

EXTRAORDINARY

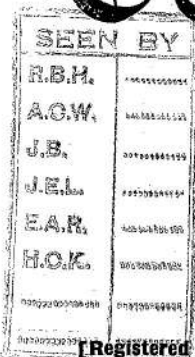


BUITENGEWONE

THE UNION OF SOUTH AFRICA Government Gazette

Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA



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All Proclamations, Government and General Notices, published for the first time, are indicated by a * in the left-hand upper corner.

PROCLAMATIONS

BY HIS EXCELLENCY THE RIGHT HONOURABLE SIR PATRICK DUNCAN, A MEMBER OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL, KNIGHT GRAND CROSS OF THE MOST DISTINGUISHED ORDER OF SAINT MICHAEL AND SAINT GEORGE, ONE OF HIS MAJESTY'S COUNSEL LEARNED IN THE LAW, DOCTOR OF LAWS, GOVERNOR-GENERAL OF THE UNION OF SOUTH AFRICA.

* No. 234, 1939.]

Whereas it is necessary, by reason of the fact that a state of war exists between the Union of South Africa and the German Reich, to make better provision for the defence of the Union and the mandated territory of South-West Africa;

And whereas for that purpose it is expedient to put into operation in the said mandated territory and the port and settlement of Walvis Bay the South Africa Defence Act, 1912, and certain National Emergency Regulations;

And whereas the carrying out in the said mandated territory and the said port and settlement of that Act and those regulations is a defence measure, for the defrayment of the cost of which the Additional Defence Account was established under section one of the Finance Act, 1939;

Now therefore, under the powers vested in me by section two of the Walvis Bay and St. John's River Territories Annexation Act, 1884 (Act No. 35 of 1884), of the Cape of Good Hope, section two of the Treaty of Peace and South West Africa Mandate Act, 1919 (Act No. 49 of 1919), and section one of the South-West Africa Affairs Act, 1922 (Act No. 24 of 1922), I do hereby proclaim, declare and make known as follows:—

Act No. 13 of 1912, as amended, and Regulations thereunder to be in force in South-West Africa and Walvis Bay.

1. (1) Subject to the provisions of section three, the South Africa Defence Act, 1912 (Act No. 13 of 1912), and all amendments thereof and the regulations made thereunder shall be in force in and apply to the mandated territory of South-West Africa and the port and settlement of Walvis Bay.

(2) For the purposes of the said Act and regulations, as applied by sub-section (1), the Union shall be deemed to include the said mandated territory.

Alle Proklamasies, Goewerments- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linker-bohoek met 'n * gemerk.

PROKLAMASIES

VAN SY EKSELLENSIE DIE HOOGEDELAGBARE SIR PATRICK DUNCAN, LID VAN DIE MEES EERVOLE GEHEIME RAAD VAN SY MAJESTEIT, GROOTKRUISRIDDER VAN DIE MEES ONDER-SKEIE ORDE VAN SINT MICHIËL EN SINT JORIS, EEN VAN SY MAJESTEIT SE ADVOKATE BELESE IN DIE REG, DOKTOR IN DIE REGTE, GOEWERNEUR-GENERAAL VAN DIE UNIE VAN SUID-AFRIKA.

* No. 234, 1939.]

Nademaal, as gevolg van die feit dat daar 'n staat van oorlog bestaan tussen die Unie van Suid-Afrika en die Duitse Ryk, dit nodig is om beter voorsiening vir die verdediging van die Unie en die mandaatgebied Suidwes-Afrika te maak;

En nademaal dit met daardie doel raadsaam is om die „Zuid Afrika Verdedigings Wet, 1912”, en sekere Land-noodtoestand-regulasies in die genoemde mandaatgebied en die hawe en nedersetting Walvisbaai in te voer;

En nademaal die uitvoering van bedoelde Wet en regulasies in genoemde mandaatgebied en genoemde hawe en nedersetting 'n verdedigingsmaatregel is, tot bestryding van die koste waarvan die Addisionele Verdedigingsrekening kragtens artikel een van die Finansiële Wet, 1939, gestig was;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel twee van die „Walvis Bay and St. John's River Territories Annexation Act, 1884” (Wet No. 35 van 1884), van die Kaap die Goeie Hoop, artikel twee van die „Vredesverdrag en Zuid West Afrika Mandaat Wet, 1919” (Wet No. 49 van 1919), en artikel een van die „Wet betreffende Aan-gelegenheden van Zuidwest-Afrika, 1922” (Wet No. 24 van 1922), hierby proklameer, verklaar en bekendmaak as volg:—

Wet No. 13 van 1912, soos gewysig, en die daarkragtens gemaakte Regulasies van krag in Suidwes-Afrika en Walvisbaai.

1. (1) Behoudens die bepalings van artikel drie, in die „Zuid Afrika Verdedigings Wet, 1912” (Wet No. 13 van 1912), en alle wysiginge daarvan en die daarkragtens gemaakte regulasies van krag in en van toepassing op die mandaatgebied Suidwes-Afrika en die hawe en nedersetting Walvisbaai.

(2) By toepassing van gemelde Wet en regulasies, soos ingevoer by subartikel (1), word die Unie geag in te sluit genoemde mandaatgebied.

Certain National Emergency Regulations to be in force in South-West Africa and Walvis Bay.

2. Subject to the provisions of section three, all regulations forming part of the National Emergency Regulations set forth in the annexure to Proclamation No. 201 of 1939, as amended which were not applicable to the said mandated territory and the said port and settlement by reason of the fact that the Act referred to in section one was not in force therein, shall be in force therein and apply thereto.

Persons Naturalised under section two of Act No. 30 of 1924 or section one of Act No. 27 of 1928 and their children not liable to serve, but may volunteer.

3. In the application to the said mandated territory and the said port and settlement of the Act and regulations referred to in sections one and two, no person who under the provisions of section two of the South West Africa Naturalization of Aliens Act, 1924 (Act No. 30 of 1924), or section one of the Naturalization of Aliens (South-West Africa) Act, 1928 (Act No. 27 of 1928), became a British subject, and no child of any such person, shall be deemed to be a citizen, unless he has applied to serve with the Defence Forces and has taken before a person designated by the Secretary for Defence an oath of allegiance in the following form:—

"I, A.B., do swear that I will bear true allegiance to His Majesty King George the Sixth, his heirs and successors according to law."

Cost of Services to be Defrayed from certain Account.

4. The cost of carrying out in the said mandated territory and the said port and settlement the Act and regulations referred to in sections one and two shall be defrayed from the Additional Defence Account established under section one of the Finance Act, 1939 (Act No. 33 of 1939).

Repeal of Administrator's Proclamation No. 19 of 1927.

5. (1) The Burgher Force Proclamation, 1927 (Proclamation No. 19 of 1927), issued by the Administrator of the said mandated territory is hereby repealed.

(2) Subject to the provisions of sub-section (3), the ownership of all movable property acquired by the Administration of the said mandated territory for the purposes of the Burgher Force established under the said Proclamation and belonging to the said Administration at the commencement of this Proclamation is hereby transferred without charge to the Government of the Union.

(3) All rights and obligations of the said Administration under any contract entered into by it in relation to any property referred to in sub-section (2) or otherwise in relation to the said Burgher Force are hereby transferred to and imposed upon the Government of the Union.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Pretoria this Ninth day of October One thousand Nine hundred and Thirty-nine.

PATRICK DUNCAN,
Governor-General.

By Command of His Excellency the
Governor-General-in-Council.

J. C. SMUTS.

★ No. 235, 1939.]

Under the powers conferred upon me by section two of the Treaty of Peace and South-West Africa Mandate Act, 1919 (Act No. 49 of 1919), I hereby proclaim, declare and make known that in the application to the Mandated Territory of South-West Africa and the Port and Settlement of Walvis Bay by virtue of Proclamation No. 204, 1939, issued by me and dated the Fourteenth day of September, 1939, of paragraph (4)bis of regulation 3 of the Emergency Finance Regulations made by me under section nine of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), and published in the *Government Gazette* of the Union under Government Notice No. 1386, dated the Ninth day of September, 1939, amended as set forth in Government Notice No. 1562, dated the Eleventh day of October, 1939, the reference to the Consolidated Revenue Fund shall be deemed to be a reference to the revenue fund of the said territory.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Pretoria this Ninth day of October One thousand Nine hundred and Thirty-nine.

PATRICK DUNCAN,
Governor-General.

By Command of His Excellency the
Governor-General-in-Council.

JAN H. HOFMEYR.

Sekere Landsnoodtoestand-regulasies van krag in Suidwes-Afrika en Walvisbaai.

2. Behoudens die bepalings van artikel drie, is alle regulasies wat deel uitmaak van die Landsnoodtoestand-regulasies, vervat in die Aanhangsel tot Proklamasie No. 201 van 1939, soos gewysig, en wat op genoemde mandaatgebied en genoemde hawe en nedersetting nie toepaslik was nie, om rede dat die in artikel een bedoelde Wet nie daarin van krag was nie, van krag daarin en van toepassing daarop.

Persone wat kragtens Artikel twee van Wet No. 30 van 1924 of Artikel een van Wet No. 27 van 1928 Genaturaliseer is, en hul Kinders, is nie Dienspligtig nie, maar kan Vrywillig Diensneem.

3. By toepassing van die in artikels een en twee bedoelde Wet en regulasies op genoemde mandaatgebied en genoemde hawe en nedersetting, word niemand wat ingevolge die bepalings van artikel twee van die „Zuidwest-Afrika Naturalisasie van Vreemdelingen Wet, 1924" (Wet No. 30 van 1924), of artikel een van die Wet op Naturalisasie van Vreemdelinge (Suidwes-Afrika), 1928 (Wet No. 27 van 1928), 'n Britse onderdaan geword het, en word geen kind van so iemand geag 'n burger te wees, tensy hy aansoek gedoen het om by die Verdedigingsmag te dien, en voor 'n deur die Sekretaris van Verdediging aangewese persoon 'n eed van getrouheid in die volgende vorm, afgelê het:—

„Ek, A.B., sweer trou aan Sy Majesteit Koning George die Sesde en aan sy wetlike erfgename en opvolgers”.

Dienskosse word uit sekere rekening bestry.

4. Die koste van die uitvoering van die in artikels een en twee bedoelde Wet en regulasies in genoemde mandaatgebied en genoemde hawe en nedersetting, word bestry uit die Addisionele Verdedigingsrekening wat kragtens artikel een van die Finansiële Wet, 1939 (Wet No. 33 van 1939), gestig is.

Administrateur se Proklamasie No. 19 van 1927 herroep.

5. Die Burgermag-Proklamasie, 1927 (Proklamasie No. 19 van 1927), uitgevaardig deur die Administrateur van die genoemde mandaatgebied, word hiermee herroep.

(2) Behoudens die bepalinge van subartikel (3), word die eiendom van alle losgoed wat verkry is deur die Administrasie van genoemde mandaatgebied vir die doeleindes van die Burgermag wat ingevolge die gemelde proklamasie ingestel is, en wat by die inwerkingtreding van hierdie proklamasie aan gemelde Administrasie behoort, hierby aan die Unie-regering kosteloos oorgedra.

(3) Alle regte en verpligtinge van gemelde Administrasie ingevolge 'n kontrak wat deur hom aangegaan is met betrekking tot in subartikel (2) bedoelde goed of andersins met betrekking tot gemelde Burgermag, word hiermee aan die Unie-regering oorgedra en opgelê.

GOD BEHOEDE DIE KONING.

Gegee onder my Hand en die Grootseël van die Unie van Suid-Afrika te Pretoria, op hede die Negende dag van Oktober Eenduisend Negehoenderd Nege-en-dertig.

PATRICK DUNCAN,
Goewerneur-generaal.

Op las van Sy Eksellensie die
Goewerneur-generaal-in-rade.

J. C. SMUTS.

★ No. 235, 1939.]

Kragtens die magte aan my verleen by artikel twee van die „Vredesverdrag en Zuid West Afrika Mandaat Wet, 1919" (Wet No. 49 van 1919), proklameer, verklaar en maak ek hierby bekend dat by die toepassing op die Mandaatgebied Suidwes-Afrika en die hawe en nedersetting Walvisbaai uit hoofde van Proklamasie No. 204, 1939, deur my uitgevaardig, en gedateer die Veertiende dag van September 1939, van paragraaf (4) bis van regulasie 3 van die Buitengewone Finansiële-regulasies wat kragtens artikel nege van die Wet op Betaalmiddels en Wisselkoerse, 1933 (Wet No. 9 van 1933), deur my gemaak is, en wat in die *Staatskoerant* van die Unie by Goewermentskennisgewing No. 1386, gedateer die Negende dag van September 1939, gepubliseer is, gewysig soos uiteengesit in Goewermentskennisgewing No. 1562, gedateer die Elfde dag van Oktober 1939, die verwysing na die Gekonsolideerde Inkomstefonds geag word 'n verwysing te wees na die inkomstefonds van die gemelde gebied.

GOD BEHOEDE DIE KONING.

Gegee onder my Hand en die Grootseël van die Unie van Suid-Afrika te Pretoria, op hede die Negende dag van Oktober Eenduisend Negehoenderd Nege-en-dertig.

PATRICK DUNCAN,
Goewerneur-generaal.

Op las van Sy Eksellensie die
Goewerneur-generaal-in-rade.

JAN H. HOFMEYR.

GOVERNMENT NOTICE

DEPARTMENT OF FINANCE.

The following Government Notice is published for general information:—

* No. 1562.] [11 October 1939.
EMERGENCY FINANCE REGULATIONS.—AMENDMENT OF.

His Excellency the Governor-General, under the powers conferred upon him by section *nine* of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), has made the following amendment to the Emergency Finance Regulations made by him under the said section and published under Government Notice No. 1386, dated the Ninth day of September, 1939, which regulations were amended as set forth in Government Notice No. 1426, dated the Sixteenth day of September, 1939:—

Regulation 3 of the said regulations is hereby amended—

(a) by the insertion after paragraph (4) thereof of the following new paragraph (4)*bis*:—

“(4)*bis*. All bank notes, gold, securities and foreign currency seized under paragraph (3) or (4) of this regulation shall be forfeited for the benefit of the Consolidated Revenue Fund: Provided that the Treasury may, in its discretion, direct that any bank notes, gold, securities or foreign currency so seized be refunded or returned, in whole or in part, to the person from whom they were taken or who was entitled to have the custody or possession of them at the time when they were seized”;

(b) by the substitution in paragraph (5) thereof for the words “and (4)” of the words “(4) and (4)*bis*”.

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN FINANSIES.

Onderstaande Goewermentskennisgewing word vir algemene informasie gepubliseer:—

* No. 1562.] [11 Oktober 1939.
BUITENGEWONE FINANSIE-REGULASIES.—WYSIGING VAN.

Kragtens die magte by artikel *nege* van die Wet op Betaalmiddels en Wisselkoerse, 1933 (Wet No. 9 van 1933), aan hom verleen, het Sy Eksellensie die Goewerneur-generaal die volgende wysiging van die Buitengewone Finansieregulasies wat kragtens gemelde artikel deur hom gemaak is en by Goewermentskennisgewing No. 1386, gedateer die Negende dag van September 1939, gepubliseer is, watter regulasies gewysig is soas uiteengesit is in Goewermentskennisgewing No. 1426, gedateer die Sestiende dag van September 1939, gemaak:—

Regulasie 3 van gemelde regulasies word hiermee gewysig:

(a) deur na paragraaf (4) daarvan die volgende nuwe paragraaf (4) *bis* in te voeg:—

„(4) *bis*. Alle banknote, goud, geldwaarde papiere en vreemde geld wat kragtens paragraaf (3) of (4) van hierdie regulasie in beslag geneem is, word verbeur tot voordeel van die Gekonsolideerde Inkomstefonds: Met dien verstande dat die Tesourie na eie goeddunke kan gelas dat banknote, goud, geldwaardige papiere en vreemde geld wat aldus in beslag geneem is, geheel of gedeeltelik aan die persoon van wie hulle geneem was, of wat ten tyde van hul inbeslagneming geregtig was om hulle in bewaring of besit te hê, terugbetaal of gegee word”;

(b) deur in paragraaf (5) daarvan die woorde „en (4)” te vervang deur die woorde „(4) en (4) *bis*”.

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Intekengeld kan direk aan die Staatsdrukker, Pretoria, geos of in 'n magistraatskantoor, poskantoor of polisie-stasie oorhandig word.

'n Maandblad met kort, praktiese artikels, aantekennings, ens., spesiaal bestem vir boere wat goeie, departementele advies in eenvoudige, nie tegniese taal wil hê. . . . Elke boer behoort met sy Landboudepartement in voeling te bly en die advies te verkry wat dit in staat is om te gee deur—

BOERDERY IN SUID-AFRIKA

te lees