

Namibia

Executive Powers (National Education) Transfer Proclamation, 1978 Proclamation AG1 of 1978

Legislation as at 11 January 1978

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PROCLAMATION

of the ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

TRANSFER OF ADMINISTRATION OF DEPARTMENT OF NATIONAL EDUCATION TO THE ADMINISTRATOR-GENERAL

Under the powers vested in me by Proclamation 181 of 19 August 1977, I hereby make the laws set out in the Schedule.

M. T. STEYN

Administrator-General

Windhoek, 11 January 1978

Schedule

1. Definition

- (1) In this Proclamation “General Proclamation” means the Executive Powers Transfer (General Provisions) Proclamation, 1977 (Proclamation AG. 7 of 1977).
- (2) A reference in this Proclamation to any particular law, shall be construed as including a reference to a regulation, rule or other enactment made under or relating to that law.

2. Transfer of administration of Department of National Education

Notwithstanding anything to the contrary contained in any other law but subject to the provisions of this Proclamation and the General Proclamation, the administration of the affairs of the territory

of South West Africa in relation to any matter which at the commencement of this Proclamation is administered by the Minister of National Education of the Republic of South Africa, shall be carried on by the Administrator-General.

3. Application of laws

- (1) A reference to any office of the Government of the Republic in the Archives Act, 1962 (Act [6 of 1962](#)), shall be construed as a reference to any office administered by or under the authority of the Administrator-General.
- (2) The provisions of subsection (1) of section 3 of the General Proclamation shall, without detracting from the provisions of subsection (2) of that section, not apply to -
 - (a) section 3(1) and the reference to Republic in sections 8 and 9(2)(a) and (b) of the Archives Act, 1962;
 - (b) the Heraldry Act, 1962 (Act [18 of 1962](#));
 - (c) the Human Sciences Research Act, 1968 (Act [23 of 1968](#));
 - (d) section 16 of the Cultural Institutions Act, 1969 (Act [29 of 1969](#));
 - (e) the Broadcasting Act, 1976 (Act [73 of 1976](#));
 - (f) the South African Teachers' Council for Whites Act, 1976 (Act [116 of 1976](#)).
- (3) Notwithstanding the provisions of section 3(2)(b) of the General Proclamation, the reference to the Minister of National Education in section 5(1)(j) and (l) and (4) of the National Monuments Act, 1968 (Act [28 of 1968](#)), shall be construed as a reference to the Administrator -General.

[Section 1(2) of the Archives Act Amendment Act 5 of 1979 provides that the reference to the Archives Act 6 of 1962 in section 3, or a provision thereof, shall be construed as a reference to that Act, or such provision, as amended by the Archives Amendment Act 32 of 1979 (RSA) which Act 5 of 1979 makes applicable to South West Africa. The Archives Act 6 of 1962 is no longer in force in Namibia.]

4. Short title

This Proclamation shall be called the Executive Powers (National Education) Transfer Proclamation, 1978.