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Government Notice

Goewermentskennisgewing

The following Government Notice is published for general information.

N. J. DAVIN
*Secretary of the National Assembly
of South West Africa*

Windhoek

No. AG. 111

12 December 1979

**PROMULGATION OF ACT OF NATIONAL
ASSEMBLY**

The following Act, which has been adopted by the National Assembly of South West Africa and signed by the Administrator-General in terms of the National Assembly Proclamation, 1979 (Proclamation AG. 21 of 1979) is hereby published in terms of section 19 of that Proclamation:—

No. 18 of 1979 Promotion of the Density of
Population in Designated Areas
Act, 1979

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

N. J. DAVIN
*Sekretaris van die Nasionale Vergadering
van Suidwes-Afrika*

Windhoek

No. AG. 111

12 Desember 1979

**AFKONDIGING VAN WET VAN NASIONALE
VERGADERING**

Die volgende Wet, wat ingevolge die Proklamasie op die Nasionale Vergadering, 1979 (Proklamasie AG. 21 van 1979), deur die Nasionale Vergadering van Suidwes-Afrika aangeneem en deur die Administrateur-generaal onderteken is, word hierby afgekondig ingevolge artikel 19 van daardie Proklamasie:—

No. 18 van 1979 Wet op die Bevordering van Be-
volkingsdigtheid in Aangewese
Gebiede, 1979

**Act No. 18, 1979 PROMOTION OF THE DENSITY OF POPULATION
IN DESIGNATED AREAS ACT**

*(English text signed by the Administrator-General on 6
December 1979)*

ACT

To provide for the designation of certain areas with a view to taking measures for the promotion of the density of population and of farming activities in such areas and for matters connected therewith.

BE IT ENACTED by the National Assembly of South West Africa, as follows:—

Definitions.

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

- (i) “agricultural land” means any land situated outside a proclaimed township; (iii)
- (ii) “assistance” means assistance as defined in section 1 of the Agricultural Credit Act, 1966 (Act No. 28 of 1966); (ii)
- (iii) “board” means the Agricultural Credit Board established by section 2 of the Agricultural Credit Act, 1966; (iv)
- (iv) “designated area” means any area which is a designated area under section 2. (i)

Designated areas.

2. (1) If the Administrator-General is satisfied —

- (a) that it is in the national interest to increase the density of the population in any area other than an area in a proclaimed township, he may by proclamation in the *Official Gazette* declare the first-mentioned area to be a designated area or portion of an existing designated area, with effect from a date to be mentioned in such proclamation;
- (b) that any area should no longer be a designated area or a portion thereof, he may by proclamation in the *Official Gazette* declare that with effect from a date to be mentioned in such proclamation, such area shall cease to be a designated area or portion thereof, as the case may be.

(2) A name or number may be assigned to any designated area in any proclamation referred to in subsection (1)(a).

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Rendering of assistance in
designated areas.

3. (1) Notwithstanding anything to the contrary in any law contained but subject to the provisions of subsection (2), any person to whom assistance is rendered in respect of any land or farming operations on any land in any area after such area has become a designated area, shall be charged interest at the rate of three per cent per annum on any outstanding amount recoverable on account of the rendering of such assistance: Provided that —

- (a) where the assistance is rendered for the purchase of agricultural land, to any person who is not the owner of agricultural land or has not entered into any transaction for the acquisition of agricultural land, such assistance shall be rendered on the following special terms and conditions, namely —
 - (i) that no portion of the said outstanding amount shall be repayable during the first eight years after the date upon which assistance is rendered;
 - (ii) that no interest shall be payable on the said outstanding amount during the first two years after the said date;
 - (iii) that interest at the rate of one per cent per annum shall be payable on the said outstanding amount during the third, fourth and fifth years after the said date;
 - (iv) that the said outstanding amount shall, with effect from the first day of the ninth year after the said date, be repayable over a period of twenty-five years in such instalments as the board may in respect of each case determine;
- (b) where the assistance is rendered for the purchase of agricultural land, to any person who already is the owner of or has entered into a transaction for the acquisition of any such land, such assistance shall be rendered on the following special terms and conditions, namely —
 - (i) that no portion of the said outstanding amount shall be repayable during the first five years after the date upon which the assistance is rendered;
 - (ii) that interest at the rate of one per cent per annum shall be payable on the said outstanding amount during the first two years after the said date;

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- (iii) that the said outstanding amount shall, with effect from the first day of the sixth year after the said date, be repayable over a period of twenty-five years in such instalments as the board may in respect of each case determine.

(2) If the assistance contemplated in section (1) is a loan referred to in section 10(2) of the Agricultural Credit Act, 1966, for the construction of water works and such loan exceeds an amount as contemplated in section 15(2) of that Act, the interest concerned shall be payable at the rate which under the said section 15(2) shall apply in the case concerned, less one per cent, instead of any rate referred to in subsection (1).

Interest on amounts al-
ready recoverable.

4. (1) Whenever assistance has been rendered to any person in respect of land or farming operations on land in any area, under the Agricultural Credit Act, 1966, or by virtue of the application of any law repealed by such Act, prior to the date upon which such area became a designated area, the Administrator-General may, notwithstanding anything to the contrary in any other law contained, but subject to the provisions of subsection (4) on receipt of an application by the said person in terms of subsection (2), on the recommendation of the board, determine that, with effect from the said date, the said person shall be charged interest on any outstanding amount recoverable on account of the rendering of assistance as aforesaid —

- (a) in the case of assistance of the nature referred to in section 3(2), at such rate as may be determined in accordance with the provisions of that section;
- (b) in the case of assistance of any other nature, at the rate of three per cent per annum.

(2) Any application referred to in subsection (1) shall be addressed in writing to the Director of Agriculture and Forestry and shall contain such particulars as the said director may determine.

(3) Whenever the outstanding amount referred to in subsection (1) is recoverable by virtue of assistance rendered in respect of land situated partially within and partially outside any designated area or in respect of different pieces of land of which some are situated within and some outside any designated area, the Administrator-General may, on the recommendation of the board, limit the determination of the interest rate under subsection (1) to such portion only of the outstanding amount as the Administrator-General may on the recommendation of the board determine.

(4) The Administrator-General may grant any application under subsection (1) on such terms and conditions as the board may recommend and thereupon such terms and conditions shall be deemed to be terms and conditions on

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which the assistance in question has been granted under the Agricultural Credit Act, 1966, or by virtue of the application of any law repealed by that Act, as the case may be.

Delegation of powers.

5. The Administrator-General may delegate in writing to any officer in the service of the State any power conferred upon him by this Act, but shall not be divested of any power so delegated and may alter or withdraw any decision made by any such officer in the exercise of any power so delegated.

Extension of application of Act 28 of 1966 in designated areas.

6. Notwithstanding anything to the contrary in any law contained, the Agricultural Credit Act, 1966, shall also apply in respect of any person other than a white person, in so far as such person carries on or undertakes to carry on farming operations in any designated area.

Short title and commencement.

7. This Act shall be called the Promotion of the Density of Population in Designated Areas Act, 1979, and shall come into operation on a date to be fixed by the Administrator-General by proclamation in the *Official Gazette*.