

Trespass Ordinance 3 of 1962

(OG 2390)

came into force on date of publication: 30 March 1962

as amended by

Trespass Amendment Act 20 of 1985 (OG 5140)

came into force on date of publication: 18 December 1985

ORDINANCE

**To prohibit the entry or presence upon land and the entry of or presence in buildings in certain circumstances, and to provide for matters incidental thereto.**

*(Assented to 28th March, 1962)*

*(English Text signed by the Administrator)*

ARRANGEMENT OF SECTIONS

[The provisions in this Ordinance have no headings.]

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:-

**1.** (1) Any person who without the permission -

(a) of the lawful occupier of any land or any building or part of a building or of a person authorised by or on behalf of such lawful occupier to give permission; or

(b) of the owner or person in charge of any land or any building or part of a building that is not lawfully occupied by any person,

enters or is upon such land or enters or is in such building or part of a building, shall be guilty of an offence unless he has lawful reason to enter or be upon such land or enter or be in such building or part of a building.

(2) For the purposes of sub-section (1) the expression “lawful occupier” in relation to a building or part of a building does not include a servant of the lawful occupier of the land on which that building is situated.

**2.** Any person convicted of an offence under section 1shall be liable to a fine not exceeding R1 000 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

[section 2 amended by Act 20 of 1985;   
not all of the changes are indicated by amendment markings]

**3.** The laws set forth in the Schedule are hereby repealed to the extent shown in the third column thereof.

**4.** This Ordinance shall be called the Trespass Ordinance, 1962.

SCHEDULE

Laws Repealed

|  |  |  |
| --- | --- | --- |
| *No. and year of law* | *Title* | *Extent of Repeal* |
| Proclamation 25 of 1920 | Vagrancy Proclamation, 1920 | Sections *four*, *five*, *six* and *seven* |
| Proclamation 27 of 1920 | Police Offences Proclamation, 1920 | Sub-section (12) of section *eight* and sub-section (3) of section *nine* |
| Ordinance 11 of 1954 | General Laws Amendment Ordinance, 1954 | Section *three* |