

EXTRAORDINARY



UITENGEWONE

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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.

PROCLAMATION

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. 105, 1940.]

Whereas, by reason of the war in which the Union of South Africa is presently involved, there has arisen in the said Union and in the Mandated Territory of South-West Africa, a state of national emergency;

And whereas it is necessary, to enable the Government to fulfil its duty in safeguarding the welfare of the inhabitants of the said territories, and in ensuring the safety of the State in the said emergency and the successful prosecution of the war, that provision should be made for the combating of subversive and disruptive influences and activities within the said territories;

And whereas it is desirable, for this purpose, that certain organisations and the wearing of uniforms, badges, emblems, and the like, indicating membership of such organisations, should be prohibited;

Now, therefore, I do hereby proclaim, declare and make known that the provisions contained in the Annexure to this Proclamation are hereby brought into operation throughout the Union and the Mandated Territory of South-West Africa, and I do hereby call upon all the inhabitants of the said territories to observe and to act in due conformity with the said provisions.

ANNEXURE.

1. (a) No person shall wear or use or have in his possession any uniform, article of dress, badge, medal, emblem or other distinctive mark, the wearing or use of which signifies or purports or is intended to signify that the wearer or user is a member of or belongs to, any organisation, and no

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

PROKLAMASIE

VAN SY EKSELLENSIE DIE HOOGHEDELGEBARE SIR PATRICK DUNCAN, LID VAN DIE MEES EERVOLLE GEHEIME RAAD VAN SY MAJESTEIT, GROOTKRUISRIDDER VAN DIE MEES ONDER-SKEIE ORDE VAN SINT MICHEL 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. 105, 1940.]

Nademaal daar as gevolg van die oorlog waarin die Unie van Suid-Afrika tans betrokke is 'n landsnoodtoestand in die Unie en die Mandaatgebied Suidwes-Afrika ontstaan het;

En, nademaal dit nodig is, om die Regering in staat te stel om sy plig na te kom en die welsyn van die inwoners van die voormelde gebiede, die veiligheid van die Staat in gemelde landsnoodtoestand en die geslaagde voortsetting van die oorlog te verseker, dat voorsiening gemaak word vir die bestryding van ondermynende en afbrekende invloede en bedrywighede binne die genoemde gebiede;

En, nademaal dit vir hierdie doel wenslik is dat sekere organisasies en die dra van uniforms, wapens, embleme, of iets dergelyks, wat lidmaatskap van sodanige organisasies aandui, verbied word;

Derhalwe proklameer, verklaar en maak ek hierby bekend dat die bepalinge wat in die aanhangsel van hierdie proklamasie vervat is, hierby dwarsdeur die Unie en die Mandaatgebied Suidwes-Afrika in werking gestel word, en ek doen hiermee 'n beroep op al die inwoners van die voormelde gebiede om die genoemde bepalinge na te kom en dienooreenkomstig te handel.

AANHANGSEL.

1. (a) Niemand mag 'n uniform, kledingstuk, wapen, medalje, embleem of 'n ander onderskeidingsteken dra, gebruik of in sy besit hê, die dra of gebruik waarvan aandui of bedoel is om aan te dui dat die draer of gebruiker lid is van, of behoort aan, een of ander organisasie, en niemand mag lid wees van, of behoort aan, een of ander organisasie wat die

person shall be a member of or belong to any organisation which requires, authorizes, sponsors or encourages the wearing or use, by its members or by any other persons, of any such uniform, article of dress, badge, medal, emblem or other distinctive mark, unless, in any case, the Minister of Defence or a person thereto authorised by him, has, by notice in the *Gazette*, declared that organisation to be an approved organisation:

Provided that, subject to the provisions of sub-paragraph (b) the prohibition herein contained shall not be construed as prohibiting the wearing, use or possession by—

- (i) any member of any force, service or corps, established by or under the South Africa Defence Act, 1912, or any regulation thereunder, or by or under any proclamation or regulation validated by section two of the War Measures Act, 1940, or hereafter established under any law, or of the forces of any of His Majesty's Governments;
- (ii) any member of a police force or of any body of persons carrying out under any law the powers, duties and functions of a police force in the Union, or in the Mandated Territory of South West Africa;
- (iii) any employee of the Government of the Union (including the Railway Administration) or a Provincial Administration or the Administration of the Mandated Territory of South West Africa, or any municipality or other authority fulfilling local government functions;
- (iv) any member of any association or organisation whose main objects are the nursing and care of the sick or injured;
- (v) any member of any religious or educational institution or association, or of any association or organisation established or functioning in connection with or under the auspices of any religious or educational institution or association;
- (vi) any member of any *bona fide* sporting association, institution or club;
- (vii) any member of any *bona fide* automobile or motor cycle association or club;
- (viii) any member of any of the following organisations: "Boy Scouts", "Girl Guides" (including "Brownies"), "Voortrekkers", "Legion of Frontiersmen", "M.O.T.H.", "B.E.S.L.", "Toc H", "Independent Order of Good Templars",

of any uniform, article of dress, badge, medal, emblem or other distinctive mark which he is authorised or required to wear in his capacity as such member or employee, or as prohibiting any person from being a member of or belonging to, any organisation included in any exception mentioned in this proviso.

(b) The Minister of Defence, or if thereto authorised by the Minister, the Secretary for Defence may—

- (i) by writing under his hand withdraw any declaration of approval made under sub-paragraph (a); or
- (ii) by Notice in the *Gazette* cancel any exception mentioned in the proviso to that sub-paragraph or declare that any organisation included in any such exception, shall not be deemed to be so included.

2. Notwithstanding anything in paragraph one contained, no person shall wear, use or have in his possession any uniform, article of dress, badge, medal, emblem or distinctive mark whatsoever, the wearing or use of which the Minister of Defence, has, by Notice in the *Gazette* declared to be prohibited in the interests of the security of the State.

3. Any person who fails to observe or to act in due conformity with the foregoing provisions, may be arrested by or on the order of the Minister of Defence or the Minister of Justice or the Chief Control Officer or a Control Officer or a Commissioned Officer in one of the forces, and any person so arrested may be dealt with as provided by Regulation 15 of the National Emergency Regulations promulgated under Proclamation No. 201 of 1939, as amended, and validated by section two of the War Measures Act, 1940 (Act No. 13 of 1940).

In this paragraph the expression "forces" shall have the meaning assigned thereto in Regulation 1 of the said National Emergency Regulations, validated as aforesaid.

GOD. SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Pretoria this Fourth day of June One thousand Nine hundred and Forty.

PATRICK DUNCAN,
Governor-General.

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

J. C. SMUTS.

dra of gebruik, deur sy lede of deur enige ander persone, van sodanige uniform, kledingstuk, wapen, medalje, embleem of 'n ander onderskeidingsteken, vereis, magtig, kragtig steun of aanmoedig nie; tensy die Minister van Verdediging, of 'n persoon deur hom daartoe gemagtig, in elke geval so'n organisasie by wyse van 'n kennisgewing in die *Staatskoerant* tot 'n goedgekeurde organisasie verklaar het: met die voorbehoud dat die verbod hierin vervat, onderworpe aan die bepalings van subartikel (b), nie uitgelê moet word nie as 'n verbod op die dra, gebruik of besit deur—

- (i) 'n lid van 'n mag, diens of korps wat by of kragtens die „Zuid-Afrika Verdedigings Wet”, 1912, of 'n regulasie ingevolge hierdie wet opgestel, of 'n proklamasie of regulasie deur artikel twee van die „Wet op Oorlogsmaatreëls”, 1940, geldig gemaak, opgerig is, of hierna kragtens enige wet opgerig word, of van die magte van enigen van Sy Majesteit se Regerings;
- (ii) 'n lid van 'n polisiemag of van 'n liggaam wat kragtens enige wet die bevoegdhede, diens en werksaamhede van 'n polisiemag in die Unie of in die Mandaatgebied Suidwes-Afrika uitoefen;
- (iii) 'n werknemer van die Regering van die Unie (met inbegrip van die Spoorwegadministrasie) of van 'n provinsiale administrasie of van die Administrasie van die Mandaatgebied Suidwes-Afrika, of van 'n munisipaliteit of 'n ander owerheid wat die werksaamhede van 'n plaaslike bestuur uitvoer;
- (iv) 'n lid van 'n vereniging of 'n organisasie wat die verpleging en versorging van siekes of beseerdes tot hoofdoel het;
- (v) 'n lid van 'n godsdienstige of opvoedkundige inrigting of genootskap of van 'n genootskap of 'n organisasie wat in verband met of onder beskerming van 'n godsdienstige of opvoedkundige inrigting of genootskap opgerig is, of diens doen;
- (vi) 'n lid van een of ander *bona fide* sportvereniging, -inrigting of -klub;
- (vii) 'n lid van een of ander *bona fide* outomobiël- of motorfietsvereniging of -klub;
- (viii) 'n lid van een of ander van die volgende organisasies: „Boy Scouts”, „Girl Guides” (met inbegrip van „Brownies”), „Die Voortrekkers”, „Legion of Frontiersmen”, „M.O.T.H.”, „B.E.S.L.”, „Toc H”, „Independent Order of Good Templars”,

van 'n uniform, kledingstuk, wapen, medalje, embleem of 'n ander onderskeidingsteken wat hy, in sy hoedanigheid as sodanige lid of werknemer, moet dra of gemagtig word om te dra, of as 'n verbod op 'n persoon om lid te wees van, of te behoort aan, een of ander organisasie omvat in enige uitsondering wat in hierdie voorbehoudsbepaling genoem word.

(b) Die Minister van Verdediging, of die Sekretaris van Verdediging, as hy deur die Minister daartoe gemagtig is, kan—

- (i) enige magtiging wat kragtens subartikel (a) toegestaan is, skriftelik en onder sy handtekening terugtrek; of
- (ii) by kennisgewing in die *Staatskoerant* enige uitsondering wat in die voorbehoudsbepaling van die bedoelde subartikel genoem word intrek, of verklaar dat 'n organisasie wat by enige sodanige uitsondering inbegrepe is, nie as sodanig inbegrepe beskou sal word nie.

2. Nieteenstaande enige strydige bepalings in artikel een, mag niemand 'n uniform, kledingstuk, wapen, medalje, embleem of onderskeidingsteken van water aard ook al, dra, gebruik of in sy besit hê nie, die dra of gebruik waarvan die Minister van Verdediging by wyse van 'n kennisgewing in die *Staatskoerant*, in belang van die veiligheid van die Staat verbode verklaar het.

3. Iemand wat versuim om die voorgaande bepalings na te kom of in ooreenstemming daarmee te handel, kan deur of op las van die Minister van Verdediging of die Minister van Justisie of die Hoofbestuursbeambte of 'n bestuursbeambte of 'n offisier in die Staatsmag gearresteer word, en met iemand wat so gearresteer is kan gehandel word soos by regulasie 15 van die Landnoodtoestand-regulasies, afgekondig by Proklamasie No. 201 van 1939, soos gewysig, en geldig gemaak deur artikel twee van die „Wet op Oorlogsmaatreëls”, 1940 (Wet No. 13 van 1940), voorgeskryf.

In hierdie artikel het die uitdrukking „Staatsmag” die betekenis wat daaraan geheg is in regulasie 1 van genoemde Landnoodtoestand-regulasies, geldig gemaak soos voormeld.

GOD BEHOEDE DIE KONING.

Gegee onder my Hand en die Grootseël van die Unie van Suid-Afrika te Pretoria, op hede die Vierde dag van Junie Eenduisend Negehoenderd en Veertig.

PATRICK DUNCAN,
Goewerneur-generaal.

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

J. C. SMUTS.

GOVERNMENT NOTICE

DEPARTMENT OF DEFENCE.

The following Government Notice is published for general information:—

* No. 895.]

[4 June 1940.

APOSTLE BATTERY, CAPE TOWN—PROHIBITION OF BUILDING OPERATIONS ON LAND WITHIN ARC OF FIRE.

Under and by virtue of the powers vested in me by Regulation 6bis (2) of the National Emergency Regulations, I, JAN CHRISTIAAN SMUTS, in my capacity of Minister of Defence, do hereby order that from and after the date of publication of this Notice, no person shall, without the written authority of the Secretary for Defence, build, erect or alter, or proceed with the building, erection or alteration of any building or structure on any land situated within that portion of the Magisterial Districts of Cape and Wynberg, Cape Province, in the neighbourhood of Llandudno described hereunder:—

From the northernmost beacon of Victors Kloof (Trfr. 1826-1-92), in a north-westerly direction to the point of intersection of the prolongation of the southern boundary of Hottentots Huisje (O.C.F. 5-111) and the Low Water Mark of the Atlantic Ocean; thence in a southerly direction along the Low Water Mark to the mouth of the Liermans Kloof stream; thence up the said stream to its intersection with Victoria Road; thence in a south-easterly direction along the said road to the westernmost beacon of Lot S of Victors Kloof (Suikerbossie Roadhouse Trfr. 1937-203-11421); thence along the north-western boundary of the last-named property to its northernmost beacon; thence in a north-easterly direction in a straight line to the line-beacon at the foot of the Krantzes; thence in a straight line to the beacon of the peak called Llandudno Corner; thence in a straight line to the beacon first named.

J. C. SMUTS,
Minister of Defence.

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN VERDEDIGING.

Onderstaande Goewermentskennisgewing word vir algemene informasie gepubliseer:—

* No. 895.]

[4 Junie 1940.

APOSTLE BATTERY, KAAPSTAD.—VERBOD OP BOU-BEDRYGWIGHEDE OP TERREIN BINNE VUURBOOG.

Ingevolge die bevoegdhede my verleen by Regulasie 6bis (2) van die Landsnoodtoestand-regulasies, gelas ek, JAN CHRISTIAAN SMUTS, in my hoedanigheid as Minister van Verdediging, hiermee dat vanaf die datum van publikasie van hierdie kennisgewing, niemand sonder die skriftelike toestemming van die Sekretaris van Verdediging, enige gebou of struktuur op enige grond wat binne die hieronder omskrewe gedeelte van die magistraatsdistrikte van Kaap en Wynberg, Kaapprovinsie, in die nabyheid van Llandudno, mag bou, oprig of verander of met die bou, oprigting of verandering daarvan voortgaan nie.

Van die noordelike baken van Victorskloof (Trs. 1826-1-92), in 'n noordwestelike rigting na die kruispunt van die verlenging van die suidergrens van Hottentots-huisje (O.C.F.5-111) en die laagwatermerk van die Atlantiese Oseaan; daarvandaan in 'n suidelike rigting langs die laagwatermerk na die mond van die Liermanskloofstroom; daarvandaan die genoemde stroom op na sy kruispunt met Victoriaweg; daarvandaan in 'n suidoostelike rigting langs die genoemde weg na die westelike baken van Perseel S van Victorskloof (Suikerbossie Roadhouse—Trs. 1937-203-11421); daarvandaan langs die noordwestelike grens van laasgenoemde eiendom na sy noordelike baken; daarvandaan in 'n noordoostelike rigting in 'n reguit lyn na die lynbaken aan die voet van die kranse; daarvandaan in 'n reguit lyn na die baken op die spits genoem Llandudnohoek; daarvandaan in 'n reguit lyn na eersgenoemde baken.

J. C. SMUTS,
Minister van Verdediging.

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BOERDERY IN SUID-AFRIKA

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Intekengeld kan direk aan die Staatsdrukker, Pretoria, gepos of in 'n magistraatskantoor, poskantoor of polisieestasie 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