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The following Draft Ordinances, which will be introduced during the Second Session of the Second Legislative Assembly, are published for general information.

H. P. SMIT,
Secretary for South West Africa.

Administrator's Office,
Windhoek,

Die volgende Ontwerpordonnansies, wat gedurende die Twede Sessie van die Twede Wetgewende Vergadering voorgelê sal word, word vir algemene informasie gepubliseer.

H. P. SMIT,
Sekretaris vir Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek,

1. Venison Export Tax and Ostrich Skins Export Fee (Exemption) Ordinance, 1930 . . . 6466
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DRAFT ORDINANCE

To provide for temporary exemption in certain cases from liability for the taxes and fees payable upon the export of venison and ostrich skins.

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

Owners or lessees of land exempted from liability for venison export tax in respect of venison from game killed on their land.

1. Any person who owns or occupies any land under lease may, upon complying with the provisions of section *three* export from the Territory any venison or biltong which consists of or has been taken or prepared from the carcases of game killed on that land without payment of the export tax imposed by the Venison Export Tax Proclamation, 1922 (Proclamation No. 22 of 1922).

Owners or lessees of land exempted from liability for ostrich skins export fee in respect of skins of ostriches killed on their land.

2. Any person who owns or occupies any land under lease may, upon complying with the provisions of section *three* export from the Territory the skin of any ostrich killed on that land without being in possession of a permit issued under the provisions of section *two* of the Ostrich Skins Export Control Ordinance, 1929 (Ordinance No. 2 of 1929), and without payment of the fee referred to in that section.

Procedure.

3. The person so exporting such venison or biltong or ostrich skin shall before exporting it make an affidavit setting forth, in the case of venison or biltong, that it consists of or has been taken or prepared from the carcases of game killed on land which he owns or occupies under lease, and, in the case of an ostrich skin, that it is the skin of an ostrich killed on such land, and shall lodge that affidavit—

(a) if the venison or biltong or ostrich skin is exported by railway or post, with the station master or post master in charge of the railway station or post office from which it is despatched; or

(b) if the venison or biltong or ostrich skin is exported in any other manner, with the magistrate of the district in which the land is situate.

Affidavits to be free from stamp duty.

4. No affidavit made for the purposes of this Ordinance shall be subject to any stamp duty.

Short title and duration.

5. This Ordinance may be cited for all purposes as the Venison Export Tax and Ostrich Skins Export Fee (Exemption) Ordinannce, 1930, and shall cease to have effect on the first day of April, 1931.

ONTWERPORDONNANSIE

Om voorsiening te maak vir tydelike vrystelling in sekere gevalle van die aanspreeklikheid vir die belastings en fooie betaalbaar op die uitvoer van wildvleis en volstruisvelle.

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika as volg:—

Eienaars of huurders van grond vrygestel van aanspreeklikheid vir wildvleis uitvoerbelasting ten aansien van wild op hulle grond doodmaak.

1. Enige persoon, wat enige grond besit of in pag het, kan, nadat hy voldoen het aan die bepalings van artiekel *drie,* enige wildvleis of biltong uit die Gebied uitvoer, wat bestaan uit of geneem of gemaak is van die karkasse van wild, op daardie grond doodgemaak, sonder betaling van die belasting, opgelê deur "De Wildvlees Uitvoerbelasting Proklamatie 1922" (Proklamasie No. 22 van 1922).

Eienaars of huurders van grond vrygestel van aanspreeklikheid vir volstruisvelle-uitvoerbelasting ten aansien van velle van volstruise op hulle grond doodgemaak.

2. Enige persoon, wat enige grond besit of in pag het, kan, nadat hy voldoen het aan die bepalings van artiekel *drie,* die vel van enige volstruis, op daardie grond doodgemaak, uit die Gebied uitvoer sonder om in besit te wees van 'n permit uitgereik op grond van die bepalings van artiekel *twee* van die Ordonnansie op die Kontrole van die Uitvoer van Volstruisvelle 1929 (Ordonnansie No. 2 van 1929) en sonder betaling van die fooi, in daardie artiekel genoem.

Prosedure.

3. Die persoon, wat sodanige wildvleis of biltong of volstruisvel uitvoer, moet, voordat hy dit uitvoer, 'n beëdigde verklaring aflê, waarin uiteengesit word, in die geval van wildvleis of biltong, dat dit bestaan uit of geneem of gemaak is van die karkas van wild, doodgemaak op grond wat hy besit of in pag het, en, in die geval van 'n volstruisvel, dat dit die vel is van 'n volstruis, op sodanige grond doodgemaak, en moet daardie beëdigde verklaring indien—

(a) as die wildvleis of biltong of volstruisvel per spoorweg of pos uitgevoer word, by die stasiemeester of posmeester, wat die toesig het oor die spoorwegstasie of poskantoor, van waar dit afgestuur is; of

(b) as die wildvleis of biltong of volstruisvel op enige ander wyse uitgevoer word, by die magistraat van die distrik, waarin die grond lê.

Beëdigde verklarings moet vrygestel wees van seëlbelasting.

4. Geen beëdigde verklaring, vir die doeleindes van hierdie Ordonnansie afgelê, is onderhewig aan enige seëlbelasting nie.

Kort tietel.

5. Hierdie Ordonnansie kan vir al die doeleindes aangehaal word as die Ordonnansie van 1930 betreffende Wildvleisuitvoerbelasting en Volstruisvelle-uitvoerfooi (Vrystelling) en sal op 1 April 1931 ophou om van krag te wees.

DRAFT ORDINANCE

To provide for the improvements of cattle.

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

Proclamation of Cattle Improvement Areas.

1. The Administrator may, by proclamation in the *Gazette,* declare any district or defined area a cattle improvement area within the meaning and for the purposes of this Ordinance, if the magistrate of that district or of the district in which that area is situate has transmitted to the Secretary for South West Africa a resolution recommending that such district or area be proclaimed a cattle improvement area, and a certificate that the provisions of section *two* have been complied with and that the resolution has been duly adopted in manner provided by that section.

Manner in which meeting to be convened and resolution to be passed.

2. (1) The magistrate of a district shall, upon a written request signed by not less than twelve persons who own or lease land situate in that district or in an area within that district, each of whom owns not less than twenty-five head of breeding stock running on that land, shall convene a meeting for the purpose of considering a resolution in terms of the last preceding section.

(2) Two months' notice of the meeting shall be given by advertisement in one or more newspapers circulating in the district or area.

(3) The magistrate of the district or of the district within which the area is situate, as the case may be, shall preside at the meeting, and no resolution shall be passed at the meeting except by a majority of votes.

(4) Every person who owns or leases land situate in that district or area, as the case may be, and owns not less than twenty-five head of breeding stock running on that land, shall have the right to vote at the meeting, and no other person shall have that right.

ONTWERPORDONNANSIE

om voorsiening te maak vir die verbetering van beeste.

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika as volg:—

Proklamering van beesteverbeteringsgebiede.

1. Die Administrateur kan, by proklamasie in die *Offisiële Koerant,* enige distrik of bepaalde gebied as 'n beesteverbeteringsgebied in die betekenis en vir die doeleindes van hierdie Ordonnansie verklaar, as die magistraat van daardie distrik of van die distrik, waarin daardie gebied geleë is, aan die Sekretaris vir Suidwes-Afrika oorgestuur het 'n resolusie, waarin hy aanbeveel dat sodanige distrik of gebied as 'n beesteverbeteringsgebied geproklameer word, en 'n sertifikaat dat die bepalings van artiekel *twee* nagekom is en dat die resolusie behoorlik, op wyse by daardie artiekel voorsien, aangeneem is.

Wyse waarop vergadering byeengeroep en resolusie aangeneem moet word.

2. (1) Die magistraat van 'n distrik moet op skriftelike versoek geteken deur nie minder as twaalf persone nie, wat grond in daardie distrik of in 'n gebied binne daardie distrik geleë besit of gehuur het, elkeen waarvan nie minder as vyf-en-twintig stuk aanteelvee besit wat op daardie grond loop, 'n vergadering byeenroep, ten einde 'n resolusie ooreenkomstig die laasvoorafgaande artiekel te oorweeg.

(2) 'n Kennisgewing van twee maande aangaande die vergadering moet deur middel van 'n advertensie in een of meer koerante, wat in die distrik of gebied in omloop is, gegee word.

(3) Die magistraat van die distrik of van die distrik, waarin die gebied geleë is, soos die geval mag wees, moet op die vergadering presideer, en geen resolusie mag op die vergadering aangeneem word nie, behalwe deur 'n meerderheid van stemme.

(4) Elke persoon, wat grond in daardie distrik of gebied geleë besit of gehuur het, soos die geval mag wees, en nie minder as vyf-en-twintig stuk aanteelvee, wat op daardie grond loop, besit nie, het die reg om op die vergadering te stem, en geen ander persoon het daardie reg nie.

(5) Any person having a right to vote at the meeting may exercise that right either in person or through a representation duly authorised in writing.

(6) Not more than one vote shall be recorded by or on behalf of any person.

No other than approved bulls to be kept in cattle improvement areas.

3. From and after a date fixed by the proclamation declaring any district or area a cattle improvement area, such date being not less than twelve months and not more than eighteen months later than the date on which that proclamation takes effect, it shall not be lawful to keep in or introduce into such district or area any bull over twelve months of age unless such bull has been previously inspected and approved for purposes of the breeding of cattle by a board consisting of a Government Veterinary Officer and two other persons appointed for the purpose by the Administrator. The Administrator may appoint more than one board for any cattle improvement area.

Any person contravening the provisions of this section shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

Branding or marking of approved bulls.

4. (1) All bulls which have been so inspected and approved by a board shall be forthwith branded or suitably marked by the owner in accordance with regulations and to the satisfaction of the board, and full particulars of each animal shall be recorded by the Government Veterinary Officer appointed for that cattle improvement area in a register to be kept by him. He shall once in every month transmit all particulars so recorded by him during the immediately preceding month to the Senior Veterinary Officer, who shall record the particulars in a register to be kept by him.

(2) The owner of any such bull who fails so to brand or mark the bull shall be guilty of an offence and liable on conviction to a fine not exceeding twenty pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding one month.

Castration of bulls trespassing upon fenced land.

5. (1) Any occupier of land which is enclosed with a sufficient fence and is situate within a cattle improvement area, and on which cows are running, may castrate or cause to be castrated any bull over twelve months of age which does not bear a brand or other mark showing that he has been approved by a board under the provisions of section *three*, and which is found trespassing on that land, provided such occupier and two persons who are not related to him and not employed by him, and who own cattle running on land occupied by them and situate within that cattle improvement area, have agreed after inspection that the bull is not suitable for the purposes of the breeding of cattle, and have signed a certificate to that effect.

(2) Every such occupier who castrates any bull or causes any bull to be castrated under the provisions of this section shall forthwith deliver or transmit to the commander of the nearest police post and the owner of the bull, if such occupier knows who is the owner, a written report signed by him, stating that he has castrated the bull or caused the bull to be castrated, and containing a full description of the bull, including particulars of the breed, size, estimated age, colour, brands and distinguishing marks of the bull, and stating the date on which the bull was found trespassing and the date on which the bull was castrated, and shall attach to the report a copy of the certificate referred to in sub-section (1). Any such occupier who fails to comply with the provisions of this sub-section shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

(3) No liability, civil or criminal, in respect of the castration of any bull under the provisions of this section shall attach to any person concerned in such castration who has acted in good faith and without gross negligence.

(4) For the purposes of this section the expression "a sufficient fence" means, when applied to wire fences, a fence having not less than four strands of well galvanised wire, with straining posts not more than five hundred yards apart, and iron standards (these shall weigh not less than fourteen pounds avoirupois each) or hardwood poles (these shall be at least four inches in diameter at the thin end and be planted not less than two feet deep in the ground) at not more than twenty yards apart, with not less than two metal or hardwood droppers (if hardwood droppers are used, these shall be at least one and a half inches in diameter at the thin end) between them respectively; in other cases it means any fence, wall or hedge through which no cattle pass without breaking the same, or any natural boundary through or across which no cattle would ordinarily pass.

Castration of impounded bulls.

6. (1) Whenever any bull over twelve months of age, which does not bear a brand or other mark showing that he has been approved by a board under the provisions of section *three*, is received into any pound situate within a cattle improvement area, and the person impounding the bull states to the poundmaster that the bull was found trespassing on land situate within that cattle improvement area or delivers to him a letter purporting to be signed by an occupier of land so situate that the bull was found trespassing on the land occupied by him, the poundmaster shall forthwith report the fact in writing to the Government Veterinary Officer appointed for the area.

(5) Enige persoon, wat 'n reg het om op die vergadering te stem, mag daardie reg òf persoonlik òf deur 'n behoorlik in geskrif gemagtigde verteenwoordiger uitoefen.

(6) Nie meer as een stem mag deur of ten behoewe van enige persoon uitgebring word nie.

Geen ander as goedgekeurde bulle mag in beesteverbeteringsgebiede aangehou word nie.

3. Vanaf en na 'n datum vasgestel deur die proklamasie, waarin enige distrik of gebied as 'n beesteverbeteringsgebied verklaar word, synde sodanige datum nie minder as twaalf maande nie en nie meer as agtien maande nie later as die datum, waarop daardie proklamasie in werking tree, sal dit nie wettig wees om enige bul bo die ouderdom van twaalf maande in sodanige distrik of gebied aan te hou of in sodanige distrik of gebied in te voer nie, tensy sodanige bul vooraf deur 'n raad, bestaande uit 'n Goewerments-veearts en twee ander persone, vir die doel deur die Administrateur aangestel, geïnspekteer en vir veeteelt-doeleindes goedgekeur is. Die Administrateur kan meer as een raad vir enige beesteverbeteringsgebied aanstel. Enige persoon, wat die bepalings van hierdie artiekel oortree, is skuldig aan 'n oortreding en staan na skuldigbevinding bloot aan 'n boete van hoogstens vyftig pond of by wanbetaling aan tronkstraf met oof sonder harde arbeid vir 'n tydperk van hoogstens drie maande.

Brand of merk van goedgekeurde bulle.

4. (1) Al die bulle, aldus deur 'n raad geïnspekteer en goedgekeur, moet onverwyld deur die eienaar ooreenkomstig die regulasies en na genoeë van die raad gebrand of op geskikte wyse gemerk word, en vol besonderhede van elke dier moet deur die Goewerments-veearts, vir daardie beesteverbeteringsgebied benoem, in 'n register, deur hom gehou te word, opgeteken word. Hy moet een keer in elke maand al die besonderhede aldus deur hom gedurende die onmiddellik voorafgaande maand opgeteken aan die hoofveearts oorstuur, wat die besonderhede in 'n register, deur hom gehou te word, moet opteken.

(2) Die eienaar van enige sodanige bul, wat versuim om die bul aldus te brand of te merk, is skuldig aan 'n oortreding en na skuldigbevinding blootgestel aan 'n boete van hoogstens twintig pond of by wanbetaling aan tronkstraf met of sonder harde arbeid vir 'n tydperk van hoogstens een maand.

Kastrasie van bulle, wat op omheinde grond oortree.

5. (1) Enige okkupeerder van grond, wat omhein is met 'n voldoende heining en geleë is binne 'n beesteverbeteringsgebied, en waarop koeie loop, kan enige bul bo die ouderdom van twaalf maande kastreer of laat kastreer, wat geen brandmerk of ander merk dra nie, aantonende dat hy deur 'n raad goedgekeur is kragtens die bepalings van artiekel *drie*, en wat op daardie grond oortredende gevind word; met die verstande dat sodanige okkupeerder en twee persone, wat nie familie van hom en nie deur hom geëmplojeer is nie, en wat beeste besit, wat op grond deur hulle geokkupeer en binne daardie beesteverbeteringsgebied geleë loop, na inspeksie ooreengekom het, dat die bul nie vir veeteelt-doeleindes geskik is nie, en 'n sertifikaat te dien effekte geteken het.

(2) Enige sodanige okkupeerder, wat enige bul kragtens die bepalings van hierdie artiekel kastreer of laat kastreer, moet 'n skriftelike deur hom ondertekende rapport, meldende dat hy die bul gekastreer of laat kastreer het en bevattende 'n vol beskrywing van die bul, insluitende besonderhede van die ras, grootte, geskatte ouderdom, kleur, brandmerke en kenmerkende tekens van die bul, en meldende die datum, waarop die bul oortredende gevind is en die datum, waarop die bul gekastreer is, onverwyld aan die kommandant van die digs naby geleë poliesiepos en aan die eienaar van die bul, as sodanige okkupeerder weet wie die eienaar is, aflewer of oorstuur, en aan die rapport 'n afskrif van die sertifikaat vermeld in onderartiekel (1) heg. Enige sodanige okkupeerder, wat versuim om die bepalings van hierdie onderartiekel na te kom, is skuldig aan 'n oortreding en na skuldigbevinding blootgestel aan 'n boete van hoogstens vyftig pond of by wanbetaling aan tronkstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande.

(3) Geen aanspreeklikheid, siviele of kriminele, ten opsigte van die kastrasie van enige bul kragtens die bepalings van hierdie artiekel sal op enige persoon in sodanige kastrasie betrokke, wat te goeder trou en sonder groot nalatigheid gehandel het, rus nie.

(4) Vir die doeleindes van hierdie artiekel beteken die uitdrukking "'n voldoende heining", as dit toegepas word op draadheinings, 'n heining, wat nie minder as vier drade van goed gegalwaniseerde draad, met stutte nie meer as vyfhonderd jaarts vanmekaaraf, en ysterpale (hierdie mag nie minder as veertien pond avoirdupois elk weeg nie) of hardehoutpale (hierdie moet minstens vier duim in deursnee aan die dun ent wees en nie minder as twee voet diep in die grond geplant wees nie) en nie meer as twintig jaarts vanmekaaraf nie, met nie minder as twee metaal- of hardehoutdroppers (as hardehoutdroppers gebruik word, moet hulle minstens anderhalf duim in deursnee aan die dun ent wees) respektieflik tussen hulle; in ander gevalle beteken dit enige heining, muur of laning, waardeur geen beeste dring nie, sonder om dit te breek, of enige natuurlike grens, waardeur of waaroor gewoonlik geen beeste sou dring nie.

Kastrasie van geskutte bulle.

6. (1) Wanneer enige bul bo die ouderdom van twaalf maande, wat nie 'n brandmerk of ander merk dra nie, aantonende dat hy deur 'n raad kragtens die bepalings van artiekel *drie* goedgekeur is, in enige skut geleë binne 'n beesteverbeteringsgebied opgeneem word, en die persoon, wat die bul skut, aan die skutmeester verklaar, dat die bul op grond geleë binne daardie beesteverbeteringsgebied oortretende gevind is, of 'n brief aan hom aflewer, wat blyk geteken te wees deur 'n okkupeerder van aldus geleë grond, behelsende dat die bul op die grond deur hom geokkupeer oortredende gevind is, moet die skutmeester die feit onmiddellik in geskrif aan die Goewernments-veearts vir die gebied aangestel rapporteer.

(2) Upon receiving any such report, the Government Veterinary Officer shall as soon as may be convenient inspect the bull, and if in his opinion the bull is not suitable for the purposes of the breeding of cattle, he shall castrate the bull or cause him to be castrated.

(3) The poundmaster shall not release or sell any such bull until he has been inspected by a Government Veterinary Officer, and, if that officer is of opinion that the bull is not suitable for the purposes of the breeding of cattle, until the bull has been castrated.

Regulations.

7. The Administrator may make regulations—

(a) for the branding or marking of bulls approved by a board;

(b) for the payment of allowances to members of a board who are not public servants;

(c) prescribing the procedure to be followed by a board, and, generally, for the improvement of cattle and the elimination of undesirable bulls in any cattle improvement area and the carrying out of the purposes of this Ordinances.

Exemption.

8. The provisions of this Ordinance shall not apply in respect of any bulls whose pedigrees have been regitered with any society affiliated to the South African Stud Book Association and incorporated under the Registration of Pedigree Livestock Act, 1920 (Act No. 22 of 1920), of the Parliament of the Union of South Africa.

Application of provisions to other classes of livestock.

9. The provisions of this Ordinance, may, at the discretion of the Administrator, be extended and applied by proclamation, *mutatis mutandis*, to horses, asses, sheep, goats, swine and ostriches.

Exclusion of native reserves.

10. No land set aside or approved by the Administrator as a reserve for natives and falling within the boundaries of a cattle improvement area shall, for the purposes of this Ordinance, be deemed to form part of that cattle improvement area.

Short title.

11. This Ordinance may be cited for all purposes as the Cattle Improvement Ordinance, 1930.

(2) Na ontvangs van enige sodanige rapport moet die Goewerments-veearts so spoedig as doenlik mag wees die bul inspekteer, en as die bul syns insiens nie vir veeteeltdoeleindes geskik is nie, moet hy die bul kastreer of laat kastreer.

(3) Die skutmeester mag enige sodanige bul nie vrylaat of verkoop nie, totdat hy deur 'n Goewerments-veearts geïnspekteer is, en, as daardie amptenaar van mening is dat die bul nie vir veeteelt-doeleindes geskik is nie, totdat die bul gekastreer is.

Regulasies.

7. Die Administrateur kan regulasies uitvaardig—

(a) vir die brand en merk van bulle deur 'n raad goedgekeur;

(b) vir die betaling van toelae aan lede van 'n raad, wat nie staatsamptenare is nie;

(c) wat die prosedure voorskrywe, wat deur 'n raad gevolg moet word, en algemeen, vir die verbetering van beeste en die wegdoen van ongeskikte bulle in enige beesteverbeteringsgebied en die uitvoer van die doeleindes van hierdie Ordonnansie.

Vrystelling.

8. Die bepalings van hierdie Ordonnansie het geen toepassing ten opsigtei van enige bulle nie, wie se stambome by enige vereniging geregistreer is, wat geaffilieer is aan die Suidafrikaanse Stamboek Assosasie en geïnkorporeer is kragtens "De Wet op Registrasie van Stamboekvee" (Wet No. 22 van 1920) van die Parlement van die Unie van Suid-Afrika.

Toepassing van bepalings op ander klasse van lewende hawe.

9. Die bepalings van hierdie Ordonnansie kan, na goeddunke van die Administrateur, *mutatis mutandis* by proklamasie uitgebrei en toegepas word op perde, esels, skape, bokke, varke en volstruise.

Uitsluiting van naturelle-reservate.

10. Geen grond deur die Administrateur as 'n reservaat vir naturelle afgesonder en goedgekeur en vallende binne die grense van 'n beesteverbeteringsgebied mag vir die doeleindes van hierdie Ordonnansie geag word deel te vorm van daardie beesteverbeteringsgebied.

Kort tietel.

11. Hierdie Ordonnansie kan vir al die doeleindes aangehaal word as die Beesteverbeterings-Ordonnansie 1930.

John Meinert Ltd., Windhoek.