Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

EXTRAORDINARY *BUITENGEWONE*

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper *As 'n Nuusblad by die Poskantoor Geregistreer*

Price 10c Prys
Overseas 15c Oorsee
POST FREE—POSVRY

Vol. 34.] CAPE TOWN, 5TH APRIL, 1968. KAAPSTAD, 5 APRIL 1968. [No. 2036.

DEPARTMENT OF THE PRIME MINISTER.

No. 551.] [5th April, 1968.

It is hereby notified that the Acting State President has assented to the following Act which is hereby published for general information:—

PAGE

No. 39 of 1968: South-West Africa Constitution Act, 1968.. 3

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 551.] [5 April 1968.

Hierby word bekend gemaak dat die Waarnemende Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

BLADSY

No. 39 van 1968: Wet op die Konstitusie van Suidwes-Afrika, 1968.. 4

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

CONTENTS.

Department of the Prime Minister.

GOVERNMENT NOTICE.

No.		PAGE
551	Act No. 39 of 1968: South-West Africa Constitution Act, 1968	3

INHOUD.

Departement van die Eerste Minister.

GOEWERMENTSKENNISGEWING.

No.		BLADSY
551	Wet No. 39 van 1968: Wet op die Konstitusie van Suidwes-Afrika, 1968	4

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

No. 39, 1968.]

ACT

To consolidate the laws relating to the constitution of an executive committee and a legislative assembly for the territory of South-West Africa, the powers, authorities and functions severally of that committee and assembly and the administration of and legislation for that territory.

(*Afrikaans text signed by the Acting State President.*)
(*Assented to 29th March,* 1968.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

INTERPRETATION OF TERMS.

Definitions.

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

(i) "Administrator" means the Administrator appointed under section 2; (i)

(ii) "Assembly" means the Legislative Assembly constituted under section 11; (vi)

(iii) "deputy administrator" means a deputy administrator appointed under section 2; (vii)

(iv) "Executive Committee" means the Executive Committee constituted under section 4; (v)

(v) "*Official Gazette*" means the *Official Gazette* of the territory; (iv)

(vi) "revenue fund" means the territory Revenue Fund established under section 31; (iii)

(vii) "the territory" means the territory of South-West Africa. (ii)

ADMINISTRATOR.

Appointment of Administrator and deputy administrator.

2. (1) The State President shall appoint an Administrator for the territory, who shall be the chief executive officer and in whose name all executive acts relating to the affairs of the territory shall be carried out.

(2) In appointing the Administrator, the State President shall, as far as practicable, give preference to persons who reside or have resided in the territory, and who have special knowledge of the circumstances prevailing therein.

(3) The Administrator shall hold office for a term of five years and shall not be removed from office except by the State President for cause assigned, which shall be communicated by message to the Senate and to the House of Assembly within one week after the removal, if Parliament is in session, or, if Parliament is not in session, within one week after the commencement of its next ensuing session.

(4) The State President may appoint a deputy administrator to act as Administrator during the absence or illness of the Administrator, or whenever for any other reason he is unable to perform his functions, or while the office of Administrator is temporarily vacant.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

No. 39, 1968.]

WET

Tot samevatting van die wetsbepalings op die samestelling van 'n uitvoerende komitee en 'n wetgewende vergadering vir die gebied Suidwes-Afrika, die bevoegdhede, gesag en werksaamhede van daardie komitee en vergadering onderskeidelik en die administrasie van en wetgewing vir daardie gebied.

(*Afrikaanse teks deur die Waarnemende Staatspresident geteken.*)
(*Goedgekeur op* 29 *Maart* 1968.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

WOORDOMSKRYWING.

Woordomskrywing.

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

(i) „Administrateur" die Administrateur kragtens artikel 2 aangestel; (i)
(ii) „die gebied" die gebied Suidwes-Afrika; (vii)
(iii) „inkomstefonds" die Inkomstefonds van die gebied ingevolge artikel 31 ingestel; (vi)
(iv) „*Offisiële Koerant*" die *Offisiële Koerant* van die gebied; (v)
(v) „Uitvoerende Komitee" die Uitvoerende Komitee ingevolge artikel 4 saamgestel; (iv)
(vi) „Vergadering" die Wetgewende Vergadering ingevolge artikel 11 saamgestel; (ii)
(vii) „waarnemende administrateur" 'n waarnemende administrateur kragtens artikel 2 aangestel. (iii)

ADMINISTRATEUR.

Aanstelling van Administrateur en waarnemende administrateur.

2. (1) Die Staatspresident stel 'n Administrateur vir die gebied aan, wat die uitvoerende hoofamptenaar is en in wie se naam alle uitvoerende handelinge met betrekking tot die sake van die gebied verrig word.

(2) By die aanstelling van die Administrateur gee die Staatspresident sover doenlik voorkeur aan persone wat in die gebied woonagtig is of was en wat besondere kennis dra van die omstandighede wat daarin heers.

(3) Die Administrateur beklee sy amp vir 'n tydperk van vyf jaar en word nie van sy amp onthef nie behalwe deur die Staatspresident met opgaaf van redes wat by boodskap aan die Senaat en aan die Volksraad meegedeel word binne 'n week na die ontheffing, indien die Parlement byeen is of, indien die Parlement nie byeen is nie, binne 'n week na die aanvang van sy eersvolgende sessie.

(4) Die Staatspresident kan 'n waarnemende administrateur aanstel om as Administrateur op te tree tydens die afwesigheid of siekte van die Administrateur, of wanneer hy om 'n ander rede nie in staat is om sy werksaamhede te verrig nie, of terwyl die amp van Administrateur tydelik vakant is.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

Powers of Administrator.

3. (1) Subject to the direction and control of the State President and the provisions of subsection (2), the Administrator shall carry on the administration of the affairs of the territory in regard to all matters in respect of which the Assembly may not make ordinances.

(2) Subject to the provisions of section 3 of the South-West Africa Bantu Affairs Administration Act, 1954 (Act No. 56 of 1954), the Minister of Bantu Administration and Development of the Republic shall carry on the administration of the affairs of the territory in regard to all matters referred to in section 22 (1) (*a*).

(3) The elected members of the Executive Committee may advise the Administrator in respect of his administrative duties under subsection (1), including—

(*a*) matters of general policy;
(*b*) his assent to an ordinance passed by the Assembly or its reservation for the signification of the pleasure of the State President; and
(*c*) any other matter upon which their advice may be requested by the Administrator.

EXECUTIVE COMMITTEE.

Constitution of Executive Committee.

4. (1) The Executive Committee for the territory shall consist of five members, namely, the Administrator and four other persons elected by the Assembly in the manner hereinafter provided, from among its own members, or otherwise, at its first meeting held after any general election of the Assembly.

(2) The Administrator or, in his absence, the deputy administrator, shall be chairman of the Executive Committee.

(3) All the members of the Executive Committee other than the Administrator shall hold office for the duration of the Assembly and until their successors are elected.

(4) Any casual vacancy among those members shall be filled by election by the Assembly if it is in session or, if it is not in session, by a person appointed by the Administrator from among the members of the Assembly, to hold office temporarily, pending such an election when the Assembly is next in session.

(5) The qualifications and disqualifications hereinafter provided for members of the Assembly shall apply to members of the Executive Committee other than the Administrator, and any member shall vacate his seat on that Committee if—

(*a*) he ceases to possess the said qualifications or becomes subject to the said disqualifications; or
(*b*) he resigns his seat by writing addressed to the Administrator; or
(*c*) he is absent from four consecutive meetings without the leave of the Administrator, unless his absence is due to his serving, while the Republic is at war, with the military, air or naval forces of the Republic or any other force or service established by or under the Defence Act, 1957 (Act No. 44 of 1957); or
(*d*) having been a member of the Assembly when he was elected as a member of the Executive Committee, he vacates his seat in the Assembly:

Provided that any person who has vacated his seat under the provisions of paragraph (*b*), (*c*) or (*d*) shall be eligible for re-election.

Method of election of members of Executive Committee.

5. (1) Members of the Executive Committee shall be elected in accordance with the principle of proportional representation, each voter having one transferable vote.

(2) The State President may from time to time make regulations prescribing the method of voting and of transferring and counting votes and the duties of the returning officer in connection with any election of members of the Executive Committee, and such regulations shall have force and effect as if they were in this Act set forth.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

Bevoegdhede van Administrateur.

3. (1) Behoudens die voorskrifte en beheer van die Staatspresident en die bepalings van subartikel (2), behartig die Administrateur die administrasie van die sake van die gebied met betrekking tot alle aangeleenthede ten opsigte waarvan die Vergadering nie ordonnansies kan maak nie.

(2) Behoudens die bepalings van artikel 3 van die Wet op die Administrasie van Bantoesake in Suidwes-Afrika, 1954 (Wet No. 56 van 1954), behartig die Minister van Bantoeadministrasie en -ontwikkeling van die Republiek die administrasie van die sake van die gebied met betrekking tot alle aangeleenthede in artikel 22 (1) (*a*) vermeld.

(3) Die verkose lede van die Uitvoerende Komitee kan die Administrateur van advies dien ten opsigte van sy administratiewe pligte ingevolge subartikel (1), met inbegrip van—

(*a*) algemene beleidsake;
(*b*) sy toestemming tot 'n ordonnansie deur die Vergadering aangeneem of die voorbehoud daarvan vir oorweging deur die Staatspresident; en
(*c*) enige ander aangeleentheid waaromtrent hul advies deur die Administrateur aangevra word.

UITVOERENDE KOMITEE.

Samestelling van Uitvoerende Komitee.

4. (1) Die Uitvoerende Komitee vir die gebied bestaan uit vyf lede, naamlik die Administrateur en vier ander persone op die hieronder bepaalde wyse deur die Vergadering uit sy eie lede of andersins verkies op sy eerste vergadering na 'n algemene verkiesing van die Vergadering gehou.

(2) Die Administrateur, of in sy afwesigheid, die waarnemende administrateur, is voorsitter van die Uitvoerende Komitee.

(3) Al die lede van die Uitvoerende Komitee, behalwe die Administrateur, beklee hul amp vir die duur van die Vergadering en totdat hul opvolgers verkies word.

(4) 'n Tussentydse vakature onder daardie lede word deur verkiesing deur die Vergadering gevul, indien dit byeen is of, indien dit nie byeen is nie, deur 'n persoon deur die Administrateur uit die lede van die Vergadering aangestel om tydelik die amp te beklee, in afwagting van so 'n verkiesing wanneer die Vergadering weer byeen is.

(5) Die kwalifikasies en diskwalifikasies hieronder vir lede van die Vergadering bepaal, is op lede van die Uitvoerende Komitee, behalwe die Administrateur, van toepassing, en 'n lid moet sy setel in daardie Komitee ontruim indien—

(*a*) hy nie meer genoemde kwalifikasies besit nie of aan genoemde diskwalifikasies onderhewig raak; of
(*b*) hy sy bedanking skriftelik by die Administrateur indien; of
(*c*) hy van vier opeenvolgende vergaderings afwesig is sonder die toestemming van die Administrateur, tensy sy afwesigheid daaraan te wyte is dat hy, terwyl die Republiek in 'n oorlog betrokke is, diens doen by die land-, lug- of seemagte van die Republiek of 'n ander mag of diens deur of ingevolge die Verdedigingswet, 1957 (Wet No. 44 van 1957) ingestel; of
(*d*) hy lid van die Vergadering was toe hy as lid van die Uitvoerende Komitee verkies is, en hy sy setel in die Vergadering ontruim:

Met dien verstande dat iemand wat sy setel ingevolge die bepalings van paragraaf (*b*), (*c*) of (*d*) ontruim het, herkiesbaar is.

Wyse van verkiesing van lede van Uitvoerende Komitee.

5. (1) Lede van die Uitvoerende Komitee word ooreenkomstig die beginsel van proporsionele verteenwoordiging verkies, en elke kieser het een oordraagbare stem.

(2) Die Staatspresident kan van tyd tot tyd regulasies uitvaardig wat die wyse waarop gestem en stemme oorgedra en getel word asook die pligte van die kiesbeampte in verband met 'n verkiesing van lede van die Uitvoerende Komitee voorskryf, en dié regulasies is van krag asof dit in hierdie Wet opgeneem is.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

Powers and functions of Executive Committee.

6. (1) The Administrator-in-Executive-Committee shall carry on the administration of those matters in respect of which the Assembly may make ordinances.

(2) Subject to the provisions of this Act, the powers, authorities and functions (other than legislative powers) which, immediately prior to the date of the constitution of the first Executive Committee, were vested in or exercised by the Administrator shall, in so far as those powers, authorities and functions relate to matters in respect of which the Assembly may make ordinances, be vested in the Administrator-in-Executive-Committee.

(3) The Administrator-in-Executive-Committee may by resolution delegate to the Administrator, subject to such conditions as may be specified in the resolution, any power, authority or function vested in the Administrator-in-Executive-Committee under this Act or any other law, and any power, authority or function exercised by the Administrator under the delegation shall be deemed to have been exercised by the Administrator-in-Executive-Committee.

Voting and procedure in Executive Committee.

7. (1) Questions arising at a meeting of the Executive Committee shall be determined by a majority of votes of the members present, and, in the case of an equality of votes, the Administrator shall have a casting vote: Provided that a member who is deputy administrator shall only have the votes assigned to the Administrator.

(2) Three members of the Executive Committee, of whom the Administrator or the deputy administrator shall be one, shall form a quorum at any meeting of the Committee.

(3) The Executive Committee may make rules, not inconsistent with this Act, for the conduct of its proceedings.

(4) Minutes of the proceedings of every meeting of the Executive Committee shall be kept, in which shall be recorded in both the official languages of the Republic all decisions and the voting thereon.

(5) Copies of such minutes shall be transmitted by the Administrator to the State President.

Remuneration of members of Executive Committee.

8. Every member of the Executive Committee, other than the Administrator, shall receive from the revenue fund such remuneration as the State President may from time to time determine.

Administrator to act when no quorum in Executive Committee owing to casual vacancies.

9. In the event of so many casual vacancies existing on the Executive Committee that a quorum cannot be formed for a meeting the Administrator shall, subject to such instructions as he may receive from the State President, carry on the administration of the territory until the vacancies have been filled.

DELIMITATION OF ELECTORAL DIVISIONS FOR THE ELECTION OF MEMBERS OF THE ASSEMBLY AND OF MEMBERS OF THE HOUSE OF ASSEMBLY.

Delimitation of electoral divisions.

10. (1) Whenever a delimitation of electoral divisions is required to be made in the Republic in terms of section 42 (1) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), the State President shall appoint a judge of the South-West Africa Division of the Supreme Court of South Africa and two judges of any other such division, as commissioners for the purpose of dividing the territory into electoral divisions for the election of members of the Assembly and members of the House of Assembly.

(2) For the purpose of any division of the territory into electoral divisions—

(*a*) the quota in respect of divisions for the election of members of the Assembly shall be obtained by dividing the total number of voters in the territory as ascertained from an examination of the current voters' lists, duly corrected up to the latest possible date, by eighteen; and

(*b*) the quota in respect of divisions for the election of members of the House of Assembly shall be obtained by dividing the said number of voters by six.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

Bevoegdhede en werksaamhede van Uitvoerende Komitee.

6. (1) Die Administrateur-in-uitvoerende-komitee behartig die administrasie van daardie aangeleenthede ten opsigte waarvan die Vergadering ordonnansies kan maak.

(2) Behoudens die bepalings van hierdie Wet, berus die bevoegdhede, gesag en werksaamhede (behalwe wetgewende bevoegdhede), wat onmiddellik voor die datum van samestelling van die eerste Uitvoerende Komitee by die Administrateur berus het of deur hom uitgeoefen of verrig is, by die Administrateur-in-uitvoerende-komitee vir sover daardie bevoegdhede, gesag en werksaamhede betrekking het op aangeleenthede ten opsigte waarvan die Vergadering ordonnansies kan maak.

(3) Die Administrateur-in-uitvoerende-komitee kan by besluit, behoudens die voorwaardes wat in die besluit vermeld word, 'n bevoegdheid, gesag of werksaamheid wat ingevolge hierdie Wet of 'n ander wet by die Administrateur-in-uitvoerende-komitee berus, aan die Administrateur delegeer, en 'n bevoegdheid, gesag of werksaamheid ingevolge die delegering deur die Administrateur uitgeoefen of verrig, word geag deur die Administrateur-in-uitvoerende-komitee uitgeoefen of verrig te gewees het.

Stemming en prosedure in Uitvoerende Komitee.

7. (1) Vrae wat by 'n vergadering van die Uitvoerende Komitee ontstaan, word by meerderheid van stemme van die aanwesige lede beslis, en by 'n staking van stemme het die Administrateur 'n beslissende stem: Met dien verstande dat 'n lid wat waarnemende administrateur is, slegs die stemme het wat aan die Administrateur toegewys word.

(2) Drie lede van die Uitvoerende Komitee, waarvan die Administrateur of die waarnemende administrateur een is, vorm 'n kworum op 'n vergadering van die Komitee.

(3) Die Uitvoerende Komitee kan reëls maak wat nie met hierdie Wet onbestaanbaar is nie, waarvolgens sy verrigtinge plaasvind.

(4) Notule van die verrigtinge van elke vergadering van die Uitvoerende Komitee word gehou, waarin alle besluite en die stemming daaroor in beide amptelike tale van die Republiek opgeteken word.

(5) Afskrifte van die notule word deur die Administrateur aan die Staatspresident gestuur.

Besoldiging van lede van Uitvoerende Komitee.

8. Elke lid van die Uitvoerende Komitee, behalwe die Administrateur, ontvang uit die inkomstefonds die besoldiging wat die Staatspresident van tyd tot tyd bepaal.

Administrateur kan optree wanneer geen kworum in Uitvoerende Komitee as gevolg van tussentydse vakatures.

9. Ingeval daar soveel tussentydse vakatures in die Uitvoerende Komitee bestaan dat 'n kworum nie op 'n vergadering gevorm kan word nie, behartig die Administrateur, met inagneming van die voorskrifte wat hy van die Staatspresident ontvang, die administrasie van die gebied totdat die vakatures gevul is.

AFBAKENING VAN KIESAFDELINGS VIR DIE VERKIESING VAN LEDE VAN DIE VERGADERING EN VAN VOLKSRAADSLEDE.

Afbakening van kiesafdelings.

10. (1) Wanneer 'n afbakening van kiesafdelings ingevolge artikel 42 (1) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), in die Republiek moet plaasvind, stel die Staatspresident 'n regter van die Suidwes-Afrika-afdeling van die Hooggeregshof van Suid-Afrika en twee regters van 'n ander sodanige afdeling as kommissarisse aan ten einde die gebied in kiesafdelings te verdeel vir die verkiesing van lede van die Vergadering en Volksraadslede.

(2) By 'n verdeling van die gebied in kiesafdelings—

(*a*) word die kwota ten opsigte van kiesafdelings vir die verkiesing van lede van die Vergadering verkry deur die totale aantal kiesers in die gebied, soos vasgestel uit 'n ondersoek van die geldende kieserslyste behoorlik verbeter tot die jongs moontlike datum, deur agtien te deel; en

(*b*) word die kwota ten opsigte van kiesafdelings vir die verkiesing van Volksraadslede verkry deur genoemde aantal kiesers deur ses te deel.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(3) The commissioners shall divide the territory into—

(*a*) eighteen electoral divisions for the election of members of the Assembly; and

(*b*) six electoral divisions (each consisting of three of the divisions referred to in paragraph (*a*)) for the election of members of the House of Assembly in terms of the South-West Africa Affairs Amendment Act, 1949 (Act No. 23 of 1949).

(4) The commissioners shall divide the territory in such a manner that each electoral division shall, subject to the provisions of subsection (5), contain a number of voters, as nearly as may be, equal to the appropriate quota.

(5) The commissioners shall give due consideration to—

(*a*) community or diversity of interests;

(*b*) means of communication;

(*c*) physical features;

(*d*) sparsity or density of population,

in such manner that, while taking the appropriate quota of voters as the basis of division, the commissioners may, whenever they deem it necessary, depart therefrom, but in no case to any greater extent than fifteen per cent more or fifteen per cent less than the quota.

(6) The commissioners shall submit to the State President—

(*a*) a list of the electoral divisions into which they have divided the territory together with the names given to them by the commission and a description of the boundaries of each such division;

(*b*) a map of the territory showing those boundaries;

(*c*) such further particulars as they consider necessary.

(7) The State President may refer to the commissioners for their consideration any matter relating to such list or arising out of their duties.

(8) The commissioners shall have the powers and jurisdiction of the South-West Africa Division of the Supreme Court of South Africa in relation to the summoning of witnesses, the production of documents and the administration of oaths to witnesses, and the punishment of persons who disregard any summons to appear before them.

(9) The State President shall publish in the *Gazette* and in the *Official Gazette* the names and boundaries of the electoral divisions as finally settled.

LEGISLATIVE ASSEMBLY.

Constitution of Legislative Assembly.

11. The Legislative Assembly for the territory shall consist of eighteen members chosen by duly registered voters of the territory voting at elections held in accordance with the provisions of the Electoral Consolidation Act, 1946 (Act No. 46 of 1946), as applied by section 34 of the South-West Africa Affairs Amendment Act, 1949 (Act No. 23 of 1949), in electoral divisions delimited in accordance with section 10 of this Act.

Qualifications and disqualifications of members of Assembly.

12. (1) Subject to the provisions of subsection (2), any person who is qualified to be registered as a voter in the territory shall be qualified to be chosen as a member of the Assembly.

(2) A person shall be disqualified from being chosen as a member of the Assembly or, if chosen, from sitting as a member if—

(*a*) he has at any time been convicted of any offence for which he has been sentenced to death or to imprisonment without the option of a fine, unless he has received a grant of amnesty or a free pardon, or unless the period of imprisonment expired at least five years before the date of his election; or

(*b*) he is an unrehabilitated insolvent; or

(*c*) he is of unsound mind and has been so declared by a competent court; or

(*d*) he holds any office of profit under the Administration of the territory or the Government of the Republic: Provided that membership of the Executive Committee or the holding by a member of the Executive Commit-

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(3) Die kommissarisse verdeel die gebied in—
(a) agtien kiesafdelings vir die verkiesing van lede van die Vergadering; en
(b) ses kiesafdelings (elk bestaande uit drie van die kiesafdelings in paragraaf (a) vermeld) vir die verkiesing van Volksraadslede ingevolge die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1949 (Wet No. 23 van 1949).

(4) Die kommissarisse verdeel die gebied op so 'n wyse dat elke kiesafdeling, behoudens die bepalings van subartikel (5), 'n getal kiesers bevat wat so na as moontlik gelykstaan aan die toepaslike kwota.

(5) Die kommissarisse moet na behore oorweging skenk aan—
(a) gemeenskaplikheid of verskeidenheid van belange;
(b) verkeersmiddele;
(c) natuurlike kenmerke;
(d) dunheid of digtheid van bevolking,
op so 'n wyse dat, hoewel die toepaslike kwota kiesers die grondslag van verdeling uitmaak, die kommissarisse, wanneer hulle dit nodig ag, daarvan kan afwyk, maar in geen geval in 'n groter mate as vyftien persent meer of vyftien persent minder as die kwota nie.

(6) Die kommissarisse moet aan die Staatspresident voorlê—
(a) 'n lys van die kiesafdelings waarin hulle die gebied verdeel het, tesame met die name wat die kommissie daaraan gegee het en 'n beskrywing van die grense van elkeen van daardie kiesafdelings;
(b) 'n kaart van die gebied waarop daardie grense aangetoon word;
(c) die ander besonderhede wat hulle nodig ag.

(7) Die Staatspresident kan alle aangeleenthede met betrekking tot so 'n lys of wat uit hul pligte ontstaan, na die kommissarisse vir oorweging verwys.

(8) Die kommissarisse het die bevoegdhede en jurisdiksie van die Suidwes-Afrika-afdeling van die Hooggeregshof van Suid-Afrika met betrekking tot die dagvaarding van getuies, die oorlegging van dokumente en die beëdiging van getuies, en die straf van persone wat 'n dagvaarding om voor hulle te verskyn, verontagsaam.

(9) Die Staatspresident kondig af in die *Staatskoerant* en in die *Offisiële Koerant* die name en grense van die kiesafdelings soos finaal vasgestel.

WETGEWENDE VERGADERING.

Samestelling van Wetgewende Vergadering.

11. Die Wetgewende Vergadering vir die gebied bestaan uit agtien lede gekies deur behoorlik geregistreerde kiesers van die gebied, wat hul stem uitbring by verkiesings gehou ooreenkomstig die bepalings van die Wet tot Konsolidasie van die Kieswette, 1946 (Wet No. 46 van 1946), soos by artikel 34 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1949 (Wet No. 23 van 1949), toegepas, in kiesafdelings wat ooreenkomstig artikel 10 van hierdie Wet afgebaken is.

Kwalifikasies en diskwalifikasies van lede van Vergadering.

12. (1) Behoudens die bepalings van subartikel (2), is iemand wat bevoeg is om as kieser in die gebied geregistreer te word, bevoeg om as lid van die Vergadering gekies te word.

(2) Iemand is onbevoeg om as lid van die Vergadering gekies te word of indien gekies, om as lid sitting te neem indien—
(a) hy te eniger tyd skuldig bevind is aan 'n misdryf waarvoor hy ter dood veroordeel is of tot gevangenisstraf sonder die keuse van 'n boete gevonnis is, tensy amnestie of algehele grasie aan hom verleen is, of tensy die tydperk van gevangenisstraf minstens vyf jaar voor die datum van sy verkiesing verstryk het; of
(b) hy 'n ongerehabiliteerde insolvent is; of
(c) hy geestelik gekrenk is en 'n bevoegde hof dienooreenkomstig 'n verklaring gedoen het; of
(d) hy 'n winsbetrekking onder die Administrasie van die gebied of die Regering van die Republiek beklee: Met dien verstande dat lidmaatskap van die Uitvoerende Komitee of die bekleding deur 'n lid van die

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

tee of the office of deputy administrator, or membership, while the Republic is at war, of the military, air or naval forces of the Republic or any other force or service established by or under the Defence Act, 1957 (Act No. 44 of 1957), or the receipt of a pension from the revenue fund or from the Government of the Republic, shall not be deemed to be the holding of such an office of profit; or

(*e*) he ceases to be qualified to be enrolled as a voter, notwithstanding that his name is still upon the voters' roll.

Vacation of seat by members of Assembly.

13. A member of the Assembly shall vacate his seat—

(*a*) upon receipt by the Administrator of a notice under the hand of such member stating that he resigns: Provided that such a member may not resign his seat while there are pending in respect of his election any legal proceedings in which it is claimed that the election should be set aside on the ground of corrupt or illegal practices; or

(*b*) if he fails for a whole ordinary session to attend the sittings of the Assembly without special leave thereof; or

(*c*) if he ceases to possess the qualifications, or becomes subject to the disqualifications, mentioned in section 12.

Duration of Assembly and effect of dissolution.

14. (1) The Assembly shall continue for a period of five years from the date of its first meeting after each general election and shall not be subject to dissolution save by effluxion of time.

(2) Notwithstanding any dissolution of the Assembly—

(*a*) every person who at the date of the dissolution is a member of the Assembly shall remain a member thereof;

(*b*) the Assembly shall remain competent to perform its functions; and

(*c*) the Administrator shall have power to summon the Assembly for the dispatch of business,

during the period following such dissolution up to and including the day immediately preceding the polling day for the election held in pursuance of such dissolution, in the same manner in all respects as if the dissolution had not occurred.

Sessions of Assembly.

15. (1) At least once in every financial year of the territory there shall be a session of the Assembly, commencing within a period of twelve months from the date of the last sitting of the last session held in the immediately preceding financial year.

(2) Every session of the Assembly shall be held at Windhoek and shall commence on a date to be fixed by the Administrator by proclamation in the *Official Gazette*.

(3) The Administrator may from time to time by proclamation prorogue the Assembly.

(4) The Assembly may, by resolution passed at any sitting thereof, adjourn that sitting to such time or date as it may fix.

Oath to be taken by members of Assembly.

16. No member of the Assembly shall sit or vote therein until he has taken and subscribed before the Administrator or such other person as the Administrator may appoint for the purpose, the following oath or affirmation:

"I, A.B., do swear / solemnly and sincerely affirm and declare that I shall be faithful to the Republic of South Africa.

(*In the case of an oath*)
So help me God.".

Chairman of Assembly.

17. (1) The Assembly shall at its first sitting, before proceeding to the dispatch of any other business, elect from among its members a chairman, who shall hold office for the duration of that Assembly.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

Uitvoerende Komitee van die amp van waarnemende administrateur, of, terwyl die Republiek in 'n oorlog betrokke is, lidmaatskap van die Republiek se land-, lug- of seemagte of 'n ander mag of diens wat deur of ingevolge die Verdedigingswet, 1957 (Wet No. 44 van 1957), ingestel is, of die ontvangs van 'n pensioen uit die inkomstefonds of van die Regering van die Republiek, nie as die bekleding van so 'n winsbetrekking beskou word nie; of

(*e*) hy nie meer bevoeg is om as kieser geregistreer te word nie, ondanks die feit dat sy naam nog op die kieserslys voorkom.

Ontruiming van setel deur lede van Vergadering.

13. 'n Lid van die Vergadering ontruim sy setel—

(*a*) by ontvangs deur die Administrateur van 'n kennisgewing deur daardie lid onderteken, waarin verklaar word dat hy bedank: Met dien verstande dat so 'n lid nie vir sy setel kan bedank nie terwyl daar ten opsigte van sy verkiesing 'n regsgeding hangende is waarin nietigverklaring van die verkiesing op grond van korrupte of onwettige bedrywighede geëis word; of

(*b*) indien hy 'n hele gewone sessie afwesig bly van die sittings van die Vergadering sonder die spesiale verlof daarvan; of

(*c*) indien hy nie meer die in artikel 12 genoemde kwalifikasies besit nie of aan die daarin genoemde diskwalifikasies onderhewig raak.

Duur van Vergadering en uitwerking van ontbinding.

14. (1) Die Vergadering bly in stand vir 'n tydperk van vy jaar vanaf die datum van sy eerste byeenkoms na elke algemene verkiesing en word nie ontbind nie behalwe deur tydsverloop.

(2) Ondanks 'n ontbinding van die Vergadering—

(*a*) bly elke persoon wat op die datum van die ontbinding lid van die Vergadering is, nog lid daarvan;

(*b*) bly die Vergadering bevoeg om sy werksaamhede te verrig; en

(*c*) is die Administrateur bevoeg om die Vergadering vir die verrigting van werksaamhede byeen te roep,

gedurende die tydperk ná daardie ontbinding tot en met die dag onmiddellik voor die stemdag van die verkiesing ingevolge daardie ontbinding gehou, in alle opsigte op dieselfde wyse asof die ontbinding nie plaasgevind het nie.

Sessies van Vergadering.

15. (1) Minstens een keer in elke boekjaar van die gebied is daar 'n sessie van die Vergadering, wat 'n aanvang neem binne 'n tydperk van twaalf maande vanaf die datum van die laaste sitting van die laaste sessie wat in die onmiddellik voorafgaande boekjaar gehou is.

(2) Elke sessie van die Vergadering word in Windhoek gehou en neem 'n aanvang op 'n datum deur die Administrateur by proklamasie in die *Offsiële Koerant* bepaal.

(3) Die Administrateur kan die Vergadering van tyd tot tyd by proklamasie prorogeer.

(4) Die Vergadering kan by besluit tydens 'n sitting daarvan geneem, daardie sitting verdaag tot dié tyd of datum wat die Vergadering bepaal.

Eed wat deur lede van Vergadering afgelê moet word.

16. Geen lid van die Vergadering mag daarin sitting neem of stem nie, alvorens hy voor die Administrateur of dié ander persoon wat die Administrateur daartoe aanstel, die volgende eed of plegtige verklaring afgelê en onderteken het:

„Ek, A.B., sweer / verklaar plegtig en opreg dat ek aan die Republiek van Suid-Afrika getrou sal wees.

(*In die geval van 'n eed*)
So help my God.".

Voorsitter van Vergadering.

17. (1) Op sy eerste sitting, voordat daar tot die afhandeling van ander sake oorgegaan word, kies die Vergadering uit sy lede 'n voorsitter, wat sy amp vir die duur van daardie Vergadering beklee.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(2) If the office of chairman becomes vacant, the Assembly shall in like manner elect a new chairman.

(3) The chairman or in his absence, another member of the Assembly elected by it for the purpose, shall preside at any sitting thereof: Provided that the Administrator shall preside until a chairman is elected.

Procedure in Assembly.

18. (1) All questions in the Assembly shall be determined by a majority of the votes of the members present, other than the chairman or other person presiding, and in the event of an equality of votes, the chairman or other person presiding shall have a casting vote which he shall exercise.

(2) The Administrator and any member of the Executive Committee, not being a member of the Assembly, shall have the right to take part in the proceedings of the Assembly, but shall not have the right to vote therein: Provided that in the event of an equality of votes at an election of a chairman of the Assembly the Administrator shall have a casting vote which he shall exercise: Provided further that a member of the Executive Committee who is a member of the Assembly and is deputy administrator, shall retain his right to vote as a member of the Assembly.

(3) The presence of at least nine members of the Assembly shall be necessary to constitute a sitting thereof.

(4) All debates and transactions in the Assembly shall be conducted in the English or Afrikaans language and all journals, entries, minutes and proceedings of the Assembly shall be made and recorded in both such languages: Provided that any member may address the Assembly in the German language.

(5) The Assembly shall, subject to the approval of the Administrator, from time to time adopt standing rules and orders not inconsistent with this Act, for the regulation and conduct of its proceedings and dispatch of business, for the passing, entitling and numbering of ordinances and for the presentation of ordinances to the Administrator for his assent.

(6) Subject to the provisions of this Act and of any such standing rules and orders, there shall be freedom of speech and debate in the Assembly.

(7) No member of the Executive Committee or of the Assembly shall be liable to any legal proceedings by reason of his speech or vote in the Assembly.

Payment of allowances to members of Assembly.

19. A member of the Assembly (other than a member of the Executive Committee) shall, on the last day of every session, be paid out of the revenue fund an allowance fixed by the State President on the basis of the daily attendance of the member during the session or otherwise.

Proceedings of Assembly open to the public.

20. Subject to the standing rules and orders of the Assembly the proceedings thereof shall be open to the public.

Legislative powers of Assembly.

21. Subject to the provisions of this Act, the Assembly may make laws for the territory which shall be entitled ordinances.

Matters ordinarily reserved from legislation by Assembly.

22. (1) The Assembly may not, except with the consent of the State President previously obtained on any particular occasion and communicated to the Assembly by message from the Administrator, make an ordinance in relation to any subject falling within the following classes of matters, namely—

(*a*) Bantu affairs or any matters specially affecting Bantu, including the imposition of taxation upon the persons, land, habitations or earnings of Bantu;

(*b*) civil aviation;

(*c*) the acquisition, construction, management, regulation, control and working of railways and harbours in the territory, and the organization, discipline and conditions of employment of and the payment of pensions, retiring allowances and financial benefits to persons in the employment of the Railway Administration;

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(2) Indien die amp van voorsitter vakant raak, kies die Vergadering op dergelike wyse 'n nuwe voorsitter.

(3) Die voorsitter of, in sy afwesigheid, 'n ander lid van die Vergadering wat deur die Vergadering daartoe verkies is, sit by 'n sitting daarvan voor: Met dien verstande dat die Administrateur voorsit totdat 'n voorsitter verkies word.

Prosedure in Vergadering.

18. (1) Alle vrae in die Vergadering word beslis by meerderheid van stemme van die aanwesige lede met uitsondering van die voorsitter of ander persoon wat voorsit, en by 'n staking van stemme het die voorsitter of ander persoon wat voorsit 'n beslissende stem wat hy moet uitbring.

(2) Die Administrateur en 'n lid van die Uitvoerende Komitee wat nie lid van die Vergadering is nie, het die reg om aan die verrigtinge van die Vergadering deel te neem, maar het nie die reg om daarin te stem nie: Met dien verstande dat by 'n staking van stemme by die verkiesing van 'n voorsitter van die Vergadering die Administrateur 'n beslissende stem het wat hy moet uitbring: Met dien verstande voorts dat 'n lid van die Uitvoerende Komitee wat lid van die Vergadering en waarnemende administrateur is, sy reg behou om as lid van die Vergadering te stem.

(3) Die aanwesigheid van minstens nege lede van die Vergadering word vereis om 'n sitting daarvan uit te maak.

(4) Alle debatte en handelinge in die Vergadering geskied in die Afrikaanse of Engelse taal en alle joernale, inskrywings, notule en verrigtinge van die Vergadering, word in albei daardie tale gehou en genotuleer: Met dien verstande dat 'n lid die Vergadering in die Duitse taal kan toespreek.

(5) Die Vergadering aanvaar van tyd tot tyd, onderworpe aan die goedkeuring van die Administrateur, 'n reglement van orde wat nie met hierdie Wet onbestaanbaar is nie, waarvolgens sy verrigtinge en die afhandeling van sake gereël word en plaasvind, waarvolgens ordonnansies aangeneem, titels toegewys en genommer word en waarvolgens ordonnansies aan die Administrateur vir sy toestemming voorgelê word.

(6) Behoudens die bepalings van hierdie Wet en van so 'n reglement van orde, bestaan daar vryheid van spraak en debat in die Vergadering.

(7) Geen lid van die Uitvoerende Komitee of van die Vergadering staan bloot aan 'n regsgeding weens sy uitlatings of stem in die Vergadering nie.

Betaling van toelaes aan lede van Vergadering.

19. Aan 'n lid van die Vergadering (behalwe 'n lid van die Uitvoerende Komitee) word op die laaste dag van elke sessie, uit die inkomstefonds 'n toelae betaal wat deur die Staatspresident op die basis van die daaglikse bywoning van die lid gedurende die sessie of andersins vasgestel word.

Verrigtinge van Vergadering vir die publiek toeganklik.

20. Behoudens die reglement van orde van die Vergadering is die verrigtinge daarvan vir die publiek toeganklik.

Wetgewende bevoegdhede van Vergadering.

21. Behoudens die bepalings van hierdie Wet kan die Vergadering vir die gebied wette maak wat ordonnansies heet.

Aangeleenthede buite gewone wetgewende bevoegdhede van Vergadering.

22. (1) Die Vergadering kan nie, behalwe met die toestemming van die Staatspresident vooraf in elke bepaalde geval verkry en aan die Vergadering by boodskap van die Administrateur meegedeel, 'n ordonnansie maak met betrekking tot 'n onderwerp wat onder die volgende klasse van aangeleenthede val nie, naamlik—

(*a*) Bantoesake of aangeleenthede wat Bantoes in die besonder raak, met inbegrip van die heffing van belastings op die persone, grond, woonplekke of verdienste van Bantoes;

(*b*) burgerlike lugvaart;

(*c*) die verkryging, aanleg, bestuur, reëling, beheer en werking van spoorweë en hawens in die gebied, en die organisasie, tug en diensvoorwaardes van en die betaling van pensioene, toelaes by aftreding en geldelike voordele aan persone in diens van die Spoorwegadministrasie;

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(*d*) the organization of and discipline and conditions of employment of persons in the public service who are serving in the territory, and the payment of pensions, retiring allowances and financial benefits to such persons;
(*e*) the constitution and jurisdiction of courts of justice, whether superior or inferior, and the practice or procedure to be observed therein;
(*f*) the administration, management and working of the postal, telegraph and telephone services;
(*g*) the establishment or control of any military organization or police force in the territory;
(*h*) the movements or operations of any unit of the South African Defence Force within the territory;
(*i*) the entry of immigrants or of other persons into the territory;
(*j*) tariffs of customs and excise duties and the control and management of customs and excise;
(*k*) currency and banking and the control of banking institutions.

(2) Whenever any ordinance of the Assembly imposes taxation upon persons, lands, habitations or incomes or earnings generally, Bantu and their lands, habitations and earnings shall be exempt from its provisions.

Appropriation of revenue fund and imposition of taxation.

23. (1) The Assembly may not—
(*a*) originate or pass any ordinance, vote or resolution which has the effect of appropriating any part of the revenue fund; or
(*b*) originate or pass any ordinance, vote or resolution imposing any tax, duty, due or charge or burden on the people,

unless such ordinance, vote or resolution is introduced or moved by the Administrator in person or has first been recommended to the Assembly by written message of the Administrator during the session in which it is proposed.

(2) No Act of Parliament which imposes a tax, duty, due or charge or burden upon the people of the Republic shall be of force in the territory, but this provision shall be without prejudice to the provisions of sections 5 and 104 of the Customs and Excise Act, 1964 (Act No. 91 of 1964), and to the right to continue to apply to the territory the laws of the Republic relating to customs and excise.

(3) Notwithstanding the provisions of section 37, the provisions of this subsection or of the preceding subsection shall not be amended, modified or repealed, except with the consent of the Assembly embodied in a resolution communicated to Parliament by message from the State President.

Assembly may recommend to Parliament the enactment of certain laws and may advise Administrator in relation to certain matters.

24. (1) The Assembly may, by resolution, recommend to Parliament the enactment, amendment or repeal of any law relating to any matter in respect of which it may not make ordinances.

(2) The Assembly may further advise the Administrator in relation to such matters as the Administrator may refer to it for the expression of its views.

Administrator may transmit draft ordinances to Assembly.

25. (1) The Administrator may, subject to any instructions which he may receive from the State President, transmit by message to the Assembly a draft ordinance on any subject in respect of which the Assembly may make an ordinance, if it appears to him expedient that such a draft ordinance be introduced, and every such draft ordinance shall be considered by the Assembly in the manner provided by its standing rules and orders.

(2) All messages by the Administrator to the Assembly shall be communicated by the chairman.

Draft ordinances to be in both official languages of the Republic.

26. Every draft ordinance shall be printed and presented to the Assembly in both official languages of the Republic.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(*d*) die organisasie van en tug en diensvoorwaardes van persone in die staatsdiens wat in die gebied diens doen, en die betaling van pensioene, toelaes by aftreding en geldelike voordele aan daardie persone;
(*e*) die samestelling en jurisdiksie van geregshowe, hetsy hoër- of laerhowe, en die praktyk of prosedure wat daarin gevolg moet word;
(*f*) die administrasie, bestuur en werking van die pos-, telegraaf- en telefoondienste;
(*g*) die instelling van of beheer oor 'n militêre organisasie of polisiemag in die gebied;
(*h*) die bewegings of bedrywighede van 'n eenheid van die Suid-Afrikaanse Weermag in die gebied;
(*i*) die binnekoms van immigrante of van ander persone in die gebied;
(*j*) doeanetariewe en aksynsregte en die kontrole en beheer oor doeane en aksyns;
(*k*) geld en bankwese en die beheer oor bankinstellings.

(2) Wanneer 'n ordonnansie van die Vergadering belasting hef, op persone, grond, woonplekke of inkomste of verdienste oor die algemeen, is Bantoes en hul grond, woonplekke en verdienste van die bepalings daarvan vrygestel.

Beskikbaarstelling van inkomstefonds en heffing van belastings.

23. (1) Die Vergadering kan nie—
(*a*) 'n ordonnansie, begrotingspos of besluit aanhangig maak of aanneem wat die uitwerking het om 'n deel van die inkomstefonds beskikbaar te stel nie; of
(*b*) 'n ordonnansie, begrotingspos of besluit aanhangig maak of aanneem wat die bevolking 'n belasting, reg, heffing of las oplê nie,

tensy die ordonnansie, begrotingspos of besluit deur die Administrateur persoonlik ingedien of voorgestel word of eers by die Vergadering aanbeveel is by skriftelike boodskap van die Administrateur tydens die sessie waarin dit voorgestel word.

(2) Geen Wet van die Parlement wat die bevolking van die Republiek 'n belasting, reg, heffing of las oplê, is in die gebied van krag nie, maar hierdie bepaling doen geen afbreuk aan die bepalings van artikels 5 en 104 van die Doeane- en Aksynswet, 1964 (Wet No. 91 van 1964), en aan die reg om voort te gaan om die wette van die Republiek met betrekking tot doeane en aksyns op die gebied toe te pas nie.

(3) Ondanks die bepalings van artikel 37, word die bepalings van hierdie subartikel of van die voorafgaande subartikel nie gewysig, verander of herroep nie, behalwe met die toestemming van die Vergadering vervat in 'n besluit wat by boodskap van die Staatspresident aan die Parlement meegedeel word.

Vergadering kan verordening van sekere wette by die Parlement aanbeveel en kan Administrateur met betrekking tot sekere aangeleenthede van advies dien.

24. (1) Die Vergadering kan by besluit die verordening, wysiging of herroeping van 'n wet met betrekking tot 'n aangeleentheid ten opsigte waarvan die Vergadering nie ordonnansies kan maak nie, by die Parlement aanbeveel.

(2) Die Vergadering kan voorts die Administrateur van advies dien met betrekking tot die aangeleenthede wat die Administrateur na die Vergadering vir laasgenoemde se sienswyse verwys.

Administrateur kan konsep-ordonnansies na Vergadering stuur.

25. (1) Die Administrateur kan, met inagneming van voorskrifte wat hy van die Staatspresident ontvang, 'n konsep-ordonnansie oor 'n onderwerp ten opsigte waarvan die Vergadering 'n ordonnansie kan maak, by boodskap aan die Vergadering stuur, indien hy dit wenslik ag dat so 'n konsep-ordonnansie ingedien moet word, en elkeen van daardie konsep-ordonnansies word deur die Vergadering oorweeg op die wyse deur sy reglement van orde bepaal.

(2) Alle boodskappe van die Administrateur aan die Vergadering, word deur die voorsitter oorgedra.

Konsep-ordonnansies moet in beide amptelike tale van die Republiek wees.

26. Elke konsep-ordonnansie moet in beide amptelike tale van die Republiek gedruk en aan die Vergadering voorgelê word.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

27. (1) An ordinance passed by the Assembly shall be presented to the Administrator for his assent.

Assent to or reservation by Administrator in respect of ordinances passed by Assembly.

(2) The Administrator shall, according to his discretion but subject to the provisions of this Act and to such instructions as he may from time to time receive from the State President, declare that he assents to such ordinance or that he reserves it for the signification of the pleasure of the State President.

(3) The Administrator may, before assenting to or before so reserving any ordinance, recommend such amendments as he may deem necessary or expedient and shall communicate his recommendation by message or in person to the Assembly.

(4) The Assembly shall, in the manner provided by its standing rules and orders, consider the amendments so recommended.

28. (1) Whenever an ordinance has been reserved by the Administrator for the signification of the pleasure of the State President, the Administrator shall forthwith transmit that ordinance to the State President, together with such explanatory observations as may be necessary to indicate the scope, effect and reasons for the passing thereof.

Power of State President to allow or disallow or reserve for consideration ordinances reserved by Administrator.

(2) There is hereby reserved to the State President full power and authority to declare within six months after the receipt by him of the ordinance with the explanatory observations aforesaid, that he allows the ordinance or that he disallows the ordinance or that he reserves it for further consideration.

(3) An ordinance so reserved by the State President shall have no force or effect unless and until the State President, within a further period of six months from the date of his reservation, declares that he does not exercise his power of disallowance in regard thereto.

(4) Any declaration of the State President under this section shall be communicated to the Assembly by the Administrator and shall be published by proclamation in the *Official Gazette*.

(5) A return indicating the ordinances which have been disallowed or reserved for further consideration by the State President and the reasons for the disallowance or reservation shall be laid upon the Tables of the Senate and of the House of Assembly as soon as possible after the disallowance or reservation.

(6) Copies of all ordinances which have become law within the territory since the last preceding session of Parliament, shall also be so laid before Parliament.

29. (1) The Administrator shall cause every ordinance to which assent has been given by him or by the State President to be published in the *Official Gazette*.

Promulgation and date of coming into operation of ordinances.

(2) An ordinance shall come into operation on the date of its first publication in the *Official Gazette*, unless the ordinance provides that it shall come into operation on a specified date or on a date to be fixed by notice thereunder.

30. (1) As soon as possible after an ordinance has been assented to by the Administrator or allowed by the State President, the Administrator shall cause two fair copies of the ordinance, one being in the one official language and the other in the other official language of the Republic (one of which copies shall be signed by the Administrator), to be enrolled of record in the office of the registrar of the South-West Africa Division of the Supreme Court of South Africa.

Signature and enrolment of ordinances.

(2) Such copies shall be conclusive evidence of the provisions of the ordinance and in case of conflict between the two copies so enrolled, the copy signed by the Administrator shall prevail.

(3) The validity or coming into operation of any ordinance shall not be affected by failure to cause copies so to be enrolled.

FINANCE.

31. (1) There shall be a territory Revenue Fund into which shall be paid all revenues raised or received in and for the territory.

Territory Revenue Fund and requirements for withdrawal of moneys from the fund.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

Toestemming of voorbehoud deur Administrateur ten opsigte van ordonnansies deur Vergadering aangeneem.

27. (1) 'n Ordonnansie deur die Vergadering aangeneem, word aan die Administrateur vir sy toestemming voorgelê.

(2) Die Administrateur verklaar na goeddunke, maar met inagneming van die bepalings van hierdie Wet en van die voorskrifte wat hy van tyd tot tyd van die Staatspresident ontvang, dat hy tot so 'n ordonnansie toestem of dat hy dit vir oorweging deur die Staatspresident voorbehou.

(3) Die Administrateur kan, alvorens hy tot 'n ordonnansie toestem of dit aldus voorbehou, die wysigings aanbeveel wat hy nodig of dienstig ag en dra sy aanbeveling by boodskap of persoonlik aan die Vergadering oor.

(4) Die Vergadering oorweeg op die wyse deur sy reglement van orde bepaal, die wysigings aldus aanbeveel.

Bevoegdheid van Staatspresident om ordonnansies deur die Administrateur voorbehou, goed of af te keur of vir oorweging voor te behou.

28. (1) Wanneer 'n ordonnansie deur die Administrateur vir oorweging deur die Staatspresident voorbehou is, stuur die Administrateur daardie ordonnansie onverwyld aan die Staatspresident, tesame met dié verklarende opmerkings wat nodig is om die omvang, uitwerking en redes vir die aanname daarvan aan te dui.

(2) Daar word hierby die volle bevoegdheid en gesag vir die Staatspresident voorbehou om binne ses maande na die ontvangs deur hom van die ordonnansie met die verklarende opmerkings voormeld, te verklaar dat hy die ordonnansie goedkeur of dat hy die ordonnansie afkeur of dat hy dit vir verdere oorweging voorbehou.

(3) 'n Ordonnansie aldus deur die Staatspresident voorbehou, het geen krag of uitwerking nie tensy en todat die Staatspresident binne 'n verdere tydperk van ses maande vanaf die datum van sy voorbehoud, verklaar dat hy nie sy bevoegdheid van afkeuring ten opsigte daarvan uitoefen nie.

(4) 'n Verklaring van die Staatspresident ingevolge hierdie artikel, word deur die Administrateur aan die Vergadering meegedeel en by proklamasie in die *Offisiële Koerant* afgekondig.

(5) 'n Opgawe wat die ordonnansies aangee wat deur die Staatspresident afgekeur of vir verdere oorweging voorbehou is en die redes vir die afkeuring of voorbehoud, moet so spoedig doenlik na die afkeuring of voorbehoud in die Senaat en in die Volksraad ter Tafel gelê word.

(6) Afskrifte van alle ordonnansies wat sedert die jongste voorafgaande sessie van die Parlement binne die gebied wet geword het, moet ook aldus aan die Parlement voorgelê word.

Afkondiging en datum van inwerktreding van ordonnansies.

29. (1) Die Administrateur laat elke ordonnansie waartoe deur hom of die Staatspresident toegestem is, in die *Offisiële Koerant* afkondig.

(2) 'n Ordonnansie tree in werking op die datum van die eerste afkondiging daarvan in die *Offisiële Koerant*, tensy die ordonnansie bepaal dat dit op 'n bepaalde datum of op 'n datum wat by kennisgewing daarkragtens vasgestel word, in werking tree.

Ondertekening en registrasie van ordonnansies.

30. (1) So spoedig doenlik nadat die Administrateur tot 'n ordonnansie toegestem het of die Staatspresident dit goedgekeur het, laat die Administrateur twee skoon eksemplare van die ordonnansie, die een in die een amptelike taal en die ander in die ander amptelike taal van die Republiek (waarvan een eksemplaar deur die Administrateur onderteken is), in die register van die kantoor van die griffier van die Suidwes-Afrika-afdeling van die Hooggeregshof van Suid-Afrika opneem.

(2) Sodanige eksemplare is afdoende bewys van die bepalings van die ordonnansie, en in geval van verskil tussen die twee eksemplare wat aldus opgeneem is, gee die eksemplaar wat deur die Administrateur onderteken is die deurslag.

(3) Die geldigheid of inwerkingtreding van 'n ordonnansie word nie geraak deur versuim om eksemplare aldus te laat opneem nie.

FINANSIES.

Inkomstefonds van die gebied en vereistes vir die trek van geld uit die fonds.

31. (1) Daar is 'n Inkomstefonds van die gebied waarin alle inkomste in en vir die gebied gehef of ontvang, gestort word.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(2) The revenue fund shall be appropriated for the purposes of the territory in such manner as may be prescribed by this Act.

(3) Save as is hereinafter provided, money shall be withdrawn from the revenue fund only under appropriation made by law: Provided that until such appropriation has been made and for a period not exceeding two months after the end of a financial year the Administrator may withdraw from that fund moneys without such appropriation in order to meet expenditure on services in respect of which there has been an appropriation up to the end of that financial year.

(4) No issue shall be made out of the revenue fund except in pursuance of a warrant under the hand of the Administrator directed to an officer of the public service serving under the Administration of the territory.

(5) The Administrator may, by special warrant under his hand, authorize the issue of moneys from the revenue fund—

(*a*) to defray unforeseen expenditure of a special character which is not provided for in an appropriation ordinance and which cannot without serious injury to the public interest be postponed until adequate provision can be made therefor by the Assembly; or

(*b*) to meet an excess on any head of expenditure in an appropriation ordinance.

(6) The total sum which the Administrator may authorize under subsection (5) shall not at any time exceed four hundred thousand rand, and the relative expenditure shall be submitted to the Assembly for appropriation not later than its next ensuing session.

Estimates of expenditure.

32. The annual estimates of expenditure for the territory shall be prepared by the Administrator in consultation with the elected members of the Executive Committee, and shall thereafter be submitted by him to the Assembly.

GENERAL.

Validity of ordinances.

33. (1) The South-West Africa Division of the Supreme Court of South Africa shall have jurisdiction in all matters in which the validity of an ordinance shall come into question.

(2) No magistrate's court shall be competent to pronounce upon the validity of an ordinance.

Use of languages in publications in *Official Gazette* and in South-West Africa Division of the Supreme Court of South Africa.

34. (1) All proclamations, ordinances, regulations and notices for general information published in the *Official Gazette*, shall be in both official languages of the Republic.

(2) Subject to the provisions of any rule of court of the South-West Africa Division of the Supreme Court of South Africa, the German language may, in addition to either of the official languages of the Republic, be used in addressing that court by any party to any proceeding therein, or by his legal representative.

Consultation by Railways and Harbours Board.

35. In considering any matter relating to the acquisition, construction, management, regulation, control and working of the railways and harbours in the territory, the Railways and Harbours Board of the Republic shall consult, in such manner as in the circumstances it may deem most expedient, the Administrator or any other person designated by him in any particular case.

Walvis Bay to form part of the territory for purposes of this Act.

36. Notwithstanding anything to the contrary contained in any law the port and settlement of Walvis Bay shall be deemed to form part of the territory for the purposes of this Act.

Saving as to right of Republic to administer and legislate for the territory.

37. (1) Nothing in this Act contained shall be construed as in any manner abolishing, diminishing or derogating from those full powers of administration and legislation over the territory as an integral portion of the Republic which have hitherto been vested in the Republic.

(2) The said full powers of administration are hereby expressly reserved to the State President and may be exercised by himself or delegated by him to be exercised by the Administrator.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(2) Die inkomstefonds word vir die doeleindes van die gebied beskikbaar gestel op die wyse deur hierdie Wet voorgeskryf.

(3) Behalwe soos hieronder bepaal, word geld uit die inkomstefonds getrek slegs kragtens beskikbaarstelling by wet: Met dien verstande dat totdat gelde aldus beskikbaar gestel is en vir 'n tydperk van hoogstens twee maande na die einde van 'n boekjaar, die Administrateur gelde uit daardie fonds kan trek sonder so 'n beskikbaarstelling ten einde uitgawes te bestry vir dienste ten opsigte waarvan daar 'n beskikbaarstelling tot aan die einde van daardie boekjaar is.

(4) Geen gelde word uit die inkomstefonds getrek nie behalwe ooreenkomstig 'n volmag deur die Administrateur onderteken en gerig aan 'n beampte van die staatsdiens wat by die Administrasie van die gebied diens doen.

(5) Die Administrateur kan by spesiale volmag deur hom onderteken, die trek van gelde uit die inkomstefonds magtig—

(*a*) om onvoorsiene uitgawes van 'n besondere aard te bestry, waarvoor daar nie in 'n begrotingsordonnansie voorsiening gemaak word nie, en wat nie sonder ernstige benadeling van die openbare belang uitgestel kan word totdat voldoende voorsiening deur die Vergadering daarvoor gemaak kan word nie; of

(*b*) om oorskryding van 'n begrotingspos in 'n begrotingsordonnansie te dek.

(6) Die totale bedrag wat die Administrateur kragtens subartikel (5) kan magtig, gaan op geen tydstip vierhonderdduisend rand te bowe nie, en die betrokke uitgawe word nie later as die eersvolgende sessie aan die Vergadering vir beskikbaarstelling voorgelê nie.

Begroting van uitgawes.

32. Die jaarlikse begroting van uitgawes vir die gebied word deur die Administrateur in oorleg met die verkose lede van die Uitvoerende komitee voorberei, en word daarna deur hom aan die Vergadering voorgelê.

ALGEMEEN.

Geldigheid van ordonnansies.

33. (1) Die Suidwes-Afrika-afdeling van die Hooggeregshof van Suid-Afrika het jurisdiksie oor alle aangeleenthede waarin die geldigheid van 'n ordonnansie ter sprake is.

(2) Geen landdroshof is bevoeg om uitspraak oor die geldigheid van 'n ordonnansie te doen nie.

Gebruik van tale in afkondigings in *Offisiële Koerant* en in Suidwes-Afrika-afdeling van die Hooggeregshof van Suid-Afrika.

34. (1) Alle proklamasies, ordonnansies, regulasies en kennisgewings vir algemene inligting wat in die *Offisiële Koerant* afgekondig word, geskied in beide amptelike tale van die Republiek.

(2) Behoudens die bepalings van die reëls van die hof van die Suidwes-Afrika-afdeling van die Hooggeregshof van Suid-Afrika, kan die Duitse taal benewens die amptelike tale van die Republiek deur die partye by 'n geding in daardie hof of deur hul regsverteenwoordigers gebesig word om daardie hof toe te spreek.

Raadpleging deur Spoorweg- en Haweraad.

35. By die oorweging van 'n aangeleentheid met betrekking tot die verkryging, aanleg, bestuur, reëling, beheer en werking van die spoorweë en hawens in die gebied, raadpleeg die Spoorweg- en Haweraad van die Republiek, op die wyse wat die raad onder die omstandighede die geskikste ag, die Administrateur of 'n ander persoon deur hom in 'n bepaalde geval aangewys.

Walvisbaai maak deel uit van die gebied by die toepassing van hierdie Wet.

36. Ondanks andersluidende wetsbepalings word daar by die toepassing van hierdie Wet geag dat die hawe en nedersetting van Walvisbaai, deel van die gebied uitmaak.

Voorbehoud met betrekking tot reg van Republiek om die gebied te administreer en daarvoor wette te maak.

37. (1) Die bepalings van hierdie Wet word nie so uitgelê dat dit op enige wyse daardie volle bevoegdhede van administrasie en wetgewing ten opsigte van die gebied as 'n integrerende deel van die Republiek, wat tot nog toe by die Republiek berus het, ophef, inkort of daaraan afbreuk doen nie.

(2) Genoemde volle bevoegdhede van administrasie word hierby uitdruklik vir die Staatspresident voorbehou, en kan self deur hom uitgeoefen word of deur hom gedelegeer word om deur die Administrateur uitgeoefen te word.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(3) Save as provided in sections 22 and 38, only Parliament may legislate for the territory in regard to those matters on which the Assembly may not legislate.

(4) Nothwithstanding the provisions of any other law, Parliament may by Act override any ordinance made by the Assembly.

(5) The publication in the *Gazette* of any Act of Parliament, or of any proclamation, notice, regulation, rule or order, or of anything done, under or in pursuance of such an Act, shall for all purposes be deemed to be publication thereof in the *Official Gazette*, unless the publication in the *Gazette* contains an indication to the contrary.

(6) An ordinance made by the Assembly shall, though promulgated, have effect in and for the territory so long and as far only as it is not repugnant to or inconsistent with an Act of Parliament applicable to the territory.

Legislative powers of State President and special provisions for the Eastern Caprivi Zipfel.

38. (1) The State President may by proclamation in the *Gazette* and in the *Official Gazette*, make laws for the territory in relation to any matter in regard to which the Assembly may not in terms of section 22 make ordinances.

(2) A proclamation issued under subsection (1) shall, subject to the provisions of subsection (7), have effect in and for the territory so long and as far only as it is not repugnant to or inconsistent with an Act of Parliament which applies in the territory.

(3) The State President may, notwithstanding anything to the contrary in any law contained but subject to the provisions of subsection (4), by proclamation in the *Gazette* and in the *Official Gazette*, make laws for the territory known as the Eastern Caprivi Zipfel and defined in the Eastern Caprivi Zipfel Administration Proclamation, 1939 (Proclamation No. 147 of 1939 of the Republic).

(4) A proclamation issued in terms of subsection (3) shall, subject to the provisions of subsection (7), have effect in and for the said Eastern Caprivi Zipfel so long and as far only as it is not repugnant to or inconsistent with an Act of Parliament which applies in the said Eastern Caprivi Zipfel and has been passed after the first day of November, 1951.

(5) No Act of Parliament and no ordinance of the Assembly passed on or after the first day of November, 1951, shall apply in the said Eastern Caprivi Zipfel, unless it is expressly declared so to apply.

(6) Any proclamation issued under subsection (1) or (3) shall be laid on the Tables of the Senate and of the House of Assembly within fourteen days after promulgation thereof if Parliament is in ordinary session or if Parliament is not in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session, and shall remain on the said Tables for a period of not less than twenty-eight consecutive days, and if Parliament is prorogued before the necessary twenty-eight days have elapsed, such proclamation shall again be laid on the said Tables as aforesaid within fourteen days after the commencement of its next ensuing ordinary session.

(7) If the Senate and the House of Assembly by resolutions passed in the same session (being a session during which a proclamation has been laid before Parliament in terms of subsection (6)) disapprove of any such proclamation or of any provision in any such proclamation, such proclamation or such provision thereof shall thereafter cease to be of force and effect to the extent to which it is so disapproved, but without prejudice to the validity of anything done in terms of such proclamation or of such provision thereof up to the date upon which it so ceased to be of force and effect, or to any right, privilege, obligation or liability acquired, accrued or incurred as at the said date under and by virtue of such proclamation or such provision thereof.

Certain proclamations by or under delegation of State President to remain in force.

39. Any proclamation issued by or under delegation of the State President under the Treaty of Peace and South West Africa Mandate Act, 1919 (Act No. 49 of 1919), and in force immediately prior to the first day of November, 1951, shall be deemed to remain and have remained in force as if section 44

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(3) Behoudens die bepalings van artikels 22 en 38, kan slegs die Parlement vir die gebied wette maak ten opsigte van daardie aangeleenthede waaroor die Vergadering nie wette kan maak nie.

(4) Ondanks andersluidende wetsbepalings kan die Parlement 'n ordonnansie deur die Vergadering gemaak, deur 'n Wet ter syde stel.

(5) Die afkondiging in die *Staatskoerant* van 'n Wet van die Parlement, of van 'n proklamasie, kennisgewing, regulasie, reël of order, of van iets gedoen kragtens of ingevolge so 'n Wet, word vir alle doeleindes geag afkondiging daarvan in die *Offisiële Koerant* te wees, tensy die afkondiging in die *Staatskoerant* die teendeel aandui.

(6) 'n Ordonnansie deur die Vergadering gemaak, is, ofskoon afgekondig, in en vir die gebied van krag slegs so lank as en vir sover dit nie strydig of onbestaanbaar is met 'n Wet van die Parlement wat in die gebied van toepassing is nie.

Wetgewende bevoegdhede van Staatspresident en spesiale bepalings vir die Oostelike Caprivi Zipfel.

38. (1) Die Staatspresident kan by proklamasie in die *Staatskoerant* en in die *Offisiële Koerant*, wette vir die gebied maak met betrekking tot enige aangeleentheid waaroor die Vergadering ingevolge artikel 22 nie ordonnansies kan maak nie.

(2) 'n Kragtens subartikel (1) uitgevaardigde proklamasie is, behoudens die bepalings van subartikel (7), in en vir die gebied van krag slegs so lank as en vir sover dit nie strydig of onbestaanbaar is met 'n Wet van die Parlement wat in die gebied van toepassing is nie.

(3) Die Staatspresident kan ondanks andersluidende wetsbepalings, maar behoudens die bepalings van subartikel (4), by proklamasie in die *Staatskoerant* en in die *Offisiële Koerant*, wette maak vir die gebied bekend as die Oostelike Caprivi Zipfel en omskryf in die Proklamasie op die Administrasie van die Oostelike Caprivi Zipfel, 1939 (Proklamasie No. 147 van 1939 van die Republiek).

(4) 'n Kragtens subartikel (3) uitgevaardigde proklamasie is, behoudens die bepalings van subartikel (7), in en vir genoemde Oostelike Caprivi Zipfel van krag slegs so lank as en vir sover dit nie strydig of onbestaanbaar is met 'n Wet van die Parlement wat in genoemde Oostelike Caprivi Zipfel van toepassing is en na die eerste dag van November 1951 aangeneem is nie.

(5) Geen Wet van die Parlement en geen ordonnansie van die Vergadering wat op of na die eerste dag van November 1951 aangeneem is of word, is in genoemde Oostelike Caprivi Zipfel van toepassing nie, tensy dit uitdruklik aldus van toepassing verklaar word.

(6) 'n Kragtens subartikel (1) of (3) uitgevaardigde proklamasie word binne veertien dae na afkondiging daarvan in die Senaat en in die Volksraad ter Tafel gelê indien 'n gewone sessie van die Parlement aan die gang is, of indien 'n gewone sessie van die Parlement nie aan die gang is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sessie, en bly op genoemde Tafels vir 'n tydperk van minstens agt-en-twintig agtereenvolgende dae, en indien die Parlement geprorogeer word voordat die vereiste agt-en-twintig dae verstryk het, word die proklamasie weer soos voormeld binne veertien dae na die aanvang van sy eersvolgende gewone sessie ter Tafel gelê.

(7) Indien die Senaat en die Volksraad by besluite wat gedurende dieselfde sessie geneem word (naamlik 'n sessie waarin 'n proklamasie ooreenkomstig subartikel (6) aan die Parlement voorgelê is) so 'n proklamasie of 'n bepaling van so 'n proklamasie afkeur, verval die regskrag van die proklamasie of die bepaling daarvan vir sover dit aldus afgekeur word, dog sonder om afbreuk te doen aan die geldigheid van enigiets wat ingevolge die proklamasie of die bepaling daarvan tot die datum waarop die regskrag daarvan aldus verval het, gedoen is, of aan 'n reg, voorreg, verpligting of aanspreeklikheid wat op genoemde datum kragtens en uit hoofde van dié proklamasie of dié bepaling daarvan verkry, opgeloop of aangegaan is.

Bepaalde proklamasies deur of kragtens delegering van Staatspresident bly van krag.

39. 'n Proklamasie wat deur of kragtens delegering van die Staatspresident kragtens die „Vredesverdrag en Zuid West Afrika Mandaat Wet, 1919" (Wet No. 49 van 1919), uitgevaardig is en onmiddellik voor die eerste dag van November 1951 van krag was, word geag van krag te bly en te gebly het asof artikel

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

(3) of the South-West Africa Constitution Act, 1925 (Act No. 42 of 1925), as inserted by section 22 of the South-West Africa Affairs Amendment Act, 1949 (Act No. 23 of 1949), had not been enacted.

40. This Act shall apply also in the territory known as the Eastern Caprivi Zipfel and described in the Eastern Caprivi Zipfel Administration Proclamation, 1939 (Proclamation No. 147 of 1939 of the Republic), and in and in relation to all persons in the territory known as the "Rehoboth Gebiet" and defined in the First Schedule to Proclamation No. 28 of 1923 of the territory. Application of Act.

41. (1) Subject to the provisions of subsection (2), the laws specified in the Schedule are hereby repealed to the extent set out in the third column thereof. **Repeal** of laws.

(2) Anything done under the provisions of any law repealed by subsection (1), shall be deemed to have been done under the corresponding provisions of this Act.

42. This Act shall be called the South-West Africa Constitution Act, 1968. **Short title.**

Schedule.

LAWS REPEALED.

No. and year of Law.	Title.	Extent of repeal.
Act No. 42 of 1925..	South-West Africa Constitution Act, 1925	The whole.
Act No. 22 of 1927..	South-West Africa Constitution Act, 1925, Amendment Act, 1927.	The whole.
Act No. 38 of 1931..	South-West Africa Constitution Act, 1925, Further Amendment Act, 1931.	The whole.
Act No. 19 of 1940..	Constitution (Prevention of Disabilities) Act, 1940.	Sections 4, 5 and 6.
Act No. 23 of 1949..	South-West Africa Affairs Amendment Act, 1949.	Chapter I and sections 35 and 36.
Act No. 55 of 1951..	South-West Africa Affairs Amendment Act, 1951.	Sections 1, 2, 3, 5 and 6.
Act No. 56 of 1954..	South-West Africa Bantu Affairs Administration Act, 1954.	Section 2.
Act No. 26 of 1955..	South-West Africa Constitution Amendment Act, 1955.	The whole.
Act No. 55 of 1957..	South-West Africa Constitution Amendment Act, 1957.	The whole.
Act No. 1 of 1966 ..	South-West Africa Constitution Amendment Act, 1966.	The whole.

Reproduced by Sabinet Online in terms of Government Printer's Copyright Authority No. 10505 dated 02 February 1998

44 (3) van die „Zuidwest-Afrika Konstitutie Wet, 1925" (Wet No. 42 van 1925), soos ingevoeg by artikel 22 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1949 (Wet No. 23 van 1949), nie verorden was nie.

Toepassing van Wet.

40. Hierdie Wet is ook van toepassing in die gebied bekend as die Oostelike Caprivi Zipfel en omskryf in die Proklamasie op die Administrasie van die Oostelike Caprivi Zipfel, 1939 (Proklamasie No. 147 van 1939 van die Republiek), en in, en met betrekking tot alle persone in, die gebied bekend as die „Rehoboth-Gebiet" en in die Eerste Bylae by Proklamasie No. 28 van 1923 van die gebied omskryf.

Herroeping van wette.

41. (1) Behoudens die bepalings van subartikel (2), word die wette in die Bylae vermeld hierby herroep vir sover in die derde kolom daarvan uiteengesit.

(2) Enigiets gedoen kragtens die bepalings van 'n wet by subartikel (1) herroep, word geag kragtens die ooreenstemmende bepalings van hierdie Wet gedoen te gewees het.

Kort titel.

42. Hierdie Wet heet die Wet op die Konstitusie van Suidwes-Afrika, 1968.

Bylae.

WETTE HERROEP.

No. en jaar van Wet.	Titel.	In hoeverre herroep.
Wet No. 42 van 1925	„Zuidwest-Afrika Konstitutie Wet, 1925".	Die geheel.
Wet No. 22 van 1927	Suidwes-Afrika Konstitusie Wet 1925 Wysigings Wet 1927.	Die geheel.
Wet No. 38 van 1931	Suidwes-Afrika Konstitusie Wet, 1925, Verdere Wysigingswet, 1931.	Die geheel.
Wet No. 19 van 1940	Wet op die Konstitusie (Voorkoming van Onbevoegdhede), 1940.	Artikels 4, 5 en 6.
Wet No. 23 van 1949	Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1949.	Hoofstuk I en artikels 35 en 36.
Wet No. 55 van 1951	Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951.	Artikels 1, 2, 3, 5 en 6.
Wet No. 56 van 1954	Wet op die Administrasie van Bantoesake in Suidwes-Afrika, 1954.	Artikel 2.
Wet No. 26 van 1955	Wysigingswet op die Konstitusie van Suidwes-Afrika, 1955.	Die geheel.
Wet No. 55 van 1957	Wysigingswet op die Konstitusie van Suidwes-Afrika, 1957.	Die geheel.
Wet No. 1 van 1966	Wysigingswet op die Konstitusie van Suidwes-Afrika, 1966.	Die geheel.

PRINTED FOR THE GOVERNMENT PRINTER, PRETORIA, BY CAPE & TRANSVAAL PRINTERS LIMITED, CAPE TOWN—B658./14,200
GEDRUK VIR DIE STAATSDRUKKER, PRETORIA, DEUR KAAP & TRANSVAAL DRUKKERS BEPERK, KAAPSTAD—B658. /14,200