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GOVERNMENT GAZETTE

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

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PROCLAMATION

*by the State President of the Republic of
South Africa*

No.-R. 89, 1976

**REGULATIONS FOR THE ADMINISTRATION OF
CERTAIN AREAS IN SOUTH-WEST AFRICA.—
AMENDMENT OF PROCLAMATION R. 17 OF 1972**

By virtue of the powers vested in me by law I hereby
amend Proclamation R. 17 of 1972 by—

(a) the substitution for the words "district of Ovambo-
land" of the words "Districts of Owambo, Kavango
and Eastern Caprivi"; and

(b) the substitution for the Schedule to the said
Proclamation of the Schedule hereto.

Given under my Hand and the Seal of the Republic
of South Africa at Cape Town this Twelfth day of May,
One thousand Nine hundred and Seventy-six.

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

SCHEDULE

**REGULATIONS FOR THE ADMINISTRATION
OF SECURITY DISTRICTS**

PART I

Definition

1. In these Regulations, unless the context otherwise
indicates—

"adult person" means a person of the apparent age of
18 years and over;

"chief" means a chief or acting chief appointed or
recognised in terms of the Native Administration Procla-
mation, 1928 (Proclamation 15 of 1928), of the Territory
of South-West Africa;

"Government" means the government of the area in
which a particular security district is situated;

"headman" means a headman or acting headman
appointed or recognised in terms of the Native Adminis-
tration Proclamation, 1928 (Proclamation 15 of 1928), of
the Territory of South-West Africa;

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PROKLAMASIE

*van die Staatspresident van die Republiek van
Suid-Afrika*

No. R. 89, 1976.

**REGULASIES VIR DIE ADMINISTRASIE VAN
SEKERE GEBIEDE IN SUIDWES-AFRIKA.—WYSI-
GING VAN PROKLAMASIE R. 17 VAN 1972**

Kragtens die bevoegdheid my by wet verleen wysig ek
hierby Proklamasie R. 17 van 1972 deur—

(a) die woorde "distrik Ovamboland" met die woorde
"distrikte Owambo, Kavango en Oos-Caprivi" te ver-
vang; en

(b) die vervanging van die Bylae van bedoelde
Proklamasie met die Bylae hiervan.

Gegee onder my Hand en die Seël van die Republiek
van Suid-Afrika te Kaapstad, op hede die Twaalfde dag
van Mei Eenduisend Negehoenderd Ses-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

BYLAE

**REGULASIES VIR DIE ADMINISTRASIE VAN
VEILIGHEIDSDISTRIKTE**

DEEL I

Woordbepaling

1. In hierdie Regulasies, tensy uit die samehang anders
blyk, beteken—

"hoofman" 'n hoofman of waarnemende hoofman aan-
gestel of erken kragtens die Naturelle-administrasiepro-
klamasie, 1928 (Proklamasie 15 van 1928) van die gebied
Suidwes-Afrika;

"kaptein" 'n kaptein of waarnemende kaptein aangestel
of erken kragtens die Naturelle-administrasieproklamasie,
1928 (Proklamasie 15 van 1928) van die gebied Suidwes-
Afrika;

"Minister" die Minister van Bantoe-administrasie en
-ontwikkeling;

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"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;

"Native Commissioner" includes any person who acts by virtue of his authority in writing in respect of the powers vested in him by regulations 3, 4, 6, 10 (3), 12 and 13 (1) (e);

"prohibited area" means any area to which the regulations in Part III or Part IV, read with Part V of this Schedule, have been applicable;

"Secretary for Justice" means the officer in charge of the Department of Justice of the Government;

"security district" means any district or area to which these Regulations apply;

"Security Forces" means the South African Police and the South African Defence Force.

Application of regulations

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

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

(a) make either Part III or Part IV, or both Part III and Part IV, read with Part V, of these Regulations, applicable to any security district or part of any security district and may, in such notice, declare that any part of any particular security district shall, for purposes of Parts III, IV and V, be deemed to be a separate prohibited area from any other prohibited area in such security district: Provided that each district which is a security district and a prohibited area shall be a separate prohibited area;

(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 Security Forces, 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 subregulation (2) shall be guilty of an offence.

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

"Naturellekommissaris" ook 'n persoon wat kragtens sy skriftelike magtiging met betrekking tot die bevoegdhede hom verleen by regulasies 3, 4, 6, 10 (3), 12 en 13 (1) (e), optree;

"Regering" die regering van die gebied waarin 'n bepaalde veiligheidsdistrik geleë is;

"Sekretaris van Justisie" die beampste in beheer van die Departement van Justisie van die Regering;

"veiligheidsdistrik" 'n distrik of gebied waarop hierdie Regulasies van toepassing is;

"Veiligheidsmagte" die Suid-Afrikaanse Polisie en die Suid-Afrikaanse Weermag;

"verbode gebied" 'n gebied waarin die regulasies in Deel III of Deel IV, gelees met Deel V van hierdie Bylae, van toepassing gemaak is;

"vergadering" 'n vergadering, byeenkoms of samekoms waarby meer as vyf persone op enige besondere tydstop aanwesig is;

"volwasse persoon" 'n persoon van die skynbare ouderdom van agtien jaar en ouer.

Toepassing van regulasies

2. (1) Hierdie Regulasies, uitgesonderd die regulasies in Dele III, IV, regulasies 7, 8, 9 en 10 (1) tot en met (5) van Deel V, 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 veiligheidsdistrik of deel van 'n veiligheidsdistrik en kan in sodanige kennisgewing verklaar dat enige gedeelte van 'n bepaalde veiligheidsdistrik geag word 'n afsonderlike verbode gebied te wees van enige ander verbode gebied in daardie veiligheidsdistrik vir doeleindes van Dele III, IV en V: Met dien verstande dat elke distrik wat 'n veiligheidsdistrik en 'n verbode gebied is 'n afsonderlike verbode gebied is;

(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 Veiligheidsmagte, '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 kragtens subregulasie (2) gegee, 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, niesteenstaande 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) The provisions of subregulation (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, a legislative council, executive council or any cabinet referred to in 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 Security Forces or a chief or headman may prohibit any specific meeting of a category referred to in paragraphs (a) to and including (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 subregulation (1) or referred to in regulation 5 (a) to and including (g).

(7) Any person who holds, presides at, addresses or is present at any unlawful meeting or who convened that meeting, or who permits any 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 subregulation (1) (b), or who, having been prohibited in terms of subregulation (6), holds, presides at, addresses or is present at any meeting referred to in the said subregulation (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 prohibited area concerned, enters, remains or is in such prohibited area, shall be guilty of an offence.

(2) Nothing in subregulation (1) contained shall be construed as prohibiting a person domiciled in any security district and who after expiration of a contract of service performed outside such district, has necessarily to travel through a prohibited area by means of public transport, which shall not include a taxi or hired 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 subregulation (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.

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

(a) vir die doel van 'n bona fide-kerkdienste of begrafenis;

(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 streeksowerheid, 'n wetgewende raad, 'n uitvoerende raad of 'n kabinet bedoel in die Wet op die Ontwikkeling van Selfbestuur vir Naturelle volke 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 Veiligheidsmagte, 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 en met (g) genoem, te hou, daarop voor te sit, dit toe te spreek of daarop aanwesig te wees.

(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 subregulasie (1) (b) opgelê, na te kom, of wat, nadat hy kragtens subregulasie (6) verbied is, 'n vergadering genoem in subregulasie (6) te 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 teen-deel bewys word, sodanige vergadering onwettig was.

DEEL III

Binnegaan van en vertrek uit verbode gebied

Binnegaan van verbode gebied

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

(2) Niks in subregulasie (1) vervat, word uitgelê as sou dit 'n persoon wat in 'n veiligheidsdistrik gedomiseleer 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 domisilie 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) Any person who has been refused permission by a Native Commissioner to enter a prohibited area may appeal against such refusal to the Secretary for Justice, whose decision shall be final.

(5) In the application of subregulation (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 subregulation (1) shall not apply to—

(a) any officer or employee of the State, the Administration of the Territory of South-West Africa or the Government;

(b) any person who proceeds on an unbroken journey through any prohibited area by public transport, which shall not include a taxi or hired motor vehicle; or

(c) any person who being a bona fide traveller, proceeds through a prohibited area under a permit issued by a Native Commissioner.

5. (1) It shall be the duty of every adult person in a prohibited area forthwith to report to the Native Commissioner of such area or to the chief or headman having jurisdiction in 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 in any area in a prohibited area forthwith to report to a Native Commissioner or to the Security Forces 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 report as required of him under subregulations (1) and (2), shall be guilty of an offence.

(4) Notwithstanding the provisions of subregulation (2), any commissioned or non-commissioned officer of the Security Forces or a chief or headman may summarily and without warrant, arrest, or cause to be arrested, any person who, on demand, fails to satisfy such officer or non-commissioned officer, 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.

PART IV

Departure from prohibited area

6. (1) Any person resident in a prohibited area who absents himself from such particular prohibited area without a permit under the hand of the Native Commissioner of the area concerned or of a chief or headman, shall be guilty of an offence.

(2) The provisions of subregulation (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 or any member, officer or employee of any

(4) Iedereen aan wie verlof om 'n verbode gebied binne te gaan, deur 'n Naturellekommissaris geweier is, kan teen sodanige weiering appelleer na die Sekretaris van Justisie wie se beslissing oor enige sodanige appél afdoende is.

(5) By 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—

(a) op enige amptenaar of werknemer van die Staat, die Administrasie van die gebied Suidwes-Afrika of die Regering;

(b) op enigeen wat ononderbroke met publieke vervoer, wat nie 'n taxi of gehuurde motorvoertuig insluit nie, deur 'n verbode gebied reis; of

(c) op enigeen wat 'n bona fide-reisiger is, wat deur 'n verbode gebied reis kragtens 'n permit uitgereik deur 'n Naturellekommissaris.

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 regsmag 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 regsmag het oor 'n gebied in 'n verbode gebied om onmiddellik aan die Naturellekommissaris of aan die Veiligheidsmagte die aanwesigheid in sy regsgebied 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 subregulasies (1) en (2) van hom vereis, begaan 'n misdryf.

(4) Nieteenstaande die bepalings van subregulasie (2) kan 'n offisier of onderoffisier van die Veiligheidsmagte, 'n kaptein of hoofman op summere wyse sonder lasbrief 'n persoon wat op versoek versuim om sodanige offisier of onderoffisier, 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 polisieostasie neem of laat neem.

DEEL IV

Vertrek uit verbode gebied

6. (1) Iedereen woonagtig in 'n verbode gebied wat uit daardie bepaalde verbode gebied gaan sonder 'n permit onder die handtekening van die Naturellekommissaris van die betrokke gebied of van 'n kaptein of hoofman 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 of enige lid, amptenaar of werknemer van 'n

tribal, community or regional authority and of a legislative council and executive council or cabinet 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 authorised 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 or designation, 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 or designation 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 any particular prohibited area, the onus shall be on such person to prove that he is or is not resident in such area, as the case may be.

Forfeiture order

9. (1) A Magistrate's Court or Supreme Court convicting any person of an offence under regulation 4 (1), may order 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 56 of 1955), shall *mutatis mutandis* apply to any order of forfeiture of a motor vehicle in terms of subregulation (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 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 48 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 him with a permit authorising him to have in his possession such arm or ammunition.

(4) Any person whose application in terms of subregulation (3) has been refused by the Native Commissioner may appeal against such refusal to the Secretary for Justice whose decision shall be final.

stam-, gemeenskap- of streeksowerheid en van 'n wetgewende raad of uitvoerende raad of kabinet 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 goeë dunks 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 houer 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 of amp, indien enige, op sodanige permit aangedui word, moet aanmeld;

(b) dat die houer 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 of amp 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 bepaalde 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, na gelang van die geval.

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 die verbode gebied in te bring aan die Staat verbeurd verklaar word.

(2) Die bepalinge van artikel 360 (4) en (5) van die Strafproseswet, 1955 (Wet 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 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 48 uur na die toepassing van Deel III of Deel IV van hierdie Regulasies op dié gebied, afgee aan die Naturellekommissaris wat regsmag 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 goeë dunks 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.

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

(5) Any person who fails or neglects to surrender any arm or ammunition in terms of subregulation (1) or who, after the expiry of the period of 48 hours referred to in that subregulation, is in possession of any arm or ammunition in respect of which he holds no permit under subregulation (3), shall be guilty of any offence.

(6) (a) Subject to the provisions of subregulations (1) and (3) any person, except an officer or employee referred to in subregulation (1), who possesses, carries or uses an arm as defined in section 1 of the Arms and Ammunition Act, 1969 (Act 75 of 1969), or any object, other than an arm, which is likely to cause serious bodily injury if it were used to commit an assault (hereinafter called a dangerous weapon), beyond the boundary of the erf, allotment or site upon which he resides, shall be guilty of an offence.

(b) The Minister may, from time to time, by notice in the *Gazette* exclude any security district or any part of any security district from the provisions of this subregulation and may withdraw or amend any notice issued by him.

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

(a) of such arm or dangerous weapon as a particular person is required or duly authorised by law or by a Native Commissioner in writing to possess, carry or use;

(b) by any old or infirm person of any kerie 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 performs any act which is intended or is likely to have the effect of subverting or interfering with the authority of the State, the Government, the Native Commissioner or any other officer in the employ of the State, the Government, 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 performs 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 to his person or in his property or to the person or in the 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 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 to his person or in his 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.

(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 48 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) (a) Behoudens die bepalings van subregulasies (1) en (3) is enige persoon uitgesonder 'n amptenaar of werknemer bedoel in subregulasie (1) wat enige wapen soos omskryf in artikel 1 van die Wet op Wapens en Ammunisie, 1969 (Wet 75 van 1969) of enige voorwerp, behalwe 'n wapen, wat waarskynlik ernstige liggaamlike letsel sal veroorsaak indien dit gebruik sou word om 'n aanranding te pleeg (hierna genoem 'n gevaarlike wapen) buite die grense van die erf, perseel of terrein waarop hy woon, besit, dra of gebruik, skuldig aan 'n misdryf.

(b) Die Minister kan van tyd tot tyd by kennisgewing in die *Staatskoerant* 'n veiligheidsdistrik of enige deel van 'n veiligheidsdistrik uitsluit van die bepalings van hierdie subregulasie en kan enige kennisgewing deur hom uitgereik, intrek of wysig.

(7) Die verbod deur subartikel (6) opgelê, betel 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 kerie 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, die Naturellekommissaris of enige ander amptenaar in diens van die Staat, die Regering, 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 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 Naturellereg 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 bejeën 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 Naturellereg en -gewoonte betoon of verrig moet word;

begaan 'n misdryf.

Jurisdiction of chief or headman

12. (1) Any chief or headman who is authorised 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 headman;

(c) regulation 6 (1), in respect of any person resident within the area of jurisdiction of that chief or headman;

(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) 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 subregulation (1) shall have power to impose a fine not exceeding R100 or four head of large stock or 20 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 subregulation (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 48 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 subregulation (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 subregulation (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 subregulation (3), and shall himself retain the triplicate copy of such record.

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) geles 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 belê deur daardie kaptein of hoofman;

(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 regsmag ingevolge subregulasie (1), 'n boete van hoogstens R100 of vier stuks grootvee of 20 stuks kleinvee of, by wanbetaling, 'n vonnis van gevangenisstraf van hoogstens drie maande opleë.

(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) of (2):

(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 bode laat arresteer, en moet hy binne 48 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 tripliikaat van sodanige verslag self hou.

(7) Save as provided in subregulation (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 R. 348 of 1967 shall apply in respect of any trial in terms of subregulation (1) of this regulation.

(8) Any person who feels aggrieved by any conviction or sentence by any chief or headman in terms of this regulation may appeal to the Native Commissioner concerned against it, who shall try such case *de novo*.

PART VII

Prohibition orders

13. (1) The Minister or any person who acts on his authority may, in any manner which he deems fit, order—

(a) that any particular area shall not be inhabited or entered by any person or any particular category of persons;

(b) that no person who inhabits or finds himself in any particular area may leave such area for any specified period;

(c) that any person or category of persons or persons in general shall withdraw from any place to any other place mentioned in the order and shall not, thereafter or during any period determined in the order, return to the place from which the withdrawal is to be made;

(d) that any specified activity in any particular area shall cease or be moved to any other particular place; or

(e) that no person or anyone of a particular category of persons shall, during the period from half an hour after sunset to half an hour before sunrise, leave the limits of the stand, lot or site on which he resides or finds himself, except under a permit issued under the hand of the Native Commissioner of the area concerned.

(2) The Minister may order that any in the order defined area, along the border of any security district, shall be a specially prohibited area and may, in such order—

(a) order that no person shall enter or remain therein;

(b) exempt certain persons or categories of persons from the provisions of such an order; or

(c) determine that persons shall comply with certain requirements and directions when entering such area.

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

(4) The Minister may determine that any person who suffered any loss to his property as a result of actions taken in terms of this regulation, shall be compensated and may make arrangements in connection with the accommodation of any person who is affected by any order to leave his usual place of residence.

Execution of orders

14. The Security Forces are hereby authorised to render assistance to any Native Commissioner, chief, headman or person in connection with the exercising of any power or the performance of any duty or function conferred or imposed by these Regulations and may in the rendering of such assistance or the execution of such order take such steps as may be deemed necessary for such rendering or execution.

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, any Minister, any officer or employee of the State, the Government,

(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 bepalings van artikels 4 en 5 van Proklamasie R. 348 van 1967, van toepassing ten opsigte van 'n verhoor ingevolge subregulasie (1).

(8) Enige persoon wat hom veronreg voel oor 'n skuldigbevinding van of vonnis deur 'n kaptein of hoofman ingevolge hierdie regulasie opgelê, kan by die betrokke Naturellekommissaris daarteen appelleer, wat so 'n saak *de novo* verhoor.

DEEL VII

Verbodsbevele

13. (1) Die Minister, of enigiemand wat op sy gesag optree, kan op enige wyse wat hy goed dink beveel dat—

(a) 'n bepaalde gebied nie deur 'n bepaalde persoon of enige kategorie persone bewoon of binnegegaan mag word nie;

(b) niemand wat in 'n bepaalde gebied woon of hom daarin bevind, sodanige gebied vir 'n bepaalde tyd mag verlaat nie;

(c) 'n persoon of kategorie van persone of persone in die algemeen van enige plek na enige ander plek in die bevel genoem moet trek en nie daarna of gedurende 'n in die bevel bepaalde tydperk mag terugkeer na die plek waarvandaan die trek moet plaasvind nie;

(d) enige bedrywigheid in 'n bepaalde gebied gestaak moet word of na 'n ander bepaalde gebied verwyder moet word; of

(e) geen persoon of iemand van 'n bepaalde kategorie persone wat in 'n bepaalde gebied woon of hom daarin bevind, gedurende die tydperk vanaf 'n halfuur na sononder tot 'n halfuur voor sonop, die grense van die erf, perseel of terrein waarop hy woon of so 'n erf, perseel of terrein waarop hy hom bevind, mag verlaat nie behalwe kragtens 'n permit uitgereik onder die handtekening van die Naturellekommissaris van die betrokke gebied.

(2) Die Minister kan beveel dat 'n in die bevel omskrewe gebied, aan die grens van 'n veiligheidsdistrik 'n spesiaal-verbode gebied is en kan in so 'n bevel—

(a) beveel dat geen persoon sodanige gebied mag binnegaan of daarin mag wees nie;

(b) bepaal dat sekere persone of kategorie persone van die bepalings van so 'n bevel vrygestel word; of

(c) bepaal dat persone aan sekere vereistes en voorskrifte moet voldoen by die binnegaan van so 'n gebied.

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

(4) Die Minister kan bepaal dat 'n persoon wat verlies aan sy eiendom gelyk het as gevolg van 'n optrede ingevolge hierdie regulasie, vergoed word en kan reëlins tref in verband met die huisvesting van 'n persoon wat deur 'n bevel geraak word.

Uitvoering van bevel

14. Die Veiligheidsmagte word hierby gemagtig om hulp te verleen aan 'n Naturellekommissaris, kaptein, hoofman of persoon in verband met die uitoefening van enige bevoegdheid of die uitvoering van enige plig of funksie by hierdie Regulasies opgedra of opgelê of die uitvoering van enige bevel ingevolge hierdie Regulasies gemaak en kan by die verlening van sodanige hulp of die uitvoering van sodanige bevel enige stappe doen wat nodig geag word vir sodanige uitoefening of uitvoering.

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, 'n Minister, 'n amptenaar of werknemer van die

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 Security Forces, a chief or a headman.

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 devised, 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 R600 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, commissioned or non-commissioned officer of the Security Forces suspects that any person committed an offence in terms of these Regulations or any other law, or suspects that any person intends or intended to commit such an offence, or that any person is in possession of information in respect of any offence or intended offence, he may—

(a) search such person and any site, building, vehicle, thing or place in order to determine whether any offence was committed or to search for and seize evidence in connection with the commission or intended commission of such offence;

(b) arrest or have such person arrested, with or without warrant, and may interrogate or have such person interrogated in respect of any matter in connection with such offence or intended offence and he may detain or have such person detained in any place which he deems fit, until he is satisfied that such person has replied fully and correctly to all questions put to him.

Staat, die Regering, 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 Veiligheidsmagte, 'n kaptein of hoofman, ingestel word nie.

16. (1) Geen kriminele geding kan teen 'n in regulasie 15 vermelde persoon of liggaam weens 'n handeling wat te goeder trou deur hom aangeraai, beveel of verrig is by die uitoefening van sy bevoegdhede 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, beveel of verrig is, deur hom te goeder trou aangeraai, beveel of verrig is, word vermoed, totdat die teendeel bewys word, dat daardie handeling deur hom te goeder trou aangeraai, beveel 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 skuldigebevinning ingevolge hierdie Regulasies nie.

Strafbepalings

18. (1) Enigeen 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 skuldigebevinning strafbaar met 'n boete van hoogstens R600, of by wanbetaling met gevangenisstraf sonder die keuse van 'n boete, of met sowel sodanige boete as gevangenisstraf: Met dien verstande dat by die hoor van 'n appél deur hom van 'n persoon wat deur 'n kaptein of hoofman ingevolge regulasie 12 skuldig bevind is, 'n Naturellekommissaris, wanneer hy die skuldigebevinning van die kaptein of hoofman bekrachtig, enige vonnis kan op lê wat ingevolge hierdie Regulasie opgelê kon gewees het indien sodanige persoon oorspronklik in 'n Landdroshof skuldig bevind was.

(2) 'n Landdroshof het regsag 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) Wanneer 'n Naturellekommissaris, offisier of onderoffisier van die Veiligheidsmagte vermoed dat iemand 'n misdryf ingevolge hierdie Regulasies of enige ander Wet gepleeg het, of vermoed dat iemand voornemens is of was om so 'n misdryf te pleeg, of dat iemand oor enige inligting met betrekking tot 'n misdryf of voorgenoemde misdryf beskik, kan hy—

(a) so iemand en enige perseel, gebou, voertuig, ding of plek deursoek om te bepaal of 'n misdryf gepleeg is of om getuienis in verband met die pleging of voorgenome pleging van so 'n misdryf te soek en daarop beslag te lê;

(b) so iemand, met of sonder lasbrief, arresteer of laat arresteer en kan hy so iemand, met betrekking tot enige aangeleentheid in verband met daardie misdryf of voorgenome misdryf, ondervra of laat ondervra en kan hy hom in enige plek wat hy daarvoor geskik ag, aanhou of laat aanhou totdat hy daarvan oortuig is dat so iemand al die aan hom gestelde vrae volledig en juis beantwoord het.

(2) The Minister may at any time upon such conditions as he may determine, cause to be released any person arrested and detained under subregulation (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 against whom is acted in terms of regulation 19, shall, without the authority of the Minister or person acting under his authority, be permitted to consult with a legal adviser in connection with such action.

Arrest of offenders

21. A Native Commissioner, a commissioned or non-commissioned officer of the Security Forces or a peace officer as defined in section 1 of the Criminal Procedure Act, 1955 (Act 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 25 January 1972, but prior to the publication of these Regulations, which can lawfully be done under these Regulations shall be deemed to have been lawfully done.

GOVERNMENT NOTICE

DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT

No. R. 869

19 May 1976

OWAMBO.—APPLICATION OF CERTAIN REGULATIONS OF THE REGULATIONS CONTAINED IN THE SCHEDULE TO PROCLAMATION R. 17 OF 1972, AS AMENDED

By virtue of the powers vested in me by regulations 2 and 13 of the Regulations for the Administration of Security Districts, I, Michiel Coenraad Botha, Minister of Bantu Administration and Development, hereby determine and order as follows:

(a) Regulations 4 to and including 10 (5) of the said regulations shall apply to the District of Owambo.

(b) The area defined in the Schedule hereto is a specially prohibited area.

(c) No person shall enter or remain in the area referred to in paragraph (b), unless—

(i) he is a member of the Security Forces; or

(ii) he is in possession of the permission in writing of a commissioned officer of the Security Forces and he enters or remains in such area under the supervision of such Forces.

(d) No person shall in Owambo leave, during the period referred to in regulation 13 (1) (e), any place referred to in that regulation, unless—

(i) he is a member of the Security Forces; or

(ii) he is in possession of a permit under the signature of the Native Commissioner; or

(iii) he is in the service of the State, the Government of Owambo or the Administration of the Territory of South-West Africa.

M. C. BOTHA, Minister of Bantu Administration and Development.

(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 waarmee ingevolge regulasie 19 gehandel is, word sonder die goedkeuring van die Minister of iemand wat op sy gesag handel, toegelaat om met 'n regsadviseur oorleg te pleeg in verband met so 'n handeling nie.

Arres van oortreders

21. 'n Naturellekommissaris, 'n offisier of onderoffisier van die Veiligheidsmagte of 'n vredesbeampte soos omskryf in artikel 1 van die Strafprosedurewet, 1955 (Wet 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 gewees het.

GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING

No. R. 869

19 Mei 1976

OWAMBO.—TOEPASSING VAN SEKERE REGULASIES VAN DIE REGULASIES VERVAT IN DIE BYLAE VAN PROKLAMASIE R. 17 VAN 1972, SOOS GEWYSIG

Kragtens die bevoegdheid my verleen by regulasies 2 en 13 van die Regulasies vir die Administrasie van Veiligheidsdistrikte, bepaal en beveel ek, Michiel Coenraad Botha, Minister van Bantoe-administrasie en -ontwikkeling, soos volg:

(a) Regulasies 4 tot en met 10 (5) van bedoelde regulasies is van toepassing op die distrik Owambo.

(b) Die gebied in die Bylae hiervan omskryf is 'n spesiaal-verbode gebied.

(c) Geen persoon gaan die gebied bedoel in paragraaf (b) binne of vertoef daarin nie, tensy—

(i) hy 'n lid is van die Veiligheidsmagte; of

(ii) hy in besit is van die geskrewe toestemming van 'n offisier van die Veiligheidsmagte en hy onder toesig van daardie Magte bedoelde gebied binnegaan of daarin vertoef nie.

(d) Gedurende die tydperk bedoel in regulasie 13 (1) (e) mag niemand in Owambo die plek bedoel in daardie regulasie verlaat nie, tensy—

(i) hy 'n lid is van die Veiligheidsmagte; of

(ii) hy in besit is van 'n permit onder die handtekening van die Naturellekommissaris; of

(iii) hy in diens is van die Staat, die Regering van Owambo of die Administrasie van die gebied Suidwes-Afrika.

M. C. BOTHA, Minister van Bantoe-administrasie en -ontwikkeling.

SCHEDULE

From a point where the meridian of longitude 14° east intersects the middle of the Kunene River; thence eastwards along the said middle up to a point at the Ruacana Falls above the crest or lip where the said middle intersects the parallel of latitude 17° 23'23,73" south; thence eastwards along the said parallel of latitude to a point where it intersects the meridian of longitude 18° east; thence due south along the said meridian of longitude 18° east for a distance of 1 000 metres; thence westwards along a line 1 000 metres from and parallel to the said parallel of latitude 17° 23'23,73" south to a point 1 000 metres from the middle of the Kunene River; thence westwards along a line 1 000 metres from and parallel to the said river to a point on the boundary common to the Districts of Owambo and Kaokoland; thence north-westwards along the said common boundary to the point where the meridian of longitude 14° east intersects the middle of the Kunene River, the point of beginning.

BYLAE

Begin by 'n punt waar lengtemeridiaan 14° oos die middel van die Kunenerivier kruis; daarvandaan ooswaarts met genoemde middel langs tot by 'n punt by die Ruacanavalle, bokant die kruin of rand waar genoemde middel die breedtesirkel 17° 23'23,73" suid kruis; daarvandaan ooswaarts met genoemde breedtesirkel langs tot by 'n punt waar dit lengtemeridiaan 18° oos kruis; daarvandaan reg suid met genoemde lengtemeridiaan 18° oos langs vir 'n afstand van 1 000 meter; daarvandaan westwaarts met 'n lyn langs 1 000 meter van genoemde breedtesirkel 17° 23'23,73" suid af en parallel daarmee tot by 'n punt 1 000 meter van die middel van die Kunenerivier; daarvandaan weswaarts met 'n lyn langs 1 000 meter van genoemde rivier af en parallel daarmee tot by 'n punt op die gemeenskaplike grens van die distrikte Owambo en Kaokoland; daarvandaan noordwestwaarts met die genoemde gemeenskaplike grens langs tot by die punt waar lengtemeridiaan 14° oos die middel van die Kunenerivier kruis, die beginpunt.

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