

Act No. 33, 1985 **RESIDENCE OF CERTAIN PERSONS IN SOUTH WEST
AFRICA REGULATION ACT, 1985**

ACT

To restrict the right of certain persons to remain or stay in the territory of South West Africa; to provide for orders prohibiting certain persons from being in, or requiring certain persons to depart from, the said territory; and to provide for matters connected therewith.

*(English text signed by the Administrator-General
on 10 December 1985)*

BE IT ENACTED by the National Assembly, as follows:-

Definitions.

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

- (i) "Cabinet" means the Cabinet constituted under section 23 of the South West African Legislative and Executive Authority Establishment Proclamation, 1985 (Proclamation R.101 of 1985); (ii)
- (ii) "permit" means a permit issued or deemed to have been issued under section 5(1); (iii)
- (iii) "Secretary" means the Secretary for Civic Affairs and Manpower or any person referred to in section 2(2); (iv)
- (iv) "territory" means the territory of South West Africa. (i)

Secretary to administer Act.

2. (1) The Secretary shall, subject to the control of the Cabinet, be charged with the administration of this Act.

(2) The powers conferred and duties imposed upon the Secretary by the provisions of this Act may be exercised or performed by the Secretary personally or by any person authorized by the Secretary who shall administer such provisions under the control, direction or supervision of the Secretary.

WET OP DIE REËLING VAN DIE VERBLYF VAN SEKERE PERSONE IN SUIDWES-AFRIKA, 1985 Wet No. 33, 1985

WET

Om die reg van sekere persone om in die gebied Suidwes-Afrika aan te bly of te vertoef, te beperk; om voorsiening te maak vir bevels wat sekere persone verbied om in bedoelde gebied te wees of wat vereis dat sekere persone bedoelde gebied verlaat; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die Administrateur-generaal
onderteken op 10 Desember 1985)*

DAAR WORD BEPAAL deur die Nasionale Vergadering, soos volg:-

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken -

Woordomskrywing.

5 (i) "gebied" die gebied Suidwes-Afrika; (iv)

(ii) "Kabinet" die Kabinet saamgestel kragtens artikel 23 van die Proklamasie op die Instelling van Wetgewende en Uitvoerende Gesag vir Suidwes-Afrika, 1985 (Proklamasie R.101 van 1985); (i)

10 (iii) "permit" 'n permit uitgereik of geag uitgereik te wees kragtens artikel 5(1); (ii)

(iv) "Sekretaris" die Sekretaris van Burgersake en Mannekrag of 'n persoon in artikel 2(2) bedoel. (iii)

• **2.** (1) Die Sekretaris is, onderworpe aan die beheer van 15 die Kabinet, met die uitvoering van hierdie Wet belas.

Sekretaris belas met uitvoering van Wet.

(2) Die bevoegdheids aan die Sekretaris verleen en die pligte hom opgelê by die bepalings van hierdie Wet kan uitgeoefen of verrig word deur die Sekretaris persoonlik of deur 'n persoon wat deur die Sekretaris gemagtig is en wat 20 bedoelde bepalings onder die beheer, leiding of toesig van die Sekretaris uitvoer.

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Restrictions on presence of certain persons in South West Africa.

3. (1) Subject to the provisions of subsection (2), no person shall, after the expiration of a period of 30 days after the commencement of this Act, remain or stay in the territory for a continuous period exceeding 30 days, except under the authority and in accordance with the conditions of a permit issued by the Secretary.

(2) The provisions of subsection (1) shall not apply to any person -

- (a) who was born in the territory;
- (b) who was ordinarily resident in the territory immediately before the commencement of this Act and who, under any law, including a law referred to in section 16, was not deported from the territory, directed to leave the territory or prohibited from entering the territory; 15
- (c) who, after the said commencement, enters the territory for purposes of permanent residence therein or of temporary sojourn therein in accordance with the provisions of the Aliens Act, 1937 (Act 1 of 1937); 20
- (d) while rendering service in the territory in terms of the Defence Act, 1957 (Act 44 of 1957);
- (e) while employed in the territory in the service of the Government of the Republic of South Africa or the Government of Rehoboth or in the government service of the territory; 25
- (f) who has been exempted under section 4 from the provisions of subsection (1) of this section, but only to the extent to which he has so been exempted.

Exemptions.

4. The Cabinet may by notice in the *Official Gazette* or, in the case of any particular person, by notice in writing to the person concerned, exempt from the provisions of section 3(1) any category of persons or particular person to such extent as it may determine, and may by like notice withdraw any such notice. 35

Application for, and issue of, permit to remain in South West Africa.

5. (1) On application by any person to whom section 3(1) applies the Secretary may, subject to the provisions of subsections (2) and (3) of this section, issue to any such person a permit to remain or stay in the territory for such period exceeding 30 days and subject to such conditions as may be specified in such permit. 40

(2) The Secretary shall not issue a permit to any person -

- (a) if in his opinion, such a person pursues or performs or is likely to pursue or perform an occupation or a category of work in respect of which a sufficient number of persons are available for the needs of the territory; 45

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3. (1) Behoudens die bepalings van subartikel (2) mag geen persoon na die verstryking van 'n tydperk van 30 dae na die inwerkingtreding van hierdie Wet vir 'n onafgebroke tydperk van langer as 30 dae in die gebied aanbly of vertoef 5 nie, behalwe op gesag en ooreenkomstig die voorwaardes van 'n permit deur die Sekretaris uitgereik.

Beperkings op aanwesigheid van sekere persone in Suidwes-Afrika.

(2) Die bepalings van subartikel (1) is nie van toepassing nie op 'n persoon -

- (a) wat in die gebied gebore is;
- 10 (b) wat onmiddellik voor die inwerkingtreding van hierdie Wet gewoonlik in die gebied woonagtig was en wat nie kragtens die een of ander wet, met inbegrip van 'n wet in artikel 16 bedoel, uit die gebied gesit was, 15 gelas was om die gebied te verlaat of verbied was om die gebied binne te kom nie;
- (c) wat na bedoelde inwerkingtreding ooreenkomstig die bepalings van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), die gebied binnekom met die doel om hom blywend daarin te vestig of hom tydelik daarin op te 20 hou;
- (d) terwyl hy ingevolge die Verdedigingswet, 1957 (Wet 44 van 1957), in die gebied diens doen;
- (e) terwyl hy in die gebied werksaam is in diens van die 25 Regering van die Republiek van Suid-Afrika of die Regering van Rehoboth of in die regeringsdiens van die gebied;
- (f) wat kragtens artikel 4 van die bepalings van subartikel (1) van hierdie artikel vrygestel is, maar slegs in dié mate waarin hy aldus vrygestel is.

30 4. Die Kabinet kan by kennisgewing in die *Offisiële Koerant* of, in die geval van 'n bepaalde persoon, by skriftelike kennisgewing aan die betrokke persoon, enige kategorie van persone of bepaalde persoon in die mate waarin hy bepaal, van die bepalings van artikel 3(1) vrystel, 35 en kan enige sodanige kennisgewing by 'n dergelike kennisgewing intrek.

Vrystellings.

5. (1) Op aansoek van 'n persoon op wie artikel 3(1) van toepassing is, kan die Sekretaris, behoudens die bepalings van subartikels (2) en (3) van hierdie artikel, aan so 'n persoon 'n permit uitreik om in die gebied aan te bly of te 40 vertoef vir dié tydperk van langer as 30 dae, en onderworpe aan die voorwaardes, wat in die permit bepaal word.

Aansoek om, en uitreiking van, permit om in Suidwes-Afrika aan te bly.

(2) Die Sekretaris reik nie 'n permit aan 'n persoon uit nie -

- 45 (a) indien na sy mening, so 'n persoon 'n beroep of 'n kategorie van werk uitoefen of verrig of waarskynlik sal uitoefen of verrig ten opsigte waarvan 'n voldoende aantal persone vir die behoeftes van die gebied beskikbaar is;

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- (b) if in his opinion, the presence of such a person is likely to be detrimental to the welfare of the territory or its inhabitants;
 - (c) if such a person has made in or in connection with his application for a permit a statement which is false. 5
- (3) The conditions referred to in subsection (1) may include conditions relating to -
- (a) the purposes for which the person concerned may remain or stay in the territory;
 - (b) the occupation or category of work to be pursued or 10 performed by such a person;
 - (c) the employer or category of employers by whom such a person may be employed.

Amendment or withdrawal of permit.

6. The Secretary may at any time by notice in writing to the holder of a permit - 15

- (a) amend any such permit; or
- (b) withdraw any such permit -
 - (i) if he is satisfied that such a holder has failed to comply with any condition subject to which such permit has been issued; 20
 - (ii) if such a holder has made in or in connection with his application for a permit a statement which is false;
 - (iii) if such a holder has been convicted of an offence under this Act. 25

Lapsing of permit.

7. (1) A permit shall lapse -

- (a) in the case of a permit issued for any particular period, if such period has expired, unless such period has been extended by the Secretary before the expiration thereof; 30
- (b) if the person concerned departs from the territory for purposes of permanent residence outside the territory;
- (c) if such permit is withdrawn under this Act.

(2) Any permit lapsed under subsection (1) shall be 35 returned as soon as possible to the Secretary by the person to whom it was issued.

Powers of Cabinet in relation to applications for and issue of permits.

8. The Cabinet may direct the Secretary -

- (a) to refer any particular application in terms of section 5(1), whether or not it has been considered by the 40 Secretary, or any category of such applications to it for consideration;

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- (b) indien na sy mening, die aanwesigheid van so 'n persoon waarskynlik skadelik vir die welvaart van die gebied of sy inwoners sal wees;
- (c) indien so 'n persoon in of in verband met sy aansoek om 'n permit 'n verklaring gedoen het wat vals is.
- 5 (3) Die voorwaardes in subartikel (1) bedoel, kan voorwaardes insluit betreffende -
- (a) die doeleindes waarvoor die betrokke persoon in die gebied kan aanbly of vertoef;
- 10 (b) die beroep of kategorie van werk wat so 'n persoon kan of moet uitoefen of verrig;
- (c) die werkgewer of kategorie van werkgewers deur wie so 'n persoon in diens geneem kan word.

6. Die Sekretaris kan te eniger tyd by skriftelike kennisgewing aan die houer van 'n permit -

Wysiging of intrekking van permit.

- (a) so 'n permit wysig; of
- (b) so 'n permit intrek -
- (i) indien hy oortuig is dat so 'n houer versuim het om te voldoen aan 'n voorwaarde onderworpe waaraan bedoelde permit uitgereik is;
- 20 (ii) indien so 'n houer in of in verband met sy aansoek om 'n permit 'n verklaring gedoen het wat vals is;
- (iii) indien so 'n houer skuldig bevind is aan 'n oortreding kragtens hierdie Wet.
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7. (1) 'n Permit verval -

Verval van permit.

- (a) in die geval van 'n permit wat vir 'n bepaalde tydperk uitgereik is, indien bedoelde tydperk verstryk het, tensy bedoelde tydperk voor die verstryking daarvan deur die Sekretaris verleng is;
- 30 (b) indien die betrokke persoon die gebied verlaat met die doel om hom blywend buite die gebied te vestig;
- (c) indien dit kragtens hierdie Wet ingetrek word.

(2) 'n Permit wat kragtens subartikel (1) verval het, moet so gou doenlik aan die Sekretaris teruggestuur word deur die persoon aan wie dit uitgereik was..

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8. Die Kabinet kan die Sekretaris gelas -

Bevoegdheid van Kabinet met betrekking tot aansoeke om en uitreiking van permitte.

- (a) om 'n bepaalde aansoek ingevolge artikel 5(1), ongeag of dit deur die Sekretaris oorweeg is al dan nie, of 'n kategorie van sodanige aansoeke na hom vir oorweging te verwys;
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- (b) to amend or withdraw, subject to the provisions of section 6, any permit by notice in writing to the holder thereof;
- (c) to issue, notwithstanding the provisions of subsection (2) of section 5, in relation to any application refused by the Secretary or referred to the Cabinet in terms of paragraph (a) of this section, a permit to the person concerned for such period and subject to such conditions as the Cabinet may determine. 5

Prohibition on certain persons to be in South West Africa.

9. (1) Notwithstanding the provisions of this Act or any 10 provisions to the contrary contained in any other law, the Cabinet may, if it has reason to believe that -

- (a) any person, excluding any person referred to in section 3(2)(d) or (e) or any person born in the territory, endangers or is likely to endanger the security of the territory or its inhabitants or the maintenance of public order; 15
- (b) any such person engenders or is likely to engender a feeling of hostility between members of the different population groups of the territory, 20

by notice in the *Official Gazette* or by notice in writing to the person concerned, issue an order prohibiting any such person to be in the territory or, in the case of any such person within the territory, ordering any such person to depart after a period specified in any such notice from the territory or any particular place in the territory or any portion of the territory defined in such notice and not to return to the territory or such place or portion of the territory. 25

(2) Any order issued under subsection (1) shall be of force during the period specified in the order or, if no period is so specified, until it is withdrawn. 30

(3) No court of law shall have jurisdiction to pronounce upon the validity of an order issued under subsection (1).

Prohibition on certain acts in relation to persons to whom this Act is applicable.

10. No person shall -

- (a) employ or have in his employment or harbour any person who remains or stays in the territory contrary to the provisions of this Act; 35
- (b) employ any person contrary to the conditions specified in his permit.

Production of permit.

11. The holder of a permit shall - 40

- (a) at the request of the Secretary or any police officer produce such permit within such reasonable time and to such person and at such place as the Secretary or such police officer may specify;

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- (b) om, behoudens die bepalings van artikel 6, enige permit by skriftelike kennisgewing aan die houer daarvan te wysig of in te trek;
- 5 (c) om, ondanks die bepalings van subartikel (2) van artikel 5, met betrekking tot enige aansoek wat deur die Sekretaris geweier is of ingevolge paragraaf (a) van hierdie artikel na die Kabinet verwys is, 'n permit aan die betrokke persoon uit te reik vir die tydperk en onderworpe aan die voorwaardes wat die Kabinet
- 10 bepaal.

9. (1) Ondanks die bepalings van hierdie Wet of andersluidende bepalings van 'n ander wet kan die Kabinet indien hy rede het om te glo dat -

Verbod op sekere persone om in Suidwes-Afrika te wees.

- 15 (a) 'n persoon, uitgesonderd 'n persoon in artikel 3(2)(d) of (e) bedoel of 'n persoon wat in die gebied gebore is, die veiligheid van die gebied of sy inwoners of die handhawing van die openbare orde in gevaar stel of waarskynlik kan stel;
- 20 (b) so 'n persoon 'n gevoel van vyandigheid tussen lede van die verskillende bevolkingsgroepe van die gebied verwek of waarskynlik verwek,

by kennisgewing in die *Offisiële Koerant* of by skriftelike kennisgewing aan die betrokke persoon, 'n bevel uitreik wat so 'n persoon verbied om in die gebied te wees of, in die

25 geval van so 'n persoon wat in die gebied is, so 'n persoon aansê om na 'n in so 'n kennisgewing vermelde tydperk die gebied of 'n bepaalde plek in die gebied of in die kennisgewing omskrewe gedeelte van die gebied te verlaat en nie na die gebied of bedoelde plek of gedeelte van die gebied terug

30 te keer nie.

(2) 'n Bevel kratens subartikel (1) uitgereik, is van krag gedurende die tydperk in die bevel bepaal of, indien 'n tydperk nie aldus bepaal word nie, totdat dit ingetrek word.

(3) Geen geregshof is bevoeg om uitspraak te doen nie oor

35 die geldigheid van 'n bevel kragtens subartikel (1) uitgereik.

10. Geen persoon mag -

- (a) 'n persoon wat strydig met die bepalings van hierdie Wet in die gebied aanbly of vertoef, in diens neem of in diens hê of herberg nie;
- 40 (b) 'n persoon in diens neem strydig met die voorwaardes wat in sy permit bepaal is nie.

Verbod op sekere handeling met betrekking tot persone op wie hierdie Wet van toepassing is.

11. Die houer van 'n permit moet -

- (a) op versoek van die Sekretaris of 'n polisiebeampte bedoelde permit toon binne die redelike tyd en aan die
- 45 persoon en op die plek wat die Sekretaris of bedoelde polisiebeampte bepaal;

Vertoning van permit.

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- (b) in the case of a holder of a permit subject to a condition referred to in section 5(3)(b) or (c), before he is employed by any employer, produce such permit to such employer.

Notification of change of address.

12. If the holder of a permit changes his address at any time after the issue of such permit, he shall on every occasion when he so changes his address, notify the Secretary forthwith and in writing of his new address. 5

Offences and penalties.

13. (1) Any person who -

- (a) contravenes or fails to comply with any provision of this Act; 10
- (b) in or in connection with any application for a permit makes any statement which is false;
- (c) contravenes or fails to comply with an order referred to in section 9, 15

shall be guilty of an offence and liable on conviction -

- (i) in the case of a contravention of section 3 or of an offence referred to in paragraph (b) or (c) of this subsection, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 12 months; 20
- (ii) in the case of a contravention of section 7(2), 10, 11 or 12, to a fine not exceeding R600 or to imprisonment for a period not exceeding three months.

(2) The court may in its discretion, in the case of a second or subsequent conviction of a contravention or offence referred to in paragraph (i) of subsection (1), sentence the person concerned to both the fine and the imprisonment prescribed in the said paragraph (i). 25

(3) Criminal proceedings instituted against any person for an offence referred to in subsection (1)(a) or (c) in that he contrary to the provisions of section 3 or to an order referred to in section 9, remained or stayed in the territory at any specified time or during any specified period, shall not be a bar to such proceedings against any such person for any such offence in that he remained or stayed in the territory at any other time or during any other period. 35

(4) If any person is convicted of a contravention of section 3 or any offence referred to in subsection (1)(c) of this section, the court convicting him may -

- (a) in addition to any penalty imposed for such contravention or offence, make an order for the removal of any such person from the territory; 40

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- (b) in die geval van 'n houer van 'n permit onderworpe aan 'n voorwaarde in artikel 5(3)(b) of (c) bedoel, voordat hy deur 'n werkgewer in diens geneem word, bedoelde permit aan bedoelde werkgewer toon.

5 **12.** Indien die houer van 'n permit te eniger tyd na die uitreiking van daardie permit van adres verander, moet hy by elke geleentheid wanneer hy aldus van adres verander, die Sekretaris onverwyld en skriftelik van sy nuwe adres in kennis stel.

Kennisgewing van adresverandering.

10 **13.** (1) 'n Persoon wat -

Misdrywe en strawwe.

- (a) 'n bepaling van hierdie Wet oortree of versuim om daaraan te voldoen;

- (b) in of in verband met 'n aansoek om 'n permit 'n verklaring doen wat vals is;

15 (c) 'n bevel in artikel 9 bedoel, oortree of versuim om daaraan te voldoen,

is skuldig aan 'n misdryf en by skuldigbevinding strafbaar -

20 (i) in die geval van 'n oortreding van artikel 3 of van 'n misdryf in paragraaf (b) of (c) van hierdie subartikel bedoel, met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande;

25 (ii) in die geval van 'n oortreding van artikel 7(2), 10, 11 of 12, met 'n boete van hoogstens R600 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande.

30 (2) Die hof kan na goëddunke, in die geval van 'n tweede of latere skuldigbevinding weens 'n oortreding of misdryf in paragraaf (i) van subartikel (1) bedoel, die betrokke persoon die boete sowel as die gevangenisstraf in genoemde paragraaf (i) voorgeskryf, oplê.

35 (3) Strafregtelike stappe gedoen teen 'n persoon weens 'n misdryf in subartikel (1)(a) of (c) bedoel deurdat hy strydig met die bepalinge van artikel 3 of met 'n bevel in artikel 9 bedoel op 'n bepaalde tydstip of gedurende 'n bepaalde tydperk in die gebied aangebly of vertoef het, belet nie sodanige stappe teen so 'n persoon weens so 'n misdryf deurdat hy op 'n ander tydstip of gedurende 'n ander tydperk, in die gebied aldus aangebly of vertoef het.

40 (4) Indien 'n persoon aan 'n oortreding van artikel 3 of 'n misdryf in subartikel (1)(c) van hierdie artikel bedoel, skuldig bevind word, kan die hof wat hom skuldig bevind -

45 (a) benewens 'n straf weens daardie oortreding of misdryf opgelê, 'n bevel uitreik vir die verwydering van so 'n persoon uit die gebied;

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- (b) make such further orders, give such instructions and confer such powers as may reasonably be necessary to give effect to such order or removal.

Jurisdiction of magistrate's court.

14. A magistrate's court shall, notwithstanding anything to the contrary in any law contained, have jurisdiction to issue any order, to give any instruction, to confer any powers or to impose any penalty which may be issued, given, conferred or imposed by a court in terms of this Act. 5

Presumptions and evidence.

15. (1) If at the trial of any person charged with -

- (a) a contravention of section 3, it is proved that any such person was in the territory at any specified time or during any specified period, it shall be presumed, until the contrary is proved, that such a person has remained or stayed in the territory for a period exceeding 30 days; 15
- (b) a contravention of section 10, it is proved that any such person employed or has in his employment or harboured any person who remained or stayed in the territory contrary to the provisions of this Act, it shall be presumed, until the contrary is proved, that such a person employed or had in his employment or harboured such person, knowing that such person remained or stayed contrary to such provisions in the territory at the relevant time; 20
- (c) a contravention of section 12, it is proved that any such person to whom a permit has been issued changed his address after the issue thereof, it shall be presumed, until the contrary is proved, that such a person failed to notify the Secretary of his new address; 30
- (d) an offence referred to in section 13(1)(b), it is proved that in or in connection with any application for a permit a statement has been made which is false, it shall be presumed, until the contrary is proved, that such a person has made or caused such statement to be made knowing it to be false. 35

(2) At the trial of any person for a contravention of any provision of this Act an affidavit purporting to have been made by the Secretary and in which is stated that on the date or between the dates specified in the affidavit - 40

- (a) a notice in writing has been issued to a particular person under section 4;
- (b) the Secretary has issued a permit;
- (c) the Secretary has amended or withdrawn a permit;
- (d) a permit has lapsed; 45
- (e) an order has been issued under section 9,

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- (b) dié verdere bevel uitreik, dié instruksies gee en dié bevoegdhede verleen wat redelikerwys nodig is om aan die verwyderingsbevel gevolg te gee.

14. 'n Landdroshof is, ondanks andersluidende bepalings van die een of ander wet, bevoeg om enige bevel uit te reik, instruksie te gee, bevoegdheid te verleen of straf op te lê wat ingevolge hierdie Wet deur 'n hof uitgereik, gegee, verleen of opgelê kan word.

Regsbevoegdheid van landdroshof.

15. (1) Indien by die verhoor van 'n persoon wat 10 aangekla is weens -

Vermoedens en bewyslewing.

(a) 'n oortreding van artikel 3, bewys word dat so 'n persoon op 'n bepaalde tydstip of gedurende 'n bepaalde tydperk in die gebied was, word dit vermoed, totdat die teendeel bewys word, dat so 'n persoon langer as 15 30 dae in die gebied aangebly of vertoef het;

(b) 'n oortreding van artikel 10, bewys word dat so 'n persoon 'n persoon wat strydig met die bepalings van hierdie Wet in die gebied aangebly of vertoef het, in diens geneem of gehad het of geherberg het, word dit 20 vermoed, totdat die teendeel bewys word, dat so 'n persoon daardie persoon in diens geneem of gehad het of geherberg het met die wete dat bedoelde persoon op die tersaaklike tydstip strydig met bedoelde bepalings in die gebied aangebly of vertoef het;

25 (c) 'n oortreding van artikel 12, bewys word dat so 'n persoon aan wie 'n permit uitgereik is na die uitreiking daarvan van adres verander het, word dit vermoed, totdat die teendeel bewys word, dat so 'n persoon 30 versuim het om die Sekretaris van sy nuwe adres in kennis te stel;

(d) 'n misdryf in artikel 13(1)(b) bedoel, bewys word dat in of in verband met 'n aansoek om 'n permit 'n verklaring gedoen is wat vals is, word dit vermoed, totdat die teendeel bewys word, dat so 'n persoon daardie 35 verklaring gedoen of laat doen het met die wete dat dit vals is.

(2) By die verhoor van 'n persoon weens 'n oortreding van 'n bepaling van hierdie Wet is 'n beëdigde verklaring wat heet deur die Sekretaris afgelê te wees waarin verklaar 40 word dat op die datum of tussen die datums in die beëdigde verklaring vermeld -

(a) 'n skriftelike kennisgewing aan 'n bepaalde persoon kragtens artikel 4 uitgereik is;

(b) die Sekretaris 'n permit uitgereik het;

45 (c) die Sekretaris 'n permit gewysig of ingetrek het;

(d) 'n permit verval het;

(e) 'n bevel kragtens artikel 9 uitgereik is,

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and setting out, in the cases referred to in paragraphs (a), (b), (c) and (e), the terms of the notice, permit or amendment thereof or order, shall on its mere production by any person at that trial be *prima facie* proof of the facts stated therein.

Repeal of certain laws.

16. (1) Subject to the provisions of subsection (2), the laws specified in the Schedule are hereby repealed to the extent indicated in the third column of that Schedule. 5

(2) Any permit issued or anything done in terms of a provision of any law repealed by subsection (1), shall be deemed to have been issued or done in terms of any corresponding provision of this Act. 10

Short title and commencement.

17. This Act shall be called the Residence of Certain Persons in South West Africa Regulation Act, 1985, and shall come into operation on a date to be fixed by the Administrator-General by proclamation in the *Official Gazette*. 15

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en waarin, in die geval in paragrawe (a), (b), (c) en (e) bedoel, die inhoud van die kennisgewing, permit of wysiging daarvan of bevel weergegee word, by blote voorlegging daarvan deur enige persoon by daardie verhoor *prima facie* bewys van die daarin vermelde feite.

16. (1) Behoudens die bepalings van subartikel (2) word die wette in die Bylae vermeld hierby herroep vir sover in die derde kolom van daardie Bylae aangedui word.

Herroeping van wette.

(2) Enige permit uitgereik of enigiets gedoen ingevolge 'n bepaling van 'n wet wat by subartikel (1) herroep word, word geag ingevolge 'n ooreenstemmende bepaling van hierdie Wet uitgereik of gedoen te gewees het.

17. Hierdie Wet heet die Wet op die Reëling van Verblyf van Sekere Persone in Suidwes-Afrika, 1985, en tree in werking op 'n datum wat die Administrateur-generaal by proklamasie in die *Offisiële Koerant* bepaal.

Kort titel en inwerking-treding.

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SCHEDULE

LAWS REPEALED

Column 1	Column 2	Column 3
No. and year of law	Short title	Extent of repeal
Proclamation 50 of 1920	Undesirables Removal Proclamation, 1920	The whole
Proclamation 11 of 1922	Native Administration Proclamation, 1922	Section 4
Proclamation 24 of 1935	Native Administration Amendment Proclamation, 1935	The whole
Ordinance 12 of 1970	Control over the Entry and Residence of Prohibited Persons Ordinance, 1970	The whole
Ordinance 15 of 1971	Control over the Entry and Residence of Prohibited Persons Amendment Ordinance, 1971	The whole
Ordinance 2 of 1972	Undesirables Removal Amendment Ordinance, 1972	The whole
Ordinance 5 of 1972	Control over the Entry and Residence of Prohibited Persons Amendment Ordinance, 1972	The whole
Proclamation AG. 50 of 1978	Undesirable Persons Removal Amendment Proclamation, 1978	The whole

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BYLAE

WETTE HERROEP

Kolom 1	Kolom 2	Kolom 3
No. en jaar van wet	Kort titel	Omvang van herroeping
Proklamasie 50 van 1920	“Verwijdering van Ongewenste Proklamatie, 1920”	Die geheel
Proklamasie 11 van 1922	Naturelle-Administrasie Proklamasie, 1922	Artikel 4
Proklamasie 24 van 1935	Naturelle-Administrasie Wysigingsproklamasie, 1935	Die geheel
Ordonnansie 12 van 1970	Ordonnansie op die Beheer oor die Binnekoms van Verbode Persone, 1970	Die geheel
Ordonnansie 15 van 1971	Wysigingsordonnansie op die Beheer oor die Binnekoms en Verblyf van Verbode Persone, 1971	Die geheel
Ordonnansie 2 van 1972	Wysigingsordonnansie op die Verwydering van Ongewenste Persone, 1972	Die geheel
Ordonnansie 5 van 1972	Wysigingsordonnansie op die Beheer oor die Binnekoms en Verblyf van Verbode Persone, 1972	Die geheel
Proklamasie A.G. 50 van 1978	Wysigingsproklamasie op die Verwydering van Ongewenste Persone, 1972	Die geheel