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PROKLAMASIES

VAN SY EDELE DAVID GIDEON CONRADIE, ADMINISTRATEUR VAN SUIDWES-AFRIKA.

No. 5 van 1939.]

NADEMAAL dit wenslik is om die wet met betrekking tot kriminele prosedure te wysig;

SO IS DIT dat ek, op grond van en kragtens die bevoegdhede my verleen, hiermee proklameer, verklaar en as volg bekendmaak:—

1. Artikel *driehonderd en dertien* van die Kriminele Prosedure en Bewyslewering Proklamasie, 1935 (Proklamasie No. 30 van 1935), hierna die hoofproklamasie genoem, word hiermee gewysig deur die woord "industrieskool" na die woord "reddingshuis" wat daarin voorkom, in te voeg.

2. Artikel *driehonderd en vyftien* van die hoofproklamasie word hiermee gewysig:

(1) deur die woorde "maar nie by wanbetaling van 'n boete nie" wat in subartikel (1) daarvan voorkom, te skrap.

(2) (a) deur die woorde "vir jeugdigde persone" waar hulle in subartikel (1) daarvan voorkom, te skrap.

(b) deur die woorde "vir jeugdigde" waar hulle in subartikel (3) daarvan voorkom, te skrap.

(c) deur die woorde "vir jeugdigdes" waar hulle in subartikel (4) daarvan voorkom, te skrap.

(3) deur die woorde "of industrieskool" na die woord "verbetergestig" in te voeg waar dit in subartikels (1), (2), (3) en (4) daarvan voorkom, en waar dit vir die eerstekeer in subartikel (5) daarvan voorkom.

(4) deur die laaste sin wat in subartikel (5) daarvan voorkom, te skrap.

3. Artikel *driehonderd en sestien* van die hoofproklamasie word hiermee gewysig deur die woorde "maar nie by wanbetaling van 'n boete nie" en die woorde "vir jeugdige volwassenes", wat daarin voorkom, te skrap.

4. Hierdie Proklamasie heet die Kriminele Prosedure en Bewyslewering Wysigingsproklamasie 1939.

GOD BEHOEDE DIE KONING.

Gegee onder my hand en seël te Swakopmund hierdie 13de dag van Januarie 1939.

D. G. CONRADIE,
Administrateur.

No. 6 van 1939.]

NADEMAAL dit wenslik is om die wet met betrekking tot die beheer van die Trustfondse wat in Naturellereserwes gestig is verder te wysig;

SO IS DIT dat ek, op grond van en kragtens die bevoegdhede my verleen, hiermee proklameer, verklaar en as volg bekendmaak:—

1. Artikel *vier* van die "Naturelle Reservaten-Trustfonds Administratie Proklamatie, 1924" (Proklamasie No. 9 van 1924) soos gewysig deur artikel *ses-en-twintig* van die Naturelle-Administrasie-Proklamasie 1928 (Proklamasie No. 15 van 1928) word hiermee gewysig deur die volgende nuwe subartikel as subartikel (2) by te voeg: Die bestaande artikel word subartikel (1).

PROCLAMATIONS

By HIS HONOUR DAVID GIDEON CONRADIE, ADMINISTRATOR OF SOUTH WEST AFRICA.

No. 5 of 1939.]

WHEREAS it is desirable to amend the law relating to criminal procedure;

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

1. Section *three hundred and thirteen* of the Criminal Procedure and Evidence Proclamation 1935 (Proclamation No. 30 of 1935), hereinafter called the principal proclamation, is hereby amended by the insertion of the words "industrial school", after the words "rescue home" occurring therein.

2. Section *three hundred and fifteen* of the principal proclamation is hereby amended;

(1) by the deletion of the words "which is not in default of payment of a fine" occurring in subsection (1) thereof;

(2) by the deletion of the word "juvenile" wherever it occurs in subsections (1), (3) and (4) thereof;

(3) by the insertion of the words "or industrial school" after the word "reformatory" wherever it occurs in subsections (1), (2), (3) and (4) thereof, and where it occurs for the first time in subsection (5) thereof;

(4) by the deletion of the last sentence occurring in subsection (5) thereof.

3. Section *three hundred and sixteen* of the principal proclamation is hereby amended by the deletion of the words "which is not in default of payment of a fine", and the words "juvenile adult" occurring therein.

4. This Proclamation shall be called the Criminal Procedure and Evidence Amendment Proclamation 1939.

GOD SAVE THE KING.

Given under my hand and seal at Swakopmund, this 13th day of January, 1939.

D. G. CONRADIE,
Administrator.

No. 6 of 1939.]

WHEREAS it is desirable further to amend the law relating to the control of the Trust Funds that have been established in Native Reserves;

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

1. Section *four* of the Native Reserves Trust Funds Administration Proclamation, 1924, (Proclamation No. 9 of 1924) as amended by section *twenty-six* of the Native Administration Proclamation, 1928, (Proclamation No. 15 of 1928), is hereby amended by the addition of the following new subsection as subsection (2), the existing section becoming subsection (1)—

"(2) Indien die Administrateur het wenselik acht, mag hij de kommissie ontbinden (in welk geval hy volgens zijn discretie een nieuwe kommissie mag aanstellen of niet) of enige gekozen lid of leden ontslaan wegens wangedrag of aanhoudende afwezigheid zonder verlof of ander redelike verschoning van het Reservaat of van Kommissievergaderingen. In geval van zodanige ontslag, moet de vakature of moeten de vakaturen, aldus veroorzaakt, door een verkiezing, zoals in subartikel (1) hiervan bepaald, gevuld worden".

2. Hierdie Proklamasie heet die Wysigingsproklamasie van 1939, betreffende die Administrasie van Naturelle Reserwetrustfondse.

GOD BEHOEDE DIE KONING.

Gegee onder my hand en seël te Swakopmund hierdie 13de dag van Januarie 1939.

D. G. CONRADIE,
Administrateur.

"(2) The Administrator may whenever he deems it desirable dissolve the board (in which case he may in his discretion either appoint a new board or not appoint such a board) or dismiss any elected member or members on the ground of misconduct or continued absence without leave or other reasonable excuse from the Reserve or from Board Meetings. In case of such dismissal or dismissals, the vacancy or vacancies so caused shall be filled by election as provided for in subsection (1) hereof".

2. This Proclamation shall be called the Native Reserves Trust Funds Administration Amendment Proclamation 1939.

GOD SAVE THE KING.

Given under my hand and seal at Swakopmund this 13th day of January, 1939.

D. G. CONRADIE,
Administrator.

No. 7 van 1939.]

NADEMAAL deur paragraaf *vier* van die Ooreenkoms gesluit tussen die Administrateur van Suidwes-Afrika en die Kaptein van die Rehoboth Gemeente en die lede van die Raad van die gemelde Gemeente, welke genoemde Ooreenkoms bekragtig en goedgekeur is deur Proklamasie van die Administrateur van die ag-en-twintigste dag van September 1923 (Proklamasie No. 28 van 1923) dit onder andere ooreengekom is dat die Administrateur na beraadslaging met die Raad van die bogemelde Rehoboth Gemeente die mag sou hê om op die Gebied, in die Ooreenkoms die *Gebiet* genoem, die werking van enige wet wat in die Gebied van Suidwes-Afrika van krag is toe te pas, indien hy sodanige toepassing raadsaam en wenslik ag vir die belange van òf die Gebied van Suidwes-Afrika, òf die *Gebiet;*

EN NADEMAAL deur artikel *een* van die "Rehoboth Aangelegenheden Proklamatie 1924" (Proklamasie No. 31 van 1924) dit bepaal is dat vanaf en na die datum van inwerkingtreding daarvan, die Raad sou ophou om binne die *Gebiet* diens te doen, en dat alle en afsonderlike magte, funksies en pligte wat volgens wet in die Raad berus, aan die Magistraat van die Distrik van Rehoboth oorgedra sou word;

EN NADEMAAL na beraadslaging met die Magistraat van Rehoboth, die Administrateur dit raadsaam of wenslik ag in die belange van die Gebied van Suidwes-Afrika en van die *Gebiet*, om op die *Gebiet* die werking van die "Landlopers Proklamatie 1920" (Proklamasie No. 25 van 1920) toe te pas.

SO IS DIT dat ek, ingevolge en kragtens die bevoegdhede my verleen, hiermee proklameer, verklaar en bekendmaak as volg:—

Die "Landlopers Proklamatie 1920", soos gewysig deur die Rondloperyproklamasie-Wysigingsproklamasie 1927, tesame met alle wysiginge daarvan en byvoegsels daartoe wat hierna verorden mag word en alle regulasies daaronder wat gemaak is of hierna gemaak mag word, is en sal van volle krag en werking wees binne die Gebied, genoem die *Gebiet* in die Ooreenkoms vervat in die Bylae van die Proklamasie van die Administrateur van die ag-en-twintigste dag van September 1923 (Proklamasie No. 28 van 1923) soos gewysig deur artikel *veertien* van die Proklamasie van 1928 met betrekking tot Rehoboth *Gebiet* Aangeleenthede (Proklamasie No. 9 van 1928).

GOD BEHOEDE DIE KONING.

Gegee onder my hand en seël te Swakopmund hierdie 13de dag van Januarie 1939.

D. G. CONRADIE,
Administrateur.

No. 7 of 1939.]

WHEREAS by paragraph *four* of the Agreement concluded between the Administrator of South West Africa and the Kapitein of the Rehoboth Community and the members of the Raad of the said Community which said Agreement was ratified and confirmed by Proclamation of the Administrator dated the twenty-eighth day of September, 1923 (Proclamation No. 28 of 1923), it was agreed *inter alia* that the Administrator after consultation with the Raad of the aforesaid Rehoboth Community, should possess the power to extend to the Territory referred to in the Agreement as the *Gebiet*, the operation of any law in force in the Territory of South West Africa, if he considered such extension expedient or desirable in the interests of either the Territory of South West Africa or the *Gebiet;*

AND WHEREAS by section *one* of the Rehoboth Affairs Proclamation, 1924 (Proclamation No. 31 of 1924), it was provided that, from and after the taking effect thereof, the Raad should cease to function within the *Gebiet*, and that all and several the powers, functions and duties vested by law in the Raad should vest in the Magistrate of the District of Rehoboth;

AND WHEREAS after consultation with the Magistrate of Rehoboth, the Administrator considers it expedient and desirable in the interests of the Territory of South West Africa and of the *Gebiet*, to extend to the *Gebiet* the operation of the Vagrancy Proclamation 1920 (Proclamation No. 25 of 1920);

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

The Vagrancy Proclamation 1920, as amended by the Vagrancy Proclamation Amendment Proclamation 1927, together with all amendments thereof or additions thereto which may hereafter be enacted, and all regulations which have been or may hereafter be made thereunder shall be of full force and effect in the Territory referred to as the *Gebiet* in the Agreement contained in the Schedule to the Proclamation of the Administrator dated the twenty-eighth day of September 1923 (Proclamation No. 28 of 1923), as amended by section *fourteen* of the Rehoboth Gebiet Affairs Proclamation 1928 (Proclamation No. 9 of 1928).

GOD SAVE THE KING.

Given under my hand and seal at Swakopmund, this 13th day of January, 1939.

D. G. CONRADIE,
Administrator.

No. 8 van 1939.]

Op grond van en kragtens die bevoegdhede my verleen deur artikel *vier* van die Ordonnansie op Paaie en Uitspanplekke 1937 (Ordonnansie No. 7 van 1937) verklaar ek hiermee dat:—

Die publieke paaie, in die distrik Grootfontein, soos omskrywe in Bylae "A" wat aan Proklamasie No. 12 van 1938 aangeheg is, Distrikspaaie is.

GOD BEHOEDE DIE KONING.

Gegee onder my hand en seël te Windhoek hierdie 27ste dag van Januarie 1939.

D. G. CONRADIE,
Administrateur

No. 8 of 1939.]

Under and by virtue of the powers in me vested by section *four* of the Roads and Outspans Ordinance, 1937 (Ordinance No. 7 of 1937), I do hereby declare that:—

The public roads, in the district of Grootfontein, as defined in Schedule "A" annexed to Proclamation No. 12 of 1938, shall be District Roads.

GOD SAVE THE KING.

Given under my hand and seal at Windhoek, this 27th of January, 1939.

D. G. CONRADIE,
Administrator