

# OFFICIAL GAZETTE

EXTRAORDINARY

OF SOUTH WEST AFRICA.

## BUITENGEWONE OFFISIELE KOERANT

UITGAVE OP GESAC.

VAN SUIDWES-AFRIKA.



PUBLISHED BY AUTHORITY.

1/- Saturday, 5th May, 1951.

WINDHOEK

Saterdag, 5 Mei 1951.

No. 1591.

The following Draft Ordinance, which will be introduced during the next Session of the Legislative Assembly, is published for general information.

L. M. AMBLER,

Actg. Secretary for South West Africa.

Administrator's Office,  
Windhoek.

Die volgende Ontwerpordonnansie, wat gedurende die volgende Sessie van die Wetgewende Vergadering voorgelê sal word, word vir algemene inligting gepubliseer.

L. M. AMBLER.

Wazn. Sekretaris vir Suidwes-Afrika.

Kantoor van die Administrateur,  
Windhoek.

Preservation of Trees and Forests Ordinance, 1951. . . . .

Page.

1652

Bladsy.

Ordonnansie op die Behoud van Bome en Bosse, 1951. . . . .

## DRAFT ORDINANCE

To make better provision for the protection, preservation and utilization of trees and forest produce and the regulation of veld burning, to regulate trade in forest produce, to control the exportation and importation thereof, to combat diseases and pests in timber and to provide for matters incidental thereto.

## ONTWERPORDONNANSIE

Om beter voorsering te maak vir die beskerming, behoud en benutting van bome en bosprodukte en vir die regeling van veldbrand, om die handel met bosprodukte te regel, om die uitvoer en invoer daarvan te beheer, om siektes en peste in timmerhout te bestry en om voorsering te maak vir sake in verband daartee.

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, as amended by section sixteen of the South West Africa Affairs Amendment Act, 1949, of the Parliament of the Union of South Africa, as follows:-

### PRELIMINARY.

1. This Ordinance shall apply to all land within the Territory of South West Africa and the port and settlement of Walvis Bay; Provided that no provision thereof shall apply to land within the Rehoboth Gebiet or within any native reserve or territory, until applied thereto by the Administrator by proclamation in the *Gazette*.

2. Upon the written request of the owner of any private land the Administrator may, if he is satisfied that the public interest will not be prejudiced thereby, by proclamation in the *Gazette* apply to that private land any provisions of this Ordinance which relate to Crown land or Crown forests only and which he may deem necessary for the better protection of trees or other forest produce thereon. Any such proclamation shall clearly define the land to which the Proclamation relates, and may at the discretion of the Administrator by like proclamation, be withdrawn or, with the consent of the owner, amended.

3. This Ordinance is divided into five Chapters each and severally relating to the following matters:-

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika, met die toestemming van die Gouverneur-generaal, dermate daardie toestemming nodig is, nadat dit ontvang is en deur bondskap van die Administrateur aan die Wetgewende Vergadering ingegegee is ooreenkomslike die bepaling van artikel ses-en-twintig van die „Zuidwest-Afrika Konstituut Wet 1925“, sou geswysig by artikel ses-en-twintig van die Wysigingswet op Suidwes-Afrikaanse Aangeleenthede 1949 van die Parlement van die Unie van Suid-Afrika, VERORDEN:-

### INLEIDENDE BEPALINGS.

1. Hierdie Ordonnansie geld vir alle grond binne die Gebied van Suidwes-Afrika en die hawe en nederstelling van Walvisbaai. Met dien verstande dat geen bepaling daarvan op grond binne die Gebied Rehoboth of binne 'n natuurreservaat of -gebied geld nie, totdat dit deur die Administrateur by Proklamasie in die *Offisiële Koerant* daarop toegepas word.

2. Op skriftelike versoek van die eienaar van private grond kan die Administrateur, as hy oortuig is dat dit nie sy openbare belang sal benadeel nie, by proklamasie in die *Offisiële Koerant* enige bepaling van hierdie Ordonnansie wat slegs kroongrond of -bosse geld en wat sans insiens nodig is vir die doeltreffende bewaring van home of ander bosprodukte op daardie private grond toepas. So 'n proklamasie moet die grond waarop dit betrekking het, duidelik omskryf, en die Administrateur kan na goedkunke so 'n proklamasie by soortgelyke problematiek herroep of, met die toestemming van die eienaar, wysig.

3. Hierdie Ordonnansie is verdeel in vyf hoofstukke wat elk en onderskeidelik dies onderstaande sak handhaue:-

- Hoofstuk I: Aanskaffing en Voorlidaan van Grond vir Bosbouleidings.
- Hoofstuk II: Beskerming en Benutting van Bome en Bosprodukte.
- Hoofstuk III: Beskerming van Grond teen Brand.
- Hoofstuk IV: Allerlei Regulasies en Strafpealings.
- Hoofstuk V: Regulasies en Strafpealings.

- Chapter I: Acquisition or Reservation of Land for Forest Purposes.
- Chapter II: Protection and Utilization of Trees and Forest Produce.
- Chapter III: Protection of Land from Fire.
- Chapter IV: Miscellaneous Provisions.
- Chapter V: Regulations and Penalties.

4. The laws mentioned in the First Schedule to this Ordinance are hereby repealed to the extent set forth in the third column of that Schedule.

5. In this Ordinance, unless the context otherwise indicates—  
“Crown forest” means—

- (a) any area of Crown land which has in accordance with the provisions of section six or seven been reserved for any of the purposes mentioned therein, and any forest produce on such land;
- (b) any land acquired in terms of section six for the purposes of this Ordinance and any forest produce on such land;
- (c) all trees, timber or forest produce on—
  - (i) Crown land, or
  - (ii) any other land, if the right to such trees, timber or forest produce thereon has been retained by the Crown;

“domestic purposes”, in relation to the cutting, taking or removal of trees, timber or forest produce, means the essential needs of the household or farmstead, and “use” means the conservation and orderly use of such material for those purposes;

“dry”, in relation to trees, timber or forest produce, means dead, whether such tree, timber or produce is standing or has fallen;

“firewood” means wood not serviceable or saleable otherwise than for use as fuel;

“forest officer” means—

- (a) any person nominated as such by the Administrator in respect of Crown forests;
- (b) the incumbent of any office designated by the Administrator for the purpose in the regulations; and
- (c) any person specially appointed, with the approval of the Administrator, by any private forest owner or any local authority as forest officer in respect of any private forest under the control of such owner or authority;

“forest produce” means—

- (a) anything which is produced by trees or is grown in a forest and includes timber, wood, firewood, poles, laths, droppers, kraalwood, branchwood and other waste wood, charcoal, plants, grass, reeds, creepers, fibre, flowers, fruit, seed, roots, bulbs, bark, rubber, latex, gum, and
- (b) game, birds, skins, horns, ivory, fish, honey, wax, bees, shells, earth, stone, gravel, and any other thing naturally found in or obtained from a forest;

“indigenous tree” means a tree of a species native to South West Africa;

“Kraalwood” consists of branches of trees and thorn or other bush intended or used for making bush fences for the kraaling of stock or for the protection of lands, and shall not include poles used or intended for making of palisade enclosures for stock or lands;

“police officer” means a member of any police force established by law in South West Africa;

“private forest” means a forest or plantation or tree of any kind situated on land not owned by the Crown, but shall not include a forest, plantation or tree on land on which the Crown by deed of grant or other document has retained the right to the trees;

“reserved tree” means a tree of any one of the species enumerated in the Second Schedule to this Ordinance and any amendment thereof in terms of section nine;

“timber” means all wood contained in trees whether standing, fallen or felled, and all wood whether produced in or imported into South West Africa;

“tree” includes the whole or part of any tree as ordinarily understood or of any shrub, bush, seedling, reshoot, underbush, undergrowth or regrowth.

## CHAPTER I.

### ACQUISITION OR RESERVATION OF LAND FOR FOREST PURPOSES.

6. (1) Whenever in the opinion of the Administrator any land is required for the preservation, management or propagation of trees, timber or forest produce by the Administrator, the Administrator may, in consultation with the Executive Committee—

- (i) in the case of unalienated Crown land, by proclamation in the *Gazette* reserve that land for any such purpose; or
- (ii) in the case of private land, acquire the land in accordance with the provisions of the Expropriation of Lands Ordinance, 1927 (Ordinance No. 13 of 1927), as amended.

(2) All land acquired in terms of sub-section (1) shall, upon the acquisition thereof, be reserved by the Administrator for the purpose for which it is required by proclamation in the *Gazette*.

4. Die wette genoem in die eerste bylae van hierdie Ordensnansie word hierby herroep dermate die derde kolom van daardie bylae aantoon.

5. In hierdie Ordensnansie, tensy die saamehang anders aandui, bekenk—

,Kroonbos”—

- (a) kroongrond wat ingevolge die bepalings van artikel ses of sewe om enige van die daarangenoemde doelendes voorbehou is, en enige bosprodukte op solanige grond;
- (b) grond wat ingevolge die bepalings van artikel ses binne die strekking van hierdie Ordensnansie aangeskaf is, en enige bosprodukte op sodanige grond;
- (c) alle bome, hout of bosprodukte op—
  - (i) kroongrond; of
  - (ii) enige ander grond, mits die Kroon die reg op sodanige bome, timmerhout of bosprodukte daarop behou het;

,huishoudelike doelendes” in verband met die aksaf, toetiening of verwydering van bone, timmerhout of bosprodukte, die kermelkhoeft van die huishouding of boerdery, en “gebruik” die redelik spaarsaam gebruik van sodanige materiaal vir daardie doelendes;

,droog/laag” in verband met bone, timmerhout, of bosprodukte, dood, of sodanige bone, timmerhout, of produkte nog staan of gevall het;

,brandhout” hout wat slegs as brandstof gebruik of verkoop kan word;

,bosbeämpte”—

- (a) iemand wat die Administrateur ten opsigte van kroonbosse daaroor benoem,
- (b) die bekleer van ‘n amp wat die Administrateur in die regulasies daarvoor aanwys, en
- (c) elkeen wat net Administrateursgoedkeuring deur ‘n private bosbeämter van plaaslike bestuur spesial tot bosbeämpte aangesel word ten opsigte van ‘n private bos onder die beheer van sodanige ciaar of bestuur;

,bosprodukte”—

- (a) alles wat bone voortbring of in ‘n bos groei, en enige timmerhout, hout, brandhout, pale, latte, hangpaaltjies, kraalhout, takke en ander afvalhout, houtsok, plantjies, gras, riete, klimplantje, vesels, blomme, vrugte, saad, wortels, bolle, bus, rubber, melksap, gom, en
- (b) wild, voëls, velle, horings,ivoor, vis, heuning, was, bye, skulpe, grond, klippe, gruis en enigets anders wat in vanuit ‘n bos verkry word;

,inleemde boom” ‘n boomsoort nie aan Suidwes-Afrika;

,kraalhout” die takke van bone en doring- of ander bosse bestem of gebruik vir die bosbeämtings van veekrale of die beskerming van landerye, maar dit sluit uit pale bestem of gebruik vir paalbeämtings ter atkamping van ve of landerye;

,polisiebeampte” ‘n lid van polisiemagte by wet in Suidwes-Afrika gevestig;

,private bos” ‘n bos of plantasie of boom luengenaamd op grond wat geen kroonbesit is nie, maar sluit uit ‘n bos, plantasie of boom op grond waarvan die Kroon middels grondbrief of ander akte die boombeëindiging reg behou het;

,voorbewhoude boom” enige boomsoort genoem in die tweede bylae van hierdie Ordensnansie en sy moontlike wysiging, ingevolge artikel nege;

,timmerhout” die hout van elke boom wat nog staan, of wat gevall het, of geveld is, en alle hout besig in Suidwes-Afrika voortgebring of daarteen ingevolge;

,boom” die geheel of deel van enige boom in die gewone sin van dat woord, of van ‘n struik, bosje, saaiplant, oorplantes, onderbos, ondergroei of opslag.

## HOOFOSTUK I.

### AANKAFFING EN VOORBEHOUD VAN GROND VIR BOSDOELENDEINDE.

6. (1) Wanneer ook al, na die Administrateur meen, grond nodig is ter bewaring, beheer of voortplanting daarop deur die Administrasie van bone, timmerhout of bosprodukte, kan die Administrateur, in beraad met die Uitvoerende Komitee—

- (i) waaraan dit onvervrekbaar kroongrond aangaan, by proklamasie in die *Officiële Koraant* daardie grond vir enige sodanige doel voorbehou;
- (ii) waaraan private grond aangaan, die grond ingevolge die bepalings van die Grondontleunings-Ordonsnansie, 1927 (Ordonsnansie No. 13 van 1927), soos gewysig, aanskaaf.

(2) Alle grond aangeskaf ingevolge sub-artikel (1) hiervoor, by die aankaffing daarvan, deur die Administrateur voorbehou vir die doel waarvoor dit by proklamasie in die *Officiële Koraant* aangeskaf is.

(3) If in the opinion of the Administrator, any land reserved in terms of this section or any portion thereof should in the national interest be withdrawn from reservation or the boundaries thereof be amended, the Administrator may in like manner withdraw such land or portion from reservation or amend the boundaries thereof.

(4) Nothing in this section contained shall apply to land belonging to or used by the South African Railways and Harbours Administration.

7. (1) If any portion of any Crown land which is in process of being alienated is required for any purpose mentioned in section six, the Administrator may cause such portion thereof to be defined on the diagram of the land by the Surveyor-General, and at the request in writing of the Administrator the registrar of deeds shall reserve for such purpose such portion on the title deed of the said land and in the appropriate registers.

(2) If it is deemed expedient in the public interest that the right in any timber or in any particular tree or plant or species or tree or plant existing on any Crown land which is in process of being alienated should be retained by the Crown in respect of the whole or any defined portion thereof, such timber, tree or plant or species of tree or plant shall be reserved to the Crown by endorsement and noting in the manner provided by sub-section (1).

(3) Any such endorsement and noting shall constitute a servitude on the land concerned binding in succession every subsequent owner of the land, until cancelled or annulled by the Administrator and on such conditions as he may determine.

8. Subject to directions, general or specific, by the Surveyor-General every government land surveyor who is concerned with the survey of any Crown land shall furnish to the Administrator a report on the occurrence of any timber, tree, plant or species of tree or plant on the whole or any part of such land the right to which should, in his opinion, be retained by the Crown in terms of section seven.

## CHAPTER II.

### PROTECTION AND UTILIZATION OF TREES AND FOREST PRODUCE.

9. The species of trees enumerated in the Second Schedule to this Ordinance are specially reserved in respect of all land: Provided that the Administrator may from time to time by notice in the *Gazette* alter or amend that Schedule by the addition or deletion of any species of tree and in respect of any land he may deem desirable.

10. Notwithstanding the provisions of any other law or a right in ownership or occupation or a right acquired by prescription, contract or agreement, with respect to private land, whether or not any provision of this Ordinance has been extended thereto in accordance with the provisions of section two, or with respect to a Crown forest, it shall not be lawful for any person to cut, injure, take, remove or destroy any reserved tree growing or occurring on such land or to allow, aid or abet another person to do so, except upon the authority of a licence, permit or other document issued in terms of this section by the Administrator or by a person duly authorised thereto by him and subject to the conditions stated therein.

11. (1) Every permit, licence or authority issued in terms of section ten shall with respect to any species of tree to which it relates specify—

- (a) the botanical or common or native name or names thereof;
- (b) the number of each species of tree;
- (c) the locality, as near as may be practicable, on or from which it may be cut, collected or removed;
- (d) the period allowed for the cutting, collection or removal thereof; and
- (e) the purpose for which any such tree or any timber contained therein may be used.

(2) Every such licence, permit or authority may include conditions—

- (a) regarding the inspection or certification and release of the trees cut, taken or removed, or limiting the use thereof to scientific or research purposes and prohibiting the sale thereof or the export thereof from South West Africa; or
- (b) relating to—
  - (i) the minimum, or maximum girth of the particular species of tree which may be cut;
  - (ii) the maximum height from the ground at which the particular kind of tree may be cut and the kind of tool or implement which shall be used in the cutting thereof;
  - (iii) the defined season of the year in which the particular species of tree may be cut or collected;

(3) Indien, na die Administrateur meer grond wat ingevolge hierdie artikel of deel daarvan voorhou is, in die volksbelang aan voorhoede ontrek moet word, of die grense daarvan verskuif moet word, kan die Administrateur sodanige grond of deel daarvan op dieselfde wyse aan voorhoede ontrek, of die grense daarvan verskuif.

(4) Gern bepaling van hierdie artikel geld grond wat behoort aan, of gebruik word deur die Administrasie van die Suid-Afrikaanse Spoordewe en Haweus nie.

7. (1) As 'n deel van kroongrond wat onder vervoerding staan om 'n doel, wat artikel ses noem, nodig word, kan die Administrateur sodanige deel daarvan deur die Landmeter-generaal laat inskryf op die landkaart en op skriflike vorm van die Administrateur moet die Registrante van Aktes sodanige geskrewe op die titelbewys van sodanige grond en die gespekte voorhoede voorhou.

(2) Dien dit openbare belang dat die reg op timmerhout of op 'n bepaalde boom of plant of boom- of plantsort op enige kroongrond wat onder vervoerding staan deur die Kroon gehou moet word ten opsigte van die hele of enige beperkte deel daarvan, dan word sodanige timmerhout, boom, of plant of boom- of plantsort vir die Kroon voorhou en middels endossement en aantekening soos sub-artikel (1) voorskryf.

(3) Sodanige endossement en aantekening is 'n serwituut op die betrokke land, en bind elke oopvolgende eienaar daarvan totdat die Administrateur die kanselleer of tot niet maak, op voorwaarde wat hy vaststel.

8. Onderhewig aan aanwyssings, algemeen of besonder, deur die Landmeter-generaal moet elke staatslandmeter wat te doen het met die opmeting van kroongrond aan die Administrasie 'n verslag inlewer oor die voorval van enige timmerhout, boom, of plant of boom- of plantsort op 'n deel of geheel van sodanige grond waarop die reg, slegs insiens, deur die Kroon ingevolge artikel seew behou moet word.

## HOOFSTUK II.

### BESKERMING EN BENUTTING VAN BOME EN BOSPRODUKTE.

9. Die boomsoorte genoem in die tweede bylae van hierdie Ordonnantie word by name voorhoede ten opsigte van alle grond: Met dien verstande dat die Administrateur van tyd tot tyd by kennisgeving in die *Offisiele Korant* daardie bylae kan wysig deur enige boomsoort en ten opsigte van enige grond, na die goedkeuning, daaruit te skrap of daarvan toe te voeg.

10. Ondanks die bepaling van enige ander wet, of eldens van huwelingareg, of 'n reg verkyf deur verjarig, 'n kontrak of ooreenkoms, ten opsigte van private grond, of die bepaling van hierdie Ordonnantie daarop toepas is ooreenkomsdig die bepaling van artikel tien, al dan nie, of ten opsigte van 'n krombos, mag nieemand 'n voorhoedeboom kap, beskadig, neem, verwyder of vernietig wat op sodanige grond groei of staan nie, of iemand anders toelaat, of hom daarvan blystaan of andersins help nie, tensy hy 'n lisensie, permit of ander dokument daaroor het, wat die Administrateur of 'n persoon behoorlik deur hom daartoe genugtig, ingevolge hierdie artikel aan hom uitgereik het, en dan slegs onderhewig aan die voorwaarde daarvan uitgesesig.

11. (1) Elke permitt, lisensie of magtiging wat ingevolge artikel tien uitgereik is, moet, ten opsigte van elke boomsoort wat dit aangaan, die onderstaande noem—

(a) die plantkundige, of algemeen of naturellenaam of name daarvan;

(b) die aantal bome van elke soort;

(c) die plek (so nabig denklik) waarop dit gekap of waarvan daardien dit bymekaar genaai en verwyder kan word;

(d) die tyd wat vir die kap, blymekaarsnaai, en verwydering daarvan toegelaat word; en

(e) die doel waarvoor sodanige boom of enige timmerhout daarvan gebruik mag word.

(2) Elke sodanige lisensie, permitt, of magtiging kan voorwaardes insluit oor—

(a) die ondersoek, certifisering, en erystelling van gekapte, toegeynde of verwylende bome, of ter beperking van hulfe gebruik te die wetenskap of navorsing, en ter verboud op die verkoop of uitvoer uit Suidwes-Afrika daarvan; of

(b) (i) die minimale of maksimale omvang van die bepaalde kaplike boomsoorte;

(ii) die maksimale hoogte van die grond af waarop die bepaalde boomsoort gekap mag word, en die soort werktoog of gereedskap wat by die afkap gebruik moet word;

(iii) die vasgestelde jaargety waarin die betrokke boomsoort gekap en versamel mag word;

(iv) the treatment as regards thinning or protection from damage by stock or game of regrowth or reshoots resulting from the cutting of the trees.

(3) If the maximum height at which any species of reserved tree may be cut or the minimum girth thereof or the method of cutting is not stated on any such licence, permit or authority, it shall be a condition of that licence, permit or authority that the following stipulations shall apply with regard thereto—

(a) every tree, irrespective of species, shall be felled by means of a saw at a height not exceeding six inches from the ground at the base of the tree;

(b) the girth in inches at breast height (four feet six inches above ground level), over bark, specified for each species of tree mentioned in this sub-section shall be the minimum size of tree of that kind which may be cut; witsering — 46 inches; marula — 50 inches; tamboti — 28 inches; geelhout — 32 inches; gunnibama — 22 inches; muksu — 50 inches; umchibi — 40 inches; dolf — 40 inches; mungongo — 40 inches; appelsblaar — 30 inches; impununa — 60 inches; kameeldoring — 40 inches; ebbchoutboom — 32 inches.

12. (1) An owner or lawful occupier of land may apply to the magistrate of the district in which that land is situated or, in the case of land in a native reserve or native territory, to the native commissioner having jurisdiction over that land, for permission to cut, injure, take or remove any reserved tree.

(2) Any person other than an owner or a lawful occupier of land may likewise apply to the magistrate or native commissioner concerned for such permission. Every such application shall be accompanied by the written consent of the owner or occupier to the making of the application.

(3) Every application made under sub-section (1) or sub-section (2) shall be in writing and shall contain all particulars required to enable the issuer of the necessary licence, permit or authority to frame it in due compliance with the provisions of section eleven. If the applicant is a person who through infirmity or otherwise is unable to read or write, the magistrate or the native commissioner concerned, as the case may be, or his deputy, may assist such person to make the application.

13. (1) The provisions of this Ordinance relating to the protection of reserved trees shall not apply to the cutting or utilization of dry trees, timber or forest produce of any kind by an owner or lawful occupier of land on the land owned or occupied by him, as the case may be, for his own use, but excluding the sale or disposal of dry trees or timber of any reserved species.

(2) Notwithstanding those provisions an owner or a lawful occupier of any land may, subject to the terms and conditions under which he owns or occupies the land, cut, injure, take or remove on that land any reserved or other tree or timber actually and necessarily required—

(a) for bona fide domestic purposes, or as firewood or kraalwood, on the land owned or occupied by him for his own household or for the household of any other person lawfully resident thereon and to the extent specially authorised by such owner or occupier; or

(b) for meeting an essential and urgent necessity in connection with his own agricultural or industrial requirements; or

(c) for or in connection with the prevention of sand drift or soil erosion or for the reclamation or conservation of land affected thereby.

(3) Any person acting in terms of paragraph (b) of sub-section (2) shall forthwith report the fact and the circumstances to the magistrate of the district or to the native commissioner of the native reserve or native territory in which the land concerned is situated, and failure to do so shall constitute an offence.

14. Notwithstanding anything contained in this Ordinance or in any other law or any right held by any person it shall not be lawful to cut, injure, destroy, take, remove or utilize on any land not being land within the areas of the surveyed erven of any town or village—

(a) any dry or living indigenous tree, bush, shrub, grass or other plant of any kind found on such land on any sand dune or drifting sand or soil or in or on any dongs or sluit; or

(b) any living indigenous tree, bush, or shrub of any kind growing in or on the bed of or within one hundred yards of a bank of a river, stream or watercourse;

without a licence, permit or other authority obtained in the manner provided by section twelve, unless the material to be derived therefrom is required bona fide for immediate use to reclaim such sand dune, drift sand, donga or sluit or to prevent the extension thereof.

(iv) die wyse van uitdunning en beskerming teen beskadiging deur vee of wild van nuwe spruitjies of lootjies wat hergroei nadat die boome afgekap is.

(3) Word die maksimale kaphoogte of die minimale omvang of die kapmetode vir 'n bepaalde voorbehoude boom nie op die lisensie, permit of magtiging aangegee nie, dan is dit 'n voorwaarde van sodanige lisensie, permit of magtiging dat die onderstaande voorwaarde daarop betrekking moet ha—

(a) elke boom, ongeng die soort, word met 'n saag teen hoogstens ses duim vanaf die grond by die voet van die boom, geveld;

(b) die duim-omvang teen borshoogte (vier voet, ses duim bo die grond), bas inkluis, wat vir elke boomsoort wat in hierdie sub-artikel voorkom, bepaal is, is die minimale kapbare grootte van daardie boomsoort; witsering — 46 duim; maroela — 50 duim; tamboe — 28 duim; geelhout — 32 duim; gunnibama — 22 duim; moekoesie — 50 duim; oentjiebie — 40 duim; dolf — 40 duim; moenghongho — 40 duim; appelsblaar — 30 duim; inopemomena — 60 duim; kameeldoring — 40 duim; ebbchoutboom — 32 duim.

12. (1) Die eienaar of wettige bewoner van 'n stuk grond kan by die magistraat van die distrik waarin die grond lê, of waar dit die grond in 'n naturellerereserves of gebied gaa, by die naturelekommisaris binne wie se reggebied die betrokke grond lê, aansoek doen om verlof om enige voorbehoude boom te kap, te beskadig, te neem of te verwyder.

(2) Elkeen, buiten die eienaar of die wettige bewoner van 'n stuk grond kan op dieselfde wyse by die betrokke magistraat of die naturelekommisaris aansoek doen om sodanige verlof. Elk sodanige aansoek moet vergesel wees van die skriflike toestemming van die eienaar of bewoner tot sodanige aansoek.

(3) Elke aansoek ingevolge sub-artikel (1) of (2) moet skriftelik geskryf en moet al die nodige besonderhede aange daar, indien uitreiker van die gevraagde lisensie, permit of magtiging in staat te stel om dit streg ooreenkonsig die bepaling van artikel elf op te stel.

Verhinder in 'n liggams-, of ander gebrek die applikant om te lees of te skryf, kan die betrokke magistraat of naturelekommisaris, of sy waarnemer, al na gelang, sa iemand help by die opstel van die aansoek.

13. (1) Die bepalinge van hierdie Ordonnansie wat betrekking het op die beskerming van voorbehoude woon is nie 'n volpassing op die afskap of benutting van droë bone, timmerhout of bosprodukte van enige soort deur 'n eienaar of wettige bewoner van grond, op die grond wat deur hom besit of bewoon word, na gelang van die geval, vir die gebruik nie, uitgesond die verkoop of van die hand setting van droë bone of timmerhout van enige voorbehoude soort.

(2) Ondanks daardie bepalinge kan 'n eienaar of wettige bewoner van grond, onderhewig aan die voorwaarde van bepalinge waarkragtens hy die grond besit of bewoon, enige voorbehoude of ander boom of timmerhout wat hy werklik nodig het, op sodanige grond afskap, beskadig, neem of dit daarvandaan verwyder—

(a) vir huishoudelike doeleindes te goedere trou, of as vuurmaakhout of kraalhout, op die grond wat hy werklik besit of bewoon, vir sy eie huishouding, of vir die huis houing van 'n ander wat wettiglik daarop woon, en so 'n mate soos die eienaar of bewoner spesial veroorloof; of

(b) ter vooriscing in sy eie dringende landbou- of nywerheidsbehoeftes; of

(c) ter, of in belang van die voorkoming van sanddrifte en grondverspoeling, of ter terugwinning of bewaring van grond daardie aangetas.

(3) Elkeen wat ingevolge paragraaf (b) van sub-artikel (2) optree, moet die feit en die omstandighede onverwyd by die magistraat van die distrik of by die naturelekommisaris van die naturellerereserve of gebied waarin die betrokke grond lê, aanmeld, en versuim om dit te doen is 'n oortreding.

14. Teenstrydige bepalinge in hierdie Ordonnansie of in enige wet of reg van enige persoon ten spyte mag niemand sonder 'n lisensie, permit of ander magtiging wat verky word soos artikel realaf voorskrif, op grond, buiten die gebied van die opgeciteerde erwe van 'n stadh of dorp—

(a) 'n verdroging oflewende inheemse boom, bossie, struik, gras of enige ander soort plant hoogsenaadig, wat op sodanige grond op 'n sandtuif of drysfand of grond of in of aan enige dongs of stoot groei;

(b) enige lewende inheemse boom, bossie, of struik hoogsnaadig wat in of op 'n rivierholding of binne enhouderjaart van die wal van 'n rivier, strroom of waterloop groei;

kap, beskadig, vernietig, neem, verwyder of gebruik, tensy die materiaal wat daarvan verky word onmiddellik te goedere trou nodig is ter terugwinning van sodanige sandduin, drysfand, dongs of stoot, of ter voorkoming van verdere uitbreiding daarvan.

## CHAPTER III.

## PROTECTION OF LAND FROM FIRE.

15. (1) Notwithstanding anything to the contrary in this Ordinance contained, but subject to the provisions of this section, any officer of the Administration in charge of any Crown forest or Crown land or any owner or occupier or person in charge of any private land may clear or cause to be cleared a firebelt on the boundary common to such Crown forest or Crown or private land and any land adjacent thereto on any line on each or on one or other side of such boundary.

(a) The person proposing to clear such a firebelt or to cause it to be cleared, shall serve on the person in charge of the adjacent land at least seven days notice of his intention in the form prescribed in the Third Schedule hereto.

(b) The party receiving such notice shall assist in any such clearing but may claim a reasonable extension of time to enable him to cut or clear belts or spaces or to bring up labourers and equipment more effectually to execute and control the burning or other operations.

(c) The manner and time of clearing such firebelt, the line on which it shall be made, and the nature of the assistance to be rendered by each party, shall be subject to mutual agreement between the parties concerned, or, failing such agreement, shall on the application of either party be summarily decided by a magistrate having jurisdiction in the district in which the adjacent property is situated, who may make such order as to payment of the expenses of clearing such firebelt and as to costs as he deems just.

(d) On the appointed day and thereafter until the clearing of the firebelt has been completed, the parties concerned shall each in person or through a duly authorised representative attend with the appointed number of workmen and the required equipment, and all operations shall be under the joint direction and control of both parties or their respective representatives. Each party shall be responsible for his own expenses. Should the appointed day prove unfavourable, another day shall be fixed as provided in paragraph (e) of this sub-section.

(e) In the event of one or other of the said parties failing to attend with such number of men and such equipment or to render such assistance, as may have been mutually agreed upon by the parties or decided by the magistrate, or as is specified in the notice of intention referred to in paragraph (a), as the case may be, the party who does so attend or who attends on the first succeeding suitable day, may forthwith and from day to day by himself and his servants clear or cause to be cleared the firebelt specified in the said notice or agreed upon or ordered by the magistrate, and he shall be entitled to claim and recover from the defaulting party such expenses or other relief as the magistrate may decide.

(2) Notwithstanding anything to the contrary contained in this Ordinance an officer of the Administration in charge of any Crown forest or Crown land or any person in charge of any other land may, after having given, in the form prescribed in the Fourth Schedule hereto, not less than seven days notice to the person in charge of any land adjacent to such first mentioned land, on the day stated in that notice or within a reasonable time thereafter, by burning or in any other manner clear a firebelt on his own side of the common boundary between the lands concerned, for the protection of his property from fire: Provided that the person on whom such notice is served may, at any time before the expiration of the period mentioned in that notice, in writing require the person giving notice to follow the procedure prescribed in sub-section (1), and in that event the provisions of that sub-section shall mutatis mutandis apply in the same manner as if the said notice were a notice given under paragraph (a) thereof.

(3) Failure to give notice as required by this section shall constitute an offence.

16. (1) Whenever there is good reason to believe that any fire in the open air may become dangerous to life or property, any person acting in good faith may either alone or with persons under his control enter upon any land for the purpose of extinguishing that fire or for preventing the extension thereof.

(2) If such fire be on land half a mile or less from the boundary of a Crown forest or Crown land the forest officer in charge thereof or any responsible officer of the Administration present shall have the right to take full control.

(3) Any person acting in terms of sub-section (1)—

(a) shall have the control of persons under his command and of persons who voluntarily place their services at his disposal;

## HOOFSTUK III.

## BESKERMING VAN GROND TEEN BRAND.

15. (1) Teenstrydighehepalings in hierdie Ordonansijs ten spyt, maar onderhewig aan die bepalings van hierdie artikel, kan elke Administrasie-beampte wat toegang het oor 'n kroombos of kroongrond of elke eienaar of bewoner van toeganghouer van private grond op enkele kante of aan die een of die ander kant van die grens tussen sodanige kroombos of grond of private grond en enige aangrensende grond hoegenaamd, 'n brandstrook maak of laat maak.

(a) Hy wat voorneme is om so 'n brandstrook te maak of te laat maak, gee die toeganghouer van die aangrensende grond minstens sewe dae kennis van sy voorneme, soos dit derde blylaas hiervan voorskryf.

(b) Die ontvanger van sodanige kennisgiving moet help by die ruiming, maar kan 'n redelike tydsverlenging vry on hom in staat te stel om stroke of ruimtes te kap of te ruim, of om werkers en toerusting te haal ter doel-trekkende beheer van die brand- en ander bedrywigheid.

(c) Die betrokkenes kom ooreen oor die wyse en tyd waarop so 'n brandstrook gemaak moet word, soosook nor die brandstrooklyn en die aard van die hulp wat elektron moet gee, of by gebrek aan so 'n ooreenkoms moet 'n regtighegde magistraat van die distrik waarin die persele lê, op aanskuw van enige van die twee partye, daaroor besluit, en hy kan sodanige bevels oor die koste van die skoonmaak en oor ander koste, soos hy nodig aag uitvaardig.

(d) Op die aangewese dag en daarna totdat die brandstrook klaar gemaak is, moet die betrokkenes elkeen persoonlik of deur hoeklike genagtigde verteenwoordiger en met die aangewese werkafsal en die nodige toerusting aangeswes wees, en alles geskied ingevolge die gesamentlike aanwyning en beheer van al twee betrokkenes of hulle onderskele verteenwoordigers. Elke betrokkenne dra sy eie onkoste. Indien die aangewese dag ongunstig is, word 'n ander dag ingevolge paragraaf (c) van hierdie sub artikel vastgestel.

(e) Indien die een of ander van die genoemdes versuini om sodanige manne en toerusting op te dag of om sodanige hulp te verleen soos daar deur die betrokkenes op besluit is, of deur die magistraat bepaal is, of in die kennisgiving van voorneme wat paragraaf (a) vermeld, genoem word, al dan gelang, kan die betrokkenes wat wel opdaag of wat op die volgende geskikte dag opdaag, self en met sy bondelende onverwyl en van dag tot dag die brandstrook wat in genoemde kennisgiving vermeld word, of waarop die betrokkenes besluit het of waarop die magistraat besluit het, skoonmaak of laat skoonmaak, en kan sy van die versuiner sodanige onkoste of ander hulp eis en verhaal sou die magistraat vasstel.

(2) Teenstrydighehepalings in hierdie Ordonansijs ten spyt kan elke Administrasie-beampte wat toegang het oor 'n kroombos of kroongrond of elke ander beheerde grond, nadat hy die beheerde van enige aangrensende grond op die voorin voorgeskryf by die derde blylaas hiervan minstens sewe dae kennis gegee het, op die dag wat sodanige kennisgiving vermeld, of binne 'n redelike tyd daarna, deur te brand of andersins, 'n brandstrook ter beskerming van sy eie eiendom teen brand aan sy eie kant van die gemeenskaplike grens tussen die betrokke persele skoonmaak: Met dien verstande dat die kennisgivinge te eniger tyd voor verstrekking van die tydperk wat sodanige kennisgiving vermeld, skriftelik van die kennisgiving kan eis dat hy die procedure wat sub-artsikel (1) voorskryf moet volg, en in so 'n gevall geld die bepalings van daardie sub-artsikel mutatis mutandis asof genoemde kennisgiving 'n kennisgiving ingevolge paragraaf (a) hiervan is.

(3) Versuini om sodanige kennisgiving ingevolge hierdie artikel te gee, is 'n oortreding.

16. (1) Waar daar goeie rede is om aan te neem dat 'n brand in die ope leg gevarelik vir lewe of eiendom kan word, kan enigemand wat te goeder trou optree, of alleen, of saam met sy onderskeikies enige grond binnegaan om daardie brand te blus of te verhoed dat dit sprei.

(2) As die brand op grond 'n halfmyl of minder vanaf die grens van 'n kroombos of kroongrond is, kan die bosbeampte wat daaroor toegang hou, of enige aanwesige verantwoordelike Administrasie-beampte die beheer aanvaar.

(3) Elkene wat ingevolge sub-artsikel (1) optree—

(a) beheer die mense onder sy bevel en diegene wat hulle dienste vrywillig kom aanbied;

(b) may take such measures as in the circumstances are reasonable and necessary or expedient for the protection of life and property or extinguishing or preventing the spread of the fire, and may for such purposes cause reasonable destruction of any trees, grass, crops or other vegetation by cutting, burning, ploughing or otherwise;

(c) may call upon any person present at or in the vicinity of such fire to assist or to do any act or perform any service which may reasonably be considered necessary or expedient to control or extinguish or prevent the spread of the fire;

(d) may order any person, whose life may be or may become endangered or whose presence at or in the vicinity of the fire may interfere with any operation in connection with such fire, to remove himself or any vehicle or other thing under his control.

(4) Any neighbour, being the resident owner or occupier or in his absence his agent or person in charge, manager, headman or caretaker, if any, person resident on land adjoining that on which the fire occurs, or any person resident or present on that land, shall, when called upon in terms of paragraph (c) of subsection (3), be bound to render such assistance personally or as the case may be, by means of his employees, as under the circumstances he is able to give.

(5) Any person who fails to comply with any requirement or order under sub-section (3) or (4), shall be guilty of an offence.

(6) No liability shall attach to the Administration or to any other person in respect of any loss or damage arising out of the lawful exercise by an officer of the Administration or such other person of any power conferred by this section, and no person shall be entitled to any compensation or reward whatever in respect of any act performed or service rendered by him in pursuance of any requirement or order under subsection (3) or (4).

(7) No action shall lie for trespass or for damages caused in good faith by any person in charge of any operations lawfully undertaken under this section, or by any person assisting in such operations, but the person in charge of the operations shall at the first convenient opportunity report the circumstances and the action taken to the nearest police officer or justice of the peace or to the magistrate of the district or the native commissioner of the reserve or territory concerned.

#### CHAPTER IV.

##### MISCELLANEOUS PROVISIONS.

17. (1) Whenever a magistrate, native commissioner, justice of the peace, forest officer, police officer, or the incumbent of any other office designated in the regulations or by the Administrator generally or specifically for the purpose, on reasonable grounds suspects that any forest produce found in or obtained from or in transit from a Crown or private forest is about to be, or has been, wrongfully removed, he may seize and detain such forest produce pending enquiry. No action for damages shall lie in respect of such seizure or detention.

(2) An officer referred to in sub-section (1) may without warrant arrest any person found in possession of any forest produce unless such person produces a licence, permit or other document authorizing the removal or gives a satisfactory account of the manner in which he became possessed of such forest produce. If any person so arrested is unable to satisfy the court that he had lawful right to be in possession of the said forest produce, he shall be guilty of an offence.

18. (1) Every officer referred to in sub-section (1) of section seventeen may at all reasonable times demand from any person the production of any licence, permit or other authority which he is required under this Ordinance or the regulations to have, and any person failing to produce such licence, permit or authority on such demand shall be guilty of an offence.

(2) Every forest officer shall in or in connection with Crown or private forests or in respect of any offence, attempted offence or suspected offence under this Ordinance or the regulations made thereunder have all the powers vested by law in police officers.

(3) Every forest officer may, in addition to the powers conferred upon him by sub-section (2), and every police officer may—

(a) arrest without warrant any person reasonably suspected of having been a party to—

(i) any offence mentioned in sub-sections (3) or (6) of section twenty-eight; or

(ii) any other offence under this Ordinance or the regulations if such officer has reason to believe that the said person will fail to appear in answer to a summons;

(b) kan sodanige maatreels tref soos onder omstandighede van lewens- en eiendomsbeskerming redelik en nodig is of ter brandblussing of beheer, doenlik blyk, en kan die dien effekte redelike vernietiging van bone, gras, oeste of ander plantegroei deur afkapping, verbranding, ploeg of andersins laat geskied;

(c) kan op elkeen wat by vanaby die teenwoordig is, 'n beroep doen om te help of enigkies hoegenaand te doen wat redelikerwyse ter brandblussing en beheer nodig of doenlik blyk;

(d) kan elkeen wie se lewe in gevaar is of kan kom, of wie se teenwoordigheid by of vanaby die brand die blusbedrywigheid kan strem, bevel om homself of enige voertuig of ding onder sy beheer te verwryder.

(4) Elke buurman wat die inwonende eienaar of bewoner is of by sy afwesigheid, sy agent of gemagtigde, bestuurder, hoof of opsigter wat die grond grensende aan dié waar die brand voorvork, bewoon, of enigkies wat op die betrokke grond woon of teenwoordig is, is wanneer hy ingevolge paragraaf (c) van sub-artikel (3) opgeroep word, verplig om self of deur sy werkneemers, al na gelang, sodanige hulp te verleen soos die omstandighede toelaat.

(5) Elkeen wat 'n versoek of bovel ingevolge sub-artikel (3) of (4) verontgaan, is skuldig aan 'n oortreding.

(6) Nog die Administrateur nog enige ander is aanspreeklik vir verlies of skade wat veroorsaak word deurdat 'n Administrasie-beampte of ander genoemde wetlig ingevolge hierdie artikel optree, en niemand is geregtig op enige vergoeding of beloning hoegenaand vir optrede op enige versoek of bovel ingevolge sub-artikel (3) of (4) nie.

(7) Daar kan geen aktie ingestel word vir 'n oortreding of skade veroorsaak wanneer die bevelhoudende of sy helpers te goeder trou wetlig ingevolge hierdie artikel optree nie maar die bevelhoudende moet die omstandighede en die optrede so gou doenlik by die naaste polisiebeampte of vrydereger, of by die magistraat van die betrokke distrik of die naturellekommissaris van die betrokke reserve of gebied, anmeld.

#### HOOFOSTUK IV.

##### ALLERLEI.

17. (1) Wanneer 'n magistraat, naturellekommissaris, vrydereger, bosbeampte, polisiebeampte of die beklaer van enige ander ampt deur die Administrateur in die regulasies, algemeen of bepaald vir die doel aangevys, op redelike gronde vermoed dat 'n bosprodukt aanwesig is of afkomstig uit of onderweg vanaf 'n kroon- of private bos wedergetreklik verwryder is, of gaan word, ky daarby bosprodukt in beslag neem en aanhou totdat ondersoek ingestel is. Geen eis om skadevergoeding kan weens so 'n buslagnagting of aanhouding ingestel word nie.

(2) 'n Beampte genoem in sub-artikel (1) kan iemand wat in besit van bosprodukte gevind word, sonder lasbrief in hegtenis neem, tensy so iemand nie 'n lisenzie, permit of ander dokument toon, wat die verwydering magtig, of 'n bevrifdinge verklaring gee van die wyse waarop genoemde bosprodukte in sy besit gekom het. Indien iemand wat aldus in hegtenis geneem is, nie gekom het, indien iemand wat aldus in hegtenis geneem is, nie gekom het, indien iemand wat aldus gevorder word, is hy aan 'n misdryf skuldig.

18. (1) Elke beampte genoem in sub-artikel (1) van artikel sewentien kan op alle redelike tye van enigkies dan vertoon voorval van 'n lisenzie, permit of ander magtiging wat hy ingevolge hierdie Ordonmanse of die regulasies moet besit, en iemand wat in gebreke bly om bedoelde lisenzie, permit of magtiging te toon wanneer dit aldus gevorder word, is aan 'n misdryf skuldig.

(2) Elke bosbeampte het in, of in verband met, kroon- of private bosse of in verband met 'n oortreding, poging tot oortreding of verdakte oortreding ingevolge hierdie Ordonmanse of die regulasies daarteenvolg uitgevarendig, al die bevoegdhede waarmee polisiebeamptes deur die wet beklee is.

(3) Elke bosbeampte kan, benewens die bevoegdhede hom by sub-artikel (2) verleen, enle enkele polisiebeampte kan—

(a) sonder lasbrief iemand in hegtenis neem wat redelikerwyse verdag is van medepligtigheid by—

(i) enige oortreding genoem in sub-artikel (3) of (6) van artikel agt-en-twintig; of

(ii) enige ander oortreding ingevolge hierdie Ordonmanse of die regulasies, indien sodanige beampte rede het om te vermoe dat so iemand nie op 'n dagvaarding sal verskyn nie;

- (b) seize any forest produce found anywhere in respect of which he has reason to believe that an offence against this Ordinance or the regulations has been committed;
- (c) seize any weapon, tool, implement, vehicle, animal or any other thing which such officer has reason to believe has been used in the commission of any such offence.

19. Any seizure under section seventeen or section eighteen shall forthwith be reported to the magistrate of the district or to the native commissioner of the native reserve or territory in which such seizure was made, and that magistrate or commissioner, as the case may be, may make such order regarding the further retention or disposal of the seized articles as may appear to him from the facts reported to be just or expedient.

20. (1) Whenever upon the hearing of any charge under this Ordinance or the regulations or any other law, the court finds as a fact that forest produce has been unlawfully removed from a Crown forest or a private forest, it may, in addition to the powers conferred upon it by section three hundred and twenty-eight and sub-section (2) of section three hundred and thirty-one of the Criminal Procedure and Evidence Proclamation, 1935 (No. 30 of 1935), order that the same be returned by the person in possession thereof or that damages in respect thereof to an amount fixed by the court, be paid by the accused to the owner. Every such order may be enforced in the same manner as judgements of such court in civil actions are enforced.

(2) The provisions of sub-section (1) relating to damages shall apply in respect of any unlawful cutting of or injury to forest produce, or any damage wilfully or negligently caused by fire to forest produce.

21. (1) Whenever in any proceedings under this Ordinance or the regulations the question arises whether any forest produce is the property of the Administration whether any such produce is the property of the owner of a particular private forest, it shall be presumed to be the property of the Administration or of the owner of that private forest, as the case may be, unless the contrary is proved.

(2) Any person charged with doing an act for which by this Ordinance or the regulations a licence, permit or other authority is required, shall be deemed to be without such licence, permit or authority unless he produce the same to the court or give other satisfactory proof of possessing the same.

22. Notwithstanding the provisions of any other law whenever in any proceedings under this Ordinance or at common law the question of negligence in respect of the spreading of any veld or forest fire or the causing of damage or injury by such fire arises, it shall be presumed that such fire spread or that such damage or injury was caused through negligence until the contrary is proved.

23. The court by which any fine is imposed for an offence against this Ordinance or the regulations, may order that a sum not exceeding one-half of any fine recovered be paid to any person, not being an officer of the public service, upon whose information the conviction for such offence had been obtained or who had materially assisted in bringing the convicted person or persons to justice.

24. All trees growing or planted within the road reserve of any public road shall be under the control of the Administrator, whether or not moneys have been contributed out of public revenues to the planting or tending of such trees, and no person shall cut down, trim, damage or remove any such tree, except upon the authority of a permit generally or specifically issued by the Administration to such person; Provided that this prohibition shall not apply in respect of roadside trees within the limits of the surveyed areas of any town or village.

25. Notwithstanding the provisions of any other law, no rights of cutting, trimming or removing trees or underwood on any land or of entry upon any Crown forest land for the purposes of the Post Office Administration Proclamation, 1931 (No. 15 of 1931), the Roads and Outposts Ordinance, 1937 (No. 7 of 1937), including any amendments to the above-mentioned laws, or the South African Railways and Harbours Administration, shall be exercised without prior consultation with the officer having jurisdiction over such Crown forest land or with the owner, as the case may be; Provided that where communication is interfered with or immediately endangered by trees or underwood, the authority concerned may take such steps as are actually necessary for the removal of the interference or of the immediate danger without consultation as aforesaid; Provided further that the authority concerned shall take all reasonable care to prevent any undue damage or loss and that any trimming of trees shall be effected in a skilful and workmanlike manner.

26. Every police officer and every forest officer, except a forest officer specially appointed in respect of any private forest, shall at all reasonable times for the execution of his duties have free access to any private land on which trees or forest produce grow or exist.

- (b) beslag lê op enige bosprodukte, waar ook al aangetref, ten opsigte waarvan sodanige beimppte rede het om te vermoed dat in oortreding van hierdie Ordonnansie of die regulasies beginne is;
- (c) beslag lê op 'n wapen, werktyd, instrument, voertier, dier of ander voorwerp, wat na bedoelde beimppte rede het om te vermoed, by sodanige oortreding gebruik is.

19. Beslaglegging ingevolge artikel *seventeen* of artikel *eighteen* moe onvervuld aangemeeld word by die magistraat van die distrik of die natuurrekommisaris van die natuurereserve of gebied waarin sodanige beslaglegging goetoe is, en daardie magistraat of kommissaris, al na gelang, kan ten aansien van die verdere aanhouding van, of die beskikking oor die insbeslaggenome voorwerpe, 'n bevel uitvaardig wat hy, na die feite aan hom voorgelê, hieltlik of raadsaam ag.

20. (1) Wanneer die hof by die verhoor van 'n aanklaag ingevolge hierdie Ordonnansie of die regulasies van enige ander wet, bevind dat bosprodukte van 'n kroon- of private bos, inderdaad wederrechtelik verwryver is, kan hy, beweens die bevoegdheid hem verleent by artikel *driehonderd agt-en-trentig* en sub-artikel (2) van artikel *driehonderd enenventig* van die Krimiale Procedure en Beveiliging Proklamasie 1935 (Proklamasie 30 van 1935) gelas dat die persoon in hest daarvan die terhegsel of dat ten opsigte daarvan skadevergoeding teen 'n bedrag deur die Hof bepaal deur die beskuldige aan die elener betaal word. Elke sodanige bevel kan ten uitvoer geld word op dieselfde wyse as 'n vonnis van daardie hof in siestede geding.

(2) Die bepalings van sub-artikel (1) betreffende skadevergoeding is van toepassing ten opsigte van wederrechtelike kapting of beschadiging van bosprodukte, of brandskade wat opsetlik of deur maligheid aan bosprodukte in 'n bos veroorskak word.

21. (1) Wanneer in 'n regsgeding ingevolge hierdie Ordonnansie of die regulasies die vraag ontstaan of bosprodukte die eiendom van die Administrasie is, of dit die eiendom is van die elener van 'n bepaalde private bos, word dit gehou vir die eiendom van die Administrasie, of van die elener, na gelang van dié geval, tensy die teendeel bewys word.

(2) Iemand wat aangekla word weens 'n handeling vir die verrigting waarvan daar by hierdie Ordonnansie of die regulasies 'n lisensie, permit of ander magtiging vereis word, word geag nie so 'n lisensie, permit of magtiging te besit nie, tensy hy dit deur die hof toon of ander bevrugtende bewys lewer dat hy dit best.

22. Ondanks die bepalings van enige ander wet, word daar, wanneer in 'n geling ingevolge hierdie Ordonnansie of die gemener die vraag van maligheid in verband met die verspreiding van 'n veld- of bosbrand of die versprekking van skade of letsel deur sodanige brand, ontstaan, veronderstel dat sodanige brand versprek het, of dat sodanige skade of letsel veroorsaak is, deur maligheid, tensy die teendeel bewys word.

23. Die hof wat 'n hooie weens in oortreding van hierdie Ordonnansie of die regulasies ople, kan gelas dat hoogsens 'n heldie van die verblinde boete betaal moet word aan iemand, — wat nie 'n amptenaar in die staatsdiens is nie — wat die infilting verstrek het waarop die veroordeling weens daardie oortreding verky is, of wat wesentlik daartoe bygedra het om die oortreding(s) voor die geregt te bring.

24. Elke boom wat binne die padreservé van 'n openbare pad groei of geplant is, is onder die beheer van die Administrasie, tensy geldie om die boom te plant en op te pas nie openbare inkomste bygedra is, al dan nie, en niemand mag so 'n boom afkap, snoei, beskadig of verwryver nie, behalwe op gesag van 'n permit, algemeen of spesial, deur die Administrasie aan hom uitgereik. Met dien verstande dat hierdie verbod nie geld vir bome langs paasse op grond binne die grense van die oopgevante erwe is van storp of dorp me.

25. Nieteestaande die bepalings van enige ander wet, word geen reg om home of kreupelhout op 'n stuk grond af te kap, te snoei of te verwryver, of kroonbosgrond te betree vir die doeleindes van die Postadministrasie-Proklamasie 1931 (No. 15 van 1931), die Ordonnansie op Paase en Uitspanplekke 1937 (No. 7 van 1937), en luuk wysisings, of die Administrasie van die Suid-Afrikaanse Spoorweë en Havens, sonder voorafgaande raadpleging met die beimppte wat rugbevoegheid oor sodanige kroonbosgrond het of met die elener, na gelang van die geval, uitgeef nie. Met dien verstande dat wanneer verbinding deur home of kreupelhout onderbrek of in onmiddellike gevare gestel word, die betrokke overheid sonder bedoelde raadpleging die maatreels kan neem wat werkelik nodig is om die onderbreking of onmiddellike gevare te verwryver. Met dien verstande voorts dat die betrokke overheid alle relike voorsigt moet treffen om oorrigtige skade of verlies te verhinder, en dat enige besnoeiing van home op 'n bekwaam en deuglike wyse gedoen word.

26. Elk politiebeimppte en elke bosbeimppte, behalwe 'n bosbeimppte wat spesial ten opsigte van 'n private bos aangestel is, het te alle redelike tye en ter uitvoering van sy pligte onbelemmerde toegang tot enige private grond waarop daar home of bosprodukte groei of bestaan.

## CHAPTER V.

## REGULATIONS AND PENALTIES.

27. (1) The Administrator may make regulations, not inconsistent with the provisions of this Ordinance, as to—

## (a) in respect of Crown forests or private forests—

- (i) the sale or disposal of trees, wood or other forest produce and the felling, working and removing thereof;
- (ii) the granting of leases, the issue of licences or permits and the procedure in connection therewith or with the sale or disposal of forest produce, and, where alternative procedures are prescribed, delegating to an officer designated by him the power to determine which procedure shall in any particular case be followed;
- (iii) the manner in which trees, wood or other forest produce sold shall be disposed of, manufactured or processed and the manner in which any products derived therefrom shall be marketed, sold or otherwise disposed of;
- (iv) the establishment and management of sawmills and other plants and appurtenances thereto for sawing, manufacturing or processing wood or other forest produce;

## (b) in respect of Crown forests—

- (i) the grazing of animals on Crown forest land, and the manner in which pastureage shall be used;
- (ii) the clearing, breaking up or cultivating of land;
- (iii) the use of land for mill, factory or shop sites or for residence or camping purposes;
- (iv) hunting or fishing, subject to the laws relating to the preservation of game, birds or fish;
- (v) the framing of tariffs, which may vary according to circumstances and in a manner determined by an officer specified in the regulations for the disposal of forest produce, or the use and occupation of land for specific purposes or the use and occupation of buildings;
- (vi) the issuing of licences or permits;
- (vii) entry to Crown forest land, subject to the rights of the travelling public;
- (viii) impounding of stock from Crown forest land, subject to the laws relating thereto;
- (ix) delegating to an officer specified in the regulations the power to regulate or prescribe the conditions attached to the sale or disposal of forest produce and to the use of Crown forest land for any purpose mentioned in this Ordinance;

## (c) in general—

- (i) the application and administration of the Ordinance in particular circumstances, or for different districts or defined areas;
- (ii) the combating of any fungus or bacteria disease, insect or parasite pest affecting any kind of timber tree or any timber on any land or in any ship, vessel, vehicle, aircraft, building, depot or place for storing, stacking, seasoning or working of timber, or preventing the introduction or spread of any such disease or pest;
- (iii) the importation or exportation or removal from any one place to another or the purchase or sale of trees of any kind or portions or products thereof (other than of cultivated fruit trees), including timber.

(2) Any regulations made under sub-paragraph (iii) of paragraph (a) of subsection (1) may—

- (a) provide for the inspection of any such trees, timber or forest produce by any officer designated generally or specifically for the purpose by the Administrator and on such terms and conditions as the Administrator may determine;
- (b) prescribe the dimensions and the methods of seasoning of any such timber, and the grades, standards of quality, or the manner of grading, packing or marking of any such forest produce, in accordance with which such timber or forest produce may be sawn, manufactured or processed for trade purposes or purchased or sold or imported or exported;
- (c) prohibit the use for trade purposes, sale, removal from any place to another, or the exportation and importation of any such timber which is not of the prescribed dimensions or has not been seasoned in the prescribed manner or any such forest produce which is not of the prescribed grade or standard of quality or has not been graded, packed or marked in the prescribed manner;

## HOOFSTUK V.

## REGULASIES EN STRAFBEPALINGS.

27. (1) Tensy onbestaanbaar met die bepaling van hierdie Ordonansijs, kan die Administrateur regulasies uitvaardig—

## (a) ten opsigte van kroonbosse of private bosse, oor—

- (i) die verkoop van die hand sit van bosse, hout of ander bosproukte en die kap, bewerking en verwydering daarvan;
- (ii) die verlening van huurregte, die uitreiking van lisensies of permitte, en die prosedure in verband daartoe, en met die verkoop van die hand sit van bosproukte, en waer alternatiewe prosedure voorgeskryf word, die oordrag aan 'n bepaalde wat deur hom aangewys word, van die bevoegdheid om die prosedure te bepaal wat in 'n besondere gevvolg moet word;
- (iii) die wyse waarop beskik moet word oor hout of ander bosproukte wat verkoop is, of waarop dit verwardig of verwerk moet word, en die wyse waarop produkte wat daarvan verryk is, bemerk, verkoop of andersins oor beskik moet word;
- (iv) die oprigting en bestuur van saagmense en ander inrigtings net hul toeberekte hout of ander bosproukte saag, te vervaardig of te verwerk;

## (b) ten opsigte van kroonbosse, oor—

- (i) die weiding van diere op kroonbosgrond en die wyse waarop weidveld gebruik moet word;
- (ii) die ontbossing, ombraak of debouwing van grond;
- (iii) die gebruik van grond vir meule-, fabrieks-, of winkelteerreine of vir woon- en kampeerdeelende;
- (iv) jag of visvang met inagneming van die wette op die beskerming van wild, voëls of vis;
- (v) die opstel van tarieue wat kan awissel na onstandighede en op 'n wyse bepaal deur 'n bepaalde in die regulasies aangewys vir die afset van bosproukte of die gebruik en besetting van grond vir bepaalde doelendeis of die gebruik en bewoning van geboue;
- (vi) die uitreiking van lisensies of permitte;
- (vii) die toegang tot kroonbosgrond, met inagneming van die regte van die reisende publiek;
- (viii) die skuif van vec uit kroonbosgrond met inagneming van die wiele daarop;
- (ix) die oordrag aan 'n bepaalde wat in die regulasies genoem word, van die bevoegdheid om die voorwaarde te reel of voor te skryf verbondne aan die verkoop van, of die beskikking oor, bosproukte en aan die gebruik van kroonbosgrond vir enige doel wat in hierdie Ordonansijs genoem word;

## (c) in die algemeen oor—

- (i) die toepassing en bestuur van die Ordonansijs in besondere onstandighede, of ten opsigte van verskillende distrikte of onskreve gebiede;
- (ii) die bestryding van swaans- of bakteriesiektes, inseks- of parasietsiektes wat enige timmerhoutboomsoort of enige timmerhout op of in enige grond, skip-hout, voertuig, vliegtug, gebou, depot of plek waar timmerhout gehêre, opgestapel, dromsgemaak of verwerk word, gantas of die voorhouding van so'n siekte of pes, of van sy verspreiding;
- (iii) die invoer of uitvoer of die verwydering van een plek na 'n ander of die aankoop of verkoop van enige boomsoort of deel of produktie daarvan (uit enige boomsoort of deel of produktie daarvan), met gesonderr die van aangeplante vrugtebome), met inbegrip van timmerhout.

(2) 'n Regulasie uitgevaardig ingevolge sub-paragraaf (iii) van paraagraaf (a) van sub-artikel (1) kan—

- (a) voorseeing maak vir die inspeksie van bodelde bome, timmerhout of bosproukte deur 'n bepaalde wat die Administrateur algemeen of spesifiek vir die doel aanwy, en onderhevig aan die voorwaarde en bepaling wat die Administrateur stel;
- (b) die afmetings en die metodies van droging van daardie timmerhout, en die grade, standaarde van gehalte, of die wyse van gradering, verpakking of merk van daardie bosproukte spesifieke, waarengens daardie timmerhout of bosproukte vir die handel gesag, verwardig of verwerk, of aangekoop of verkoop, of ingevoer mag word;
- (c) die gebruik vir handelsdoeleindes, verkoop, verwydering van en plek na 'n ander, of die uitvoer of invoer van sodanige timmerhout wat nie die voorgeskrywe afmetings het nie, of nie op die voorgeskrywe wyse gedring nie, of van daardie bosproukte wat nie van die voorgeskrywe grond of gehalte of op die voorgeskrywe wyse gegradeer, verpak of geneem is nie, balet;

(d) prescribe and define the trade name or description whereby any such timber or any product derived therefrom shall be known or described and under which it shall be imported or exported or sold or otherwise disposed of and prohibit the use of any other trade name or description in respect thereof.

(3) Penalties may be prescribed for the contravention of any regulations made under this section or for a failure to comply therewith, but no such penalties shall exceed those mentioned in section twenty-eight.

28. (1) Any person who commits any offence specified in this section shall be liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(2) Any person guilty of an offence against this Ordinance or any regulation made thereunder shall, where no penalty is expressly provided for the offence, be liable on conviction to the penalties specified in sub-section (1).

(3) No person shall in or on a Crown or private forest, without authority—

- (a) cut, injure, destroy, collect, take or remove any tree, timber or other forest produce; or
- (b) injure, alter, shift or remove or interfere with any beacon, boundary mark, fence or any notice or notice board; or
- (c) enter any part where entry is by notice prohibited, or climb through or over any fence or gate; or
- (d) smoke where smoking is by notice prohibited or negligently light or throw down any burning match or other burning material; or
- (e) light or assist in lighting or use, rekindle or add fuel to any fire.

(4) No person shall in or on a Crown forest, without authority—

- (a) clear, break up or cultivate land; or
- (b) in any manner hunt, destroy or attempt to hunt or destroy game, birds or other animals, or fish for or destroy or attempt to fish for or destroy fish or enter with dog or gun; or
- (c) rob or attempt to rob any beehive or disturb or remove any swarm of bees;
- (d) contravene any condition upon which a licence or permit to cultivate, occupy, work or graze animals, has been issued or upon which any wood or other forest produce has been sold or otherwise disposed of.

(5) No person shall—

- (a) contravene or fail to comply with—
  - (i) any condition or regulation stated or referred to in any licence, permit or other authority issued in terms of the provisions of this Ordinance; or
  - (ii) any regulation made thereunder;
- (b) alter, obliterate or deface any stamp, mark or sign placed upon timber or other forest produce or any licence, pass or permit issued by or on the authority of the Administrator;
- (c) make upon or affix to any forest produce a mark used to indicate that such forest produce may be lawfully cut or removed.

(6) No person shall in the open air on any land leave unattended a fire which he, with or without authority, has lighted or assisted in lighting or used or rekindled or to which he has added fuel, before such fire is thoroughly extinguished.

(7) No person shall in the open air on any land with or without authority, either personally or through his servant or agent, light or assist in lighting or use, rekindle or add fuel to any fire which through his negligence, spreads or causes damage or injury.

29. This Ordinance shall be called the Preservation of Trees and Forests Ordinance, 1951, and shall come into force on a date to be fixed by the Administrator by proclamation in the Gazette.

(d) die handelsnaam of -beskrywing voorstel of omstryk waarby daardie timmerhout of die produkte daaruit verkey, bekend sal staan of beskryf moet word, en waaronder dié ingevloed of uitgeoefen, verkoop of andersins van die hand gesit moet word, en die gebruik van 'n ander handelsnaam of -beskrywing ten opsigte daarvan belet.

(3) Strawwe kan voorgeskryf word vir die oortreding van die regulasies wat ingevolge hierdie artikel uitgevaardig word, of vir verontgaansaming daarvan, maar geen sodanige straf mag dié genoem in artikel agt-en-twintig te boewe gaan nie.

28. (1) Enigiemand wat 'n oortreding begaan war in hierdie artikel genoem word, is skuldig aan 'n misdryf en hy versordeg strafbaar vir 'n boete van honderd eenhonderd pond of gevaugestraf vir 'n tydperk van honderd ses maande of met beide daartlike boete en gevangeenisstraf.

(2) Enigiemand wat skuldig is aan 'n oortreding van hierdie Ordoniensie of 'n regulasie daarlangsgevolg uitgevaardig is, waar geen straf uitdruklik daarvoor bepaal is nie, by veroordeling onderhewig aang die strawwe wat in sub-artikel (1) genoem word.

(3) Niemand mag sonder magtiging in of op 'n kroon- of private bos—

- (a) 'n boom, timmerhout of ander bosprodukte kap, beskadig, vernietig, versamel, neem of verwyder nie; of
- (b) 'n baken, grensnerk, heining, of kennisgewing of kennisgewingdruk beskadig, verander, verskuif, verwyder, of hom daarmee bemoei nie; of
- (c) 'n deel betrek waaraan toegang by kennisgewing verbode is, of deur of oor 'n heining of hick klim nie; of
- (d) rook waaraan rook by kennisgewing verbode is, of op natlike wyse 'n vuurhoujie trek of 'n brandende vuurhoujie of ander brandende materiaal neergooi nie; of
- (e) 'n vuur maak of help maak of gebruik, weer aansteek of brandstof daarby voeg nie.
- (1) Niemand mag sonder magtiging in of op 'n kroonbos—
- (a) grond ontbos, onbraak of bebou nie;
- (b) op enigerlei wyse op wild, voëls of ander diere jag maak of hulle doodmaak of op hulle probeer jag maak of hulle probeer dood maak, of vis vang van doodmaak of probeer vang van doodmaak, of met 'n hond of geweer binnegaan nie; of
- (c) 'n byskorf uitstaal of probeer uitstaal of 'n swerm bye stuur of verwyder nie;
- (d) 'n voorwaarde waarop 'n lisensie of permit uitgereik is wat verhouing, bewoning of werk van veeldieling magtig, of waarvolgus hou of ander bosprodukte verkoop of andersins van die hand gesit is, oortree nie.
- (5) Niemand mag—
- (a) (i) enige voorwaarde of regulasie gestel of genoem in enige lisensie, permit of ander magtiging wat ingevalle die hepalings van hierdie Ordoniensie uitgereik is; of
- (ii) enige regulasie wat daaroor nagevaardig is, oortree of in gebreke bly on dit na te kom nie;
- (b) 'n stempel, merk of teken op timmerhout of ander bosprodukte geplaas of 'n lisensie, pass of permit deur of op gesag van die Administrateur, uitgereik, verander, vermeng, of uitwissel nie;
- (c) aan 'n bosproduk 'n merk maak of leg wat gebruik word om aan te dui dat daardie bosproduk wettig gekap of verwijder mag word nie.

(6) Niemand mag in die ope lug op enige grond met of sonder magtiging, persoonlik of middels sy bedienende of agent 'n vuur maak of help maak of gebruik of weer aansteek of brandstof daarby voeg, indien so 'n vuur deur sy nalatigheid versprei of skade of bescering veroorsaak nie.

(7) Niemand mag in die ope lug op enige grond met of sonder magtiging, persoonlik of middels sy bedienende of agent 'n vuur maak of help maak of gebruik of weer aansteek of brandstof daarby voeg, indien so 'n vuur deur sy nalatigheid versprei of skade of bescering veroorsaak nie.

28. Hierdie Ordoniensie het die Ordoniensie op die Behoud van Boue en Bosse 1951 en tree in werking op 'n datum wat deur die Administrateur by proklamasie in die *Offisiële Koerant* vasgestel word.

## FIRST SCHEDULE.

## LAWS REPEALED.

No. and Year of Law.	Short Title of Law.	Extent of Repeal.
Proclamation No. 27 of 1921.	Regulation of Grass Burning Proclamation, 1921.	The whole.
Proclamation No. 23 of 1925.	Preservation of Trees Proclamation, 1925.	The whole.
Ordinance No. 9 of 1936.	Regulation of Grass Burning Amendment Ordinance, 1936.	The whole.
Proclamation No. 13 of 1937.	Preservation of Trees Amendment Proclamation, 1937.	The whole.

## SECOND SCHEDULE.

## RESERVED TREES, PLANTS OR FOREST PRODUCE.

Botanical Names.	Common Names.	Native Names.
Acacia albida	Anaboom, weissholz	Amuc, anaheib
Acacia giraffae	Kameelbaum, -doring	Omumbonde, muheto
Acanthoscytis horrida	Nara	Omungaraha, Naras
Adansonia digitata	Baobab, affenbrotbaum	Mubuyu
Baikiaea plurijuga	Mukusi (Rhodesian Teak)	Mukusi, ohake
Boscea — all species	Witgatboom,stinkbos	Omutwedereti, hunibeib, xaobes, otyuzantoni, abahib
Burkea africana	Mucarala, wilde sering	Mucarala, musheshe
Compretum primigenium	Loodhout, hardekool	Omumborumbonga
Copaifera coleosperma	Umchibi	Miusibi, muziali
Copaifero mopane	Mopane	Omuntati
Erandrophragma angense	Sapele	Mupumena, mubana
Euclea pseudoebenus	Ebbehoudboom	Omusema
Kirkia acuminata	Witsering	Muzumina, mulembalenga
Lonchocarpus — all species	Appelblaar	Opumpanda, mukolo
Olea verrucosa	Wild Olive	Kauanongwaondu
Peltophorum africanum	Huibbos	Omupara
Pterocarpus erinaceus	Dolph, kiaat	Mukwa
Rhus lancea	Karee	Oruzo
Ricinodendron rautanenii	Mungongo	Omungeti, mungongo
Sclerocarya schweinfurthiana	Marula	Omouongo, goaros
Spirostachys africana	Tamboti	Orupapa
Tamarix austro-africana	Abiqua, davib	Amunguata, dabb, motxlewa

## THIRD SCHEDULE.

## NOTICE OF INTENTION TO CLEAR A FIREBELT AND REQUEST FOR ASSISTANCE.

To ..... Address  
being the person in charge of (1) .....

Take notice in terms of section fifteen of the Preservation of Trees and Forests Ordinance, 195 (Ordinance No. of 195), that it is my intention to clear a firebelt on the boundary common to the property known as (1) ..... and the adjoining property known as (1) ..... in the Magisterial District(s)/Native Reserve(s)/Native Territory(ies) of ..... respectively.

I propose to clear the firebelt by burning/skoffeling/ploughing/raking/slashing (2) or ..... to commence the work at ..... o'clock a.m./p.m. on the ..... day of ..... , 19 ..... , or on the first suitable day thereafter.

I shall provide (Number) ..... workmen and will use the following tools, implements, appliances, etc.,

## EERSTE BYLAE.

## WETTE HERROEP.

No. en Jaar van Wet.	Kort Titel van Wet	Omvang van Herroeping
Proklamasie No. 27 van 1921.	„Regeling van Grasverbranding Proklamasie, 1921.”	Die geheel.
Proklamasie No. 23 van 1925.	„Bescherming van Bomen Proklamasie, 1925.”	Die geheel.
Ordonnansie No. 9 van 1936.	Reëling van Grasbrande Wysigingsordonnansie 1936.	Die geheel.
Proklamasie No. 13 van 1937.	Wysigingsproklamasie op Bome 1937.	Die geheel.

## TWEDE BYLAE.

## VOORBEHOUDE BOME, PLANTE OF BOSPRODUKTE.

Plantkundige Name.	Gewone Name.	Inboorlingname.
Acacia albida	Anaboom, weissholz	Amuc, anaheib
Acacia giraffae	Kameelbaum, -doring	Omumbonde, muheto
Acanthoscytis horrida	Nara	ganab
Adansonia digitata	Baobab, affenbrotbaum	Omungaraha, Naras
Baikiaea plurijuga	Mukusi (Rhodesian Teak)	Mukusi, ohake
Boscia — alle soorte	Witgatboom,stinkbos	Omutwedereti, hunibeib, xaobes, otyuzantoni, abahib
Burkea africana	Mucarala, wilde sering	Mucarala, musheshe
Compretum primigenium	Loodhout, hardekool	Omumborumbonga
Copaifera coleosperma	Umchibi	Miusibi, muziali
Copaifero mopane	Mopane	Omuntati
Erandrophragma angense	Sapele	Mupumena, mubana
Euclea pseudoebenus	Ebbehoudboom	Omusema
Kirkia acuminata	Witsering	Muzumina, mulembalenga
Lonchocarpus — alle soorte	Appelblaar	Opumpanda, mukolo
Olea verrucosa	Wild Olive	Kauanongwaondu
Peltophorum africanum	Huibbos	Omupara
Pterocarpus erinaceus	Dolph, kiaat	Mukwa
Rhus lancea	Karee	Oruzo
Ricinodendron rautanenii	Mungongo	Omungeti, mungongo
Sclerocarya schweinfurthiana	Marula	Omouongo, goaros
Spirostachys africana	Tamboti	Orupapa
Tamarix austro-africana	Abiqua, davib	Amunguata, dabb, motxlewa

## DERDE BYLAE.

## KENNISGEWING VAN VOORNEMENS OM BRANDSTROOK TE MAAK EN AANVRAAG OM HULP BY DIE MAAK DAARVAN.

Aan ..... wat toesig hou oor (1) .....

Adres .....

Neem hierby ingevolge artikel vyftien van die Ordonnansie op die Behoef van Bome en Bosse 195 (Ordonnansie No. van 195) kennis dat ek voornemens is om 'n brandstrook skoon te maak op die gemeenskaplike grens tussen die eiendom bekend as (1) ..... en die eiendom bekend as (1) ..... in die magistralistdistrik(te)/Naturellereserve(s)/Naturelliegebied(c) onder- akelelik.

Ek is voornemens om die brandstrook skoon te maak deur die gebied af te brand/te skofsel/ te ploeg/te sieraap/te kap (2) of ..... en om met die werk te begin om ..... uur v.m./n.m. op die ..... dag van ..... 19 ..... of op die eerste geskikte dag daarna.

Ek sal (getal) ..... werkslui verskaf en die onderstaande werktuie, gereedskap, toestelle, ens., gebruik:

You are requested to attend on the appointed day and time at ..... (place) on the boundary described with a like number of men and with similar outfit or to notify me in advance of your intentions in this connection.

Signature .....  
Address .....  
Date .....

- (1) State No. and/or name of property.  
(2) Delete what is inapplicable.

## FOURTH SCHEDULE.

## NOTICE OF INTENTION TO CLEAR A FIREBELT.

To ..... Address .....  
being the person in charge of (1) .....

Take notice in terms of sub-section (2) of section  *fifteen* of the Preservation of Trees and Forests Ordinance, 195..... (Ordinance No. ..... of 195.....), that it is my intention to clear a firebelt on the boundary common to the property known as (1) ..... and the adjoining property known as (1) ..... in the Magisterial District(s)/Native Reserve(s)/Native Territory(ies) of ..... respectively.

I intend to clear the firebelt by burning/skoffeling/ploughing/raking/slashing (2) or ..... , and to commence the work at ..... o'clock a.m./p.m. on the ..... day of ..... , 19....., or on the first suitable day thereafter.

I shall provide (Number) ..... of workmen and propose using the following tools, implements, appliances, etc., .....

In terms of the Proviso to the section of the Ordinance quoted you are requested to inform me of your intentions in good time, failing which the work will be proceeded with in terms of this notification.

Signature .....  
Address .....  
Date .....

- (1) State No. and/or name of property.  
(2) Delete what is inapplicable.

U word versoek om op die vasgestelde dag en tyd teenwoordig te wees by ..... (plek) op die genoemde grens met 'n gelyke getal werkslui en met soortgelyke toerusting, of my vooraf in kennis te stel van u voorname in hierdie verband.

Handtekening .....  
Adres .....  
Datum .....

- (1) Gee aan No. en/of naam van eiendom.  
(2) Skrap wat nie van toepassing is nie.

## VIERDE BYLAE.

## KENNISGEWING VAN VOORNAMENS OM BRANDSTROOK TE MAAK.

Aan ..... Adres .....  
wat toesig het oor (1) .....

Neem hierby ingevolge sub-artikel (2) van artikel ..... van die Ordonnantie op die Behoud van Bome en Bosse 195..... (Ordonnantie No. ..... van 195.....) kennis dat ek voorname is om 'n brandstrook skoon te maak op die gemeenskaplike grens tussen die eiendom bekend as (1) ..... en die eiendom bekend as (1) ..... in die magistralistrik(te)/Naturellereserve(s)/Naturellegebied(e) onder- skiedlik.

Ek is voorname om die brandstrook skoon te maak deur die gebied af te brand/te skoffel/ te ploeg/te skraap/te kap (2) of ..... uur v.m./n.m. op die ..... dag van ..... 19.....; of op die eerste geskikte dag daarna.

Ek sal (getal) ..... werkslui verskaf en die onderstaande werkuitre, gereedskap, toestelle, ens., gebruik:

Ingevolge die voorbehoulsbepaling tot die bovenoemde artikel van die Ordonnantie word versoek om my bietys in kennis te stel van u voorname. Indien u dit nie doen nie sal daar met die werk voortgegaan word, ooreenkonsig die kennisgewing.

Naamtekening .....  
Adres .....  
Datum .....

- (1) Gee aan No. en/of naam van eiendom.  
(2) Skrap wat nie van toepassing is nie.