

# OFFICIAL GAZETTE

EXTRAORDINARY  
OF SOUTH WEST AFRICA

BUITENGEWONE  
**OFFISIËLE KOERANT**  
VAN SUIDWES-AFRIKA

PUBLISHED BY AUTHORITY

UITGAWE OP GESAG

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WINDHOEK

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## PROCLAMATION

by the

ADMINISTRATOR-GENERAL FOR THE  
TERRITORY OF SOUTH WEST AFRICA

*(Approved by the State President on  
17 July 1989)*

No. AG. 26 1989

FILLING OF EXTRAORDINARY VACANCIES  
IN COUNCILS OF MUNICIPALITIES

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

L.A.PIENAAR

Administrator-General

Windhoek, 18 July 1989

## PROKLAMASIE

van die

ADMINISTRATEUR-GENERAAL VIR DIE  
GEBIED SUIDWES-AFRIKA

*(Deur die Staatspresident goedgekeur op 17 Julie  
1989)*

No. AG. 26 1989

VULLING VAN BUITENGEWONE VAKATURES  
IN RADE VAN MUNISIPALITEITE

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

L.A.PIENAAR

Administrateur-generaal

Windhoek, 18 Julie 1989

## SCHEDULE

*Definitions*

1. In this Proclamation, unless the context indicates otherwise, "Ordinance" means the Municipal Ordinance, 1963 (Ordinance No.13 of 1963).

*Filling of extraordinary vacancies in councils of municipalities*

2. (1) Where at the commencement of this Proclamation there exists an extraordinary vacancy in the membership of a council of a municipality which has not yet been filled in accordance with the provisions of section 46 of the Ordinance or when such a vacancy is declared in terms of section 24 of the Ordinance on or after such commencement, the Administrator-General may, if he deems it necessary in the public interest, by notice in the *Official Gazette* direct –

- (a) that, notwithstanding the provisions of the said section 46, no election shall be held to fill such a vacancy; and
- (b) that the vacancy shall be filled by a specified person mentioned in the notice who complies with the requirements of subsection (1), excluding paragraph (a), of section 14 of the Ordinance.

(2) A person filling an extraordinary vacancy in the membership of the council of a municipality under subsection (1) shall, for the purposes of the provisions of the Ordinance, be deemed to have been elected in accordance with the provisions of the Ordinance to fill the vacancy concerned as a member of the council of the municipality concerned.

*Validity of this Proclamation*

3. The provisions of this Proclamation shall cease to be of any force and effect on the date determined under section 2(1)(a) of the Municipal Elections Further Postponement Proclamation, 1980 (Proclamation AG. 6 of 1980).

*Short title*

4. This Proclamation shall be called the Municipal Councils Vacancies Proclamation, 1989.

## BYLAE

*Woordomskrywing*

1. In hierdie Proklamasie, tensy uit die samehang anders blyk, beteken "Ordonnansie" die Munisipale Ordonnansie, 1963 (Ordonnansie No. 13 van 1963).

*Vulling van buitengewone vakatures in rade van munisipaliteite*

2. (1) Waar daar by die inwerkingtreeding van hierdie Proklamasie 'n buitengewone vakature in die ledetal van die raad van 'n munisipaliteit bestaan wat nog nie ooreenkomstig die bepalings van artikel 46 van die Ordonnansie ge vul is nie of wanneer so 'n vakature op of na bedoelde inwerkingtreeding ingevolge artikel 24 van die Ordonnansie verklaar word, kan die Administrateur-generaal, indien hy dit in die openbare belang nodig ag, by kennisgewing in die *Offisiële Koerant* gelas –

- (a) dat, ondanks andersluidende bepalings van genoemde artikel 46, geen verkiesing gehou word om so 'n vakature te vul nie; en
- (b) dat die vakature ge vul word deur 'n geskikte persoon in die kennisgewing vermeld wat aan die vereistes vermeld in subartikel (1), uitgesonderd paragraaf (a), van artikel 14 van die Ordonnansie voldoen.

(2) 'n Persoon wat kragtens subartikel (1) 'n buitengewone vakature in die ledetal van die raad van 'n munisipaliteit vul, word, by die toepassing van die bepalings van die Ordonnansie, geag ooreenkomstig die bepalings van die Ordonnansie as lid van die raad van die betrokke munisipaliteit verkies te gewees het om die betrokke vakature te vul.

*Regskrag van hierdie Proklamasie*

3. Die bepalings van hierdie Proklamasie hou op om van krag te wees op die datum wat kragtens artikel 2(1)(a) van die Proklamasie op die Verdere Uitstel van Munisipale Verkiesings, 1980 (Proklamasie AG. 6 van 1980), bepaal word.

*Kort titel*

4. Hierdie Proklamasie heet die Proklamasie op Vakatures in Munisipalerede, 1989.