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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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DEPARTMENT OF THE PRIME MINISTER

No. 735. 28 April 1976.

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

No. 56 of 1976: Rehoboth Self-Government Act, 1976.

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 735. 28 April 1976.

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

No. 56 van 1976: Wet op Selfregering vir Rehoboth 1976.

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WET

Om selfregering ooreenkomstig die Vaderlike Wet van 1872 aan die burgers van die „Rehoboth Gebiet" binne die gebied Suidwes-Afrika te verleen; om vir dié doel voorsiening te maak vir die instelling van 'n Kapteinsraad en 'n Volksraad vir genoemde „Gebiet"; om die bevoegdhede en werksaamhede van daardie rade te bepaal; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(*Afrikaanse teks deur die Staatspresident geteken.*)
(*Goedgekeur op* 6 *April* 1976.)

Hierdie Wet is onderverdeel in verskillende dele wat onderskeidelik betrekking het op die volgende aangeleenthede:

Aanhef		*Artikels*
DEEL I	Verlening van selfregering aan Rehoboth en herinstelling van die bepalings van die Vaderlike Wet van 31 Januarie 1872	1– 5
DEEL II	Algemene Bepalings	6–41
DEEL III	Woordomskrywing en Kort Titel . . .	42–43
BYLAE		

AANHEF

NADEMAAL dit die begeerte van die burgers van die „Rehoboth Gebiet" is dat selfregering binne die gebied Suidwes-Afrika aan hulle verleen word;

EN NADEMAAL die burgers van genoemde „Gebiet" groot agting het vir hulle eie tradisies en die bestuursinstellings van hulle voorvaders soos beliggaam in hulle vaderlike wette;

EN NADEMAAL dit wenslik is om op die grondslag van die voorstelle van die Baster- Adviserende Raad van Rehoboth en op versoek van die volk van Rehoboth en sonder om afbreuk te doen aan enige verdere staatkundige ontwikkeling van die gebied Suidwes-Afrika selfregering aan genoemde volk te verleen en 'n regering vir Rehoboth tot stand te bring wat—

wet en orde in Rehoboth sal handhaaf en geregtigheid aan almal sal verseker;

die stoflike en geestelike welvaart van Rehoboth en sy inwoners sal bevorder;

hul eie tradisies en kultuur sal beskerm en uitbou;

die ideale van die Christelike beskawing sal uitdra; en

vrede met en goedgesindheid teenoor die ander bewoners van die gebied Suidwes-Afrika sal nastreef:

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ACT

To grant self-government in accordance with the Paternal Law of 1872 to the citizens of the "Rehoboth Gebiet" within the territory of South West Africa; for that purpose to provide for the establishment of a Kaptein's Council and a Legislative Council for the said "Gebiet"; to determine the powers and functions of the said councils; and to provide for matters connected therewith.

(*Afrikaans text signed by the State President.*)
(*Assented to* 6 *April* 1976.)

This Act is divided into different parts which severally relate to the following matters:

Preamble		*Sections*
PART I	Grant of self-government to Rehoboth and re-institution of the provisions of the Paternal Law of 31 January 1872	1–5
PART II	General provisions	6–41
PART III	Definitions and Short Title	42–43
SCHEDULE		

PREAMBLE

WHEREAS it is the desire of the citizens of the "Rehoboth Gebiet" that self-government within the territory of South West Africa be granted to them;

AND WHEREAS the citizens of the said "Gebiet" have great respect for their own traditions and the management institutions of their ancestors as embodied in their paternal laws;

AND WHEREAS it is desirable to grant self-government to the people of Rehoboth on the basis of the proposals by the Baster Advisory Council of Rehoboth and at the request of the said people and without prejudicing any further constitutional development of the territory of South West Africa, to establish on such basis and at such request a government for Rehoboth that—

will maintain law and order in Rehoboth and will ensure justice to all;

will promote the material and spiritual well-being of Rehoboth and its inhabitants;

will protect and develop their own traditions and culture;

will propagate the ideals of the Christian civilization; and

will strive after peace with and goodwill to the other inhabitants of the territory of South West Africa:

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

DEEL I

VERLENING VAN SELFREGERING AAN REHOBOTH EN HERINSTELLING VAN DIE BEPALINGS VAN DIE VADERLIKE WET VAN 31 JANUARIE 1872

„Rehoboth Gebiet" 'n selfregerende gebied.

1. Die „Rehoboth Gebiet", soos beskryf in artikel 6, is onder die naam Rehoboth 'n selfregerende gebied binne die gebied Suidwes-Afrika ooreenkomstig die bepalings van hierdie Wet.

Die Kapteinsraad.

2. (1) Daar is 'n Kapteinsraad wat ooreenkomstig die bepalings van hierdie artikel saamgestel word.

(2) Aan die hoof van die Kapteinsraad staan 'n burger van Rehoboth wat die stemgeregtigde burgers van Rehoboth tot Kaptein gekies het en wat as sodanig bevestig is en wat sy amp vir 'n tydperk van vyf jaar beklee, tensy hy bedank of deur siekte of ander buitengewone omstandighede verhinder word om sy amp verder te beklee: Met dien verstande dat 'n Kaptein by verstryking van sy ampstermyn herkiesbaar is.

(3) Die Kaptein word bygestaan deur twee burgers van Rehoboth wat die Kaptein aanwys en wat hul ampte beklee solank dit hom behaag en wat saam met hom die Kapteinsraad uitmaak.

(4) Ingeval die Kaptein te sterwe kom of bedank of verhinder word om sy amp verder te beklee, word 'n ander Kaptein so spoedig doenlik deur die stemgeregtigde burgers van Rehoboth gekies en word hy as sodanig bevestig.

(5) Totdat 'n nuwe Kaptein gekies en bevestig is, neem die lid van die Kapteinsraad met die langste aaneenlopende diens as Kaptein waar, en indien dienende lede ewe veel aaneenlopende diens het, dan neem die oudste van hulle aldus waar.

(6) Die lede van die Kapteinsraad wat deur die Kaptein aangewys is, is vir bestuursdoeleindes heeltyds tot beskikking van die Kaptein, en indien so 'n lid om dringende redes uit sy amp afwesig sal wees, moet die Kaptein vooraf daaroor ingelig word en kan hy vir die tydperk van daardie afwesigheid 'n waarnemende lid aanstel.

Die Volksraad.

3. (1) Jaarliks, gedurende Januariemaand, kies die stemgeregtigde burgers van Rehoboth 'n Volksraad wat bestaan uit ses lede, wat hul ampte beklee totdat 'n nuwe Volksraad gekies is.

(2) By die verkiesing van lede van die Volksraad kan 'n lid van die Kapteinsraad teenwoordig wees om onreëlmatighede te verhoed, maar 'n lid wat teenwoordig is, mag hom op generlei wyse met die wettige verloop van die verkiesing inmeng nie.

(3) Die lede van die Volksraad kies uit hulle midde 'n Spreker, wat volgens eie diskresie en so dikwels as wat hy dit nodig ag die Volksraad byeenroep.

(4) Deur die Spreker pleeg die Volksraad oorleg met die burgers van Rehoboth, behartig die Volksraad oor die algemeen en, behoudens die bepalings van artikel 12, die belange van die burgers en dra die Volksraad ook die wense en begeertes van die burgers oor aan die Kapteinsraad.

Die Wetgewende Gesag.

4. (1) Die Wetgewende Gesag van Rehoboth bestaan uit die Kapteinsraad en die Volksraad.

(2) Wetsontwerpe word deur die Kapteinsraad opgestel en in geskrifte aan die Spreker versend.

(3) 'n Wetsontwerp word nie aan die Spreker versend nie alvorens die Kapteinsraad dit eenparig of, by verskil van mening, met 'n meerderheid van stemme aanvaar het.

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

PART I

Grant of Self-Government to Rehoboth and Re-Institution of the Provisions of the Paternal Law of 31 January 1872

"Rehoboth Gebiet" a self-governing territory.

1. The "Rehoboth Gebiet", as described in section 6, shall under the name Rehoboth be a self-governing territory within the territory of South West Africa in accordance with the provisions of this Act.

The Kaptein's Council.

2. (1) There shall be a Kaptein's Council constituted in accordance with the provisions of this section.

(2) At the head of the Kaptein's Council shall be a citizen of Rehoboth elected by the enfranchised citizens of Rehoboth as Kaptein and installed as such and who shall hold office for a period of five years, unless he resigns or is by illness or other exceptional circumstances prevented from continuing to hold office: Provided that a Kaptein shall on expiration of his period of office be eligible for re-election.

(3) The Kaptein shall be assisted by two citizens of Rehoboth designated by the Kaptein and who shall hold office during his pleasure and, with him, constitute the Kaptein's Council.

(4) In the event of the Kaptein's death or if he resigns or is prevented from continuing to hold office, another Kaptein shall as soon as is practicable be elected by the enfranchised citizens of Rehoboth and installed as such.

(5) Until such time as a new Kaptein has been elected and installed, the member of the Kaptein's Council having the longest continuous service shall act as Kaptein, and if serving members have equal continuous service, the eldest of them shall so act.

(6) The members of the Kaptein's Council designated by the Kaptein shall for administration purposes be at the full-time disposal of the Kaptein, and if any such member will for urgent reasons be absent from office, the Kaptein shall beforehand be informed thereof, and he may appoint an acting member for such period of absence.

The Legislative Council.

3. (1) The enfranchised citizens of Rehoboth shall elect annually, during the month of January, a Legislative Council consisting of six members, who shall hold office until a new Legislative Council has been elected.

(2) A member of the Kaptein's Council may be present at the election of members of the Legislative Council to prevent any irregularities, but a member present shall in no way interfere with the lawful conduct of the election.

(3) The members of the Legislative Council shall choose from among themselves a Speaker, who shall in his discretion and as often as he deems it necessary, convene a meeting of the Legislative Council.

(4) The Legislative Council shall through the Speaker consult with the citizens of Rehoboth, promote in general and subject to the provisions of section 12 the interests of the citizens and also convey the wishes and desires of the citizens to the Kaptein's Council.

The Legislative Authority.

4. (1) The Legislative Authority of Rehoboth shall consist of the Kaptein's Council and the Legislative Council.

(2) Bills shall be drafted by the Kaptein's Council and transmitted in writing to the Speaker.

(3) A bill shall not be transmitted to the Speaker unless it has been accepted by the Kaptein's Council unanimously or, in the event of a difference of opinion, by a majority of votes.

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(4) Alle besprekings op vergaderings van die Kapteinsraad is geheim, en skending van geheimhouding is strafbaar met 'n boete van hoogstens R10 sowel as 'n grond vir ontslag van die betrokke lid.

(5) By ontvangs van 'n wetsontwerp roep die Spreker onmiddellik die Volksraad byeen om die wetsontwerp te oorweeg.

(6) By aanvaarding van 'n wetsontwerp deur die Volksraad stuur die Spreker dit, behoorlik gesertifiseer, terug aan die Kaptein, wat daarna ooreenkomstig die bepalings van hierdie wet verder daarmee handel.

(7) (*a*) Die Volksraad moet binne sestig dae na ontvangs van 'n wetsontwerp deur die Spreker die wetsontwerp aanvaar of die Kapteinsraad deur middel van die Spreker van die nie-aanvaarding daarvan in kennis stel.

(*b*) Indien die Volksraad in gebreke bly om aan die bepalings van paragraaf (*a*) te voldoen, word die Volksraad geag die betrokke wetsontwerp te aanvaar het en handel die Kaptein daarmee asof dit ooreenkomstig die bepalings van subartikel (6) gesertifiseer is.

(8) (*a*) Indien die Volksraad 'n wetsontwerp nie aanvaar nie en die Kapteinsraad ooreenkomstig subartikel (7) (*a*) daarvan in kennis gestel het, kan die Kaptein 'n gesamentlike vergadering van die Kapteinsraad en die Volksraad belê, waarop, na bespreking, oor die wetsontwerp deur die lede van die Volksraad en van die Kapteinsraad gestem word.

(*b*) Indien die wetsontwerp eenparig of by 'n meerderheid van stemme aanvaar word, word daarmee ooreenkomstig subartikel (6) gehandel.

(9) By 'n stemming van die Kapteinsraad en die Volksraad ooreenkomstig die bepalings van subartikel (8) het die Kaptein, by 'n staking van stemme, benewens sy gewone stem ook 'n beslissende stem.

(10) (*a*) Indien die Kapteinsraad en die Volksraad op 'n gesamentlike vergadering ingevolge die bepalings van subartikel (8) (*a*) belê 'n wetsontwerp afkeur, kan die Kaptein, indien hy daarmee wil voortgaan, die stemgeregtigdes van die geskil in kennis laat stel en 'n vergadering van stemgeregtigdes, met inbegrip van lede van die Kapteinsraad en van die Volksraad, laat belê.

(*b*) Die geskil word op die vergadering bespreek, en daar word deur stemming tot 'n beslissing daaroor geraak.

(*c*) Indien die wetsontwerp eenparig of by meerderheid van stemme aanvaar word, word daarmee ooreenkomstig subartikel (6) gehandel.

(11) By 'n stemming ingevolge die bepalings van subartikel (10) het elke stemgeregtigde een stem, maar het die lede van die Kapteinsraad wat deur die Kaptein aangewys is, elk twee stemme, en het die Kaptein 'n getal stemme gelykstaande met een tiende van die totale getal ander uitgebragte stemme.

Burgerskap.

5. (1) (*a*) Elke persoon gebore uit 'n burger of burgers van Rehoboth is ook 'n burger van Rehoboth.

(*b*) In geval van verskil van mening oor die vraag of iemand 'n burger van Rehoboth is of nie, is die beslissing van die Kapteinsraad daaroor afdoende.

(2) (*a*) Iemand wat met 'n burger van Rehoboth getroud is, kan homself by die Kapteinsraad aanmeld en aansoek doen om as 'n burger van Rehoboth aangeneem te word.

(*b*) Indien hy onderneem om die wette van Rehoboth te gehoorsaam en aan die lede van die Kapteinsraad bekend is, kan hy deur die Kapteinsraad in die teenwoordigheid van die Spreker as burger van Rehoboth aangeneem word.

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(4) All discussions at meetings of the Kaptein's Council shall be secret, and any breach of secrecy shall be punishable by a fine not exceeding R10 as well as a ground for dismissing the member concerned.

(5) On receipt of a bill the Speaker shall forthwith convene a meeting of the Legislative Council to consider the bill.

(6) On acceptance of a bill by the Legislative Council the Speaker shall return it, duly certified, to the Kaptein, who shall thereupon further deal with it in accordance with the provisions of this Act.

(7) (*a*) The Legislative Council shall within sixty days after the receipt of a bill by the Speaker either accept it or advise the Kaptein's Council through the Speaker that it has not been accepted.

(*b*) If the Legislative Council fails to comply with the provisions of paragraph (*a*) it shall be deemed to have accepted the bill in question and the Kaptein shall deal with it as if it had been certified in accordance with the provisions of subsection (6).

(8) (*a*) If the Legislative Council does not accept a bill and has in accordance with subsection (7) (*a*) advised the Kaptein's Council thereof, the Kaptein may convene a joint meeting of the Kaptein's Council and the Legislative Council, at which, after discussion, the members of the Legislative Council and of the Kaptein's Council shall vote on the bill.

(*b*) If the bill is accepted unanimously or by a majority of votes, it shall be dealt with in accordance with subsection (6).

(9) At a voting by the Kaptein's Council and the Legislative Council in accordance with the provisions of subsection (8), the Kaptein shall, in the event of an equality of votes, have a casting vote in addition to his deliberative vote.

(10) (*a*) If the Kaptein's Council and the Legislative Council reject a bill at a joint meeting convened in terms of the provisions of subsection (8) (*a*) the Kaptein may, if he wishes to proceed with the bill, cause the voters to be notified of the dispute, and cause a meeting of voters, including members of the Kaptein's Council and of the Legislative Council, to be convened.

(*b*) The dispute shall be discussed at such meeting and decided by putting it to the vote.

(*c*) If the bill is accepted unanimously or by a majority of votes, it shall be dealt with in accordance with subsection (6).

(11) At a voting in terms of the provisions of subsection (10) each voter shall have one vote, but the members of the Kaptein's Council designated by the Kaptein shall each have two votes, and the Kaptein a number of votes equal to one-tenth of the total number of other votes cast.

Citizenship.

5. (1) (*a*) Every person born of a citizen or citizens of Rehoboth shall also be a citizen of Rehoboth.

(*b*) In the case of difference of opinion on the question whether or not any person is a citizen of Rehoboth, the decision of the Kaptein's Council thereon shall be final.

(2) (*a*) Any person who is married to a citizen of Rehoboth may present himself to the Kaptein's Council and apply to be accepted as a citizen of Rehoboth.

(*b*) If he undertakes to obey the laws of Rehoboth and is known to the members of the Kaptein's Council, he may in the presence of the Speaker be accepted by the Kaptein's Council as a citizen of Rehoboth.

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(c) Indien die aansoeker onderneem om genoemde wette te gehoorsaam maar nie aan die lede van die Kapteinsraad bekend is nie, stel die Kapteinsraad die Spreker van die aansoek in kennis, en hy moet dit minstens ses maande lank bekend maak op die wyse wat hy goedvind, maar in die bekendmaking ook vermeld dat besware teen die aansoek by die Kapteinsraad ingedien kan word.

(d) Na verstryking van genoemde tydperk kan die Kapteinsraad, na oorweging van besware, indien daar is, die aansoek in die teenwoordigheid van die Spreker toestaan of afkeur.

DEEL II

ALGEMENE BEPALINGS

Gebiedsomskrywing.

6. Rehoboth bestaan uit die distrik Rehoboth soos omskryf in Bylae G by Goewermentskennisgewing No. R1148 van 30 Junie 1972, maar die Regering van Rehoboth word nie verhinder om onderhandelings te voer oor die uitbreiding van die grense van Rehoboth nie.

Vlag.

7. Die Kapteinsraad kan in oorleg met die Volksraad 'n vlag vir Rehoboth ontwerp en registreer, wat gehys word op die plekke en by die geleenthede wat die Kapteinsraad bepaal.

Volkslied.

8. Die Kapteinsraad kan in oorleg met die Volksraad 'n amptelike Volkslied vir Rehoboth aanvaar.

Amptelike tale.

9. Die amptelike tale van Rehoboth is Afrikaans en Engels.

Verkiesing van Kaptein en Volksraadslede.

10. (1) Die eerste verkiesing van 'n Kaptein en lede van die Volksraad vind plaas op die plek of plekke, tye en wyse wat die Minister, na oorlegpleging met die Baster- Adviserende Raad van Rehoboth, bepaal, en verkiesings daarna vind plaas op die plekke, tye en wyse wat die Kapteinsraad onderworpe aan die ander bepalings van hierdie Wet bepaal: Met dien verstande dat die eerste verkiesing van lede van die Volksraad minstens twee-en-veertig dae na die eerste verkiesing van die Kaptein moet plaasvind.

(2) 'n Kandidaat vir die Kapteinskap of vir die Volksraad word genomineer deur die verstrekking aan die Landdros van Rehoboth, minstens dertig dae voor die datum van die verkiesing en op 'n tyd en plek deur die Landdros bepaal, van 'n skriftelike stuk onderteken deur minstens tien stemgeregtigde burgers waarin hulle te kenne gee dat hulle die kandidatuur van daardie kandidaat ondersteun en hy onder sy handtekening in sy nominasie toestem.

(3) By nominasie deponeer die kandidaat, of iemand namens hom, 'n bedrag van R200, indien hy 'n kandidaat vir die Kapteinskap is, en R100, indien hy 'n kandidaat vir die Volksraad is, en indien 'n kandidaat nie verkies word nie en nie minstens 'n getal stemme verkry nie wat gelyk is aan een vyfde van die getal stemme wat uitgebring is op die kandidaat op wie die grootste getal stemme uitgebring is, verbeur hy sy deposito en word dit in die Rehoboth-inkomstefonds gestort.

(4) (a) Voorsiening moet gemaak word vir die hou van verkiesings deur geheime stemming, en elke manlike en elke vroulike burger van Rehoboth bo die ouderdom van 18 jaar wat volle burgerregte besit ooreenkomstig die gebruike van die Rehoboth-Bastergemeente, is stemgeregtig.

(b) In geval van verskil van mening oor die vraag of iemand volle burgerregte besit of nie, is die beslissing van die Kapteinsraad daaroor afdoende.

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(*c*) If the applicant undertakes to obey the said laws but is not known to the members of the Kaptein's Council, it shall advise the Speaker of the application, and he shall make it known for a period of at least six months in such manner as he may deem fit, but also stating in such notification that objections to the application may be lodged with the Kaptein's Council.

(*d*) After the expiration of the said period the Kaptein's Council may, after consideration of objections, if any, grant or refuse the application in the presence of the Speaker.

PART II

GENERAL PROVISIONS

Definition of area.

6. Rehoboth shall consist of the district of Rehoboth as defined in Annexure G to Government Notice No. R1148 of 30 June 1972, but the Government of Rehoboth shall not be prevented from negotiating for an extension of the boundaries of Rehoboth.

Flag.

7. The Kaptein's Council may in consultation with the Legislative Council design and register a flag for Rehoboth, which shall be flown at the places and on the occasions determined by the Kaptein's Council.

National Anthem.

8. The Kaptein's Council may in consultation with the Legislative Council accept an official National Anthem for Rehoboth.

Official languages.

9. The official languages of Rehoboth shall be English and Afrikaans.

Election of Kaptein and members of Legislative Council.

10. (1) The first election of a Kaptein and members of the Legislative Council shall take place at such place or places and times and in such manner as may be determined by the Minister after consultation with the Baster Advisory Council of Rehoboth, and elections thereafter shall take place at such places and times and in such manner as may be determined by the Kaptein's Council subject to the other provisions of this Act: Provided that the first election of members of the Legislative Council shall take place not less than forty-two days after the first election of the Kaptein.

(2) A candidate for the office of Kaptein or for the Legislative Council shall be nominated by the submission to the Magistrate of Rehoboth not less than thirty days prior to the date of the election, and at a time and place determined by the Magistrate, of a written document signed by not less than ten citizens entitled to vote and in which they intimate that they support the candidature of that candidate and he consents under his hand to his nomination.

(3) On nomination the candidate, or somebody on his behalf, shall deposit an amount of R200, if he is a candidate for the office of Kaptein, and R100, if he is a candidate for the Legislative Council, and if a candidate is not elected and does not obtain at least a number of votes equal to one-fifth of the number of votes cast in favour of the candidate who obtained the greatest number of votes, his deposit shall be forfeited and paid into the Rehoboth Revenue Fund.

(4) (*a*) Provision shall be made for the holding of elections by secret ballot, and every citizen of Rehoboth, whether male or female, over the age of 18 years, who has full citizenship rights in accordance with the customs of the Rehoboth Baster Community, shall have the vote.

(*b*) In the case of difference of opinion on the question whether or not any person has full citizenship rights, the decision of the Kaptein's Council thereon shall be final.

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(5) Elke kieser is geregtig om een stem uit te bring ten opsigte van elke vakature waarvoor hy kan stem, maar slegs een stem vir 'n bepaalde kandidaat, en in die geval van 'n verkiesing van lede van die Volksraad moet die kieser een stem uitbring ten opsigte van elke vakature waarvoor hy kan stem.

(6) Enige bepaling ingevolge subartikel (1) of (7) in verband met die plekke, tye en wyse waarop 'n verkiesing van 'n Kaptein of lede van die Volksraad gehou moet word en enige afkondigings in verband met so 'n verkiesing word deur die landdros van Rehoboth in die *Ampskoerant* van Rehoboth afgekondig minstens twee-en-veertig dae voor die datum waarop die verkiesing moet plaasvind.

(7) Wanneer 'n verkiesing van lede van die Volksraad gehou moet word maar om die een of ander rede nie gehou word nie, laat die Minister 'n verkiesing te eniger tyd plaasvind op die plek en wyse deur hom bepaal, en so 'n verkiesing word geag kragtens die ander toepaslike bepalings van hierdie artikel plaas te gevind het.

Totstandkoming van Regering van Rehoboth en bevestiging van Kaptein, Kapteinsraadslede en Volksraadslede in hul ampte.

11. (1) 'n Regering vir Rehoboth kom tot stand op die datum van die eerste bevestiging van die Kaptein en die ander lede van die Kapteinsraad en die lede van die Volksraad in hul ampte deur of namens die Staatspresident.

(2) Die Kaptein, 'n lid van die Kapteinsraad en 'n lid van die Volksraad moet voor die aanvaarding van sy pligte by 'n openbare geleentheid 'n plegtige verklaring in die volgende vorm aflê en onderteken:

> Ek,..., verklaar hierby plegtig voor almal hier teenwoordig dat ek my amp as .... van Rehoboth op 'n eervolle en waardige wyse sal beklee, dat ek die Wet op Selfregering vir Rehoboth, 1976, en alle ander wette wat in Rehoboth van toepassing is, sal eerbiedig en handhaaf, dat ek opreg en getrou in my amp sal wees en geen sake wat geheimhouding verg of wat vir geheimhouding aan my toevertrou word, regstreeks of onregstreeks sal openbaar nie en dat ek my ampspligte met nougesetheid en na my beste vermoë sal nakom.

Uitvoerende gesag berus by Kapteinsraad.

12. Die uitvoerende gesag van Rehoboth met betrekking tot alle aangeleenthede ten opsigte waarvan die Wetgewende Gesag van Rehoboth ingevolge hierdie Wet wette kan maak, berus by die Kapteinsraad.

Administratiewe beheer, bevoegdhede, magte en werksaamhede van Kapteinsraad.

13. Behoudens die bepalings van hierdie Wet berus, vanaf die datum waarop 'n regering vir Rehoboth ingevolge artikel 11 (1) tot stand kom, die administratiewe beheer, bevoegdhede, magte en werksaamhede met betrekking tot alle aangeleenthede ten opsigte waarvan die Wetgewende Gesag van Rehoboth ingevolge hierdie Wet wette kan maak, en wat onmiddellik voor genoemde datum berus het by of uitgeoefen is deur die Staatspresident of die Administrateur of die Uitvoerende Komitee of die Administrateur-in-Uitvoerende Komitee van die gebied Suidwes-Afrika of die Landdros van Rehoboth in sy hoedanigheid van Kaptein, by die Kapteinsraad: Met dien verstande dat die bepalings van hierdie Wet nie so uitgelê word nie dat dit enige Staatsdepartement, inrigting, raad, liggaam of persoon onder beheer van die Regering van die Republiek of die administrasie van die gebied Suidwes-Afrika verhinder om ooreenkomstig die bedinge en voorwaardes waaromtrent tussen genoemde Regering of administrasie en die Kapteinsraad ooreengekom word, enige werksaamhede in verband met so 'n aangeleentheid te verrig nie.

Bevoegdhede van Kaptein.

14. (1) Die Kaptein of, in sy tydelike afwesigheid, die lid van die Kapteinsraad deur hom vir dié doel benoem, sit voor op vergaderings van die Kapteinsraad.

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(5) Every voter shall be entitled to cast one vote in respect of each vacancy for which he may vote, but only one vote for a particular candidate, and in the case of an election of members of the Legislative Council the voter shall cast one vote in respect of each vacancy for which he may vote.

(6) Any determination in terms of subsection (1) or (7) in connection with the places and times at which and the manner in which an election of a Kaptein or members of the Legislative Council shall be held and any publications in connection with any such election shall be published in the *Official Gazette* of Rehoboth by the magistrate of Rehoboth not less than forty-two days prior to the date on which such election is to take place.

(7) When an election of members of the Legislative Council is to be held but is for any reason not held, the Minister shall cause an election to take place at any time and at the place and in the manner determined by him, and any such election shall be deemed to have taken place under the other appropriate provisions of this section.

Coming into being of Government of Rehoboth and installation in office of Kaptein and members of Kaptein's Council and of Legislative Council.

11. (1) A government for Rehoboth shall come into being on the date of the first installation in office of the Kaptein and the other members of the Kaptein's Council and of the members of the Legislative Council by or on behalf of the State President.

(2) The Kaptein, a member of the Kaptein's Council and a member of the Legislative Council shall, before assuming duty and at a public function, make and subscribe to a solemn declaration in the following form:

> I, ..., hereby solemnly declare before everybody here present that I will hold my office as .... of Rehoboth with honour and dignity, will respect and uphold the Rehoboth Self-government Act, 1976, and all other laws applicable in Rehoboth, will be true and faithful in my office and will not divulge directly or indirectly any matters demanding secrecy or entrusted to me under secrecy and will perform the duties of my office conscientiously and to the best of my ability.

Executive Government vested in Kaptein's Council.

12. The executive government of Rehoboth in regard to all matters in respect of which the Legislative Authority of Rehoboth is in terms of this Act empowered to make laws shall vest in the Kaptein's Council.

Administrative control, powers, authorities and functions of Kaptein's Council.

13. Subject to the provisions of this Act the administrative control, powers, authorities and functions in relation to all matters in respect of which the Legislative Authority of Rehoboth is in terms of this Act empowered to make laws and which immediately prior to the date on which a government for Rehoboth comes into being in terms of section 11 (1), were vested in or exercised by the State President or the Administrator or the Executive Committee or the Administrator-in-Executive Committee of the territory of South West Africa or the Magistrate of Rehoboth in his capacity as Kaptein, shall from the said date be vested in the Kaptein's Council: Provided that nothing in this Act contained shall be construed as preventing any department of State, institution, board, body or person under the control of the Government of the Republic or the administration of the territory of South West Africa from performing any functions in connection with any such matter in accordance with such terms and conditions as may be agreed upon between the said Government or administration and the Kaptein's Council.

Powers of Kaptein.

14. (1) The Kaptein or, in his temporary absence, the member of the Kaptein's Council nominated by him for the purpose, shall preside at meetings of the Kaptein's Council.

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(2) Die Kaptein moet die bevoegdhede, pligte en werksaamhede wat ten opsigte van die verskillende aangeleenthede in die Bylae vermeld, uitgeoefen of verrig moet word, onder verskillende departemente indeel, en kan na goeddunke die administrasie van die verskillende departemente aan die onderskeie lede van die Kapteinsraad opdra en toewys, en kan, indien nodig, bedoelde departemente na oorlegpleging met die betrokke lede van die Kapteinsraad, met die oog op beter administrasie herorganiseer.

Oordrag van sekere wetlike en uitvoerende bevoegdhede.

15. Alle regte, bevoegdhede, gesag, pligte, verpligtings en werksaamhede wat onmiddellik voor die datum waarop 'n regering vir Rehoboth ingevolge artikel 11 (1) tot stand gekom het, kragtens enige wet of ordonnansie by 'n ander gesag of persoon in die Republiek of die gebied Suidwes-Afrika as 'n gesag of persoon bedoel in artikel 13 berus het, en wat betrekking het op aangeleenthede ten opsigte waarvan die Wetgewende Gesag van Rehoboth ingevolge hierdie Wet wette kan maak, berus vanaf genoemde datum by die ooreenstemmende gesag of persoon wat soortgelyke regte, bevoegdhede, gesag, pligte, verpligtings en werksaamhede vanaf daardie datum in Rehoboth uitoefen of verrig.

Wetgewende bevoegdhede van Kapteinsraad en Volksraad.

16. (1) Behoudens die bepalings van hierdie Wet is die Kapteinsraad en die Volksraad bevoeg—

(*a*) om wette te maak, wat nie met hierdie Wet strydig is nie, ten opsigte van al die aangeleenthede in die Bylae genoem; en

(*b*) om in so 'n wet vir 'n wysiging of die herroeping van enige wet, met inbegrip van 'n Wet van die Parlement en 'n ordonnansie van die Wetgewende Vergadering van die gebied Suidwes-Afrika, voorsiening te maak, vir sover dit op so 'n aangeleentheid betrekking het en van toepassing is in Rehoboth of op 'n burger van Rehoboth, hetsy hy in of buite Rehoboth, maar in die gebied Suidwes-Afrika, is of woon.

(2) Waar die Wetgewende Gesag van Rehoboth wette kan maak wat van toepassing is in 'n gebied buite Rehoboth, of ten opsigte van burgers van Rehoboth wat buite Rehoboth is of woon, geld so 'n wet en kan dit bepalings bevat vir die behoorlike toepassing daarvan in bedoelde gebied of, na gelang van die geval, met betrekking tot so 'n burger in die gebied Suidwes-Afrika, ongeag waar hy hom ook al bevind of woon.

(3) Geen wet wat na die inwerkingtreding van hierdie Wet gemaak word (met inbegrip van 'n Wet van die Parlement of 'n ordonnansie van die Wetgewende Vergadering van die gebied Suidwes-Afrika, maar uitgesonderd 'n wet gemaak deur 'n bevoegde gesag in Rehoboth) en wat betrekking het op 'n aangeleentheid bedoel in subartikel (1) is van toepassing nie in Rehoboth of met betrekking tot 'n burger van Rehoboth ten opsigte van wie die Wetgewende Gesag van Rehoboth wette kan maak, vir sover dit so 'n aangeleentheid betref.

Toestemming tot wette.

17. (1) Elke wetsontwerp wat ingevolge artikel 4 (6), (7), (8) of (10) aanvaar is of geag word aanvaar te wees, na gelang van die geval, moet onverwyld, tesame met sodanige verduidelikende opmerkings as wat nodig mag wees om die omvang, uitwerking en redes vir die aanvaarding daarvan aan te dui, aan die Minister gestuur word om aan die Staatspresident vir sy toestemming voorgelê te word.

(2) (*a*) Die Staatspresident kan, wanneer 'n wetsontwerp aan hom voorgelê word, verklaar dat hy daartoe toestem of dit na die Kapteinsraad terugverwys vir verdere oorweging in die lig van sodanige verdere inligting en advies as wat gegee mag word.

(*b*) Indien die Staatspresident sy toestemming tot 'n wetsontwerp verleen, onderteken hy een eksemplaar van die wetsontwerp.

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(2) The Kaptein shall allocate the powers, duties and functions to be exercised or performed in respect of the various matters set out in the Schedule among different departments, and may in his discretion assign and allocate the administration of the different departments to the several members of the Kaptein's Council and may, if necessary, after consultation with the members of the Kaptein's Council concerned, reorganize such departments with a view to better administration.

Transfer of certain legal and executive powers.

15. All rights, powers, authorities, duties, obligations and functions which immediately prior to the date on which a government for Rehoboth came into being in terms of section 11 (1), were under any law or ordinance vested in any authority or person in the Republic or the territory of South West Africa, other than an authority or person referred to in section 13, and which relate to matters in respect of which the Legislative Authority of Rehoboth is in terms of this Act empowered to make laws, shall as from the said date vest in the corresponding authority or person exercising or performing similar rights, powers, authorities, duties, obligations and functions in Rehoboth as from that date.

Legislative powers of Kaptein's Council and Legislative Council.

16. (1) Subject to the provisions of this Act the Kaptein's Council and the Legislative Council shall have the power—

(*a*) to make laws, not inconsistent with this Act, in respect of all matters set out in the Schedule; and

(*b*) to provide in any such law for an amendment or the repeal of any law, including any Act of Parliament and any ordinance of the Legislative Assembly of the territory of South West Africa, in so far as it relates to any such matter and applies in Rehoboth or to any citizen of Rehoboth, whether such citizen is or is resident within or outside Rehoboth, but within the territory of South West Africa.

(2) Where the Legislative Authority of Rehoboth is empowered to make laws applicable in any area outside Rehoboth or in respect of citizens of Rehoboth who are or are resident outside Rehoboth, any such law shall have effect and may contain provision for the due enforcement thereof in any such area or, as the case may be, in relation to any such citizen within the territory of South West Africa, wherever such citizen may be or may be resident.

(3) No law made after the commencement of this Act (including any Act of Parliament or an ordinance of the Legislative Assembly of the territory of South West Africa, but excluding any law made by a competent authority in Rehoboth) and which relates to any matter referred to in subsection (1) shall apply in Rehoboth or in relation to any citizen of Rehoboth in respect of whom the Legislative Authority of Rehoboth is empowered to make laws, in so far as that matter is concerned.

Assent to laws.

17. (1) Every bill accepted or deemed to have been accepted in terms of section 4 (6), (7), (8) or (10), as the case may be, shall forthwith, together with such explanatory observations as may be necessary to indicate the scope, effect and reasons for the accepting thereof, be transmitted to the Minister for presentation to the State President for his assent.

(2) (*a*) The State President may, on presentation to him of a bill, declare that he assents thereto or refer it back to the Kaptein's Council for further consideration in the light of such further information and advice as may be given.

(*b*) If a bill is assented to by the State President, one copy of the bill shall be signed by him.

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Afkondiging en datum van inwerkingtreding van wette.

18. (1) Die Kapteinsraad laat elke wet waartoe toestemming ingevolge artikel 17 verleen is, in die *Ampskoerant* van Rehoboth afkondig.

(2) 'n Wet tree in werking op die datum waarop dit in die *Ampskoerant* van Rehoboth afgekondig is, tensy die wet self bepaal dat dit op 'n ander datum of op 'n datum wat by kennisgewing daarkragtens bepaal moet word, in werking tree.

(3) 'n Wet waartoe die Staatspresident ingevolge artikel 17 toegestem het en wat in die *Ampskoerant* van Rehoboth afgekondig is, het regskrag, onderworpe aan die bepalings van hierdie Wet.

Ondertekening en registrasie van wette.

19. (1) So spoedig moontlik nadat die Staatspresident toestemming tot 'n wet verleen het, laat die Kaptein skoon eksemplare van die wet, in elk van die twee amptelike tale, in die register van die griffier van die Suidwes-Afrika-afdeling van die Hooggeregshof van Suid-Afrika opneem.

(2) Bedoelde eksemplare is afdoende bewys van die bepalings van die wet, en in geval van verskil tussen die eksemplare aldus opgeneem, gee die eksemplaar wat deur die Staatspresident onderteken is die deurslag.

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

Jurisdiksie betreffende geldigheid van wette.

20. (1) Die Suidwes-Afrika-afdeling van die Hooggeregshof van Suid-Afrika het regsbevoegdheid oor alle sake waarby die geldigheid van 'n wet van die Wetgewende Gesag van Rehoboth ter sprake kom.

(2) 'n Landdroshof of ander laerhof is nie bevoeg om oor die geldigheid van 'n wet van genoemde Wetgewende Gesag te beslis nie.

Voortbestaan van bestaande wette, pligte, regte en voorregte.

21. (1) Behoudens die bepalings van hierdie Wet bly alle wette wat onmiddellik voor die inwerkingtreding van hierdie Wet in Rehoboth gegeld het, van krag totdat hulle deur die bevoegde gesag herroep of gewysig word.

(2) Iemand wat 'n burger van Rehoboth is, word nie bloot op grond van die bepalings van artikel 5 van enige pligte, verpligtings of verantwoordelikhede onthef nie en verbeur nie bloot op grond daarvan enige bestaande regte, voorregte of voordele wat by ontstentenis van bedoelde bepalings in sy geval van toepassing sou gewees het nie.

(3) Die Republiek beskou nie 'n burger van Rehoboth as 'n vreemdeling in die Republiek of in die gebied Suidwes-Afrika nie, en verleen aan hom vir alle buitelandse doeleindes volle beskerming ingevolge die internasionale reg.

Prosedure in Volksraad.

22. Die Volksraad kan van tyd tot tyd reglemente van orde wat nie met hierdie Wet onbestaanbaar is nie, aanneem vir die reëling en bestuur van sy verrigtings en die afhandeling van sy werksaamhede, vir die aanname en benaming van en die toewysing van nommers aan wette en, onderworpe aan bekragtiging deur die Staatspresident, vir die voorlegging van bedoelde wette aan die Staatspresident.

Oordrag van grond en ander openbare eiendom aan die Regering van Rehoboth.

23. (1) Vanaf die datum van inwerkingtreding van hierdie Wet berus die eiendomsreg van en beheer oor alle roerende en onroerende goed in Rehoboth waarvan die eiendomsreg of beheer op daardie datum by die Regering van die Republiek of die administrasie van die gebied Suidwes-Afrika of die Rehoboth-Bastergemeente berus en wat betrekking het op sake waaroor die Wetgewende Gesag van Rehoboth wette kan maak, by die Regering van Rehoboth.

(2) Genoemde goed word oorgedra aan die Regering van Rehoboth sonder betaling van hereregte, seëlreg of enige ander gelde of koste, maar onderworpe aan enige bestaande reg, las, verpligting of trust op of oor sodanige eiendom en onderworpe verder aan die bepalings van hierdie Wet.

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Promulgation and date of commencement of laws.

18. (1) The Kaptein's Council shall cause every law to which assent has in terms of section 17 been given to be published in the *Official Gazette* of Rehoboth.

(2) A law shall come into operation on the date of its publication in the *Official Gazette* of Rehoboth, unless the law itself provides that it shall come into operation on another date or on a date to be fixed by notice thereunder.

(3) A law assented to by the State President in terms of section 17 and promulgated in the *Official Gazette* of Rehoboth shall, subject to the provisions of this Act, have the force of law.

Signature and enrolment of laws.

19. (1) As soon as possible after a law has been assented to by the State President the Kaptein shall cause fair copies of the law, in each of the two official languages, to be enrolled of record in the register of the registrar of the South-West Africa Division of the Supreme Court of South Africa.

(2) Such copies shall be conclusive evidence of the provisions of the law, and in the case of conflict between the copies thus enrolled the copy signed by the State President shall prevail.

(3) The validity or commencement of any law shall not be affected by failure to cause copies so to be enrolled.

Jurisdiction as to validity of laws.

20. (1) The South-West Africa Division of the Supreme Court of South Africa shall have jurisdiction in all matters in which the validity of a law of the Legislative Authority of Rehoboth shall come into question.

(2) No magistrate's court or other inferior court shall be competent to pronounce upon the validity of any law of the said Legislative Authority.

Continuation of existing laws, duties, rights and privileges.

21. (1) Subject to the provisions of this Act all laws which immediately prior to the commencement of this Act were in force in Rehoboth shall remain in force until repealed or amended by the competent authority.

(2) No person who is a citizen of Rehoboth shall by reason only of the provisions of section 5 be relieved of any duties, obligations or responsibilities or forfeit any existing rights, privileges or benefits which, but for the said provisions, would have been applicable in his case.

(3) The Republic shall not regard a citizen of Rehoboth as an alien in the Republic or in the territory of South West Africa, and shall afford him for all foreign purposes full protection according to international law.

Procedure in Legislative Council.

22. The Legislative Council may from time to time adopt standing rules and orders not inconsistent with this Act for the regulation and conduct of its proceedings and the dispatch of its business, for the passing, entitling and numbering of laws and, subject to confirmation by the State President, for the presentation of such laws to the State President.

Transfer of land and other public property to the Government of Rehoboth.

23. (1) From the date of commencement of this Act the ownership and control of all movable and immovable property in Rehoboth the ownership or control of which is on that date vested in the Government of the Republic or the administration of the territory of South West Africa or the Rehoboth Baster Community and which relates to matters in respect of which the Legislative Authority of Rehoboth is empowered to make laws, shall vest in the Government of Rehoboth.

(2) The said property shall be transferred to the Government of Rehoboth without payment of transfer duty, stamp duty or any other fee or charge, but subject to any existing right, charge, obligation or trust on or over such property and subject also to the provisions of this Act.

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(3) By voorlegging aan hom van die titelbewys van onroerende goed vermeld in subartikel (1), endosseer die betrokke Registrateur van Aktes dit ten effekte dat die onroerende goed wat daarin beskryf word, by die Regering van Rehoboth berus en maak hy die nodige inskrywings in sy registers, en daarop dien en geld genoemde titelbewys vir alle doeleindes as bewys van die titel van die Regering van Rehoboth op bedoelde eiendom.

Verkryging van grond en belang in grond in Rehoboth.

24. (1) Ondanks andersluidende bepalings van die een of ander wet wat in Rehoboth van toepassing is, mag niemand, behalwe 'n burger van Rehoboth en die Rehobothbeleggings- en -ontwikkelingskorporasie, sonder die voorafgaande goedkeuring van die Minister en die Kapteinsraad grond of 'n belang in grond in Rehoboth verkry nie.

(2) Die verkryging van grond of 'n belang in grond in stryd met die bepalings van subartikel (1) is nietig.

Rehoboth-inkomstefonds.

25. (1) Daar is 'n Rehoboth-inkomstefonds, waarin alle inkomste wat deur die Regering van Rehoboth gehef word of aan hom toeval, gestort word.

(2) Vanaf 'n datum wat die Minister bepaal, word daar in die Rehoboth-inkomstefonds gestort—

(*a*) al die geld betaalbaar—

(i) deur 'n burger van Rehoboth ten opsigte van belastings en heffings opgelê deur of ingevolge 'n wet van Rehoboth, behalwe vir sover die betrokke wet anders bepaal;

(ii) ingevolge 'n Wet van die Parlement of 'n ordonnansie van die Wetgewende Vergadering van die gebied Suidwes-Afrika wat 'n belasting hef op inkomste, profyt of wins (ongeag of die Wet of ordonnansie, na gelang van die geval, voor of na die inwerkingtreding van hierdie Wet aangeneem is of word), deur enige burger van Rehoboth wat gewoonlik in Rehoboth woonagtig is of deur iemand wat in Rehoboth sake doen of deur 'n maatskappy wat ingevolge die betrokke Wet of ordonnansie as 'n privaatmaatskappy erken word en in Rehoboth sake doen, op soveel van die inkomste, profyt of wins van so iemand of daardie maatskappy as wat hy in Rehoboth verkry het;

(iii) ingevolge 'n Wet van die Parlement wat 'n boedel- of suksessiebelasting hef (ongeag of die Wet voor of na die inwerkingtreding van hierdie Wet aangeneem is of word), ten opsigte van die boedel van 'n burger van Rehoboth wat ten tyde van sy dood gewoonlik in Rehoboth woonagtig was of aldaar eiendom besit het;

(iv) aan die fonds van die Rehoboth-Bastergemeente ingevolge enige bepaling, besluit of gebruik, en alle geld wat in kredit van daardie fonds staan;

(*b*) alle inkomste, met inbegrip van lisensiegelde, be lastings, kantoorgelde, boetes, verbeurings, huurgelde en ander geld verkry uit of in die loop van die administrasie van die aangeleenthede ten opsigte waarvan die Wetgewende Gesag van Rehoboth ingevolge hierdie Wet wette kan maak, of uit enige ander inkomstebronne wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal;

(*c*) die balans voorhande in die Spesiale Ontwikkelingsfonds vir Rehoboth op 'n datum wat die Minister bepaal;

(*d*) 'n jaarlikse toekenning, betaalbaar uit die Staatsinkomstefonds, van 'n bedrag wat deur die Minister van Finansies van die Republiek, na oorlegpleging met die Ouditeur-generaal, goedgekeur is en in ooreenstem-

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(3) The Registrar of Deeds concerned shall upon production to him of the title deed to any immovable property mentioned in subsection (1) endorse such title deed to the effect that the immovable property therein described is vested in the Government of Rehoboth and shall make the necessary entries in his registers, and thereupon the said title deed shall serve and avail for all purposes as proof of the title of the Government of Rehoboth to the said property.

Acquisition of land and interest in land in Rehoboth.

24. (1) Notwithstanding anything to the contrary contained in any law in force in Rehoboth no person, other than a citizen of Rehoboth or the Rehoboth Investment and Development Corporation, shall, without the prior approval of the Minister and the Kaptein's Council, acquire any land or any interest in land in Rehoboth.

(2) The acquisition of any land or any interest in land contrary to the provisions of subsection (1) shall be invalid.

Rehoboth Revenue Fund.

25. (1) There shall be a Rehoboth Revenue Fund, into which shall be paid all revenue raised by or accruing to the Government of Rehoboth.

(2) As from a date determined by the Minister there shall be paid into the Rehoboth Revenue Fund—

(*a*) all moneys payable—

(i) by any citizen of Rehoboth in respect of taxes and levies imposed by or in terms of any law of Rehoboth, except in so far as the law concerned determines otherwise;

(ii) in terms of any Act of Parliament or any ordinance of the Legislative Assembly of the territory of South West Africa imposing any tax on incomes, profits or gains (whether such Act or ordinance, as the case may be, has been or is passed before or after the commencement of this Act) by any citizen of Rehoboth who is ordinarily resident in Rehoboth or by any person who carries on business in Rehoboth or by any company which is recognized as a private company in terms of the relevant Act or ordinance and which carries on business in Rehoboth, on so much of the incomes, profits or gains of that person or company as he or it acquired in Rehoboth;

(iii) in terms of any Act of Parliament imposing an estate or succession duty (whether such Act has been or is passed before or after the commencement of this Act) in respect of the estate of any citizen of Rehoboth who at the time of his death was ordinarily resident in Rehoboth or was the owner of property therein;

(iv) in terms of any provision, resolution or practice, to the fund of the Rehoboth Baster Community, and all moneys standing to the credit of that fund;

(*b*) all revenue and income, including licence fees, taxes, fees of office, fines, forfeitures, rents and other moneys deriving from or in the course of the administration of those matters in respect of which the Legislative Authority of Rehoboth is in terms of this Act empowered to make laws or from any other sources of revenue and income determined by the State President by proclamation in the *Gazette;*

(*c*) the balance on hand in the Special Development Fund for Rehoboth on a date determined by the Minister;

(*d*) an annual grant to be paid from the State Revenue Fund of an amount approved by the Minister of Finance of the Republic after consultation with the Auditor-General and corresponding to the expenditure

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ming is met die uitgawe deur die Regering van die Republiek ten opsigte van aangeleenthede waarvan die administrasie ooreenkomstig hierdie Wet aan die Kapteinsraad oorgedra word, gedurende die boekjaar wat die datum van oordrag voorafgaan, min—

(i) die inkomste uit bestaande bronne van inkomste, soos bepaal deur die Minister in oorleg met die Minister van Finansies van die Republiek, wat gedurende bedoelde boekjaar aan die Staatsinkomstefonds toegeval het en wat ingevolge hierdie Wet aan die Rehoboth-inkomstefonds sal toeval;

(ii) die salarisse, toelaes en pensioenbydraes deur die Regering van die Republiek betaalbaar aan of ten opsigte van beamptes van die Republiek wat ingevolge die bepalings van hierdie Wet vir diens aan die Regering van Rehoboth beskikbaar gestel word;

(*e*) so 'n addisionele bedrag as wat die Parlement jaarliks bewillig vir betaling uit die Staatsinkomstefonds vir 'n bepaalde doel of vir die behoorlike uitvoering in die algemeen van dienste en pligte wat ingevolge hierdie Wet aan die Kapteinsraad opgedra is.

(3) Ten opsigte van die tydperk tussen die datum waarop hierdie Wet in werking tree en die toepaslike datum wat kragtens subartikel (2) bepaal is, word alle uitgawes in verband met aangeleenthede ten opsigte waarvan die Wetgewende Gesag van Rehoboth wette kan maak, bestry uit die bron waaruit dit bestry sou gewees het as hierdie Wet nie aangeneem was nie.

Bewilliging van Rehoboth-inkomstefonds deur Wetgewende Gesag van Rehoboth.

26. Die Rehoboth-inkomstefonds word deur die Wetgewende Gesag van Rehoboth vir die administrasie van Rehoboth in die algemeen beskikbaar gestel, of, in die geval van geld wat deur die Regering van die Republiek vir 'n besondere doel oorbetaal is, dan vir daardie doel, op die wyse by hierdie Wet voorgeskryf.

Vereistes vir onttrekking van geld uit Rehoboth-inkomstefonds.

27. Behalwe soos in hierdie Wet anders bepaal, word geen geld uit die Rehoboth-inkomstefonds onttrek nie behalwe kragtens 'n bewilliging by wet: Met dien verstande dat tot tyd en wyl so 'n bewilliging gemaak is, en vir 'n tydperk van hoogstens drie maande na die aanvang van 'n boekjaar, geld sonder so 'n bewilliging deur die Kaptein met die goedkeuring van die ander lede van die Kapteinsraad uit daardie fonds onttrek kan word ten einde uitgawes aan dienste te bestry ten opsigte waarvan 'n bewilliging in die onmiddellik voorafgaande boekjaar gemaak is, of ten opsigte waarvan voorsiening by 'n wet gemaak word.

Kaptein kan spesiale volmag uitreik.

28. (1) Die Kaptein kan met die goedkeuring van die ander lede van die Kapteinsraad by spesiale volmag deur hom onderteken die uitreiking van geld uit die Rehoboth-inkomstefonds magtig—

(*a*) om onvoorsiene uitgawes van 'n besondere aard te bestry waarvoor daar nie in 'n begrotingswet voorsiening gemaak is nie en wat nie sonder ernstige nadeel vir die publieke belang uitgestel kan word totdat toereikende voorsiening deur die Wetgewende Gesag van Rehoboth daarvoor gemaak kan word nie; of

(*b*) om 'n oorskryding onder 'n uitgawehoof in 'n begrotingswet te bestry.

(2) Die totale bedrag wat die Kaptein kragtens subartikel (1) kan magtig, oorskry te gener tyd tweehonderdduisend rand nie, en die betrokke uitgawes moet by die eersvolgende onderskeie sessies aan die Kapteinsraad en die Volksraad vir bewilliging voorgelê word.

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by the Government of the Republic in respect of any matters the administration of which is in accordance with this Act transferred to the Kaptein's Council, during the financial year preceding the date of the transfer, less—

(i) the income from existing sources of revenue as determined by the Minister in consultation with the Minister of Finance of the Republic, which accrued to the State Revenue Fund during the said financial year and which in terms of this Act will accrue to the Rehoboth Revenue Fund;

(ii) the salaries, allowances and pension contributions payable by the Government of the Republic to or in respect of officials of the Republic whose services are in terms of the provisions of this Act made available to the Government of Rehoboth;

(*e*) such an additional sum of money as may be appropriated annually by Parliament for payment out of the State Revenue Fund for a specified purpose or for the proper performance generally of services and duties entrusted to the Kaptein's Council in terms of this Act.

(3) In respect of the period between the date of commencement of this Act and the appropriate date determined under subsection (2) all expenditure in connection with those matters in respect of which the Legislative Authority of Rehoboth is empowered to make laws, shall be met from the source from which it would have been met had this Act not been passed.

Appropriation of Rehoboth Revenue Fund by Legislative Authority of Rehoboth.

26. The Rehoboth Revenue Fund shall be appropriated by the Legislative Authority of Rehoboth for the administration of Rehoboth generally, or, in the case of moneys paid over by the Government of the Republic for a particular purpose, then for such purpose, in the manner prescribed by this Act.

Requirements for withdrawal of moneys from Rehoboth Revenue Fund.

27. Save as is otherwise provided in this Act no moneys shall be withdrawn from the Rehoboth Revenue Fund except under appropriation made by law: Provided that until such appropriation has been made, and for a period not exceeding three months after the commencement of a financial year, moneys may be withdrawn from that fund by the Kaptein with the approval of the other members of the Kaptein's Council without such appropriation in order to meet expenditure on services in respect of which there was an appropriation in the immediately preceding financial year, or in respect of which provision is made by law.

Kaptein may issue special warrant.

28. (1) The Kaptein may, with the approval of the other members of the Kaptein's Council, by special warrant under his hand authorize the issue of moneys from the Rehoboth Revenue Fund—

(*a*) to defray unforeseen expenditure of a special nature which is not provided for in an appropriation law and which cannot without serious detriment to the public interest be postponed until adequate provision can be made therefor by the Legislative Authority of Rehoboth; or

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

(2) The total sum which the Kaptein may authorize under subsection (1) shall at no time exceed two hundred thousand rand, and the relative expenditure shall be submitted to the Kaptein's Council and the Legislative Council for appropriation at the next ensuing several sessions.

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Vereistes vir onttrekkings uit Rehoboth-inkomstefonds.

29. Geen onttrekking word uit die Rehoboth-inkomstefonds gemaak nie, behalwe ooreenkomstig 'n volmag wat deur die Kaptein onderteken is.

Jaarlikse begroting van inkomste en uitgawes.

30. Die jaarlikse begroting van inkomste en uitgawes vir Rehoboth word, nadat dit deur die Kapteinsraad opgestel is, voorgelê aan die Minister, wat in oorleg met die Minister van Finansies van die Republiek die addisionele bedrag, as daar is, bepaal wat ten opsigte van uitgawes van die Regering van Rehoboth vir die volgende boekjaar deur die Parlement bewillig moet word, en word daarna deur die Kaptein aan die Volksraad vir bewilliging voorgelê.

Ouditering van rekenings.

31. Tensy en totdat die Wetgewende Gesag van Rehoboth ander voorsiening gemaak het, word die rekenings van die Regering van Rehoboth en al die statutêre liggame in Rehoboth, asook dié van al die rekenpligtige beamptes en al die persone belas met die ontvangs, bewaring, besteding of uitreiking van openbare geld, seëls, sekuriteite of voorrade, deur die Ouditeur-generaal van die Republiek ondersoek, nagegaan en geouditeer, en reël die bepalings van die Skatkis- en Ouditwet, 1975 (Wet No. 66 van 1975), en die instruksies, voorskrifte, reëls en regulasies ingevolge artikel 38, 39, 40 of 51 daarvan die administrasie en beheer van die Rehoboth-inkomstefonds vir sover dit toegepas kan word en nie met hierdie Wet onbestaanbaar is nie: Met dien verstande dat waar in genoemde Wet of in instruksies, voorskrifte, reëls of regulasies wat daarkragtens uitgevaardig is, die magtiging of goedkeuring van die Parlement, die Tesourie, 'n Minister of die Sekretaris van 'n departement of 'n beampte voorgeskryf word as 'n vereiste vir 'n handeling of 'n werksaamheid wat verrig moet word, die betrokke bepaling uitgelê word asof dit na die Wetgewende Gesag van Rehoboth, die Kaptein of die gepaste lid van die Kapteinsraad, Sekretaris of beampte van Rehoboth, na gelang van die geval, verwys.

Voorsiening met betrekking tot howe.

32. (1) Ondanks die bepalings van hierdie Wet bly elke wettiglik saamgestelde hof wat op die datum waarop die Regering van Rehoboth tot stand kom, bevoeg is om straf- of siviele sake van welke aard of omvang ook al in Rehoboth te verhoor, of wat met betrekking tot laerhowe in Rehoboth hersieningsbevoegdheid of die bevoegdheid om appèlle te verhoor, besit, voortbestaan totdat dit deur die daartoe bevoegde gesag verander of ontbind word.

(2) Die bevoegdheid wat ingevolge die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944), aan 'n Minister of 'n beampte verleen word om 'n landdroshof in te stel of af te skaf of om 'n regterlike beampte of ander beampte daarvoor aan te stel, berus by die Kaptein of, indien die administrasie van howe aan 'n ander lid van die Kapteinsraad opgedra is, by dié lid, of by die ooreenstemmende beampte van die Regering van Rehoboth, na gelang van die geval.

(3) By die totstandkoming van die Regering van Rehoboth gaan die administrasie van en die beheer oor die landdroshof in Rehoboth ingestel ingevolge die Wet op Landdroshowe, 1944, en die Basterhof oor op die Kapteinsraad.

(4) Die jurisdiksie, bevoegdhede, pligte en werksaamhede van die Basterhof of van 'n laerhof ingestel deur die bevoegde gesag van Rehoboth ingevolge 'n wet deur die Wetgewende Gesag van Rehoboth gemaak uit hoofde van bevoegdhede by hierdie Wet verleen, of van 'n regterlike beampte daarvoor aangestel, oorskry nie die jurisdiksie, bevoegdhede, pligte en werksaamhede van die landdroshof ingestel kragtens die Wet

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Requirements for withdrawals from Rehoboth Revenue Fund.

29. No withdrawal shall be made from the Rehoboth Revenue Fund, except in pursuance of a warrant signed by the Kaptein.

Annual estimates of revenue and expenditure.

30. The annual estimates of revenue and expenditure for Rehoboth, having been prepared by the Kaptein's Council, shall be submitted to the Minister, who shall in consultation with the Minister of Finance of the Republic determine the additional amount, if any, required to be appropriated by Parliament towards the expenditure of the Government of Rehoboth for the ensuing financial year, and shall thereafter be submitted by the Kaptein to the Legislative Council for appropriation.

Auditing of Accounts.

31. Unless and until otherwise provided for by the Legislative Authority of Rehoboth the Auditor-General of the Republic shall examine, enquire into and audit the accounts of the Government of Rehoboth and all statutory bodies in Rehoboth, as well as those of all accounting officers and all persons entrusted with the receipt, custody, expenditure or issue of public moneys, stamps, securities or stores, and the provisions of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975), and the instructions, rules and regulations in terms of section 38, 39, 40 or 51 thereof shall govern the administration and control of the Rehoboth Revenue Fund in so far as they can be applied and are not inconsistent with this Act: Provided that whenever in that Act or in any instructions, rules or regulations made thereunder the authority or approval of Parliament, the Treasury, a Minister or the Secretary of a department or any official is prescribed as necessary for any act or any function to be performed, the relevant provision shall be construed as referring to the Legislative Authority of Rehoboth, the Kaptein or the appropriate member of the Kaptein's Council, Secretary or official of Rehoboth, as the case may be.

Provision in regard to courts.

32. (1) Notwithstanding anything in this Act contained every lawfully constituted court having jurisdiction to hear criminal or civil cases of whatever nature or scope in Rehoboth, or having power of review or of hearing appeals from inferior courts in Rehoboth on the date on which the Government of Rehoboth comes into being, shall continue to exist until altered or disestablished by the authority having power to do so.

(2) The power conferred on a Minister or an officer in terms of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), to establish or disestablish a magistrate's court or to appoint a judicial officer or other officer thereto shall vest in the Kaptein or, if the administration of courts has been entrusted to another member of the Kaptein's Council, in such member, or in the corresponding officer of the Government of Rehoboth, as the case may be.

(3) At the coming into being of the Government of Rehoboth the administration and control of the magistrate's court in Rehoboth established in terms of the Magistrates' Court Act, 1944, and the Basterhof shall vest in the Kaptein's Council.

(4) The jurisdiction, powers, duties and functions of the Basterhof or of any inferior court established by the competent authority of Rehoboth in terms of any law made by the Legislative Authority of Rehoboth in pursuance of any powers conferred by this Act, or of any judicial officer appointed thereto shall not exceed the jurisdiction, powers, duties and functions of the magistrate's court established under the Magistrates' Courts

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op Landdroshowe, 1944, in Rehoboth of, na gelang van die geval, 'n regterlike beampte ten opsigte van laasgenoemde landdroshof aangestel nie, en enige verrigtings in die Basterhof of eersgenoemde laerhof of voor 'n regterlike beampte daarvan, met inbegrip van verrigtings ten opsigte van 'n wet deur die Wetgewende Gesag van Rehoboth gemaak, word vir die doeleindes van enige wet van krag in die gebied Suidwes-Afrika, geag verrigtings in 'n laerhof of, na gelang van die geval, voor 'n regterlike beampte daarvan te wees: Met dien verstande dat die Prokureur-generaal van die gebied Suidwes-Afrika in 'n bepaalde geval kan gelas dat verrigtings ingestel word in, of, indien dit reeds ingestel is, oorgeplaas word na, 'n ander hof, hetsy binne of buite Rehoboth, en daarop geld die bepalings van 'n toepaslike wet *mutatis mutandis* asof die lasgewing kragtens artikel 59 (6) van die Strafprosesordonnansie, 1963 (Ordonnansie No. 34 van 1963), van die gebied Suidwes-Afrika geskied het.

(5) Enige wet ten opsigte van laerhowe deur die Wetgewende Gesag van Rehoboth gemaak, kan, behoudens die bepalings van hierdie artikel, voorsiening maak vir 'n wysiging of die herroeping van die Wet op Landdroshowe, 1944, of van enige wetsbepalings wat op die Basterhof betrekking mag hê.

(6) Enige verrigtings kragtens 'n wet van Rehoboth kan, vir sover daardie wet van toepassing is op burgers van Rehoboth wat buite Rehoboth maar binne die gebied Suidwes-Afrika is of woon, teen so 'n burger ingestel word in enige gepaste hof in die gebied waarin bedoelde burger is of woon.

(7) 'n Bedrag deur die Regering van die Republiek of die administrasie van die gebied Suidwes-Afrika of die Regering van Rehoboth verhaal ingevolge verrigtings voor die Basterhof of 'n laerhof in subartikel (4) bedoel of voor 'n ander hof ingevolge die bepalings van subartikel (6), behalwe 'n bedrag betaal by wyse van 'n kriminele boete in die verrigtings opgelê, word gestort—

(*a*) in die geval van 'n bedrag verhaal in verrigtings in verband met 'n wet wat deur die Wetgewende Gesag van Rehoboth gemaak is of ten opsigte van inkomste wat die Rehoboth-inkomstefonds toeval, in die Rehoboth-inkomstefonds; en

(*b*) in enige ander geval, in die Inkomstefonds van die gebied Suidwes-Afrika,

en enige bedrag aldus verhaal by wyse van 'n kriminele boete opgelê, word, indien die verrigtings voor die Basterhof of 'n ander laerhof in Rehoboth of voor 'n ander hof ingevolge subartikel (6) plaasgevind het, in die Rehoboth-inkomstefonds, en, in enige ander geval, in die Inkomstefonds van die gebied Suidwes-Afrika gestort.

Gevangenisse.

33. (1) 'n Verwysing in 'n wet na 'n gevangenis wat ingestel is of geag word ingestel te wees ingevolge die Wet op Gevangenisse, 1959 (Wet No. 8 van 1959) (hieronder 'n gevangenis van die Republiek genoem), word uitgelê as sou dit ook 'n verwysing behels na 'n gevangenis wat ingevolge genoemde wet of 'n wet van Rehoboth deur 'n gesag van Rehoboth ingestel is (hieronder 'n Rehoboth-gevangenis genoem).

(2) 'n Veroordeelde persoon wat tot gevangenisstraf gevonnis is en wat die opgelegde vonnis of 'n deel daarvan nog moet uitdien—

(*a*) kan, indien hy in 'n gevangenis van die Republiek aangehou word, op die gesag van die Minister van Gevangenisse van die Republiek en met die instemming van die Kaptein of verantwoordelike lid van die Kapteinsraad, van daardie gevangenis oorgeplaas word na 'n Rehoboth-gevangenis wat genoemde Kaptein of lid aangedui het;

(*b*) kan, indien hy in 'n Rehoboth-gevangenis aangehou word, op die gesag van die Kaptein of verantwoordelike lid van die Kapteinsraad en met die instemming van

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Act, 1944, in Rehoboth or, as the case may be, a judicial officer appointed in respect of the last-mentioned magistrate's court, and any proceedings in the Basterhof or the first-mentioned inferior court or before any such judicial officer thereof, including proceedings in respect of any law made by the Legislative Authority of Rehoboth, shall for the purposes of any law in force in the territory of South West Africa be deemed to be proceedings in an inferior court, or, as the case may be, before a judicial officer thereof: Provided that the Attorney-General of the territory of South West Africa may in any particular case direct that proceedings be instituted in, or, if already commenced, be transferred to, any other court, whether within or outside Rehoboth, and thereupon the provisions of any applicable law shall *mutatis mutandis* apply as if the direction had been given under section 59 (6) of the Criminal Procedure Ordinance, 1963 (Ordinance No. 34 of 1963), of the territory of South West Africa.

(5) Any law made by the Legislative Authority of Rehoboth in respect of inferior courts may, subject to the provisions of this section, provide for an amendment or the repeal of the Magistrates' Courts Act, 1944, or of any provisions which may relate to the Basterhof.

(6) Any proceedings under any law of Rehoboth may, in so far as such law applies to citizens of Rehoboth who are or are resident outside Rehoboth but within the territory of South West Africa, be instituted against such citizen in any appropriate court in the area in which such citizen is or is resident.

(7) Any amount recovered by the Government of the Republic or the administration of the territory of South West Africa or the Government of Rehoboth in pursuance of proceedings before the Basterhof or any inferior court referred to in subsection (4) or before any other court by virtue of the provisions of subsection (6), not being an amount paid by way of any criminal penalty imposed in such proceedings, shall be paid—

(*a*) in the case of an amount recovered in proceedings in connection with any law made by the Legislative Authority of Rehoboth or in respect of any revenue accruing to the Rehoboth Revenue Fund, into the Rehoboth Revenue Fund; and

(*b*) in any other case, into the Revenue Fund of the territory of South West Africa,

and any amount so recovered by way of any criminal penalty imposed shall be paid, if the proceedings were heard before the Basterhof or any other inferior court in Rehoboth or before any other court by virtue of the provisions of subsection (6), into the Rehoboth Revenue Fund, and, in any other case, into the Revenue Fund of the territory of South West Africa.

Prisons.

33. (1) A reference in any law to a prison established or deemed to have been established in terms of the Prisons Act, 1959 (Act No. 8 of 1959) (hereinafter referred to as a prison of the Republic), shall be construed as including a reference to a prison which has been established by an authority of Rehoboth in terms of the said Act or a law of Rehoboth (hereinafter referred to as a Rehoboth prison).

(2) A convicted person who has been sentenced to imprisonment and is still liable to serve the sentence imposed or part thereof—

(*a*) may, if he is detained in a prison of the Republic, be transferred on the authority of the Minister of Prisons of the Republic and with the concurrence of the Kaptein or responsible member of the Kaptein's Council from that prison to a Rehoboth prison indicated by the said Kaptein or member;

(*b*) may, if he is detained in a Rehoboth prison, be transferred on the authority of the Kaptein or responsible member of the Kaptein's Council and with the con-

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die Minister van Gevangenisse van die Republiek, van daardie gevangenis na 'n gevangenis van die Republiek oorgeplaas word wat genoemde Minister aangedui het,

en daarop word sodanige persoon in die gevangenis waarheen hy oorgeplaas is, aangehou en word daar met hom gehandel in iedere opsig asof, en is hy onderworpe aan die wette waaraan hy onderworpe sou gewees het indien, hy ingevolge genoemde vonnis in laasgenoemde gevangenis opgeneem was.

(3) Vanaf die datum bedoel in artikel 11 (1) word 'n gevangenis in Rehoboth geag deur die betrokke gesag van Rehoboth ingestel te wees.

Verplasing van beamptes na Regering van Rehoboth.

34. (1) Alle beamptes en werknemers van die Rehoboth-Bastergemeente en alle burgers van Rehoboth in diens van die Regering van die Republiek of die administrasie van die gebied Suidwes-Afrika wat in Rehoboth werksaam is in verband met aangeleenthede ten opsigte waarvan die Wetgewende Gesag van Rehoboth ingevolge hierdie Wet wette kan maak, word vanaf 'n datum deur die Minister bepaal, beamptes en werknemers van die Regering van Rehoboth: Met dien verstande dat elke persoon wat in diens van die Regering van die Republiek of van die administrasie van die gebied Suidwes-Afrika was onmiddellik voor die datum waarop hy aldus 'n beampte of werknemer van die Regering van Rehoboth geword het, en wat bygedra het tot 'n pensioenfonds, voorsorgfonds of pensioenskema wat deur 'n departement van die Staatsdiens van die Republiek geadministreer word, al die regte behou wat hy as 'n bydraer tot so 'n pensioenfonds, voorsorgfonds of pensioenskema verkry het en onderhewig bly aan al die verpligtinge wat hy as so 'n bydraer opgeloop het, asof hy nie 'n beampte of werknemer van die Regering van Rehoboth geword het nie, solank hy 'n beampte of werknemer van laasgenoemde Regering bly.

(2) Die salarisse en toelaes van beamptes en werknemers in subartikel (1) genoem, asook enige pensioenbydraes wat voorheen deur die Regering van die Republiek of die administrasie van die gebied Suidwes-Afrika ten opsigte van hulle aan 'n pensioenfonds, voorsorgfonds of pensioenskema vermeld in subartikel (1) betaalbaar was, word vanaf die datum in artikel 25 (2) genoem deur die Regering van Rehoboth betaal.

Beamptes van Republiek tot beskikking van Kapteinsraad gestel.

35. (1) Die Minister kan, onderworpe aan die wette op die Staatsdiens van die Republiek, sodanige beamptes en werknemers van die Staatsdiens van die Republiek as wat nodig is, afstaan om die Kapteinsraad behulpsaam te wees by die administrasie van Rehoboth.

(2) Sodanige beamptes en werknemers—

(*a*) bly in alle opsigte onderworpe aan die wette op die Staatsdiens van die Republiek; en

(*b*) word deur die Regering van die Republiek betaal.

(3) Die afstaan en beëindiging van die afstaan van sodanige beamptes en werknemers geskied na oorlegpleging met die Kapteinsraad, maar hulle word geleidelik deur burgers van Rehoboth vervang volgens reëlings getref deur die Regering van die Republiek en die Kapteinsraad.

(4) Die bepalings van subartikels (1), (2) en (3) is *mutatis mutandis* van toepassing ten opsigte van beamptes en werknemers van die administrasie van die gebied Suidwes-Afrika, en by sodanige toepassing word 'n verwysing in genoemde subartikels na—

(*a*) die Minister, uitgelê as 'n verwysing na die Administrateur van genoemde gebied;

(*b*) die wette op die Staatsdiens van die Republiek, uitgelê as 'n verwysing na die wette wat die diensvoorwaardes van genoemde beamptes en werknemers reël; en

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currence of the Minister of Prisons of the Republic from that prison to a prison of the Republic indicated by the said Minister,

and thereupon such person shall be detained in the prison to which he has been transferred and be dealt with in every respect as if, and be subject to the laws to which he would have been subject if, he had been received in the last-mentioned prison in terms of the said sentence.

(3) From the date referred to in section 11 (1) a prison in Rehoboth shall be deemed to have been established by the authority of Rehoboth concerned.

Transfer of officers to Government of Rehoboth.

34. (1) All officers and employees of the Rehoboth Baster Community and all citizens of Rehoboth in the employ of the Government of the Republic or the administration of the territory of South West Africa employed in Rehoboth in connection with matters in respect of which the Legislative Authority of Rehoboth is in terms of this Act empowered to make laws, shall become officers and employees of the Government of Rehoboth from a date determined by the Minister: Provided that every person who was in the employ of the Government of the Republic or of the administration of the territory of South West Africa immediately prior to the date on which he so became an officer or employee of the Government of Rehoboth and who contributed to a pension fund, provident fund or pension scheme administered by a department of the Public Service of the Republic shall, as long as he remains an officer or employee of the Government of Rehoboth, retain all the rights which he acquired as a contributor to such pension fund, provident fund or pension scheme and remain subject to all the liabilities which he incurred as such contributor, as if he did not become an officer or employee of the Government of Rehoboth.

(2) The salaries and allowances of officers and employees referred to in subsection (1) and any pension contributions previously payable by the Government of the Republic or the administration of the territory of South West Africa in respect of them to any pension fund, provident fund or pension scheme referred to in subsection (1), shall from the date mentioned in section 25 (2) be paid by the Government of Rehoboth.

Officers of Republic placed at disposal of Kaptein's Council.

35. (1) The Minister may, subject to the laws relating to the Public Service of the Republic, second such officers and employees of the Public Service of the Republic as may be necessary to assist the Kaptein's Council in the administration of Rehoboth.

(2) Such officers and employees shall—

(*a*) in all respects remain subject to the laws relating to the Public Service of the Republic; and

(*b*) be paid by the Government of the Republic.

(3) The secondment and the termination of the secondment of such officers and employees shall be effected after consultation with the Kaptein's Council, but they shall be replaced gradually by citizens of Rehoboth in accordance with arrangements made by the Government of the Republic and the Kaptein's Council.

(4) The provisions of subsections (1), (2) and (3) shall *mutatis mutandis* apply in respect of officers and employees of the administration of the territory of South West Africa, and in such application any reference in the said subsections to—

(*a*) the Minister, shall be construed as a reference to the Administrator of the said territory;

(*b*) the laws relating to the Public Service of the Republic, shall be construed as a reference to the laws governing the conditions of service of the said officers and employees; and

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(c) die Regering van die Republiek, uitgelê as 'n verwysing na die administrasie van genoemde gebied.

Aanstelling en diensvoorwaardes van beamptes en werknemers van Rehoboth.

36. Behoudens die bepalings van artikel 35 en tot tyd en wyl die Wetgewende Gesag van Rehoboth anders bepaal, berus alle bevoegdhede met betrekking tot die aanstelling, salarisse, toelaes, tug, uitdienstreding, ontslag en ander diensvoorwaardes van beamptes en werknemers by die Kapteinsraad.

Eise teen die Regering van Rehoboth.

37. (1) Enige eis teen die Regering van Rehoboth wat, indien daardie eis teen 'n persoon ontstaan het, 'n grond van aksie in 'n bevoegde hof sou uitmaak, is deur daardie hof beregbaar, hetsy die eis ontstaan uit 'n kontrak wat wettiglik namens die Regering van Rehoboth aangegaan is of uit 'n onregmatige daad wat deur 'n dienaar van daardie Regering, handelende in sy hoedanigheid van, en binne die omvang van sy bevoegdhede as, so 'n dienaar gepleeg is.

(2) In 'n aksie of ander regsgeding uit hoofde van die bepalings van subartikel (1) ingestel, kan die Kaptein of die lid van die Kapteinsraad in beheer van die betrokke departement as nominale verweerder of respondent gesiteer word.

(3) Geen lasbrief tot tenuitvoerlegging of beslaglegging of dergelike prosesstuk kan in so 'n aksie of regsgeding teen die nominale verweerder of respondent of teen eiendom van die Regering van Rehoboth uitgereik word nie, maar die bedrag, as daar is, wat vereis mag word om te voldoen aan 'n uitspraak of bevel wat in so 'n aksie of regsgeding teen die nominale verweerder of respondent gedoen of uitgereik is, kan uit die Rehoboth-inkomstefonds betaal word.

(4) Die bepalings van hierdie artikel maak geen inbreuk nie op 'n bepaling van 'n wet wat—

(a) die aanspreeklikheid van die Regering van Rehoboth of 'n departement daarvan ten opsigte van 'n handeling of versuim van sy dienaars beperk;

(b) bepaalde tydperke voorskryf waarin 'n eis ten opsigte van sodanige aanspreeklikheid ingestel moet word; of

(c) voorwaardes vir die instelling van 'n aksie oplê.

Lede van Kapteinsraad en van Volksraad nie aan gedinge blootgestel nie.

38. Geen lid van die Kapteinsraad of Volksraad is blootgestel aan 'n regsgeding uit hoofde van 'n aangeleentheid wat hy by versoekskrif, konsepwetgewing, besluit, voorstel of andersins aan die Kapteinsraad of Volksraad voorgelê het of wat hy in die Kapteinsraad of Volksraad gesê het, of uit hoofde van die wyse waarop hy in die Kapteinsraad of Volksraad gestem het nie.

Uitoefening van bevoegdhede, gesag en funksies deur Minister.

39. (1) Alle uitvoerende bevoegdhede, gesag en werksaamhede wat nodig is om ingevolge hierdie Wet uitgeoefen te word ten einde hierdie Wet in werking te stel en, indien nodig, die voortsetting van die administrasie van Rehoboth ingevolge hierdie Wet te verseker, kan deur die Minister uitgeoefen word.

(2) Sonder om afbreuk te doen aan die algemeenheid van die bepalings van subartikel (1), kan die Minister in die oorgangstydperk vanaf die inwerkingtreding van hierdie Wet tot die datum waarop die lede van die eerste Kapteinsraad en van die eerste Volksraad vir Rehoboth kragtens hierdie Wet in hul ampte bevestig word, regulasies uitvaardig in verband met—

(a) die registrasie van kiesers vir die verkiesing van 'n Kaptein en lede van die Volksraad en die hou van sodanige verkiesings kragtens hierdie Wet;

(b) die aanstelling, salarisse, toelaes, tug, uitdienstreding, ontslag en ander diensvoorwaardes van openbare beamptes en werknemers van Rehoboth en, onderworpe aan die wette van toepassing op die Staatsdiens van die Republiek, die oorplasing van openbare beamptes en werknemers uit die diens van die Regering van die Republiek na die Regering van Rehoboth;

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(*c*) the Government of the Republic, shall be construed as a reference to the administration of the said territory.

Appointment and conditions of service of officers and employees of Rehoboth.

36. Subject to the provisions of section 35 and until such time as the Legislative Authority of Rehoboth otherwise prescribes, all powers in relation to the appointment, salaries, allowances, discipline, retirement, discharge and other conditions of service of officers and employees shall be vested in the Kaptein's Council.

Claims against the Government of Rehoboth.

37. (1) Any claim against the Government of Rehoboth which would, if that claim had arisen against a person, be the ground of an action in any competent court, shall be cognizable by such court, whether the claim arises out of any contract lawfully entered into on behalf of the Government of Rehoboth or out of any wrong committed by any servant of that Government acting in his capacity and within the scope of his authority as such servant.

(2) In any action or other proceedings instituted by virtue of the provisions of subsection (1) the Kaptein or the member of the Kaptein's Council in charge of the department concerned may be cited as nominal defendant or respondent.

(3) No execution, attachment or like process shall in any such action or proceedings be issued against the nominal defendant or respondent or against any property of the Government of Rehoboth, but the amount, if any, which may be required to satisfy any judgment or order given or made against the nominal defendant or respondent in any such action or proceedings may be paid out of the Rehoboth Revenue Fund.

(4) Nothing in this section contained shall affect any provision of any law which—

(*a*) limits the liability of the Government of Rehoboth or any department thereof in respect of any act or omission of its servants;

(*b*) prescribes specified periods within which a claim is to be made in respect of any such liability; or

(*c*) imposes conditions on the institution of any action.

Members of Kaptein's Council and of Legislative Council not liable to legal proceedings.

38. No member of the Kaptein's Council or Legislative Council shall be liable to any legal proceedings by virtue of any matter which he may have brought by petition, draft legislation, resolution, motion or otherwise before the Kaptein's Council or Legislative Council or of what he may have said before the Kaptein's Council or Legislative Council or by reason of his vote in the Kaptein's Council or Legislative Council.

Exercise of powers, authorities and functions by Minister.

39. (1) All such executive powers, authorities and functions as are necessary to be exercised in terms of this Act for bringing this Act into operation and, if necessary, for ensuring the continuation of the administration of Rehoboth in terms of this Act, may be exercised by the Minister.

(2) Without prejudice to the generality of the provisions of subsection (1) the Minister may in the transition period from the commencement of this Act up to the date on which the members of the first Kaptein's Council and of the first Legislative Council for Rehoboth are under this Act installed in office, make regulations in connection with—

(*a*) the registration of voters for the election of a Kaptein and members of the Legislative Council and the conduct of any such elections under this Act;

(*b*) the appointment, salaries, allowances, discipline, retirement, discharge and other conditions of service of public officers and employees of Rehoboth and, subject to the laws applicable to the Public Service of the Republic, the transfer of public officers and employees from the employ of the Government of the Republic to the Government of Rehoboth;

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(*c*) die pensioene, uitgesonderd die pensioene vermeld in artikel 34 (1), gratifikasies of ander vergoeding van beamptes en werknemers van die Regering van Rehoboth;
(*d*) die salarisse en toelaes betaalbaar aan die Kaptein en ander lede van die Kapteinsraad en lede van die Volksraad;
(*e*) die oordrag van administratiewe sake aan die Kapteinsraad; en
(*f*) in die algemeen, alle aangeleenthede wat nodig is vir die instelling van die Regering van Rehoboth en die behoorlike bestuur van Rehoboth.

Wysiging, herroeping of vervanging van hierdie Wet.

40. (1) Die wysiging, herroeping of vervanging van hierdie Wet berus by die Parlement, maar slegs na oorlegpleging deur die Minister met die Kapteinsraad en Volksraad: Met dien verstande dat die Kapteinsraad en Volksraad nie belet word om voorstelle aan die Minister oor die wysiging, herroeping of vervanging van hierdie Wet te doen nie: Met dien verstande voorts dat die Staatspresident by proklamasie in die *Staatskoerant* en op versoek van die Kapteinsraad en Volksraad—
(*a*) die lede van die Kapteinsraad tot hoogstens vyf kan uitbrei; en
(*b*) die lede van die Volksraad tot hoogstens vyf-en-twintig kan uitbrei.

(2) In so 'n proklamasie kan, op versoek van die Kapteinsraad en Volksraad, ook voorsiening gemaak word vir—
(*a*) die wyse van verkiesing van lede van die Volksraad op die grondslag van kiesafdelings of andersins;
(*b*) die kwalifikasies en bevoegdhede van kandidate vir sodanige verkiesings;
(*c*) die ampstermyne van die Kaptein, ander lede van die Kapteinsraad en lede van die Volksraad, en die vulling van toevallige vakatures wat ontstaan;
(*d*) deelname deur die Kaptein en ander lede van die Kapteinsraad aan verrigtinge in die Volksraad;
(*e*) omstandighede wat voortspruit uit die aanwysing van lede van die Volksraad as lede van die Kapteinsraad;
(*f*) aangeleenthede wat in verband staan met 'n vergadering vermeld in artikel 4 (8);
(*g*) ander sake wat met aangeleenthede vermeld in paragrawe (*a*) tot (*e*) in verband staan.

Teenstrydige wette.

41. Indien 'n bepaling van 'n wet wat by die inwerkingtreding van hierdie Wet van krag is, by die toepassing daarvan op of in Rehoboth teenstrydig of onbestaanbaar is met 'n bepaling van hierdie Wet, geld laasgenoemde bepaling.

DEEL III

WOORDOMSKRYWING EN KORT TITEL

Woordomskrywing.

42. Tensy uit die samehang anders blyk, beteken in hierdie Wet—
(i) „*Ampskoerant* van Rehoboth" die amptelike koerant van Rehoboth, wanneer een uitgegee word, of die *Offisiële Koerant* van die gebied Suidwes-Afrika, wanneer daar nie 'n amptelike koerant vir Rehoboth uitgegee word nie; (vii)
(ii) „inkomste" alle belastings, heffings, gelde en regte en alle toevallige en ander ontvangste wat die Regering van Rehoboth toeval, uit watter bron ook al afkomstig, en ook die opbrengs van alle lenings wat aan die Regering van Rehoboth toegestaan word; (viii)
(iii) „Kapteinsraad" die Kapteinsraad vermeld in artikel 2 (3); (i)

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(*c*) the pensions, except the pensions referred to in section 34 (1), gratuities or other remuneration of officers and employees of the Government of Rehoboth;

(*d*) the salaries and allowances payable to the Kaptein and other members of the Kaptein's Council and members of the Legislative Council;

(*e*) the transfer of administrative matters to the Kaptein's Council; and

(*f*) generally, all such matters as may be necessary for the establishment of the Government of Rehoboth and the proper administration of Rehoboth.

Amendment, repeal or replacement of this Act.

40. (1) The amendment, repeal or replacement of this Act shall vest in Parliament, but only after consultation by the Minister with the Kaptein's Council and Legislative Council: Provided that the Kaptein's Council and Legislative Council shall not be precluded from making proposals to the Minister on the amendment, repeal or replacement of this Act: Provided further that the State President may by proclamation in the *Gazette* and at the request of the Kaptein's Council and Legislative Council—

(*a*) increase the members of the Kaptein's Council, but not to more than five; and

(*b*) increase the members of the Legislative Council, but not to more than twenty-five.

(2) At the request of the Kaptein's Council and Legislative Council provision may in any such proclamation also be made for—

(*a*) the manner of election of members of the Legislative Council on the basis of electoral divisions or otherwise;

(*b*) the qualification and competency of candidates for such elections;

(*c*) the periods of office of the Kaptein, other members of the Kaptein's Council and members of the Legislative Council, and the filling of casual vacancies which may occur;

(*d*) participation by the Kaptein and other members of the Kaptein's Council in proceedings in the Legislative Council;

(*e*) matters arising out of the designation of members of the Legislative Council as members of the Kaptein's Council,

(*f*) matters connected with a meeting referred to in section 4 (8);

(*g*) any other matters connected with matters referred to in paragraphs (*a*) to (*e*).

Conflicting laws.

41. If any provision of any law in force at the commencement of this Act is, in the application thereof to or in Rehoboth, in conflict or inconsistent with any provision of this Act, the last-mentioned provision shall prevail.

PART III

DEFINITIONS AND SHORT TITLE

Definitions.

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

(i) "Kaptein's Council" means the Kaptein's Council mentioned in section 2 (3); (iii)

(ii) "Legislative Authority of Rehoboth" means the Kaptein's Council and the Legislative Council. (x)

(iii) "Legislative Council" means the Legislative Council mentioned in section 3 (1); (ix)

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(iv) „Minister" die Minister van Kleurling-, Rehoboth- en Namabetrekkinge; (iv)

(v) „Parlement" die Parlement van die Republiek van Suid-Afrika; (v)

(vi) „Spreker" die Spreker vermeld in artikel 3 (3); (ix)

(vii) „statutêre liggaam" enige raad, bank, fonds, inrigting, maatskappy, korporasie of ander organisasie ingestel of saamgestel by of kragtens 'n wet waarvolgens die rekenings van so 'n liggaam deur die Ouditeur-generaal geouditeer moet word; (x)

(viii) „Vaderlike Wet" 'n wet uitgevaardig deur die Rehoboth-Bastergemeente; (vi)

(ix) „Volksraad" die Volksraad vermeld in artikel 3 (1); (iii)

(x) „Wetgewende Gesag van Rehoboth" die Kapteinsraad en Volksraad. (ii)

Kort titel en inwerkingtreding.

43. Hierdie Wet heet die Wet op Selfregering vir Rehoboth, 1976, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

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(iv) "Minister" means the Minister of Coloured, Rehoboth and Nama Relations; (iv)

(v) "Parliament" means the Parliament of the Republic of South Africa; (v)

(vi) "Paternal Law" means a law passed by the Rehoboth Baster Community; (viii)

(vii) "*Official Gazette* of Rehoboth" means the official Gazette of Rehoboth, when one is published, or the *Official Gazette* of the territory of South West Africa, when no official Gazette for Rehoboth is published; (i)

(viii) "revenue" means all taxes, imposts, rates and duties and all casual and other receipts accruing to the Government of Rehoboth from whatever source arising and includes the proceeds of all loans made to the Government of Rehoboth; (ii)

(ix) "Speaker" means the Speaker mentioned in section 3 (3); (vi)

(x) "statutory body" means any council, board, bank, fund, institution, company, corporation or other organization established or constituted by or under any law in terms of which the accounts of such body are to be audited by the Auditor-General. (vii)

Short title and commencement.

43. This Act shall be called the Rehoboth Self-Government Act, 1976 and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

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Bylae

AANGELEENTHEDE BEDOEL IN ARTIKELS 14 EN 16

1. Rehoboth-burgerskap en die toekenning en uitreiking van burgerskapsertifikate in Rehoboth.
2. Huweliksaangeleenthede en die registrasie van geboortes en sterftes in Rehoboth.
3. Beheer oor die verblyf en vestiging van persone in Rehoboth wat nie burgers van Rehoboth is nie.
4. Die beheer oor en lisensiëring van handel en besigheid in Rehoboth, maar nie ook die lisensiëring van handel in verband met wapens, ammunisie en ontplofbare stowwe nie.
5. Die instelling van en beheer oor munisipale instellings en ander plaaslike owerhede, en die beplanning en stigting van dorpe in Rehoboth.
6. Die lisensiëring van voertuie in Rehoboth.
7. Die lisensiëring en beheer van honde in Rehoboth.
8. Die bepaling, in oorleg met die Minister, van die besoldiging en ander diensvoorwaardes van die Kaptein, ander lede van die Kapteinsraad en lede van die Volksraad.
9. Reglemente van orde vir die Kapteinsraad.
10. Registrasie van kiesers en, behoudens die bepalings van artikel 10, die reëling van verkiesings vir die doeleindes van hierdie Wet, met inbegrip van sodanige registrasie en die reëling van sodanige verkiesings buite Rehoboth maar binne die gebied Suidwes-Afrika.
11. Die aanstelling, beheer, salarisse, toelaes, tug, uitdienstreding, ontslag en ander diensvoorwaardes van openbare beamptes en werknemers van die Regering van Rehoboth.
12. Mineraleregte, prospektering, myne en mynbou in Rehoboth.
13. Toerisme, met inbegrip van die ontwikkeling van die toeristebedryf en die ontwikkeling en verbetering van reisdienste na en in, en van akkommodasie vir reisigers in Rehoboth.
14. Die invordering van en beheer oor alle inkomste.
15. Oudit, onderworpe aan die bepalings van artikel 31.
16. Begrotings van die Regering van Rehoboth.
17. Finansiële regulasies en beheermaatreëls.
18. Die beplanning, oprigting, finansiering, koördinering, uitvoering en dryf van nywerheids-, landbou-, mynbou-, handels-, finansierings- en ander sake-ondernemings, korporasies, projekte en hulpskemas in Rehoboth, behalwe met betrekking tot die Rehoboth-beleggings- en -ontwikkelingskorporasie, Beperk, ingestel by artikel 2 van die Wet op die Rehoboth-beleggings- en -ontwikkelingskorporasie, 1969 (Wet No. 84 van 1969).
19. Aankope van voorrade en verkryging van dienste vir die Regering van Rehoboth.
20. Direkte en plaaslike belastings op burgers van Rehoboth, hetsy in of buite Rehoboth woonagtig, of op sekere kategorieë of groepe sodanige burgers en op eiendom in Rehoboth geleë.
21. Landbou, met inbegrip van grond- en veldbewaring, veeverbetering, ontginning, beheer, onderhoud en bewaring van watervoorrade en waterbronne, voorkoming van gronderosie, besproeiing, beheer en bewaring van uitheemse en inheemse bosse en bome, bekamping van veldbrande, brandmerke en vee en veeartsenydienste in Rehoboth, maar met uitsondering van beheer oor die invoer in of uitvoer uit die Republiek of die gebied Suidwes-Afrika van vee, uitheemse diere, pluimvee, voëls, insekte, landbou- of ander produkte, plante, veevoer, saad, misstowwe, veegeneesmiddels, entstowwe, biologiese materiaal of enigiets wat siekte of besmetting sou kon versprei.
22. Vis- en wildbeskerming in Rehoboth.
23. Markte en skutte in Rehoboth.
24. Behoudens die bepalings van hierdie Wet, die koop, verkoop, verpanding en vervreemding van grond in Rehoboth.
25. Besit, verkryging en verkoop van grond deur die Regering van Rehoboth.
26. Grondaangeleenthede en nedersetting in Rehoboth.
27. Openbare werke en ondernemings, werke vir die doel van sanitasie, pad- en brugbouwerk en instandhouding van paaie en brûe in Rehoboth, behalwe hoofpaaie onder beheer van die administrasie van die gebied Suidwes-Afrika.
28. Beheer oor die oprigting en instandhouding van geboue en strukture in Rehoboth.
29. Alle gesondheidsaangeleenthede in Rehoboth, met inbegrip van die bestuur van en beheer oor klinieke en die beheer oor en aanstelling en pligte van distriksgeneeshere, maar nie beheer oor hospitale of hospitalisasie nie.
30. Alle onderwysaangeleenthede, met inbegrip van laer, hoër, volwasse-, landbou- en tegniese onderwys in Rehoboth.
31. Welsynsdienste in Rehoboth, met inbegrip van kinderwelsyn, welsynskemas vir oues van dae, blindes, behoeftiges en geestelik of liggaamlik gestremdes, en die rehabilitasie van persone wat afhanklik is van afhanklikheidsvormende stowwe.
32. Behuising, met inbegrip van ekonomiese en sub-ekonomiese behuisingskemas in Rehoboth.
33. Alle arbeidsaangeleenthede in Rehoboth, maar met uitsondering van alle aangeleenthede wat in die Ongevallewet, 1941 (Wet No. 30 van 1941), of die Werkloosheidversekeringswet, 1966 (Wet No. 30 van 1966), behandel word.
34. Behoudens die bepalings van artikel 32, die instelling en administrasie van en die beheer oor laerhowe en die Basterhof in Rehoboth.
35. Behoudens die bepalings van hierdie Wet, regspraak in Rehoboth, asook prosedurereëls.
36. Verlyding van testamente, die beredderring van bestorwe boedels en sake rakende erfopvolging van burgers van Rehoboth.

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Schedule

MATTERS REFERRED TO IN SECTIONS 14 AND 16

1. Rehoboth citizenship and the grant and issue of certificates of citizenship in Rehoboth.
2. Matrimonial matters and the registration of births and deaths in Rehoboth.
3. Control over the residence and settlement of persons in Rehoboth who are not citizens of Rehoboth.
4. The control and licensing of trading and business in Rehoboth, but excluding the licensing of trading in arms, ammunition and explosives.
5. The establishment and control of municipal institutions and other local authorities, and the planning and establishment of townships in Rehoboth.
6. The licensing of vehicles in Rehoboth.
7. The licensing and control of dogs in Rehoboth.
8. The determination, in consultation with the Minister, of the remuneration and other conditions of service of the Kaptein, other members of the Kaptein's Council and members of the Legislative Council.
9. Standing orders for the Kaptein's Council.
10. Registration of voters and, subject to the provisions of section 10, the regulation of elections for the purposes of this Act, including such registration and the regulation of such elections outside Rehoboth but within the territory of South West Africa.
11. The appointment, control, salaries, allowances, discipline, retirement, discharge and other conditions of service of public officers and employees of the Government of Rehoboth.
12. Mineral rights, prospecting, mines and mining in Rehoboth.
13. Tourism, including the development of the tourist industry and the development and improvement of travel services to and within, and of accommodation for, travellers within Rehoboth.
14. The collection of and the control over all revenue.
15. Audit, subject to the provisions of section 31.
16. Estimates of the Government of Rehoboth.
17. Financial regulations and control measures.
18. The planning, establishment, financing, co-ordination, execution and carrying on of industrial, agricultural, mining, trading, finance and other business undertakings, corporations, projects and relief schemes in Rehoboth, except in regard to the Rehoboth Investment and Development Corporation, Limited, established by section 2 of the Rehoboth Investment and Development Corporation Act, 1969 (Act No. 84 of 1969).
19. Purchase of stores and obtaining of services for the Government of Rehoboth.
20. Direct and local taxation on citizens of Rehoboth, whether resident within or outside Rehoboth, or on certain categories or groups of such citizens, and on property situated within Rehoboth.
21. Agriculture, including soil and veld conservation, stock improvement, development, control, maintenance and conservation of water supplies and water sources, prevention of soil erosion, irrigation, control and conservation of exotic and indigenous forests and trees, combating of veld fires, brand marks and stock and veterinary services in Rehoboth, but excluding control over the importation into or the exportation from the Republic or the territory of South West Africa of stock, exotic animals, poultry, birds, insects, agricultural or other products, plants, farm feeds, seeds, fertilizers, stock remedies, vaccines, biological material or anything liable to spread disease or infection.
22. Fish and game preservation in Rehoboth.
23. Markets and pounds in Rehoboth.
24. Subject to the provisions of this Act, the purchase, sale, hypothecation and alienation of land in Rehoboth.
25. Possession, acquisition and sale of land by the Government of Rehoboth.
26. Matters relating to land and land settlement in Rehoboth.
27. Public works and undertakings, sanitary works, construction and maintenance of roads and bridges in Rehoboth, except main roads under the control of the administration of the territory of South West Africa.
28. Control over the erection and maintenance of buildings and structures in Rehoboth.
29. All health matters in Rehoboth, including the management and control of clinics and the control, appointment and duties of district surgeons, but excluding control over hospitals or hospitalization.
30. All educational matters, including primary, higher, adult, agricultural and technical education in Rehoboth.
31. Welfare services in Rehoboth, including child welfare, benefit schemes for the aged and blind, indigent persons and persons suffering from mental or physical disabilities, and the rehabilitation of persons who are dependent on dependence-producing substances.
32. Housing, including economic and sub-economic housing schemes in Rehoboth.
33. All labour matters in Rehoboth, but excluding all matters dealt with in the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), or the Unemployment Insurance Act, 1966 (Act No. 53 of 1966).
34. Subject to the provisions of section 32, the establishment and administration of and the control over inferior courts and the Basterhof in Rehoboth.
35. Subject to the provisions of this Act, the administration of justice in Rehoboth as well as rules of procedure.
36. Execution of wills, the administration of deceased estates and matters relating to succession in respect of citizens of Rehoboth.

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37. Die registrasie van aktes en die opmeting van grond in Rehoboth, maar nie ook trigonometriese opmetings nie.
38. Die aanstelling, bevoegdhede, pligte en werksaamhede van vrederegters en kommissarisse van ede in Rehoboth.
39. Die oplê van strawwe en verbeurdverklarings vir die afdwing van wette gemaak deur die Wetgewende Gesag van Rehoboth.
40. Verlening van finansiële bystand aan burgers van Rehoboth wat boerdery beoefen of voornemens is om dit te doen, en die uitoefening van beheer ten opsigte van verleende finansiële bystand.
41. Beheer oor hotelle en bedwelmende drank in Rehoboth.
42. Die behoud van plante en diere en die uitroeiing van ongediertes in Rehoboth.
43. Die instelling, met die instemming van die Minister, van openbare feesdae in Rehoboth ter vervanging van openbare feesdae ingestel by of ingevolge die Wet op Openbare Feesdae, 1952 (Wet No. 5 van 1952).
44. Vermaaklikheidsbelasting en die lisensiëring en reëling van en beheer oor vermaaklikheids- en ontspanningsplekke in Rehoboth.
45. Die beperking en reëling van en beheer oor perde- en ander wedrenne, en weddenskappe in Rehoboth.
46. Die beheer oor vendusies en vendusieregte in Rehoboth.
47. Die instelling van, beheer oor en bestuur van biblioteke, biblioteekdienste, museums, kunsgalerye, herbariums, botaniese tuine, dieretuine, akwariums en ander opvoedkundige en kulturele instellings in Rehoboth.
48. Die daarstelling van, beheer oor, en bestuur en reëling van, begraafplase en krematoriums en die reëling van aangeleenthede in verband met die verwydering van en beskikking oor afgestorwenes in Rehoboth.
49. Skenkings en die aangaan van lenings deur die Regering van Rehoboth, in oorleg met die Minister van Finansies van die Republiek.
50. Die beskerming van lewe, persone en eiendom en die voorkoming van dieremishandeling in Rehoboth.
51. Behoudens die bepalings van artikel 33, die instelling, afskaffing, bestuur en beheer van gevangenisse in Rehoboth.
52. Die handhawing van wet en orde, die ondersoek van misdrywe of beweerde misdrywe en die voorkoming van misdaad in Rehoboth, met inbegrip van die beheer oor en die organisasie en administrasie van plaaslike polisie en plaaslike polisie-aangeleenthede, maar uitgesonderd beheer—
    (*a*) oor polisie- en veiligheidsbeamptes belas met aangeleenthede betreffende binnelandse veiligheid in die gebied Suidwes-Afrika, met inbegrip van Rehoboth; en
    (*b*) oor polisiebeamptes in die gebied Suidwes-Afrika wat by lasbrief gemagtig is om iemand, waar ook al, in hegtenis te neem.

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37. The registration of deeds and the survey of land in Rehoboth, but excluding trigonometrical surveys.
38. The appointment, powers, duties and functions of justices of the peace and commissioners of oaths in Rehoboth.
39. The imposition of punishment and forfeitures for enforcing laws made by the Legislative Authority of Rehoboth.
40. The provision of financial assistance to citizens of Rehoboth carrying on or intending to carry on farming operations, and the exercising of control in respect of financial assistance provided.
41. Control over hotels and intoxicating liquor in Rehoboth.
42. The conservation of flora and fauna and the destruction of vermin in Rehoboth.
43. The establishment, with the concurrence of the Minister, of public holidays in Rehoboth in substitution of public holidays established by or in terms of the Public Holidays Act, 1952 (Act No. 5 of 1952).
44. Entertainment tax and the licensing, regulation and control of places of amusement and recreation in Rehoboth.
45. The restriction, regulation and control of horseracing and other racing and of betting and wagering in Rehoboth.
46. The control of auctions and auction dues in Rehoboth.
47. The establishment, control and management of libraries, library services, museums, art galleries, herbaria, botanical gardens, zoological gardens, aquariums and other educational and cultural institutions in Rehoboth.
48. The establishment, control, management and regulation of cemeteries and crematoria and the regulation of matters relating to the removal and disposal of dead bodies in Rehoboth.
49. Donations and the raising of loans by the Government of Rehoboth in consultation with the Minister of Finance of the Republic.
50. The protection of life, persons and property and the prevention of cruelty to animals in Rehoboth.
51. Subject to the provisions of section 33, the establishment, disestablishment, administration and control of prisons in Rehoboth.
52. The maintenance of law and order, the investigation of offences or alleged offences and the prevention of crime in Rehoboth, including the control, organization and administration of local police and local police matters, but excluding control—
    (*a*) over police and security officers charged with internal security matters in the territory of South West Africa, including Rehoboth; and
    (*b*) over police officers in the territory of South West Africa who are empowered by warrant to arrest any person wherever he may be.