



BUITENGEWONE
OFFISIËLE KOERANT

van Suidwes-Afrika.
Uitgegeë op gesag.

OFFICIAL GAZETTE

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PROKLAMASIE

VAN SY EDELE DAVID GIDEON CONRADIE,
ADMINISTRATEUR VAN SUIDWES-AFRIKA.

No. 5 van 1934.]

NADEMAAL die Kriminele Reg Wysigingsontwerpordonnansie 1933 op die derde dag van Augustus 1933 deur die Wetgewende Vergadering van die Mandaatgebied Suidwes-Afrika aangeneem is;

EN NADEMAAL genoemde Ordonnansie aangehou is vir die inwinning van die behae van Sy Eksellensie die Goewerneur-generaal van die Unie van Suid-Afrika ingevolge artikel *twee-en-dertig* van "De Zuidwest-Afrika Konstitusie Wet, 1925" van die Parlement van die Unie van Suid-Afrika (Wet No. 42 van 1925) en deur hom ontvang is op die sewentiende dag van Augustus 1933;

EN NADEMAAL dit Sy Eksellensie die Goewerneur-generaal behaag het om op die agste dag van Februarie 1934 te verklaar dat hy genoemde Ordonnansie goedkeur;

SO IS DIT dat ek, ingevolge subartikel *twee* van artikel *drie-en-dertig* van bogemelde Wet No. 42 van 1925 hierby proklameer, verklaar en bekend maak dat dit Sy Eksellensie die Goewerneur-generaal van die Unie van Suid-Afrika behaag het om te verklaar dat hy die Kriminele Reg Wysigingsordonnansie 1933 goedkeur, wat hiermee gepubliseer word.

GOD BEHOEDE DIE KONING.

Gegee onder my hand en seël te Windhoek op hierdie negende dag van Februarie 1934.

D. G. CONRADIE,
Administrateur.

PROCLAMATION

By HIS HONOUR DAVID GIDEON CONRADIE,
ADMINISTRATOR OF SOUTH WEST AFRICA

No. 5 of 1934.]

WHEREAS, on the third day of August, 1933, the Criminal Law Amendment Draft Ordinance, 1933, was passed by the Legislative Assembly of the Mandated Territory of South West Africa;

AND WHEREAS the said Ordinance was reserved for the signification of the pleasure of His Excellency the Governor-General of the Union of South Africa, in terms of Section *thirty-two* of the South West Africa Constitution Act, 1925 (Act of the Parliament of the Union of South Africa No. 42 of 1925), and by him received on the seventeenth day of August, 1933;

AND WHEREAS, on the eighth day of February, 1934, His Excellency was pleased to declare that he allowed the said Ordinance;

NOW THEREFORE, in terms of sub-section *two* of section *thirty-three* of Act No. 42 of 1925 aforesaid, I do hereby proclaim, declare and make known that His Excellency, the Governor-General of the Union of South Africa, has been pleased to declare that he allows the Criminal Law Amendment Ordinance, 1933, which is hereby published.

GOD SAVE THE KING.

Given under my hand and seal at Windhoek this 9th day of February, 1934.

D. G. CONRADIE,
Administrator.

Ord. No. 13 van 1933.]

Ord. No. 13 of 1933.]

ORDONNANSIE

Om voorsiening te maak vir die verhoeding van rassepropaganda en ander bedrywighede wat vrede, orde en goeie regering van die Gebied omvergooi.

Goedgekeur 9 Februarie 1934.

Afrikaanse teks deur die Administrateur geteken.

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

1. In hierdie Ordonnansie beteken "uitheems" ander dan Suid-Afrikaans, Suidwes-Afrikaans of Brits.

"Publikasie" beteken enige dokument, hetsy geskrewe, getik of gedruk.

2. Die Administrateur kan bekend maak dat enige politieke of ander organisasie in hierdie Gebied deur sy bedrywighede nadelig is vir die vrede, orde en goeie regering van die Gebied.

Sodanige kennisgewing word in die *Offisiële Koerant* gepubliseer en spesifiseer die naam van die betrokke organisasie, waarby dit algemeen bekend is.

Indien enige persoon, woonagtig in hierdie Gebied, na die publikasie van sodanige kennisgewing behulpsaam is by of verbonde is met die bedrywighede van sodanige organisasie binne die Gebied, is hy skuldig aan 'n misdryf.

ORDINANCE

To provide for the prevention of racial propoganda and other activities subversive of the peace, order and good government of the Territory.

Assented to 9th February, 1934.

Afrikaans text signed by the Administrator.

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

1. In this Ordinance "foreign" means other than South African, South West African or British.

"Publication" means any document, whether written, typed or printed.

2. The Administrator may give notice that any political or other organization in this Territory is detrimental in its activities to the peace, order and good government of the Territory.

Such notice shall be published in the *Official Gazette* and shall specify the name of the organization concerned by which it is generally known.

If after such notice has been published any person resident in this Territory assists in or is associated with the activities of such organisation within the Territory he shall be guilty of an offence.

3. Enige persoon wat direk of indirek—

- (a) enige ander persoon mondelings met fisiese gewelddadigheid of met die vernieling van eiendom bedreig; of
- (b) enige dokument skrywe, druk of aanstuur of deelneem aan die skrywe, druk of aanstuur van enige dokument, wat enige ander persoon met fisiese gewelddadigheid of met die vernieling van eiendom bedreig,

is skuldig aan 'n misdryf.

4. Enige persoon, wat enige woorde uitspreek of enige ander daad, wat ook al, doen met die doel om enige gevoel van vyandelikheid tussen die verskillende rasse van die samelewing aan te moedig, is skuldig aan 'n misdryf.

5. Die Administrateur kan in enige geval, waarin hy van mening is, dat dit in die algemene belang is, deur kennisgewing gepubliseer in die *Offisiële Koerant*, die invoer, besit of verspreiding van enige uitheemse publikasie belet en enige persoon wat na die publikasie van sodanige kennisgewing enige sodanige uitheemse publikasie invoer, in besit daarvan is of dit versprei, is skuldig aan 'n misdryf.

6. Enige persoon, wat enige uniform of embleem van enige organisasie van 'n politieke geaardheid dra sonder die skriftelike toestemming van die Administrateur wat vooraf verkry is, is skuldig aan 'n misdryf.

7. (a) Enige polisie-offisier of hoofkonstabel, of enige polisiebeampte, wat skriftelik spesiaal deur die magistraat daartoe gemagtig is, mag te eniger tyd enige perseel in verband waarmee daar 'n suspisie bestaan dat daar 'n oortreding van enige bepaling van hierdie Ordonnansie plaasvind, betree en ondersoek en hy mag enige persoon wat in of op sodanige perseel aangetref word, visenteer en op sodanige perseel of sodanige persoon enige dokument of ander artikel of ding in beslag neem as daar redelike gronde is om te vermoed dat dit as bewysstuk sal dien in verband met sodanige oortreding.

Met dien verstande dat enige sodanige dokument of ander artikel of ding wat aldus in beslag geneem is, gekonfiskeer mag word as die Administrateur dit skriftelik gelas.

En met dien verstande dat sodanige visentasie sover as moontlik gedurende die dag moet gebeur.

En met dien verstande verder dat, wanneer 'n vrou visenteer word, die visentasie net deur 'n vrou en met streng inagneming van welvoeglikheid gedoen mag word. As daar geen vrou, wat 'n lid van die polisie of die gevangenisdiens is, beskikbaar is nie kan die visentasie deur enige vrou gedoen word, wat spesiaal vir die doel deur die polisiebeampte, wat die visentasie lei, benoem is.

(b) Enige persoon, wat weerstand bied aan die wettige uitvoering van die bevoegdhede van enige sodanige beampte ingevolge subartikel (a) of dit verhinder of belemmer, is skuldig aan 'n misdryf.

8. Enige persoon wat hom skuldig maak aan 'n misdryf onder die bepalings van hierdie Ordonnansie is, by skuldigbevinding, blootgestel aan 'n boete van hoogstens honderd pond of, by wanbetaling, aan gevangenisstraf vir 'n tydperk van hoogstens een jaar, of aan sodanige gevangenisstraf sonder die keuse van 'n boete, of aan sodanige boete sowel as sodanige gevangenisstraf.

9. Hierdie Ordonnansie kan aangehaal word as die Kriminele Reg Wysigingsordonnansie 1933.

3. Any person who directly or indirectly—

- (a) verbally threatens any other person with physical violence or with the destruction of property; or
- (b) writes, prints or transmits, or is a party to the writing, printing or transmission of any document which threatens any other person with physical violence, or with destruction of property,

shall be guilty of an offence.

4. Any person who utters any words or performs any other act whatever with intent to promote any feeling of hostility between the different races of the community, shall be guilty of an offence.

5. The Administrator may, in any case in which he deems it in the public interest so to do, prohibit by notice published in the *Official Gazette* the importation, possession or distribution of any foreign publication, and any person who shall after such notice has been published import, be in possession of or distribute any such foreign publication shall be guilty of an offence.

6. Any person, who wears any uniform or emblem of any organisation of a political character without the written permission of the Administrator previously had and obtained, shall be guilty of an offence.

7. (a) Any commissioned officer of police or head constable, or any police officer specially authorised thereto in writing by the magistrate, may at all times enter and search any premises in which it is suspected that a contravention of any provision of this Ordinance is being committed, and may search any person found in or upon such premises, and may seize upon such premises or such person any document or other article or thing as to which there are reasonable grounds for believing that it will afford evidence as to such contravention.

Provided that any such document or other article or thing so seized may be confiscated upon the written order of the Administrator.

And provided that such search must, as far as possible, be made in the day time.

And provided further that in searching a woman, the search shall only be made by a woman and with strict regard to decency. If there is no woman available for such search who is a member of the police or is a prisons officer, the search may be made by any woman specially named for the purpose by the police officer conducting the search.

(b) Any person who resists, hinders or obstructs any such officer in the lawful exercise of his powers under subsection (a) shall be guilty of an offence.

8. Any person who commits an offence under the provisions of this Ordinance shall be liable on conviction to a fine not exceeding one hundred pounds, or in default of payment to imprisonment for a period not exceeding one year, or to such imprisonment without the option of a fine, or to both such fine and such imprisonment.

9. This Ordinance may be cited as the Criminal Law Amendment Ordinance, 1933.

Goewermentskennisgewings.**Government Notices.**

Die volgende Goewermentskennisgewings word vir algemene informasie gepubliseer.

F. P. COURTNEY CLARKE,
Waarnem. Sekretaris vir Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

The following Government Notices are published for general information.

F. P. COURTNEY CLARKE,
Acting Secretary for South West Africa.

Administrator's Office,
Windhoek.

No. 15.] [9 Februarie 1934.

No. 15.] [9th February, 1934.

AANSTELLING VAN WAARNEMENDE SEKRETARIS VIR SUIDWES-AFRIKA.

APPOINTMENT OF ACTING SECRETARY FOR SOUTH WEST AFRICA.

Hierby word vir algemene informasie bekend gemaak dat Mnr. FRANCIS PRIESTLY COURTNEY CLARKE aangestel is as Waarnemende Sekretaris vir Suidwes-Afrika met ingang vanaf 5 Februarie 1934.

It is hereby notified for general information that FRANCIS PRIESTLY COURTNEY CLARKE, ESQUIRE, has been appointed as Acting Secretary for South West Africa with effect from the 5th February, 1934.

No. 16.] [9 Februarie 1934.

No. 16.] [9th February, 1934.

Dit het die Administrateur behaag om ingevolge die bevoegdheid kom verleen by subartikel (2) van Artikel vier van die Naturelle-Administrasie Proklamasie 1928 (Proklamasie No. 15 van 1928) Mnr. FRANCIS PRIESTLY COURTNEY CLARKE aan te stel as Waarnemende Hoofnaturellekommissaris vir die Gebied Suidwes-Afrika met ingang vanaf 5 Februarie 1934.

The Administrator has been pleased, under the powers conferred upon him by sub-section (2) of section four of the Native Administration Proclamation, 1928 (Proclamation No. 15 of 1928), to appoint FRANCIS PRIESTLY COURTNEY CLARKE ESQUIRE as Acting Chief Native Commissioner for the Territory of South West Africa, with effect from the 5th February, 1934.

No. 17.] [9 Februarie 1934.

No. 17.] [9th February, 1934.

Dit het die Administrateur behaag om WILLEM PETRUS DE KOCK aan te stel as Mynautoriteit vir die doel om die Mynwette van die Gebied te administreer met jurisdiksie vir die hele voormelde Gebied vanaf 5 Februarie 1934.

The Administrator has been pleased to appoint WILLEM PETRUS DE KOCK as Mining Authority for the purposes of the administration of the Mining Laws of the Territory, with jurisdiction for the whole of the said Territory as from the 5th February, 1934.

No. 18.] [9 Februarie 1934.

No. 18.] [9th February, 1934.

Dit het die Administrateur behaag om ingevolge en kragtens die bevoegdheid hom verleen by subartikel (1) van artikel drie van die Ontploffbare Stowwe Ordonnansie 1931 (Ordonnansie No. 15 van 1931) WILLEM PETRUS DE KOCK aan te stel as Inspekteur van Ontploffbare Stowwe vanaf 5 Februarie 1934.

The Administrator has been pleased under and by virtue of the powers in him vested by sub-section (1) of section three of the Explosives Ordinance, 1931 (Ordinance No. 15 of 1931) to appoint WILLEM PETRUS DE KOCK as Inspector of Explosives as from the 5th February, 1934.