



Republic of Namibia
Annotated Statutes

**Executive Powers
(Posts and Telecommunications)
Transfer Proclamation, AG 12 of 1978**

(OG 3714)

came into force on date of publication: 2 March 1978

as amended by

Exchequer and Audit Amendment Proclamation, AG 35 of 1979 (OG 4042)

came into force on 1 December 1979 (section 39 of AG Proc. 35 of 1979)

PROCLAMATION

of the

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

TRANSFER OF ADMINISTRATION OF DEPARTMENT OF POST AND
TELECOMMUNICATIONS TO THE ADMINISTRATOR-GENERAL

(Approved by the State President on 20 February 1978)

ARRANGEMENT OF SECTIONS

1. Definitions
2. Transfer of administration of Department of Posts and Telecommunications
3. Application of laws
4. South West Africa Post Office Account
5. Functions of Auditor-General
6. Short title and commencement

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

M. T. STEYN
Administrator-General

Windhoek, 24 February 1978

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SCHEDULE

Definitions

1. (1) In this Proclamation, unless the context otherwise indicates -

“department” means the Department of Posts and Telecommunications;

“General Proclamation” means the Executive Powers Transfer (General Provisions) Proclamation, 1977 (Proclamation AG. 7 of 1977);

“Post Office Appropriation Proclamation” means a Proclamation by the Administrator-General whereby an appropriation or additional appropriation of expenditure as a charge to the South West Africa Post Office Account referred to in section 4, has been approved;

“revenue” means all moneys received by way of rates levied on services rendered by the department in the territory, and all other earnings from the business operations of the department in the territory.

(2) A reference in this Proclamation to any particular law shall be construed as including a reference to a regulation, rule or other enactment made under or relating to that law.

Transfer of administration of Department of Posts and Telecommunications

2. Notwithstanding anything to the contrary contained in any other law but subject to the provisions of this Proclamation and the General Proclamation, the administration of the affairs of the territory of South West Africa in relation to any matter which at the commencement of this Proclamation is administered by the Minister of Posts and Telecommunications of the Republic of South Africa, shall be carried on by the Administrator-General.

Application of laws

3. (1)

[subsection (1) deleted by AG Proc. 35 of 1979]

(2)

[subsection (2) deleted by AG Proc. 35 of 1979]

(3) The provisions of subsection (1) of section 3 of the General Proclamation shall, without detracting from the provisions of subsection (2) of that section, not apply to -

(a) the reference to the Republic in the Radio Act, 1952 (Act 3 of 1952);

(b)

[paragraph (b) deleted by AG Proc. 35 of 1979]

(c)

[paragraph (c) deleted by AG Proc. 35 of 1979]

(d) section 54 of the Post Office Amendment Act, 1976 (Act 113 of 1976).

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(4) Notwithstanding the provisions of section 3(1)(a) of the General Proclamation the reference to the Government in section 115 of the Post Office Act, 1958, shall be construed as including a reference to the Administrator-General.

(5)

[subsection (5) deleted by AG Proc. 35 of 1979]

(6) The provisions of section 4(1) of the General Proclamation shall not apply to the powers conferred upon the Administrator-General under section 14(5) of the Radio Act, 1952, and section 17(3) of the Post Office Act, 1958.

(7) The fees, rates or charges determined or altered from time to time by notice in the Gazette after the commencement of this Proclamation under section 2B of the Post Office Act, 1958, shall, notwithstanding the provisions of subsection (1) of section 3 of the General Proclamation, wholly or to the extent specified in such notice apply in the territory if such notice contains a statement that the said fees, rates or charges are determined or altered with the consent of the Administrator-General or under a general authority by the Administrator-General, and apply also in the territory.

South West Africa Post Office Account

4.

[section 4 deleted by AG Proc. 35 of 1979]

Functions of Auditor-General

5. The Auditor-General of the Republic referred to in section 41 of the Exchequer and Audit Act, 1975 (Act 66 of 1975), shall investigate, examine and audit, in accordance with the provisions of the said Act and the Post Office Act, 1958, as applied by this Proclamation and the General Proclamation, all the accounts of the department in respect of a matter which in terms of this Proclamation is administered by the Administrator-General, and all such accounts of all persons in the employ of the department entrusted with the receipt, custody, payment or issue of moneys, stamps, securities, equipment and stores under the control of the department.

Short title and commencement

6. This Proclamation shall be called the Executive Powers (Posts and Telecommunications) Transfer Proclamation, 1978, and shall come into operation on 1 April 1978.