BUITENGEWONE

OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA

OFFICIAL GAZETTE

EXTRAORDINARY

OF SOUTH WEST AFRICA

UITGAWE OP GESAG — WINDHOEK — PUBLISHED BY AUTHORITY

30c | Dinsdag 12 Oktober 1982 | Tuesday 12 October 1982 | No. 4688

INHOUD:

Bladsy

PROKLAMASIE

No. AG. 23 Reëling van sekere aangeleenthede in verband met 'n algemene verkiesing van die Wetgewende Vergadering van die Damaras en die Administrasie van die sake van die Damaras en van verbandhoudende aangeleenthede 1

CONTENTS:

Page

PROCLAMATION

No. AG. 23 Regulation of certain matters in connection with a general election of the Legislative Assembly of the Damaras and the administration of the affairs of the Damaras and of incidental matters 1

PROKLAMASIE

van die

ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

(Deur die Staatspresident goedgekeur op 11 Oktober 1982)

No. AG. 23 1982

REËLING VAN SEKERE AANGELEENTHEDE IN VERBAND MET 'N ALGEMENE VERKIESING VAN DIE WETGEWENDE VERGADERING VAN DIE DAMARAS EN DIE ADMINISTRASIE VAN DIE SAKE VAN DIE DAMARAS EN VAN VERBANDHOUDENDE AANGELEENTHEDE

Kragtens die bevoegdheid my verleen by Proklamasie 181 van 19 Augustus 1977, maak ek hierby die wette in die Bylae vervat.

D.J. HOUGH
Administrateur-generaal Windhoek, 12 Oktober 1982

PROCLAMATION

by the

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

(Approved by the State President on 11 October 1982)

No. AG. 23 1982

REGULATION OF CERTAIN MATTERS IN CONNECTION WITH A GENERAL ELECTION OF THE LEGISLATIVE ASSEMBLY OF THE DAMARAS AND THE ADMINISTRATION OF THE AFFAIRS OF THE DAMARAS AND OF INCIDENTAL MATTERS

Under the powers vested in me by Proclamation 181 of 19 August 1977, I hereby make the laws set out in the Schedule.

D.J. HOUGH
Administrator-General Windhoek, 12 October 1982

BYLAE

Wetgewende Vergadering en Uitvoerende Komitee van Damaras geag wettiglik saamgestel te gewees het

1. Elke persoon wat te eniger tyd voor 1 Oktober 1982 die setel van 'n lid van die Wetgewende Vergadering van die Damaras gevul het en elke persoon wat te eniger tyd voor genoemde datum die amp van 'n lid van die Uitvoerende Komitee van die Damaras beklee het, word, ondanks die ongeldigverklaring op 30 September 1982 van die verkiesing van lede van daardie Wetgewende Vergadering wat op 11, 12 en 13 November 1980 gehou is, geag sodanige setel of amp wettiglik aldus te gevul of te beklee het en elke sodanige setel of amp word geag op 1 Oktober 1982 vakant te geword het of ontruim te gewees het.

Verkiesing van Wetgewende Vergadering van Damaras

2. (1) 'n Algemene verkiesing van lede van die Wetgewende Vergadering van die Damaras moet binne ses maande na die inwerkingtreding van hierdie Proklamasie gehou word.

(2) Die in subartikel (1) bedoelde verkiesing word gevoer *mutatis mutandis* kragtens die Partylysverkiesingsproklamasie, 1980 (Proklamasie AG. 54 van 1980).

(3) By die toepassing van genoemde Partylysverkiesingsproklamasie, 1980, met betrekking tot sodanige verkiesing word sodanige verkiesing geag 'n eerste algemene verkiesing van lede van 'n wetgewende owerheid waarvan sodanige lede nie ingevolge sy grondwet in kiesafdeling verkies moet word nie en wat deur die Administrateur-generaal aangewys is, te wees.

Tussentydse administrasie van sake van Damaras deur Administrateur-generaal

3. Van die datum van inwerkingtreding van hierdie Proklamasie tot en met die dag onmiddellik voor die dag waarop 'n Uitvoerende Komitee van die Damaras na die algemene verkiesing in artikel 2 bedoel ingevolge die bepalings van artikels 16, 17 en 18 van die Proklamasie op die Verteenwoordigende Owerheid van die Damaras, 1980 (Proklamasie AG. 32 van 1980), saamgestel word —

SCHEDULE

Legislative Assembly and Executive Committee of Damaras deemed to have been lawfully constituted

1. Every person who at any time before 1 October 1982 filled the seat of a member of the Legislative Assembly of the Damaras and every person who at any time before the said date held the office of a member of the Executive Committee of the Damaras shall, notwithstanding the invalidation on 30 September 1982 of the election of members of that Legislative Assembly held on 11, 12 and 13 November 1980, be deemed to have lawfully so filled or held such seat or office and every such seat or office shall be deemed to have become vacant or to have been vacant on 1 October 1982.

Election of Legislative Assembly of Damaras

2. (1) A general election of members of the Legislative Assembly of the Damaras shall be held within six months after the commencement of this Proclamation.

(2) The election referred to in subsection (1) shall be conducted *mutatis mutandis* under the Party List Elections Proclamation, 1980 (Proclamation AG. 54 of 1980).

(3) In the application of the said Party List Elections Proclamation, 1980, in relation to such election, such election shall be deemed to be a first general election of members of a legislative authority of which such members are not in terms of its constitution to be elected in electoral divisions and which has been designated by the Administrator-General.

Interim administration of affairs of Damaras by Administrator-General

3. From the date of commencement of this Proclamation up to and including the day immediately preceding the day an Executive Committee of the Damaras is, after the general election referred to in section 2, established in terms of the provisions of sections 16, 17 and 18 of the Representative Authority of the Damaras Proclamation, 1980 (Proclamation AG. 32 of 1980) —

(a) word die administrasie van die sake van die Damaras met betrekking tot 'n omskrewe aangeleentheid met betrekking waartoe die Wetgewende Vergadering van die Damaras bevoeg is om ordonnansies te maak, deur die Administrateur-generaal namens die Verteenwoordigende Owerheid van die Damaras behartig;

(b) berus al die regte, bevoegdhede, pligte, verpligtings en werksaamhede wat onmiddellik voor die datum van inwerkingtreding van hierdie Proklamasie by die Uitvoerende Komitee van die Damaras of 'n lid van genoemde Uitvoerende Komitee berus het, by die Administrateur-generaal wat genoemde regte, bevoegdhede, pligte, verpligtings en werksaamhede namens die Verteenwoordigende Owerheid van die Damaras uitoefen, uitvoer, nakom en verrig.

(a) the administration of the affairs of the Damaras in relation to any defined matter in relation to which the Legislative Assembly of the Damaras is empowered to make ordinances shall be carried on by the Administrator-General on behalf of the Representative Authority of the Damaras;

(b) all rights, powers, duties, obligations and functions which immediately prior to the date of commencement of this Proclamation vested in the Executive Committee of the Damaras or any member of the said Executive Committee, shall vest in the Administrator-General who shall exercise, execute, carry out and perform the said rights, powers, duties, obligations and functions on behalf of the Representative Authority of the Damaras.

Delegering van bevoegdhede

4. (1) Die Administrateur-generaal kan enige bevoegdheid wat kragtens artikel 3 by hom berus, behalwe enige sodanige bevoegdheid om proklamasies, regulasies of reëls uit te vaardig of wat by kennisgewing in die *Offisiële Koerant* soos omskryf in artikel 1 van die Proklamasie op die Verteenwoordigende Owerheid van die Damaras, 1980 (Proklamasie AG. 32 van 1980), uitgeoefen moet word, van tyd tot tyd delegeer aan 'n persoon deur hom vir dié doel aangestel.

(2) 'n Persoon aan wie 'n bevoegdheid kragtens subartikel (1) gedelegeer is kan enige bevoegdheid aldus aan hom gedelegeer met die toestemming van die Administrateur-generaal van tyd tot tyd verder delegeer aan 'n ander persoon deur die Administrateur-generaal vir dié doel aangestel of aan iemand wat 'n betrekking in die Administrasie vir Damaras beklee.

(3) Iemand aan wie 'n bevoegdheid kragtens subartikel (1) of (2) gedelegeer is, oefen daardie bevoegdheid uit onderworpe aan die voorskrifte van die persoon deur wie daardie bevoegdheid aldus aan hom gedelegeer is.

(4) Die delegering van 'n bevoegdheid kragtens subartikel (1) of (2) ontdoen nie die persoon deur wie daardie bevoegdheid aldus gedelegeer is van daardie bevoegdheid nie en bedoelde persoon kan te eniger tyd die uitoefening van 'n bevoegdheid uit hoofde van so 'n delegering hersien.

Delegation of powers

4. (1) The Administrator-General may from time to time delegate any power vested in him under section 3, other than any such power to make proclamations, regulations or rules or which has to be exercised by notice in the *Official Gazette* as defined in section 1 of the Representative Authority of the Damaras Proclamation, 1980 (Proclamation AG. 32 of 1980), to a person appointed for that purpose by him.

(2) Any person to whom any power has been delegated under subsection (1) may with the approval of the Administrator-General from time to time further delegate any power so delegated to him to any person appointed for the purpose by the Administrator-General or to any person holding an office in the Administration for Damaras.

(3) Any person to whom any power has been delegated under subsection (1) or (2) shall exercise such power subject to the instructions of the person by whom such power has been so delegated to him.

(4) The delegation of any power under subsection (1) or (2) shall not divest the person by whom such power has been so delegated of that power and the said person may at any time review the exercise of any power by virtue of any such delegation.

(5) Die persoon wat 'n bevoegdheid kragtens subartikel (1) of (2) gedelegeer het, kan te eniger tyd die delegering van so 'n bevoegdheid intrek.

Toepassing van hierdie Proklamasie

5. Hierdie Proklamasie is van krag ondanks enigiets in enige ander wet vervat.

Kort titel en inwerkingtreding

6. Hierdie Proklamasie heet die Proklamasie op die Spesiale Algemene Verkiesing van die Wetgewende Vergadering van die Damaras, 1982, en word geag op 1 Oktober 1982 in werking te getree het.

(5) The person who has delegated any power under subsection (1) of (2) may at any time revoke the delegation of any such power.

Application of this Proclamation

5. This Proclamation shall have force and effect notwithstanding anything contained in any other law.

Short title and commencement

6. This Proclamation shall be called the Legislative Assembly of the Damaras Special General Election Proclamation, 1982, and shall be deemed to have come into operation on 1 October 1982.

Gedruk deur en verkrygbaar by
SWAPERS
Posbus 56, Windhoek
Suidwes-Afrika

Printed and obtainable from
SWAPERS
P.O. Box 56, Windhoek
South West Africa