

BUITENGEWONE  
**OFFISIELLE KOERANT**  
 VAN SUIDWES - AFRIKA.



**OFFICIAL GAZETTE**

EXTRAORDINARY  
 OF SOUTH WEST AFRICA.

UITGAVE OP GESAG.

PUBLISHED BY AUTHORITY.

1/- Donderdag, 11 April 1957.

WINDHOEK

Thursday, 11th April, 1957.

No. 2072.

**INHOUD.**

*Bladsy*

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**Goewermentskennisgewing.**

**Government Notice.**

Die volgende Goewermentskennisgewing wird vir algemene inligting gepubliseer.

J. NESER,  
*Sekretaris van Suidwes-Afrika.*

Kantoor van die Administrateur,  
 Windhoek.

The following Government Notice is published for general information.

J. NESER,  
*Secretary for South West Africa.*

Administrator's Office,  
 Windhoek.

No. 93.]

[11 April 1957.

No. 93.]

[11th April, 1957.

**ORDONNANSIES, 1957: UITVAARDIGING VAN.**

Dit het die Administrateur behaag om sy goedkeuring te heg, ooreenkomstig artikel *twoe-en-dertig* van „De Zuidwest-Afrika Konstitusie 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:—

**ORDINANCES, 1957: 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. 1 van 1957.]

No. 1 of 1957.]

## ORDONNANSIE

Tot aanwending van 'n verdere geldbedrag van hoogstens een miljoen drie honderd agt en sewentig duisend twee honderd en tien pond vir die diens van die Gebied Suidwes-Afrika vir die boekjaar wat op die een-en-dertigste dag van Maart 1957 eindig.

(Goedgekeur 9 April 1957.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. Die Administrasierekening van die Gebied Suidwes-Afrika word hiermee belas met die bedrag van een miljoen drie honderd agt en sewentig duisend twee honderd en tien pond op die Inkomsterekening tot dekking van sekere uitgawes bo en behalwe die bedrag beskikbaar gestel vir die diens van die boekjaar wat op 31 Maart 1957 eindig, soos in Ordonnansie 5 van 1956 vermeld is.

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 Bykomende Uitgawe wat gedek moet word uit Inkomstefondse (S.W.A. 2—1957) soos deur die Wetgewende Vergadering goedgekeur.

3. Hierdie Ordonnansie heet die Addisionele Middele (1956/57) Ordonnansie 1957.

### BYLAE.

No. van Begrotingspos.	Benaming van Begrotingspos.	Bedrag.
1.	Administrasie	12,600
2.	Wetgewende Vergadering	5,250
5.	Doeane en Aksyns	1,000
6.	Diverse Dienste	13,700
7.	Onderwys	14,850
9.	Regspleging	7,800
10.	Lande, Aktes en Opmetings	58,660
13.	Pensloene en Gratifikasies	27,000
14.	Pos-, Telegraaf- en Telefoonwese	61,600
15.	Gevangenisse en Verbeteringsgestigte	5,750
19.	Aanwending uit Inkomstefonds van die Gebied tot die Gebiedsontwikkelings- en reserwfonds	1,170,000
<b>TOTAAL</b>		<b>£1,378,210</b>

## ORDINANCE

To apply a further sum not exceeding one million three hundred and seventy eight thousand two hundred and ten pounds towards the service of the Territory of South West Africa for the financial year ending on the thirty-first day of March, 1957.

(Assented to 9th April, 1957.)

(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 one million three hundred and seventy eight thousand two hundred and ten pounds on Revenue Account to meet certain expenditure over and above the amounts appropriated for the service of the financial year ending on the 31st March, 1957, as specified in Ordinance 5 of 1956.

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 Additional Expenditure (S.W.A. 2—1957) as approved by the Legislative Assembly.

3. This Ordinance shall be called the Additional Appropriation (1956/57) Ordinance, 1957.

### SCHEDULE.

Vote No.	Designation of Vote.	Amount
1.	Administration	12,600
2.	Legislative Assembly	5,250
5.	Customs and Excise	1,000
6.	Miscellaneous Services	13,700
7.	Education	14,850
9.	Administration of Justice	7,800
10.	Lands, Deeds and Surveys	58,660
13.	Pensions and Gratuities	27,000
14.	Posts, Telegraphs and Telephones	61,600
15.	Prisons and Reformatories	5,750
19.	Appropriation from Territory Revenue Fund to the Territorial Development and Reserve Fund	1,170,000
<b>TOTAL</b>		<b>£1,378,210</b>

No. 2 van 1757.]

No. 2 of 1957.]

## ORDONNANSIE

Ter wysiging van die Wet op Wildbeskerming.

(Goedgekeur 9 April 1957.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. Artikel sewe-en-twintig van die Ordonnansie op Wildbeskerming 1951 (Ordonnansie 11 van 1951), word hierby gewysig deur die woorde „in die jagtyd” te skrap.

2. Hierdie Ordonnansie heet die Wysigings-ordonnansie op Wildbeskerming 1957.

## ORDINANCE

To amend the law relating to the preservation of game.

(Assented to 9th April, 1957.)

(Afrikaans text signed by the Administrator.)

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

1. Section twenty-seven of the Game Preservation Ordinance, 1951 (Ordinance 11 of 1951), is hereby amended by the deletion of the words “in open season”.

2. This Ordinance shall be called the Preservation of Game Amendment Ordinance, 1957.

No. 3 van 1957.]

No. 3 of 1957.]

**ORDONNANSIE**

Ter wysiging van die wet op banke.

(Goedgekeur 9 April 1957.)

(Engelse teks deur die Administrateur geteken.)

Die Wetgewende Vergadering van die Gebied Suid-wes-Afrika VERORDEN:—

1. Die bylae van die Bankeproklamasie 1930 (Proklamasie 29 van 1930), word hierby gewysig deur —

(a) die invoeging onder die opskrif BATE, na hoof 12(b) (iii), van die onderstaande onderhoof:

„(iii bis) Deur verpanding van inkassowissels.”

(b) die vervanging van die verklaring na hoof 24 onder die opskrif „MEMORANDUM” deur die onderstaande verklaring:—

„Ons verklaar —

(1) met ons hele kennis en oortuiging dat die voorgaande staat juis is;

(2) dat voorsiening vir waardevermindering en vir oninbare of twyfelagtige skulde laas op ..... (datum) gemaak is;

(3) dat die voorgaande staat nie bedryfsverliese en opgehoopte verliese insluitende opgehoopte waardevermindering en oninbare skulde wat nog nie afgeskryf is nie, as bate aangee nie.

HOOFAGENT VIR DIE GEBIED.

REKENMEESTER, HOOFAGENTSKAP.”

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op Banke 1957.

No. 4 van 1957.]

**ORDONNANSIE**

Ter wysiging van die wet op landnedersetting.

(Goedgekeur 9 April 1957.)

(Afrikaanse teks deur die Administrateur geteken.)

Die Wetgewende Vergadering van die Gebied Suid-wes-Afrika VERORDEN:—

1. Artikel vyf-en-dertig van die „Landnedersetting Gekonsolideerde en Wysigings Proklamasie 1927” (Unie-Proklamasie 310 van 1927) — hierna heet dit die hoofproklamasie — word hierby gewysig deur die invoeging van die onderstaande sub-artikel na sub-artikel (1):—

„(1) bis. Behoudens die bepalings van hierdie Proklamasie is dit 'n voorwaarde van elke huurkontrak ten opsigte van 'n hoewe dat die huurder in die loop van die huurtermyn geen vee wat nie bona fide sy eiendom is nie op die hoewe mag laat wei of toelaat om te wei nie, nog mag hy enigiemand anders toelaat om enige deel van die hoewe te verbou nie, tensy die Administrateur se skriftelike toestemming daartoe vooraf verkry is.”

Die bepalings van hierdie sub-artikel word beskou as reeds in werking met ingang van die eerste dag van Januarie 1930.

2. Sub-artikel (1) van artikel vier-en-veertig van die hoofproklamasie word hierby gewysig deur —

(a) die woord „sewehonderd-en-vyftig” in paragraaf (a) te vervang deur die woord „vyftienhonderd”;

**ORDINANCE**

To amend the law relating to Banking.

(Assented to 9th April, 1957.)

(English text signed by the Administrator.)

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

1. The Schedule to the Banks Proclamation, 1930, (Proclamation 29 of 1930), is hereby amended by:—

(a) the insertion under the heading ASSETS, after item 12(b)(iii) of the following sub-item:

“(iii bis) By pledges of Bills for Collection.”;

(b) the substitution under the heading MEMORANDUM, of the following declaration for the declaration after item 24:—

“We declare —

(1) that the foregoing statement is to the best of our knowledge and belief correct;

(2) that provision for depreciation of assets and for bad or doubtful debts was last made on ..... (date);

(3) that the foregoing statement does not include as assets operating and accumulated losses, including accumulated depreciation and bad debts not yet written off.

CHIEF AGENT FOR THE TERRITORY.

ACCOUNTANT, CHIEF AGENCY.”

2. This Ordinance shall be called the Banks Amendment Ordinance 1957.

No. 4 of 1957.]

**ORDINANCE**

To amend the law relating to Land Settlement.

(Assented to 9th April, 1957.)

(Afrikaans text signed by the Administrator.)

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

1. Section thirty-five of the Land Settlement Consolidation and Amendment Proclamation 1927, (Union Proclamation 310 of 1927), hereinafter called the principal Proclamation, is hereby amended by the insertion of the following sub-section after sub-section (1):—

“(1) bis. Save as in this Proclamation is provided it shall be a condition of every lease of a holding that during the currency of the lease the lessee shall not on the holding graze or allow to be grazed stock which are not his bona fide property or allow any other person to cultivate any portion of the holding unless the consent in writing of the Administrator has been first obtained.”

The provisions of this sub-section shall be deemed to have been in operation as from the first day of January, 1930.

2. Sub-section (1) of section forty-four of the principal Proclamation is hereby amended by:—

(a) the substitution in paragraph (a) of the words “fifteen hundred” for the words “seven hundred and fifty”;

- (b) die punt aan die slot van paragraaf (e) te vervang deur 'n kommapunt;
- (c) na paragraaf (e) die onderstaande paragraaf in te voeg: —
- „(f) die totale bedrag aan voorskotte ten opsigte van 'n hoeve mag nooit op een tydstip vyftienhonderd pond oorskry nie.”

3. Hierdie Ordonnansie heet die Wysigingsordonnansie op Landnedersetting 1957.

No. 5 van 1957.]

## ORDONNANSIE

Ter wysiging van die Ordonnansie op Winkelure en Winkelbediendes 1939.

(Goedgekeur 9 April 1957.)  
(Engelse teks deur die Administrateur geteken.)

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

1. Sub-artikel (1) van artikel *drie* van die Ordonnansie op Winkelure en Winkelbediendes 1939 (Ordonnansie 15 van 1939) word hierby gewysig deur die onderstaande paragraaf aan die slot van daardie sub-artikel in te voeg:—

„Dit is wettig om kliënte wat met die sluitingsuur alreeds in die winkel is, te bedien in die loop van die vyftien minute wat volg op die sluitingsuur.”

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op Winkelure en Winkelbediendes 1957.

No. 6 van 1957.]

## ORDONNANSIE

Om die wet op omheining te wysig deur sekere bepalings van die „Omheinings Proklamatie, 1921” (Proklamasie 57 van 1921) toe te pas op jakkalsdraadomheining en om die oprigting van jakkalsdraadomheining in bepaalde gebiede verpligtend te maak.

(Goedgekeur 9 April 1957.)  
(Engelse teks deur die Administrateur geteken.)

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

1. (1) Behoudens die bepalings van hierdie artikel is bydraes tot die koste van —

- (a) die verandering van 'n tussenheining in 'n jakkalsdraadheining; of
- (b) die oprigting van 'n jakkalsdraadheining as 'n tussenheining —

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verpligtend in enige kring ten opsigte waarvan die Administrateur sodanige bydraes by kennisgewing in die *Offisiële Koerant* as verpligtend verklaar, en bydraes wat aldus in 'n kring as verpligtend verklaar word, moet geskied van 'n datum wat sodanige kennisgewing bepaal.

(2) Geen sodanige kennisgewing mag ten opsigte van enige kring geskied nie, tensy sodanige kring 'n kring is ten opsigte waarvan bydraes tot die koste van 'n tussenheining verpligtend is ingevolge artikel *vyf* van die „Omheinings Proklamatie, 1921” — hierna heet dit die Proklamasie.

- (b) the substitution of a semi-colon for the full stop at the end of paragraph (e);
- (c) the insertion after paragraph (e) of the following paragraph:—
- “(f) the total amount of advances made in respect of any holding at any time shall not exceed the sum of fifteen hundred pounds.”

3. This Ordinance shall be called the Land Settlement Amendment Ordinance, 1957.

No. 5 of 1957.]

## ORDINANCE

To amend the Shop Hours and Shop Assistants Ordinance, 1939.

(Assented to 9th April, 1957.)  
(English text signed by the Administrator.)

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

1. Sub-section (1) of section *three* of the Shop Hours and Shop Assistants Ordinance, 1939, (No. 15 of 1939) is hereby amended by the insertion of the following paragraph at the end of that sub-section:—

“It shall be lawful during the fifteen minutes following the closing hour to serve customers who were already in the shop at the closing hour.”

2. This Ordinance shall be called the Shop Hours and Shop Assistants Amendment Ordinance, 1957.

No. 6 of 1957.]

## ORDINANCE

To amend the law concerning fencing by the extension of certain provisions of the Fencing Proclamation of 1921 (No. 57 of 1921) to jackal-proof fences and to make the erection of jackal-proof fences in certain areas compulsory.

(Assented to 9th April, 1957.)  
(English text signed by the Administrator.)

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

1. (1) Subject to the provisions of this section contributions towards the cost of —

- (a) converting a dividing fence into a jackal-proof fence; or
- (b) erecting a jackal-proof fence as a dividing fence —

shall be obligatory in any area in which such contributions are declared obligatory by the Administrator by notice in the *Official Gazette*, and contributions when so declared obligatory in any area shall be made as from a date to be by the said notice fixed.

(2) No such notice shall be issued in respect of any area unless such area is an area wherein contributions towards the cost of a dividing fence are obligatory in terms of section *five* of the Fencing Proclamation 1921, hereinafter called the Proclamation.

(3) Die Administrateur kan so 'n kennisgewing na goedvinde uitrek, telkens wanneer daar onder die omstandighede wat sub-artikels (3) en (4) van artikel *vyf* van die Proklamasie beskryf, aan die Sekretaris van Suidwes-Afrika 'n besluit oorgedra word wat aanbeveel dat sodanige bydraes verpligtend verklaar word; en daarop geld artikels *een*, *twee*, *vier*, *vyf*, *ses*, *sewe*, *agt*, *vier-en-twintig*, *vyf-en-twintig*, *dertig*, *een-en-dertig*, *twee-en-dertig*, *drie-en-dertig*, *vier-en-dertig*, *vier-en-dertig bis*, *vyf-en-dertig*, *sewen-en-dertig* en *veertig* met die nodige veranderings enige sodanige jakkalsdraadheining op diesezelfde wyse as wat hulle tussenheinings geld.

(4) Neteenstaande strydige bepalings in enige ander wet kan die Administrateur vir die doeleindes van hierdie Ordonnansie die woord „*wyk*“ wat in sub-artikels (3) en (4) van artikel *vyf* van die Proklamasie genoem word, so vertolk dat dit enige grondbewaringsdistrik insluit wat kragtens artikel *ten* van die Ordonnansie op Grondbewaring 1952 (Ordonnansie 28 van 1952) as sodanig geproklameer is, in welke geval die procedure soos in artikel *vyf* van die Proklamasie uiteengesit, nie gevolg word nie, maar as die Grondbewaringsraad wat by artikel *drie* van die genoemde Ordonnansie op Grondbewaring ingestel is kragtens 'n besluit aanbeveel dat sodanige bydraes as verpligtend verklaar moet word ten opsigte van 'n grondbewaringsdistrik waarin meer as 75% van die hoewes reeds met jakkalsdraad omhein is, kan die Administrateur by kennisgewing in die *Offisiële Koerant* sodanige grondbewaringsdistrik verklaar tot 'n kring waarbinne bydraes tot die koste van jakkalsdraadomheining ingevolge sub-artikel (1) van artikel *een* hiervan verpligtend is met ingang van 'n datum wat sodanige kennisgewing bepaal, en daarop geld die artikels van die Proklamasie wat sub-artikel (3) hiervan noem met die nodige veranderinge en ten opsigte van jakkalsdraadomheining op diesezelfde wyse as wat hulle tussenheinings geld.

(5) Wanneer ook al 'n eienaar se hoeve geleë is binne 'n kring ten opsigte waarvan die Administrateur by kennisgewing in die *Offisiële Koerant* bydraes tot die koste van jakkalsdraadomheining as verpligtend verklaar het, en sodanige hoeve afgesonder is van 'n aangrensende hoeve buite sodanige kring deur 'n tussenheining, is die eienaar van die aangrensende hoeve verplig om tot die koste van verandering van die tussenheining in 'n jakkalsdraadheining by te dra.

(6) Wanneer die hoeve van enige eienaar geleë is buite 'n kring ten opsigte waarvan jakkalsdraadomheining verpligtend is, en sodanige eienaar jakkalsdraadomheining op sy hoeve of op 'n gedeelte daarvan oprig, is die eienaar van 'n aangrensende hoeve wat van die eerstgenoemde hoeve deur 'n tussenheining afgesonder is, nie verplig om by te dra tot die koste van die oprigting van die genoemde jakkalsdraadheining nie, tensy en totdat hy nuttige gebruik van sodanige jakkalsdraadheining geniet.

## 2. Hierdie Ordonnansie heet die Wysigingsordonnansie op die Omheiningsproklamasie 1957.

No. 7 van 1957.]

## ORDONNANSIE.

Ter konsolidering en wysiging van die wet op die beheer van radiobedrywighede in die Gebied en verbandhouende sake.

(Goedgekeur 9 April 1957.)  
(Engelse teks deur die Administrateur geteken.)

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika, met die toestemming van die Goewerneur-generaal, dermate sodanige toestemming nodig is, vooraf verkreë en deur boodskap van die Administrateur aan die Wetgewende Vergadering meegedeel ooreenkomsdig die bepalings van artikel *ses-en-twintig* van die „Zuidwest Afrika Konstitutie Wet 1925“ soos gewysig by artikel *sestien* van die Wysigingswet op Aangeleenthede van Suidwes-Afrika 1949 van die Parlement van die Unie van Suid-Afrika, VERORDEN:

(3) Such notice may be issued by the Administrator, if he deems it expedient, whenever there has been transmitted to the Secretary of South West Africa under the circumstances described in sub-section (3) and (4) of section *five* of the Proclamation, a resolution recommending that such contributions be declared obligatory; and thereupon sections *one*, *two*, *four*, *five*, *six*, *seven*, *eight*, *twenty-four*, *twenty-five*, *thirty*, *thirty-one*, *thirty-two*, *thirty-three*, *thirty-four*, *thirty-four bis*, *thirty-five*, *thirty-seven* and *forty* shall *mutatis mutandis* apply in respect of any such jackal-proof fence in the same manner as those provisions apply to dividing fences.

(4) Notwithstanding anything to the contrary in any other law contained the Administrator may for the purposes of this Ordinance interpret the word "ward" mentioned in sub-sections (3) and (4) of section *five* of the Proclamation, as including any soil conservation district proclaimed as such in terms of section *ten* of the Soil Conservation Ordinance, 1952, (Ordinance 28 of 1952), in which case the procedure set out in section *five* of the Proclamation shall not be followed but the Administrator may, if the Soil Conservation Board established by section *three* of the said Soil Conservation Ordinance by resolution recommends that such contributions be declared obligatory in any soil conservation district, in which more than 75% of the holdings within such area are already fenced with jackal-proof fences, declare such soil conservation district, by notice in the *Official Gazette*, to be an area in which contributions towards the cost of jackal-proof fencing in terms of sub-section (1) of section *one* hereof shall be obligatory as from a date to be by the said notice fixed, and thereupon the sections of the Proclamation mentioned in sub-section (3) hereof shall *mutatis mutandis* apply in respect of any such jackal-proof fence in the same manner as those provisions apply to dividing fences.

(5) Whenever the holding of an owner is within an area in which contributions towards the costs of jackal-proof fencing have been declared by the Administrator by notice in the *Official Gazette* to be obligatory, and such holding is separated from an adjoining holding outside such area by a dividing fence, contributions towards the cost of converting the dividing fence into a jackal-proof fence shall be obligatory on the owner of the adjoining holding.

(6) Whenever the holding of any owner is outside any area in which jackal-proof fencing is obligatory and such owner erects jackal-proof fencing on his holding or portion thereof it shall not be obligatory on the owner of an adjoining holding which is separated from the first mentioned holding by a dividing fence to pay any contribution towards the cost of the erection of the said jackal-proof fence unless and until he derives beneficial use from such jackal-proof fence.

2. This Ordinance shall be called the Fencing Proclamation Amendment Ordinance 1957.

No. 7 of 1957.]

## ORDINANCE.

To consolidate and amend the laws relating to the control of radio activities in the Territory and matters incidental thereto.

(Assented to 9th April, 1957.)  
(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, as amended by section *sixteen* of the South West Africa Affairs Amendment Act, 1949, of the Parliament of the Union of South Africa as follows:

1. In hierdie Ordonnansie, tensy dit uit die samehang anders blyk, beteken —

„Direkteur“ die Direkteur van Pos- en Telegraafwese; „hierdie Ordonnansie“ ook die daaruitvloeiende regulasies.

„mobiele landdiens“ 'n mobiele radiokommunikasiediens tussen vaste stasies en mobiele landstasies, of tussen mobiele landstasies;

„mobiele seeidiens“ 'n mobiele radiokommunikasiediens tussen skeepsboord- en kusstasies of tussen skeepsboordstasies;

„radio-apparaat“ 'n radio-ontvang- of sendtoestel wat enige geluid, beeld, teken of sein deur middel van radio kan ontvang of oorsend, of wat, afgesien van 'n defect of ontbrekende onderdeel, daarvoor gebruik sou kan word, en dit sluit in enige voorwerp wat die Administrateur van tyd tot tyd by kennisgewing in die *Offisiële Koerant* tot radioapparaat verklaar vir die doeleindes van hierdie Ordonnansie;

„regulasie“ 'n regulasie wat kragtens artikel *sewentien* uitgevaardig is;

„stasie“ 'n afsonderlike radio-ontvang- of -sendtoestel of 'n samestelling van radio-ontvang- en -sendtoestelle, met inbegrip van die bykomende toerusting wat nodig is om 'n bepaalde radiokommunikasiediens in stand te hou;

„uitsaaidiens“ 'n radiokommunikasiediens van oorSendings wat bedoel is vir regstreekse ontvangs deur die algemene publiek, met inbegrip van oorSendings deur middel van televisie of andersins.

2. Radiobedrywighede binne die Gebied staan, behoudens die bepalings van die Uitsaaiwet 1936 (Wet 22 van 1936) soos gewysig by die Uitsaaiwysigingswet 1949 (Wet 14 van 1949) en van hierdie Ordonnansie, onder die beheer van die Direkteur wat sy bevoeghede en werkzaamhede ingevolge hierdie Ordonnansie onder die beheer en volgens die voorskrifte van die Administrateur uitoefen en verrig.

3. Die Direkteur kan met die Administrateur se toestemming radio-oorsending- en ontvangst-stasies oprig en in werking stel.

4. Niemand mag enige geluid, beeld, teken of sein deur middel van radio oorsend of ontvang nie, nòg enige daad verrig waarvoor die eerste bylae 'n lisensie of sertifikaat voorskryf, of so 'n daad toelaat nie, tensy hy in besit is van die toepaslike lisensie of sertifikaat wat die genoemde bylae voorskryf, benewens enige ander lisensie of sertifikaat wat enige ander wetsbepaling moontlik voorskryf om so 'n oorsending of ontvangs te onderneem of sodanige daad te verrig.

5. (1) Niemand mag radio-apparaat oprig, instandhou of in sy besit hê nie tensy hy 'n permit het wat ingevolge artikel *tien* ten opsigte van sodanige radioapparaat uitgereik is, of van die toepaslike lisensie wat in die eerste bylae voorgeskryf word vir die diens waarvoor sodanige radio-apparaat gebruik kan word.

(2) Niemand mag radio-apparaat aan 'n ander verkoop, gee of enigsins hoëgenaamd verskaf nie, tensy hy die houer is van 'n radiohandelaarslisensie wat kragtens artikel *ses* uitgereik is, of tensy hy 'n permit het wat die Direkteur uitgereik het.

(3) Geen gelde is betaalbaar ten opsigte van 'n permit wat kragtens sub-artikel (2) uitgereik word nie.

6. (1) Die Direkteur kan op die voorwaardes wat hy in die een of ander geval spesiaal voorskryf, of wat in die algemeen by regulasie voorgeskryf word, en teen betaling van die voorgeskrewe gelde, aan 'n persoon wat hy goedkeur het, een of meer van die lisensies of sertifikate wat die eerste bylae noem, uitrek: Met dien verstande dat in die geval van 'n luisteraarslisensie geen sodanige goedkeuring vereis word nie en die lisensie teen betaling van die voorgeskrewe gelde uitgereik word.

1. In this Ordinance, unless the context otherwise indicates —

“broadcasting service” means a radiocommunication service of transmissions intended for direct reception by the general public, including transmission by television or other means;

“Director” means the Director of Posts and Telegraphs.

“land mobile service” means a mobile radiocommunication service between fixed stations and mobile land stations, or between mobile land stations;

“Maritime mobile service” means a mobile radiocommunication service between ship and coast stations or between ship stations;

“radio apparatus” means any radio receiving or transmitting set which is, or but for a defect or the absence therefrom of any component part, would be capable of receiving or transmitting by radio any sound, image, sign or signal, and includes any article which the Administrator from time to time declares by notice in the *Official Gazette* to be radio apparatus for the purposes of this Ordinance.

“regulation” means a regulation made under section *seventeen*;

“station” means a separate radio receiving or transmitting set or a combination of a radio receiving or transmitting sets, including the accessory equipment required for carrying on a specific radiocommunication service;

“this Ordinance” includes any regulations made thereunder.

2. Radio activities within the Territory shall, subject to the provisions of the Broadcasting Act, 1936 (Act 22 of 1936) as amended by the Broadcasting Amendment Act, 1949, (Act 14 of 1949), and of this Ordinance, be under the control of the Director who shall exercise his powers and perform his functions under this Ordinance under the control and direction of the Administrator.

3. The Director may, with the consent of the Administrator, establish and operate radio transmitting and receiving stations.

4. No person shall transmit or receive by radio any sound, image, sign or signal, or do or permit anything to be done for the doing of which a licence or certificate is prescribed in the First Schedule, unless he is in possession of the appropriate licence or certificate prescribed in the said Schedule, in addition to any other licence or certificate which may be prescribed by any other law, for the transmission or reception undertaken by him or for the doing of that thing.

5. (1) No person shall erect, maintain or have in his possession any radio apparatus unless he is in possession of a permit issued in terms of section *ten* in respect of such radio apparatus or of the appropriate licence prescribed in the First Schedule for the service for which such radio apparatus is capable of being used.

(2) No person shall sell, give or in any manner whatsoever supply radio apparatus to any other person unless he is the holder of a radio dealer's licence issued under section *six* or unless he is in possession of a permit issued by the Director.

(3) No fee shall be payable for a permit issued under sub-section (2).

6. (1) The Director may, on such conditions as he may in any case specially prescribe or as may be generally prescribed by regulation, and on payment of the fees prescribed, issue to any person approved by him, any one or more of the licences or certificates referred to in the First Schedule: Provided that in the case of a listener's licence no such approval shall be required and the licence shall be issued on payment of the prescribed fee.

(2) Elke licensie uitgereik ingevolge sub-artikel (1), buiten 'n luisteraarslisensie, is onderworpe aan die voorwaarde dat die houer daarvan die bepalings van enige Internasionale Telekommunikasie-ooreenkoms, waarby die Gebied 'n party is, en van die regulasies wat uit hoofde daarvan opgestel is, moet nakom.

(7) Die gelde wat aan die Direkteur betaal moet word vir 'n licensie of sertifikaat genoem in die eerste bylae, skryf die Administrateur voor by kennisgewing in die *Offisiële Koerant* en hy kan sodanige gelde te eniger tyd by kennisgewing in die *Offisiële Koerant* verander of wysig:

Met dien verstande dat geen gelde wat aldus ten opsigte van 'n licensie of sertifikaat voorgeskryf word, die gelde wat in die tweede bylae verskyn ten opsigte van sodanige licensie of sertifikaat mag oorskry nie:

Met dien verstande voorts dat die gelde wat vir 'n luisteraarslisensie betaalbaar is, dié is wat by paragraaf (f) van sub-artikel (1) van artikel *vyf-en-twintig* van die Uitsaalwet (Wet 22 van 1936) soos gewysig by die Uitsaaiwysigingswet 1949 (Wet 14 van 1949) vir sodanige licensie voorgeskryf word.

8. (1) Behoudens die bepalings van artikel *dertien*, bly 'n licensie wat in paragraaf (viii) van die eerste bylae genoem word, in die geval van 'n nuwe licensie, van krag vir 'n tydperk van twaalf maande vanaf die datum waarop die diens ten opsigte waarvan die licensie uitgereik was, 'n aanvang geneem het en in die geval van 'n hernuwing, vir 'n tydperk van twaalf maande vanaf die datum waarop die vorige licensie verstryk het.

(2) Alle ander licensies wat in die eerste bylae genoem word, verstryk op die een-en-dertigste dag van Desember van die jaar waarin die licensie uitgereik of hernu is tensy dit eerder deur die Direkteur ingevolge artikel *dertien* intrek word.

(3) Die sertifikate wat in paragrawe (xi) en (xii) van die eerste bylae genoem word, bly van krag tensy en totdat die Direkteur hulle ingevolge artikel *dertien* intrek.

9. Iemand wat ingevolge die bepalings van hierdie Ordonnansie 'n licensie, sertifikaat of permit moet besit, moet op aanvraag van enige lid van die Suid-Afrikaanse Polisie of van enige amptenaar in die Staatsdiens wat behoorlik op skrif deur die Direkteur gemagtig is om so 'n aanvraag te doen, sy licensie, sertifikaat of permit vir inspeksie toon.

10. (1) Die Direkteur kan aan enigiemand 'n permit toekom om vir 'n beperkte tydperk 'n radio-apparaat te besit op voorwaarde dat sodanige apparaat nie gedurende sodanige tydperk vir oorsending of ontvangs gebruik word nie.

(2) Geen gelde is betaalbaar ten opsigte van 'n permit wat ingevolge sub-artikel (1) toegeken is nie.

11. (1) Die houer van 'n radiohandelaarslisensie wat aan enigiemand radio-apparaat verkoop, gee of enigsins hoegenaamd lewer, moet ten opsigte van die transaksie 'n faktuur in drievoud uitmaak wat tydens die transaksie deur hom of onder sy toesig uitgeskrywe en onderteken moet word en waarop die datum van die transaksie, die naam en adres van die houer van die licensie, die naam en die adres van die persoon aan wie die radio-apparaat gelewer is, en 'n beskrywing van die aldus gelewerde radio-apparaat, uiteengesit word.

(2) Een afskrif van die faktuur wat sub-artikel (1) noem, word vir 'n tydperk van vier-en-twintig maande na sodanige verkoop, skenking of lewering deur die houer van die licensie behou, en hy moet dit vir inspeksie toon op aanvraag van enige amptenaar in die Staatsdiens wat behoorlik op skrif deur die Direkteur gemagtig is om so 'n aanvraag te doen; een afskrif moet hy ten tyde van die transaksie besorg aan die persoon aan wie die radio-apparaat gelewer is, en een afskrif moet hy binne sewe dae na die transaksie aan die Direkteur stuur.

(2) It shall be a condition of any licence, other than a listener's licence, issued under sub-section (1) that the holder thereof shall observe the stipulations of any International Telecommunication Convention to which the Territory may be a party, and of the regulations framed in terms thereof.

7. The fees payable to the Director in respect of any licence or certificate referred to in the First Schedule, shall be prescribed by the Administrator by notice in the *Official Gazette* and he may vary, alter or amend such fees at any time by notice in the said *Gazette*.

Provided that no fee shall be so prescribed in respect of any licence or certificate in excess of the fees set out in the Second Schedule in respect of such licence or certificate.

Provided further that the fees payable in respect of a listener's licence shall be those prescribed under paragraph (f) of sub-section (1) of Section twenty-five of the Broadcasting Act, 1936 (Act 22 of 1936), as amended by the Broadcasting Amendment Act, 1949 (Act 14 of 1949), in respect of such licence.

8. (1) Subject to the provisions of section *thirteen* a licence referred to in paragraph (viii) of the First Schedule shall be of force and effect, in the case of a new licence, for a period of twelve months from the date of commencement of the service in respect of which the licence was issued, and in the case of a renewal, for a period of twelve months from the date of expiry of the previous licence.

(2) All other licences referred to in the First Schedule shall, unless previously cancelled by the Director in terms of section *thirteen*, expire on the thirty-first day of December of the year in which the licence was issued or renewed.

(3) The certificates referred to in paragraphs (xi) and (xii) of the First Schedule shall remain of force and effect unless and until cancelled by the Director in terms of section *thirteen*.

9. Every person who is by the provisions of this Ordinance required to possess any licence, certificate or permit shall produce his licence, certificate or permit for inspection on demand by any member of the South African Police or by any officer in the public service duly authorised in writing by the Director to make such demand.

10. (1) The Director may grant to any person a permit for a limited period for the possession by such person of any radio apparatus on condition that such apparatus is not during such period used for the purpose of transmission or reception.

(2) No fees shall be payable for a permit granted under sub-section (1).

11. (1) The holder of a radio dealer's licence who sells, gives or in any manner whatsoever supplies any radio apparatus to any person, shall complete in respect of the transaction an invoice in triplicate written and signed by him or under his direction at the time of the transaction setting out the date of the transaction, the name and address of the holder of the licence, the name and address of the person supplied and a description of the radio apparatus so supplied.

(2) One copy of the invoice referred to in sub-section (1) shall be retained by the holder of the licence for a period of twentyfour months after such sale, gift or supply and he shall produce it for inspection on demand by any officer in the public service duly authorised by the Director in writing to make such demand, one copy shall at the time of the transaction be handed by him to the person supplied and one copy shall be forwarded by him to the Director within seven days of the transaction.

12. (1) Die houer van 'n radioherstellers-lisensie wat herstelwerk aan radio-apparaat doen, moet ten opsigte van sodanige herstelwerk 'n faktuur in duplikaat uitmaak wat by voltooiing van die herstelwerk deur hom of onder sy toesig uitgeskrywe en onderteken moet word, en waarop die datum waarop die herstelwerk voltooi is, die naam en adres van die houer van die licensie, die aard van die herstelwerk wat gedoen is en die naam en adres van die persoon ten behoeve van wie die herstelwerk gedoen is, uiteengesit word.

(2) Een afskrif van die faktuur wat sub-artikel (1) noem, word vir 'n tydperk van vier-en-twintig maande na sodanige herstelwerk deur die houer van die licensie behou, en hy moet dit vir inspeksie toon op aanvraag van enige amptenaar in die Staatsdiens wat behoorlik op skrif deur die Direkteur gemagtig is om so 'n aanvraag te doen, en een afskrif moet hy binne sewe dae na voltooiing van die herstelwerk aan die Direkteur stuur.

13. (1) Ondanks andersluidende bepalings van hierdie Ordonnansie, kan die Direkteur te eniger tyd na behoorlike ondersoek en kennisgewing aan die licensiehouer enige licensie (behalwe 'n luisteraarslisensie), permit of sertifikaat wat ingevolge hierdie Ordonnansie uitgereik is, opskort of intrek as hy oortuig is dat sodanige opskorting of intrekking onder die omstandighede nodig is.

(2) Die Direkteur kan te eniger tyd na behoorlike ondersoek en kennisgewing aan die licensiehouer 'n luisteraarslisensie opskort of intrek as hy daarvan oortuig is dat die houer daarvan enige bepaling van hierdie Ordonnansie of van enige regulasie oortree het.

(3) Geen houer van 'n licensie of sertifikaat is by die opskorting of intrekking van sy licensie of sertifikaat ingevolge sub-artikel (1) geregtig op terugbetaling van enige geldie wat ten opsigte van so 'n licensie of sertifikaat betaal is nie.

(4) Iemand wie se licensie ingevolge sub-artikel (1) opgeskort word, word by die toepassing van hierdie Ordonnansie, maar nie by die toepassing van artikel *vijf* nie, gedurende die tydperk van opskorting van sy licensie geag nie die houer van so 'n licensie te wees nie.

(5) Iemand wat veronreg voel weens die opskorting of intrekking van sy licensie, permit of sertifikaat, deur die Direkteur ingevolge sub-artikel (1), het benewens 'n reg van hersiening deur die Hof die reg om by die Administrateur in hoër beroep te gaan teen so 'n opskorting of intrekking en die Administrateur kan óf die opskorting of intrekking bevestig óf die licensie, permit of sertifikaat aan die betrokke persoon herstel.

14. Uit die geldie wat ingevolge hierdie Ordonnansie ingevorder word, moet daar aan die Suid-Afrikaanse Uitsaikorporasie wat by die Uitsaaiwet 1936 (Wet 22 van 1936) gestig is, 'n bedrag betaal word gelyk aan die bedrag van die geldie wat ingevorder word ten opsigte van 'n luisteraarslisensie uitgereik ingevolge artikel *ses*, min 'n bedrag wat die Administrateur na ooreenkoms met genoemde Korporasie ten opsigte van elke luisteraarslisensie of hernuwing daarvan bepaal.

15. 'n Amptenaar in die Staatsdiens wat behoorlik op skrif deur die Direkteur daartoe gemagtig is, kan te alle redelike tye —

- (a) die aantekenings wat artikels *elf* en *twaalf* noem, ondersoek en die uittreksels daaruit maak wat hy nodig ag;
- (b) die uitrusting en apparaat ondersoek wat enigiemand gebruik, wat kragtens hierdie Ordonnansie gelisensiéer is en deur middel van radio oor te send of te ontvang, of wat enigiemand in sy besit het kragtens 'n permit wat ingevolge artikel *tien* toegeken is; en
- (c) enige licensie, sertifikaat of permit ondersoek wat ingevolge hierdie Ordonnansie aan enigiemand uitgereik is.

16. Niemand mag binne die Gebied of aan boord van 'n skip wat in die Gebied geregistreer is en terwyl so 'n skip binne die territoriale waters van die Gebied verkeer, of in enige lugvaartuig wat in die Gebied geregistreer is en terwyl so 'n lugvaartuig in of bokant die Gebied ver-

12. (1) The holder of a radio repairer's licence who effects any repairs to any radio apparatus shall complete in respect of such repairs effected by him an invoice in duplicate written by him or under his direction at the time such repairs are completed, setting out the date on which the repairs were completed, the name and address of the holder of the licence, the nature of the repairs effected and the name and address of the person on whose behalf the repairs were effected.

(2) One copy of the invoice referred to in subsection (1) shall be retained by the holder of the licence for a period of twentyfour months after such repair has been effected and he shall produce it for inspection on demand by any officer in the public service duly authorised in writing by the Director to make such demand and one copy shall be forwarded by him to the Director within seven days of the completion of the repairs.

13. (1) Notwithstanding anything to the contrary in this Ordinance contained, the Director may at any time after due enquiry and notice to the licensee suspend or cancel any licence, other than a listener's licence, permit or certificate issued under this Ordinance if he is satisfied that such suspension or cancellation is necessary under the circumstances.

(2) The Director may at any time after due enquiry and notice to the licensee suspend or cancel any listener's licence if he is satisfied that the holder thereof has contravened any provision of this Ordinance or of any regulation.

(3) No holder of a licence or certificate shall upon the suspension or cancellation of his licence or certificate in terms of sub-section (1), be entitled to any refund of any fees paid in respect of such licence or certificate.

(4) A person whose licence is suspended in terms of sub-section (1) shall during the period of suspension of his licence be deemed for the purposes of this Ordinance, other than for the purposes of section *five*, not to be the holder of such licence.

(5) Any person who is aggrieved by the suspension or cancellation of his licence, permit or certificate by the Director in terms of sub-section (1), shall in addition to any right of review by the Court have the right to appeal to the Administrator against such suspension or cancellation and the Administrator may either confirm the suspension or cancellation or restore the licence, permit or certificate to the person concerned.

14. There shall be paid from the fees collected under this Ordinance, to the South African Broadcasting Corporation established by the Broadcasting Act, 1936, (Act 22 of 1936), an amount equal to the amount of the fees collected in respect of any listener's licence issued under section six less an amount to be fixed by the Administrator, after mutual agreement with the said Corporation, in respect of each listener's licence or renewal thereof.

15. Any officer in the public service duly authorised thereto in writing by the Director may at all reasonable times —

- (a) inspect the records referred to in sections *eleven* and *twelve* and may make such extracts therefrom as he may deem necessary;
- (b) inspect the plant and apparatus used by any person licensed under this Ordinance to transmit or receive by radio, or possessed by any person under a permit granted in terms of section *ten*;
- (c) inspect any licence, certificate or permit issued to any person under this Ordinance.

16. No person shall operate radio transmitting apparatus within the Territory or on board any vessel registered in the Territory and while such vessel is within the territorial waters of the Territory, or in any aircraft registered in the territory and while such aircraft is in

keer, met apparaat vir radio-oorsending werk nie, tensy hy 'n Suid-Afrikaanse burger is, of 'n burger van 'n Stabondeland of 'n burger van die Republiek Ierland, of tensy die Direkteur hom in 'n spesiale geval gemagtig het om dit te doen.

17. Onderworpe aan die Administrateur se toestemming kan die Direkteur regulasies uitvaardig oor—

- (a) die voorwaardes waarop 'n licensie of sertifikaat ingevolge artikel *six* uitgereik of hernu moet word;
- (b) die ondervinding en tegniese bekwaamheid wat nodig is vir houers van 'n radiotegnieksertifikaat, 'n radio-ingenieurssertifikaat, of 'n radioherstellerslisensie of vir persone in hul diens;
- (c) die gebruik van radio-installasies aan boord skip binne die territoriale waters van die Gebied en op lugvaartuie wat binne die Gebied verkeer of wat oor die Gebied vlieg;
- (d) die beheer oor, en die voorkoming van, elektriese of ander versteurings van radio-ontvangs; en
- (e) in die algemeen, die beheer oor radiobedrywighede en die gebruik van radio-apparaat.

18. (1) Elkeen wat —

- (a) enige bepaling van artikel *vier*, *vyf*, *elf*, *twaalf* of *sestien* by daad of versuim verontagsaam;
- (b) enige voorwaarde van 'n licensie, sertifikaat of permit wat ingevolge hierdie Ordonnansie aan hom uitgereik is, by daad of versuim verontagsaam;
- (c) versuim of weier om enige licensie, sertifikaat of permit wat ingevolge hierdie Ordonnansie aan hom uitgereik is, of enige faktuur wat sub-artikel (2) van artikel *elf* of sub-artikel (2) van artikel *twaalf* noem, te vertoon op aanvraag van enige amptenaar in die Staatsdiens wat skriftelik deur die Direkteur gemagtig is om so 'n aanvraag te doen;
- (d) enige amptenaar dwarsboom of hinder in die uitoefening van sy bevoeghede kragtens artikel *vyftien*;
- (e) enige bepaling van enige regulasie by daad of versuim verontagsaam;
- (f) enige vase of bedrieglike nood- of ander sein, boodskap, oproep of telegram van enige aard deur middel van radio oorsend of laat oorsend, of wat sonder wettige rede, die oorsending of ontvangs van enige radiokommunikasie versteur of dwarsboom;
- (g) enige radiokommunikasie buiten dié wat hy gemagtig is om te ontvang, onderskep, of waar sodanige radiokommunikasie onwillekeurig ontvang word, dit weergee of dit aan enigiemand anders meedeel of dit vir enige doel hoegenaamd gebruik;

is skuldig aan 'n oortreding, en is, by skuldigbevinding, strafbaar met 'n boete van hoogstens eenhonderd pond of met gevangenis vir 'n tydperk van hoogstens ses maande, of met beide sodanige boete en gevangenis, en die hof wat hom skuldig bevind, kan benewens enige straf wat hy oplê, 'n bevel uittrek wat —

- (i) die verbeurdverklaring aan die Administrasie gelas van enige radio-apparaat in verband waarnee of deur middel waarvan die oortreding begaan is: Met dien verstande dat geen so 'n bevel van verbeurdverklaring uitgereik word nie as dit bewys word dat die betrokke radio-apparaat nie aan die aldus veroordeelde persoon behoort nie en dat die eienaar nie in staat was om die onwettige gebruik daarvan deur die aldus veroordeelde persoon te verhinder nie;
- (ii) die intrekking gelas van enige licensie, sertifikaat of permit wat deur die aldus veroordeelde persoon ingevolge hierdie Ordonnansie gehou word en wat hom verbied om vir 'n bepaalde tyd enige licensie, sertifikaat of permit ingevolge hierdie Ordonnansie te hou;
- (iii) die betaling gelas van alle agterstallige licensiegelde wat deur die aldus veroordeelde persoon verskuldig is.

or over the Territory unless he is a South African citizen or a citizen of a commonwealth Country or a citizen of the Republic of Ireland or unless he has, in any special case, been authorised to do so by the Director.

17. The Director may, subject to the approval of the Administrator, make regulations relating to —

- (a) the conditions subject to which any licence or certificate shall be issued or renewed under section *six*;
- (b) the necessary experience and technical ability for holders of a radio technician's certificate, a radio engineer's certificate, or a radio repairer's licence or any person employed by such radio repairer;
- (c) the operation of radio installations on board ships within the territorial waters of the Territory and on aircraft in or flying over the Territory;
- (d) the control and prevention of electrical or other interference with radio reception; and
- (e) generally, the control of radio activities and the use of radio apparatus.

18. (1) Any person who —

- (a) Contravenes or fails to comply with any provision of section *four*, *five*, *eleven*, *twele* or *sixteen*;
- (b) contravenes or fails to comply with any condition of any licence, certificate or permit issued to him under this Ordinance;
- (c) fails or refuses to produce any licence, certificate or permit issued to him under this Ordinance or any invoice referred to in sub-section (2) of section *eleven* or sub-section (2) of section *twele* on demand by any officer in the public service authorized in writing by the Director to make such demand;
- (d) obstructs or hinders any officer in the exercise of his powers under section *fifteen*;
- (e) contravenes or fails to comply with any provision of any regulation;
- (f) transmits or causes to be transmitted by radio any false or fraudulent distress or other signal, message, call or telegram of any kind, or who without lawful excuse, interferes with or obstructs the transmission or reception of any radio communication;
- (g) intercepts any radio communication other than that which he is authorized to receive or, where such radio communication is involuntarily received, reproduces or communicates it to any other person or uses it for any purpose whatsoever,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months, or to both such fine and imprisonment, and the court convicting him may in addition to any penalty that it may impose, order —

- (i) the confiscation to the Administration of any radio apparatus in connection with or by means of which the offence was committed: Provided that no such order of confiscation shall be made if it is proved that the radio apparatus in question does not belong to the person so convicted and that its owner was unable to prevent its unlawful use by the person so convicted;
- (ii) the cancellation of any licence, certificate or permit held under this Ordinance by the person so convicted and prohibiting him from holding for a specified period any licence, certificate or permit under this Ordinance;
- (iii) the payment of all arrear licence fees owing by the person so convicted.

(2) 'n Bevel wat kragtens paragraaf (iii) van sub- artikel (1) uitgereik is, het dieselfde uitwerking as, en kan uitgevoer word soos, 'n siviele vonnis ten gunste van die Direkteur.

19. (1) Die wette wat in die derde bylae genoem word, word hierby herroep dermate die derde kolom van daardie bylae aandui.

(2) Enige lisenzie, sertifikaat of permit wat uitgereik is volgens enige bepaling van 'n wet wat by sub- artikel (1) herroep word, word beskou as uitgereik in gevolge die ooreenstemmende bepalings van hierdie Ordonnansie.

20. Hierdie Ordonnansie heet die Radio-ordonnansie 1957, en tree in werking op 'n datum wat die Administrateur by proklamasie in die *Offisiële Koerant* bepaal.

### EERSTE BYLAE.

LISENSIES EN SERTIFIKATE WAT KAGTENS ARTIKEL SES UITGEREIK KAN WORD EN DIE DOELEINDES WAARVOOR HULLE VEREIS WORD.

<i>Lisenzie of sertifikaat.</i>	<i>Doel waarvoor dit vereis word.</i>
(i) Lugvaartstasie- lisenzie.	Die instandhouding van 'n stasie wat 'n bepaalde radiodiens ten bate van lugvaartule voortsit.
(ii) Vliegboordsta- sielisenzie.	Die instandhouding van 'n stasie aan boord enige soort lugvaartuig wat onafgebroke onder menslike beheer is.
(iii) Amateurstasie- lisenzie.	Die instandhouding van 'n stasie vir 'n diens van self-onderrig, interkomunikasie en tegniese ondersoek wat deur amateurs voortgesit word, dit wil sê, deur persone wat in radiotegniek belang stel bloot om 'n persoonlike doel, sonder 'n geldmotief. (Hierdie lisenzie word nie uitgerelk aan iemand wat nie die houer van 'n luisterraarslisenzie is nie.)
(iv) Kusstasielisenzie	Die instandhouding van 'n landstasie in die mobile seediens wat 'n bepaalde diens ten bate van skepe voortsit.
(v) Proefstasielisen- sie.	Die instandhouding van 'n stasie vir proefnemings in radio met die oog op die ontwikkeling van die radioweten- skap of -tegniek.
(vi) Vastestasielisenzie.	Die instandhouding van 'n stasie vir radiokommunikasie tussen bepaalde plekke.
(vii) Lisenzie vir 'n Mobile Land- stasie.	Die instandhouding van 'n stasie in die mobiele landdiens.
(viii) Luisterraars- lisenzie.	Die gebruik van radio-apparaat vir die ontvang van eniglets wat in 'n uitsaaidiens uitgesaai word.
(ix) Radiohandelaarslisenzie.	Die uitvoering van 'n bedryf of saak in 'n winkel, pakhuis of enige plek hoëgenaamd waar radio-apparaat gekoop, verkoop of verruil word of vir verkoop of rull aangebied word. (Hierdie lisenzie word nie uitgereik aan iemand wat nie die houer is van 'n luisterraarslisenzie ten opsigte van die persele waar die bedryf of saak uitgeoefen gaan word nie, nog stel hierdie lisenzie die houer daarvan enigsins vry van enige van die bepalings van die Konsolidasie-Ordonnansie betreffende Lisenzie 1935 (Ordonnansie 13 van 1935).)

(2) Any order made under paragraph (iii) of sub- section (1) shall have the same effect as and may be executed as if it were, a civil judgment in favour of the Director.

19. (1) The laws mentioned in the Third Schedule are hereby repealed to the extent set out in the third column of that Schedule.

(2) Any licence, certificate or permit issued under any provision of any law repealed by sub-section (1) shall be deemed to have been issued under the corresponding provisions of this Ordinance.

20. This Ordinance shall be called the Radio Ordinance, 1957, and shall come into operation on a date to be fixed by the Administrator by Proclamation in the *Official Gazette*.

### FIRST SCHEDULE.

LICENCES AND CERTIFICATES WHICH MAY BE ISSUED UNDER SECTION SIX AND THE PURPOSES FOR WHICH THEY ARE REQUIRED.

<i>Licence or certificate.</i>	<i>Purpose for which required</i>
(i) Aeronautical Station Licence.	The operation of a station carrying on a specific radio service for the benefit of aircraft.
(ii) Aircraft Station Licence.	The operation of a station installed on board any type of aircraft and continuously subject to human control.
(iii) Amateur Station Licence.	The operation of a station for a service of self training, intercommunication and technical investigation carried on by amateurs, that is, by persons interested in radio technique solely with a personal aim and without pecuniary interest. (This licence shall not be issued to a person who is not the holder of a listener's licence.)
(iv) Coast Station Licence.	The operation of a land station in the maritime mobile service carrying on a specific service for the benefit of ships.
(v) Experimental Station Licence.	The operation of a station for experiments in radio with a view to the development of radio science or technique.
(vi) Fixed Station Licence.	The operation of a station for radio-communication between specified points.
(vii) Land Mobile Station Licence.	The operation of a station in the land mobile service.
(viii) Listener's Licence.	The use of radio apparatus for the reception of anything broadcast in a broadcasting service.
(ix) Radio Dealer's Licence.	The carrying on of a trade or business in any shop, store or any place whatsoever where radio apparatus is bought, sold or exchanged or offered or exposed for sale or exchange. (This licence shall not be issued to a person who is not the holder of a listener's licence in respect of the premises where the trade or business is to be carried on, nor shall this licence in any way exempt the holder thereof from any of the provisions of the Licences Consolidation Ordinance, 1935 (Ordinance 13 of 1935).)

Licensie of sertifikaat.	Doel waarvoor dit vereis word.	Licence or certificate.	Purpose for which required
(x) Radioherstellerslisensie.	Die herstel van radio-apparaat as bedryf om wins in enige winkel, pakhuis of enige plek hoëgenaamd. (Hierdie licensie word nie uitgereik aan iemand wat nie die houer van 'n luisterraarslisensie is nie, en wat nog die by regulasie voorgeskrewe ondervinding of tegniese bekwaamheid self besit, nog persone met daardie ondervinding en bekwaamheid as radioherstellers in sy diens het nie, nog stel hierdie lisensie die houer daarvan enigsins vry van enige van die bepalings van die Konsolidasie-Ordonnansie betreffende Licensies 1935 (Ordonnansie 13 van 1935).)	(x) Radio Repairer's Licence.	The carrying on of a business of repairing radio apparatus for gain at any shop, store or any place whatsoever. (This licence shall not be issued to a person who is not the holder of a listener's licence, and who neither possesses nor has in his employ as radio repairers, persons who possess the experience and technical ability prescribed by regulation, nor shall this licence in any way exempt the holder thereof from any of the provisions of the Licences Consolidation Ordinance, 1935, (Ordinance 13 of 1935).)
(xi) Radiotegniek-sertifikaat.	Die instandhouding en herstel van radio-apparaat waarop die lewensveiligheid in die lug of ter see berus. (Hierdie sertifikaat word nie uitgereik aan iemand wat nie die by regulasie voorgeskrewe ondervinding en tegniese bekwaamheid besit nie.)	(xi) Radio Technician's Certificate.	The maintenance and repairing of radio apparatus upon which the safety of life in the air or on the sea depends. (This certificate shall not be issued to a person who does not possess the experience and technical ability prescribed by regulation.)
(xii) Radio-ingenieurs-sertifikaat.	Die toesighouding oor die installasie en die instandhouding en herstel van radio-apparaat by 'n stasie waar die totale krag van alle radio-apparaat meer as 500 watt is. (Hierdie sertifikaat word nie uitgereik aan iemand wat nie die by regulasie voorgeskrewe ondervinding en tegniese bekwaamheid besit nie.) By die toepassing van hierdie paragraaf beteken „krag” die kragtoevoer van die anode van die radiofrekwensietertrap wat die lugdraad voorafgaan.	(xii) Radio Engineer's Certificate.	Directing the installation and the maintenance and repairing of any radio apparatus at a station where the total power of all radio apparatus exceeds 500 watts. (This certificate shall not be issued to a person who does not possess the experience and technical ability prescribed by regulation) "Power" for the purpose of this paragraph means the input power to the anode of the radio frequency stage preceding the aerial.
(xiii) Skeepsboord-stasielisensie.	Die instandhouding van 'n stasie in die mobile seediens aan boord 'n skip wat nie permanent vasgemeer lê nie.	(xiii) Ship Station Licence.	The operation of a station in the maritime mobile service located on board a vessel which is not permanently moored.
(xiv) Spesiale Radiolisensie.	Die instandhouding van 'n stasie vir enige radiokommunikasiediens waarvoor hierdie bylae nie spesiaal 'n lisensie voorskryf nie.	(xiv) Special Radio Licence.	The operation of a station for any radio-communication service in respect of which a licence has not been specially prescribed in this Schedule.

## TWEEDE BYLAE.

## MAKSIMUMGELDE WAT VOORGESKRYF KAN WORD VIR DIE LISENSIES EN SERTIFIKATE WAT IN DIE EERSTE BYLAE GENOEM WORD.

	f. s. d.
Amateurstasielisensie	10. 0.
Proefstasielisensie	2. 0. 0.
Radio-ingenieurssertifikaat	gratis
Radiotegnieksertifikaat	gratis
Radiohandelaarslisensie	gratis
Radioherstellerslisensie	gratis
Enige ander lisensie of sertifikaat (buitenv 'n luisterraarslisensie)	5. 0. 0.

## DERDE BYLAE.

## WETTE WAT HERROEP WORD.

No. en jaar van wet.	Titel van wet.	Mate van herroeping.
Proklamasie 15 van 1931.	Posadministrasie-Proklamasie 1931.	Die woordbepaling van „radio” in artikel twee en artikels ses-en-tigty tot en met negentig.
Proklamasie 31 van 1941.	Posadministrasie-Wysigingsproklamasie 1941.	Die hele.
Proklamasie 46 van 1949.	Wysigingsproklamasie op Poskantooradministrasie 1949.	Die hele.

## SECOND SCHEDULE.

## MAXIMUM FEES THAT MAY BE PRESCRIBED IN RESPECT OF THE LICENCES AND CERTIFICATES MENTIONED IN THE FIRST SCHEDULE.

f. s. d.
Amateur Station Licence . . . . .
Experimental Station Licence . . . . .
Radio Engineer's Certificate . . . . .
Radio Technician's Certificate . . . . .
Radio Dealer's Licence . . . . .
Radio Repairer's Licence . . . . .
Any other licence or certificate (other than a Listener's Licence) . . . . .

f. s. d.
10. 0.
2. 0. 0.
gratis
gratis
gratis
gratis
5. 0. 0.

## THIRD SCHEDULE.

## LAWS REPEALED.

No. and year of law.	Title of law.	Extent of Repeal.
Proclamation 15 of 1931.	The Post Office Administration Proclamation, 1931.	The definition of "Radio" in section two and sections eighty six to ninety, both inclusive.
Proclamation 31 of 1941.	The Post Office Administration Amendment Proclamation, 1941.	The whole.
Proclamation 46 of 1949.	The Post Office Administration Amendment Proclamation, 1949.	The whole.

No. 8 van 1957.]

No. 8 of 1957.]

**ORDONNANSIE.**

Om die varsmeikbedryf te reël en te beheer, varsmeikleveransiers te regstreer, varsmeikpoele in te stel en heffings op te lê.

(Goedgekeur 9 April 1957.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. In hierdie Ordonnansie, tensy 'n ander bedoeling uit die samehang blyk, beteken: —

„Raad” die Raad van Toesig op die Suiwelnywerheid wat ingestel is by die Ordonnansie op die Beheer van die Suiwelnywerheid 1931 (Ordonnansie 16 van 1931, soos gewysig);

„room” daardie deel van melk wat ryk is aan melkvet en wat na die oppervlakte van die melk styg wanneer dit staan, of wat deur die aanwending van middelpunt-vliedende krag, of deur enige ander middel, van melk geskei word;

„vars room” alle room buiten room wat bestem is vir verwerking tot botter, kaas of gesteriliseerde room;

„vars melk” alle melk buiten melk wat bestem is vir verwerking tot botter, kaas, casein, gekondenseerde melk, gedroogde volmelk, gedroogde afgeroomde melk, gedroogde karringmelk en die neweprodukte van melk;

„varsmeikleveransier” iemand wat vars melk of vars room van 'n varsmeikprodusent koop om dit weer te verkoop, of wat vars melk aldus aankoop en die room daarvan afskei ter verkoop of gebruik by die vervaardiging van roomys, en sluit in enige wat vars melk of vars room produseer en die aldus geproduseerde vars melk of vars room, of deel daarvan, verkoop aan enige buiten 'n varsmeikleveransier;

„varsmeikprodusent” iemand wat vars melk of vars room produseer en dit aan 'n varsmeikleveransier verkoop;

„melk” koeimelk;

„neweprodukte van melk” alle neweprodukte van melk buiten botter, kaas, casein, gekondenseerde melk, gedroogde volmelk, gedroogde afgeroomde melk en gedroogde karringmelk.

„munisipaliteit” ook plaaslike bestuursgebiede;

„verkoop” by sy gewone betekenis ook ter verkoop aanbied, adverteer, hou, uitstal, deurstuur, versend, vervoer of aflewer, of regstreeks die verkoop magtig of toelaat, of ter verkoop voorberei of besit, of teen regstreekse of onregstreekse vergoeding verruil of verskaf of van die hand sit;

„steriliseerde room” room wat gesteriliseer is en in 'n lugdige houer geplaas is.

2. (1) Na 'n datum wat die Administrateur by kennisgewing in die *Offisiële Koerant* bepaal, mag niemand buiten 'n varsmeikprodusent vars melk of vars room binne 'n munisipaliteit verkoop nie tensy hy by die Raad van Toesig op die Suiwelnywerheid as 'n varsmeikleveransier geregistreer is. So iemand mag nie aldus geregistreer word nie, tensy hy voldoen aan die vereistes wat hierdie Ordonnansie of die regulasies of stadsverordeninge van die munisipaliteit waarin hy melk verkoop, stel, en die Raad sy registrasie goedgekeur het.

(2) Die Raad kan die registrasie van enigiemand as 'n varsmeikleveransier goedkeur en 'n registrasiesertifikaat uitrek op die voorwaardes wat hy stel, en kan die registrasiesertifikaat intrek van elkeen wat so 'n voorgeskrewe vereiste, of so 'n gestelde voorwaarde, of enige bepaling van hierdie Ordonnansie, of enige verbod, vereiste of bevel wat ingevolge die bepaling van hierdie Ordonnansie uitgereik of gestel is, by daad of versuim verontagsaam.

**ORDINANCE.**

To provide for the regulation and control of the Fresh Milk Industry, the registration of fresh milk distributors, the establishment of Fresh Milk Pools, and the imposition of levies.

(Assented to 9th April, 1957.)

(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, unless inconsistent with the context—

“Board” means the Dairy Industry Control Board established under the Dairy Industry Control Ordinance, 1931 (No. 16 of 1931), as amended;

“Cream” means that portion of milk, rich in milkfat which rises to the surface of milk on standing, or is separated from milk by centrifugal force, or by any other means;

“Fresh Cream” means cream other than cream intended for processing into butter, cheese or sterilized cream;

“Fresh Milk” means milk other than milk intended for processing into butter, cheese, casein, condensed milk, dried whole milk, dried skim milk, dried buttermilk and milk by-products;

“Fresh Milk Distributor” means any person who purchases fresh milk or fresh cream from a fresh milk producer for the purpose of resale or who separates the cream from fresh milk so purchased for the purpose of sale or for use in the manufacture of ice-cream, and includes any person who produces fresh milk or fresh cream and sells the fresh milk or fresh cream so produced, or any portion thereof, to a person other than a fresh milk distributor;

“Fresh Milk Producer” means any person who produces and sells fresh milk or fresh cream to a fresh milk distributor;

“Milk” means milk from a cow;

“Milk by-products” mean all by-products of milk other than butter, cheese, casein, condensed milk, dried whole milk, dried skim milk and dried buttermilk;

“Municipality” includes village management board areas;

“Sell” in addition to its ordinary meaning includes offer, advertise, keep, expose, transmit, consign, convey or deliver for sale, or authorise direct or allow a sale or prepare or process for purpose of sale, and to barter or exchange or supply or dispose of for any consideration direct or indirect;

“Sterilized Cream” means cream which has been sterilized and is contained in an airtight container.

2. (1) After a date to be fixed by the Administrator by notice in the *Gazette*, no person other than a fresh milk producer shall sell fresh milk or fresh cream in any municipality unless he has been registered with the Dairy Industry Control Board as a fresh milk distributor. No such person shall be so registered unless he has complied with such requirements as may be prescribed by this Ordinance or the regulations or by-laws of the municipality in which he sells milk, and the Board has approved of his registration.

(2) The Board may approve of the registration of any person as a fresh milk distributor and issue a certificate of registration on such conditions as it may determine, and may cancel the certificate of registration of any person who contravenes or fails to comply with any requirements so prescribed, or any condition so determined, or with any provision of this Ordinance or any prohibition, requirement or order issued under any of the provisions of this Ordinance.

(3) Enigiemand kan skriftelik by die Raad aansoek doen om registrasie as vars melk leveransier binne 'n munisipaliteit, en as die Raad so 'n aansoek goedkeur, relk die Raad aan hom 'n registrasiesertifikaat uit onderhewig aan die voorwaardes wat die Raad op so 'n registrasiesertifikaat noem.

(4) 'n Registrasiesertifikaat verstryk op die dertigste dag van September wat onmiddellik volg op sy uitrekkingdatum, maar die Raad kan dit hernieu by oortuiging dat die betrokke leveransier die vereistes van hierdie Ordonnansie nagekom het en nog steeds na kom.

(5) Enigiemand wie se aansoek deur die Raad verworp is, of wie se registrasiesertifikaat deur die Raad ingetrek is, kan binne dertig dae na sodanige verwerpeling of intrekking skriftelik by die Administrateur in hoër beroep gaan teen sodanige verwerpeling of intrekking, en die Administrateur kan so 'n appéel toestaan of verworp of ander stappe doen wat hy goedvind.

(6) Die Raad kan met die Administrateur se goedkeuring die gelde insamel wat elke vars melk leveransier by die uitrekking of hernuwing van sy registrasiesertifikaat moet betaal: Met dien verstande dat sodanige geld hoogsens vyf pond (£5) mag bedra. Hierdie geld moet gestort word in die algemene fonds wat by artikel twenty van die Ordonnansie op die Beheer van die Suiwelnywerheid 1931, soos gewysig, ingestel is, en die Raad kan dit gebruik om sy algemene uitgawes te bestry.

(7) Die Raad kan enigiemand wat as vars melk leveransier geregistreer is, aansé om die inligting wat die Raad vereis ten opsigte van melk wat so 'n leveransier gekoop of verkoop het, asook enige ander inligting wat, na die Raad meen, nodig is sodat hy sy werkzaamhede kan verrig, aan die Raad te verstrek.

3. (1) Die Raad kan met die Administrateur se goedkeuring die prys waarteen vars melk of vars room verkoop moet word, bepaal, en kan sodanige prys laat wissel na gelang van die gehalte van sodanige melk of room, of die behandeling wat dit ondergaan het, of die streek waarin dit geproduseer of verkoop word, of die hoeveelhede waarin, of die wyse waarop, sodanige melk of room verkoop word.

(2) Telkens wanneer die Raad die prys van vars melk of vars room ingevolge sub-artikel (1) bepaal het, moet die aldus bepaalde prys by kennisgewing in die *Offisiële Koerant* verskyn, en hulle is, en bly, van krag van die datum wat so 'n kennisgewing bepaal totdat hulle by 'n soortgelyke kennisgewing ingetrek word.

(3) Elkeen wat vars melk of vars room verkoop teen enige prys buiten dié wat in so 'n kennisgewing vir sodanige melk of room bepaal is, is skuldig aan 'n oordeling.

4. (1) Die Raad kan 'n prysewenaarstelsel — hierna heet dit die stelsel — toepas ten einde pryswisseling na gelang van die tyd van die jaar vir vars melk of vars room te reël. Hierdie stelsel geld vir elke melkleveransier in elke munisipaliteit met ingang van 'n datum wat die Administrateur op aanbeveling van die Raad by kennisgewing in die *Offisiële Koerant* vir so 'n munisipaliteit bepaal.

(2) Wanneer ook al die vars melk leveransiers in 'n munisipaliteit die stelsel wil aanvaar, kan hulle by die Raad daarom aansoek doen, en by oortuiging dat die aansoekers genoeg melkleveransiers in sodanige munisipaliteit verteenwoordig, moet die Raad die aansoek oorweeg en sy aanbeveling aan die Administrateur voorlê, en die Administrateur kan hulle in die stelsel opneem met ingang van 'n datum wat hy by kennisgewing in die *Offisiële Koerant* bepaal, of hy kan so 'n aansoek verworp of ander stappe na goedgunke doen.

5. (1) Die Raad kan met die Administrateur se goedkeuring 'n heffing lê op vars melk of vars room wat verkoop word in 'n munisipaliteit waarin die stelsel geld.

(2) Telkens wanneer die Raad met Administrateursgoedkeuring so 'n heffing opgelê het, moet sodanige heffing by kennisgewing in die *Offisiële Koerant* verskyn, en dit is, en bly, van krag met ingang van die datum wat in die kennisgewing bepaal word totdat dit by 'n soortgelyke kennisgewing ingetrek word.

(3) Any person may make written application to the Board to become registered as a fresh milk distributor in a municipality, and if such application is approved by the Board, he shall be issued with a certificate of registration subject to such conditions as the Board may specify on such certificate of registration.

(4) A certificate of registration shall expire on the thirtieth day of September next succeeding the date of issue, but may be renewed by the Board if it is satisfied that the requirements of this Ordinance have been and are being complied with by such distributor.

(5) Any person whose application has been rejected by the Board or whose certificate of registration has been cancelled by the Board, may within thirty days of such rejection or cancellation appeal in writing to the Administrator against such rejection or cancellation and the Administrator may allow or dismiss such appeal or take such other steps as he may deem fit.

(6) The Board may, with the approval of the Administrator collect a fee to be paid by each freshmilk distributor on the issue or renewal of his certificate of registration, provided that the fee shall not exceed the sum of five pounds (£5). These fees shall be paid into the general fund established by section twenty of the Dairy Industry Control Ordinance, 1931, as amended, and may be utilised by the Board to defray its general expenditure.

(7) The Board may direct any person who is registered as a fresh milk distributor to furnish the Board with such information as it may require in regard to milk purchased or sold by him, and any other information which is, in the opinion of the Board, necessary to enable it to carry out its functions.

3.(1) The Board may, with the approval of the Administrator, fix the prices at which fresh milk or fresh cream shall be sold, and may differentiate in such prices according to the quality or treatment of such milk or cream or the area in which such milk or cream is produced or sold, or in the quantity or manner in which such milk or cream is sold.

(2) Whenever the Board has fixed the prices for fresh milk or fresh cream in terms of sub-section (1), the prices so fixed shall be published by notice in the *Gazette* and shall be and remain in force as from the date fixed in such notice until withdrawn by a like notice.

(3) Any person who sells any fresh milk or fresh cream at a price other than that fixed in such notice for such milk or cream, shall be guilty of an offence.

4. (1) The Board may operate a price equalisation scheme, hereinafter called the scheme, for the purpose of providing a differentiation in prices of fresh milk or fresh cream during different seasons of the year. The scheme shall apply to all fresh milk distributors in any municipality, from such date as the Administrator, on the recommendation of the Board, may by notice in the *Gazette*, fix for such municipality.

(2) Whenever the fresh milk distributors in any municipality desire to participate in the scheme, they may apply to the Board for such participation, and the Board, if satisfied that such application is sufficiently representative of the milk distributors of such Municipality shall after considering the application submit its recommendation to the Administrator who may admit them to the scheme as from a date fixed by him by notice in the *Gazette*, or reject such application or take such other steps as he may deem fit.

5. (1) The Board may, with the approval of the Administrator, impose a levy on fresh milk or fresh cream sold in any municipality in which the scheme applies.

(2) Whenever the Board has, with the approval of the Administrator, imposed such a levy the levy so imposed shall be published by notice in the *Gazette* and shall be and remain in force as from the date fixed in such notice until withdrawn by a like notice.

(3) Elke varsmelekweransier in 'n munisipaliteit waarin die stelsel geld, moet voor die einde van elke kalendermaand so 'n heffing wat die Raad opgelê het, aan die Raad betaal op die totale hoeveelheid vars melk en vars room wat hy gedurende die voorafgaande kalendermaand gekoop of geproduseer het, soos aangedui op die staat wat hy ingevolge sub-artikel (4) aan die Raad moet besorg.

(4) Elke varsmelekweransier in 'n munisipaliteit waarin die stelsel geld, moet een keer per kalendermaand, en uiterlik op die sewende dag van die maand, 'n juiste staat oor die totale hoeveelheid vars melk en vars room wat hy gedurende die voorafgaande kalendermaand gekoop en verkoop het, aan die Raad besorg.

(5) Elke varsmelekweransier in 'n munisipaliteit waarin die stelsel geld, moet 'n juiste register (in die vorm wat die Raad geskik ag) hou van die totale hoeveelheid vars melk en vars room wat hy elke dag gekoop het en van die totale hoeveelheid vars melk en vars room wat hy elke dag verkoop het. Hierdie register mag eers na verloop van minstens ses maande vernietig word.

6. (1) Die Raad moet ten opsigte van elke munisipaliteit waarin die stelsel geld, 'n afsonderlike pryswenaarpoel vir vars melk instel wat „varsmelekpoel” heet en onderskei word deur die naam van die betrokke munisipaliteit.

(2) Die Raad moet in elke afsonderlike varsmelekpoel die heffings stort wat hy ten opsigte van die betrokke stelsel ontvang.

(3) Die Raad kan uit elke betrokke varsmelekpoel die onderstaande gelde uitbetaal:

- (i) daardie deel van die Raad se algemene uitgaaf wat die Raad beskou as die bedryfskoste van die betrokke varsmelekpoel aan die algemene fonds wat by artikel *twintig* van die Ordonnansie op die Beheer van die Suiwelnywerheid 1931, soos gewysig, ingestel is;
- (ii) die geldbedrae wat hy nodig vind as subsidie ter bevordering van die prysewenaarstsel wat artikel *vier* noem, aan varsmelekweransiers in die munisipaliteit waarin die stelsel geld: Met dien verstande dat die Raad met die Administrateur se goedkeuring geld te uit 'n bepaalde varsmelekpoel kan gebruik vir die ontwikkeling en verbetering van die varsmelekbedryf in die algemeen.

7. (1) Die Raad kan met die Administrateur se goedkeuring een of meer persone as inspekteurs aanstel om ondersoeke of inspeksies ingevolge, of ter uitvoering van, die bepalings van hierdie Ordonnansie te doen: Met dien verstande dat niemand wat regstreeks of onregstreeks by enige handelsonderneming of ander saak in verband met vars melk geldelike belange het, aldus aangestel mag word nie.

(2) Die aanstelling van so iemand moet skriftelik geskied; die aanstellingsbrief moet aan hom besorg word; hy moet dit hou, en daarby moet kennisgewing van die aanstelling ter algemene inligting in die *Offisiële Koerant* verskyn.

(3) Elkeen wat aldus aangestel is, kan, behoudens die bepalings van hierdie Ordonnansie, die registers of rekeningboeke wat 'n varsmelekweransier hou of die registers wat hy ingevolge hierdie Ordonnansie moet hou, te alle redelike tye ondersoek en inspekteer, en hy kan uittreksels maak uit die registers wat hy ondersoek het, of vra dat sodanige uittreksels aan hom besorg moet word.

#### 8. Elkeen wat —

- (a) 'n bepaling van hierdie Ordonnansie of 'n verbod, aanwysing of bevel wat daarkragtens geskied, by daad of versuim verontgaam; of
- (b) enigiemand anders by die verrigting van werkzaamhede waartoe hy uit kragte van hierdie Ordonnansie gemagtig is, enigsins hoegenaamd teegaan of steur of dreig; of

(3) Any levy so imposed by the Board shall be paid by every fresh milk distributor in the municipality in which the scheme applies to the Board before the end of every calendar month on the total quantity of fresh milk and fresh cream purchased or produced by him during the preceding calendar month, as disclosed in the statement transmitted to the Board in terms of sub-section (4).

(4) Every fresh milk distributor in a municipality in which the scheme applies shall once in every calendar month, not later than the seventh day of that month, transmit to the Board a correct statement of the total quantity of fresh milk and fresh cream purchased and sold by him during the preceding calendar month.

(5) Every fresh milk distributor in any municipality in which the scheme applies shall keep a correct record (in such form as the Board may deem sufficient) of the total quantity of fresh milk and fresh cream purchased on every day by him and of the total quantity of fresh milk and fresh cream sold on every day by him. These records shall not be destroyed until the lapse of at least six months.

6. (1) The Board shall establish in respect of each municipality in which the scheme applies, a separate Fresh Milk Price Equalisation Pool to be known as the Fresh Milk Pool and distinguished by the name of the particular municipality.

(2) The Board shall pay into each particular Fresh Milk Pool the levies received in respect of the relevant scheme.

(3) The Board may out of any particular Fresh Milk Pool pay:—

(i) such share of the general expenditure of the Board into the General Fund established under section *twenty* of the Dairy Industry Control Ordinance, 1931, as amended, as the Board may consider to be the cost of operating the relevant Fresh Milk Pool;

(ii) such moneys as it may deem necessary, to fresh milk distributors in the relevant municipality in which the scheme applies, by way of subsidy in furtherance of the Price Equalisation Scheme mentioned in section *four*. Provided that the Board may, with the consent of the Administrator, utilise moneys from a particular Fresh Milk Pool for the development and betterment of the Fresh Milk Industry in general.

7. (1) The Board may, with approval of the Administrator, appoint one or more persons to be inspectors to carry out any examination or inspection under or for the purpose of any provision of this Ordinance; provided that no person shall be so appointed if he is engaged directly or indirectly or has any pecuniary interest in any trade or business connected with fresh milk.

(2) The appointment of such person shall be in writing and transmitted to and held by him and shall further be notified for general information in the *Gazette*.

(3) Any person so appointed may, subject to the provisions of this Ordinance, at all reasonable times examine and inspect any records or books of account kept by a distributor of fresh milk or any such records as must be kept in terms of this Ordinance, and make extracts of such records examined, or request that he be furnished with such extracts.

#### 8. Any person who —

- (a) contravenes or fails to comply with any of the provisions of this Ordinance or any prohibition, direction or order issued in terms of this Ordinance; or
- (b) in any manner obstructs or hinders or intimidates any person in the performance of any acts which he is authorised to perform by virtue of this Ordinance; or

- (c) weier om boeke, dokumente of artikels in sy besit of bewaring uit te lever aan 'n inspekteur wat hom daar toe versoek met die oog op 'n ondersoek uit kragte van hierdie Ordonnansie; of
- (d) by die verstrekking van inligting wat die toepassing van 'n bepaling van hierdie Ordonnansie vereis, valse inligting verstrek; of
- (e) 'n voorwaarde van 'n registrasiesertifikaat wat ingevolge hierdie Ordonnansie aan hom uitgereik is, verontgaam; of
- (f) versulm om 'n heffing wat ingevolge hierdie Ordonnansie aan hom opgelê word, op die gestelde tyd te betaal,

is skuldig aan 'n oortreding, en is by skuldigbevinding strafbaar met 'n boete van hoogstens eenhonderd pond, of, by wanbetaling, met gevangenis vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en sodanige gevangenis.

9. Wanneer hy dit wenslik ag, kan die Raad enigemand met besondere kennis van vars melk of vars room of van die leveransie van vars melk of vars room, tot mede-lid kies, maar so iemand het by 'n vergadering van die Raad geen stem nie, hoewel hy so 'n vergadering in raad-gewende hoedanigheid kan bywoon. Elkeen wat aldus tot mede-lid gekies word, moet 'n toelae antvang waarvan die Raad die bedrag bepaal.

10. Hierdie Ordonnansie heet die Ordonnansie op die Beheer oor Vars Melk 1957, en tree in werking op 'n datum wat die Administrateur by kennisgewing in die *Officiële Koerant* bepaal.

No. 9 van 1957.]

## ORDONNANSIE

Om voorsiening te maak vir bepaalde beskermingsmaatreëls in verband met die registrasie van eiendom en die oordrag van aandele in bestorwe boedels.

(*Goedgekeur 9 April 1957.*)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. In hierdie Ordonnansie, tensy die sinsverband 'n ander bedoeling aandui, beteken —

„Meester“ die Meester van die Hoë Hof van Suidwes-Afrika of enigiemand wat wettig in daardie hoedanigheid optree;

„maatskappy“ enige maatskappy wat regspersoonlikheid verkry het, of geregistreer is, ingevolge die wet wat dan in die Gebied geld op die verkryging van regspersoonlikheid of die registrasie van maatskappye of wat in hierdie Gebied sake dryf;

„aandeel“ 'n aandeel in die aandelekapitaal van 'n maatskappy en dit sluit in effekte waarin enige deel van die aandelekapitaal verdeel is;

„Registrateur van Aktes“ die Registrateur van Aktes wat ingevolge artikel *twee* van die Registrasie van Aktes Proklamasie 1939“ (Proklamasie 37 van 1939) deur die Administrateur aangestel is, of enigiemand wat wettig in daardie hoedanigheid optree;

„obligasie“ ook obligasiekapitaal.

2. Geen toekenning, transport, aantekening of enige registrasie in verband met eiendom of 'n belang in eiendom wat deel uitmaak van 'n bestorwe boedel of wat 'n oorledene moontlik besit of gehou het, mag in die Akteskantoor van die Gebied opgeteken word nie, tensy 'n sertifikaat van die Meester dat hy oortuig is dat die toekenning, transport, aantekening of registrasie aldus in die genoemde Akteskantoor opgeteken kan word, aan die Registrateur van Aktes getoon word.

- (c) refuses to deliver to any inspector at his request for the purpose of examination any books, document or article in his possession or custody which such inspector is, by virtue of this Ordinance empowered to examine; or
- (d) when furnishing any information for the purpose of any provisions of this Ordinance furnishes information which is false; or
- (e) fails to comply with any condition attached to any certificate of registration issued to him under this Ordinance; or
- (f) fails to pay, within the stipulated time, any levy imposed under this Ordinance,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

9. The Board may, whenever it considers it to be expedient, co-opt any person with a special knowledge of fresh milk or fresh cream or the distribution of fresh milk or fresh cream, but such person shall have no vote at any meeting of the Board though he may attend such meeting in an advisory capacity. Any person so co-opted shall receive such allowances as the Board may determine.

10. This Ordinance shall be called the Fresh Milk Control Ordinance, 1957, and shall come into operation on the date fixed by the Administrator by notice in the *Gazette*.

No. 9 of 1957.]

## ORDINANCE

To provide for certain safeguards in connection with the registration of property and the transfer of shares in deceased estates.

(*Assented to 9th April, 1957.*)  
(Afrikaans text signed by the Administrator.)

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

1. In this Ordinance unless the context otherwise indicates:—

“Master” shall mean the Master of the High Court of South West Africa or any person lawfully acting in that capacity;

“Company” shall mean any company incorporated or registered under the law for the time being of this Territory relating to the incorporation or registration of companies or which carries on business in this Territory;

“share” shall mean a share in the share capital of a company, and shall include stock into which any portion of the share capital has been divided;

“Registrar of Deeds” shall mean the Registrar of Deeds appointed by the Administrator in terms of section two of the Deeds Registry Proclamation, 1939, (No. 37 of 1939), or any person lawfully acting in that capacity;

“debenture” shall include debenture stock.

2. No grant, transfer, endorsement or any act of registration shall be recorded in the Deeds Registry of the Territory in connection with any property or interest in property forming part of a deceased estate or which may have been held by a deceased person, unless there is produced to the Registrar of Deeds a certificate issued by the Master to the effect that he is satisfied that the grant, transfer, endorsement or act of registration may be so recorded in the said Deeds Registry.

3. Geen maatskappy mag die oordrag in sy registers van aandele of obligasies wat op die naam van 'n oorledene geregistreer is ten tyde van sy dood, toelaat nie, buitenswaar dit gaan oor aandele of obligasies ten opsigte waarvan die Meester gesertifiseer het dat hy oortuig is dat hulle, hoewel nog op die naam van die oorledene geregistreer, ter goeder trou deur hom verkoop of van die hand gesit is.

4. Hierdie Ordonnansie heet die Ordonnansie op die Registrasie van Eiendom in Bestorwe Boedels 1957.

No. 10 van 1957.]

## ORDONNANSIE

Ter wysiging van die wet op dorpsbesture.

(Goedgekeur 9 April 1957.)

(Engelse teks deur die Administrateur geteken.)

Die Wetgewende Vergadering van die gebied Suidwes-Afrika VERORDEN:

1. Artikel agt van die Ordonnansie op Dorpsbesture 1937, (Ordonnansie 16 van 1937) word hierby gewysig deur:—

- (a) in sub-artikel (1) die woorde „of sodanige ander amptenaar van die Staatsdiens as wat die Administrateur mag aanstel“ deur die woorde „of enigmant anders wat die Administrateur aanstel“ te vervang;
- (b) die byvoeging van die volgende voorbehoudbepaling aan die slot van sub-artikel (2):—

„Met dien verstande dat waar die Administrateur oortuig is dat 'n lid nie dorpsbestuursvergaderings gereeld kan bywoon nie hy 'n alternatiewe lid kan aanstel wat die vergaderings in sy plek kan bywoon, en ten opsigte van sodanige vergaderings het so 'n alternatiewe lid al die regte, bevoeghede, voorregte en verpligtings van die lid in wie se plek hy die vergaderings bywoon“.

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op Dorpsbesture 1957.

No. 11 van 1957.]

## ORDONNANSIE

Ter wysiging van die wet op wildbeskerming.

(Goedgekeur 9 April 1957.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. Sub-artikel (1) van artikel agt van die Ordonnansie op Wildbeskerming 1951 (Ordonnansie 11 van 1951) hierna heet dit die hoofordonnansie — word hierby vervang deur die onderstaande sub-artikel:—

„(1) Nieteenstaande andersluidende bepalings in hierdie Ordonnansie kan 'n eienaar of bewoner van grond sonder lisensie en dwarsdeur die jaar grootwild op sodanige grond jag: Met dien verstande dat as sodanige grond nie voldoende omhein is nie sodanige eienaar of bewoner in die geslotte tyd geen grootwild op sodanige grond mag jag nie“.

2. Sub-artikel (2) van artikel sewentien van die hoofordonnansie word hierby vervang deur die onderstaande sub-artikel:—

3. No company shall permit the transfer in its registers of any shares or debentures registered in the name of a deceased person at the date of his death, except in the case of shares or debentures in respect of which the Master has certified his satisfaction that, though still registered in the name of the deceased at that date, they have been bona fide sold or disposed of by him.

4. This Ordinance shall be called the Registration of Property in Deceased Estates Ordinance, 1957.

No. 10 of 1957.]

## ORDINANCE

To amend the law relating to Village Management Boards.

(Assented to 9th April, 1957.)

(English text signed by the Administrator.)

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

1. Section eight of the Village Management Boards Ordinance, 1937, (Ordinance 16 of 1937) is hereby amended by:—

- (a) the substitution in sub-section (1) of the words “or any other person whom the Administrator may appoint” for the words “or such other officer of the Public Service as the Administrator may appoint”;
- (b) the addition of the following proviso at the end of sub-section (2):—

“Provided that if the Administrator is satisfied that a member is unable to attend Village Management Board meetings regularly, he may appoint an alternative member to attend the meetings in his stead, and such alternative member shall, for such meetings, have all the rights, powers, privileges and obligations of the member in whose stead he is attending”.

2. This Ordinance shall be called the Village Management Boards Amendment Ordinance, 1957.

No. 11 of 1957.]

## ORDINANCE

To amend the law relating to the preservation of game.

(Assented to 9th April, 1957.)

(Afrikaans text signed by the Administrator.)

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

1. The following sub-section is hereby substituted for sub-section (1) of section eight of the Game Preservation Ordinance, 1951 (Ordinance 11 of 1951), hereinafter called the principal Ordinance:—

“(1) Notwithstanding anything to the contrary in this Ordinance contained, any owner or occupier of land may, without licence, hunt big game on such land throughout the year: Provided that if such land is not enclosed with a sufficient fence, such owner or occupier may not hunt big game on such land during the close season”.

2. The following sub-section is hereby substituted for sub-section (2) of section seventeen of the principal Ordinance:—

„17. (2) Niemand buiten die wettige houer van 'n permit wat op die Administrateur se magtiging uitgereik is, mag te eniger tyd die eiers van 'n wildvoël verwyder, steur, vernietig, verkoop, vent, ter verkoop uitstal of koop nie. So 'n permit moet moet die getal en soorte eiers aangee wat die houer kan verwyder, steur, vernietig, verkoop, vent, ter verkoop uitstal of koop, en is onderhewig aan die voorwaardes wat die Administrateur na die goeddunke stel: Met dien verstande dat waar 'n eienaar of bewoner van grond sodanige voëls sonder 'n permit kan jag, hy die eiers van sodanige voëls sonder 'n permit kan wegneem of gebruik".

3. Artikel *vyf-en-twintig* van die hoofordonnansie word hierby deur die onderstaande artikel vervang:—

25. Enigeen wat sestien jaar of ouer is, kan biltong uit die Gebied uitvoer op magtiging van 'n permit wat die magistraat van die distrik waarin hy woon, of enigiemand anders wat die Sekretaris behoorlik daartoe gemagtig het, uitgereik het. Die uitreiking van so 'n permit geskied na goeddunke van so 'n magistraat of ander behoorlik gemagtigde persoon. So 'n permit moet die gewig in pond van die biltong waarvan die uitvoer gemagtig word, aangee, en 'n bedrag van ses pennies vir elke pondgewig aan biltong bo twintig pond per jaar wat uitgevoer word, moet aan die Ontvanger van Inkomsste betaal word: Met dien verstande dat die Administrateur hierdie bedrag na goeddunke en by kennisgewing in die Offisiële Koerant kan verander of wysig".

4. Die „Wildvlees Uitvoerbelasting Proklamatie, 1922" (Proklamasie 22 van 1922) en Goewermentskennisgewing 86 van 1922 word hierby herroep.

5. Hierdie Ordonnansie heet die Verdere Wysigingsordonnansie op Wildbeskerming 1957.

No. 12 van 1957.]

## ORDONNANSIE

Ter wysiging van die wet op die verkoop van, en beheer oor, bedwelmende drank.

(Goedgekeur 9 April 1957.)

(Afrikaanse teks deur die Administrateur geteken.)

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

1. Artikel *vyf* van die „Drank Licentie Proklamatie 1920" (Proklamasie 6 van 1920) — hierna heet dit die hoofproklamasie — word gewysig deur —

- (a) in sub-artikel (1) die woorde „een en dertigste dag van Maart volgende op die uitreiking" te vervang deur die woorde „laaste dag van Februarie volgende op die uitreiking";
- (b) in sub-artikel (3) die woord „Oktōber" oral waar dit voorkom, te vervang deur die woord „September";

2. Artikel *sewen-en-twintig* van die hoofproklamasie word hierby deur die onderstaande artikel vervang:—

„27. In elke distrik moet daar op die laaste Woensdag in die maand Februarie in elke jaar by die magistraatsetel 'n vergadering van die lisensiehof gehou word ter oorweging van alle aansoek wat in artikel *ses-en-twintig* genoem word. Hierdie vergadering heet die „jaarlikse lisensievergadering".

“17(2). No person other than the lawful holder of a permit issued under the authority of the Administrator may at any time take away, disturb, destroy, sell, hawk, expose for sale or purchase the eggs of any game bird. Such permit shall state the number and the variety of the eggs which the holder is empowered to take away, disturb, destroy, sell, hawk, expose for sale or purchase, and shall be subject to such conditions as the Administrator may in his discretion impose: Provided that where an owner or occupier of land may hunt such birds without a permit, he may take away or use the eggs of such birds without a permit".

3. The following section is hereby substituted for section *twenty-five* of the principal Ordinance:—

25. Any person of the age of sixteen years or over may export biltong from the Territory, under the authority of a permit issued by a Magistrate of the district in which he resides or any other person duly authorised thereto by the Secretary. The issue of such permit shall be in the discretion of such Magistrate or such duly authorised person. Such permit shall state the weight in pounds of the biltong, the export of which is authorised, and a fee of six pennies for every pound weight of biltong in excess of twenty pounds per annum exported shall be paid to the Receiver of Revenue: Provided that the Administrator may by notice in the *Official Gazette* alter or vary the amount of such fee as he may deem fit".

4. The Venison Export Tax Proclamation, 1922 (Proclamation 22 of 1922) and Government Notice 86 of 1922 are hereby repealed.

5. This Ordinance shall be called the Preservation of Game Further Amendment Ordinance, 1957.

No. 12 of 1957.]

## ORDINANCE

To amend the law relating to the sale and control of intoxicating liquor.

(Assented to 9th April, 1957.)  
(Afrikaans text signed by the Administrator.)

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

1. Section *five* of the Liquor Licensing Proclamation, 1920 (Proclamation 6 of 1920), hereinafter referred to as the principal Proclamation, is hereby amended by:

- (a) the substitution in sub-section (1) of the words "last day of February next after issue" for the words "thirty-first day of March next after issue";
- (b) the substitution in sub-section (3) of the word "September" for the word "October" wherever it occurs.

2. The following section is hereby substituted for section *twenty-seven* of the principal Proclamation:—

“27. A meeting of the licensing court shall be held in each district at the seat of the Magistracy, on the last Wednesday in the month of February in each year, for the purpose of taking into consideration all such applications as are referred to in section *twenty-six*. This meeting shall be called the “annual licensing meeting”.

3. Sub-artikel (1) van artikel *vyf-en-dertig* van die hoofproklamasie word hierby vervang deur die onderstaande sub-artikel:—

„(1) Elkeen wat by 'n vergadering van die licensiehof 'n licensie wil verkry waarvoor 'n sertifikaat van die licensiehof nodig is, of —

- (a) die hernuwing van so 'n licensie;
- (b) die verplasing van so 'n licensie van die gelicenseerde perseel na 'n ander perseel in dieselfde distrik;
- (c) die oordrag van die licensie van die houer daarvan aan iemand anders;
- (d) die bekratiging van 'n tydelike oordrag toegeken ingevolge artikel *ses-en-veertig*;
- (e) die bekratiging van die verplasing van 'n licensie gemagtig ingevolge artikel *agt-en-veertig*,

moet by die magistraat van die distrik skriftelik daarom aansoek doen, en wel op of voor die laaste dag van Januarie: Met dien verstande dat as 'n oordrag of verplasing ná die laaste dag van Januarie geskied, die aansoek gerig moet word aan die daaropvolgende vergadering van die licensiehof.

4. Sub-artikel (1) van artikel *vyf-en-dertig bis* van die hoofproklamasie word hierby gewysig deur die woorde „indien die saak op die jaarlike vergadering van die licensiehof oorweeg moet word, of op of voor die laaste dag van Julie indien die saak op die September-vergadering van die licensiehof oorweeg moet word” te skrap.

5. Artikel *vyf-en-dertig ter* van die hoofproklamasie word hierby gewysig deur —

- (a) in sub-artikel (1) die woorde „indien die saak op die jaarlike vergadering van die licensiehof oorweeg moet word, of op of voor die laaste dag van Julie indien die saak op die September-vergadering van die licensiehof oorweeg moet word” te skrap;
- (b) in sub-artikel (4) die woorde „een-en-dertigste dag van Maart” te vervang deur die woorde „laaste dag van Februarie”.

6. Artikel *sewen-en-dertig* van die hoofproklamasie word hierby gewysig deur die woorde „of Julie” te skrap.

7. Artikel *vyftig* van die hoofproklamasie word hierby vervang deur die onderstaande artikel:—

„50. Elkeen aan wie 'n licensie ingevolge artikel *ses-en-veertig* tydelik oorgedra word, en elkeen wat gemagtig is om sy licensie ingevolge artikel *agt-en-veertig* te verplaas, moet by die daaropvolgende vergadering van die licensiehof aansoek doen om bekratiging van sodanige tydelike oordrag of verplasing. As die hof die aansoek goedkeur, kan die persoon aan wie sodanige licensie tydelik oorgedra is, of die persoon wat aldus gemagtig is om sy licensie te verplaas op die jaarlike vergadering van die licensiehof ook aansoek doen om 'n hernuwing van sodanige licensie. Elke aansoek ingevolge hierdie artikel moet op skrif geskied en moet die besonderhede genoem in sub-artikel (2) van artikel *vyf-en-dertig* uiteensit”.

8. Goewernentskennisgewing 22 van 15 Maart 1920 word hierby gewysig deur —

- (a) in paragraaf (d) van regulasie 9 die woorde „of Juli naar de mate van het geval” te skrap;
- (b) regulasie 11 te skrap.

9. Goewernentskennisgewing 375 van 8 Desember 1952 word hierby gewysig deur die woorde „September” in vorm 5 van regulasie 6 te skrap.

10. Hierdie Ordonnansie heet die Wysigingsordonnansie op Dranklispensies 1957.

3. The following sub-section is hereby substituted for sub-section (1) of section *thirty-five* of the principal Proclamation:—

“(1) Any person desiring to obtain at a licensing court meeting any licence for which a certificate of the licensing court is necessary or —

- (a) the renewal of any such licence;
- (b) the removal of any such licence from the licensed premises to any other premises in the same district;
- (c) the transfer of a licence from the holder thereof to any other person;
- (d) the ratification of a temporary transfer granted in terms of section *forty-six*;
- (e) the ratification of the removal of a licence authorised in terms of section *forty-eight*,

shall make application in writing to the magistrate of the district, on or before the last day of January: Provided that if a transfer or removal is effected after the last day of January the application shall be made to the following sitting of the licensing court.

4. Sub-section (1) of section *thirty-five bis* of the principal Proclamation is hereby amended by the deletion of the words „If the matter is to be heard at the annual licensing meeting, or on or before the last day of July if the matter is to be heard at the September meeting”.

5. Section *thirty-five ter* of the principal Proclamation is hereby amended by:—

- (a) the deletion in sub-section (1) of the words “if the matter is to be heard at the annual licensing meeting, or on or before the last day of July if the matter is to be heard at the September meeting.”;
- (b) the substitution in sub-section (4) of the words “last day of February” for the words “thirty-first day of March”.

6. Section *thirty-seven* of the principal Proclamation is hereby amended by the deletion of the words “or July, as the case may be.”.

7. The following section is hereby substituted for section *fifty* of the principal Proclamation:—

“50. Any person to whom a licence may be temporarily transferred in terms of section *forty-six* and any person who has been authorised to remove his licence in terms of section *forty-eight* shall apply at the next meeting of the licensing court for ratification of such temporary transfer or removal. If the application is allowed by the Court the person to whom such licence has been temporarily transferred or the person who has been so authorised to remove his licence may, at the annual licensing meeting also apply for a renewal of such licence. Every application in terms of this section shall be made in writing and shall set forth the particulars mentioned in sub-section (2) of section *thirty-five*.

8. Government Notice 22 of the 15th March, 1920 is hereby amended by:—

- (a) the deletion in paragraph (d) of regulation 9 of the words “or July as the case may be.”;
- (b) the repeal of regulation 11.

9. Government Notice 375 of the 8th December 1952 is hereby amended by the deletion of the word “September” in form 5 of regulation 6.

10. This Ordinance shall be called the Liquor Licensing Amendment Ordinance, 1957.

No. 13 van 1957.]

No. 13 of 1957.]

**ORDONNANSIE**

Ter wysiging van die wet op die uitvoerbelasting op karakoelpelse.

(Goedgekeur 9 April 1957.)

(Afrikaanse teks deur die Administrateur geteken.)

Die Wetgewende Vergadering van die Gebied Suid-wes-Afrika VERORDEN:

1. Artikel *ses* van die Wysigingsproklamasie betreffende Uitvoerbelasting op Karakoelpelse 1939 (Proklamasie 34 van 1939) — hierna heet dit die hoofproklamasie — word hierby gewysig deur in paragraaf (b) die bedragsyfer „6d” te vervang deur die bedragsyfer „12d”.

2. Artikel *sewe* van die hoofproklamasie word hierby gewysig deur in paragraaf (b) van sub-artikel (1) die bedragsyfer „6d” te vervang deur die bedragsyfer „12d”.

3. Artikel *agt* van die hoofproklamasie word hierby gewysig deur in paragraaf (b) van sub-artikel (1) die bedragsyfer „6d” te vervang deur die bedragsyfer „12d”.

4. Hierdie Ordonnansie heet die Wysigingsordonnansie op die Uitvoerbelasting op Karakoelpelse 1957 en tree in werking op die eerste dag van April 1957.

**ORDINANCE**

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

(Assented to 9th April, 1957.)

(Afrikaans text signed by the Administrator.)

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

1. Section *six* of the Karakul Pelt Export Duty Amendment Proclamation 1939, (No. 34 of 1939), herein-after called the principal Proclamation, is hereby amended by the substitution in paragraph (b) of the word “12d” for the word “6d”.

2. Section *seven* of the principal Proclamation is hereby amended by the substitution in paragraph (b) of sub-section (1) of the word “12d” for the word “6d”.

3. Section *eight* of the principal Proclamation is hereby amended by the substitution in paragraph (b) of sub-section (1) of the word “12d” for the word “6d”.

4. This Ordinance shall be called the Karakul Pelt Export Duty Amendment Ordinance, 1957, and shall come into operation on the first day of April, 1957.