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

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

Kantoor van die Administrateur,
Windhoek.

- (4) Die Wysigingsordonnansie van 1931 betreffende Volksgesondheid 7144
- (5) Die Wysigingsordonnansie van 1931 betreffende wapens en ammunisie 7144
- (6) Die Ontploffbare Stowwe Ordonnansie 1931 7144
- (7) Landnedersettingsfonds Ordonnansie 1931 7151
- (8) Veebrandmerke Ordonnansie 1931 7151
- (9) Die Ordonnansie van 1931 betreffende Oortreding van Diere (Platteland Gebiede) 7158

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

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

Administrator's Office,
Windhoek.

- (4) Public Health Amendment Ordinance, 1931 7144
- (5) Arms and Ammunition Amendment Ordinance, 1931 7144
- (6) Explosives Ordinance, 1931 7144
- (7) Land Settlement Fund Ordinance, 1931 7151
- (8) Stock Brands Ordinance, 1931 7151
- (9) Trespass of Animals (Rural Areas) Ordinance, 1931 7158

ONTWERPORDONNANSIE

Volksgesondheids Wet.

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

Wysiging van artikel *ses-en-dertig* van Unie Wet No. 36 van 1919, soos op die Gebied toegepas.

1. Artikel *ses-en-dertig* van "De Volksgezondheids Wet 1919" (Wet No. 36 van 1919) van die Parlement van die Unie van Suid-Afrika, soos op hierdie Gebied toegepas en vir die doel gewysig deur "De Publieke Gezondheids Proklamatie 1920" (Proklamasie No. 36 van 1920), word hierby gewysig ten opsigte van sodanige toepassing deur die invoeging van die woorde "de betaling van fooien door zodanige personen ten opzichte van zodanige overbrenging en ten opzichte van hun opneming en behandeling in zodanige inrichtingen" tussen die woorde "hun ontslag daaruit" en die woorde "de klassifikasie van en kontrôle" in paragraaf (c) daarvan.

Kort titel.

2. Hierdie Ordonnansie kan aangehaal word as die Wysigingsordonnansie van 1931 betreffende Volksgesondheid.

ONTWERPORDONNANSIE

Om die wet met betrekking tot die besit van wapens en ammunisie te wysig.

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

Woordbepaling.

1. In hierdie Ordonnansie beteken die uitdrukking "die hoofproklamasie" "De Wapenen en Ammunisie Proklamatie 1924" (Proklamasie No. 8 van 1924).

Wysiging van Art. *sewe* van Proklamasie No. 8 van 1924.

2. Artikel *sewe* van die hoofproklamasie word hiermee gewysig deur tussen paragrawe (c) en (d) daarvan die volgende nuwe paragraaf in te voeg en die bestaande paragraaf (d) as paragraaf (e) te hernoem:—

"(d) op enige naturelle- of kleurlingveewagter, in die diens van 'n *bona fide* boer, wat die houër is van 'n lisensie vir die besit van 'n haelgeweer en ammunisie, aan wie 'n tydelike permit wat sodanige veewagter magtig om in besit van sodanige haelgeweer en ammunisie te wees, deur 'n magistraat uitgereik is:

Met die verstande dat geen sodanige permit die besit van sodanige haelgeweer en ammunisie vir 'n langer tydperk as drie maande of vir 'n ander doel as die uitroeiing van ongedierte sal magtig nie:

Met die verstande verder 'dat geen sodanige permit die besit van meer as vyf patrone op een en dieselfde keer sal magtig nie."

Wysiging van Art. *drie-en-dertig* van Proklamasie No. 8 van 1924.

3. Artikel *drie-en-dertig* van die hoofproklamasie word hiermee gewysig deur die toevoeging van die volgende woorde aan die end daarvan:— "ongedierte" die betekenis hê, wat deur regulasie I van die regulasies onder Goewermentskennisgewing No. 210 gedagteken 27 Oktober 1930 gepubliseer, of enige wysiging daarvan, daaraan toegeskrywe word."

Kort titel.

4. Hierdie Ordonnansie kan vir al die doeleindes aangehaal word as die Wapens en Ammunisie Wysigingsordonnansie 1931.

ONTWERPORDONNANSIE

Om voorsiening te maak vir die vervaardiging, bewaring, verkoop, vervoer, invoer, uitvoer en die gebruik van ontplofbare stowwe.

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika met die toestemming van die Goewerneur-Generaal, vir sover sodanige toestemming benodig is, wat vooraf verkry is en deur boodskap van die Administrateur ooreenkomstig die voorsienings van artikel *ses-en-twintig* van "De Zuidwest-Afrika Konstitusie Wet 1925" van die Parlement van die Unie van Suid-Afrika aan die Wetgewende Vergadering meegedeel is, as volg:—

Herroeping.

1. Die Ordonnansie van die Keiserlike Goewerneur van Duits Suidwes-Afrika, gedagteken die vier-en-twintigste dag van Junie 1911, betreffende die verkeer met ontplofbare stowwe word hierby herroep.

DRAFT ORDINANCE

To amend the law relating to Public Health.

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

1. Section *thirty-six* of the Public Health Act, 1919 (Act No. 36 of 1919), of the Parliament of the Union of South Africa, as applied to this Territory and modified for the purpose, by the Public Health Proclamation, 1920 (Proclamation No. 36 of 1920), is hereby amended in respect of such application by the insertion in paragraph (c) thereof, between the words "their discharge therefrom" and the words "the classification and control", of the words "the payment of fees by such persons in respect of such removal and in respect of their accommodation and treatment in such institutions".

Amendment of section *thirty-six* of Union Act No. 36 of 1919 as applied to the Territory.

2. This Ordinance may be cited as the Public Health Amendment Ordinance, 1931. Short title.

DRAFT ORDINANCE

To amend the law relating to the possession of Arms and Ammunition.

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

1. In this Ordinance the expression "the principal proclamation" means the "Arms and Ammunition Proclamation, 1924" (Proclamation No. 8 of 1924). Definition.

2. Section *seven* of the principal proclamation is hereby amended by inserting between paragraphs (c) and (d) thereof the following new paragraph and to renumber the existing paragraph (d) as paragraph (e):—

Amendment of Section *seven* of Proclamation No. 8 of 1924.

"(d) to any native, or coloured herd in the service of a *bona fide* farmer who is the holder of a licence for the possession of a shotgun and ammunition to whom a temporary permit has been issued by a magistrate authorizing such herd to be in possession of such shotgun and ammunition:

Provided that no such permit shall authorize the possession of such a shotgun and ammunition for a longer period than three months or for any other purpose than the extermination of vermin:

Provided, moreover, that no such permit shall authorize the possession of more than five cartridges at one and the same time."

3. Section *thirty-three* of the principal proclamation is hereby amended by the addition of the following words at the end thereof:— "vermin" shall have the meaning assigned to it by regulation I of the regulations published under Government Notice No. 210 dated 27th October, 1930, or any amendment thereof.

Amendment of Section *thirty-three* of Proclamation No. 8 of 1924.

4. This Ordinance may be cited for all purposes as the Arms and Ammunition Amendment Ordinance, 1931. Short title.

DRAFT ORDINANCE

To provide for the Manufacture, Storage, Sale, Transport, Importation, Exportation, and the Use of Explosives.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the Governor-General, in so far as such consent is necessary, previously obtained and communicated to the Legislative Assembly by message from the Administrator in accordance with the provisions of section *twenty-six* of the South West Africa Constitution Act, 1925, of the Parliament of the Union of South Africa, as follows:—

1. The Ordinance of the Imperial Governor of German South West Africa, dated the twenty-fourth day of June, 1911, relating to the Traffic in Explosives, is hereby repealed. Repeal.

Woordbepaling.

2. In hierdie Ordonnansie en in enige regulasies daar-
onder, tensy onbestaanbaar met die samehang:—

beteken "erkende ontplofbare stof" 'n ontplofbare stof op-
genoem in 'n lys, wat deur die Administrateur goed-
gekeur en by kennisgewing in die *Offisiële Koerant*
gepubliseer is;

beteken "springstof" enige ontplofbare stof, wat gebruik
word om ontploffingsarbeid te verrig;

beteken "gevaarlike gebou" enige gebou of 'n deel daar-
van, wat gebruik word as 'n fabriek van ontplofbare
stowwe of as 'n magasyn vir ontplofbare stowwe of
in verband daarmee, tensy vir daardie gebou of deel
daarvan 'n sertifikaat ooreenkomstig regulasie uitgereik
is;

beteken "magasyn vir ontplofbare stowwe" enige gebou,
wat onder hierdie Ordonnansie gelisensieer is, vir die
bewaring van ontplofbare stowwe;

beteken "fabriek van ontplofbare stowwe" enige terrein,
wat onder hierdie Ordonnansie gelisensieer is vir die
vervaardiging van ontplofbare stowwe, daaronder be-
gryp al die daarop staande walle, geboue (met inbegrip
van magasyn) en werke, vir watter doel hulle ook
gebruik mag word;

beteken "ontplofbare stowwe"—

(a) buskruit, nitro-gliserien, dinamiet, skietkatoen,
springpoeiers, fulminaat van kwiksilwer of van
ander metale, gekleurde vuurwerk en al die ander
stowwe, onverskillig of hulle verwant aan die hierin
opgenoemdes is al dan nie, wat gebruik of ver-
vaardig word om deur ontploffing 'n praktiese
gevolg teweeg te bring of 'n piero-tegniese uit-
werking;

(b) enige lont, vuurpyl, detonator, patroon en elke be-
werking of bereiding van 'n ontplofbare stof, soos
hierin bepaal;

(c) enige ander stof, wat die Administrateur van tyd
tot tyd by proklamasie in die *Offisiële Koerant*
as 'n ontplofbare stof mag verklaar;

beteken "inspekteur", waar die uitdrukking nie anders be-
paal word nie, die inspekteur van ontplofbare stowwe
of 'n sub-inspekteur van ontplofbare stowwe of enige
persoon, aan wie die funksies van 'n sub-inspekteur
opgedra word kragtens artikel *drie* van hierdie Or-
donnansie;

beteken "vervaardiging" die saamstelling van 'n ontplof-
bare stof uit, en die ontleding van 'n ontplofbare stof
in sy bestanddele deur enige proses, die omsetting van
'n ontplofbare stof in 'n ontplofbare stof van 'n ander
soort, en die verandering, die geskikmaking vir gebruik
of die herstelling van enige ontplofbare stof;

beteken "perseel" enige terrein, pad, hawe, rivier, gebou,
werk, skip, boot of ander vaartuig, of enige gedeelte
daarvan, of 'n tent, trok, kar, pakwa of ander voertuig;

beteken "regulasie" 'n regulasie, wat kragtens hierdie Or-
donnansie gemaak en van krag is;

beteken "nie-erkende ontplofbare stof" 'n ontplofbare stof,
wat nie opgenoem is nie in 'n lys van erkende ontplof-
bare stowwe, wat, soos deur hierdie Ordonnansie ver-
eis, gepubliseer is.

3. (1) Die Administrateur kan 'n inspekteur van ontplof-
bare stowwe aanstel en sodanige sub-inspekteurs en so-
danige ander beamptes as syns indiens benodig is vir die
uitvoering van die bepalings van hierdie Ordonnansie en die
regulasies.

(2) Die Administrateur kan ander persone belas om
in sekere lokaliteite en vir sekere doeleindes as sub-inspekteurs
te fungeer. Vir sover hierdie persone aldus mag fungeer
het hulle dieselfde bevoegdhede en vervul hulle dieselfde
pligte as aan inspekteurs by hierdie Ordonnansie en die regu-
lasies toegeken en opgelê is. 'n Persoon aldus belas het
geen jurisdiksie onder artikel *vier* om inbreuke op die
regulasies of op besonder voorskrifte te bereg nie.

4 (1) 'n Inspekteur is bevoeg om 'n inbreuk op die
regulasies of op besonder voorskrifte, kragtens artikel *ses-
en-twintig* gegee, te bereg, tensy die dood van enige per-
soon deur sodanige inbreuk veroorsaak is.

(2) Wanneer 'n inspekteur kragtens hierdie artikel han-
del, kan hy, as hy 'n beskuldigde persoon skuldig vind aan
'n inbreuk op 'n regulasie of voorskrif, 'n vonnis of boete
van hoogstens vyf pond oplê, en sodanige vonnis is, sodra die
verslag van die inspekteur se bevinding en vonnis by die
magistraat van die distrik ooreenkomstig onderartikel (3)
ingedien is, op hom uitvoerbaar asof dit deur 'n magistrats-
hof gevel was.

Waar die oortreder 'n geëmployeerde is, moet die in-
spekteur, by wanbetaling van die fooi, die bedrag aan die
werkgewer van die oortreder bekend maak, wat die aldus
bekend gemaakte bedrag van enige loon, wat aan die oor-
treder betaalbaar is of sal word, moet agterhou en dit aan
die voormelde inspekteur of aan die magistraat van die
distrik ten bate van die Gebied se Inkomstefonds moet oor-
betaal.

Wanneer betaling van sodanige fooi of gedeelte daarvan
aan die magistraat, by wie die verslag van die inspekteur
se bevinding en vonnis ingedien is, geskied, moet sodanige
magistraat die inspekteur onverwyld van sodanige betaling
in kennis stel; en wanneer enige sodanige betaling aan die
inspekteur geskied, moet die laasgenoemde die voormelde
magistraat onverwyld daarvan in kennis stel.

2. In this Ordinance and in any regulations made there-
under, unless inconsistent with the context,—

Interpretation of
terms.

"authorized explosive" means an explosive named in a
list approved by the Administrator and published by
notice in the *Gazette*

"blasting material" means any explosive used for the
purpose of blasting;

"danger building" means any building or part thereof used
as an explosives factory or explosives magazine, or
in connection therewith, unless in respect of that
building or part thereof a certificate has been granted
in accordance with regulation;

"explosives magazine" means any building licensed under
this Ordinance for the storage of explosives;

"explosives factory" means any site licensed under this
Ordinance for the manufacture of any explosives,
together with every mound, building (including a
magazine), and work thereon for whatsoever purpose
used;

"explosives" means—

(a) gunpowder, nitro-glycerine, dynamite, guncotton,
blasting powders, fulminate of mercury or of other
metals, coloured fires, and every other substance
whether similar to those herein mentioned or not,
which is used or manufactured with a view to pro-
duce a practical effect by explosion or a pyro-
technic effect;

(b) any fuse, rocket, detonator, cartridge, and every
adaption or preparation of an explosive as herein
defined;

(c) any other substance which the Administrator may
from time to time by proclamation in the *Gazette*
declare to be an explosive;

"inspector" means, unless otherwise qualified, the in-
spector of explosives, or a sub-inspector of explosives,
or any person deputed to act as a sub-inspector under
section *three* of this Ordinance;

"manufacture" means the making and division of any ex-
plosive from or into its component parts by any
process, the conversion of an explosive into an ex-
plosive of another kind, and the alteration, fitting for
use, or repair of any explosive;

"premises" means any land, road, harbour, river, building,
structure, ship, boat or other vessel, or any part
thereof, or any tent, railway, truck, cart, van, or other
vehicle;

"regulation" means a regulation made and in force under
this Ordinance;

"unauthorized explosives" means an explosive not named
in a list of authorized explosives published as by
this Ordinance, required.

3. (1) The Administrator may appoint an inspector of
explosives and such sub-inspectors of explosives, and such
other officers, as to him may seem necessary for carrying
out the provisions of this Ordinance and the regulations.

Power of Ad-
ministrator to
appoint inspector
and sub-
inspectors.

(2) The Administrator may depute other persons to
act as sub-inspectors in certain localities and for certain
purposes; and, in so far as any such person is authorised
so to act, he shall have the same powers and be subject
to the same duties as are conferred and imposed upon in-
spectors by this Ordinance and the regulations. A person
so deputed shall have no jurisdiction under section *four*
to try breaches of regulations or special rules.

4. (1) An inspector shall have jurisdiction to try a
breach of any regulation or of any special rule made under
section *twenty-six*, unless the death of any person has been
caused by any such breach.

Trial by inspec-
tors of breaches
of regulations or
special rules.

(2) An inspector when acting under this section may,
on finding any accused person guilty of a breach of a regula-
tion or rule, impose a sentence of fine not exceeding five
pounds, and such sentence shall, as soon as record of the
inspector's finding and sentence has been lodged with the
Magistrate of the district in terms of sub-section (3), be
enforceable in the same way as if it had been passed by a
magistrate's court.

Where the offender is an employee the inspector shall,
on default of payment of the fine, notify the amount to the
offender's employer, who shall withhold the amount so
notified from any wages due or to become due to the
offender, and pay it over to the inspector aforesaid,
or to the magistrate of the district for the benefit of the
Territory Revenue Fund.

Whenever payment of such fine or any portion thereof
is made to the magistrate with whom the record of the
inspector's finding and sentence has been lodged, such
magistrate shall forthwith notify the inspector of such pay-
ment; and whenever any such payment is made to the in-
spector, the latter shall forthwith notify the said magistrate
thereof.

Mag van Adminis-
trateur om in-
spekteur en sub-
inspekteurs aan
te stel.

Beregting deur in-
spekteurs van oor-
tredding van regu-
lasies of besonder
voorskrifte.

(3) By elke sodanige beregting moet elke sodanige inspekteur die getuienis, desverre, met die hulp van 'n tolk, in geskryfte opteken en sy bevinding en uitspraak in geskryfte boekstaaf en dit aan die magistraat van die distrik oorstuur en teen enige sodanige bevinding of uitspraak kan by daardie magistraat in appèl gekom word as, binne een-en-twintig dae na die datum van die vonnis, 'n kennisgewing, die gronde van appèl aangewende, in geskryfte aan die voormelde magistraat en die inspekteur gegee word. Die beslissing van die magistraat aangaande enige sodanige appèl is finaal.

(4) Vir die doeleindes van enige sodanige beregting kan die inspekteur getuies dagvaar om getuienis af te lê of om dokumente of enige artikel of ding, wat hy vir die beoorloofde uitvoering van die beregting benodig mag ag, voor te lê.

(5) Enige aldus gedagvaarde persoon, wat sonder redelike verontskuldiging versuim om die terme van die dagvaaring na te kom, is aan 'n oortreding skuldig en, na skuldigbevinding, blootgestel aan 'n boete van hoogstens tien pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens een maand.

(6) Enige persoon, hetsy gedagvaar al dan nie, wat weier om na sy beste wete en gewete al die vrae, wettig deur of met die instemming van die inspekteur aan hom gestel, te beantwoord, terwyl hy onder verhoor is, of wat die voormelde inspekteur met opset by die verhoor beledig of die verrigtings met opset onderbreek, is aan 'n oortreding skuldig en, na skuldigbevinding, blootgestel aan die strawwe opgenoem in onderartikel (5).

(7) By enige sodanige beregting moet die inspekteur van elke getuie 'n eed afneem of hom 'n plegtige verklaring van die waarheid van sy getuienis laat aflê, en as enige getuie, van wie 'n eed aldus afgeneem is, of wat sodanige plegtige verklaring afgelê het, valse getuienis wesenlik vir die uitslag van die beregting aflê, wetende dat dit vals is, is hy aan 'n oortreding skuldig en, na skuldigbevinding, aan die strawwe, deur die wet weens meened voorgeskryf, blootgestel.

(8) Enige sodanige getuie het dieselfde voorregte ten opsigte van die beantwoording van vrae of die voorlê van dokumente, as hy onder dieselfde omstandighede sou hê, as hy as 'n getuie voor 'n hoër gereghof gedagvaar was.

VERVAARDIGING VAN ONTPLOFBARE STOWWE.

5. (1) Niemand mag enige nie-erkende ontplofbare stof vervaardig nie, tensy—

- (a) dit uitsluitlik vervaardig word vir skeikundige proefnemings en nie vir verkoop nie, en in gewigshoeveelhede van ten hoogste een pond op een tyd, of vyf pond in die geheel, of
- (b) dit uitsluitlik vervaardig word ter toetsing op praktiese wyse van sy waarde as ontplofbare stof en nie vir verkoop nie, en in sodanige hoeveelhede en onder sodanige voorwaardes as 'n inspekteur skriftelik mag voorskryf.

(2) Enige persoon, wat die bepalings van hierdie artikel of enige voorwaarde uit kragte daarvan vasgestel oortree, is na skuldigbevinding blootgestel aan 'n boete van hoogstens een honderd pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens ses maande, en die ontplofbare stof, ten opsigte waarvan die oortreding plaasgevind het, word verbeurd verklaar.

(3) Die eienaar en die bewoner van 'n perseel, waarin of waarop 'n nie-erkende ontplofbare stof in stryd met hierdie artikel vervaardig is, word beskou as die vervaardiger, tensy sodanige eienaar of bewoner (soos die geval mag wees) die hof, waarvoor hy teregstaan, oortuig dat hy geen kennis gedra het nie dat die oortreding plaasvindende was of plaasgevind het.

(4) Die las om te bewys dat enige vervaardiging van 'n nie-erkende ontplofbare stof uitsluitend vir skeikundige proefneming of praktiese toetsing en nie vir verkoop nie geskied het, berus in enige vervolging kragtens hierdie artikel by die beskuldigde.

6. Niemand mag enige erkende ontplofbare stof elders vervaardig nie as in 'n fabriek van ontplofbare stowwe.

Enige persoon, wat die bepalings van hierdie artikel oortree, is na skuldigbevinding blootgestel aan 'n boete van hoogstens eenhonderd pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens ses maande en die ontplofbare stof, ten aansien waarvan enige sodanige oortreding plaasgevind het, word verbeurd verklaar.

BEWARING VAN ONTPLOFBARE STOWWE.

7. (1) Niemand mag 'n nie-erkende ontplofbare stof hou, bewaar of in besit hê nie—

- (a) tensy dit vervaardig is ooreenkomstig paragraaf (a) van onderartikel (1) van artikel vyf en die gewig van vyf pond nie teboegaan nie; of
- (b) tensy dit vervaardig is ooreenkomstig paragraaf (b) van onderartikel (1) van artikel vyf en op sodanige wyse en in sodanige hoeveelhede bewaar of besit word as skriftelik deur 'n inspekteur goedgekeur is.

(3) At every such trial every such inspector shall, with the assistance, if necessary, of an interpreter, take down the evidence in writing and record his finding and sentence in writing and transmit the same to the Magistrate of the district and an appeal shall lie to that magistrate against any such finding or sentence, if, within twenty-one days after the date of the sentence, notice stating the grounds of appeal be given in writing to the magistrate and the inspector aforesaid. The decision of the magistrate upon any such appeal shall be final.

(4) For the purposes of any such trial the inspector may summon witnesses to give evidence or to produce documents or any article or thing which he may deem requisite for properly conducting the trial.

(5) Any person so summoned who fails, without reasonable excuse, to comply with the terms of the summons, shall be guilty of an offence and liable on conviction to a fine not exceeding ten pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding one month.

(6) Any person, whether summoned or not, who while under examination refuses to answer to the best of his knowledge or belief all questions lawfully put to him by or with the concurrence of the inspector, or who at the trial wilfully insults the said inspector or wilfully interrupts the proceedings, shall be guilty of an offence and liable on conviction to the penalties mentioned in sub-section (5).

(7) At any such trial the inspector shall administer an oath to every witness or require him to make an affirmation of the truth of his evidence, and, if any witness to whom an oath has been so administered or has made such affirmation, give false evidence, material to the issue at the trial, knowing it to be false, he shall be guilty of an offence and liable on conviction to the penalties prescribed by law for perjury.

(8) Any such witness shall have the same privileges in respect of answering questions or producing documents as he would have under the same circumstances if he were summoned as a witness before a superior court.

MANUFACTURE OF EXPLOSIVES.

5. (1) No person shall manufacture any unauthorized explosive unless—

- (a) it be manufactured solely for purposes of chemical experiment and not for sale, and in quantities not exceeding one pound in weight at any one time, or five pounds in all; or
- (b) it be manufactured solely for practical trial as an explosive and not for sale, and in such quantities and under such conditions as may be in writing prescribed by an inspector.

(2) Any person who contravenes the provisions of this section of any condition prescribed under the powers thereof shall be liable on conviction to a fine not exceeding one hundred pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding six months, and the explosive in respect of which the contravention has taken place shall be forfeited.

(3) The owner and the occupier of any premises in or on which an unauthorized explosive has been manufactured in contravention of this section shall be deemed to be the manufacturer, unless such owner or occupier (as the case may be) satisfy the court before which he is charged that he was unaware that any such contravention was occurring or had occurred.

(4) The burden of proving that any manufacture of an unauthorised explosive was solely for purposes of chemical experiment or practical trial and not for sale, shall, in any prosecution under this section, be upon the accused.

6. No person shall manufacture any authorized explosive in any place other than an explosives factory.

Any person who contravenes the provisions of this section shall be liable on conviction to a fine not exceeding one hundred pounds, or, in default of payment, to imprisonment with or without hard labour for a period not exceeding six months and the explosive in respect of which any such contravention has taken place shall be forfeited.

STORAGE OF EXPLOSIVES.

7. (1) No person shall keep, store, or be in possession of any unauthorised explosive—

- (a) unless it has been manufactured as provided by paragraph (a) of sub-section (1) of section five and does not exceed five pounds in weight; or
- (b) unless it has been manufactured as provided by paragraph (b) of sub-section (1) of section five and is kept stored or possessed in such manner and such quantities as have been approved in writing by an inspector.

Nie-erkende ontplofbare stowwe mag slegs in klein hoeveelhede vir skeikundige proefnemings vervaardig word.

Prohibition of manufacture of unauthorized explosives except in small quantities for chemical experiment.

Erkende ontplofbare stowwe mag slegs in gelisensieerde fabriek vervaardig word.

Prohibition of manufacture of authorized explosives except in licensed factories.

Nie-erkende ontplofbare stowwe mag slegs bewaar en gehou word ooreenkomstig artikel vyf.

Prohibition of storage or possession of unauthorised explosives save in accordance with section five.

(2) Die bepalings van onderartikels (2), (3) en (4) van artikel vyf is *mutatis mutandis* van toepassing in die geval van enige oortreding van hierdie artikel of van enige van die voorwaardes daaronder voorgeskrywe.

(2) The provisions of sub-sections (2), (3) and (4) of section five shall apply *mutatis mutandis* in the event of any contravention of this section or of any of the conditions prescribed thereunder.

Erkende ontplofbare stowwe mag slegs in gelisensieerde persele bewaar word.

8. (1) Niemand mag enige erkende ontplofbare stof in of op 'n perseel hou, bewaar of in besit hê nie—

8. (1) No person shall keep, store, or be in possession of any authorised explosive in or on any premises—

Prohibition of storage of authorised explosives except in licensed premises.

- (a) behalwe in 'n fabriek van ontplofbare stowwe of 'n magasyn vir ontplofbare stowwe; of
- (b) tensy die ontplofbare stof vir eie gebruik gehou word, en nie vir verkoop of ander beskikking, en ooreenkomstig regulasie; of
- (c) tensy die ontplofbare stof gehou word vir gebruik by die aanlê van spoorweë, paaie of ander openbare werke in gewigshoeveelhede van ten hoogste vyfduisend pond en bewaar word in 'n tydelik deur 'n inspekteur goedgekeurde magasyn en onder voorwaardes skriftelik deur 'n inspekteur voorgeskrywe; of
- (d) tensy die ontplofbare stof gehou word in gewigshoeveelhede van ten hoogste duisend pond en bewaar word in 'n afgesonderde plek deur 'n inspekteur goedgekeur en onder voorwaardes deur 'n inspekteur skriftelik voorgeskrywe; of
- (e) tensy die ontplofbare stof gehou word deur iemand, wat in besit is van die lisensie, soos voorsien by artikel nege, om in ontplofbare stowwe handel te drywe, en ooreenkomstig die voorwaardes verbind aan daardie lisensie of voorgeskrywe by regulasie.

- (a) except in an explosives factory or explosives magazine; or
- (b) unless the explosive be kept for private use, and not for sale or other disposal and in accordance with regulation; or
- (c) unless the explosive be kept for use in the construction of any railway, road, or other public work, in quantities not exceeding five thousand pounds in weight and be stored in a temporary magazine approved by an inspector and under conditions prescribed in writing by an inspector; or
- (d) unless the explosive be kept in quantities not exceeding one thousand pounds in weight, and be stored in an isolated place approved by an inspector and under conditions prescribed in writing by an inspector; or
- (e) unless the explosive be kept by a person in possession of a licence, as provided in section nine to deal in explosives, and in accordance with any conditions attached to that licence, or prescribed by regulation.

(2) Enige persoon, wat die bepalings van hierdie artikel of enige voorwaarde daaronder voorgeskryf of daarin opgeneem oortree, staan na skuldigbevinding bloot aan 'n boete van hoogstens vyftig pond of, by wanbetaling, aan gevangenisstraf van 'n tydperk van hoogstens drie maande met of sonder harde arbeid, en die ontplofbare stof, ten opsigte waarvan die oortreding plaasgevind het, word verbeurd verklaar.

(2) Any person who contravenes the provisions of this section or any condition prescribed thereunder or mentioned therein, shall be 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, and the explosive in respect of which the contravention has taken place shall be forfeited.

(3) Die eienaar en die bewoner van 'n perseel, waarin, waarby of waarop enige oortreding van hierdie artikel gepleeg word, is blootgestel aan die strawwe voorgeskrywe vir enige sodanige oortreding, tensy sodanige eienaar of bewoner (soos die geval mag wees) die hof, waarvoor hy tereg staan, oortuig dat hy geen kennis gedra het nie dat enige sodanige oortreding plaasvindende was of plaasgevind het.

(3) The owner and the occupier of any premises in, at, or on which any contravention of this section has occurred, shall be liable to the penalties prescribed for any such contravention, unless such owner or occupier (as the case may be) satisfy the court before which he is charged that he was unaware that any such contravention was occurring or had occurred.

GELISENSIEERDE HANDELAARS IN ONTPLOFBARE STOWWE.

LICENSED DEALERS IN EXPLOSIVES.

Lisensie vereis vir handel in ontplofbare stowwe.

9. Met uitsondering van die fabrikant is niemand geregtig om ontplofbare stowwe te verkoop, te verhandel of van die hand te sit nie, tensy hy in besit is van 'n lisensie uitgereik onder die regulasies.

9. No person, other than the manufacturer, shall sell, deal in, or dispose of, any explosive unless he be in possession of a licence granted under the regulations.

License necessary to deal in explosives.

Vir die doeleindes van hierdie artikel word 'n mynbestuurder, wat in afgeleë distrikte en ooreenkomstig regulasies ander verbruikers van ontplofbare stowwe voorsien, slegs dan as 'n handelaar beskou, as hy met wins verkoop.

For the purpose of this section a mine manager, who in outlying districts and in accordance with regulation supplies other consumers, shall not be deemed to be a dealer, unless he sell at a profit.

INVOER, UITVOER EN GEBRUIK VAN ONTPLOFBARE STOWWE.

IMPORTATION, EXPORTATION, AND USE OF EXPLOSIVES.

Permit vereis vir invoer en uitvoer van ontplofbare stowwe.

10. Niemand mag ontplofbare stowwe binne die Gebied invoer of laat invoer of uit die Gebied uitvoer of laat uitvoer nie, tensy hy 'n permit gekry het, uitgereik, wat springstowwe betref, op gesag van 'n inspekteur, of, wat ander ontplofbare stowwe betref, deur enige persoon deur die Administrateur gemagtig om sodanige permit uit te reik.

10. No person shall import into or export from the Territory or cause to be imported thereto or exported therefrom any explosive, unless he has obtained a permit issued, in the case of blasting materials, under the authority of an inspector, or, in the case of other explosives, by any person authorised by the Administrator to issue such a permit.

No importation or exportation of explosives without permit

Permit vereis vir die gebruik van springstowwe.

11. Niemand mag springstowwe gebruik of laat gebruik nie, tensy hy—

11. No person shall use or cause to be used blasting materials, unless—

Prohibition of use of blasting materials without permit.

- (a) in besit is van 'n permit uitgereik op gesag van 'n inspekteur of van die Inspekteur van Mynwese of van 'n magistraat of van 'n spesiale vrederegter of van 'n polisiebeampte van geen minder rang as sersjant nie; of
- (b) onder die onmiddellike opsig staan van iemand, wat sodanige permit besit.

- (a) he be in possession of a permit issued under the authority of an inspector, or of the Inspector of Mines or of a magistrate or of a special justice of the peace, or of a police officer not below the rank of sergeant;
- (b) he be under the immediate supervision of a person who has such a permit.

Geen sodanige permit mag uitgereik word nie, tensy die uitreiker verseker is dat aan die aanvrager die gebruik van springstowwe veilig toevertrou kan word, en dat daar noodsaaklikheid bestaan vir die gebruik daarvan deur hom.

No such permit shall be issued unless the issuing authority be satisfied that the applicant may be safely entrusted with the use of blasting materials, and that there is necessity for his using the same.

Strafbepaling.

12. Enige persoon, wat die bepalings van artikel nege, tien of elf oortree, is by skuldigbevinding blootgestel aan 'n boete van ten hoogste vyftig pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande.

12. Any person who contravenes the provisions of section nine, ten or eleven shall be 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.

Penalties.

LISENSIEER VAN FABRIEKE EN MAGASYNEN VIR ONTPLOFBARE STOWWE.

LICENSING OF FACTORIES AND EXPLOSIVES MAGAZINES.

Besonderhede moet in aplikasie vir lisensie om 'n fabriek op te rig vermeld word.

13. (1) Elke persoon, wat wens om 'n fabriek vir die vervaardiging van ontplofbare stowwe op te rig, te vestig of te onderhou, moet 'n skriftelike aplikasie aan die Administrateur stuur onder byvoeging van diagramme of planne van die voorgestelde fabriek, vervaardig op die skaal of skale, wat deur die Administrateur voorgeskryf mag word, en die aplikasie moet uiteensit en spesifiseer—

(1) Every person who desires to erect, establish, or maintain any factory for the manufacture of explosives shall make application in writing to the Administrator accompanied by diagrams or plans of the proposed factory, on such scale or scales as the Administrator may prescribe, and the application shall set forth and specify—

Particulars to be stated in application for license to erect a factory.

- (a) die ligging en uitgestrektheid van die terrein, waarop dit die plan is om die fabriek op te rig, asook die uitgestrektheid van die omringende terrein, wat dit die plan is om ongebou te laat;

- (a) the situation and extent or area of the land on which it is proposed to erect the factory, together with the area of land surrounding the same which it is proposed to leave free of buildings;

- (b) die verskillende afstande, wat dit die plan is om tussen die onderskeie gevaarlike geboue respektieflik en tussen daardie gevaarlike geboue en ander geboue of werke, wat in verband met die fabriek gebruik word, te hou;
- (c) die materiaal, wat gebruik moet word vir en die wyse van konstruksie van al die gevaarlike geboue en werke op, in of gebruik in verband met die fabriek;
- (d) die aard van die vervaardigingsmetodes, wat in die fabriek toegepas moet word, die plek, waar dit die plan is om elke metode van vervaardiging en elke soort van werk in die fabriek te verrig, en die plekke, waarop of waarin dit die plan is om enige bestanddele van ontplofbare stowwe of ander dinge, wat vir selfontbranding of verbranding vatbaar of andersins gevaarlik is, in bewaring te hou;
- (e) die hoeveelheid ontplofbare stowwe of die hoeveelheid gedeeltelik of geheel gemengde bestanddele daarvan, wat dit die plan is om tegelykertyd in of naby enige gebou of in of naby enige masjien te gebruik;
- (f) die maksimum aantal persone, wat dit die plan is om in elke gevaarlike gebou in die fabriek te werk te stel, en of daardie persone blanke of gekleurde persone is;
- (g) enige verder besonderhede, wat die Administrateur mag verlang uit aanmerking van enige besonder omstandighede voortvloeiende uit die ligging of konstruksie van geboue of werke of uit hoofde van die aard van enige vervaardigingsmetode, wat dit die plan is om daarin toe te pas.

(2) Die Administrateur kan enige sodanige applikasie van die hand wys of hy kan gelas dat 'n openbare ondersoek ingestel word, soos in die naasvolgende artikel voorsien, aangaande die wenslikheid om die applikasie in te willig.

14. (1) Ingeval die Administrateur gelas dat sodanige voormelde ondersoek ingestel word, moet hy ten koste van die applikant 'n kennisgewing laat publiseer, waarin verklaar word dat kragtens hierdie Ordonnansie applikasie gemaak is vir die uitreiking van 'n lisensie tot oprigting van 'n fabriek vir die vervaardiging van ontplofbare stowwe, en waarin sover doenlik die terrein, waar dit die plan is om die fabriek op te rig, beskryf is, en waarin verklaar word dat 'n kommissie sal sit om enige besware teen die uitreiking van sodanige lisensie te hoor onder opgawe van die datum en die uur waarop, en die plek waar daardie kommissie sal sit om die applikasie te hoor.

(2) Die voormelde kennisgewing moet gepubliseer word in drie opeenvolgende uitgawes van die *Offisiële Koerant* en een keer per week gedurende drie opeenvolgende weke in een of meer koerante, wat in omloop is in die distrik, waarin dit die plan is om die fabriek op te rig of te vestig.

(3) Die plaaslike bestuur binne die magskring waarvan, of binne die omtrek van een myl waarvan, die terrein van die fabriek, wat dit die plan is om op te rig, geleë is, en enige persoon, wat binne 'n gelyke afstand woon of 'n bedryf uitoefen, of enige persoon, wat 'n aanmerklike belang kan aantoon teen die uitreiking van 'n lisensie, kan, hetsy afsonderlik, hetsy in vereniging met ander persone, by die voorsitter van die kommissie nie later nie as sewe dae voor die sitting van die kommissie teen die uitreiking van die lisensie skriftelik beswaar indien.

(4) Elke applikant vir 'n lisensie of elke persoon, wat teen die uitreiking daarvan verset aangeteken het, kan, hetsy in persoon hetsy deur sy skriftelik daartoe gemagtigde plaasvervanger, sy applikasie of beswaar voor die kommissie bepleit.

15. Die kommissie moet bestaan uit 'n inspekteur (wat die voorsitter van die kommissie moet wees) en twee ander persone, vir die doel deur die Administrateur benoem, en hy moet, sodra doenlik na afloop van sy sitting aan die Administrateur 'n verslag met sodanige aanbevelings, as hy doelmatig mag ag, uitbring.

16. Die Administrateur kan op grond van die verslag en die aanbevelings van die kommissie die applikasie vir 'n lisensie hetsy weier hetsy toestaan met of sonder wysigings en voorwaardes.

17. Enige lisensie onder hierdie Ordonnansie tot oprigting, vestiging en instandhouding van 'n fabriek vir die vervaardiging van ontplofbare stowwe moet, indien toegestaan, deur die Administrateur teen betaling van 'n som van vyftig pond uitgereik word: Met die verstande dat geen ontplofbare stof vervaardig mag word nie, voordat die inspekteur van ontplofbare stowwe oortuig is, dat die perseel, waarvoor die lisensie toegestaan is, in 'n genoegsaam gevorderde staat is om te veroorloof dat die bepalings van hierdie Ordonnansie en die regulasies in elke opsig toegepas en nagekom word.

18. Enige sodanige lisensie of die voorwaardes daarvan kan deur die Administrateur op aansoek gewysig word, wat nie die wysiging mag inwillig nie behalwe op 'n rapport deur 'n inspekteur dat die veiligheid van die publiek of van enige persoon, wat in of aan die gelisensiëerde fabriek werkzaam is, nie daardeur verminder sal word nie:

Met die verstande dat geen sodanige wysiging onbestaanbaar met die bepalings van hierdie Ordonnansie of enige regulasie mag wees nie.

Iedere keer dat 'n lisensie kragtens hierdie artikel gewysig word, is 'n fooi van een pond betaalbaar.

(b) the several distances which it is proposed to maintain between the several danger buildings respectively, and between those danger buildings and other buildings or works used in connection with the factory;

(c) the materials to be used in, and the mode of construction of, all danger buildings and works on, in or used in connection with the factory;

(d) the nature of the processes of manufacture to be used in the factory, the place at which each process of manufacture and every description of work is intended to be carried on in the factory, and the places on or in which it is proposed to keep in store any ingredients of explosives or other articles liable to spontaneous ignition or combustion or otherwise dangerous;

(e) the quantity of explosives or of any partly or wholly mixed ingredients thereof, which it is proposed to use simultaneously in or near any building or in or near any machine;

(f) the maximum number of persons which it is proposed to employ in each danger building in the factory, and whether those persons are white or coloured persons;

(g) any further particulars which the Administrator may require, having regard to any special circumstances arising from the locality or construction of any buildings or works, or to the nature of any process to be carried on therein.

(2) The Administrator may refuse any such application or direct that a public inquiry be held, as in the next succeeding section is provided, as to the expediency of granting the application.

14. (1) In the event of the Administrator directing that such an inquiry as aforesaid be held, he shall cause a notice to be published at the cost of the applicant, stating that application has been made under this Ordinance for the grant of a licence to erect a factory for the manufacture of explosives, describing as far as possible the proposed site of the factory, and stating that a commission will sit to hear any objections to the grant of such a licence, and the date, time, and place on or at which that commission will sit to hear the application.

(2) The said notice shall be published in three consecutive issues of the *Gazette* and once a week during three consecutive weeks in one or more newspapers circulating in the district in which it is proposed to erect or establish the factory.

(3) The local authority having jurisdiction in an area in which, or within one mile of which, is situate the site of the proposed factory, and any person residing or carrying on business within a like distance, or any person who can show a substantial interest in opposing the grant of a licence, may, either individually or jointly with others, lodge an objection in writing to the grant of any such licence with the chairman of the commission not later than seven days prior to the sitting of the commission.

(4) Every applicant for a licence or objector thereto may appear before the commission in support of his application or objection, either in person or by deputy authorised thereto in writing by the applicant or objector.

15. The commission shall consist of an inspector (who shall be the chairman of the commission) and two other persons appointed for the purpose by the Administrator, and it shall, as soon as may be after the conclusion of its sitting, make a report to the Administrator, with such recommendations as it may think fit.

16. Upon consideration of the report and recommendations of the commission the Administrator may refuse the application for a licence, or may grant the application with or without modifications and conditions.

17. Any licence under this Ordinance to erect, establish, and maintain a factory for the manufacture of explosives shall, if granted, be issued by the Administrator upon payment of a sum of fifty pounds: Provided that no explosive shall be manufactured until the inspector of explosives is satisfied that the premises in respect of which the licence has been granted are in a sufficiently complete state to enable the provisions of this Ordinance and the regulations to be carried out and complied with in all respects.

18. Any such licence or the conditions thereof may, upon application, be amended by the Administrator, who shall not consent to the amendment except upon a report by an inspector that the safety of the public or of any person employed in or at the licensed factory will not be thereby diminished: Provided that no such amendment shall be inconsistent with the provisions of this Ordinance or of any regulation.

A fee of one pound shall be payable on every occasion that a licence is amended under this section.

Kennisgewing van ondersoek na wenslikheid van uitreiking van lisensie en indiening van besware teen uitreiking.

Samstelling, bevoegdhede en pligte van die kommissie.

Bevoegdheid van Administrateur om op grond van die verslag van die kommissie die lisensie toe te staan of te weier.

Uitreiking van lisensie deur die Administrateur.

Wysiging van lisensie deur Administrateur.

Notice of inquiry into expediency of granting licence and objections to such grant.

Constitution, powers, and duties of the commission.

Powers of Administrator to grant or refuse licence on consideration of the report of the commission.

Issue of licence by the Administrator.

Amendment of licence by Administrator.

Oordrag van lisensie deur Administrateur.

19. Enige sodanige lisensie kan in die naam van 'n ander oorgedra word, mits vier weke van tevore 'n skriftelike kennisgewing van 'n begeerte om oor te dra aan die Administrateur gestuur word, wat sodanige oordrag nie mag weier nie, behalwe op grond dat die persoon, aan wie die oordrag moet geskied, nie 'n geskikte persoon is nie om sodanige lisensie te hou.

19. Any such licence may be transferred into the name of another: Provided that four weeks' notice in writing of a desire to transfer be sent to the Administrator, who shall not refuse such a transfer except upon the ground that the proposed transferee is not a suitable person to hold such a licence.

Transfer of licence by Administrator.

Intrekking van lisensie deur Administrateur en verval daarvan.

20. Die Administrateur kan enige sodanige lisensie intrek. Elke sodanige lisensie verval *ipso facto*, as die houër daarvan 'n werksaamheid, waartoe die lisensie vergunning gee, gedurende 'n tydperk van twee jare gestaak het, en hy word ongeldig, as die perseel, waarvoor die lisensie uitgereik is, vir 'n bedryf of werksaamheid gebruik word, waartoe die lisensie geen vergunning verleen nie.

20. The Administrator may revoke any such licence. Every such licence shall *ipso facto* expire if the holder thereof has ceased to carry on, for a period of two years, any works authorised by the licence, and shall become void if the premises in respect of which the licence was granted have been used for any trade or work, not authorised by the licence.

Revocation of licence by Administrator and lapse of same

Strawwe vir oortreding van voorwaardes van lisensie.

21. Enige persoon, wat enige voorwaarde, waaronder enige sodanige lisensie uitgereik is, oortree of in gebreke bly om daaraan te voldoen, is na skuldigebevinding blootgestel aan 'n boete van hoogstens tweehonderd en vyftig pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens twaalf maande.

21. Any person who contravenes or fails to comply with any condition upon which any such licence was granted shall be liable on conviction to a fine not exceeding two hundred and fifty pounds, or, in default of payment, to imprisonment with or without hard labour for a period not exceeding twelve months.

Penalties for contravention of conditions of licence.

Vergunning tot oprigting of aanhouding van 'n magasyn vir ontplofbare stowwe.

22. (1) Enige persoon, wat wens om 'n magasyn vir die bewaring van ontplofbare stowwe op te rig of aan te hou, moet by 'n inspekteur applikasie maak vir 'n lisensie daarvoor, wat sodanige lisensie kan toestaan onder voorwaarde, dat die regulasies nagekom word, en na oorleg met die plaaslike outoriteit, indien daar enige is, en onder sodanige ander voorwaardes, as hy doelmatig mag ag om aan die lisensie te verbind.

22. (1) Any person desiring to erect or carry on a magazine for the storage of explosives shall make application for a licence for the same to an inspector who may grant such a licence, subject to the observance of the regulations and after consultation with the local authority, if any, and upon such other conditions as he may think fit to attach to the licence.

Permission to erect or use explosives magazine.

(2) Enige persoon, wat enige voorwaarde van 'n lisensie, op grond van hierdie artikel toegestaan, oortree is na skuldigebevinding blootgestel aan die strawwe in die laas voorafgaande artikel opgenoem.

(2) Any person who contravenes any condition of a licence granted under this section shall be liable on conviction to the penalties mentioned in the last preceding section.

(3) Die bepaling van artikels *agtien, negentien* en *twintig* is *mutatis mutandis* van toepassing op enige lisensie, uitgereik kragtens hierdie artikel.

(3) The provisions of sections *eighteen, nineteen* and *twenty* shall *mutatis mutandis* apply in respect of any licence granted under this section.

(4) 'n Fooi van vyf pond is betaalbaar vir enige lisensie, uitgereik kragtens hierdie artikel.

(4) A fee of five pounds shall be payable for any licence granted under this section.

Bevoegdheid van inspekteurs tot besigtiging van fabriek en ander persele, waar ontplofbare stowwe bewaar word of waaromtrent vermoed word dat hulle daar bewaar word.

23. 'n Inspekteur is bevoeg—

23. It shall be lawful for any inspector—

- (a) om enige fabriek vir ontplofbare stowwe of magasyn vir ontplofbare stowwe te enige tyd by dag of by nag binne te gaan vir die doel om hulle te inspekteer en om navraag te doen aangaande die nakoming van die bepaling van hierdie Ordonnansie en die regulasies, of aangaande die voorsorgmaatreëls, wat daarin geneem is om die veiligheid van die publiek of enige persoon daarin aangestel te bewaar;
- (b) om te enige tyd by dag of by nag persele te betree, waarin ontplofbare stowwe gehou word, of waar daar gegronde rede bestaan om te vermoed dat daar ontplofbare stowwe vervaardig of bewaar of gehou of vervoer word in stryd met die bepaling van hierdie Ordonnansie of die regulasies, en om enige sodanige persele te inspekteer en om al sodanige navrae daarop te doen as hy doelmatig mag ag;
- (c) om van die eienaar of ander persoon, wat asdan die toesig het oor 'n fabriek van ontplofbare stowwe, magasyn van ontplofbare stowwe of ander persele in hierdie artikel genoem, te verlang, dat hy monsters van ontplofbare stowwe of van bestanddele van ontplofbare stowwe of van enige stof, wat daarin gevind is, of wat vermoedelik ontplofbare stowwe of bestanddele van ontplofbare stowwe is, vir die doel van ontleding en toetsing lewer;

- (a) to enter any explosives factory or explosives magazine at any hour of the day or night for the purpose of inspecting the same and of making inquiries relative to the compliance with the provisions of this Ordinance and the regulations, or relative to the means used therein for preserving the safety of the public or of any person employed therein;
- (b) to enter at any hour of the day or night upon any premises in which explosives are kept, or in which there is good reason to suspect that explosives are being manufactured or stored or kept or conveyed in contravention of the provisions of this Ordinance or the regulations, and inspect any such premises and to make all such inquiries thereon as he may think fit;
- (c) to require the occupier or other person for the time being in charge of any explosives factory, explosives magazine, or other premises in this section mentioned, to furnish for purpose of analysis or test, samples of explosives or ingredients of explosives or any substance found therein or suspected of being an explosive or an ingredient of an explosive;

Powers of inspectors to enter and inspect factories and other premises where explosives are stored or suspected of being stored.

Met die verstande dat geen sodanige bevoegdheid, soos deur hierdie artikel verleen, op sodanige wyse uitgeoefen mag word nie, dat dit die werk, wat in enige sodanige voormelde fabriek, magasyn of perseel gedoen word, nodeloos belemmer.

Provided that no such powers as are conferred by this section shall be so exercised as unnecessarily to hinder the work carried on in any such factory, magazine, or premises aforesaid.

Strawwe vir belemmering van inspekteur of weerering om navrae te beantwoord, ens.

24. Enige persoon, wat opsetlik enige inspekteur in die uitoefening van die bevoegdheid of pligte hom by hierdie Ordonnansie of by die regulasies toegeken of opgelê belemmer of hinder, of wat enige wettige bevel van 'n inspekteur nie gehoorsaam nie, of wat versuim om desverre enige vraag op wettige wyse deur 'n inspekteur gestel, vir sover dit in sy vermoë staan, te beantwoord, of wat valse inligtings aan 'n inspekteur gee, hetsy al dan nie in antwoord op sodanige vraag, is na skuldigebevinding blootgestel aan 'n boete van hoogstens vyftig pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande.

24. Any person who wilfully obstructs or hinders any inspector in the exercise of the powers or duties conferred or imposed upon him by this Ordinance or the regulations or disobeys any lawful order of an inspector, or who upon demand fails to answer as far as he may be able any question lawfully put by an inspector, or who gives false information to an inspector, whether in answer to any such question or not, shall be 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.

Penalties for obstructing inspector, or refusing to answer inquiries, etc.

Bevoegdheid van inspekteur om te gelas dat gevaarlike metodes gestaak word, behoudens hoër beooreenkomstig regulasie.

25. As 'n inspekteur by sodanige inspeksie bevind dat enige metode van werk, pak, vervoer of bewaar toegepas word, wat in stryd is met die bepaling van hierdie Ordonnansie of van enige regulasie, of wat syns insiens bereken is om die veiligheid van die publiek of van enige persoon in die geïnspekteerde perseel geëmplojeer in gevaar te bring, kan hy die onmiddellike staking van daardie metode gelas: Met die verstande dat enige persoon, wat ontevrede is met 'n beslissing dat 'n metode bereken is om die veiligheid in gevaar te bring, binne veertien dae daarna, soos deur regulasie bepaal, in appél kan kom.

25. If upon any such inspection an inspector discovers that any method of work, packing, transport or storage is being used which is in conflict with the provisions of this Ordinance or of any regulation, or which in his opinion, is calculated to endanger the safety of the public or of any person employed in the premises inspected, he may require the immediate discontinuance of that method.

Power of inspector to order discontinuance of dangerous methods subject to appeal in accordance with regulation.

Provided that any person who is dissatisfied with a decision that a method is calculated to endanger safety, may, within fourteen days thereof, lodge an appeal as provided by regulation.

Plig van fabriekhouer om besonder voorskrifte vas te stel.

26. (1) Elke houër van 'n fabriek moet, behoudens die goedkeuring van die inspekteur van ontplofbare stowwe, besonder voorskrifte vasstel tot kontroliering van die persone, wat in daardie fabriek geëmplojeer is, ten einde die nakoming daarin te verseker van die bepaling van hierdie Ordonnansie en die regulasies, van die veiligheid en behoorlike tug van al sodanige persone en van die veiligheid van die publiek.

(1) Every occupier of a factory shall, subject to the approval of the inspector of explosives make special rules for controlling the persons employed in that factory with a view to securing the observance therein of the provisions of this Ordinance and the regulations, the safety and proper discipline of all such persons and the safety of the public.

Duty of occupier of a factory to make special rules.

(2) Die houër van enige magasyn of van enige perseel, waarin ontplofbare stowwe verhandel word, moet, as 'n inspekteur dit nodig oordeel, sodanige besonder voorskrifte as in onderartikel (1) beskryf is vasstel, of moet, as hy deur 'n inspekteur skriftelik gelas word om dit te doen, sodanige besonder voorskrifte ooreenkomstig sy instruksies wysig.

(2) The occupier of any magazine or of any premises where explosives are dealt in, shall, if it seem to an inspector to be necessary, make such special rules as are described in sub-section (1), or if instructed by an inspector in writing to do so, amend such special rules in accordance with his instructions.

(3) Ten opsigte van strawwe word enige besonder voor-skrif op grond van hierdie artikel vasgestel geag regulasies onder hierdie Ordonnansie te wees.

(4) Die houer van enige sodanige fabriek, magasyn, of perseel moet al die stappe doen, wat na redelikheid vereis is om die nakoming of uitvoering van enige sodanige besonder voorskrifte te verseker.

Strawwe vir in gevaar bring van veiligheid of vir veroorsaking van verlies van lewe.

27. (1) Enige persoon, wat 'n ontploffing teweeg bring, waardeur lewensgevaar of gevaar vir goedere veroorsaak word, is blootgestel aan die volgende strawwe, na gelang die ontploffing deur nalatigheid of opset teweeggebring word, dit wil sê:—

- (a) as die ontploffing deur nalatigheid veroorsaak en goedere in gevaar gebring word, is hy blootgestel aan 'n boete van hoogstens tweehonderd en vyftig pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens twaalf maande, of aan sodanige gevangenisstraf sonder die keuse van 'n boete;
- (b) as die ontploffing deur nalatigheid veroorsaak en lewe in gevaar gebring word, is hy blootgestel aan 'n boete van hoogstens vyfhonderd pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens twaalf maande, of aan sodanige gevangenisstraf sonder die keuse van 'n boete;
- (c) as die handeling of die versuim, waardeur die gevaar vir lewe of goed veroorsaak word, opsetlik is, is die in hierdie artikel voormelde maksimumstraf, as iemand se dood nie die gevolg daarvan is nie, gevangenisstraf van twaalf jare met harde arbeid sonder die keuse van 'n boete;
- (d) as die ontploffing deur nalatigheid veroorsaak word en iemand se dood ten gevolge het, is hy na skuldigebevinde blootgestel aan 'n boete van hoogstens eenduiseend pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens twee jare of aan sodanige gevangenisstraf sonder die keuse van 'n boete.

(2) Niks in hierdie artikel bevat mag so uitgelê word nie, as sou dit enige persoon vrystel van vervolging en bestraffing onder die Algemene Landswet of ander wetsbepalings ten opsigte van enige sodanige handeling of versuim, soos in hierdie artikel beskryf is.

Besonder regsmag van magistratshof tot beregting van oortredings van hierdie Ordonnansie.

28. Nieteenstaande teenoorgestelde bepalinge van enige wet, wat betrekking op magistratshof het, het 'n magistratshof besonder regsmag om oortredings van hierdie Ordonnansie en die regulasies te bereg en om die maksimumstrawwe vir enige sodanige oortredings voorsien op te lê, met uitsondering van die strawwe vermeld in paragrafe (c) en (d) van onderartikel (1) van die laas voorafgaande artikel.

Regulasies.

29. Die Administrateur kan regulasies, nie teenstrydig met hierdie Ordonnansie nie, vasstel ten aansien van al of party van die volgende onderwerpe, naamlik—

- (a) die konstruksie van fabrieke van ontplofbare stowwe, van magasyn vir ontplofbare stowwe en van ander gevaarlike geboue;
- (b) die voorwaardes, waaronder die vervaardiging van ontplofbare stowwe mag plaasvind;
- (c) die bewaring van ontplofbare stowwe hetsy in magasyn vir ontplofbare stowwe of elders;
- (d) die gebruik van ontplofbare stowwe;
- (e) die verpakking, vervoer, invoer en uitvoer van ontplofbare stowwe en die vasstelling van besonder voorskrifte betreffende die verpakking en vervoer in afsonderlike plekke, en die landing en hantering van ontplofbare stowwe in hawens;
- (f) die uitreiking van lisensies aan handelaars in ontplofbare stowwe, die voorwaardes van enige sodanige lisensie, die beperkings, wat gelê mag word op die verkoop of die van-die-hand-sit van ontplofbare stowwe aan bepaalde klasse van persone en die hoeveelheid van enige ontplofbare stof, wat gekoop kan word deur enige persoon of maatskappy onder permit van die beaampte deur sodanige regulasie gemagtig;
- (g) die ondersoek aangaande die omstandighede, waardeur persone of goedere deur ontploffings in gevaar gebring of beskadig word, of waardeur die dood van iemand veroorsaak word, en die gee van kennis aangaande dergelike ontploffings;
- (h) die verhinderende van onbevoegde betreding van fabrieke van ontplofbare stowwe of van magasyn of van 'n ander plek, waar ontplofbare stowwe gehou word;
- (i) die toetse, waaraan ontplofbare stowwe of die ruwe materiale, waaruit ontplofbare stowwe vervaardig word, onderwerp kan word;
- (j) die wyse, waarop appèl onder artikel *vyf-en-twintig* aangeteken en die saak in appèl behandel moet word, en waarop inspekteurs oortredings of versuim om hierdie regulasies na te kom of inbreuke op besonder voorskrifte kragtens artikel *ses-en-twintig* vasgestel moet bereg;
- (k) die voorskrywe van statistieke, wat fabrikante en handelaars desgeveer moet lewer;

en in die algemeen vir die beskerming van lewe en eiendom en vir die beter uitvoering van die doel en strekking van hierdie Ordonnansie.

(3) In respect of penalties, any special rules made under this section shall be deemed to be regulations under this Ordinance.

(4) The occupier of any such factory, magazine, or premises shall take all reasonable steps for ensuring or enforcing the observance of any such special rules.

27. (1) Any person causing an explosion whereby life or property is endangered shall be guilty of an offence and shall be liable to the following penalties, according as the explosion was negligently or wilfully caused that is to say,—

Penalties for endangering safety or causing loss of life.

- (a) if the explosion be negligently caused and property be endangered, he shall be liable to a fine not exceeding two hundred and fifty pounds, or, in default of payment, to imprisonment with or without hard labour for a period not exceeding twelve months, or to such imprisonment without the option of a fine;
- (b) if the explosion be negligently caused and life be endangered, he shall be liable to a fine not exceeding five hundred pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding twelve months or to such imprisonment without the option of a fine;
- (c) if the act or omission causing the danger to life or property be wilful, the maximum penalty hereinbefore mentioned in this section shall, if death do not result therefrom, be twelve years' imprisonment with hard labour without the option of a fine;
- (d) if the explosion be negligently caused and death results, he shall be liable on conviction to a fine not exceeding one thousand pounds, or, in default of payment, to imprisonment with or without hard labour for a period not exceeding two years, or to such imprisonment without the option of a fine.

(2) Nothing in this section contained shall be construed as exempting any person from being charged and punished under the common law or any other statute in respect of any such act or omission, as is described in this section.

28. Anything to the contrary notwithstanding in any law relating to Magistrates' courts, a magistrate's court shall have special jurisdiction to try offences against this Ordinance and the regulations and to impose the maximum penalties provided for any such offences, except the penalties mentioned in paragraphs (c) and (d) of sub-section (1) of the last preceding section.

Special jurisdiction of Magistrates' courts to try offences under this Ordinance.

29. The Administrator may make regulations, not inconsistent with this Ordinance, as to all or any of the following matters, namely—

Regulations.

- (a) the construction of explosives factories, explosives magazines, and other danger buildings;
- (b) the conditions under which the manufacture of explosives may be carried on;
- (c) the storage of explosives, whether in explosives magazines or elsewhere;
- (d) the use of explosives;
- (e) the packing, transport, importation, and exportation of explosives, and the making of special rules governing the packing and transport at individual places, and the landing and handling of explosives in ports and harbours;
- (f) the issue of licences to dealers in explosives, the conditions of any such licence, the restrictions which may be placed upon the sale or disposal of explosives to particular classes of persons, and the quantity of any explosive which may be purchased by any person or company under permit from the officer authorised by such regulation;
- (g) the inquiry into the circumstances of explosions endangering or causing injury to persons or property or death, and for the giving of notice of all such explosions;
- (h) the prevention of trespass in or upon an explosives factory, or in or upon any magazine or other place where explosives are kept;
- (i) the tests to which explosives, or the raw materials from which explosives are manufactured, are liable to be submitted;
- (j) the manner in which appeals under section *twenty-five* shall be notified and conducted, and inspectors shall try a contravention of or failure to comply with the regulations, or breaches of special rules made under section *twenty-six*;
- (k) prescribing the statistics which manufacturers and dealers may be called upon to supply;

and generally for the protection of life and property and for the better carrying out of the objects and purposes of this Ordinance.

Enige sodanige regulasies kan strawwe stel op die oortreding daarvan of op die versuim om hulle na te kom, in elke geval 'n boete van eenhonderd en vyftig pond of, by wanbetaling, gevangenisstraf met of sonderharde arbeid vir 'n tydperk van twaalf maande nie tebogaande nie, en die regulasies kan verder bepaal dat die ontplofbare stof, indien daar enige is, ten opsigte waarvan die oortreding of die nienakoming plaasgevind het, verbeurd verklaar kan word.

'n Inspekteur mag geen hoër strawwe oplê nie vir oortredings, wat hy uit hoofde van hierdie Ordonnansie gemagtig is om te bereg, as 'n geldboete van vyf pond of gevangenisstraf van een maand.

Die regulasies kan daaglikse strawwe stel op 'n deurlopende oortreding of nienakoming of verhoogde strawwe vir 'n tweede of verder oortreding of nienakoming. Verskillende regulasies kan vasgestel word vir verskillende distrikte of kringe in die Gebied.

30. (1) Niks in hierdie Ordonnansie het toepassing nie—

- (a) op die invoer, bewaring, gebruik of vervoer van enige ontplofbare stowwe deur die Burgermag, die Suidwes-Afrikaanse Polisie, die Verdedigingsmag van die Unie, die Suid-Afrikaanse Polisie of Sy Majesteit se Geëerde See- en Landmag;
- (b) op enige ammunisie, vir die besit waarvan of vir die handel waarin 'n lisensie deur enige ander wet gereël word;
- (c) op die besit of vervoer van enige ontplofbare stowwe, wat vir die doeleindes van hierdie Ordonnansie as monsters geneem is deur 'n inspekteur of ander beoorlik daartoe gemagtigde persoon, mits die hoeveelheid nie groter is nie as redelikerwys benodig is vir die uitvoering van sy plig, en mits elke sodanige monster met die nodige voorsorg gehou en vervoer word;
- (d) op die te koop hou van vuurwerk in sodanige hoeveelhede en onderworpe aan sodanige voorwaardes as by regulasie voorgeskryf mag word.

(2) Niks in hierdie Ordonnansie mag die werking van artikel *veertien* van die Oproerige Samekomsie en Kriminele Wet Wysigingsordonnansie 1930 (Ordonnansie No. 9 van 1930) aantas nie.

31. Hierdie Ordonnansie kan aangehaal word as die Ontplofbare Stowwe Ordonnansie 1931 en tree in werking en word van krag op die eerste dag van Julie 1931.

ONTWERPORDONNANSIE

Om 'n Landnedersettingsfonds te stig.

DIT WORD VERORDEN deur die Wetgewende Vergadering vir Suidwes-Afrika, behoortlik daartoe gemagtig by artikel *vier* van die Finansiële Reëlingswet 1930 (Wet No. 34 van 1930) van die Parlement van die Unie van Suid-Afrika, as volg:—

1. Hierby word vanaf die datum van inwerkingtreding van hierdie Ordonnansie 'n fonds gestig te word genoem die Landnedersettingsfonds van Suidwes-Afrika.

2. Al die gelde, wat aan die by artikel *een* gestigte Fonds gekrediteer of daarin gestort word, moet by die Rekenmeester vir die Gebied ten bate van die Fonds ingehandig word, en moet, nieteenstaande enige bepaling in artikel *elf* van die Finansiële en Ouditeer Ordonnansie 1926 (Ordonnansie No. 1 van 1926), soos gewysig by artikel *een* van die Finansiële en Ouditeer Ordonnansie Wysigingsordonnansie 1928 (Ordonnansie No. 8 van 1928), deur hom in 'n afsonderlike rekening gestort word, die Landnedersettingsrekening te word genoem, wat by sodanige bank in die Gebied as die Administrateur mag bepaal gehou word.

3. As dit te enige tyd aan die Administrateur blyk dat die gelde in die Landnedersettingsfonds-Rekening meer as voldoende is om die opgeloopte laste van die rekening te dek, kan die Administrateur sodanige surplusgelde by die Staatsskuld-Kommissie van die Unie van Suid-Afrika vir tydelike belegging deponeer. Die profyte, wat die Administrateur van enige sodanige belegging verkry, moet aan die Fonds gekrediteer word.

4. Hierdie Ordonnansie kan vir al die doeleindes aangehaal word as die Landnedersettingsfonds Ordonnansie 1931 en word geag op die eerste dag van April 1931 in werking getree te hê.

ONTWERPORDONNANSIE

Tot samevatting en wysiging van die wette betreffende die brandmerking van vee behorende aan persone ander as naturelle.

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika met die toestemming van die Goewerneur-Generaal, vir sover sodanige toestemming benodig is, wat vooraf verkry is en deur boodskap van die Administrateur ooreenkomstig die voorsienings van artikel *ses-en-twintig* van "De Zuidwest-Afrika Konstitutie Wet 1925" (Wet No. 42 van 1925) van die Parlement van die Unie van Suidafrika aan die Wetgewende Vergadering meegedeel is, as volg:—

Any such regulations may provide penalties for the contravention thereof or failure to comply therewith not exceeding in any case a fine of one hundred and fifty pounds, or, in default of payment, imprisonment with or without hard labour for a period of twelve months, and the regulations may further provide that the explosive, if any, in respect of which the contravention or non-compliance has taken place may be forfeited.

No fine exceeding five pounds, or imprisonment exceeding one month, shall be imposed by an inspector for an offence which, under this Ordinance, he is empowered to try.

The regulations may prescribe daily penalties for a continuing contravention or non-compliance or increased penalties for a second or subsequent contravention or non-compliance. Different regulations may be made in respect of different districts or areas in the Territory.

30. (1) Nothing in this Ordinance shall apply—

- (a) to the importation, storage, use or transport, of any explosive by the Burger Force, the South West Africa Police, the Defence Force of the Union, the South African Police or His Majesty's Regular Naval or Military Forces;
- (b) to any ammunition, a licence to possess or to deal in which is regulated by any other law;
- (c) to the possession or conveyance of any explosive taken as a sample for the purpose of this Ordinance by an inspector or other duly authorised person, provided that the quantity be not more than is reasonably necessary for the performance of his duty and every such sample be kept and conveyed with all due precaution;
- (d) to the keeping for sale of fireworks, in such quantities and subject to such conditions as may be prescribed by regulation.

(2) Nothing in this Ordinance shall effect the operation of section *fourteen* of the Riotous Assemblies and Criminal Law Amendment Ordinance, 1930 (Ordinance No. 9 of 1930).

31. This Ordinance may be cited as the Explosives Ordinance, 1931, and shall commence and come into operation on the first day of July, 1931.

DRAFT ORDINANCE

To establish a Land Settlement Fund.

BE IT ORDAINED by the Legislative Assembly for South West Africa, duly empowered thereto by section *four* of the Financial Adjustments Act, 1930 (Act No. 34 of 1930), of the Parliament of the Union of South Africa, as follows:—

1. There is hereby established as from the date of commencement of this Ordinance a fund to be entitled the Land Settlement Fund of South West Africa.

2. All moneys credited or paid to the Fund established by section *one* shall be lodged with the Accounting Officer for the Territory to the credit of the Fund, and, notwithstanding anything contained in section *eleven* of the Finance and Audit Ordinance, 1926 (Ordinance No. 1 of 1926), as amended by section *one* of the Finance and Audit Ordinance Amendment Ordinance, 1928 (Ordinance No. 8 of 1928), shall be paid by him into a separate account to be entitled the Land Settlement Account kept with such bank in the Territory as the Administrator may direct.

3. If at any time the moneys in the Land Settlement Fund Account appear to the Administrator to be more than sufficient to meet the accruing liabilities of the account, the Administrator may deposit such surplus moneys with the Public Debt Commissioners of the Union of South Africa for temporary investment. The profits which the Administrator receives on any such investment shall be credited to the Fund.

4. This Ordinance may be cited as the Land Settlement Fund Ordinance, 1931, and shall be deemed to have come into operation on the first day of April, 1931.

DRAFT ORDINANCE

To consolidate and amend the laws relating to the branding of stock belonging to persons other than natives.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the Governor-General, in so far as such consent is necessary, previously obtained and communicated to the Legislative Assembly by message from the Administrator in accordance with the provisions of section *twenty-six* of the South West Africa Constitution Act, 1925 (Act No. 42 of 1925), of the Parliament of the Union of South Africa, as follows:—

Voorbehoudsbepaling.

Kort titel en datum van inwerkingtreding van Ordonnansie.

Stigting van Landnedersettingsfonds van Suidwes-Afrika.

Afsonderlike bankrekening van die fonds moet gehou word.

Belegging van surplusgelde.

Kort titel en datum van inwerkingtreding.

Saving clause.

Title and date of commencement of Ordinance.

Establishment of Land Settlement Fund of South West Africa.

Separate banking account of the Fund to be kept.

Investment of surplus moneys.

Short title and date of commencement.

Herroeping van Wette	1. Die Proklamasies opgenoem in die Eerste Bylae van hierdie Ordonnansie word hierby herroep in die mate, soos uiteengesit in die derde kolom van daardie Bylae.	1. The Proclamations specified in the First Schedule of this Ordinance are hereby repealed to the extent set out in the third column of that Schedule.	Repeal of Laws.
Woordbepaling.	2. In hierdie Ordonnansie, tensy onbestaanbaar met die samehang— beteken "vee" enige bul, koei, os, vers, tollie of kalf bo die ouderdom van nege maande en omvat enige esel bo die ouderdom van nege maande; en vir die doeleindes van paragrawe (a), (b), (d) en (e) van artikel <i>ses-en-twintig</i> sluit "vee" in 'n vers, tollie, kalf of esel van die ouderdom van nege maande en daaronder; beteken "eienaar" enige eienaar van vee ander as 'n naturel en omvat geïnkorporeerde liggame, maar sluit nie die Administrasie in nie; beteken "polisieamptenaar" enige lid van die Suidwes-Afrikaanse Polisie; beteken "geregistreeerde brandmerk" enige brandmerk toegeken kragtens die bepalings van die Ordonnansie van die Keiserlike Goewerneur van Duits Suidwes-Afrika betreffende die invoering van brandmerke vir grootvee, gedagteken die 12de dag van Junie 1912, of kragtens die bepalings van die wette, wat hierby herroep word, of kragtens die bepalings van hierdie Ordonnansie, maar mag, met inagneming van die bepalings van onder-artikel (5) van artikel <i>vier</i> , geen spesiale brandmerk uitgereik kragtens die bepalings van artikel <i>drie</i> van "De Veebrandmerke Wijzigings-Proklamasie 1925" (Proklamasie No. 14 van 1925) insluit nie.	2. In this Ordinance, unless inconsistent with the context— "stock" means any bull, cow, ox, heifer, tollie or calf over the age of nine months; and includes any ass over the age of nine months; and for the purposes of paragraphs (a), (b), (d) and (e) of section <i>twenty-six</i> , "stock" includes a heifer, tollie, calf or ass of the age of nine months and under; "owner" means any owner of stock other than a native and includes corporate bodies, but does not include the Administration; "police officer" means any member of the South West Africa Police; "registered brand" means any brand allotted under the provisions of the Ordinance of the Imperial Governor of German South West Africa relating to the introduction of large stock brands dated the 12th day of June, 1912, or under the provisions of the laws hereby repealed, or under the provisions of this Ordinance, but, subject to the provisions of sub-section (5) of section <i>four</i> , shall not include a special brand issued under the provisions of section <i>three</i> of the Cattle Brands Amendment Proclamation, 1925 (Proclamation No. 14 of 1925).	Interpretation of terms.
Vrystelling van vee, wat aan natuurlike behoort. ort.	3. Behoudens die bepalings van artikels <i>negentien</i> , <i>twintig</i> , <i>een-en-twintig</i> , <i>twee-en-twintig</i> , en <i>vier-en-twintig</i> en paragrawe (a) en (c) van artikel <i>ses-en-twintig</i> het niks, wat in hierdie Ordonnansie bevat is, toepassing op vee, wat die eiendom van enige naturel is nie.	3. Save for the provisions of sections <i>nineteen</i> , <i>twenty</i> , <i>twenty-one</i> , <i>twenty-two</i> , <i>twenty-three</i> and <i>twenty-four</i> , and of paragraphs (a) and (c) of section <i>twenty-six</i> , nothing in this Ordinance contained shall apply to stock the property of any native.	Exemption of stock belonging to natives.
Verpligtende brandmerking van vee deur eienaars.	4. (1) Elke eienaar van vee, wat op die datum van die inwerkingtreding van hierdie Ordonnansie in besit is van 'n brandyster, wat 'n geregistreeerde brandmerk dra aan hom toegeken kragtens die bepalings van die hierby herroepde wette, moet onverwyld al die vee, waarvan hy die eienaar is, op wyse bepaal by artikel <i>elf</i> brandmerk, en daarna moet hy al die ander vee, waarvan hy die eienaar mag word op soortgelyke wyse laat brandmerk binne een maand, nadat sodanige vee in sy besit kom: Met die verstande egter dat geen sodanige eienaar verplig sal wees om enige vee deur hom besit, wat alreeds 'n geregistreeerde aan hom toegekende en nie-oorgegewe of gekanseleerde brandmerk dra, weer te brandmerk nie; en met die verstande verder dat enige veeëienaar, aan wie meer as een geregistreeerde brandmerk kragtens enige van die hierby herroepde wette toegekene is, enige of al sodanige brandmerke kan gebruik, om sy vee in enige distrik in die Gebied te brandmerk. (2) Enige veeëienaar, aan wie op die datum van die inwerkingtreding van hierdie Ordonnansie geen geregistreeerde brandmerk kragtens die bepalings van die hierby herroepde wette toegekene is nie, en elke persoon, wat na die inwerkingtreding van hierdie Ordonnansie 'n veeëienaar word, en aan wie geen geregistreeerde brandmerk kragtens die bepalings van hierdie Ordonnansie toegekene is nie, moet binne twee dae vanaf die datum van die inwerkingtreding van hierdie Ordonnansie of vanaf die datum, waarop sodanige persoon 'n eienaar word, soos die geval mag wees, by die magistraat van die distrik, waarin sodanige vee loop of gewoonlik gehou word, aansoek doen, en as hy in meer as een distrik vee besit, dan by die magistraat van die distrik, waarin hy meer vee as in enige ander distrik het, vir die toekenning aan hom van 'n geregistreeerde brandmerk, en elke sodanige eienaar moet, binne een maand vanaf die datum van verkryging van 'n geregistreeerde brandyster, die vee deur hom besit brand of laat brand op wyse bepaal by artikel <i>elf</i> , en daarna moet hy al die ander vee, waarvan hy die eienaar mag word, op gelyksoortige wyse laat brandmerk binne een maand, nadat sodanige vee in sy besit gekom het, onverskillig of sodanige vee alreeds 'n geregistreeerde brandmerk of andersins dra al dan nie. (3) Geregistreeerde brandmerke moet toegekene word deur die Hoofveearts, wat die magistraat van enige distrik, waarin enige vee loop of gewoonlik gehou word, wat aan die persoon behoort, aan wie die brandmerk toegekene is, van sodanige toekenning moet verwittig. (4) Geregistreeerde brandmerke moet bestaan uit twee letters en een syfer of een letter en twee syfers, elkeen twee en 'n half duim in hoogte, en die syfer of syfers moet of onder of bo die letters of letter in die figuur van 'n gelyksydige driehoek geplaas word of hulle moet op sodanige ander gelyksydige driehoek-vormende saamstelling geplaas word as die Administrateur van tyd tot tyd by regulasie mag voorskrywe. Die letter, of, as daar twee letters is, die eerste letter moet dié wees, wat ooreenkomstig die Tweede Bylae van hierdie Ordonnansie die distrik aantoon, by die magistraat waarvan die applikasie vir 'n geregistreeerde brandmerk, soos bepaal in onderartikel (2) hiervan, gemaak moet word. Die letters moet van Romeinse aard wees. (5) Nieteenstaande enige teenstrydige bepaling in onder-artikel (4) bevat, kan die geregistreeerde brandmerk toegekene aan 'n persoon, wat meer as eenduisend stuks vee in die Gebied besit, bestaan uit 'n deur die Hoofveearts goedgekeurde devies. Geen brandmerk, kragtens die bepalings van hierdie onderartikel toegekene, mag identies met enige alreeds aldus toegekende brandmerk of amper so identies wees nie, dat dit waarskynlik verwarring sou kan veroorsaak. Die Hoofveearts mag geen sodanige brandmerk goedgekeur nie, tensy sy grootte en vorm sodanig is dat die indruk op die vel van 'n dier duidelik en maklik erkenbaar sal wees. 'n Spesiale brandmerk, wat aan enige persoon kragtens die bepalings	4. (1) Every owner of stock who at the date of the taking effect of this Ordinance is in possession of a branding iron bearing a registered brand which has been allotted to him under the provisions of the laws hereby repealed shall forthwith brand all stock of which he is the owner in the manner provided by section <i>eleven</i> , and thereafter he shall cause all other stock of which he may become the owner to be similarly branded within one month of such stock coming into his possession: Provided, however, that it shall not be incumbent upon any such owner to re-brand any stock owned by him which already bear a registered brand allotted to him and not surrendered or cancelled; and Provided, further, that any owner of stock to whom under any of the laws hereby repealed more than one registered brand has been allotted may use any or all of such brands for branding his stock in any district in the Territory. (2) Every owner of stock to whom at the date of the taking effect of this Ordinance a registered brand has not been allotted under the provisions of the laws hereby repealed, and every person who subsequent to the taking effect of this Ordinance becomes an owner of stock and to whom a registered brand has not been allotted under the provisions of this Ordinance, shall, within two months of the date of the taking effect of this Ordinance or from the date upon which such person becomes an owner, as the case may be, apply to the magistrate of the district in which such stock run or are commonly kept, and if he owns stock in more districts than one, then to the magistrate of the district in which he has more stock than in any other district, for the allotment to him of a registered brand, and every such owner shall, within one month from the date of acquiring a registered branding iron, brand the stock owned by him or cause them to be branded, in the manner provided by section <i>eleven</i> , and thereafter he shall cause all other stock of which he may become the owner to be similarly branded within one month of such stock coming into his possession, whether such stock already bear a registered brand or otherwise. (3) Registered brands shall be allotted by the Senior Veterinary Officer, who shall notify the magistrate of any district in which any stock run or are commonly kept which belong to the person to whom the brand has been allotted of such allotment. (4) Registered brands shall consist of two letters and a numeral or one letter and two numerals, each two and a half inches in height, the numeral or numerals being placed either under or over the letters or letter in the form of an equilateral triangle or in such other equilateral triangular juxtaposition as the Administrator may from time to time prescribe by regulation. The letter, or, if there are two letters, the first letter shall be that which indicates, in accordance with the Second Schedule to this Ordinance, the district to the magistrate of which the application for a registered brand is required to be made as provided in sub-section (2) hereof. The letters shall be Roman in character. (5) Notwithstanding anything to the contrary in sub-section (4) contained, the registered brand allotted to a person who owns more than one thousand head of stock in the Territory may consist of a device approved of by the Senior Veterinary Officer. No brand allotted under the provisions of this sub-section shall be identical with any brand already so allotted or so nearly identical as to be likely to cause confusion. The Senior Veterinary Officer shall not approve of any such brand unless its size and shape are such that its impression upon the hide of an animal will be distinct and easily recognisable. A special brand which has been issued to any person under the provisions of section	Compulsory branding of stock by owners.

van artikel drie van "De Veebrandmerken Wijzigings-Proklamasie 1925" (Proklamasie No. 14 van 1925) uitgereik is, kan na applikasie van daardie persoon, as hy meer as een-duisend stuks vee in die Gebied besit, as sy geregistreerde brandmerk aan hom toegeken word.

(6) Nieteenstaande enige teenstrydige bepaling bevat in onderartikel (4) is dit wettig om vee benede die ouderdom van agtien maande met 'n brandmerk te brandmerk, waarvan die letter of letters en syfers elk twee duim hoog is: Met die verstande dat, nadat enige sodanige vee die ouderdom van agtien maande bereik het, die eienaar verplig sal wees om hulle weer met 'n brandmerk van die hierintevore bepaalde afmetings te brandmerk. Versuim of nalatigheid om sodanige vee weer te brandmerk maak 'n oortreding uit.

(7) Nieteenstaande enige teenstrydige bepaling bevat in onderartikel (4) word die vee van enige eienaar, wat op die datum van inwerkingtrekking hiervan 'n brandmerk van kursiewe aard ooreenkomstig die bepalings van "De Veebrandmerken Proklamasie 1921" (Proklamasie No. 35 van 1921) dra, geag wettig gebrandmerk te wees kragtens die bepalings van hierdie Ordonnansie, solank as sodanige vee die eiendom van sodanige eienaar bly.

5. 'n Houer van 'n geregistreerde brandmerk mag sy perde en muile met sodanige brandmerk brandmerk.

6. (1) Die applikasie vir die toekenning van 'n geregistreerde brandmerk, wat deur die eienaar van enige vee by die magistraat in terme van artikel vier gemaak moet word, moet die vol naam en adres van die eienaar bevat, moet die plek of plekke (aantonende die distrikte), waarop enige vee, wat deur die applikant besit is, loop of gewoonlik gehou word, en moet aangee hoeveel brandysters die applikant benodig. Al die brandysters, wat 'n geregistreerde brandmerk dra, moet deur die Hoofveearts uitgereik word, en vir elke sodanige brandyster is sodanige fooi betaalbaar as van tyd tot tyd deur die Administrateur voorgeskrywe mag word. Die fooi is betaalbaar, as die applikasie vir 'n geregistreerde brandmerk gemaak word. Versuim of nalatigheid deur 'n eienaar om applikasie te maak vir die toekenning aan hom van 'n geregistreerde brandmerk of vir die uitreiking aan hom van een of meer brandysters, wat sodanige geregistreerde brandmerk dra, en versuim of nalatigheid deur hom om besit te neem van die brandyster of brandysters, ingevolge sodanige applikasie uitgereik, binne een maand vanaf die datum van ontvangs deur hom van 'n kennisgewing onder die handtekening van die magistraat, dat sodanige brandyster of brandysters vir uitreiking beskikbaar is, maak 'n oortreding uit.

(2) Nie meer as een geregistreerde brandmerk mag aan een enkele eienaar of aan twee of meer medeëienaars toegeken word nie.

7. Elke magistraat moet 'n register hou aantonende die brandmerke van al die persone, wat vee besit, wat in die distrik loop of gewoonlik daarin gehou word. 'n Register van al die geregistreerde brandmerke moet deur die Hoofveearts gehou word. Na die toekenning van 'n geregistreerde brandmerk moet die Hoofveearts 'n sertifikaat uitreik in die vorm uiteengesit in die Derde Bylae van hierdie Ordonnansie.

8. (1) By enige vervolging van enige veeëienaar weens versuim of nalatigheid om applikasie te maak vir die toekenning aan hom van 'n geregistreerde brandmerk of vir die uitreiking van 'n brandyster aan hom sal dit nie nodig wees nie om in die aanklag of akte van beskuldiging te beweer of te bewys in watter distrik die grootste aantal van die vee deur die beskuldigde besit loop of gewoonlik gehou word, mits aan die magistraat van die distrik, ten opsigte waarvan beweer word dat hy versuim of nagelaat het om sodanige applikasie te maak, bewys gelewer word dat vee deur hom besit in daardie distrik loop of gewoonlik gehou word.

(2) 'n Relaa van diening, blykbaar geteken deur die persoon, wat afgevaardig is om die in onderartikel (1) van artikel ses genoemde kennisgewing te dien, is *prima facie* getuienis aangaande die ontvangs daarvan deur die beskuldigde en die las om te bewys, dat sodanige kennisgewing inderdaad nie deur die beskuldigde ontvang is nie, berus by die beskuldigde.

(3) Elke register kragtens die bepalings van artikel sewe gehou is *prima facie* getuienis van die feite daarin opgeteken en 'n sertifikaat, blykbaar geteken deur enige persoon, wie se plig dit is om enige sodanige register te hou, of deur enige persoon, wat onder sy outoriteit handel, ten effekte dat enige feit in sodanige register opgeteken is, is *prima facie* getuienis aangaande die bestaan van sodanige feit.

9. 'n Magistraat kan aan die houer van 'n geregistreerde brandmerk verlot gee om 'n numerieke brandmerk te gebruik, bestaande uit nie minder nie as twee syfers, vir die doel van klassifisering van vee en die magistraat, wat sodanige verlot verleen, moet die Hoofveearts in kennis daarvan stel.

Wanneer sodanige brandmerk gebruik word, mag dit nie meer as ses duim vanaf 'n geregistreerde brandmerk gesit word nie.

'n Eienaar mag numerieke horingbrandmerke gebruik sonder besonder verlot te kry om dit te doen.

10. (1) Nieteenstaande enige teenstrydige bepaling in hierdie Ordonnansie bevat, moet die Hoofveearts brandmerke toeken vir vee, wat die eiendom van die Administrasie is en moet die brandmerking van sodanige vee kontroleer. Die staande (eerste of enigste) letter van die aan die Administrasie toegekende geregistreerde brandmerk is die letter "G" en die staande teken vir die aan skutte toegekende ge-

three of the Cattle Brands Amendment Proclamation, 1925 (Proclamation No. 14 of 1925), may upon the application of that person, if he owns more than one thousand head of stock in the Territory, be allotted to him as his registered brand.

(6) Notwithstanding anything to the contrary in subsection (4) contained, it shall be lawful to brand stock under the age of eighteen months with a brand the letter of letters and numeral or numerals whereof are each two inches in height: Provided that upon any such stock reaching the age of eighteen months it shall be incumbent upon the owner to re-brand them with a brand of the dimensions hereinbefore provided. Failure or neglect to re-brand such stock shall constitute an offence.

(7) Notwithstanding anything to the contrary in subsection (4) contained, the stock of any owner which at the date of the taking effect hereof bear a brand italic in character in accordance with the provisions of the Cattle Brands Proclamation, 1921 (Proclamation No. 36 of 1921), shall be deemed to have been lawfully branded under the provisions of this Ordinance so long as such stock remain the property of such owner.

5. A holder of a registered brand may brand his horses and mules with such brand.

6. (1) The application for the allotment of a registered brand required to be made by the owner of any stock to the magistrate in terms of section four shall contain the full name and address of the owner, shall state the place or places (showing districts) at which any stock owned by the applicant run or are commonly kept, and shall state how many branding irons the applicant requires. All branding irons bearing a registered brand shall be issued by the Senior Veterinary Officer, and there shall be payable for every such branding iron such fee as may from time to time be prescribed by the Administrator. The fee shall be payable when the application for a registered brand is made. Failure or neglect by an owner to apply for the allotment to him of a registered brand or for the issue to him of one or more branding irons bearing such registered brand, and failure or neglect by him to take possession of the branding iron or branding irons issued in pursuance of such application within one month from the date of receipt by him of a notice under the hand of the magistrate that such branding iron or branding irons are available for issue shall constitute an offence.

(2) Not more than one registered brand shall be allotted to one owner or to two or more joint owners.

7. Every magistrate shall keep a register showing the registered brands of all persons who own stock which run or are commonly kept within his district. A register of all registered brands allotted shall be kept by the Senior Veterinary Officer. Upon the allotment of a registered brand the Senior Veterinary Officer shall issue a certificate in the form set out in the Third Schedule to this Ordinance.

8. (1) It shall not be necessary, in any prosecution of any owner of stock for failing or neglecting to make application for the allotment to him of a registered brand or for the issue to him of a branding iron, to allege in the charge or indictment, or to prove, in which district the greatest number of the stock owned by the accused run or are commonly kept, provided proof is adduced that stock owned by him run or are commonly kept in the district to the magistrate of which he is alleged to have failed or neglected to make such application.

(2) A return of service purporting to be signed by the person deputed to serve the notice referred to in subsection (1) of section six shall be *prima facie* evidence of the receipt thereof by the accused, and the burden of proving that such notice was not in fact received by the accused shall lie upon the accused.

(3) Every register kept under the provisions of section seven shall be *prima facie* evidence of the facts recorded therein; and a certificate purporting to be signed by any person whose duty it is to keep any such register, or by any person acting under his authority, that any fact is recorded in such register shall be *prima facie* evidence of the existence of such fact.

9. A magistrate may grant to the holder of a registered brand permission to use a numeral brand consisting of not less than two figures, for the purpose of classification of stock and the magistrate granting such permission shall notify the Senior Veterinary Officer thereof.

When such a brand is used it shall be placed not less than six inches from a registered brand.

An owner may use numerical horn brands for branding cattle without obtaining special permission to do so.

10. (1) Notwithstanding anything to the contrary contained in this Ordinance the Senior Veterinary Officer shall allot brands for stock the property of the Administration and shall control the branding of such stock. The dominant (first or only) letter of the registered brand allotted to the Administration shall be the letter "G" and the dominant sign for the registered brands allotted to pounds shall be the

Brandmerk van perde en muile.

Besonderhede benodig na applikasie vir geregistreerde brandmerk.

Registers van brandmerke.

Getuienis.

Gebruik van numerieke brandmerke.

Brandmerke vir Administrasie en skutte.

branding of horses and mules.

Particulars required on application for registered brand.

Registers of brands.

Evidence.

Use of numeral brands.

Brands for Administration and pounds.

registreerde brandmerke is die teken \diamond (ruit). 'n Beskrywing van die aan die Administrasie en skutte toegekende brandmerke moet in die *Offisiële Koerant* gepubliseer word.

(2) Behoudens die bepalings van paragraaf (a) van artikel *ses-en-twintig* en behalwe soos in onderartikel (1) van hierdie artikel voorsien, het geen in hierdie Ordonnansie bevatte bepaling toepassing op vee, wat aan die Administrasie behoort.

Plek, waar diere gebrand moet word.

11. (1) Wanneer 'n dier met 'n geregistreerde brandmerk vir die eerste maal gebrandmerk word, moet die brandmerk op die linkerkant van die nek gesit word.

As dit om enige rede nodig word om vee te brandmerk, wat alreeds gebrandmerk is, moet die nuwe brandmerk gesit word—

- (a) by 'n tweede brandmerking op die regterkant van die nek;
- (b) by 'n derde brandmerking op die linker skouer;
- (c) by 'n vierde brandmerking op die regter skouer;
- (d) by 'n vyfde brandmerking op die linker bout;
- (e) by 'n sesde brandmerking op die regter bout;
- (f) by 'n sewende brandmerking op die linkerkant van die nek bo die eerste brandmerk;
- (g) by 'n agste brandmerking op die regterkant van die nek bo die eerste brandmerk;
- (h) by 'n negende brandmerking op die linker skouer bo die eerste brandmerk,

en so voorts.

(2) Nieteenstaande die bepalings van die laasvooraangaande onderartikel, moet die bepalings van artikel *sewe* van "De Veebrandmerken Proklamasie 1921" (Proklamasie No. 36 van 1921), vir sover dit betrekking het op die metode en volgorde van brandmerking, voortgaan om van toepassing te wees in die geval van 'n dier, wat voor die datum van inwerkingtreding van hierdie Ordonnansie met 'n geregistreerde brandmerk gebrandmerk is. Vir die doeleindes van hierdie onderartikel omvat die uitdrukking "geregistreerde brandmerk" 'n brandmerk, uitgereik kragtens die bepalings van enige wet, wat betrekking het op die brandmerking van vee deur natuurlike besit.

(3) Enige persoon, wat vee anders brandmerk as ooreenkomstig die bepalings van hierdie artikel, is skuldig aan 'n oortreding.

Oor brand van vee.

12. As 'n eienaar se brandmerk op enige vee te enige tyd onsigbaar of onduidelik word, moet die eienaar sodanige vee weer laat brandmerk ooreenkomstig die bepalings van artikel *elf* en op sodanige wyse dat die brandmerk sigbaar en duidelik word, en moet hy van tyd tot tyd daarna en so dikwels as dit nodig word, die brandmerk deur middel van skeer of ander middels altyd sigbaar en duidelik maak. Enige persoon, wat enige bepaling van hierdie artikel oortree of in gebreke bly om daaraan te voldoen, is skuldig aan 'n oortreding.

Bymeekaarmaak van vee vir inspeksie en brandmerking.

13. 'n Magistraat kan, wanneer hy dit raadsaam ag, 'n bevel in geskrif gee aan enige eienaar van vee, wat binne sy distrik is, waarin hy van sodanige eienaar verlang dat hy sodanige vee op 'n plek en binne 'n tyd daarin gespesifiseer te word bymeekaarmaak, sodat die brandmerke, wat dit dra, geïnspekteer kan word, met die verstande dat, wanneer enige sodanige bevel gegee is, geen verder bevel ten opsigte van dieselfde vee binne 'n tydperk van ses maande vanaf die datum daarvan gegee mag word nie, tensy dit aan die magistraat ten gevolge van aan hom voorgelegde beëdigde inligting blyk, dat die gee van sodanige verder bevel wenslik is. Enige eienaar, wat in gebreke bly of versuim om sodanige bevel na te kom, is skuldig aan 'n oortreding.

Verwydering van vee.

14. Die houër van 'n geregistreerde brandmerk, wat enige van sy vee permanent van een plaas na 'n ander in enige magistraatsdistrik verwyder, moet die magistraat onverwyld daaromtrent in kennis stel, en die houër van 'n geregistreerde brandmerk, wat enige van sy vee van een magistraatsdistrik na 'n ander vervoer, moet die magistraat van die distrik, waaruit en die magistraat van die distrik, waarheen die verwydering plaasvind, daaromtrent in kennis stel. 'n Magistraat, wat enige sodanige kennis soos by hierdie artikel vereis ontvang, moet dit onverwyld aan die Hoofveearts meedeel.

Aflewering van brandysters.

15. Ingeval die houër van 'n geregistreerde brandmerk ophou om vir sodanige brandmerk gebruik te hê, moet hy die feit aan enige magistraat van die distrik, waarin hy woonagtig is, rapporteer en moet hy al die geregistreerde brandysters in sy besit aan die magistraat van die distrik, waarin sodanige brandysters is, aflewer.

Die magistraat, wat enige sodanige rapport ontvang, moet daarop die Hoofveearts in kennis stel, wat die registrasie-sertifikaat moet kanselleer.

Sodanige brandmerk mag nie binne 'n tydperk van tien jare weer uitgereik word nie.

Oordrag van eiendomsreg.

16. Na enige oordrag van eiendomsreg op vee moet 'n sertifikaat in die vorm gegee in die Vierde Bylae hiervan, waarin al die brandmerke op elke oorgedrae dier vermeld moet word, deur die oordraer aan die persoon, op wie dit oorgedra word, gegee word.

Enige oordraer, wat na oordrag van eiendomsreg in gebreke bly of versuim om die persoon, op wie dit oorgedra word, van 'n sertifikaat, soos in hierdie artikel bepaal, te voorsien, en enige persoon, op wie dit oorgedra word, wat in gebreke bly of versuim om sodanige sertifikaat van die oordraer te verkry, of wat, in besit van enige sodanige sertifikaat synde, in gebreke bly om dit op versoek aan 'n polisie-dienaar te vertoon, is skuldig aan 'n oortreding.

sign \diamond (Diamond). A description of the brand or brands allotted to the Administration and to pounds shall be published in the *Gazette*.

(2) Save for the provisions of paragraph (a) of section *twenty-six* and except as in sub-section (1) of this section provided, nothing in this Ordinance contained shall apply to stock belonging to the Administration.

11. (1) When an animal is branded with a registered brand for the first time, the brand shall be placed upon the left side of the neck.

Place where animals to be branded.

If for any reason it becomes necessary to brand stock which have already been branded, the new brand shall be placed—

- (a) on a second branding on the right side of the neck;
- (b) on a third branding on the left shoulder;
- (c) on a fourth branding on the right shoulder;
- (d) on a fifth branding on the left hind thigh;
- (e) on a sixth branding on the right hind thigh;
- (f) on a seventh branding on the left side of the neck above the first brand;
- (g) on a eighth branding on the right side of the neck above the first brand;
- (h) on a ninth branding on the left shoulder above the first brand,

and so on.

(2) Notwithstanding the provisions of the last preceding sub-section, the provisions of section *seven* of the Cattle Brands Proclamation, 1921 (Proclamation No. 36 of 1921), in so far as it relates to the method and order of branding shall continue to apply in the case of an animal which has been branded with a registered brand before the date of the taking effect of this Ordinance. For the purposes of this sub-section the expression "registered brand" includes a brand issued under the provisions of any law relating to the branding of stock owned by natives.

(3) Any person who shall brand stock otherwise than in accordance with the provisions of this section shall be guilty of an offence.

12. Should an owner's brand on any stock at any time become invisible or indistinct, the owner shall cause such stock to be re-branded in accordance with the provisions of section *eleven* and in such manner that the brand shall be visible and distinct, and shall from time to time thereafter and as frequently as becomes necessary by shaving or other means keep the brand visible and distinct at all times. Any person who contravenes or fails to comply with any provision of this section shall be guilty of an offence.

Re-branding of stock.

13. A magistrate may whenever he deems it desirable issue an order in writing upon any owner of stock which are within his district requiring such owner to collect such stock at a place and within a time to be therein specified in order that the brands borne by them may be inspected; provided that when any such order has been issued no further order shall be issued in respect of the same stock within a period of six months from the date thereof unless it appears to the magistrate upon sworn information laid before him that the issue of such further order is desirable. Any owner who fails or neglects to comply with such order shall be guilty of an offence.

Rounding up of stock for inspection of brands.

14. The holder of a registered brand who permanently removes any of his stock from one farm to another in any magisterial district shall forthwith notify the magistrate, and the holder of a registered brand who permanently removes any of his stock from one magisterial district to another shall forthwith notify the magistrate of the district from which and the magistrate of the district to which the removal takes place. A magistrate who receives any such notification as is required by this section shall forthwith communicate the same to the Senior Veterinary Officer.

Removal of stock.

15. In case the holder of a registered brand ceases to have use for such brand, he shall report the fact to the magistrate of the district in which he resides, and shall surrender all registered branding irons in his possession to the magistrate of the district in which such branding irons are.

Surrender of branding irons.

The magistrate who receives any such report shall thereupon notify the Senior Veterinary Officer who shall cancel the certificate of registration.

Such brand shall not be re-issued for a period of ten years.

16. Upon any transfer of ownership of stock a certificate in the form given in the Fourth Schedule hereto and stating all the brands upon every animal transferred shall be given by the transferor to the transferee.

Transfer of ownership.

Any transferor who upon transfer of ownership fails or neglects to provide the transferee with a certificate as in this section provided and any transferee who fails or neglects to obtain such certificate from the transferor or who being in possession of any such certificate fails to produce it to a police officer on request shall be guilty of an offence.

Oordrag van geregistreerde brandmerk.

17. As 'n veeëienaar al sy vee in die Gebied op 'n ander persoon oordra, wat nóg deur toekenning nóg deur oordrag die houer van 'n nie-gekansleerde geregistreerde brandmerk is nie, kan die geregistreerde brandmerk ook op sodanige persoon oorgedra word na 'n desbetreffende deur albei partye getekende kennisgewing aan die Hoofveearts, waarin hulle verklaar dat die vee oorgedra is en meldende in watter distrik of distrikte die vee loop of gewoonlik gehou word, en na betaling van sodanige fooi as van tyd tot tyd deur die Administrateur voorgeskrywe mag word. Die Hoofveearts moet 'n sertifikaat in die vorm uiteengesit in die Eerste Bylae hiervan aan die persoon, op wie dit oorgedra moet word, laat uitreik. Die Hoofveearts moet die magistraat van enige distrik, waarin enige sodanige vee loop of gewoonlik gehou word, omtrent die feit van die oordrag in kennis stel.

17. If an owner of stock transfers all his stock in the Territory to another person who is not the holder by allotment or transfer of an uncancelled registered brand, the registered brand may also be transferred to such person, upon notice under the hands of both parties to the Senior Veterinary Officer, stating that the stock have been transferred and stating in which district or districts the stock run or are commonly kept, and upon payment of such fee as may from time to time be prescribed by the Administrator. The Senior Veterinary Officer shall cause a certificate in the form set out in the Fifth Schedule hereto to be issued to the transferee. The Senior Veterinary Officer shall notify the magistrate of any district in which any such stock run or are commonly kept of the fact of the transfer.

Transfer of registered brand.

Publikasie van brandmerke.

18. 'n Lys van al die brandmerke, wat gedurende enige kalenderkwartaal toegeken, oorgedra of gekansleer is, moet gedurende die maand, wat onmiddellik op die kwartaal volg, deur die Hoofveearts in die *Offisiële Koerant* gepubliseer word, en 'n lys van al die geregistreerde brandmerke, wat op die eerste dag van Januarie van enige jaar nie gekansleer was nie, moet deur die Hoofveearts gedurende die eerste kwartaal van daardie jaar in die *Offisiële Koerant* gepubliseer word.

18. A list of all brands allotted, transferred or cancelled during any calendar quarter shall be published in the *Gazette* by the Senior Veterinary Officer during the month immediately following that quarter, and a list of all registered brands which were uncancelled on the first day of January of any year shall be published in the *Gazette* by the Senior Veterinary Officer during the first quarter of that year.

Publication of brands.

Slagters, skutmeesters en handelaars moet registers hou.

19. Elke slagter, skutmeester en veehandelaar moet 'n register hou, waarin al die vee deur hom ontvang en al die sterfgevallen en oordragte van vee in volgorde van datum opgeteken moet word. In elke geval moet die geslag van en al die brandmerke op die dier in sodanige register aangegee word.

19. Every butcher, poundmaster and dealer in stock shall keep a register wherein shall be entered in order of date all stock received by him and all deaths and transfers of stock. In every case the sex of and all the brands upon the animal shall be shown in such register.

Butchers, poundmasters and dealers to keep registers.

Enige persoon, wat in gebreke bly om sodanige register te hou of om die nodige optekeninge daarin te doen, en enige persoon, wat sodanige register in sy besit of onder sy beheer het en desverreis in gebreke bly om sodanige register aan die Hoofveearts of enige deur hom in dié voeë gemagtigde persoon, die magistraat van die distrik of 'n polisie-beampte te vertoon, is skuldig aan 'n oortreding.

Any person, who fails to keep such register or to make the necessary entries therein, and any person, who has such register in his possession or under his control and fails on demand to produce such register to the Senior Veterinary Officer or any person authorized by him in that behalf, the magistrate of the district or a police officer, shall be guilty of an offence.

Doodmaak van ongebrande esels, wat oortredende gevind word.

20. Enige okkupeerder van grond kan enige ongebrande esel bo die ouderdom van nege maande, wat op daardie grond oortredende gevind word, doodmaak of laat doodmaak.

20. Any occupier of land may destroy or cause to be destroyed any unbranded ass over the age of nine months which is found trespassing on that land.

Destruction of unbranded asses found trespassing.

Toepassing van bepalinge van artikel twee-en-twintig.

21. (1) Die bepalinge van artikel *twee-en-twintig* het toepassing op enige streek in die Gebied, waaromtrent deur die Administrateur by Proklamasie in die *Offisiële Koerant* verklaar word dat die bepalinge daarvan toepassing daarop het. Die Administrateur kan ook deur proklamasie in die *Offisiële Koerant* verklaar dat die bepalinge daarvan sal ophou om in enige streek werksaam te wees, waarop hulle aldus toegepas is.

21. (1) The provisions of section *twenty-two* shall apply to any area in the Territory to which the provisions thereof are declared by the Administrator to apply by proclamation in the *Gazette*. The Administrator may likewise by proclamation in the *Gazette* declare that the provisions thereof shall cease to be operative in any area to which they have been so applied.

Applications of provisions of section *twenty-two*.

(2) Dit is vir die Administrateur wettig om deur kennisgewing in die *Offisiële Koerant* al die veeëenaars in enige streek met inbegrip van naturelle, wat vee in daardie streek besit, waarop die bepalinge van artikel *twee-en-twintig* aldus toegepas is, te waarsku dat in terme van die voormelde bepalinge al die vee, wat binne sodanige streek na 'n in sodanige kennisgewing te noeme dag gevind word en wat nie behoorlik, soos deur wet vereis is, gebrandmerk is nie, onverskillig of 'n brandmerk aan die eienaar daarvan toegeken is al dan nie, geag sal word verlate te wees en aan verkoping blootgestel sal wees en dat die opbrings daarvan verbeurd verklaar sal word.

(2) It shall be lawful for the Administrator by notice in the *Gazette* to warn all owners of stock in any area, including natives who own stock in that area, to which the provisions of section *twenty-two* have been so applied, that in terms of the said provisions all stock found within such area after a day to be stated in such notice which have not been properly branded as required by law, whether or not a brand has been allotted to the owner thereof shall be deemed to be derelict and shall be liable to be sold and the proceeds thereof confiscated.

Verbeurdverklaring van vee wat nie gebrandmerk is nie, soos deur wet vereis.

22. (1) Na verloop van die dag, genoem in die kennisgewing kragtens artikel *een-en-twintig* uitgevaardig, is dit vir enige polisiebeampte of ander spesiaal in geskriif deur die Hoofveearts daartoe afgevaardigde persoon wettig om enige grond, perseel of omheinde plek geleë binne die in die voormelde kennisgewing genoemde streek te betree en om enige vee daarop of daarin bymekaar te maak en te inspekteer met die doel om vas te stel of sodanige vee behoorlik, soos deur wet vereis, gebrandmerk is.

22. (1) After the passing of the day stated in the notice issued under section *twenty-one* it shall be lawful for any police officer or other person specially deputed thereto in writing by the Senior Veterinary Officer to enter upon any land, premises or enclosure situate within the area referred to in the said notice, and to collect and inspect any stock thereon or therein for the purpose of ascertaining whether such stock are properly branded as required by law.

Confiscation of stock not branded as required by law.

(2) Elke okkupeerder van grond moet 'n kragtens hierdie artikel afgevaardigde persoon, na vertoning van sy magtiging, veroorloof om daardie grond of enige perseel of omheinde plek daarop te betree en die bepalinge van hierdie artikel uit te voer.

(2) Every occupier of land shall permit a person deputed under this section on production of his authority to enter upon that land or any premises or enclosure thereon and carry out the provisions of this section.

(3) Elke sodanige okkupeerder moet, wanneer deur enige sodanige persoon daartoe versoek, hom die plek of plekke op sodanige grond, waarop vee deur hom gehou word, openbaar maak en moet enige wettige bevel van daardie persoon teen opsigte van daardie vee nakom.

(3) Every such occupier shall when required by any such person disclose to him the place or places on such land whereon any stock are kept by him and shall comply with any lawful order of that person in respect of that stock.

(4) Enige persoon, wat enige kragtens hierdie artikel afgevaardigde persoon in die uitvoering van sy pligte op grond van hierdie artikel belemmer of hinder, of wat in gebreke bly om enige informasie aan hom openbaar te maak, wat hy wettig op grond van hierdie artikel benodig, of wat in gebreke bly om enige bevel na te kom, wat hy wettig op grond van hierdie artikel mag gee, is aan 'n oortreding skuldig.

(4) Any person who obstructs or hinders any person deputed under this section in the carrying out of his duties under this section or who fails to disclose to him any information which he may lawfully require under this section, or who fails to comply with any order which he may lawfully give under this section, shall be guilty of an offence.

(5) As na inspeksie enige vee, wat volgens wet gebrandmerk moet word en nie behoorlik, soos deur wet vereis, gebrandmerk is nie, onverskillig of 'n brandmerk aan die eienaar daarvan toegeken is al dan nie, word daardie vee geag verlate te wees en die persoon, wat afgevaardig is om die inspeksie te maak, moet daardie vee onverwyld na die magistraat van die distrik bring of laat bring. Die magistraat moet daardie vee in ontvangs neem, moet die verkoping van die voormelde vee op sodanige wyse bekend maak as hy wenslik mag ag, en moet die voormelde vee by openbare veiling laat verkoop. By elke sodanige veiling moet die vee vir kontant verkoop word en die opbrings, min die bedrag van fooie en vorderings, indien daar enige is, wat by dié beslaglegging, terughouding en verkoping daarvan opgehoop is, moet in die Inkomstefonds van die Gebied gestort word.

(5) If upon inspection any stock required by law to be branded are found which have not been properly branded as required by law, whether or not a brand has been allotted to the owner thereof, that stock shall be deemed to be derelict and the person deputed to make the inspection shall forthwith convey that stock, or cause it to be conveyed, to the magistrate of the district. The magistrate shall take delivery of that stock, shall notify the sale of the said stock in such manner as he may deem desirable, and shall cause the said stock to be sold by public auction. At every such sale the stock shall be sold for cash and the proceeds, less the amount of fees and charges, if any, incurred in the seizure, detention, and disposal thereof, shall be paid into the Territory Revenue Fund. Any person purchasing

Enige persoon, wat 'n dier op sodanige veiling koop, verkry 'n goeie en geldige eiendomsreg daarop, niesteenstaande enige teenstrydige bepaling in enige wet bevat.

(6) Niks in hierdie artikel bevat het toepassing op enige vee, wat die eienaar ooreenkomstig die bepalings van artikel *vyf-en-twintig* nie verplig is om te brandmerk nie.

Geen aansprek-
likheid word by
die uitoefening
van bevoegdhe-
de kragtens artikel
twee-en-twintig
aanvaar nie.

23. Geen skadevergoeding is betaalbaar deur en geen aanspreklikeid van welke aard dan ook val op die Administrasie, die Hoofveearts of enige persoon onder sy magtiging handelende, of enige polisiebeampte ter oorsake van die uitoefening of indirek van bevoegdhe by artikel *twee-en-twintig* van hierdie Ordonnansie op hom gelê.

Skutverkopings
van ongebrande
vee.

24. Niesteenstaande enige teenstrydige bepaling bevat in Proklamasie van die Administrateur, No. 5 van 1917, gedagteken die sewe-en-twintigste dag van Julie 1917 of enige wysiging daarvan; moet die oprings van enige ongebrande vee op enige skutverkoop verkoop, min die bedrag van skutfoote en ander foote en vorderings daarin voorsien en behoorlik vorderbaar ten opsigte van sodanige diere en min die bedrag van skadevergoeding, indien daar enige is, betaalbaar en geskat kragtens die bepalings daarvan, na ontvangs deur die skutmeester aan die magistraat oorhandig en deur hom in die Inkomstefonds van die Gebied gestort word.

Verpligting om
vee te brandmerk
mag nie op eienaars
van stamboekvee
ten opsigte van
sodanige vee uit-
gebrei word nie.

25. (1) Niesteenstaande enige teenstrydige bepaling in hierdie Ordonnansie of in "De Naturellen Veebrandmerken Proklamasie 1923" (Proklamasie No. 15 van 1923) of in enige wysiging daarvan bevat, mag die verpligting om vee te brandmerk of om aansoek te doen om vee te laat brandmerk nie uitgebrei word nie op enige eienaar van vee, waarvan die stamboom geregistreer is by die Suid-Afrikaanse Stamboek Assosiasie geïnkorporeer kragtens "De Wet op die Registrasie van Stamboekvee 1920" (Wet No. 22 van 1920) van die Parlement van die Unie van Suid-Afrika vir sover daar die vee betrokke is.

Met die verstande dat die vee sodanige erkenningskenkens het as deur die voormelde Assosiasie of deur 'n vereniging, wat aan die voormelde Assosiasie geaffiliër en kragtens die voormelde Wet vir die ras, waartoe die vee behoort, geïnkorporeer is, voorgeskrywe of vereis mag word.

Met die verstande verder dat, as die Assosiasie of vereniging geen erkenningskenke voorskrywe nie, wat deur die vee, waarvan die stamboom aldus geregistreer is, besit moet word, die vee sodanige erkenningskenke het as deur die Hoofveearts in geskrif goedgekeur is.

(2) In enige hofsak kragtens hierdie Ordonnansie of kragtens "De Naturellen Veebrandmerken Proklamasie 1923" (Proklamasie No. 15 van 1923) ten opsigte van vee, waarvan die stamboom aldus geregistreer is, word enige geskrif, uiteensittende watter erkenningskenke deur die Assosiasie of deur sodanige vereniging voorgeskrywe is, en blykbaar geteken deur enige persoon, wat hom as die sekretaris van die Assosiasie of die vereniging beskrywe, soos die geval mag wees, of 'n sertifikaat, wat blykbaar deur die Hoofveearts geteken is, uiteensittende watter erkenningskenke deur hom goedgekeur is, moet na vertoning as *prima facie* bewysstuk van die daarin vermelde feite aangeneem word.

(3) Elke sodanige eienaar van vee, waarvan in onderartikel (1) hiervan melding gemaak is, moet die Hoofveearts voorsien van 'n duplikaat-lys van die vee, wat hy ooreenkomstig die bepalings van die voormelde onderartikel nie gebrandmerk het nie, bevattende 'n vol beskrywing van sodanige vee of hulle respektiewe erkenningskenke. Enige persoon, wat versuim om die bepalings van hierdie onderartikel na te kom, is skuldig aan 'n oortreding.

Oortredings.

26. Enige persoon, wat—

- vee brandmerk, wat nie sy eiendom is nie;
- vee, wat sy eiendom is, met 'n geregistreerde brandmerk brandmerk, wat nie aan hom toegeken is nie;
- enige indruk van enige brandmerk of enige getatoeëerde merk op enige vee onverskillig of daardie vee sy eiendom is al dan nie, of enige oormerk op of enige hangsel of plaat bevestig aan die oor van enige vee, wat nie sy eiendom is nie, verander, uitwis, uitkrap, verwyder, vernietig of dit op enige wyse onleesbaar of onsigbaar maak of probeer om dit so te maak;
- na die ontvangs deur hom van 'n geregistreerde brandmerk gebruik maak van enige ander teken of merk vir die brandmerking van sy vee, behalwe soos in artikel *nege* bepaal;
- behalwe soos in artikel *nege* voorsien, vir die brandmerking van enige vee 'n brandyster gebruik, wat nie deur die Administrasie gelewer is nie;
- in gebreke bly of versuim om vee ooreenkomstig die vereistes van hierdie Ordonnansie te brand;
- of as prinsipaal of as agent enige vee, wat nie duidelik met die geregistreerde brandmerk van die eienaar van sodanige vee gebrandmerk is nie, verkoop of andersins vervreem;
- of as prinsipaal of as agent enige vee, wat nie duidelik met die geregistreerde brandmerk van die eienaar van sodanige vee gebrandmerk is nie, koop of andersins die eiendomsreg daarvan verkry,

is skuldig aan 'n oortreding.

Strafbepalings.

27. Enige persoon, wat enige by hierdie Ordonnansie geskape oortreding pleeg, is na skuldigebevinding blootgestel aan 'n boete van hoogstens vyftig pond en, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens ses maande.

an animal at any such sale shall acquire a good and valid title thereto, notwithstanding anything to the contrary in any law contained.

(6) Nothing in this section contained shall apply to any stock which, in accordance with the provisions of section *twenty-five*, it is not incumbent upon the owner to brand.

23. No compensation shall be payable by, and no liability whatsoever shall attach to, the Administration, the Senior Veterinary Officer or any person acting under his authority, or any police officer, by reason of the exercise either directly or indirectly of the powers conferred by section *twenty-two* of this Ordinance.

No liability to
be incurred by
exercise of powers
under section
twenty-two.

24. Anything to the contrary notwithstanding contained in Proclamation of the Administrator, No. 5 of 1917, dated the twenty-seventh day of July, 1917, or any amendment thereof, the proceeds of any unbranded stock sold at any pound sale, less the amount of pound fees and other fees and charges therein provided and properly chargeable in respect of such animals and less the amount of damages, if any, due and assessed under the provisions thereof, shall upon receipt be handed by the pound master to the magistrate and by him paid into the Territory Revenue Fund.

Pound sales of
unbranded stock.

25. (1) Notwithstanding any provision to the contrary contained in this Ordinance or in the Native Stock Brands Proclamation, 1923 (Proclamation No. 15 of 1923), or in any amendment thereof, the obligation to brand stock or to apply to have stock branded shall not extend to any owner of stock the pedigrees of which have been registered with the South African Stud Book Association incorporated under the Registration of Pedigree Livestock Act, 1920 (Act No. 22 of 1920), of the Parliament of the Union of South Africa, in so far as those stock are concerned:

Obligation to
brand stock not
to extend to
owners of pedi-
gree stock in re-
spect of such
stock.

Provided that the stock bear such identification marks as may be prescribed or required by the said Association or by a society affiliated to the said Association and incorporated under the said Act for the breed to which the stock belongs;

Provided further that if the Association or society does not prescribe identification marks to be borne by the stock whose pedigrees are so registered, the stock bear such identification marks as are approved in writing by the Senior Veterinary Officer.

(2) In any proceedings under this Ordinance or under the Native Stock Brands Proclamation, 1923 (Proclamation No. 15 of 1923), in respect of stock whose pedigrees have been so registered, any writing setting forth what identification marks have been prescribed by the Association or by such society and purporting to be signed by any person describing himself as the secretary of the Association or the society, as the case may be, or a certificate purporting to be signed by the Senior Veterinary Officer, setting forth what identification marks have been approved by him, shall upon production be received as *prima facie* evidence of the facts stated therein.

(3) Every such owner of stock as is referred to in sub-section (1) hereof shall during the month of January in every year furnish the Senior Veterinary Officer with a list in duplicate of the stock which in accordance with the provisions of the said sub-section he has not branded, containing a full description of such stock and of their respective identification marks. Any person who omits to comply with the provisions of this sub-section shall be guilty of an offence.

26. Any person who—

- brands stock not his property;
- brands stock his property with a registered brand which has not been allotted to him;
- alters, defaces, obliterates, removes, destroys or in any way renders or attempts to render illegible or indistinguishable any impression of any brand or any tattooed mark upon any stock, whether that stock is or is not his property, or any earmark upon or any tag or plate attached to the ear of any stock not his property;
- after the receipt by him of a registered brand makes use of any other sign or mark for branding his stock except as provided for in section *nine*;
- except as provided in section *nine*, employs for branding any stock a branding iron which has not been supplied by the Administration;
- fails or neglects to brand stock in accordance with the requirements of this Ordinance;
- either as principal or agent sells or otherwise alienates any stock not distinctly branded with the registered brand of the owner of such stock;
- either as principal or agent purchases or otherwise acquires ownership in any stock not distinctly branded with the registered brand of the owner of such stock.

shall be guilty of an offence.

Offences.

27. Any person who commits an offence created by this Ordinance shall be liable on conviction to a fine not exceeding fifty pounds and, in default of payment, to imprisonment with or without hard labour for a period not exceeding six months.

Penalties.

Regulasies.

28. Die Administrateur kan regulasies vasstel aangaande die wyse, waarop enige bevoegdheids verleen by of kragtens hierdie Ordonnansie uitgeoefen moet word, en in die algemeen om vol uitwerking aan die doeleindes en oogmerke van hierdie Ordonnansie te gee, en hy kan deur sodanige regulasies strawwe vir enige oortreding van enige regulasie ople. Die aldus opgelegde strawwe mag die by artikel sewen-en-twintig voorgeskrywe strawwe nie tebogaan nie enige persoon, wat enige regulasie oortree, waarvoor daar geen straf by regulasie opgelê is nie, is blootgestel aan die strawwe by artikel sewen-en-twintig voorgeskrywe.

Kort tiitel.

29. Hierdie Ordonnansie kan vir al die doeleindes aangehaal word as die Veebrandmerke-Ordonnansie 1931, en sy bepalinge, behalwe dié van artikel twintig, wat op die eerste dag van Desember 1931 van krag sal word, tree in werking en word van krag op die eerste dag van Julie 1931.

28. The Administrator may make regulations as to the manner in which any powers conferred by or under this Ordinance shall be exercised and generally for giving full effect to the objects and purposes of this Ordinance and may by such regulations impose penalties for any contravention of any regulation. The penalties so imposed shall not exceed those prescribed by section twenty-seven. Any person contravening any regulation for which no penalty is imposed by the regulations shall be liable to the penalties prescribed by section twenty-seven.

Regulations.

29. This Ordinance may be cited for all purposes as the Stock Brands Ordinance, 1931, and its provisions, except those of section twenty, which shall come into operation on the first day of December, 1931, shall commence and come into operation on the first day of July, 1931.

Short title and date of commencement of Ordinance.

EERSTE BYLAE.

(Artikel een.)

No. en jaar van Proklamasie	Tiitel van Proklamasie	Mate van herroeping-roeping
No. 36 van 1921	De Veebrandmerken Proklamasie 1921	Die hele, behalwe artikel sewe, wat net in die mate voorsien in onderartikel (2) van artikel elf van hierdie Ordonnansie van krag bly.
No. 14 van 1923	De Veebrandmerken Proklamasie Wijziging Proklamasie 1923	Die hele.
No. 33 van 1923	De Veebrandmerken Proklamasie Verdere Wijziging Proklamasie 1923	Die hele.
No. 19 van 1924	De Veebrandmerken Proklamasie Verdere Wijzigingproklamasie 1924	Die hele.
No. 10 van 1925	De Niet-gebrandmerkt Vee Beschikkings Proklamasie 1925	Die hele.
No. 14 van 1925	De Veebrandmerken Wijzigings-Proklamasie 1925	Die hele

TWEDE BYLAE.

(Artikel vier.)

STAANDE LETTERS VIR DIE DISTRIKTE.

B. vir Bethanie.	N. vir Gibeon.
D. vir Warmbad.	O. vir Outjo.
E. vir Maltahohe.	P. vir Keetmanshoop.
F. vir Grootfontein.	R. vir Rehoboth.
H. vir Aroab.	S. vir Gobabis.
J. vir Okahandja.	T. vir Otjiwarongo.
K. vir Karibib.	U. vir Omaruru.
L. vir Luderitz.	W. vir Windhoek.
M. vir Swakopmund.	

DERDE BYLAE.

(Artikel sewe.)

SERTIFIKAAT VAN TOEKENNING VAN GEREGISTREERDE BRANDMERK.

Hierby word bekend gemaak dat die ondergenoemde brandmerk op die hieronder genoemde datum toegeken en geregistreer is.

Voorname (of voorname) en van van Eienaar.	Naam van plaas (plase) of hoeve(s).	Distrik of distrikte.	No. van Registrasiesertifikaat.	Datum van Registrasie.

Beskrywing van brandmerk
 Die voorgeskrywe fooi van £ : : is betaal. Kyk Inkomste-Kwitansie No.
 Gedagteken te Windhoek, op hierdie dag van 19.....
 Hoofveearts.

FIRST SCHEDULE.

(Section one.)

No. and year of Proclamation	Title of Proclamation	Extent of Repeal.
No. 36 of 1921	Cattle Brands Proclamation, 1921	The whole, except section seven, which remains in force only to the extent provided in sub-section (2) of section eleven of this Ordinance.
No. 14 of 1923	Cattle Brands Proclamation, Amendment Proclamation, 1923	The whole.
No. 33 of 1923	Cattle Brands Proclamation, Further Amendment Proclamation, 1923.	The whole.
No. 19 of 1924	Cattle Brands Proclamation, Further Amendment Proclamation, 1924.	The whole.
No. 10 of 1925	Unbranded Stock Disposal Proclamation, 1925	The whole.
No. 14 of 1925	Cattle Brands Amendment Proclamation, 1925.	The whole.

SECOND SCHEDULE.

(Section four.)

DOMINANT LETTERS FOR THE DISTRICTS.

B. for Bethanie.	N. for Gibeon.
D. for Warmbad.	O. for Outjo.
E. for Maltahohe.	P. for Keetmanshoop.
F. for Grootfontein.	R. for Rehoboth.
H. for Aroab.	S. for Gobabis.
J. for Okahandja.	T. for Otjiwarongo.
K. for Karibib.	U. for Omaruru.
L. for Luderitz.	W. for Windhoek.
M. for Swakopmund.	

THIRD SCHEDULE.

(Section seven.)

CERTIFICATE OF ALLOTMENT OF REGISTERED BRAND.

It is hereby notified that the undermentioned brand has been allotted and registered on the date specified below:

Christian Name (or names) and Surname of Owner.	Name of farm(s) or holding(s).	District or districts.	No. of Registration Certificate.	Date of Registration.

Description of Brand
 The prescribed fee of £ : : has been paid. Vide Revenue Receipt No. dated
 Dated at Windhoek, this day of 19.....
 Senior Veterinary Officer.

VIERDE BYLAE.

(Artikkel *sestien.*)

SERTIFIKAAT VAN VEEOORDRAG.

Ek,, van,
distrik, sertifiseer hiermee dat die
hieronder beskrywe vee op hierdie dag deur my op,
van, distrik, oor-
gedra is en ophou om my eiendom te wees.

Aantal beeste gebrandmerk x
Aantal beeste gebrandmerk x
Aantal donkies gebrandmerk x
Aantal donkies gebrandmerk x

Getuie van handtekening 1.
Getuie van handtekening 2.

(waar verkrygbaar).

Plek
Datum

x Gee al die brandmerke op elke oorgedrae dier aan.

VYFDE BYLAE.

(Artikkel *sewentien.*)

OORDRAGSERTIFIKAAT VAN BRANDYSTER.

Hierby word bekend gemaak dat die ondergenoemde
brandmerk op die hieronder genoemde datum oorgedra
is van,
woonagtig te, distrik,
op, woon-
agtig te, distrik

Beskrywing van brandmerk.	Vol naam en adres van nuwe eienaar.	No. van Registrasiesertifikaat.	Datum van Registrasie.

Die voorgeskrywe fooi van
£ : : is betaal. Kyk
Inkomste-Kwitansie No.

Gedagteken te Windhoek op
hierdie dag van
..... 19.....
Hoofvearts.

ONTWERPORDONNANSIE

Om die Wet betreffende die oortreding van diere op grond
buite die munisipaliteite geleë en die verhaal van fooie,
boetes en skadevergoeding daarvoor te wysig, en om
voorsiening te maak vir die oprigting van skutte deur
stadsrade.

DIT WORD VERORDEN deur die Wetgewende Ver-
gadering vir die Gebied Suidwes-Afrika met die toestemming
van die Goewerneur-Generaal vir sover sodanige toestemming
benodig is, wat vooraf verkry is en deur boodskap van die
Administrateur ooreenkomstig die voorsienings van artikel
ses-en-twintig van "De Zuidwest-Afrika Konstitutie Wet 1925"
van die Parlement van die Unie van Suid-Afrika aan die
Wetgewende Vergadering meegedeel is, as volg:—

1. In hierdie Ordonnansie, tensy onbestaanbaar met die
samenhang—

- beteken en omvat "diere" beeste, perde, mannetjie-esels,
skape, bokke, volstruise en varke;
beteken en omvat "esels" eselmerries, gekastreerde esels,
eselvulletjies en esel-merrievullens en muile;
beteken en omvat "beeste" bulle, koeie, osse, verse, tollies
en kalwers;
beteken "kudde" enige aantal skape of bokke, wat in een
klomp of onder die toesig van een persoon is;
beteken en omvat "bokke" ramme, ooie, hamels en bok-
lammers;
beteken en omvat "perde" hingste, merries, reuns, vulletjies
en merrievullens;
beteken en omvat "volstruise" mak volstruis-mannetjies en
volstruis-wyfies en volstruis-kuikens;
beteken "eienaar" die eienaar van 'n dier en omvat die
bestuurder, agent of oppasser vir die eienaar van die
dier;
beteken en omvat "besitter" die besitter, huurder of okku-
peerder van grond;
beteken en omvat "skaap" ramme, ooie, hamels en lammers;
beteken en omvat "hingste" mannetjie-perde, esels of muile,
wat nie gekastreer is nie;
het "soliede heining" die betekenis aan daardie uitdrukking
toegeken by artikel *twee* van die Wildbeskerming-
Ordonnansie 1927 (Ordonnansie No. 5 van 1927);

Woordbepaling.

FOURTH SCHEDULE.

(Section *sixteen.*)

STOCK TRANSFER CERTIFICATE.

I,, of,
district, do hereby certify that the
stock hereunder described, have this day been transferred
by me to, of,
district, and cease to be my
property.

No. of Cattle branded x
No. of Cattle branded x
No. of Donkeys branded x
No. of Donkeys branded x

Signature of Transferor (late Owner).

Witness to Signature 1.
Witness to Signature 2.

(were available).

Place
Date

x State all brands on every animal transferred.

FIFTH SCHEDULE.

(Section *seventeen.*)

BRANDING IRON TRANSFER CERTIFICATE.

It is hereby notified that the undermentioned Brand has
been transferred from,
residing at, District,
to, residing at,
District, on the date specified below.

Description of Brand.	Full name and Address of New Owner.	No. of Registration Certificate.	Date of Registration.

The prescribed fee of £ : :
has been paid. Vide Revenue
Receipt No. dated

Dated at Windhoek, this
day of
19.....
Senior Veterinary Officer.

DRAFT ORDINANCE

To amend the law relating to the trespass of animals upon
land situate outside municipalities, and the recovery
of fees, penalties and damages therefor, and to provide
for the establishment of pounds by municipal councils.

BE IT ORDAINED by the Legislative Assembly for the
Territory of South West Africa, with the consent of the
Governor-General, in so far as such consent is necessary,
previously obtained and communicated to the Legislative
Assembly by message from the Administrator in accordance
with the provisions of section *twenty-six* of the South West
Africa Constitution Act, 1925, of the Parliament of the
Union of South Africa, as follows:—

1. In this Ordinance, unless inconsistent with the context—

- "animals" means and includes cattle, horses, asses, sheep,
goats, ostriches and pigs;
"asses" means and includes male asses, ass mares, castrated
asses, ass colts and ass fillies and mules;
"cattle" means and includes bulls, cows, oxen, heifers, tollies
and calves;
"flock" means any number of sheep or goats which are in
one lot, or under the charge of one person;
"goats" means and includes rams, ewes, wethers and kids;
"horses" means and includes male horses, mares, geldings,
colts and fillies;
"ostriches" means and includes domesticated male and
female ostriches and ostrich chicks;
"owner" means the owner of an animal and includes the
manager, agent or caretaker for the owner of the
animal;
"proprietor" means and includes the owner, lessee or
occupier of land;
"sheep" means and includes rams, ewes, wethers and lambs;
"stallions" means and includes male horses, asses or mules
not castrated;
"sufficient fence" bears the meaning ascribed to that ex-
pression by section *two* of the Game Preservation
Ordinance, 1927 (Ordinance No. 5 of 1927);

beteiken "die Skutwet" die Proklamasie van die Administrateur met betrekking tot Oortreding deur Diere en die Oprigting en kontrole van skutte, gedagteken die sewen-en-twintigste dag van Julie 1917 (Proklamasie No. 5 van 1917), soos gewysig deur "De Schutten en Overtredingen Wijzigings Proklamatie 1923" (Proklamasie No. 20 van 1923), "De Schutten en Overtredingen Verdere Wijzigingsproklamatie 1923" (Proklamasie No. 43 van 1923), en "De Schutten en Overtredingen Verdere Wijzigingsproklamatie 1924" (Proklamasie No. 15 van 1924).

Toepassing van Ordonnansie.

2. (1) Die bepalings van hierdie Ordonnansie het geen toepassing nie op die oortreding van diere op al die grond, wat nie binne 'n munisipaliteit geleë is nie; en, met inagneming van die bepalings van onderartikel (3) van artikel *sesien*, hou die bepalings van die Skutwet op om van toepassing te wees op die oortreding van diere op grond, wat nie binne 'n munisipaliteit geleë is nie.

(2) By die toepassing van hierdie Ordonnansie op die oortreding van diere op grond geleë binne enige gebied, wat kragtens artikel *sesien* van "De Naturelle Administratie Proklamatie 1922" (Proklamasie No. 11 van 1922) as 'n natuurreservaat afgesonderd is, is die volgende bepalings van toepassing:—

- (a) Die regte, pligte en verpligtings van die eienaar van grond, waarop oortredende diere gevind word, moet berus by en gelê word op die superintendente van die reservaat.
- (b) Die publikasiekoste van die in onderartikel (2) van artikel *sewe* vermelde kennisgewing, die betalings kragtens onderartikel (1) van artikel *nege* gedoen en al die koste deur superintendente opgelooft vir of in verband met die dip of dres van skape of bokke, wat met brandsiekte besmet is en binne die reservaat gevind word, moet betaal word uit die administrasiereservaatfonds, kragtens artikel *een* van "De Naturelle Reservaten-Trustfonds Administratie Proklamatie 1924" (Proklamasie No. 9 van 1924) vir die reservaat ingestel.
- (c) Al die gelde, deur die superintendent kragtens die bepalings van artikels *agt*, *nege* en *twalf* ontvang, moet in die voormelde fonds gestort word.
- (d) Al die diere, wat kragtens die bepalings van artikel *tien* die eiendom van die superintendent word, moet deur hom in die voormelde fonds gestort word.

(3) By die toepassing van hierdie Ordonnansie op die oortreding van diere op gemeenskaplike weilande geleë binne enige dorpsbestuursraadgebied, word die dorpsbestuursraad geag die eienaar van sodanige gemeenskaplike weilande te wees.

(4) Die bepalings van hierdie Ordonnansie het geen toepassing nie op die oortreding van diere op grond, wat binne 'n munisipaliteit lê; en die bepalings van die Skutwet gaan voort om op die oortreding van diere op sodanige grond van toepassing te wees.

3. Al die varke, pluimvee of duive, wat in of op—

- (a) enige tuin, wingerd of vrugteboord; of
- (b) enige plek, waarop enige soort van gesaaide groei, of waarop sodanige gesaaide nog lê; of
- (c) enige plek, wat graan bevat,

oortredende gevind word, kan deur die eienaar van die grond, waarop die tuin, wingerd, vrugteboord of plek geleë is, of deur enige persoon, wat op sy gesag handel, doodgemaak word, en enige hond, wat te enige tyd op grond, wat met 'n soliede heining toegemaak is en waarin wild of diere is, oortredende gevind word, kan doodgemaak word. Die eienaar van enige varke, pluimvee of duive, wat aldus oortredende gevind word, is verplig om enige deur sodanige varke, pluimvee of duive aan enige sodanige tuin, wingerd, vrugteboord, gesaaide of graan berokkende skade goed te maak, en die eienaar van enige hond, wat aldus oortredende gevind word, is verplig om enige deur sodanige hond aan enige sodanige wild of diere berokkende skade goed te maak.

4. (1) Die besitter van enige grond kan enige dier, wat daarop oortredende gevind word, terughou, opsluit en oppas of laat terughou, opsluit en oppas.

(2) Die besitter van enige grond, waarop enige vee oortredende gevind word, is nie aanspreeklik vir die verlies of wegraak van daardie vee nie, tensy die verlies of wegraak deur die opsetlike handeling van die besitter van die grond veroorsaak is.

5. (1) Wanneer die besitter van enige grond opmerk of andersins kennis kry van die aanwesigheid van enige oortredende dier of diere op daardie grond, moet hy onverwyld skriftelike kennis daaromtrent aan die kommandant van die polisiepos, wat digh naby daardie grond geleë is, gee of laat gee of die feit persoonlik aan sodanige kommandant rapporteer.

(2) Die besitter van enige grond, wat op die datum van die inwerkingtreding van hierdie Ordonnansie van die aanwesigheid van enige oortredende dier of diere op daardie grond weet, moet onverwyld aan die kommandant van die polisiepos, wat digh naby daardie grond geleë is, skriftelike kennis daaromtrent gee, of die feit persoonlik aan sodanige kommandant rapporteer.

(3) Enige sodanige kennisgewing of rapport moet 'n noukeurige beskrywing van elke dier, wat oortredende gevind word, bevat, waarin die soort, geslag, kleur, ouderdom by benadering, brandmerke en die plekke op die dier se liggaam, waarop die brandmerke gedruk is, oormerke en enige ander karakteristieke of onderskeidende kenmerke van of op dier aangegee moet wees, wat kan dien om die eienaar

Doodmaak van varke, pluimvee of duive, wat op bewerkte grond oortree.

Terughouding van diere, wat oortredende gevind word.

Besitter van grond moet aanwesigheid van oortredende diere rapporteer.

"the Pounds Law" means the Proclamation of the Administrator relating to Trespass by Animals and the establishment and Control of Pounds, dated the twenty-seventh day of July, 1917 (Proclamation No. 5 of 1917), as amended by the Pounds and Trespasses Amendment Proclamation, 1923 (Proclamation No. 20 of 1923), the Pounds and Trespasses Further Amendment Proclamation, 1923 (Proclamation No. 43 of 1923), and the Pounds and Trespasses Further Amendment Proclamation, 1924 (Proclamation No. 15 of 1924).

2. (1) The provisions of this Ordinance shall apply to the trespass of animals on all land not situate within a municipality; and, subject to the provisions of sub-section (3) of section *sixteen*, the provisions of the Pounds Law shall cease to apply to the trespass of animals on land not situate within a municipality.

Application of Ordinance.

(2) In the application of this Ordinance to the trespass of animals on land situate within any area set aside as a native reserve under section *sixteen* of the Native Administration Proclamation, 1922 (Proclamation No. 11 of 1922), the following provisions shall apply:—

- (a) The rights, duties and obligations of the proprietor of land upon which trespassing animals are found shall be vested in and imposed upon the superintendent of the reserve.
- (b) The cost of publishing the notice referred to in sub-section (2) of section *seven*, the payments made under sub-section (1) of section *nine*, and all costs incurred by the superintendent for or in connection with the dipping or dressing of sheep or goats infected with scab and found trespassing within the reserve, shall be defrayed out of the administration reserve fund established for the reserve under section *one* of the Native Reserves Trust Funds Administration Proclamation, 1924 (Proclamation No. 9 of 1924).
- (c) All moneys received by the superintendent under the provisions of sections *eight*, *nine* and *twelve* shall be paid into the said fund.
- (d) All animals which under the provisions of section *ten* become the property of the superintendent shall be sold by him, and the proceeds thereof shall be paid into the said fund.

(3) In the application of this Ordinance to the trespass of animals on common pasture lands situate within any village management board area, the village management board shall be deemed to be the owner of such common pasture lands.

(4) The provisions of this Ordinance shall not apply to the trespass of animals on land situate within a municipality; and the provisions of the Pounds Law shall continue to apply to the trespass of animals on such land.

3. All pigs, poultry or pigeons found trespassing in or upon—

- (a) any garden, vineyard or orchard; or
- (b) any place upon which any species of cultivated crop is growing, or upon which such crop is still lying; or
- (c) any place containing grain,

Destruction of pigs, poultry or pigeons trespassing upon cultivated ground.

may be destroyed by the proprietor of the land on which the garden, vineyard, orchard or place is situate or any person acting on his authority, and any dog found trespassing at any time on land enclosed with a sufficient fence in which there are game or animals may be destroyed. The owner of any pigs, poultry or pigeons so found trespassing shall be liable to make good any damage done by such pigs, poultry or pigeons to any such garden, vineyard, orchard, crop or grain, and the owner of any dog so found trespassing shall be liable to make good any damage done by such dog to any such game or animals.

4. (1) The proprietor of any land may detain, confine and herd any animal found trespassing thereon or cause it to be detained, confined or herded.

Detention of animals found trespassing.

(2) The proprietor of any land on which any stock has been found trespassing shall not be liable for the loss or disappearance of that stock, unless the loss or disappearance was caused by the wilful act of the proprietor of the land.

5. (1) Whenever the proprietor of any land observes or otherwise receives knowledge of the presence upon that land of any trespassing animal or animals, he shall forthwith deliver or cause to be delivered to the commander of the police post nearest to that land written notice thereof, or personally report the fact to such commander.

Proprietor of land must report presence of trespassing animals.

(2) The proprietor of any land who at the date of the commencement of this Ordinance knows of the presence of any trespassing animal or animals upon that land shall forthwith deliver or cause to be delivered to the commander of the police post nearest to that land written notice thereof, or personally report the fact to such commander.

(3) Every such notice or report shall include an accurate description of each animal found trespassing, in which shall be stated the species, sex, colour, approximate age, brands, and the places on the animal's body on which the brands are impressed, earmarks and any other characteristics or distinctive marks of or borne by the animal, which may

van die dier in staat te stel om hom te identifiseer; en as die besitter van die grond weet, wie die eienaar van die dier is, moet hy in sodanige kennisgewing of rapport die naam van sodanige eienaar noem.

(4) As enige dier, wat oortredende gevind word, geen brandmerk of oormerk het nie, of as die besitter van die grond nie enige brandmerk op hom kan lees nie, moet daardie feit in die kennisgewing of rapport deur die besitter van die grond vermeld word; en die besitter moet die dier binne die maklike bereik van sy opstal hou, sodat dit ooreenkomstig artikel ses geïnspekteer kan word.

6. Wanneer in enige sodanige kennisgewing of rapport deur die kommandant van 'n polisiepos ontvang, vermeld word dat enige dier, wat oortredende gevind is, geen brandmerk het nie of dat die brandmerk, waaromtrent die besitter van die grond, ter oorsake van die plek op die dier se liggaam, waarop dit gedruk is, van oordeel is dat dit die laaste brandmerk is, wat op die dier gedruk is, nie vir die besitter van die grond leesbaar is nie, moet die poskommandant die dier so spoedig as gerieflik mag wees deur 'n polisiebeampte laat inspekteer. Die polisiebeampte, wat die inspeksie maak, moet aan die poskommandant rapporteer of die dier enige brandmerke het, en so ja, wat daardie brandmerke is en op watter plekke van die dier se liggaam hulle gedruk is.

7. (1) As die kommandant van die polisiepos na aanleiding van die kennisgewing of rapport in artikel vyf vermeld, na aanleiding van die rapport deur 'n polisiebeampte in artikel ses vermeld, of na aanleiding van enige ander oorsaak vasstel wie die eienaar van die dier is of wie die geregistreerde houër van die brandmerk is, waaromtrent die poskommandant, ter oorsake van die plek op die dier se liggaam, waarop dit gedruk is, van oordeel is dat dit die laaste brandmerk is, wat op die dier gedruk is, moet hy sodanige eienaar of houër onverwyld van die naam van die plek, waar die dier dan is, en van die naam van die besitter van die grond in kennis stel. Die kennisgewing moet 'n volledige beskrywing van die dier bevat.

Die kennisgewing moet op sodanige eienaar of houër persoonlik gediën word of by sy woonplek of laasbekende woonplek gelaat word of per geregistreerde pos aan hom gestuur word. 'n Afskrif van die kennisgewing moet deur die poskommandant behou word.

(2) As die poskommandant nie kan vasstel nie wie die eienaar is van die dier of wie die geregistreerde houër is van die brandmerk, waaromtrent die poskommandant, ter oorsake van die plek op die dier se liggaam, waarop dit gedruk is, van oordeel is dat dit die brandmerk is, wat laaste op die dier gedruk is, moet hy van die besitter van die grond verlang dat hy 'n geldsom voldoende om die publikasiekoste van die hierinlater vermelde kennisgewing te dek, ooreenkomstig die bepalings van hierdie artikel by hom deponeer. Sodanige besitter moet sodanige som onverwyld deponeer. Na ontvangs van die deposito moet die poskommandant, met inagneming van die bepalings van onderartikkel (3) van artikel dertien, 'n kennisgewing, bevattende 'n vol beskrywing van die dier en aangewende die plek, waar die dier dan is asook die naam van die besitter van die grond, een maal in elkeen van twee koerante, wat in die distrik in omloop is, laat publiseer.

(3) Die poskommandant moet op 'n vername plek by die polisiepos 'n afskrif van elke in onderartikkel (1) vermelde kennisgewing en 'n afskrif van elke in onderartikkel (2) van hierdie artikel vermelde kennisgewing aanplak, en moet hulle vir 'n tydperk van nie minder as ses maande nie aldus aangeplak hou.

8. (1) Die eienaar van enige dier, wat op die grond van iemand anders oortredende gevind word, is, met inagneming van die bepalings van onderartikkel (2) van artikel nege en onderartikels (1) en (2) van artikel twaalf, geregtig om, na betaling van die hieronder genoemde bedrag aan die besitter van die grond, daardie dier los te laat, en te verwyder en is nie geregtig om die dier te verwyder nie, behalwe na sodanige betaling. Die aldus te betaal bedrae is as volg:—

- (a) die publikasiekoste van die in onderartikkel (2) van artikel sewe vermelde kennisgewing aangaande daardie dier, as sodanige kennisgewing gepubliseer is, of, as die kennisgewing op meer as een dier betrekking gehad het, 'n proporsionele aandeel van sodanige koste. Die bedrag van sodanige aandeel word deur die poskommandant bepaal; en
- (b) as die dier 'n bul of hings bo die ouderdom van agtien maande of 'n skaapram of bokram bo die ouderdom van nege maande is, 'n boete van vyf pond; en
- (c) weifooie ten opsigte van daardie dier vir die hele tydperk van die oortreding, gereken vanaf die datum, waarop die in onderartikkel (1) van artikel sewe vermelde kennisgewing of rapport aan die poskommandant afgelewer of uitgebring is, teen die volgende tarief:—

Bulle of hings bo die ouderdom van agtien maande	1/- per dag, per stuk.	6d per dag, per stuk.
Ander beeste, perde of donkies of volstruise of varke	6d per dag, per stuk.	3d per dag, per stuk.
Skaapramme of bokramme bo die ouderdom van nege maande	3d per dag, per stuk.	1½d per dag, per stuk.
Ander skape of bokke	1d per dag, per stuk.	½d per dag, per stuk.

serve to enable the owner of the animal to identify it; and if the proprietor of the land knows who is the owner of the animal, he shall in such notice or report state the name of such owner.

(4) If any animal found trespassing bears no brand or earmark or if the proprietor of the land is unable to read any brand borne by it, that fact shall be stated in the notice or report by the proprietor of the land; and the proprietor shall keep the animal within easy reach of his homestead, in order that it may be inspected in accordance with section six.

6. Whenever in any such notice or report received by the commander of a police post it is stated that any animal found trespassing bears no brand or that the brand which, by reason of the place on the animal's body on which it is impressed, the proprietor of the land judges to be the brand last impressed upon the animal is not legible to the proprietor of the land, the post commander shall cause the animal to be inspected by a policeman as soon as conveniently may be. The policeman making the inspection shall report to the post commander whether the animal bears any brands, and if so, what those brands are and on which places of the animal's body they are impressed.

7. (1) If, from the notice or report referred to in section five, from the report by a policeman referred to in section six, or from any other source, the commander of the police post ascertains who is the owner of the animal or who is the registered holder of the brand which, by reason of the place on the animal's body on which it is impressed, the post commander judges to be the brand last impressed upon the animal, he shall forthwith notify such owner or holder of the name of the place where the animal then is and the name of the proprietor of the land. The notice shall contain a full description of the animal. The notice shall be served upon such owner or holder personally or left at his place of residence or last known place of residence or be sent to him by registered post. A copy of the notice shall be retained by the post commander.

(2) If the post commander is unable to ascertain who is the owner of the animal or who is the registered holder of the brand which, by reason of the place on the animal's body on which it is impressed, the post commander judges to be the brand last impressed upon the animal, he shall require the proprietor of the land to deposit with him a sum of money sufficient to cover the cost of publishing the notice hereinafter referred to in accordance with the provisions of this section. Such proprietor shall forthwith make such deposit. Upon receipt of the deposit the post commander shall, subject to the provisions of sub-section (3) of section thirteen, cause to be published once in each of two newspapers circulating in the district a notice containing a full description of the animal and stating the place where the animal then is and the name of the proprietor of the land.

(3) The post commander shall affix at a prominent place at the police post a copy of every notice referred to in sub-section (1) and a copy of every notice referred to in sub-section (2) of this section, and shall keep it so affixed for a period not less than six months.

8. (1) The owner of any animal found trespassing upon the land of another shall, subject to the provisions of sub-section (2) of section nine and sub-sections (1) and (2) of section twelve, be entitled to release and remove that animal upon payment to the proprietor of the land of the amounts mentioned hereunder, and shall not be entitled to remove the animal except upon such payment. The amounts so to be paid shall be the following:—

- (a) the cost of publishing the notice referred to in sub-section (2) of section seven concerning that animal, if such notice has been published, or, if the notice related to more than one animal, a proportionate share of such cost, the amount of such share being fixed by the post commander; and
- (b) if the animal be a bull or stallion over eighteen months of age or a sheep ram or goat ram over nine months of age, a penalty of five pounds; and
- (c) grazing fees in respect of that animal for the whole period of the trespass, reckoned from the date on which the notice or report referred to in sub-section (1) of section seven was delivered or made to the post commander, at the following rates:—

	If the trespass occurred on land enclosed with a sufficient fence.	If the trespass occurred on land not enclosed with a sufficient fence.
Bulls or stallions over eighteen months of age	1/- per day, per head.	6d per day, per head.
Other cattle, horses or donkeys or ostriches or pigs	6d per day, per head.	3d per day, per head.
Sheep rams or goat rams over nine months of age	3d per day, per head.	1½d per day, per head.
Other sheep or goats	1d per day, per head.	½d per day, per head.

Inspeksie deur polisie van oortredende diere, waarvan die eienaar onbekend is.

Kennisgewing aan eienaars van oortredende diere.

Inspection by Police of trespassing animals whose owner is not known.

Notice to owners of trespassing animals.

Release of trespassing animals by owner.

(2) Niemand, onverskillig of hy die eienaar van die dier is al dan nie, mag enige dier, wat op enige grond oortredende is, sonder betaling van die kragtens onderartikel (1) van hierdie artikel betaalbare bedrae of sonder die toestemming van die besitter van die grond, watter toestemming na die daad gegee mag word, verwyder nie.

(3) Die betaling, deur die eienaar van enige dier, wat op die grond van iemand anders oortredende gevind is, ooreenkomstig die bepalings van onderartikel (1) van hierdie artikel, onderartikel (2) van artikel *nege* of onderartikel (1) of (2) van artikel *twaalf* gedoen, tas die aanspreeklikheid van die eienaar van sodanige dier na gewoontereg of onder enige ander wet om die besitter van die grond of enige ander persoon skadeloos te stel vir enige verlies aan sodanige besitter of ander persoon deur sodanige dier berokken nie aan nie; en sodanige besitter van die grond of ander persoon kan, niesteenstaande enige betaling deur die eienaar van sodanige dier ooreenkomstig die voornoemde bepalings gedoen, enige sodanige aanspreeklikheid teenoor sodanige eienaar in enige hof van bevoegde regsrag handhaaf, en insonderheid, as sodanige oortredende dier 'n bul, hings, skaapram of bokram is, kan hy die bedrag van die verlies deur sodanige besitter of ander persoon gelyk ter oorsake van die feit dat sodanige bul, hings, skaapram of bokram enige koei, merrie of skaapooi of bokooi, wat wettig op sodanige grond loop, gedek het, op die eienaar daarvan verhaaf.

Agtervolging van oortredende dier deur besitter van grond, waarop oortreding plaasgevind het.

9. (1) Wanneer enige dier, wat op die grond van enige besitter oortree het, daarna en voordat die ooreenkomstig artikel *tien* die eiendom van daardie besitter geword het, op die grond van enige ander besitter oortredende gevind word, is die eersgenoemde eienaar geregtig, tensy hy deur sy eie opsetlike daad veroorsaak het dat die dier aldus op die grond van die tweede-genoemde besitter oortree het, om die dier los te koop na betaling aan die tweede-genoemde besitter van sodanige bedrae as kragtens hierdie Ordonnansie na die loskoping van die dier deur die eienaar daarvan betaalbaar sou gewees het, en die eersgenoemde besitter is geregtig om die dier op die grond te bring, waarop die eersgenoemde oortreding plaasgevind het.

(2) Die eienaar van die dier is verplig om aan die eersgenoemde besitter voor die loskoping van die dier deur die eienaar enige bedrag te betaal, wat deur die eersgenoemde aan die tweede-genoemde besitter kragtens die bepalings van hierdie artikel behoorlik betaal is.

(3) Wanneer enige dier, wat op die grond van enige besitter oortree het, weer in die besit van die eienaar daarvan terugkom, voordat die dier die eiendom van die besitter van die grond ooreenkomstig artikel *tien* geword het, is die besitter geregtig om daardie dier van sy eienaar terug te eis en dit op die grond te bring, waarop die oortreding plaasgevind het.

Verkryging deur besitter van grond van eiendom reg op diere, wat daarop oortree het.

10. As na afloop van ses maande vanaf die datum, waarop die in onderartikel (1) van artikel *sewe* vermeldde kennisgewing deur die poskommandant ooreenkomstig daardie artikel gedien, gelaat of gepos is, of, in gevalle waar 'n kennisgewing aangaande die dier ooreenkomstig die bepalings van onderartikel *sewe* gepubliseer is, na afloop van ses maande vanaf die datum van die laaste publikasie van daardie kennisgewing, die dier nie deur die eienaar daarvan kragtens die bepalings van artikel *agt*, gelees met artikels *nege* en *twaalf*, losgekoop is nie, kan die besitter van die grond, waarop die dier oortree, daardie feit aan die poskommandant rapporteer. So spoedig as gerieflik mag wees na die ontvangs van sodanige rapport moet die poskommandant sodanige dier met 'n brandmerk, vir die doel deur die Administrateur voorgeskrywe, laat brand. Daarop word sodanige dier die eiendom van die eienaar van die grond.

Besitter van grond, waarop diere oortree het, moet polisie in kennis stel, as hy vasstel wie die eienaar van daardie diere is.

11. (1) Die grondbesitter, wat aan die kommandant van 'n polisiepos kennis gegee of 'n rapport uitgebring het, soos in artikel *vyf* vermeld, aangaande die aanwesigheid van enige oortredende dier op sy grond, en wat te enige tyd na die gewing van die kennis of die uitbring van die rapport vasstel wie die eienaar van daardie dier is, moet onverwyld aan die kommandant van daardie polisiepos skriftelike kennis aflewer of laat aflewer of 'n persoonlike rapport aan die kommandant uitbring, meldende wie daardie eienaar is.

(2) Na ontvangs van enige sodanige kennisgewing of rapport moet die poskommandant die eienaar van die dier onverwyld in kennis stel aangaande die naam van die plek, waar die dier dan is, en die naam van die besitter van die grond. Sodanige kennisgewing moet gedien word op of gelaat word by of gestuur word aan die eienaar ooreenkomstig die bepalings van onderartikel (1) van artikel *sewe*.

(3) As die besitter van die grond in gebreke bly om kennis te gee of om die rapport uit te bring ooreenkomstig onderartikel (1) van hierdie artikel, is die eienaar van die dier, niesteenstaande die feit dat die dier ooreenkomstig die bepalings van artikel *tien* deur die polisie gebrandmerk is, geregtig om die dier te enige tyd terug te eis, nadat hy die in onderartikel (1) van artikel *agt*, onderartikel (2) van artikel *nege* en onderartikels (1) en (2) van artikel *twaalf* vermeldde betaling, waar toepaslik, gemaak het. Weifooie moet egter net tot die datum gereken word, waarop die besitter van die grond vasgestel het, wie die eienaar van die dier was.

Met brandsiekte besmette skape of bokke, wat oortredende gevind word.

12. (1) Die eienaar van enige met brandsiekte besmette skaap of bok, wat op die grond van iemand anders oortredende gevind word, is, as die skape of bokke nie deurmekaar met ander skape of bokke, wat wettig op daardie grond en vry van daardie siekte is, gevind word nie, verplig om aan die besitter van die grond ten opsigte van die oortreding die dubbel bedrag van weifooie te betaal, wat kragtens paragraaf (c) van onderartikel (1) van artikel *agt* ten opsigte van 'n gelyksoortige oortreding deur nie aldus

(2) No person, whether or not he is the owner of the animal, shall remove any animal which is trespassing upon any land without paying the amounts due under sub-section (1) of this section or without the consent of the proprietor of the land, which consent may be given after the act.

(3) The payment made in accordance with the provisions of sub-section (1) of this section, sub-section (2) of section *nine* or sub-section (1) or (2) of section *twelve* by the owner of any animal which has been found trespassing on the land of another shall not affect the liability at common law or under any other statute of the owner of such animal to compensate the proprietor of the land or any other person for any loss caused to such proprietor or other person by such animal; and such proprietor of the land or other person may, notwithstanding any payment made by the owner of such animal in accordance with the provisions mentioned, enforce any such liability against such owner in any court of competent jurisdiction, and in particular, if such trespassing animal is a bull, stallion, sheep ram or goat ram, may recover from the owner thereof the amount of the loss suffered by such proprietor or other person by reason that such bull, stallion, sheep ram or goat ram has covered any cow, mare or sheep ewe or goat ewe lawfully running on such land.

9. (1) Whenever any animal which has trespassed upon the land of any proprietor, thereafter, and before the animal has become the property of that proprietor in accordance with section *ten*, is found trespassing upon the land of any other proprietor, the first-mentioned proprietor shall be entitled, unless he has by his own wilful act caused the animal so to trespass upon the land of the second-mentioned proprietor to release the animal, upon payment to the second-mentioned proprietor of such amounts as would be payable under this Ordinance upon the release of the animal by the owner thereof; and the first-mentioned proprietor shall be entitled to remove the animal to the land upon which the first-mentioned trespass took place.

Following up of trespassing animal by proprietor of land on which trespass took place.

(2) The owner of the animal shall be bound to pay to the first-mentioned proprietor before the release of the animal by the owner any amount properly paid under the provisions of this section by the first-mentioned proprietor to the second-mentioned proprietor.

(3) Whenever any animal which has trespassed upon the land of any proprietor returns to the possession of the owner thereof before the animal has become the property of the proprietor of the land in accordance with section *ten*, the proprietor shall be entitled without payment to re-claim that animal from its owner and remove it to the land upon which the trespass took place.

10. If, after the lapse of six months from the date on which the notice by the post commander referred to in sub-section (1) of section *seven* was served or left or posted in accordance with that section, or, where a notice concerning the animal has been published in accordance with the provisions of sub-section (2) of section *seven*, after the lapse of six months from the date of the last publication of that notice, the animal has not been released by the owner thereof under the provisions of section *eight*, read with sections *nine* and *twelve*, the proprietor of the land on which the animal is trespassing may report that fact to the post commander. As soon as is convenient after the receipt of such report, the post commander shall cause such animal to be branded with a brand prescribed for the purpose by the Administrator. Thereupon such animal shall become the property of the proprietor of the land.

Acquisition by proprietor of land of ownership in animals which have trespassed thereon.

11. (1) The proprietor of any land who has given a notice or made a report such as is referred to in section *five* to the commander of a police post of the presence upon his land of any trespassing animal, and who at any time after the giving of the notice or the making of the report ascertains who is the owner of that animal, shall forthwith deliver or cause to be delivered to the commander of that police post written notice, or make a personal report to the commander stating who that owner is.

Proprietor of land upon which animals have trespassed must notify police if he ascertains who is owner of those animals.

(2) Upon receipt of any such notice or report the post commander shall forthwith notify the owner of the animal of the name of the place where the animal then is and the name of the proprietor of the land. Such notice shall be served upon or left for or sent to the owner in accordance with the provisions of sub-section (1) of section *seven*.

(3) If the proprietor of the land fails to give the notice or make the report in accordance with sub-section (1) of this section, the owner of the animal shall, notwithstanding the fact that the animal has been branded by the police in accordance with the provisions of section *ten*, be entitled at any time to re-claim the animal upon making the payments mentioned in sub-section (1) of section *eight*, sub-section (2) of section *nine* and sub-sections (1) and (2) of section *twelve*, where applicable, grazing fees, however, being reckoned only up to the date upon which the proprietor of the land ascertained who was the owner of the animal.

12. (1) The owner of any sheep or goats infected with scab and found trespassing upon the land of another shall, if the sheep or goats are not found mixed with other sheep or goats lawfully upon that land and free from that disease, be liable to pay to the proprietor of the land in respect of the trespass twice the amount of grazing fees that would have been payable under paragraph (c) of sub-section (1) of

Scab-infected sheep or goats found trespassing.

besmette skape of bokke betaalbaar sou gewees het. As sodanige oortredende skape of bokke deurmekaar met ander skape of bokke, wat wettig op daardie grond en vry van daardie siekte is, gevind word, en as sodanige opmenging nie té wyte is aan die versuim van die besitter van die grond nie; is die eienaar verplig om aan die besitter die viervoudige van die bedrag, wat aldus ten opsigte van 'n gelyksoortige oortreding deur nie aldus besmette skape of bokke betaalbaar sou gewees het, ten opsigte van die oortreding te betaal.

(2) Die eienaar van enige skape of bokke, wat met brandsiekte besmet is en op die grond van iemand anders oortredende gevind word, is verplig om aan die besitter van die grond voor die loskoping daarvan al die koste, wat redelikerwys deur die besitter opgekoop is, vir of in verband met die dip en dres van sodanige skape of bokke en van enige skape of bokke, waarmee sodanige besmette skape of bokke sonder die versuim van die eienaar deurmekaar gekom het.

(3) As enige skape of bokke, wat oortredende gevind word, met brandsiekte besmet is, word vir die doeleindes van hierdie artikel al die skape of bokke, wat in dieselfde kudde is en op dieselfde tyd oortredende gevind word, geag insgelyks besmet te wees; en as enige skaap of bok in enige kudde, waarmee enige ander kudde deurmekaar gekom het, met brandsiekte besmet is, dan word die hele gemengde kudde geag insgelyks besmet te wees.

(4) As enige geskil ontstaan aangaande die vraag of enige oortredende skape of bokke met brandsiekte besmet is of was, of aangaande die vraag of enige skape of bokke met enige ander skape of bokke deurmekaar gebring is, of aangaande die vraag of enige sodanige deurmekaarbring te wyte was aan die versuim van die besitter van die grond, of aangaande die koste redelikerwys deur die besitter vir of in verband met die dip of dres van enige skape en bokke opgekoop, of aangaande enige ander feilike punt met betrekking tot sodanige geskil, moet die vraag deur die meerderheid van drie skeidsregters beslis word, waarvan een deur die besitter van die grond, een deur die eienaar van die skape of bokke en een deur die kommandant van die digs naby geleë poliesiepos benoem moet word. As die besitter van die grond of die eienaar van die skape of bokke in gebreke bly om 'n skeidsregter te benoem, moet die voormelde poskommandant sodanige skeidsregter benoem. Geen kragtens hierdie artikel benoemde skeidsregter is geregtig om betaling van enige fooie en onkoste te eis nie. As dit om enige rede nie doenlik is nie om die geskilpunt of geskilpunte deur aldus benoemde skeidsregters te laat beslis, moet sodanige punt of punte deur die poskommandant beslis word.

13. (1) As enige bees of enige perd of esel, wat op die grond van iemand anders oortredende gevind word, so wild is, dat dit nie op die wyse, waarop beeste, perde of esels gewoonlik bedwing word, bedwingbaar is nie, kan die besitter van die grond, as hy nie weet wie die eienaar van die dier is nie, en as die dier geen brandmerk het nie, of as hy die brandmerk, waaromtrent hy, ter oorsake van die plek op die dier se liggaam, waarop dit gedruk is, van oordeel is dat dit die brandmerk is, wat laaste op die dier gedruk is, kan hy as hy die in artikel vyf vermelde kennis gee of rapport uitbring, by die poskommandant aansoek doen vir verlof om die dier dood te maak. Wanneer enige sodanige aansoek gedoen word, moet die poliesiedienaar, wat die dier, soos by artikel ses vereis, inspekteer, aan die poskommandant aangaande die onderwerp rapporteer, en as dit uit sy rapport blyk, dat die dier so wild is dat dit op die wyse, waarop diere van die soort, waartoe die diere behoort, gewoonlik bedwing word, nie bedwingbaar is nie, en as die poskommandant nie kan vasstel nie wie die eienaar van die dier is of wie die geregistreerde houer van die brandmerk is, waaromtrent die poskommandant, ter oorsake van die plek op die dier se liggaam, waarop dit gedruk is, van oordeel is dat dit die brandmerk is, wat laaste op die dier gedruk is, moet hy die papiere voor die magistraat van die distrik lê, wat die besitter van die grond skriftelik kan magtig om die dier dood te maak.

(2) Geen aanspreeklikheid, siviël of krimineel, ten opsigte van die doodmaak van enige dier kragtens enige sodanige skriftelike magtiging val op enige persoon, wat in sodanige doodmaak betrokke is, nie.

(3) Wanneer magtiging om enige dier dood te maak kragtens die bepalings van hierdie artikel verleen is, mag geen publikasie van die in onderartikel (2) van artikel sewe vermelde kennisgewing plaasvind nie.

14. (1) As gevind word dat enige dier, wat op grond van iemand anders oortree, aan 'n aansteeklike siekte ly, kan die besitter van daardie grond die saak aan die kommandant van die poliesiepos, wat digs naby daardie grond geleë is, rapporteer en by hom aansoek doen vir verlof om die dier dood te maak. Die poskommandant moet so spoedig as gerieflik mag wees na die ontvangs van daardie rapport die dier deur 'n poliesiedienaar laat inspekteer, en as sodanige poliesiedienaar met die besitter van die grond ooreenkom dat dit nodig is dat die dier doodgemaak word, moet hy aan die besitter 'n skriftelike sertifikaat te dien effekte aflewer. Daarop kan die besitter die dier doodmaak of laat doodmaak.

(2) Geen aanspreeklikheid, siviël of krimineel, ten opsigte van die doodmaak van enige dier kragtens enige sodanige sertifikaat val op enige persoon, wat in sodanige doodmaak betrokke is, nie.

(3) Hierdie artikel het geen toepassing nie op enige skaap of bok, wat net aan brandsiekte ly.

section eight in respect of a similar trespass by sheep or goats not so infected. If such trespassing sheep or goats are found mixed with other sheep or goats lawfully upon the land and free from the disease, and if such mixing is not due to the default of the proprietor of the land, the owner shall be liable to pay to the proprietor in respect of the trespass four times the amount of grazing fees that would have been so payable in respect of a similar trespass by sheep or goats not so infected.

(2) The owner of any sheep or goats infected with scab and found trespassing upon the land of another shall be bound to pay to the proprietor of the land before the release thereof all costs reasonably incurred by the proprietor for or in connection with the dipping and dressing of such sheep or goats and of any sheep or goats with which such infected sheep or goats have mixed without the default of the proprietor.

(3) For the purposes of this section, if any sheep or goat found trespassing is infected with scab, all sheep or goats in the same flock and found trespassing at the same time shall be deemed to be similarly infected; and if any sheep or goat in any flock with which any other flock has become mixed is infected with scab, then the entire mixed flock shall be deemed to be similarly infected.

(4) If any dispute arises as to whether any trespassing sheep or goats are or were infected with scab, as to whether any sheep or goats have been mixed with any other sheep or goats, as to whether any such mixing was due to the default of the proprietor of the land, or as to the costs reasonably incurred by the proprietor for or in connection with the dipping and dressing of any sheep and goats, or as to any other question of fact relative to such dispute, the question shall be decided by the majority of three arbitrators, one of whom shall be appointed by the proprietor of the land, one by the owner of the sheep or goats and one by the commander of the nearest police post. If the proprietor of the land or the owner of the sheep or goats fail to appoint an arbitrator, the said post commander shall appoint such arbitrator. No arbitrator appointed under this section shall be entitled to claim payment of any fees and expenses. If for any reason it is not practicable to have the question or questions at issue decided by arbitrators so appointed, such question or questions shall be decided by the post commander.

13. (1) If any head of cattle or any horse or ass found trespassing upon the land of another is so wild as not to be controllable in the way in which cattle, horses or asses are ordinarily controlled, the proprietor of the land may, if he does not know who is the owner of the animal and if the animal bears no brand or he is unable to read the brand which, by reason of the place on the animal's body on which it is impressed, he judges to be the brand last impressed upon the animal, he may, when giving the notice or making the report referred to in section five, apply to the post commander for permission to destroy the animal. Whenever any such application is made, the policeman who inspects the animal as required by section six shall report to the post commander on the subject, and if it appears from his report that the animal is so wild as not to be controllable in the way in which animals of the species to which the animals belong are ordinarily controlled, and if the post commander is unable to ascertain who is the owner of the animal or who is the registered holder of the brand which, by reason of the place on the animal's body on which it is impressed, the post commander judges to be the brand last impressed upon the animal, he shall lay the papers before the magistrate of the district, who may in writing authorise the proprietor of the land to destroy the animal.

(2) No liability, civil or criminal, in respect of the destruction of any animal under any such written authority shall attach to any person concerned in such destruction.

(3) Whenever authority to destroy any animal is granted under the provisions of this section, publication of the notice referred to in sub-section (2) of section seven shall not take place.

14. (1) If any animal trespassing upon the land of another is found to be suffering from a contagious disease, the proprietor of that land may report the matter to the commander of the police post nearest to that land, and apply to him for permission to destroy the animal. The post commander shall, as soon as conveniently may be after the receipt of that report, cause the animal to be inspected by a policeman, and if such policeman agree with the proprietor of the land that it is necessary that the animal be destroyed, he shall deliver to the proprietor a written certificate to that effect. The proprietor may thereupon destroy the animal or cause it to be destroyed.

(2) No liability, civil or criminal, in respect of the destruction of any animal upon the authority of any such certificate shall attach to any person concerned in such destruction.

(3) This section shall not apply to any sheep or goat suffering only from scab.

Doodmaak van beeste, perde, en esels, wat oortredende gevind word en onbedwingbaar wild is.

Destruction of cattle, horses and asses found trespassing which are uncontrollably wild.

Doodmaak van oortredende diere, waaromtrent gevind word dat hulle aan aansteeklike siekte ly.

Destruction of trespassing animals which are found to be suffering from contagious disease.

Kastrasie van oor-
lopende bulle
langste en ramme.

15. (1) As enige bul of hings bo die ouderdom van agtien maande of enige skaapram of bokram bo die ouderdom van nege maande, wat op enige grond oortredende gevind word, nie deur sy eienaar losgekoop is nie kragtens die bepalings van artikel *agt*, gelees met artikels *nege* en *twaaif*, binne die tydperk van dertig dae gereken vanaf die datum, waarop die in onderartikel (1) van artikel *sewe* vermelde kennisgewing deur die poskommandant ooreenkomstig daardie onderartikel gedien of gelaat of gepos was, of, in gevalle waar 'n kennisgewing aangaande die dier ooreenkomstig die bepalings van onderartikel (2) van artikel *sewe* gepubliseer is, binne die tydperk van dertig dae gereken vanaf die datum van die laaste publikasie van daardie kennisgewing, kan die eienaar van die grond, waarop die dier oortredende gevind is, die dier kastreer of laat kastreer.

(2) Geen aanspreeklikheid, siviël of krimineel, ten opsigte van die kastrasie van enige bul, hings, skaapram of bokram kragtens die bepalings van hierdie artikel val op enige persoon betrokke in sodanige kastrasie, wat goedertrou en sonder skroomlike nalatigheid gehandel het, nie.

Skutte geleë buite
die munisipaliteite
word afgeskaf, en
diere wat op
grond geleë buite
munisipaliteite
gevind word, mag
nie in skutte op-
geneem word nie.

16. (1) Na die datum van die inwerkingtreding van hierdie Ordonnansie mag geen dier in enige skut geleë binne of buite enige munisipaliteit ter oorsake van die oortreding van daardie dier op grond geleë buite 'n munisipaliteit opgeneem word nie.

(2) Al die skutte, wat buite 'n munisipaliteit geleë is, waarin op die datum van die inwerkingtreding van hierdie Ordonnansie geen diere geskut is nie, word geag vanaf daardie datum afgeskaf te wees.

(3) Al die diere, wat in enige skut geleë buite 'n munisipaliteit op die datum van inwerkingtreding van hierdie Ordonnansie geskut is, moet ooreenkomstig die bepalings van die Skutwet van die hand gesit word, en sodra al sodanige diere aldus van die hand gesit is, word die skut geag afgeskaf te wees.

Strafbepalings.

17. (1) Met inagneming van die bepalings van onderartikel (2) van hierdie artikel is enige persoon, wat die bepalings van hierdie Ordonnansie of van enige regulasie daar- onder vasgestel oortree, skuldig aan 'n oortreding en blootgestel aan 'n boete van hoogstens vyf-en-twintig pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande.

(2) Enige persoon wat wetens en willens enige valse verklaring maak in enige kennisgewing of rapport gegee of uitgebring kragtens artikel *vyf* of artikel *elf*, of wat wetens en willens in gebreke bly om in enige sodanige kennisgewing of rapport enige wesenlike feit te openbaar, waaromtrent hy redelikerwys kon verwag, dat dit tot die ontdekking van die eienaar van enige diere, waarop daardie kennisgewing of rapport betrekking het, sou kan lei, is skuldig aan 'n oortreding en na skuldigbevinding blootgestel aan 'n boete van hoogstens eenhonderd pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens twaalf maande.

Mag verleen aan
stadsrade om
skutte op te rig.

18. Die raad van 'n munisipaliteit kan een of meer skutte binne die munisipaliteit oprig, en al die diere, wat in enige aldus opgerigte skut geskut is, is, ooreenkomstig artikel *vier-en-sestig* van die Skutwet, onderworpe aan die regulasies toepasbaar op daardie skut en vasgestel kragtens die bepalings van paragraaf (o) van artikel *nege-en-sestig* van daardie Wet.

Regulasies.

19. Die Administrateur kan regulasies vasstel vir die beter uitvoering van die bepalings van hierdie Ordonnansie.

Kort titel en
datum van in-
werkingtreding.

20. Hierdie Ordonnansie kan aangehaal word as die Ordonnansie van 1931 betreffende Oortreding van Diere (Platteland Gebiede) en tree in werking en word van krag op die eerste dag van Julie 1931.

15. (1) If any bull or stallion over eighteen months of age, or any sheep ram or goat ram over nine months of age, which is found trespassing upon any land has not been released by his owner under the provisions of section *eight*, read with sections *nine* and *twelve*, within the period of thirty days reckoned from the date on which the notice by the post commander referred to in sub-section (1) of section *seven* was served or left or posted in accordance with that sub-section, or, where a notice concerning the animal has been published in accordance with the provisions of sub-section (2) of section *seven*, within the period of thirty days reckoned from the date of the last publication of that notice, the proprietor of the land on which the animal was found trespassing may castrate the animal or cause him to be castrated.

(2) No liability, civil or criminal, in respect of the castration of any bull, stallion, sheep ram or goat ram 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.

Castration of tres-
passing bulls,
stallions and
rams.

16. (1) After the date of commencement of this Ordinance no animal shall be received in any pound situate within or outside any municipality by reason of the trespass of that animal upon land situate outside a municipality.

(2) All pounds situate outside a municipality in which at the date of commencement of this Ordinance no animals are impounded shall be deemed to be disestablished as from that date.

(3) All animals which are impounded in any pound situate outside a municipality at the date of commencement of this Ordinance shall be disposed of in accordance with the provisions of the Pounds Law, and as soon as all such animals have been so disposed of, the pound shall be deemed to have been disestablished.

Pounds situate
outside municipa-
lities dises-
tablished, and
animals found
trespassing on
land situate out-
side municipa-
lities not to be
received in
pounds.

17. (1) Subject to the provisions of sub-section (2) of this section, any person who contravenes or omits to comply with any of the provisions of this Ordinance or of any regulation made thereunder shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding twenty-five pounds, or, in default of payment, to imprisonment with or without hard labour for a period not exceeding three months.

(2) Any person who knowingly and wilfully makes any false statement in any notice or report given or made under section *five* or section *eleven*, or who knowingly and wilfully fails to disclose in any such notice or report any material fact which he could reasonably expect might lead to the discovery of the owner of any animals to which that notice or report relates, shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding one hundred pounds, or, in default of payment, to imprisonment with or without hard labour for a period not exceeding twelve months.

Penalties.

18. The council of a municipality may establish one or more pounds within the municipality, and all animals impounded in any pound so established shall, in accordance with section *sixty-four* of the Pounds Law, be subject to the regulations applicable to that pound and made under the provisions of paragraph (o) of section *sixty-nine* of that law.

Power conferred
upon municipal
councils to es-
tablish Pounds.

19. The Administrator may make regulations for the better carrying out of the provisions of this Ordinance.

Regulations.

20. This Ordinance may be cited as the Trespass of Animals (Rural Areas) Ordinance, 1931, and shall commence and come into operation on the first day of July, 1931.

Short title and
date of commence-
ment.