

OFFICIAL GAZETTE

EXTRAORDINARY
OF SOUTH WEST AFRICA.



BUITENGEWONE OFFISIËLE KOERANT

UITGAWE OP GESAG.

VAN SUIDWES-AFRIKA.

PUBLISHED BY AUTHORITY.

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WINDHOEK

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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. 121.] [13th April, 1953.

No. 121.] [13 April 1953.

ORDINANCES, 1953: PROMULGATION OF.

ORDONNANSIES, 1953: 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:—

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"Provided that in respect of all farms situate west of longitude 16, commencing with the farm Weltevrede No. 404 in the south-western portion of the district of Rehoboth and continuing up to latitude 22, and all farms situate west of longitude 15, commencing from latitude 22, and continuing to latitude 19, the amount of tax shall be calculated according to Column A of the First Schedule to this Ordinance.

Provided further that where any farm is intersected by either of the latitudes or longitudes above described, the amount of tax on the whole of such farm shall be calculated according to Column A of the First Schedule to this Ordinance."

2. This Ordinance shall be called the Taxation of Rural Immovable Property Amendment Ordinance, 1953 and shall come into operation on the 1st day of April, 1953.

No. 7 of 1953.]

ORDINANCE

To amend the law relating to the export duty on karakul pelts.

(Assented to 28th March, 1953.)

(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" means the Karakul Pelt Export Duty Amendment Proclamation, 1939 (Proclamation 34 of 1939), as amended by the Karakul Pelt Export Duty Amendment Ordinance, 1941 (Ordinance 5 of 1941), and the Karakul Pelt Export Duty Amendment Ordinance, 1943, (Ordinance 7 of 1943).

2. Section *six* of the principal Proclamation is hereby amended by the deletion in sub-section (b) of the words "two and a half per cent of the purchase price or money value appearing in terms of sub-section (1) of section 5 upon the face of the aforesaid transfer certificate" and the substitution thereof of the words "6d for each pelt intended to be exported".

3. Section *seven* of the principal Proclamation is hereby amended by —

- (a) the deletion of sub-paragraph (b) of sub-section (1) and the substitution thereof of the following sub-paragraph:—
 "(b) such exporter or his duly authorised agent shall have paid to the Export Official an amount of money equal to 6d for each pelt intended to be exported."
- (b) the deletion in sub-paragraph (a) of sub-section (2) of the words "and shall then and there pay an amount equal to two and a half per cent of the actual nett price realised by him according to such sale account in the currency of this Territory as and for export duty as provided for in section *three*."
- (c) the deletion of sub-paragraphs (b) and (c) of sub-section (2).

4. Section *eight* of the principal Proclamation is hereby amended by:—

- (a) the deletion in sub-paragraph (b) of sub-section (1) of the words "two and a half per cent of the said value so declared" and the substitution thereof of the words "6d for each pelt intended to be exported."
- (b) the deletion of sub-section (2).

„Met dien verstande dat die bedrag van die belasting ten opsigte van alle plase wes van lengtegraadslyn 1 geleë, van die plaas Weltevrede 404 in die suidweste-like deel van die distrik Rehoboth tot by breedtegraadslyn 22, en alle plase wes van lengtegraadslyn 1 geleë, van breedtegraadslyn 22 tot by breedtegraadslyn 19, bereken word ooreenkomstig kolom A van die eerste bylae van hierdie Ordonnansie.

Met dien verstande voorts dat waar òf die breedtegraadslyne òf die lengtegraadslyne hierbo beskrewe op 'n plaas loop, belasting ten opsigte van die hele plaas ooreenkomstig kolom A van die eerste bylae van hierdie Ordonnansie bereken word."

2. Hierdie Ordonnansie heet die Wysigingsordonnansie betreffende Belasting op Landelike Onroerende Eiendoms-1953, en tree op die eerste dag van April 1953 in werking.

No. 7 van 1953.]

ORDONNANSIE

Ter wysiging van die wet betreffende die uitvoerbelasting op karakoelpelse.

(Goedgekeur 28 Maart 1953.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. In hierdie Ordonnansie dui die woord „hoofproklamasie" op die Wysigingsproklamasie betreffende Uitvoerbelasting op Karakoelpelse 1939 (Proklamasie 34 van 1939) soos gewysig by die Wysigingsordonnansie betreffende Uitvoerbelasting op Karakoelpelse 1941 (Ordonnansie 5 van 1941) en die Wysigingsordonnansie betreffende Uitvoerbelasting op Karakoelpelse 1943 (Ordonnansie 7 van 1943).

2. Artikel *ses* van die hoofproklamasie word hierby gewysig deur die woorde „twee en 'n half persent van die koopprys of geldwaarde wat ooreenkomstig sub-artikel (1) van artikel 5 op die voorkant van vermelde oordragcertifikaat verskyn" te skrap en te vervang deur die woorde „6d vir elke pels wat vir die uitvoer bestem is."

3. Artikel *sewe* van die hoofproklamasie word hierby gewysig —

- (a) deur subparagraaf (b) van sub-artikel (1) te skrap en te vervang deur die onderstaande subparagraaf:—
 „(b) so 'n uitvoerder of sy hehoorlik gemagtigde agent aan die uitvoerbeampte 'n geldbedrag betaal het gelyk aan 6d vir elke pels wat vir die uitvoer bestem is."
- (b) deur die woorde „en moet daar en dan 'n bedrag gelykstaande aan twee en 'n half persent van die werklike netto prys deur hom behaal ooreenkomstig die verkoopberig in die koers van hierdie Gebied, hetaal, synde uitvoerbelasting soos deur artikel *drie* bepaal" in subparagraaf (a) van sub-artikel (2) te skrap.
- (c) deur subparagraawe (b) en (c) van sub-artikel (2) te skrap.

4. Artikel *agt* van die hoofproklamasie word hierby gewysig —

- (a) deur die woorde „twee en 'n half persent van die aldus verklaarde waarde" in subparagraaf (b) van sub-artikel (1) te skrap, en te vervang deur die woorde „6d vir elke pels wat vir die uitvoer bestem is."
- (b) deur sub-artikel (2) te skrap.

5. Section *ten* of the principal Proclamation is hereby amended by the deletion of sub-section (4) and the proviso thereto.

6. Section *eleven* of the principal Proclamation is hereby repealed.

7. Section *twelve* of the principal Proclamation is hereby amended by the deletion of sub-section (2).

8. This Ordinance shall be called the Karakul Pelt Export Duty Amendment Ordinance, 1953, and shall come into operation on the first day of April, 1953.

5. Artikel *tien* van die hoofproklamasie word hierby gewysig deur sub-artikel (4) en sy voorbehoudsbepaling te skrap.

6. Artikel *elf* van die hoofproklamasie word hierby herroep.

7. Artikel *twaaif* van die hoofproklamasie word hierby gewysig deur sub-artikel (2) te skrap.

8. Hierdie Ordonnansie heet die Wysigingsordonnansie betreffende Uitvoerbelasting op Karakoelpelse 1953, en tree op die eerste dag van April 1953 in werking.

No. 8 of 1953.]

ORDINANCE

To amend the Teachers' Pensions Proclamation, 1931, to provide for the admission to the South West African Teachers' Pension Fund of certain non-European teachers in South West Africa and for matters incidental thereto.

(Assented to 28th March, 1953.)

(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* of the Teachers' Pensions Proclamation, 1931 (hereinafter referred to as the Principal Proclamation), is hereby amended by —

(a) the insertion of the following definition after the definition of "annuity".

' "Coloured Teacher" means a teacher other than a European or native teacher.'

(b) the deletion of the semi-colon after the word "Proclamation" in paragraph (a) of the definition of "pensionable emoluments" and the insertion therefor of the words "or any addition to his salary under the provisions of Government Notice 239 of 1950;"

2. The first proviso to sub-section (3) of section *ten* of the Principal Proclamation is hereby amended by the insertion after the word "*thirty*" therein, of the following words: "or section *thirty-one bis*".

3. The following new section is inserted after section *thirty-one* of the Principal Proclamation:—

"31 bis. (1) Notwithstanding anything in this Proclamation contained, the provisions thereof shall, excepting sections *three*, *sixteen bis*, *twenty-nine*, *thirty* and *thirty-one*, *mutatis mutandis*, apply with effect from the first day of April, 1953, to all coloured teachers who have been or who are appointed to posts in Government schools or recognised Mission schools, or training schools in the Territory in respect of their teaching service in the Territory.

Provided that no coloured teacher may contribute to the Fund, unless if a man he was under the age of 50 years on the 1st day of April, 1953, and unless if a woman she was under the age of 45 years on the 1st day of April, 1953.

(2) In respect of teaching service in the Territory after 1st day of April, 1953, irrespective whether a coloured teacher is appointed before or after this date, contributions by coloured teachers to the fund shall be compulsory and shall be at the rate shown in the following table:—

No. 8 van 1953.]

ORDONNANSIE

Ter wysiging van die Proklamasie van 1931 betreffende Pensioene van Onderwysers; ter reëling van die deelname van sekere nie-blanke onderwysers in die Pensioenfondse vir Suidwes-Afrikaanse onderwysers, en verbandhoudende sake.

(Goedgekeur 28 Maart 1953.)

(Engelse teks deur die Administrateur geteken.)

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

1. Artikel *een* van die Proklamasie van 1931 betreffende Pensioene van Onderwysers (hierna genoem die hoofproklamasie) word hierby gewysig deur —

(a) die invoeging van die onderstaande woordbepaling na die woordbepaling „annuiteit”:

„Kleurlingonderwyser” beteken 'n onderwyser wat nie 'n Blanke of Naturel is nie.’

(b) die skraping van die komma-punt na die woord „Proklamasie” in paragraaf (a) van die woordbepaling van „op pensioen reggewende emolumente” en die invoeging van die woorde „of enige byvoeging tot sy salaris ingevolge die bepalings van Goewermentskenningsgewing 239 van 1950;” in die plek daarvan.

2. Die eerste voorbehoudsbepaling by sub-artikel (3) van artikel *tien* van die hoofproklamasie word hierby gewysig deur die invoeging van die woorde „of artikel *een-en-dertig bis*” na die woord „*dertig*” daarin.

3. Die onderstaande nuwe artikel word ingevoeg na artikel *een-en-dertig* van die hoofproklamasie:—

„31 bis. (1) Andersluidende bepalings in hierdie Proklamasie ten spyt, en uitgesonderd artikels *drie*, *sestien bis*, *negen-en-twintig*, *dertig* en *een-en-dertig*, geld die bepalings hiervan *mutatis mutandis* elke Kleurlingonderwyser wat aangestel is of aangestel word by 'n Staatskool of by 'n erkende Sending-skool of by 'n Opleidingskool in die Gebied ten opsigte van sy onderwysdiens in die Gebied met ingang 1 April 1953:

Met dien verstande dat geen Kleurlingonderwyser ouer as 50 jaar op die eerste dag van April 1953, en geen Kleurlingonderwyseres ouer as 45 jaar op die eerste dag van April 1953, tot die Pensioenfondse mag bydra nie.

(2) Ten opsigte van onderwysdiens in die Gebied na die eerste dag van April 1953, en onverskillig of 'n Kleurlingonderwyser dan reeds aangestel is, dan of hy daarna aangestel word, is elke Kleurlingonderwyser verplig om tot die Pensioenfondse by te dra, en wel volgens die onderstaande tabel:—

MEN		WOMEN		ONDERWYSERS.		ONDERWYSERESSE.	
Age last birthday at 1st April, 1953.	Rate of Contribution (Per Cent of his pensionable emoluments).	Age last birthday at 1st April, 1953.	Rate of Contribution (Per Cent of her pensionable emoluments).	Ouderdom op laaste verjaarsdag voor 1 April 1953.	Bydraeskaal (Persent van sy pensioen-lumente)	Ouderdom op laaste verjaarsdag voor 1 April 1953.	Bydraeskaal (Persent van haar pensioen-lumente)
Not exceeding 43 years	7	Not exceeding 35 years	7	Hoogstens 43 jaar	7	Hoogstens 35 jaar	7
Exceeding 43 years but not exceeding 46 years	8	Exceeding 35 years but not exceeding 37 years	8	Ouer as 43, maar hoogstens 46 jaar	8	Ouer as 35, maar hoogstens 37 jaar	8
Exceeding 46 years	9	Exceeding 37 years but not exceeding 40 years	9	Ouer as 46 jaar	9	Ouer as 37, maar hoogstens 40 jaar	9
		Exceeding 40 years but not exceeding 42 years	10			Ouer as 40, maar hoogstens 42 jaar	10
		Exceeding 42 years	11			Ouer as 42 jaar	11

Provided further that such teachers who have been or are appointed to posts in government schools or recognised Mission schools or training schools in the Territory, shall not be eligible to contribute to the Fund unless the Director indicates in writing that he is satisfied with their qualifications as teachers.

(3) Contributions to the Fund by a coloured teacher in respect of teaching service in the Territory prior to the 1st day of April, 1953, shall be at the option of the teacher, which option shall be communicated in writing to the Director within 30 days of the receipt by such teacher of a notice from the Director calling upon him to make his election, together with a detailed statement of his teaching service in the Territory in respect of which he desires to contribute.

Provided that the Director shall decide whether the teaching service in the Territory claimed by the teacher for the purpose of contributing, shall be accepted as such.

The amount to be contributed to the fund by each coloured teacher in respect of the period or periods of service in the Territory prior to 1st April, 1953, shall be a percentage, fixed in accordance with the following table, of the total annual pensionable emoluments of that teacher as at 1st day of April, 1953, multiplied by the number of years, including portions of a year, contained in such period or aggregate of such periods.

Age last birthday at 1st April, 1953	Percentage.
21 years and under	4
22 — 28 years	4½
29 — 34 years	5
35 — 38 years	5½
39 — 42 years	6
43 — 45 years	6½
46 — 48 years	7
49 years	7½"

4. This Ordinance shall be called the Teachers' Pensions Proclamation Amendment Ordinance, 1953.

Met dien verstande voorts dat sodanige onderwyser wat in betrekkings by Staatskole of erkende Sending skole of Opleidingskole in die Gebied aangestel is of aangestel word, nie vir bydraes tot die Pensioen fonds in aanmerking kom nie tensy die Direkteur skriftelik aandui dat hy met hulle kwalifikasies as onderwysers genoë neem.

(3) Ten opsigte van sy onderwysdiens in die Gebied voor die eerste dag van April 1953 kan 'n Kleurlingonderwyser kies of hy tot die Pensioenfonds wil bydra, maar hy moet die Direkteur skriftelik van sy keuse verwittig met 'n volledige opgaaf van die onderwysdiens in die Gebied ten opsigte waarvoor hy wil bydra, en dit wel binne dertig dae nadat hy van die Direkteur kennisgewing ontvang het dat hy die keuse moet uitoeven.

Met dien verstande dat die Direkteur besluit o die onderwysdiens in die Gebied ten opsigte waarvoor die onderwyser wil bydra, as sodanig aanvaar kan word.

Die bedrag wat elke Kleurlingonderwyser tot die Pensioenfonds moet bydra ten opsigte van sy diens tyd of -tye in die Gebied voor 1 April 1953 is 'n persentasie, vasgestel volgens die onderstaande tabel van sy totale, jaarlikse pensioendraende emolument op die eerste dag van April 1953, vermenigvuldig met die aantal jare, insluitende jaardele, van sy diens tyd of van sy dienstrye altesaam.

Ouderdom op laaste verjaarsdag voor 1 April 1953	Persentasie.
21 jaar en jonger	4
22 — 28 jaar	4½
29 — 34 jaar	5
35 — 38 jaar	5½
39 — 42 jaar	6
43 — 45 jaar	6½
46 — 48 jaar	7
49 jaar	7½"

4. Hierdie Ordonnansie heet die Wysigingsordonnansie 1953 op die Proklamasie betreffende Pensioene van Onderwysers.