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BUITENGEWONE
OFFISIËLE KOERANT
VAN SUIDWES-AFRIKA

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PROCLAMATION

by the

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

(Approved by the State President on 18 October 1977)

No. A.G. 5 1977

REPEAL AND AMENDMENT OF LAWS

Under the powers vested in me by Proclamation 181 of 19 August 1977, I hereby make the laws set out in the Schedule.

M. T. STEYN,
Administrator-General Windhoek, 19 October 1977

SCHEDULE

Amendment of Native Reserve Regulations

1. The Native Reserve Regulations published in the *Official Gazette* under Government Notice 68 of 22 May 1924, as amended, are hereby amended —

(a) by the deletion in regulation 3 of the words "issuing passes";

(b) by the deletion in regulation 4 of the words "or entering", and the substitution in that regulation for the words "coming into" of the words "residing in";

(c) by the deletion of regulation 13;

PROKLAMASIE

deur die

ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

(Deur die Staatspresident goedgekeur op 18 Oktober 1977)

No. A.G. 5 1977

HERROEPING EN WYSIGING VAN WETTE

Kragtens die bevoegdheid my verleen by Proklamasie 181 van 19 Augustus 1977, maak ek hierby die wette in die Bylae vervat.

M. T. STEYN,
Administrateur-generaal Windhoek, 19 Oktober 1977

BYLAE

Wysiging van Naturellereserwe Regulasies

1. Die Naturellereserwe Regulasies in die *Offisiële Koerant* by Goewermentskennisgewing 68 van 22 Mei 1924 afgekondig, soos gewysig, word hierby gewysig —

(a) deur in regulasie 3 die woorde "passe uit te reik" te skrap;

(b) deur in regulasie 4 die woorde "of besoekers" te skrap, en die woorde "die reserwe inkom of verlaat" deur die woorde "in die reserwe woon of daaruit vertrek" te vervang;

(c) deur regulasie 13 te skrap;

(d) by the substitution for the words "reside or be within, or enter", wherever they appear in regulation 14(1), of the words "or reside within"; and

(e) by the deletion of regulations 14 (2), 27 *bis* and 32.

Amendment of section 1 of Proclamation 56 of 1951

2. Section 1 of the Natives (Urban Areas) Proclamation, 1951 (hereinafter referred to as the Urban Areas Proclamation), is hereby amended by the substitution in the definition of "authorised officer" for the words "to demand the production of documents under" of the words "for the purposes of".

Amendment of section 2 of Proclamation 56 of 1951

3. Section 2 of the Urban Areas Proclamation is hereby amended by the deletion of paragraph (f) of subsection (1).

Amendment of section 9 of Proclamation 56 of 1951

4. Section 9 of the Urban Areas Proclamation is hereby amended —

(a) by the deletion in subsection (2) of the words "but any native may be required by an authorized officer to produce proof that he falls within one of the classes hereby exempted, and if upon demand he fails to produce such proof to the officer, he shall *prima facie* be presumed not to be so exempted"; and

(b) by the insertion after that subsection of the following subsection:

(c) "(2) *bis* If, in any prosecution for contravening or failing to comply with a notice under subsection (1) or the provisions of subsection (3) or (4), it is alleged in the charge that the accused or any native to whose accommodation the charge relates, as the case may be, was not exempted in terms of subsection (2) at any relevant time, it shall be presumed, until the contrary is proved, that he was not so exempted at that time.".

Repeal of sections 10 to 12 of Proclamation 56 of 1951

5. Sections 10, 10 *bis*, 11 and 12 of the Urban Areas Proclamation are hereby repealed.

Amendment of section 17 of Proclamation 56 of 1951, as amended by section 7 of Ordinance 25 of 1954

6. Section 17 of the Urban Areas Proclamation is hereby amended by the deletion in paragraph (a) of

(d) deur in regulasie 14 (1) die woorde "woon, of wees, of sodanige reserwe binnekom" en die woorde "woon, of is, of sodanige reserwe binnekom" deur die woorde "of woon" te vervang; en

(e) deur regulasies 14 (2), 27 *bis* en 32 te skrap.

Wysiging van artikel 1 van Proklamasie 56 van 1951

2. Artikel 1 van die Proklamasie op Inboorlinge in Stedelike Gebiede, 1951 (hieronder die Stadsgebiede-proklamasie genoem), word hierby gewysig deur in die omskrywing van "beampte" die woorde "om dokumente op te eis kragtens" deur die woorde "vir die doeleindes van" te vervang.

Wysiging van artikel 2 van Proklamasie 56 van 1951

3. Regulasie 2 van die Stadsgebiedeproklamasie word hierby gewysig deur paragraaf (f) van subartikel (1) te skrap.

Wysiging van artikel 9 van Proklamasie 56 van 1951

4. Artikel 9 van die Stadsgebiedeproklamasie word hierby gewysig —

(a) deur in subartikel (2) die woorde "maar 'n gemagtigde kan van 'n Inboorling bewys eis dat hy ressorteer onder 'n kategorie wat hierby vrygestel word, en indien sodanige Inboorlinge dan geen sodanige bewys kan lewer nie, word daar aangeneem *prima facie* dat hy nie aldus vrygestel is nie"; en

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

"(2) *bis* Indien daar, by 'n vervolging weens oortreding van of versuim om te voldoen aan 'n kennisgewing kragtens subartikel (1) of the bepalings van subartikel (3) of (4), in die klag beweer word dat die beskuldigde of 'n Inboorling op wie se huisvesting die klag betrekking het, na gelang van die geval, op enige tersaaklike tydstip nie ingevolge subartikel (2) vrygestel was nie, word daar vermoed, totdat die teendeel bewys word, dat hy op daardie tydstip nie aldus vrygestel was nie.".

Herroeping van artikels 10 tot 12 van Proklamasie 56 van 1951

5. Artikels 10, 10 *bis*, 11 en 12 van die Stadsgebiede-proklamasie word hierby herroep.

Wysiging van artikel 17 van Proklamasie 56 van 1951, soos gewysig deur artikel 7 van Ordonnansie 25 van 1954

6. Artikel 17 van die Stadsgebiedeproklamasie word hierby gewysig deur in paragraaf (a) van subartikel (9)