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OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA.

OFFICIAL GAZETTE

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ONTWERPORDONNANSIE

Ter wysiging van die Ordonnansie insake Heffings en Behuisingshuurbydraes vir Inboorlingbehuising 1961, om voorsiening te maak vir die wysiging van sekere bepalings met betrekking tot die bydraes wat deur werkgewers betaal moet word ten opsigte van volwasse manlike inboorlinge wat by sodanige werkgewers werk.

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika, met die toestemming van die Staatspresident dermate sodanige toestemming nodig is vooraf verkreë en deur boodskap van die Administrateur aan die Wetgewende Vergadering meegedeel ooreenkomstig die bepalings van artikel 26 van die Zuidwest Afrika Konstitutie Wet 1925 (Wet 42 van 1925) van die Parlement van die Republiek van Suid-Afrika VERORDEN:—

Wysiging van artikel 3 van Ordonnansie 33 van 1961 soos gewysig by artikel 1 van Ordonnansie 10 van 1966 en soos vervang by artikel 3 van Ordonnansie 24 van 1967.

1. Artikel 3 van die Ordonnansie insake Heffings en Behuisingshuurbydraes vir Inboorlingbehuising, 1961 (Ordonnansie 33 van 1961) — hierna heet dit die hoofordonnansie — word hierby gewysig —

(a) deur in subartikel (1) die uitdrukking „subartikels (2) en (3)" deur die uitdrukking „subartikel (3)" te vervang;

(b) deur die vervanging van subartikel (1) (b) deur die volgende subartikel:—

> „(1) (b) 'n maandelikse bydrae, soos die Administrateur by kennisgewing in die *Offisiële Koerant* van tyd tot tyd kan gelas, ten opsigte van elke volwasse manlike inboorling wat by sodanige werkgewer of sodanige plaaslike bestuur, na gelang, werk":

(c) deur die invoeging in subartikel (1) (b) (i) na die woorde „bepaling van 'n" van die woorde „bydrae of 'n";

(d) deur die skrapping in subartikel (1) (b) (iii) van die woorde „ten opsigte van huurgeld vir behuising";

(e) deur die skrapping van subartikel (2).

Wysiging van artikel 10 van Ordonnansie 33 van 1961 soos gewysig by artikel 9 van Ordonnansie 24 van 1967.

2. Artikel 10 van die hoofordonnansie word hierby gewysig deur die vervanging van die woord „Behuisingshuurbydraes" deur die woord „Bydraes".

Wysiging van die Bylae tot Ordonnansie 33 van 1961 soos bygevoeg by artikel 10 van Ordonnansie 24 van 1967.

3. Die Bylae tot die hoofordonnansie word hierby gewysig deur die uitdrukking „Maandelikse bedrag van vergoeding" deur die uitdrukking „Maksimum maandelikse bedrag van vergoeding" te vervang.

Kort titel.

4. Hierdie ordonnansie heet die Verdere Wysigingsordonnansie op Heffings vir Inboorlingbehuising 1967.

DRAFT ORDINANCE

To amend the Native Housing Levy and Housing Rent Contributions Ordinance, 1961, to provide for the amendment of certain provisions with reference to contributions payable by employers in respect of adult male Natives employed by such employers.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the State President, 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 26 of the South West Africa Constitution Act, 1925 (Act 42 of 1925) of the Parliament of the Republic of South Africa, as follows:—

Amendment of section 3 of Ordinance 33 of 1961 as amended by section 1 of Ordinance 10 of 1966 and as substituted by section 3 of Ordinance 24 of 1967.

1. Section 3 of the Native Housing Levy and Housing Rent Contributions Ordinance, 1961 (Ordinance 33 of 1961) — hereinafter called the principal ordinance — is hereby amended —

(a) by the substitution in sub-section (1) for the expression "sub-sections (2) and (3)" of the expression "sub-section (3)";

(b) by the substitution for sub-section (1) (b) of the following sub-section:—

"(1) (b) as the Administrator by notice in the *Official Gazette* may from time to time direct, a monthly contribution in respect of every adult male Native employed by such employer or such local authority, as the case may be:";

(c) by the insertion in sub-section (1) (b) (i) after the word "determining" of the words "a contribution or";

(d) by the deletion in sub-section (1) (b) (iii) of the words "in respect of rent for housing";

(e) by the deletion of sub-section (2).

Amendment of section 10 of Ordinance 33 of 1961 as amended by section 9 of Ordinance 24 of 1967.

2. Section 10 of the principal ordinance is hereby amended by the substitution for the words "Housing Rent Contributions" of the word "Contributions".

Amendment of the Schedule to Ordinance 33 of 1961 as added by section 10 of Ordinance 24 of 1967.

3. The Schedule to the principal ordinance is hereby amended by the substitution for the expression "Monthly amount of reimbursement" of the expression "Maximum monthly amount of reimbursement".

Short title.

4. This ordinance shall be called the Native Housing Levy Further Amendment Ordinance, 1967.

ONTWERPORDONNANSIE

Om die Vermaaklikheidsbelastingsordonnansie 1930, die Konsolidasie Ordonnansie betreffende Lisensies 1935, die Landbank Proklamasie 1935 en die Boerebystand Ordonnansie 1962 te wysig om voorsiening te maak vir strafbepalings vir die aflê van valse verklarings.

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

Invoeging van artikel 6A in Ordonnansie 11 van 1930.

1. Die Vermaaklikheidsbelastingsordonnansie 1930 (Ordonnansie 11 van 1930) word hierby gewysig deur die invoeging van die volgende artikel na artikel 6 —

„Straf weens verstrekking van valse verklaring in opgaaf.

6A. Enige eienaar of persoon van wie dit vereis word om 'n opgaaf van die betalings vir toelating tot 'n plek of plekke van vermaaklikheid te verstrek soos deur die Administrateur by regulasie voorgeskryf wat opsetlik 'n valse verklaring in sodanige opgaaf maak, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens twee honderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en sodanige gevangenisstraf."

Invoeging van artikel 22A in Ordonnansie 13 van 1935.

2. Die Konsolidasie Ordonnansie betreffende Lisensies 1935 (Ordonnansie 13 van 1935) word hierby gewysig deur die invoeging van die volgende artikel na artikel 22 —

„Straf weens verstrekking van valse verklaring in opgaaf.

22A. Enige persoon wat opsetlik 'n valse verklaring maak in enige opgaaf wat ingevolge artikel 22 verstrek word, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens twee honderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en sodanige gevangenisstraf."

Wysiging van artikel 73 van Proklamasie 22 van 1935 soos gewysig deur artikel 1 van Proklamasie 12 van 1939.

3. Artikel 73 van die Landbank Proklamasie (Proklamasie 22 van 1935) word hierby gewysig deur die vervanging van subartikel (2) deur die volgende subartikel —

„(2) Elkeen wat ten aansien van of in verband met enige voorskot of applikasie daarom ingevolge hierdie proklamasie —

(a) 'n valse verklaring aflê, wetende dat sodanige verklaring vals is, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens twee honderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide

DRAFT ORDINANCE

To amend the Entertainment Tax Ordinance, 1930, the Licences Consolidation Ordinance, 1935, the Land Bank Proclamation, 1935, and the Farmers' Assistance Ordinance, 1962 to provide penalties for the making of false statements.

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

Insertion of section 6A in Ordinance 11 of 1930.

1. The Entertainment Tax Ordinance, 1930 (Ordinance 11 of 1930) is hereby amended by the insertion after section 6 of the following section —

"Penalty for making of false statement in return rendered.

6A. Any proprietor or person who is required to render a return of payments for admission to a place or places of entertainment as prescribed by the Administrator by regulation, and who makes a false statement in any such return so rendered, knowing such statement to be false, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Insertion of section 22A in Ordinance 13 of 1935.

2. The Licences Consolidation Ordinance, 1935 (Ordinance 13 of 1935) is hereby amended by the insertion after section 22 of the following section —

"Penalty for making of false statement in return rendered.

22A. Any person who makes a false statement in any return rendered in terms of section 22, knowing such statement to be false, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment for a period not exceeding six months or to both such fine and such imprisonment."

Amendment of section 73 of Proclamation 22 of 1935 as amended by section 1 of Proclamation 12 of 1939.

3. Section 73 of the Land Bank Proclamation, 1935 (Proclamation 22 of 1935), is hereby amended by the substitution for sub-section (2) of the following sub-section —

"(2) Any person who, in respect of or in connection with any advance or application therefor under this proclamation —

(a) makes a false statement knowing such statement to be false, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment for a period not exceeding six months or to both such fine and such imprisonment;

(b) die besturende direkteur, die bestuurder of enige lid van die raad, of van die personeel, of 'n agent, inspekteur of taksateur van die Bank omkoop, of probeer om hom om te koop, of op bedrieglike wyse beïnvloed of probeer om hom op bedrieglike wyse te beïnvloed, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens een duisend rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar, of met beide sodanige boete en sodanige gevangenisstraf."

Vervanging van artikel 6 van Ordonnansie 11 van 1962.

4. Die Boerebystandsordonnansie 1962 (Ordonnansie 11 van 1962) word hierby gewysig deur artikel 6 deur die volgende artikel te vervang —

„Vorm van aansoek om bystand en straf vir die aflê van 'n valse verklaring in sodanige aansoek.

6 (1) Elke aansoek om bystand ingevolge hierdie ordonnansie moet gedoen word in die vorm deur die raad voorgeskryf, waarin die redes vir die aansoek volledig vermeld moet word en waarin aangegee moet word alle bates en alle regte op bates, hetsy reeds verkry of voorwaardelik van die applikant en sy waardering daarvan, en elke skuld hoegenaamd, hetsy openbaar, of voorwaardelik, van die applikant, die naam en adres van die persoon aan wie dit verskuldig is, die wyse waarop en die tyd wanneer die skuld aangegaan is, asook sodanige nadere inligting soos die raad vereis.

(2) Enige applikant wat 'n valse verklaring in enige sodanige aansoek maak, wetende dat sodanige verklaring vals is, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens twee honderd rand, of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en sodanige gevangenisstraf."

Kort titel.

5. Hierdie ordonnansie heet die Algemene Regswysigingsordonnansie 1967.

(b) bribes or attempts to bribe or corruptly influences or attempts corruptly to influence the managing director, the manager or any member of the board, or of the staff, or an agent, inspector or valuator for the Bank, shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rand or, in default of payment, to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment."

Substitution of section 6 of Ordinance 11 of 1962.

4. The Farmers' Assistance Ordinance, 1962 (Ordinance 11 of 1962) is hereby amended by the substitution for section 6 of the following section —

"Form of application for assistance and penalty for making of false statement in any such application.

6 (1) Every application for assistance under this ordinance shall be in the form prescribed by the board, which shall set forth fully the reasons for the application and disclose every asset and every right to an asset, whether accrued or contingent, of the applicant and his valuation thereof, and every liability, of whatsoever kind, whether already due or contingent, of the applicant, and the name and address of the person to whom it is owing, the manner in which and the time when it was incurred and such futher information as the board may require.

(2) Any applicant who makes a false statement in any such application, knowing such statement to be false, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment not exceeding six months or to both such fine and such imprisonment."

Short title.

5. This ordinance shall be called the General Law Amendment Ordinance, 1967.

ONTWERPORDONNANSIE

Ter wysiging van die Ordonnansie op Robbevangs en Visserye 1949 om in artikel 1 „regulasie" en „vissersboot" en „vaartuig" te omskryf; om in artikel 2B „voorrade" te omskryf; om die bewoording van artikel 12 (1) (f) te verbeter; om in artikel 13 die gebruik van 'n boot as 'n vissersboot of vaartuig, tensy dit gelisensieer is, te verbied en die gebruik van 'n vaartuig of perseel as 'n fabriek, tensy dit gelisensieer is, te verbied; om in artikel 18 'n oortreding van die bepalings van artikel 13 'n misdryf te maak en 'n sekere straf te verhoog; om in artikel 25 (3) 'n sekere straf te verhoog en om te bepaal dat die bepalings van bogenoemde ordonnansie nie van toepassing is nie ten opsigte van 'n gebied wat tot 'n wildtuin kragtens die bepalings van die Ordonnansie op Natuurbewaring 1967 verklaar is.

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika, met die toestemming van die Staatspresident dermate sodanige toestemming nodig is, vooraf verkreë en deur boodskap van die Administrateur aan die Wetgewende Vergadering meegedeel ooreenkomstig die bepalings van artikel 26 van die Zuidwest-Afrika Konstitutie Wet 1925 (Wet 42 van 1925) soos gewysig by artikel 16 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika 1949 van die Parlement van die Republiek van Suid-Afrika, VERORDEN:—

Wysiging van artikel 1 van Ordonnansie 12 van 1949 soos gewysig by artikel 1 van Ordonnansie 26 van 1967.

1. Artikel 1 van die Ordonnansie op Robbevangs en Visserye 1949 (Ordonnansie 12 van 1949) — hierna die hoofordonnansie genoem — word hierby gewysig —

(a) deur na die woordbepaling van „voorgeskryf" die volgende woordbepaling in te voeg:—

„ ‚regulasie' 'n regulasie kragtens hierdie ordonnansie uitgevaardig;";

(b) deur die woordbepaling van „vissersboot" of „vaartuig" deur die volgende woordbepaling te vervang:—

„ ‚vissersboot' of ‚vaartuig' enige boot of vaartuig, afgesien van sy grootte of voortbewegingswyse, wat op enige tydstip gebruik word vir robbevangs of vir visvangs vir handelsdoeleindes;".

Wysiging van artikel 2B van Ordonnansie 12 van 1949 soos ingevoeg by artikel 3 van Ordonnansie 26 van 1967.

2. Artikel 2B van die hoofordonnansie word hierby gewysig deur die volgende subartikel by te voeg:—

„(4) Vir die doeleindes van hierdie artikel beteken „voorrade" ook gas en brandstof asook werktuie vir gebruik by die verwerking van vis en visprodukte.".

Wysiging van artikel 12 van Ordonnansie 12 van 1949 soos gewysig by artikel 4 van Ordonnansie 26 van 1967.

3. Artikel 12 (1) van die hoofordonnansie word hierby gewysig deur paragraaf (f) deur die volgende paragraaf te vervang:—

„(f) met 'n voorgeskrewe teken, die skipper van 'n vissersboot beveel om sy boot te halt of gelas om na 'n hawe in die Gebied soos deur die beampte of geregsdienaar aangedui, te vaar."

DRAFT ORDINANCE

To amend the Sealing and Fisheries Ordinance, 1949, to define "regulation" and "fishing boat" and "vessel" in section 1; to define "provisions" in section 2B; to correct the wording of section 12 (1) (f); to prohibit in section 13 the use of a boat as a fishing boat or vessel unless it is licensed, and to prohibit the use of a vessel or premises as a factory unless it is licensed; to provide in section 18 that a contravention of the provisions of section 13 shall be an offence and to increase a certain penalty; to increase a certain penalty in section 25 (3) and to provide that the provisions of the above-mentioned ordinance shall not apply in respect of an area which has been declared a game park in terms of the provisions of the Nature Conservation Ordinance, 1967.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the State President 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 26 of the South West Africa Constitution Act, 1925 (Act 42 of 1925) as amended by section 16 of the South West Africa Affairs Amendment Act, 1949 of the Parliament of the Republic of South Africa as follows:—

Amendment of section 1 of Ordinance 12 of 1949, as amended by section 1 of Ordinance 26 of 1967.

1. Section 1 of the Sealing and Fisheries Ordinance, 1949 (Ordinance 12 of 1949) — hereinafter referred to as the principal ordinance — is hereby amended —

(a) by the insertion after the definition of the word "prescribed" of the following definition:—

" 'regulation' means a regulation issued in terms of this ordinance;";

(b) by the substitution for the definition of "fishing boat" or "vessel" of the following definition:—

" 'fishing boat' or 'vessel' means any boat or vessel, irrespective of its size or method of propulsion thereof, which is for the time being employed for the purpose of sealing or fishing for the trade;".

Amendment of section 2B of Ordinance 12 of 1949 as inserted by section 3 of Ordinance 26 of 1967.

2. Section 2B of the principal ordinance is hereby amended by the addition of the following sub-section:—

"(4) For the purpose of this section "provisions" includes gas and fuel as well as implements employed in the processing of fish and fish products.".

Amendment of section 12 of Ordinance 12 of 1949 as amended by section 4 of Ordinance 26 of 1967.

3. Section 12 (1) of the principal ordinance is hereby amended by the substitution for paragraph (f) of the following paragraph:—

"(f) by a prescribed signal order the skipper of any fishing boat to stop this boat or instruct the skipper to sail to a harbour in the Territory as indicated

Vervanging van artikel 13 van Ordonnansie 12 van 1949.

4. Artikel 13 van die hoofordonnansie word hierby deur die volgende artikel vervang:—

„Lisensies. 13 (1) Niemand mag 'n boot as 'n vissersboot of vaartuig gebruik nie tensy dit gelisensieer is soos by regulasie voorgeskryf.

(2) Niemand mag 'n vaartuig of perseel as 'n fabriek gebruik nie tensy dit gelisensieer is soos by regulasie voorgeskryf.".

Wysiging van artikel 18 van Ordonnansie 12 van 1949 soos gewysig by artikel 5 van Ordonnansie 26 van 1967.

5. Artikel 18 van die hoofordonnansie word hierby gewysig —

(a) deur na paragraaf (f) van subartikel (1) die volgende paragraaf in te voeg:—

„(fA) die bepalings van artikel 13 oortree; of";

(b) deur in subartikel (1) die woorde „honderd pond" deur die woorde „vyfhonderd rand" te vervang;

(c) deur in subartikel (2) na die letter „(a)" die letters „(fA)" in te voeg.

Wysiging van artikel 25 van Ordonnansie 12 van 1949 soos gewysig by artikel 1 van Ordonnansie 15 van 1956 en artikel 1 van Ordonnansie 24 van 1965.

6. Artikel 25 van die hoofordonnansie word hierby gewysig deur in subartikel (3) die woorde „eenhonderd pond" deur die woorde „vyfhonderd rand" te vervang.

Vervanging van artikel 26 van Ordonnansie 12 van 1949

7. Artikel 26 van die hoofordonnansie word hierby deur die volgende artikel vervang:—

„Toepassing van ordonnansie. 26. Hierdie ordonnansie is nie van toepassing ten opsigte van —

(a) visvangs in waters wat slegs tydelik of nooit deel van die see uitmaak nie;

(b) 'n gebied wat kragtens die bepalings van artikel 38 van die Ordonnansie op Natuurbewaring 1967 (Ordonnansie 31 van 1967) tot 'n wildtuin verklaar is nie.".

Kort titel.

8. Hierdie ordonnansie heet die Verdere Wysigingsordonnansie op Robbevangs en Visserye 1967.

4. The following section is hereby substituted for section 13 of the principal ordinance:— *Substitution of section 13 of Ordinance 12 of 1949.*

"Licences. 13 (1) No person shall employ a boat as a fishing boat or vessel unless it is licensed as prescribed by regulation.

(2) No person shall employ a vessel or premises as a factory unless it is licensed as prescribed by regulation.".

5. Section 18 of the principal ordinance is hereby amended — *Amendment of section 18 of Ordinance 12 of 1949 as amended by section 5 of Ordinance 26 of 1967.*

(a) by the insertion after paragraph (f) of sub-section (1) of the following paragraph:—

"(fA) contravenes the provisions of section 13; or";

(b) by the substitution in sub-section (1) for the words "one hundred pounds" of the words "five hundred rand";

(c) by the insertion in sub-section (2) after the letter "(a)" of the letters "(fA)".

6. Section 25 of the principal ordinance is hereby amended by the substitution in sub-section (3) for the words "one hundred pounds" of the words "five hundred rand". *Amendment of section 25 of Ordinance 12 of 1949 as amended by section 1 of Ordinance 15 of 1956 and section 1 of Ordinance 24 of 1965.*

7. The following section is hereby substituted for section 26 of the principal ordinance:— *Substitution of section 26 of Ordinance 12 of 1949.*

"Application of ordinance. 26. This ordinance shall not apply in respect of —

(a) the catching of fish in waters which only temporarily or never form part of the sea;

(b) an area declared to be a game park under the provisions of section 38 of the Nature Conservation Ordinance, 1967 (Ordinance 31 of 1967).".

8. This ordinance shall be called the Sealing and Fisheries Further Amendment Ordinance, 1967. *Short title.*