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VAN SUIDWES-AFRIKA



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Government Notice

Goewermentskennisgewing

The following Government Notice is published for general information.

H. P. F. GOUS,
Secretary for South West Africa.

Administrator's Office,
Windhoek

No. 202]

[8 June 1977

ORDINANCE, 1977: PROMULGATION OF

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

No. 10 of 1977 Town Planning Amendment Ordinance, 1977

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

H. P. F. GOUS,
Sekretaris van Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

No. 202]

[8 Junie 1977

ORDONNANSIE, 1977: UITVAARDIGING VAN

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

No. 10 van 1977 Dorpsbeplanningswysigingsordonnansie, 1977

**No. 10 of 1977 TOWN PLANNING AMENDMENT ORDINANCE,
1977**

(Assented to 6 June 1977)

(Afrikaans text signed by the Deputy Administrator)

(Date of commencement 8 June 1977; sec. 2:1 December 1976)

ORDINANCE

To amend the Town Planning Ordinance, 1954, so as to make provision that the requirements which are to be met in the case of an original town planning scheme may be relaxed in the case of a variation thereof; and to further regulate the ways of service of a prohibition on the erection of buildings.

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

Amendment of section 27 of Ordinance 18 of 1954.

1. Section 27 of the Town Planning Ordinance, 1954 (hereinafter referred to as the principal Ordinance), is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) An approved scheme may be varied, otherwise than by way of extension of the area to which the scheme applies, or it may be revoked, by a subsequent scheme prepared and approved in accordance with this Ordinance and any regulations made thereunder: Provided that the Executive Committee may, at the request of the local authority or joint committee, as the case may be, in respect of any such variation or revocation, grant exemption from compliance with the provisions of sections 7(2) and 15, subject to such conditions as the Executive Committee may deem necessary.”

Amendment of section 48A of Ordinance 18 of 1954, as inserted by section 6 of Ordinance 11 of 1973, and substituted by section 1 of Ordinance 23 of 1973.

2. Section 48A of the principal Ordinance is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) If the Executive Committee after consultation with the board is of the opinion that the steps taken or intended to be taken in connection with the erection of a building or buildings on any land, other than for *bona fide* farming operations, form or are likely to form the nucleus of a township, it may, notwithstanding the provisions of any other law, prohibit the erection of any such building or buildings on such land by causing a suitable notice to owners of such land to be published in two consecutive editions of the *Official Gazette* and once a week for two consecutive weeks in an Afrikaans and in an English newspaper circulating in the district in which the land is situated, and where the address of an owner of such land is known, by

**No. 10 of 1977 TOWN PLANNING AMENDMENT ORDINANCE,
1977**

causing a suitable written notice to be sent to his address by certified mail.”

Date of commencement of section 2.

3. Section 2 of this Ordinance shall be deemed to have come into operation on 1 December 1976.

Short title.

4. This Ordinance shall be called the Town Planning Amendment Ordinance, 1977.