

# TRANSFER PROCLAMATIONS

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These pre-independence transfer proclamations governed the transfer of the administration of certain laws from South Africa to “South West Africa”. The transfer proclamations are particularly relevant in determining which South African amendments made prior to Namibian independence have become part of Namibian law. This section lists general transfer proclamations which governed multiple transfers. Laws which functioned as transfer proclamations for individual pieces of legislation are listed only in the entry for the statute in question. Most of these transfer proclamations remain in force, although their function is only historical. This section also lists laws and notices relating to pre-independence assignments and delegations of powers, some of which determined which transfer proclamation applied.

## **Executive Powers Transfer Proclamation, AG 3 of 1977** ([OG 3651](#))

**Amendments:** AG Proc. 7/1977 ([OG 3668](#)), AG Proc. 10/1978 ([OG 3712](#)), Native Laws Amendment Proclamation, AG Proc. 3/1979 ([OG 3898](#)), RSA Proc. 101/1985 ([RSA GG 9790](#)).

**References:** AG Proc. 29/1978 ([OG 3745](#)).

## **Executive Powers (Prisons) Transfer Proclamation, AG 6 of 1977** ([OG 3663](#))

**Amendments:** AG 10/1978 ([OG 3712](#)), AG 20/1982 ([OG 4668](#))

**References:** Prisons Act Amendment Proclamation, AG 49 of 1978 ([OG 3787](#))

**Repeal:** repealed by Prisons Act 17 of 1998 ([GG 1894](#)).

## **Executive Powers Transfer (General Provisions) Proclamation, AG 7 of 1977** ([OG 3668](#))

**Amendments:** AG Proc. 10/1978 ([OG 3712](#)), AG Proc. 82/1978 ([OG 3873](#)), AG Proc. 20/1982 ([OG 4668](#)), RSA Proc. 101/1985 ([RSA GG 9790](#)) (as amended by RSA Proc. 222 of 1985 ([RSA GG 10035](#))).

**References:** Amendment of Tariff A in the Second Schedule to the Insolvency Act, 1936 (Act 24 of 1936), AG Proc. 17/1986 ([OG 5179](#)).

**Note:** The *Official Gazette* containing this Proclamation is numbered as OG 3668. However, it is referred to as OG 3667 in the relevant Quarterly Return.

## **Executive Powers (Social Welfare and Pensions) Transfer Proclamation, AG 11 of 1977** ([OG 3675](#))



## **Executive Powers (Agricultural Credit and Land Tenure) Transfer Proclamation, AG 13 of 1977** ([OG 3669](#))

## **Executive Powers (Health) Transfer Proclamation, AG 14 of 1977** ([OG 3676](#))

## **Executive Powers (Statistics) Transfer Proclamation, AG 15 of 1977** ([OG 3677](#))

## **Executive Powers (Forestry) Transfer Proclamation, AG 16 of 1977** ([OG 3678](#))

## **Executive Powers (Labour) Transfer Proclamation, AG 17 of 1977** ([OG 3680](#))

## **Executive Powers (Agricultural Economics and Marketing) Transfer Proclamation, AG 18 of 1977** ([OG 3681](#))

**Amendments:** Karakul Scheme Amendment Proclamation, AG 41/1978 ([OG 3771](#)).

## **Executive Powers (National Education) Transfer Proclamation, AG 1 of 1978** ([OG 3687](#))



**References:** Act 5/1979 ([OG 4013](#)).

**Executive Powers (Mines) Transfer Proclamation, AG 4 of 1978 ([OG 3696](#))**  



**Executive Powers (Industries) Transfer Proclamation, AG 5 of 1978 ([OG 3697](#))**  

**Executive Powers (Information) Transfer Proclamation, AG 7 of 1978 ([OG 3702](#))**  

**Executive Powers Transfer (Community Development) Proclamation, AG 8 of 1978 ([OG 3703](#))**  
 

**Executive Powers (Immigration) Transfer Proclamation, AG 9 of 1978 ([OG 3704](#))**    
**Amendments:** Aliens and Immigration Laws Amendment Proclamation, AG 15/1989 ([OG 5728](#)).



**Executive Powers (Agricultural Technical Services) Transfer Proclamation, AG 11 of 1978 ([OG 3713](#))**  



**Executive Powers (Post and Telecommunications) Transfer Proclamation, AG 12 of 1978 ([OG 3714](#))**    
**Amendments:** AG Proc. 35/1979 ([OG 4042](#))



**Executive Powers (Transport) Transfer Proclamation, AG 14 of 1978 ([OG 3717](#))**  

**Executive Powers (Planning and the Environment) Transfer Proclamation, AG 15 of 1978 ([OG 3719](#))**  



**Executive Powers (Public Works) Transfer Proclamation, AG 16 of 1978 ([OG 3720](#))**  

**Executive Powers (Interior) Transfer Proclamation, AG 17 of 1978 ([OG 3721](#))**    
**Amendments:** Aliens and Immigration Laws Amendment Proclamation, AG 15/1989 ([OG 5728](#)); Immigration Control Act 7 of 1993 ([GG 690](#)) (repeals section 4)

**Executive Powers (Inland Revenue) Transfer Proclamation, AG 18 of 1978 ([OG 3722](#))**    
**References:** Revenue Laws Amendment Proclamation, AG 66/1978 ([OG 3831](#)), Income Tax Amendment Proclamation, AG 67/1978 ([OG 3832](#)) (subsequently repealed by the Income Tax Act 24 of 1981); Rates of Normal Tax (Companies) Act 11 of 1979 ([OG 4026](#)) (subsequently repealed by the Income Tax Act 24 of 1981).

**Administration of the South African Development Trust in South West Africa Proclamation, AG 19 of 1978 ([OG 3724](#))**    
**Amendments:** AG Proc. 3/1979 ([OG 3898](#)).

**Executive Powers (Commerce) Transfer Proclamation, AG 28 of 1978 ([OG 3743](#))**  

**Executive Powers (Justice) Transfer Proclamation, AG 33 of 1979 ([OG 4038](#))**    
**Amendments:** AG Proc. 24/1983 ([OG 4854](#)), Deeds Registries Amendment Act 26 of 1985 ([OG 5146](#)), AG Proc. 32/1985 ([OG 5060](#)), Administration of Estates Amendment Act 2 of 1987 ([OG 5338](#)).  
**References:** AG Proc. 17/1986 ([OG 5179](#)).

***Executive Powers (Police) Transfer Proclamation 169 of 1980 ([RSA GG 7207](#))***  

## **ASSIGNMENTS OF POWERS**

Assignment of the administration of certain provisions of law to the Minister of National Education and

the Central Personnel Institution, GN 153/1986 ([OG 5241](#)).

Assignment of the administration of certain provisions of law to the Minister of Agriculture, Water Affairs and Sea Fisheries, GN 166/1986 ([OG 5254](#)).

Delegation of powers granted in terms of the Water Act, 1956 (Act 54 of 1956 ([OG 2015](#))), and the regulations promulgated thereunder, to officials of the Department of Water Affairs, GN 167/1986 ([OG 5254](#)).

Assignment of the administration of certain provisions of law of the Minister of Agriculture, Water Affairs and Sea Fisheries, GN 168/1986 ([OG 5254](#)).

Assignment of the administration of certain provisions of law of the Minister of Finance and Governmental Affairs, GN 169/1986 ([OG 5254](#)).

Assignment of the administration of certain provisions of law to the Minister of Transportation, GN 179/1986 ([OG 5254](#)).

Assignment of the administration of certain provisions of law to the Minister of Justice, GN 55/1987 ([OG 5348](#)).

Assignment of the administration of certain provisions of law to the Minister of Nature Conservation, Mining, Trade and Tourism, GN 95/1987 ([OG 5378](#)).

Assignment of the administration of certain provisions of law to the Minister of Nature Conservation, Mining, Commerce and Tourism, GN 96/1987 ([OG 5378](#)).

Assignment of the administration of certain provisions of law to the Minister of Local Authorities and Civic Affairs, GN 116/1987 ([OG 5406](#)).

Assignment of the administration of certain provisions of law to the Chairman of the Cabinet, GN 164/1987 ([OG 5440](#)).

Assignment of the administration of certain provisions of the Regulations under the National Education Act, 1980 (Act 30 of 1980, [OG 4358](#)): Pupils in Government Schools to the Minister of National Education and the Central Personnel Institution, GN 115/1988 ([OG 5567](#)).

Assignment of the administration of certain provisions of law to the Minister of National Education and the Central Personnel Institution, GN 141/1988 ([OG 5590](#)).

Assignment of the administration of certain provisions of law to the Minister of Finance, GN 155/1988 ([OG 5607](#)).

Amendment of the assignment of the administration of certain provisions of law to the Minister of Local Authorities and Civic Affairs, GN 173/1988 ([OG 5623](#)).

Assignment of the administration of certain provisions of law to the Minister of Justice, GN 194/1988 ([OG 5638](#)).