



# OFFICIAL GAZETTE

EXTRAORDINARY

of South West Africa.

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# OFFISIËLE KOERANT

van Suidwes - Afrika.

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The following Government Notice is published for general information.

H. P. SMIT,  
Secretary for South West Africa.

Administrator's Office, Windhoek,

No. 97.]      [9th June, 1928.

ORDINANCES, 1928: PROMULGATION OF.

His Honour the Administrator has been pleased to assent, in terms of Section *thirty-two* of the South West Africa Constitution Act, 1925 (Act No. 42 of 1925), to the following Ordinances which are hereby published for general information in terms of Section *thirty-four* of the said Act:—

No.	Title.	Page.
No. 2.	Prevention of Corruption Ordinance, 1928.	4917
No. 3.	Agricultural Pests Ordinance Amendment Ordinance, 1928	4917
No. 4.	Fencing Law Amendment Ordinance, 1928	4918
No. 5.	Stock Diseases Law Amendment Ordinance, 1928	4919
No. 6.	Game Preservation Ordinance Amendment Ordinance, 1928	4920

Die volgende Goewermentskennisgewing word vir algemene informasie gepubliseer.

H. P. SMIT,  
Sekretaris vir Suidwes - Afrika.

Administrateurskantoor,  
Windhoek.

No. 97.]      [9 Junie 1928.

ORDONNANSIES 1928: UITVAARDIGING VAN.

Dit het Sy Edele die Administrateur behaag om sy goedkeuring te heg, ooreenkomstig artikel *twee-en-dertig* van die Zuidwest-Afrika Konstitusie Wet 1925 (Wet No. 42 van 1925), aan die volgende Ordonnansies wat hiermee vir algemene informasie gepubliseer word ooreenkomstig artikel *vier-en-dertig* van gemelde Wet:—

No.	Titel.	Bladsy.
No. 2.	Ordonnansie tot Verhinderung van Korrupsie 1928	4917
No. 3.	Landbouplae-Ordonnansie-Wysigingsordonnansie 1928	4917
No. 4.	Omheiningswet-Wysigingsordonnansie 1928	4918
No. 5.	Veetieswet-Wysigingsordonnansie 1928	4919
No. 6.	Wildbeskerming-Ordonnansie Wysigingsordonnansie 1928	4920

[Date of commencement—12th June, 1928.]

**ORDINANCE**

For the better prevention of corruption.

*(Assented to 1st June, 1928.)**(Afrikaans text signed by the Administrator.)*

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

Definitions.

1. For the purposes of this Ordinance—

the expression "agent" includes any person employed by or acting for another, any person employed by or serving under the Administration of the Territory or the Government of the Union or any municipality, village management board, roads board or any other local authority at present existing in the Territory or which may hereafter be created, or employed by or acting for any company, society or voluntary association, and also includes the trustee of an insolvent estate, the assignee of an estate assigned for the benefit of or with the consent of creditors, the liquidator of a company which is being wound up, an executor of the estate of a deceased person, the administrator of a trust, and the legal representative of any person who is of unsound mind or is a minor or is otherwise under disability;

the expression "consideration" includes valuable consideration of any kind;

the expression "principal" includes an employer and a master as contemplated in any law governing the relations of masters and servants, and, in relation to a trustee, assignee, liquidator, executor, administrator or such legal representative aforesaid, means the general body of creditors, shareholders, or the heirs or beneficiaries or persons represented by such legal representative, as the case may be.

Corrupt conduct.

2. (a) If any agent corruptly accepts or obtains, or agrees to accept, or attempts to obtain from any person for himself, or for any other person, any gift or consideration as an inducement or reward for doing or forbearing to do, or for having after the passing of this Ordinance done, or forborne to do any act in relation to his principal's affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business, or

(b) if any person corruptly gives or agrees to give, or offers, any gift or consideration to any agent as an inducement or reward for doing or forbearing to do, or for having after the passing of this Ordinance done or forborne to do, any act in relation to his principal's affairs, or business, or

(c) if any person knowingly gives to any agent, or if any agent knowingly uses with intent to deceive his principal, any receipt, account or other document, in respect of which the principal is interested and which contains any statement which is false, or erroneous, or defective, in any material particular and which to his knowledge is intended to mislead his principal,

he shall be guilty of corruption and be liable on conviction to imprisonment with or without hard labour for a term not exceeding two years, or to a fine not exceeding £500, or to both such imprisonment and such fine.

Short title.

3. This Ordinance may be cited for all purposes as the Prevention of Corruption Ordinance, 1928.

[Date of commencement—12th June, 1928.]

**ORDINANCE**

To amend the law relating to the regulation of the importation into the Territory of South West Africa of exotic animals and to the introduction into and spread within the Territory of South West Africa of plant diseases and bee diseases.

*(Assented to 1st June, 1928.)**(Afrikaans text signed by the Administrator.)*

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

1. Section one of the Agricultural Pests Ordinance, 1927 (Ordinance No. 11 of 1927), is hereby repealed, and the following new section is substituted therefor:—

Amendment of section one of Ordinance No. 11 of 1927.

[Datum van inwerkingtreding—12 Junie 1928.]

**ORDONNANSIE**

Tot betere verhinderings van korrupsie.

*(Goedgekeur 1 Junie 1928.)**(Afrikaanse teks deur die Administrateur geteken.)*

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied van Suidwes-Afrika, as volg:—

1. Vir die doeleindes van hierdie Ordonnansie—

sluit die uitdrukking "agent" enige persoon in, wat in diens van iemand anders is of vir iemand anders optree, enige persoon deur die Administrasie van die Gebied of die Regering van die Unie of enige munisipaliteit, dorpsbestuursraad, padkommissie of enige ander plaaslike bestuur, wat tans in die Gebied bestaan of later ingestel mag word, aangestel of in sy diens of enigeen deur enige maatskappy, vereniging of vrywillige vereniging aangestel of vir hulle optredende, en sluit ook in die kurator van 'n insolvente boedel, die boedelberedderaar van 'n boedel, wat vir die voordeel en met die toestemming van skuldeisers afgestaan is, die likwidateur van 'n maatskappy wat ontbind word, die eksekuteur van die boedel van 'n oorlede persoon, die administrateur van 'n trust, en die wettige verteenwoordiger van enige persoon, wat kranksinnig of minderjarig of andersins regtens onbekwaam is;

die uitdrukking "vergoeding" sluit vergoeding van waarde van enige soort in;

die uitdrukking "prinsipaal" sluit 'n arbeidgewer en 'n diensheer in, soos in enige wet op die verhouding tussen werkgewers en bediendes voorsien, en, wat 'n kurator, boedelberedderaar, likwidateur, eksekuteur, administrateur of sodanige wettige verteenwoordiger betref, beteken dit die algemene liggaam van skuldeisers, aandeelhouers, of die erfgename of bedeelde persone of persone verteenwoordig deur sodanige wettige verteenwoordiger, al na gelang.

2. (a) As enige agent op korrupte wyse enige geskenk of vergoeding van enige persoon vir homself, of vir enige ander persoon aanneem of ontvang, of toestem om te ontvang of probeer om te verkry as 'n aansporing of beloning vir die doen of nalating van enige handeling in verband met sy prinsipaal se sake of besigheid, of omdat hy na die uitvaardiging van hierdie Ordonnansie enige sodanige handeling gedoen of nagelaat het of vir die doen of nalating van guns of onguns teenoor enige persoon in verband met sy prinsipaal se sake of besigheid, of

(b) as enige persoon op korrupte wyse enige geskenk of vergoeding aan enige agent gee of toestem om te gee of aanbied as 'n aansporing of beloning vir die doen of nalating van enige handeling in verband met sy prinsipaal se sake of besigheid, of omdat hy, na die uitvaardiging van hierdie Ordonnansie enige sodanige handeling gedoen of nagelaat het, of

(c) as enige persoon desbewing aan enige agent enige kwitansie, rekening of ander dokument gee, of enige agent opsetlik en met die bedoeling om sy prinsipaal te bedrieg enige kwitansie, rekening of ander dokument aanneem, ten aansien waarvan die prinsipaal belang het en wat enige verklaring bevat, wat in enige wesenlike opsig vals, verkeerd of onvolledig is en wat, tot sy kennis, bedoel is om sy prinsipaal te mislei,

is hy skuldig aan korrupsie en by skuldigbevinding onderhewig aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens twee jaar of aan 'n boete van hoogstens £500 of aan beide sodanige gevangenisstraf en sodanige boete.

3. Hierdie Ordonnansie kan vir alle doeleindes as die Ordonnansie tot Verhinderings van Korrupsie 1928 aangehaal word.

[Datum van inwerkingtreding—12 Junie 1928.]

**ORDONNANSIE**

Om die wet met betrekking tot die reëling van die invoer in die Gebied van Suidwes-Afrika van uitheemse diere en tot die invoering en verspreiding van plantesiektes en byesiektes in die Gebied van Suidwes-Afrika te wysig.

*(Goedgekeur 1 Junie 1928.)**(Afrikaanse teks deur die Administrateur geteken.)*

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied van Suidwes-Afrika, as volg:—

1. Artikel een van die Landbouplae-Ordonnansie 1927 (Ordonnansie No. 11 van 1927) word hiermee herroep en deur die volgende nuwe artikel vervang:—

Ord. No. 2 van 1928.

Woordbepalings.

Korrupte gedrag

Korte tiel

Ord. No. 3 of 1928.

Ord. No. 3 van 1928.

Wysiging van artikel een van Ordonnansie No. 11 van 1927.



1. The Ordinance of the Imperial Governor of the Protectorate of German South West Africa relating to the importation and keeping of rabbits, of the twenty-fifth day of May, 1900, the Ordinance of the said Governor relating to the prevention and suppression of phylloxera, of the first day of October, 1902, and the Ordinance of the said Governor relating to the suppression of foulbrood amongst bees, of the twenty-sixth day of July, 1911, are hereby repealed, together with so much of any other law as is repugnant to or inconsistent with the provisions of this Ordinance.

2. This Ordinance may be cited as the Agricultural Pests Ordinance Amendment Ordinance, 1928.

[Date of commencement—1st July, 1928.]

**ORDINANCE**

To amend the law relating to the erection of dividing fences between adjoining properties.

(Assented to 1st June, 1928.)

(Afrikaans text signed by the Administrator.)

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

1. (1) In this Ordinance—

“the principal law” means the Fencing Proclamation, 1921 (Proclamation No. 57 of 1921), as amended by the Fencing Proclamation Amendment Proclamation, 1923 (Proclamation No. 13 of 1923), the Fencing Proclamation Amendment Proclamation, 1925 (Proclamation No. 18 of 1925), and the Fencing Proclamation Further Amendment Proclamation, 1925 (Proclamation No. 28 of 1925);

“prior owner” means—

- (a) if the transferor is an executor or a *curator bonis* or a trustee or assignee under the law relating to insolvency, or a liquidator of a company, the person or company whose property such transferor is administering; or
- (b) if a transfer is passed in execution of the judgment of a competent court, the judgment debtor; or
- (c) in the case of cession of the lease of the area of land comprising a holding such as is described in paragraph (b) of the definition of “holding” contained in section two of the principal law, the cedent; or
- (d) in the case of cancellation of the lease or allotment of the area of land comprising a holding such as is described in the said paragraph, the lessee or the person to whom the holding was allotted (in this case the Administration shall be deemed to be the transferee of the holding); or
- (e) in all other cases the transferor.

(2) Any expression to which in the principal law a meaning has been assigned has, when used in this Ordinance, the same meaning.

2. Section six of the principal law is hereby amended by the deletion of the words “at the commencement of this Proclamation or” and the words “in either case” occurring in sub-section (4) of that section.

3. (1) Whenever a holding is transferred, every obligation of the prior owner in respect of the cost of any dividing fence between such holding and any other holding, imposed upon such prior owner in terms of the principal law, read with this Ordinance, shall be deemed to be transferred to the transferee, and the prior owner shall thereupon cease to be bound by any such obligation.

(2) Whenever a holding is transferred, every right of the prior owner to claim a contribution towards the cost of a dividing fence between such holding and any other holding conferred upon him in terms of the principal law, read with this Ordinance, shall be deemed to be transferred to the transferee, and the prior owner shall thereupon cease to be invested with any such right.

(3) The transfer of an obligation or of a right in terms of sub-section (1) or sub-section (2) shall not affect the validity of any obligation or any right collateral thereto, and any such collateral obligation or right shall in all respects be deemed to apply to and subsist in respect of the obligation or right transferred.

(4) The provisions of this section shall not apply in respect of a transfer made pursuant to any contract entered into prior to the commencement of this Ordinance.

(5) A holding shall, for the purposes of this section, be deemed to be transferred if, in the case of a holding such as is described in paragraph (a) of the definition of “holding” contained in section two of the principal law, the land comprising the holding is transferred in the Deeds Registry, or if, in the case of a holding such as is described

1. Die Ordonnansie van die Keiserlike Goewerneur van die Protektoraat van Duits-Suidwes-Afrika, met betrekking tot die invoer en aanhou van konyne, van die vyf-en-twintigste dag van Mei 1900, die Ordonnansie van die vermeldde Goewerneur met betrekking tot die voorkoming en uitroeiing van druiweluise, van die eerste dag van Oktober 1902, en die Ordonnansie van die vermeldde Goewerneur met betrekking tot die uitroeiing van seker byesiekte (Faulbrut) van die ses-en-twintigste dag van Julie 1911, word hiermee herroep, tesame met soveel van enige ander wet wat in teenstryd of onbestaanbaar is met die voorsienings van hierdie Ordonnansie.

2. Hierdie Ordonnansie kan as die Landbouplae-Ordonnansie-Wysigingsordonnansie 1928 aangehaal word.

[Datum van inwerkingtreding—1 Julie 1928.]

**ORDONNANSIE**

Om die wet met betrekking tot die oprigting van tussenheininge tussen aangrensende eiendomme te wysig.

(Goedgekeur 1 Junie 1928.)

(Afrikaanse teks deur die Administrateur geteken.)

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied van Suidwes-Afrika, as volg:—

1. (1) In hierdie Ordonnansie—

beteken “die hoofwet” die “Omheinings Proklamasie 1921” (Proklamasie No. 57 van 1921) soos gewysig deur die “Omheinings Proklamasie Wijzigings Proklamasie 1923” (Proklamasie No. 13 van 1923), die “Omheinings Proklamasie Wijzigingsproklamasie 1925” (Proklamasie No. 18 van 1925), en die “Omheinings Proklamasie Verdere Wijzigings-Proklamasie 1925” (Proklamasie No. 28 van 1925);

beteken “vorige eienaar”—

- (a) as die transportgewer ’n eksekuteur of ’n *curator bonis* of ’n kurator of ’n boedelberedderaar ingevolge enige wet met betrekking tot insolvensie, of ’n likwidateur van ’n maatskappy is, die persoon of maatskappy wie se eiendom sodanige transportgewer administreer; of
- (b) as ’n transport gegee word ingevolge die vonnis van ’n bevoegde hof, die veroordeelde skuldenaar; of
- (c) ingeval van sessie van die huurkontrak oor die grondstuk wat ’n besitting soos omskrywe in paragraaf (b) van die woordbepaling van “bezitting” bevat in artikel twee van die hoofwet, uitmaak, die seederder; of
- (d) ingeval van kanselering van die huurkontrak of toekenning van die grondstuk wat ’n besitting, soos omskrywe in die vermeldde paragraaf, uitmaak, die huurder of die persoon aan wie die besitting toegeken is (in hierdie geval word die Administrasie as die transportnemer van die besitting beskou); of
- (e) in alle ander gevalle die transportgewer.

(2) Enige uitdrukking waaraan in die hoofwet ’n betekenis toegeken is, het, wanneer in hierdie Ordonnansie gebruik, dieselfde betekenis.

2. Artikel ses van die hoofwet word hiermee gewysig deur weglating van die woorde “bij de invoering van deze Proklamasie of” en die woorde “in het ene of het andere geval”, waar hulle in onderartikel (4) van daardie artikel voorkom.

3. (1) Wanneer ’n besitting getranspoteer word, word elke verpligting van die vorige eienaar ten opsigte van die koste van enige tussenheining tussen sodanige besitting en enige ander besitting, wat sodanige vorige eienaar ingevolge die hoofwet, as een gelees met hierdie Ordonnansie, opgelê is, beskou aan die transportnemer oorgedra te wees en die vorige eienaar hou daarna op om deur enige sodanige verpligting gebind te wees.

(2) Wanneer ’n besitting getranspoteer word, word elke reg van ’n vorige eienaar, om ’n bydrae tot die koste van ’n tussenheining tussen sodanige besitting en enige ander besitting te eis, wat aan hom ingevolge die hoofwet, as een gelees met hierdie Ordonnansie, verleen is, beskou aan die transportnemer oorgedra te wees, en daarna hou die vorige eienaar op enige sodanige reg te besit.

(3) Die oordrag van ’n verpligting of van ’n reg ooreenkomstig onderartikel (1) of onderartikel (2) raak nie die geldigheid van enige verpligting of enige reg wat daarmee saamhang nie, en enige sodanige samehangende verpligting of reg word in alle opsigte beskou om ten opsigte van die oorgedrae verpligting of reg van toepassing te wees en te bestaan.

(4) Die voorsienings van hierdie artikel is nie van toepassing nie ten opsigte van ’n oordrag gedaan ooreenkomstig enige kontrak aangegaan voor die inwerkingtreding van hierdie Ordonnansie.

(5) ’n Besitting word vir die doeleindes van hierdie artikel beskou as getranspoteer, indien, ingeval van ’n besitting soos beskrywe in paragraaf (a) van die woordbepaling van “bezitting” in artikel twee van die hoofwet, die grond wat die besitting uitmaak in die Registrasiekantoor van Aktes getranspoteer is, of indien, in die geval van ’n besitting soos beskryf is in paragraaf (b) van die vermeldde woordbepaling, ’n afstand van die huurkontrak of

Korte titel.

Ord. No. 4 van 1928.

Woordbepaling.

Wysiging van artikel ses van Proklamasie No. 57 van 1921.

Oordrag van verpligting tot betaling en van regte om bydraes tot koste van tussenheining te eis.

Short title.

Ord. No. 4 of 1928.

Interpretation of terms.

Amendment of section six of Proclamation No. 57 of 1921.

Transfer of obligations to pay and rights to claim contributions towards cost of dividing fences.



in paragraph (b) of the said definition, a cession of the lease or allotment of the area of land comprising the holding is registered in the Deeds Registry, or the lease or allotment is cancelled in the Deeds Registry.

(6) Notwithstanding anything in section *forty-one* of the principal law contained, the obligation referred to in sub-section (1), or the right referred to in sub-section (2), as the case may be, shall, whenever a holding is transferred to the Administration of the Mandated Territory of South West Africa or the Railway Administration, as defined in the said section, be transferred from the prior owner to, and be binding upon or vest in the Administration of the said Mandated Territory or the Railway Administration, as the case may be:

Provided that where a lease or allotment of the area of land comprised in a holding such as is described in paragraph (b) of the definition of "holding" contained in section *two* of the principal law has been cancelled in the Deeds Registry, and that area of land is re-allotted or re-let, with an option to purchase such area, and the instrument of lease or allotment is registered in the Deeds Registry, the obligation referred to in sub-section (1) or the right referred to in sub-section (2) transferred to the Administration of the Mandated Territory of South West Africa in terms of this section shall be deemed to be transferred to and to be binding upon the person in whose favour the instrument of lease or allotment is so registered, and thereupon the provisions of this section shall apply.

4. Whenever the owner of a holding has erected a dividing fence separating that holding from adjoining land belonging to the Administration of the Mandated Territory of South West Africa or the Railway Administration, as defined in section *forty-one* of the principal law, and such adjoining land thereafter becomes a holding, as defined in section *two* of the principal law, held by a person other than the Administration of the said Mandated Territory or the said Railway Administration, the provisions of section *six* of the principal law shall apply *mutatis mutandis* in respect of such dividing fence, provided the fence is in good order.

5. Whenever the owner of a holding becomes liable under the provisions of section *four* of the principal law, or of sub-section (4) of section *six* of the principal law, as amended by section *two* of this Ordinance, or of sub-section (5) of section *six* of the principal law, or of section *four* of this Ordinance, to contribute towards the cost of a dividing fence separating his holding from an adjoining holding, such contribution shall be calculated upon the value of the fence at the date when he so becomes liable.

6. Nothing in the principal law or this Ordinance contained shall be construed as giving to the owner of a holding who has erected a dividing fence separating his holding from any other holding, or to the successor or successors in title of such owner, or to both such owner or his successor or successors in title, the right to recover in the aggregate more than one-half of the cost of the fence.

7. This Ordinance, which shall be read as one with the principal law, may be cited for all purposes as the Fencing Law Amendment Ordinance, 1928, and shall come into operation on the first day of July, 1928.

[Date of commencement—12th June, 1928.]

### ORDINANCE

To amend the law relating to the prevention of disease amongst stock.

(Assented to 1st June, 1928.)

(Afrikaans text signed by the Administrator.)

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

1. In this Ordinance the expression "the principal law" means the Diseases of Stock Proclamation, 1920 (Proclamation No. 28 of 1920), as amended by the Diseases of Stock Amendment Proclamation, 1924 (Proclamation No. 24 of 1924); and any expression to which, in the principal law, a meaning has been assigned shall, when used in this Ordinance, bear the same meaning.

2. (1) The Administrator may by notice in the *Gazette* declare any area described in that notice to be an area into or out of which it shall not be lawful to remove or allow stock to stray.

(2) Any stock which has been removed or allowed to stray or which has strayed into or out of any area described in a notice issued under sub-section (1), whether or not the straying has been caused by the negligence of the owner thereof, may, on the order of the Administrator be destroyed or otherwise dealt with.

(3) No compensation shall be payable to the owner of any stock destroyed or dealt with under the provisions of this section, unless the Administrator otherwise direct. If the Administrator direct that compensation shall be so payable, such compensation shall be paid according to a scale and in manner prescribed by regulation.

toekenning van die grondstuk, wat die besitting uitmaak, in die Registrasiekantoor van Aktes geregistreer is, of die huurkontrak of toekenning in die Registrasiekantoor van Aktes gekanseleer is.

(6) Nieteenstaande enigiets vervat in artikel *een-en-veertig* van die hoofwet, sal die verpligting waarna in onderartikel (1) en die reg waarna in onderartikel (2) verwys word, al na die geval mag wees, wanneer 'n besitting getransporeer word aan die Administrasie van die Mandaatgebied van Suidwes-Afrika of die Spoorwegadministrasie, soos omskrywe in genoemde artikel, van die vorige eienaar oorgaan tot en bindend wees op die gesegde Administrasie van die Mandaatgebied van Suidwes-Afrika of die Spoorwegadministrasie, al na die geval mag wees:

Met die verstande dat ingeval 'n huurkontrak of toekenning van die grondstuk, wat 'n besitting uitmaak, soos in paragraaf (b) van die woordbepaling van "besitting", bevat in artikel *twee* van die hoofwet, omskrywe, in die Registrasiekantoor van Aktes gekanseleer is en daardie grondstuk met die opsie om sodanige grondstuk te koop weer toegeken of verhuur word en die akte van huur of toekenning in die Registrasiekantoor geregistreer is, word die verpligting, waarna in onderartikel (1) verwys word of die reg waarna in onderartikel (2) verwys word, aan die Administrasie van die Mandaatgebied van Suidwes-Afrika, ooreenkomstig hierdie artikel oorgedra, beskou as aan die persoon oorgedra en op hom bindend te wees, ten gunste van wie die akte van huur of toekenning aldus geregistreer is, en daarna is die voorsienings van hierdie artikel van toepassing.

4. Wanneer die eienaar van 'n besitting 'n tussenheining opgerig het, wat daardie besitting van aangrensende grond afskei wat aan die Administrasie van die Mandaatgebied van Suidwes-Afrika of die Spoorwegadministrasie, soos omskrywe in artikel *een-en-veertig* van die hoofwet, behoort, en sodanige grond word later 'n besitting, soos omskrywe in artikel *twee* van die hoofwet, besit deur 'n persoon ander as die Administrasie van die vermeldde Mandaatgebied of die vermeldde Spoorwegadministrasie, dan is die voorsienings van artikel *ses* van die hoofwet *mutatis mutandis* van toepassing ten opsigte van sodanige tussenheining, mits die heining in goeie toestand is.

5. Wanneer die eienaar van 'n besitting ingevolge die voorsienings van artikel *vier* van die hoofwet, of van onderartikel (4) van artikel *ses* van die hoofwet, soos gewysig deur artikel *twee* van hierdie Ordonnansie, of van onderartikel (5) van artikel *ses* van die hoofwet, of van artikel *vier* van hierdie Ordonnansie, verplig word om tot die koste van 'n tussenheining, wat sy besitting afskei van 'n aangrensende besitting, by te dra, moet sodanige bydrae volgens die waarde van die heining op die datum, waarop hy aldus aanspreeklik geword het, bereken word.

6. Niks in die hoofwet of in hierdie Ordonnansie word uitgelê nie asof dit die eienaar van 'n besitting, wat 'n tussenheining opgerig het, wat sy besitting van enige ander besitting afskei, of asof dit die regsopvolger of regsopvolgers van sodanige eienaar, of beide sodanige eienaar of sy regsopvolger of regsopvolgers die reg gee om tesame meer as eenhelfte van die koste van die heining te verhaal.

7. Hierdie Ordonnansie, wat as een met die hoofwet gelees moet word, kan vir alle doeleindes as die Omheiningswet-Wysigingsordonnansie 1928 aangehaal word en tree in werking op die eerste dag van Julie 1928.

[Datum van inwerkingtreding—12 Junie 1928.]

### ORDONNANSIE

Om die wet met betrekking tot die verhinderende van vee-siektes te wysig.

(Goedgekeur 1 Junie 1928.)

(Afrikaanse teks deur die Administrateur geteken.)

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied van Suidwes-Afrika, as volg:—

1. In hierdie Ordonnansie beteken die uitdrukking "die hoofwet" die "Veeziekten Proklamatie 1920" (Proklamasie No. 28 van 1920), soos gewysig deur die "Veeziekten Wijzigingsproklamatie 1924" (Proklamasie No. 24 van 1924); en enige uitdrukking, waaraan in die hoofwet enige betekenis toegeskryf is, het dieselfde betekenis wanneer in hierdie Ordonnansie gebruik.

2. (1) Die Administrateur kan deur kennisgewing in die *Offisiële Koerant* enige gebied, in daardie kennisgewing beskrywe, as 'n streek verklaar, waaruit of waarin dit nie wettig sal wees nie om vee te verwyder of te laat inkom.

(2) Enige vee wat in of uit enige streek, soos in 'n kennisgewing beskrywe wat ingevolge onderartikel (1) uitgereik is, verwyder is of toegelaat is om te loop of geloop het, onverskillig of die in- of uitloop deur die nalatigheid van die eienaar daarvan veroorsaak is of nie, kan op bevel van die Administrateur vernietig word of daar kan andersins oor beskik word.

(3) Geen vergoeding is aan die eienaar van enige vee, wat vernietig is of ingevolge die voorsienings van hierdie artikel mee gehandel is, betaalbaar nie tensy die Administrateur andersins gelas. As die Administrateur gelas dat vergoeding aldus betaalbaar is, moet sodanige vergoeding volgens 'n skaal en op 'n wyse voorgeskryf deur regulasie betaal word.

Persons acquiring holdings from Administration of Mandated Territory or from Railway Administration to be liable to contribute to cost of dividing fences existing thereon.

How contributions in certain cases to be calculated.

Not more than half cost of a dividing fence to be recoverable.

Short title and date of commencement of Ordinance.

Ord. No. 5 of 1928.

Interpretation of terms.

Establishment of closed areas and destruction of stock removed or straying into or out of such areas.

Persone, wat besittings van Administrasie van Mandaatgebied of van Spoorwegadministrasie verkry, is onderhewig aan bydrae tot koste van tussenheining wat daarop bestaan.

Hoe bydraes in sekere gevalle bereken moet word.

Nie meer as die helfte van die koste van 'n tussenheining is verhaalbaar nie.

Korte titel en datum van inwerkingtreding van Ordonnansie.

Ord. No. 5 van 1928.

Woordbepaling.

Oprigting van geslote streke en vernietiging van vee wat in of uit sodanige streke verwyder word of loop.