



STAATSKOERANT VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA GOVERNMENT GAZETTE

REGULASIEKOERANT No. 1568

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[No. 3377.

PROKLAMASIE

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK
VAN SUID-AFRIKA.

No. R.17, 1972.]

KRAGTENS die bevoegdheid my by wet verleen, maak ek die regulasies vervat in die bygaande Bylae en ek verklaar dat, ondanks andersluidende bepalings vervat in enige ander wet, hierdie regulasies by toepassing soos voorgeskryf in die regulasies, die krag van wet het in die distrik Ovamboland.

GEGEE onder my Hand en Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Tweede dag van Februarie, Eenduisend Negehoenderd Twee-en-sewentig.

J. J. FOUCHÉ,
Staatspresident.

Op las van die Staatspresident-in-rade,
M. C. BOTHA.

REGULASIES VIR DIE ADMINISTRASIE VAN DIE DISTRIK
OVAMBOLAND

BYLAE

DEEL I

WOORDBEPALING

1. In hierdie regulasies beteken—

„volwasse persoon”, ’n persoon van die skynbare ouderdom van agtien jaar en ouer;

„kaptein”, ’n kaptein of waarnemende kaptein aangestel of erken kragtens die Naturelle-administrasieproklamasie, 1928 (Proklamasie No. 15 van 1928) van die gebied Suidwes-Afrika;

PROCLAMATION

BY THE STATE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA.

No. R.17, 1972.]

UNDER and by virtue of the powers vested in me by law, I make the regulations contained in the Schedule hereto and declare that, notwithstanding anything to the contrary contained in the provisions of any other law, these regulations shall upon application as in the regulations prescribed, have the force of law in the district of Ovamboland.

GIVEN under my Hand and the Seal of the Republic of South Africa at Cape Town on this Second day of February, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ,
State President.

By Order of the State President-in-Council,
M. C. BOTHA.

REGULATIONS FOR THE ADMINISTRATION OF THE
DISTRICT OF OVAMBOLAND

SCHEDULE

PART I

DEFINITION

1. In these regulations—

“adult person”, means a person of the apparent age of eighteen years and over;

“chief”, means a chief or acting chief appointed or recognised in terms of the Native Administration Proclamation 1928 (Proclamation 15 of 1928) of the territory of South-West Africa;

- „Direkteur van Justisie”, die amptenaar in beheer van die departement van Justisie van die Ovambolandse regering;
- „hoofman”, ’n hoofman of waarnemende hoofman aangestel of erken kragtens die Naturelle-administrasieproklamasie, 1928 (Proklamasie No. 15 van 1928) van die gebied Suidwes-Afrika;
- „vergadering”, ’n vergadering, byeenkoms of samekoms waarby meer as vyf persone op enige besondere tydstip aanwesig is;
- „Minister”, die Minister van Bantoe-administrasie en -ontwikkeling;
- „verbode gebied”, ’n gebied waarin die regulasies in Deel III of Deel IV, gelees met Deel V van hierdie Bylae, van toepassing gemaak is.

TOEPASSING VAN REGULASIES

2. (1) Die regulasies, uitgesonderd die regulasies in Dele III, IV, regulasies 7, 8, 9 en 10 (1) tot (5) van Deel V van hierdie regulasies vervat, tree in werking op die datum van afkondiging hiervan in die *Staatskoerant*.

(2) Die Minister kan van tyd tot tyd by kennisgewing in die *Staatskoerant*—

- (a) Deel III of Deel IV, of Deel III sowel as Deel IV, gelees met Deel V, van hierdie regulasies, van toepassing maak op enige stamgebied of gedeelte van enige stamgebied in Ovamboland of in die distrik of enige deel van die distrik van Ovamboland en kan in sodanige kennisgewing verklaar dat enige distrik of stamgebied of gedeelte van enige distrik of stamgebied, soos hy mag bepaal, geag word afsonderlike verbode gebiede vir die doeleindes van die voormelde Dele III, IV en V van hierdie regulasies te wees;
- (b) enige kennisgewing deur hom uitgereik, intrek of wysig.

(3) Waar ook al enigiets in enige ander wet vervat, strydig is met hierdie regulasies, geld die bepalings van hierdie regulasies, vir solank hulle van krag is, bo die bepalings van enige sodanige ander Wet.

DEEL II

VERGADERINGS, BYEENKOMSTE EN SAMEKOMSTE

3. (1) Enige vergadering is onwettig tensy—

- (a) die hou daarvan skriftelik deur die Naturellekommissaris van die distrik waarin dit gehou word, gemagtig is;
- (b) dit gehou word op ’n tyd en plek en ooreenkomstig sulke ander voorwaardes as wat die Naturellekommissaris mag voorskryf, soos hy hierby gemagtig word om te doen.

(2) ’n Naturellekommissaris, ’n offisier of onderoffisier van die Suid-Afrikaanse Polisie, ’n kaptein of ’n hoofman kan die persone wat op ’n onwettige vergadering aanwesig is, beveel om uiteen te gaan en om onverwyld te vertrek van die plek van die vergadering en hy kan sodanige verdere bevel gee as wat hy dienstig ag om ’n verdere onwettige vergadering deur sodanige persone te voorkom.

(3) Iedereen wat versuim of nalaat om ’n bevel gegee kragtens subregulasie (2) te gehoorsaam, begaan ’n misdryf.

(4) Indien ’n bevel kragtens subregulasie (2) gegee, nie onverwyld gehoorsaam word nie, kan die persoon wat dié bevel gee, niteenstaande die bepalings van subregulasie (3), enige stappe doen of die doen van enige stappe magtig wat na sy oordeel nodig is om uitvoering van die bevel te bewerkstellig.

(5) Die bepalings van subregulasie (1) is nie van toepassing nie op ’n vergadering—

- (a) vir die doel van ’n *bona fide*-kerkdiens of begrafnis;
- (b) in verband met die reëling van die huishoudelike sake van ’n kraal of huishouding;
- (c) van die lede van ’n by wet ingestelde liggaam van persone wat uitsluitlik vir die verrigting van besigheid van daardie liggaam gehou word;
- (d) vir die doel van onderrig wat ingevolge ’n wet gegee word;
- (e) synde ’n *bona fide*-sportbyeenkoms, konsert of vermaaklikheid;
- (f) van ’n stam-, gemeenskaps- of streeksoverheid bedoel in artikel 7 en ’n wetgewende raad en uitvoerende raad bedoel in artikels 3 en 6 onderskeidelik van die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet 54 van 1968);

(g) vir amptelike administratiewe of geregtelike doeleindes: Met dien verstande dat ’n Naturellekommissaris, ’n offisier of onderoffisier van die Suid-Afrikaanse Polisie, of ’n kaptein of hoofman ’n bepaalde vergadering van ’n kategorie in paragrawe (a) tot (e) genoem kan verbied, waarna sodanige vergadering onwettig geag word vir doeleindes van hierdie regulasie.

(6) ’n Naturellekommissaris kan, sonder voorafgaande kennisgewing aan enige betrokke persoon, skriftelik onder sy handtekening enige persoon belet om ’n vergadering ingevolge subregulasie (1) gemagtig of in regulasie 5 (a) tot (g) genoem, te hou, daarop voor te sit, dit toe te spreek of daarop aanwesig te wees.

“Director of Justice”, means the officer in control of the Department of Justice of the Government of Ovamboland;

“headman”, means a headman or acting headman appointed or recognised in terms of the Native Administration Proclamation, 1928 (Proclamation 15 of 1928);

“meeting”, means a meeting, gathering or assembly at which more than five persons are present at any one time;

“Minister”, means the Minister of Bantu Administration and Development;

“prohibited area”, means any area to which the regulations in Part III or Part IV, read with Part V of this Schedule, have been applied.

APPLICATION OF REGULATIONS

2. (1) The regulations, other than those contained in Parts III, IV, regulations 7, 8, 9 and 10 (1) to (5) of Part V of these regulations, shall come into operation on the date of publication of these regulations in the *Gazette*.

(2) The Minister may from time to time by notice in the *Gazette*—

- (a) apply either Part III or Part IV, or both Part III and Part IV, read with Part V, of these regulations, to any tribal area or part of a tribal area of Ovamboland or any part of the district of Ovamboland or to the whole of the district of Ovamboland and may in such notice declare that any district or tribal area or part of any district or tribal area as he may specify shall be deemed to be separate prohibited areas for the purposes of the aforementioned Parts III, IV and V of these regulations;
- (b) withdraw or amend any notice issued by him.

(3) Wherever anything contained in any other law is inconsistent with these regulations, the provisions of these regulations shall for as long as they are in force, prevail over the provisions of any such other law.

PART II

MEETINGS, GATHERINGS AND ASSEMBLIES.

3. (1) Any meeting shall be unlawful, unless—

- (a) the holding thereof has been authorised in writing by the Native Commissioner of the district in which it is held;
- (b) it is held at the time and place and in accordance with such other conditions as the Native Commissioner may specify, as he is hereby authorised to do.

(2) A Native Commissioner, a commissioned or non-commissioned officer of the South African Police, a chief or a headman may order the persons present at any unlawful meeting to disperse and forthwith to depart from the place of the meeting and he may give such further order as he may deem expedient to prevent a further unlawful meeting by such persons.

(3) Any person who fails or neglects to obey any order given in terms of sub-regulation (2) shall be guilty of an offence.

(4) If an order given in terms of sub-regulation (2) is not obeyed forthwith, the person giving such order may, notwithstanding the provisions of sub-regulation (3), take such steps or authorise the taking of such steps as in his opinion are necessary to effect execution of the order.

(5) The provisions of sub-regulation (1) shall not apply to any meeting—

- (a) for the purpose of a *bona fide* church service or a funeral;
- (b) in connection with the regulation of the domestic affairs of any kraal or household;
- (c) of the members of a statutory body of persons, held exclusively for the purpose of transacting any business of that body;
- (d) for the purpose of instruction imparted under any law;
- (e) being a *bona fide* sports gathering, concert or entertainment;
- (f) of any tribal, community or regional authority mentioned in section 7, a legislative council or Executive council mentioned respectively in sections 3 and 6 of the Development of Self-Government for Native Nations in South-West Africa Act, 1968 (Act 54 of 1968);

(g) for official administrative or judicial purposes: Provided that a Native Commissioner, a commissioned or non-commissioned officer of the South African Police or a chief or headman may prohibit any specific meeting of a category referred to in paragraphs (a) to (e) whereupon such meeting shall be deemed to be unlawful for the purposes of this regulation.

(6) A Native Commissioner may, without prior notice to any person concerned, by writing under his hand prohibit any person from holding, presiding at, addressing or being present at any meeting authorised in terms of sub-regulation (1) or referred to in regulation 5 (a) to (g).

(7) Iedereen wat 'n onwettige vergadering hou, daarop voorsit, dit toespreek of daarop aanwesig is, of daardie vergadering belê het, of wat toelaat dat 'n onwettige vergadering in sy huis, hut of kraal of op 'n ander perseel of grond onder sy beheer, gehou word, of wat versuim of nalaat om 'n voorwaarde ingevolge van subregulasie (1) (b) opgelê, na te kom, of wat, nadat hy kragtens subregulasie (6) verbied is, 'n vergadering genoem in subregulasie (6), hou, daarop voorsit, dit toespreek of daarop aanwesig is, begaan 'n misdryf.

(8) In enige geding ingevolge hierdie regulasie waarin die vraag ontstaan of 'n vergadering onwettig of nie onwettig was nie, word veronderstel dat, tensy die teendeel bewys word, sodanige vergadering onwettig was.

DEEL III

BINNEGAAN VAN EN VERTREK UIT VERBODE GEBIED

BINNEGAAN VAN VERBODE GEBIED

4. (1) Iedereen wat nie in 'n verbode gebied woonagtig is nie en wat sonder 'n permit onder die handtekening van die Naturellekommissaris van die betrokke gebied, sodanige gebied binnegaan, daarin vertoef of daarin is, begaan 'n misdryf.

(2) Niks in subregulasie (1) vervat, word uitgelê as sou dit 'n persoon wat in die distrik Ovamboland gedomicilieer is en wat na die verstryking van 'n dienskontrak wat buite sodanige distrik uitgevoer is en wat noodwendig met publieke vervoer, wat nie 'n taxi of gehuurde motorvoertuig insluit nie, deur 'n verbode gebied na sy plek van domicilie moet reis, belet om binne die kortste moontlike tyd met sodanige publieke vervoer deur sodanige verbode gebied te reis nie.

(3) Die Naturellekommissaris aan wie 'n aansoek om 'n permit ingevolge subregulasie (1) gerig word, kan by oorweging van sodanige aansoek, die kaptein of hoofman van die gebied wat die applikant om sodanige permit verlang om binne te gaan, raadpleeg.

(4) Iedereen aan wie verlot om 'n verbode gebied binne te gaan, deur 'n Naturellekommissaris geweier is, kan teen sodanige weiering appelleer by die Direkteur van Justisie wie se beslissing oor enige sodanige appellê finaal is.

(5) Vir die toepassing van subregulasie (1) word 'n persoon geag nie in 'n verbode gebied woonagtig te wees nie, indien hy afwesig is uit sodanige gebied vir die doel om te werk of om 'n ambag, beroep of professie uit te oefen, of permanent of gewoonlik buite sodanige gebied woon, of hy nou ook al die eienaar of bewoner is van 'n kraal, woning of hut in sodanige verbode gebied, of gebore is in, of trou verskuldig is aan 'n kaptein of hoofman in sodanige gebied, al dan nie, indien hy nie permanent of gewoonlik in sodanige gebied woon nie.

(6) Die bepalings van subregulasie (1) is nie van toepassing nie—

- op enige amptenaar of werknemer van die Staat, die Administrasie van die gebied Suidwes-Afrika of die Regering van Ovamboland;
- op enigeen wat ononderbroke met publieke vervoer wat nie 'n taxi of gehuurde motorvoertuig insluit nie deur die distrik van Ovamboland reis; of
- op enigeen wat 'n *bona fide*-reisiger is, wat deur 'n verbode gebied reis kragtens 'n permit uitgereik van 'n Naturellekommissaris of 'n offisier of onderoffisier van die Suid-Afrikaanse Polisie.

5. (1) Dit is die plig van elke volwasse persoon in 'n verbode gebied om onmiddellik aan die Naturellekommissaris van sodanige gebied of aan die kaptein of hoofman wat regsmaag oor sodanige gebied het, die aanwesigheid in dié gebied te rapporteer van enige persoon van wie hy weet of vermoed dat hy ingevolge regulasie 4 (1) wederregtelik in sodanige gebied is.

(2) Dit is die plig van elke kaptein of hoofman wat regsmaag het oor 'n gebied in 'n verbode gebied om onmiddellik aan die Naturellekommissaris of aan die Suid-Afrikaanse Polisie die aanwesigheid in sy reggebied te rapporteer van 'n persoon van wie hy weet of vermoed dat hy ingevolge regulasie 4 (1) wederregtelik in sodanige gebied is.

(3) Elke kaptein, hoofman of volwasse persoon wat versuim om te rapporteer soos by subregulasie (1) en (2) van hom vereis, begaan 'n misdryf.

(4) Nieteenstaande die bepalings van subregulasie (2) kan 'n kaptein of hoofman op summere wyse sonder lasbrief 'n persoon wat op versoek versuim om sodanige kaptein of hoofman tevrede te stel dat hy wettiglik in sodanige gebied is, arresteer of laat arresteer, en moet hy sonder onnodige vertraging sodanige persoon na die Naturellekommissaris van die gebied of na die naaste polisiestasie neem of laat neem.

(7) Any person who holds, presides at, addresses or is present at an unlawful meeting or who convened that meeting, or who permits an unlawful meeting to be held in his house, hut or kraal or on other premises or land under his control, or who fails or neglects to comply with any condition imposed in terms of sub-regulation (1) (b), or who having been prohibited in terms of sub-regulation (6), holds, presides at, addresses or is present at any meeting referred to in the said sub-regulation (6), shall be guilty of an offence.

(8) In any proceedings under this regulation involving the question whether a meeting was or was not unlawful, it shall be presumed, unless the contrary is proved, that such meeting was unlawful.

PART III

ENTRY INTO AND DEPARTURE FROM PROHIBITED AREAS

ENTRY INTO PROHIBITED AREA

4. (1) Any person not resident in a prohibited area who, without a permit under the hand of the Native Commissioner of the area concerned, enters, remains or is in such area, shall be guilty of an offence.

(2) Nothing in sub-regulation (1) contained shall be construed as prohibiting a person domiciled in the district of Ovamboland and who after the expiration of a contract of service performed outside such district, has necessarily to travel through a prohibited area by public transport, which shall not include a taxi or hire motor vehicle, to his place of domicile from proceeding by such public transport through such prohibited area within the shortest possible time.

(3) The Native Commissioner to whom an application for a permit in terms of sub-regulation (1) is directed may, when considering such application, consult the chief or headman of the area which the applicant for such permit desires to enter.

(4) Any person who has been refused permission by a Native Commissioner to enter a prohibited area may appeal against such refusal to the Director of Justice, whose decision on any such appeal shall be final.

(5) For the purposes of sub-regulation (1) a person shall be deemed not to be resident in a prohibited area if he is absent from such area for the purpose of employment or for the exercising of any trade, calling or profession, or permanently or habitually resides outside such area, whether or not he is the owner or occupier of a kraal, dwelling or hut in such prohibited area, or was born in, or owes allegiance to a chief or headman in such area, or if he does not live permanently or habitually in such area.

(6) The provisions of sub-regulation (1) shall not apply to—

- any officer or employee of the State, the Administration of the Territory of South-West Africa or the Government of Ovamboland;
- any person who proceeds on an unbroken journey through the district of Ovamboland by public transport, which shall not include a taxi or hired motor vehicle; or
- any person who being a *bona fide* traveller proceeds through a prohibited area under a permit issued by a Native Commissioner or a commissioned or non-commissioned officer of the South African Police.

5. (1) It shall be the duty of every adult person in a prohibited area forthwith to report to the Native Commissioner for such area or to the chief or headman having jurisdiction over such area the presence in that area of any person whom he knows or suspects to be in such area unlawfully in terms of regulation 4. (1).

(2) It shall be the duty of every chief or headman having jurisdiction over any area in a prohibited area forthwith to report to a Native Commissioner or to the South African Police the presence in his area of jurisdiction of any person whom he knows or suspects to be in such area unlawfully in terms of regulation 4. (1).

(3) Any chief, headman or adult person who fails to make the report required of him under sub-regulation (1) and (2) shall be guilty of an offence.

(4) Notwithstanding the provisions of sub-regulation (2), a chief or headman may summarily and without warrant arrest, or cause to be arrested, any person who on demand fails to satisfy such chief or headman that he is lawfully in such area, and shall without undue delay bring or cause such person to be brought to the Native Commissioner of the area or to the nearest police station.

DEEL IV

VERTREK UIT VERBODE GEBIED

6. (1) Iedereen woonagtig in 'n verbode gebied wat uit sodanige gebied gaan sonder 'n permit onder die handtekening van die Naturelle-kommissaris van die betrokke gebied of van 'n kaptein, hoofman of ander persoon wat skriftelik deur genoemde Naturellekommissaris gemagtig is om namens hom sodanige permit uit te reik, begaan 'n misdryf.

(2) Die bepalings van subregulasie (1) is nie van toepassing nie ten opsigte van—

- (a) 'n persoon wat wettiglik verplig is om in of voor enige geregshof buite sodanige gebied te verskyn;
- (b) 'n kaptein of hoofman wat in die loop van sy amptelike pligte 'n verbode gebied binnegaan of daarin of daardeur reis en enigeen wat sodanige kaptein of hoofman vergesel;
- (c) enige amptenaar of werknemer van die Staat, die Administrasie van die gebied Suidwes-Afrika, die Regering van Ovamboland of enige lid, amptenaar of werknemer van 'n stam-, gemeenskap- of streeksowerheid en van 'n wetgewende raad of uitvoerende raad bedoel in regulasie 3 (5) (f) wat in die loop van sy pligte 'n verbode gebied binnegaan of daarin of daardeur reis.

DEEL V

VOORWAARDES VAN PERMITTE

7. (1) Elke permit ingevolge regulasies 4 en 6 word uitgereik onderworpe aan sodanige voorwaardes as wat die Naturellekommissaris na goeddunke mag bepaal, soos hy hierby gemagtig word om te doen, met dien verstande dat dit 'n voorwaarde van elke sodanige permit is—

- (a) dat die houder daarvan, sy aankoms in of vertrek uit 'n verbode gebied, na gelang van die geval, by die kaptein of hoofman of persoon wie se naam, indien enige, op sodanige permit aangedui word, moet aanmeld;
- (b) dat die houder daarvan by verstryking van die geldigheid van sodanige permit die permit aan die Naturellekommissaris van die verbode gebied of aan die kaptein of hoofman of persoon wie se naam op sodanige permit aangedui word, moet afgee.

(2) Enigeen wat versuim om te voldoen aan enige voorwaarde van 'n permit wat aan hom uitgereik is, begaan 'n misdryf.

BEWYSLAS

8. In enige geding ingevolge Deel III of IV van hierdie regulasies waarin die vraag ontstaan of 'n persoon in 'n verbode gebied woonagtig is of nie woonagtig is nie, rus die las op sodanige persoon om te bewys dat hy in sodanige gebied woonagtig is of nie woonagtig is nie.

VERBEURDVERKLARINGSBEVEL

9. (1) 'n Landdroshof of Hooggeregshof wat 'n persoon skuldig bevind aan 'n misdryf ingevolge regulasie 4 (1) kan beveel dat enige motorvoertuig wat in die besit gevind word van sodanige persoon binne, of wat gebruik is om sodanige persoon in te bring in die verbode gebied, aan die Staat verbeurd verklaar word.

(2) Die bepalings van artikel 360 (4) en (5) van die Strafproseswet, 1955 (Wet No. 56 van 1955), is *mutatis mutandis* van toepassing op enige bevel van verbeurdverklaring van 'n motorvoertuig ingevolge subregulasie (1).

AFGEE VAN WAPENS EN AMMUNISIE

10. (1) Enigeen, uitgesonder 'n amptenaar of werknemer van die Staat of die Administrasie van die gebied Suidwes-Afrika in 'n verbode gebied wat die eienaar is, of in besit is van 'n wapen of ammunisie, soos omskryf in die Wet op Wapens en Ammunisie, 1969 (Wet No. 75 van 1969), afgesien daarvan of sodanige persoon 'n lisensie kragtens genoemde Wet hou om die eienaar te wees, of in besit te wees, van sodanige wapen of ammunisie, moet sodanige wapen of ammunisie binne agt-en-veertig uur na die toepassing van Deel III of Deel IV van hierdie regulasies op dié gebied, afgee aan die Naturellekommissaris wat regsag in sodanige gebied het.

(2) Die Naturellekommissaris moet alle wapens en ammunisie wat aldus aan hom afgegee word, in sy besit neem en hou.

(3) Die Naturellekommissaris aan wie 'n wapen of ammunisie aldus afgegee is, kan, op aansoek van die persoon wat die wapen of ammunisie afgegee het, na goeddunke die betrokke wapen of ammunisie aan sodanige persoon teruggee en aan hom 'n permit uitreik waarby hy gemagtig word om sodanige wapen of ammunisie in sy besit te hê.

PART IV

DEPARTURE FROM PROHIBITED AREA

6. (1) Any person resident in a prohibited area who absents himself from such area without a permit under the hand of the Native Commissioner of the area, concerned or of a chief, headman or other person authorised by the said Native Commissioner in writing to issue such permit on his behalf, shall be guilty of an offence.

(2) The provisions of sub-regulation (1) shall not apply in respect of—

- (a) any person who is lawfully required to appear in or before any court of law outside such area;
- (b) any chief or headman proceeding into or travelling in or through any prohibited area in the course of his official duties and any person accompanying such chief or headman;
- (c) any officer or employee of the State, the Administration of the territory of South-West Africa, the Government of Ovamboland or any member, officer or employee of any tribal, community or regional authority and of a legislative council and executive council referred to in regulation 3 (5) (f) proceeding into or travelling in or through any prohibited area in the course of his duties.

PART V

CONDITIONS OF PERMITS

7. (1) Every permit under regulations 4 and 6 shall be issued subject to such conditions as the Native Commissioner may in his discretion determine, as he is hereby authorized to do, provided that it shall be a condition of every such permit—

- (a) that the holder thereof, shall report his arrival in or departure from a prohibited area, as the case may be, to the chief or headman or person whose name, if any, is indicated in such permit;
- (b) that the holder thereof shall on the expiry of the validity of such permit surrender it to the Native Commissioner for the prohibited area or to the chief or headman or person whose name is indicated on such permit.

(2) Any person who fails to comply with any condition of a permit issued to him shall be guilty of an offence.

ONUS OF PROOF

8. In any proceedings under Part III or IV of these regulations involving the question whether a person is or is not resident in a prohibited area, the onus shall be on such person to prove that he is or is not resident in such area.

FORFEITURE ORDER

9. (1) A Magistrate's Court or Supreme Court convicting any person of an offence under regulation 4 (1), may order that any motor vehicle found in the possession of such person in, or used for conveying such person into the prohibited area, to be forfeited to the State.

(2) The provisions of section 360 (4) and (5) of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), shall *mutatis mutandis* apply to any order of forfeiture of a motor vehicle in terms of sub-regulation (1).

SURRENDER OF ARMS AND AMMUNITION

10. (1) Any person except an officer or employee of the State or the Administration of the territory of South-West Africa in a prohibited area who is the owner of, or has in his possession any arm or ammunition, as defined in the Arms and Ammunition Act, 1969 (Act No. 75 of 1969), whether or not such person holds a licence under the said Act to own or possess such arm or ammunition, shall within forty-eight hours of the application of Part III or Part IV of these regulations to that area, surrender such arm or ammunition to the Native Commissioner having jurisdiction in such area.

(2) The Native Commissioner shall take possession and retain all arms and ammunition so surrendered to him.

(3) The Native Commissioner to whom any arm or ammunition has been so surrendered may, on application by the person who surrendered the arm or ammunition, in his discretion return the arm or ammunition concerned to such person and issue to him a permit authorizing him to have in his possession such arm or ammunition.

(4) Enigeen wie se aansoek ingevolge subregulasie (3) deur die Naturellekommissaris geweier is, kan teen sodanige weiering appelleer by die Direkteur van Justisie, wie se beslissing finaal is.

(5) Enigeen wat versuim of nalaat om 'n wapen of ammunisie ingevolge subregulasie (1) af te gee, of wat na verstryking van die tydperk van agt-en-veertig uur in daardie subregulasie genoem, in besit is van 'n wapen of ammunisie ten opsigte waarvan hy nie 'n permit kragtens subregulasie (3) hou nie, begaan 'n misdryf.

(6) Behoudens die bepalings van subregulasies (1) en (3) mag geen persoon uitgesonder 'n amptenaar of werknemer bedoel in subregulasie (1) in enige verbode gebied enige wapen soos omskryf in artikel 1 van die Wet op Wapens en Ammunisie, 1969 (Wet 75 van 1969) of enige gevaarlike wapen soos omskryf in artikel 1 van die Wet op Gevaarlike Wapens, 1968 (Wet No. 71 van 1968) buite die grense van die erf, perseel of terrein waarop hy woon besit, dra of gebruik nie.

(7) Die verbod deur subartikel (6) opgelê, belet nie die dra of gebruik—

- (a) van sodanige wapen of gevaarlike wapen as wat 'n bepaalde persoon by wet moet dra of wat hy by sodanige wet of skriftelik deur 'n Naturellekommissaris gemagtig word om te dra of te gebruik nie;
- (b) deur enige bejaarde of siek persoon, van 'n kiere of stok as stut wanneer hy loop nie;
- (c) van enige byl vir bona fide huishoudelike doeleindes nie.

DEEL VI

ONDERMYNENDE OF INTIMIDERENDE VERKLARINGS OF OPTREDE

11. Enigeen wat—

- (a) 'n verklaring, mondelings of skriftelik, doen of enige handeling verrig waarvan die bedoeling is of die waarskynlike uitwerking sal wees die ondermyning van of inmenging met die gesag van die Staat, die Regering van Ovamboland, die Naturellekommissaris of enige ander amptenaar in diens van die Staat, die Regering van Ovamboland, die Administrasie van die gebied Suidwes-Afrika of die gesag van 'n kaptein of hoofman;
- (b) 'n verklaring, mondelings of skriftelik doen, of enige handeling verrig, wat bestaan uit 'n dreigement of 'n dreigement bevat, dat 'n persoon aan 'n boikot onderwerp sal word of dat geweld, verlies, benadeling of ongerief hom aangedoen sal word, hetsy aan sy persoon of eiendom of aan die persoon of eiendom van enige lid van sy familie of huishouding;
- (c) 'n boikot organiseer of deelneem aan 'n georganiseerde boikot van 'n vergadering belê deur 'n amptenaar van die Staat, die Regering van Ovamboland of deur 'n kaptein of hoofman;
- (d) 'n boikot organiseer of deelneem aan 'n georganiseerde boikot teen 'n persoon met die doel om hom verlies, nadeel of ongerief aan te doen, hetsy aan sy persoon of eiendom;
- (e) weier of versuim om 'n wettige bevel, insluitende 'n bevel ooreenkomstig Naturelereg en -gewoonte uitgereik deur 'n kaptein of hoofman aan wie se gesag hy onderworpe is, te gehoorsaam;
- (f) 'n kaptein of hoofman aan wie se gesag hy onderworpe is, met oneerbiedigheid, minagting of bespotting bejêen of nalaat of versuim om daardie eerbied en gehoorsaamheid te betoon aan en sodanige dienste te verrig vir sodanige kaptein of hoofman as wat ooreenkomstig Naturelereg en -gewoonte betoon of verrig moet word, begaan 'n misdryf.

REGSMAG VAN KAPTEIN OF HOOFMAN

12. (1) Enige kaptein of hoofman wat deur die Minister daartoe gemagtig is, hetsy in die algemeen of ten opsigte van 'n besondere saak, kan 'n persoon wat aangekla is van oortreding, binne die regsgebied van dié kaptein of hoofman, van die bepalings van enigeen van die volgende regulasies, verhoor en straf:

- (a) regulasie 3 (2) gelees met regulasie 3 (3), ten opsigte van 'n bevel uitgereik deur daardie kaptein of hoofman;
- (b) regulasie 5 (3) ten opsigte van versuim om 'n rapport ingevolge regulasie 5 (1) aan daardie kaptein of hoofman te maak;
- (c) regulasie 6 (1), ten opsigte van 'n persoon woonagtig binne daardie kaptein of hoofman se regsgebied;
- (d) regulasie 7 (2), ten opsigte van versuim om by daardie kaptein of 'n hoofman ingevolge die bepalings van regulasie 7 (1) (a) aan te meld of om 'n permit aan daardie kaptein of hoofman af te gee ingevolge regulasie 7 (1) (b);
- (e) regulasie 11 (a), ten opsigte van 'n verklaring wat die gesag van daardie kaptein of hoofman ondermyn;
- (f) regulasie 11 (c), ten opsigte van 'n boikot van 'n vergadering bele deur daardie kaptein of hoofman;

(4) Any person whose application in terms of sub-regulation (3) has been refused by the Native Commissioner may appeal against such refusal to the Director of Justice, whose decision shall be final.

(5) Any person who fails or neglects to surrender any arm or ammunition in terms of sub-regulation (1) or who, after the expiry of the period of forty-eight hours referred to in that sub-regulation, is in possession of a arm or ammunition in respect of which he holds no permit under sub-regulation (3) shall be guilty of an offence.

(6) Subject to the provisions of sub-regulations (1) and (3) no person except an officer or employee referred to in sub-regulation (1), may possess in any prohibited area, carry or use an arm as defined in section 1 of the Arms and Ammunition Act, 1969 (Act 75 of 1969) or a dangerous weapon as defined in section 1 of the Dangerous Weapons Act, 1968 (Act No. 71 of 1968) beyond the boundary of the erf, allotment or site upon which he resides.

(7) The prohibition imposed by sub-regulation (6) shall not preclude the possession, carrying or use—

- (a) of such arm or dangerous weapon as a particular person is required or duly authorized by law or by a Native Commissioner in writing to possess, carry or use;
- (b) by any old or infirm person of any kiere or stick as a support when walking;
- (c) of any axe for bona fide domestic requirements.

PART VI

SUBVERSIVE OR INTIMIDATING STATEMENTS OR ACTIONS

11. Any person who—

- (a) makes any statement, verbally or in writing, or does any act which is intended or is likely to have the effect of subverting, or interfering with the authority of the State, the Government of Ovamboland, the Native Commissioner or any other officer in the employ of the State, the Government of Ovamboland, the Administration of the territory of South-West Africa, or the authority of any chief or headman;
 - (b) makes any statement, verbally or in writing, or does any act which consists of or contains any threat that any person will be subjected to any boycott, or will suffer any violence, loss, disadvantage or inconvenience in his person or property or in the person or property of any member of his family or household;
 - (c) organises or takes part in any organised boycott of any meeting convened by an officer of the State, the Government of Ovamboland or by a chief or headman;
 - (d) organises, or takes part in any organised boycott against any person with the object of causing him loss, disadvantage or inconvenience in his person or property;
 - (e) refuses or neglects to obey any lawful order, including an order in accordance with native law and custom, issued by a chief or headman to whose authority he is subject;
 - (f) treats the chief or headman to whose authority he is subject with disrespect, contempt or ridicule, or fails or neglects to show that respect and obedience and to render such services to such chief or headman as should be shown or rendered in accordance with native law and custom,
- shall be guilty of an offence.

JURISDICTION OF CHIEF OR HEADMAN

12. (1) Any chief or headman who is authorized thereto by the Minister either generally or in respect of a particular case may try and punish any person who is accused of contravening within the area of jurisdiction of that chief or headman the provisions of any of the following regulations—

- (a) regulation 3 (2) read with regulation 3 (3), in respect of an order issued by that chief or headman;
- (b) regulation 5 (3), in respect of failure to make a report in terms of regulation 5 (1) to that chief or to headman;
- (c) regulation 6 (1), in respect of any person resident within the area of jurisdiction of that chief;
- (d) regulation 7 (2), in respect of failure to report to that chief or headman in accordance with the provisions of regulation 7 (1) (a), or to surrender to that chief or headman a permit in terms of regulation 7 (1) (b);
- (e) regulation 11 (a), in respect of a statement subverting the authority of that chief or headman;
- (f) regulation 11 (c), in respect of a boycott of a meeting convened by that chief or headman;

- (g) regulasie 11 (e), ten opsigte van 'n bevel uitgereik deur daardie kaptein of hoofman;
- (h) regulasie 11 (f), ten opsigte van 'n misdryf teen daardie kaptein of hoofman.

(2) Nieteenstaande enige ander Wetsbepalings kan 'n kaptein of hoofman by die uitoefening van regsrag ingevolge subregulasie (1), 'n boete van hoogstens eenhonderd rand of vier stuks grootvee of twintig stuks kleinvee of, by wanbetaling, 'n vonnis van gevangenisstraf van hoogstens drie maande ople.

(3) Sodanige kaptein of hoofman moet 'n skriftelike verslag, in drievoud, wat die volgende besonderhede moet aandui, laat hou van elke verhoor ingevolge subregulasie (1):—

- (a) naam van die beskuldigde;
- (b) misdryf waarvan die beskuldigde aangekla is;
- (c) datum of datums van verhoor;
- (d) uitslag van verhoor;
- (e) vonnis opgelê;
- (f) datum waarop vonnis opgelê is.

(4) Wanneer sodanige kaptein of hoofman enige persoon by wanbetaling van 'n boete 'n vonnis van gevangenisstraf opgelê het, moet hy, indien die hele boete nie onmiddellik of binne 'n tydperk deur hom gespesifiseer, betaal is nie, sodanige persoon arresteer of deur sy bodes laat arresteer, en moet hy binne agt-en-veertig uur hom voor die Naturellekommissaris in wie se regsgebied die verhoor plaasgevind het, bring of laat bring, en moet hy die oorspronklike verslag in subregulasie (3) genoem, tesame met 'n sertifikaat deur sodanige kaptein of hoofman geteken dat die hele boete, of sodanige gedeelte van die boete soos daarin aangedui word, nie betaal is nie, terselfdertyd aan daardie Naturellekommissaris laat oorhandig.

(5) Die Naturellekommissaris moet ten opsigte van 'n persoon wat ingevolge subregulasie (4) voor hom gebring word, indien hy oortuig is dat die hele boete of 'n gedeelte daarvan wat sodanige persoon opgelê is, nie betaal is nie, 'n lasbrief uitreik vir die aanhouding van sodanige persoon in 'n gevangenis of tronk, vir 'n tydperk, in die lasbrief aangedui, van hoogstens drie maande, asof die vonnis van die kaptein of hoofman 'n vonnis van 'n Landdroshof is.

(6) Sodanige kaptein of hoofman moet na veroordeling en vonnis van 'n persoon 'n afskrif van die verslag in subregulasie (3) genoem, aan daardie persoon oorhandig, en moet die triplikaat van sodanige verslag self hou.

(7) Behalwe soos bepaal in subregulasie (2) met betrekking tot die bedrag van die boete en die alternatiewe termyn van gevangenisstraf wat 'n kaptein of hoofman kan ople is die bepalinge van artikels 4 en 5 van Proklamasie R348 van 1967, van toepassing ten opsigte van 'n verhoor ingevolge subregulasie (1).

DEEL VII

VERBODSBEVEL

13. (1) Die Minister kan, sonder voorafgaande kennisgewing aan 'n betrokke persoon, 'n bevel uitreik teen enige persoon wat die persoon verbied om die distrik Ovamboland of enige deel van die distrik Ovamboland soos in die bevel bepaal mag word, binne te gaan, daarin te wees of daarin te vertoef of daaruit te gaan vir sodanige tydperk as wat die Minister mag bepaal.

(2) Enigeen wat nalaat of weier om aan 'n bevel gemaak ingevolge subregulasie (1), te voldoen, begaan 'n misdryf.

UITVOERING VAN BEVELE

14. Die Suid-Afrikaanse Polisiemag word hierby gemagtig om hulp te verleen aan 'n Naturellekommissaris, 'n kaptein of hoofman in verband met die uitoefening van enige bevoegdheid, of die uitvoering van enige plig of funksie, by hierdie regulasies aan sodanige Naturellekommissaris, kaptein of hoofman opgedra of opgelê en kan by die verlening van sodanige hulp enige stappe doen, wat nodig geag word om die uitoefening van die bevoegdheid of die uitvoering van die plig of funksie te bewerkstellig.

VRYWARING

15. Geen siviele geding hoegenaamd ten opsigte van 'n eisorsaak wat ontstaan uit of in verband met die werking van hierdie regulasies kan teen die Staat, die Regering van Ovamboland, 'n Minister van die Staat, 'n Lid van die uitvoerende raad van Ovamboland, 'n amptenaar of werknemer van die Staat, die Regering van Ovamboland, die Administrasie van die gebied Suidwes-Afrika, of 'n kaptein of 'n hoofman of 'n persoon wat optree kragtens die gesag of lasgewing van 'n Naturellekommissaris, 'n offisier of 'n lid van die Suid-Afrikaanse Polisie, 'n kaptein of hoofman, ingestel word nie.

- (g) regulation 11 (e), in respect of an order issued by that chief or headman;

- (h) regulation 11 (f), in respect of an offence against that chief or headman.

(2) Notwithstanding the provisions of any other law, a chief or headman in the exercise of jurisdiction under sub-regulation (1) shall have power to impose a fine not exceeding one hundred rand or four head of large stock or twenty head of small stock or, in default of payment of the fine, impose a sentence of imprisonment not exceeding three months.

(3) Such chief or headman shall cause a written record to be kept, in triplicate, of every trial in terms of sub-regulation (1) which shall reflect the following particulars:—

- (a) Name of the accused;
- (b) offence with which the accused is charged;
- (c) date or dates of trial;
- (d) result of trial;
- (e) sentence imposed;
- (f) date on which sentence was imposed.

(4) Whenever such chief or headman shall have imposed on any person a sentence of imprisonment in default of the payment of a fine, he shall, if the whole of such fine is not paid forthwith or within a period specified by him, arrest such person or cause him to be arrested by his messengers and shall within forty-eight hours bring or cause him to be brought to the Native Commissioner in whose area of jurisdiction the trial took place, and shall cause the original of the record referred to in sub-regulation (3), together with a certificate signed by such chief or headman that the whole of the fine, or such portion of the fine as indicated therein, has not been paid, to be delivered simultaneously to that Native Commissioner.

(5) The Native Commissioner shall in respect of a person brought to him in terms of sub-regulation (4), upon being satisfied that the whole or any portion of the fine imposed on such person has not been paid, issue a warrant for the detention of such person in a prison or gaol for a period, not exceeding three months, specified in such warrant as if, the sentence of the chief or headman was a sentence of a Magistrate's Court.

(6) Such chief or headman shall after the conviction and sentence of any person hand to that person a copy of the record referred to in sub-regulation (3), and shall himself retain the triplicate copy of such record.

(7) Save as provided in sub-regulation (2) in regard to the amount of the fine and the alternative term of imprisonment which a chief or headman may impose, the provisions of sections 4 and 5 of Proclamation R348 of 1967 shall apply in respect of any trial in terms of sub-regulation (1) of this regulation.

PART VII

PROHIBITION ORDER

13. (1) The Minister may without prior notice to any person concerned, issue an order against any person, prohibiting such person from entering into, being in or remaining in or from departing from the district of Ovamboland or any part of such district of Ovamboland as may be specified in such order for such period as the Minister may determine.

(2) Any person who neglects or refuses to comply with an order made in terms of sub-regulation (1), shall be guilty of an offence.

EXECUTION OF ORDERS

14. The South African Police force is hereby authorized to render assistance to any Native Commissioner, chief or headman in respect of the exercise of any power, or the performance of any duty or function, conferred on or imposed upon such Native Commissioner, chief or headman by these regulations and may in rendering such assistance take such steps as may be deemed necessary to implement the exercise of the power, or the performance of the duty or function.

INDEMNITY

15. No civil action whatsoever in respect of any cause of action arising out of or in connection with the operation of these regulations shall be capable of being instituted against the State, the Government of Ovamboland, any Minister of the State, any Member of the executive council of Ovamboland, any officer or employee of the State, the Government of Ovamboland, the Administration of the territory of South-West Africa, or a chief or a headman or any person acting under the authority or by direction of a Native Commissioner, an officer or a member of the South African Police, a chief or a headman.

16. (1) Geen kримinele geding kan teen 'n in regulasie 15 vermelde persoon of liggaam weens 'n handeling wat te goeder trou deur hom aangeraai, bevel of verrig is by die uitoefening van sy bevoegdheid of die verrigting van sy werksaamhede ingevolge hierdie regulasies of om met omstandighede te handel wat as gevolg van die toepassing van hierdie regulasies ontstaan het of waarskynlik sal ontstaan, ingestel word nie.

(2) Indien by enige geding ingestel teen enige persoon of liggaam genoem in hierdie regulasie, die vraag ontstaan of 'n handeling wat deur hom aangeraai, bevel of verrig is, deur hom te goeder trou aangeraai, bevel of verrig is, word vermoed, totdat die teendeel bewys word, dat daardie handeling deur hom te goeder trou aangeraai, bevel of verrig is.

VERBOD OP INTERDIKTE

17. Geen interdik of ander geregtelike prosesstukke word uitgevaardig vir die opskorting van 'n bevel uitgereik, besluit geneem of lasgewing uitgereik ingevolge hierdie regulasies, en sodanige bevel, besluit of lasgewing word ook nie opgeskort as gevolg van 'n appél teen 'n skuldigbevinding ingevolge hierdie regulasies nie.

STRAFBEPALINGS

18. (1) Enigene wat aan 'n misdryf ingevolge hierdie regulasies skuldig bevind word, behalwe 'n persoon wat ingevolge regulasie 12 ten opsigte van die misdrywe daarin gespesifiseer deur 'n kaptein of hoofman skuldig bevind word, is by skuldigbevinding straffbaar met 'n boete van hoogstens seshonderd rand, of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens drie jaar, of met sodanige gevangenisstraf sonder die keuse van 'n boete, of met sowel sodanige boete as gevangenisstraf: Met dien verstande dat by die hoor van 'n appél by hom deur 'n persoon wat deur 'n kaptein of hoofman ingevolge regulasie 12 skuldig bevind is. 'n Naturellekommissaris, wanneer hy die skuldigbevinding deur die kaptein of hoofman bekragtig, enige vonnis kan oplê wat ingevolge hierdie regulasie opgelê kon word indien sodanige persoon oorspronklik in 'n Landdroshof skuldig bevind was.

(2) 'n Landdroshof het regsmag om enige persoon te verhoor op 'n aanklag van 'n oortreding van hierdie regulasies en om enige straf op te lê wat by hierdie regulasie voorgeskryf word.

MAATREËLS VIR DIE OPSPORING VAN OORTREDERS

19. (1) Indien 'n Naturellekommissaris of 'n offisier of onderoffisier van die Suid-Afrikaanse Polisie daarvan oortuig is dat iemand 'n misdryf ingevolge hierdie regulasies of ingevolge enige ander wet, gepleeg het of indien bedoelde Naturellekommissaris of offisier of onderoffisier rede het om te vermoed dat iemand voornemens is of was om so 'n misdryf te pleeg kan bedoelde Naturellekommissaris of offisier of onderoffisier enigiemand wat hy op redelike gronde daarvan verdink dat hy deelgeneem het of van plan is of was om aan die pleging van daardie misdryf of voorgenome misdryf deel te neem of wat na die oordeel van bedoelde Naturellekommissaris of offisier of onderoffisier oor enige inligting met betrekking tot daardie misdryf of voorgenome misdryf beskik met of sonder lasbrief arresteer of laat arresteer, en bedoelde Naturellekommissaris of offisier of onderoffisier kan daardie persoon met betrekking tot enige aangeleentheid wat op daardie misdryf of voorgenome misdryf betrekking het ondervra of laat ondervra en hom in enige plek wat die bedoelde Naturellekommissaris of offisier of onderoffisier daarvoor geskik ag aanhou of laat aanhou totdat bedoelde Naturellekommissaris of offisier of onderoffisier daarvan oortuig is dat daardie persoon al die aan hom gestelde vrae wat op die bedoelde misdryf of voorgenome misdryf betrekking het, volledig en juis beantwoord het.

(2) Die Minister kan te eniger tyd iemand wat kragtens subregulasie (1) in hegtenis geneem is en aangehou word, op sulke voorwaardes as wat hy mag bepaal, laat vrystel en indien daardie persoon versuim om aan enige van bedoelde voorwaardes te voldoen, is hy aan 'n misdryf skuldig.

OORLEGPLEGING MET REGSADVISEURS

20. Geen persoon wat kragtens regulasie 19 gearresteer is en aangehou word, word sonder die goedkeuring van die Minister of iemand wat op sy gesag handel toegelaat om met 'n regsadviseur oorleg te pleg in verband met iets wat in verband staan met daardie persoon se arrestasie en aanhouding nie.

ARRIS VAN OORTREDERS

21. 'n Naturellekommissaris, 'n offisier of onderoffisier van die Suid-Afrikaanse Polisie of 'n vredesbeampte soos omskryf in artikel een van die Strafproseduurewet, 1955 (Wet No. 56 van 1955), kan iemand wat 'n misdryf kragtens hierdie regulasies begaan het of wat op redelike gronde daarvan verdink word dat hy so 'n misdryf begaan het, met of sonder lasbrief arresteer of laat arresteer.

ALGEMEEN

22. Enigiets wat na 25 Januarie 1972, maar voor die afkondiging van hierdie regulasies gedoen is en wat wettiglik kragtens hierdie regulasies gedoen kan word, word geag wettiglik gedoen te wees.

16. (1) No criminal action shall be capable of being instituted against any person or body referred to in regulation 15 by reason of any act in good faith advised, commanded or done by him in the execution of his powers or the performance of his duties in pursuance of these regulations or for dealing with circumstances which have arisen or are likely to arise from the application of these regulations.

(2) If in any action brought against any person or body referred to in this regulation the question arises whether any act advised, commanded or done by him was advised, commanded or done by him in good faith, it shall be presumed, until the contrary is proved, that that act was advised, commanded or done by him in good faith.

PROHIBITION OF INTERDICTS

17. No interdict or other legal process shall issue for the stay of any order issued, decision made or direction given under these regulations, nor shall any such order, decision or direction be suspended by reason of any appeal against a conviction under these regulations.

PENALTIES

18. (1) Any person convicted of an offence under these regulations, except a person convicted by a chief or headman in terms of regulation 12 in respect of the offences specified therein, shall be liable on conviction to a fine not exceeding six hundred rand or in default of payment, to imprisonment for a period not exceeding three years, or to such imprisonment without the option of a fine, or to both such fine and imprisonment: Provided that in hearing any appeal to him by a person convicted by a chief or headman in terms of regulation 12, a Native Commissioner may, on confirming the conviction by the chief or headman, impose any sentence which could have been imposed in terms of this regulation if such person had originally been convicted in a court of a Magistrate.

(2) A Magistrate's court shall have jurisdiction to try any person upon a charge of an offence under these regulations and to impose the penalties prescribed by this regulation.

MEASURES TO TRACE OFFENDERS

19. (1) Whenever a Native Commissioner or a commissioned or non-commissioned officer of the South African Police, is satisfied that any person has committed an offence under these regulations or under any other law, or whenever the said Native Commissioner or commissioned or non-commissioned officer has reason to suspect that any person has or had the intention to commit such an offence the said Native Commissioner or commissioned or non-commissioned officer may without warrant arrest or cause to be arrested any person whom he suspects upon reasonable grounds of having taken part or intending or having intended to take part in the offence or intended offence in question or who in the opinion of the said Native Commissioner or commissioned or non-commissioned officer is in possession of any information relating to the said offence or intended offence, and the said Native Commissioner or commissioned or non-commissioned officer may question or cause to be questioned the said person in regard to any matter which has any bearing upon the said offence or intended offence and may detain or cause to be detained him at any place which the said Native Commissioner or commissioned or non-commissioned officer deems suitable for the purpose until the said Native Commissioner or commissioned or non-commissioned officer is satisfied that the said person has answered fully and truthfully all questions put to him which have any bearing upon the said offence or intended offence.

(2) The Minister may at any time upon such conditions as he may determine, cause to be released any person arrested and detained under sub-regulation (1), and if such person fails to comply with any such condition, he shall be guilty of an offence.

CONSULTATION WITH LEGAL ADVISERS

20. No person who has been arrested and is being detained under regulation 19 shall, without the consent of the Minister or person acting under his authority, be allowed to consult with a legal adviser in connection with any matter relating to the arrest and detention of such person.

ARREST OF OFFENDERS

21. A Native Commissioner, a commissioned or non-commissioned officer of the South African Police or a peace officer as defined in section one of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), may with or without warrant cause to be arrested or himself arrest any person who has committed an offence under these regulations or who is suspected upon reasonable grounds of having committed such an offence.

GENERAL

22. Anything done after the 25th January, 1972, but prior the publication of these regulations, which can lawfully be done under these regulations shall be deemed to have been lawfully done.