

No. 13 of 1970.]

ORDINANCE

To amend the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) so as to change the name of the Town and Regional Planning Commission and to increase its membership; to provide for regional planning schemes; to establish a Planning Branch in the Administration; and to provide for incidental matters.

(Assented to 22 June 1970)

(Afrikaans text signed by the Administrator)

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

1. The Town Planning Ordinance, 1954 (Ordinance 18 of 1954), hereinafter called the principal Ordinance, is hereby amended by the substitution for the words "Town and Regional Planning Commission" and the word "Commission" or "commission" wherever they occur of the words "South West African Planning Advisory Board" and "board" respectively.

General amendment of Ordinance 18 of 1954.

2. Section 2 of the principal Ordinance is hereby amended —

Amendment of section 2 of Ordinance 18 of 1954.

- (a) by the substitution in the definition of "survey" for the words "of a local authority" of the words "in the area of a local authority or in any other";
- (b) by the insertion in the definition of "town planning scheme" after the words "a planning scheme" of the words ", including a regional planning scheme,".

3. Section 9 (1) of the principal Ordinance is hereby amended —

Amendment of section 9 of Ordinance 18 of 1954.

- (a) by the substitution for the word "five" of the word "ten";
- (b) by the addition of the following words at the end thereof:—

"The board may, with the approval of the Administrator, co-opt any person who has not been appointed a full-time member of the board, for a particular meeting or particular meetings of the board.";

- (c) by the substitution in the English text for the words "Town Planning and Regional Commission" of the words "South West African Planning Advisory Board".

4. Section 12 (2) of the principal Ordinance is hereby amended —

Amendment of section 12 of Ordinance 18 of 1954.

- (a) by the substitution for the words "the objects for which the commission is established are, wherever so required by the Administrator:" of the words "the functions of the board are";

(b) by the substitution for paragraph (c) of the following paragraph:—

“(c) to undertake any survey within the Territory and to design plans in connection therewith;”;

(c) by the substitution in paragraph (h) —

(i) for the word “duties” of the word “functions”;

(ii) for the word “Ordinance.” of the following words:—

“Ordinance:

Provided that such powers shall only be exercised and such functions shall only be performed if the Administrator so directs.”.

5. Section 13 of the principal Ordinance is hereby amended by the insertion after subsection (3) of the following subsections:—

Amendment of section 13 of Ordinance 18 of 1954.

“(4) A branch to be called the Planning Branch is hereby established in the Administration.

(5) The Administrator may, subject to the provisions of the Public Service Act, 1957 (Act 54 of 1957), or any amendment thereof, appoint an officer of the public service on the board or second any such officer to the board to fulfil the duties of secretary of the board. Such officer shall remain a member of the public service while he is in the service of the board and his remuneration shall be paid from the Territory Revenue Fund. The Administrator may also provide the board with accommodation for its head office and the furniture and equipment which are in his opinion necessary.”.

6. Section 47 (3) of the principal Ordinance is hereby deleted.

Amendment of section 47 of Ordinance 18 of 1954.

7. This ordinance shall be called the Town Planning Amendment Ordinance, 1970.

Short title.