

BUITENGEWONE
OFFISIËLE KOERANT
 VAN SUIDWES-AFRIKA.



OFFICIAL GAZETTE
 EXTRAORDINARY

UITGEGEE OP GESAG.

OF SOUTH WEST AFRICA.

PUBLISHED BY AUTHORITY.

1/- Woensdag, 3 Julie 1946.

WINDHOEK

Wednesday, 3rd July, 1946.

No. 1259

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Goewermentskennisgewing.

Government Notice.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

J. NESER,
Sekretaris van Suidwes-Afrika.

Kantoor van die Administrateur,
 Windhoek.

The following Government Notice is published for general information.

J. NESER,
Secretary for South West Africa.

Administrator's Office,
 Windhoek.

No. 191.]

[3 Julie 1946.

ORDONNANSIES, 1946: UITVAARDIGING VAN.

Dit het Sy Edele die Administrateur behaag om sy goedkeuring te heg, ooreenkomstig artikel *twee-en-dertig* van „De Zuidwest-Afrika Konstitusie Wet 1925” (Wet 42 van 1925), aan die volgende Ordonnansies, wat hiermee vir algemene inligting gepubliseer word, ooreenkomstig artikel *vier-en-dertig* van gemelde Wet—

No.	Titel.	Bladsy.
12.	Ordonnansie betreffende Intestate Erfopvolging, 1946	8562
13.	Wysigingsordonnansie op Dorpsbesture, 1946	8562
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No. 191.]

[3rd July, 1946.

ORDINANCES, 1946: PROMULGATION OF.

His Honour the Administrator has been pleased to assent in terms of section *thirty-two* of the South West Africa Constitution Act, 1925 (Act No. 42 of 1925), to the following Ordinances which are hereby published for general information in terms of section *thirty-four* of the said Act:—

No.	Title.	Page.
12.	Intestate Succession Ordinance, 1946	8562
13.	Village Management Boards Amendment Ordinance, 1946	8562
14.	Guardian's Fund (Interest on Minors and Lunatics Moneys) Amendment Ordinance, 1946	8563

*Wysiging by Ord. 6/1963
Wet 15/1982*

No. 12 van 1946.]

ORDONNANSIE

Om voorsiening te maak vir die wysiging van die wet betreffende intestate erfopvolging.

(Goedgekeur 1 Julie 1946.)

(Afrikaanse teks deur die Administrateur geteken.)

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika VERORDEN soos volg:—

1. (1) Die oorblywende eggenoot van elke persoon wat na die inwerkingtreding van hierdie Ordonnansie of geheel of gedeeltelik intestaat sterf word hiermee verklaar 'n intestate erfgenaam van die oorlede eggenoot te wees ooreenkomstig die volgende reëls:

- (a) wanneer die eggenote in gemeenskap van goedere gehuud was en wanneer die oorlede eggenoot 'n afstammeling agterlaat wat geregtig is om *ab intestato* te erwe, erf die oorblywende eggenoot ten bedrae van 'n kindsdeel of soveel as wat, tesame met die oorblywende eggenoot se aandeel in die gesamentlike boedel, seshonderd pond in waarde nie te bowe gaan nie (watter van die twee die grootste is);
- (b) wanneer die eggenote buite gemeenskap van goedere gehuud was en wanneer die oorlede eggenoot 'n afstammeling agterlaat wat geregtig is om *ab intestato* te erwe, erf die oorblywende eggenoot ten bedrae van 'n kindsdeel of soveel as wat seshonderd pond in waarde nie te bowe gaan nie (watter van die twee die grootste is);
- (c) wanneer die eggenote hetsy in of buite gemeenskap van goedere gehuud was en die oorlede eggenoot geen afstammeling agterlaat wat geregtig is om *ab intestato* te erwe nie maar 'n ouer of 'n broer of suster (hetsy van die volle of halwe bloed) agterlaat wat geregtig is om aldus te erwe, erf die oorblywende eggenoot ten bedrae van 'n halwe aandeel of soveel as wat seshonderd pond in waarde nie te bowe gaan nie (watter van die twee die grootste is);
- (d) in enige geval wat nie onder paragraaf (a), (b) of (c) val nie is die oorblywende eggenoot die enigste intestate erfgenaam.

(2) Vir die toepassing van hierdie Ordonnansie is enige verwantskap by aannemingskragsins die bepalinge van die Aanneming van Kinders Ordonnansie 1927 (Ordonnansie 10 van 1927) gelykwaardig met bloedverwantskap.

2. Hierdie Ordonnansie heet die Ordonnansie betreffende Intestate Erfopvolging, 1946.

No. 13 van 1946.]

ORDONNANSIE

Om die wet betreffende dorpsbesture te wysig.

(Goedgekeur 1 Julie 1946.)

(Engelse teks deur die Administrateur geteken.)

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika VERORDEN soos volg:—

1. Sub-artikel (1) van artikel *agt* van die Ordonnansie op Dorpsbesture 1937 (16 van 1937), soos gewysig by die Wysigingsordonnansie op Dorpsbesture 1943 (10 van 1943) en die Wysigingsproklamasie op Dorpsbesture 1945 (6 van 1945), word hierby gewysig deur die woorde „of sodanige ander amptenaar van die Staatsdiens as wat die Administrateur mag aanstel” na die woorde „*ex officio*” in te voeg.

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op Dorpsbesture, 1946.

No. 12 of 1946.]

ORDINANCE

To provide for the amendment of the law relating to intestate succession.

(Assented to 1st July, 1946.)

(Afrikaans text signed by the Administrator.)

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

1. (1) The surviving spouse of every person who after the commencement of this Ordinance dies either wholly or partly intestate, is hereby declared to be an intestate heir of the deceased spouse according to the following rules:—

- (a) if the spouses were married in community of property and if the deceased spouse leaves any descendant who is entitled to succeed *ab intestato*, the surviving spouse shall succeed to the extent of a child's share or to so much as together with the surviving spouse's share in the joint estate, does not exceed six hundred pounds in value (whichever is the greater);
- (b) if the spouses were married out of community of property and if the deceased spouse leaves any descendant who is entitled to succeed *ab intestato*, the surviving spouse shall succeed to the extent of a child's share or to so much as does not exceed six hundred pounds in value (whichever is the greater);
- (c) if the spouses were married either in or out of community of property, and the deceased spouse leaves no descendant who is entitled to succeed *ab intestato*, but leaves a parent or a brother or a sister (whether of the full or half blood) who is entitled so to succeed, the surviving spouse shall succeed to the extent of a half share or to so much as does not exceed six hundred pounds in value (whichever is the greater);
- (d) in any case not covered by paragraph (a), (b), or (c) the surviving spouse shall be the sole intestate heir.

(2) For the purposes of this Ordinance any relationship by adoption under the provisions of the Adoption of Children Ordinance, 1927 (Ordinance No. 10 of 1927), shall be equivalent to blood relationship.

2. This Ordinance may be cited as the Intestate Succession Ordinance, 1946.

No. 13 of 1946.]

ORDINANCE

To amend the law relating to village management boards.

(Assented to 1st July, 1946.)

(English text signed by the Administrator.)

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

1. Sub-section (1) of section *eight* of the Village Management Boards Ordinance, 1937 (No. 16 of 1937), as amended by the Village Management Boards Amendment Ordinance, 1943 (No. 10 of 1943), and the Village Management Boards Amendment Proclamation, 1945 (No. 6 of 1945), is hereby amended by the insertion after the words "*ex officio*" of the words "or such other officer of the Public Service as the Administrator may appoint".

2. This Ordinance shall be called the Village Management Boards Amendment Ordinance, 1946.