site concerned;
- (c) shall indicate the buildings, structures or fences which are or may be erected on the site;
- (d) is deemed to have been issued only in respect of the site mentioned therein; and
- (e) shall specify the person to whom it has been issued.

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

(3) The site shall not be used for any purpose other than residential purposes, and may include a garden in which fruit, flowers and vegetables may be grown only for domestic use.

(4) Sites shall not be subdivided.

(5) The holder of any site permit shall not sublet or permit any person other than himself and his family

(g) die applikant finansiëel in staat en gewillig is om binne die tydperk wat ingevolge hierdie regulasies bepaal word 'n woning ooreenkomstig hierdie regulasies op te rig;

(h) die applikant, indien hy ten tyde van sy aansoek reeds 'n geregistreerde bewoner is, onderneem om by die ontvangs van 'n perseelpermit ingevolge hierdie regulasies sy bestaande woon-, perseel- of loseerderspermit of bewoningsertifikaat op te gee en tot die intrekking daarvan in te stem;

(i) die applikant by hom 'n behoorlik getekende plan, in tweevoud, van die voorgestelde woning, wat deur die ingenieur en geneeskundige gesondheidsbeampte goedgekeur is, ingedien het; en

(j) die applikant 'n deposito betaal het wat voldoende is om die geraamde toesigkoste waarvan in regulasie 37 (8) van hierdie Hoofstuk melding gemaak word, te dek (enige saldo van die deposito moet na afloop van die bouwerkzaamhede en nadat die finale koste daarvan bereken is aan die applikant terugbetaal word), kan hy sodanige perseel aan sodanige applikant toeken en 'n perseelpermit in die vorm uiteengesit in Aanhangsel II aan hom uitreik: Met dien verstande dat as die applikant onder 21 jaar is sodanige permit op naam van die voog van die applikant in trust vir sodanige applikant gedurende die tydperk van sy minderjarigheid uitgereik moet word.

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

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

#### REGTE VERLEEN EN VERPLIGTINGE OPGELE DEUR 'N PERSEELPERMIT.

##### 35. (1) 'n Perseelpermit —

- (a) verleen aan die houer daarvan die reg op die uitsluitende gebruik en bewoning, saam met sy gesin, maar behoudens hierdie regulasies, van die perseel wat daarin beskryf word vir 'n tydperk wat die Raad goeddink maar vir hoogstens 30 jaar van die datum van uitreiking daarvan: Met dien verstande dat waar die applikant om sodanige permit nie in die stadsgebied *bona fide* in diens was of nie die een of ander wettige ambag daarin uitgeoefen het of nie opleiding vir of onderrig in enige wettige ambag daarin ontvang het vir 10 jaar onmiddellik voor die datum van die aansoek nie, sodanige bewoning op 'n maandelikse basis geskied;
- (b) moet 'n beskrywing van die betrokke perseel bevat;
- (c) moet aandui watter geboue, strukture of heinings op die betrokke perseel opgerig is of opgerig kan word;
- (d) word geag uitgereik te gewees het slegs ten opsigte van die perseel wat daarin genoem word; en
- (e) moet die persoon spesifiseer aan wie dit uitgereik is.

(2) Hoogstens een perseel mag aan enige een persoon toegeken word. Vir die toepassing van hierdie subregulasie word 'n manlike volwassene en 'n vroulike volwassene wat saamwoon, as een persoon beskou.

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

(4) Persele mag nie onderverdeel word nie.

(5) Die houer van 'n perseelpermit mag nie sonder die skriftelike toestemming van die Raad die woning,

to occupy the dwelling, outbuildings or site or any portion thereof without the written consent of the Council, which the Council may in its discretion grant or refuse.

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

(7) No site shall be allotted to children residing with their parents or guardians.

#### SUBLETTING, TRANSFER OR ENCUMBERING OF DWELLINGS

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

(2) The holder of a site permit, residential permit or residential certificate shall not, without the written consent of the Council, let, sell or transfer his site permit, residential permit or certificate or his interests (if any) in any building erected on the site to any other person. This consent will be granted upon the Council's being satisfied that the person to whom the lease, sale of transfer is to be made, conforms to the requirements of regulation 33 (1) (a) to (g) inclusive of this Chapter in the case of a residential permit or to the requirements of regulation 34 (2) (a) to (j) inclusive of this Chapter in the case of a site permit, or to the requirements of regulation 38 (3) (a) to (d) inclusive of this Chapter in the case of a residential certificate, and provided the fees prescribed in these regulations have duly been paid by such person.

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

- (a) registration thereof in the register of occupiers to be kept by the superintendent in terms of regulation 32 of this Chapter; and
- (b) the endorsement on the permit in question of the name and address of the person taking transfer, the purchase price paid and the fact that both parties had consented to the transfer; and
- (c) handing the permit in question to the person taking transfer.

#### ERECTION OF BUILDINGS, FENCES, OUTBUILDINGS OR OTHER STRUCTURES

37. (1) The holder of a site permit shall, within three months of the date of issue to him of a site permit, commence with the erection on the site of a dwelling in accordance with the plan attached to his site permit and shall continue the building work, and shall complete such dwelling in accordance with the said plan within a period of 12 months of the date on which the site permit was issued to him: Provided, however, that the Committee may, for good cause shown, extend either of or both these periods. In the event of a breach of the provisions of this regulation, the Council may —

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

(2) The holder of a site permit shall within three months (which period may be extended by the Committee for good cause shown and at its discretion) carry out any written instruction given to him by the superintendent

buitegeboue of perseel, of 'n gedeelte daarvan, onderverhuur, of toelaat dat iemand anders as hyself en sy gesin dit bewoon nie en die Raad kan na goeddunke hierdie toestemming verleen of weier.

(6) 'n Toegekende perseel moet op behoorlike en doeltreffende wyse deur die superintendent afgemete word.

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

#### ONDERVERHURING, OORDRAG OF DIE BESWARING VAN WONINGS.

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

(2) Die houer van 'n perseelpermit, woonpermit of bewoning-sertifikaat mag nie sonder die skriftelike toestemming van die Raad sy perseelpermit, woonpermit of bewoning-sertifikaat of sy belang, as daar is, in 'n gebou wat op die perseel opgerig is, aan iemand anders verhuur, verkoop of oordra nie. Hierdie toestemming word verleen sodra die Raad oortuig is dat die persoon aan wie verhuur, verkoop of oorgedra word, voldoen aan die vereistes van regulasie 33 (1) (a) tot en met (g) van hierdie Hoofstuk in die geval van 'n woonpermit, of aan die vereistes van regulasie 34 (2) (a) tot en met (j) van hierdie Hoofstuk in die geval van 'n perseelpermit, of aan die vereistes van regulasie 38 (3) (a) tot en met (d) van hierdie Hoofstuk in die geval van 'n bewoning-sertifikaat en mits die gelde in hierdie regulasie voorgeskryf, behoorlik deur sodanige persoon betaal is.

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

- (a) registrasie daarvan in die register van bewoners wat die superintendent ingevolge regulasie 32 van hierdie Hoofstuk moet hou; en
- (b) die endossering op die betrokke permit van die naam en adres van die persoon wat oordrag neem, die koopprys wat betaal is en die feit dat beide partye tot die oordrag ingestem het; en
- (c) die oorhandiging van die betrokke permit aan die persoon wat oordrag neem.

#### OPRIGTING VAN GEBOUE, HEININGS, BUITEGEBOUE OF ANDER STRUKTURE

37. (1) Die houer van 'n perseelpermit moet binne drie maande nadat die perseelpermit aan hom uitgereik is, 'n woning ooreenkomstig die goedgekeurde plan wat aan sy perseelpermit geheg is, op sy perseel begin oprig, en moet voortgaan met die bouwerk en sodanige woning ooreenkomstig genoemde plan voltooi binne 'n tydperk van 12 maande na die datum waarop die perseelpermit uitgereik is: Met dien verstande dat die Komitee egter enigeen van, of albei hierdie tydperke om goeie redes kan verleng. Ingeval hierdie regulasie oortree word, kan die Raad —

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

(2) Die houer van 'n perseelpermit moet binne drie maande (dié tydperk kan deur die Komitee na goeddunke en om gegronde redes verleng word) enige skriftelike opdrag uitvoer wat die superintendent, handelende op 'n

dent, acting upon a report by the medical officer of health or by the engineer, to the effect that he shall, for good and sufficient reasons, repair, alter, rebuild or demolish any dwelling, building, outbuilding, fence or other structure: Provided that such instruction may be accompanied by a written offer by the Council to advance to the holder the materials required to carry out the instruction, upon such conditions regarding interest and repayment as are laid down in these regulations.

(3) No room wholly or partly used by human beings for sleeping purposes shall be occupied by a greater number of persons than will allow 400 cubic feet of free air space and 40 square feet of floor space for each person of or over the age of 10 years, and 200 cubic feet of free air space and 20 square feet of floor space for each person under the age of 10 years: Provided that under no circumstances shall any latrine, passage, staircase, landing or cupboard or any outbuilding, garage, stable, tent, store-room, lean-to, shed, cellar, or loft be used for sleeping purposes by any human being unless its use for that purpose has been approved by the Council.

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

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

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

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

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

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

(10) The holder of a site permit or residential certificate shall, after the completion of any dwelling or outbuilding or of any alteration thereof, or addition

verslag van die geneeskundige gesondheidsbeampte of die ingenieur, aan hom gee, naamlik dat hy op goeie en voldoende gronde 'n woning, gebou, buitegebou, heining of ander bouwerk moet herstel, verbou, herbou of sloop: Met dien verstande dat sodanige opdrag vergesel kan gaan van 'n skriftelike aanbod deur die Raad om op voorwaardes met betrekking tot rente en terugbetaling, wat in hierdie regulasies gespesifiseer word, aan die houer die nodige materiaal voor te skiet ten einde hom in staat te stel om die opdrag uit te voer.

(3) 'n Vertrek wat geheel en al of gedeeltelik deurmense gebruik word om in te slaap, mag nie deur 'n groter aantal persone bewoon word wat sal meebring dat daar vrye lugruimte van 400 kubieke voet en vloerruimte van 40 vierkante voet is ten opsigte van elke persoon wat 10 jaar of ouer is, en vrye lugruimte van 200 kubieke voet en vloerruimte van 20 vierkante voet ten opsigte van elke persoon wat jonger as 10 jaar is: Met dien verstande dat onder geen omstandighede 'n latrine, gang, trap, trapportaal of kas of 'n buitegebou, garage, stal, tent, pakkamer, afdak, skuur, kelder of solder gebruik word vir mense om in te slaap nie, tensy die Raad goedgekeur het dat dit vir dié doel gebruik kan word.

(4) Daar mag geen woning in 'n lokasie opgerig word waarvan die geraamde koste, tesame met dié van die gebruiklike buitegeboue, minder as R200 beloop nie.

(5) Daar mag geen ander gebou of struktuur, uitgesonderd een woning, tesame met die gebruiklike buitegeboue, op 'n perseel opgerig word nie.

(6) Daar mag geen materiaal wat nie deur die Raad of sy amptenare goedgekeur is, vir die oprigting of verbouing van enige woning of buitegebou gebruik word nie. Die Raad het die reg om te vereis dat die houer van die perseelpermit al die materiaal wat vir dié doel gebruik word óf van die Raad teen kosprys óf van 'n handelaar in boumateriaal gekies uit 'n lys van handelaars deur die Raad goedgekeur te koop en elke houer van 'n perseelpermit het ingelyks die reg om die materiaal óf van die Raad óf van 'n handelaar in boumateriaal gekies uit 'n lys van sodanige handelaars, te koop.

(7) Daar mag geen hout-en-sinkgeboue of soortgelyke strukture of geboue van rou stene, modder of klei in die lokasie opgerig word nie.

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

(9) 'n Woning, buitegebou of heining, of enige verbouing of verandering daarvan of aanbouing of toevoeging daaraan wat nie aan die goedgekeurde planne voldoen nie, of wat nie ooreenkomstig hierdie regulasies onder toesig opgerig is nie, of wat opgerig is met materiaal nie deur die Raad goedgekeur nie, en enige gebou, uitgesonderd een woning, tesame met die gebruiklike buitegeboue, wat op een perseel opgerig is, kan deur die Raad op koste van die houer van die perseelpermit en sonder enige verpligting om vergoeding daarvoor te betaal, gesloop word.

(10) Die houer van die perseelpermit of bewoningssertifikaat moet, nadat 'n woning of buitegebou, of enige verbouing daarvan of aanbouing daaraan, voltooi is, die

thereto, notify the superintendent accordingly and the superintendent shall, on receipt of a certificate from the medical officer of health or the engineer to the effect that such dwelling and/or outbuilding has been completed in terms of these regulations and is fit for occupation, issue a statement accordingly. The superintendent shall, within three days of his having received notification of the completion of the dwelling and/or outbuilding from the permit holder, inform such permit holder whether such dwelling and/or outbuilding has been erected in terms of the provisions of these regulations.

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

#### RESIDENTIAL CERTIFICATES

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

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

(3) The superintendent, upon being satisfied that —

- (a) a suitable dwelling is available;
- (b) the applicant conforms *mutatis mutandis* to the requirements of regulation 34 (2) (b), (c), (d), (e), (f) and (h) of this Chapter;
- (c) the applicant is financially able and willing to pay for the right of occupation of the dwelling; and
- (d) the applicant has entered into with the Council, an agreement of sale substantially in the form of Annexure VII,

may issue to such applicant, on behalf of the Council and subject to these regulations, a certificate substantially in the form set out in Annexure III to these regulations: Provided that, in the event of the applicant's being under the age of 18 years, the certificate shall be issued in the name of the guardian of the minor in trust for such minor for the remainder of the period of his minority.

(4) A certificate —

- (a) shall confer upon the holder thereof the right to the sole use and occupation, together with his family, but subject however to these regulations, of the dwelling described therein and the site upon which such dwelling is situated, for a period to be determined by the Council in its discretion but not exceeding 30 years from the date of issue thereof: Provided that, where the applicant for such certificate has, for a period of 10 years immediately preceding such application, not been in *bona fide* employment within the urban area, or has not been following some lawful occupation therein, or has not been undergoing training or instruction in any lawful occupation therein, the occupation of such site shall be granted on a monthly basis only;
- (b) shall contain a description of the dwelling concerned and the site upon which such dwelling is situated; and
- (c) shall specify the person to whom it has been issued.

(5) An applicant to whom a certificate has been issued in terms of subregulation (3) and who has not paid the full purchase price in respect of the right of occupation, shall be deemed to have received a loan from the Council for the unpaid portion of the purchase price, and the provisions of regulation 39 of this Chapter shall *mutatis mutandis* apply as in the case of a loan actually granted by the Council.

superintendent dienoooreenkomstig verwittig en die superintendent moet, nadat hy 'n sertifikaat van die geneeskundige gesondheidsbeampte of van die ingenieur ontvang het dat sodanige woning en/of buitegebou ooreenkomstig die bepalings van hierdie regulasies voltooï is, en geskik is vir bewoning, 'n verklaring dienoooreenkomstig uitreik. Die superintendent moet binne drie dae nadat hy van die houer van die perseelpermit of bewoningsertifikaat kennis ontvang het dat die woning en/of buitegebou voltooï is, sodanige houer in kennis stel of sodanige woning en/of buitegebou ooreenkomstig die bepalings van hierdie regulasies opgerig is.

(11) Die geregistreerde houer van 'n perseelpermit of bewoningsertifikaat is gedurende die hele geldigheidsduur daarvan self verantwoordelik vir die onderhoud van enige herstelwerk aan enige woning en/of buitegebou wat op die perseel opgerig is, en moet op alle tye gedurende sodanige geldigheidsduur sodanige woning en buitegebou in 'n goeie en bewoonbare onderhoudstoestand hou.

#### BEWONINGSERTIFIKATE.

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

(2) Enige persoon wat 'n gesinshoof is en die reg op bewoning wil verkry ten opsigte van 'n woning in subregulasie (1) genoem, moet persoonlik by die superintendent om 'n sertifikaat aansoek doen.

(3) As die superintendent daarvan oortuig is dat —

- (a) 'n geskikte woning beskikbaar is;
- (b) die applikant *mutatis mutandis* voldoen aan die vereistes van regulasie 34 (2) (b), (c), (d), (e), (f) en (h) van hierdie Hoofstuk;
- (c) die applikant finansieël in staat en gewillig is om vir die reg op bewoning van die woning te betaal; en
- (d) die applikant 'n verkoopoooreenkoms, wesenlik in die vorm van Aanhangsel VII, met die Raad aangegaan het, kan hy namens die Raad en behoudens hierdie regulasies, 'n sertifikaat wesentlik in die vorm in Aanhangsel III van hierdie regulasies uiteengesit, aan sodanige applikant uitreik: Met dien verstande dat wanneer die applikant iemand onder die ouderdom van 18 jaar is, die sertifikaat op naam van die voog van die minderjarige in trust vir sodanige minderjarige vir die res van die tydperk van sy minderjarigheid uitgereik moet word.

(4) 'n Sertifikaat —

- (a) verleen aan die sertifikaathouer die reg op die uitsluitende gebruik en bewoning, saam met sy gesin, maar behoudens hierdie regulasies, van die woning wat daarin beskryf word en die perseel waarop sodanige woning geleë is, vir 'n tydperk wat die Raad na goeë dunde bepaal maar vir hoogstens 30 jaar van die datum van uitreiking daarvan: Met dien verstande dat waar die applikant vir sodanige sertifikaat nie in die stadsgebied *bona fide* in diens was of nie die een of ander wettige ambag daarin uitgeoefen het of nie opleiding vir of onderrig in enige wettige ambag daarin ontvang het vir tien jaar onmiddellik voor die datum van die aansoek nie, bewoning van sodanige perseel op 'n maandelikse basis geskied;
- (b) moet 'n beskrywing bevat van die betrokke woning en die perseel waarop sodanige woning geleë is; en
- (c) moet die persoon spesifiseer aan wie dit uitgereik is.

(5) Daar word geag dat 'n applikant aan wie 'n sertifikaat uitgereik is kragtens subregulasie (3) en wat nie die volle koopprys ten opsigte van die bewoningsreg betaal het nie, 'n lening van die Raad ontvang het vir die onbetaalde gedeelte van die koopprys en die bepalings van regulasie 39 van hierdie Hoofstuk is *mutatis mutandis* van toepassing soos in die geval van 'n lening wat werklik deur die Raad toegestaan is.



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

#### GRANTING OF HOUSING LOANS AND THE CONDITIONS AND TERMS IN RESPECT OF THE REPAYMENT THEREOF

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

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

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

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

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

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

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

#### TOESTAAN VAN BEHUISINGSLENINGS EN DIE VOORWAARDES EN BEPALINGS TEN OPSIGTE VAN DIE TERUGBETALING DAARVAN.

39. (1) Die Raad kan, na goeë dunke, op aansoek van die houer van 'n perseelpermit of bewoningssertifikaat, 'n lening toestaan van hoogstens 80 persent van die waarde van die voorgestelde gebou nadat dit voltooi is (soos geraam deur die ingenieur volgens die planne wat vir goedkeuring voorgelê is), of, in die geval van 'n bewoningssertifikaat, van die koopprys van die reg op bewoning.

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

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

(4) Voorskotte ten opsigte van lenings geskied teen 'n rentekoers wat die Raad van tyd tot tyd by besluit bepaal, maar sodanige rente mag nie meer as  $\frac{3}{4}$  persent hoër wees as die rente wat die Raad betaal op enige lening wat aangegaan is om sodanige boulenings te finansieer nie. Sodanige rente word maandeliks vooruit bereken op die saldo van die lening wat dan nog verskuldig is.

(5) Lenings moet in gelyke maandelikse paaieimente ten opsigte van die kapitaal en die rente oor 'n tydperk van hoogstens 20 jaar terugbetaal word. Die terugbetalingstermyn word bereken vanaf die datum waarop die laaste voorskot ten opsigte van die lening toegestaan is. Enige bedrag wat voorgeskiet word ten einde herstelwerk ooreenkomstig hierdie regulasies aan te bring, moet by die saldo wat verskuldig is op enige lening wat reeds toegestaan is, gevoeg word, en die tydperk wat ten opsigte van die terugbetaling van die saldo van enige lening wat reeds toegestaan is, toegelaat word, moet, tensy daar anders tussen die Raad en die houer van die perseelpermit of bewoningssertifikaat ooreengekom word, verleng word sodat die maandelikse paaieimente ten opsigte van die kapitaal en die rente wat ten aansien van albei lenings vereis word, nie hoër is as die paaieimente wat ten opsigte van die oorspronklike lening vereis is nie. Ingeval daar 'n bedrag ten opsigte van herstelwerk voorgeskiet word aan 'n inboorling wat nie 'n behuisingslening van die Raad verkry het nie, of wat nie 'n saldo op sodanige lening verskuldig is nie, moet sodanige voorskot oor 'n tydperk van vyf jaar vanaf die datum waarop dit betaal is, in gelyke maandelikse paaieimente ten opsigte van die kapitaal en die rente terugbetaal word.

(6) 'n Lening moet gedek word deur die sessie aan die Raad van die lener se perseelpermit of bewoningssertifikaat, wat by die Raad gedeponeer moet word. Die lener moet 'n skriftelike skuldbewys van sodanige lening, tesame met 'n onderneming om die lening ooreenkomstig

ther with an undertaking to repay the loan in accordance with these regulations.

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

hierdie regulasies terug te betaal, onderteken en dit ook by die Raad indien.

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

#### CANCELLATION OF RESIDENTIAL PERMIT, SITE PERMIT AND RESIDENTIAL CERTIFICATE

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

- (a) by the holder thereof, by giving the superintendent one month's written notice;
- (b) by the superintendent, by giving the holder one month's written notice, if such holder —

- (i) has, for a continuous period of more than one month prior to the issue of such notice, been unemployed or has not been following some lawful occupation within the urban area: Provided that, in the case of illness substantiated by a medical certificate, the period of unemployment shall be calculated from the date on which such holder has, according to the medical certificate, been regarded as fit to resume his duties;
- (ii) has, for a continuous period of more than one month, been employed outside the urban area, except where, in the normal course of his duties, he is required by his conditions of service temporarily to accompany his customary employer to or subsequently join him at places outside the urban area and he had notified the superintendent accordingly before his departure;
- (iii) fails to pay any amount for which he is liable in terms of these regulations within one month of the date on which such amount becomes due and payable;
- (iv) has obtained such permit by making a false, incorrect or misleading statement which had an important bearing on the issue of such permit;
- (v) leaves or vacates the dwelling in respect of which the residential permit was issued for a period of more than one month without the written permission of the superintendent;
- (vi) has, in the opinion of the superintendent, ceased to be a fit and proper person to reside in the location;
- (vii) has been found guilty of an offence and sentenced to imprisonment without the option of a fine for a period of more than three months;
- (viii) has become the occupier of another site in the location or a lodger in the location;
- (ix) is no longer lawfully permitted to remain within the proclaimed area,

and upon the cancellation of the residential permit the holder thereof shall —

- (aa) surrender his permit to the superintendent;
- (bb) forthwith grant the superintendent the undisturbed possession of the dwelling;
- (cc) forthwith leave the location together with the members of his family, unless otherwise authorised to remain therein:

#### INTREKKING VAN WOONPERMIT, PERSEELPERMIT EN BEWONINGSERTIFIKAAT.

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

- (a) deur die houer daarvan deur skriftelike kennis van een maand aan die superintendent te gee;
- (b) deur die superintendent deur skriftelike kennis van een maand aan die houer te gee, as sodanige houer —
  - (i) vir 'n ononderbroke tydperk van meer as een maand voor die uitreiking van sodanige kennisgewing werkloos was of nie 'n wettige ambag binne die stadsgebied uitgeoefen het nie: Met dien verstande dat in geval van siekte deur 'n mediese sertifikaat gestaaf, die tydperk van werkloosheid bereken word met ingang van die datum waarop sodanige houer volgens die mediese sertifikaat geskik geag word om weer diens te aanvaar;
  - (ii) vir 'n ononderbroke tydperk van meer as een maand buite die stadsgebied in diens was, uitgesonderd waar hy in die normale loop van sy pligte ooreenkomstig sy diensvoorwaardes sy gewone werkgever tydelik moet vergesel na of later by hom aansluit op plekke buite die stadsgebied en die superintendent dienoreenkomstig in kennis gestel het voordat hy vertrek het;
  - (iii) in gebreke bly om 'n bedrag waarvoor hy ingevolge die bepalings van hierdie regulasies aanspreeklik is, te betaal binne een maand na die datum waarop sodanige bedrag verskuldig en betaalbaar word;
  - (iv) sodanige permit verkry het deur 'n valse, onjuiste of misleidende verklaring te doen wat van belang was in verband met die uitreiking van sodanige permit;
  - (v) die woning ten opsigte waarvan die woonpermit uitgereik is, vir 'n tydperk van meer as een maand verlaat of ontruim sonder die skriftelike toestemming van die superintendent;
  - (iv) na die mening van die superintendent nie meer 'n geskikte persoon is om in die lokasie te woon nie;
  - (vii) skuldig bevind is aan 'n misdryf en gevonnissen tot gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van meer as drie maande;
  - (viii) die bewoner van 'n ander perseel in die lokasie of 'n loseerder in die lokasie geword het;
  - (ix) nie meer wettig toegelaat word om in die ge-proklameerde gebied te bly nie;

en by sodanige intrekking van die woonpermit moet die houer daarvan —

- (aa) sy permit aan die superintendent teruggee;
- (bb) die superintendent dadelik in ongestoorde besit van die woning stel; en
- (cc) tesame met die lede van sy gesin onverwyld die lokasie verlaat, tensy andersins gemagtig om daarin te bly:

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

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

- (a) by the holder thereof, by giving the superintendent one month's written notice;
- (b) by the superintendent, by giving the holder one month's written notice if such holder —

- (i) has, for a continuous period of more than one month immediately preceding the issue of such notice, been unemployed or has not been following some lawful occupation within the the urban area: Provided that, in the case of illness substantiated by a medical certificate, the period of unemployment shall be calculated from the date on which such holder has, according to the medical certificate, been regarded as fit to resume his duties;
- (ii) has, for a continuous period of more than one month, been employed outside the urban area, except where, in accordance with the conditions of his employment, he is required temporarily to accompany his customary employer to or subsequently join him at places outside the urban area, and he had notified the superintendent accordingly before his departure;
- (iii) fails to pay any amount for which he is liable in terms of these regulations within one month of the date on which such amount becomes due and payable;
- (iv) has obtained such permit or certificate by making a false, incorrect or misleading statement which had an important bearing on the issue of such permit or certificate;
- (v) leaves or vacates the dwelling in respect of which the permit or certificate was issued for a period of more than two months without the written permission of the superintendent;
- (vi) has, in the opinion of the superintendent, ceased to be a fit and proper person to reside in the location;
- (vii) has been found guilty of an offence and sentenced to imprisonment without the option of a fine for a period of more than six months;
- (viii) has become the occupier of another site in the location or a lodger in the location;
- (ix) fails without good cause to complete any approved building on the site in respect of which the permit or certificate was issued, within the prescribed period;
- (x) having received written notice from the superintendent, acting upon a report by the medical officer of health or the engineer, to repair, alter, paint, whitewash, disinfect, rebuild or demolish any dwelling, building, outbuilding, or other structure on the site in respect of which the permit or certificate has been issued, fails or neglects or refuses without good and sufficient reason to carry out such instructions within three months of the date of receipt of such notice; or

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

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

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

- (xi) is no longer lawfully permitted to remain within the proclaimed area;

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

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

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

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

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

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

(5) If the holder of any cancelled site permit or residential certificate fails, neglects or refuses to avail himself of the right conferred upon him by subregulation (3), the Council may take over his interest in the manner prescribed in regulation 41 (2), and the Council shall, after deducting all moneys due and all costs incurred by the Council, pay the balance to such holder.

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

(7) Whenever any person has been issued with a site or residential permit or residential certificate in the location by virtue of his being an employee or represen-

- (xi) nie meer wettig toegelaat word om in die geproklameerde gebied te bly nie;

en by sodanige intrekking moet sodanige houer, saam met die lede van sy gesin, die lokasie onverwyld verlaat, tensy andersins gemagtig om daarin te bly, en sy permit of sertifikaat aan die superintendent teruggee: Met dien verstande dat sodanige intrekking nie inbreuk maak op die reg wat hierby aan die Raad voorbehou word nie om alle huurgeld, lenings, of ander gelde in te vorder wat tot en met die datum van sodanige intrekking verskuldig en betaalbaar is.

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

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

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

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

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

(5) As die houer van enige perseelpermit of bewoning-sertifikaat wat ingetrek is, versuim, nalaat, of weier om gebruik te maak van die reg wat in subregulasie (3) aan hom verleen word, kan die Raad die belang van sodanige houer oorneem op die wyse in regulasie 41 (2) voorgeskryf, en, nadat alle gelde wat verskuldig is en alle koste wat deur die Raad aangegaan is, afgetrek is, moet die Raad die saldo aan sodanige houer uitbetaal.

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

(7) Wanneer 'n perseel- of woonpermit of bewoning-sertifikaat aan iemand in die lokasie uitgereik word uit hoofde daarvan dat hy 'n werknemer of verteenwoordiger

tative of a body such as a church, a school, the Administration of South West Africa, or a local authority, and such person ceases to hold that office or position, or dies, such permit or certificate may be cancelled, and such person and the members of his family or the members of the family of every deceased employee or representative shall, when required so to do by notice under the hand of the superintendent and within the period stipulated in such notice, leave the premises in which such employee or representative and the members of his family have previously resided by virtue of his office or position.

(8) If the holder of any site permit or residential certificate ceases to be the owner of the buildings and improvements on the site mentioned in his site permit or residential certificate, such permit or certificate shall forthwith be cancelled by the superintendent.

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

(10) If the holder of any site permit or residential certificate dies, the Council may allow such permit or certificate to be transferred to the heir of such holder, provided he conforms to the requirements of regulation 34 (2) (b), (c), (d), (e), (f), (g), (h), (i) and (j) of this Chapter in the case of a site permit, or regulation 38 (3) (a), (b), (c) and (d) of this Chapter in the case of a residential certificate: Provided that, if the heir is a widow and one or more members of her family lawfully residing with her conform to the requirements mentioned above, such permit or certificate may be transferred to such widow.

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

- (i) conforms to the requirements of regulation 34 (2) (b), (c), (d), (e), (f) and (h) of this Chapter;
- (ii) undertakes in writing personally to occupy the site covered by such site permit or residential certificate and to provide thereon a home for the minor heir and for all other minor children of the deceased holder of such site permit or residential certificate until such time as the minor heir attains the age of 21 years;
- (iii) undertakes in writing to be bound in all respects by these regulations and to comply with all the provisions and conditions thereof.

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

(12) In the absence of the possibilities provided for in subregulations (10) and (11) of this regulation, the site permit or residential certificate shall lapse and the Coun-

is van 'n liggaam soos 'n kerk, 'n skool, die Administrasie van Suidwes-Afrika of 'n plaaslike bestuur, en so iemand ophou om daardie amp of betrekking te beklee, of sterf, kan sodanige permit of sertifikaat ingetrek word en so iemand en die lede van sy gesin, of die lede van die gesin van elke oorlede werknemer of verteenwoordiger, moet, wanneer hulle 'n kennisgewing, deur die superintendent onderteken, ontvang om dit te doen en binne die tydperk in sodanige kennisgewing genoem die perseel verlaat waarop sodanige werknemer of verteenwoordiger en die lede van sy gesin voorheen uit hoofde van sy amp of betrekking gewoon het.

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

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

(10) As die houer van 'n perseelpermit of bewoning-sertifikaat sterf, kan die Raad toelaat dat sodanige permit of sertifikaat aan die erfgenaam van sodanige houer oorgedra word, mits hy voldoen aan die vereistes van regulasie 34 (2) (b), (c), (d), (e), (f), (g), (h), (i) en (j) van hierdie Hoofstuk in die geval van 'n perseelpermit, of regulasie 38 (3) (a), (b), (c) en (d) van hierdie Hoofstuk in die geval van 'n bewoning-sertifikaat: Met dien verstande dat indien die erfgenaam 'n weduwee is een of meer van die lede van haar gesin wat wettiglik by haar inwoon, aan gemelde vereistes voldoen, sodanige permit of sertifikaat aan sodanige weduwee oorgedra kan word.

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

- (i) voldoen aan die vereistes van regulasie 34 (2) (b), (c), (d), (e), (f) en (h) van hierdie Hoofstuk;
- (ii) skriftelik onderneem om persoonlik die perseel wat deur sodanige perseelpermit of bewoning-sertifikaat gedek word, te bewoon en om vir die minderjarige erfgenaam en vir alle ander minderjarige kinders van die oorlede houer van sodanige perseelpermit of bewoning-sertifikaat 'n tuiste daarop te verskaf tot tyd en wyl die minderjarige erfgenaam die ouderdom van 21 jaar bereik;
- (iii) skriftelik onderneem om in alle opsigte gebind te wees deur hierdie regulasies en al die bepalings en voorwaardes daarvan na te kom.

(b) 'n Minderjarige erfgenaam ten behoewe van wie die voog ingevolge paragraaf (a) van hierdie subregulasie die perseelpermit of bewoning-sertifikaat in bewaring hou, het die reg om te eis dat sodanige permit of sertifikaat aan hom oorgedra word sodra hy 21 jaar oud is, mits hy by bereiking van daardie ouderdom aan die vereistes van subregulasie (10) voldoen.

(12) By ontstentenis van die moontlikhede waarvoor daar in subregulasies (10) en (11) van hierdie regulasie voorsiening gemaak is, vervall die perseelpermit of be-

cil shall have the right to claim possession of the site and the buildings thereon, subject, however, to any right to compensation in respect of such buildings to which the owner may have become entitled in accordance with these regulations.

(13) If the holder of a residential permit dies, his permit shall be regarded as cancelled and the provisions of regulation 33 of this Chapter shall apply to any real-otment of the dwelling mentioned in the permit: Provided that the dwelling shall not be allotted to any person other than the heir of the deceased holder unless such heir has failed within 30 days of the death of the holder to apply for such allotment or has in fact applied but does not conform to the requirements of the said regulation.

#### EJECTION DUE TO NON-PAYMENT AND CANCELLATION OF PERMITS

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

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

#### LODGER'S PERMITS

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

- (a) the applicant is of good character;
- (b) the applicant is *bona fide* employed within the urban area or is carrying on some lawful occupation therein;
- (c) the applicant may lawfully be permitted to enter, be and remain in the urban area;
- (d) the applicant has obtained suitable accommodation approved by the superintendent in the location (for the purpose of obtaining such accommodation, a permit with a currency of seven days (hereinafter called a temporary permit) shall be issued to the applicant);
- (e) the applicant has paid in advance all moneys for which he is liable in terms of regulation 29 of this Chapter; and

woningsertifikaat en die Raad het die reg om die besit van die perseel en die geboue daarop te eis, maar behoudens enige reg op vergoeding ten opsigte van sodanige geboue waartoe die eienaar ooreenkomstig hierdie regulasie geregtig is.

(13) As die houer van 'n woonpermit sterf, word sy permit geag ingetrek te wees en is die bepalings van regulasie 33 van hierdie Hoofstuk van toepassing op enige nuwe toekenning van die woning in die permit genoem: Met dien verstande dat die woning nie aan 'n ander persoon as die erfgenaam van die oorlede houer toegeken mag word nie, tensy sodanige erfgenaam versuim het om binne 30 dae na die dood van die houer om sodanige toekenning aansoek te doen of wel aansoek gedoen het maar nie aan die vereistes van genoemde regulasie voldoen nie.

#### UITSETTING WEENS WANBETALING EN INTREK-KING VAN PERMITTE.

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

(2) Indien 'n geregistreerde bewoner ingevolge die bepalings van subregulasie (1) uitgesit word, het die Raad die reg om enige verbeterings of eiendom op die perseel, wat aan sodanige geregistreerde bewoner behoort, oor te neem teen 'n prys waaromtrent onderling ooreengekom moet word of wat by onstentenis van sodanige ooreenkoms, by wyse van arbitrasie vasgestel is, en om sodanige perseel en eiendom opnuut aan 'n goedgekeurde persoon toe te ken. Nadat enige bedrag wat deur die geregistreerde bewoner verskuldig is en redelike koste afgetrek is van sodanige koopprys, moet die saldo, as daar is, oorhandig word aan die persoon wat aldus uitgesit is, mits die Raad minstens 14 dae vooraf kennis gegee het van sy voorneme om hierdie reg uit te oefen deur 'n kennisgewing te dien effekte aan die geregistreerde bewoner te beteken of as sy verblyfplek onbekend is, deur 'n afskrif van die kennisgewing op die voordeur van die woning of kamer deur hom bewoon, te laat aanbring.

#### LOSEERDERSPERMITTE.

42. (1) Geen persoon, uitgesonderd die houer van 'n perseelpermit, bewoningsertifikaat of woonpermit, of die gesin van sodanige houer van 'n perseelpermit of bewoningsertifikaat of woonpermit mag in die lokasie woon nie, tensy hy eers 'n loseerderspermit verkry het, in hoofsaak in die vorm wat in Aanhangsel IV van hierdie regulasies uiteengesit is. As die superintendent daarvan oortuig is dat —

- (a) die applikant van goeie karakter is;
- (b) die applikant binne die stadsgebied *bona fide* in diens is of 'n wettige ambag daarin uitoefen;
- (c) die applikant wettiglik toegelaat kan word om binne die stadsgebied te kom, daar te wees en daar te bly;
- (d) die applikant geskikte huisvesting wat deur die superintendent goedgekeur is, in die lokasie verkry het (vir die doel van die verkryging van sodanige huisvesting word 'n permit met 'n geldigheidsduur van sewe dae (hieronder 'n tydelike permit genoem) aan die applikant uitgereik);
- (e) die applikant al die gelde waarvoor hy ingevolge regulasie 29 van hierdie Hoofstuk aanspreeklik is, vooruitbetaal het; en

- (f) no accommodation is available to the applicant and/or his family, as the case may be, in a dwelling or other quarters erected by the Council for the accommodation of Natives,

may issue to such applicant a lodger's permit substantially in the form set out in Annexure IV to these regulations: Provided that no unmarried child of any lodger who resides with his parent or parents and who is under the age of 18 years, shall be required to have a lodger's permit: Provided further that, in a special case, where the applicant, owing to extreme old age, infirmity or similar incapacity, cannot comply with the requirements of paragraph (b) or (e), the superintendent may, in his discretion, treat the application for the renewal or issue of a lodger's permit as if the requirements of the said paragraphs have in fact been complied with.

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

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

(4) Every lodger's permit may be renewed on application to the superintendent within seven days of the late of expiry and the superintendent, on being satisfied that the applicant conforms to the requirements of subregulation (1) (a) to (f) inclusive, shall renew such lodger's permit. A permit so renewed shall expire on the last day of the month in which it was renewed.

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

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

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

(8) The holder of a site or residential permit or a residential certificate in respect of which a lodger's permit has been issued shall, as soon as the lodger no longer resides in his dwelling, notify the superintendent accordingly.

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

(10) In respect of every lodger's permit issued in terms of these regulations, the fees referred to in regulation 29 of this Chapter shall be paid in advance by the registered occupier of the site upon which such lodger resides in respect of communal, water and other services.

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

kan hy aan sodanige applikant 'n loseerderspermit uitreik in hoofsaak in die vorm in Aanhangsel IV van hierdie regulasies uiteengesit: Met dien verstande dat daar nie van enige loseerder se ongetroude kind onder 18 jaar wat by sy ouer of ouers woon, vereis mag word dat hy 'n loseerderspermit moet hê nie: Voorts met dien verstande dat in 'n spesiale geval waar die applikant weens hoë ouderdom, swakheid of dergelike ongeskiktheid nie aan die vereistes van paragraaf (b) of (e) kan voldoen nie, die superintendent volgens goëddunke die aansoek om hernuwing of uitreiking van 'n loseerderspermit kan behandel asof die vereistes van genoemde paragraawe nagekom is.

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

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

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

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

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

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

(8) Die houer van 'n perseel- of woonpermit of bewoningstifikaat ten opsigte waarvan 'n loseerderspermit uitgereik is, moet, sodra die loseerder nie meer in sy woning woon nie, die superintendent dienooreenkomstig in kennis stel.

(9) Niemand mag in die lokasie enige persoon wat nie in besit is van 'n geldige loseerderspermit ten opsigte van sy perseel uitgereik, in 'n woning of plek onder sy beheer huisves of toelaat dat hy daar gehuisves word of woon nie, tensy sodanige persoon andersins ingevolge hierdie regulasies gemagtig is om daar te woon.

(10) Ten opsigte van elke loseerderspermit wat ingevolge hierdie regulasies uitgereik word, moet die gelde genoem in regulasie 29 van hierdie Hoofstuk vooruitbetaal word deur die geregistreerde bewoner van die perseel waarop sodanige loseerder woon ten opsigte van gemeenskaplike, water- en ander dienste.

## VISITOR'S PERMITS

43. Any person desiring temporarily to enter, be or remain within the location for a period longer than 72 hours, shall obtain a permit, hereinafter called a visitor's permit, from the superintendent or from any other person duly authorised by the superintendent to issue such permits during the absence of the superintendent. Any person who is required to be in possession of and is found in the location without a visitor's permit shall be guilty of an offence. The provisions of this regulation shall not apply to any person authorised by law to reside in the location or to the Magistrate of Gobabis, the chairman of the Committee, the chairman of the advisory board, any official or employee of the Council, or any authorised officer or member of the South African Police in the lawful execution of his duties, or to any practising medical practitioner, or minister of any church in the lawful execution of his duties, or to any person who is lawfully authorised to enter the location or to be or to remain therein: Provided that, where such minister resides or will reside on any site allotted or leased to the church to which he belongs, the provisions of regulation 42 (1) of this Chapter shall apply.

## PERMITS TO BE SIGNED

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

## OFFENCES AND PENALTIES

45. Any person —
- (a) who contravenes or fails to comply with the provisions of regulations 8, 10, 11, 12, 13, 14, 16, 19, 20, 21, 22 (1), 32 (4) or (5), 35 (3), (4) or (5), 36 (1) or (2), 37 (6), (7) or (11), or 42 (8) or (9) of this Chapter; or
  - (b) who, wilfully and without the consent of the Council, defaces or interferes with any regulations, orders or directions which are posted up and maintained in terms of regulation 3 of this Chapter; or
  - (c) who, wilfully and without the approval of the Council, obscures, removes, defaces, obliterates or in any manner interferes with any number affixed to the outside of any building in terms of regulation 6 of this Chapter; or
  - (d) who obstructs the superintendent or other officials of the Council in the execution of the duties imposed upon them in terms of these regulations; or
  - (e) who neglects or refuses to furnish his full name and address or such other information as may be required in terms of regulation 18 of this Chapter; or
  - (f) who, after having been requested by the superintendent to furnish such information as may be required by the superintendent in order to keep the register to be kept by him in terms of regulation 32 (1) of this Chapter, neglects or refuses without good and sufficient reason to furnish such information or furnishes false or misleading information, knowing it to be false and misleading; or
  - (g) who convenes or addresses a public meeting or assembly of persons in the location, of which meeting or assembly the superintendent has not been informed beforehand in terms of regulation 9 (1) of this Chapter; or

## BESOEKERSPERMITTE.

43. Enige persoon wat die lokasie tydelik wil binnegaan of tydelik daarin wil wees of bly vir 'n tydperk van langer as 72 uur moet 'n permit, hieronder 'n besoekers-permit genoem, verkry van die superintendent of van 'n ander persoon wat behoorlik deur die superintendent gemagtig is om tydens sy afwesigheid sodanige permitte uit te reik. Enige persoon wat in besit van 'n besoekerspermit moet wees en daarsonder in die lokasie aangetref word, begaan 'n misdryf. Die bepalings van hierdie regulasie is nie van toepassing op enige persoon wat by wet gemagtig is om in die lokasie te woon, of op die landdros van Gobabis, die voorsitter van die Komitee, die voorsitter van die adviesraad, enige amptenaar of werknemer van die Raad, of enige gemagtigde beampte of lid van die Suid-Afrikaanse Polisie in die wettige uitvoering van sy pligte, of op enige praktiserende geneesheer, of predikant van 'n kerk in die wettige uitvoering van sy pligte, of op enige persoon wat by wet gemagtig is om die lokasie binne te gaan of daarin te wees of te bly nie: Met dien verstande dat waar sodanige predikant op enige perseel toegeken of verhuur aan die kerk waartoe hy behoort, woon of gaan woon, is die bepalings van regulasie 42 (1) van hierdie Hoofstuk van toepassing.

## PERMITTE MOET ONDERTEKEN WORD.

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

## MISDRYWE EN STRAFBEPALINGS.

45. Iemand —
- (a) wat die bepalings van regulasies 8, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22 (1), 32 (4) of (5), 35 (3), (4) of (5), 36 (1) of (2), 37 (6), (7), of (11), of 42 (8) of (9) van hierdie Hoofstuk oortree of versuim om daaraan te voldoen; of
  - (b) wat opsetlik en sonder die toestemming van die Raad enige regulasies, bevele of voorskrifte wat aangeplak en in stand gehou word soos bepaal in regulasie 3 van hierdie Hoofstuk skend of daaraan peuter; of
  - (c) wat opsetlik en sonder die goedkeuring van die Raad enige nommer wat aan die buitekant van 'n gebou ingevolge regulasie 6 aangebring is, verberg, verwyder, skend, uitwis of op enige wyse daaraan peuter; of
  - (d) wat die superintendent of ander amptenare van die Raad hinder in die uitvoering van die pligte hul ingevolge hierdie regulasies opgelê; of
  - (e) wat nalaat of weier om sy volle naam en adres of sodanige ander inligting te verstrek as wat vereis word kragtens regulasie 18 van hierdie Hoofstuk; of
  - (f) wat nadat hy deur die superintendent versoek is om sodanige inligting te verstrek as wat die superintendent vereis om 'n register te hou wat hy ingevolge regulasie 32 (1) van hierdie Hoofstuk moet hou, nalaat of sonder gegronde rede weier om sodanige inligting te verstrek of inligting verstrek wat vals of misleidend is wetende dat dit vals of misleidend is; of
  - (g) wat 'n openbare vergadering of byeenkoms waarvan die superintendent nie ingevolge regulasie 9 (1) van hierdie Hoofstuk vooraf in kennis gestel is nie in die lokasie belê of toespreek; of



- (h) who, having convened a public meeting or entertainment in the location, allows such meeting or entertainment to continue beyond midnight without the approval of the superintendent or beyond the extension of time granted by the superintendent in terms of regulation 9 (2) of this Chapter; or
- (i) who collects money from persons in the location without having obtained the prior approval of the superintendent in terms of regulation 9 (3) of this Chapter; or
- (j) who erects a dwelling or outbuilding which does not conform to the approved plans or who fails to comply with the instructions and directions issued to him in terms of regulation 37 (10) of this Chapter; or
- (k) who, having been the holder of a site or residential permit or residential certificate, fails or refuses to leave the location immediately upon the cancellation of such permit or certificate in terms of regulation 40 (1), (2), (7), or (8) of this Chapter; or
- (l) who fails, neglects or refuses to obey an order issued in terms of regulation 41 (1) of this Chapter; or
- (m) who contravenes or fails to comply with the provisions of regulation 43 of this Chapter; or
- (n) who fails to pay any amount for which he is liable in terms of regulation 29 of this Chapter, within one month of the date on which such amount has become due and payable,

shall be guilty of an offence and shall be subject to the penalties prescribed in section 36 of the Proclamation.

### CHAPTER III

#### HOSTELS

##### APPOINTMENT OF HOSTEL SUPERINTENDENT

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

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

##### DUTIES OF THE HOSTEL SUPERINTENDENT

3. The hostel superintendent shall —

- (1) when required to do so by the Council, submit written reports on the conditions in and the management of the hostel. Such reports shall be available for inspection by an official appointed under section 21 (3) of the Proclamation;
- (2) ensure that copies of these regulations, in English, Afrikaans and the Native language used by the majority of the residents of the hostel, are placed and maintained in a conspicuous place on a public notice board at the office of the hostel superintendent, for the information of such residents;
- (3) allot to each bed in the hostel a number and shall ensure that the number allotted is legibly painted or inscribed in a conspicuous place at the head of the bed;

- (h) wat nadat hy 'n openbare vergadering of vermaaklikheid in die lokasie belê het, toelaat dat sodanige vergadering of vermaaklikheid later as middernag voortgesit word sonder die goedkeuring van die superintendent of later as die verlengde tyd wat deur die superintendent kragtens regulasie 9 (2) van hierdie Hoofstuk goedgekeur is;
- (i) wat sonder dat die goedkeuring van die superintendent vooraf verkry is kragtens regulasie 9 (3) van hierdie Hoofstuk van persone in die lokasie geld kollekteer; of
- (j) wat 'n woning of buitegebou oprig wat nie ooreenstem met goedgekeurde planne nie, of wat nie die opdragte en voorskrifte ingevolge regulasie 37 (10) van hierdie Hoofstuk aan hom uitgereik, nakom nie; of
- (k) wat die houer van 'n perseel- of woonpermit of bewoningssertifikaat was, en versuim om weier om die lokasie onverwyld te verlaat na intrekking van sodanige permit of sertifikaat ingevolge regulasie 40 (1), (2), (7) of (8) van hierdie Hoofstuk; of
  - (l) wat versuim, nalaat of weier om gehoor te gee aan 'n bevel uitgereik ingevolge regulasie 41 (1) van hierdie Hoofstuk; of
- (m) wat die bepalinge van regulasie 43 van hierdie Hoofstuk oortree of versuim om daaraan te voldoen; of
- (n) wat versuim om enige bedrag te betaal waarvoor hy ingevolge regulasie 29 van hierdie Hoofstuk aanspreeklik is, binne een maand na die datum waarop sodanige bedrag verskuldig en betaalbaar geword het,

begaan 'n misdryf en is strafbaar met die strawwe voorgeskryf in artikel 36 van die Proklamasie.

### HOOFSTUK III.

#### TEHUISE.

##### AANSTELLING VAN TEHUISSUPERINTENDENT.

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

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

##### PLIGTE VAN TEHUISSUPERINTENDENT.

3. Die tehuissuperintendent moet —

- (1) wanneer die Raad dit vereis, skriftelik verslag doen van die toestand in en die bestuur van die tehuis. Sodanige verslae lê ter insae van 'n amptenaar wat by artikel 21 (3) van die Proklamasie aangestel is;
- (2) toesien dat afskrifte van hierdie regulasies in Engels en Afrikaans en in die inboorlingtaal wat deur die meeste inwoners in die tehuis gebesig word ter inligting van sodanige inwoners op 'n ooglopende plek in die tehuis en by die kantoor van die tehuissuperintendent geplaas word;
- (3) aan elke bed in die tehuis 'n nommer toeken, en toesien dat die toegekende nommer leesbaar geverf of opgeskryf word op 'n ooglopende plek aan die koppen van die bed;

- (4) allot a number to each bedroom in the hostel and such number shall be painted or inscribed in a conspicuous place on the door of such bedroom. The numbers allotted to beds in such room shall likewise be indicated on the outside of the door;
- (5) provide receptacles for rubbish or litter of any kind;
- (6) ensure that all floors, passages, stairways, ablution blocks, conveniences and pathways are kept in a clean and hygienic condition; and
- (7) keep a register of all residents of the hostel. The name, employer's name, service contract or exemption certificate number and tax identity of each resident shall be entered in such register.

#### RIGHT OF ENTRY

4. The hostel superintendent, his assistants or any other employee of the Council authorised by the manager, or any official appointed in terms of section 21 (1) or (3) of the Proclamation, may, in the performance of his duties, enter any room in the hostel for such investigation, inspection or action as may be deemed necessary.

#### MEDICAL OFFICER OF HEALTH

5. (1) The medical officer of health may at any reasonable time enter and inspect those premises on which he has reason to believe that any person suffering or who has recently suffered from any infectious or contagious disease is or has recently been present or any resident of which has recently been exposed to the infection of any infectious or contagious disease, and may medically examine any person on such premises for the purpose of ascertaining whether such person is suffering or has recently suffered from any such disease.

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

#### TERMS AND CONDITIONS OF RESIDENCE IN A

#### HOSTEL

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

- (1) Charges for accommodation shall be paid in advance at the rates laid down in Annexure V to these regulations.
- (2) No resident of a hostel shall relinquish or transfer his right to a bed, acquired by virtue of a payment under subregulation (1) above, without the written consent of the hostel superintendent.
- (3) No application shall be entertained for a part refund of an amount paid under subregulation (1) if claimed in respect of a night or nights not spent in a hostel.
- (4) Any resident of a hostel who has paid for a bed and who through unforeseen circumstances is compelled to give up such bed and leave the hostel before the period paid for has expired, may apply for a refund of such amount, less the amount he

- (4) aan elke slaapkamer in die tehuis, 'n nommer teken, en dié nommer moet op 'n ooglopende plek aan die deur van sodanige slaapkamer geveerf of opgeskryf word. Die nommers wat aan beddens in sodanige kamer toegeken is, moet insgelyks aan die buitekant van die deur aangedui word;
- (5) bakke verskaf vir vullis of rommel van watter aard ook al;
- (6) toesien dat alle vloere, gange, trappe, reinigings-blokke, geriewe en paadjies in 'n skoon en higiëniese toestand gehou word; en
- (7) 'n register hou van alle inwoners in die tehuis. Die naam, naam van werkgewer, dienskontrak of vrystellingsertifikaatnommer, en belastingsidentiteit van elke inwoner moet in sodanige register aange-teken word.

#### REG VAN TOEGANG.

4. Die tehuissuperintendent, sy assistente of 'n ander werknemer van die Raad wat deur die bestuurder daartoe gemagtig is, of 'n amptenaar wat kragtens artikel 21 (1) of (3) van die Proklamasie aangestel is, kan by die uitvoering van sy pligte, enige vertrek in die tehuis binnegaan vir die doel van sodanige ondersoek, inspeksie of optrede as wat nodig geag word.

#### GENEESKUNDIGE GESONDHEIDSBEAMPTTE.

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

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

#### BEPALINGS EN VOORWAARDES VAN INWONING IN DIE TEHUIS.

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

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

would have paid up to the time of his departure, calculated on a daily tariff basis.

- (5) No resident of a hostel to whom a bed has been allotted shall remove therefrom for the purpose of occupying another bed without the written consent of the hostel superintendent.
- (6) Every resident shall at all times keep the portion of a room allotted to him, and the communal dining-room, ablution, washing and sanitary facilities in a clean and orderly condition.
- (7) If the presence of vermin is suspected, all personal effects of any resident, together with his bed and mattress, may, on the instructions of the hostel superintendent, be removed to the fumigation chamber for deverminising.
- (8) Clothing shall be washed only in the communal washhouse provided for this purpose.
- (9) Eating utensils shall be washed only in the properly appointed washing places.
- (10) No fire shall be made or kept in any bedroom.
- (11) Any resident in possession of a bicycle shall, when such bicycle is not in use, store it at his own risk in the shed provided for the purpose.
- (12) The Council shall not be liable for any loss by theft or otherwise of any valuables, clothing or other articles belonging to any person residing in a hostel unless such article or articles has or have been specially entrusted to the hostel superintendent for safekeeping.
- (13) Should any resident of a hostel, after due warning by the hostel superintendent or his authorised assistants, persist in contravening or ignoring the terms and conditions of residence in the hostel as set out in these regulations, the hostel superintendent may serve written notice on such resident ordering him to leave the hostel within seven days or at the expiry of such period as he might have paid for in advance, whichever is the shorter.

#### APPLICATION FOR ACCOMMODATION

7. The term "accommodation" where used in the succeeding regulation shall mean the right to occupy a bed or a bed and mattress in a hostel and the use of such communal sanitary, ablution and clothes-washing facilities and other services as may be provided.

8. Any male Native over the apparent age of 18 years who desires accommodation in a hostel shall personally or through his employer apply to the hostel superintendent for accommodation and the hostel superintendent, on being satisfied that a bed or a bed and mattress are available and that the applicant —

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

may on payment by the applicant of the charges for which he is liable in accordance with the tariff of charges, allot to him a bed and issue him with a permit (herein-

taling van sodanige bedrag, min die bedrag wat hy tot op datum van sy vertrek sou betaal het, bereken op 'n daaglikse tariefbasis.

- (5) Geen inwoner van 'n tehuis aan wie 'n bed toegeken is, mag dit, sonder die skriftelike toestemming van die tehuissuperintendent, verlaat met die doel om 'n ander bed te gebruik nie.
- (6) Elke inwoner moet op alle tye die gedeelte van 'n kamer wat aan hom toegeken is, en die gemeenskaplike eetkamer, reinigings-, was- en sanitêre geriewe in 'n skoon en netjiese toestand hou.
- (7) Indien die aanwesigheid van ongedierte vermoed word, kan alle persoonlike besittings van enige inwoner, tesame met sy bed en matras, op las van die tehuissuperintendent na die berokingslokaal verwyder word om van die ongedierte ontslae te raak.
- (8) Klere mag slegs in die gemeenskaplike washuis wat vir dié doel verskaf is, gewas word.
- (9) Eetgerei mag slegs in die behoorlike toegeruste wasplekke gewas word.
- (10) Geen vuur mag in enige slaapkamer aangesteek of aan die brand gehou word nie.
- (11) Enige inwoner wat in besit is van 'n fiets, moet sodanige fiets, wanneer dit nie gebruik word nie, op sy eie risiko bêre in die fietsloods wat vir die doel verskaf is.
- (12) Die Raad is nie aanspreeklik nie vir enige verlies van waardevolle artikels, kledingstukke of ander artikels wat behaart aan enige persoon wat in 'n tehuis woon, hetsy weens diefstal of andersins, tensy sodanige artikel of artikels spesiaal aan die tehuissuperintendent vir bewaring toevertrou is.
- (13) Indien enige inwoner in 'n tehuis, na behoorlike waarskuwing deur die tehuissuperintendent of sy daartoe gemagtigde assistente, nog steeds die bepalings en voorwaardes van inwoning in die tehuis, soos in hierdie regulasies uiteengesit, oortree of verontagsaam, kan die tehuissuperintendent aan sodanige inwoner skriftelike kennisgewing beteken waarin hy hom gelas om die tehuis binne sewe dae of na verstryking van sodanige tydperk as waarvoor hy vooruitbetaal het, te verlaat, naamlik die kortste tydperk.

#### AANSOEK OM HUISVESTING.

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

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

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

teen betaling deur die applikant van die gelde waarvoor hy ooreenkomstig die tarief van gelde aanspreeklik is, 'n bed aan hom toeken en 'n permit aan hom uitreik (hier-

after referred to as a hostel permit) entitling him to be accommodated in the hostel specified in such permit for the period for which he shall have paid.

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

10. The hostel superintendent may require any applicant for residence in the hostel to produce a medical certificate proving that he is medically fit to reside in the hostel.

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

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

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

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

12. The holder of a hostel permit issued in his name in terms of regulation 8 of this Chapter shall, during the currency thereof, be deemed to be in possession of a permit to enter any Native village or location under the control of the Council, provided the hostel in which he resides is situated within any such location.

#### GENERAL

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

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

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

onder 'n tehuispermit genoem) wat aan hom die reg verleen om in die tehuis wat in die permit gespesifiseer word, gehuisves te wees vir die tydperk waarvoor hy betaal het.

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

10. Die tehuissuperintendent kan vereis dat enige aplikant vir inwoning in die tehuis 'n mediese sertifikaat moet toon as bewys dat hy medies geskik is om in die tehuis te woon.

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

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

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

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

12. Die houër van 'n tehuispermit wat ooreenkomstig regulasie 8 van die Hoofstuk op sy naam uitgereik is, word vir die geldigheidsduur daarvan geag in besit te wees van 'n permit om enige inboorlingdorp of — lokasie onder beheer van die Raad binne te gaan, mits die tehuis waarin hy woon, binne enige sodanige lokasie geleë is.

#### ALGEMEEN.

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

14. Niemand mag die rus binne die grense van die tehuis of die tehuisterrein verstoer deur te skreeu, te twis, rusie te maak, te vloek of vuil, skel-, beledigende of dreigende taal te gebruik, of weens onbetaamlike oproerige of gewelddadige gedrag nie.

15. Niemand mag in enige tehuis of tehuisterrein hom op enige plek ontlast of urineer behalwe in 'n latrine of urinoir wat vir die doel verskaf is nie.

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

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

18. Any person resident in any hostel —

- (a) who is unemployed for more than three days; or
- (b) who is certified by a registered medical practitioner to be suffering from an infectious or contagious disease; or
- (c) who has been convicted of a criminal offence committed in any hostel or hostel area; or
- (d) fails to comply with any of the terms and conditions of residence in the hostel,

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

19. Where a resident applies to the hostel superintendent for a duplicate of his current hostel permit, the hostel superintendent shall issue a duplicate on payment of a fee of 10 cents, provided that such resident satisfies him that such hostel permit has been lost, destroyed or mutilated.

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

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

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

#### TARIFF OF CHARGES

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

#### ACTION FOR RECOVERY OF CHARGES

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

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

#### OFFENCES AND PENALTIES

25. Any person who —

- (a) contravenes or fails to comply with the provisions of regulation 13, 14, 15, 16, 17, 20, 21, 22 or 24 of this Chapter; or
- (b) obstructs the hostel superintendent, his assistants or any other authorised employee of the Council

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

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

18. Enige inwoner in enige tehuis —

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

kan deur die tehuissuperintendent aangesê word om nie langer in die tehuis in te woon nie, en in dié geval moet hy onverwyld sodanige tehuis en tehuisgebied verlaat, en sy tehuispermit hou op om geldig te wees.

19. Wanneer 'n inwoner by die tehuissuperintendent aansoek doen om 'n duplikaat van sy geldige tehuispermit, reik die tehuissuperintendent 'n duplikaat uit by betaling van 'n bedrag van 10 sent, mits sodanige inwoner hom daarvan oortuig dat sodanige tehuispermit verlore geraak het of vernietig of geskend is.

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

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

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

#### TARIEF VAN VORDERINGS.

23. Elke persoon wat ooreenkomstig hierdie regulasies in 'n tehuis gehuisves is, moet aan die Raad in die kantoor van die tehuissuperintendent sodanige bedrae vooruitbetaal as wat in Aanhangsel V van hierdie regulasies uiteengesit is.

#### AKSIE VIR DIE VERHAAL VAN VORDERINGS.

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

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

#### MISDRYWE EN STRAFBEPALINGS.

25. Iemand —

- (a) wat die bepalinge van regulasies 13, 14, 15, 16, 17, 20, 21, 22 of 24 van hierdie Hoofstuk oortree of versuim om daaraan te voldoen; of
- (b) wat die tehuissuperintendent, sy assistente, of 'n ander gemagtigde werknemer van die Raad hinder

in the execution of their duties in terms of these regulations; or

- (c) refuses to allow the medical officer of health to examine him in terms of the provisions of regulation 5 of this Chapter or re-enters the hostel after he has been removed therefrom in terms of the said regulation, and before he has been readmitted; or
- (d) fails, neglects or refuses to obey an order issued in terms of regulation 6 (13) of this Chapter, or who, having obeyed such order, re-enters the hostel without the approval of the hostel superintendent; or
- (e) who, having been a resident of the hostel, fails or refuses to leave the hostel immediately upon being instructed so to do by the hostel superintendent in terms of the provisions of regulation 18 of this Chapter,

shall be guilty of an offence and shall be subject to the penalties prescribed in section 36 of the Proclamation.

#### CHAPTER IV

##### COMMUNAL HALLS

###### APPLICATION FOR HIRE

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

###### GRANTING OF APPLICATION

2. The granting of any application for the hire of a hall shall be in the sole and absolute discretion of the superintendent.

###### TARIFF FOR HIRE

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

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

###### RESPONSIBILITY OF HIRER

4. The hirer shall at the expiry of the period of hire —

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

###### FURNITURE

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

in die uitvoering van hul pligte ingevolge hierdie regulasies; of

- (c) wat weier dat die geneeskundige gesondheidsbeampte hom ingevolge die bepalings van regulasie 5 van hierdie Hoofstuk medies ondersoek of die tehuis weer binnegaan nadat hy daaruit verwyder is ingevolge genoemde regulasie en voordat hy weer toegelaat is om dit weer binne te gaan; of
- (d) wat versuim, nalaat of weier om gehoor te gee aan 'n bevel uitgereik ingevolge regulasie 6 (13) van hierdie Hoofstuk of wat nadat hy daaraan gehoor gegee het sonder die tehuissuperintendent se toestemming weer die tehuis binnekome; of
- (e) wat 'n inwoner van die tehuis was en versuim of weier om die tehuis onverwyld te verlaat nadat hy aldus beveel is deur die tehuissuperintendent ingevolge die bepalings van regulasie 18 van hierdie Hoofstuk;

begaan 'n misdryf en is strafbaar met die strawwe voorgeskryf in artikel 36 van die Proklamasie.

#### HOOFSTUK IV.

##### GEMEENSKAPSALE.

###### AANSOEK OM HUUR.

1. Enige persoon wat 'n saal wil huur, moet by die superintendent daarom aansoek doen en sodanige besonderhede verstrek as wat van tyd tot tyd verlang word.

###### TOESTAAN VAN AANSOEK.

2. Die superintendent besluit geheel en al na goeddunke of hy 'n aansoek om die huur van 'n saal sal toestaan of nie.

###### TARIEF VIR HUUR.

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

(2) Die superintendent kan, na goeddunke, van die applikant 'n deposito eis ten bedrae van hoogstens R10.00 om die Raad te vrywaar teen enige breekskade, verlies van of beskadiging aan enige eiendom van die Raad.

###### VERANTWOORDELIKHEID VAN HUURDER.

4. Die huurder moet by verstryking van die huurtydperk —

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

###### MEUBELS.

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

**GOOD CONDUCT OF PERSONS USING THE HALL**

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

**TERMINATION OF HIRE**

7. The superintendent may terminate any hire at any time for any of the following reasons;—

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

**CHAPTER V****CHURCHES AND SCHOOLS IN LOCATION****APPLICATION FOR SITE**

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

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

**GRANTING OF APPLICATION**

2. The granting of any application for the use of a site for church or school purposes shall be in respect of a specified site only and shall, subject to authority and approval being obtained in terms of section 35 (8) of the Proclamation, be in the discretion of the Council.

**APPLICATION FOR CHURCHES**

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

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

**RENTAL**

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

**ERECTION OF BUILDINGS ON SITE**

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

**FENCING**

6. The grantee shall fence the site in a neat and workmanlike manner with material and to a design approved by the superintendent.

**GOEIE GEDRAG VAN PERSONE WAT DIE SAAL GEBRUIK.**

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

**OPSEGGING VAN HUUR.**

7. Die superintendent kan enige huur te eniger tyd om enige van die volgende redes opsê:—

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

**HOOFSTUK V.****KERKE EN SKOLE IN LOKASIE.****AANSOEK OM PERSEEL.**

1. (1) Die Raad sit persele in die lokasie opsy, wat slegs vir kerk- en skooldoeleindes gebruik kan word.

(2) Enige persoon wat die gebruik van 'n perseel in die lokasie vir kerk- of skooldoeleindes verlang, moet skriftelik by die Raad aansoek daarom doen en sodanige besonderhede verstrek as wat verlang word.

**TOESTAAN VAN AANSOEK.**

2. 'n Aansoek om die gebruik van 'n perseel vir kerk- of skooldoeleindes word slegs ten opsigte van 'n gespesifiseerde perseel toegestaan en word behoudens die verkryging van magtiging en goedkeuring ingevolge artikel 35 (f) van die Proklamasie na goeddunke van die Raad toegestaan.

**AANSOEK OM KERKE.**

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

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

**HUURGELD.**

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

**OPRIGTING VAN GEBOUE OP PERSELE.**

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

**OMHEINING.**

6. Die konsessionaris moet die perseel op 'n netjiese en deeglike wyse omhein met materiaal en volgens 'n ontwerp wat deur die superintendent goedgekeur is.

**REPAIR AND CLEANLINESS OF PREMISES**

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

**WATER AND SERVICES**

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

**USE OF BUILDINGS**

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

(2) If the Council decides not to exercise such right of purchase the grantee shall, upon being called upon to do so by the Council, remove all such buildings and structures at his own expense. Where such removal is not effected by the grantee the Council shall be entitled to enter upon the site and remove such buildings and structures at the expense of the grantee: Provided that nothing herein contained shall prohibit the grantee from disposing of the buildings on the site to a church or school approved by the Council.

**LIMITATION OF USE OF SITES**

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

**DISPOSAL OF BUILDINGS**

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

**RESIDING ON SITE**

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

**CONCLUSION OF AGREEMENT**

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

**EXISTING CHURCH AND SCHOOL SITES**

14. Any lease in respect of existing sites shall on expiry of the term of the lease be renewed in terms of the preceding regulations.

**REPARASIE EN SINDELIKHEID VAN PERSELE.**

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

**WATER EN DIENSTE.**

8. Die konsessionaris moet, indien die Raad dit vereis —
- (a) op eie koste op die perseel pype en ander apparaat verskaf, installeer, aanlê en onderhou vir 'n water-toevoer deur die Raad en moet daarna by die Raad om 'n aansluiting en toevoer daarheen aansoek doen;
  - (b) vir alle water wat gelewer word, asook vir die verwydering van rommel, sowel as vir sanitêre en ander dienste wat deur die Raad op sodanige perseel gelewer word, betaal; en
  - (c) sodanige bedrag betaal as wat voorgeskryf word vir die installasie van water of elektrisiteit, met inbegrip van 'n deposito ten opsigte van meters.

**GEBRUIK VAN GEBOUE.**

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

(2) As die Raad besluit om nie van sodanige koopreg gebruik te maak nie, moet die konsessionaris, wanneer hy deur die Raad aangesê word om dit te doen, al sodanige geboue en strukture op eie koste verwyder. Waar sodanige verwydering nie deur die konsessionaris uitgevoer word nie, het die Raad die reg om die perseel te betree en om sodanige geboue en strukture op koste van die konsessionaris te verwyder: Met dien verstande dat geen bepaling hierin vervat die konsessionaris belet om die geboue op die perseel van die hand te sit aan 'n kerk of skool wat deur die Raad goedgekeur is nie.

**BEPERKING OP GEBRUIK VAN PERSELE.**

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

**VAN DIE HAND SIT VAN GEBOUE.**

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

**BEWONING VAN PERSEEL.**

12. Niemand mag op 'n kerk- of skoolperseel woon nie, behalwe met die voorafverkreë skriftelike toestemming van die superintendent.

**AANGAAN VAN KONTRAK.**

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

**BESTAANDE KERK- EN SKOOLPERSELE.**

14. Enige huurkontrak ten opsigte van bestaande persele moet by verstryking van die huurtermyn ingevolge die voorafgaande regulasies hernieu word.



## CHAPTER VI

## TRADING

## SOLICITING ORDERS

1. No person shall, without the prior written approval of the superintendent, solicit or attempt to obtain orders within the location for any trade or business not conducted in the location.

## TRADING SITES

2. The Council may set aside sites in the location and may erect buildings thereon for allotment to Natives for trading or business purposes: Provided that it shall be lawful for the Council to grant permission to any Native who, at the date of the coming into operation of these regulations, is carrying on any lawful trade or business in the location, to continue to carry on, on such terms and conditions as the Council may prescribe and subject to the provisions of these regulations, such trade or business. For the purpose of regulation 26 of this Chapter, where such business is conducted on any site, such site shall be deemed to have been allotted in terms of these regulations as from the date of commencement of these regulations

## AUTHORITY TO COMMENCE TRADING

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

(2) Any Native male resident of the location, who is over 21 years of age and who desires to carry on any trade or business on any site or in any building erected by the Council, shall make written application wherein the nature of such trade or business shall be disclosed to the Council, which may in its discretion, subject to the conditions contained in these regulations, allot to the applicant a site or building, if any is available, on or in which he may carry on his trade or business and issue to him a trading site permit substantially in the form set out in Annexure VI.

## AVAILABLE SITES OR BUILDINGS TO BE ADVERTISED

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

## ONLY NATIVE TRADERS AND ASSISTANTS PERMITTED TO TRADE

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

## HOOFSTUK VI.

## HANDEL DRYF.

## WERWING VAN BESTELLINGS.

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

## HANDELSPERSELE.

2. Die Raad kan persele in die lokasie opsysit en geboue daarop oprig vir toekenning aan inboorlinge vir handels- of besigheidsdoeleindes: Met dien verstande dat dit vir die Raad wettig is om aan enige inboorling wat op die datum van die inwerkingtreding van hierdie regulasies enige wettige handel of besigheid in die lokasie dryf, toestemming te verleen om sodanige handel of besigheid voort te sit op sodanige voorwaardes as wat die Raad voorskryf en behoudens die bepalings van hierdie regulasies. Vir die toepassing van regulasie 26 van hierdie Hoofstuk, waar sodanige besigheid op enige perseel gedryf word, word sodanige perseel geag ingevolge hierdie regulasies toegeken te gewees het met ingang van die datum van inwerkingtreding van hierdie regulasies.

## MAGTIGING OM TE BEGIN HANDEL DRYF.

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

(2) Enige manlike inboorlinglokasiebewoner bo die ouderdom van 21 jaar, wat enige handel of besigheid wil dryf op enige perseel of in enige gebou deur die Raad opgerig, moet 'n skriftelike aansoek waarin die aard van sodanige handel of besigheid gemeld word, by die Raad indien, en laasgenoemde kan na goeëdunke, en behoudens die voorwaardes in hierdie regulasies vervat aan die applikant 'n perseel of gebou toeken, indien daar een beskikbaar is, waarop of waarin hy sy handel of besigheid kan dryf en aan hom 'n handelsperseelpermit uitreik in hoofsaak in die vorm in Aanhangsel VI uiteengesit.

## BESKIKBARE PERSELE OF GEBOUE MOET GEADVERTEER WORD

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

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

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

**BUSINESS HOURS**

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

**ALTERATIONS TO BUILDINGS OR FITTINGS**

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

**WHEN BUILDINGS ARE TO BE ERECTED BY TRADER**

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

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

**FENCING AND SANITATION**

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

**RESIDING ON TRADING SITE**

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

**SUBLETTING AND CESSION**

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

**MANAGEMENT OF UNDERTAKING**

12. Every trader shall personally carry on his undertaking and supervise the work of his assistants, if any: Provided that the superintendent may permit any such trader to be absent for a period not exceeding three months, during which a manager approved in writing by the superintendent may carry on the undertaking: Provided further that, with the approval of the Council, the superintendent may permit a trader to be absent for a specified period of longer than three months.

**EMPLOYEES**

13. Every trader may employ, for the purpose of his undertaking, such number of Native assistants as may be approved by the superintendent in writing. Such trader shall submit to the superintendent for approval the name and full particulars of identity of each assistant he desires to employ, and no such assistant shall commence work for such trader within the location without such approval being first obtained.

**BESIGHEIDSURE**

6. Die ure wanneer winkels vir die dryf van besigheid oop kan wees mag nie minder wees as dié wat in die stadsgebied vir winkellure voorgeskryf is nie.

**VERANDERING AAN GEBOUE OF TOEBEHORE**

7. 'n Handelaar mag nie sonder die skriftelike toestemming van die superintendent enige strukturele of ander veranderings aan geboue of toebehore op die perseel wat hy okkupeer, aanbring of enige addisionele toebehore daarop aanbring nie.

**WANNEER GEBOUE DEUR HANDELAAR OPPERIG MOET WORD**

8. Behalwe waar die Raad die nodige geboue opgerig het, moet elke handelaar op die handelsperseel die geboue of ander strukture wat vir sy onderneming nodig is, oprig, maar 'n gebou of struktuur mag slegs deur hom op sodanige perseel opgerig word in ooreenstemming met die planne en spesifikasies wat deur die Raad goedgekeur is. Enige gebou wat op sodanige perseel opgerig is, maar wat nie ooreenstem met die planne en spesifikasies deur die Raad goedgekeur nie, kan deur die Raad op koste van die handelaar afgebreek word of op geskikte wyse verander word.

**OMHEINING EN SANTASIE**

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

**BEWONING VAN HANDELSPERSEEL**

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

**ONDERVERHURING EN SESSIE**

11. 'n Persoon aan wie 'n handelsperseel toegeken is, mag nie sodanige perseel of gebou of enige gedeelte daarvan onderverhuur of sy regte daarop sedeer of afstand daarvan doen nie, tensy die Raad se skriftelike toestemming daartoe verkry is.

**BESTUUR VAN ONDERNEMING**

12. Elke handelaar moet persoonlik sy onderneming dryf en toesig hou oor die werk van sy assistente, as daar is: Met dien verstande dat die superintendent enige sodanige handelaar kan toelaat om afwesig te wees vir 'n tydperk van hoogstens drie maande, en gedurende dié tydperk kan 'n bestuurder wat skriftelik deur die superintendent goedgekeur is die onderneming dryf: Voorts met dien verstande dat, met die toestemming van die Raad, die superintendent 'n handelaar kan toelaat om afwesig te wees vir 'n gegewe tydperk van langer as drie maande.

**WERKNEMERS**

13. Elke handelaar kan, vir die doel van sy onderneming soveel inboorlingassistente in diens neem as wat die superintendent skriftelik goedgekeur. Sodanige handelaar moet die naam en volle besonderhede van die identiteit van elke assistent wat hy in diens wil neem, aan die superintendent vir goedkeuring voorlê, en 'n assistent mag nie binne die lokasie vir sodanige handelaar begin werk sonder dat sodanige goedkeuring eers verkry is nie.

**CLEANLINESS**

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

**MAINTENANCE OF COUNCIL'S BUILDINGS**

15. The Council shall be responsible for the maintenance of the outside of any building erected by it and the tenant shall keep the inside of such building clean and in proper state of repair.

**MEDICAL EXAMINATION OF TRADERS AND EMPLOYEES**

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

**LIMITATION OF TRADER'S INTEREST IN THE AUTHORISED UNDERTAKING**

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

**DISCLOSURE OF INTEREST IN TRADING SITE**

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

**TRADING TO BE CONFINED TO TRADING SITE**

19. No trader shall carry on his undertaking elsewhere than upon an approved trading site.

**USE OF SITE AND BUILDINGS**

20. No trader shall use or cause or permit to be used any trading site or any building or structure thereon for any purpose other than that for which authority has been granted.

**KEEPING OF BOOKS**

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

**TERMINATION BY TRADER OF RIGHT TO TRADE**

22. Any trader may terminate his right to occupy any site in the location for trading or business purposes by

**SINDELIKHEID**

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

**ONDERHOUD VAN RAAD SE GEBOUE**

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

**MEDIESE ONDERSOEK VAN HANDELAARS EN WERKNEMERS**

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

**BEPERKING VAN HANDELAAR SE BELANGE IN DIE GEMAGTIGDE ONDERNEMING**

17. Geen handelaar mag enige direkte of indirekte geldelike belang hê of verkry in enige handel, besigheid of beroep in die lokasie of inboorlingtehuis nie, uitgesonderd dié onderneming ten opsigte waarvan hy die nodige magtiging van die Raad verkry het.

**BEKENDMAKING VAN BELANG IN HANDELSPERSEEL**

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

**HANDEL MOET TOT HANDELSPERSEEL BEPERK WEES**

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

**GEBRUIK VAN PERSEEL EN GEBOUE**

20. Geen handelaar mag enige handelsperseel of enige gebou of struktuur daarop vir enige ander doel as dié waarvoor magtiging verleen is, gebruik of laat gebruik of toelaat dat dit aldus gebruik word nie.

**HOU VAN BOEKE**

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

**BEËINDIGING DEUR HANDELAAR VAN REG OM HANDEL TO DRYF**

22. Enige handelaar kan sy reg op okkupasie van enige perseel in die lokasie vir handels- of besigheidsdoel-

giving at least one month's notice to the superintendent of his intention to do so.

#### LAPSE AND RENEWAL OF RIGHT TO TRADE

23. The right to carry on any undertaking and to occupy any site in terms of these regulations shall lapse on the 31st day of December in each year, but may be renewed by the Council on the application of the trader: Provided that such trader —

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

#### TERMINATION OF RIGHT TO TRADE

24. (1) Should any trader during the term of his trading site permit —

- (a) be convicted of an offence mentioned in the first Schedule to the Criminal Procedure and Evidence Proclamation, 1935 (Proclamation No. 30 of 1935), as amended, or of a contravention of any law in force relating to the possession or supply of dagga or intoxicating liquor;
- (b) be convicted more than once of a contravention of these regulations;
- (c) be convicted of a contravention of section 113 of the Public Health Act, 1919 (Act No. 36 of 1919), as amended, and as applied to the Territory of South West Africa;
- (d) die, or be declared of unsound mind by a competent Court; or
- (e) have his estate sequestrated as insolvent, the Council may, on giving him one month's notice of its intention to do so, cancel his right to carry on any undertaking on any site in the location: Provided that in the circumstances mentioned in paragraphs (d) and (e) the notice shall be given to the executor, curator or trustee of such trader or his estate.

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

#### DAMAGE TO SITE OR COUNCIL'S PROPERTY

25. (1) No trader shall do, cause or permit to be done any damage whatsoever to the trading site or to any building or structure erected thereon by the Council, including fixtures, furniture and fittings and fencing.

(2) The Council shall not be liable in respect of buildings erected by the Council for hire to traders for any damage to the lessee's stock, books, papers and other property, as a result of rain, wind, hail, lightning, storm-water or fire or riot, strikes, action of the State's enemies or through any other cause of a like nature: Provided that any essential repairs to the buildings concerned necessitated by such causes shall be effected by the Council within a reasonable time after the receipt of informa-

eindes beëindig deur die superintendent minstens een maand van sy voorneme om dit te doen skriftelik in kennis te stel.

#### VERVAL EN HERNUWING VAN REG OM HANDEL TE DRYF

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

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

#### BEËINDIGING VAN REG OM HANDEL TE DRYF

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

- (a) weens 'n misdryf genoem in die eerste Bylae van die Proklamasie op die Kriminele Prosedure en Bewyslewering, 1935 (Proklamasie No. 30 van 1935), soos gewysig, of weens oortreding van enige wet wat van krag is met betrekking tot die besit of verskaffing van dagga of bedwelmende drank, veroordeel word;
- (b) meer as een maal weens oortreding van hierdie regulasies veroordeel word;
- (c) weens oortreding van artikel 113 van die Volksgezondheidswet, 1919 (Wet No. 36 van 1919), soos gewysig, en soos op die Gebied Suidwes-Afrika van toepassing gemaak, veroordeel word;
- (d) sterf, of volgens die verklaring van 'n bevoegde hof nie by sy volle verstand is nie; of
- (e) sy boedel as insolvent laat sekwestreer, kan die Raad, na kennisgewing van een maand van sy voorneme om dit te doen, sy reg om enige onderneming op enige perseel in die lokasie te dryf, intrek: Met dien verstande dat onder die omstandighede in paragrawe (d) en (e) genoem, kennis aan die eksekuteur, kurator of trustee van sodanige handelaar of van sy boedel gegee moet word.

(2) Die Raad kan om enige rede deur hom voldoende geag en behoudens die goedkeuring van die Minister enige handelsperseelpermit intrek ten opsigte van enige handelsperseel in die lokasie, na kennisgewing van 12 maande van sy voorneme om dit te doen.

#### SKADE AAN PERSEEL OF AAN RAAD SE EIENDOM

25. (1) Geen handelaar mag enige skade hoegenaamd aan die handelsperseel of aan enige gebou of struktuur deur die Raad daarop opgerig, waarby vaste en ander toebehore, meubels en omheining ingesluit is, aanrig of laat aanrig of toelaat dat dit aangerig word nie.

(2) Die Raad is nie, ten opsigte van geboue wat deur die Raad opgerig is om aan handelaars te verhuur, aanspreeklik vir enige skade aan die huurder se voorrade, boeke, dokumente en ander eiendom as gevolg van reën, hael, wind, weerlig, vloedwater of brand of oproer, stakings, optrede deur die Staat se vyande of enige soortgelyke oorsaak nie: Met dien verstande dat enige noodsaaklike herstelwerk aan die betrokke geboue wat deur sodanige oorsake noodsaaklik gemaak is, deur die Raad uit-

tion from the trader concerned that such repairs are necessary.

#### TARIFF OF CHARGES

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

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

#### LIMITATION OF NUMBER OF BUSINESSES

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

#### OFFENCES AND PENALTIES

28. Any person who —

- (a) contravenes or fails to comply with the provisions of regulations 3 (1), 5, 7, 10, 11, 17, 18, 19, 20, 21 or 25 (1) of this Chapter;
- (b) is a trader and who employs for the purpose of his undertaking any assistant not approved by the superintendent in terms of regulation 13 of this Chapter;
- (c) is a trader and who occupies any building which is the property of the Council, and who fails to keep the inside of such building clean and in a proper state of repair in terms of regulation 15 of this Chapter, or
- (d) who is a trader or an assistant of a trader and who fails, when required by the superintendent to do so in terms of regulation 16 of this Chapter, to submit himself to a medical examination by the medical officer of health,

shall be guilty of an offence and shall be subject to the penalties prescribed in section 36 of the Proclamation.

### CHAPTER VII

#### GENERAL SANITATION

##### NUISANCES AND RELATED MATTERS.

##### NUISANCE PROHIBITED

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

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

##### ENTRY AND INSPECTION FOR NUISANCE

2. (1) The medical officer of health, the superintendent or other official of the Council duly authorised

gevoer moet word binne 'n redelike tydperk nadat die Raad kennis van die handelaar ontvang het dat sodanige herstelwerk nodig is.

#### TARIEF VAN VORDERINGS.

26. Elke handelaar aan wie 'n perseel kragtens hierdie regulasies toegeken is, moet by toekenning en daarna voor of op die sewende dag van elke maand, 'n bedrag vooruitbetaal, waarby huurgeld en gelde vir water en vir sanitêre dienste deur die Raad gelewer, inbegrepe is:

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

#### BEPERKING OP GETAL BESIGHEDE.

27. Die Raad kan, na goeddunke, 'n beperking plaas op die getal besighede van enige bepaalde tipe wat op enige tydstip in die lokasie toegelaat word.

#### MISDRYWE EN STRAFBEPALINGS.

28. Iemand wat —

- (a) die bepalings van regulasies 3 (1), 5, 7, 10, 11, 17, 18, 19, 20, 21 of 25 (1) van hierdie Hoofstuk oortree of versuim om daaraan te voldoen;
- (b) 'n handelaar is en vir die doel van sy onderneming enige assistent in diens neem wat nie deur die superintendent goedgekeur is nie soos in regulasie 13 van hierdie Hoofstuk bepaal;
- (c) 'n handelaar is en 'n gebou okkupeer wat die eienendom van die Raad is, en wat versuim om die binnekant van sodanige gebou skoon en in 'n goeie onderhoudstoestand te hou soos in regulasie 15 van hierdie Hoofstuk bepaal; of
- (d) 'n handelaar of 'n assistent van 'n handelaar is, en versuim om, wanneer die superintendent dit ingevolge regulasie 16 van hierdie Hoofstuk verlang, hom aan 'n mediese ondersoek deur die geneeskundige gesondheidsbeampte te onderwerp,

begaan 'n misdryf en is strafbaar met die strawwe voorgeskryf in artikel 36 van die Proklamasie.

### HOOFSTUK VII.

#### ALGEMENE SANITASIE.

##### OORLASTE EN AANVERWANTE SAKE.

##### OORLAS VERBODE.

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

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

##### BETREDING EN INSPEKSIE TEN OPSIGTE VAN OORLAS.

2. (1) Die geneeskundige gesondheidsbeampte, die superintendent of ander amptenaar van die Raad wat be-

thereto may enter upon and inspect or make enquiries on, any premises with a view to ascertaining the existence or cause of any nuisance thereon or in connection therewith.

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

#### PROCEDURE FOR ABATEMENT OF NUISANCE

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

- (a) where the nuisance arises from want or defect of a structural character or where the premises are unoccupied, the notice shall be served on the owner;
- (b) where the person causing the nuisance cannot be found, and such nuisance does not exist by the act or default or sufferance of the occupier or owner of the premises,

the Council may itself take such steps as may be necessary to abate or remove the nuisance or prevent the recurrence thereof.

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

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

#### KEEPING OF PREMISES CLEAN AND FREE FROM UNSIGHTLY ACCUMULATIONS

4. Every person shall keep any premises owned or occupied by him clean and free from filth, debris, rubbish, glass, paper, rags, tins, lumber, motor vehicles or parts of motor vehicles no longer used for normal purposes, weeds and undergrowth which are unsightly or likely to become a nuisance or injurious to health or to cause an annoyance to residents in the neighbourhood.

#### PREVENTION OF MOSQUITO BREEDING, FLY BREEDING AND RAT HARBOURAGE

5. (a) No person shall —

hoorlik daartoe gemagtig is, kan enige perseel betree en inspekteer, of navraag daarop doen, ten einde die bestaan of oorsaak vas te stel van enige oorlas daarop of in verband daarmee.

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

#### PROSEDURE VIR VERWYDERING VAN OORLAS.

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

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

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

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

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

#### PERSELE MOET SINDELIK EN VRY VAN ONOOGLEKE OPHOPINGS BEHOU WORD.

4. Elke persoon is verplig om enige perseel wat sy eiendom is of wat hy okkupeer, sindelik en skoon te hou van vullis, puin, afval, glas, papier, vodde, blikke, rommel, motorvoertuie of dele van motorvoertuie wat nie meer vir normale doeleindes gebruik word nie, onkruid en ondergroei wat onooglik is of tot 'n oorlas kan word of nadelig vir die gesondheid kan wees of wat moontlik aanstoot aan inwoners in die omgewing kan gee.

#### VOORKOMING VAN DIE UITBROEI VAN MUSKIETE EN VLEEË EN SKUILPLEK VIR ROTTE.

5. (a) Niemand mag —

- (i) place, throw or leave or permit to remain on any premises any refuse or other matter whatsoever in such a manner or for such a time as to favour the breeding of flies or to encourage rats or other vermin to frequent such premises;
  - (ii) use manure for gardening purposes that is not so well-rotted or decomposed as to be incapable of breeding flies;
  - (iii) store or keep manure except in such manner as to preclude the open attraction and breeding of flies.
- (b) Every person shall —
- (i) keep any premises of which he is the owner or occupier free from stagnant water and from articles such as bottles or crockery, whether whole or broken, tins, tanks and similar artikles which may contain water;
  - (ii) provide all tanks, barrels and similar containers on any premises of which he is the owner or occupier, with covers of wood or metal, and screen with mosquito wire netting all openings other than the delivery exit;
  - (iii) keep all gutters and downpipes on any premises of which he is the owner or occupier free from sagging and from obstructions such as mud, leaves and other substances so as to prevent the accumulation of water therein;
  - (iv) take adequate measures to protect from mosquitoes the water in ponds, excavations or wells, on any premises of which he is the owner or occupier by filling in, draining off, or covering with oil at least every seven days such ponds, excavations or wells, or, in the case of wells, providing a mosquito-proof cover and a pump.

#### FOULING AND LITTERING PUBLIC PLACES AND OPEN SPACES

##### 6. No person shall —

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

#### BATHING AND WASHING IN PUBLIC PLACES AND OPEN SPACES

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

#### PREVENTION OF DUST NUISANCE

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

#### BURNING OF REFUSE

9. No person shall burn any stable litter, trade waste, weeds or other refuse in such a manner as to be a nuisance.

- (i) enige afval of ander stof hoegenaamd, op 'n perseel plaas, uitgooi of laat staan of toelaat dat dit daar bly op so 'n wyse en vir so 'n tydperk dat dit die uitbroei van vlieë bevorder nie of dat dit rotte of ander ongedierte na sodanige perseel aanlok nie;
  - (ii) mis vir tuinmaakdoeleindes gebruik nie, tensy dit so goed verrot of afgebreek is dat daar geen vlieë in kan broei nie;
  - (iii) mis opberg of hou, behalwe op so 'n manier dat dit nie ooplê sodat vlieë aangelok word en daarin broei nie.
- (b) Elke persoon moet —
- (i) enige perseel waarvan hy die eienaar of okkupeerder is, vry hou van stilstaande water en van artikels soos bottels of breekgoed, hetsy heel of stukkend, blikke, tenke en dergelike artikels waarin water kan staan;
  - (ii) alle tenke, vate en dergelike houers op enige persele waarvan hy die eienaar of okkupeerder is, van bedekkings van hout of metaal voorsien en alle openings, uitgesonderd die opening waaruit die inhoud gegooi word, met muskietgaasdraad bedek;
  - (iii) alle geute en afleipype op enige perseel waarvan hy die eienaar of okkupeerder is, reguit en skoon hou van verstoppings veroorsaak deur modder, blare en ander stowwe om te verhoed dat water daarin sal opgaan;
  - (iv) doeltreffende maatreëls tref om die water in poele, uitgrawings of putte op enige perseel waarvan hy die eienaar of okkupeerder is, teen muskiete te beskerm deur sodanige poele, uitgrawings of putte op te vul, te dreineer of minstens elke sewe dae met olie te bedek of, in die geval van putte, deur dit van 'n muskietdigte bedekking en 'n pomp te voorsien.

#### BEVUILING VAN EN GOOI VAN ROMMEL OP PUBLIEKE PLEKKE EN OOP RUIMTES.

##### 6. Niemand mag —

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

#### BAD EN WAS IN PUBLIEKE PLEKKE EN OOP RUIMTES.

7. Niemand mag hom of iemand anders of klere, voertuig, dier of 'n artikel, werktuig of gereedskap op 'n ander plek as dié wat deur die Raad daarvoor opsygesit is, bad of was nie.

#### VOORKOMING VAN OORLAS VAN STOF.

8. Niemand mag te eniger tyd stof uit 'n gebou of struktuur wat opgerig of gesloop word, of uit enige perseel in so 'n hoeveelheid of op so 'n wyse in die buiteland uitlaat, laat uitlaat of toelaat dat dit uitgelaat word dat dit aanstootlik, of nadelig of gevaarlik vir die gesondheid is nie.

#### VERBRANDING VAN AFVAL.

9. Niemand mag stalmis, bedryfsafval, onkruid of ander afval op so 'n manier verbrand dat dit 'n oorlas of

sance or offensive, or injurious or dangerous to health.

#### PROHIBITION ON USE OF PAIL CLOSET UNDER SAME ROOF AS DWELLING

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

#### SCREENING OF CLOSETS, URINALS AND LATRINES

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

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

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

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

#### IMPROPER USE OF LATRINES AND URINALS

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

#### DAMAGE TO SANITARY FITTINGS

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

#### ONLY DOMESTIC REFUSE TO BE PLACED IN RECEPTACLES FOR DOMESTIC REFUSE

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

#### DISPOSAL OF DEAD ANIMALS

16. (1) The owner of any animal which dies within the location shall, within 24 hours of the death thereof,

aanstootlik, of nadelig of gevaarlik vir die gesondheid is nie.

#### VERBOD OP GEBRUIK VAN EMMERKLOSET ONDER DIESELFDE DAK AS 'N WONING.

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

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

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

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

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

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

#### ONBEHOORLIKE GEBRUIK VAN LATRINES EN URINOIRS.

13. Niemand mag 'n latrine of urinoir op 'n onbehoorlike of onsedelike wyse gebruik nie.

#### BESKADIGING VAN SANITÊRE TOEBEHORE.

14. Niemand mag 'n putgemak, waterkloset, emmerkloset, privaat asput, asbak, urinoir, opwasbak, ingemeselde bad of wasbak, afvoerpyp, riool of vuilwaterenkin in of in verband met enige geboue moedswillig of weens nalatigheid beskadig of laat beskadig of toelaat dat dit beskadig word nie.

#### SLEGS HUISVULLIS MAG IN BAKKE VIR HUISVULLIS GEPLAAS WORD.

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

#### WEGDOEN VAN DOOIE DIERE.

16. (1) Die eienaar van 'n dier wat binne die lokasie doodgaan, moet binne 24 uur na die dood daarvan die



cause the carcass to be disposed of in such a manner as to prevent any nuisance, or danger to health, or annoyance to the occupants of any premises in the neighbourhood.

(2) The Council may, at the request of the owner of such dead animal, carry out the disposal of the carcass at the rate laid down from time to time, and the person responsible for the causing such carcass to be disposed of as above provided shall on demand pay the amount of such rate to the Council.

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

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

#### FURNISHING INFORMATION TO TRACE SOURCE OF INFECTIOUS OR CONTAGIOUS DISEASE

18. Every person shall on demand furnish the medical officer of health with any information, documents or other evidence in the possession of such person required for the purpose of tracing the source and preventing the spread of infection.

#### OFFENCES AND PENALTIES

19. Any person who —

- (a) contravenes or fails to comply with the provisions of regulation 1 (1) or (2), 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17 or 18 of this Chapter; or
- (b) obstructs or hampers or attempts to obstruct or hamper the medical officer of health or the superintendent or any other authorised officer in the lawful performance of his duties in terms of these regulations, or who fails or refuses to allow such medical officer of health, superintendent or authorised officer to enter upon any premises in the execution of such duties, shall be guilty of an offence and shall be subject to the penalties prescribed in section 36 of the Proclamation.

### CHAPTER VIII

#### NATIVE ADVISORY BOARD

##### CONSTITUTION OF NATIVE ADVISORY BOARD

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

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

(3) The Council shall appoint one of its members or any other White person who is conversant with Native affairs to be chairman of the advisory board. The chairman shall preside at all meetings of the advisory board and advise the advisory board in general, but he shall not be entitled to vote. In the absence of the chairman from any meeting, his deputy shall preside thereat and perform all the functions and duties of the chairman in connection with such meeting.

karkas laat wegdoen op so 'n wyse dat daar geen oorlas, of gevaar vir die gesondheid, of ergernis vir die bewoners van enige persele in die omgewing ontstaan nie.

(2) Die Raad kan op versoek van die eienaar van sodanige dooie dier, die wegdoen van die karkas uitvoer teen die tarief soos van tyd tot tyd bepaal, en die persoon wat verantwoordelik is vir die wegdoen van sodanige karkas soos hierbo bepaal, moet op aanvraag die bedrag van sodanige gelde aan die Raad betaal.

#### BEMOEIING MET VALLE VIR KNAAGDIERE OF VANGHOKKE VIR HONDE.

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

#### VERSKAFFING VAN INLIGTING OM BRON VAN BESMETLIKE OF AANSTEEKLIKE SIEKTE OP TE SPOOR.

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

#### MISDRYWE EN STRAFBEPALINGS.

19. Iemand wat —

- (a) die bepalings van regulasies 1 (1) of (2), 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17 of 18 oortree of versuim om daaraan te voldoen; of
- (b) die geneeskundige gesondheidsbeampte, superintendent of enige gemagtigde beampte in die wettige uitvoering van sy plig ingevolge hierdie regulasies belemmer of hinder of probeer belemmer of hinder, of versuim of weier om sodanige geneeskundige gesondheidsbeampte, superintendent of gemagtigde beampte toe te laat om enige perseel in die uitvoering van sodanige plig te betree,

begaan 'n misdryf en is strafbaar met die strawwe voorgeskryf in artikel 36 van die Proklamasie.

### HOOFSTUK VIII.

#### INBOORLINGADVIESRAAD.

##### SAMESTELLING VAN INBOORLINGADVIESRAAD.

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

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

(3) Die Raad benoem een van sy lede of 'n ander Blanke wat met inboorlingsake vertrouwd is, tot voorsitter van die adviesraad. Die voorsitter moet op alle vergaderings van die adviesraad voorsit en hom oor die algemeen van raad dien, maar hy is nie daartoe geregtig om te stem nie. As die voorsitter van 'n vergadering afwesig is, moet sy plaasvervanger as voorsitter optree en al die funksies en pligte van die voorsitter in verband met so 'n vergadering vervul.

## WARDS

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

(2) The manager shall, as soon as practicable, determine the number and boundaries of such wards. These boundaries shall be determined in such a manner that the number of voters in each ward shall, as far as possible, be equal, and the wards shall as far as possible coincide with the ethnic grouping of the residents.

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

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

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

## QUALIFICATION OF MEMBERS

3. No person other than the chairman shall be eligible for election or appointment to the advisory board, who —

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

## NOTICE OF NOMINATION

4. The superintendent shall within three months of promulgation of these regulations and not later than the first day of September of each year in which a general election is to be held, convene a meeting of the registered occupiers of the location for the purpose of explaining to them these regulations and of calling for the nomination of candidates for the election of members of the advisory board for the ensuing three years from 1st October of that year. Notice of such meeting shall be given by posting a notice thereof during the month of August of each year in which a general election is to be held on the notice board at the office of the superintendent and in a conspicuous place in each ward for a period of not less than 14 days: Provided that such meeting shall not be held on a Sunday, Good Friday, Ascension Day, Christmas Day or the Day of the Covenant.

## WYKE.

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

(2) Die bestuurder moet so spoedig moontlik die getal en grense van sodanige wyke vasstel. Hierdie grense moet op so 'n wyse vasgestel word dat die getal stemgeregtigdes in elke wyk sover moontlik gelyk is, en die wyke moet sover moontlik saamval met die etniese groepering van die inwoners.

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

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

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

## BEVOEGDHEID VAN LEDE.

3. Niemand, uitgesonderd die voorsitter, is bevoeg om tot lid van die adviesraad verkies of benoem te word nie wat —

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

## KENNISGEWING VAN NOMINASIE.

4. Die superintendent moet binne drie maande na afkondiging van hierdie regulasies en nie later nie as die eerste dag van September van elke jaar waarin 'n algemene verkiesing gehou staan te word 'n vergadering van die geregistreerde bewoners van die lokasie belê ten einde hierdie regulasies aan hulle te verduidelik en om te vra om die nominasie van kandidate vir die verkiesing van lede van die adviesraad vir die volgende drie jaar van 1 Oktober van daardie jaar af. Kennis van sodanige vergaderings moet gegee word deur gedurende Augustus van elke jaar waarin 'n verkiesing gehou staan te word 'n kennisgewing op die aanplakbord by die kantoor van die superintendent en op 'n ooglopende plek in elke wyk vir 'n tydperk van minstens 14 dae aan te plak: Met dien verstande dat sodanige vergadering nie gehou word op 'n Sondag, Goeie Vrydag, Hemelvaartsdag, Kerksdag of Ge-loftedag nie.

#### PROCEDURE WHERE NO ADVISORY BOARD EXISTS

5. Where no advisory board is in existence at the date of promulgation of these regulations, or where, for some reason or other, an advisory board has not been properly constituted in terms of these regulations, or when it becomes necessary to hold a by-election in terms of regulation 17 (4) of this Chapter, the superintendent shall, as soon as may be, issue a notice convening a meeting of registered occupiers of the location for the purpose of explaining these regulations to them and of calling for nominations of candidates for the election of the required number of members of the advisory board, and thereafter the election of such members and, where necessary, the constitution of an advisory board in terms of these regulations shall be proceeded with. The members of an advisory board constituted in terms of this regulation, shall remain in office until 30th September of the third year after their election or appointment, but may be elected or appointed for any subsequent period of three years, subject, however, to the provisions of regulations 16 and 17 (5) of this Chapter.

#### NOMINATIONS TO BE IN WRITING

6. (1) Nominations of candidates for election as members of the advisory board shall be submitted in writing to the superintendent and shall be supported by the signatures or marks, duly witnessed, of not less than 10 registered occupiers resident in the ward in respect of which the nominations are made and each of whom shall have paid all moneys due by him to the Council as rent, fees or charges under these regulations up to the end of the month preceding that in which the nominations are called for, and shall be accompanied by the nominated person's written acceptance of the nomination.

(2) Such nominations shall be lodged with the superintendent not later than the seventh day after the date of the nomination meeting referred to in regulation 4 or 5 of this Chapter. The manager shall, after the receipt of the nominations, examine them and shall lodge them together with his report thereon, with the returning officer.

(3) The returning officer shall as soon as practicable after the period for lodging such nominations has expired, affix on the notice board at the office of the superintendent a list of the candidates nominated and a notice convening a further meeting of the registered occupiers of the location, which meeting shall be held not less than 10 and not more than 14 days after the period for lodging such nominations has expired, and on a day other than a Sunday, Good Friday, Ascension Day, Christmas Day or Day of the Covenant.

#### ANNOUNCEMENT OF NOMINATIONS

7. At the meeting held in terms of the last preceding regulation the returning officer shall announce the names of the nominees in respect of each ward concerned, and if not more than one qualified candidate has been nominated in respect of each ward concerned, he shall declare such candidate to be duly elected as a member of the advisory board for that ward.

In the event of more than one qualified candidate having been nominated in respect of any one ward, the returning officer shall appoint a day, other than a Sunday, Good Friday, Ascension Day, Christmas Day or Day of the Covenant, on which a poll shall be held for the election of one candidate for the ward in respect of which more than one candidate has been nominated, not more than 10 days after the said meeting, and shall announce for what period, being not less than two hours between

#### PROSEDURE WAAR GEEN ADVIESRAAD BESTAAN NIE.

5. Waar daar geen adviesraad op die datum waarop hierdie regulasies afgekondig word, bestaan nie, of waar om die een of ander rede 'n adviesraad nie behoorlik ingevolge hierdie regulasies saamgestel is nie, of wanneer dit nodig word om 'n tussenverkiesing ingevolge regulasie 17 (4) van hierdie Hoofstuk te hou, reik die superintendent so gou moontlik 'n kennisgewing uit whereby 'n vergadering van die geregistreerde bewoners van die lokasie belê word met die doel om hierdie regulasies aan hulle te verduidelik en om te vra om nominasies van kandidate vir die verkiesing van die vereiste getal lede van die adviesraad, en daarna word met die verkiesing van sodanige lede en, waar nodig, met die samestelling van 'n adviesraad ooreenkomstig die bepalings van hierdie regulasies voortgegaan. Die lede van 'n adviesraad wat ooreenkomstig hierdie regulasie saamgestel is, beklee hul amp tot 30 September van die derde jaar wat volg op hul verkiesing of benoeming maar kan vir enige daaropvolgende tydperk van drie jaar verkies of benoem word, maar behoudens die bepalings van regulasie 16 en regulasie 17 (5) van hierdie Hoofstuk.

#### NOMINASIES MOET SKRIFTELIK WEES.

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

(2) Sodanige nominasies moet nie later nie as op die sewende dag na die datum van die nominasievergadering vermeld in regulasie 4 of 5 van hierdie Hoofstuk by die superintendent ingedien word. Die bestuurder moet na die ontvangs van die nominasies, hulle ondersoek en hulle dan saam met sy verslag daaroor, by die kiesbeampte indien.

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

#### BEKENDMAKING VAN NOMINASIES.

7. Op die vergadering gehou ingevolge die voorgaande regulasie, moet die kiesbeampte die name van die genomineerdes ten opsigte van elke betrokke wyk aankondig en as daar nie meer as een bevoegde kandidaat ten opsigte van elke betrokke wyk genomineer is nie, moet hy sodanige kandidaat tot behoorlik verkose lid van die adviesraad vir daardie wyk verklaar. Ingeval meer as een bevoegde kandidaat ten opsigte van enige een wyk genomineer is, moet die kiesbeampte 'n dag, uitgesonderd 'n Sondag, Goeie Vrydag, Hemelvaartsdag, Kersdag of Gelofte-dag, vasstel waarop 'n stemming gehou moet word vir die verkiesing van een kandidaat vir die wyk ten opsigte waarvan meer as een kandidaat genomineer is, hoogstens 10 dae na genoemde vergadering, en moet hy aankondig hoe lank, maar minstens twee uur, tussen 8 vm. en 9 nm. en waar daar op sodanige dag gestem kan word. Die kies-

the hours of 8 a.m. and 9 p.m., the poll shall be open on such day and the place at which the poll shall be held. The returning officer shall fix the hours during which the poll shall be open with due regard to the convenience of the majority of the registered occupiers of the location.

#### POLLING DAY

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

#### THE RECORDING OF VOTES

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

#### POLLING STATION

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

#### QUALIFICATION OF VOTERS

11. (1) No person other than a male, registered occupier of the location who appears to the returning officer to have attained the age of 18 years and who, during the polling hours fixed for any election, produces to the returning officer a receipt showing that he is not more than two months in arrear with his rent and any other charges due by him to the Council in terms of the location regulations, shall be permitted to take part in such election.

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

#### MANNER OF VOTING

12. The returning officer, after satisfying himself that the person desirous of recording his vote is entitled to do so, shall ask him for which candidate nominated in respect of the ward where the registered occupier is resident he wishes to vote, and shall record the vote given any such candidate by placing on a list of names of the nominated candidates a mark opposite the name of the nominated candidate named by the voter. The returning officer shall thereupon mark such person's receipt referred to in regulation 11 of this Chapter, so as to show that he has recorded his vote.

#### RESULT OF ELECTION

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

#### DETERMINATION IN EVENT OF EQUAL NUMBER OF VOTES

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

#### NOTIFICATION OF MEMBERS APPOINTED BY COUNCIL

15. The names of the members of the advisory board appointed by the Council in terms of regulation 1 of this

beampte moet die gerief van die meeste van die geregistreerde bewoners van die lokasie in aanmerking neem as hy die ure vasstel wanneer daar gestem kan word.

#### STEMDAG.

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

#### AANTEKENING VAN STEMME.

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

#### STEMLOKAAL.

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

#### STEMGEREGTIGDES.

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

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

#### HOE GESTEM WORD.

12. Nadat die kiesbeampte daarvan oortuig is dat die persoon wat wil stem daartoe geregtig is, moet hy hom vra vir watter een van die genomineerde kandidate ten opsigte van die wyk waar die geregistreerde bewoner woonagtig is, hy wil stem en moet hy die stemme wat op enige sodanige kandidaat uitgebring is, aantekens deur op 'n lys van name van die genomineerde kandidate 'n merk te plaas teenoor die naam van die genomineerde kandidaat deur die kieser genoem. Daarna moet die kiesbeampte 'n merk op sodanige persoon se kwitansie, genoem in regulasie 11 van hierdie Hoofstuk, maak om aan te toon dat hy sy stem uitgebring het.

#### UITSLAE VAN VERKIESING.

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

#### BESLISSING INGEVAL VAN STAKING VAN STEMME.

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

#### BEKENDMAKING VAN LEDE DEUR DIE RAAD BENOEM.

15. Die name van die lede van die adviesraad wat ingevolge regulasie 1 van hierdie Hoofstuk deur die Raad

Chapter shall be notified by posting a notice on the notice board at the office of the superintendent as soon as practicable after the announcement of the names of the elected members in terms of regulation 7 or 13 of this Chapter.

#### TERM OF OFFICE OF MEMBERS

16. (1) Subject to the provisions of regulation 17 of this Chapter every elected member of the advisory board shall hold office up to the date immediately preceding the next general election.

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

#### VACANCIES

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

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

- (a) is sentenced, in respect of a conviction for any offence, to imprisonment without the option of a fine for a period of more than seven days, or with the option of a fine for a period of more than one month;
- (b) is convicted of any contravention of the location regulations;
- (c) being a registered occupier in the location, leaves or absents himself from such location without the consent of the advisory board for a continuous period of not less than six weeks after his election or appointment;
- (d) fails, without the leave of the chairman of the advisory board, to attend three consecutive meetings of such advisory board or withdraws from any meeting of the advisory board without the consent of the chairman;
- (e) by reason of any physical or mental disability becomes unfit to continue in office as a member of the advisory board;
- (f) is inadvertently elected or appointed as a member of the advisory board in spite of not being eligible for election or appointment thereto in terms of the provisions of regulation 3 of this Chapter;
- (g) dies.

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

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

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

#### ORDINARY MEETINGS

18. (1) The advisory board shall hold its first meeting after its constitution in terms of these regulations,

benoem is, word bekendgemaak deur so gou doenlik na die aankondiging van die name van die verkose lede ingevolge regulasie 7 of 13 van hierdie Hoofstuk, 'n kennisgewing op die aanplakbord by die kantoor van die superintendent aan te plak.

#### AMPSTERMYN VAN LEDE.

16. (1) Behoudens die bepalings van regulasie 17 van hierdie Hoofstuk, beklee elke gekose lid van die adviesraad sy amp tot op 'n datum onmiddellik voor die volgende algemene verkiesing.

(2) Lede kan weer verkies of benoem word na die verstryking van hulle ampstermyn.

#### VAKATURES.

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

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

- (a) weens skuldigbevinding aan 'n misdryf gevonniss word tot gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van meer as sewe dae of met die keuse van 'n boete vir 'n tydperk van meer as een maand;
- (b) skuldig bevind word aan 'n oortreding van die lokasieregulasies;
- (c) terwyl hy 'n geregistreeerde bewoner van die lokasie is, sodanige lokasie verlaat of daaruit afwesig is, sonder die toestemming van die adviesraad, vir 'n ononderbroke tydperk van minstens ses weke na sy verkiesing of benoeming.
- (d) sonder die toestemming van die voorsitter van die adviesraad versuim om drie agtereenvolgende vergaderings van sodanige adviesraad by te woon of hom sonder die toestemming van die voorsitter aan enige vergadering van die adviesraad onttrek;
- (e) liggaamlik of verstandelik onbevoegd word om langer as lid van die adviesraad te fungeer;
- (f) per abuis tot lid van die adviesraad verkies of benoem word, hoewel hy nie bevoeg is om tot lid daarvan ingevolge die bepalings van regulasie 3 van hierdie Hoofstuk verkies of benoem te word nie; of
- (g) sterf.

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

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

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

#### GEWONE VERGADERINGS.

18. (1) Die adviesraad hou sy eerste vergadering na sy samestelling ingevolge hierdie regulasies, op 'n tyd en

at such time and place as the chairman may direct: Provided that such first meeting shall be held within a period of one month of the constitution of the advisory board.

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

#### SPECIAL MEETINGS

19. The chairman may at any time, upon being satisfied of the necessity of so doing, call a special meeting of the advisory board, but no business shall be transacted at any such meeting except such as the meeting may have been specially convened to consider.

#### JOINT MEETINGS

20. Where two or more advisory boards are constituted in terms of these regulations, meetings of the respective advisory boards may with the approval of the chairman be held jointly: Provided that only the members of the advisory board in respect of whose location a particular matter is under discussion may vote.

#### ATTENDANCE OF MEETINGS BY PUBLIC

21. The chairman may, in his discretion, allow members of the public to attend advisory board meetings: Provided that, if the chairman deems it necessary that the proceedings of any meeting be conducted in camera, he may debar members of the public from attending such meeting or require them to withdraw from the meeting, as the case may be.

#### TIME OF MEETINGS

22. The chair shall be taken at the appointed hour, but if at the expiration of a quarter of an hour after the appointed time, there shall not be a sufficient number of members present to form a quorum, the chairman shall declare the meeting adjourned until the date of the following meeting or such earlier date as may appear desirable.

#### QUORUM

23. One-third, with a minimum of four, of the total number of members comprising the advisory board shall form a quorum.

#### MINUTE BOOK

24. The names of members present and the proceedings of the meeting shall be recorded in a minute book to be kept by such person, who need not necessarily be a member of the advisory board, as the Council may appoint as secretary, and the business of the meeting or a joint meeting shall be commenced by the reading and confirmation of the minutes of the previous meeting or day's proceedings. Minutes, when so read and confirmed, shall be attested by the chairman's signature in the presence of the members. A copy of the minutes shall after each meeting be submitted by the chairman to the Committee.

#### BUSINESS OF MEETING

25. It shall be the duty of the secretary to bring to the notice of the chairman all matters which may have been held over for consideration from a previous meeting and all notices of motions received by him, and the chairman shall place such matters before the advisory board

plek wat die voorsitter bepaal: Met dien verstande dat sodanige eerste vergadering gehou word binne 'n tydperk van een maand na die samestelling van die adviesraad.

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

#### BUITENGEWONE VERGADERINGS.

19. Die voorsitter kan te eniger tyd 'n buitengewone vergadering van die adviesraad belê as hy van die noodsaaklikheid daarvan oortuig is, maar op enige sodanige vergadering mag geen ander sake behandel word as dié waarvoor die vergadering spesiaal belê is nie.

#### GESAMENTLIKE VERGADERINGS.

20. Waar twee of meer adviesrade ingevolge hierdie regulasies saamgestel is, kan vergaderings van die onderskeie adviesrade met die goedkeuring van die voorsitter gesamentlik gehou word: Met dien verstande dat slegs die lede van die adviesraad ten opsigte van wie se lokasie 'n bepaalde saak onder bespreking is, mag stem.

#### BYWONING VAN VERGADERINGS DEUR PUBLIEK.

21. Die voorsitter kan na goeëdunde lede van die publiek toelaat om vergaderings van die adviesraad by te woon: Met dien verstande dat as die voorsitter dit nodig ag dat die verrigtinge van 'n vergadering agter geslote deure gehou moet word, hy lede van die publiek kan belet om sodanige vergadering by te woon, of hulle kan versoek om die vergadering te verlaat, na gelang van die geval.

#### TYD VAN VERGADERINGS.

22. Die voorsitterstoel moet op die vasgestelde tyd ingeneem word, maar as daar na verloop van 'n kwartier na die vasgestelde tyd nie genoeg lede aanwesig is om 'n kworum uit te maak nie, moet die voorsitter die vergadering verdaag verklaar tot die datum van die volgende vergadering of sodanige vroeër datum as wat wenslik blyk te wees.

#### KWORUM.

23. Een-derde, met 'n minimum van vier, van die totale getal lede van die adviesraad maak 'n kworum uit.

#### NOTULEBOEK.

24. Die name van aanwesige lede en die verrigtinge van die vergadering moet opgeteken word in 'n notuleboek wat gehou moet word deur sodanige persoon, wat nie noodwendig 'n lid van die adviesraad hoef te wees nie, as wat die Raad tot sekretaris benoem en die verrigtinge van die vergadering of 'n gesamentlike vergadering moet 'n aanvang neem met die lees en bekragtiging van die notule van die vorige vergadering of dag se verrigtinge. Nadat die notule aldus gelees en bekragtig is, moet dit in teenwoordigheid van die lede deur die voorsitter onderteken word. Na elke vergadering moet 'n afskrif van die notule deur die voorsitter aan die Komitee gestuur word.

#### SAKE VAN VERGADERING.

25. Dit is die plig van die sekretaris om alle sake wat van 'n vorige vergadering vir oorweging oorgestaan het en alle kennisgewings van mosies wat deur hom ontvang is, onder die aandag van die voorsitter te bring en die voorsitter moet sodanige sake aan die adviesraad ter be-

for discussion but the order of business subsequent to the confirmation of the minutes shall be in his discretion.

#### ADDRESSING A MEETING

26. In discussing any question before the advisory board, the speaker shall address the chair, standing.

#### PRECEDENCE OF SPEAKERS.

27. If two members address the chair at the same time, and neither shall give way, the chairman shall call upon the one who is, in his opinion, entitled to precedence.

#### MOTIONS TO BE SECONDED.

28. When a motion or amendment is proposed by a member, it shall be seconded by another member, otherwise it shall be dropped and all further debate on the subject shall be discontinued and it shall be recorded in the minutes that such motion or amendment was not seconded.

#### MOTIONS TO BE READ.

29. A motion or amendment prior to its being put to the vote, shall be read aloud by the chairman of the advisory board.

#### WITHDRAWAL OF MOTIONS.

30. A motion or amendment made and seconded shall not be withdrawn unless by leave of the advisory board.

#### DUTIES AND FUNCTIONS ETC., OF ADVISORY BOARD.

31. (1) The duties and functions of the advisory board shall be to consider and report upon:—

- (i) Any regulation which the urban local authority proposes to promulgate under section 32 (2) or (3) of the Proclamation;
- (ii) any matter referred to it by the Minister after consultation with the urban local authority or by the urban local authority;
- (iii) any matter specially effecting the interests of Natives in the urban area, on which the urban local authority may deem a report advisable.

#### DUTIES OF MEMBERS.

- (1) Every member shall —
  - (a) keep the voters in his ward acquainted with the work of the Council;
  - (b) report to the superintendent any untoward incident, as well as the presence in the location of any unauthorised person, or any defect in the municipal services which comes to his notice;
  - (c) perform the functions assigned to him by the Proclamation.

#### NO MEMBER OF ADVISORY BOARD TO BE INTERESTED IN ANY BARGAIN OR CONTRACT OF THE COUNCIL.

(2) (a) No member of the advisory board shall in any way be concerned or interested in any bargain, contract or arrangement whatsoever made by or with the advisory board or the Council.

(b) If any such member or official is so concerned or interested or under cover or his office or employment exacts or accepts any promise, fee, bribe or reward whatsoever, he shall be disqualified from afterwards holding or continuing in any office or employment under these

spreking voorlê, maar hy kan die volgorde waarin sodanige sake na die bekragtiging van die notule behandel moet word, na goeddunke bepaal.

#### TOESPREEK VAN VERGADERING.

26. By die bespreking van enige vraag voor die adviesraad, moet die spreker staan terwyl hy die voorsitter aanspreek.

#### VOORRANG VAN SPREKERS.

27. As twee lede hulle gelyktydig tot die voorsitter rig en die een nie vir die ander wil terugstaan nie, stel die voorsitter die een aan die woord wat na sy mening tot voorrang geregtig is.

#### VOORSTELLE MOET GESEKONDEER WORD.

28. As 'n mosie of amendement deur 'n lid voorgestel word, moet dit deur 'n ander lid gesecondeer word anders moet daar van die onderwerp afgestap en alle verdere bespreking daarvan gestaak word en in die notule moet aangeteken word dat sodanige mosie of amendement nie gesecondeer is nie.

#### MOSIES MOET GELEES WORD.

29. Voordat daarvoor gestem word, moet 'n mosie of amendement hardop deur die voorsitter van die adviesraad gelees word.

#### TERUGTREK VAN MOSIES.

30. 'n Mosie of amendement wat voorgestel en gesecondeer is, mag nie teruggetrek word nie, tensy die toestemming van die adviesraad daartoe verkry is.

#### PLIGTE EN FUNKSIES, ENS., VAN ADVIESRAAD.

31. (1) Die pligte en funksies van die adviesraad is om oorweging te skenk aan en verslag te doen oor:—

- (i) Enige regulasie wat die stedelike plaaslike bestuur kragtens artikel 32 (2) of (3) van die Proklamasie, voornemens is om af te kondig;
- (ii) enige aangeleentheid wat deur die Minister in oorlegpleging met die stedelike plaaslike bestuur of deur die stedelike plaaslike bestuur na hom verwys word;
- (iii) enige aangeleentheid wat veral die belange van Inboorlinge in die stedelike gebied raak en waarvoor die stedelike plaaslike bestuur 'n verslag raadzaam ag.

#### PLIGTE VAN LEDE.

- (2) Elke lid moet —
  - (a) die kiesers in sy wyk ingelig hou betreffende die werk van die Raad;
  - (b) enige onbetaamlike gebeurtenis, asook die aanwesigheid van 'n ongemagtigde persoon in die lokasie of enige gebrek in die munisipale dienste wat onder sy aandag kom, aan die superintendent rapporteer;
  - (c) die pligte uitvoer wat by die Proklamasie aan hom toegewys is.

#### GEEN LID VAN DIE ADVIESRAAD MAG BELANG HÊ IN ENIGE TRANSAKSIE OF KONTRAK VAN DIE RAAD NIE.

(3) (a) Geen lid van die adviesraad mag op enige wyse betrokke wees by of belang hê in enige transaksie, kontrak of reëling hoegenaamd deur of met die adviesraad of die Raad aangegaan nie.

(b) Indien sodanige lid of amptenaar aldus betrokke is of belang het, of onder die dekmantel van sy amp of werk enige belofte, geld, omkoopgeld of beloning hoegenaamd vorder of aanneem, is hy onbevoeg om later enige amp of werk ingevolge hierdie regulasies of die Mu-

regulations, or the Municipal Ordinance, 1963, as amended, or the Proclamation.

#### PERSONS ENTITLED TO ATTEND MEETINGS.

32 (1) In addition to members and the secretary, the following persons shall be entitled to attend meetings of the advisory board:—

- (i) any member of the Council;
- (ii) the manager, the superintendent, the hostel superintendent, or their deputies;
- (iii) the Magistrate for the District of Gobabis;
- (iv) the Chief Native Commissioner, the Native Commissioner or their deputies;
- (v) the senior police officer of the district or his deputy;
- (vi) the Town Clerk of Gobabis;
- (vii) any other person whose presence the chairman deems desirable or necessary.

(2) Any such person shall be entitled, with the consent of the chairman, to address the advisory board upon any subject under discussion but shall not have the right to vote.

#### CHAPTER IX.

#### REGULATIONS GOVERNING THE MANAGEMENT OF THE NATIVE CEMETERY.

##### ESTABLISHMENT OF CEMETERY.

1. The Council may from time to time with the approval of the Minister set apart land for the purpose of a cemetery, and no person shall inter or cause to be interred any body in any other place in the urban area.

##### DIVISION OF THE CEMETERY.

2. The Council may set apart various portions of any cemetery for the exclusive use for burial purposes of the members of any particular ethnic group and thereafter such portion shall remain so set apart so long as the cemetery shall be in use: Provided that nothing herein contained shall be taken to give such ethnic group any vested rights in respect of such portion, and such portion shall be and remain vested in the Council and subject to its general control and to these regulations. The Council reserves the right to extend or to decrease in size such portions so set apart, in accordance with the needs that may arise.

##### CEMETERY HOURS.

3. Every cemetery shall be open to the public every day from 8 a.m. to 5 p.m.: Provided that the Council shall have the right to close to the public any cemetery or portion thereof for such period as the Council may deem fit.

##### INGRESS AND EGRESS.

4. No person shall enter or leave any cemetery otherwise than by the gates provided for that purpose.

##### UNSEEMLY ACTS FORBIDDEN.

5. No person shall cause any nuisance or commit any unseemly or indecent act in any cemetery.

##### COMPLAINTS.

6. All complaints shall be submitted in writing to the superintendent.

nisipale Ordonnansie, 1963, soos gewysig, of die Proklamasie te beklee of aan te hou beklee.

#### PERSONE WAT DIE REG HET OM VERGADERINGS BY TE WOON.

32. (1) Benewens lede en die sekretaris, het die volgende persone die reg om vergaderings van die adviesraad by te woon —

- (i) enige lid van die Raad;
- (ii) die bestuurder, die superintendent, die tehuissuperintendent, of hulle plaasvervangers;
- (iii) die landdros vir die distrik Gobabis;
- (iv) die Hoofnaturellekommissaris, die Naturellekommissaris of hulle plaasvervangers;
- (v) die senior polisiebeampte van die distrik of sy plaasvervanger;
- (vi) die Stadsklerk van Gobabis;
- (vii) enige ander persoon wie se teenwoordigheid die voorsitter wenslik of nodig ag.

(2) Enige sodanige persoon het die reg om met die toestemming van die voorsitter die adviesraad oor enige onderwerp wat behandel word, toe te spreek, maar het nie die reg om te stem nie.

#### HOOFSTUK IX.

#### REGULASIES BETREFFENDE DIE BESTUUR VAN DIE INBOORLINGKERKHOF.

##### STIGTING VAN KERKHOF.

1. Die Raad kan van tyd tot tyd met die goedkeuring van die Minister enige grond vir die doel van 'n kerkhof afsonder en niemand mag 'n lyk begrawe of laat begrawe op enige ander plek in die stadsgebied nie.

##### VERDELING VAN KERKHOF.

2. Die Raad kan verskillende gedeeltes van die kerkhof afsonder vir die uitsluitlike gebruik van lede van enige bepaalde etniese groep vir begrafnisdoeleindes. Sodanige gedeelte moet aldus afgesonder bly vir solank die kerkhof in gebruik is: Met dien verstande dat geen bepaling hiervan aan sodanige etniese groep enige gevestigde belange ten opsigte van enige sodanige gedeelte besorg nie, en sodanige gedeelte bly die eiendom van die Raad en onderworpe aan algemene beheer deur die Raad en aan hierdie regulasies. Die Raad behou hom die reg voor om sodanige gedeeltes as wat afgesonder is, kleiner of groter te maak na gelang van die behoeftes wat ontstaan.

##### KERKHOFURE.

3. Elke kerkhof is elke dag vir die publiek oop van 8 vm. tot 5 nm.: Met dien verstande dat die Raad die reg het om 'n kerkhof of 'n gedeelte daarvan vir sodanige tyd-

##### IN- EN UITGANG.

4. Niemand mag 'n kerkhof binnegaan of verlaat nie behalwe deur die hekke vir dié doel aangebring.

##### ONBEHOORLIKE DADE VERBODE.

5. Niemand mag in 'n kerkhof 'n oorlas veroorsaak of 'n onbehoorlike of onweloweglike daad pleeg nie.

##### KLAGTES.

6. Alle klagtes moet skriftelik aan die superintendent perk as wat die Raad goedgevind, vir die publiek te sluit, gerig word.



**EXERCISE OF CONTROL BY THE CARETAKER.**

7. Undertakers and all persons working in any cemetery, taking part in any funeral or visiting any cemetery, shall be subject to the control of the caretaker. No person shall resist, obstruct or oppose the caretaker, any workman or labourer in the course of his duties, or refuse or fail to comply with any order or request which the caretaker is entitled to make in terms of these regulations.

**DISTURBANCE OF SOIL OR PLANTS.**

8. No person shall, except where it is expressly permitted by these regulations, disturb the soil, or destroy, remove or damage any tree, shrub, flower, plant or grass or in any way interfere with any grave or structure in any cemetery.

**WANTON DESTRUCTION OF PROPERTY.**

9. No person shall wantonly destroy or do or cause to be done any damage to any monument, vault, tombstone, building, path, railing or fence, or daub or disfigure any wall or fence thereof, or play at any game or sport thereon or discharge any firearms (unless at a military funeral), airgun or catapult therein, or wantonly disturb or annoy any person or persons assembled therein for the purpose of a burial.

**DRIVERS OF VEHICLES.**

10. The driver of any vehicle in any cemetery shall obey the directions and instructions of the caretaker.

**DOGS AND OTHER ANIMALS.**

11. No person shall bring or cause to be brought inside any cemetery any dog or other animal.

**DEMONSTRATIONS.**

12. No person shall hold or take part in any demonstration in any cemetery.

**INTERMENT.****BURIAL ORDERS AND MAGISTRATE'S WARRANT.**

13. (1) **BURIAL ORDERS** — No person shall, without the permission of the caretaker, inter or cause to be interred any body in any cemetery. Such permission shall not be given unless a written order, signed by the District Registrar of Births and Deaths authorising such interment, is produced.

(2) **MAGISTRATE'S WARRANT** — In all cases of deaths which have been the subject of an inquest, a magistrate's warrant shall be produced to the caretaker.

**PAYMENT OF BURIAL FEES.**

14. The charges or fees as prescribed in Annexure V shall be paid in advance by the person giving notice of interment to the superintendent.

**DIMENSIONS OF GRAVES.**

15. The dimensions of the cavity for graves shall be as follows: —

**GRAVES FOR ADULTS**

Length . . . . .	7 ft. 3 in.
Breadth . . . . .	2 ft. 6 in.
Depth . . . . .	6 ft. 0 in.

**GRAVES FOR CHILDREN**

Length . . . . .	4 ft. 6 in.
Breadth . . . . .	1 ft. 6 in.
Depth . . . . .	5 ft. 0 in.

**UITOEFENING VAN BEHEER DEUR OPSIGTER.**

7. Ondernemers en alle persone wat in 'n kerkhof werk, aan 'n begrafnis deelneem of aan 'n kerkhof besoek bring, is onderworpe aan die beheer van die opsigter. Niemand mag die opsigter, enige werksman of arbeider in die uitvoering van sy pligte weerstaan, belemmer of teëgaan of weier of versuim om te voldoen aan 'n bevel of versoek waartoe die opsigter ingevolge hierdie regulasies geregtig is nie.

**VERSTORING VAN GROND OF PLANTE.**

8. Niemand mag, behalwe waar dit uitdruklik by hierdie regulasies toegelaat word, die grond omkeer of enige boom, struik, blom, plant of gras vernietig, verwyder of beskadig, of op enige wyse 'n graf of struktuur in 'n kerkhof verstoer nie.

**MOEDSWILLIGE VERNIELING VAN EIENDOM.**

9. Niemand mag moedswillig enige monument, grafkelder, grafsteen, gebou, paadjie, traliewerk of omheining vernietig of beskadig of laat beskadig of enige muur of omheining daarvan besmeer of skend, of 'n sportspel of enige ander speletjie daarin speel, of enige vuurwapens (tensy op 'n militêre begrafnis), windgeweer of rekker daarin afskiet, of moedswillig enige persoon of persone wat daar saamgekom het vir die doel van teraardebestelling steur of tot oorlas wees nie.

**DRYWERS VAN VOERTUIG.**

10. Die drywer van enige voertuig in 'n kerkhof moet aan die voorskrifte en instruksies van die opsigter gehoor gee.

**HONDE EN ANDER DIERE.**

11. Niemand mag 'n hond of ander dier in 'n kerkhof bring of laat bring nie.

**BETOGINGS.**

12. Niemand mag enige betoging in 'n kerkhof hou of daaraan deelneem nie.

**TERAARDEBESTELLING.****BEGRAFNISBEVELE EN LASBRIEF VAN DIE LANDDROS.**

13. (1) **Begrafnisbevele** — Niemand mag 'n lyk in enige kerkhof begrawe of laat begrawe sonder die toestemming van die opsigter nie. Sodanige toestemming word nie verleen nie, tensy 'n skriftelike bevel wat deur die Distriksregistrator van Geboortes en Sterfgevallen onderteken is om tot sodanige teraardebestelling magtiging te verleen, getoon word.

(2) **Lasbrief van die landdros** — In alle sterfgevallen waar 'n geregtelike doodsondersoek ingestel is, moet 'n lasbrief van die landdros aan die opsigter getoon word.

**BETALING VAN BEGRAFNISGELDE.**

14. Die vorderings of gelde soos in Aanhangsel V voorgeskryf, moet vooruitbetaal word deur die persoon wat aan die superintendent kennis van teraardebestelling gee.

**AFMETINGS VAN GRAFTE.**

15. Die afmetings van die opening van grafte is as volg:—

*Grafte vir volwassenes*

Lengte . . . . .	7 vt. 3 dm.
Breedte . . . . .	2 vt. 6 dm.
Diepte . . . . .	6 vt. 0 dm.

*Grafte vir kinders*

Lengte . . . . .	4 vt. 6 dm.
Breedte . . . . .	1 vt. 6 dm.
Diepte . . . . .	5 vt. 0 dm.

Any person requiring a cavity of larger dimensions for any interment shall give, together with the notice of interment, the measurements of the coffin including fittings. Should a child's coffin be too large for a child's grave it will be placed in an adult's grave and the usual fee for an adult's grave shall be paid by the person giving the notice of interment.

#### COVERING WITH EARTH.

16. Every coffin upon being placed in any grave shall be covered immediately with at least 4 ft. of earth and the coffin of a child shall be covered with at least 3 ft. of earth.

#### CONSTRUCTION OF GRAVES AND COFFINS.

17. (1) All graves shall be prepared under the supervision of the caretaker.

(2) Bodies shall be placed in coffins for interment.

#### RESTRICTED NUMBER OF BURIALS IN ONE GRAVE.

18. Not more than one body shall be buried in one grave without the permission in writing of the superintendent.

#### HOURS OF INTERMENT.

19. Interments shall take place during the hours 9 a.m. to 5 p.m. The caretaker may in cases of emergency and upon payment of an additional fee of 25 cents (twenty-five cents) allow interment to take place after 5 p.m. but not later than 6 p.m.

#### ALTERATION OF DAY OF INTERMENT.

20. Notice of any alteration in the day or hour previously fixed for an interment shall be given to the caretaker not later than two hours before such interment. The caretaker may in consultation with the undertaker or the near relatives of the deceased, alter the appointed hour for an interment, in order to prevent overlapping of funeral services at gravesides which are adjacent.

#### OWNERSHIP OF LAND.

21. The ownership of land in any cemetery shall be and remain vested in the Council. No person shall acquire any right to or interest in any land or grave in such cemetery other than such rights or interests as are obtainable under these regulations.

#### PURCHASE OF PRIVATE GRAVE PLOTS.

22. The Council may, at its discretion, sell to any person the use of any piece of land for a private grave plot. Any person desiring to purchase the use of any such private grave plot shall apply to the superintendent. Such private grave plot may be allotted by the superintendent upon payment by the applicant of the fees prescribed in Annexure V. Every person to whom a grave plot has been sold in terms of this regulation shall at least once in every five years advise the superintendent whether or not he still wishes to retain the grave plot. Failing such advice the ownership of such grave plot shall revert to the Council and no application for a refund of any fees therefor shall be considered.

#### CONSENT OF SUPERINTENDENT TO TRANSFER.

23. No person shall transfer or sell any grave or allotment without the consent of the superintendent.

Iemand wat 'n opening van groter afmetings vir 'n teraardebestelling vereis, moet saam met die kennisgewing van teraardebestelling die mate van die doodkis, insluitende die toebehore gee. As 'n kind se doodkis te groot is vir 'n kindergraf, sal dit in 'n graf vir 'n volwassene geplaas word en die gebruiklike bedrag vir 'n graf vir 'n volwassene moet deur die persoon wat kennis van die teraardebestelling gee, getaal word.

#### BEDEKKING MET GROND.

16. Elke doodkis moet, sodra dit in 'n graf geplaas word, onmiddellik met minstens 4 vt. grond bedek word, en die doodkis van 'n kind met minstens 3 vt. grond bedek word.

#### KONSTRUKSIE VAN GRAFTE EN DOODKISTE.

17. (1) Alle grafte moet onder die toesig van die opsigter voorberei word.

(2) Lyke moet in doodkiste geplaas word vir teraardebestelling.

#### BEPERKTE GETAL BEGRAWINGS IN EEN GRAF.

18. Nie meer as een lyk mag in een graf begrawe word sonder die skriftelike toestemming van die superintendent nie.

#### URE VAN TERAARDEBESTELLING.

19. Teraardebestellings geskied gedurende die ure 9 vm. tot 5 nm. Die opsigter kan in noodgevallen en teen betaling van 'n addisionele bedrag van 25c (vyf-en-twintig sent) toelaat dat die teraardebestelling na 5 nm., maar nie later as 6 n.m. nie, plaasvind.

#### VERANDERING VAN DAG VAN TERAARDEBESTELLING.

20. Kennis van enige verandering in die dag of uur wat voorheen vir 'n teraardebestelling bepaal was, moet aan die opsigter gegee word minstens twee uur voor sodanige teraardebestelling. Die opsigter kan in oorleg met die begrafnisondernemer of die nabestaandes van die oordede die vasgestelde uur vir 'n teraardebestelling verander ten einde samevalling te voorkom van begrafnisdienste by aangrensende grafte.

#### EIENDOMSREG OP GROND.

21. Die eiendomsreg op grond in die kerkhof berus en bly by die Raad berus. Niemand mag enige reg op of belang in enige grond of graf in sodanige kerkhof verkry nie, uitgesonderd sodanige regte of belange as wat kragtens hierdie regulasies verkrygbaar is.

#### AANKOOP VAN PRIVATE GRAFPERSELE.

22. Die Raad kan, na goeë dunde, die gebruik van enige stuk grond vir 'n private grafperseel aan enige persoon verkoop. Enige persoon wat begerig is om die gebruik van enige sodanige private grafperseel te koop, moet by die superintendent daarom aansoek doen. Sodanige private grafperseel kan deur die superintendent toegeken word teen betaling deur die applikant van die gelde soos in Aanhangsel V voorgeskryf. Elke persoon aan wie 'n grafperseel kragtens hierdie regulasie verkoop is, moet die superintendent minstens een keer in elke vyf jaar in kennis stel of hy die grafperseel nog wil behou of nie. By gebreke van sodanige kennisgewing, val die eiendomsreg van sodanige grafperseel aan die Raad terug en geen aansoek om terugbetaling van enige gelde wat aan die Raad daarvoor betaal is, word oorweeg nie.

#### TOESTEMMING VAN SUPERINTENDENT TOT OORDRAG.

23. Niemand mag sonder die toestemming van die superintendent enige graf of toekening oordra of verkoop nie.

**INTERMENT OF PERSONS HANGED.**

24. The Council may order the body of any person who has by law been convicted and executed to be interred in a separate plot set aside for that purpose.

**FUNERALS.****RELIGIOUS SERVICES.**

25. Members of any religious denomination may conduct religious services at a graveside or in connection with a memorial service subject to the control of the caretaker.

**BAND AND MUSIC AT FUNERALS.**

26. No music shall be played in any cemetery without the permission of the caretaker.

**USE OF SHELTERS.**

27. No chapel or shelter shall be occupied for more than 30 minutes except with the permission of the caretaker.

**NUMBERING OF GRAVES.**

28. The caretaker shall fix durable identification number plates on all graves and plots allotted in the cemetery and he shall keep a record in the burial register in the office of the superintendent of such numbers and the names of the deceased buried in such graves.

**ERECTION AND MAINTENANCE OF MEMORIAL WORK.****TOMBSTONES AND MEMORIALS.**

29. No person shall erect memorial work of any kind in any cemetery without the approval in writing of the superintendent and before the grave or plot has been purchased. Applications for permission to erect a tombstone or a memorial, accompanied by a sketch with figured dimensions and specifications of the material to be used and a copy of the proposed inscription, shall be submitted to the superintendent not less than six days before it is proposed to erect such tombstone or memorial.

**SITING OF MEMORIAL WORK.**

30. No memorial work shall be erected in any cemetery except in such position as the caretaker may appoint.

**EXCLUSION OF MEMORIAL WORK.**

31. The superintendent may exclude any memorial work which, in his opinion, is of inferior quality or which is likely in any way to disfigure the cemetery. Any memorial work which is not erected to the satisfaction of the superintendent may be removed by the Council at the expense of the person who caused such memorial work to be erected.

**CONDITIONS FOR ERECTION OF MEMORIAL WORK.**

32. Any person in constructing any memorial work shall comply with the following conditions:—

- (a) The joints of any memorial work shall be secured and fastened with galvanised iron or copper cramps, pins or dowels.
- (b) Kerbstones shall be squared.
- (c) The undersides of the base and kerbstones shall not be exposed above the natural surface of the ground.
- (d) Head and border stones shall be securely cramped with metal cramps.
- (e) No chiselling or dressing of stonework shall be allowed within any cemetery.

**TERAARDEBESTELLING VAN PERSONE WAT OPGEHANG IS.**

24. Die Raad kan gelas dat die lyk van enige persoon wat by wet skuldig bevind en tereggestel is in 'n afsonderlike perseel wat vir dié doel opsygesit is, begrawe moet word.

**BEGRAFNISSIE.****GODSDIENSOEFENINGE.**

25. Lede van enige godsdienstige genootskap kan by 'n graf of in verband met herdenkingsdienste godsdiensoefeninge hou, onderworpe aan die beheer van die opsigter.

**ORKES EN MUSIEK BY BEGRAFNISSIE.**

26. Geen musiek mag sonder die toestemming van die opsigter in 'n kerkhof gespeel word nie.

**GEBRUIK VAN BESKUTTINGS.**

27. Geen kapel of beskutting mag, uitgesonderd met die toestemming van die opsigter, langer as 30 minute beset word nie.

**NOMMER VAN GRAFTE.**

28. Die opsigter moet duursame nommerplate vir identifisering op alle grafte en persele toegeken in 'n kerkhof aanbring, en hy moet van sodanige nommers en van die name van die afgestorwenes wat in sodanige grafte begrawe is, 'n rekord hou in die begrawingsregister in die kantoor van die superintendent.

**OPRIGTING EN ONDERHOUD VAN GEDENKWERK, GRAFSTENE EN GEDENKTEKENS.**

29. Niemand mag sonder die skriftelike goedkeuring van die superintendent en voordat die graf of perseel gekoop is, gedenkwerk van enige aard in 'n kerkhof oprig nie. Aansoeke om toestemming om 'n grafsteen of gedenkteken op te rig, vergesel van 'n skets met genommerde afmetings in syfers aangedui en spesifikasies van die materiaal wat gebruik gaan word en 'n afskrif van die voorgestelde grafskrif moet minstens ses dae voordat sodanige voorgestelde grafsteen of gedenkteken opgerig staan te word aan die superintendent voorgelê word.

**PLASING VAN GEDENKWERK.**

30. Geen gedenkwerk mag in die kerkhof opgerig word nie, uitgesonderd in sodanige posisie as wat die opsigter vas stel.

**UITSLUITING VAN GEDENKWERK.**

31. Die superintendent kan enige gedenkwerk uitsluit wat, na sy mening, van minderwaardige gehalte is of wat die kerkhof op enigerlei wyse kan skend. Enige gedenkwerk wat nie tot tevredenheid van die superintendent opgerig is nie, kan deur die Raad verwyder word op koste van die persoon wat sodanige gedenkwerk laat oprig het.

**VOORWAARDES VIR DIE OPRIGTING VAN GEDENKWERK.**

32. Enige persoon wat enige gedenkwerk uitvoer, moet aan die volgende voorwaardes voldoen:—

- (a) Die voë van enige gedenkwerk moet versterk en bevestig word met kramme, penne of tappenne van gegalvaniseerde yster of koper.
- (b) Randstene moet haaks gemaak word.
- (c) Die ondersye van die voetstuk en randstene mag nie bokant die natuurlike grondoppervlakte blootgestel wees nie.
- (d) Kop- en kantstene moet stewig vasekram wees met metaalkramme.
- (e) Geen uitbeitel of kap van klipwerk word in 'n kerkhof toegelaat nie.

#### CONVEYANCE OF MATERIAL FOR MEMORIAL WORK.

33. No conveyance of any memorial work or any material for any memorial work shall be permitted in any cemetery except upon a handcart equipped with pneumatic-tyre wheels, or by means which, in the opinion of the caretaker, are not likely to damage the grounds or paths in such cemetery. Such handcart or other means of conveyance shall be provided by the person who erects such memorial work.

#### REMOVAL OF DEBRIS.

34. The person who erects any memorial work shall remove all rubbish, loose soil and debris resulting from the erection of such work.

#### WORK ON MEMORIAL WORK NOT PERMITTED ON SUNDAYS.

35. No work on any memorial work or on any material for such memorial work shall be permitted in any cemetery on Sundays.

#### UNSUITABLE WEATHER.

36. No person shall fix or place any memorial work in any cemetery during rainy weather or while the ground, in the opinion of the caretaker, is in an unfit state.

#### PRODUCTION OF PERMIT.

37. Any person in charge of work or on his way to and from work in any cemetery shall upon demand by the caretaker at any time produce the written approval issued to him under the provisions of regulation 29 of this Chapter to carry out such work.

#### MEMORIAL WORK NOT TO BE REMOVED.

38. No person shall remove or disturb any memorial work in any cemetery without the consent of the caretaker.

#### NON-LIABILITY FOR DAMAGE.

39. The Council shall in no case be liable for any damage which may at any time occur to any memorial work from any cause whatsoever.

#### MAINTENANCE OF PRIVATE GRAVE PLOTS.

40. The owner of every private grave plot shall keep such plot free from weeds and in proper order.

#### EXHUMATION AND RE-OPENING OF GRAVES.

##### DISTURBING HUMAN REMAINS.

41. No human remains in any cemetery shall be disturbed except for a purpose permitted by these regulations.

##### EXHUMATIONS AND OPENING OF GRAVES.

42. No person shall exhume or cause to be exhumed any body or open or disturb any grave without the written permission of the Council and the medical officer of health, and such permission as may be required in terms of any law in force from time to time, and payment before the exhumation takes place of the exhumation fees set out in Annexure V.

##### SCREENING OF OPERATIONS.

43. The grave from which any body is to be removed shall be effectively screened from view during the exhumation and a coffin shall be kept in readiness at the grave.

#### VERVOER VAN MATERIAAL VIR GEDENKWERK.

33. Geen vervoer van enige gedenkwerk of van enige materiaal vir enige gedenkwerk word in die kerkhof toegelaat nie, uitgesonderd op 'n handkar wat toegerus is met lugbandwiele, of deur middele wat, volgens die sienswyse van die opsigter, nie die terrein of paadjies in sodanige kerkhof kan beskadig nie. Sodanige handkar of ander vervoermiddel moet verskaf word deur die persoon wat die gedenkwerk oprig.

#### VERWYDERING VAN PUIN.

34. Die persoon wat enige gedenkwerk oprig, moet alle afval, los grond en puin verwyder wat ontstaan as gevolg van die oprigting van sodanige werk.

#### WERK AAN GEDENKWERK WORD NIE OP SONDAE TOEGELAAT NIE.

35. Geen werk aan enige gedenkwerk of aan enige materiaal vir sodanige gedenkwerk word op Sondag in 'n kerkhof toegelaat nie.

#### ONGESKIKTE WEER.

36. Niemand mag enige gedenkwerk in 'n kerkhof gedurende reënweer oprig of plaas onderwyl die grond, volgens die sienswyse van die opsigter, in 'n ongeskikte toestand is nie.

#### TOON VAN PERMIT.

37. Enige persoon wat toesig oor werk het of wat op weg na of van werk in 'n kerkhof is, moet, wanneer die opsigter dit te eniger tyd verlang, die skriftelike goedkeuring toon wat kragtens die bepalings van regulasie 29 van hierdie Hoofstuk aan hom utgereik is om sodanige werk uit te voer.

#### GEDENKWERK MAG NIE VERWYDER WORD NIE.

38. Niemand mag sonder die toestemming van die opsigter enige gedenkwerk in 'n kerkhof verwyder of verstoer nie.

#### NIE-AANSPREEKLIKHEID VIR BESKADIGING.

39. Die Raad is in geen geval aanspreeklik vir enige skade wat te eniger tyd aan enige gedenkwerk weens enige oorsaak hoegenaamd geskied nie.

#### ONDERHOUD VAN PRIVATE GRAFPERSELE.

40. Die eienaar van elke private grafperseel moet sodanige perseel vry van onkruid en in 'n behoorlike toestand hou.

#### OPGRAWING VAN LYKE EN HEROPENING VAN GRAFTE.

##### VERSTORING VAN STOFLIKE OORSKOT.

41. Geen stoflike oorskot in 'n kerkhof mag verstoer word nie, uitgesonderd vir 'n doel wat by hierdie regulasies toegelaat word.

#### OPGRAWINGS VAN LYKE EN OOPMAAK VAN GRAFTE.

42. Niemand mag 'n lyk opgrawe of laat opgrawe of verwyder of 'n graf oopmaak of versteur sonder die skriftelike toestemming van die Raad en die geneeskundige gesondheidsbeampte en sodanige toestemming as wat vereis word ooreenkomstig enige wet wat van tyd tot tyd van krag is en die betaling van die gelde vir opgrawing uiteengesit in Aanhangsel V voordat die opgrawings plaasvind.

#### VERBERGING VAN WERKSAAMHEDE.

43. Die graf waaruit enige lyk verwyder moet word, moet doeltreffend aan die gesig onttrek wees gedurende die opgrawing en 'n doodkis moet by die graf in gereedheid gehou word.

**REMOVAL BY SUPERINTENDENT OF BODY FROM ONE GRAVE TO ANOTHER.**

44. If at any time the removal of any body seems to the superintendent to be advisable or if any body has been buried in any grave in contravention of these regulations, the superintendent may cause such body to be removed to another grave: Provided that the consent of a near relation of such deceased person shall, if possible, be first obtained.

**MEDICAL OFFICER OF HEALTH TO BE PRESENT.**

45. Subject to the provisions of regulation 41 of this Chapter, no exhumation or removal of any body shall be made by any person unless the medical officer of health or his authorised assistant is present.

**OFFENCES AND PENALTIES.**

46. Any person who —

- (a) contravenes or fails to comply with the provisions of regulations 4, 5, 7, 8, 9, 10, 11, 12, 18, 19, 23, 26, 29, 30, 32, 34, 35, 36, 37, 38, 41 or 42 (1);
- (b) interts or causes or permits to be interred any body in any place other than a cemetery;
- (c) is found in any cemetery during the hours when it is not open to the public; or
- (d) interts or causes a body to be interred in the cemetery without the permission of the caretaker as required by regulation 13 (1) of this Chapter,

shall be guilty of an offence and liable on conviction to the penalties prescribed in section 36 of the Proclamation.

**ANNEXURE I.**

**MUNICIPALITY OF GOBABIS.**

**NATIVE LOCATION.**

**RESIDENTIAL PERMIT.**

Date .....

Permission is hereby granted to

Name .....

Sex ..... Age .....

Tribe ..... Territory .....

Service Contract No. .... Employer .....

Employer's address .....

to occupy, together with the undermentioned members of his/her family, municipal dwelling No. .... Native Location, subject to the provisions of the Location Regulations and to the payment of a monthly rental of ..... rand ..... cents, due and payable in advance on the first day of each month. Names and ages of children or other dependants:

Male

Female

.....  
 .....  
 .....

Signature or left thumb-print of holder

.....  
 Superintendent: Gobabis  
 Municipal Location

**VERWYDERING VAN LYK DEUR DIE SUPERINTENDENT VAN EEN GRAF NA 'N ANDER.**

44. As dit na die mening van die superintendent te eniger tyd raadsaam is om 'n lyk te verwyder of as 'n lyk strydig met hierdie regulasies in 'n graf begrawe is, kan die superintendent sodanige lyk na 'n ander graf laat verwyder: Met dien verstande dat die toestemming van 'n nabestaande van sodanige afgestorwene eers, indien moontlik, verkry moet word.

**GENEESKUNDIGE GESONDHEIDSBEAMPTTE MOET AANWESIG WEES.**

45. Behoudens die bepalings van regulasie 41 van hierdie Hoofstuk, mag niemand 'n lyk opgrawe of verwyder nie, tensy die geneeskundige gesondheidsbeampte of sy gemagtigde assistent aanwesig is.

**MISDRYWE EN STRAFBEPALINGS.**

46. Iemand wat —

- (a) die bepalings van regulasies 4, 5, 7, 8, 9, 10, 11, 12, 18, 19, 23, 26, 29, 30, 32, 34, 35, 36, 37, 38, 41 of 42 (1) oortree of versuim om daaraan te voldoen;
- (b) enige lyk begrawe of laat begrawe of toelaat dat dit begrawe word in enige ander plek as 'n kerkhof;
- (c) gevind word in 'n kerkhof gedurende die ure wanneer dit nie vir die publiek oop is nie; of
- (d) 'n lyk in die kerkhof sonder die toestemming van die opsigter soos vereis by regulasie 13 (1) van hierdie Hoofstuk begrawe of laat begrawe,

begaan 'n misdryf en is by skuldigbevinding strafbaar met die strawwe voorgeskryf in artikel 36 van die Proklamasie.

**AANHANGSEL I.**

**MUNISIPALITEIT VAN GOBABIS.**

**INBOORLINGLOKASIE.**

**WOONPERMIT.**

Datum .....

Toestemming word hierby verleen aan

Naam .....

Geslag ..... Ouderdom .....

Stam ..... Gebied .....

Dienskontrak No. .... Werkgewer .....

Werkgewer se adres .....

om, tesame met ondergenoemde lede van sy/haar gesin, munisipale woning No. ...., Inboorlinglokasie, te bewoon, behoudens die bepalings van die lokasieregulasies en betaling van 'n maandelikse huur van ..... rand ..... sent verskuldig en vooruitbetaalbaar op die eerste dag van elke maand.

Name en ouderdomme van kinders of ander afhanklikes:

*Mantik*

*Vroulik*

.....  
 .....

Handtekening of linkerduimafdruk van houer.

.....  
 Superintendent: Gobabis  
 Munisipale Lokasie.

ANNEXURE II.  
MUNICIPALITY OF GOBABIS.  
NATIVE LOCATION.  
SITE PERMIT.

Date .....

Permission is hereby granted to  
Name .....

Sex ..... Age .....

Tribe ..... Territory .....

Service Contract No. .... Employer .....

Employer's address .....  
to occupy, together with the undermentioned members of  
his/her family, municipal site No. ....  
Native Location, subject to the provisions of the Loca-  
tion Regulations and to the payment of a monthly rental  
of ..... rand ..... cents,  
due and payable in advance on the first day of each month.  
Name of wife .....

Names and ages of children or other dependants:

Male	Female
.....	.....
.....	.....
.....	.....
.....	.....

.....  
Signature or left thumb-print of holder

.....  
Superintendent: Gobabis  
Municipal Location

AANHANGSEL II.  
MUNISIPALITEIT VAN GOBABIS.  
INBOORLINGLOKASIE.  
PERSEELPERMIT.

Datum .....

Toestemming word hierby verleen aan  
Naam .....

Geslag ..... Ouderdom .....

Stam ..... Gebied .....

Dienskontrak No. .... Werkgewer .....

Werkgewer se adres .....  
om, tesame met ondergenoemde lede van sy/haar gesin,  
munisipale perseel No. ...., Inboorlinglokasie,  
te bewoon, behoudens die bepalings van die lokasiregu-  
lasies en betaling van 'n maandelikse huur van .....  
rand ..... sent verskuldig en vooruitbetaalbaar op  
die eerste dag van elke maand.  
Vrou se naam .....

Name en ouderdomme van kinders of ander afhanklikes:

Manlik	Vroulik
.....	.....
.....	.....
.....	.....

.....  
Handtekening of linkerduimafdruk  
van houer.

.....  
Superintendent: Gobabis  
Munisipale Lokasie.

ANNEXURE III.  
MUNICIPALITY OF GOBABIS.  
NATIVE LOCATION.  
RESIDENTIAL CERTIFICATE.

It is hereby certified that the right of occupation in res-  
pect of municipal dwelling, type No. ....  
being a ..... roomed dwelling, built  
of ....., situated on site No. ....  
Street, ..... Location, has been sold  
at an amount of R ..... After due payment  
of the deposit of R ....., the .....  
monthly payments of R ..... each and  
the site rental of R ..... are payable monthly  
in advance at the office of the superintendent.  
Name of wife .....

Name and ages of children or other dependants:

Male	Female
.....	.....
.....	.....
.....	.....

.....  
Signature or left thumb-print of  
certificate holder.

.....  
Superintendent: Gobabis  
Municipal Location

AANHANGSEL III.  
MUNISIPALITEIT VAN GOBABIS.  
INBOORLINGLOKASIE.  
BEWONINGSERTIFIKAAT.

Hierby word gesertifiseer dat die reg op bewoning van  
munisipale woning, tipe No. ...., wat 'n .....  
kamer-woning is, gebou van ....., geleë op  
perseel No. ...., ..... straat, .....  
lokasie, verkoop is teen 'n bedrag van R..... Nadat  
die deposito van R..... behoorlik betaal is, is die  
..... maandelikse paaieiment van R.....  
elk en die perseelhuurgeld van R..... by die  
kantoor van die superintendent maandeliks vooruitbetaal-  
baar.  
Vrou se naam .....

Name en ouderdomme van kinders of ander afhanklikes:

Manlik	Vroulik
.....	.....
.....	.....
.....	.....

.....  
Handtekening of linkerduimafdruk  
van sertifikaathouer.

.....  
Superintendent: Gobabis  
Munisipale Lokasie.

ANNEXURE IV.  
MUNICIPALITY OF GOBABIS.

NATIVE LOCATION.  
LODGER'S PERMIT.

Date .....

Permission is hereby granted to  
Name ..... Age .....  
Sex ..... Tribe .....  
Service Contract No. .... Employer .....  
to reside in the Native Location in/on dwelling/site No.  
..... registered in the name of .....  
The following members of his/her family are, by virtue  
of this permit, permitted to reside with him/her:

.....  
This permit expires on the last day of the month in respect  
of which it has been stamped and must be renewed  
within seven days thereof.

.....  
Signature or left thumb-print of lodger.

.....  
Signature or left thumb-print  
of registered occupier.

.....  
Superintendent: Gobabis  
Municipal Location

AANHANGSEL IV.  
MUNISIPALITEIT VAN GOBABIS.

INBOORLINGLOKASIE.  
LOSEERDERSPERMIT.

Datum .....

Toestemming word hierby verleen aan  
Naam ..... Ouderdom .....  
Geslag ..... Stam .....  
Dienskontrak No. .... Werkgewer .....  
om in die Inboorlinglokasie te woon in/op woning/perseel  
No. .... geregistreer op naam van .....  
..... Die volgende lede van sy/haar gesin  
is uit hoofde van hierdie permit geregtig om by hom/haar  
te woon:

.....  
Hierdie permit verstryk op die laaste dag van die maand  
ten opsigte waarvan dit gestempel is en moet binne sewe  
dae daarna hernieu word.

.....  
Handtekening of linkerduimafdruk  
van loseerder.

.....  
Handtekening of linkerduimafdruk  
van geregistreerde bewoner.

.....  
Superintendent: Gobabis  
Munisipale Lokasie.

ANNEXURE V  
MUNICIPALITY OF GOBABIS

TARIFF OF RENTALS, FEES AND CHARGES

1. RENTAL FOR RESIDENTIAL SITES:  
Sites only, without a municipal dwelling thereon,  
including free sanitary services and water for house-  
hold purposes, per month or part thereof:  
(a) Old Location . . . . . R1.00  
(b) New Location . . . . . R1.20
2. (a) RENTAL FOR BUSINESS SITES  
(SITE ONLY):  
Including free water and sanitary services, per  
month or part thereof:  
(i) Old Location . . . . . R1.00  
(ii) New Location . . . . . R3.00  
(b) RENTAL FOR BUSINESS SITES  
(BUILDINGS ONLY):  
Buildings erected by the Municipality for  
business purposes only, per month or  
part thereof . . . . . Nil
3. RENTAL FOR COMMUNAL HALL:  
For use of the hall, including all equipment  
and services, per day or part thereof . . . . . Nil
4. (a) RENTAL FOR DWELLINGS:  
(i) Four-roomed dwellings per month  
or part thereof . . . . . R3.20  
(ii) Three-roomed dwellings, per month  
or part thereof . . . . . Nil  
(iii) Two-roomed dwellings, per month  
or part thereof . . . . . Nil  
(iv) Dwelling for school principal, per  
month or part thereof . . . . . R5.75  
(b) RENTAL FOR DWELLINGS IN RE-  
SPECT OF RESIDENTS FOR WHOM

AANHANGSEL V.  
MUNISIPALITEIT VAN GOBABIS.

TARIEF VAN HUURGELDE, GELDE EN  
VORDERINGS.

1. HUURGELD VIR WOONPERSELE:  
Slegs persele sonder 'n munisipale woning daarop,  
insluitende vry sanitêre dienste en water vir huis-  
houdelike doeleindes, per maand of gedeelte van 'n  
maand:—  
(a) Ou lokasie . . . . . R1.00  
(b) Nuwe lokasie . . . . . R1.20
2. A. HUURGELD VIR BESIGHEIDSPERSELE  
(SLEGS PERSEEL):  
Insluitende vry water en sanitêre dienste, per maand  
of gedeelte van 'n maand:  
(i) Ou lokasie . . . . . R1.00  
(ii) Nuwe lokasie . . . . . R3.00  
B. HUURGELD VIR BESIGHEIDSPERSELE  
(SLEGS GEBOUE):  
Geboue wat deur die Munisipaliteit vir besig-  
heidsdoeleindes opgerig is, per maand of ge-  
deelte van 'n maand . . . . . Nul
3. HUURGELD VIR GEMEENSKAPSAAL:  
Vir gebruik van die saal, met inbegrip van  
uitrusting en alle dienste, per dag of gedeelte  
van 'n dag . . . . . Nul
4. (a) HUURGELD VIR WONINGS:  
(i) Vierkamerwonings, per maand of  
gedeelte van 'n maand . . . . . R3.20  
(ii) Driekamerwonings, per maand of  
gedeelte van 'n maand . . . . . Nul  
(iii) Tweekamerwonings, per maand of  
gedeelte van 'n maand . . . . . Nul  
(iv) Woning vir skoolhoof, per maand  
of gedeelte van 'n maand . . . . . R5.75  
(b) HUURGELD VIR WONINGS TEN OPSIGTE  
VAN INWONERS VIR WIE GEEN BYDRAE

NO CONTRIBUTION IS MADE FROM THE NATIVE HOUSING LEVY FUND (ORDINANCE NO. 33 OF 1961)		UIT DIE INBOORLINGBEHUISINGHEFFINGSFONDS GEMAAK WORD NIE (ORDONANSIE NO. 33 VAN 1961).	
(i) Four-roomed dwellings, per month or part thereof . . . . .	R5.20	(i) Vierkamerwonings, per maand of gedeelte van 'n maand . . . . .	R5.20
(ii) Three-roomed dwellings, per month or part thereof . . . . .	Nil	(ii) Driekamerwonings, per maand of gedeelte van 'n maand . . . . .	Nul
(iii) Two-roomed dwellings, per month or part thereof . . . . .	Nil	(iii) Tweekamerwonings, per maand of gedeelte van 'n maand . . . . .	Nul
(iv) Dwelling for school principal, per month or part thereof . . . . .	R7.75	(iv) Woning vir skoolhoof, per maand of gedeelte van 'n maand . . . . .	R7.75
5. ACCOMMODATION IN COMPOUND:		5. HUISVESTING IN KAMPONG:	
(a) Per person, per month . . . . .	R12.00	(a) Per persoon per maand . . . . .	R12.00
(b) Per person, for periods of less than one month, per day . . . . .	.40	(b) Per persoon vir korter tydperke as 'n maand, per dag . . . . .	R0.40
6. ACCOMMODATION IN SINGLE QUARTERS:		6. HUISVESTING IN ENKELKWARTIERE:	
(a) Per person, per month . . . . .	R2.00	(a) Per persoon per maand . . . . .	R2.00
(b) Per person, for periods of less than one month, per day . . . . .	.10	(b) Per persoon vir korter tydperke as 'n maand, per dag . . . . .	R0.10
7. VISITOR'S PERMITS:		7. BESOEKPERMITTE:	
Payable by the holder of a visitor's permit or the person required to hold such permit, where the currency of the permit exceeds three days but not one month . . . . .	R0.25	Betaalbaar deur die houer van 'n besoekers-permit of deur 'n persoon wat sodanige permit moet hou, waar die geldigheidsduur van die permit drie dae te bowe gaan, maar nie een maand nie . . . . .	R0.25
8. LODGER'S PERMIT:		8. LOSEERDERSPERMITTE:	
Payable in terms of regulation 42 of Chapter II . . . . .	R0.40	Betaalbaar ingevolge regulasie 42 van Hoofstuk II . . . . .	R0.40
9. BURIAL FEES:		9. BEGRAFNISGELDE:	
(a) For digging a grave for an adult . . . . .	R0.75	(a) Vir die grawe van 'n graf vir 'n volwassene . . . . .	R0.75
(b) For digging a grave for a child . . . . .	R0.50	(b) Vir die grawe van 'n graf vir 'n kind . . . . .	R0.50
(c) Purchase of private grave plots . . . . .	Nil	(c) Koop van private grafperseel . . . . .	Nul
10. REMOVAL OF DEAD ANIMALS:		10. VERWYDERING VAN DOOIE DIERE:	
Where the identity of the owner of the dead animal can be determined . . . . .	R0.25	Waar vasgestel kan word wie die eienaar van 'n dooie dier is . . . . .	R0.25
11. DUPLICATE PERMITS:		11. DUPLIKAATPERMITTE:	
For the issue of duplicate where the original has been lost or destroyed.		Vir die uitreikning van duplikaat wanneer die oorspronklike verlore of vernietig geraak het:	
(a) Residential Permit . . . . .	R0.10	(a) Woonpermit . . . . .	R0.10
(b) Site Permit . . . . .	R0.10	(b) Perseelpermit . . . . .	R0.10
(c) Residential Certificate . . . . .	R0.10	(c) Bewoningsertifikaat . . . . .	R0.10
(d) Lodger's Permit . . . . .	R0.10	(d) Loseerderspermit . . . . .	R0.10
(e) Trading Site Permit . . . . .	R0.10	(e) Handelperseelpermit . . . . .	R0.10

ANNEXURE VI  
MUNICIPALITY OF GOBABIS  
NATIVE LOCATION  
TRADING SITE PERMIT

Permission is hereby granted to  
Name .....  
Sex .....  
Service Contract No. ....  
Tribe .....  
to trade on site/table/stand/stall No. ....  
subject to the provisions of the regulations promulgated  
by Administrator's Notice No. .... dated .....  
at an inclusive monthly rental of R.....  
payable in advance on the first day of each month.  
The purpose for which this permit has been issued, is  
that of .....

Signature or left thumb-print of holder

Superintendent: Gobabis  
Municipal Location

AANHANGSEL VI.  
MUNISIPALITEIT VAN GOBABIS.  
INBOORLINGLOKASIE.  
HANDELSPERSEELPERMIT.

Toestemming word hierby verleen aan  
Naam .....  
Geslag .....  
Dienskontrak No. .... Stam .....  
om handel te dryf, behoudens die bepalinge van die regu-  
lasies afgekondig by Administrateurskennisgewing No.  
..... van ....., op perseel/tafel/  
standplaas/stalletjie No. .... teen 'n insluitende  
maandelikse huurgeld van R..... op die eerste dag  
van elke maand vooruitbetaalbaar.  
Die doel waarvoor hierdie permit uitgereik word is .....

Handtekening of linkerduimafdruk  
van houer.

Superintendent: Gobabis  
Munisipale Lokasie.



## ANNEXURE VII

## MUNICIPALITY OF GOBABIS

## NON-WHITE AFFAIRS DEPARTMENT

## MEMORANDUM OF SALE

## MEMORANDUM OF AGREEMENT MADE AND ENTERED INTO AT GOBABIS BETWEEN THE MUNICIPALITY OF GOBABIS

(hereinafter referred to as the "Council") of the one part; and .....  
 ((hereinafter referred to as the "Purchaser") of the other part.

WHEREAS the Purchaser has applied to the Council to sell to him the right to occupy a certain dwelling situated on that portion of land known as Site No. ....

..... Street, in the Native Location at Gobabis;

AND WHEREAS the Council has agreed to do so and has agreed to allow the Purchaser to pay the purchase price and interest thereon in instalments, and it has been agreed that the said dwelling shall be and remain the property of the Council until such time as the full purchase price has been paid;

NOW THEREFORE these presents witness that the parties hereto have made and entered into the following agreement, that is to say:—

## I

The Council hereby agrees to sell to the Purchaser who hereby agrees to purchase the right to occupy the dwelling situated on the aforesaid Site No. .... in the Native Location at Gobabis.

## II

The purchase price of the said dwelling shall be the sum of R..... (.....), which shall be paid by the Purchaser together with interest at the rate of .....% per annum calculated at the close of each month on the unpaid balance of the said purchase price in the following manner:

- (a) a deposit of R..... in cash on the signing of this agreement;
- (b) the balance in monthly instalments of R.....;
- (c) such payments shall be made at the ..... office;
- (d) the cash deposit shall be made on the ..... day of ..... and all subsequent instalments on or before the seventh day of each succeeding month;
- (e) in addition to the monthly instalments referred to above, the Purchaser shall pay the site rental referred to in paragraph V hereof, as laid down by regulation from time to time. The site rental at present in force is the sum of R..... per month, and until such rental is varied the total monthly payment under this Agreement shall be the sum of R....., consisting of R....., being instalment on the purchase price, and R....., being the site rental.

When the purchase price has been paid off, only the site rental shall continue to be payable.

## III

The Purchaser shall at any time be entitled to pay larger instalments than those mentioned above on condition that such larger payments are always multiples of the monthly instalments payable under this Agreement.

## IV

The Purchaser shall at any time be entitled to pay the full balance of the purchase price: Provided that before doing so, he shall give the Council one month's notice of his intention to do so.

## AANHANGSEL VII.

## MUNISIPALITEIT VAN GOBABIS.

## AFDELING NIE-BLANKESAKE.

## VERKOOPOOREENKOMS.

## OOREENKOMS AANGEGAAN TE GOBABIS DEUR EN TUSSEN DIE MUNISIPALITEIT VAN GOBABIS.

(hieronder genoem die „Raad”) aan die een kant; en (hieronder genoem die „Koper”) aan die ander kant. NADEMAAL die Koper by die Raad aansoek gedoen het om aan hom die reg op bewoning van 'n sekere woning geleë op die gedeelte van die grond bekend as perseel No.....-straat, in die Inboorlinglokasie te Gobabis, te verkoop;

EN NADEMAAL die Raad ingestem het om dit te doen en om die Koper toe te laat om die koopprys, en die rente daarop in paaielemente te betaal, en daar ooreengekom is dat genoemde woning die eiendom van die Raad is en bly tot tyd en wyl die volle koopprys betaal is; SO IS DIT dat hierdie dokument verklaar dat die partye hierby die volgende ooreenkoms aangegaan het, naamlik:—

## I

Die Raad stem hierby in om die reg op bewoning van die woning geleë op voornoemde Perseel No. .... in die Inboorlinglokasie te Gobabis te verkoop aan die Koper wat hierby instem om dit te koop.

## II

Die koopprys van genoemde woning is die som van R..... (.....) wat, tesame met rente teen 'n koers van .....% per jaar, bereken aan die einde van elke maand op die onbetaalde saldo van genoemde koopprys, op die volgende wyse deur die Koper betaal moet word:

- (a) 'n Storting van R..... aan kontant by ondertekening van hierdie ooreenkoms;
- (b) die saldo in maandelikse paaielemente van R.....
- (c) sodanige betalings moet by die kantoor van ..... gedoen word;
- (d) die kontantstorting moet op die ..... dag van ..... gedoen word, en alle paaielemente daarna moet op of voor die sewende dag van elke daaropvolgende maand betaal word;
- (e) benewens die maandelikse paaielemente hierbo genoem, moet die Koper die perseelhuurgeld wat in paragraaf V hiervan genoem word en van tyd tot tyd by regulasie bepaal word, betaal. Die perseelhuurgeld tans van krag behoort die som van R..... per maand, en, tot tyd en wyl sodanige huurgeld gewysig word, is die totale maandelikse betaling ingevolge hierdie ooreenkoms betaalbaar die som van R..... waarvan R..... die paaielement op die koopprys is en R..... die perseelhuur.

Wanneer die koopprys afbetaal is, bly net die perseelhuurgeld betaalbaar.

## III

Die Koper kan te eniger tyd groter paaielemente as dié hierbo genoem, betaal, mits sodanige groter bedrae altyd veelvoudige is van die maandelikse paaielemente wat ingevolge hierdie ooreenkoms betaalbaar is.

## IV

Die Koper kan te eniger tyd die volle saldo op die koopprys afbetaal: Met dien verstande dat hy die Raad eers 'n maand kennis moet gee van sy voorneme om dit te doen.

## V

It is expressly understood and agreed that the Purchaser shall not, by virtue of this Agreement, be entitled to acquire the ownership of the site upon which the dwelling is erected or any real right in such land. The ownership of the land shall not be sold under this Agreement, and shall at all times remain vested in the Council, whether or not the purchase price of the dwelling has been paid in full. The Purchaser therefore understands that as long as he is entitled to occupy the land on which the dwelling is situated he remains liable to pay to the Council such rental for the use and occupation of the land as may from time to time be prescribed by regulation applicable to such land.

The Purchaser further understands that such rental is payable in addition to the above instalments and continues to be payable even after the purchase price has been paid in full.

## VI

Until payment in full of the aforementioned purchase price and interest together with all other amounts payable by or claimable from the Purchaser in terms of this Agreement has been effected, the dwelling shall be and remain the sole and absolute property of the Council, but upon payment in full of the said purchase price, interest, and other amounts as aforesaid, such dwelling (but not the land on which it is situated) shall become the property of the Purchaser.

## VII

The Purchaser shall at all times be liable to keep and maintain the aforesaid dwelling in good condition and a proper state of repair. Until the purchase price, costs, interest and other amounts payable by the purchaser in terms of this Agreement have been paid in full by him the Council retains the right, should such dwelling not be kept in a proper state of repair, to enter such dwelling after one month's written notice to the Purchaser of its intention so to do, and cause all such repairs as may be necessary to be effected at the cost and expense of the Purchaser, which costs shall become payable by him to the Council upon demand.

## VIII

The Council retains the right to insure the dwelling against risk of loss by fire, storm and tempest, at the cost of the Purchaser.

## IX

The Purchaser shall not, without the express written consent of the Council, effect any additions or alterations of any description whatsoever to the said dwelling.

## X

The property hereby sold shall be used by the Purchaser solely for residential purposes.

## XI

The stamp duties on these presents shall be borne by the Purchaser.

## XII

The Purchaser shall, on the signing hereof, be issued with a residential permit under the provisions of regulation 33 of Chapter 2 of the Location Regulations of the Municipality of Gobabis and shall carry out and perform all the duties and obligations imposed by the said regulations on the holder of such permit. The provisions of the next succeeding paragraphs XIII, XIV, XV, XVI and XVII shall apply to the Purchaser until he has paid the full purchase price and all amounts due by him to the Council.

## XIII

For the purpose of this Agreement the expression "Council's interest" shall mean the aggregate of any of the following amounts owing to the Council at any one time by the Purchaser, namely:

## V

Daar word uitdruklik verstaan en ooreengekom dat die Koper nie, uit hoofde van hierdie ooreenkoms, enige eiendomsreg op die perseel waarop die woning opgerig word of enige saaklike reg op sodanige grond kan verkry nie. Die eiendomsreg op die grond word nie ingevolge hierdie ooreenkoms verkoop nie en berus op alle tye by die Raad, afgesien daarvan of die koopprys van die woning ten volle betaal is of nie. Die Koper verstaan dus dat hy, solank hy geregtig is om die grond waarop die woning staan, te bewoon, hy aan die Raad, ten opsigte van die gebruik en okkupering van die grond, sodanige huurgeld moet betaal as wat van tyd tot tyd by die regulasies wat op sodanige grond van toepassing is, voorgeskryf word. Die Koper verstaan voorts dat sodanige huurgeld bo en behalwe genoemde paaielemente betaalbaar is en betaalbaar bly selfs nadat die koopprys ten volle afbetaal is.

## VI

Die woning bly die uitsluitlike eiendom van die Raad tot tyd en wyl voornoemde koopprys en rente, sowel as alle ander bedrae wat ingevolge hierdie ooreenkoms deur die Koper betaalbaar is of van hom gevorder kan word, ten volle betaal is. By volle betaling van genoemde koopprys, rente en ander bedrae soos voornoem, word sodanige woning (maar nie die grond waarop dit geleë is nie) egter die eiendom van die Koper.

## VII

Die Koper moet voornoemde woning op alle tye in 'n goeie en behoorlike onderhoudstoestand hou. Tot tyd en wyl die koopprys, rente, koste en ander bedrae ingevolge hierdie ooreenkoms deur die Koper betaalbaar ten volle deur hom vereffen is, behou die Raad hom die reg voor om, indien sodanige woning nie in 'n behoorlike onderhoudstoestand gehou word nie, sodanige woning te betree na skriftelike kennisgewing van een maand aan die Koper van sy voorneme om dit te doen, en om alle herstelwerk wat nodig is, op koste van die Koper te laat uitvoer, en dié koste moet op aanvraag deur hom aan die Raad betaal word.

## VIII

Die Raad behou hom die reg voor om die woning, op koste van die Koper, teen skade of verlies deur brand of storms te verseker.

## IX

Die Koper mag nie sonder die uitdruklike skriftelike toestemming van die Raad, enige aanbouings of veranderings, van watter aard ook al, aan genoemde woning aanbring nie.

## X

Die eiendom wat hierby verkoop word, moet slegs vir woondoelendes deur die Koper gebruik word.

## XI

Die seëlregte op hierdie ooreenkoms moet deur die Koper betaal word.

## XII

By ondertekening hiervan moet 'n woonpermit ingevolge die bepalinge van regulasie 33 van Hoofstuk II van die lokasieregulasies van die Munisipaliteit van Gobabis aan die Koper uitgereik word en die Koper moet alle pligte en verpligtinge wat deur genoemde regulasies aan die houer van sodanige permit opgelê word, nakom. Die bepalinge van die eersvolgende paragrawe XIII, XIV, XV, XVI en XVII is op die Koper van toepassing totdat hy die volle koopprys, sowel as alle ander bedrae deur hom aan die Raad verskuldig, betaal het.

## XIII

Vir die doel van hierdie ooreenkoms beteken die uitdrukking „die Raad se belang” die totaal van enige van die volgende bedrae wat op enige gegewe tydstip deur die Koper aan die Raad verskuldig is, naamlik:

- (a) the balance of the purchase price;
- (b) any arrear rent in respect of the site on which the dwelling is situated;
- (c) charges for services lawfully levied by the Council;
- (d) costs of repairs effected as provided in paragraph VII hereof;
- (e) insurance premiums as provided in paragraph VIII hereof;
- (f) the costs incurred by the Council in ejecting the Purchaser;
- (g) the costs referred to in paragraph XI hereof;
- (h) the costs incurred by the Council in selling the dwelling by public auction, or the cost of obtaining a sworn appraisal thereof as provided in paragraph XV of this Agreement.

#### XIV

Should any one of the following events take place, that is to say:

- (a) should the Purchaser fail to pay the site rental within the time laid down by the Location Regulations;
- (b) should the Purchaser fail to pay any charges imposed by the Council in respect of services within 30 days of the posting up of a notice on the main door of the dwelling requiring payment of such charges;
- (c) should the Purchaser be in arrear with his instalments on the purchase price and should he remain in default for a period of more than 30 days after the posting up of a notice on the main door of the dwelling requiring him to pay such arrears;
- (d) should any of the circumstances occur which entitle the superintendent to cancel a residential permit under the Location Regulations;
- (e) should the Purchaser be convicted of any contravention of the Native (Urban Areas) Proclamation or of the regulations promulgated thereunder;
- (f) should the Purchaser terminate his residential permit in terms of the Location Regulations,

the Council shall be entitled to cancel this Agreement and the Purchaser's right to occupy the site and dwelling, in which event the said dwelling, together with all improvements made thereto, shall revert in full ownership to the Council and the Purchaser shall be bound and obliged forthwith to vacate such dwelling and such site.

#### XV

In the event of cancellation of the Agreement in terms of the preceding paragraph, the dwelling, together with all improvements effected by the Purchaser, shall, at the option of the Council, either be sold by public auction to a person who qualifies to be a permit holder under the Location Regulations and is approved by the superintendent or the said dwelling and improvements shall be valued by a sworn appraiser nominated by the Council. The difference, if any, between the amount realised or the amount of the valuation, as the case may be, and the amount of the Council's interest shall be paid over to the Purchaser. Should the amount realised or the valuation be insufficient to cover the Council's interest, the Purchaser shall be obliged to make good and pay to the Council the deficit. If the highest bid at the public auction is insufficient to cover the Council's interest, the Council shall have the right, should it so wish, to take over the dwelling and improvements as if they had been valued at the same amount as the highest bid.

- (a) die saldo van die koopprys;
- (b) enige agterstallige huurgeduld ten opsigte van die perseel waarop die huis geleë is;
- (c) vorderings vir dienste wat wettiglik deur die Raad gehef word;
- (d) die koste van herstelwerk uitgevoer ingevolge paragraaf VII van hierdie ooreenkoms;
- (e) versekeringspremies ingevolge paragraaf VIII van hierdie ooreenkoms betaalbaar;
- (f) die koste verbonde aan die uitsetting van die Koper deur die Raad;
- (g) die koste wat in paragraaf XI van hierdie ooreenkoms genoem word;
- (h) die koste deur die Raad aangegaan in verband met die verkoop van die woning per openbare veiling of die verkryging van 'n beëdigde waardasie ingevolge paragraaf XV van hierdie ooreenkoms.

#### XIV

Indien enige een van die volgende dinge sou gebeur, naamlik:

- (a) indien die Koper versuim om die perseelhuurgeld binne die tyd by die lokasieregulasies bepaal, te betaal;
- (b) indien die Koper versuim om enige gelde deur die Raad gehef ten opsigte van dienste te betaal binne 30 dae na die datum waarop 'n kennisgewing aan die hoofdeur van die woning opgeplak is, waarin van hom vereis word om sodanige gelde te betaal;
- (c) indien die Koper agterstallig is met die betaling van die paaieimente op die koopprys en versuim om sodanige agterstallige paaieimente te betaal binne 30 dae na die datum waarop 'n kennisgewing aan die hoofdeur van die woning opgeplak is, waarin van hom vereis word om sodanige agterstallige paaieimente te betaal;
- (d) indien enige van die gebeurlikhede voorval wat die superintendent magtig om 'n woonpermit ingevolge die lokasieregulasie in te trek;
- (e) indien die Koper skuldig bevind word aan 'n oortreding van die Proklamasie op Inboorlinge in Stedelike Gebiede of van die regulasies daarkragtens afgekondig;
- (f) indien die Koper sy woonpermit ingevolge die lokasieregulasie beëindig,

het die Raad die reg om sowel hierdie ooreenkoms as die Koper se reg op bewoning van die perseel en woning, in te trek, en in dié geval val die volle eiendomsreg van die woning en alle verbeterings daaraan, terug aan die Raad en is die Koper verplig om sodanige woning en die perseel onmiddellik te ontruim.

#### XV

Ingeval die ooreenkoms ingevolge die voorafgaande paragraaf ingetrek word, word die woning, tesame met alle verbeterings deur die Koper aangebring, na goeddunke van die Raad, of per openbare veiling verkoop aan 'n persoon wat ingevolge die lokasieregulasies aan die voorgeskrewe vereistes vir 'n permithouer voldoen en deur die superintendent goedgekeur is, of deur 'n beëdigde waardeerder deur die Raad aangestel, gewaardeer. Enige verskil tussen die opbrengs of die waardasie, na gelang van die geval, en die bedrag van die Raad se belang moet aan die Koper oorbetal word. Indien die opbrengs of die waardasie minder as die Raad se belang is, moet die Koper die tekort aan die Raad goedmaak en betaal. Indien die hoogste bod op die openbare veiling onvoldoende is om die Raad se belang te dek, het die Raad die reg om, indien hy dit verlang, die woning en verbeterings oor te neem asof dit teen dieselfde bedrag as die hoogste bod gewaardeer is.

XVI

In the event of judicial attachment of the Purchaser's rights under his Agreement, the Council shall be entitled to regard this Agreement as being cancelled and the rights attached will be deemed to be the Purchaser's right to the amount to which he would, in the event of cancellation, be entitled under paragraph XV of this Agreement.

XVII

The Purchaser shall not sell, let, pledge or otherwise encumber or dispose of the said dwelling or any interest therein without the written consent of the Council. Although the Council shall have the absolute right to give or refuse its consent, the Council declares that, in the ordinary course of events, it will give its consent provided:

- (a) the person to whom it is proposed to dispose of the dwelling or interest therein is approved by the Council; and
- (b) arrangements to the satisfaction of the Council are made to secure its interest as defined in paragraph XIII of this Agreement.

The provisions of this paragraph shall also apply if, in the event of the death of the Purchaser, his Estate desires to dispose of the dwelling or interest therein to any heir, guardian of an heir or any other purchaser, but failing the taking over of the Purchaser's rights by an approved person within six months of the purchaser's death, the Council may cancel this Agreement, in which even the provisions of paragraph XV of the Agreement shall apply.

XVIII

When the Purchaser shall have paid the purchase price in full, together with all other amounts due by him to the Council, his residential permit shall be replaced by a site permit, and all provisions of the Location Regulations relating to site permits and the cancellation thereof shall *mutatis mutandis* apply to the site permit issued to the Purchaser under this paragraph, and the dwelling with improvements shall be treated and dealt with in the same manner as if it had in the first instance been erected by the Purchaser. The Purchaser shall carry out and perform all the duties and obligations imposed by the said regulations, as amended from time to time, on the holder of a site permit, and failure to carry out such obligations shall render the Purchaser liable to all the penalties and sanctions imposed by the said regulations.

Thus agreed and signed at Gobabis on the ..... day of ..... 19.....

TOWN CLERK

MAYOR

AS WITNESSES:

- 1. ....
- 2. ....

Thus agreed and signed at Gobabis on the ..... day of ..... 19.....

PURCHASER

AS WITNESSES:

- 1. ....
- 2. ....

XVI

In die geval van geregtelike beslaglegging op die Koper se regte ingevolge hierdie ooreenkoms, het die Raad die reg om hierdie ooreenkoms as ingetrek te beskou en die regte waarop beslag gelê word, word geag die Koper se reg te wees op die bedrag waartoe hy, ingeval van intrekking, geregtig sou wees ingevolge paragraaf XV van hierdie ooreenkoms.

XVII

Die Koper mag nie, sonder die skriftelike goedkeuring van die Raad, genoemde woning of enige belang wat hy daarin het, verkoop, verhuur, verpand of dit op enige wyse beswaar of daarvan afstand doen nie. Alhoewel die Raad die volle reg het om sy toestemming te gee of te weier, verklaar die Raad hierby dat hy, in die gewone loop van sake, sy toestemming sal gee, mits —

- (a) die persoon aan wie dit die voorneme is om die woning of die belang daarin oor te dra deur die Raad goedgekeur word; en
- (b) reëlings tot tevredenheid van die Raad getref word om sy belang, soos in paragraaf XIII van hierdie ooreenkoms omskryf, te beskerm.

Die bepalinge van hierdie paragraaf is ook van toepassing ingeval die Koper sterf en sy boedel die woning of die belang daarin aan enige erfgenaam, voog van 'n erfgenaam of 'n ander koper wil oordra, maar as die Koper se regte nie binne ses maande na die dood van die Koper deur 'n goedgekeurde persoon oorgeneem word nie, kan die Raad hierdie ooreenkoms intrek, en in dié geval is die bepalinge van paragraaf XV van hierdie ooreenkoms van toepassing.

XVIII

Nadat die Koper die volle koopprys en alle ander bedrae deur hom aan die Raad verskuldig, betaal het, moet sy woonpermit deur 'n perseelpermit vervang word, en alle bepalinge van die lokasieregulasies met betrekking tot perseelpermitte en die intrekking daarvan is *mutatis mutandis* van toepassing op die perseelpermit wat ingevolge hierdie paragraaf aan die Koper uitgereik word, en die woning met verbeterings word beskou asof dit in die eerste plek deur die Koper opgerig is en daarmee word dienoooreenkomsig gehandel. Die Koper moet alle pligte en verpligtinge wat by genoemde regulasies, soos van tyd tot tyd gewysig, die houder van 'n perseelpermit opgelê word, nakom, en indien hy versuim om sodanige verpligtinge na te kom, is die Koper strafbaar met al die strawwe en sanksies by genoemde regulasies opgelê.

Aldus ooreengekom en geteken te Gobabis op die ..... dag van ..... 19.....

Stadsklerk.

Burgemeester.

AS GETUIES:

- 1. ....
- 2. ....

Aldus ooreengekom en geteken te Gobabis op die ..... dag van ..... 19.....

Koper.

AS GETUIES:

- 1. ....
- 2. ....