



Republic of Namibia
Annotated Statutes

Trespass Ordinance 3 of 1962

(OG 2390)

came into force on date of publication: 30 March 1962

as amended by

Trespass Amendment Act 20 of 1985 (OG 5140)

came into force on date of publication: 18 December 1985

ORDINANCE

To prohibit the entry or presence upon land and the entry of or presence in buildings in certain circumstances, and to provide for matters incidental thereto.

(Assented to 28th March, 1962)
(English Text signed by the Administrator)

ARRANGEMENT OF SECTIONS

[The provisions in this Ordinance have no headings.]

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:-

1. (1) Any person who without the permission -
 - (a) of the lawful occupier of any land or any building or part of a building or of a person authorised by or on behalf of such lawful occupier to give permission; or
 - (b) of the owner or person in charge of any land or any building or part of a building that is not lawfully occupied by any person,

enters or is upon such land or enters or is in such building or part of a building, shall be guilty of an offence unless he has lawful reason to enter or be upon such land or enter or be in such building or part of a building.

Trespass Ordinance 3 of 1962

(2) For the purposes of sub-section (1) the expression “lawful occupier” in relation to a building or part of a building does not include a servant of the lawful occupier of the land on which that building is situated.

2. Any person convicted of an offence under section 1 shall be liable to a fine not exceeding R1 000 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

[section 2 amended by Act 20 of 1985;
not all of the changes are indicated by amendment markings]

3. The laws set forth in the Schedule are hereby repealed to the extent shown in the third column thereof.

4. This Ordinance shall be called the Trespass Ordinance, 1962.

SCHEDULE

Laws Repealed

<i>No. and year of law</i>	<i>Title</i>	<i>Extent of Repeal</i>
Proclamation 25 of 1920	Vagrancy Proclamation, 1920	Sections <i>four, five, six</i> and <i>seven</i>
Proclamation 27 of 1920	Police Offences Proclamation, 1920	Sub-section (12) of section <i>eight</i> and sub-section (3) of section <i>nine</i>
Ordinance 11 of 1954	General Laws Amendment Ordinance, 1954	Section <i>three</i>