

No. 11 of 1972.]

ENTERTAINMENT TAX ABOLITION
ORDINANCE, 1972.

(Assented to 19 June 1972.)

(Afrikaans text signed by the Administrator.)

(Date of commencement 1 July 1972.)

ORDINANCE

To provide for the abolition of entertainment tax; and
to provide for incidental matters.

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

1. The laws specified in the Schedule are hereby
repealed to the extent set out in the third column there-
of.

Repeal of laws.

2. The Advertising on Roads and Ribbon Develop-
ment Ordinance, 1960 (Ordinance 30 of 1960) — herein-
after referred to as the principal Ordinance — is hereby
amended by the substitution for the word "Administrator"
wherever it appears of the expression "Executive Com-
mittee".

Amendment of
Ordinance 30 of
1960 to substitute
"Executive
Committee" for
"Administrator".

3. Section 1 of the principal Ordinance is hereby
amended by the insertion after the definition of "building
restriction road" of the following definition:

Amendment of
section 1 of
Ordinance 30 of
1960, as amended
by section 1 of
Ordinance 3 of
1967.

" "Executive Committee" means the Administra-
tor-in-Executive Committee as referred to in
section 6 of the South West Africa Constitution
Act, 1968 (Act 39 of 1968);".

4. The following section is hereby inserted in the
principal Ordinance after section 9:

Insertion of
section 9A in
Ordinance 30 of
1960.

"Regulation
of the
establishment of
drive-in cinemas.

9A. (1) Notwithstanding the provi-
sions of any other law, no person shall
establish or conduct the business of a
drive-in cinema without the prior consent
of the Executive Committee: Provided
that application for such consent shall
not be made before the applicant shall
have published at least once a week for
four consecutive weeks in one Afrikaans
and one English newspaper circulating in
the area in which the said business is
proposed to be established or conducted
a notice setting out the intention of the
applicant to make the said application in
which the situation and extent of the site
on which it is intended to conduct the
business, is sufficiently described for it
to be easily identified and containing a
statement that any person having a suf-
ficient interest who objects to the grant-

**ENTERTAINMENT TAX ABOLITION
ORDINANCE, 11 OF 1972.**

ing of the application may lodge his objection, together with the grounds thereof with the Executive Committee not later than one week after the fourth publication of the said notice: Provided further that such application shall be accompanied by a diagram showing clearly the lay-out of the surrounding within one kilometre around the said site as well as the parking and waiting spaces and the entrance and exit roads to and from the site, giving the distances.

(2) The Executive Committee may, when granting his consent in terms of subsection (1), impose such conditions as he may deem fit, and he shall have power to amend, vary or revoke any such condition so imposed or to impose from time to time such new conditions as he may deem fit.

(3) For the purpose of this section the expression "drive-in cinema" means a place of entertainment where any person may watch a cinematograph performance while sitting in a motor vehicle.

(4) Any person who contravenes the provisions of subsection (1) or fails to comply with any condition imposed in terms of subsection (2) shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or in default of payment to imprisonment for a period not exceeding three months: Provided that in the case of a continuing offence an additional fine not exceeding fifty rand for each day upon which such contravention or failure continued may be imposed, but no such fine shall in any one prosecution or within any one month exceed two hundred rand.

(5) The provisions of this section shall apply throughout the Territory of South West Africa."

5. The following long title is hereby substituted for the long title of the principal Ordinance:

"To regulate the display of advertisements outside certain urban areas at places visible from proclaimed roads; and the erection of structures near certain proclaimed roads; and access to certain land from such roads; and the establishment of drive-in cinemas."

Substitution of long title of Ordinance 30 of 1960, as amended by section 6 of Ordinance 3 of 1967.

6. This Ordinance shall be called the Entertainment Tax Abolition Ordinance, 1972, and shall come into operation on the first day of July, 1972.

Short title and commencement.

**ENTERTAINMENT TAX ABOLITION
ORDINANCE, 11 OF 1972.**

SCHEDULE.

Number and year of law.	Short title.	Extent Repealed.
Ordinance 11 of 1930.	Entertainments Tax Ordinance, 1930.	The whole.
Ordinance 14 of 1953.	Entertainments Tax Amendment Ordinance, 1953.	The whole.
Ordinance 4 of 1954.	Entertainment Tax Amendment Ordinance, 1954.	The whole.
Ordinance 28 of 1960.	Entertainments Tax Amendment Ordinance, 1960.	The whole.
Ordinance 2 of 1961.	Entertainments Tax Conversion of Rates Ordinance, 1961.	The whole.
Ordinance 4 of 1965.	Entertainments Tax Amendment Ordinance, 1965.	The whole.
Ordinance 4 of 1966.	Entertainments Tax Amendment Ordinance, 1966.	The whole.
Ordinance 39 of 1967.	General Law Amendment Ordinance, 1967.	Section 1.
Ordinance 16 of 1971.	Entertainment Tax Amendment Ordinance, 1971.	The whole.
Government Notice 125 of 1930.		The whole.
Government Notice 10 of 1954.		The whole.
Government Notice 24 of 1968.		The whole.
Government Notice 118 of 1971.		The whole.