



Republic of Namibia  
Annotated Statutes

**REGULATIONS**

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REGULATIONS SURVIVING IN TERMS OF

**Local Authorities Act 23 of 1992**  
section 95(5)

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**Regulations for Natives in Proclaimed Areas**

Government Notice R. 65 of 1951

(OG 1891)

came into force on date of publication: 28 June 1963

The Regulations for Natives in Proclaimed Areas were originally made in terms of section 32 of the Natives (Urban Areas) Proclamation 56 of 1951, which was repealed by the Local Authorities Act 23 of 1992. Pursuant to section 95(5) of the Local Authorities Act 23 of 1992, the General Regulations are deemed to have been made under that Act. Please note that in terms of these regulations, 1 British Pound (£1) is equivalent to 2 Namibian Dollars (N\$2). Additionally, there are 20 shillings in a pound and there are also 240 pence in a pound of British currency. The abbreviation "s" refers to shillings and the abbreviation "d" refers to pence.

**as amended by**

**Government Notice 245 of 1956 (OG 2042)**

came into force on date of publication: 15 November 1956

**Government Notice 99 of 1957 (OG 2073)**

came into force on date of publication: 15 April 1977

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**ARRANGEMENT OF REGULATIONS**

[These regulations do not have headings.]

**CHAPTER I**  
**DEFINITIONS**

**CHAPTER II**  
**REGULATIONS FOR THE REGISTRATION, CONTROL AND PROTECTION OF**  
**NATIVES IN THE PROCLAIMED AREA**

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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**CHAPTER III**  
**REGULATIONS RELATING TO THE MEDICAL EXAMINATION AND MEDICAL**  
**SUPERVISION OF NATIVES IN THE PROCLAIMED AREA**

**CHAPTER IV**  
**REGULATIONS RELATING TO THE ESTABLISHMENT, MANAGEMENT AND**  
**CONTROL OF ACCOMMODATION FOR NATIVES SEEKING EMPLOYMENT IN THE**  
**PROCLAIMED AREA**

**CHAPTER V**  
**GENERAL**

**ANNEXURE "A"**  
**PERMIT TO SEEK WORK**

**ANNEXURE "B"**  
**PERMIT TO BE IN THE PROCLAIMED AREA FOR A PURPOSE OTHER THAN**  
**SEEKING WORK**

**ANNEXURE "C"**  
**PROHIBITION AGAINST REMAINING IN PROCLAIMED AREA**

**ANNEXURE "D"**  
**CERTIFICATE OF REGISTRATION**

**ANNEXURE "E"**  
**SERVICE CONTRACT**

**ANNEXURE "F"**  
**RECEIPT OF PAYMENTS OF MONTHLY FEE**

**ANNEXURE "G"**

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It is hereby notified for general information that the Administrator has been pleased under the provisions of sub-section (1) of section *thirty-two* of the Natives, (Urban Areas) Proclamation, 1951 (No. 56 of 1951), as amended to make the following regulations to be of force and effect as from the 31st March, 1955, in the undermentioned proclaimed areas as defined in the Government Notices indicated -

<i>Proclaimed Area.</i>	<i>Government Notice in which defined</i>
Windhoek	No. 172 dated 20th December, 1924
Walvis Bay	No. 24 dated 16th February, 1925.
Swakopmund	No. 74 dated 15th April, 1926.
Luderitz	No. 130 dated 10th July, 1930.
Otjiwarongo	No. 130 dated 2nd October, 1931.
Mariental	No. 61 dated 1st March, 1932.
Usakos	No. 88 dated 21st April, 1932.
Keetmanshoop	No. 111 dated 25th May, 1932.

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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Omaruru	No. 122 dated 10th June, 1932.
Karibib	No. 159 dated 27th August, 1932.
Okahandja	No. 148 dated 12th September, 1933.
Grootfontein	No. 186 dated 28th November, 1933.
Aus	No. 164 dated 3rd December, 1934.
Gobabis	No. 21 dated 4th February, 1935.
Small Settlement Otavi 102 and Farm Swaps 755	No. 115 dated 1st August, 1936.
Outjo	No. 45 dated 1st April, 1937.
Warmbad	No. 72 dated 1st May, 1937.
Tsumeb	No. 136 dated 15th May, 1952.
Karasburg	No. 298 dated 1st October, 1953.

**CHAPTER I**  
**DEFINITIONS**

In these regulations unless inconsistent with the context -

“Proclamation” means the Natives (Urban Areas) Proclamation, 1951 (No. 56 of 1951), as amended;

“Authorised Officer” means an authorised officer as defined in section one of the Proclamation;

“Medical Officer” means a registered medical practitioner exercising the powers and performing the duties assigned to a medical officer by these regulations;

“Native Commissioner” includes an Additional or an Assistant Native Commissioner;

“Registering Officer” means any person appointed by the Administrator or by the urban local authority with the approval of the Administrator, to exercise the powers and perform the duties assigned to registering officers by these regulations: Provided that the Administrator may withdraw his approval of any such appointment and the person in respect of whose appointment approval has thus been withdrawn shall thereupon cease to exercise the powers or perform the duties of a registering officer.

**CHAPTER II**  
**REGULATIONS FOR THE REGISTRATION, CONTROL AND PROTECTION OF**  
**NATIVES IN THE PROCLAIMED AREA**

**1.** The categories of natives exempt from the provisions of these regulations and the conditions subject to which they shall be so exempt shall be those contained in sub-section (2) of section *twenty-two* of the Proclamation.

**2.** (1) (a) Every male native, not being a native exempted from the provisions of these regulations, shall, within 72 hours after entering the proclaimed area, report his arrival to the registering officer and, subject to the provisions of sub-regulation (1) of regulation 3, shall, when he has satisfied the registering officer as to his identity and the purpose of his presence in the proclaimed area and provided suitable accommodations is available and subject to the provisions of the further proviso to sub-section (2) of section *ten* of the Proclamation, be furnished with one or other of the documents substantially in the form set out in Annexures “A” and “B” to these regulations, certifying that he has permission to remain in the proclaimed area for a period as hereinafter prescribed.

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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[The word “accommodation” is misspelt in the *Official Gazette*, as reproduced above.]

(b) The registering officer shall direct such native, not being a native born and permanently residing in the proclaimed area or not being a native who has entered such area for a purpose other than that of seeking or taking up employment therein, to a reception depot should such have been provided in the area and should accommodation be available therein, where he shall reside until such time as he may have obtained employment within the proclaimed area or have been required in terms of sub-regulation (5) to depart from the proclaimed area: Provided that if the registering officer is satisfied such native has obtained other accommodation approved by the urban local authority, he may exempt such native from residing in a reception depot.

(2) Every document issued in terms of sub-regulation (1) shall specify therein the purpose of the holder’s presence in the proclaimed area and the period, being not more than fourteen days, as fixed by the registering officer, during which it shall be valid: Provided that where the holder’s presence in the proclaimed area is specified to be for the purpose of seeking or taking up employment therein, the period for which such document shall be valid shall be not less than seven days and not more than fourteen days from the date of issue.

(3) Every document issued in terms of sub-regulation (1) may, in the discretion of the registering officer, be renewed for a further period fixed by him provided that the total period of availability of any such document calculated from the date of original issue shall not exceed fourteen days.

(4) Every male native, not being a native born and permanently residing within the proclaimed area, to whom a document substantially in the form set out in Annexure “A” to these regulations has been issued as herein before provided and who has failed to find employment, shall, within one day of the expiry of the period of validity of such document, report to the registering officer.

(5) Should the registering officer to whom a native has reported in terms of sub-regulation (4) not renew the document as in sub-section (3) provided, he shall endorse on such document an order under his signature requiring such native to depart from the proclaimed area within a period, being not less than two days, fixed by the registering officer and specified in such order, and not to return to the proclaimed area within a period not exceeding two years to be fixed and specified by such officer: Provided that such order may be withdrawn or varied by such officer during its currency.

(6) Every native to whom a document has been issued in terms of sub-regulation (1) or whose document has been renewed in terms of sub-regulation (3) shall produce such document on demand to an authorised officer.

**3.** (1) The registering officer may refuse to issue to any male native who has entered the proclaimed area any of the documents prescribed in regulation 2 -

- (a) whenever he is able to refuse in terms of regulation 20 to register a contract of service in respect of such native; or
- (b) whenever such native has failed to apply for such documents within the period allowed by these regulations; or

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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- (c) in the circumstances mentioned in sub-paragraph (i), (ii) or (iii) of paragraph (c) of sub-section (1) of section *twenty-two* of the Proclamation; or
  - (d) for the reason mentioned in the further proviso to sub-section (2) of section *ten* of the Proclamation.
- (2) The registering officer may -
- (a) issue an order to any native to whom permission to be in the proclaimed area has been refused in the circumstances mentioned in sub-paragraph (iii) of paragraph (c) of sub-section (1) of section *twenty-two* of the Proclamation, requiring him to depart from the proclaimed area within a period specified in such order; or
  - (b) in respect of any native referred to in paragraph (a) to whom permission to be in the proclaimed area has been refused, apply to a Native Commissioner or Magistrate for a warrant to be addressed to any police officer for the removal of any such native to his home.

(3) The registering officer shall issue to every native who has been refused permission to be in the proclaimed area in terms of sub-regulation (1) a document substantially in the form set out in Annexure "C" to these regulations, certifying that he has been refused permission to be in the proclaimed area and any native to whom a document has been issued as herein provided shall produce such document on demand to an authorised officer.

(4) Any native to whom permission to be in the proclaimed area has been refused for any of the reasons or in any of the circumstances referred to in sub-regulation (1) shall depart from such area within three days after having received the document referred to in the preceding sub-regulation.

- 4.** (1) No male native other than a native falling within one of the following classes -
- (a) natives born and permanently residing in the proclaimed area; or
  - (b) natives granted permits in terms of regulation 11 as togt or casual labourers or as independent contractors; or
  - (c) natives exempt from the provisions of this Chapter in terms of regulation 1,

who is not under a contract of service shall remain in the proclaimed area for a period longer than fourteen days unless the registering officer has issued to him a certificate of registration substantially in The form set out in Annexure "D" to these regulations authorising him to do so for the period stated therein: Provided that such period shall not, except as in sub-regulation (3) provided, extend beyond the end of the month in which such certificate is issued; and provided further that the registering officer, may, in his discretion, issue to any such native further certificates of registration each for a period not exceeding one month.

(2) For each such certificate of registration there shall be payable by the applicant therefor a fee of one shilling (1/-): Provided that if the first issue of such certificate is made after the fifteenth day of any month there shall be payable for that certificate one-half of the said fee.

(3) Payment of such registration fee shall be acknowledged by the issue by the registering officer of a voucher, substantially in the form set out in Annexure "H" to these

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

---

regulations, which shall be affixed to the certificate of registration by the registering officer who shall deface such voucher by an impression of his date stamp: Provided that when a further certificate of registration is required the registering officer may affix a voucher, acknowledging the appropriate fee, to the original certificate of registration which shall thereupon be deemed to be a further certificate of registration for the purpose of sub-regulation (1).

**[subregulation (3) substituted by GN 245/1956]**

(4) The registering officer may exempt from the provisions of this regulation, in so far as they relate to the payment of registration fees, any native who satisfies him that on account of old age, chronic disease or other cause he is prevented from working or that he is attending school Provided that in any such case the registering officer may issue a certificate of registration to the native concerned for a period not exceeding twelve months and such certificate may from time to time be renewed for a like period.

(5) A certificate of registration shall be made out in duplicate. The registering officer shall hand the original thereof to the native and shall file the duplicate for purposes of record.

(6) The holder of a certificate of registration issued in terms of this regulation shall produce it on demand to an authorised officer.

5. (1) (a) Every person who at the date of coming into operation of these regulations has in his service in the proclaimed area any male native, other than a native to whom a permit has been granted as a togt or casual labourer in terms of regulation 11, or a native who is exempt from the provisions of Chapter II of these regulations in terms of regulation I, shall within fourteen days of the date aforesaid take or send such native to the registering officer and shall furnish such officer with the necessary full and correct information for the purpose of the registration of a contract of service: Provided that when any contract of service has been registered in terms of any regulations repealed by these regulations, the employer shall be deemed to have complied with the provisions of this sub-regulation and the contract of service so registered shall be deemed to be a contract of service for the purpose of these regulations.

(b) Every person, who, on or after the date of coming into operation of these regulations, takes into his service in the proclaimed area or employs therein any male native, other than a native to whom a permit has been granted as a togt or casual labourer in terms of regulation 11, or a native who is exempt from the provisions of Chapter II of the regulations in terms of regulation 1, shall within three days of taking such native into his service or employing him in the proclaimed area have the contract of service of such native registered by the registering officer and shall furnish such officer with the necessary full and correct information for the purpose of the recording of a contract of service: Provided that the registering officer may in his discretion demand such information in writing.

(c) Upon convicting an employer for a contravention of either of the preceding paragraphs, the Court may order him to take the necessary steps to effect registration of the relative contract of service.

(2) The registering officer, on being satisfied that the terms and conditions of employment are fully understood and accepted by any native, referred to in sub-regulation (1), and that the contract is a *bona fide* contract of service, shall, subject to the provisions of sub-regulation (9), record and register such contract of service substantially in the form set out in Annexure "E" to these regulations unless as a result of medical examination the registering

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

---

officer is able to refuse, in terms of regulation 20, to register a contract of service in respect of that native.

(3) The service contract shall be made out in triplicate. The registering officer shall hand or send the original service contract to the employer, and shall hand the duplicate to the native and shall file the triplicate for purposes of record.

**[subregulation (3) substituted by GN 245/1956]**

(4) The original service contract shall be retained by the employer during the continuance of the native's employment by him. The employer shall, during such continuance, produce such service contract on demand to any authorised officer.

(5) The duplicate service contract shall be retained by the native during the continuance of his employment and shall be endorsed by the employer as current within seven days of the commencement of each calendar month during which his contract of service with the native is continued. Such native shall produce on demand to any authorized officer such duplicate service contract.

**[subregulation (5) substituted by GN 245/1956]**

(6) In the event of any change of address of the employer or any variation in the terms of any contract of service, the employer shall within fourteen days thereof report such change or variation to the registering officer. Any variation of any contract of service shall be inserted on the contract of service and duplicate copy thereof by the registering officer in the presence of the native employee.

(7) The original service contract shall immediately on termination by discharge of the contract of the native's employment be endorsed by his employer in ink with the true date of discharge and his signature and he shall forthwith hand or send it to the registering officer, through some agency other than the native employee concerned. The duplicate service contract which on such termination shall be handed to the employer by the native shall be similarly endorsed in ink by the employer who shall immediately thereafter hand it back to the native.

**[subregulation (7) substituted by GN 245/1956]**

(8) In the case of death, desertion or other cessation of the employment of the native otherwise than by discharge on the termination or cancellation of his contract of service the employer shall, within six days thereafter, notify the registering officer of the date of such death, desertion or other cessation of employment, and furnish him with the original service contract duly endorsed with the true date of the cessation of employment and his signature.

(9) The registering officer may refuse to register any contract of service in respect of any native not in possession of a document issued in terms of sub-regulation (1) of regulation 2.

**6.** (1) There shall be payable by every employer in respect of every contract of service registered in his name in terms of the preceding regulation a fee of two shillings (2/-) for every month or portion thereof during the continuance of the employment of the native under such contract. The fee shall be paid on the registration of the contract and thereafter within seven days of the commencement of every month.

(2) Payment of the monthly fee shall be acknowledged by the issue by the registering officer of a voucher substantially in the form set out in Annexure "F" of these regulations which shall be affixed by the registering officer to the original service contract of the native in respect

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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of whose employment the fee is paid and defaced by an impression of his date stamp: Provided that payment of the initial monthly fee shall be made and acknowledged when the service contract is registered in terms of sub-regulation (2) of regulation 5; provided further that where payments are made in bulk in respect of the contracts of not less than twenty natives in the service of any one employer, the registering officer may in his discretion dispense with such vouchers and issue a general revenue receipt.

**[subregulation (2) substituted by GN 245/1956]**

(3) For the purpose of securing payment of fees in bulk as provided for in the preceding subregulation, the registering officer may require the employer of the natives to hand in on or before the seventh day of each month a sworn declaration setting forth the total number of natives employed by him on the last day of the preceding month.

**[subregulation (3) inserted by GN 245/1956]**

(4) Every employer who on the last day of the preceding month had twenty or more male natives in his employment shall on or before the seventh day of each month render to the registering officer a return substantially in the form set out in Annexure "I" to these regulations.

**[subregulation (4) inserted by GN 245/1956]**

7. No contract of service for a period exceeding one year other than a contract attested under section six or section *thirteen* of the Master and Servants Proclamation, 1920 (No. 34 of 1920), shall be registered in terms of these regulations.

8. Every service contract registered in terms of these regulations shall be *prima facie* proof of the contract of service between the native and the employer whose names appear in such service contract.

9. (1) Any native whose contract of service has been registered in terms of these regulations shall be guilty of an offence if he -

- (a) wilfully renders himself unfit or unavailable for the proper performance of the duties for which he was employed; or
- (b) refuses or neglects to obey any lawful command of his employer; or
- (c) without leave or other lawful cause absents himself during working hours from his employer's premises or other place proper for the performance of his work. A native shall be deemed to have absented himself during working hours from his employer's premises or other place proper for the performance of his work without leave or lawful causes if he is found by an officer, appointed in terms of subsection (3) of section *twenty-one* of the Proclamation, absent from the premises of his employer or other place proper for the performance of his work during such working hours and is unable to give a satisfactory account as to why he is so absent during such working hours; or
- (d) neglects to perform any work which it is his duty, to have performed, or carelessly or improperly, performs the same, or by any wilful breach or neglect of duty does any act tending to the immediate loss, damage, or serious risk of any property placed by his employer in his charge, or uses any abusive, obscene or insulting language at or to his employer or member of his family or to any person placed in authority over him; or



**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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- (e) absents himself from the service of his employer with intent to desert before the term of his service contract with the employer expires; or
- (f) while under contract of service to one employer knowingly enters the service of another employer; or
- (g) fails or refuses without lawful cause to commence the service at the stipulated time.

The presiding judicial officer may, if the employer so desires, make an order directing any native convicted under this regulation, after having satisfied the sentence imposed upon him, to return to work and complete the term of his contract to which shall be added any period lost by reason of desertion, trial proceedings or sentences served in respect of any convictions for offences under this regulation, and if any such native shall fail to comply with such order he shall be guilty of an offence.

(2) Every employer of a native whose contract of service has been registered in terms of these regulations or of a native to whom a permit has been granted in terms of regulation 11 as a togt or casual labourer shall be guilty of an offence if -

- (a) he withholds wages from any such native without reasonable and probable cause for believing that such wages are not really due; or
- (b) he makes any deduction from the wages of any such native save as provided by any law or regulation or by the order of a competent court; or
- (c) in order to punish any such native he accepts or obtains money, goods or other property from him.

The Court, in addition to any penalty it may impose, may give judgment against the employer for the amount of wages so withheld or deducted or for the return of the money, goods or other property or their value, as the case may be. Such judgment which may include an award of costs shall have the effect of a civil judgment of that court.

For the purpose of this regulation "wages" shall include any amount due to such native in lieu of notice of termination of the said contract of service upon the wrongful dismissal of such native by his employer.

**10.** (1) Whenever a native or an employer who is a party to any contract of service registered in terms of these regulations shall have been convicted of contravening any of the provisions of the preceding regulation or of an offence against the person or property of the other party to the contract or of a member of the household or family of such party, the presiding judicial officer may cancel such contract.

(2) Whenever a court is satisfied from evidence adduced before it in respect of any charge brought in terms of the preceding regulation that it is undesirable or not in the interests of either or both parties that the relative contract of service should continue it may, notwithstanding the acquittal of the person charged, cancel such contract.

**11.** (1) Every male native other than a native who is exempt from the provisions of Chapter II of these regulations in terms of regulation 1 who desires to work as a togt or casual labourer or to carry on any week as an independent contractor in the proclaimed area shall

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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before commencing such work apply to the registering officer for a permit authorising him to do so, and the registering officer may in his discretion furnish such native with a permit, which shall take the form of a suitable endorsement on a form of Contract of Service as set out in Annexure "E" to these regulations. The period of validity of such permit shall be for the period stated therein: Provided that such period shall not extend beyond the end of the month in which such permit is issued; and provided further that the registering officer may in his discretion on application by the holder of any such permit made within seven days after its expiry renew it from time to time for a period not exceeding one month.

(2) Every native to whom a permit is issued in terms of sub-regulation (1) shall pay to registering officer a fee of two shillings (2/-). The fee shall be paid at the time of the issue of the permit or of any renewal thereof.

(3) Payment of the fee shall be acknowledged by the issue of the registering officer of a receipt, substantially in the form set out in Annexure "F" of these regulations.

(4) The permit shall be made out in duplicate the registering officer shall hand the original thereof to the native and shall file the duplicate for purposes of record.

(5) The holder of a permit issued in terms of sub-regulation (1) shall produce it on demand by an authorized officer.

(6) The registering officer may at the time of issue of a permit to any togt or casual labourer issue to such labourer a metal badge substantially in the form set out in Annexure "G" to these regulations.

Every togt or casual labourer to whom such badge has been issued shall at all reasonable times display it in a prominent position on his person and on the expiration of his permit he shall deliver such badge to the registering officer.

(7) Should a togt or casual labourer lose the badge supplied to him in terms of the preceding sub-regulation he shall forthwith apply to the registering officer for another, which may be supplied to him on payment by him of a fee of two shillings and sixpence.

(8) Whenever the registering officer is satisfied that a native to whom a permit as a togt or casual labourer or as an independent contractor has been issued as herein - before provided is no longer a fit and proper person to hold such permit or is no longer pursuing the occupation in respect of which the permit was issued to him he may decline to renew such permit and such native shall there-upon become subject to the provisions of regulation 2 in the same manner as a native who enters the proclaimed area.

**12.** Every male native in the proclaimed area other than a native born and permanently residing therein or a native who is exempt from the provisions of Chapter II of these regulations in terms of regulation I shall, if he remains therein without entering into employment after the termination of a contract of employment or after discharge from imprisonment, within one day after such termination of a contract of service or after such discharge from imprisonment, report to the registering officer and shall thereupon become subject to the provisions of regulation 2 in the same manner as a native who enters the proclaimed area.

**13.** Every person shall be guilty of an offence if he -

(a) causes himself to be registered as the employer of any male native unless it is his *bona fide* intention to employ such native; or

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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- (b) makes any unauthorised entry or mark on any documents issued in terms of these regulations with the purpose of misleading any person; or
- (c) prevents, hinders or dissuades a native from complying with the provisions of these regulations on or with any order issued in terms thereof; or
- (d) fails within a reasonable period to give or refuses to give any information required by the registering officer for any purposes connected with these regulations; or
- (e) wilfully gives false information for any purpose connected with these regulations; or
- (f) engages a native who has not complied with the provisions of sub-regulation (1) of regulation 2 or regulation 12.

**14.** (1) The loss or destruction of any service contract or copy thereof or of any permit issued in terms of regulation 11 or of a certificate of registration issued in terms of regulation 4, shall within six days after such loss or destruction be reported to the registering officer by the holder of any such document and such holder shall pay to the registering officer a fee of one shilling in respect of a duplicate thereof.

(2) Whenever a duplicate of one of the documents specified in sub-regulation (1) is issued it shall be clearly marked "duplicate" and shall be substantially in the form set out in Annexures "J" and "K" of these regulations.

**[regulation 14 substituted by GN 245/1956]**

**15.** (1) Subject to the provisions of sub-regulation (2) it shall be a condition of any contract of service which has been registered in terms of these regulations that the native who is a party to such contract shall, if he incurs any expenditure on account of either medical or hospital treatment to himself in consequence of any sickness or accident which shall not have been occasioned by his own fault and which renders him incapable of performing service to his employer, be entitled to receive from the employer one or other of the following benefits, whichever may be the less -

- (a) his full wages for the first month of his incapacity and half wages for the second month of such incapacity; or
- (b) the actual amount incurred on account of such medical and hospital treatment:

Provided that such benefits may not be claimed by such native in respect of a period of incapacity exceeding two months or periods of incapacity totalling more than two months in any calendar year.

(2) The provisions of sub-regulation (1) shall not apply when the native concerned has been in his employer's service for a period of less than one month, or is a native labourer employed on a mine or works as defined in, Proclamation of the Administrator No. 3 of 1917, as amended, or when the provisions of the Workmen's Compensation (Accidents and Industrial Diseases) Proclamation, 1924 (Proclamation No. 27 of 1924), as amended, apply.

**16.** Any male native in the proclaimed area who, when called upon by an authorised officer so to do, fails to produce a valid and current document authorising him to enter or be in

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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the proclaimed area shall be guilty of an offence and may forthwith be arrested without a warrant and shall upon conviction be liable to a fine not exceeding one pound (£1) or to imprisonment with or without hard labour for a period not exceeding fourteen days: Provided that the provisions of this regulation shall not apply -

- (a) to a native who is able to produce proof to such officer that he falls within one of the classes exempted in terms of regulation 1; or
- (b) to a native born and permanently residing in such area; or
- (c) to a native who has entered the proclaimed area and who has not been therein for more than 72 hours after so entering.

17.

[regulation 17 deleted by GN 99/1957]

**CHAPTER III**  
**REGULATIONS RELATING TO THE MEDICAL EXAMINATION AND MEDICAL**  
**SUPERVISION OF NATIVES IN THE PROCLAIMED AREA**

**18.** (1) Any male native entering or employed or residing in the proclaimed area may be ordered by the registering officer to present himself for medical examination and vaccination at a time and place to be specified by such officer: Provided that the provisions hereof in respect of vaccination shall not apply to any native who is by law or lawful authority exempt from compulsory vaccination; and provided further that if the medical officer who has performed any such medical examination is satisfied that the native examined is healthy and having been vaccinated is not required to be vaccinated again, he shall endorse on an appropriate document the word "passed healthy and vaccinated" adding the date to that endorsement.

(2) The Native Commissioner may in his discretion exempt any native from the provisions of sub-regulation (1).

**19.** Before registering a contract of service in respect of the employment of any native in the proclaimed area or issuing a permit to any tog or casual labourer or independent contractor, the registering officer may cause such native to be examined by a medical officer, who upon being satisfied that such native is healthy and having been vaccinated is not required to be vaccinated again, shall endorse on an appropriate document the words "Passed healthy and vaccinated", adding the that date to that endorsement. If such native is required to be vaccinated, the medical officer shall thereupon vaccinate him and endorse the appropriate document in the manner aforesaid.

**20.** The registering officer may refuse to register a contract of service or to issue a licence as the case may be in respect of any native who has not been examined or has not been passed as healthy and vaccinated in the manner set out in the preceding regulation.

**21.** The employer of any male native may at any time request the registering officer to have such native medically examined and the registering officer may, in his discretion, exercise the powers vested in him by regulation 19 in respect of the native concerned, who shall thereupon become subject to the provisions of the said regulation.

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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**22.** If upon medical examination a native is found to be suffering from venereal disease or from tuberculosis or from any other ailment or disease, which in the opinion of the medical officer is dangerous to public health, the registering officer may, subject to the provisions of regulation 15, cancel such native's contract with his employer.

**23.** (a) Every native female residing within the proclaimed area of Swakopmund, Walvis Bay, Karasburg and Luderitz and any other proclaimed area to which (the provisions of this regulation may be extended by the Administrator by notice in the Gazette shall present herself for medical examination at least once in every six months unless the Medical Officer to the Administration shall order a longer interval in that area.

(b) The fact of such examination shall be endorsed on a document to be supplied to such females.

(c) The document mentioned in paragraph (b) shall be produced after each examination to the office of the superintendent of the location where a record will be made of the date and result of the examination.

(d) Any female native failing to present herself for examination as required by this regulation shall be guilty of an offence. The failure of any such female to comply with the provisions of paragraph (c) shall be *prima facie* evidence that she has not presented herself for such examination.

(e) This regulation shall not apply to any legally married woman actually living with her husband, any girl under the apparent age of sixteen years, to any woman over the apparent age of sixty years.

#### **CHAPTER IV**

#### **REGULATIONS RELATING TO THE ESTABLISHMENT, MANAGEMENT AND CONTROL OF ACCOMMODATION FOR NATIVES SEEKING EMPLOYMENT IN THE PROCLAIMED AREA**

**24.** There may be established in the proclaimed area, with the approval of the Administrator, such accommodation (hereinafter called the reception depot) as may be necessary for the residence of natives seeking employment in such area.

**25.** A reception depot shall be deemed to be a native hostel for the purpose of the residence of natives in terms of section *nine* of the Proclamation.

**26.** A reception depot shall, unless the registering officer himself assumes control thereof, be under the charge of a superintendent authorised in writing by the registering officer to exercise the powers and perform the duties prescribed in this chapter. Such superintendent shall supervise and control the occupants of the reception depot under his charge, and preserve law and order therein, and may in the exercise of his duties arrest without warrant any native who has committed an offence described in regulation 29. Should the registering officer himself assume control he shall be deemed to be a superintendent for the purpose of this Chapter and may exercise the powers and perform the duties prescribed for a superintendent.

**27.** Every native before being admitted to a reception depot shall report to the superintendent in charge thereof who shall enter his name in a register kept for the purpose and who may before admitting any such native require him to produce proof that he has reported to the registering officer and that he is *bona fide* seeking employment

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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**28.** No person, other than a registered inmate of a reception depot or a Native Commissioner or registering officer or any officer of the Public Service authorised by the Chief Native Commissioner to enter such depot or a member of the South African Police in the discharge of his duties, shall enter such reception depot without having obtained permission from the superintendent in charge or without other legal authority.

**29.** Every inmate of a reception depot shall be guilty of an offence if he wilfully disobeys a lawful order given orally or in writing by the superintendent for the proper and efficient administration of the depot or the maintenance of good order, discipline, health or sanitation therein

**CHAPTER V**  
**GENERAL**

**30.** There shall be an appeal from any decision of a registering officer in terms of these regulations to the Native Commissioner or, where there is no Native Commissioner, to the Magistrate of the district, in which the proclaimed area is situated, who may affirm, alter or reverse such decision and issue such instructions as may be necessary to give effect to his finding.

**31.** For the purpose of section *twenty-three* of the Proclamation the registering officer shall be the officer to whom any person who becomes possessed of any certificate, document or badge, issued in terms of these regulations, other than his own, shall hand or transmit such certificate, document or badge.

**32.** The provisions of regulations 5 and 6 shall apply to contracts of service of natives employed by any Government Department including the Railway Administration or the Administration of the Territory or any Provincial Administration, but any other provision of these regulations which is inconsistent with regulations governing the employment of natives by any such Government Department shall, in so far as inconsistent, be regarded as of no force or effect.

**33.** Any parson contravening any provision of Chapter II of these regulations or order made in terms of sub-regulation (5) of regulation 2 shall be guilty of an offence and shall upon conviction be liable to the penalties prescribed in section *thirty-six* of the Proclamation, and any native contravening any provision of Chapters III or IV of these regulations or order made in terms of sub-regulation (1) of regulation 18 shall upon conviction be liable to a fine not exceeding three pounds (£3) or in default of payment to imprisonment with or without hard labour for a period not exceeding one month.

**34.** The following Government Notices are hereby cancelled to the extent indicated -

<i>No. and date of Government Notice.</i>	<i>Extent cancelled.</i>
173 dated 20th December, 1924, as amended by Government Notices	} The whole, except regulation 29.
34 dated 24th February, 1937,	
152 dated 1st October, 1938,	
163 dated 15th September, 1939,	
189 dated 1st November, 1939,	
71 dated 15th March, 1949,	
242 dated 1st September, 1949 and	
444 dated 1st November, 1951	

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

- 52 dated 8th April, 1926.
- 75 dated 15th April, 1926.
- 170 dated 13th October, 1928.
- 131 dated 10th July, 1930.
- 131 dated 2nd Oktober, 1931.
- 63 dated 1st March, 1932.
- 89 dated 21st April, 1932.
- 112 dated 25th May, 1932.
- 123 dated 10th June, 1932.
- 160 dated 27th August, 1932.
- 149 dated 12th September, 1933.
- 187 dated 28th November, 1933.
- 165 dated 3rd December, 1934.
- 23 dated 4th February, 1935.
- 117 dated 1st August, 1936.
- 1 dated 2nd January, 1937.
- 47 dated 1st April, 1937.
- 73 dated 1st May, 1937.
- 100 dated 15th June, 1939.
- 299 dated 1st October, 1953.
- 375 dated 15th November, 1953.

}  
The whole.

**ANNEXURE "A"**

Proclaimed Area of .....

**PERMIT TO SEEK WORK.**

(To be produced on demand to an authorised officer.)

No. ....

Native .....

Service Contract No. .... Tax Identity No. ....

having duly reported, has permission to reside at .....

and to seek work within the proclaimed area of .....

for seven/\* ..... days from this date.

.....

Registering Officer.

**NOTICE TO EMPLOYERS.**

This native must be brought or sent to the registering officer within three days after engagement with details of the contract filled in on the annexed form and a registration fee of two shillings (2/-).

*To the Registering Officer.*

Kindly register this native to:

- (1) Full name of employer (in block letters) .....
- .....
- (2) Residential address .....
- (3) If employer is a company, add name of manager or secretary (in block letters) .....
- (4) Date of engagement .....
- (5) Period of contract daily/weekly/monthly† .....
- (6) Wages agreed upon .....

**REGULATIONS  
Local Authorities Act 23 of 1992**

**Regulations for Natives in Proclaimed Areas**

- (7) Whether native will receive food/quarters/food and quarters† .....
- (8) †Period of notice agreed upon .....
- (9) Nature of employment .....
- (10) Any special condition .....

.....  
Signature of Employer.

Date .....

\* If period of availability is longer than seven days, delete the word "seven" and insert correct number.

† Delete words inapplicable.

**ANNEXURE "B"**

Proclaimed Area of .....  
**PERMIT TO BE IN THE PROCLAIMED AREA FOR A  
PURPOSE OTHER THAN SEEKING WORK.**  
(To be produced on demand to an authorised officer.)

No. ....

Native .....  
Service Contract No. .... District .....  
Tax Identity No. .... Tax Receipt Year .....  
residing at ..... having duly reported to me,  
has permission to remain in this proclaimed area till .....  
for the purpose of .....

.....  
Registering Officer.

Date Stamp.

NOTE. - This permit shall not be available for a period exceeding fourteen days from the date of issue.

**ANNEXURE "C"**

Proclaimed Area of .....  
**PROHIBITION AGAINST REMAINING IN PROCLAIMED AREA.**  
(To be produced on demand to an authorised officer.)

Native ..... of .....  
Tax Identity No. .... having duly reported his arrival in the proclaimed  
area has, for the following reasons, been refused permission to be in such area and has accordingly been  
warned to depart within a period of three days from the proclaimed area .....

- (1) Surplus of native labour; or
- (2) to maintain the labour quota for the proclaimed area; or
- (3) is required to carry a pass and is without pass; or
- (4) is apparently under the age of 18 years and is not accompanied by, coming to or residing with his  
parent or guardian in the proclaimed area; or
- (5) is medically unfit; or
- (6) has failed to report in due time.

(Delete whichever is inapplicable.)

.....  
Registering Officer.



**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

Date .....

**ANNEXURE "D"**

[Annexure D amended by GN 245/1956]

Serial No. .... Proclaimed Area of .....

**CERTIFICATE OF REGISTRATION.**

(To be produced on demand to an authorised officer.)

Native (name and surname) .....

Father ..... Chief .....

Kraalhead ..... Province or country of

birth .....

Tax Identity No. .... District of Domicile .....

Apparent age ..... Height ..... ft. .... in

Build ..... Complexion .....

Marks and prominent features .....

Medical officer's remarks .....

The native, whose particulars of identification are quoted above, is hereby authorised to remain in the proclaimed area and to reside at ..... in such area until ..... for the purpose of .....

.....  
Registering Officer.

(For reissues see Reverse.)

(Reverse of ANNEXURE "D".)

(1)

(2)

Voucher for fee on initial registration

This certificate has been reissued and is available until .....

(Repeat (2) 11 times)

.....  
Registering Officer.

**ANNEXURE "E"**

Face Value 2/-

Proclaimed Area of .....

**SERVICE CONTRACT.**

Authority for Issue.

Registered No. .... Date .....

(To be produced on demand to an authorised officer.)

**PARTICULARS OF SERVANT.**

Name ..... Name known by .....

Father ..... Chief .....

District of domicile ..... Tax Identity No. ....

Other particulars of identity .....

Name and address of employer .....

Date of engagement .....

Period of service .....

Rate of pay .....

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

Date of discharge .....  
 Signature of employer .....

**ANNEXURE "F"**

Face Value 2/-.

Serial No. ....

RECEIPT OF PAYMENTS OF MONTHLY FEE.

No. ....

Natives (Urban Areas) Proclamation, 1951.

Monthly fee in respect of native .....  
 Service contract No. ....  
 Month of .....  
 Employer .....  
 Address .....

**ANNEXURE "G"**

(Metal Badge.)

Togt or casual labourer .....  
 Name of proclaimed area .....  
 No. ....

**ANNEXURE "H"**

[Annexure H inserted by GN 245/1956]

Serial No. ....

Adhesive Stamp for Fees (1/ - or 6d)

Proclaimed Area of .....  
 Registered No. ....  
 Month of ..... 19.....

**ANNEXURE "I"**

[Annexure I inserted by GN 245/1956]

Proclaimed Area of .....

RETURN

Rendered by .....  
(Name of Employer.)  
 ..... Showing changes in native staff.  
 For month of ..... 19.....

Service Contract No.	Name (Native)	Date of New Registration	Date of Discharge	Date of Desertion	Date of Death	Total in Employ	Remarks
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**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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Brought forward from month of .....

NOTE.—To be rendered to the registering officer on or before the 7<sup>th</sup> day of each month.

**ANNEXURE “J”**

[Annexure J inserted by GN 245/1956]

Face Value 1/-

Proclaimed Area of .....

**SERVICE CONTRACT**

Authority for Issue .....

Registered No. .... Date .....

(To be produced on demand to an authorized officer.)

**PARTICULARS OF SERVANT**

Name ..... Name known by .....

Father ..... Chief .....

District of domicile .....

Tax identity No. ....

Other particulars of identity .....

Name and address of employer .....

Date of engagement .....

Period of service ..... Rate of pay .....

Date of discharge .....

Signature of employer .....

**ANNEXURE “K”**

[Annexure K inserted by GN 245/1956]

Face Value 1/-

Serial No. ....

Proclaimed Area of .....

**CERTIFICATE OF REGISTRATION**

**REGULATIONS**  
**Local Authorities Act 23 of 1992**  
**Regulations for Natives in Proclaimed Areas**

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(To be produced on demand to an authorized officer.)

Native (Name and surname) .....  
Father ..... Chief .....  
Kraalhead ..... Province or country of birth .....  
Tax identity No. ....  
District of Domicile .....  
Apparent age ..... Height ..... ft ..... in .....  
Build ..... Complexion .....  
Marks and prominent features .....  
Medical officer's remarks .....

The native, whose particulars of identification are quoted above, is hereby authorized to remain in the proclaimed area and to reside at ..... in such are until ..... for the purpose of .....

.....

Registering Officer

(For re-issue see Reverse.)  
(Reverse of Annexure "K")

1.  
Voucher for fee on initial  
registration

2.  
This certificate has been re-issued  
and is available until .....

(Repeat  
(2)  
11 times.)

.....

Registering Officer