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PROCLAMATION

By MAJOR-GENERAL HIS ROYAL HIGHNESS PRINCE ARTHUR FREDERICK PATRICK ALBERT OF CONNAUGHT, KNIGHT OF THE MOST NOBLE ORDER OF THE GARTER, A MEMBER OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL, KNIGHT OF THE MOST ANCIENT AND MOST NOBLE ORDER OF THE THISTLE, KNIGHT GRAND CROSS OF THE MOST DISTINGUISHED ORDER OF SAINT MICHAEL AND SAINT GEORGE, KNIGHT GRAND CROSS OF THE ROYAL VICTORIAN ORDER, COMPANION OF THE MOST HONOURABLE ORDER OF THE BATH, PERSONAL AIDE-DE-CAMP TO HIS MAJESTY THE KING, HIGH COMMISSIONER FOR SOUTH AFRICA, AND GOVERNOR-GENERAL AND COMMANDER-IN-CHIEF IN AND OVER THE UNION OF SOUTH AFRICA.

* No. 1, 1921.]

Whereas during the war between Germany and the British Empire the German Territory of South-West Africa was fully and effectively occupied by the Military Forces of the Union of South Africa and has remained in such occupation till the date of the withdrawal of Martial Law therein;

And whereas during the period when such military occupation was taking place and after its completion it became necessary to take steps in the said Territory for the prevention and suppression of any further or other hostilities against the said Military Forces and for the maintenance of good order and government and for public safety within the said Territory;

And whereas such steps were taken from time to time by the General Officer Commanding in Chief and other General Officers of the Military Forces of the Union in the field, by the Military Governor and by the Administrator of the said Territory by the issue in the said Territory of various proclamations and regulations thereunder;

And whereas no form of government has existed in the said Territory since the ninth day of July, 1915, save that exercised under Martial Law by the Military Governor and in succession to him by the Administrator of the said Territory;

And whereas by the Treaty of Peace between Germany and the Principal Allied and Associated Powers (of which the Union of South Africa as a unit of the British Empire is one) Germany renounced all her rights and titles in the said Territory in favour of those Allied and Associated Powers;

And whereas those Allied and Associated Powers resolved to place the administration of the said Territory under the Government of the Union of South Africa as Mandatory for the purpose of administering the said Territory as an integral part of the said Union and thereby the Government of the Union of South Africa became the holder of the Mandate for the said Territory in pursuance of the said Treaty;

And whereas by an Act of the Parliament of the Union of South Africa passed subsequently to the said Treaty and entitled the Treaty of Peace and South-West Africa Mandate Act, 1919, power was conferred upon the Governor-General of the Union of South Africa to issue proclamations and to do such things as appear to him to be necessary for giving effect to any Mandate issued in pursuance of the said Treaty with reference to the said Territory;

And whereas it has become desirable in the interests of the good government of the Territory to withdraw Martial Law in the said Territory;

And whereas the Administrator of the Territory has accordingly issued a proclamation at Windhuk bearing the date the first day of January, 1921, withdrawing Martial Law in the said Territory and indemnifying the Civil and Military Officers who administered it in respect of all acts, matters, and things in good faith advised, commanded, ordered, directed, or done while Martial Law was in force in the said Territory, which Territory has heretofore been known during the existence of Martial Law as "the Protectorate of South-West Africa in military occupation of the Union Forces";

PROKLAMASIE

VAN GENERAAL-MAJOR SIJ KONINKLIKE HOOGHEID PRINS ARTHUR FREDERICK PATRICK ALBERT VAN CONNAUGHT, RIDDER VAN DIE MEES EDELE ORDE VAN DIE KOUSEBAND, LID VAN SIJ MAJESTEITS MEES EDELAGBARE GEHEIME RAAD, RIDDER VAN DIE ALLEROUDEST EN ALLEREDLSTE ORDE VAN DIE DISTEL, GROOTKRUISRIDDER VAN DIE MEEST ONDERSKEIE ORDE VAN ST. MICHAEL EN ST. GEORGE, GROOTKRUISRIDDER VAN DIE KONINKLIKE VICTORIA ORDE, RIDDER VAN DIE MEES EDELAGBARE BATH ORDE, PERSOONLIKE AIDE-DE-CAMP VAN SIJ MAJESTEIT DIE KONING, HOGE KOMMISSARIS VAN SUIDAFRIKA EN GOVERNEUR-GENERAAL EN OPPERBEVELHEBBER IN EN OOR DIE UNIE VAN SUIDAFRIKA.

* No. 1, 1921.]

Nademaal gedurende die oorlog tussen Duitsland en die Britse Ryk die Duitse gebied van Suidwesafrika ten volle en effektief beset is deur die militêre magte van die Unie van Suidafrika en aldus beset gebly het totdat die krygswet daarin opgehef is;

En nademaal dit gedurende die tyd dat die militêre besetting plaasgevind het en na die voltooiing daarvan nodig geword het om in genoemde gebied stappe te neem ter voorkoming en onderdrukking van verder of ander vyandelikhede teen genoemde militêre magte en ter handhaving van goeie orde en bestuur oor vir die openbare veiligheid in genoemde gebied;

En nademaal sulke stappe van tyd tot tyd geneem is deur die Opperbevelhebber en ander hoofoffisiere van die militêre magte van die Unie te velde, deur die Militêre Goewerneur en deur die Administrateur van die genoemde gebied deur die uitvaardiging van verskillende proklamasies en regulasies daaronder in die genoemde gebied;

En nademaal in die genoemde gebied sedert die 9de dag van Julie 1915 geen vorm van bestuur bestaan het nie behalwe wat onder krygswet uitgeoefen is deur die Militêre Goewerneur en na hom deur die Administrateur van genoemde gebied;

En nademaal Duitsland by die Vredesverdrag tussen Duitsland en die voornaamste Geallieerde en Geassosieerde Moondhede (waar die Unie van Suidafrika als 'n eenheid van die Britse Ryk een is) van al sy regte en aansprake op genoemde gebied afstand gedoen het ten gunste van die Geallieerde en Geassosieerde Moondhede;

En nademaal die Geallieerde en Geassosieerde Moondhede besluit het om die bestuur van genoemde gebied op te dra aan die Regering van die Unie van Suidafrika as Mandataris ten einde die genoemde gebied as 'n integraal deel van die genoemde Unie te bestuur en die Regering van die Unie van Suidafrika daardeur die houder geword het van die Mandaat oor die genoemde gebied ingevolge genoemde verdrag;

En nademaal hy een wet van die Parlement van die Unie van Suidafrika wat na die sluiting van genoemde verdrag aangeneem is, met name die Vredesverdrag en Suidwesafrika Mandaatwet, 1919, bevoegdheid aan die Goewerneur-generaal van die Unie van Suidafrika verleen is om proklamasies uit te vaardig en te doen wat hom nodig hlyk te wees teneinde gevolg te gee aan 'n Mandaat, ingevolge genoemde verdrag, met betrekking tot die genoemde gebied uitgereik;

En nademaal dit in die belang van die goeie bestuur van die gebied wenslik is om die krygswet oor die genoemde gebied op te hef;

En nademaal die Administrateur van die gebied dienooreenkomstig op Windhuk 'n proklamasie uitgevaardig het, gedateerd die eerste dag van Januarie 1921, waarby krygswet in genoemde gebied opgehef word en die siviele en militêre amptenare, wat dit bestuur het, gevrywaar word ten aansien van alle handeling, onderwerpe en sake deur hulle te goedertrou aangeraade, gekommandeer, georder, bevole of gedaan terwyl krygswet in genoemde gebied geheers het, welke gebied onder krygswet tot nog toe bekend was as "die Protektoraat van Suidwesafrika onder militêre besetting van die Unie-magte";

Now, therefore, I do hereby proclaim, declare, and make known that under and by virtue of the powers and authority in me vested by section *one* of the said Treaty of Peace and South-West Africa Mandate Act, 1919;

All proclamations issued in the said Territory by the General Officer Commanding in Chief or any other General Officer of the Military Forces of the Union in the field, by the Military Governor, and by the Administrator, including the said proclamation of indemnity and withdrawal of Martial Law, as also any regulations made or issued under any such proclamation shall be and are hereby ratified;

And I do further proclaim, declare, and make known that under and by virtue of the powers and authority in me vested by paragraph *(c)* of section *two* of the said Act I do hereby delegate to the Administrator of the said Territory the authority conferred in paragraphs *(a)* and *(b)* of the said section to repeal, alter, amend, or modify any laws in force within the said Territory including such proclamations and regulations as have been promulgated during the military occupation thereof and to make new laws applicable to the said Territory, the said Administrator acting in this behalf subject always to such instructions as may from time to time be issued for his guidance by proper authority.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Johannesburg on this the Second day of January, 1921.

ARTHUR FREDERICK,
Governor-General.

By Command of His Royal Highness the
Governor-General-in-Council.

J. C. SMUTS.

So is het dat ik hierby proklameer, verklaar en bekend maak, kragtens die bevoegdhede en mag my verleen by artikel *een* van die genoemde Vredesverdrag en Suidwesafrika Mandaatwet, 1919;

Alle proklamasies, in genoemde gebied uitgevaardig deur die Opperbevelhebber of 'n ander hoofoffisier van die militêre magte van die Unie te velde, deur die Militêre Goewerneur en deur die Administrateur, waaronder begrepe genoemde proklamasie tot vrywaring en tot opheffing van die krygswet, alsook regulasies gemaak of uitgevaardig kragtens die proklamasie, word en is hierby bekragtig;

En voorts proklameer, verklaar en maak ik bekend dat ik, kragtens die bevoegdheden en mag my verleen by paragraaf *(c)* van artikel *two* van genoemde wet, aan die Administrateur van genoemde gebied hierby oordra die mag, verleen by paragraaf *(a)* en *(b)* van genoemde artikel, om wette wat binnen genoemde gebied geld, waaronder begrepe die proklamasies en regulasies wat gedurende die militêre besetting van die gebied afgekondig is, te herroep, te wysig of te verander en om nuwe wette van toepassing te verklaar in genoemde gebied, zullende die genoemde Administrateur te dien opsigte handel volgens die instruksies wat die bevoegde gesag van tyd tot tyd vir sy leiding mog uitvaardig.

GOD BEHOEDE DIE KONING.

Gegee onder my Handtekening en die Grootseël van die Unie van Suidafrika te Johannesburg op hierdie Tweede dag van Januarie 1921.

ARTHUR FREDERICK,
Goewerneurgeneraal.

In opdrag van Sy Koninklike Hoogheid die
Goewerneurgeneraal-in-Rade.

J. C. SMUTS.