

Namibia

Trespass Ordinance, 1962

Ordinance 3 of 1962

Legislation as at 18 December 1985

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Trespass Ordinance, 1962

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[\[This is the version of this document from 18 December 1985 and includes any amendments published up to 1 September 2023.\]](#)

[\[Amended by \[Trespass Amendment Act, 1985 \\(Act 20 of 1985\\)\]\(#\) on 18 December 1985\]](#)

[\[The provisions in this Ordinance have no headings.\]](#)

ORDINANCE

To prohibit the entry or presence upon land and the entry of or presence in buildings in certain circumstances, and to provide for matters incidental thereto.

(English Text signed by the Administrator)

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

1.

- (1) Any person who without the permission -
 - (a) of the lawful occupier of any land or any building or part of a building or of a person authorised by or on behalf of such lawful occupier to give permission; or
 - (b) of the owner or person in charge of any land or any building or part of a building that is not lawfully occupied by any person,

enters or is upon such land or enters or is in such building or part of a building, shall be guilty of an offence unless he has lawful reason to enter or be upon such land or enter or be in such building or part of a building.

- (2) For the purposes of sub-section (1) the expression "lawful occupier" in relation to a building or part of a building does not include a servant of the lawful occupier of the land on which that building is situated.

2.

Any person convicted of an offence under [section 1](#) shall be liable to a fine not exceeding R1 000 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

[\[section 2 amended by Act 20 of 1985; not all of the changes are indicated by amendment markings\]](#)

3.

The laws set forth in the Schedule are hereby repealed to the extent shown in the third column thereof.

4.

This Ordinance shall be called the Trespass Ordinance, 1962.

Schedule Laws Repealed

No. and year of law	Title	Extent of Repeal
Proclamation 25 of 1920	Vagrancy Proclamation, 1920	Sections four, five, six and seven
Proclamation 27 of 1920	Police Offences Proclamation, 1920	Sub-section (12) of section eight and sub-section (3) of section nine
Ordinance 11 of 1954	General Laws Amendment Ordinance, 1954	Section three