

BUITENGEWONE

OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA.

OFFICIAL GAZETTE

EXTRAORDINARY
OF SOUTH WEST AFRICA.



UITGAWE OP GESAG.

PUBLISHED BY AUTHORITY.

10c Dinsdag, 28 November 1967 WINDHOEK Tuesday, 28 November 1967 No. 2837

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Goewermentskennisgewing	Government Notice.
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Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

J. J. KLOPPER,
Sekretaris van Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

The following Government Notice is published for general information.

J. J. KLOPPER,
Secretary for South West Africa.

Administrator's Office,
Windhoek.

No. 196.] [28 November 1967

No. 196.] [28 November 1967

ORDONNANSIES, 1967: UITVAARDIGING VAN

Dit het die Administrateur behaag om sy goedkeuring te heg, ooreenkomstig artikel *twee-en-dertig* van „De Zuidwest-Afrika Konstitutie Wet 1925” (Wet 42 van 1925), aan die volgende Ordonnansies wat hiermee vir algemene inligting gepubliseer word, ooreenkomstig artikel *vier-en-dertig* van gemelde Wet:—

ORDINANCES, 1967: PROMULGATION OF

The Administrator has been pleased to assent, in terms of section *thirty-two* of the South West Africa Constitution Act, 1925 (Act 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.	Titel	Bladsy
No. 32	Onteieningsordonnansie 1967	2041
No. 33	Eerste Addisionele Middele (1967-1968) Ordonnansie 1967	2057
No. 34	Ordonnansie op die Geldigmaking van Reëls van die Hof 1967	2059
No. 35	Ordonnansie op die Reservering van Staatsgrond vir Inboorlinge 1967	2061
No. 36	Wysigingsordonnansie op Dorpe en Grondverdeling 1967	2081
No. 37	Munisipale Wysigingsordonnansie 1967	2089
No. 38*	Verdere Wysigingsordonnansie op Robbevangs en Visserye 1967	2095
No. 39	Algemene Regswysigingsordonnansie 1967	2099
No. 40	Wysigingsordonnansie op Fabriekke, Masjinerie en Bouwerk 1967	2103
No. 41	Munisipale Hondebelastingwysigingsordonnansie 1967	2105
No. 42	Verdere Wysigingsordonnansie op Heffings vir Inboorlingbehuising 1967	2107

No.	Title	Page
No. 32	Expropriation Ordinance, 1967	2042
No. 33	First Additional Appropriation (1967-1968) Ordinance, 1967	2058
No. 34	Rules of Court (Validation) Ordinance, 1967	2060
No. 35	Reservation of State Land for Natives Ordinance, 1967	2062
No. 36	Townships and Division of Land Amendment Ordinance, 1967	2082
No. 37	Municipal Amendment Ordinance, 1967	2090
No. 38	Sealing and Fisheries Further Amendment Ordinance, 1967	2096
No. 39	General Law Amendment Ordinance, 1967	2100
No. 40	Factories, Machinery and Building Work Amendment Ordinance, 1967	2104
No. 41	Municipal Dog Tax Amendment Ordinance, 1967	2106
No. 42	Native Housing Levy Further Amendment Ordinance, 1967	2108

notify the Administrator in writing within thirty days of the amount claimed by him as such compensation.

(4) If the whereabouts of the owner or of every owner of the property in question or of a person referred to in sub-section (2) is not readily ascertained by the Administrator, or, if by reason of the number of owners or persons having such an interest, as is contemplated in the said sub-section, in that property, the Administrator is satisfied that service of a notice in accordance with sub-section (1) or (2) is not practicable, or if the property is subject to a *fideicommissum* and it is not known to him who all the *fideicommissaries* are or will be, he shall cause to be published once in the *Official Gazette* and once a week during two consecutive weeks in an Afrikaans and in an English newspaper circulating in the district in which the property in question is or is situated, a notice complying with the provisions of sub-section (3).

(5) Except where property is, in the opinion of the Administrator urgently required, at least sixty days shall lapse between the date of notice and the date contemplated in sub-section (3).

(6) If the Administrator has caused a notice to be served in terms of sub-section (1) or to be published in terms of sub-section (4), he may, subject to the provisions of sub-sections (2) and (5), advance the date stated in such notice by causing to be served or published, as the case may be, a notice to that effect in accordance with sub-section (1) or (4), and such advanced date shall for all purposes be deemed to be the date stated in terms of sub-section (3) in the firstmentioned notice.

5. (1) If any property is expropriated in terms of section 2 the ownership in such property shall, on the date stated in the notice in question, vest in the Administration, released from all mortgage bonds, if any, and the Administration may on such date enter upon or take possession of and use as from that date such property, but if such property is land, it shall remain subject to all registered real rights (except mortgage bonds), in favour of third parties, with which it was burdened immediately prior to the said date, unless and until such rights have been expropriated from the owner thereof in accordance with the provisions of section 2.

Passing of ownership in expropriated property and exercise of right to use property.

(2) If the Administrator has in terms of section 2 taken the right to use any property for any purpose, the Administration may, as from the date stated in the notice in question, exercise that right.

6. (1) An owner whose property has been expropriated in terms of section 2, shall within thirty days (or such longer period as the Administrator may in writing allow) from the date of notice in question deliver or cause to be delivered to the Administrator —

Duties of owner of, and of holder of mortgage bond over, property expropriated and of owner of property which is to be used by Administration.

- (a) a written statement indicating —
 - (i) if any compensation was offered for such property, whether or not he accepts that compensation and, if he does not accept it, the amount claimed by him as compensation; or
 - (ii) if no such compensation was offered, the amount claimed by him as compensation;
- (b) if such property is immovable property, his title deed thereof, if it is in his possession or under his control;
- (c) if such title deed is not in his possession or under his control, written particulars of the name and address of the person in whose possession or under whose control it is.

(2) The Administrator may by written notice require any person contemplated in sub-section (1) (c) to deliver or cause to be delivered to him within the period stated in the notice, the title deed in question.

(3) The provisions of sub-section (1) (a) of this section shall *mutatis mutandis* apply in respect of the taking, in terms of section 2, of a right to use any property for public purposes.

(4) In determining the amount of the compensation to be paid in terms of this ordinance the following rules shall apply in so far as they may be relevant —

- (a) No allowance shall be made for the fact that the property or the right to use the property has been taken without the consent of the owner in question;
- (b) the special suitability or usefulness of the property in question for the purpose for which it is required by the Administration, shall not be taken into account if it is unlikely that the property would have been purchased for that purpose in the open market or that the right to use the property for that purpose would have been so purchased;
- (c) if the value of the property has been enhanced in consequence of the use thereof in a manner which is unlawful or detrimental to the health of a person living thereon or utilizing it, or to the public health, such enhancement shall not be taken into account;
- (d) improvements made after the date of notice on or to the property in question (except where they were necessary for the proper maintenance of existing improvements or where they were undertaken in pursuance of obligations entered into before that date); shall not be taken into account;
- (e) no allowance shall be made for any unregistered right in respect of any other property, or any indirect damage or loss of profit or anything done with the object of obtaining compensation therefor;
- (f) any enhancement, before or after the date of notice, in the value of the goods in question, which may be due to the purpose for which or in connection with which the property is being expropriated or is to be used, or which is a consequence of any work or act which the Administration may carry out or perform or intends to carry out or perform in connection with such purpose, shall not be taken into account;
- (g) account shall be taken of —
 - (i) the cost of any works which the Administration may have constructed or undertaken to construct for the benefit of the person to be compensated, with a view to mitigating his damage;
 - (ii) any benefit which will enure to such person in consequence, of the expropriation of the property or the use thereof for the purpose for which it was expropriated or, as the case may be, the right in question was taken.

9. (1) Proceedings contemplated in section 7 (1) shall be instituted and conducted by way of action. Procedure.

(2) The law of procedure applicable in civil proceedings in the court in which such proceedings are conducted shall, subject to the provisions of this ordinance and any regulations made thereunder, apply *mutatis mutandis* in respect of such proceedings, and any award of compensation shall be regarded as if it were a civil judgment of that court.

10. (1) Costs in any proceedings contemplated in section 7 (1) shall be calculated in accordance with the table of costs applicable in the court in question. Costs.

(2) If the compensation awarded by the court in any such proceedings —

- (a) is equal to or exceeds the amount last claimed by the owner in question before the commencement of the proceedings, costs shall be awarded against the Administrator;
- (b) is equal to or less than the amount last offered by the Administrator before the commencement of the proceedings, costs shall be awarded against the owner in question; or

No. 35 of 1967.]

ORDINANCE

To provide for the setting apart and reservation of state land for the use and occupation of Natives.

(Assented to 20th November, 1967)

(Afrikaans text signed by the Administrator)

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the State President, in so far as such consent is necessary, previously obtained and communicated to the Legislative Assembly by message from the Administrator in accordance with the provisions of section 26 of the South West Africa Constitution Act 1925, as amended by section 16 of the South West Africa Affairs Amendment Act 1949 of the Republic of South Africa, as follows:—

1. The Administrator may from time to time by proclamation in the *Official Gazette* set apart and reserve for the sole use and occupation of Natives any state land set out in the schedule to this ordinance or any portion of such land as may be specified in any such proclamation.

Administrator may set apart and reserve land for use and occupation by Natives.

2. All such acts as may by law be required to be performed for the giving of proper effect to any setting apart or reservation of land in terms of section 1 are hereby required to be performed by such persons as may by any such law be entrusted with the duty of performing such acts.

Performance of acts for giving effect to the setting apart or reservation of land.

3. This ordinance shall be called the Reservation of State Land for Natives Ordinance, 1967.

Short title.

SCHEDULE.

DISTRICT OF BETHANIE.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Doachas	57	9,740	7,474
Landschut	58	7,895	0,606
Gunab	59	9,606	4,615
Portion 1 of Misgund	60	6,590	8,053
Remainder of Misgund	60	10,017	5,785
Pfalz	61	13,551	0,803
Nugoais	65	13,605	1,384
Tafelberge	66	10,084	6,037
Sonnenhof	67	7,582	5,411
Portion 1 of Hünsruck	68	6,740	2,323
Remainder of Hünsruck	68	6,738	1,027
Portion 1 of Flörsheim	69	7,150	3,808
Remainder of Flörsheim	69	7,149	5,287
Gangeis	70	3,642	3,777
Kosis	72	10,126	2,004
Schnepfenrivier	73	14,825	0,071
Garis	74	14,878	4,285

DISTRICT OF GIBEON.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Portion 1 of Hatzium II	18	3,999	7,937
Remainder of Hatzium II	28	7,110	8,223

Zubgaus	29	5,138	0,000
Remainder of Rietkuil	30	13,490	4,495
Ubiams	32	10,649	5,605
Portion A of Fleyfeld	33	5,639	8,143
Portion B of Fleyfeld	33	7,384	3,677
Kamagams	35	8,484	4,077
Kosis	36	4,231	9,909
Kinachas	37	12,893	0,000
Rooikranz	38	12,296	0,000
Remainder of Hatzium I	40	7,812	4,451
Remainder of Hatzium	40	8,268	6,703
Portion 1 of Kaitzub-Kaudus	42	12,433	4,354
Remainder of Kaitzub-Kaudus	42	6,070	3,334
Portion 1 of Hanaus	43	3,693	4,709
Portion 2 of Hanaus	43	4,109	9,732
Portion 3 of Hanaus	43	3,640	0,245
Portion 4 of Hanaus	43	7,169	7,190
Remainder of Hanaus	43	1,610	5,715
Portion 1 of Hanaus	44	1,338	9,733
Portion 2 of Hanaus	44	2,322	2,825
Remainder of Hanaus	44	1,599	8,192
Portion 1 of Aurus	45	5,000	0,020
Remainder of Aurus	45	5,198	7,929
Portion 1 of Docheib	46	6,092	4,653
Remainder of Docheib	46	6,096	8,654
Portion 1 of Tempelhof	47	3,262	6,149
Portion 2 of Tempelhof	47	3,064	7,053
Remainder of Tempelhof	47	4,950	8,826
Teschenbrugge	48	9,559	6,736
Portion 1 of Treseburg	49	4,950	4,838
Remainder of Treseburg	49	6,009	1,690
Aneis	52	12,547	0,000
Portion 1 of Kabiais	54	5,063	2,946
Remainder of Kabiais	54	7,477	7,054
Portion A of Akam	55	4,578	7,991
Remainder of Akam	55	4,542	6,471
Portion 1 of Koherab	56	4,912	3,449
Remainder of Koherab	56	4,910	0,000
Deutsche Erde	57	8,098	0,000
Portion 1 of Gelwater	58	4,847	1,382
Remainder of Gelwater	58	9,435	7,710
Achterfontein	59	10,993	0,000
Achterfontein II	60	6,487	6,070
Faalgras	61	4,739	4,295
Portion 1 of Gründorn	62	11,218	8,374
Remainder of Gründorn	62	8,756	9,780
Viperstorf	63	10,131	6,506
Portion 1 of Amalia	64	11,239	1,748
Portion A of Gaus Sued	65	618	0,944
Remainder of Gaus Sued	65	2,546	4,390
Gaus Noord	66	4,284	0,000
Portion A of Garichanab	67	5,532	6,698
Portion B of Garichanab	67	4,796	6,077
Goamus Ost	69	9,537	2,044
Portion A of Goamus	70	10,379	5,935
Remainder of Goamus	70	10,384	1,156
Portion 1 of Noronaub	71	5,298	4,056
Remainder of Noronaub	71	5,076	8,096
Korra Korrabes	72	10,685	4,296
Portion A of Kameelhaar	73	5,000	8,104
Remainder of Kameelhaar	73	10,579	5,102
Remainder of Portion 2 of Kameelhaar	73	3,000	2,697
Portion 3 of Kameelhaar	73	2,999	8,945
Kameelhaar Nord	74	3,569	9,603
Portion C of Gibeon Town and Townlands	75	0	2,240
Gibeon Townlands	75	9,166	0,000
Glencoe	78	9,144	1,890
Anis Kubub	96	6,970	1,829
Remainder of Rosenhof	97	11,121	0,954
Portion 1 of Ventershoop	164	4,012	9,285
Portion 2 (Nooitgedacht) of Portion 1 of Ventershoop	164	3,000	0,058
Remainder of Ventershoop	164	3,005	6,778
Kameelhaar	165	5,174	6,911

---	881	6,439	0,611
---	882	6,717	9,240
---	883	6,715	2,153
---	884	6,740	9,057
---	885	6,287	6,814
---	886	6,644	1,753
---	887	6,442	0,002
---	888	6,147	3,100
---	889	6,703	4,628
---	890	6,758	0,814
---	891	6,619	2,682
---	892	6,761	0,270
---	893	6,188	8,477
---	894	7,174	1,990
---	895	7,160	1,249
---	896	6,733	8,650
---	897	7,260	8,555
---	898	6,285	9,184
---	899	6,438	3,620
---	900	6,796	1,548
---	901	6,799	9,971
---	902	6,618	7,825
---	903	6,961	9,995
---	904	6,174	8,688
---	905	6,300	8,931
---	906	6,972	1,275
---	907	6,392	4,423
---	908	6,393	7,683
---	909	6,200	7,245
---	910	6,604	9,724
---	911	6,009	7,297
---	912	6,317	5,315
---	913	6,742	1,293
---	914	6,375	9,129
---	915	6,062	2,108
---	916	6,454	5,081
---	917	6,393	4,373
---	918	6,477	0,397
---	919	6,451	2,012
---	920	6,370	6,353
---	921	6,123	7,431
---	922	6,918	1,900
---	948	7,597	6,074
---	949	7,599	5,205
---	950	7,692	1,694
---	951	7,698	4,622
---	952	7,918	4,884
---	953	7,967	3,700
---	954	7,671	0,070
---	955	7,620	4,996
---	956	7,144	9,195
---	957	7,162	9,946
---	958	7,290	6,118
---	959	7,308	1,276
---	960	7,293	2,341
---	961	7,310	4,786
---	962	7,233	6,338
---	963	7,248	7,619
---	964	7,230	1,773
---	965	7,245	2,048
---	966	7,184	0,212
---	967	7,154	7,483
---	968	7,513	0,006
---	969	7,428	0,803

DISTRICT OF KARIBIB.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Kudubis	19	10,653	2,519
Tumib	20	9,065	0,000
Springbokfontein	21	11,006	0,000
Tubussis	22	14,493	9,349
Lêwater	57	5	9,999
Sandamap	64	9,002	2,178
Portion 1 of Pforte	65	4,103	5,353
Portion 2 of Pforte	65	4,103	5,340

Portion 1 of Daberas Ost	18	5,897	7,191
Portion 2 of Daberas Ost	18	5,897	6,305
Remainder of Daberas Ost	18	5,897	7,818
Portion 1 of Klein Daberas	19	9,595	4,316
Portion 2 of Klein Daberas	19	3,377	2,757
Portion 3 of Klein Daberas	19	1,000	2,785
Remainder of Klein Daberas	19	5,217	8,821
Portion 1 of Zaris	20	6,577	3,804
Portion 2 of Zaris	20	4,999	3,088
Portion 3 of Zaris	20	5,000	3,088
Remainder of Zaris	20	3,288	6,895
Blaukehl-Nord	141	14,956	0,000
Blaukehl-Süd	142	15,115	2,013
Blau-Ost	143	10,157	0,000
Portion 1 of Blau-Ost	144	2,158	2,846
Remainder of Blau-Ost	144	3,558	0,246
Petisie	193	4,104	5,572
Bloemhof	311	9,401	8,631
Vaalheuwel	358	10,139	0,433

DISTRICT OF OMARURU.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Portion B of the Farm Okombahe	148	0	1,198
Portion D of the Farm Okombahe	148	0	2,750

DISTRICT OF OUTJO.

Farm.	No.	Extent.	
		Hectares	Sq. metres
Orusewa	1	5,151	7,499
Tsawisis	2	5,891	9,771
Elba	3	5,171	7,852
Löwenfontein	84	5,027	7,649
Portion 3 of Sorris-Sorris	186	2,966	6,971
Portion 5 of Sorris-Sorris	186	5,275	5,798
Portion 6 of Sorris-Sorris	186	6,165	5,123
Remainder of Sorris-Sorris	186	5,646	5,317
Portion 1 of Grootberg	191	5,085	5,134
Portion 2 of Grootberg	191	5,041	8,949
Portion 3 of Grootberg	191	5,021	6,563
Portion 4 of Grootberg	191	4,902	0,400
Portion 5 of Grootberg	191	4,956	0,395
Remainder of Grootberg	191	5,050	2,221
Kakatswa Onguati	236	14,756	2,292
Portion 1 of Amkarub	269	1,699	9,661
Portion 2 of Amkarub	269	1,652	9,673
Portion 1 of Brambach	271	1,562	8,378
Remainder of Brambach	271	6,999	9,052
Portion 1 of Engelbrecht	272	1,199	5,752
Remainder of Engelbrecht	272	9,200	3,403
Mikberg	274	3,690	7,419
Kowares	276	15,531	3,627
Halt	379	5,634	3,221
Korechas	381	5,596	3,898
Portion 1 of Radyn	382	41	2,901
Remainder of Radyn	382	5,432	4,009
Navarre	383	5,889	4,678
Waterval	384	5,376	9,600

Renosterwraak	385	5,578	0,852
Stillewoning	386	5,502	3,774
Braunfels	387	5,328	5,548
Olifantshoek	388	5,646	4,423
Renosterkop	389	5,587	6,607
Macaria	390	10,406	9,035
Belmont	392	5,685	3,950
Dieprivier	393	5,619	2,551
Welbedacht	394	6,055	4,722
Uitskot	395	5,596	8,842
Middelplaas	396	5,648	5,860
Vaalhoek	397	6,153	1,326
Weltevrede	398	6,181	6,193
Nooitgedacht	399	5,951	1,282
Delta	400	5,172	9,373
Iris	401	5,441	7,864
Moedhou	402	5,165	8,227
Omborombongo	403	5,167	4,918
Farm	404	3,203	9,448
Karstenville	405	5,734	2,052
Terra Mea	406	5,954	8,990
Houmoed	407	5,821	8,854
Biessiepoort	408	5,962	7,437
Wilverdiend	409	5,322	7,309
Zebrakop	410	5,475	4,010
Leeushoek	411	5,996	0,070
Onverwags	412	6,147	8,791
Irene	413	5,823	6,135
Rooipoort	414	6,603	7,277
Portion 1 of Welwitschia Town and Townlands	416	120	7,589
Portion 2 of Welwitschia Town and Townlands	416	1	2,500
Remainder of Welwitschia Town and Townlands	416	1,698	5,564
Eindelik	478	6,553	0,033
Arbeidsadel	479	6,332	2,624
Môrewag	480	6,761	1,097
Florida	481	5,586	3,425
Inhoek	482	5,595	9,033
Bella Vista	483	6,080	1,723
Bloemhof	484	6,403	9,515
Versteendewoud	485	6,865	0,791
Oas	486	5,905	2,710
Kaokokroon	487	5,254	5,312
Kleinfontein	488	2,967	2,276
Portion 1 of Horison	489	4,167	9,015
Bergville	490	6,495	3,540
Lofdal	491	6,227	8,054
Braklaagte	492	6,224	3,797
Dagbreek	495	6,231	3,007
Môreson	496	6,387	7,666
Langberg	497	5,726	8,820
Groenvlei	498	6,272	2,165
Losberg	499	6,099	0,403
Goedgevind	500	6,040	7,725
Arbeidsgenot	501	6,690	3,453
Renosterberg	502	7,094	0,488
Goeie Hoop	503	7,172	2,159
Mesopotamie	504	7,102	1,271
Soutput	505	7,107	0,107
Rooikop	506	8,272	2,339
Boesmanpan	507	7,242	6,263
Toekoms	508	7,120	5,556
Rushof	509	6,426	1,005
Ruimte	510	6,458	6,285
Naauwpoort	511	6,254	8,649
Blaauwkrans	512	6,757	4,255
Loerkop	513	6,362	7,807
Bethanis	514	10,792	3,436
Austerlitz	515	8,277	4,296
Drie Krone	516	8,351	1,932
Rooiberg	517	6,482	4,469
Rietkuil	518	7,009	3,885
Malansrust	519	7,509	0,157
Blaauwpoort	520	10,097	8,868
Witwatersrand	521	8,272	8,235
Granietskop	522	7,218	8,745
Banksfontein	523	6,814	2,522

Mispah	524	9,711	2,625
Uitkoms	525	10,014	6,525
Goedgenoeg	526	10,570	3,468
Draaihoek	527	11,928	6,184
Vegkop	528	9,540	3,195
Duineveld	529	8,327	9,499
Saulstraat	530	9,695	0,053
Alfa	531	9,077	5,645
De Rust	532	11,197	4,989
Rendezvous	533	11,411	3,359
Twyfelfontein	534	12,223	0,220
Probeer	535	17,999	1,269
Moria	601	5,010	7,234
Anker	602	5,797	1,435
Deo Valento	610	5,649	7,721
Dwarsstrek	611	5,641	7,327
Neuland	612	5,822	5,141
Emanuel	613	6,165	4,566
Condor	617	5,494	7,845
Atlanta	618	5,518	1,915
Eendrag	619	5,207	4,498
Kaiserfontein	620	5,609	6,984
Dorsland	621	7,208	5,029
Oortrek	622	5,280	4,876
Waterbron	623	5,420	9,381
Kamdesha	624	6,038	6,825
Quo Vadis	625	5,235	7,144
De Ville	638	5,586	9,809
Marienhöhe	639	5,293	0,259
Swartskamp	640	6,654	7,289
Marienphil	641	5,046	8,004
Westend	642	4,569	8,827
Tevrede	643	6,161	9,044
Leeukop	664	11,126	2,042
Verpaaie	665	4,735	8,696
Kuyper	666	10,657	8,329
Nugas	667	13,631	4,188
Suiderkruis	668	9,647	5,914
Ruspoort	669	10,492	9,233
Brakwater	670	10,174	5,430
Freyer	671	9,844	2,624
Avante	672	13,070	2,933
Aandgloed	673	11,631	7,687
Noute	674	11,275	1,465
Eersbegin	675	10,987	6,898
Tweelingskop	676	9,095	6,835
Anabis	677	7,583	7,685
Spitskop	678	5,875	8,614
Nantis	679	6,220	6,759
Welkom	680	9,182	0,365
Heuwels	681	6,345	7,994
Rockeys	682	5,787	4,649
Portion 1 of Aub	683	1,934	3,982
Remainder of Aub	683	4,643	3,568
Smalruggens	684	5,199	0,911
Palmwag	702	20,076	1,628
Otjihavera	703	17,540	7,981
Humor	704	19,362	2,323
Rusdal	705	13,459	8,804
Tafelberg	706	13,154	3,158
Kliprivier	707	16,776	3,596
Palm	708	19,895	1,837
Juriesdraai	709	22,819	6,760
Rooiplaat	710	21,460	5,202
Spaarwater	711	20,826	6,380
Tweespruit	712	16,932	0,000
Nil Despuradum	713	15,510	0,135
Bergsig	714	20,159	6,814
Wêreldsend	715	24,107	0,438
Driefontein	716	23,894	5,296
Fonteine	717	17,523	9,324
Opraend	718	14,737	3,498
Vrede	719	15,961	2,206
Die Riet	720	15,660	3,333
Krone	721	19,073	2,710
Tussenby	729	2,967	2,168
Farm	731	1,499	8,869
Mooirivier	738	4,797	3,033
Farm	741	3,799	2,066

GIBEON TOWNSHIP.

Erf.	No.	Extent sq. metres
—	1	1,909
—	2	2,168
—	3	2,176
—	4	1,920
—	5	1,921
—	7	3,692
—	9	19,416
—	12	3,486
—	13	0,793
—	14	1,327
—	15	3,681
—	16	2,210
—	17	4,716
—	18	3,285
—	19	6,478
—	20	3,413
—	21	5,527
—	22	8,197
—	23	3,122
—	24	9,697
—	25	2,722
Portion A of Remainder of	26	1,399
—	26	6,928
—	27	4,704
—	28	0,439
—	30	0,876
—	31	3,527
—	32	1,313
—	33	3,941
—	34	1,542
—	35	1,412
—	38	0,513
—	39	1,203
—	40	1,183
—	42	1,118
—	43	1,226
—	45	1,597
—	46	1,599
—	47	1,603
—	48	2,906
—	49	1,342
—	52	1,331
—	53	1,621
—	54	1,785
—	55	1,179
—	56	1,182
—	57	1,061
—	58	1,129
—	59	16,806
—	60	7,345
—	61	4,599
—	62	3,850
—	63	4,601
—	64	4,932
—	65	1,575
—	66	16,640
—	67	4,052
—	68	4,968
—	69	7,000
—	71	3,973
—	73	1,410

WELWITSCHIA TOWNSHIP.

Erf.	No.	Extent sq. metres
—	1	4,188
—	2	1,488
—	3	1,500
—	4	1,500
—	5	1,500
—	6	1,500
—	7	1,488
—	8	1,488
—	9	1,500

—	10	1,500
—	11	1,500
—	12	1,500
—	13	1,488
—	14	17,950
—	15	12,550
—	16	8,350
—	17	2,050
—	18	86,379
—	19	1,268
—	20	2,508
—	22	2,850
—	23	1,425
—	26	2,693
—	27	1,425
—	28	2,508
—	31	1,300
—	32	1,312
—	33	2,751
—	34	1,271
—	36	2,608
—	38	1,173
—	39	0,941
—	40	1,002
—	41	1,312
—	42	1,312
—	43	1,358
—	44	1,467
—	45	1,312
—	46	1,312
—	47	1,312
—	48	1,112
—	49	1,087
—	50	1,275
—	51	2,506
—	53	1,139
—	55	1,901
—	56	0,905

No. 36 of 1967.]

ORDINANCE

To amend the Townships and Division of Land Ordinance 1963, to redefine the expression "public place" and to define the expression "prior law"; to provide in section 5 that notice shall be given that an application for permission to establish a township is open for inspection at the office of the Surveyor-General and at such other places as may be stated in such notice; to provide in section 13 that the proclamation which declares an area to be an approved township shall set forth in a schedule thereto the conditions subject to which the application for permission to establish the township concerned has been granted; to provide in section 22 that when the Administrator has prohibited an owner or lessee of land from erecting any building on such land, a copy of such prohibition shall be lodged with the Registrar of Deeds who shall cause a note of such prohibition to be made in his registers and to be endorsed on the title deed concerned; to provide that conditions imposed by the Administrator in terms of the said ordinance or any other law may be enforced and to provide penalties for non-compliance with such conditions; to provide for the variation of any conditions imposed in terms of the said ordinance or any prior law and for the cancellation by the Registrar of Deeds of any such conditions; to provide that fees prescribed in terms of the said ordinance shall be paid by the Administrator into the Territory Revenue Fund and to provide for matters incidental thereto.

(Assented to 20th November, 1967)

(English text signed by the Administrator)

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

1. Section 1 of the Townships and Division of Land Ordinance 1963 (Ordinance 11 of 1963) — hereinafter called the principal ordinance — is hereby amended —

Amendment of section 1 of Ordinance 11 of 1963.

(a) by the substitution for the definition of "public place" of the following definition:—

“(vii) ‘public place’ includes any street, road, lane, avenue, thoroughfare, sanitary passage, park, recreation or sports ground, square or other open space —

(a) which is shown as such on a general plan of an approved township, as filed in the Deeds Registry or the Surveyor-General’s Office; or

(b) which is represented by a diagram annexed to a deed conveying it as a public place to a local authority in pursuance of any sub-division of land; or

(c) to which the public have acquired or at any time may acquire a common right;”;

(b) by the insertion after the definition of “prescribed” of the following definition:—

“(viiiA) ‘prior law’ means the Townships Proclamation, 1920 (Proclamation 68 of 1920) and the Townships Ordinance, 1928 (Ordinance 11 of 1928);”.

2. Section 5 of the principal ordinance is hereby amended —

Amendment of section 5 of Ordinance 11 of 1963.

(a) by the substitution for sub-section (5) of the following sub-section:—

“(5) The Administrator shall upon receipt thereof refer the application to the Board for consideration and report, and the Board shall forthwith publish once in the *Official Gazette* and once in such newspaper or newspapers as it may deem fit, a notice that such application has been made and is open for inspection at the office of the Surveyor-General and at such other places (if any) as may be stated in such notice”;

(b) by the substitution for sub-section (6) of the following sub-section:—

“(6) Any person who objects to the granting of the application or who is desirous of being heard or of making representations in the matter may communicate in writing with the Board or may give evidence before the Board on the date and at the place stipulated by the Board in the notice referred to in sub-section (5): Provided that any such written communication shall be in the hands of the Board not later than one month as from date of publication of such notice.”;

(c) by the deletion of sub-section (9).

3. Section 6 of the principal ordinance is hereby amended by the deletion of sub-section (5).

Amendment of section 6 of Ordinance 11 of 1963.

4. Section 13 of the principal ordinance is hereby amended by the addition at the end thereof of the words “and such proclamation shall set forth in a schedule thereto the conditions subject to which the application for permission to establish the township concerned has been granted”.

Amendment of section 13 of Ordinance 11 of 1963.

5. Section 17 of the principal ordinance is hereby amended by the substitution for the words “the Townships Proclamation, 1920 (Proclamation 68 of 1920), or under the provisions of this or any other Ordinance” of the words “this Ordinance or any prior law” and by the substitution for the words “the said proclamation” of the words “the Townships Proclamation, 1920 (Proclamation 68 of 1920)”.

Amendment of section 17 of Ordinance 11 of 1963.

6. Section 19 of the principal ordinance is hereby amended —

Amendment of section 19 of Ordinance 11 of 1963.

(a) by the deletion in sub-section (1) of the words “or of any piece of land situated within the townlands of any approved township”;

(b) by the deletion of sub-sections (11) and (12).

7. Section 20 of the principal ordinance is hereby amended by the deletion of sub-sections (7) and (8).

Amendment of section 20 of Ordinance 11 of 1963.

8. Section 22 of the principal ordinance is hereby amended by the addition of the following sub-section:—

Amendment of section 22 of Ordinance 11 of 1963.

“(4) When the Administrator has, in terms of sub-section (1), prohibited an owner or lessee of land from erecting any building or buildings on such land, a copy of such prohibition shall be lodged with the Registrar of Deeds, who shall cause a note of such prohibition to be made in his registers and to be endorsed on the office copy of the title deed concerned, and if at any time the original of such

title deed is lodged in his registry for any purpose, he shall cause a similar note to be endorsed thereon."

9. Section 30 (2) of the principal ordinance is hereby amended by the substitution for the words "in favour of" of the word "by" and by the substitution for the word "other" of the word "prior".

Amendment of section 30 of Ordinance 11 of 1963.

10. The following section is hereby substituted for section 31 of the principal ordinance:—

Substitution of section 31 of Ordinance 11 of 1963.

"Conditions imposed may be enforced and penalties for non-compliance with conditions imposed.

31 (1) If the Administrator has imposed conditions in terms of this ordinance or any other law —

- (a) in respect of land situated within the area of jurisdiction of a local authority, such local authority may enforce compliance with such conditions; or
- (b) in respect of land situated outside such an area, the Administrator may enforce compliance with such conditions.

(2) Any person who contravenes or fails to comply with any of the conditions mentioned in sub-section (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment for a period not exceeding six months."

11. The following sections are hereby inserted after section 31 of the principal ordinance:—

Insertion of sections 31A, and 31B in Ordinance 11 of 1963.

"Variation of conditions in terms of this Ordinance or any prior law.

31A (1) The Administrator may, on application by the owner of any land, the title deeds of which are subject to conditions, imposed in terms of this ordinance or any prior law, vary such conditions, by amending, substituting or deleting any such conditions or by adding further conditions to such conditions: Provided that —

- (a) the Administrator may, before making any proposed variation, require public notification thereof to be given as he may deem necessary;
- (b) the Administrator shall refer the matter to the Board before making such variation;
- (c) if such land is situated within the area of jurisdiction of a local authority, the Board shall before making any recommendation to the Administrator, refer the matter to such local authority for its comments;
- (d) if such land is situated within an area to which a scheme approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) applies, the Administrator shall not make any such variation which is in conflict with any of the provisions of that scheme.

(2) The Administrator may, on the application of a township owner, vary the conditions set forth in the schedule to a proclamation issued in terms of section 13 in respect of the township concerned, by amending, substituting or deleting any such conditions or by adding further conditions to such conditions: Provided that —

- (a) the provisions of the proviso to sub-section (1) shall *mutatis mutandis* apply in respect of such application; and
- (b) the making of any variation of any such conditions in terms of this sub-section, together with particulars of such variation, shall be notified by the Administrator by proclamation in the *Official Gazette*.

Cancellation by Registrar of Deeds of conditions imposed.

31B. Notwithstanding anything to the contrary in any other law contained, the Registrar of Deeds may, with the written approval of the Administrator and upon payment of any duty or fee prescribed by the Deeds Registry Proclamation, 1939 (Proclamation 37 of 1939), cancel by endorsement any conditions which has, in terms of this ordinance or any prior law, been inserted in a deed of transfer or certificate of title or endorsed upon a title deed”.

12. Section 36 of the principal ordinance is hereby amended by the addition thereto of the following sub-section, the existing section becoming sub-section (1):—

Amendment of section 36 of Ordinance 11 of 1963.

“(2) Any fees prescribed in terms of sub-section (1) (c) shall upon payment, be paid by the Administrator into the Territory Revenue Fund.”.

13. This ordinance shall be called the Townships and Division of Land Amendment Ordinance, 1967.

Short title.

No. 41 of 1967.]

ORDINANCE

To amend the Municipal Dog Tax Ordinance 1967, to provide that the word "year" shall mean the period from the first day of January to the thirty-first day of December in the same year; to alter the date of commencement of such ordinance to the first day of January 1969 and to correct the wording of certain sections.

(Assented to 20th November, 1967)

(Afrikaans text signed by the Administrator)

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

1. Section 1 of the Municipal Dog Tax Ordinance 1967 (Ordinance 13 of 1967) — hereinafter called the principal ordinance — is hereby amended by the substitution for the definition of the word "year" of the following definition:—

Amendment of section 1 of Ordinance 13 of 1967.

"'year' means the period from the first day of January to the thirty-first day of December in the same year and 'annual' or 'annually' shall have a corresponding meaning;".

2. The following section is hereby substituted for Section 2 of the principal ordinance:—

Substitution of section 2 of Ordinance 13 of 1967.

Imposition of tax.

2. Every council shall impose a tax as hereinafter provided on the keeping of any dog within its municipal area and shall collect such tax as prescribed by regulation."

3. Section 4 of the principal ordinance is hereby amended by the substitution in sub-section (2) for the words "April", "March" and "September" of the words "January", "December" and "June", respectively.

Amendment of section 4 of Ordinance 13 of 1967.

4. Section 15 of the principal ordinance is hereby amended —

Amendment of section 15 of Ordinance 13 of 1967.

(a) by the deletion of the figure "(1)" after the figure "15";

(b) by the substitution in the Afrikaans text of paragraph (d) for the word "ingesamel" of the word "ingevorder".

5. Section 19 of the principal ordinance is hereby amended by the substitution for the expression "the 1st day of April, 1968" of the expression "the first day of January 1969".

Amendment of section 19 of Ordinance 13 of 1967.

6. This ordinance shall be called the Municipal Dog Tax Amendment Ordinance, 1967.

Short title.