

OFFICIAL GAZETTE

EXTRAORDINARY OF SOUTH WEST AFRICA.



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PUBLISHED BY AUTHORITY.

VAN SUIDWES-AFRIKA.

UITGEGEE OP GESAG.

1st Saturday, 7th June, 1947.

WINDHOEK

Saterdag, 7 Junie 1947.

No. 1311

CONTENTS

INHOUD

GOVERNMENT NOTICE—

Page.

GOEWERMЕНТSKENNISGEWING—

Bladsy

No. 188. Ordinances, 1947: Promulgation of.

414

No. 188. Ordonnansies 1947: Uitvaardiging van

414

Government Notice.

Goewermentskennisgewing.

The following Government Notice is published for general information.

J. NESEN,
Secretary for South West Africa.

Administrator's Office,
Windhoek.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

J. NESEN,
Sekretaris van Suidwes-Afrika

Kantoor van die Administrateur,
Windhoek.

No. 188.]

[7th June, 1947.

ORDINANCES, 1947: PROMULGATION OF.

His Honour the Administrator has been pleased to assent, in terms of section *thirty-two* of the South West Africa Constitution in 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. 188.] [7 Junie 1947.

ORDONNANSIES 1947: UITVAARDIGING VAN.

Die het die Administrateur behaag om sy goedkeuring te heg, ooreenkomsartikel *two-endertig* van „De Suidwest-Afrika Konstitutie Wet 1925“ (Wet No. 42 van 1925), aan die volgende Ordonnanse was hiermee vir algemene inligting gepubliseer word. Ordonnanse was hiermee vir algemene inligting gepubliseer word. Ooreenkomsartikel *vier-en-dertig* van genoemde Wet—

No.	Title.	Page.	Bladsy.
6.	Companies Amendment Ordinance, 1947.	414	414
7.	Municipal Amendment Ordinance, 1947.	415	415
8.	Territorial Development and Reserve Fund Amendment Ordinance, 1947.	415	415
9.	Stamp Duties and Fees Amendment Ordinance, 1947.	416	416
10.	Aliens War Taxation Amendment Ordinance, 1947.	416	416
11.	War Taxation Amendment Ordinance, 1947.	417	417

No. 6 of 1947.]

No. 6 van 1947.]

ORDONNANSIE

To amend the law relating to companies and other associations in the Territory.

(Assented to 4th June, 1947.)
(English 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 the expression the “principal law” means the Companies Ordinance, 1928 (Ordinance No. 19 of 1928), as amended by the Companies Amendment Ordinance, 1939 (Ordinance No. 11 of 1939), the Companies Ordinance, 1943 (Ordinance No. 6 of 1943), the Companies Ordinance Amendment Proclamation, 1943 (Proclamation No. 38 of 1943), War Measure No. 29 of 1943 (Union Proclamation No. 75 of 1941), and the Companies Ordinance Amendment Proclamation, 1944 (Proclamation No. 31 of 1944).

Om die wet betreffende maatskappye en ander verenigings in die Gebied te wysig.

(Goedgekeur 4 Junie 1947.)
(Engelse teks deur die Administrateur geteken.)

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

- In hierdie Ordonnanse beteken die uitdrukking „die hoofwet“, die Maatskappy-Ordonnanse 1928 (Ordonnanse 19 van 1928), soos gewysig by die Maatskappy Wysiging ordonnanse 1939 (Ordonnanse 11 van 1939), die Maatskappy Wysiging ordonnanse, 1943 (Ordonnanse 6 van 1943), die Maatskappy Wysiging ordonnanse, 1943 (Proklamasie 38 van 1943), Oorlogsmaatregel 29 van 1944 (Unie-proklamasie 75 van 1944), en die Wysigingsproklamasie op die Maatskappy ordonnanse, 1944 (Proklamasie 31 van 1944)

2. Section *sixty-eight bis* of the principal law is hereby amended by adding the following words at the end of paragraph (a) of sub-section (1):—

"save a woman married in community of property or out of community of property, but without exclusion of the marital power, provided her husband gives written consent to the appointment, and the said consent is lodged with the Registrar;".

3. This Ordinance shall be called the Companies Amendment Ordinance, 1947.

No. 7 of 1947.]

ORDINANCE

To provide for the amendment of the law relating to municipalities.

(Assented to 4th June, 1947.)
(English 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 the expression "the principal law" means the Municipal Ordinance, 1935 (Ordinance No. 24 of 1935), as amended by the Municipal Law Amendment Proclamation, 1936 (Proclamation No. 15 of 1936), the Municipal Amendment Ordinance, 1937 (Ordinance No. 8 of 1937), the Municipal Amendment Ordinance, 1939 (Ordinance No. 9 of 1939), the Municipal Amendment (War Measure) Ordinance, 1941 (Ordinance No. 12 of 1941), the Municipal Ordinance Amendment Ordinance, 1942 (Ordinance No. 10 of 1942), the Municipal Amendment Ordinance, 1943 (Ordinance No. 9 of 1943), the Municipal Amendment Ordinance, 1944 (Ordinance No. 10 of 1944), the Municipal Amendment Proclamation, 1945 (Proclamation No. 32 of 1945), and the Municipal Amendment Ordinance, 1946 (Ordinance No. 11 of 1946).

2. Section *one hundred and fifty-eight* of the principal law is hereby amended:

- (1) by the addition to sub-section (22) thereof, of the following words:
"and the licensing of cinematograph operators to operate cinematograph apparatus within the municipal area".
- (2) by the addition to sub-section (23) thereof, of the following words:
"and the licensing, inspection and supervision of premises therefor".

3. This Ordinance shall be called the Municipal Amendment Ordinance, 1947.

No. 8 of 1947.]

ORDINANCE

To amend the law relating to the Territorial Development and Reserve Fund.

(Assented to 4th June, 1947.)
(English 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 the "Principal Ordinance" means the Territorial Development and Reserve Fund Ordinance, 1944 (No. 13 of 1944), as amended by the Territorial Development and Reserve Fund Amendment Ordinance, 1946 (No. 5 of 1946).

2. Sub-section (1) of section *two* of the Principal Ordinance is hereby amended by the addition thereto of the following:—

- (i) Water and Veld Conservation and Reclamation Account.
- (j) Native Areas Account."

2. Artikel *agt-en-sestig bis* van die hoofwet word hierby gewysig deur die volgende woorde aan die end van paragraaf (a) van sub-artikel (1) by te voeg:—

„behalwe 'n vrou getroud in gemeenskap van goedere of buite gemeenskap van goedere maar sonder uitsluiting van die mariale mag, met dien verstande dat haar man sy skriflike toestemming tot die aanstelling gee en vermelde toestemming by die Registrateur ingedien word;”.

3. Hierdie Ordonnansie heet die Wysigingsordonnansie op Maatskappye, 1947.

No. 7 van 1947.]

ORDONNANSIE

Om voorseeing te maak vir die wysiging van die wet betreffende munisipaliteite.

(Goedgekeur 4 Junie 1947.)
(Engelse teks deur die Administrateur geteken.)

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

1. In hierdie Ordonnansie beletten die uitdrukking „die hoofwet“, die Munisipa'e Ordonnansie 1935 (Ordonnansie 24 van 1935), soos gewysig deur die Munisipa'e Wet Wysigingsproklamasie 1936 (Proklamasie 15 van 1936), die Munisipale Wysigingsordonnansie 1937 (Ordonnansie 8 van 1937), die Munisipa'e Wysigingsordonnansie 1939 (Ordonnansie 9 van 1939), die Munisipa'e (Oorlogsmatriek) Wysigingsordonnansie 1941 (Ordonnansie 12 van 1941), die Munisipa'e Ordonnansie Wysigingsordonnansie 1942 (Ordonnansie 10 van 1942), die Munisipa'e Wysigingsordonnansie 1943 (Ordonnansie 9 van 1943), die Munisipa'e Wysigingsordonnansie 1944 (Ordonnansie 10 van 1944), die Munisipa'e Wysigingsproklamasie 1945 (Proklamasie 32 van 1945) en die Munisipa'e Wysigingsordonnansie 1946 (Ordonnansie 11 van 1946).

2. Artikel *honderd-agt-en-vyftig* van die hoofwet word hierby gewysig:

- (1) deur die byvoeging by sub-artikel (22) daarvan, van die volgende woorde:
„en die lisensieverlening aan bioskoopoperateurs om bioskoopvertonings binne die munisipale gebied te hou“.
- (2) deur die byvoeging by sub-artikel (23) daarvan, van die volgende woorde:
„en die lisensieverlening vir ondersoek van, en beheer oor perse'e daarvoor“.

3. Hierdie Ordonnansie heet die Munisipale Wysigingsordonnansie, 1947.

No. 8 van 1947.]

ORDONNANSIE

Om die wet betreffende die Gebiedsontwikkelings- en -reservefonds te wysig.

(Goedgekeur 4 Junie 1947.)
(Engelse teks deur die Administrateur geteken.)

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

1. In hierdie Ordonnansie beletten die „Hoofordonnansie“ die Ordonnansie op die Gebiedsontwikkelings- en -reservefonds 1944 (13 van 1944), soos gewysig deur die Wysigingsordonnansie 1946 (5 van 1946) op die Gebiedsontwikkelings- en -reservefonds 1946.

2. Sub-artikel (1) van artikel *twee* van die Hoofordonnansie word hierby gewysig deur die volgende diaaraan by te voeg:—

- (i) Water- en Veldbewarings- en -herwinningsrekening.
- (j) Naturellegebiederekkening“.

8. Sub-section (1) of section six of the Principal Ordinance is hereby amended by the addition thereto of the following:

(h) *Water and Veld Conservation and Reclamation Account.*

For the payment of monies in respect of water and veld conservation and reclamation schemes recommended to the Assembly by the Administrator and adopted by such Assembly including the payment of subsidies and loans in respect of such schemes.

(i) *Native Areas Account.*

For the payment of monies in respect of areas reserved or set aside for non-European occupation on account of water supplies, water and veld conservation, school and hospital buildings and equipment, fencing, roads and such other items for the well-being of the non-Europeans as are approved by the Administrator including the supplementation of the respective Native Trust Funds where in the opinion of the Administrator such action is necessary."

4. This Ordinance shall be called the Territorial Development and Reserve Fund Amendment Ordinance, 1947.

No. 9 of 1947.]

ORDINANCE

To provide for the amendment of the law relating to stamp duties payable on documents.

(Assented to 4th June, 1947.)

(English 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 the expression "the principal Act" means the Stamp Duties and Fees Act, 1911 (No. 30 of 1911) as amended by the Stamp Duties and Fees Amendment Act, 1913 (No. 31 of 1913) and the Stamp Duties and Fees Act Further Amendment Act, 1921 (No. 31 of 1921), of the Parliament of the Union of South Africa, and as applied to this Territory and modified in respect of such application by Proclamation of the Military Governor of the Territory dated the twentieth day of September, 1915 (No. 13 of 1915), Proclamation of the Administrator dated the sixth day of September, 1921 (No. 43 of 1921), and as amended from time to time.

2. Item 21 of the Second Schedule to the principal Act is hereby amended by the deletion of paragraph (1) and the substitution therefor of the following new paragraph:-

(1) If given for or upon the payment of a sum of money amounting to £1 or more 0.0.2."

3. This Ordinance shall be called the Stamp Duties and Fees Amendment Ordinance, 1947, and shall first come into operation on 1st July, 1947.

No. 10 of 1947.]

ORDINANCE

To repeal the law providing for the payment of additional taxes by certain aliens during the continuance of the war.

(Assented to 4th June, 1947.)

(English text signed by the Administrator.)

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

1. The Aliens War Taxation Ordinance, 1944, (Ordinance No. 12 of 1944) is hereby repealed with effect, in respect of income tax and tax on persons as from 1st July, 1946, and in respect of land tax as from 1st April, 1946; provided that such repeal shall not affect the liability for payment or the assessment and collection of any additional in-

3. Sub-article (1) van artikel ses van die Hoofordonnansie word hierby gewysig deur die volgende daaraan by te voeg:-

(h) *Water- en Veldbewarings- en -herwinningsskerking.*

Vir die uitbetalting van geldte ten opsigte van water- en veldbewarings- en -herwinningsskerking deur die Administrator by die Vergadering aanbeveel en aangeneem deur sodanige Vergadering insluitende die uitbetalting van subsidies en lenings ten opsigte van sodanige skemas.

(i) *Natuurgebiedsrekening.*

Vir die uitbetalting van geldte, ten opsigte van gebiede wat vir bewoning deur nie-blanke geskep is, vir watervoorraad, water- en veldbewaring, skool- en hospitaalgeboue en toerusting, omheining, paie en sodanige ander items vir die welvaart van die nie-blanke wat deur die Administrator goedgekeur word met inbegrip van die aangvulling van die onderskeie naturelleriftrusfondse waar volgens oordeel van die Administrator, sodanige oprede nodig is."

4. Hierdie Ordonnansie het die Wysigingsordonnansie op die Gebiedsontwikkelings- en -reservefonds, 1947.

No. 9 van 1947.]

ORDONNANSIE

Om voorsering te maak vir die wysiging van die wet betreffende seelregte wat op dokumente betaalbaar is.

(Goedgekeur 4 Junie 1947.)

(Engelse teks deur die Administrateur geteken.)

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

1. In hierdie Ordonnansie beteken die uitdrukking „de hoofwet“ „Die Zeggelwet 1911“ (Wet 30 van 1911), soos gewysig by „Die Zeggelwet Wijzigingswet, 1913“ (Wet 31 van 1913) en „Die Wet tot verdere Wijziging van die Zeggelwet, 1921“ (Wet 31 van 1921), van die Parlement van die Unie van Suid-Afrika en soos toegespas op hierdie Gebied en gewysig ten opsigte van sodanige amptsaamheid by Proklamasie van die Militêre Oorlogswener van die Gebied gedateer die twintigste dag van September, 1915 (Proklamasie 13 van 1915), Proklamasie van die Administrator gedateer die sesde dag van September 1921 (Proklamasie 43 van 1921), en soos by verskeie geleenthede gewysig.

2. Item 21 van die tweede bylae van die hoofwet word hierby gewysig deur paragraaf (1) te skrap en dit deur die volgende nuwe paragraaf te vervang:-

(1) Indien gevraan voor of bij betaling van geld ten bedrage van £1 of meer 0.0.2."

3. Hierdie Ordonnansie het die Seelwet-Wysigingsordonnansie, 1947, en sal op 1 Julie 1947 vir die eerste keer in werking tree.

No. 10 van 1947.]

ORDONNANSIE

Om die wet betreffende die betaling van bykomende belastings deur sekere vreemdelinge gedurende die duur van die oorlog te herroep.

(Goedgekeur 4 Junie 1947.)

(Engelse teks deur die Administrateur geteken.)

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

1. Die Vreemdelinge-Oorlogsbelastingsordonnansie 1944, (Ordonsnie 12 van 1944) word hierby herroep met ingang van 1 Julie 1946, en wat onomstebelasting en belasting op persone befat, van 1 Julie 1946, en wat grondbelasting bevat, van 1 April 1946; met dien verstande dat sodanige herroeping nie die aanspreklikheid vir betaling van die aanslag en invordering van

come tax payable by an alien under the Ordinance so repealed for any period of assessment ended on or before 30th June, 1946, or of any other tax, licence, penalty or fee which may be due and payable under the Ordinance so repealed.

2. This Ordinance shall be called the Aliens War Taxation Amendment Ordinance, 1947.

No. 11 of 1947.]

ORDINANCE

To provide for the amendment of the law relating to the payment of tax on turnover in the Territory.

(Assented to 4th June, 1947.)
(English text signed by the Administrator.)

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

1. The War Taxation Amendment Ordinance, 1946 (Ordinance No. 8 of 1946) is hereby amended by the addition to section one of the following further proviso:—

"Provided further that, in the case of a person who, on or after the date of promulgation of this Ordinance, ceases to carry on a business in respect of which licence duty is assessed partly on turnover or purchases, as the case may be, the amount of tax on turnover payable in terms of the second proviso to section twenty-one of the Licences Consolidation Ordinance, 1935 (Ordinance No. 13 of 1935), as amended, on turnover or purchases for the period 1st July, 1945, to the date he ceases to carry on such business, shall be determined in accordance with the rates laid down in Part I of the First Schedule thereto".

2. This Ordinance shall be called the War Taxation Amendment Ordinance, 1947, and be deemed to have come into operation on the 20th June, 1946.

enige bykomende inkomstebelasting betaalbaar deur 'n vreemde kragtens die Ordonnansie aldus herroep vir enige tydperk van aanslag, wat op of voor 30 Junie 1946 eindig, of van enige ander belasting, lisensie, boete of geldte wat kragtens die Ordonnansie aldus herroep, betaalbaar en op eisbaar mag wees, aantas nie.

2. Hierdie Ordonnansie heet die Vreemdesinge-Oorlogsbelasting Wysigingsordonnansie 1947.

No. 11 van 1947.]

ORDONNANSIE

Om voorsering te maak vir die wysiging van die wet betreffende die betaling van belasting op omset in die Gebied.

(Goedgekeur 4 Junie 1947.)
(Engelse teks deur die Administrateur geteken.)

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

1. Die Wysigingsordonnansie op Oorlogsbelasting 1946 (Ordonnansie 8 van 1946), word hierby gewysig deur die volgende verdere voorbehoudbepaling by artikel een voeg:—

"Met dien verstande voorts dat in die geval van 'n persoon wat op of na die datum van afkondiging van hierdie Ordonnansie ophou om 'n besigheid te dryf ten opsigte waarvan lisensieregte geleafelik op omset of op aankope, na gelang van die geval, aangeslaan word, die belastingsbedrag op omset wat kragtens die tweede voorbehoudbepaling van artikel een-en-twintig van die Konsolidasie-Ordonnansie betreffende Lisensies 1935 (Ordonnansie 13 van 1935), soos gewysig, betaalbaar is, op omset van aankope vir die tydperk vanaf 1 Julie 1945 tot die datum wanneer hy ophou om sy besigheid te dryf, bepaal moet word ooreenkomsdig die tariewe wat in Deel I van die Eerste Bylae daarvan neergelê is."

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op Oorlogsbelasting, 1947, en word geag om op 20 Junie 1946 in werking te getree het.