

OFFICIAL GAZETTE

EXTRAORDINARY
OF SOUTH WEST AFRICA.

BUITENGEWONE OFFISIEËLE KOERANT

UITGAWE OP GESAG.

VAN SUIDWES-AFRIKA.



PUBLISHED BY AUTHORITY.

1/- Friday, 31st December, 1954.

WINDHOEK

Vrydag, 31 Desember 1954.

No. 1872.

CONTENTS

Page

PROCLAMATIONS

| | |
|---|---|
| No. 266 (Union). Commencement of the Immigrants Regulation Amendment Act, 1953. | 1 |
| No. 267 (Union). Deportation of Undesirable Persons from South West Africa. | 2 |

INHOUD

PROKLAMASIES

| | |
|---|---|
| No. 266 (Unie). Inwerkingtreding van die Wysigingswet tot Reëling van Immigrasie, 1953. | 1 |
| No. 267 (Unie). Deportering van Ongewenste Persone uit Suidwes-Afrika. | 2 |

Bladsy

PROCLAMATIONS

BY HIS EXCELLENCE THE HONOURABLE ERNEST GEORGE JANSSEN, DOCTOR OF LAWS, GOVERNOR-GENERAL OF THE UNION OF SOUTH AFRICA.

* No. 266, 1954 (UNION).]
COMMENCEMENT OF THE IMMIGRANTS REGULATION AMENDMENT ACT, 1953 (ACT NO. 43 OF 1953).

Under the powers vested in me by section seven of the Immigrants Regulation Amendment Act, 1953 (Act No. 43 of 1953), I do hereby declare that the said Act shall come into operation on the first day of January, 1955.

GOD SAVE THE QUEEN.

Given under my Hand and Great Seal at Pretoria on this Ninth day of December, One thousand Nine hundred and Fifty-four.

E. G. JANSEN,
Governor-General.

By Command of His Excellency the Governor-General-in-Council.
T. E. DÖNGES.

PROKLAMASIES

VAN SY EKSELLENSIE DIE EDELE ERNEST GEORGE JANSSEN DOKTOR IN DIE REGTE, GOEWERNEUR-GENERAAL VAN DIJ UNIE VAN SUID-AFRIKA.

* No. 266, 1954 (UNIE).]
INWERKINGTREDING VAN DIE WYSIGINGSWET TOT REËLING VAN IMMIGRASIE, 1953 (WET NO. 43 VAN 1953).

Kragtens die bevoegdheid my verleen by artikel seven van die Wysigingswet tot Reëling van Immigrasie, 1953 (Wet No. 43 van 1953), verklaar ek hierby dat genoemde Wet op die eerste dag van Januarie 1955 in werking tree.

GOD BEHOEDE DIE KONINGIN.

Gegee onder my Hand en Grootseil te Pretoria, op hede die Negende dag van Desember Endoendien Nege honderd Vier-en-vyftig.

E. G. JANSEN,
Goewerneur-generaal

Op las van Sy Eksellensie die Goewerneur-generaal-inrade.
T. E. DÖNGES.

* No. 267, 1954 (UNION).]

DEPORTATION OF UNDESIRABLE PERSONS
FROM SOUTH WEST AFRICA.

Under the powers vested in me by sub-section (1) of section two of the South West Africa Affairs Amendment Act, 1951 (Act No. 55 of 1951), I do hereby proclaim as follows:—

1. Any person born in the Union of South Africa and who has whether before or after the commencement of this Proclamation entered the Territory, may be deemed by the Administrator of the Territory to be an undesirable person, if he has—

(a) whether before or after the commencement of this Proclamation, been convicted of any of the following offences (unless he has received a free pardon therefor) namely, high treason, sedition, public violence, counterfeiting coin or uttering counterfeit coin knowing that it is counterfeit, murder, culpable homicide, assault with intent to commit murder, assault with intent to do grievous bodily harm, rape, incest, sodomy, indecent assault, unlawful carnal intercourse or indecent or immoral acts with a girl under a specified age or with a female idiot, or imbecile, or soliciting or enticing any such girl or female to the commission of such acts, criminal injury, indecent exposure, arson, robbery, theft, receiving stolen property well knowing it to have been stolen, malicious injury to property, fraud, forgery, or the uttering of forged document knowing that it is forged, housebreaking with intent to commit an offence, bribery, extortion or the obtaining of any property by means of any threat whatever, or any attempt or incitement to commit any such offence; or

(b) whether before or after the commencement of this Proclamation, been sentenced to imprisonment—

- (i) for any offence under a law for the suppression of brothels or the punishment of immorality or miscegenation; or
- (ii) for selling, bartering, giving or otherwise supplying intoxicating liquor to any native in contravention of any law; or
- (iii) for any offence committed by the sale or supply of or dealing in or being in possession of any habit-forming drug in contravention of any law:

Provided that where a person has been convicted in the Territory of any offence the Administrator may, by reason of the circumstances of such offence, deem such person to be an undesirable person.

2. Whenever the Administrator exercises the powers conferred upon him by section one he may issue an order that the person concerned be warned to depart from the Territory within a stipulated period, or that the said person be arrested and removed from the Territory.

3. Upon the issue of such an order the Secretary shall forthwith give written notice thereof to the Board and to the person against whom the order is made.

4. Every person against whom such an order has been made shall have the right of appeal to the Board which appeal shall be noted within seven days after receipt of the written notice in terms of section three and such person shall deposit with the Secretary an amount to be determined by the Secretary, sufficient to cover the costs of the Board incidental to such appeal.

5. If no appeal is noted or, if an appeal has been noted but no deposit in terms of section four has been made or the appeal is not prosecuted within fourteen days of the date of noting the appeal, or the Board has dismissed the appeal, the Secretary shall cause the said person, if he has not departed from the Territory, to be removed from the

* No. 267, 1954 (UNIE).

DEPORTERING VAN ONGEWENSTE PERSONE
UIT SUIDWES-AFRIKA.

Kragtens die bevoegdheid aan my verleen by subartikel (1) van artikel twee van die Wysigingswet op Aangecende hede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951), proklameer ek hierby soos volg:—

1. Enige persoon wat in die Unie van Suid-Afrika gebore is en wat hetsy voor of na die inwerkingtreding van hierdie Proklamasie die Gebied binnegegaan het, kan deur die Administrateur van die Gebied as 'n ongewenste persoon beskou word, as hy—

(a) hetsy voor of na die inwerkingtreding van hierdie Proklamasie van enigeen van die volgende misdrywe skuldig bevind is (tenys aan hom ten opsigte daarvan gracie verleen is), naamlik, hoogverraad, sedisie, openbare geweld, muntpervalsing van uitgee van valse munt wetende dat dit valse munt is, moord, strafbare manslag, aanranding met die doel om moord te pleeg, aanranding met die doel om ernstige liggaamlike letsel aan te doen, verkragting, bloedskande, sodomie, onsedelike aanranding, onwettige vleeslike gemeenskap of onsedelike of immorele dae met 'n meisie onder 'n bepaalde ouderdom of met 'n vroulike idioot, of imbesiel, of die maak van onsedelike voorstelle teenoor, of aanlokking van, so 'n misie of vrou met die oog op die verrigting van sulke dade, strafregtelike injuria, onbetaamlike ontbloting, brandstigting, roof, diefstal, heling van gestelde goedere wel wetende dat dit gesterel is, opsetlike saakbeskadiging, bedrog, vervalsing, of die uitgee van 'n vervalste dokument wetende dat dit vervals is, huisbraak met die doel om 'n misdryf te pleeg, omkopery, afpersing of die verkryging van goedere deur middel van bedreiging van watter aard ook al, of 'n poging of aanhittings om so 'n misdryf te pleeg; of

(b) hetsy voor of na die inwerkingtreding van hierdie Proklamasie tot gevangelisstraf veroordeel is—

- (i) weens 'n misdryf kragtens 'n wet op die onderdrukking van bordelle of die straf van onsedelikheid of rasvermenging; of
- (ii) weens die verkoop, ruil, gec of verskaffing op 'n ander manier van bedwelmdende drank aan 'n naturel in stryd met 'n wet; of
- (iii) weens 'n misdryf wat gepleeg is deur die verkoop of verskaffing van of handel in of deur in besit te wees van 'n gewoontevormende verdovingsmiddel in stryd met 'n wet:

Met dien verstande dat waar 'n persoon in die Gebied van enige misdryf skuldig bevind is dat Administrateur so 'n persoon, uit wan van die omstandighede van sodanige misdryf, as 'n ongewenste persoon kan beskou.

2. Wanneer die Administrateur die bevoegdheide wat aan hom deur artikel een verleen word, uitoefen, kan hy 'n bevel uitrek dat die betrokke persoon gewaarsku moet word om die Gebied binne 'n vastgestelde tydperk te verlaat of dat genoemde persoon in hechtenis geneem en uit die Gebied verwyder moet word.

3. Wanneer so 'n bevel uitgereik word, moet die Sekretaris die Raad en die persoon teen wie die bevel uitgereik word dadelik skriftelik daarvan in kennis stel.

4. Elke persoon teen wie so 'n bevel uitgereik is, het die reg om na die Raad te appelleer en sodanige appèl moet binne sewe dae na ontvang van die skriftelike kennissiging ingevalle artikel drie aangegetken word en sodanige persoon moet 'n bedrag, wat deur die Sekretaris bepaal moet word en wat voldoende is om die Raad se koste in verband met sodanige appèl te deck, by die Sekretaris deponcer.

5. As geen appèl aangegetken word nie of, as appèl aangegetken is maar geen deposito ingevalle artikel vier gemaak is nie of die appèl nie binne veertien dae vanaf die datum waarop appèl aangegetken is, voortgesit word nie, of die Raad die appèl van die hand gewys het, moet die Sekretaris bedoelde persoon, as hy nie die Gebied verlaat nie, kragtens lasbrief deur die Sekretaris uitgereik

Territory to the Union of South Africa under warrant issued by the Secretary and pending such removal, the said person may be detained in such custody as may be prescribed in writing by the Secretary.

6. If any person, whether before or after the taking effect of this Proclamation, has lawfully been ordered to leave or been removed from the Territory, is found in the Territory, he shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding three months; and he may at any time after the expiration of the sentence, be removed from the Territory by warrant issued by the Secretary.

7. In this Proclamation, unless the context otherwise indicates—

“Board” means an Immigration Board for the Territory constituted in terms of section two of the Immigrants’ Regulation Act, 1913 (Act No. 22 of 1913); “Secretary” means the Secretary or Assistant Secretary for the Territory;

“Territory” means the Territory of South West Africa.

GOD SAVE THE QUEEN.

Given under my Hand and Great Seal at Pretoria on this Ninth day of December, One thousand Nine hundred and Fifty-four.

E. G. JANSEN,
Governor-General.

By Command of His Excellency the
Governor-General-in-Council.

T. E. DÖNGES.

uit die Gebied na die Unie van Suid-Afrika laat verwyder en in afwagting van sodanige verwydering kan bedoelde persoon in die bewaring wat die Sekretaris skriftelik voorskryf, aangehou word.

6. As 'n persoon wat, hetso voor of na die inwerkingtreding van hierdie Proklamasie, wettiglik beveel is om die Gebied te verlaat of uit die Gebied verwyder is, in die Gebied gevind word, is hy aan 'n misdryf skuldig en by skuldigbevinding strafbaar met gevangenisstraf vir 'n tydperk van hoogstens drie maande; en hy kan te eniger tyd na verstryking van die vonnis uit die Gebied verwyder word kragtens lasbrief deur die Sekretaris uitgereik.

7. In hierdie Proklamasie, tensy nie die samehang anders blyk, beteken—

.. Raad”, ‘n Immigrasieraad van die Gebied, ingestel ingevolge artikel twee van die Wet tot Regeling van Immigrasie, 1913 (Wei No. 22 van 1913);

.. Sekretaris”, die Sekretaris of Assistent-sekretaris van die Gebied;

.. Gebied”, die Gebied Suidwes-Afrika.

GOD BEHOEDE DIE KONINGIN.

Gegee onder my Hand en Grootseal te Pretoria, op hiede die Negende dag van Desember Eenduisend Negehonderd Vier-en-vyftig.

E. G. JANSEN,
Goewerneur-generaal.

Op las van Sy Eksellensie die
Goewerneur-generaal-in-rade.

T. E. DÖNGES.