



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER.

DEPARTMENT OF THE PRIME MINISTER.

No. 520. 28 Maart 1969.

No. 520. 28th March, 1969.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 25 van 1969: Wet op Aangeleenthede met betrekking tot Suidwes-Afrika, 1969.

No. 25 of 1969: South-West Africa Affairs Act, 1969.

ACT

To provide for the re-adjustment of administrative, legislative and financial matters relating to the territory of South-West Africa, including the amendment of the provisions of the South-West Africa Bantu Affairs Administration Act, 1954, the Exchequer and Audit Act, 1956, the Customs and Excise Act, 1964, and the South-West Africa Constitution Act, 1968.

*(Afrikaans text signed by the State President.)
(Assented to 21st March, 1969.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—
 - (i) "Administrator" means the Administrator of the territory; (ii)
 - (ii) "Administration" means the Administration of the territory; (i)
 - (iii) "Constitution" means the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961); (vi)
 - (iv) "Department" means a department of State referred to in section 20 (1) of the Constitution; (iii)
 - (v) "law" includes a law as defined in The Interpretation of Laws Proclamation, 1920 (Proclamation No. 37 of 1920 of the territory); (viii)
 - (vi) "Legislative Assembly" means the Legislative Assembly of the territory; (ix)
 - (vii) "principal Act" means the South-West Africa Constitution Act, 1968 (Act No. 39 of 1968); (vii)
 - (viii) "scheduled matter" means a matter specified in the Schedule; (v)
 - (ix) "territory" means the territory of South-West Africa. (iv)

Amendment of section 4 of Act 56 of 1954, as amended by section 14 of Act 46 of 1962.

2. Section 4 of the South-West Africa Bantu Affairs Administration Act, 1954, is hereby amended by the substitution for subsection (5) of the following subsection:

"(5) There shall be paid annually, out of the Consolidated Revenue Fund as a charge on the South-West Africa Account, into the Fund to the credit of such account, referred to in subsection (4), as the Minister may determine, such amount as Parliament may in any year appropriate for the purpose."

Repeal of section 6 of Act 56 of 1954.

3. Section 6 of the South-West Africa Bantu Affairs Administration Act, 1954, is hereby repealed.

Amendment of section 31 of Act 23 of 1956.

4. Section 31 of the Exchequer and Audit Act, 1956, is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) If at any time during the course of a month, it appears that the moneys in the Revenue Account or in the South-West Africa Account are likely to be insufficient

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WET

Tot herreëling van administratiewe, wetgewende en finansiële aangeleenthede met betrekking tot die gebied Suidwes-Afrika, met inbegrip van wysiging van die bepalings van die Wet op die Administrasie van Bantoesake in Suidwes-Afrika, 1954, die Skatkis- en Ouditwet, 1956, die Doeane- en Aksynswet, 1964, en die Wet op die Konstitusie van Suidwes-Afrika, 1968.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 21 Maart 1969.)*

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken— Woordoms-
skrywing.

- (i) „Administrasie” die Administrasie van die gebied; (ii)
- (ii) „Administrateur” die Administrateur van die gebied;
- (i)
- (iii) „Departement” ’n in artikel 20 (1) van die Grondwet bedoelde Staatsdepartement; (iv)
- (iv) „gebied” die gebied Suidwes-Afrika; (ix)
- (v) „gelyste aangeleentheid” ’n aangeleentheid in die Bylae vermeld; (viii)
- (vi) „Grondwet” die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961); (iii)
- (vii) „Hoofwet” die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet No. 39 van 1968); (vii)
- (viii) „wet” ook ’n wet soos in „De Wetsuitlegging Proklamasie, 1920” (Proklamasie No. 37 van 1920 van die gebied), omskryf; (v)
- (ix) „Wetgewende Vergadering” die Wetgewende Vergadering van die gebied. (vi)

2. Artikel 4 van die Wet op die Administrasie van Bantoesake in Suidwes-Afrika, 1954, word hierby gewysig deur subartikel (5) deur die volgende subartikel te vervang:

„(5) Daar moet jaarliks uit die Gekonsolideerde Inkomstefonds en ten laste van die Suidwes-Afrika-rekening in die Fonds, op krediet van ’n rekening, in subartikel (4) vermeld, wat die Minister bepaal, dié bedrag gestort word wat die Parlement in enige jaar daarvoor bewillig het.”.

Wysiging van
artikel 4 van
Wet 56 van 1954,
soos gewysig
deur artikel 14
van Wet 46 van
1962.

3. Artikel 6 van die Wet op die Administrasie van Bantoesake in Suidwes-Afrika, 1954, word hierby herroep.

Herroeping van
artikel 6 van
Wet 56 van 1954.

4. Artikel 31 van die Skatkis- en Ouditwet, 1956, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) As dit te eniger tyd in die loop van ’n maand blyk dat die gelde in die Inkomsterekening of in die Suidwes-Afrikarekening waarskynlik ontoereikend sal wees om die

Wysiging van
artikel 31 van
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to defray the authorized charges upon any such account, the Treasury shall prepare and submit to the Controller and Auditor-General a statement showing the amount of the estimated deficiency as at the end of that month and indicating the manner in which the deficiency is to be financed, and thereupon the Treasury may utilize any other moneys available in the Exchequer Account for the purpose of financing such a temporary deficiency.”.

Amendment of section 35 of Act 23 of 1956.

5. Section 35 of the Exchequer and Audit Act, 1956, is hereby amended—

(a) by the insertion in subsection (1) after paragraph (b) of the following paragraph:

“(bA) the South-West Africa Account;”;

(b) by the substitution for subsection (2) of the following subsection:

“(2) The Treasury shall also prepare in support of the Revenue Account and the South-West Africa Account detailed statements of the receipts during the financial year under the several headings shown in the annual estimates of revenue and of the issues from the Exchequer Account on account of each of the votes shown in any Appropriation Act for the year.”.

Repeal of section 104 of Act 91 of 1964.

6. Section 104 of the Customs and Excise Act, 1964, is hereby repealed.

Amendment of section 1 of Act 39 of 1968.

7. Section 1 of the principal Act is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):

“(2) In this Act and in any other law ‘Eastern Caprivi Zipfel’ means the territory known as the Eastern Caprivi Zipfel and described in the Eastern Caprivi Zipfel Administration Proclamation, 1939 (Proclamation No. 147 of 1939 of the Republic).”.

Repeal of section 3 of Act 39 of 1968.

8. Section 3 of the principal Act is hereby repealed.

Substitution of section 5 of Act 39 of 1968.

9. (1) The following section is hereby substituted for section 5 of the principal Act:

“Method of election of members of Executive Committee. **5.** (1) Members of the Executive Committee shall be elected by majority vote, each voter having one non-transferable vote for every member of that committee to be elected.

(2) If two or more persons who at any election of members of the Executive Committee are candidates for the same seat, receive the same number of votes, a re-election of a member for that seat shall be held forthwith according to the principle of proportional representation according to which each voter has one transferable vote, and if at such re-election the said persons again receive the same number of votes, one of the said persons to be determined by the drawing of lots shall be deemed to have been elected as the member for that seat.

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gemagtigde laste teen so 'n rekening te bestry, stel die Tesourie 'n staat op en verstrek dit aan die Kontroleur en Ouditeur-generaal, waarin die bedrag van die geraamde tekort aan die einde van daardie maand aangetoon word en waarin die wyse aangedui word waarop die tekort gefinansier moet word en daarop kan die Tesourie enige ander gelde wat in die Skatkisrekening beskikbaar is, vir die finansiering van bedoelde tydelike tekort aanwend."

5. Artikel 35 van die Skatkis- en Ouditwet, 1956, word hierby gewysig— Wysiging van artikel 35 van Wet 23 van 1956.

(a) deur in subartikel (1) na paragraaf (b) die volgende paragraaf in te voeg:
„(bA) die Suidwes-Afrikarekening;”;

(b) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Die Tesourie moet ook ter staving van die Inkomsterekening en die Suidwes-Afrikarekening uitvoerige state opstel van die ontvangste gedurende die boekjaar onder die verskillende hoofde wat in die jaarlikse begrotings van inkomste aangewys word en van die uitbetalings uit die Skatkisrekening op rekening van elk van die begrotingsposte wat in 'n Begrotingswet vir die jaar aangedui word.”.

6. Artikel 104 van die Doeane- en Aksynswet, 1964, word hierby herroep. Herroeping van artikel 104 van Wet 91 van 1964.

7. Artikel 1 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word: Wysiging van artikel 1 van Wet 39 van 1968.

„(2) In hierdie Wet en in enige ander wetsbepaling beteken 'Oostelike Caprivi Zipfel' die gebied bekend as die Oostelike Caprivi Zipfel en omskryf in die Proklamasie op die Administrasie van die Oostelike Caprivi Zipfel, 1939 (Proklamasie No. 147 van 1939 van die Republiek).”.

8. Artikel 3 van die Hoofwet word hierby herroep. Herroeping van artikel 3 van Wet 39 van 1968.

9. (1) Artikel 5 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 5 van Wet 39 van 1968.

„Wyse van verkiesing van lede van Uitvoerende Komitee. 5. (1) Lede van die Uitvoerende Komitee word by meerderheidstem verkies, en elke kieser het een nie-oordraagbare stem vir elke lid van daardie komitee wat verkies moet word.

(2) Indien twee of meer persone wat by die verkiesing van lede van die Uitvoerende Komitee kandideer vir dieselfde setel is, dieselfde getal stemme ontvang, word 'n herverkiesing van 'n lid vir bedoelde setel onverwyld gehou volgens daardie beginsel van proporsionele verteenwoordiging waarvolgens elke kieser een oordraagbare stem het, en indien bedoelde persone by so 'n herverkiesing weer dieselfde getal stemme ontvang, word een van bedoelde persone, wat deur loting bepaal word, geag as lid vir daardie setel verkies te wees.

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(3) The State President may from time to time make regulations in regard to the election of members of the Executive Committee under this section, including regulations in regard to the duties of returning officers in connection with such elections and in regard to the drawing of lots under the circumstances contemplated in subsection (2), and such regulations shall have force and effect as if they were in this Act set forth."

(2) Subsection (1) shall come into operation on the date of the first general election of members of the Legislative Assembly following on the date fixed by the State President under section 25.

Amendment of section 7 of Act 39 of 1968.

10. Section 7 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:

"(4) Minutes of the proceedings of every meeting of the Executive Committee shall be kept, in which shall be recorded all decisions and the voting thereon."

Amendment of section 12 of Act 39 of 1968.

11. Section 12 of the principal Act is hereby amended by the insertion in subsection (2) (d) before the word "or" at the end thereof of the following proviso:

"Provided further that the following persons shall not be deemed to hold an office of profit under the Administration of the territory or the Government of the Republic for the purposes of this paragraph, namely, a member of any council, board, committee or similar body established by or under any law who receives no payment in respect of his services on such council, board, committee or body in excess of an allowance at a rate not exceeding eleven rand for each day on which he renders such services, together with the re-imbusement of any travelling expenses incurred by him in the course of such services."

Amendment of section 13 of Act 39 of 1968.

12. Section 13 of the principal Act is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) If he resigns his seat in accordance with the provisions of section 175 of the Electoral Consolidation Act, 1946 (Act No. 46 of 1946), as applied by section 34 of the South-West Africa Affairs Amendment Act, 1949 (Act No. 23 of 1949); or"

Substitution of section 19 of Act 39 of 1968.

13. The following section is hereby substituted for section 19 of the principal Act:

"Payment of allowances to members of Assembly. 19. A member of the Assembly (other than a member of the Executive Committee) shall be paid out of the revenue fund an allowance fixed by the State President."

Amendment of section 22 of Act 39 of 1968.

14. Section 22 (1) of the principal Act is hereby amended—

(a) by the substitution for paragraph (a) of the following paragraph:

"(a) Except in as far as it concerns Namas, Native affairs or any matters specially affecting Natives, including Native education, health services (other than preventive environmental services), veterinary services and matters relating to roads (except in relation to proclaimed roads) in Native areas and the imposition of taxation upon the persons, land, habitations or earnings of Natives;"

(b) by the substitution for paragraph (e) of the following paragraph:

"(e) the administration of justice, including matters relating to legal practitioners, commissioners of oaths, deceased estates, trust goods or moneys, funds under the control of officers of the court, curatorship, guardianship or the reciprocal execu-

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(3) Die Staatspresident kan van tyd tot tyd regulasies uitvaardig met betrekking tot die verkiesing van lede van die Uitvoerende Komitee ingevolge hierdie artikel, met inbegrip van regulasies met betrekking tot die pligte van kiesbeamptes in verband met sodanige verkiesings en tot die loting in die omstandighede in subartikel (2) beoog, en dié regulasies is van krag asof dit in hierdie Wet opgeneem is."

(2) Subartikel (1) tree in werking op die datum van die eerste algemene verkiesing van lede van die Wetgewende Vergadering wat volg op die datum deur die Staatspresident kragtens artikel 25 bepaal.

10. Artikel 7 van die Hoofwet word hierby gewysig deur subartikel (4) deur die volgende subartikel te vervang: Wysiging van artikel 7 van Wet 39 van 1968.

„(4) Notule van die verrigtinge van elke vergadering van die Uitvoerende Komitee word gehou, waarin alle besluite en die stemming daarvoor opgeteken word.”

11. Artikel 12 van die Hoofwet word hierby gewysig deur die volgende voorbehoudsbepaling in subartikel (2) (d) na die woord „of” aan die end daarvan in te voeg: Wysiging van artikel 12 van Wet 39 van 1968.

„Met dien verstande voorts dat by die toepassing van hierdie paragraaf die volgende persone nie geag word ’n winsbetrekking onder die Administrasie van die gebied of die Regering van die Republiek te beklee nie; te wete, ’n lid van ’n raad, komitee of soortgelyke liggaam, by of kragtens wet ingestel, wat nie ten opsigte van sy dienste in so ’n raad, komitee of liggaam betaling ontvang nie bo en behalwe ’n toelae volgens die skaal van hoogstens elf rand vir elke dag waarop hy bedoelde dienste lewer, tesame met vergoeding van reiskoste deur hom in die loop van dié dienste aangegaan.”

12. Artikel 13 van die Hoofwet word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang: Wysiging van artikel 13 van Wet 39 van 1968.

„(a) Indien hy sy setel bedank ooreenkomstig die bepalings van artikel 175 van die Wet tot Konsolidasie van die Kieswette 1946 (Wet No. 46 van 1946), soos toegepas by artikel 34 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1949 (Wet No. 23 van 1949); of”

13. Artikel 19 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 19 van Wet 39 van 1968.

„Betaling 19. Aan ’n lid van die Vergadering (behalwe ’n lid van toelaes van die Uitvoerende Komitee) word uit die inkomste-aan lede van fonds ’n toelae betaal, wat deur die Staatspresident Vergadering vasgestel word.”

14. Artikel 22 (1) van die Hoofwet word hierby gewysig— Wysiging van artikel 22 van Wet 39 van 1968.
(a) deur paragraaf (a) deur die volgende paragraaf te vervang:

„(a) Behalwe vir sover dit Namas betref, Naturellesake of aangeleenthede wat Naturelle in die besonder raak, met inbegrip van Naturelle-onderwys, gesondheidsdienste (behalwe voorkomende omgewingsdienste), veeartsenydienste en padaangeleenthede (behalwe met betrekking tot geproklameerde paaie) in Naturellegebiede en die heffing van belastinge op die persone, grond, woonplekke of verdienste van Naturelle;”;

(b) deur paragraaf (e) deur die volgende paragraaf te vervang:

„(e) die regspleging, met inbegrip van aangeleenthede met betrekking tot regspraktisyns, kommissarisse van ede, boedels van afgestorwe persone, trustgoedere of -gelde, fondse onder die beheer van hofbeamptes, kuratorskap, voogdyskap of die

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tion of maintenance orders, but excluding the imposition of punishment by fine or imprisonment for enforcing any ordinance of the territory made in relation to any matter in regard to which the Assembly may make ordinances;”;

(c) by the substitution for paragraph (f) of the following paragraph:

“(f) the administration, management and working of the postal, telegraph, telephone or radio services;”;

(d) by the addition of the following paragraphs:

“(l) the control of arms and ammunition;

(m) the prevention of cruelty to animals;

(n) matters relating to prisons or prisoners;

(o) water affairs;

(p) matters relating to the adoption of children, the welfare of children, juveniles, aged persons, war veterans, blind persons, physically or mentally disabled persons, indigent persons, maladjusted persons or alcoholics and to social welfare services and organizations;

(q) natural or historical monuments, relics or antiques, archives or state-aided libraries, museums, art galleries, zoological gardens or botanical gardens;

(r) mining and matters relating to minerals;

(s) matters relating to forestry, excluding nature conservation;

(t) matters relating to surveying or the registration of deeds;

(u) agricultural matters;

(v) matters specially affecting coloured persons (including Namas) and members of the Rehoboth Baster Community, including education for the said coloured persons and members, but excluding the entry into the territory of coloured persons;

(w) the promotion, incorporation, registration, management, administration, winding-up or dissolution of companies, co-operative societies, co-operative companies or other associations;

(x) trade marks, patents, designs and the use of emblems;

(y) weights and measures;

(z) the control of explosives;

(aa) the control of catching or capturing, marketing and export of, and the protection of and research in connection with sea fish, sea mammals and sea reptiles, including shellfish, crustaceans and other sea animals, and the control of fishing harbours, excluding the licensing of fishing boats;

(bb) the supply, control or maintenance of accommodation, transport or other facilities or of supplies for departments of State of the Republic;

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wederkerige tenuitvoerlegging van onderhoudsbevele, maar met uitsondering van die oplegging van strawwe by wyse van boete of gevangesetting ter handhawing van 'n ordonnansie van die gebied wat gemaak is in verband met 'n aangeleentheid waaroor die Vergadering ordonnansies kan maak;";

- (c) deur paragraaf (f) deur die volgende paragraaf te vervang:
- „(f) die administrasie, bestuur en werking van die pos-, telegraaf-, telefoon- of radiodienste;”;
- (d) deur die volgende paragrawe by te voeg:
- „(l) die beheer oor wapens en ammunisie;
- (m) die voorkoming van dieremishandeling;
- (n) aangeleentede met betrekking tot gevangenis of gevangenes;
- (o) waterwese;
- (p) aangeleentede met betrekking tot die aanneming van kinders, die welsyn van kinders, jeugdige, bejaardes, oudstryders, blindes, liggaamlik of geestelik gebrekkige, behoeftige, wanaangepaste persone of alkoholiste- en tot maatskaplike welsynsdienste en -organisasies;
- (q) natuurlike of historiese monumente, gedenkwaardighede of oudhede, argiewe of staatsondersteunde biblioteke, museums, kunsgalerye, dieretuine of botaniese tuine;
- (r) mynwese en aangeleentede met betrekking tot minerale;
- (s) bosbou-aangeleentede, behalwe natuurbewaring;
- (t) aangeleentede met betrekking tot die opmeting van grond of die registrasie van aktes;
- (u) landbou-aangeleentede;
- (v) aangeleentede wat Kleurlinge (met inbegrip van Namas) en lede van die Rehoboth-Bastergemeente, in die besonder raak, met inbegrip van onderwys vir bedoelde Kleurlinge en lede, maar met uitsondering van die binnekoms van Kleurlinge in die gebied;
- (w) die stigting, inkorporasie, registrasie, bestuur, beheer, likwidasie of ontbinding van maatskappye, koöperatiewe verenigings, koöperatiewe maatskappye of ander verenigings;
- (x) handelsmerke, patente, modelle en die gebruik van embleme;
- (y) mate en gewigte;
- (z) die beheer oor ontplofbare stowwe;
- (aa) die beheer oor die vang, bemarking en uitvoer van, en die beskerming van en navorsing in verband met seevis, seesoogdiere en seereptiele, met inbegrip van skulpvisse, seeskaaldiere en ander seediere, en die beheer oor vishawens, met uitsondering van die lisensiering van vissersbote;
- (bb) die verskaffing van, beheer oor of instandhouding van akkommodasie-, vervoer- of ander geriewe of van voorrade vir Staatsdepartemente van die Republiek;

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- (cc) the control of publications, cinematograph films or entertainments and measures dealing with undesirable publications, cinematograph films, entertainments or objects;
- (dd) matrimonial matters;
- (ee) matters relating to employees, employers, the use of machinery or safety or health precautions in trade or industries, including the agricultural or mining industry, and relating to artisans or factories;
- (ff) taxes on income (including undistributed profits, but excluding the income of persons other than companies and dividends to non-resident shareholders), stamp duties, marketable securities tax or transfer duty;
- (gg) matters relating to theft of stock or produce;
- (hh) matters relating to riotous assemblies and engendering feelings of hostility between the various racial groups;
- (ii) matters relating to immorality;
- (jj) the registration of births, marriages and deaths.”.

Amendment of section 23 of Act 39 of 1968.

15. Section 23 of the principal Act is hereby amended by the deletion of subsections (2) and (3).

Amendment of section 31 of Act 39 of 1968.

16. Section 31 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:
 “(1) There shall be a territory Revenue Fund into which shall be paid, subject to the provisions of the South-West Africa Affairs Act, 1969, all revenues raised or received in and for the territory.”.

Amendment of section 38 of Act 39 of 1968, as amended by section 18 of Act 54 of 1968.

17. Section 38 of the principal Act is hereby amended by the substitution for subsections (1) and (5) of the following subsections:
 “(1) The State President may by proclamation in the *Gazette* make laws for the territory in relation to any matter in regard to which the Assembly may not in terms of section 22 make ordinances.
 (5) No Act of Parliament and no ordinance of the Assembly passed on or after the first day of November, 1951, shall apply in the Eastern Caprivi Zipfel, unless it is expressly declared so to apply.”.

Substitution of section 40 of Act 39 of 1968.

18. The following section is hereby substituted for section 40 of the principal Act:
 “Applica- 40. This Act shall apply also in the Eastern tion of Act. Caprivi Zipfel.”.

Transfer of administration of affairs of territory of South-West Africa relating to certain matters.

19. (1) Notwithstanding anything to the contrary in the Constitution, the principal Act or any other law contained, but subject to the provisions of this Act, the administration of the affairs of the territory relating to any scheduled matter shall be carried on by the Minister who under section 20 of the Constitution administers the Department under which such matter falls in the Republic, and such Department shall in relation to that matter be deemed to have been established also for the territory.
 (2) Unless the State President by proclamation in the *Gazette* otherwise declares in any particular case, or unless it would in any particular case obviously be inappropriate, and subject

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- (cc) die beheer oor publikasies, rolprente of vermaaklikhede en maatreëls met betrekking tot ongewenste publikasies, rolprente, vermaaklikhede of voorwerpe;
- (dd) huweliksaangeleenthede;
- (ee) aangeleenthede met betrekking tot werknemers, werkgewers, die gebruik van masjinerie of veiligheids- of gesondheidsvoorsorgmaatreëls in die handel, nywerhede of bedrywe, met inbegrip van die landbou- of mynbedryf, en met betrekking tot ambagslui of fabriekke;
- (ff) belastinge op inkomste (met inbegrip van onuitgekeerde winste, maar met uitsondering van die inkomste van ander persone as maatskappye en dividende aan buitelandse aandeelhouers), seëlregte, handelseffektebelasting of hereregte;
- (gg) aangeleenthede met betrekking tot die diefstal van vee of produkte;
- (hh) aangeleenthede met betrekking tot oproerige byeenkomste en die verwekking van 'n gevoel van vyandigheid tussen die verskillende rassegroepe;
- (ii) aangeleenthede met betrekking tot ontug;
- (jj) die registrasie van geboortes, huwelike en sterfgevalle."

15. Artikel 23 van die Hoofwet word hierby gewysig deur subartikels (2) en (3) te skrap.

Wysiging van artikel 23 van Wet 39 van 1968.

16. Artikel 31 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van artikel 31 van Wet 39 van 1968.

„(1) Daar is 'n Inkomstefonds van die gebied waarin, behoudens die bepalings van die Wet op Aangeleenthede met betrekking tot Suidwes-Afrika, 1969, alle inkomste in en vir die gebied gehef of ontvang, gestort word."

17. Artikel 38 van die Hoofwet word hierby gewysig deur subartikels (1) en (5) deur die volgende subartikels te vervang:

Wysiging van artikel 38 van Wet 39 van 1968, soos gewysig deur artikel 18 van Wet 54 van 1968.

„(1) Die Staatspresident kan by proklamasie in die *Staatskoerant* wette vir die gebied maak met betrekking tot enige aangeleentheid waaroor die Vergadering ingevolge artikel 22 nie ordonnansies kan maak nie.

(5) Geen Wet van die Parlement en geen ordonnansie van die Vergadering wat op of na die eerste dag van November 1951 aangeneem is of word, is in die Oostelike Caprivi Zipfel van toepassing nie, tensy dit uitdruklik aldus van toepassing verklaar word."

18. Artikel 40 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 40 van Wet 39 van 1968.

„Toe-
passing
van Wet. 40. Hierdie Wet is ook in die Oostelike Caprivi Zipfel van toepassing."

19. (1) Ondanks andersluidende bepalings van die Grondwet, die Hoofwet of 'n ander wet, maar behoudens die bepalings van hierdie Wet, word die administrasie van die sake van die gebied met betrekking tot 'n gelyste aangeleentheid deur die Minister behartig, wat ingevolge artikel 20 van die Grondwet die Departement administreer waaronder daardie aangeleentheid in die Republiek ressorteer en word bedoelde Departement met betrekking tot daardie aangeleentheid geag ook vir die gebied ingestel te wees.

Oordrag van administrasie van sake van gebied Suidwes-Afrika met betrekking tot sekere aangeleenthede.

(2) Tensy die Staatspresident by proklamasie in die *Staatskoerant* in 'n bepaalde geval anders verklaar, of tensy dit in 'n bepaalde geval klaarblyklik onvanpas sou wees en behoudens

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to the provisions of the South-West Africa Bantu Affairs Administration Act, 1954 (Act No. 56 of 1954), for the purposes of any law in force in the territory at the commencement of this Act, in as far as it relates to any scheduled matter, any reference in such law—

- (a) to the Legislative Assembly shall be construed as a reference to Parliament;
- (b) to the Administrator shall be construed as a reference to the Minister who under subsection (1) carries on the administration in relation to the said matter;
- (c) to the Administration shall be construed as a reference to the Department under which such matter falls in the Republic;
- (d) to an officer of the Administration shall be construed as a reference to an officer holding a corresponding office in the said Department, or, if there is no such officer, any officer of any Department designated by the Minister administering the first-mentioned Department;
- (e) to the *Official Gazette* of the territory shall be construed as a reference to the *Gazette*;
- (f) to the Revenue Fund of the territory shall be construed as a reference to the Consolidated Revenue Fund.

(3) Unless the State President by proclamation in the *Gazette* otherwise provides in any particular case, and notwithstanding anything to the contrary in any law contained, the provisions—

- (a) of section 13 of the Interpretation Act, 1957 (Act No. 33 of 1957), shall apply in respect of regulations, rules or orders made under any law contemplated in subsection (2) of this section, which does not apply in the Republic;
- (b) of sections 15 and 16 of the said Interpretation Act shall apply with reference to any such law.

(4) Any body established or any person appointed or anything done before the commencement of this Act under any law contemplated in subsection (2), shall be deemed to have been established or appointed or done under that law as construed in accordance with the provisions of that subsection, and notwithstanding anything to the contrary in this Act contained, the conditions of service of any person so deemed to have been appointed shall not, by virtue of the application of this Act, be altered to his detriment unless he consents thereto.

(5) If the State President considers it to be necessary, he may for the purposes of this section and section 21 (1) from time to time determine, in such manner as he may deem fit, whether or not any particular subject falls under a scheduled matter or under which Department any particular matter falls or which or to what extent laws relate to a scheduled matter.

(6) In order to give effect to the provisions of this section—

- (a) the Administration may, by agreement between a Minister and the Administrator, on such conditions as may be specified in the agreement, place services, facilities or land at the disposal of a Department, whether for a consideration or not;
- (b) a Minister may by like agreement confer any power or impose any duty conferred or imposed by law upon him or an officer in his Department or any body attached to his Department, upon the Administrator or an officer of the Administration or any body attached to the Administration.

Application and amendment of laws by State President.

20. (1) If the State President considers it to be necessary for the proper administration of the affairs of the territory in terms of this Act, he may from time to time by proclamation in the *Gazette*—

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die bepalings van die Wet op die Administrasie van Bantoesake in Suidwes-Afrika, 1954 (Wet No. 56 van 1954), word, by die toepassing van 'n wet van krag in die gebied by die inwerking-treding van hierdie Wet, vir sover dit op 'n gelyste aangeleentheid betrekking het, 'n verwysing in daardie wet—

- (a) na die Wetgewende Vergadering as 'n verwysing na die Parlement uitgelê;
 - (b) na die Administrateur uitgelê as 'n verwysing na die Minister wat ingevolge subartikel (1) die administrasie met betrekking tot bedoelde aangeleentheid behartig;
 - (c) na die Administrasie uitgelê as 'n verwysing na die Departement waaronder daardie aangeleentheid in die Republiek ressorteer;
 - (d) na 'n beampte van die Administrasie uitgelê as 'n verwysing na 'n beampte wat 'n ooreenstemmende betrekking in bedoelde Departement beklee, of, indien daar nie so 'n beampte is nie, 'n beampte van enige Departement aangewys deur die Minister wat eersbedoelde Departement administreer;
 - (e) na die *Offisiële Koerant* van die gebied as 'n verwysing na die *Staatskoerant* uitgelê;
 - (f) na die Inkomstefonds van die gebied as 'n verwysing na die Gekonsolideerde Inkomstefonds uitgelê.
- (3) Tensy die Staatspresident by proklamasie in die *Staatskoerant* in 'n bepaalde geval anders verklaar, is, ondanks andersluidende bepalings van die een of ander wet, die bepalings—
- (a) van artikel 13 van die Interpretasiewet, 1957 (Wet No. 33 van 1957), van toepassing ten opsigte van regulasies, reëls of voorskrifte wat uitgevaardig word kragtens 'n in subartikel (2) van hierdie artikel beoogde wet wat nie in die Republiek van toepassing is nie;
 - (b) van artikels 15 en 16 van bedoelde Interpretasiewet van toepassing met verwysing na so 'n wet.
- (4) 'n Liggaam ingestel of 'n persoon aangestel of enigiets gedoen ingevolge 'n in subartikel (2) beoogde wet voor die inwerkingtreding van hierdie Wet, word geag ingestel of aangestel of gedoen te gewees het ingevolge daardie wet soos ooreenkomstig die bepalings van daardie subartikel uitgelê en ondanks andersluidende bepalings van hierdie Wet word die diensvoorwaardes van 'n persoon wat aldus geag aangestel te gewees het, nie uit hoofde van die toepassing van hierdie Wet tot sy nadeel verander nie tensy hy daartoe instem.
- (5) Indien die Staatspresident dit nodig ag, kan hy vir die doeleindes van hierdie artikel en artikel 21 (1) van tyd tot tyd op die wyse wat hy goetvind, bepaal of 'n bepaalde onderwerp onder 'n gelyste aangeleentheid ressorteer al dan nie of onder watter Departement 'n bepaalde aangeleentheid ressorteer of watter of in watter mate wette op 'n gelyste aangeleentheid betrekking het.
- (6) Ten einde aan die bepalings van hierdie artikel gevolg te gee—
- (a) kan die Administrasie by ooreenkoms tussen 'n Minister en die Administrateur, op die voorwaardes in die ooreenkoms vermeld, aan 'n Departement dienste, geriewe of grond beskikbaar stel, hetsy teen vergoeding al dan nie;
 - (b) kan 'n Minister by dergelike ooreenkoms aan die Administrateur of 'n beampte van die Administrasie of 'n liggaam daaraan verbonde 'n bevoegdheid verleen of hom 'n plig oplê wat by wet aan die Minister of 'n beampte van sy Departement of 'n liggaam daaraan verbonde, verleen of hom opgelê is.

20. (1) Indien die Staatspresident dit nodig ag vir die doel-treffende administrasie van die sake van die gebied ingevolge hierdie Wet, kan hy van tyd tot tyd by proklamasie in die *Staatskoerant*—

Toepassing en wysiging van wetsbepalings deur Staatspresident.

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- (a) declare any provision of any law of the Republic, which in his opinion relates to a scheduled matter, to apply in the territory or in the territory excluding such portions thereof as may be specified in the proclamation, subject to such amendments, additions, modifications, exceptions or conditions as he may deem fit;
- (b) repeal, amend or modify any provisions of any law in force in the territory in as far as in his opinion it relates to a scheduled matter;
- (c) amend or modify any provision of any law of the territory relating to the expropriation of land or other property for public purposes.

(2) Any proclamation issued under subsection (1) may contain such transitory clauses as the State President may deem fit.

(3) The State President may from time to time by proclamation in the *Gazette* amend any proclamation issued under subsection (1) and, if he considers it to be necessary, declare any such amendment to be of retrospective effect.

(4) Any proclamation issued under this section shall be laid on the Tables of the Senate and of the House of Assembly within fourteen days after promulgation thereof if Parliament is in ordinary session or if Parliament is not in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.

(5) The foregoing provisions of this section shall cease to be of force and effect on the thirtieth day of June, 1971, but any proclamation issued under this section and in force immediately prior to the said date, shall remain in force as if the said provisions had not so ceased to be of force and effect.

Certain matters deemed to be scheduled matters for purposes of sections 19 and 20.

21. (1) Subject to the provisions of subsection (2), matters relating to the collection of revenues referred to in section 22 (2) (a) shall for the purposes of sections 19 and 20 be deemed to be scheduled matters.

(2) The application of the laws of the territory relating to taxes on the income of persons other than companies shall be in accordance with the general instructions of the Administrator-in-Executive-Committee.

Financial arrangements.

22. (1) There shall, subject to the provisions of this section, be paid into the Consolidated Revenue Fund to the credit of an account to be called the "South-West Africa Account"—

- (a) all revenue from the territory relating to scheduled matters;
- (b) all interest which may be received by the Minister of Finance from the Land and Agricultural Bank of South Africa on that portion of the capital of the former Land and Agricultural Bank of South-West Africa, which consists of Administration loans;
- (c) moneys appropriated by Parliament for the said account;
- (d) moneys accruing to the said account from any other source,

and the said account shall be credited annually with an amount calculated in accordance with a percentage, to be determined by the Minister of Finance in consultation with the Administrator-in-Executive-Committee, of the gross amount of revenue

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- (a) enige bepaling van enige wet van die Republiek wat na sy oordeel op 'n gelyste aangeleentheid betrekking het, in die gebied of in die gebied met uitsondering van die in die proklamasie vermelde gedeeltes daarvan van toepassing verklaar en wel behoudens dié wysigings, byvoegings, aanpassings, uitsonderings of voorwaardes wat hy goedvind;
- (b) enige bepalings van enige wet in die gebied van krag, vir sover dit na sy oordeel op 'n gelyste aangeleentheid betrekking het, herroep, wysig of aanpas;
- (c) enige bepaling van 'n wet van die gebied met betrekking tot die onteining van grond of ander goed vir openbare doeleindes, wysig of aanpas.
- (2) 'n Proklamasie ingevolge subartikel (1) uitgevaardig, kan dié oorgangsbepalings bevat wat die Staatspresident goedvind.
- (3) Die Staatspresident kan van tyd tot tyd by proklamasie in die *Staatskoerant* 'n proklamasie ingevolge subartikel (1) uitgevaardig, wysig en, indien hy dit noodsaaklik ag, so 'n wysiging van terugwerkende krag verklaar.
- (4) 'n Kragtens hierdie artikel uitgevaardigde proklamasie word binne veertien dae na afkondiging daarvan in die Senaat en in die Volksraad ter Tafel gelê indien 'n gewone sessie van die Parlement aan die gang is, of indien 'n gewone sessie van die Parlement nie aan die gang is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sessie.
- (5) Die voorafgaande bepalings van hierdie artikel hou op om van krag te wees op die dertigste dag van Junie 1971, maar 'n kragtens hierdie artikel uitgevaardigde proklamasie wat onmiddellik voor bedoelde datum van krag was, bly van krag asof bedoelde bepalings nie aldus opgehou het om van krag te wees nie.

21. (1) Behoudens die bepalings van subartikel (2), word daar by die toepassing van artikels 19 en 20 geag dat aangeleenthede met betrekking tot die invordering van die in artikel 22 (2) (a) bedoelde inkomste, gelyste aangeleentheid is.

Sekere aangeleenthede gelyste aangeleenthede geag vir doeleindes van artikels 19 en 20.

(2) Die toepassing van die wette van die gebied met betrekking tot belasting op die inkomste van ander persone as maatskappye, geskied ooreenkomstig die algemene voorskrifte van die Administrateur-in-uitvoerende-komitee.

22. (1) Daar word, behoudens die bepalings van hierdie artikel, gestort in die Gekonsolideerde Inkomstefonds in die krediet van 'n rekening die „Suidwes-Afrikarekening” genoem—

Finansiële reëlings.

- (a) alle inkomste uit die gebied wat op gelyste aangeleentheid betrekking het;
- (b) alle rente wat deur die Minister van Finansies van die Land- en Landboubank van Suid-Afrika ontvang word op daardie gedeelte van die kapitaal van die voormalige Land- en Landboubank van Suidwes-Afrika, wat bestaan uit Administrasieleninge;
- (c) gelde deur die Parlement vir bedoelde rekening bewillig;
- (d) gelde wat bedoelde rekening uit enige ander bron toeval, en bedoelde rekening word jaarliks gekrediteer met 'n bedrag bereken ooreenkomstig 'n deur die Minister van Finansies in oorleg met die Administrateur-in-uitvoerende-komitee bepaalde

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of the Republic under the provisions of the Customs and Excise Act, 1964 (Act No. 91 of 1964), after deduction of payments by the Government of the Republic under the provisions of section 51 (2) of that Act.

(2) There shall be paid into the Revenue Fund of the territory—

- (a) all revenue from the territory relating to matters in regard to which the Legislative Assembly may make ordinances;
- (b) annually from the Consolidated Revenue Fund, as a charge on the South-West Africa Account, an amount calculated according to the formula:

$$y = \frac{a - b}{c + a - b} \times d,$$

in which—

y represents the said amount;

a represents the average annual expenditure from the Revenue Fund of the territory during the five years immediately preceding the commencement of this Act, on matters referred to in paragraph (a) (including expenditure consisting of subsidies on petrol and diesel oil and remuneration of or pension contributions in respect of persons in the service of the Administration, but excluding the last-mentioned expenditure which would not have been incurred before the commencement of this Act if this Act had then been in force);

b represents the average annual revenue from the territory relating to matters referred to in paragraph (a), during the said five years;

c represents the average annual expenditure from the Revenue Fund of the territory on scheduled matters during the said five years (including expenditure consisting of contributions by the Administration to the Government of the Republic or the Railway Administration as interest or capital redemption or compensation for losses in terms of guarantee agreements, and including the annual contribution by the Administration in respect of police and weather bureau services, and also including expenditure incurred by the Administration in respect of customs and excise matters);

d represents revenue from the territory relating to scheduled matters (including the amount of land bank interest and customs and excise moneys with which the South-West Africa Account is credited in terms of subsection (1));

- (c) annually from the Consolidated Revenue Fund, so much of the income tax collected in terms of any Act of Parliament in respect of the income of companies derived from sources within the territory other than mining, as may be prescribed in such Act.

(3) For the purposes of subsections (1) and (2)—

- (a) "revenue" does not include revenue accruing to any body other than the State or the Administration; "scheduled matter" does not include any matter referred to in item 3 of the Schedule;
- (b) revenue or expenditure concerning the Loan Account of the Administration shall not be taken into account.

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persentasie van die bruto bedrag van inkomste van die Republiek ingevolge die bepalings van die Doeane- en Aksynswet, 1964 (Wet No. 91 van 1964), na aftrekking van betalings deur die Regering van die Republiek kragtens die bepalings van artikel 51 (2) van daardie Wet.

- (2) Daar word in die Inkomstefonds van die gebied gestort—
- (a) alle inkomste uit die gebied wat betrekking het op aangeleenthede waarvoor die Wetgewende Vergadering ordonnansies kan maak;
- (b) jaarliks uit die Gekonsolideerde Inkomstefonds en ten laste van die Suidwes-Afrikarekening 'n bedrag bereken ooreenkomstig die formule:

$$y = \frac{a - b}{c + a - b} \times d,$$

waarin —

y bedoelde bedrag voorstel;

a voorstel die gemiddelde jaarlikse uitgawes uit die Inkomstefonds van die gebied gedurende die vyf jaar wat die inwerkingtrede van hierdie Wet onmiddellik voorafgegaan het, aan die in paragraaf (a) bedoelde aangeleenthede (met inbegrip van uitgawes bestaande uit subsidies op petrol en dieselolie en besoldiging van of pensioenbydraes ten opsigte van persone in diens van die Administrasie, maar met uitsondering van laasbedoelde uitgawes wat voor die inwerkingtrede van hierdie Wet nie aangegaan sou gewees het indien hierdie Wet toe van krag was nie);

b die gemiddelde jaarlikse inkomste uit die gebied met betrekking tot die in paragraaf (a) bedoelde aangeleenthede gedurende bedoelde vyf jaar voorstel;

c die gemiddelde jaarlikse uitgawes uit die Inkomstefonds van die gebied aan gelyste aangeleenthede gedurende bedoelde vyf jaar voorstel (met inbegrip van uitgawes bestaande uit bydraes deur die Administrasie aan die Regering van die Republiek of die Spoorwegadministrasie verskuldig as rente of kapitaaldelging of vergoeding vir verliese ingevolge waarborgooreenkomste, en met inbegrip van die jaarlikse bydrae deur die Administrasie ten opsigte van polisie- en weerburodienste, en ook met inbegrip van uitgawes deur die Administrasie aangegaan ten opsigte van doeane- en aksynsaangeleenthede);

d inkomste uit die gebied voorstel, wat op gelyste aangeleenthede betrekking het (met inbegrip van die bedrag van landbankrente en doeane- en aksynsgelde waarmee die Suidwes-Afrikarekening ingevolge subartikel (1) gekrediteer word);

- (c) jaarliks uit die Gekonsolideerde Inkomstefonds, soveel van die inkomstebelasting wat ingevolge 'n Wet van die Parlement ingevorder word ten opsigte van inkomste deur maatskappye verkry uit bronne in die gebied behalwe mynbou, as wat in daardie Wet voorgeskryf word.

- (3) By die toepassing van subartikels (1) en (2)—

(a) beteken—

„inkomste” nie ook inkomste wat 'n ander liggaam as die Staat of die Administrasie toeval nie;

„gelyste aangeleentheid” nie ook 'n in item 3 van die Bylae bedoelde aangeleentheid nie;

- (b) word inkomste of uitgawes wat by die Leningsrekening van die Administrasie betrokke is, buite rekening gelaat.

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(4) There shall be paid into the Post Office Fund all revenue from the territory relating to matters referred to in item 3 of the Schedule, and notwithstanding anything to the contrary in any law contained, any moneys in that fund appropriated by Parliament for the service of the territory, shall be utilized for the administration of the affairs of the territory relating to the said matters.

(5) The State President may from time to time, after obtaining the views of the Administrator-in-Executive-Committee, direct that for the purposes of any provision of this section, particular revenue or expenditure or particular kinds of revenue or expenditure shall not or shall be taken into account, or shall not or shall be taken into account in accordance with such principles as he may determine, if any doubt should exist as to the application of any such provision.

(6) Notwithstanding the provisions of this Act or the Territorial Development and Reserve Fund Ordinance, 1944 (Ordinance No. 13 of 1944 of the territory), the moneys standing to the credit of the General Social Security Account, Land Settlement and Development Account, Government Buildings Account, Telecommunication Renewals and Development Account, Reserve Account, Native Areas Account, account Water: General Investigations, also Assistance and Sub-economic Loans to Municipalities and Capital Contingencies Account, referred to in the said Ordinance, shall be disposed of in such manner as the State President may determine, having due regard to the views of the Administrator-in-Executive-Committee.

Continuation of existing laws.

23. All laws of the territory in force at the commencement of this Act, shall, subject to the provisions of this Act, continue in force until repealed or amended by competent authority.

Application of Act,

24. This Act shall apply also in the Eastern Caprivi Zipfel.

Short title and date of commencement.

25. This Act shall be called the South-West Africa Affairs Act, 1969, and shall come into operation, subject to the provisions of section 9 (2), on a date to be fixed by the State President by proclamation in the *Gazette*.

Schedule.

MATTERS IN REGARD TO WHICH THE ADMINISTRATION OF THE AFFAIRS OF THE TERRITORY SHALL BE CARRIED ON BY A MINISTER OF THE REPUBLIC.

1. Except in as far as it concerns Namas, Native affairs or any matters specially affecting Natives, including Native education, health services (other than preventive environmental services), veterinary services and matters relating to roads (except in relation to proclaimed roads) in Native areas and the imposition of taxation upon the persons, land, habitations or earnings of Natives.

2. The administration of justice, including matters relating to legal practitioners, commissioners of oaths, deceased estates, trust goods or moneys, funds under the control of officers of the court, curatorship, guardianship or the reciprocal execution of maintenance orders, but excluding the imposition of punishment by fine or imprisonment for enforcing any ordinance of the territory made in relation to any matter in regard to which the Legislative Assembly may make ordinances;

3. The administration, management and working of the postal, telegraph, telephone or radio services.

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(4) Daar word in die Poskantoorfonds gestort, alle inkomste uit die gebied wat op die in item 3 van die Bylae bedoelde aangeleentheid betrekking het, en ondanks andersluidende wetsbepalings word gelde in daardie fonds wat deur die Parlement vir die diens van die gebied beskikbaar gestel is, aangewend vir die administrasie van die sake van die gebied met betrekking tot bedoelde aangeleentheid.

(5) Die Staatspresident kan van tyd tot tyd, nadat die sienswyse van die Administrateur-in-uitvoerende-komitee ingewin is, gelas dat by die toepassing van enige bepaling van hierdie artikel, bepaalde inkomste of uitgawes of bepaalde soorte inkomste of uitgawes buite rekening gelaat word of in aanmerking geneem word, of buite rekening gelaat word of in aanmerking geneem word ooreenkomstig die deur hom bepaalde beginsels, indien daar twyfel sou bestaan oor die toepassing van so 'n bepaling.

(6) Ondanks die bepaling van hierdie Wet of van die Ordonnansie op die Gebiedsontwikkelings- en reserwefonds, 1944 (Ordonnansie No. 13 van 1944 van die gebied), word daar oor die gelde waarmee die in daardie Ordonnansie bedoelde Algemene Maatskaplike Veiligheidsrekening, Nedersettings- en Ontwikkelingsrekening, Staatsbouwerkerekening, Rekening insake Hernuwings en Uitbreiding van Televerbindinge, Reserwefonds, Naturellegebiedrekening, rekening Water: Algemene Onderzoek, asook Hulp en Subekonomiese Lenings aan Munisipaliteite en Kapitaalgebeurlikheidsrekening gekrediteer is, beskik op dié wyse wat die Staatspresident met behoorlike inagneming van die sienswyse van die Administrateur-in-uitvoerende-komitee bepaal.

23. Alle wette van die gebied wat by die inwerkingtreding van hierdie Wet van krag was, bly, behoudens die bepalinge van hierdie Wet, van krag totdat daardie wette deur 'n bevoegde gesag herroep of gewysig word.

Bestaande wette bly van krag.

24. Hierdie Wet is ook in die Oostelike Caprivi Zipfel van toepassing.

Toepassing van Wet.

25. Hierdie Wet heet die Wet op Aangeleentheid met betrekking tot Suidwes-Afrika, 1969, en tree in werking, behoudens die bepalinge van artikel 9 (2), op 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Kort titel en datum van inwerkingtreding.

Bylae.

AANGELEENTHEDE MET BETREKKING WAARTOE DIE ADMINISTRASIE VAN DIE SAKE VAN DIE GEBIED DEUR 'N MINISTER VAN DIE REPUBLIEK BEHARTIG WORD.

1. Behalwe vir sover dit Namas betref, Naturellesake of aangeleentheid wat Naturelle in die besonder raak, met inbegrip van Naturelle-onderwys, gesondheidsdienste (behalwe voorkomende omgewingsdienste), vee-aartsenydienste en padaangeleentheid (behalwe met betrekking tot geproklameerde paaie) in Naturellegebiede en die heffing van belastinge op die persone, grond, woonplekke of verdienste van Naturelle.

2. Die regspleging, met inbegrip van aangeleentheid met betrekking tot regspraktisyns, kommissarisse van ede, boedels van afgestorwe persone, trustgoedere of -gelde, fondse onder die beheer van hofbeamptes, kuratorskap, voogdskap of die wederkerige tenuitvoerlegging van onderhoudsbevele, maar met uitsondering van die oplegging van strawwe by wyse van boete of gevangesetting ter handhawing van 'n ordonnansie van die gebied wat gemaak is in verband met 'n aangeleentheid waarvoor die Wetgewende Vergadering ordonnansies kan maak.

3. Die administrasie, bestuur en werking van die pos-, telegraaf-, telefoon- of radiodienste.

Act No. 25, 1969

SOUTH-WEST AFRICA AFFAIRS ACT, 1969.

4. The control of arms and ammunition.
5. The prevention of cruelty to animals.
6. Matters relating to prisons or prisoners.
7. Water affairs.
8. Matters relating to the adoption of children, the welfare of children, juveniles, aged persons, war veterans, blind persons, physically or mentally disabled persons, indigent persons, maladjusted persons or alcoholics and to social welfare services and organizations.
9. Natural or historical monuments, relics or antiques, archives or state-aided libraries, museums, art galleries, zoological gardens or botanical gardens.
10. Mining and matters relating to minerals.
11. Matters relating to forestry, excluding nature conservation.
12. Matters relating to surveying or the registration of deeds.
13. Agricultural matters.
14. Matters specially affecting coloured persons (including Namas) and members of the Rehoboth Baster Community, including education for the said coloured persons and members, but excluding the entry into the territory of coloured persons.
15. The promotion, incorporation, registration, management, administration, winding-up or dissolution of companies, co-operative societies, co-operative companies or other associations.
16. Trade marks, patents, designs and the use of emblems.
17. Weights and measures.
18. The control of explosives.
19. The control of catching or capturing, marketing and export of, and the protection of and research in connection with sea fish, sea mammals and sea reptiles, including shellfish, crustaceans and other sea animals, and the control of fishing harbours, excluding the licensing of fishing boats.
20. The supply, control or maintenance of accommodation, transport or other facilities or of supplies for Departments.
21. The control of publications, cinematograph films or entertainments and measures dealing with undesirable publications, cinematograph films, entertainments or objects.
22. Matrimonial matters.
23. Matters relating to employees, employers, the use of machinery or safety or health precautions in trade or industries, including the agricultural or mining industry, and relating to artisans or factories.
24. Taxes on income (including undistributed profits, but excluding the income of persons other than companies and dividends to non-resident shareholders), stamp duties, marketable securities tax or transfer duty.
25. Matters relating to theft of stock or produce.
26. Matters relating to riotous assemblies and engendering feelings of hostility between the various racial groups.
27. Matters relating to immorality.
28. The registration of births, marriages and deaths.

**WET OP AANGELEENTHEDE MET BETREKKING TOT
SUIDWES-AFRIKA, 1969.**

Wet No. 25, 1969

4. Die beheer oor wapens en ammunisie.
5. Die voorkoming van dieremishandeling.
6. Aangeleentheid met betrekking tot gevangenis of gevangenes.
7. Waterwese.
8. Aangeleentheid met betrekking tot die aanneming van kinders, die welsyn van kinders, jeugdige, bejaarde, oudstryders, blindes, liggaamlik of geestelik gebrekkige, behoeftige, wanaangepaste persone of alkoholiste en tot maatskaplike welsynsdienste en -organisasies.
9. Natuurlike of historiese monumente, gedenkwaardighede of oudhede, argiewe of staatsondersteunde biblioteke, museums, kunsgalerye, dieretuine of botaniese tuine.
10. Mynwese en aangeleentheid met betrekking tot minerale.
11. Bosbou-aangeleentheid, behalwe natuurbewaring.
12. Aangeleentheid met betrekking tot die opmeting van grond of die registrasie van aktes.
13. Landbou-aangeleentheid.
14. Aangeleentheid wat Kleurlinge (met inbegrip van Namas) en lede van die Rehoboth-Bastergemeente, in die besonder raak, met inbegrip van onderwys vir bedoelde Kleurlinge en lede, maar met uitsondering van die binnekoms van Kleurlinge in die gebied.
15. Die stigting, inkorporasie, registrasie, bestuur, beheer, likwidasie of ontbinding van maatskappye, koöperatiewe verenigings, koöperatiewe maatskappye of ander verenigings.
16. Handelsmerke, patente, modelle en die gebruik van embleme.
17. Mate en gewigte.
18. Die beheer oor ontplofbare stowwe.
19. Die beheer oor die vang, bemarking en uitvoer van, en die beskerming van en navorsing in verband met seevis, seesoogdiere en see-reptiele, met inbegrip van skulpvisse, seeskaaldiere en ander seediere, en die beheer oor vishawens, met uitsondering van die lisensiering van vissersbote.
20. Die verskaffing van, beheer oor of instandhouding van akkommodasie-, vervoer- of ander geriewe of van voorrade vir Departemente.
21. Die beheer oor publikasies, rolprente of vermaaklikhede en maatreëls met betrekking tot ongewenste publikasies, rolprente, vermaaklikhede of voorwerpe.
22. Huweliksaangeleentheid.
23. Aangeleentheid met betrekking tot werknemers, werkgewers, die gebruik van masjinerie of veiligheids- of gesondheidsvoorsorgmaatreëls in die handel, nywerhede of bedrywe, met inbegrip van die landbou- of mynbedryf, en met betrekking tot ambagslui of fabriek.
24. Belasting op inkomste (met inbegrip van onuitgekeerde winste, maar met uitsondering van die inkomste van ander persone as maatskappye en dividende aan buitelandse aandeelhouers), seëlregte, handels-effektebelasting of hereregte.
25. Aangeleentheid met betrekking tot die diefstal van vee of produkte.
26. Aangeleentheid met betrekking tot oproerige byeenkomste en die verwekking van 'n gevoel van vyandigheid tussen die verskillende rasse-groepe.
27. Aangeleentheid met betrekking tot ontug.
28. Die registrasie van geboortes, huwelike en sterfgevalle.