

B U I T E N G E W O N E

OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA.

OFFICIAL GAZETTE



UITGAWE OP GESAG.

E X T R A O R D I N A R Y
O F S O U T H W E S T A F R I C A .

PUBLISHED BY AUTHORITY.

10c	Maandag, 2 Junie 1969	WINDHOEK	Monday, 2 June 1969	No. 3001
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I N H O U D

C O N T E N T S

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GOEWERMENSKENNISGEWING:

GOVERNMENT NOTICE:

No. 65 Huisvestingsinrigtings en Toerisme: Wysiging van Regulasies

Accommodation Establishments and Tourism: Amendment of Regulations 1100

Goewermentskennisgewing.

Government Notice.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

The following Government Notice is published for general information.

J. J. KLOPPER,
Sekretaris van Suidwes-Afrika

J. J. KLOPPER,
Secretary for South West Africa.

Kantoor van die Administrateur,
Windhoek.

Administrator's Office,
Windhoek.

No. 65.] [2 Junie 1969

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WYSIGING VAN DIE REGULASIES BETREFFENDE HUISVESTINGSINRIGTINGS EN TOERISME.

AMENDMENT OF THE REGULATIONS RELATING TO ACCOMMODATION ESTABLISHMENTS AND TOURISM.

Dit behaag die Administrateur om kragtens en ingevolge die bevoegdheid hom verleen by artikels 12 en 14 van die Ordonnansie op Huisvestingsinrigtings en Toerisme 1967 (Ordonnansie 29 van 1967) die regulasies afgekondig by Goewermentskennisgewing 188 van 2 Desember 1968 soos volg te wysig:—

The Administrator has been pleased under and by virtue of the powers vested in him by sections 12 and 14 of the Accommodation Establishments and Tourism Ordinance 1967 (Ordinance 29 of 1967) to amend the regulations promulgated by Government Notice 188 of 2 December 1968 as follows:

1. Die vervanging van die bestaande Kolomme I en II van regulasie 3.2 deur die volgende:

1. Substitution for the existing Columns I and II of regulation 3.2 of the following:

Kolom I.	Kolom II.
Binneverbruiklisensie	YYY
Restaurantdranklisensie	YY

Column I.	Column II.
On-consumption licence	YYY
Restaurant Liquor Licence	YY

2. Die wysiging van regulasie 16 deur die skrapping van die koppelteken en die woorde „in-Uitvoerende Komitee“ na die woord „Administrateur“.

2. Amendment of regulation 16 by the deletion of the hyphen and the words „in-Executive Committee“ after the word „Administrator“.

3. Die invoeging van die volgende nuwe subparagraaf na regulasie 21:

3. Insertion of the following new subparagraph after regulation 21:

„21 (b) Die Direkteur kan enige ondersoeke instel of namens hom laat instel en enige inligting aanvra wat hy by die oorweging van sodanige aansoeke om lenings nodig ag.“

“21 (b) The Director may institute any investigations or have such investigations instituted on his behalf and request any information he deems necessary in considering such applications for loans.”

4. Die invoeging van die volgende nuwe subparagraaf na regulasie 22:

4. Insertion of the following new subparagraph after regulation 22:

„22 (b) Bo en behalwe die magte ingevolge hierdie en enige ander regulasie hom verleen, kan die Administrateur enige sodanige voorwaardes soos hy nodig ag, vir die toestaan van lenings bepaal.“

“22 (b) Over and above the powers vested in him by this and any other regulation, the Administrator may determine any such conditions for the granting of loans as he deems necessary.”

5. Die vervanging van die bestaande regulasie 27 deur die volgende nuwe regulasie:

5. Substitution for the existing regulation 27 of the following new regulation:

„27. Waar 'n lening aan 'n maatskappy met beperkte aanspreeklikheid toegestaan word, kan die Sekretaris van Suidwes-Afrika vereis dat die direkteure van die maatskappy in hulle gesamentlike en afsonderlike hoedanighede die lening borg deur 'n sekerheidstelling wat vir hom aanneemlik is.”

6. Die vervanging van die bestaande regulasie 28 deur die volgende nuwe regulasie:

„28. Ten opsigte van inrigtings waaraan lenings toegestaan is, het —

- (a) die direkteur die reg om die hotelier/bestuurder goed te keur;
- (b) te vereis dat gesertifiseerde verslae oor die werksaamhede van die inrigting gereeld ingedien word;
- (c) te vereis dat geen verhoging in die inrigting se tariewe plaasvind sonder sy goedkeuring nie;
- (d) die Sekretaris van Suidwes-Afrika die reg om te vereis dat 'n notariële verband gegee word oor ameblement en los bates wat op die perseel is.”

7. Die vervanging van die bestaande regulasie 29 deur die volgende nuwe regulasie:

„29. In geval van wanbetaling van die jaarlikse paaielemente of indien daar tydens 'n inspeksie gevind word dat die inrigting wanbestuur word kan —

- (a) die direkteur die hotelier vervang;
- (b) die Administrateur die bestuur van die inrigting as 'n tussentydse maatreël oorneem en soos nodig uitgawes aan of in verband met die dryf van die inrigting namens die lener aangaan; of
- (c) die verband oproep; of
- (d) die besigheid as 'n lopende saak verkoop.”

8. Die wysiging van regulasie 30 deur:

- (i) die vervanging van die woorde „Groepering en Gradering van Hotelle” in die opskrif deur die woorde „Registrasie, Groepering en Gradering van Hotelle”; en
- (ii) die invoeging van die volgende nuwe subparagraawe na subparagraaf (e):
 - „(f) Daar word bepaal —
dat alle hotelle vir doeleindes van registrasie moet voldoen aan die volgende vereistes, wat die minimum vereistes is:
 - (i) Die inrigting moet as 'n *bona fide*-hotel deur die lisensiehouer bestuur word.
 - (ii) Inrigtings geleë binne munisipale grense: minstens tien slaapkamers.
 - (iii) Inrigtings geleë buite munisipale grense: minstens vyf slaapkamers.
 - (iv) Die minimum vereistes vir gradering soos bepaal in hierdie regulasies.
 - (g) Wanneer 'n inrigting geleë buite die munisipale grense as gevolg van die verskuiwing van sodanige grense binne die munisipale gebied kom, moet binne twaalf maande van die datum van die verandering in ligging aan die vereistes van paragraawe (f) (ii) en (iii) hierbo voldoen word.”

9. Die invoeging van die volgende nuwe regulasie na regulasie 31 (b):

- „(c) Daar word bepaal —
dat alle ruskampe vir doeleindes van registrasie moet voldoen aan die volgende vereistes, wat die minimum vereistes is:
 - (i) Minstens vyf rondawels/tente.
 - (ii) Die minimum vereistes vir gradering soos bepaal in hierdie regulasies.”

10. Die invoeging van die volgende nuwe regulasie na regulasie 33 (b):

- „(c) Daar word bepaal —

“27. When a loan is granted to a company with limited liability, the Secretary for South West Africa may demand that the directors of the company guarantee the loan in their joint and several capacities by way of security acceptable to him.

6. Substitution for the existing regulation 28 of the following new regulation:

“28. With regard to establishments to which loans have been granted —

- (a) the director shall have the right to approve the hotelier/manager;
- (b) require that certified reports on the activities of the establishment be submitted regularly;
- (c) require that no increase in the establishments tariffs take place without his approval;
- (d) the Secretary for South West Africa shall have the right to require that a notarial bond be given in respect of furniture and loose assets which are on the stand.”

7. Substitution for the existing regulation 29 of the following new regulation:

“29. In case of non-payment of the yearly instalments or, if it is found during an inspection that the establishment is misgoverned —

- (a) the director may replace the hotelier/manager;
- (b) the Administrator may take over the management as an interim measure and incur the necessary expenditure to, or in respect of running the establishment, on behalf of the borrower; or
- (c) call in the bond; or
- (d) sell the business as a going concern.

8. Amendment of regulation 30 by the:

- (i) substitution for the words “Grouping and Grading of Hotels” in the heading of the words “Registration, Grouping and Grading of Hotels”; and
- (ii) insertion of the following new subparagraphs after subparagraph (e):

“(f) It is provided —

that all hotels shall for the purpose of registration comply with the following requirements, which shall be the minimum requirements:

- (i) The establishment shall be conducted as a *bona fide* hotel by the licensee.
- (ii) Establishments situated within municipal boundaries: a minimum of ten bedrooms.
- (iii) Establishments situated outside municipal boundaries: a minimum of five bedrooms.
- (iv) The minimum requirements for grading as determined in these regulations.
- (g) Whenever, by the extension of such boundaries, an establishment, situated outside the municipal boundaries, falls within the municipal area, the provisions of paragraphs (f) (ii) and (iii) shall be complied with within twelve months from the date of change in situation.”

9. Insertion of the following new regulation after regulation 31 (b):

“(c) It is provided —

that all rest camps shall for the purpose of registration comply with the following requirements, which shall be the minimum requirements:

- (i) At least five rondavels/tents.
- (ii) The minimum requirements for grading as determined in these regulations.”

10. Insertion of the following new regulation after regulation 33 (b):

“(c) It is provided —

dat alle karavaanparke vir doeleindes van registrasie moet voldoen aan die volgende vereistes, wat die minimum vereistes is:

- (i) Minstens vyf karavaan-staanplekke.
- (ii) Die minimum vereistes vir gradering soos bepaal in hierdie regulasies."

11. Die invoeging van die volgende nuwe regulasies na regulasie 36:

„36bis (a) Daar word bepaal —

- (i) dat elke hotelier/bestuurder van 'n huisvestingsinrigting, met die uitsondering van safari-ondernemings, 'n register moet hou waarin besonderhede van elke gas in tabelvorm soos voorgeskryf in Bylae XI aangeteken word; die eerste nege items onmiddellik by aankoms en die laaste item by vertrek van sodanige gaste ingeskryf te word;
- (ii) in die geval van safari-ondernemings, 'n register gehou moet word waarin besonderhede van elke gas in tabelvorm soos voorgeskryf in Bylae XII aangeteken word; die eerste agt items onmiddellik by aankoms en die laaste item by vertrek van sodanige gaste ingeskryf te word.

„36bis (b) Behoudens die bepalinge van artikels 12 en 14 van die ordonnansie kan enige eienaar of ander persoon in beheer van 'n huisvestingsinrigting aan wie 'n gas 'n bedrag geld verskuldig is, enige eiendom na sy vertrek deur sodanige gas in die inrigting gelaat, laat verkoop ter delging van sodanige skuld onderhewig aan die volgende voorwaardes:

- (i) skriftelike kennis per aangetekende pos minstens twee keer aan die eienaar gegee word van die verkoop van die eiendom by nie-betaling van die skuld: Met dien verstande dat die eerste kennisgewing geskied minstens twee maande en die tweede kennisgewing minstens een maand voor die datum van verkoping van die eiendom soos in subparagraaf (iii) hieronder beoog;
- (ii) minstens een maand voor die datum van verkoping soos in subparagraaf (iii) hieronder beoog, kennisgewing van sodanige voorneme in albei amptelike tale gegee word in twee nuusblaai wat in die distrik van permanente verblyf van die eienaar van die eiendom te koop aangebied word;
- (iii) indien die skuld na verstryking van 'n tydperk van ses maande van die datum van die gas se vertrek uit die inrigting nog nie betaal is nie, kan die eienaar of ander persoon in beheer van die inrigting die eiendom per openbare veiling laat verkoop nadat hy minstens sewe dae voor die datum van verkoping die veiling in 'n koerant wat sirkuleer in die distrik waar die eiendom verkoop word, geadverteer het;
- (iv) die bepalinge van paragrafe (i) tot (iii) hierbo is *mutatis mutandis* van toepassing waar eiendom vir veilige bewaring deur 'n gas aan die eienaar of ander persoon in beheer van 'n inrigting oorhandig word en sodanige eiendom nie binne ses maande na die datum waarop dit aldus vir bewaring oorhandig is, opgeëis word nie."

12. Die wysiging van Bylae 1 tot Goewermentskennisgewing 188 van 2 Desember 1968 deur die toelatingsfaktore in genoemde bylae te skrap en hulle onder Bylae II in te voeg.

13. Die wysiging van bogemelde goewermentskennisgewing deur die invoeging van die volgende bylaes:

that all caravan parks shall for the purpose of registration comply with the following requirements, which shall be the minimum requirements:

- (i) At least five caravan sites.
- (ii) The minimum requirements for grading as determined in these regulations."

11. Insertion of the following new regulations after regulation 36:

"36bis (a) It is provided —

- (i) that every hotelier/manager of an accommodation establishment, with the exception of safari undertakings, shall keep a register wherein shall be entered in tabular form as prescribed in Annexure XI, particulars of every guest; the first nine items shall be entered immediately on arrival and the last item on departure of such guests;
- (ii) in the case of safari undertakings, a register shall be kept wherein shall be entered in tabular form as prescribed in Annexure XII, particulars of every guest; the first eight items to be entered immediately on arrival and the last item on departure of such guest.

"36bis (b) Subject to the provisions of sections 12 and 14 of the ordinance any owner or other person in control of an accommodation establishment to whom any guest is indebted, may cause any property left by such guest in the establishment after his departure to be sold in payment of such debt subject to the following conditions:

- (i) On non-payment of the debt, written notice, by registered post, of the sale of the property shall be given at least twice to the owner of the property: Provided that the first notice shall be given at least two months and the second notice be given at least one month prior to the date of sale of the property as envisaged in subparagraph (iii) hereunder;
- (ii) notice of such intention shall be given in both official languages in two newspapers for sale in the district of permanent residence of the owner of the property at least one month before the date of sale as envisaged in subparagraph (iii) hereunder;
- (iii) if, after the expiry of a period of six months from the date of departure from the establishment by the guest the debt has not been paid, the owner or other person in control of the establishment may cause the property to be sold by public auction after such auction has been advertised by him in a newspaper circulating in the district in which the property is to be sold at least seven days prior to the date of sale of the property;
- (iv) the provisions of paragraphs (i) to (iii) above shall apply *mutatis mutandis* to property deposited for safe custody with the owner or other person in control of an institution by a guest if such property is not claimed within six months from the date of handing over of such property for safe custody."

12. Amendment of Annexure I to Government Notice 188 of 2 December 1968 by the deletion of the tolerance factors in the said annexure and the insertion thereof under Annexure II.

13. Amendment of the above-mentioned government notice by the insertion of the following annexures:

BYLAE XI/SCHEDULE XI.

Vorm van gasteregister deur ander inrigtings as safari-ondernemings gehou te word.

Form of guest register to be kept by other institutions than safari undertakings.

Volle naam van gas. Full name of guest.	Aankoms. Arrival. Datum/Date	Kamer No. Room No.	Blywende adres. Permanent address.	Beroep. Occupation.	Nasionaliteit. Nationality.	Getal persone. No. of persons.	Adres waarheen afgereis word. Address to which proceeding on departure.	Handtekening van gas. Signature of guest.	Vertrek. Departure. Datum/Date.

BYLAE XII/SCHEDULE XII.

Vorm van gasteregisters deur safari-ondernemings gehou te word.

Form of guest register to be kept by safari undertakings.

Aankoms. Arrival. Datum/Date	Volle naam van gas. Full name of guest.	Blywende adres. Permanent address.	Beroep. Occupation.	Nasionaliteit. Nationality.	Getal persone. No. of persons.	Adres waarheen afgereis word. Address to which proceeding on departure.	Handtekening van gas. Signature of guest.	Vertrek. Departure. Datum/Date.