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Goewermentskennisgewing

Government Notice

Kantoor van die

ADMINISTRATEUR-GENERAAL VIR DIE
GEBIED SUIDWES-AFRIKA

DEPARTEMENT VAN VERDEDIGING

No. AG. 149 1980

Proklamasie 198 van 1980 van die Staatspresident van die Republiek van Suid-Afrika in *Staatskoerant* 7259 van 17 Oktober 1980 gepubliseer, word hierby ter inligting gepubliseer.

PROKLAMASIE

van die

STAATSPRESIDENT VAN DIE REPUBLIEK VAN
SUID-AFRIKA

No. 198, 1980

PROKLAMASIE OM IN SUIDWES-AFRIKA
DIENSPILIG INGEVOLGE DIE VERDEDIGINGS-
WET, 1957, UIT TE BREI

Kragtens die bevoegdheid my verleen by artikel 38 van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968), maak ek hierby die wette in die Bylae vervat.

Office of the

ADMINISTRATOR-GENERAL FOR THE
TERRITORY OF SOUTH WEST AFRICA

DEPARTMENT OF DEFENCE

No. AG. 149 1980

Proclamation 198 of 1980 by the State President of the Republic of South Africa published in *Gazette* 7259 of 17 October 1980, is hereby published for information.

PROCLAMATION

by the

STATE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA

No. 198, 1980

PROCLAMATION TO EXTEND IN SOUTH WEST
AFRICA LIABILITY FOR SERVICE IN TERMS
OF THE DEFENCE ACT, 1957

Under the powers vested in me by section 38 of the South West Africa Constitution Act, 1968 (Act 39 of 1968), I hereby make the laws set out in the Schedule.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die sewende dag van Oktober eenduisend negehonderd-en-tagtig.

M. VILJOEN
Staatspresident

Op las van die Staatspresident-in-rade:

P. W. BOTHA

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this seventh day of October one thousand nine hundred and eighty.

M. VILJOEN
State President

By order of the State President-in-Council:

P. W. BOTHA

BYLAE

Toepassing van Wet 44 van 1957 in Suidwes-Afrika

1. (1) By die toepassing van die Verdedigingswet, 1957 (hieronder die Wet genoem), in die gebied Suidwes-Afrika ingevolge artikel 153 daarvan —

- (a) word dit geag dat paragraaf (a) van subartikel (1) van artikel 2 daarvan ook van toepassing is op 'n lid van die Nasionale Vergadering van Suidwes-Afrika, 'n uitvoerende owerheid, soos in artikel 1 van die Proklamasie op Verteenwoordigende Owerhede, 1980 (Proklamasie AG. 8 van 1980), omskryf, 'n wetgewende owerheid, soos aldus omskryf, of die Kapteinsraad of Volksraad van Rehoboth;
- (b) word die woorde “of persone wat nie blankes, soos in artikel *een* van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf, is nie”, die woorde “of op persone wat nie blankes, soos aldus omskryf, is nie of enige kategorie van sulke persone” en die woorde “of iemand wat nie 'n blanke, soos aldus omskryf, is nie” in genoemde subartikel (1), geag nie deel van daardie artikel uit te maak nie;
- (c) word die woorde “blankes is, soos in die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf, en” in subartikel (3) van daardie artikel, geag nie deel van daardie artikel uit te maak nie en die verwysing in genoemde subartikel (3) na die Staatspresident, uitgelê as 'n verwysing ook na die Administrateur-generaal: Met dien verstande dat met betrekking tot die Administrateur-generaal 'n verwysing in daardie subartikel —
 - (i) na die *Staatskoerant*, uitgelê word as 'n verwysing na die *Offisiële Koerant* van die gebied Suidwes-Afrika;
 - (ii) na die Republiek, uitgelê word as 'n verwysing na die gebied Suidwes-Afrika;
- (d) word artikel 63 daarvan geag, gewysig te wees deur die byvoeging by subartikel (1) van die volgende paragraaf:

SCHEDULE

Application of Act 44 of 1957 in South West Africa

1. (1) In the application of the Defence Act, 1957 (hereinafter referred to as the Act), in the territory of South West Africa in terms of section 153 thereof —

- (a) it shall be deemed that paragraph (a) of subsection (1) of section 2 thereof shall apply also to a member of the National Assembly of South West Africa, an executive authority, as defined in section 1 of the Representative Authorities Proclamation, 1980 (Proclamation AG. 8 of 1980), a legislative authority, as so defined, or the Kaptein's Council of Legislative Council of Rehoboth;
- (b) the words “or persons who are not white persons as defined in section *one* of the Population Registration Act, 1950 (Act No. 30 of 1950)”, the words “or to such persons who are not white persons, as so defined, or any class of such persons” and the words “or any person who is not a white person as so defined” in the said subsection (1), shall be deemed not to form part of that section;
- (c) the words “white persons as defined in the Population Registration Act, 1950 (Act No. 30 of 1950), and are” in subsection (3) of that section, shall be deemed not to form part of that section and the reference in the said subsection (3) to the State President, shall be construed as including a reference to the Administrator-General: Provided that in relation to the Administrator-General a reference in that subsection —
 - (i) to the *Gazette*, shall be construed as a reference to the *Official Gazette* of the territory of South West Africa;
 - (ii) to the Republic, shall be construed as a reference to the territory of South West Africa;
- (d) section 63 thereof shall be deemed to be amended by the addition to subsection (1) of the following paragraph:

“(c) voor 1 Januarie 1981, indien hy op of na 1 Januarie 1956 maar voor 1 Januarie 1965 gebore is en in die gebied Suidwes-Afrika woonagtig is en nie ingevolge paragraaf (a) of (b) verplig was om aldus aansoek te doen nie.”.

“(c) before 1 January 1981, if he was born on or after 1 January 1956 but before 1 January 1965 and is resident in the territory of South West Africa and was not obliged to so apply in terms of paragraph (a) or (b).”.

(2) (a) Iemand in paragraaf (c) van subartikel (1) van artikel 63 van die Wet, soos ingevolge subartikel (1)(d) van hierdie artikel toegepas, bedoel, wat voor of op die datum van inwerkingtreding van hierdie Proklamasie ingevolge artikel 3 van die Wet op Identifikasie van Persone, 1979 (Wet 2 van 1979), van die Nasionale Vergadering van Suidwes-Afrika, om 'n identiteitsdokument aansoek gedoen het, word geag ingevolge daardie paragraaf, soos aldus toegepas, om registrasie aansoek te gedoen het.

(2) (a) Any person referred to in paragraph (c) of subsection (1) of section 63 of the Act, as applied in terms of subsection (1)(d) of this section, who has applied for an identity document in terms of section 3 of the Identification of Persons Act, 1979 (Act 2 of 1979), of the National Assembly of South West Africa, before or on the date of commencement of this Proclamation, shall be deemed to have applied for registration in terms of that paragraph, as so applied.

(b) 'n Verwysing in artikel 64 van die Wet na 'n adres wat ten tyde van 'n aansoek om registrasie ingevolge Hoofstuk VIII van die Wet op die betrokke aansoekvorm gemeld moet word, word, met betrekking tot 'n persoon in genoemde paragraaf (c) bedoel, uitgelê as 'n verwysing na die woonadres wat ten tyde van die in paragraaf (a) van hierdie subartikel bedoelde aansoek om 'n identiteitsdokument, op die aansoekvorm ten opsigte van die aldus bedoelde aansoek gemeld is.

(b) A reference in section 64 of the Act to an address which is, at the time of an application for registration in terms of Chapter VIII of the Act, required to be furnished on the relevant form of application, shall, in relation to a person referred to in the said paragraph (c), be construed as a reference to the residential address which has been furnished at the time of the application referred to in paragraph (a) of this subsection for an identity document, on the form of application in respect of the application so referred to.

(3) Die registrasiebeampte in artikel 62 van die Wet bedoel, stel so gou doenlik vir die doeleindes van registrasie in Hoofstuk VIII van die Wet bedoel, 'n lys op van alle persone wat, volgens inligting vervat in bedoelde identiteitsdokumente en die betrokke aansoeke om die uitreiking daarvan, ingevolge subartikel (2)(a) van hierdie artikel geag word aansoek om registrasie ingevolge paragraaf (c) van subartikel (1) van artikel 63 van die Wet, soos deur subartikel (1)(d) van hierdie artikel toegepas, te gedoen het.

(3) The registering officer referred to in section 62 of the Act shall as soon as possible for the purposes of registration referred to in Chapter VIII of the Act, compile a list of all persons who, according to information contained in the said identity documents and the relevant applications for the issue thereof, in terms of subsection (2)(a) of this section are deemed to have applied for registration in terms of paragraph (c) of subsection (1) of section 63 of the Act, as applied by subsection (1)(d) of this section.

Kort titel

2. Hierdie Proklamasie heet die Tweede Proklamasie op Verdedigingsaangeleenthede in Suidwes-Afrika, 1980.

Short title

2. This Proclamation shall be called the Second Defence Matters in South West Africa Proclamation, 1980.