

Namibia

Further Administration of Justice Proclamation, 1920

Proclamation 38 of 1920

Legislation as at 30 June 1967

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Further Administration of Justice Proclamation, 1920
Contents

Section 1.	1
Section 7.	2
Section 11.	2
Section 12.	2
Section 13.	2
Section 14.	2
Section 15.	2



Republic of Namibia
Annotated Statutes

Further Administration of Justice Proclamation, 1920

Proclamation 38 of 1920

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Commenced on 1 September 1920

[This is the version of this document from 30 June 1967 and includes any amendments published up to 26 April 2024.]

[Amended by Criminal Procedure and Evidence Proclamation, 1935 (Proclamation 30 of 1935) on 30 December 1935]

[Amended by Supreme Court Act, 1959 (Act 59 of 1959) on 1 January 1960]

[Amended by Civil Proceedings Evidence Act, 1965 (Act 25 of 1965) on 30 June 1967]

PROCLAMATION

BY HIS HONOUR SIR EDMOND HOWARD LACAM GORGES, KNIGHT COMMANDER OF THE MOST DISTINGUISHED ORDER OF SAINT MICHAEL AND SAINT GEORGE, A MEMBER OF THE ROYAL VICTORIAN ORDER, ADMINISTRATOR OF THE PROTECTORATE OF SOUTH WEST AFRICA IN MILITARY OCCUPATION OF THE UNION FORCES

[This Proclamation has no long title. The date of signature appears at the bottom of the Proclamation.]

[The provisions in this Proclamation have no headings.]

WHEREAS it is desirable to make further provision for the administration of justice in the Protectorate.

NOW THEREFORE, under and virtue of the powers in me vested, I do hereby declare, proclaim and make known as follows:-

1.

Notwithstanding the provisions of section 3(4) of the Administration of Justice Proclamation, 1919, it shall be lawful for the High Court of South-West Africa to be held at any place within the Protectorate that may be appointed from time to time by the Judge of the said High Court.

[*]**

[sections 2-6 deleted by Act 59 of 1959]

[*]**

7.

All advocates and attorneys admitted and enrolled in the High Court of South-West Africa shall be entitled without any other admission or enrolment to practise respectively as advocates or attorneys in any Circuit Court aforesaid.

[***]

[sections 8-9 deleted by Act [59 of 1959](#);

[section 10 deleted by Proc. 30 of 1935]

[***]

11.

The law of procedure in civil proceedings before the said Circuit Courts shall be that for the time being followed by the Circuit Local Divisions of the Supreme Court of South Africa in the Province of the Cape of Good Hope.

[section 11 amended by Proc. 30 of 1935 and by Act [25 of 1965](#)]

12.

[section 12 deleted by Act [59 of 1959](#)]

13.

The Administrator may make regulations as to the method of transport of the Judge of the High Court of South-West Africa and the scales of transport, travelling and subsistence allowances when he is travelling on duty or is absent on duty from his place of residence.

14.

In every case in which any judgment, decree or order of the High Court of South-West Africa or of any Circuit Court shall require to be proved, inspected or in any manner referred to in any other Court, a copy of such record certified under the signature of the Registrar of such Court, or where the records have been transmitted to the High Court under the signature of the Registrar of the High Court, shall be taken and received as prima facie evidence of such record, provided that it shall not be necessary in regard to any such certified copy to prove the handwriting of the Registrar to any such copy

15.

This Proclamation may be cited for all purposes as the "Further Administration of Justice Proclamation, 1920".

GOD SAVE THE KING.

Given under my hand at Windhuk this 7th day of August, 1920

E.H.L. Gorges

Administrator.