

OFFICIAL GAZETTE

EXTRAORDINARY
OF SOUTH WEST AFRICA.



BUITENGEWONE OFFISIËLE KOERANT

UITGAWE OP GESAG.

VAN SUIDWES-AFRIKA.

PUBLISHED BY AUTHORITY.

1/- Monday, 9th June, 1952.

WINDHOEK

Maandag, 9 Junie 1952.

No. 1687.

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Government Notice.

Goewermentskennisgewing.

The following Government Notice is published for general information.

J. NESER,

Secretary for South West Africa.

Administrator's Office,
Windhoek.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

J. NESER,

Sekretaris van Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

No. 171.]

[9th June, 1952.

ORDINANCES, 1952: PROMULGATION OF.

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

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No. 171.]

[9 Junie 1952.

ORDONNANSIES, 1952: UITVAARDIGING VAN.

Dit het die Administrateur behaag om sy goedkeuring te heg, ooreenkomstig artikel twee-en-dertig van „De Zuid-west-Afrika Konstitutie Wet 1925” (Wet 42 van 1925), aan die volgende Ordonnansies wat hierinne vir algemene inligting gepubliseer word, ooreenkomstig artikel vier-en-dertig van gemelde Wet:—

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No. 9 of 1952.]

ORDINANCE

To amend the law relating to public education.

*(Assented to 2nd June, 1952.)**(Afrikaans text signed by the Administrator.)*

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

1. In this Ordinance "the principal Proclamation" shall mean the Education Proclamation, 1926 (Proclamation 16 of 1926).

2. Section *ninety-eight* of the principal Proclamation is hereby amended by the substitution for sub-section (1) of the following sub-section:—

"(1) The Superintendent of a hostel shall be paid annual remuneration at the rate of twice the amount payable by adults residing in hostels plus one and a half times half the full fee for one child. If a Class A matron is attached to his hostel, such remuneration shall be decreased by £20 per annum. Any children of the Superintendent under two years of age shall be granted free residence, board and laundry facilities in the hostel of which he is the Superintendent.

Matrons shall be classified under Class A or Class B by the Director, and shall be paid remuneration in accordance with such salary scales as the Administrator may from time to time prescribe by regulation."

3. Section *ninety-nine* of the principal Proclamation is hereby amended by the substitution for sub-section (3) of the following sub-section:—

"(3) The Director may require any teacher of a school to undertake supervision duty in a hostel attached to such school, either as a full-time or as a part-time supervisor. A full-time supervisor shall be paid remuneration equal to the amount payable by adults residing in hostels: Provided that the Director may pay a supervisor in respect of whom no relief is available, additional remuneration at the rate of £24 per annum. A part-time supervisor shall be remunerated proportionately to the duties performed by him."

4. This Ordinance shall be called the Education Amendment Ordinance, 1952, and shall come into operation on the first day of April, 1952.

No. 9 van 1952.]

ORDONNANSIE

Om die wet betreffende openbare onderwys te wysig.

*(Goedgekeur 2 Junie 1952.)**(Afrikaanse teks deur die Administrateur geteken.)*

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

1. In hierdie Ordonnansie beteken „die Hoofproklamasie" die Onderwys Proklamasie van 1926 (Proklamasie 16 van 1926).

2. Artikel *agt-en-negentig* van die Hoofproklamasie word hierby gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang:—

„(1) Die Superintendent van 'n koshuis ontvang as jaarlikse vergoeding tweemaal die bedrag betaalbaar in koshuise deur volwassenes plus anderhalf maal die helfte van die volle fooi vir een kind. Indien daar 'n A-klas matrone aan sy koshuis verbond is, word hierdie vergoeding met £20 per jaar verminder. Die Superintendent se kinders wat jonger as twee jaar is, ontvang in die koshuis waarvan hy Superintendent is, gratis inwoning, kos en wasgoedgeriewe.

Matrones word deur die Direkteur geklassifiseer as klas A of klas B en hulle word vergoed volgens salarisskale wat die Administrateur van tyd tot tyd by regulasie kan voorskryf."

3. Artikel *nege-en-negentig* van die Hoofproklamasie word hierby gewysig deur sub-artikel (3) deur die volgende sub-artikel te vervang:—

„(3) Die Direkteur kan vereis dat enige onderwyser van 'n skool in die koshuis wat aan die skool verbond is, as 'n voltydse of deeltydse opsigter toesig hou. 'n Voltydse opsigter ontvang as vergoeding die bedrag betaalbaar deur volwassenes wat in koshuise inwoon: Met dien verstande dat die Direkteur aan 'n opsigter wat nie afgeles kan word nie, 'n bykomende vergoeding van £24 per jaar kan betaal. 'n Deeltydse opsigter word in verbodding met sy pligte vergoed."

4. Hierdie Ordonnansie heet die Wysigingsordonnansie op die Onderwys 1952 en tree in werking op die eerste dag van April 1952.

No. 10 of 1952.]

ORDINANCE

To amend the law relating to shop hours, the hours of employment of shop assistants, the wages payable to shop assistants, the keeping of attendance registers, and the employment of persons under a specified age as shop assistants.

(Assented to 2nd June, 1952.)

(English text signed by the Administrator.)

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

1. The Shop Hours and Shop Assistants Ordinance, 1939 (Ordinance 15 of 1939), as amended, is hereby further amended by the insertion of the following section after section two:—

"2 bis. (1) The provisions of this Ordinance shall not apply to any shop assistant employed exclusively in any portion of a shop which is registered as a factory under the Factories, Machinery and Building Work Ordinance, 1952.

(2) The provisions of sections eight, nine, eleven bis, thirteen and fourteen of this Ordinance shall not apply to or in respect of any shop assistant whose rate of remuneration and hours of work are regulated by a determination, agreement, notice or award published or made under the Wage and Industrial Conciliation Ordinance, 1952, and who is in terms of any such determination, agreement, notice or award entitled to annual leave of absence on full pay.

(3) The provisions of section twelve shall not apply when by any determination, agreement, notice or award referred to in sub-section (2) the employment of any person under a specified age as a shop assistant is prohibited."

2. This Ordinance shall be called the Shop Hours and Shop Assistants Amendment Ordinance, 1952, and shall come into operation from a date to be published by the Administrator by notice in the Gazette.

No. 11 of 1952.]

ORDINANCE

To amend the law relating to the adoption of children.

(Assented to 2nd June, 1952.)

(English text signed by the Administrator.)

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, of the Parliament of the Union of South Africa, as follows:—

1. The Adoption of Children Ordinance, 1927 (No. 10 of 1927) is hereby amended by the insertion of the following new section after section ten:—

"10 bis. (1) The adoptive parent or parents of a child for whose adoption an order has been made under this Ordinance, may apply to the High Court of South West Africa for the rescission thereof on the ground that his or their adoption of the child was induced by fraud, misrepresentation or *justus error*, or that the child is a mentally disordered or defective person as described in section three of the Mental Disorders Act, 1916, and that the mental disorder or defect existed at the time of the making of the order of adoption: Provided that

No. 10 van 1952.]

ORDONNANSIE

Ter wysiging van die wet betreffende winklere en die diensure van winkelbediendes, die lone van winkelbediendes, die instelling van werkregisters, en die indiensneming van jeugdiges onder 'n bepaalde leeftyd.

(Goedgekeur 2 Junie 1952.)

(Engelse teks deur die Administrateur geteken.)

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

1. Die Ordonnansie op Winklere en Winkelbediendes 1939 (Ordonnansie 15 van 1939), soos gewysig, word hierby verder gewysig deur die invoeging van die onderstaande artikel na artikel twee:—

"2 bis. (1) Die bepalings van hierdie Ordonnansie geld vir geen winkelbediende wat uitsluitlik in enige deel van 'n winkel werk wat ingevolg die Ordonnansie op Fabriek, Masjinerie en Bouwerk 1952 as 'n fabriek geregistreer is nie.

(2) Die bepalings van artikels agt, negen, elf bis, dertien en veertien van hierdie Ordonnansie geld geensins vir 'n winkelbediende wie se besoldiging on werktyd gereël word deur 'n instelling, ooreenkoms, kennisgewing of uitspraak ingevolg die Ordonnansie op Lone en Nywerheidsverseening 1952, en wat daardeur op jaarverlof met volle betaling geregtig is nie.

(3) Die bepalings van artikel twaalf geld nie waar 'n vaststelling, ooreenkoms, kennisgewing of uitspraak waarna sub-artikel (2) verwys, die indiensneming as winkelbediende van enig iemand jonger as 'n bepaalde leeftyd verbied nie."

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op Winklere en Winkelbediendes 1952 en tree in werking vanaf 'n datum wat die Administrateur by kennisgewing in die Offisiële Koerant afkondig.

No. 11 van 1952.]

ORDONNANSIE

Om die wet met betrekking tot die aanname van kinders te wysig.

(Goedgekeur 2 Junie 1952.)

(Engelse teks deur die Administrateur geteken.)

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika, met die toestemming van die Goewerneur-Generaal, vir sover sodanige toestemming nodig, voornamlik, en aan die Wetgewende Vergadering deur boodskap van die Administrateur, ooreenkomstig die bepalings van artikel ses-en-twintig van „De Suidwest-Afrika Konstitusie Wet 1925", van die Parlement van die Unie van Suid-Afrika, meegedeel is, VERORDEN:—

1. Die Aanneming van Kinders Ordonnansie 1927 (No. 10 van 1927) word hierby gewysig deur die volgende nuwe artikel na artikel tien in te voeg:—

10 bis. (1) Die aannemende ouer of aannemende ouers van 'n kind vir wie so aanneming kragtens hierdie Ordonnansie 'n order uitvaardig is mag by die Hoërhof van Suidwes-Afrika applikasie maak vir die vernietiging van die order om rede dat die applikant deur bedrog, wauvoorstelling of *justus error* daartoe beweeg was om die kind aan te neem, of dat die kind 'n geestelik gekrenkte of gekrenkte persoon is, soos omskryf in artikel drie van die „Wet op Geestesgebreken, 1916" en dat die geestesgebrektheid of gebrek bestaan het ten tyde van die verlosing van die order van aanneming:

the application is made within six months as from the date on which the applicant became aware of the ground for his application, or where the applicant became aware of the ground for his application before the commencement of this Ordinance, within six months of such commencement; and provided further that, if the application is made on the ground that the child is a mentally disordered or defective person, the applicant was, or if husband and wife jointly adopted the child in question, they were both, at the time of the making of the order of adoption ignorant of the mental disorder or defect of the child, and that this ignorance was not due to failure of the adoptive parent or parents to exercise reasonable care in examining the child or causing it to be examined.

(2) The applicant shall give notice to the Administrator of his application, and to the parent or parents or the person who was prior to the adoption the guardian of the adopted child, if he or they can be found.

(3) The court to which the application is made shall, after having satisfied itself that the applicant has complied with the requirements of sub-section (2), and after having afforded any person interested in the application, an opportunity to be heard, and after having considered any relevant evidence, whether oral or in the form of an affidavit, which was tendered in support of, or in opposition to the application, rescind or confirm the order of adoption.

(4) Where an order of adoption is discharged under this section, the provisions of sub-section (3) of section nine shall apply."

2. This Ordinance shall be called the Adoption of Children Amendment Ordinance, 1952.

No. 12 of 1952.]

ORDINANCE

To apply a further sum of money towards the service of the Territory of South West Africa for the year ended on the thirty-first day of March, 1951, for the purpose of meeting and covering certain unauthorised expenditure.

(Assented to 2nd June, 1952.)

(Afrikaans text signed by the Administrator.)

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

1. The Administration Account of the Territory of South West Africa is hereby charged with the sum of thirteen thousand two hundred and seventy pounds eight shillings and four pence to meet certain expenditure over and above the amount appropriated for the service of the Territory of South West Africa for the year which ended on the thirty-first day of March, 1951. Such expenditure is set forth in the Schedule of this Ordinance and is referred to in paragraph 3 page 7 of the Report (which has been presented to the Legislative Assembly) of the Controller and Auditor-General on the Accounts of the said year and in the First Report of the Select Committee on Public Accounts, 1952.

2. This Ordinance shall be called the Unauthorised Expenditure (1950-'51) Ordinance, 1952.

SCHEDULE.

No. of Vote.	Title of Vote.	Amount.
		£ s. d.
1. Administration		440 8 8
9. Justice		1,794 16 0
14. Posts, Telegraphs and Telephones		11,035 3 8
TOTAL		£13,270 8 4

Met dien verstande dat die applikasie gemaak moet word binne ses maande vanaf die datum waarop die applikant van die rede vir sy applikasie bewus geword het of waar die applikant voor die inwerkingtreding van hierdie Ordonnansie van die rede vir sy applikasie bewus geword het, binne ses maande vanaf sodanige inwerkingtreding; en met dien verstande verder, dat as die applikasie gemaak word om rede dat die kind geestelik gekrenk of gebrekkig is, die applikant, of, as man en vrou gesamentlik die betrokke kind aangenem het, hulle albei, ten tyde van die uitvaardiging van die order van aanneming onkundig daarvan was dat die kind geestelik gekrenk of gebrekkig was, en dat hierdie onkunde nie toe te skrywe is aan versuim van die aannemende ouer of aannemende ouers om die kind met redelike sorgvuldigheid te ondersoek of te laat ondersoek nie.

(2) Die applikant moet van sy applikasie kennis gee aan die Administrateur en tevens aan die ouer of ouers of die persoon wat voor die aanneming die voog van die aangenome kind was, as hy, of hulle opgespoor kan word.

(3) Nadat die hof waarby die applikasie gemaak is, hom vergevis het dat die applikant voldoen het aan die vereistes van sub-artikel (2), en nadat die hof aan eenigen wat belang by die applikasie het, die geleentheid gegee het om verhoor te word, m nadat die hof alle relevante getuies, hetsy mondeling of by wyse van beduidende verklaring, wat tot staving of bestryding van die applikasie aangevoer is, oorweeg het, moet die hof die order van aanneming vernietig of bekragtig.

(4) Wanneer 'n order van aanneming kragtens hierdie artikel vernietig word, is die bepaling van sub-artikel (3) van artikel nege van toepassing."

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op die Aanneming van Kinders 1952.

No. 12 van 1952.]

ORDONNANSIE

Tot aanwending van 'n verdere geldbedrag vir die diens van die Gebied Suidwes-Afrika vir die jaar wat op die een-en-dertigste dag van Maart 1951 geëindig het, tot bestryding en dekking van sekere ongemaagte uitgawes.

(Goedgekeur 2 Junie 1952.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. Die Administrasierekening van die Gebied Suidwes-Afrika word hierby belas met die bedrag van derien duisend tweehonderd-en-sewentig pond agt shillings en vier pennies tot dekking van sekere uitgawes bo en behalwe die bedrag beskikbaar gestel vir die diens van die Gebied Suidwes-Afrika vir die jaar wat op die een-en-dertigste dag van Maart 1951 geëindig het. Hierdie uitgawes word uiteengesit in die Bylae tot hierdie Ordonnansie en word nader omskryf in paragraaf 3 bladsy 8 van die Verslag (aan die Wetgewende Vergadering voorgelê) van die Kontroleur en Ouditeur-generaal oor die rekenings vir vermelde boekjaar en in die Eerste Verslag van die Gekose Komitee oor Openbare Rekenings 1952.

2. Hierdie Ordonnansie heet die Ongeoutoriseerde Uitgawes (1950-'51) Ordonnansie 1952.

BYLAE.

Begrotingspos Nr.	Titel van Begrotingspos.	Bedrag.
		£ s. d.
1. Administrasie		440 8 8
9. Regspleging		1,794 16 0
14. Pos-, Telegraaf- en Telefoonwese		11,035 3 8
TOTAAL		£13,270 8 4

No. 13 of 1952.]

ORDINANCE

To amend the law relating to the imposition of a tax on persons resident in the Territory.

(Assented to 2nd June, 1952.)

(Afrikaans teks signed by the Administrator.)

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

1. The Schedule to the Personal Tax Ordinance, 1946, is hereby amended by the addition thereto of the following proviso:—

"Provided that in respect of each minor child and each dependent of a taxpayer there shall be allowed a rebate of £1."

2. For the purposes of the proviso mentioned in section one—

"minor child" means the child, step-child, or adopted child of the taxpayer under the age of 18 years on the thirtieth day of June immediately preceding the date upon which the tax imposed under this Ordinance falls due; and

"dependent" means any person, other than the child, step-child or adopted child of the taxpayer, who is incapacitated by old age, infirmity or any other reason satisfactory to the Commissioner from maintaining himself or herself and who is wholly dependent upon the taxpayer.

3. This Ordinance shall be called the Personal Tax Amendment Ordinance, 1952, and shall first come into operation in respect of the tax year ending on the thirtieth day of June, 1952.

No. 14 of 1952.]

ORDINANCE

To amend the law relating to the licensing of trades and occupations.

(Assented to 2nd June, 1952.)

(English text signed by the Administrator.)

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

1. In this Ordinance the expression "the principal Ordinance" means the Licences Consolidation Ordinance, 1935 (Ordinance 13 of 1935), as amended.

2. The First Schedule to the principal Ordinance is hereby amended:—

(i) by the deletion in Part I of Item 8;

(ii) by the deletion in paragraph (4) of Item 2 of Part II of the words "as defined in Item 9 of Part I of this Schedule" and the substitution thereof of the words "as defined in section thirty of this Ordinance"; and

(iii) by the substitution for the first proviso to paragraph (1), Item 3 of Part II of the following proviso:

"Provided that to cover transactions in terms of the provisions of Item 2, no licence will be required in regard to manufacturing or trading establishments in the Territory."

(iv) by the deletion in Exemption (2) of Item 7 of Part II of the words "Duly licensed" where they occur for the first time and the substitution thereof of the word "Practising".

3. This Ordinance shall be called the Licences Consolidation Amendment Ordinance, 1952.

No. 13 van 1952.]

ORDONNANSIE

Ter wysiging van die wet op die belasting van persone wat in die Gebied woonagtig is.

(Goedgekeur 2 Junie 1952.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. Die Bylae van die Ordonnansie op die Belasting van Persone 1946 word hierby gewysig deur byvoeging daartoe van die onderstaande voorbehoud:—

"Met dien verstande dat die belastingbetaler £1 afslag kry vir elke minderjarige kind en vir elke afhanklike."

2. By die toepassing van die voorbehoud genoem in artikel een beteken—

"minderjarige kind" elke kind, stiefkind of aangenome kind van die belastingbetaler wat op die dertigste dag van Junie onmiddellik voor die dag waarop die belasting ingevolge hierdie Ordonnansie opeisbaar word, jonger is as agtien jaar; en

"afhanklike" elkeen buiten 'n kind, stiefkind of aangenome kind wat weens gevorderde jare, onbekwaamheid of 'n ander rede waarmee die Kommissaris genoeë neem, hom- of haarself nie kan onderhou nie, en wat geheel van die belastingbetaler afhanklik is.

3. Hierdie Ordonnansie heet die Wysigingsordonnansie op die Belasting van Persone 1952, en tree ten eerste nale in werking ten opsigte van die aanslagjaar wat eindig op die dertigste dag van Junie 1952.

No. 14 van 1952.]

ORDONNANSIE

Ter wysiging van die wet op die lisensiering van bedrywe en beroepe.

(Goedgekeur 2 Junie 1952.)

(Engelse teks deur die Administrateur geteken.)

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

1. In hierdie Ordonnansie beteken die woorde "die Hoofordonnansie" die Konsolidasie-Ordonnansie betreffende Lisensies 1935 (Ordonnansie 13 van 1935), soos gewysig.

2. Die Eerste Bylae van die Hoofordonnansie word hierby gewysig:—

(i) deur die skrapping van Item 8 in Deel I;

(ii) deur die skrapping van die woorde "soos omskryf in Item 9 van Deel I van hierdie bylae" in paragraaf (4) van Item 2 van Deel II, en die vervanging daarvan met die woorde "soos omskryf in artikel dertig van hierdie Ordonnansie"; en

(iii) deur die vervanging van die eerste voorbehoud van paragraaf (1) van Item 3 van Deel II met die onderstaande voorbehoud:

"Met dien verstande dat fabrieks- of handelsinrigtings in die Gebied geen lisensie nodig het ten opsigte van transaksies waaroor die bepaling van Item 2 gaan nie."

(iv) deur die skrapping van die woorde "Behoorlik gelisensieerde" waar hulle ten eerste male voorkom in vrystelling (2) van Item 7 van Deel II en die vervanging daarvan met die woord "Praktiserende".

3. Hierdie Ordonnansie heet die Konsolidasie-Wysigingsordonnansie betreffende Lisensies 1952.

No. 15 of 1952.]

ORDINANCE

To apply a sum not exceeding six million seven hundred and thirty seven thousand, six hundred and ninety-seven pounds towards the service of the Territory of South West Africa for the financial year ending on the thirty-first day of March, 1953.

(Assented to 2nd June, 1952.)

(Afrikaans text signed by the Administrator.)

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

1. The Administration Account of the Territory of South West Africa is hereby charged with such sums of money as may be required for the service of the Territory for the financial year ending on the thirty-first day of March, 1953, not exceeding in the aggregate the sum of six million, seven hundred and thirty-seven thousand, six hundred and ninety-seven pounds on revenue account, as shown in the Schedule hereto.

2. The money appropriated by this Ordinance shall be applied to the services detailed in the Schedule hereto, and more particularly specified in the Estimates of Expenditure to be defrayed from Revenue Funds (S.W.A. 3—1952) as approved by the Legislative Assembly, and subject to section three, and to no other purpose.

3. With the approval of the Administrator a saving on any sub-head of a Vote may be made available to meet excess expenditure on any other sub-head or expenditure on a new sub-head of the same Vote.

4. This Ordinance may be cited as the Appropriation (1952/53) Ordinance, 1952.

SCHEDULE.

(Chargeable to Revenue Account.)

No.	Vote Designation.	Amount.
		£
1.	Administration	115,740
2.	Legislative Assembly	14,280
3.	Agriculture	150,570
4.	Audit	10,580
5.	Customs and Excise	11,480
6.	Miscellaneous Services	897,12
7.	Education	753,850
8.	Works	456,220
9.	Administration of Justice	60,180
10.	Lands, Deeds and Surveys	93,920
11.	Mines	10,920
12.	Native Affairs	118,110
13.	Pensions and Gratuities	109,900
14.	Posts, Telegraphs and Telephones	290,067
15.	Prisons and Reformatories	37,400
16.	Public Health	167,230
17.	Roads	47,100
18.	Police Services	114,000
19.	Appropriation from Territory Revenue Fund to various other Funds	3,249,000
TOTAL		£6,737,697

No. 15 van 1952.]

ORDONNANSIE

Tot aanwending van 'n bedrag van nie meer as ses miljoen; sewehonderd sewe-en-dertig duisend, seshonderd sewe-en-negentig pond ten behoeve van die diens van die Gebied Suidwes-Afrika vir die boekjaar wat op die een-en-dertigste dag van Maart 1953 eindig.

(Goedgekeur 2 Junie 1952.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. Die Administrasie-rekening van die Gebied Suidwes-Afrika word hierby belas met sodanige geldbedrag as wat benodig mag wees vir die diens van die Gebied vir die boekjaar wat eindig op die een-en-dertigste dag van Maart 1953, maar gesamentlik nie meer as ses miljoen, sewehonderd sewe-en-dertig duisend, seshonderd sewe-en-negentig pond op die inkomsterkening nie, soos uiteengesit in die Bylae tot hierdie Ordonnansie.

2. Die geld wat deur hierdie Ordonnansie beskikbaar gestel word, moet aangewend word vir die dienste in besonderhede vermeld in die Bylae tot hierdie Ordonnansie en omstandiger uiteengesit in die Begroting van Uitgawes wat gedek moet word uit Inkomstefondse (S.W.A. 3—1952) soos deur die Wetgewende Vergadering goedgekeur, en behoudens artikel drie hiervan, en vir geen ander doel nie.

3. Met die goedkeuring van die Administrateur kan 'n besparing onder die een sub-hoof van 'n begrotingspos aangewend word tot dekking van 'n te grote uitgawe onder enige ander sub-hoof of van uitgawe onder 'n nuwe sub-hoof van dieselfde begrotingspos.

4. Hierdie Ordonnansie heet die Middele- (1952/53) Ordonnansie 1952.

BYLAE.

(Ten laste van Inkomsterkening.)

Nr.	Benaming van Begrotingspos.	Bedrag.
		£
1.	Administrasie	115,740
2.	Wetgewende Vergadering	14,280
3.	Landbou	150,570
4.	Ouditering	10,580
5.	Doecane en Aksyns	11,480
6.	Diverse Dienste	897,120
7.	Onderwys	753,850
8.	Werke	456,220
9.	Regspleging	60,180
10.	Lande, Aktes en Opmetings	93,920
11.	Mynwese	10,920
12.	Naturellesake	118,110
13.	Pensioene en Gratifikasies	109,900
14.	Pos-, Telegraaf- en Telefoonwese	290,067
15.	Gevangenis- en Verbeteringsgestigte	37,400
16.	Volksgesondheid	167,230
17.	Paasie	47,100
18.	Polisiedienste	114,000
19.	Aanwending uit inkomstefonds van die Gebied tot verskillende ander fondse	3,249,000
TOTAAL		£6,737,697

No. 16 of 1952.]

No. 16 van 1952.]

ORDINANCE

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

(Assented to 2nd June, 1952.)

(English text signed by the Administrator.)

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 4 of 1938, as amended by Proclamation 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 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 OKAPEKAIHA; 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 4 of 1938, as amended by Proclamation 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 OTJOHOTOZU;
- (b) Portion 5 of Portion B of Omaruru Town and Townlands No. 85 known as OKAPEKAIHA; 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.

ORDONNANSIE

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

(Goedgekeur 2 Junie 1952.)

(Engelse teks deur die Administrateur geteken.)

NADEMAAL die gewese Regering van die Protektoraat Duits-Suidwes-Afrika en die Munisipaliteit Omaruru, by paragraaf 7 van 'n Akte gesluit tussen die genoemde Regering en die genoemde Munisipaliteit op Omaruru op die agtste dag van September 1911, ooreengekom het dat die genoemde Munisipaliteit minstens dertigduisend hektaar 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 ooreenkomstig Munisipale Ordonnansie 1935 op die stenyls van die Munisipaliteit Omaruru geregistreer 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 vyftienduiseid hektaar, ter verkryging van middelle vir 'n munisipale elektrisiteitsonderneming moet verkoop;

EN NADEMAAL daar by Proklamasie 4 van 1938, soos gewysig by Proklamasie 16 van 1940, voorsiening gemaak is dat die Raad van die Munisipaliteit Omaruru niteenstaande die bedinge van die genoemde Akte die mag en volmag het om 'n stuk grond, groot hoogstens sestienduiseid 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 OKAPEKAIHA; en
- (c) Deel 6 van Deel B van Omaruru-dorp en -dorpsgrond 85, wat heet OZOMBIMBAMBO;

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

WORD DIT VERODENED deur die Wetgewende Vergadering van die Gebied Suidwes-Afrika as volg:—

1. Die volgende drie dele van die dorpsgrond van Omaruru word beskou as buite die munisipale gebied Omaruru geleë, met ingang van die datum waarop die Munisipale Gebied Omaruru kragtens en ingevolge die mag en volmag hom verleen by Proklamasie 4 van 1938, soos gewysig by 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 OKAPEKAIHA; 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.

No. 17 of 1952.]

ORDINANCE

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

(Assented to 2nd June, 1952.)

(English text signed by the Administrator.)

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 1 of 1926), as substituted by section one of the Finance and Audit Ordinance Amendment Ordinance, 1928 (Ordinance 8 of 1928), is hereby amended by the insertion in sub-section (6) after the word "Union" of the words "building societies or commercial banks".

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

No. 18 of 1952.]

ORDINANCE

To amend the law relating to public education.

(Assented to 2nd June, 1952.)

(Afrikaans text signed by the Administrator.)

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

1. (1) Notwithstanding anything in the Education Proclamation, 1926 (Proclamation 16 of 1926), as amended from time to time, contained, the Administrator may, by notice in the *Gazette*, prescribe scales of salaries, emoluments and allowances applicable to all classes of teachers and school and hostel personnel and may make such scales applicable with retrospective effect to the first day of April, 1952.

(2) The Administrator may, from time to time, increase, alter or amend such scales or prescribe new scales.

2. This Ordinance shall be called the Education Further Amendment Ordinance, 1952, and shall be deemed to have come into operation as from the first day of April, 1952.

No. 19 of 1952.]

ORDINANCE

To amend the law relating to the control of lotteries.

(Assented to 2nd June, 1952.)

(Afrikaans text signed by the Administrator.)

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

1. Section three of the Lotteries Ordinance, 1937 (Ordinance 13 of 1937), is hereby amended:—

(a) by the deletion in paragraph (a) of sub-section (2) of the word "or" where it occurs for the second time; and

(b) by the addition in the said paragraph (a) of the following words after the word "institutions":

"or for organized farming interests and for such deserving causes as the Administrator may in his discretion think fit".

2. This Ordinance shall be called the Lotteries Amendment Ordinance, 1952.

No. 17 van 1952.]

ORDONNANSIE

Ter wysiging van die wet op die ontvangs, bewaring en uitgifte van staatsgelde.

(Goedgekeur 2 Junie 1952.)

(Engelse teks deur die Administrateur geteken.)

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

1. Artikel elf van die „Finansie en Ouditeer Ordonnansie 1926" (Ordonnansie 1 van 1926), soos vervang by artikel een van die „Finansie en Ouditeer Ordonnansie Wysigingsordonnansie 1928" (Ordonnansie 8 van 1928) word hierby gewysig deur die invoeging van die woorde „of by bogenootskappe of handelsbanke" na die woord „Unie" in sub-artikel (6).

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op Finansie en Ouditering 1952.

No. 18 van 1952.]

ORDONNANSIE

Ter wysiging van die wet op openbare onderwys.

(Goedgekeur 2 Junie 1952.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. (1) Ondanks andersluidende bepalings in die Onderwys-Proklamasie 1926 (Proklamasie 16 van 1926), soos van tyd tot tyd gewysig, kan die Administrateur by kennisgewing in die *Offisiële Koerant* die skale van die salarisse, emolumente en toelae betreffende elke klas onderwyser en skool- en koshuispersoneel voorskryf, en kan die Administrateur sodanige skale terugwerkende krag gee vanaf die eerste dag van April 1952.

(2) Van tyd tot tyd kan die Administrateur sodanige skale verhoog, verander of wysig, of nuwe skale voorskryf.

2. Hierdie Ordonnansie heet die Verdere Wysigingsordonnansie op die Onderwys 1952, en word gehou vir in werking vanaf die eerste dag van April 1952.

No. 19 van 1952.]

ORDONNANSIE

Om die Wet betreffende die beheer van loterye te wysig.

(Goedgekeur 2 Junie 1952.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. Artikel drie van die Loterye-Ordonnansie 1937 (Ordonnansie 13 van 1937) word hierby gewysig:—

(a) deur die woord „of" te skrap waar dit die tweede keer voorkom in paragraaf (a) van Sub-artikel (2); en

(b) deur, na die woord „inrigtings" in die genoemde paragraaf (a), die onderstaande sinsnede by te voeg: „of ter ondersteuning van georganiseerde baerdery-belange en sodanige verdienstelike sake soos die Administrateur na eie goeddunke waardig ag."

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op Loterye 1952.

No. 20 of 1952.]

ORDINANCE

To provide for the issue of proclamations by the Administrator in relation to urgent matters in respect of which it is competent for the Legislative Assembly to make Ordinances.

(Assented to 2nd June, 1952.)

(English text signed by the Administrator.)

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

1. (1) The Administrator may by proclamation in the *Gazette* make laws applicable to the Territory in relation to any matter which the Administrator may consider to be a matter of urgency and in regard to which the Legislative Assembly of the Territory is competent to make Ordinances.

(2) A proclamation issued under sub-section (1) shall be subject to the provisions of sub-section (2) of section two have effect in and for the said Territory so long and as far only as it is not repugnant to or inconsistent with an Act of the Union Parliament applicable to the Territory.

2. (1) Any proclamation issued under section one shall be laid upon the Table of the Legislative Assembly within seven days after promulgation thereof if the Legislative Assembly is then in ordinary session, or if the Legislative Assembly is not then in ordinary session, within seven days after the commencement of its next ensuing ordinary session, and shall remain on the said Table for a period of at least ten consecutive days, and if the Legislative Assembly is prorogued before the necessary ten days have elapsed, such proclamation shall again be laid upon the Table of the Legislative Assembly as aforesaid within seven days of its next ensuing ordinary session.

(2) If the Legislative Assembly by resolution passed at any session at which a proclamation has been laid upon the Table of the said Legislative Assembly as in sub-section (1) provided disapprove of any such proclamation or of any provision of any such proclamation, such proclamation or such provision thereof shall thereafter cease to be of force and effect to the extent to which it is so disapproved, but without prejudice to the validity of anything done in terms of such proclamation or of such provision thereof up to the date on which it so ceased to be of force and effect, or to any right, privilege, obligation or liability acquired, accrued or incurred as at the said date under and by virtue of such proclamation or such provision thereof.

3. This Ordinance shall be called the Administrator's Legislative Powers Ordinance, 1952.

No. 20 van 1952.]

ORDONNANSIE

Om voorsiening te maak vir die uitvaardiging van proklamasies deur die Administrateur wanneer wetgewing in sake waartoe die Wetgewende Vergadering wetgewende bevoegdheid het, dringend noodsaaklik is.

(Goedgekeur 2 Junie 1952.)

(Engelse teks deur die Administrateur geteken.)

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

1. (1) In enige saak waartoe die Wetgewende Vergadering van die Gebied by wyse van ordonnansie wetgewende bevoegdheid het, en waarop die Administrateur wetgewing dringend noodsaaklik ag, kan die Administrateur, by proklamasie in die *Offisiële Koerant*, vir die Gebied wette uitvaardig.

(2) Behoudens die bepalinge van sub-artikel (2) van artikel twee geld 'n proklamasie uitgevaardig krachtens sub-artikel (1) in en vir die Gebied slegs vir solank en soverre dit nie met Unie-Parlementswette wat in die Gebied geld, in stryd of onbestaanbaar is nie.

2. (1) Elke proklamasie uitgevaardig krachtens artikel een moet in die Wetgewende Vergadering ter Tafel gelê word binne sewe dae nadat dit uitgevaardig is as die Wetgewende Vergadering dan gewone sitting hou, of, as die Wetgewende Vergadering dan nie gewone sitting hou nie, binne sewe dae na die aanvang van sy eersvolgende gewone sitting, en moet minstens tien opeenvolgende dae ter Tafel bly, en as die Wetgewende Vergadering gepro-rogeer word voordat die vereiste tien dae verstryk het, moet so 'n proklamasie weer soos voormeld in die Wetgewende Vergadering ter Tafel gelê word binne sewe dae na die aanvang van sy eersvolgende gewone sitting.

(2) As die Wetgewende Vergadering by 'n besluit aangeneem tydens 'n sitting waarby 'n proklamasie wat ingevolge sub-artikel (1) in die Wetgewende Vergadering ter Tafel gelê is, so 'n proklamasie of enige bepaling daarvan afkeur, vervel die regsrag van so 'n proklamasie of bepaling dermate dit aldus afgekeur is, maar dan sonder om die geldigheid aan te tas van enigiets wat tot op die vervaldag ingevolge so 'n proklamasie of bepaling geskied het, en sonder afbreuk aan enige reg, voorreg, verpligting of aanspreeklikheid wat tot op die vervaldatum reeds ingevolge so 'n proklamasie of bepaling ontstaan of opge-loop het, of verkry of aangegaan is.

3. Hierdie Ordonnansie heet die Ordonnansie op die Wetgewende Bevoegdheid van die Administrateur 1952.