



BUITENGEWONE

# OFFISIËLE KOERANT

van Suidwes-Afrika.

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

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

Administrateurskantoor,  
Windhoek.

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

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

Administrator's Office,  
Windhoek.

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## ONTWERPORDONNANSIE

Om die wet op die beheer van die suiwelnywerheid te wysig.

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

1. In hierdie Ordonnansie beteken die uitdrukking “die Hoofordonnansie” die Ordonnansie op die Beheer van die Suiwelnywerheid 1931 (Ordonnansie No. 16 van 1931), soos gewysig by die Wysigings-Proklamasie op die Beheer van die Suiwelnywerheid 1932 (Proklamasie No. 3 van 1932).

2. Artikel 3 van die Hoofordonnansie word hierby gewysig deur die toevoeging van die volgende voorbehoud aan die end van onderartikel (1):—

“Met die verstande

- (a) dat slegs 'n *bona fide* boer wat gereëld room aan 'n botterfabriek of melk aan 'n kaasfabriek gedurende die tydperk van 12 maande wat die datum waarop die melkboerverteenwoordiger aangestel moet word onmiddellik voorafgaan, bevoeg sal wees vir aanstelling as die melkboerverteenwoordiger;
- (b) dat slegs die eienaar van 'n botter- of kaasfabriek wat 'n botter- of kaasfabriek gedurende die 12 maande wat die datum waarop die fabrikantevertwoordiger aangestel moet word onmiddellik voorafgaan, *bona fide* gedrywe het, bevoeg sal wees vir aanstelling as die fabrikantevertwoordiger;
- (c) dat slegs 'n *bona fide* boer wat gedurende die tydperk van 12 maande wat die datum waarop die verteenwoordiger van plaasmelkery-bottermakers aangestel moet word onmiddellik voorafgaan, gereëld plaasmelkerybotter vervaardig het, bevoeg sal wees vir aanstelling as die verteenwoordiger van die plaasmelkery-bottermakers.”

3. Artikel 7 van die Hoofordonnansie word hierby gewysig deur toevoeging van die volgende voorbehoud tot onderartikel (2):

“Met die verstande dat die voorsitter van die Raad bevoeg sal wees om, nadat hy die toestemming van die ander beskikbare lede van die Raad verkry het, die tyd en plek vir enige vergadering van die Raad te bepaal.”

4. Artikel 8 van die Hoofordonnansie word hierby gewysig deur onderartikels (2) en (3) te skrap en te vervang deur die volgende nuwe onderartikels (2), (3), (4), (5), (6) en (7), terwyl die bestaande onderartikels (4), (5) en (6) respektieflik onderartikels (8), (9) en (10) word:—

“(2) As dit volgens mening van die Raad in die belange van die suiwelnywerheid is dat stappe gedoen word om die uitvoer van botter of kaas uit hierdie Gebied gedurende enige tydperk te verseker, kan die Raad die hoeveelheid botter of kaas wat aldus gedurende daardie tydperk uitgevoer moet word, bepaal.

(3) Wanneer die Raad 'n bepaling kragtens onderartikel (2) gemaak het, moet hy die hoeveelheid botter of kaas wat elke eienaar van 'n botter- of kaasfabriek gedurende sodanige tydperk sal moet uitvoer of aan die Raad vir uitvoer aflewer, bepaal; en sodanige hoeveelheid is daardie hoeveelheid botter of kaas, soos die geval mag wees, wat dieselfde verhouding het tot die totale hoeveelheid botter of kaas deur sodanige eienaar gedurende die twaalf kalendermaande wat die datum waarop sodanige bepaling kragtens onderartikel (2) gemaak is laas voorafgaan het, as die hoeveelheid botter of kaas, soos die geval mag wees, deur die Raad kragtens daardie onderartikel bepaal, het tot die totale hoeveelheid botter of kaas wat gedurende die voormelde twaalf kalendermaande in al die botter- of kaasfabrieke vervaardig is:

## DRAFT ORDINANCE

To amend the law relating to the control of the Dairy Industry.

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

1. In this Ordinance the terms “the principal Ordinance” shall mean the Dairy Industry Control Ordinance, 1931 (Ordinance No. 16 of 1931), as amended by the Dairy Industry Control Proclamation, 1932 (Proclamation No. 3 of 1932).

2. Section 3 of the principal Ordinance is hereby amended by the addition at the end of sub-section (1), of the following proviso:—

“Provided

- (a) that only a *bona fide* farmer who has regularly supplied cream to a creamery or milk to a cheese factory during the period of 12 months immediately preceding the date on which the producers representative is to be appointed, shall be eligible for appointment as the producers' representative;
- (b) that only the owner of a creamery or cheese factory who has *bona fide* carried on a creamery or cheese factory during the 12 months immediately preceding the date on which the manufacturers' representative is to be appointed, shall be eligible for appointment as the manufacturers' representative;
- (c) that only a *bona fide* farmer who has, during the period of 12 months immediately preceding the date on which the farm dairy butter-makers' representative is to be appointed, regularly produced farm dairy butter shall be eligible for appointment as the farm dairy butter-makers' representative.”

3. Section 7 of the principal Ordinance is hereby amended by the addition to sub-section (2) thereof of the following proviso:

“Provided that it shall be competent for the Chairman of the Board after having obtained the consent of the other available members of the Board to determine the time and place for any meeting of the Board.”

4. Section 8 of the principal Ordinance is hereby amended by the deletion of sub-sections (2) and (3) and the substitution therefor of the following new sub-sections (2), (3), (4), (5), (6), and (7), the existing sub-sections (4), (5) and (6) becoming sub-sections (8), (9) and (10) respectively:—

“(2) If in the opinion of the Board it is in the interests of the dairy industry that steps be taken to ensure the export of butter or cheese from this Territory during any period, the Board may determine the quantity of butter or cheese which shall be so exported during that period.

(3) Whenever the Board has made a determination under sub-section (2), it shall fix the quantity of butter or cheese which every owner of a creamery or cheese factory shall be required to export or deliver to the Board for export during such period; and such quantity shall be that quantity of butter or cheese, as the case may be, which bears the same ratio to the total quantity of butter or cheese manufactured by such owner during the twelve calendar months last preceding the date upon which such determination is made under sub-section (2), as the quantity of butter or cheese, as the case may be, determined by the Board under that sub-section bears to the total quantity of butter or cheese manufactured in all creameries or cheese factories during the said twelve calendar months:

Met die verstande dat, as volgens mening van die Raad die hoeveelheid botter of kaas, soos die geval mag wees, wat enige sodanig: eienaar gedurende die twaalf kalendermaande wat naaste volg op die datum waarop sodanige bepaling kragtens onderartikkel (2) gemaak is, sal vervaardig waarskynlik groter of kleiner sal wees as die hoeveelheid wat hy gedurende die twaalf kalendermaande wat daardie datum laas voorafgaan vervaardig het, kan die Raad, na goeddunke en te enige tyd, hetsy voor of na die gewing van 'n bevel kragtens onderartikkel (4), die hoeveelheid botter of kaas, soos die geval mag wees, aldus ten opsigte van daardie eienaar bepaal, vermeerder of verminder:

Met die verstande verder dat die Raad na goeddunke en te enige tyd, hetsy voor of na die gewing van 'n bevel kragtens onderartikkel (4), die hoeveelheid botter of kaas, soos die geval mag wees, aldus ten opsigte van enige eienaar van 'n botter- of kaasfabriek bepaal, kan verminder met die hele of 'n gedeelte van die hoeveelheid botter of kaas wat hy gedurende die ses kalendermaande wat die datum waarop sodanige bepaling kragtens onderartikkel (2) gemaak is laas voorafgaan, meer uitgevoer het as enige hoeveelheid wat hy ingevolge enige bevel kragtens onderartikkel (4) gegee gedurende die voormelde ses kalendermaande moes uitvoer:

Met die verstande verder dat, vir die doeleindes van hierdie onderartikkel, die hoeveelheid botter of kaas gedurende enige kalendermaand deur enige eienaar vervaardig geag sal word die hoeveelheid te wees wat aangetoon is in die opgaaf of opgawe wat hy ten opsigte van daardie maand, ooreenkomstig onderartikkel (2) van artikel *twaalf* of onderartikkel (2) van artikel *vyftien*, soos die geval mag wees, aan die Senior Suiwelamptenaar oorgestuurd het, en wanneer enige eienaar in gebreke gebly het om die vereiste opgaaf aangaande enige botter- of kaasfabriek ten opsigte van enige kalendermaand aan die voormelde amptenaar oor te stuur, kan die Raad die hoeveelheid botter of kaas, soos die geval mag wees, wat deur daardie eienaar in daardie botter- of kaasfabriek gedurende daardie kalendermaand vervaardig is, skat, en elke sodanige skatting sal geag word korrek te wees.

(4) Die Raad moet elke eienaar van 'n botter- of kaasfabriek in kennis stel van die hoeveelheid botter of kaas, soos die geval mag wees, waaromtrent hy, ooreenkomstig onderartikkel (3), besluit het dat sodanige eienaar gedurende sodanige tydperk sal moet uitvoer of aan die Raad vir uitvoer lewer, en hy moet hom gelas om sodanige hoeveelheid uit te voer of om sodanige hoeveelheid op 'n plek of plekke deur hom bepaal voor afloop van sodanige tydperk aan die Raad te lewer.

(5) Die Raad kan te enige tyd, hetsy voor of na afloop van sodanige tydperk, enige botter of kaas aan hom deur enige sodanige eienaar ooreenkomstig enige sodanige bevel gelewer uitvoer en verkoop, en moet die netto-opbrings aan hom, tesame met enige uitvoertoelag, premie of subsidie wat ten opsigte van enige sodanige uitvoer betaalbaar mag wees na aftrekking van al die onkoste, betaal. As sodanige opbrings, plus sodanige uitvoertoelag, premie of subsidie, minder as sodanige onkoste is, kan die Raad die bedrag van die tekort deur 'n geding in enige magistratuurshof op die betrokke eienaar verhaal.

(6) As enige sodanige eienaar in gebreke bly om enige sodanige bevel na te kom, kan die Raad 'n hoeveelheid botter of kaas, gelyk aan die hoeveelheid wat hy in gebreke gebly het om uit te voer of aan die Raad te lewer, na afloop van sodanige tydperk koop, uitvoer en verkoop, en moet hy die netto-opbrings daarvan, tesame met enige uitvoertoelag, premie of subsidie wat ten opsigte van enige sodanige uitvoer betaalbaar mag wees, na aftrekking van al die onkoste, aan hom betaal. As sodanige opbrings, plus sodanige uitvoertoelag, premie of subsidie ~~is~~ minder as sodanige onkoste is, kan die Raad die bedrag van die tekort deur 'n geding in enige magistratuurshof op die betrokke eienaar verhaal.

(7) Enige uitvoertoelag, premie of subsidie wat ten opsigte van die uitvoer van botter of kaas betaalbaar is, is aan die Raad betaalbaar op enige botter of kaas deur hom kragtens onderartikkel (5) of (6) uitgevoer en moet deur die Raad behandel word, soos in daardie onderartikels bepaal is."

5. Artikel 12 van die Hoofordonnansie word hierby gewysig deur in onderartikkel (2) die woord "vyftiende" te skrap en te vervang deur die woord "tiende".

Provided that if in the opinion of the Board the quantity of butter or cheese, as the case may be, which any such owner will manufacture during the twelve calendar months next succeeding the date upon which such determination is made under sub-section (2) is likely to be greater or less than the quantity manufactured by him during the twelve calendar months last preceding that date, the Board may, in its discretion, and at any time, whether before or after the issue of a direction under sub-section (4), increase or reduce the quantity of butter or cheese, as the case may be, so fixed in respect of that owner.

Provided, further, that the Board may, in its discretion, and at any time, whether before or after the issue of a direction under sub-section (4), reduce the quantity of butter or cheese, as the case may be, so fixed in respect of any owner of a creamery or cheese factory by the whole or a portion of the quantity of butter or cheese which, during the six calendar months last preceding the date upon which such determination is made under sub-section (2), he has exported in excess of any quantity which by any direction issued under sub-section (4) he was required to export during the said six calendar months:

Provided, further, that, for the purposes of this sub-section, the quantity of butter or cheese manufactured by any owner during any calendar month shall be deemed to be the quantity shown in the statement or statements transmitted by him in respect of that month to the Senior Dairy Officer in terms of sub-section (2) of section *twelve* or sub-section (2) of section *fifteen* as the case may be, and where any owner has failed to transmit to the said Officer the required statement concerning any creamery or cheese factory in respect of any calendar month, the Board may estimate the quantity of butter or cheese, as the case may be, manufactured by that owner in that creamery or cheese factory during that calendar month, and every such estimate shall be deemed to be correct.

(4) The Board shall notify every owner of a creamery or cheese factory of the quantity of butter or cheese, as the case may be, which in terms of sub-section (3) it has decided such owner shall during such period be required to export or deliver to the Board for export, and it shall direct him to export such quantity or deliver such quantity to the Board at a place or places determined by it before the expiration of such period.

(5) The Board may at any time, whether before or after the expiration of such period, export and sell any butter or cheese delivered to it by any such owner in accordance with any such direction, and shall pay to him the nett proceeds thereof, together with any bounty, premium or subsidy which may be due in respect of any such export, after deduction of all expenses. If such proceeds, plus such bounty, premium or subsidy, are less than such expenses, the Board may, by action in any magistrate's court, recover from the owner concerned the amount of the deficiency.

(6) If any such owner fails to comply with any such direction, the Board may after the expiration of such period purchase, export and sell a quantity of butter or cheese equal to the quantity which he has failed to export or deliver to the Board, and shall pay to him the nett proceeds thereof, together with any bounty, premium or subsidy which may be due in respect of any such export, after deduction of all expenses. If such proceeds, plus such bounty, premium or subsidy, are less than such expenses, the Board may, by action in any magistrate's court, recover from the owner concerned the amount of the deficiency.

(7) Any bounty, premium or subsidy payable in respect of the export of butter or cheese shall be payable to the Board on any butter or cheese exported by it under sub-section (5) or (6) and shall be dealt with by the Board as in those sub-sections is provided."

5. Section 12 of the principal Ordinance is hereby amended by the deletion in sub-section (2) of the word "fifteenth" and the substitution of the word "tenth".

6. Artikel 14 van die Hoofordonnansie word hierby gewysig deur in onderartikel (2) die woord "vyftiende" te skrap en te vervang deur die woord "tiende".

7. Artikel 15 van die Hoofordonnansie word hierby gewysig deur in onderartikel (2) die woord "vyftiende" te skrap en te vervang deur die woord "tiende".

8. Artikel 24 van die Hoofordonnansie word hierby gewysig deur die hakies en die woorde daarin vervat te skrap.

9. Artikel 26 van die Hoofordonnansie word hierby geskrap.

10. Artikel 58 van die Hoofordonnansie word hierby gewysig deur in onderartikel (1)—

- (a) die woord "plaasbotter" en die bepaling daarvan;
- (b) al die woorde na "huishouding" in die bepaling van "huishouding" te skrap;

en deur die volgende nuwe bepalings by te voeg:—

"kaasfabriek" beteken 'n kaasfabriek as sodanige geregistreer ingevolge die Suiwelnywerheid Ordonnansie 1926;

"kondensmelkfabriek" beteken 'n kondensmelkfabriek as sodanige geregistreer ingevolge die Suiwelnywerheid Ordonnansie 1926;

"botterfabriek" beteken 'n botterfabriek as sodanige geregistreer ingevolge die Suiwelnywerheid Ordonnansie 1926;

"die Gebied" of "hierdie Gebied" beteken die Gebied Suidwes-Afrika.

11. Artikel *twintig* van die Hoofordonnansie word hierby gewysig deur die woord "kalenderjaar" in onderartikels (4) en (5) te skrap en te vervang deur die woorde "boekjaar van die raad".

12. Hierdie Ordonnansie kan aangehaal word as "die Wysigingsordonnansie op die Beheer van die Suiwelnywerheid 1932".

6. Section 14 of the principal Ordinance is hereby amended by the deletion in sub-section (2) of the word "fifteenth" and the substitution therefor of the word "tenth".

7. Section 15 of the principal Ordinance is hereby amended by the deletion in sub-section (2) of the word "fifteenth" and the substitution therefor of the word "tenth".

8. Section 24 of the principal Ordinance is hereby amended by the deletion of the brackets and the words contained therein.

9. Section 26 of the principal Ordinance is hereby deleted.

10. Section 58 of the principal Ordinance is hereby amended by the deletion in sub-section (1)—

- (a) of the words "farm butter" and the definition thereof;
- (b) in the definition of "farm dairy butter" of all the words after "household";

and by the addition of the following new definitions:—

"cheese factory" means a cheese factory registered as such under the Dairy Industry Ordinance, 1926;

"condensed milk factory" means a condensed milk factory registered as such under the Dairy Industry Ordinance, 1926;

"creamery" means a creamery registered as such under the Dairy Industry Ordinance, 1926;

"the Territory" or "this Territory" means the Territory of South West Africa.

11. Section *twenty* of the principal Ordinance is hereby amended by the deletion of the words "calendar year" in sub-sections (4) and (5) and the substitution therefor of the words "financial year of the board".

12. This Ordinance may be cited as the "Dairy Industry Control Ordinance Amendment Ordinance, 1932".

## ONTWERPORDONNANSIE

Om voorsiening te maak vir die inlywing van die Karakoel Telers Vereniging van Suidwes-Afrika, vir die voorwaardes van sodanige inlywing, die registrasie en publikasie van die rekords van die stambome van karakoelskape en ander sake van bykomende aard.

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, nadat dit vooraf aan die Wetgewende Vergadering deur boodskap van die Administrateur, ooreenkomstig die bepalings van artikel *ses-en-twintig* van "De Zuidwest-Afrika Konstitutie Wet 1925" (Wet No. 42 van 1925) van die Parlement van die Unie van Suid-Afrika, meegedeel is, as volg:—

1. (1) As die konstitusie, reglement en regulasies van die liggaam van persone bekend as die Karakoel Telers Vereniging van Suidwes-Afrika, hierinlater die "vereniging" genoem, voorsiening maak vir—

- (a) die voorwaardes wat die registrasie van stambome van volbloed karakoelskape beheers;
- (b) die voorwaardes en wyse van verkiesing en uitsit van lede van die vereniging;
- (c) die bestuur van die vereniging;
- (d) die verkiesing van beamptes van die vereniging en hulle bevoegdhede en pligte;
- (e) die wyse van byeenroep van enige algemene of spesiale vergaderings van die vereniging;
- (f) die hou en ouditeer van die rekenings van die vereniging;

en as sodanige konstitusie, reglement en regulasies deur die Administrateur goedgekeur is, kan hy, nadat aplikasie by hom gemaak is, en onderhewig aan die bepalings van hierdie Ordonnansie, 'n sertifikaat van inlywing aan die vereniging uitreik.

## DRAFT ORDINANCE

To provide for the incorporation of the Karakul Breeders Association of South West Africa, for the conditions of such incorporation, the registration and publication of records of the pedigrees of Karakul sheep and other matters incidental thereto.

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:—

1. (1) If the constitution, bye-laws and rules of the body of persons known as the Karakul Breeders Association of South West Africa, hereinafter referred to as the "association", provide for—

- (a) the conditions governing the registration of pedigrees of pure-bred Karakul sheep;
- (b) the conditions and mode of election and expulsion of members of the association;
- (c) the management of the association;
- (d) the election of officers of the association and their powers and duties;
- (e) the mode of convening any general or special meetings of the association;
- (f) the keeping and audit of the accounts of the association;

and such constitution, bye-laws and rules are approved by the Administrator he may, upon application made to him and subject to the provisions of this Ordinance, issue to the association a certificate of incorporation.

(2) Vanaf die datum in die sertifikaat van inlywing genoem is die vereniging 'n sedelike liggaam en is, onder die naam "Die Karakoel Telers Vereniging van Suidwes-Afrika", bevoeg om te dagvaar en gedagvaar te word, om te koop of andersins te verwerf, om roerende en onroerende goedere te besit en te vervreem en om, onderhewig aan die bepalings van hierdie Ordonnansie, al sulke dade en dinge te doen as sedelike liggame volgens wet mag verrig of doen.

(3) Vanaf die datum van die sertifikaat van inlywing moet al die bate, eiendom en besittings van enige aard of soort wat onmiddellik voor daardie datum daaraan behoort, by die vereniging berus, en vanaf daardie datum aanvaar die vereniging al die verpligtings en aanspreeklikheid, waaraan hy onmiddellik voor daardie datum onderworpe was.

(4) Die Administrateur moet die feit dat hy 'n sertifikaat van inlywing kragtens hierdie Ordonnansie uitgereik het, en die datum vanaf watter die vereniging ingelyf is, in die *Offisiële Koerant* bekend maak.

2. (1) Wanneer aldus ingelyf, kan die vereniging met die toestemming van die Administrateur enige bepaling van sy konstitusie, reglement of regulasies verander of daartoe toevoeg.

(2) Enige applikasie vir sodanige verandering of toevoeging moet aan die Administrateur in die vorm by regulasie voorgeskrywe gemaak word.

(3) Die Administrateur moet in die *Offisiële Koerant* die feit dat hy enige verandering van of toevoeging tot die konstitusie, reglement of regulasies van die vereniging goedgekeur het en die datum vanaf watter die goedkeuring van krag word, bekend maak.

3. 'n Afskrif van die rapport en finansiële verslae, soos deur 'n algemene vergadering van lede van die vereniging bekragtig, en 'n lys van sy beampptes vir die volgende jaar moet, deur die voorsitter en sekretaris van die vereniging gesertifiseer, binne een maand na die datum van sodanige vergadering aan die Administrateur gestuur word.

4. 'n Afskrif van die sertifikaat van inlywing, 'n afskrif van die konstitusie, reglement en regulasies van die vereniging deur die Administrateur gesertifiseer, tesame met enige veranderings daarvan of toevoegings daartoe deur hom goedgekeur en eweneens gesertifiseer, en die gesertifiseerde afskrif van die rapport en finansiële verslag en lys in die laasvooraangaande artikel genoem, moet in die hoofkantoor van die vereniging en in die kantoor van die Sekretaris vir Suidwes-Afrika te Windhoek gehou word en moet sonder fooi op al die redelike ure ter insage van enige lid van die publiek oop lê.

5. Wanneer kragtens hierdie Ordonnansie ingelyf, het die vereniging die reg—

(a) om stambome van karakoelskape wat in die Gebied aangeleel of in die Gebied ingevoer is te registreer;

(b) van uitsluiting van enige ander persoon of liggaam van persone in die Gebied om sertifikate van registrasie van stambome van karakoelskape uit te reik en om sodanige stambome in die vorm van stoet-, kudde- of flokboeke te publiseer.

6. As die Administrateur na ondersoek deur hom ingestel (die instelling waarvan hy hierby gemagtig word om aan sodanige persoon as hy geskik mag ag op te dra) oortuig is dat die doeleindes waarvoor die sertifikaat van inlywing kragtens hierdie Ordonnansie aan die vereniging uitgereik is, nie behoorlik uitgevoer is of waarskynlik nie behoorlik uitgevoer sal word nie, kan hy sodanige sertifikaat kanselleer of kan hy dit vir 'n tydperk opskort, en daarop sal die bevoegdheid deur hierdie Ordonnansie aan die vereniging verleen, in die geval van kansellering, vir altyd, en, in die geval van opskorting, vir die tydperk van die opskorting, by die Administrateur berus. As die sertifikaat gekanselleer word, sal die vereniging ontbind word en die regte en verpligtings van krediteurs, skuldenaars en ander belanghebbende persone sal op aansoek van enige sodanige persoon deur die Hoogeregshof van Suidwes-Afrika geëindig word, en sodanige hof kan na sy goeddunke enige bepalings van die wet wat die likwidasie van geregistreerde maatskappye reël, toepas: Met die verstande dat geen sodanige kansellering of opskorting van 'n sertifikaat of inlywing wettig sal wees nie, tensy die Administrateur die vereniging 'n kennisgewing gegee het, wat nie minder as een maand voor die datum van die ondersoek na sy hoofkantoor gestuur is. Sodanige kennisgewing moet die dade of gevalle van pligsverzuim van die vereniging wat die onderwerp van die ondersoek is, en die datum waarop die ondersoek sal begin, spesifiseer, en die vereniging moet daarin opgeroep word om sodanige dade of gevalle van pligsverzuim te ontken of te verklaar. Die vereniging sal die reg hê om op enige sodanige ondersoek deur enige persoon wat skriftelik deur die voorsitter en sekretaris van die vereniging genomineer is, verteenwoordig te word.

(2) As from the date specified in the certificate of incorporation, the association shall be a body corporate and shall, under the name of "The Karakul Breeders Association of South West Africa", be capable of suing and being sued, of purchasing and otherwise acquiring, holding and alienating property movable and immovable and, subject to the provisions of this Ordinance, of performing or doing all such acts and things as bodies corporate may by law perform or do.

(3) As from the date of the certificate of incorporation there shall be vested in the association all the assets, property and effects of any nature or kind whatsoever belonging to it immediately prior to that date, and the association shall assume as from that date all obligations and liabilities to which it was subject immediately prior thereto.

(4) The Administrator shall notify in the *Gazette* the fact that he has issued to the association a certificate of incorporation under this Ordinance and the date as from which the association has been incorporated.

2. (1) The association when so incorporated, may, with the approval of the Administrator, alter or add to any provision of its constitution, bye-laws or rules.

(2) Any application for such alteration or addition shall be made to the Administrator in the form prescribed by regulation.

(3) The Administrator shall notify in the *Gazette* the fact that he has approved any alterations or additions to the constitution, bye-laws or rules of the association and the date as from which the approval takes effect.

3. A copy of the report and financial statements as confirmed by a general meeting of members of the association and a list of its officers elected for the ensuing year, shall be transmitted, certified by the chairman and secretary of the association, to the Administrator within one month after the date of such meeting.

4. A copy of the certificate of incorporation, a copy of the constitution, bye-laws and rules of the association certified by the Administrator, together with any alterations thereof or additions thereto approved by him and likewise certified, and the certified copy of the report, and financial statement and list mentioned in the last preceding section, shall be kept at the head office of the association and at the office of the Secretary for South West Africa at Windhoek, and shall be open to inspection without fee by any member of the public at all reasonable hours.

5. The association when incorporated under this Ordinance shall have the right—

(a) to register pedigrees of Karakul sheep bred in or imported into the Territory;

(b) to the exclusion of any other person or body of persons in the Territory, to issue certificates of registration of pedigrees of Karakul sheep and to publish such pedigrees in the form of stud herd or flock books.

6. If the Administrator is satisfied after an enquiry held by him (the holding whereof he is hereby empowered to delegate to such person as he may deem fit), that the purposes for which the certificate of incorporation was issued to the association under this Ordinance have not been and are unlikely to be properly carried out, he may cancel, or may, for a period suspend, such certificate and thereupon the powers by this Ordinance conferred upon the association shall become vested in the Administrator, in the case of a cancellation, for all time, and, in the case of a suspension, for the period of the suspension. If the certificate is cancelled the association shall be dissolved and the rights and obligations of creditors, debtors and other persons interested shall be determined, on the application of any such person, by the High Court of South West Africa, and such court may, in its discretion, apply any provisions of the law regulating the winding up of registered companies: Provided that no such cancellation or suspension of a certificate of incorporation shall be lawful unless the Administrator has given to the association a notice transmitted to its head office not less than one month before the date of the enquiry. Such notice shall specify the acts or omissions of the association which are the subject of the enquiry and the date on which the enquiry will commence and shall call upon the association to deny or explain such acts or omissions. The association shall have the right to be represented at any such enquiry by any person nominated in writing by the chairman and secretary of the association.

7. Die Administrateur of enige persoon behoortlik deur hom daartoe gemagtig kan te enige tyd op versoek van die vereniging die registrasie-sertifikaat deur die vereniging uitgereik ten opsigte van enige karakoelskaap wat uit die Gebied oorsee uitgevoer is of uitgevoer moet word, endorseer.

8. Enige persoon wat—

(a) enige valse verklaring maak ten opsigte van die stamboom van enige skaap wat bestem is vir registrasie by die vereniging, wetende dat daardie verklaring vals is; of

(b) enige informasie aangaande enige skaap se stamboom wat vir die behoortlike registrasie by die vereniging nodig is, opsetlik of op agtelosige wyse terughou,

is skuldig aan 'n misdryf en, na skuldigbevinding, blootgestel aan 'n boete van hoogstens eenhonderd pond, of, na goeëdunke van die hof, aan gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van hoogstens ses maande of aan albei, sodanige boete en sodanige gevangenisstraf.

9. Enige persoon of enige liggaam van persone wat enige sertifikaat uitgee wat voorgee dat dit die stamboom van enige karakoelskaap registreer of aangee, of wat sodanige stambome in enige vorm publiseer en daardeur inbreuk maak op die uitsluitlike regte by hierdie Ordonnansie aan die vereniging verleen, is skuldig aan 'n misdryf en, na skuldigbevinding, blootgestel aan 'n boete van hoogstens vyfhonderd pond.

10. Die Administrateur kan regulasies vasstel ten opsigte van enige saak wat deur hierdie Ordonnansie by regulasie voorgeskrywe mag word en algemeen vir die beter uitvoering van die oogmerke en doeleindes van hierdie Ordonnansie.

11. Die uitsluitlike voorregte by hierdie Ordonnansie aan die vereniging verleen mag nie uitgelê word nie as sou dit die eenaar van enige karakoelskaap wat nie by die vereniging geregistreer is nie, belet om skriftelik of andersins die stamboom van sodanige skaap aan te gee: Met die verstande dat hy as hy 'n valse verklaring aangaande sodanige stamboom maak, wetende dat dit vals is, aan 'n misdryf skuldig sal wees, en, na skuldigbevinding, sal blootstaan aan 'n boete van hoogstens eenhonderd pond of, na goeëdunke van die hof, aan gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van hoogstens ses maande of aan albei, sodanige boete en sodanige gevangenisstraf.

12. Hierdie Ordonnansie kan aangehaal word as die Ordonnansie van 1932 op die Registrasie van Karakoelstambome.

7. The Administrator or any person duly authorised thereto by him may, at any time at the request of the association, endorse the certificate of registration issued by the association in respect of any Karakul sheep which has been or is to be exported from the Territory overseas.

8. Any person who—

(a) makes any false statement in relation to the pedigree of any sheep intended for registration with the association, knowing that statement to be false; or

(b) wilfully or negligently withholds any information which is necessarily required for the proper registration with the Association, of the pedigree of any sheep,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds, or, in the discretion of the court, to imprisonment without the option of a fine for a period not exceeding six months or to both such fine and such imprisonment.

9. Any person who, or body of persons which, issues any certificate purporting to register or to state the pedigree of any Karakul sheep or which publishes in any form such pedigrees and thereby infringes the exclusive right conferred by this Ordinance on the association shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred pounds.

10. The Administrator may make regulations in respect of any matter which is permitted by this Ordinance to be prescribed by regulation and generally for the better carrying out of the objects and purposes of this Ordinance.

11. The exclusive privileges conferred by this Ordinance upon the association shall not be construed as preventing an owner of any Karakul sheep which has not been registered with the association from stating in writing or otherwise the pedigree of such sheep: Provided that if he makes a false statement as to such pedigree, knowing it to be false, he shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or, in the discretion of the court, to imprisonment without the option of a fine for a period not exceeding six months, or to both such fine and such imprisonment.

12. This Ordinance may be cited as the Registration of Karakul Pedigrees Ordinance, 1932.