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van Suidwes-Afrika.

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1/- Tuesday, 22nd April, 1941. WINDHOEK Dinsdag, 22 April 1941. No. 898

The following Government Notice is published for general information.

D. D. FORSYTH,
Secretary for South West Africa,

Office of the Administrator,
Windhoek.

No. 72.] [22nd April, 1941.

ORDINANCES, 1941: 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.*
6.	Licenses Consolidation Amendment Ordinance, 1941	3291
7.	Licenses Consolidation Further Amendment Ordinance, 1941	3291
8.	Canned Crayfish Tax Amendment Ordinance, 1941	3291
9.	Stamp Duties and Fees Amendment Ordinance, 1941	3292
10.	Insurance Amendment Ordinance, 1941 . . .	3293
11.	Cigarettes and Cigarette Tobacco Sales Tax (War Measure) Amendment Ordinance, 1941 . .	3293
12.	Municipal Amendment (War Measure) Ordinance, 1941	3294
13.	Game Preservation Ordinance Amendment Ordinance, 1941	3294
14.	Cattle Improvement Consolidation Ordinance, 1941	3295
15.	Liquor Licensing Amendment Ordinance, 1941 .	3300

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

D. D. FORSYTH,
Sekretaris vir Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek,

No. 72.] [22 April 1941.

ORDONNANSIES 1941: UITVAARDIGING VAN.

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

No.	*Titel.*	*Bladsy.*
6.	Konsolidasie Wysigingsordonnansie betreffende Lisensies, 1941	3291
7.	Verdere Konsolidasie-Wysigingsordonnansie betreffende Lisensies 1941	3291
8.	Belastings-Wysigingsordonnansie op Ingelegde Kreef, 1941	3291
9.	Seëlregte en Fooie Wysigingsordonnansie 1941 .	3292
10.	Versekerings-Wysigingsordonnansie 1941 . . .	3293
11.	Sigarette en Sigarettabak Verkoopsbelasting (Oorlogsmaatreël) Wysigingsordonnansie 1941 .	3293
12.	Munisipale (Oorlogsmaatreël) Wysigingsordonnansie 1941	3294
13.	Wildbeskerming-Ordonnansie Wysigingsordonnansie 1941	3294
14.	Beesteverbeterings-Konsolidasie-ordonnansie 1941 .	3295
15.	Dranklisensie Wysigingsordonnansie 1941	3300

No. 14 of 1941.]

ORDINANCE

To amend and consolidate the law relating to the improvement of cattle.

(Assented to 21st April, 1941.)
(Afrikaans text signed by the Administrator.)

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

1. The Administrator may, by proclamation in the *Gazette*, declare any district or defined area a cattle improvement area within the meaning and for the purposes of this Ordinance, if the magistrate of that district or of the district in which that area is situate has transmitted to the Secretary for South West Africa a resolution recommending that such district or area be proclaimed a cattle improvement area, and a certificate that the provisions of section *two* have been complied with and that the resolution has been duly adopted in manner provided by that section.

2. (1) The magistrate of a district shall, upon a written request signed by not less than twelve European persons who own or lease land situate in that district or in an area within that district, each of whom owns not less than fifty head of breeding stock running on that land, convene a meeting for the purpose of considering a resolution in terms of the last preceding section.

(2) Two months' notice of the meeting shall be given by advertisement in one or more newspapers circulating in the district or area.

(3) The magistrate of the district or of the district within which the area is situate, as the case may be, shall preside at the meeting, and no resolution shall be passed at the meeting except if two-thirds of the votes brought out at the meeting are in favour of the resolution.

(4) Every person who owns or leases land situate in that district or area, as the case may be, and owns not less than fifty head of breeding stock running on that land, shall have the right to vote at the meeting, and no other person shall have that right.

(5) Any person having a right to vote at the meeting may exercise that right in person.

(6) Not more than one vote shall be recorded by or on behalf of any person.

3. (1) In respect of each proclaimed cattle improvement area the Administrator shall appoint a Bull Inspection Board, hereinafter called the Board, to inspect and approve of bulls used or to be used in such area for the breeding of cattle and to perform such other duties as are imposed by this Ordinance.

(2) The Board shall consist of an officer, as hereinafter defined, and two other persons or their respective alternates duly appointed in terms of sub-section (1) hereof. Provided that notwithstanding anything contained in this Ordinance the Administrator may appoint such officer to be the sole member of the Board for such area, which officer shall thereupon exercise all the several powers and duties of such Board.

(3) The Administrator may appoint more than one Board for any cattle improvement area.

(4) In appointing the members of the Board the Administrator shall have due regard in the case of the first appointment after the issue of any such proclamation, to any recommendation made by the persons voting at the meeting referred to in section *two* and, in the case of subsequent appointments, to the recommendation made by the magistrate of the district after consultation with such persons and bodies as he considers representative of the cattle farmers of the district or area.

No. 14 van 1941.]

ORDONNANSIE

Om die wet met betrekking tot die verbetering van beeste te wysig en te konsolideer.

(Goedgekeur 21 April 1941.)
(Afrikaanse teks deur die Administrateur geteken.)

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

1. Die Administrateur kan, by proklamasie in die *Offisiële Koerant*, enige distrik of bepaalde gebied as 'n beesteverbeteringsgebied in die betekenis en vir die doeleindes van hierdie Ordonnansie verklaar, as die magistraat van daardie distrik of van die distrik waarin daardie gebied geleë is, aan die Sekretaris vir Suidwes-Afrika 'n resolusie oorgestuur het, waarin aanbeveel word dat sodanige distrik of gebied tot 'n beesteverbeteringsgebied geproklameer word, en 'n sertifikaat dat die bepalings van artikel *twee* nagekom is en dat die resolusie behoorlik, op 'n wyse bepaal in daardie artikel, aangeneem is.

2. (1) Die magistraat van 'n distrik moet op skriftelike versoek, geteken deur nie minder as twaalf blanke persone nie, wat grond in daardie distrik of in 'n gebied binne daardie distrik geleë besit of huur, elkeen waarvan nie minder as vyftig stuk aanteelvee, wat op daardie grond loop, besit nie, 'n vergadering byeenroep, ten einde 'n resolusie ooreenkomstig die laasvoorafgaande artikel te oorweeg.

(2) 'n Kennisgewing van twee maande aangaande die vergadering moet deur middel van 'n advertensie in een of meer koerante, wat in die distrik of gebied sirkuleer, gegee word.

(3) Die magistraat van die distrik of van die distrik waarin die gebied geleë is, soos die geval mag wees, moet by die vergadering presideer, en geen resolusie mag op die vergadering aangeneem word, tensy twee-derdes van die stemme, op die vergadering uitgebring ten gunste van die resolusie is nie.

(4) Elke persoon wat grond in daardie distrik of gebied geleë besit of huur, soos die geval mag wees, en nie minder as vyftig stuk aanteelvee, wat op daardie grond loop, besit nie, het die reg om op die vergadering te stem, en geen ander persoon het daardie reg nie.

(5) Enige persoon, wat 'n reg het om op die vergadering te stem, mag daardie reg persoonlik uitoefen.

(6) Nie meer as een stem mag deur of ten behoewe van enige persoon uitgebring word nie.

3. (1) Die Administrateur sal vir elke geproklameerde beesteverbeteringsgebied 'n Bul-inspeksieraad, hierna die Raad genoem, aanstel, om bulle, gebruik of gebruik te word in sodanige gebied vir die teel van beeste, te inspekteer en goed te keur en sodanige ander pligte te vervul as wat deur hierdie Ordonnansie opgelê word.

(2) Die Raad sal bestaan uit 'n beampte, soos later hierin omskrywe, en twee ander persone, of hulle onderskeie plaasvervangers, behoorlik aangestel ooreenkomstig subartikel (1) hiervan. Met dien verstande dat, nieteenstaande enigiets vervat in hierdie Ordonnansie, die Administrateur sodanige beampte mag aanstel as die enigste lid van die Raad vir sodanige gebied, watter beampte dan al die verskeie magte en pligte van sodanige Raad sal uitoefen.

(3) Die Administrateur mag meer as een Raad aanstel vir enige beesteverbeteringsgebied.

(4) By aanstelling van die lede van die Raad sal die Administrateur enige aanbeveling, in geval van 'n eerste aanstelling na die uitvaardiging van die proklamasie, van die persone wat stem op die vergadering, waarna verwys word in artikel *twee* en, in geval van verdere aanstellings, die aanbeveling gemaak deur die magistraat van die distrik na raadpleging van sulke persone en liggame as wat hy as verteenwoordigend van die beesboere van die distrik of gebied beskou, behoorlik in aanmerking neem.

(5) The members of the Board shall be appointed for periods fixed by the Administrator.

(6) Any member of the Board may resign by writing addressed to the magistrate of the district, and all members shall be subject to removal by the Administrator.

(7) Notwithstanding anything contained in this Ordinance, the Administrator may abolish the system of Boards, and in their place appoint one or more officers to carry out the functions now performed by the Boards, which officers shall thereupon exercise all the several powers and duties of such Board or Boards.

4. (1) The Board shall make an annual inspection of all bulls of the age of twelve months and over in the cattle improvement area concerned.

(2) It shall be the duty of every owner of such bulls to report in writing during the month of February in each year to the office of the Board concerned, the number of such bulls in his possession or under his control within such area which are liable to annual inspection in terms of this Ordinance.

(3) The date or dates on which such annual inspection shall be made shall be fixed by the Board and sufficient notice thereof shall be given to all owners of such bulls within the said area.

(4) Additional inspections may be made by the Board on special written application being made to it by the owner of any bull in the said area, provided that the applicant shall be responsible for the subsistence and travelling expenses involved, and shall deposit for this purpose the sum of £10 or a suitable bank guarantee for such sum with the Board, a proper adjustment of the account being made after the inspection has been concluded.

(5) At such annual or additional inspection the Board after careful examination shall either approve, provisionally approve or disapprove every bull liable to and submitted for inspection.

(6) The Board may recommend that the owner of any bull which is disapproved at such inspection should receive assistance from the Administration of the Territory by loan or otherwise, if satisfied that the said owner is not financially in a position to purchase another suitable bull. Such owner may then be assisted in terms of the Board's recommendation.

5. (1) There shall be a right of appeal from any decision of the Board, whereby any bull is disapproved, to a court nominated by the Administrator and consisting of the Chief Veterinary Officer to the Administration and two recognised cattle farmers, not being members of the said Board who are resident in the district in which the appellant is carrying on farming operations, on condition that such appeal is noted in writing to the said Chief Veterinary Officer within fourteen days after such decision is notified to the owner of the said bull, and that the appellant deposits (in respect of each and every bull concerned) the sum of £10 (ten pounds) or a suitable bank guarantee for such sum at the office of the Board concerned in order to cover the cost of any inspection that may have to be made by the Court of Appeal.

(2) The time and place of such inspection shall be decided by the Chief Veterinary Officer, and the appellant shall at his own expense convey such bull to the appointed place at the appointed time, provided that the Chief Veterinary Officer shall, as far as possible, meet the convenience of the appellant in his requirements.

(3) If such appeal is decided against the appellant a refund shall be made to the appellant of any balance available out of the aforesaid sum after deduction of all necessary expenses incurred by the Court of Appeal in deciding the appeal. If the appeal is upheld, the deposit shall be refunded to the appellant and the expenses incurred shall be a charge upon the Territory Revenue Fund.

(4) The Court of Appeal shall adjudicate on any appeal as soon as possible, but in any event not more than three months after such appeal is noted. If during such period it is found to be impossible to obtain the services of two suitable cattle farmers to serve as members of the Court of Appeal the Administrator may appoint the Chief Veterinary Officer as sole member of the Court of Appeal, and the said officer shall thereupon proceed to adjudicate accordingly.

6. From and after the date fixed by the Proclamation declaring any district or area a cattle improvement area, such date being not less than twelve months and not more than eighteen months later than the date on which that Proclamation takes effect, (except in regard to any portion of such district or area which has previously been declared a cattle improvement area, in which said portion the date originally fixed by Proclamation shall continue to be the determining date) it shall not be lawful:—

(5) Die lede van die Raad sal vir tydperke, deur die Administrateur vasgestel, aangestel word.

(6) Enige lid van die Raad kan skriftelik by die magistraat van die distrik bedank en al die lede sal onderhewig wees aan verwydering deur die Administrateur.

(7) Nieteenstaande enigiets bepaal in hierdie Ordonnansie, kan die Administrateur die stelsel van Rade afskaf en in die plek daarvan een of meer beamptes aanstel om die funksies, wat nou deur die Rade uitgeoefen word, uit te voer, en daarna sal sodanige beamptes al die verskeie magte en pligte van so 'n Raad of Rade uitoefen.

4. (1) Die Raad sal 'n jaarlikse inspeksie hou van alle bulle van die ouderdom van twaalf maande en ouer in die betrokke beesteverbeteringsgebied.

(2) Dit sal die plig van elke eienaar van sodanige bulle wees om gedurende Februariemaand van elke jaar skriftelik aan die kantoor van die betrokke Raad die getal van sodanige bulle in sy besit of onder sy beheer binne sodanige gebied, wat onderhewig is aan jaarlikse inspeksie in terme van hierdie Ordonnansie, te rapporteer.

(3) Die datum of datums, waarop die jaarlikse inspeksie sal plaasvind, sal deur die Raad vasgestel word en voldoende kennis daarvan moet aan alle eienaars van sodanige bulle binne die genoemde gebied gegee word.

(4) Addisionele inspeksies kan deur die Raad gedoen word op spesiale skriftelike aansoek van die eienaar van enige bul in die genoemde gebied, met dien verstande dat die applikant verantwoordelik sal wees vir die onderhouds- en reiskoste daaraan verbonde, vir welke doel hy die bedrag van £10 of 'n behoorlike bankgaransie vir sodanige bedrag, by die Raad moet deponeer. 'n Behoorlike afrekening sal gemaak word nadat die inspeksie afgehandel is.

(5) By so 'n jaarlikse of addisionele inspeksie moet die Raad na sorgvuldige ondersoek elke bul, onderhewig aan en voorgebring vir inspeksie, goedkeur, voorlopig goedkeur of afkeur.

(6) Die Raad mag aanbeveel dat die eienaar van enige bul wat afgekeur is by sodanige inspeksie, hulp by wyse van 'n lening of andersins, van die Administrasie van die Gebied moet ontvang, as dit tevrede is dat die genoemde eienaar finansieël nie in staat is om 'n ander geskikte bul te koop nie. So 'n eienaar mag dan gehelp word in terme van die Raad se aanbeveling.

5. (1) Daar sal 'n reg van appèl wees teen enige beslissing van die Raad, waardeur enige bul afgekeur is, na 'n hof genomineer deur die Administrateur en bestaande uit die Hootveearts van die Administrasie en twee erkende beesboere, wat nie lede van die Raad is nie en woonagtig is in die distrik waarin die appellant boer, op voorwaarde dat sodanige appèl skriftelik by die Hoofveearts aangeteken word binne veertien dae nadat sodanige beslissing aan die eienaar van die genoemde bul meegedeel is en dat die appellant die bedrag van £10 (tien pond), (ten opsigte van elke betrokke bul) of 'n behoorlike bankgaransie vir sodanige bedrag, by die kantoor van die betrokke Raad deponeer, om die koste van enige inspeksie, wat moontlik deur die Hof van Appèl gemaak moet word, te dek.

(2) Die tyd en plek van sodanige inspeksie sal deur die Hoofveearts bepaal word en die appellant moet op sy eie koste sodanige bul vervoer na die vasgestelde plek op die bepaalde tyd, met dien verstande dat die Hoofveearts in sy vereistes sover as moontlik, die gerief van die appellant in aanmerking moet neem.

(3) Indien die beslissing van sodanige appèl teen die appellant is, sal 'n terugbetaling van die beskikbare balans uit bogenoemde bedrag, na aftrekking van alle nodige onkoste aangegaan deur die Hof van Appèl om uitspraak te doen in verband met die appèl, aan die appellant terugbetaal word. Indien die appèl gehandhaaf word, sal die deposito aan die appellant terugbetaal word en sal die Gebied se Inkomstefonds belas word met die aangegane onkoste.

(4) Die Hof van Appèl moet so gou as moontlik uitspraak doen oor enige appèl, maar in elk geval nie later as drie maande nadat sodanige appèl aangeteken is nie. As dit gedurende sodanige tydperk onmoontlik blyk om die dienste van twee geskikte beesboere te bekom, om as lede van die Hof van Appèl te dien, kan die Administrateur die Hoofveearts aanstel as die enigste lid van die Hof van Appèl en genoemde beampte sal daarop voortgaan om uitspraak te doen.

6. Vanaf en na die datum bepaal by Proklamasie wat enige distrik of gebied tot 'n beesteverbeteringsgebied verklaar, welke datum nie minder as twaalf maande en nie meer as agtien maande vanaf die datum waarop die Proklamasie in werking tree, sal wees nie, (behalwe met betrekking tot enige gedeelte van sodanige distrik of gebied wat voorheen tot 'n beesteverbeteringsgebied verklaar is, in watter genoemde gedeelte die oorspronklike datum by Proklamasie bepaal, sal voortgaan om die bepalende datum te wees), sal dit nie wettig wees:—

(a) to keep in such area any bull over twelve months of age, which has not previously been approved or provisionally approved by a Board at an annual or additional inspection in terms of section *four;* provided that any bull calf which is under such age at the time of such annual inspection may lawfully be kept in such area until the time of the next following annual inspection;

(b) to introduce into such area any bull over twelve months of age, which has not previously been approved by a Board at an annual or additional inspection in terms of section *four;* provided that—

(i) where an unapproved bull is purchased or acquired in an area which is not a cattle improvement area, its introduction into a cattle improvement area may be authorised in writing under the hand of an officer appointed for such cattle improvement area, on application being made in the manner prescribed by regulation and on deposit of the sum of £5, or suitable bank guarantee for such sum. Such bull shall be inspected within seven days, or as soon as possible thereafter, of entering such area by the officer or a person designated by him. After such inspection such bull shall for all purposes be dealt with in terms of the next succeeding section, except that it shall be subject to the next annual inspection even though it may have been approved by the officer or person designated by him. The expenses incurred for such inspection shall be borne by the owner of such bull but any balance available out of the aforesaid deposit after deduction of such expenses shall be refunded to the owner;

(ii) if a bull is imported from the Union of South Africa it may be introduced into such cattle improvement area if it has previously been approved in terms of section *twenty-six* of the Livestock and Meat Industries Act, 1934, of the Parliament of the Union of South Africa, and where such bull comes from a district or area which has not been declared a cattle improvement area in terms of section *twenty-four* of the said Act, if it has previously been inspected and approved by a Union Government Veterinary Officer. Such approval by such Government Veterinary Officer shall be subject to the next following annual inspection by the Board;

(iii) on written permission being granted thereto by an officer and subject to such conditions as may be stipulated by him it shall be lawful to convey or despatch a disapproved or unapproved bull through a cattle improvement area.

7. (1) All bulls which have been approved by a Board in terms of section *four* shall forthwith be branded or suitably marked by the owner in a manner prescribed by regulation and to the satisfaction of the Board. Thereafter such bulls shall be deemed to be approved bulls throughout the Territory and shall not be subject to further inspection in terms of section *four.*

(2) All bulls which have been provisionally approved by a Board in terms of section *four* shall forthwith be branded or suitably marked by the owner in a manner prescribed by regulation and to the satisfaction of the Board. Thereafter such bulls shall be deemed to be provisionally approved bulls within such cattle improvement area and shall be subject to further annual inspections in terms of section *four.*

(3) All bulls which have been disapproved by a Board in terms of section *four* shall forthwith be branded or suitably marked by the owner in a manner prescribed by regulation and to the satisfaction of the Board. Thereafter such bulls shall be castrated or removed from such cattle improvement area within fourteen days after the decision of disapproval is conveyed to the owner; provided that —

(a) where the owner is agreeable to the immediate castration of any such bull under the supervision of the Board, it shall not be branded or suitably marked as aforesaid; and

(b) where the owner of such bull immediately notifies his intention to appeal, such bull shall not be branded or marked as aforesaid unless and until the owner fails to prosecute the appeal in terms of section *four,* or the appeal is discussed, whereupon such bull shall be castrated or removed from such cattle improvement area within one week after the decision of the Court

(a) Om in sodanige gebied enige bul van meer as twa maande oud, wat nie vooraf goedgekeur of voorlo goedgekeur is deur 'n Raad by 'n jaarlikse of addisior inspeksie in terme van artikel *vier,* aan te hou nie; dien verstande dat enige bulkalf wat tydens sodar jaarlikse inspeksie onder die ouderdom van een j was, in sodanige gebied aangehou mag word totdat volgende jaarlikse inspeksie gehou word;

(b) om in sodanige gebied enige bul van meer as twa maande oud, wat nie vooraf deur 'n Raad by 'n ja likse of addisionele inspeksie in terme van artikel goedgekeur is nie, in te bring nie; met dien versta dat—

(i) waar 'n nie-goedgekeurde bul gekoop of ver word in 'n gebied wat geen beesteverbeterin gebied is nie, die inbring daarvan in 'n bee verbeteringsgebied skriftelik gemagtig mag w deur 'n beampte aangestel vir sodanige bee verbeteringsgebied, as aansoek daarom gedoen w op 'n wyse by regulasie voorgeskryf en na die bedrag van £5 of 'n behoorlike bankgarar vir sodanige bedrag, gedeponeer is. Sodanige sal binne sewe dae of so gou as moontlik daar nadat dit sodanige gebied binnegekom het, g spekteer word deur die beampte of 'n pers deur hom aangewys. Na sodanige inspeksie sodanige bul vir alle doeleindes behandel w ooreenkomstig die bepalings van die hieropvolge artikel, behalwe dat dit onderhewig sal wees die volgende jaarlikse inspeksie, al is dit goedgekeur deur die beampte of persoon d hom aangewys. Die koste verbonde aan sodar inspeksie sal deur die eienaar van die bul ge word, maar enige beskikbare balans uit genoen deposito, na aftrekking van sodanige koste, sal die eienaar terugbetaal word;

(ii) indien 'n bul van die Unie van Suid-Afrika af gevoer word, mag dit in sodanige beesteverbe ingsgebied ingebring word as dit voorheen go gekeur is in terme van artikel *ses-en-twintig* die Wet op die Vee- en Vleisnywerhede 1934, die Parlement van die Unie van Suid-Afrika waar so 'n bul kom van 'n distrik of gebi wat nie tot 'n beesteverbeteringsgebied verklaar in terme van artikel *vier-en-twintig* van genoen Wet nie, indien dit voorheen geïnspekteer en go gekeur is deur 'n Unieregeringsveearts. Sodan goedkeuring deur 'n Regeringsveearts sal ond hewig wees aan die eersvolgende jaarlikse insp sie van die Raad;

(iii) met skriftelike toestemming van 'n beampte onderworpe aan sodanige bepalings as wat mag neerlê sal dit wettig wees om 'n afgekeu of nie-goedgekeurde bul deur 'n beesteverbeterin gebied te vervoer of te versend.

7. (1) Alle bulle wat deur die Raad goedgekeur in terme van artikel *vier* moet onmiddellik gebrand of hoorlik gemerk word deur die eienaar, op 'n wyse soos regulasie voorgeskryf en tot bevrediging van die Raad. Da na sal sodanige bulle as goedgekeurde bulle geag word dwa deur die Gebied en sal nie onderworpe wees aan verdere speksies in terme van artikel *vier* nie.

(2) Alle bulle wat voorlopig goedgekeur is deur Raad in terme van artikel *vier* moet onmiddellik gebrand behoorlik gemerk word deur die eienaar, op 'n wyse s by regulasie voorgeskryf en tot bevrediging van die Ra Daarna sal sodanige bulle as voorlopig goedgekeurde bu geag word binne sodanige beesteverbeteringsgebied en onderworpe wees aan verdere jaarlikse inspeksies in ter van artikel *vier.*

(3) Alle bulle wat afgekeur is deur die Raad terme van artikel *vier* sal onmiddellik gebrand of beho lik gemerk word deur die eienaar op 'n wyse soos regulasie voorgeskryf en tot bevrediging van die Raad. Da na moet sodanige bulle gekastreer of uit sodanige beestev beteringsgebied verwyder word, binne veertien dae nadat besluit tot afkeuring aan die eienaar meegedeel is; met d verstande dat —

(a) waar die eienaar toestem tot die kastrasie van en sodanige bul, onder die toesig van die Raad, moet nie soos vermeld gebrand of behoorlik gemerk wo nie; en

(b) waar die eienaar van sodanige bul onmiddellik kem gee van sy voorneme om te appelleer, sal sodan bul nie soos vermeld gebrand of gemerk word tensy en tot dat die eienaar in gebreke bly om appêl te prosedeer in terme van artikel *vier,* of appêl beredeneer is, waarna sodanige bul gekastr of uit sodanige beesteverbeteringsgebied verwyder m word binne 'n week nadat die beslissing van die H van Appêl aan die eienaar meegedeel is, of, w

of Appeal has been conveyed to the owner, or, where such owner has failed to prosecute the appeal, within one week of such failure. Any expenses incurred in connection with such subsequent branding or marking as aforesaid shall be met by the owner of such bull.

(4) Full particulars of each bull dealt with by the Board in terms of sub-section (1), (2) or (3) shall be recorded by the officer appointed by that cattle improvement area in a register to be kept by him.

8. (1) Whenever an owner of land situate within a cattle improvement area finds on such land any stray bull over twelve months of age which does not bear the brand or mark of an approved, provisionally approved or registered bull, he shall —

(a) without unreasonable delay remove or cause to be removed such bull to the nearest pound and upon receipt of such bull into the pound report the finding of such bull to the poundmaster, who in turn shall forthwith report the fact to the officer appointed for the area; or

(b) without unreasonable delay report the fact to an officer, member of the Police Force or Magistrate and immediately take steps to secure and isolate such bull until the arrival of an officer who shall deal with the bull as hereinafter provided.

(2) Upon receiving such report the officer for the area shall as soon as may be convenient inspect the bull, and if in his opinion the bull is not suitable for the purposes of breeding cattle, he shall castrate the bull or cause him to be castrated.

(3) The poundmaster shall not release or sell any such bull until it has been inspected by an officer and if such officer is of opinion that the bull is not suitable for the purposes of the breeding of cattle, until the bull has been castrated.

(4) The owner of land upon which such bull is found shall be entitled to recover the reasonable cost of securing feeding, watering and tending of such bull from the owner thereof.

(5) The provisions of this section shall be additional to the provisions of, and shall be of force and effect notwithstanding anything contained in, the Trespass of Animals Ordinance, 1939 (Ordinance No. 16 of 1939).

9. The provisions of sections *four, five, six, seven* and *eight* shall not apply in respect of any bull the pedigree of which has been registered with a society approved by the Administrator, and which in accordance with regulations made under section *thirteen* bears a brand or other mark which indicates that its pedigree has been so registered.

10. (1) The Board or an officer may in writing require any owner of land or cattle, as the case may be, to collect or cause to be collected and to have available for inspection, branding, marking or castration, all bulls over the age of twelve months running on the land described in such writing.

(2) The Board or an officer may state in such writing at which place or places on the land aforesaid such bulls shall be confined and at what time or within which periods of time such bulls shall be held available for the purposes set out above.

(3) It shall be the duty of the owner of the land or cattle to render all reasonable assistance in the confining, controlling, catching and handling of such bulls and to provide such fuel, labour, crushpens, ropes and riems as may be required by the Board or officer to carry out the provisions of this Ordinance.

11. (1) An officer may at any time enter upon any land or premises or vehicle within a cattle improvement area on which there are, or on which it is suspected there are, any bulls over the age of twelve months for the purpose of carrying out the provisions of this Ordinance or of the regulations framed thereunder and may take with him upon such land, premises or vehicle, such assistants as will enable him more effectively to carry out such provisions.

(2) Any person who obstructs or hinders or restricts an officer in the exercise of any power or duty under this Ordinance shall be guilty of an offence.

sodanige eienaar versuim het om die appêl te prosedeer, binne 'n week na sodanige versuim. Enige koste verbonde aan sodanige daaropvolgende brand of merk, soos vermeld, moet deur die eienaar van sodanige bul gedra word.

(4) Volledige besonderhede van elke bul deur die Raad behandel in terme van subartikel (1), (2) of (3), moet deur die beampte, wat deur daardie beesteverbteringsgebied aangestel is, aangeteken word in 'n register deur hom gehou.

8. Wanneer 'n eienaar van grond geleë binne 'n beesteverbeteringsgebied 'n verdwaalde bul wat meer as twaalf maande oud is en wat nie die brand of merk van 'n goedgekeurde, voorlopig goedgekeurde of geregistreerde bul dra nie, op sodanige grond vind, moet hy —

(a) sonder onredelike versuim sodanige bul verwyder of laat verwyder na die naaste skut en by ontvangs van sodanige bul in die skut aan die skutmeester rapporteer dat sodanige bul gevind is, waarop die skutmeester op sy beurt die feit aan die beampte aangestel vir die gebied moet rapporteer; of

(b) sonder onredelike versuim die feit aan die beampte, lid van die Polisiemag of magistraat rapporteer en onmiddellik stappe doen om sodanige bul vas te hou en af te sonder tot die aankoms van 'n beampte wat met die bul moet handel soos hieronder bepaal.

(2) Op ontvangs van die rapport moet die beampte vir die gebied so gou as wat dit gerieflik is die bul inspekteer, en as dit volgens sy mening nie geskik is vir teeldoeleindes nie, moet hy dit kastreer of laat kastreer.

(3) Die skutmeester mag geen sodanige bul loslaat of verkoop voordat dit deur 'n beampte geïnspekteer is nie en indien sodanige beampte van mening is dat die bul nie geskik is vir teeldoeleindes nie, totdat die bul gekastreer is.

(4) Die eienaar van grond waarop sodanige bul gevind is, sal geregtig wees om die redelike koste daaraan verbonde om sodanige bul vas te hou, voer en water te gee en op te pas, op die eienaar van sodanige bul te verhaal.

(5) Die bepalings van hierdie artikel sal bygevoeg word by die bepalings van, en sal van krag en in werking wees nieteenstaande enigiets vervat in die Ordonnansie op die Oortreding van Diere 1939 (Ordonnansie No. 16 van 1939).

9. Die bepalings van artikels *vier, vyf, ses, sewe* en *agt* sal nie van toepassing wees nie op enige bul waarvan die stamboom geregistreer is deur 'n vereniging goedgekeur deur die Administrateur, en wat, in ooreenstemming met regulasies gemaak onder artikel *dertien*, 'n brand of merk dra wat aandui dat sy stamboom aldus geregistreer is.

10. (1) Die Raad of 'n beampte mag die eienaar van grond of beeste, soos die geval mag wees, skriftelik opvorder om alle bulle wat ouer as twaalf maande is en op die grond, in sodanige geskrif omskrywe, loop, bymekaar te maak of te laat bymekaarmaak en beskikbaar te hou vir inspeksie, brand, merk of kastrasie.

(2) Die Raad of 'n beampte mag in sodanige geskrif bepaal op watter plek of plekke op die voornoemde grond sodanige bulle vasgehou moet word en op watter tyd of gedurende welke tydperke sodanige bulle beskikbaar gehou moet word vir die doeleindes hierbo genoem.

(3) Dit sal die plig van die eienaar van die grond of die beeste wees om alle redelike hulp te verskaf om sodanige bulle te hou, te kontroleer, te vang en te hanteer en te sorg vir brandstof, arbeid, drukgange, toue en rieme wat deur die Raad of die beampte benodig mag word om die bepalings van hierdie Ordonnansie uit te voer.

11. (1) 'n Beampte mag te eniger tyd enige grond, perseel of voertuig betree of binnegaan, as dit vermoed word dat daar bulle is van meer as twaalf maande oud, met die doel om die bepalings van hierdie Ordonnansie of van regulasies, daaronder opgestel, uit te voer en mag met hom op sodanige grond, perseel of voertuig sodanige helpers saamneem wat hom in staat sal stel om doeltreffend sodanige bepalings uit te voer.

(2) Enigeen wat 'n beampte verhinder, of hinder of beperk by die uitvoering van enige mag of plig onder hierdie Ordonnansie sal skuldig wees aan 'n oortreding.

12. Any person contravening the provisions of section *six, seven, ten* or *eleven* shall be guilty of an offence and shall be liable on conviction for an offence under section *six, seven* or *eleven* to a fine not exceeding fifty pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding three months, and for an offence under section *ten* to a fine not exceeding twenty pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding one month.

13. The Administrator may make regulations —

(a) for the branding or marking of bulls approved, provisionally approved or disapproved by a Board; and for the branding or marking of bulls the pedigrees of which have been registered with a society approved by the Administrator;

(b) for the payment of allowances to members of a Board who are not public servants;

(c) prescribing the procedure to be followed by a Board, and, generally, for the improvement of cattle and the elimination of undesirable bulls in any cattle improvement area and the carrying out of the purposes of this Ordinance;

(d) prescribing penalties for the contravention of any such regulation.

14. In this Ordinance, unless inconsistent with the context:—

"Administrator" shall mean the Administrator of South West Africa;

"Office of the Board" shall mean the office of the officer appointed for such cattle improvement area;

"Officer" shall mean a Government Veterinary Surgeon or Animal Husbandry Officer appointed by the Administrator;

"Owner" when used in relation to land, shall mean the registered owner of such land when he is in actual occupation thereof, and when the owner is not in occupation of his own land, the expression when so used shall mean any person, who, whether as lessee, licencee or otherwise entitled has, for the time being, the charge, control and management of that land;

"Owner" when used in relation to stock, shall mean—

(a) every person who is the sole or part owner thereof; or

(b) if the sole or part owner has not for the time being the control of the stock, the person who has such control;

"Unapproved Bull" shall mean a bull over the age of twelve months which has not been inspected by a Board in terms of section *four*.

15. The provisions of this Ordinance may, at the discretion of the Administrator, be extended and applied by Proclamation, *mutatis mutandis*, to horses, asses, sheep, goats, swine and ostriches.

16. The Cattle Improvement Ordinance, 1930 (Ordinance No. 10 of 1930), as amended from time to time together with any regulations framed thereunder, is hereby repealed.

17. This Ordinance may be cited for all purposes as the Cattle Improvement Consolidation Ordinance, 1941.

12. Enige persoon wat die bepalings van artikel *ses, sewe, tien* of *elf* oortree, maak hom skuldig aan 'n oortreding en is by skuldigbevinding aan 'n oortreding onder artikel *ses, sewe* of *elf* onderhewig aan 'n boete van hoogstens vyftig pond, of by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande, en vir 'n oortreding onder artikel *tien* aan 'n boete van hoogstens twintig pond, of by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens een maand.

13. Die Administrateur mag regulasies maak in verband met —

(a) die brand of merk van bulle goedgekeur, voorlopig goedgekeur of afgekeur deur die Raad; die brand of merk van bulle waarvan die stamboom deur 'n vereniging, goedgekeur deur die Administrateur, geregistreer is;

(b) betaling van toelaes aan lede van die Raad wat nie staatsamptenare is nie;

(c) die bepaling van die prosedure wat deur die Raad gevolg moet word, en in die algemeen vir die verbetering van beeste en die uitskakeling van ongewenste bulle in enige beesteverbeteringsgebied en die uitvoering van die doeleindes van hierdie Ordonnansie;

(d) die bepaling van strawwe vir die oortreding van sodanige regulasies.

14. In hierdie Ordonnansie, tensy onbestaanbaar met die samehang, beteken —

„Administrateur" — die Administrateur van Suidwes-Afrika;

„Kantoor van die Raad" — die kantoor van die beampte aangestel vir sodanige beesteverbeteringsgebied;

„Beampte" — 'n Regeringsveearts of 'n Veeteeltbeampte aangestel deur die Administrateur;

„Eienaar" — wanneer gebruik in verband met grond, die geregistreerde eienaar van sodanige grond as hy dit werklik bewoon, en as die eienaar nie sy eie grond bewoon nie, enige persoon wat, of as huurder, lisensiehouer of andersins daartoe geregtig, tydelik die toesig, beheer en bestuur van daardie grond het;

„Eienaar" — wanneer gebruik in verband met vee —

(a) iemand wat die enigste of gedeeltelike eienaar daarvan is; of

(b) as die enigste of gedeeltelike eienaar tydelik nie beheer oor sulke vee uitoefen nie, die persoon wat sodanige beheer uitoefen;

„Nie-goedgekeurde bul" — 'n bul wat meer as twaalf maande oud is wat nog nie deur die Raad in terme van artikel *vier* geinspekteer is nie.

15. Die bepalings van hierdie Ordonnansie kan, volgens goeddunke van die Administrateur, *mutatis mutandis* by proklamasie uitgebrei en toegepas word op perde, donkies, skape, bokke, varke en volstruise.

16. Die Beesteverbeterings-Ordonnansie 1930 (Ordonnansie No. 10 van 1930), soos van tyd tot tyd gewysig, tesame met die regulasies daaronder gemaak, word hiermee herroep.

17. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Beesteverbeterings-Konsolidasieordonnansie 1941.

No. 15 of 1941.]

ORDINANCE

To provide for the amendment of the law relating to the sale and control of intoxicating liquor.

(Assented to 21st April, 1941.)
(English text signed by the Administrator.)

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

1. In this definition the expression "the principal law" shall mean the Liquor Licensing Proclamation, 1920 (Proclamation No. 6 of 1920), as amended from time to time.

No. 15 van 1941.]

ORDONNANSIE

Om voorsiening te maak vir die wysiging van die wet betreffende die verkoop en beheer van bedwelmende drank.

(Goedgekeur 21 April 1941.)
(Engelse teks deur die Administrateur geteken.)

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

1. In hierdie woordbepaling beteken die woord „hoofwet" „De Drank Licentie Proklamatie 1920" (Proklamasie No. 6 van 1920), soos van tyd tot tyd gewysig.