

W. B. ...

OFFICIAL GAZETTE

EXTRAORDINARY
OF SOUTH WEST AFRICA.



BUITENGEWONE OFFISIËLE KOERANT

UITGAWE OP GESAG.

VAN SUIDWES-AFRIKA.

PUBLISHED BY AUTHORITY.

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CONTENTS

INHOUD

GOVERNMENT NOTICE—

Page

GOEWERMENSKENNISGEWING—

Bladsy

No. 186. Ordinances, 1952: Promulgation of. . . 3012

No. 186. Ordonnansies 1952: Uitvaardiging van. . . 3012

Government Notice.

Goewermentskennisgewing.

The following Government Notice is published for general information.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

J. NESER,
Secretary for South West Africa.

J. NESER,
Sekretaris van Suidwes-Afrika.

Administrator's Office,
Windhoek.

Kantoor van die Administrateur,
Windhoek.

No. 186.] [18th June, 1952.

No. 186.] [18 Junie 1952.

ORDINANCES, 1952: PROMULGATION OF.

ORDONNANSIES, 1952: UITVAARDIGING VAN.

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:—

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 hiermee vir algemene inligting gepubliseer word, ooreenkomstig artikel vier-en-dertig van gemelde Wet:—

No.	Title.	Page.
21.	Portion of Tsumeb Town Lands Disposal Ordinance, 1952.	3013
22.	Karakul Industry Development Amendment Ordinance, 1952.	3014
23.	Companies Amendment Ordinance, 1952.	3015
24.	Housing Schemes Loans Ordinance, 1952.	3017
25.	Karakul Sheep-farming Industry Protection Amendment Ordinance, 1952.	3017
26.	Municipal Ordinance Further Amendment Ordinance, 1952.	3018
27.	Municipal Ordinance Further Amendment Ordinance, 1952.	3019

No.	Titel.	Bladsy.
21.	Vervreemdingsordonnansie op Deel van die Tsumebse Dorpsgrond 1952.	3013
22.	Wysigingsordonnansie op die Ontwikkeling van die Karakulnywerheid 1952.	3014
23.	Maatskappye Wysigingsordonnansie, 1952.	3015
24.	Ordonnansie op Lenings vir Behuisingakemas 1952.	3017
25.	Wysigingsordonnansie ter Beskerming van die Karakulskoepskaapboerdery-nywerheid 1952.	3017
26.	Verdere Wysigingsordonnansie op Munisipaliteite 1952.	3018
27.	Verdere Wysigingsordonnansie op Munisipaliteite 1952.	3019

No. 21 of 1952.]

ORDINANCE

To vest the ownership of certain portions of Tsumeb Town Lands No. 737 in the Administration and to provide for the disposal of certain portions of the land so vested; to close certain public places within the Village Management Board Area of Tsumeb, to vest the ownership of the public places so closed in the Administration and to provide for the disposal thereof.

(Assented to 12th June, 1952.)

(Afrikaans tekst signed by the Administrator.)

WHEREAS by deed of transfer No. 85 of 1929 the Otavi Minen und Eisenbahn Gesellschaft transferred in terms of sub-section (2) of section eighteen of the Townships Ordinance, 1928, to the Administrator of South West Africa in trust for a municipality which may thereafter be constituted in respect of the township of Tsumeb certain Tsumeb Townlands No. 737 situate in the district of Grootfontein and measuring one thousand (1000) hectares, seventy-five (75) ares and forty (40) square metres;

AND WHEREAS the township of Tsumeb is an approved township to which the provisions of the said Townships Ordinance, 1928, apply;

AND WHEREAS the Tsumeb Corporation Limited, a public Company registered under the Companies Ordinance, 1928, and acting in good faith, have erected buildings on Portions Nos. 1, 2 and 3 of the said Tsumeb Town Lands No. 737;

AND WHEREAS it has become expedient to dispose of the aforesaid Portions Nos. 1, 2 and 3 to the said Tsumeb Corporation Limited, notwithstanding that the said Portions are held in trust by the Administrator;

AND WHEREAS portion 4 of the said Tsumeb Town Lands No. 737 is required by the Administration of the Territory for public and other purposes;

AND WHEREAS by virtue of sub-section (1) of section seventeen of the aforesaid Townships Ordinance, 1928, the dominium of the land comprising all public places in the said approved township of Tsumeb vests in the Administrator in trust for any municipality which may thereafter be established in respect of the area in which the aforesaid land is situated;

AND WHEREAS the town and commonage of Tsumeb was proclaimed under the provisions of the Village Management Boards Ordinance, 1937, a Village Management Board Area by Proclamation No. 26 of 1949;

AND WHEREAS the Village Management Board of Tsumeb has in terms of section fifteen of the said Village Management Boards Ordinance, 1937, full control over all public places within the Village Management Board Area of Tsumeb, although the dominium in such places remains vested in the Administrator;

AND WHEREAS it is expedient to close to public use a portion of Ninth Road and a portion of Third Street, to be known as even numbers 187 and 188 respectively, public places situate within the approved township and Village Management Board Area of Tsumeb, and to dispose of the said portions when so closed to the Tsumeb Corporation Limited;

No. 21 van 1952.]

ORDONNANSIE

Om die eiendomsreg op sekere dele van Tsumeb Town Lands 737 te vestig in die Administrasie, en om voorsiening te maak vir die vervreemding van sekere dele van die aldus gevestigde grond; om sekere publieke plekke in die dorpsbestuursgebied Tsumeb te sluit; om die eiendomsreg op die aldus geslote publieke plekke in die Administrasie te vestig, en om voorsiening te maak vir die vervreemding daarvan.

(Goedgekeur 12 Junie 1952.)

(Afrikaans teks deur die Administrateur geteken.)

NADEMAAL die Otavi Minen und Eisenbahn Gesellschaft sekere grond Tsumeb Town Lands 737, geleë in die distrik Grootfontein en groot eenduisend (1,000) hektaar, vyf-en-sewentig (75) aar en veertig (40) vierkante meter, ooreenkomstig sub-artikel (2) van artikel agtien van die Dorpe-Ordonnansie 1928 by Akte van Transport 85 van 1929 oorgepra het aan die Administrateur van Suidwes-Afrika ter bewaring vir 'n munisipaliteit wat moontlik daarna ingestel word ten opsigte van die dorp Tsumeb;

EN NADEMAAL die dorp Tsumeb 'n goedgekeurde dorp is waarop die bepalings van die genoemde Dorpe-Ordonnansie 1928 van toepassing is;

EN NADEMAAL die Tsumeb Corporation Limited, 'n publieke maatskappy wat ingevolge die Maatskappy-Ordonnansie 1928 geregistreer is, te goeder trou geboue op Dele 1, 2 en 3 van die genoemde Tsumeb Town Lands 737 opgerig het;

EN NADEMAAL dit wenslik geword het om die genoemde dele 1, 2 en 3 aan die genoemde Tsumeb Corporation Limited te vervreem, hoewel die Administrateur die genoemde dele in bewaring hou;

EN NADEMAAL die Administrasie van die Gebied Deel 4 van die genoemde Tsumeb Town Lands 737 vir publieke en ander doeleindes nodig het;

EN NADEMAAL die dominium op die grond wat al die publieke plekke in die genoemde goedgekeurde dorpsbestuursgebied Tsumeb uitmaak, uit hoofde van sub-artikel (1) van artikel sewentien van die genoemde Dorpe-Ordonnansie 1928 in die Administrateur gevestig is ter bewaring vir 'n munisipaliteit wat moontlik daarna ten opsigte van die gebied waarin die genoemde grond geleë is, ingestel word;

EN NADEMAAL die dorp en dorpsmeent van Tsumeb ingevolge die bepalings van die Ordonnansie op Dorpsbesture 1937 by Proklamasie 26 van 1949 tot dorpsbestuursgebied verklaar is;

EN NADEMAAL die Dorpsbestuur Tsumeb ingevolge artikel vyftien van die genoemde Ordonnansie op Dorpsbesture 1937 die volle beheer het oor alle publieke plekke binne die dorpsbestuursgebied Tsumeb, hoewel die dominium op sulke plekke in die Administrateur gevestig bly;

EN NADEMAAL dit wenslik is om 'n deel van Negenende Weg en 'n deel van Derde Straat, wat onderskeidelik erf 187 en erf 188 gaan heet, en wat publieke plekke binne die goedgekeurde dorp en dorpsbestuursgebied Tsumeb is, die goedgekeurde dorp en dorpsbestuursgebied Tsumeb te sluit, en om die genoemde van publieke gebruik uit te sluit, en om die genoemde dele aan die Tsumeb Corporation Limited te vervreem wanneer hulle aldus geslote is;

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

1. Notwithstanding anything in deed of transfer No. 85 of 1929 aforesaid contained, and notwithstanding the transfer by the said deed to the Administrator of South West Africa of the said Tsumeb Town Lands No. 737 West Africa in trust for a municipality which may there-to be held in trust for the ownership of Portions Nos. 1, 2, after be constituted, the ownership of Portions Nos. 1, 2, 3 and 4 of the said Tsumeb Town Lands No. 737 shall vest in the Administration and the Administration is hereby authorised and empowered to dispose of the said Portions Nos. 1, 2 and 3 to the said Tsumeb Corporation Limited in such manner and on such terms and conditions as the said Administration may deem fit.

2. Notwithstanding anything in section seventeen of the said Townships Ordinance, 1928, contained, the Village Management Board of Tsumeb is hereby authorised and empowered to close to public use the said portions of Ninth Road and Third Street, to be known as erven Nos. 187 and 188, and thereupon the ownership of such portions so closed shall vest in the Administration which is hereby authorised and empowered to dispose of such portions to the Tsumeb Corporation Limited in such manner and on such terms and conditions as the said Administration may deem fit.

3. This Ordinance shall be called the Portion of Tsumeb Town Lands Disposal Ordinance, 1952.

No. 22 of 1952.]

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.

(Assented to 12th 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 expression "the principal Ordinance" means the Karakul Industry Development Ordinance, 1939 (Ordinance 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 34 of 1939), as amended, such amount to be appropriated by the Legislative Assembly from the Territory Revenue Fund.

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

1. Ondanks andersluidende bedinge in die voormelde Akte van Transport 85 van 1929 en die oordrag van die genoemde Tsumeb Town Lands 737 by daardie Akte aan die Administrateur van Suidwes-Afrika ter bewaring vir 'n munisipaliteit wat moontlik daarna ingestel word, word die eiendomsreg op Dele 1, 2, 3 en 4 van die genoemde Tsumeb Town Lands 737 in die Administrasie gevestig; en word die Administrasie hierby gemagtig en volmagtig om die genoemde Dele 1, 2 en 3 aan die genoemde Tsumeb Corporation Limited te verveem op sodanige wyse en bedinge soos die Administrasie goed vind.

2. Ondanks andersluidende bepalings in artikel sewentien van die genoemde Dorpe-Ordonnansie 1928, word die Dorpsbestuur Tsumeb hierby gemagtig om die genoemde dele van Negeende Weg en Derde Straat, wat erf 187 en erf 188 gaan heet, van publieke gebruik af te sluit, en daarop word die eiendomsreg op die aldus geslote dele in die Administrasie gevestig; en die Administrasie word hierby gemagtig en volmagtig om sodanige dele aan die Tsumeb Corporation Limited te verveem op sodanige wyse en bedinge soos die genoemde Administrasie goed vind.

3. Hierdie Ordonnansie heet die Vervreendingsordonnansie op Deel van die Tsumebse Dorpsgrond 1952.

No. 22 van 1952.]

ORDONNANSIE

Om die wet betreffende die oprigting van 'n Adviesraad op die Karakoelnywerheid te wysig, om voorsiening te maak vir die instelling van 'n fonds vir opvoeding betreffende die karakoelnywerheid en om voorsiening te maak vir die betaling van geldtoekennings vir die doeleindes.

(Goedgekeur 12 Junie 1952.)

(Afrikaanse teks deur die Administrateur geteken.)

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 Karakoelnywerheid 1939 (Ordonnansie 5 van 1939).

2. Die lang titel van die Hoofordonnansie word hierby gewysig deur die invoeging na die woord „Karakoelnywerheid” van die woorde „die instelling van 'n fonds vir opvoedings- en ontwikkelingsdoeleindes betreffende die karakoelnywerheid, vir die betaling van geldtoelae vir genoemde doeleindes.”

3. Artikel twee van die Hoofordonnansie word hierby gewysig deur die byvoeging na die woord „moet” van die woorde „ouderhewig aan die bepalings van artikel drie ter”.

4. Artikel drie van die Hoofordonnansie word hierby gewysig deur die byvoeging in paragraaf (5) na die woord „Gebied” van die woorde „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 Karakoelnywerheid (hierina genoem die Fonds) word hierby ingestel, bestaande uit 'n bedrag van 25 persent van die uitvoerbelasting wat vanaf die 1ste dag van April 1952 in gevolge paragraaf (b) van artikel ses van die Wysigingsproklamasie betreffende Uitvoerbelasting op Karakoolpelse (Proklamasie 34 van 1939); soos gewysig, betaal is; die Wetgewende Vergadering moet sodanige bedrag uit die Gebiedsinkomstefonds aanwend;

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 "(e)" 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.

No. 23 of 1952.]

ORDINANCE

To amend the law relating to Companies.

(Assented to 12th 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 four (*bis*) of the Companies Ordinance, 1928 (Ordinance 19 of 1928) hereinafter called the Principal Ordinance, as amended, is hereby amended:—

- (1) by the substitution thereof 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 ter. Die raad kan onderhewig aan die goedkeuring van die Administrateur geldtoekennings uit die genoemde Fonds maak vir die doeleindes van die bevordering van belangstelling in, en ter ontwikkeling en bevordering van, die karakoelnywerheid, 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, pamflette en fotos, of deur enige ander middel wat die raad moontlik goedvind."

6. Artikel vier van die Hoofordonnansie word hierby gewysig deur die invoeging van die onderstaande paragraaf (d), sodat die bestaande paragrafe "(d)" en "(e)" nou onderskeidelik "(e)" en "(f)" word:—

"d) betreffende die aangeleenthede genoem in artikel drie ter;"

7. Hierdie Ordonnansie heet die Wysigingsordonnansie op die Ontwikkeling van die Karakoelnywerheid 1952.

No. 23 van 1952.]

ORDONNANSIE

Om die wet betreffende Maatskappye te wysig.

(Goedgekeur 12 Junie 1952.)

(Engelse teks deur die Administrateur geteken.)

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, hierna 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 „berekende om" die woord „hoofsaaklik", en na die woorde „daardie vereniging" die woorde „ooreenkomstig die bepaling van hierdie artikel" in te voeg, en
- (b) deur die volgende sub-artikel aan die end daarvan by te voeg:—

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

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 the 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”.

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.

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 uitgewe aandele in 'n maatskappy, of al die uitgewe aandele daarin van 'n besondere klas te eniger tyd ten volle opbetaal is en vir alle doeleindes *pari passu* in aanmerking kom, en vir alle doeleindes daarna 'n onderskeidingsnommer hoef te dra nie, solank dit ten volle opbetaal bly en vir alle doeleindes *pari passu* in aanmerking kom met alle aandele van dieselfde klas op daardie tyd 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 pastlike 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 voorkant 'n endorsement dra, by wyse van 'n verwysingsnommer of andersins, wat dit moontlik sal maak om die onmiddellik voorafgaande houër van die aandele te identifiseer.”

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

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

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

(a) deur in regulasie 8 al die woorde na die woord „vasstel” met die volgende woorde te vervang:—

„As enige aandele genommer is, moet al daardie aandele in numeriese volgorde, beginnende met die nommer een, genommer en elke aandeel deur sy gepaste nommer onderskei word; en as enige aandele nie genommer is nie, moet alle aandeel-sertifikate ten opsigte van daardie aandele in numeriese volgorde genommer en elke aandeel-sertifikaat onderskei word deur sy gepaste nommer en deur sodanige endorsement soos ingevoel sub-artikel (3) van artikel *twee-en-twintig* van die Maatskappyordonnansie, 1928, vereis word.”

(b) deur in regulasie 22 die woorde „genommer in die onderneeming” met die woorde „hierondervernel in die onderneeming” te vervang.

7. Geen bepaling in die statute van 'n maatskappy voor die inwerkingtreding van hierdie Ordonnansie geregtig word wat vereis dat aandele in daardie maatskappy genommer moet word, word so uitgelê dat dit aan bedoelde maatskappy 'n verpligting opleë om enige aandele te laat nommer wat ingevoel die voorbehoudsbepaling by sub-artikel (2) van artikel *twee-en-twintig* van die Hoofordonnansie nie onderskeidingsnommers hoef te hê nie.

8. Hierdie Ordonnansie heet die Maatskappy Wysigingsordonnansie, 1952.

No. 24 of 1952.]

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.

(Assented to 12th 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 Administrator is hereby authorised to transfer a sum of money not exceeding the sum of four hundred thousand 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 (Ordinance 13 of 1944) to the Local Authorities Loans Account of the said Ordinance.

2. Section two of the Local Loans Ordinance (Ordinance 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.

No. 25 of 1952.]

ORDINANCE

To provide for the amendment of the law relating to the control of the export of Karakul sheep capable of breeding.

(Assented to 12th 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 expression “the principal Proclamation” shall mean the Karakul Sheep-farming Industry Protection Proclamation, 1930 (Proclamation 31 of 1930), as amended.

2. The following section is hereby inserted after section five (bis) of the principal Proclamation:—

“5(ter). (1) Whenever a seller of Karakul Pelts or his agent advertises or publishes in any manner whatever the average price received for such Karakul pelts sold at any sale, he shall in addition advertise or publish at least the average price received for pelts of each class of pelt mentioned hereunder:—

- (a) Extra large curl;
- (b) Large curl;
- (c) Medium curl;
- (d) Small curl;
- (e) Extra small curl;
- (f) Broad tail and Moiré, and
- (g) Broad flat and Kil.

No. 24 van 1952.]

ORDONNANSIE

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

(Goedgekeur 12 Junie 1952.)

(Engelse teks deur die Administrateur geteken.)

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

1. Die Administrateur word hierby gemagtig om gedurende die boekjaar wat op die een-en-dertigste dag van Maart 1953 eindig, 'n geldbedrag van hoogstens vierhonderdduisend pond vanaf die Behuissingsrekening van die Gebiedsontwikkelings- en -reserwefonds, gestig kragtens artikel twee van die Ordonnansie op die Gebiedsontwikkelings- en -reserwefonds 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 behuissingskemas.”

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

No. 25 van 1952.]

ORDONNANSIE

Om voorsiening te maak vir die wysiging van die wet betreffende die beheer van die uitvoer van karakool-skape wat bekwaam is om te teel.

(Goedgekeur 12 Junie 1952.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. In hierdie Ordonnansie beteken die uitdrukking „die Hoofproklamasie” die Karakoelkaapboerdery-nywerheid Beskermingsproklamasie 1930 (Proklamasie 31 van 1930), soos gewysig.

2. Die onderstaande artikel word hierby na artikel vyf (bis) van die Hoofordonnansie ingevoeg:—

„5(ter). (1) Wanneer ook al 'n karakoelpelsverkooper of sy agent die gemiddelde prys wat hy op enige veiling vir karakoelpelse behaal, adverteer of publiseer, moet hy daarby nog ten minste die gemiddelde prys adverteer of publiseer wat hy vir pelso van elke pelsklas, hieronder genoem, behaal het:—

- (a) Ekstra-groot krul;
- (b) Groot krul;
- (c) Middelmattige krul;
- (d) Klein krul;
- (e) Ekstra-klein krul;
- (f) Breëstert en Moiré, en
- (g) Breë vlak en Vlamvekkig.

(2) Any seller of Karakul pelts or his agent who advertises or publishes in any manner whatever the average price received for any Karakul pelts sold at average price received for advertisement or publish the any sale, fails in addition to advertise or publish the average price received for pelts of each class of pelt as provided in sub-section (1) shall be guilty of an offence and liable on conviction to a fine not exceeding £50 or in default of payment to imprisonment, with or without hard labour, for a period not exceeding 6 months."

3. This Ordinance shall be called the Karakul Sheep-farming Industry Protection Amendment Ordinance, 1952.

No. 26 of 1952.]

ORDINANCE

To amend the law relating to municipalities.

(Assented to 12th 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 one hundred and seventy-five of the Municipal Ordinance, 1949 (Ordinance 3 of 1949) is hereby amended by the repeal of paragraph (b) of sub-section (1) and the substitution thereof 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 3 of 1949).

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

(2) Elke karakoelpelsverkoper of sy agent wat die gemiddelde prys wat hy op enige veiling vir karakoelpelse behaal, enigswins hoegenaamd adverteer of publiseer, en daarty versuim om die gemiddelde prys wat hy vir pelse van elke pelsklas soos voorgeskryf in sub-artikel (1) behaal, te adverteer of te publiseer, is skuldig aan 'n misdryf en is by skuldige bevinding onderhewig aan 'n boete van hoogstens £50 of by wanbetaling aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens 6 maande."

3. Hierdie Ordonnansie heet die Wysigingsordonnansie ter Beskerming van die Karakoelskaapboerdery-nywerheid 1952.

No. 26 van 1952.]

ORDONNANSIE

Ter wysiging van die wet op munisipaliteite.

(Goedgekeur 12 Junie 1952.)

(Engelse teks deur die Administrateur geteken.)

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

1. Artikel eenhonderd vyf-en-sewentig van die Munisipale Ordonnansie 1949 (Ordonnansie 3 van 1949) word hierby gewysig deur paragraaf (b) van sub-artikel (1) te herroep, en 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 Administrateur 'n bedrag gelyk aan ugentig persent van die aangeslane belasting ten opsigte daarvan moet bydra 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 Administrateur die helfte van die aangeslane belasting kan bydra. 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 inwerkingtrekking van hierdie Ordonnansie gedoen het ten opsigte van belastinge aangeslaan op geboue of persele wat aan die Administrasie behoort, het sy beset as wonings of gebruik vir openbare doeleindes, word beskou as wettige en behoorlike betalings ooreenkomstig die bepaling van enige wet op munisipaliteite wat sodanige betalings voorgeskryf het, en wat op daardie tyd van krag was.

(2) By die toepassing van sub-artikel (1) het „perseel" die betekenis wat paragraaf (b) van sub-artikel (1) van artikel eenhonderd vyf-en-sewentig van die Munisipale Ordonnansie (Ordonnansie 3 van 1949) daaraan gee.

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

No. 27 of 1952.]

ORDINANCE

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

(Assented to 12th 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 *one hundred and sixty-three* of the Municipal Ordinance, 1949 (Ordinance 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.

No. 27 van 1952.]

ORDONNANSIE

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

(Goedgekeur 12 Junie 1952.)

(Engelse teks deur die Administrateur geteken.)

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 woord „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 Administrateur, geldelike ondersteuning verstrekk ten opsigte van feesvierings van 'n volksaard.”

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