OFFICIAL GAZETTE

EXTRAORDINARY

OF SOUTH WEST AFRICA

BUITENGEWONE

OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA

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PROCLAMATION

BY THE
ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

(Approved by the State President on 6 February 1979)

No. AG. 3 1979

PROVISION FOR CHANGE OF NAMES OR OFFICIAL TITLES OF CERTAIN INSTITUTIONS AND HOLDERS OF OFFICES AND REPLACEMENT OF WORD "BANTU" AND DERIVATIVES THEREOF IN ALL LAWS, AND FOR INCIDENTAL MATTERS

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

Swakopmund, 5 February 1979

PROKLAMASIE

van die
ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

(Deur die Staatspresident goedgekeur op 6 Februarie 1979)

No. AG. 3 1979

VOORSIENING VIR VERANDERING VAN NAME OF AMPTITELS VAN SEKERE INSTELLINGS EN AMPSBEKLEDERS EN VERVANGING VAN WOORD "BANTOE" EN AFLEIDINGS DAARVAN IN ALLE WETTE, EN VIR BYKOMSTIGE AANGELEENTHEDE

Kragtens die bevoegdheid my verleen by Proklamasie 181 van 19 Augustus 1977, maak ek hierby die wette in die Bylae vervat.

M. T. STEYN
Administrateur-generaal

Swakopmund, 5 February 1979

SCHEDULE

Change of names or official titles of certain institutions and holders of offices, and of "Bantu" and derivatives thereof

1. (1) In any law or document there is hereby substituted —

(a) for the expression "Department of Bantu Education", the expression "Department of Education and Training";

(b) for the expression "Minister of Bantu Education", the expression "Minister of Education and Training";

(c) for the expression "Secretary for Bantu Education", the expression "Secretary for Education and Training";

(d) for the expression "Department of Bantu Administration and Development", the expression "Department of Plural Relations and Development";

(e) for the expression "Minister of Bantu Administration and Development", the expression "Minister of Plural Relations and Development";

(f) for the expression "Secretary for Bantu Administration and Development", the expression "Secretary for Plural Relations and Development";

(g) for the expressions "chief native commissioner" and "Chief Bantu Affairs Commissioner", the expression "Chief Commissioner";

(h) for the expressions "assistant chief native commissioner" and "Assistant Chief Bantu Affairs Commissioner", the expression "Assistant Chief Commissioner";

(i) for the expressions "native commissioner" and "Bantu Affairs Commissioner", the expression "Commissioner";

(j) for the expressions "additional native commissioner" and "Additional Bantu Affairs Commissioner", the expression "Additional Commissioner";

(k) for the expressions "assistant native commissioner" and "Assistant Bantu Affairs Commissioner", the expression "Assistant Commissioner";

(l) for the expressions "native commissioner's court" and "court of a Bantu Affairs Commissioner", the expression "Commissioner's Court";

BYLAE

Verandering van name of ampstitels van sekere instellings en ampsbekleders, en van "Bantoe" en afleidings daarvan

1. (1) Hierby word in enige wet of dokument —

(a) die uitdrukking "Departement van Bantoe-onderwys" deur die uitdrukking "Departement van Onderwys en Opleiding" vervang;

(b) die uitdrukking "Minister van Bantoe-onderwys" deur die uitdrukking "Minister van Onderwys en Opleiding" vervang;

(c) die uitdrukking "Sekretaris van Bantoe-onderwys" deur die uitdrukking "Sekretaris van Onderwys en Opleiding" vervang;

(d) die uitdrukking "Departement van Bantoe-administrasie en -ontwikkeling" deur die uitdrukking "Departement van Plurale Betrekkinge en Ontwikkeling" vervang;

(e) die uitdrukking "Minister van Bantoe-administrasie en -ontwikkeling" deur die uitdrukking "Minister van Plurale Betrekkinge en Ontwikkeling" vervang;

(f) die uitdrukking "Sekretaris van Bantoe-administrasie en -ontwikkeling" deur die uitdrukking "Sekretaris van Plurale Betrekkinge en Ontwikkeling" vervang;

(g) die uitdrukkings "hoofnaturellekommissaris" en "Hoofbantoesakekommissaris" deur die uitdrukking "Hoofkommissaris" vervang;

(h) die uitdrukkings "assistent-hoofnaturellekommissaris" en "Assistent-hoofbantoesakekommissaris" deur die uitdrukking "Assistent-hoofkommissaris" vervang;

(i) die uitdrukkings "naturellekommissaris" en "Bantoesakekommissaris" deur die uitdrukking "Kommissaris" vervang;

(j) die uitdrukkings "addisionele naturellekommissaris" en "Addisionele Bantoesakekommissaris" deur die uitdrukking "Addisionele Kommissaris" vervang;

(k) die uitdrukkings "assistent-naturellekommissaris" en "Assistent-Bantoesakekommissaris" deur die uitdrukking "Assistent-kommissaris" vervang;

(l) die uitdrukkings "naturellekommissarishof" en "Bantoesakekommissarishof" deur die uitdrukking "Kommissarishof" vervang;

(m) for the expressions "Bantu Trust and Land Act", "South African Bantu Trust" and "Bantu Trust", the expressions "Development Trust and Land Act", "South African Development Trust" and "Development Trust", respectively;

(n) for the expressions "Bantu beer" and "kaffir beer", the expressions "sorghum beer";

(o) for the expression "kaffir beer account", the expression "sorghum beer account".

(2) Subject to the provisions of this section, there is hereby substituted for the word "Bantu" wherever it occurs in any law as a reference to a person or persons, the word "Black" or "Blacks", as the context in question may require.

(3) Subject to the provisions of this section, there is hereby substituted for any compound word, or any expression, of which the word "Bantu" or any derivative thereof forms a part, wherever such compound word or expression occurs in any law, the corresponding compound word, or the corresponding expression, of which the word "Black" or the corresponding derivative thereof froms a part: Provided that in every such compound word or such expression in the Afrikaans text of any law the word "Swart" shall be written separately from the other words of that compound word or expression.

Substitution of section 3A of Act 56 of 1954, as inserted by section 4 of Act 23 of 1972.

2. The following section is hereby substituted for section 3A of the South West Africa Native Affairs Administration Act, 1954:

"Construction of the word 'Black'.

3A. (1) Any reference in any law in force in the territory, including the Eastern Caprivi Zipfel, or in any document, relating to any matter in such territory, to a Black, being a reference to a person, shall be construed as a reference to a native, and any word or expression in any such law or document connected with a Black shall be construed accordingly.

(2) Unless a contrary intention appears form the provisions of any law or document, the word 'native', for the purpose of the application of subsection (1), shall have the meaning assigned to it in section 25 of the Native Administration Proclamation, 1928 (Proclamation 15 of 1928), of the territory.".

(m) die uitdrukkings "Bantoetrust en -grond Wet", "Suid-Afrikaanse Bantoetrust" en "Bantoetrust" deur onderskeidelik die uitdrukkings "Ontwikkelingstrust en Grond Wet", "Suid-Afrikaanse Ontwikkelingstrust" en "Ontwikkelingstrust" vervang;

(n) die uitdrukkings "Bantoebier" en "kafferbier" deur die uitdrukking "sorghumbier" vervang;

(o) die uitdrukking "kafferbierrekening" deur die uitdrukking "sorghumbierrekening" vervang.

(2) Behoudens die bepalings van hierdie artikel word die woorde "Bantoe" en "Bantoes" oral waar hulle in 'n wet voorkoms as 'n verwysing na 'n persoon of persone, hierby deur onderskeidelik die woorde "Swarte" en "Swartes" vervang.

(3) Behoudens die bepalings van hierdie artikel word 'n saamgestelde woord, of 'n uitdrukking, waarvan die woord "Bantoe" of 'n afleiding daarvan deel uitmaak, oral waar sodanige saamgestelde woord of uitdrukking in 'n wet voorkom, hierby deur die ooreenstemmende saamgestelde woord of die ooreenstemmende uitdrukking waarvan die woord "Swart" of die ooreenstemmende afleiding daarvan deel uitmaak, vervang: Met dien verstande dat in elke sodanige saamgestelde woord of sodanige uitdrukking in die Afrikaanse teks van 'n wet die woord "Swart"' los van die ander woorde van daardie saamgestelde woord of uitdrukking geskryf word.

Vervanging van artikel 3A van Wet 56 van 1954, soos ingevoeg deur artikel 4 van Wet 23 van 1972

2. Artikel 3A van die Wet op die Administrasie van Naturellesake in Suidwes-Afrika, 1954, word hierby deur die volgende artikel vervang:

"Uitleg van die woord 'Swarte'

3A. (1) 'n Verwysing in 'n wet wat van krag is in die gebied, met inbegrip van die Oostelik Caprivi Zipfel, of in 'n dokument, met betrekking tot 'n aangeleentheid in sodanige gebied, na 'n Swarte, synde 'n verwysing na 'n persoon, word as 'n verwysing na 'n naturel uitgelê, en 'n woord of uitdrukking in so 'n wet of dokument, wat in verband staan met 'n Swarte, word dienooreenkomstig uitgelê.

(2) Tensy uit die bepalings van 'n wet of dokument 'n ander bedoeling blyk, het die woord 'naturel', vir die doeleindes van die toepassing van subartikel (1), die betekenis wat daaraan gegee is in artikel 25 van die Naturelleadministrasie-Proklamasie, 1928 (Proklamasie 15 van 1928), van die gebied.".

Repeal of laws

3. Section 16 of the Bantu Laws Amendment Act, 1962 (Act 46 of 1962), and section 100 of the Bantu Laws Amendment Act, 1964 (Act 42 of 1964), in so far as the provisions thereof are applicable in the territory of South West Africa, are hereby repealed.

Saving

4. The provisions of this Proclamation shall not affect the operation of section 17 of the Second Bantu Laws Amendment Act, 1978 (Act 102 of 1978), in relation to an Act of Parliament to which the provisions of section 3(5) of the Executive Powers Transfer (General Provisions) Proclamation, 1977 (Proclamation AG. 7 of 1977), do not apply.

Short title and commencement

5. (1) This Proclamation shall be called the Native Laws Amendment Proclamation, 1979, and its provisions, except paragraphs (a), (b) and (c) of section 1(1), shall be deemed to have come into operation on 1 August 1978.

(2) Paragraphs (a), (b) and (c) of section 1(1) shall be deemed to have come into operation on 17 May 1978.

Herroeping van wette

3. Artikel 16 van die Wysigingswet op Bantoewetgewing, 1962 (Wet 46 van 1962), en artikel 100 van die Wysigingswet op Bantoewetgewing, 1964 (Wet 42 van 1964), vir sover die bepalings daarvan in die gebied Suidwes-Afrika van toepassing is, word hierby herroep.

Voorbehoud

4. Die bepalings van hierdie Proklamasie raak nie die uitwerking van artikel 17 van die Tweede Wysigingswet op Bantoewetgewing, 1978 (Wet 102 van 1978), met betrekking tot 'n Wet van die Parlement waarop die bepalings van artikel 3(5) van die Proklamasie op die Oordrag van Uitvoerende Gesag (Algemene Bepalings), 1977 (Proklamasie AG. 7 van 1977), nie van toepassing is nie.

Kort titel en inwerkingtreding

5. (1) Hierdie Proklamasie heet die Wysigingsproklamasie op Naturellewetgewing, 1979, en die bepalings daarvan, behalwe paragrawe (a), (b) en (c) van artikel 1(1), word geag op 1 Augustus 1978 in werking te getree het.

(2) Paragrawe (a), (b) en (c) van artikel 1(1) word geag op 17 Mei 1978 in werking te getree het.

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