

no later than

OFFICIAL GAZETTE

EXTRAORDINARY
OF SOUTH WEST AFRICA.



BUITENGEWONE OFFISIELLE KOERANT

UITGawe OP GESAG.

VAN SUIDWES-AFRIKA.

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WINDHOEK

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

J. NESER,
Secretary for South West Africa.
Administrator's Office,
Windhoek.

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

J. NESER,
Sekretaris van Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

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DRAFT ORDINANCE

To define and declare the situation of certain three portions of Omaruru Townlands.

WHEREAS by clause 7 of a deed entered into at Omaruru between the late Government of the Protectorate of German South West Africa and the Municipality of Omaruru, on the eighth day of September, 1911, it was agreed between the said Government and the said Municipality that the said Municipality should continue to place not less than thirty thousand hectares of the land thereby sold by the said Government to the said Municipality at the disposal of the inhabitants of the said Municipality as a commonage;

AND WHEREAS it was resolved by a vote taken at Omaruru on the first day of December, 1937, of persons whose names were registered on the voters' roll of the Municipality of Omaruru in terms of the Municipal Ordinance, 1935, that an area of approximately fifteen thousand hectares of the said land should be sold by the said Municipality for the purpose of obtaining funds for a municipal electricity undertaking;

AND WHEREAS by Proclamation No. 4 of 1938, as amended by Proclamation No. 16 of 1940, it is provided that notwithstanding the terms of the aforesaid deed the Council of the Municipality of Omaruru shall have power and authority to withdraw from public use and sell an area not exceeding sixteen thousand hectares in extent, being part of the land which the aforesaid Government sold by the said deed to the said Municipality;

AND WHEREAS in pursuance of the power and authority conferred upon the said Municipality by the said Proclamation No. 4 of 1938, as amended, the said Municipality sold certain three portions of the townlands, to wit:—

- (a) Portion 4 of Portion B of Omaruru Town and Townlands No. 85 known as OTJOHOTOZU;
- (b) Portion 5 of Portion B of Omaruru Town and Townlands No. 85 known as OKAPEKAIA; and
- (c) Portion 6 of Portion B of Omaruru Town and Townlands No. 85 known as OZOMBIMBAMBO;

AND WHEREAS uncertainty exists whether the said three portions so sold are situated within or without the municipal area of Omaruru;

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

1. The following three portions of the townlands of Omaruru shall be deemed as from the date of the sale of such three portions by the Municipality of Omaruru under and by virtue of the power and authority conferred by Proclamation No. 4 of 1938, as amended by Proclamation No. 16 of 1940, not to be situated within the municipal area of Omaruru:—

- (a) Portion 4 of Portion B of Omaruru Town and Townlands No. 85 known as OTJOMOTOZU;
- (b) Portion 5 of Portion B of Omaruru Town and Townlands No. 85 known as OKAPEKAIA; and
- (c) Portion 6 of Portion B of Omaruru Town and Townlands No. 85 known as OZOMBIMBAMBO.

2. This Ordinance shall be called the Portion of Omaruru Townlands Definition Ordinance, 1952.

ONTWERPORDONNANSIE

Ter bepaling en verklaring van die ligging van sekere drie dele van die Dorpsgrond Omaruru.

NADEMAAL die gewese Regering van die Protektoraat Duits-Suidwes-Afrika en die Munisipaliteit Omaruru, by paraaf 7 van 'n Akte gesluit tussen die genoemde Regering en die genoemde Munisipaliteit op Omaruru op die agste dag van September 1911, ooreengekome het dat die genoemde Munisipaliteit minstens dertigduisend hektar van die grond wat die genoemde Regering by daardie Akte aan die genoemde Munisipaliteit verkoop het, aan die inwoners van die genoemde Munisipaliteit as dorpsgrond sal bly beskikbaar stel;

EN NADEMAAL persone wie se name ooreenkomsig Municipale Ordonnansie 1935 op die stemlys van die Munisipaliteit Omaruru geregister is, op die eerste dag van Desember 1937 per stemming op Omaruru besluit het dat die genoemde Munisipaliteit 'n stuk van die genoemde grond, groot ongeveer vyftienduisend hektaar, ter verkrywing van middels vir 'n munisipale elektrisiteitsonderneming moet verkoop;

EN NADEMAAL daar by Proklamasie 4 van 1938, soos gewysig per Proklamasie 16 van 1940, voorsiening gemaak is dat die Raad van die Munisipaliteit Omaruru nie teenstaande die bedinge van die genoemde Akte die mag en volmag het om 'n stuk grond, groot hoogstens sesdienduisend hektaar, synde deel van die grond wat die genoemde Regering by die genoemde Akte aan die genoemde Munisipaliteit verkoop het, van publieke gebruik af te sonder en te verkoop;

EN NADEMAAL die genoemde Munisipaliteit ingevolge die mag en volmag wat hom by die genoemde Proklamasie 4 van 1938, soos gewysig, verleen is, sekere drie dele van die Dorpsgrond verkoop het, naamlik:—

- (a) Deel 4 van Deel B van Omaruru-dorp en -dorpsgrond 85, wat heet OTJOHOTOZU;
- (b) Deel 5 van Deel B van Omaruru-dorp en -dorpsgrond 85, wat heet OKAPEKAIA; en
- (c) Deel 6 van Deel B van Omaruru-dorp en -dorpsgrond 85, wat heet OZOMBIMBAMBO;

EN NADEMAAL daar onsekerheid bestaan of die genoemde aldus verkoopde drie dele binne dan wel buite die munisipale gebied Omaruru geleë is;

VERORDEN die Wetgewende Vergadering van die Gebied Suidwes-Afrika:—

1. Die volgende drie dele van die dorpsgrond van Omaruru word beskou as buite die munisipale gebied Omaruru geleë, met ingang van die datum waupar die Munisipale Gebied Omaruru kragtens en ingevolge die mag en volmag hom verleent by Proklamasie 4 van 1938, soos gewysig per Proklamasie 16 van 1940, sodanige drie dele verkoop het:—

- (a) Deel 4 van Deel B van Omaruru-dorp en -dorpsgrond 85, wat heet OTJOHOTOZU;
- (b) Deel 5 van Deel B van Omaruru-dorp en -dorpsgrond 85, wat heet OKAPEKAIA; en
- (c) Deel 6 van Deel B van Omaruru-dorp en -dorpsgrond 85, wat heet OZOMBIMBAMBO.

2. Hierdie Ordonnansie heet die Bepalingsordonnansie op Deel van Omaruru-dorpsgrond 1952.

DRAFT ORDINANCE

To amend the law relating to Municipalities by making provisions for grants to sporting bodies and museums and in respect of celebrations of a national character.

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

1. Section one hundred and sixty-three of the Municipal Ordinance, 1949 (Ordinance No. 3 of 1949), is hereby amended—

(a) by the insertion after the word "libraries" where it occurs for the second time of the words "sporting bodies and museums within the area of the municipality for which such council holds office"; and

(b) by the addition of the following sub-section, the existing section becoming sub-section (1):—

"(2) The council may, subject to the approval of the Administrator, make grants in respect of celebrations of a national character."

2. This Ordinance shall be called the Municipal Ordinance Further Amendment Ordinance, 1952.

ONTWERPORDONNANSIE

Om die wet op munisipaliteit te wysig deur voorsering te maak vir geldelike ondersteuning aan sportverenigings en museums, en ten opsigte van feesiering van 'n volksaard.

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

1. Artikel eenhonderd drie-en-sestig van die Munisipale Ordonnansie 1949 (Ordonnansie 3 van 1949) word hierby gewysig:—

(a) deur die invoeging van die woorde „sportverenigings en museums binne die gebied van die munisipaliteit waarvoor sodanige raad optree“ na die woorde „skoolbiblioteke“; en

(b) deur die byvoeging van die volgende sub-artikel, die bestaande artikel word dan sub-artikel (1):—

"(2) Die raad kan, onderhewig aan die goedkeuring van die Administrator, geldelike ondersteuning verstrek ten opsigte van feesiering van 'n volksaard."

2. Hierdie Ordonnansie heet die Verdere Wysigings-ordonnansie op Munisipaliteit 1952.

DRAFT ORDINANCE

To amend the law relating to the receipt, custody and issue of public moneys.

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

1. Section eleven of the Finance and Audit Ordinance, 1926 (Ordinance No. 1 of 1926), as substituted by section one of the Finance and Audit Ordinance Amendments Ordinance, 1928 (Ordinance No. 3 of 1928), is hereby amended by the insertion in sub-section (6) after the word "Union" of the words "building societies or commercial bureaus".

2. This Ordinance shall be called the Finance and Audit Amendment Ordinance, 1952.

ONTWERPORDONNANSIE

Ter wysiging van die wet op die ontvang, bewaring en uitgifte van staatsgilde.

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

1. Artikel elf van die „Finansie en Ouditeer Ordonnansie 1926“ (Ordonnansie 1 van 1926), soos verwyd by artikel een van die „Finansie en Ouditeer Ordonnansie Wysigings-ordonnansie 1928“ (Ordonnansie 3 van 1928) word hierby gewysig deur die invoeging van die woorde „of by huurgeskappe of handelsbank“ na die woorde „Unie“ in sub-artikel (6).

2. Hierdie Ordonnansie heet die Wysigings-ordonnansie op Finansie en Ouditering 1952.

DRAFT ORDINANCE

To transfer a sum of money not exceeding four hundred thousand pounds from the Housing Account of the Territorial Development and Reserve Fund to the Local Authorities' Loans Account of the said Fund, and to amend the law providing for the making of loans to local authorities for public purposes.

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

1. The Administrator is hereby authorised to transfer a sum of money not exceeding the sum of four hundred and pounds during the financial year ending the thirty-first day of March, 1953, from the Housing Account of the Territorial Development and Reserve Fund, established under section two of the Territorial Development and Reserve Fund Ordinance No. 13 of 1944 to the Local Authorities' Loans Account of the said Ordinance.

2. Section two of the Local Loans Ordinance, No. 7 of 1927, is hereby amended by the addition of the following paragraph:—

"(q) the financing of housing schemes."

3. This Ordinance shall be called the Housing Schemes Loans Ordinance, 1952.

ONTWERPORDONNANSIE

Om 'n geldbedrag van hoogstens vierhonderdduisend pond vanaf die Behuisingsrekening van die Gebiedsontwikkelings- en -reservefonds oor te dra na die „Leningsrekening van Plaaslike Besture“ van die genoemde Fonds, en om die wet betreffende die toekennung vir openbare doeleindes van lenings aan plaaslike besture te wysig.

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

1. Die Administrateur word hierby genagig om gedurende die boekjaar wat op die een-en-dertigste dag van Maart 1953 eindig, 'n geldbedrag van hoogstens vierhonderd-duisend pond vanaf die Behuisingsrekening van die Gebiedsontwikkelings- en -reservefonds, gesig kragtens artikel twee van die Ordonnansie op die Gebiedsontwikkelings- en -reservefonds, 1944 (Ordonnansie 13 van 1944) oor te dra na die „Leningsrekening van Plaaslike Besture“ van die genoemde Ordonnansie.

2. Artikel twee van die „Plaaslike Lenings Ordonnansie 1927“ (Ordonnansie 7 van 1927) word hierby gewysig deur die byvoeging van die onderstaande paragraaf:—

"(q) die finansiering van behuisingskemas."

3. Hierdie Ordonnansie heet die Ordonnansie op Lenings vir Behuisingskemas 1952.

DRAFT ORDINANCE

To amend the law relating to the establishment of a Karakul Industry Advisory Board, to provide for the establishment of a fund for educational purposes in connection with the Karakul industry and for the payment of grants of money for such purposes.

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

1. In this Ordinance the expression the "principal Ordinance" means the Karakul Industry Development Ordinance, 1939 (Ordinance No. 5 of 1939).

2. The long title to the principal Ordinance is hereby amended by the insertion after the word "breeding" of the words "for the establishment of a fund for educational and development purposes in connection with the Karakul industry, for the payment of grants of money for such purposes".

3. Section two of the principal Ordinance is hereby amended by the addition before the word "All" of the words "Subject to the provisions of section three ter".

4. Section three of the principal Ordinance is hereby amended by the addition in paragraph (5) after the word "Territory" of the words "including those mentioned in section three ter".

5. By the insertion after section three of the following sections:—

"3 bis. A Karakul Industry Development Fund (hereinafter called the Fund) is hereby established consisting of an amount of 25 per cent. of the export duty paid as from the first day of April, 1952, in terms of paragraph (b) of section six of the Karakul Pelt Export Duty Amendment Proclamation, 1939 (Proclamation No. 34 of 1939), as amended, such amount to be appropriated by the Assembly from the Territory Revenue Fund.

3 ter. The board may, subject to the approval of the Administrator, make grants of money from the said Fund for the purposes of the propagation of interest in and the development and advancement of the karakul industry by means of—

(i) the education of such persons in connection with the development and advancement of the industry, including research, as the board may recommend; and

(ii) the education and instruction of the general public by means of advertising, lectures, the issue of books, pamphlets and photographs, or in any other manner that the board may deem fit."

6. Section four of the principal Ordinance is hereby amended by the insertion of the following paragraph (d), the existing paragraphs "(d)" and "(e)" becoming "(c)" and "(f)" respectively:—

"(d) in regard to such matters as are mentioned in section three ter;"

7. This Ordinance shall be called the Karakul Industry Development Amendment Ordinance, 1952.

ONTWERPORDONNANSIE

Om die wet betreffende die oprigting van 'n Adviesraad op die Karakoolnywerheid te wysig, om voorseeing te maak vir die instelling van 'n fonds vir opvoeding betreffende die karakoolnywerheid en om voorseeing te maak vir die betaling van geldtoekennings vir die doelcindes.

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

1. In hierdie Ordonnansie beteken die uitdrukking „die Hoofordonnansie“ die Ordonnansie op die Ontwikkeling van die Karakoolnywerheid 1939 (Ordonnansie 5 van 1939).

2. Die lang titel van die Hoofordonnansie word hierby gewysig deur die byvoeging na die woord „Karakoelteel“ van die woord „die instelling van 'n fonds vir opvoedings-en ontwikkelingsdoelcindes betreffende die karakoolnywerheid, vir die betaling van geldtoelaes vir genoemde doelcindes.“.

3. Artikel twee van die Hoofordonnansie word hierby gewysig deur die byvoeging na die woord „moet“ van die woorde „Onderhewig aan die bepalingen van artikel drie ter“.

4. Artikel drie van die Hoofordonnansie word hierby gewysig deur die byvoeging in paraagraaf (5) na die woord „Gebied“ van die woord „insluitende dié genoem in artikel drie ter“.

5. Die onderstaande artikels word na artikel drie ingevoeg:—

"3 bis. 'n Fonds vir die Ontwikkeling van die Karakoolnywerheid (hierna genoem die Fonds) word hierby ingestel, bestaande uit 'n bedrag van 25 persent van die uitvoerbelasting wat vanaf die 1ste dag van April 1952 ingevolge paraagraaf (b) van artikel ses van die Wysigingsproklamasie betreffende Uitvoerbelasting op Karakolpelse (Proklamasie 34 van 1939), soos gevysig, betaal is; die Wetgewende Vergadering moet sodanige bedrag uit die Gebiedsinkomstefonds aanwend.

3 ter. Dic raad kan onderhewig aan die goedkeuring van die Administrateur geldtoekennings uit die genoemde Fonds maak vir die doelcindes van die bevordering van belangstelling in, en ter ontwikkeling en bevordering van, die karakoolnywerheid, deur—

(i) die opvoeding van sodanige persone betreffende die ontwikkeling en bevordering van die nywerheid, insluitende navorsing, soos die raad moontlik aanbeveel; en

(ii) die opvoeding en onderwys van die groot publiek deur middel van advertensies, lesings, die uitgee van boeke, pamphlette en fotos, of deur enige ander middel wat die raad moontlik goedvind."

6. Artikel vier van die Hoofordonnansie word hierby gewysig deur die byvoeging van die onderstaande paraagraaf (d), sodat die bestaande paraagrawe „(d)“ en „(c)“ nou onderskeidelik „(c)“ en „(f)“ word:—

„(d) betreffende die aangeleenthede genoem in artikel drie ter;“

7. Hierdie Ordonnansie leet die Wysigingsordonnansie op die Ontwikkeling van die Karakoolnywerheid 1952.

DRAFT ORDINANCE

To amend the law relating to Companies.

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

1. Section *four (bis)* of the Companies Ordinance, 1928 (No. 19 of 1928) hereinafter called the Principal Ordinance, as amended, is hereby amended—

(1) by the substitution therefor of the following:—

"4 bis. No association of persons formed after the thirty-first day of December, 1943, for the purpose of carrying on business that has for its object the acquisition of gain by the association or the individual members thereof, shall be a body corporate, unless it is registered as a company under this Ordinance or is formed in pursuance of some other law."

(2) Sub-section (1) shall be deemed to have come into operation on the thirty-first day of December, 1943.

2. Section *twenty-one* of the principal Ordinance is hereby amended—

(a) by the insertion in sub-section (1), after the words "calculated to be", of the word "mainly", and after the word "incorporated" of the words "in accordance with the provisions of this section"; and

(b) by the addition at the end thereof, of the following sub-section:—

"(5) When it is proved to the satisfaction of the Administrator that the objects of a Company registered as a limited company comply with the provisions of sub-section (1) and that by its constitution the company is required to apply its profits, if any, or other income in promoting its objects and is prohibited from paying any dividend to its members, then the Administrator may by licence authorize the company to make by special resolution a change of its name including or consisting of the omission of the word "Limited"; and as from the date on which the Registrar records the registration of such special resolution passed pursuant to such licence, the company shall be deemed to be an association licensed under this section."

3. Section *twenty-two* of the principal Ordinance is hereby amended—

(a) by the addition at the end of sub-section (2) of the following proviso:—

"Provided that if at any time all the issued shares in a company, or all the issued shares therein of a particular class, are fully paid up and rank *pari passu* for all purposes, none of those shares need hereafter have a distinguishing number so long as it remains fully paid up and ranks *pari passu* for all purposes with all shares of the same class for the time being issued and fully paid up."

(b) by the addition at the end of the section of the following sub-section:—

"(3) Where shares are not distinguished by appropriate numbers, the certificates of such shares shall be so distinguished, and upon the registration of transfer of any such shares the certificate relating thereto shall, in addition to the distinguishing number, bear on its face such an endorsement, in the form of a reference number or otherwise, as will enable the immediately preceding holder of shares to be identified."

4. Section *twenty-five* of the principal Ordinance is hereby amended by the insertion in paragraph (a) of sub-section (1) after the word "number" of the words "so long as the share has a number".

ONTWERPORDONNANSIE

Om die wet betreffende Maatskappye te wysig.

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

1. Artikel *vier (bis)* van die Ordonnansie op Maatskappye, 1928 (Ordonnansie 19 van 1928), soos gewysig, hiera genoem die Hoofordonnansie, word hierby gewysig—

(1) deur dit te vervang met die volgende:—

"4 bis. Geen vereniging van persone, gestig na die een-en-dertigste dag van Desember 1943, met die doel om 'n besigheid te dryf wat winsbejag deur die vereniging of deur die enkele lede daarvan beoog, is 'n regspersoon nie, tensy dit as 'n Maatskappy ingevolge hierdie Ordonnansie geregistreer is, of gestig word ingevolge 'n ander wet."

(2) Sub-artikel (1) word geag op die een-en-dertigste dag van Desember 1943 in werking te getree het.

2. Artikel *een-en-twintig* van die Hoofordonnansie word hierby gewysig—

(a) deur in sub-artikel (1) na die woorde „bereken is om“ die woorde „hoofsaklik“, en na die woorde „daardie vereniging“ die woorde „oorenkomsdig die bepalings van hierdie artikel“ in te voeg; en

(b) deur die volgende sub-artikel aan die end daarvan by te voeg:—

"(5) Wanneer die Administrateur duurvan oortuig is dat die doelstellings van 'n maatskappy wat as 'n beperkte maatskappy geregistreer is, aan die bepalings van sub-artikel (1) voldoen, en dat die maatskappy volgens sy konstitusie verplig is om sy moontlike winst, of ander inkomste aan te wend om sy doelstellings te bevorder, en belet is om dividende aan sy lede te betaal, dan kan die Administrateur per verlofsbrief magtiging aan die maatskappy verleen oom by spesiale besluit 'n verandering in sy naam aau te bring, insluitende bestaande uit die weglating van die woorde „Beperk“; en met ingang van die datum waarop die Registrateur die registrasie van so 'n spesiale besluit wat uit hoofde van so 'n verlofsbrief geneem is, aangeteken het, word die maatskappy beskou as 'n vereniging na wie die verlofsbrief ingevolge hierdie artikel verleen is."

3. Artikel *twee-en-twintig* van die Hoofordonnansie word hierby gewysig—

(a) deur aan die end van sub-artikel (2) die volgende voorbehoudsbepaling by te voeg:—

"Met dien verstande dat as al die uitgegewe aandele in 'n maatskappy, of al die uitgegewe aandele daarvan van 'n besondere klas te eniger tyd ten volle opbetaal is en vir alle doelindes *pari passu* in aanmerking kom, geen van bedoelde aandele daarna 'n onderskeidingsnommer hoeft te dra nie, solank dit ten volle opbetaal bly en vir alle doelindes *pari passu* in aanmerking kom met alle aandele van dieselfde klas as dan uitgegee en ten volle opbetaal."

(b) deur aan die end van die artikel die volgende sub-artikel by te voeg:—

"(3) As aandele nie deur paslike nommers onderskei word nie, moet die sertifikate van sulke aandele aldus onderskei word, en by die registrasie van oordrag van sulke aandele moet die sertifikaat wat daarop betrekking het, benevens die onderskeidingsnommer, op sy voorcant 'n endossement dra, by wyse van 'n verwysingsnummer of andersins, wat dit moontlik sal maak om die onmiddellik voorafgaande houer van die aandele te identifiseer."

4. Artikel *vyf-en-twintig* van die Hoofordonnansie word hierby gewysig deur in paraagraaf (b) van sub-artikel (1) na die woorde „nommer“ die woorde „solank die aandele 'n nummer het“ in te voeg.

5. Section *thirty-six* of the principal Ordinance is hereby amended by the insertion in paragraph (b) of sub-section (5) after the word "number" of the words "so long as the share has a number".

6. Table A of the First Schedule of the principal Ordinance is hereby amended—

(a) by the substitution in regulation 8 for all the words after the word "prescribe" of the following words:—

"If any shares are numbered all such shares shall be numbered in numerical progression beginning with the number one, and each share shall be distinguished by its appropriate number, and if any shares are not numbered all share certificates in respect of such shares be numbered in numerical progression and each share certificate distinguished by its appropriate number and by such endorsement as may be required under sub-section (3) of section *twenty-two* of the Companies Ordinance, 1928."

(b) by the substitution in regulation 22 for the word "numbered" of the words "specified below".

7. No provision in the articles of a company registered before the commencement of this Ordinance, requiring shares in that company to be numbered shall be construed as imposing on that company an obligation to cause to be numbered any such shares as in terms of the proviso to sub-section (2) of section *twenty-two* of the principal Ordinance do not need to have distinguishing numbers.

8. This Ordinance shall be called the Companies Amendment Ordinance, 1952.

DRAFT ORDINANCE

To amend the law relating to municipalities.

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

1. Section *one hundred and seventy-five* of the Municipal Ordinance, 1949 (Ordinance No. 3 of 1949) is hereby amended by the repeal of paragraph (b) of sub-section (1) and the substitution therefor of the following paragraph:—

"(b) Any building or site the property of the Administration; Provided that the Administrator shall, in respect of any such building or site, contribute to the funds of the municipality in which the said building or site is situated a sum equal to ninety per cent. of the rates assessed on such building or site of such building, when occupied as a dwelling, and may contribute one-half of the rates assessed on any building or site which is used for public purposes; For the purposes of this paragraph "site" shall mean the ground upon which a building or other permanent erection actually stands and any other ground actually occupied for the purpose of such building or other erection, but shall not include ground contiguous thereto but not actually so occupied."

2. (1) All payments made by the Administration prior to the commencement of this Ordinance in respect of rates assessed on buildings or sites, the property of the Administration, whether occupied as dwellings or used for public purposes, shall be deemed to have been validly and properly made in accordance with the provisions of any law relating to municipalities providing for such payments, and for the time being in force when such payments were made.

(2) For the purposes of sub-section (1) "site" shall bear the meaning assigned to it in paragraph (b) of sub-section (1) of section *one hundred and seventy-five* of the Municipal Ordinance, 1949 (Ordinance No. 3 of 1949).

3. This Ordinance shall be called the Municipal Ordinance Further Amendment Ordinance, 1952.

5. Artikel *ses-en-dertig* van die Hoofordonnansie word hierby gewysig deur in paragraaf (b) van sub-artikel word na die woord „nommer“ die woorde „solank die aandeel 'n nommer het“ in te voeg.

6. Tabel A van die Eerste Bylae by die Hoofordonnansie word hierby gewysig—

(a) deur in regulasie 8 al die woorde na die woord „vasselt“ met die volgende woorde te vervang:—
„As enige aandeel genommer is, moet al daardie aandeel in numeriese volgorde, beginnende met die nommer een, genommer en elke aandeel met sy gepaste nommer onderskei word; en as enige aandeel nie genommer is nie, moet alle aandeel sertifikate ten opsigte van daardie aandeel in numeriese volgorde genommer en elke aandeel sertifikaat onderskei word deur sy gepaste nommer en deur sodanige endossement soos ingevolge sub artikel (3) van artikel *twee-en-twintig* van die Maatskappyordonnansie, 1928, vereis word.“

(b) deur in regulasie 22 die woorde „genommer in die onderneming“ met die woorde „hierondervermelde in die onderneming“ te vervang.

7. Geen bepaling in die statute van 'n maatskappy voor die inwerkingtreding van hierdie Ordonnansie geregtree wat vereis dat aandeel in daardie maatskappy genommer moet word, word so uitgele dat dit aan bedoelde maatskappy 'n verpligting ople om enige aandeel te hanteer wat ingevolge die voorbehoudsbeperking by sub artikel (2) van artikel *twee-en-twintig* van die Hoofordonnansie nie onderskeidingsnummers hoeft te hê nie.

8. Hierdie Ordonnansie heet die Maatskappypwysigingsordonnansie, 1952.

ONTWERPORDONNANSIE

Ter wysiging van die wet op munisipaliteit.

Die Wetgewende Vergadering van die Gebied Suidwest-Afrika VERORDEN:—

1. Artikel *eenhonderd vyf-en-sewentig* van die Municipale Ordonnansie 1949 (Ordonnansie 3 van 1949) word hierby gewysig deur paragraaf (b) van sub-artikel (1) te herroep, en 'n te vervang met die onderstaande nuwe paragraaf:—

„(b) Elke gebou of perseel wat aan die Administrasie behoort: Met dien verstande dat waar enige sodanige gebou of perseel as woning beset word, die Administrasie 'n bedrag gelyk aan negentig persent van die aangeslange belasting ten opsigte daarvan moet hydra tot die fondse van die munisipaliteit waarin die gebou of perseel geleë is; en dat waar die gebou of perseel vir openbare doeleindes gebruik word, die Administrasie die helfte van die aangeslange belasting kan hydra. By die toepassing van hierdie paragraaf beteken „perseel“ die grond waarop 'n gebou of ander blywende inrigting werklik staan, sowel as enige ander grond wat werklik vir die doeleindes van sodanige gebou of ander inrigting beset word, maar sluit dit aangrensende grond uit wat nie werklik aldus beset word nie.“

2. (1) Elke betaling wat die Administrasie voor die inwerkingtreding van hierdie Ordonnansie gedoen het ten opsigte van belastings aangeslaan op geboue of persele wat aan die Administrasie behoort, hetby beset as wonings of gebruik vir openbare doeleindes, word gehou vir wetting en behoorlike betalings ooreenkomsdig die bepalinge van enige wet op munisipaliteit wat sodanige betalings voorgeskryf het, en wat toentertyd van krag was.

(2) By die toepassing van sub-artikel (1) het 'n persel „die betekenis wat paragraaf (b) van sub-artikel (1) van artikel *eenhonderd vyf-en-sewentig* van die Munisipale Ordonnansie (Ordonnansie 3 van 1949) daarvan gee.“

3. Hierdie Ordonnansie heet die Verdere Wysigingsordonnansie op Munisipaliteit 1952.