



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$0,90

WINDHOEK — 28 October 1994

No. 961

Advertisements

PROCEDURE FOR ADVERTISING IN THE GOVERNMENT GAZETTE OF THE REPUBLIC OF NAMIBIA

1. The *Government Gazette* (Estates) containing advertisements, is published on every Friday. If a Friday falls on a Public Holiday, this *Government Gazette* is published on the preceding Thursday.

2. Advertisements for publication in the *Government Gazette* (Estates) must be addressed to the Government Gazette Office, P.B. 13302, Windhoek, or be delivered at Cohen Building, Ground Floor, Casino Street entrance, Windhoek, not later than 15:00 on the ninth working day before the date of publication of this *Government Gazette* in which the advertisement is to be inserted.

3. Advertisements are published in this *Government Gazette* for the benefit of the public and must be furnished in English by the advertiser or his agent.

4. Only legal advertisements shall be accepted for publication in the *Government Gazette* (Estates) and are subject to the approval of the Permanent Secretary, Ministry of Justice, who may refuse the acceptance of further publication of any advertisement.

5. The Ministry of Justice reserves the right to edit and revise copy and to delete therefrom any superfluous detail.

6. Advertisements must as far as possible be typewritten. The manuscript of advertisements must be written on one side of the paper only and all proper nouns plainly inscribed. In the event of any name being incorrectly printed as a result of indistinct writing, the advertisement can only be reprinted on payment of the cost of another insertion.

7. No liability is accepted for any delay in the publication of advertisements/notices, or for the publication of such on any date other than that stipulated by the advertiser. Similarly no liability is accepted in respect of any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

8. The advertiser will be held liable for all compensation and costs arising from any action which may be instituted against the Government of Namibia as a result of the publication of a notice with or without any omission, errors, lack of clarity or in any form whatsoever.

9. The subscription for the *Government Gazette* is N\$90,00 plus GST per annum, post free in the Republic of Namibia and the Republic of South Africa, obtainable from Windhoek Printers (Pty) Ltd., P.O. Box 1707, Windhoek. Postage must be prepaid by overseas subscribers. Single copies of the *Government Gazette* are obtainable from Windhoek Printers (Pty) Ltd., P.O. Box 1707, Windhoek, at the price as printed on copy. Copies are kept in stock for two years only.

10. The charge for the insertion of notices is as follows and is payable in the form of cheques, postal or money orders:

LIST OF FIXED TARIFF RATES

STANDARDISED NOTICES	Rate per insertion N\$
Transfer of business	12,00
Deeds: Lost documents	22,00
Business notices	18,00
Administration of Estates Acts Notices, Forms J 187, 193, 197, 295, 297, 517 and 519	8,00
Third party insurance claims for compensation ...	9,00
Insolvency Act and Company Acts Notices: J.28, J. 29. Forms 1 to 9	15,00

J.B. — Forms 2 and 6 — additional statements according to word count table, added to the basic traffic.	
Change of name (two insertions)	108,00
Naturalisation notices (including a reprint for the advertiser)	8,00
Unclaimed moneys — only in the <i>Government Gazette</i> , closing date 15 January (per entry of "name, address and amount")	3,00
Butchers' notices	18,00
Lost life insurance policies	8,00
NON-STANDARDISED NOTICES	
Company notices:	N\$
Short notices: Meetings, resolutions, offers of compromise, conversions of companies, voluntary windings-up, et.: closing of members' registers for transfer and/or declarations of dividends	40,00
Declaration of dividends with profit statements, including notes	90,00
Long notices: Transfers, changes in respect of shares or capital, redemptions, resolutions, voluntary liquidations	120,00

Trade marks in Namibia	40,00
Liquidators' and other appointees' notices	25,00

SALES IN EXECUTION AND OTHER PUBLIC SALES:

Sales in execution	65,00
Public auctions, sales and tenders:	
Up to 75 words	22,00
76 to 250 words	54,00
251 to 350 words	82,00

ORDERS OF THE COURT:

Provisional and final liquidations or sequestrations	50,00
Reduction or change in capital mergers, offers of compromise	120,00
Judicial managements, <i>curator bonis</i> and similar and extensive <i>rule nisi</i>	120,00
Extension of return date	15,00
Supersession and discharge of petitions (J. 158)	15,00

11. The charge for the insertion of advertisements other than the notices mentioned in paragraph 10 is at the rate of N\$3,00 per cm double column. (Fractions of a cm must be calculated as a cm).

12. No advertisements shall be inserted unless the charge is prepaid. Cheques, drafts, postal or money orders must be made payable to the Ministry of Justice, Private Bag 13302, Windhoek.

FORM J 187**LIQUIDATION AND DISTRIBUTION ACCOUNTS IN DECEASED ESTATES LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965, notice is hereby given that copies of the liquidation and distribution accounts (first and final, *unless otherwise stated*) in the estates specified below will be open for the inspection of all persons interested therein for a period of 21 days (or shorter or longer *if specially stated*) from the date specified or from the date of publication hereof, whichever may be the later, and at the offices of the Master and Magistrates as stated.

Should no objection thereto be lodged with the Master concerned during the specified period, the executors will proceed to make payments in accordance with the accounts.

149/94 KÜNZEL Oskar Ernst, 100416 50 1900 2, No. 22, 7th Street, Walvis Bay. Olga Maria Künzel, 160525 00 1100 9. First and Final. Walvis Bay, Windhoek. Van der Merwe & Olivier, No. 157, 7th Street, P.O. Box 57, Walvis Bay.

588/94 HALBERSTADT Lina Luise Elizabeth Gerda, 191221 01 0001 3, Farm Tiefwasser, district Grootfontein. Standard Bank Namibia Ltd., (Registered Bank), Trustee Branch, P.O. Box 2164, Windhoek.

449/94 HILLEKE Wolfgang, 200119 50 1910 0, Walvis Bay. Walvis Bay, Windhoek. First National Trust, P.O. Box 448, Windhoek.

557/94 KASDORF Friedrich Otto Berthold Willi, 111119 01 0006 1, Swakopmund. Swakopmund, Windhoek. First National Trust, P.O. Box 448, Windhoek.

516/93 WILLERS Gertruida Magdalena, 171114 00 0500 1, Kamanjab. Outjo, Windhoek. First National Trust, P.O. Box 448, Windhoek.

458/94 MÜLLER Friedrich Willy, 030419 50 1600 7, Walvis Bay. Anny Margarethe Lucie Müller (born Brüggess), 120709 00 1600 7. Walvis Bay, Windhoek. Standard Bank Namibia Ltd., (Registered Bank), Trustee Branch, P.O. Box 2164, Windhoek.

27/94 SCHLABITZ Hans Heinrich, 410312 01 0027 1, Windhoek. Amended. Windhoek. Klaus Nieft, Executor, c/o Keller & Neuhaus Trust Co. (Pty) Ltd., P.O. Box 156, Windhoek.

273/94 BOTHA Jacobus Jordaan, 470615 01 0046 0, Windhoek. Windhoek. D.J. Bruni, Investment Trust Co. (Pty) Ltd., P.O. Box 21204, Windhoek.

542/94 NOLTE Andreas Jacobus, 320901 01 0006 2, Karasburg. Hester Wilhelmina Nolte. Karasburg, Windhoek. Bank Windhoek Ltd., (Estate and Trust Department), P.O. Box 15, Windhoek.

437/94 VOIGTS Gustav Adolf Joachim, 070320 01 0004 5, No. 20 Love Street, Windhoek. Windhoek. Mrs. E.S.L.H. Voigts, c/o P.O. Box 2093, Windhoek.

565/94 LOUW Barend, 630718 08 8004 51, P.O. Box 24029, Windhoek. Eileen Veronica Louw. Raysar Trust (Pty) Ltd., P.O. Box 24029, Windhoek.

FORM J 193

**NOTICE TO CREDITORS IN
DECEASED ESTATES**

All persons having claims against the estates mentioned below are hereby called upon to lodge their claims with the executors concerned, within 30 days (or otherwise as indicated) calculated from the date of publication hereof. The information is given in the following order: Estate number, surname and christian names, date of birth, identity number, last address, date of death; surviving spouse's names, surname, date of birth and identity number; name and address of executor or authorised agent, period allowed for lodgement of *claims if other than 30 days*.

DE KOCK Willem Adriaan, Windhoek, 21 April 1946, 460421 01 0019 6, Grootfontein, 31 August 1994. Maria Gertruida de Kock. Bank Windhoek Ltd., (Estate and Trust Department), P.O. Box 15, Windhoek.

636/94 WINDISCH Wilhelm Peter, Windhoek, 17 May 1931, 310517 01 0043, Walvis Bay, 8 September 1994. Sonia Velda Windisch. Bank Windhoek Ltd., (Estate and Trust Department), P.O. Box 15, Windhoek.

635/94 VAN DER MERWE Nicolaas Johannes, Windhoek, 12 May 1945, 450512 01 0024 3, Windhoek, 25 June 1994. Bank Windhoek Ltd., (Estate and Trust Department), P.O. Box 15, Windhoek.

633/94 BURGER Andrew Petrus, Windhoek, 12 October 1967, Windhoek, 21 August 1994. Bank Windhoek Ltd., (Estate and Trust Department), P.O. Box 15, Windhoek.

KOK (born Van der Smit) Martha Maria, Windhoek, 14 September 1908, 080914 01 0001 8, Karl Albrecht Old Age Home, Grootfontein, 16 September 1994. Standard Bank Namibia Ltd., (Registered Bank), Trustee Branch, P.O. Box 2164, Windhoek.

DEMBOWSKY Marie Karoline Johanna, Windhoek, 20 November 1906, 061120 00 1010 0, Windhoek, 24 September 1994. Standard Bank Namibia Ltd., (Registered Bank), Trustee Branch, P.O. Box 2164, Windhoek.

SCHULTZ (born Bartholomae) Ingeborg, Windhoek, 4 November 1934, 341104 01 0003 0, Grootfontein, 3 September 1994. Standard Bank Namibia Ltd., (Registered Bank), Trustee Branch, P.O. Box 2164, Windhoek.

HAYES Hermanus Carl Venter, Windhoek, 1 June 1951, 510601 01 0053 2, Mariental, 3 September 1994. Standard Bank Namibia Ltd., (Registered Bank), Trustee Branch, P.O. Box 2164, Windhoek.

628/94 MEYER Johanna Catherina, Windhoek, 5 May 1907, 070505 01 0006 6, Plot K10, Mariental, 1 September 1994. Deceased. Mr. K. Niefert as Nominee of Nambank Trust (Pty) Ltd., Levinson Arcade, Trip Centre, P.O. Box 156, Windhoek.

616/94 BREEDT Petrus Gerhardus, Windhoek, 16 November 1946, 461116 01 0023 4, Farm Volstruispan, Grootfontein, 9 August 1994. Anna Catharina Breedt, 15 October 1950, 501015 01 0061 1. Mr. K. Niefert as Nominee of Nambank Trust (Pty) Ltd., Levinson Arcade, Trip Centre, P.O. Box 156, Windhoek.

637/94 BEZUIDENHOUDT Michael Stephanus, Windhoek, 31 March 1965, 650331 08 0003 0, Erf 945, Otjomuise, 25 September 1994. Cecilia Wilhelmina Bezuidenhoudt, 720823 00 0022 6. Raysar Trust (Pty) Ltd., P.O. Box 24029, Windhoek.

618/94 ROELF Andries Johannes, Windhoek, 17 November 1917, 171117 08 0003 3, Lekkerlag, Bondels Reserve, District Karasburg, 6 August 1994. Johanna Carolina Roelf (born Rooi), 2 February 1920, 200202 08 0041 0. Rissik & Cox, Authorised Agent, 10th Avenue, P.O. Box 8, Karasburg. J.C. Roelf, c/o Rissik & Cox, 10th Avenue, P.O. Box 8, Karasburg.

613/94 THIELE Hannelore, Windhoek, 4 October 1920, 201004 01 0006 9, District Grootfontein, 28 August 1994. Van der Westhuizen & Greeff, P.O. Box 47, Otjiwarongo.

605/94 HANCOCK Thomas Mark, Windhoek, 24 November 1913, 131124 01 0003 1, Farm Nadas, District Outjo, 5 September 1994. Van der Westhuizen & Greeff, P.O. Box 47, Otjiwarongo.

NOTICE

**ESTATE OF THE LATE
K. BURMEISTER
Master's Reference No. 33/94**

The First and Final Liquidation & Distribution Account in the above Estate will lie for inspection at the offices of the Master of the High Court, Windhoek for 21 (twenty-one) days from 28 October 1994.

**B. BURMEISTER
EXECUTOR
c/o ENGLING, STRITTER & PARTNERS
5th Floor, CDM Centre
Bülow Street
P.O. Box 43
Windhoek**

FORM NO. 2**MEETING OF CREDITORS IN
SEQUESTERED ESTATES OR
COMPANIES BEING WOUND UP**

Pursuant to sections *forty-one* and *forty-two* of the Insolvency Act, 1936, notice is hereby given that a meeting of creditors will be held in the sequestered estates or companies being wound up mentioned below, on the dates, at the times and places and for the purpose thereof.

Meetings in a town in which there is a Master's office, will be held before the Master; elsewhere they will be held before the Magistrate.

The particulars are given in the following order: The number of estate/company; the name and description of estate/company; the date, hour and place of meeting and the purpose of the meeting.

W14/94 Insolvent Estate **W.J.J. van der Merwe**. 2 November 1994, at 10:00, at the Office of the Master of the High Court, Windhoek. Special Meeting - proof of further claims. Investment Trust Co. (Pty) Ltd., P.O. Box 21204, Windhoek.

W1/94 Insolvent Estate **Cecil John Smith**. 11 November 1994, at 09:00, Magistrate's Court, Keetmanshoop. Further proof of claims.

FORM J 29**FIRST MEETINGS OF CREDITORS,
CONTRIBUTORIES, MEMBERS OR
DEBENTURE-HOLDERS OF SEQUESTERED
ESTATES, COMPANIES BEING WOUND UP
OR PLACED UNDER PROVISIONAL
JUDICIAL MANAGEMENT**

The estates and companies mentioned below having been placed under sequestration, being wound up or having been placed under provisional judicial management by order of the High Court of NAMIBIA, the Master of the High Court hereby gives notice pursuant to sections 17(4) and 40(1) of the Insolvency Act, 1936, and section 356(1), 364(1) and 429 of the Companies Act, 1973, that a first meeting of creditors, contributories, members or debenture-holders of the said estates or companies will be held on the dates and at the times and places mentioned below, for proof of claims against the estates or companies, the election of trustees, liquidators or judicial managers or provisional judicial managers or for the purposes referred to in section 364 or 431 of Act 61 of 1973, as the case may be.

W28/94 **Galaxy Trading (Pty) Ltd.** Provisional order: 25 August 1994. Final order: 7 October 1994. 9 November 1994, 10:00, Master's Office, Windhoek.

W30/94 **Paperworld (Pty) Ltd.** Provisional order: 9 September 1994. Final order: 14 October 1994. 9 November 1994, 10:00, Master's Office, Windhoek.

**NOTICE OF DISSOLUTION OF PARTNERSHIP
AND TRANSFER OF BUSINESS**

NOTICE IS HEREBY GIVEN that the partnership of **DR. CHRISTOPHER SPENCER REISS** and **JEF-FREY ALAN WELSH** under the name and style of **TITANIC ENTERPRISES t/a SCANDALS** at Erf No. 215, No. 2 Roon Street, Swakopmund, has been dissolved with effect from 30 September 1994 from which date **DR. CHRISTOPHER SPENCER REISS** will continue to trade under the name of **TITANIC ENTERPRISES t/a SCANDALS** at the same address for his own account.

This publication will serve as due notice having been given in terms of Section 34 of the Insolvency Act No. 24 of 1936, and furthermore that after publication of this notice the said **DR. CHRISTOPHER SPENCER REISS** will apply to the Magistrate for the district of Swakopmund for the transfer of the trading licence in respect of the aforesaid business into his name.

DATED at SWAKOPMUND this 4th day of October 1994.

AHRENS & CO.
ATTORNEYS FOR THE PARTIES
18 Roon Street
Haus Germania
P.O. Box 1261
Swakopmund

TRANSFER OF LICENCE

BE PLEASED TO TAKE NOTICE that application will be made 14 (FOURTEEN) days after publication of this Notice at the Licensing Court, Windhoek for the transfer of the **Restaurant trading licence** held by **PIETER LANGENHOVEN** who traded under the name and style of **CAFE SANDWICH** at Erf 5518, Shop No. 9, Gustav Voigt Centre, Independence Avenue, Windhoek, to **JACOMINA ELIZABETH HEAD** who will carry on business for her own account under the name **THE CAULDRON** at the same address.

This publication shall also serve as Notice being given in terms of Section 34 of the Insolvency Act 24 of 1936 (as amended).

DATED at WINDHOEK on this 14th day of October 1994.

SGD.: **R.P. BEHRENS**
BEHRENS & PFEIFFER
Schoemanshoek Building
310 Sam Nujoma Drive
Windhoek

NOTICE OF TRANSFER OF BUSINESS

BE PLEASED TO TAKE NOTICE that **DEON POSTHUMA** who traded under the name and style of **S.W. MOTORS** at cnr. Ausspans Street and Rehobother Road, Windhoek, intends to sell the entire business of **S.W. MOTORS** to **HENDRIK JACOBUS BISCHOFF** and **PETRUS JACOBUS WIESE** who will continue to carry on trading on the same premises above referred to for their own account under the name of **CAPITAL CAR CENTRE**. The sale will become effective on the 31st day after publication of this advertisement.

This publication will also serve as notice being given in terms of Section 34 of the Insolvency Act No. 24 of 1936.

P.F. KOEP & COMPANY
ATTORNEYS FOR APPLICANT
1st Floor, Acme Corner
Kasino Street
P.O. Box 3516
Windhoek

IN THE HIGH COURT OF NAMIBIA

In the matter between:

SWA BUILDING SOCIETY	Plaintiff
and	
CORNELIA METUMO	Defendant
MWAPANGASHA	

NOTICE OF SALE IN EXECUTION

Pursuant to a Judgement of the above Honourable Court granted on the 30th day of September 1994, the following immovable property will be sold without reserve and "voetstoots" by the Deputy Sheriff of the District of Windhoek on **Thursday, the 17th day of November 1994, at 10:30, at Erf No. 1399, Khomasdal, (Extension No. 15), Sigma Street, Windhoek.**

CERTAIN Erf No. 1399, Khomasdal,
(Extension No. 15);

SITUATE In the Municipality of Windhoek
Registration Division "K".

The "Conditions of Sale-in-Execution" will lie for inspection at the office of the Deputy Sheriff at Windhoek and at the Head Office of Plaintiff at Windhoek and Plaintiff's Attorneys, Fisher, Quarmby & Pfeifer, at the undermentioned address.

DATED at WINDHOEK this 19th day of October 1994.

FISHER, QUARMBY & PFEIFER
ATTORNEY FOR PLAINTIFF
108 SWABS Building
Post Mall
P.O. Box 37
Windhoek

IN THE HIGH COURT OF NAMIBIA

In the matter between:

SWA BUILDING SOCIETY	Plaintiff
and	
INGEBORG THERESIA	Defendant
ENGELBRECHT	

NOTICE OF SALE IN EXECUTION

Pursuant to a Judgement of the above Honourable Court granted on the 30th day of September 1994, the following immovable property will be sold without reserve and "voetstoots" by the Deputy Sheriff of the District of Windhoek on **Thursday, the 17th day of November 1994, at 10:00, at Erf No. 1992, Klein Windhoek, (a Portion of Erf No. 99), Berg Street, Windhoek.**

CERTAIN Erf No. 1992, Klein Windhoek
(a Portion of Erf No. 99);

SITUATE In the Municipality of Windhoek
Registration Division "K".

The "Conditions of Sale-in-Execution" will lie for inspection at the office of the Deputy Sheriff at Windhoek and at the Head Office of Plaintiff at Windhoek and Plaintiff's Attorneys, Fisher, Quarmby & Pfeifer, at the undermentioned address.

DATED at WINDHOEK this 19th day of October 1994.

FISHER, QUARMBY & PFEIFER
ATTORNEY FOR PLAINTIFF
108 SWABS Building
Post Mall
P.O. Box 37
Windhoek

IN THE HIGH COURT OF NAMIBIA

In the matter between:

SWA BUILDING SOCIETY	Plaintiff
and	
BARTHOLOMEUS GAINGOB	Defendant

NOTICE OF SALE IN EXECUTION

Pursuant to a Judgement of the above Honourable Court granted on the 23rd day of September 1994, the following immovable property will be sold without reserve and "voetstoots" by the Deputy Sheriff of the District of Outjo on **Wednesday, the 16th day of November 1994, at 10:00, at Erf No. 184, Etoshapoort..**

CERTAIN Erf No. 184, Etoshapoort;

SITUATE In the Municipality of Outjo
Registration Division "A".

The "Conditions of Sale-in-Execution" will lie for inspection at the office of the Deputy Sheriff at Outjo and at the Head Office of Plaintiff at Windhoek and Plaintiff's Attorneys, Fisher, Quarmbly & Pfeifer, at the undermentioned address.

DATED at WINDHOEK this 19th day of October 1994.

FISHER, QUARMBLY & PFEIFER
ATTORNEY FOR PLAINTIFF
108 SWABS Building
Post Mall
P.O. Box 37
Windhoek

be furnished to the Deputy Sheriff within 14 days after the date of sale.

The full conditions of the sale will be read out by the Deputy Sheriff on the day of the sale, but may be inspected at any time prior to the sale at the offices of the Deputy Sheriff or at the offices of the Plaintiff's Attorneys.

DATED at WINDHOEK this 12th day of October 1994.

PER: J.A. AGENBACH
P.F. KOEP & COMPANY
ATTORNEYS FOR PLAINTIFF
1st Floor, Acme Corner
Kasino Street
Windhoek

IN THE HIGH COURT OF NAMIBIA

In the matter between:

THE SOUTHERN LIFE ASSOCIATION LIMITED Plaintiff

and

ALFREDA RACHEL ELIZABETH KLOPPERS First Defendant

IGNATIUS BENEDICT KLOPPERS Second Defendant

NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY

In execution of a Judgement of the above Honourable Court in the abovementioned suit, a sale will be held **on Thursday, the 17th of November 1994, at 09:00, at Erf 346, No. 45 Amasoniet Street, Erosark, Windhoek**, of the undermentioned immovable property of the Defendant:

CERTAIN Erf 346, No. 45 Amasoniet Street, Erosark, Windhoek;

SITUATED In the Municipality of Windhoek Registration Division "K";

SECURED BY First Mortgage Bond held by SWA Building Society N\$155 100,00;
Second Mortgage Bond held by SWA Building Society N\$107 959,00;
Third Mortgage Bond held by SWA Building Society N\$10 500,00.

The property will be sold by the Deputy Sheriff of Windhoek subject to the Conditions of Sale which may be inspected at the Offices of the Deputy Sheriff to the highest bidder at the Auction subject to a reserve price, if any.

10% of the purchase price to be paid in cash on the date of the sale, the balance to be paid against transfer, to be secured by a Bank or Building Society or other acceptable guarantee to

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF WINDHOEK

HELD AT WINDHOEK CASE NO.: 844/94

In the matter between:

GERALD NICOLAAS DE WEE Plaintiff
and
JUSTICE GAROËB Defendant

NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY

In execution of a Judgement of the above Honourable Court in the abovementioned suit, a sale will be held **on Wednesday, the 9th of November 1994, at 14:00, at Erf 3387, Katutura Township, Windhoek**, of the undermentioned immovable property of the Defendant:

CERTAIN Erf 3387, Katutura Township, Windhoek;

SITUATED In the Municipality of Windhoek Registration Division "K";

BOND NO. B463/1990.

The property will be sold by the Messenger of the Court of Windhoek subject to the Conditions of Sale which may be inspected at the Offices of the Messenger of the Court to the highest bidder at the Auction subject to a reserve price, if any.

10% of the purchase price to be paid in cash on the date of the sale, the balance to be paid against transfer, to be secured by a Bank or Building Society or other acceptable guarantee to be furnished to the Messenger of the Court within 14 days after the date of sale.

The full conditions of the sale will be read out by the Messenger of the Court on the day of the sale, but may be

inspected at any time prior to the sale at the offices of the Messenger of the Court or at the offices of the Plaintiff's Attorneys.

DATED at WINDHOEK this 18th day of October 1994.

PER: J.A. AGENBACH
P.F. KOEP & COMPANY
ATTORNEYS FOR PLAINTIFF
1st Floor, Acme Corner
Kasino Street
Windhoek

**IN THE HIGH COURT OF NAMIBIA
WINDHOEK, FRIDAY, 14 OCTOBER 1994
BEFORE THE HONOURABLE
MR. JUSTICE O' LINN
A 216/94**

In the matter between:

SARIE SABINA DE WEE Applicant
(Born ISAACS)

in re:

GERT WILLEM DE WEE Respondent

Having heard Mr. Tötemeyer, Counsel for the Applicant and having read the Notice of Motion and other documents filed of record:

IT IS ORDERED

1. That a Rule nisi do hereby issue calling upon any interested parties to show cause, if any, to this Honourable Court on **Friday, 18 November 1994, at 10:00**, why an order in the following terms should not be made:
 - 1.1 Presuming the death of Gert Willem de Wee;
 - 1.2 Presuming the said Gert Willem de Wee to have died on the 7th of January 1981;
 - 1.3 That the marriage in community of property between the Applicant and Gert Willem de Wee shall be deemed to have been dissolved by death as from the 7th of January 1981;
 - 1.4 Further and/or alternative relief.
2. That the Rule nisi be published once in the Government Gazette as well as in one edition of the "Windhoek Advertiser" newspaper.

BY ORDER OF THE COURT

REGISTRAR
(J.C. VAN WYK)

IN THE HIGH COURT OF NAMIBIA

In the *ex parte* Application of:

JOHN JOHANNES BUYS First Applicant

and

JULINDA BUYS Second Applicant
(BORN HENDRICKS)

NOTICE OF MOTION

KINDLY TAKE NOTICE that the Applicants intend to apply to this Honourable Court on **Friday, 25 November 1994, or so soon thereafter as the Applicants' Counsel may be heard** for an Order in the following terms:

1. That the Applicants be allowed to register the Antenuptial Agreement which is attached as Annexure "JJB1" to the First Applicant's Affidavit, post-nuptially subject to the rights of all the existing creditors of the Applicants.
2. Further and/or alternative relief.

TAKE NOTICE THAT the accompanying Affidavits of John Johannes Buys (First Applicant), Julinda Buys (Second Applicant) and Donald Bester will be used in support of the Application.

Kindly place the matter on the Roll for hearing accordingly.

To:
THE REGISTRAR OF THE HIGH COURT
OF NAMIBIA
WINDHOEK

AND

To:
THE REGISTRAR OF DEEDS
DEEDS OFFICE
WINDHOEK

PROTOCOL NO.: _____

ANTENUPTIAL CONTRACT

BE IT HEREBY MADE KNOWN

THAT on this _____ day of _____ in the year of Our Lord, One Thousand Nine Hundred and

Ninety-four (1994) before me _____, WINDHOEK, REPUBLIC OF NAMIBIA Notary Public, by lawful witnesses, personally came and appeared JOSIAS ANDRIES AGENBACH in his capacity as the duly authorised agent of:

JOHN JOHANNES BUYS
(ID No. 630918 08 0080 3)
(a major married man of WINDHOEK, Republic of Namibia)

and

JULINDA BUYS (born HENDRICKS)
(ID No. 590910 08 0127 8)
(a major married woman of WINDHOEK, Republic of Namibia)

by virtue of a Power of Attorney dated at WINDHOEK on the 20th day of October 1994, which Power of Attorney now remains filed in my Protocol.

And the Appearer did declare, that whereas a marriage has been agreed upon between the said **JOHN JOHANNES BUYS** and the said **JULINDA BUYS** they have contracted and agreed as follows, to wit:-

FIRST That there shall be no community of property between the parties, but that he or she shall respectively retain and possess all his or her estate and effects, movable and immovable, in possession, expectancy or contingency, to which he or she has or may have, any eventual right or title, as fully and effectually as he or she might or would have had if the said marriage did not take place.

SECOND That the one of them shall not be answerable for the debts and engagements of the other of them; but that each shall be answerable for his or her own debts, contracted before and after the said marriage.

THIRD That all inheritances, legacies, gifts, or bequests, which may devolve upon, or be left, given, or bequeathed to either of them shall be the sole and exclusive property of him or her upon or to whom the same shall devolve or be left, given or bequeathed.

FOURTH That each of them shall be at full liberty to dispose of his or her property and effects, by will, codicil or other testamentary disposition, as he or she may think fit.

FIFTH That there shall be no community of profit and loss between them, but that each of them shall respectively retain the profits made by or accruing to him or her, and shall in like manner separately and solely bear and sustain the losses happening to him or her during the subsistence of the said marriage.

SIXTH That the said **JULINDA BUYS** will have and continue to hold, possess, and enjoy the sole, exclusive and uncontrolled administration and alienation of all the property and effects of which she is now possessed, and entitled to, and of all other property which she may hereafter acquire during the subsistence of the said marriage without interference, control or assistance of the said

JOHN JOHANNES BUYS and every marital power which the said **JOHN JOHANNES BUYS** shall, or may have, or be entitled to acquire by virtue of the said marriage, shall be, and the same is hereby excluded from all the property, estate and effects of the said **JULINDA BUYS** fully and absolutely as if the said marriage had not taken place.

UPON which conditions and stipulations the Appearer q.q. on behalf of the parties hereto declared that it was their intention to solemnise the said marriage mutually promising to allow each other the full force and effect thereof under obligation of their persons and property according to Law.

THUS DONE AND EXECUTED at WINDHOEK aforesaid on the day, month and year first aforesaid in the presence of the undersigned witnesses and in the presence of the Notary.

AS WITNESSES:

- 1. _____ q.q.
- 2. _____ q.q.

QUOD ATTESTOR:

NOTARY PUBLIC

DATED at WINDHOEK this the 19th day of October 1994.

P.F. KOEP & COMPANY
PER: J.A. AGENBACH
ATTORNEY FOR APPLICANTS
1st Floor, Acme Corner
Casino Street
Windhoek

**THE ALIENS ACT, 1937
NOTICE OF INTENTION OF
CHANGE OF SURNAME**

I, **MWATINGHIMUNU SHIKWETEPO**, residing at Endola, Ohangwena, and employed as a Soldier at Gobabis, intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **NGHUULIKWA** for the reason that **SHIKWETEPO** is my father's name.

I previously bore the names **MWATINGHIMUNU SHIKWETEPO**.

Any person who objects to my assumption of the said surname of **NGHUULIKWA** should as soon as may be lodge his/her objection, in writing, with a statement of his/her reasons therefor, with the Magistrate of Windhoek.

(Sgd.) M. SHIKWETEPO
Dated: 17 October 1994

1402

THE ALIENS ACT, 1937
NOTICE OF INTENTION OF
CHANGE OF SURNAME

I, **WILLIAM PAULUS**, residing at Erf 474, Wanaheda, Katutura, and presently unemployed, intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **MWAETAKO** for the reason that **PAULUS** is my father's christian name.

I previously bore the names **WILLIAM PAULUS**.

Any person who objects to my assumption of the said surname of **MWAETAKO** should as soon as may be lodge his/her objection, in writing, with a statement of his/her reasons therefor, with the Magistrate of Windhoek.

(Sgd.) W. PAULUS
Dated: 17 October 1994

1403

THE ALIENS ACT, 1937
NOTICE OF INTENTION OF
CHANGE OF SURNAME

I, **ALBERT RICHARD VOIGTS**, residing at 8 Niedersachsen Court, Snyman Circle, Windhoek, and employed as Joiner, intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **VOIGTS VON SCHÜTZ** for the reason that my mother's maiden name was **VON SCHÜTZ**. My grandfather **York von Schütz** has no male heirs to continue his name and my grandfather and I wish to retain the name "**Von Schütz**" in the family.

I previously bore the names **ALBERT RICHARD VOIGTS**.

Any person who objects to my assumption of the said surname of **VOIGTS VON SCHÜTZ** should as soon as may be lodge his/her objection, in writing, with a statement of his/her reasons therefor, with the Magistrate of Windhoek.

(Sgd.) A.R. VOIGTS
P.O. Box 6207
Windhoek
Dated: 6 June 1994

1404