



Republic of Namibia  
Annotated Statutes

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## Executive Powers (Transport) Transfer Proclamation, AG 14 of 1978

(OG 3717)

came into force on date of publication: 15 March 1978

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### PROCLAMATION

of the

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

TRANSFER OF ADMINISTRATION OF DEPARTMENT OF TRANSPORT  
TO THE ADMINISTRATOR-GENERAL

*(Approved by the State President on 6 March 1978)*

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### ARRANGEMENT OF SECTIONS

1. Definition
2. Transfer of administration of Department of Transport
3. Application of laws
4. Amendment of section 2 of Act 74 of 1962
5. Amendment of section 5 of Act 74 of 1962
6. Short title

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

M. T. STEYN  
Administrator-General

Windhoek, 13 March 1978

### SCHEDULE

#### Definition

1. (1) In this Proclamation "General Proclamation" means the Executive Powers Transfer (General Provisions) Proclamation, 1977 (Proclamation AG. 7 of 1977).

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(2) A reference in this Proclamation to any particular law shall be construed as including a reference to a regulation, rule or other enactment made under or relating to that law.

**Transfer of administration of Department of Transport**

2. Notwithstanding anything to the contrary contained in any other law but subject to the provisions of this Proclamation and the General Proclamation, the administration of the affairs of the territory of South West Africa in relation to any matter which at the commencement of this Proclamation is administered by the Minister of Transport of the Republic of South Africa in the Department of Transport, shall be carried on by the Administrator-General.

**Application of laws**

3. (1) The provisions of subsection (1) of section 3 of the General Proclamation shall, without detracting from the provisions of subsection (2) of that section, not apply to -

- (a) section 5 of the Carriage by Air Act, 1946 (Act 17 of 1946);
- (b) section 2(2) of the Air Services Act, 1949 (Act 51 of 1949);
- (c) the Merchant Shipping Act, 1951 (Act 57 of 1951);
- (d) section 3(1)(b) and (2), and, in so far as it relates to any accident of South African aircraft occurring outside the territory, section 12 of the Aviation Act, 1962 (Act 74 of 1962);
- (e) the Prevention and Combating of Pollution of the Sea by Oil Act, 1971 (Act 67 of 1971);
- (f) the National Road Safety Act, 1972 (Act 9 of 1972);
- (g) the Compulsory Motor Vehicle Insurance Act, 1972 (Act 56 of 1972);
- (h) section 15 of the Air Services Amendment Act, 1973 (Act 43 of 1973);
- (i) the reference to the Republic in the Road Transportation Act, 1977 (Act 74 of 1977).

(2) Notwithstanding the provisions of section 3(1)(c) of the General Proclamation, the reference to the Republic in -

- (a) the Carriage by Air Act, 1946 (Act 17 of 1946);
- (b) the Air Services Act, 1949 (Act 51 of 1949);
- (c) the Aviation Act, 1962 (Act 74 of 1962);
- (d) the Civil Aviation Offences Act, 1972 (Act 10 of 1972),

shall be construed as including a reference to the territory.

**Amendment of section 2 of Act 74 of 1962**

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4. Section 2 of the Aviation Act, 1962, is hereby amended -
- (a) by the deletion of the words “and to all South African aircraft and personnel wheresoever they may be” in subsection (2); and

[The subsection referred to should be subsection (1).]

- (b) by the deletion of subsection (2).

**Amendment of section 5 of Act 74 of 1962**

5. Section 5 of the Aviation Act, 1962, is hereby amended by the deletion of subsection (6).

**Short title**

6. This Proclamation shall be called the Executive Powers (Transport) Transfer Proclamation, 1978.