

EXTRAORDINARY



BUITENGEWONE

THE UNION OF SOUTH AFRICA

Government Gazette

Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

[Registered at the General Post Office as a Newspaper.]

[Geregistreer by die Hoofposkantoor as 'n Nuusblad.]

VOL. CXL.] PRICE 6d.

CAPE TOWN, 22ND JUNE, 1945.
KAAPSTAD, 22 JUNIE 1945.

PRYS 6d. No. 3514.

OFFICE OF THE PRIME MINISTER.

KANTOOR VAN DIE EERSTE MINISTER.

The following Government Notice is published for general information:—

Onderstaande Goewermentskennisgewing word ter algemene inligting gepubliseer:—

No. 1066.] [22nd June, 1945.

No. 1066.] [22 Junie 1945.

It is hereby notified that His Excellency the Officer Administering the Government has been pleased to assent to the following Acts, which are hereby published for general information:—

Hierby word bekendgemaak dat dit Sy Eksellensie die Amptenaar Belas met die Uitoeffening van die Uitvoerende Gesag behaag het om sy goedkeuring te heg aan onderstaande Wette wat hierby ter algemene inligting gepubliseer word:—

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No. 33, 1945.]

ACT

To promote scientific and industrial research, for that purpose to establish a South African Council for Scientific and Industrial Research, to define the objects for which it is established, to prescribe the manner in which it shall be managed and controlled and to provide for other incidental matters.

(English Text signed by the Officer Administering the Government.)

(Assented to on 8th June, 1945.)

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—

- “council” means the Council for Scientific and Industrial Research established under section two;
- “Minister” means the Minister of State to whom the administration of this Act has been assigned by proclamation under section sixteen;
- “president” means the president of the council appointed under sections five and six;
- “Union” includes the mandated territory of South-West Africa.

Establishment of Council for Scientific and Industrial Research.

2. As from a date to be fixed by the Governor-General by proclamation in the *Gazette*, there shall be established a council to be known as the Council for Scientific and Industrial Research which shall be a body corporate, capable of suing and being sued in its corporate name, and of performing all such acts as are necessary for or incidental to the carrying out and the performance of its objects, functions and duties.

Functions and duties of council.

3. The council shall have charge of all such matters affecting scientific and industrial research in the Union as may be assigned to it by the Minister, or which the council may of its own accord and with the approval of the Minister promote, and shall advise the Minister on all questions of scientific and technological methods affecting the utilization of the natural resources of the Union, the development of its industries, and the proper co-ordination and employment of scientific research to those ends.

Objects of the council.

4. (1) Without prejudice to the generality of the functions conferred and the duties imposed upon the council by section three, the objects for which the council is established are—

- (a) to promote the utilization of the natural resources of the Union;
- (b) to undertake testing, investigation and researches, in such manner as it may deem advisable, with the object of improving the technical processes and methods used in industry, of discovering processes and methods which may promote the expansion of existing or the development of new industries or the better utilization of waste products;
- (c) to undertake or aid scientific research in relation to such matters as the Minister may refer to it for investigation;
- (d) to provide and control facilities for the testing and calibration of precision instruments, gauges and apparatus, the determination of their degree of accuracy and their certification;
- (e) to provide and control facilities required for research in relation to standardization in industry and commerce;
- (f) to maintain standards of physical quantities, including length, volume, weight, mass, capacity, time, heat, light, electricity, magnetism, sound and other forms of energy, and to arrange for their comparison with international standards from time to time;
- (g) to foster the training of research workers and to establish and award research bursaries;
- (h) to make grants in aid of research;

No. 33, 1945.]

WET

Tot bevordering van wetenskaplike en nywerheidsnavorsing, om vir daardie doel 'n Suid-Afrikaanse Wetenskaplike en Nywerheidsnavorsingsraad in te stel, die oogmerke waarvoor dit ingestel word te omskryf, en die wyse waarop dit bestuur en beheer moet word, voor te skryf, en vir ander daarmee in verband staande aangeleenthede voorsiening te maak.

(Engelse Teks deur die Amptenaar Belas met die Uitoefening
van die Uitvoerende Gesag geteken.)
(Goedgekeur op 8 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

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

„raad” die by artikel twee ingestelde Wetenskaplike en Nywerheidsnavorsingsraad;

„Minister” die Staatsminister aan wie die uitvoering van hierdie Wet by proklamasie ingevolge artikel sestion opgedra is;

„president” die ingevolge artikels vyf en ses aangestelde president van die raad;

„Unie” ook die mandaatgebied van Suidwes-Afrika.

2. Vanaf 'n deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaalde datum, word daar 'n raad, met die naam van die Wetenskaplike en Nywerheidsnavorsingsraad, ingestel, wat met regs persoonlikheid bekleed is en bevoeg is om in sy naam as regspersoon as eiser en verweerder in regte op te tree, en om alle sodanige handelings te verrig as wat nodig mag wees vir, of in verband mag staan met, die uitvoering en die verrigting van sy oogmerke, werksaamhede en ampspligte.

Instelling van
Wetenskaplike en
Nywerheids-
navorsingsraad.

3. Die raad het beheer oor alle sodanige aangeleenthede betreffende wetenskaplike en nywerheidsnavorsing in die Unie as wat die Minister aan hom mag toewys, of wat die raad uit eie beweging met goedkeuring van die Minister mag bevorder, en moet die Minister van advies dien aangaande alle vraagstukke insake wetenskaplike en tegnologiese metodes betreffende die gebruikmaking van die natuurlike produktiewe kragte van die Unie, die ontwikkeling van sy nywerhede, en die behoorlike koördinasie en aanwending van wetenskaplike navorsing vir daardie doel.

Werksaamhede
en ampspligte
van raad.

4. (1) Onverminderd die algemeenheid van die werksaamhede en ampspligte wat by artikel drie aan die raad verleen en opgelê word, is die oogmerke waarvoor die raad ingestel word—

Oogmerke van
raad.

(a) om die gebruikmaking van die natuurlike produktiewe kragte van die Unie te bevorder;

(b) om toetse, ondersoeke en navorsings, op sodanige wyse as wat hy raadsaam ag, te onderneem met die doel om tegniese prosesse en metodes in die nywerheid te verbeter, om prosesse en metodes uit te vind wat die uitbreiding van bestaande of die ontwikkeling van nuwe nywerhede of die beter gebruikmaking van afvalprodukte sal bevorder;

(c) om wetenskaplike navorsing in verband met sodanige aangeleenthede as wat die Minister na die raad vir ondersoek verwys, te onderneem of te steun;

(d) om fasiliteite daar te stel en te beheer vir die toets en kalibreer van eksakte werktuie, meet- en ander apparate, die bepaling van hul juistheidsgraad en die sertifisering daarvan;

(e) om fasiliteite daar te stel en te beheer vir navorsing in verband met standaardisasie in die nywerheid en die handel;

(f) om standarde van fisiese hoeveelhede, met inbegrip van lengte, volume, gewig, massa, kapasiteit, tyd, hitte, lig, elektrisiteit, magnetisme, klank en ander vorms van energie in stand te hou, en om voorsiening te maak vir hul vergelyking van tyd tot tyd met internasionale standarde;

(g) om die opleiding van navorsingswerkers te bevorder en om navorsingsbeurse in te stel en toe te staan;

(h) om by te dra ten bate van navorsing;

- (i) to foster, recognize and aid the establishment of associations of persons engaged in industry for the purpose of carrying out scientific industrial research, and to co-operate with and, subject to conditions approved by the Minister, make grants to such recognized or established associations;
 - (j) to establish and control facilities for the collection and dissemination of information relating to scientific and technical matters;
 - (k) to act as liaison between the Union and other countries in matters relating to scientific and industrial research.
- (2) For the achievement of its objects the Minister may authorize the council—
- (a) to co-operate with government departments, universities, technical colleges and other persons for the promotion of scientific and industrial research;
 - (b) to co-operate with educational authorities and scientific or technical societies in the Union for the promotion of—
 - (i) the teaching of science in schools, technical colleges and universities;
 - (ii) the training of investigators in pure and applied science, and of technical experts; and
 - (iii) the training of craftsmen and skilled artisans;
 - (c) to co-operate with persons and organizations who undertake scientific or industrial research in other countries.

Constitution of council.

5. (1) The council shall consist of a president and nine other members who shall be appointed by the Governor-General from persons who have distinguished themselves in science or industry, or who are otherwise specially qualified in relation to some aspect of the work of the council.

(2) The members of the council, with the exception of the president, shall hold office for a period of three years: Provided that of the members first appointed, three shall be appointed for a period of three years, three for two years and three for one year.

(3) A member whose period of office has terminated shall be eligible for re-appointment.

(4) No member of the council, other than the president and the members of the executive committee referred to in section *eight*, or such members as are members of a subsidiary committee referred to in section *nine*, shall receive any remuneration for his services, but a member may, out of the funds of the council, receive such allowances in respect of travelling and other out-of-pocket expenses in connection with the work of the council as may be approved by the Minister in consultation with the Minister of Finance.

President of the council.

6. (1) The president shall preside at all meetings of the council, shall be the chief executive officer of the council and shall exercise supervision over the officers of the council and shall manage and control the work authorized by the council.

(2) The president shall, out of the funds of the council, receive such remuneration and allowances and shall be appointed for such period as the Governor-General may determine.

(3) Whenever for any reason the president is absent or unable to fulfil his duties, or whenever there is a vacancy in the office of president, the Minister may, subject to such conditions and the payment of such remuneration and allowances as he may in consultation with the Minister of Finance determine, appoint some other person to act as president during such absence or inability, or until a president has been duly appointed.

Meetings of council.

7. (1) The first meeting of the council shall be held at such time and place as the Minister may determine, and all subsequent meetings shall be held at such times and places as the council may fix.

(2) The president may at any time call a special meeting of the council to be held at such time and place as he may direct.

(3) The quorum for a meeting of the council shall be five of the members thereof.

(4) All decisions at any meeting of the council shall be by resolution by majority vote of the members present thereat, and in the event of an equality of votes on any matter, the president or acting president presiding at the meeting shall have a casting vote in addition to his deliberative vote.

Executive committee.

8. (1) There shall be an executive committee of the council consisting of the president and two members of the council selected annually by the council.

- (i) om die instelling van verenigings van persone in die nywerheid met die doel om wetenskaplike nywerheidsnavorsing te doen, te bevorder, te erken en te steun, en om met sulke erkende of ingestelde verenigings saam te werk, en, op die voorwaardes wat die Minister goedkeur, bydraes aan hulle toe te ken;
- (j) om geriewe daar te stel en te beheer vir die insameling en verspreiding van inligting in verband met wetenskaplike en tegniese aangeleenthede;
- (k) om as verbinding op te tree tussen die Unie en ander lande in wetenskaplike en nywerheidsnavorsingsaangeleenthede.
- (2) Ter bereiking van sy oogmerke kan die Minister die raad magtig—
- (a) om met staatsdepartemente, universiteite, tegniese kolleges en ander persone vir die bevordering van wetenskaplike en nywerheidsnavorsing saam te werk;
- (b) om met onderwys-bestuursliggame en wetenskaplike of tegniese verenigings in die Unie saam te werk vir die bevordering van—
- (i) die onderwys van die wetenskap in skole, tegniese kolleges en universiteite;
- (ii) die opleiding van ondersoekers in reine en toegepaste wetenskap, en van tegniese deskundiges; en
- (iii) die opleiding van vakmanne en geskoolde ambagsmanne;
- (c) om met persone en verenigings wat wetenskaplike en nywerheidsnavorsing in ander lande onderneem, saam te werk.
5. (1) Die raad bestaan uit 'n president en nege ander lede wat deur die Goewerneur-generaal aangestel word uit persone wat hulself in die wetenskap of die nywerheid onderskei het of wat andersins spesiaal bevoeg is met betrekking tot een of ander aspek van die werk van die raad. Samestelling van raad.
- (2) Die lede van die raad, met uitsondering van die president, beklee hulle amp vir 'n tydperk van drie jaar: Met dien verstande dat van die eerste lede wat aangestel word, drie vir drie jaar, drie vir twee jaar en drie vir een jaar, aangestel word.
- (3) 'n Lid wie se ampstermyn verstryk het, kan weer aangestel word.
- (4) Geen lid van die raad, behalwe die president en lede van die in artikel *agt* bedoelde uitvoerende komitee, of sodanige lede as wat lede van 'n in artikel *nege* bedoelde hulpkomitee is, ontvang enige besoldiging ten opsigte van sy dienste nie, maar 'n lid kan, uit die fondse van die raad, sodanige reistoelaes en ander lopende uitgawes in verband met die werk van die raad ontvang as wat deur die Minister, in oorleg met die Minister van Finansies, goedgekeur mag word.
6. (1) Die president tree as voorsitter op by vergaderings van die raad, is die hoof uitvoerende amptenaar van die raad, hou toesig oor die amptenare van die raad, en bestuur en beheer die deur die raad gemagtigde werk. President van die raad.
- (2) Die president ontvang uit die fondse van die raad sodanige besoldiging en toelaes, en word aangestel vir sodanige tydperk as wat die Goewerneur-generaal mag bepaal.
- (3) Wanneer die president om een of ander rede afwesig is of nie in staat is om sy ampspligte uit te voer nie, of wanneer die presidentsamp vakant is, kan die Minister iemand anders, op sulke voorwaardes en onderworpe aan die betaling van sodanige besoldiging en toelaes as wat hy in oorleg met die Minister van Finansies mag bepaal, aanstel om tydens sodanige afwesigheid of onvermoë, of totdat 'n president behoorlik aangestel is, as president op te tree.
7. (1) Die eerste vergadering van die raad word gehou op die tyd en plek wat die Minister mag bepaal, en alle daaropvolgende vergaderings word gehou op die tye en plekke wat die raad mag vasstel. Vergaderings van die raad.
- (2) Die president kan te eniger tyd 'n spesiale vergadering van die raad byeenroep, wat gehou moet word op die tyd en plek wat die president mag gelas.
- (3) Die kworum vir 'n vergadering van die raad is vyf lede daarvan.
- (4) Alle besluite op 'n vergadering van die raad geskied by meerderheidsbesluit van die aanwesige lede, en by 'n staking van stemme oor enige saak, het die president of waarnemende president wat op die vergadering as voorsitter optree, 'n beslissende stem benewens sy beraadslagende stem.
8. (1) Daar is 'n uitvoerende komitee van die raad, bestaande uit die president en twee lede van die raad wat jaarliks deur die raad gekies word. Uitvoerende komitee.

(2) The executive committee shall, under the supervision of the council, exercise all the functions and perform all the duties of the council.

(3) The members of the executive committee, with the exception of the president, shall, out of the funds of the council, receive such remuneration and allowances in respect of their services as the Minister, in consultation with the Minister of Finance, may determine.

Subsidiary
committees.

9. (1) The council may establish subsidiary committees to assist it in the exercise of its functions and the performance of its duties, and may appoint such persons, including officers of the council, as it may deem fit to be members of any such committee.

(2) The council may assign to a committee so established such of its powers as it may deem fit, but shall not be divested of any power which it may have assigned to a committee, and may amend or withdraw any decision made by a committee.

(3) The members of a subsidiary committee, with the exception of the president and officers of the council, shall, out of the funds of the council, receive such remuneration and allowances in respect of their services as the Minister in consultation with the Minister of Finance, may determine.

Officers of the
council.

10. (1) The council may, for such periods and subject to such conditions as may be prescribed appoint such officers as it may deem necessary to assist it in carrying out the objects for which it is established.

(2) The president and other full-time officers of the council occupying posts approved by the Minister shall become members of and shall contribute to the Provident Fund established under section *twelve* of the Higher Education Additional Provision Act, 1917 (Act No. 20 of 1917) in the same manner and subject to the same conditions as if they were members of the teaching or administrative staff of a college or university as defined by section *one* of the said Act, and the council shall for all purposes of the said Provident Fund be regarded as a college or university as so defined.

(3) The council shall be deemed to be a "council" as defined by the regulations governing the said Provident Fund and shall, anything to the contrary notwithstanding, pay to the said Provident Fund the contributions that would otherwise have been payable by the Government in respect of the president and officers of the council who become members of the said Provident Fund.

(4) For the purposes of sections *twenty-six* and *twenty-seven* of the Government Service Pensions Act, 1936 (Act No. 32 of 1936), as amended, the council shall be deemed to be an institution of higher education.

(5) The Minister may on the recommendation of the Public Service Commission second any officer in the public service to the service of the council. Such officer shall while so seconded remain in all respects subject to the laws governing the public service.

Discoveries,
inventions and
improvements by
officers of the
council and
others, and the
payment of
bonuses to such
persons.

11. (1) Subject to the provisions of section *twelve* the rights in all discoveries, inventions and in all improvements in respect of processes, apparatus and machines made by officers of the council or persons holding research bursaries awarded by the council, shall be vested in the council and such discoveries, inventions and improvements shall be made available for use in the public interest subject to such conditions and the payment of such fees or royalties as the council may, in accordance with regulations made by the Governor-General, determine.

(2) The council may, out of its funds, pay to a discoverer or inventor working as an officer of the council or as a person holding a research bursary awarded by the council, such bonus, or make provision for such financial participation in the profits derived from the relevant discovery or invention, as the Minister, in consultation with the Minister of Finance, may determine.

(3) The council may apply for letters patent in respect of any discovery, invention or improvement referred to in subsection (1), and shall for the purpose of the Patents, Designs, Trade Marks and Copyright Act, 1916 (Act No. 9 of 1916) be regarded as the assignee of the discoverer or inventor.

Special investiga-
tions at the
request of any
person with
the specific
object of making
discoveries,
inventions or
improvements.

12. (1) The council may, at the request of any person, and at such place and subject to such conditions and the payment of such charges as may be agreed upon, carry out or cause to be carried out through its officers or through persons holding research bursaries awarded by the council or through persons to whom special grants were made by the council, special investigations with the specific object of the discovery or invention of or the improvement in respect of any process, apparatus or machine.

(2) Onder die toesig van die raad verrig en vervul die uitvoerende komitee al die werksaamhede en ampspligte van die raad.

(3) Die lede van die uitvoerende komitee, met uitsondering van die president, ontvang, uit die fondse van die raad, sodanige besoldiging en toelaes ten opsigte van hulle dienste as wat die Minister, in oorleg met die Minister van Finansies, mag bepaal.

9. (1) Die raad kan hulpkomitees instel om hom by die Hulpkomitees. verrigting van sy werksaamhede en die vervulling van sy ampspligte by te staan, en kan na goeëdunke persone, met inbegrip van amptenare van die raad, as lede van so 'n komitee aanstel.

(2) Die raad kan na goeëdunke van sy bevoegdheide aan 'n aldus ingestelde komitee toewys, maar word nie onthef van 'n bevoegdheid wat hy aan 'n komitee toegewys het nie, en kan 'n besluit van 'n komitee wysig of intrek.

(3) Die lede van 'n hulpkomitee, met uitsondering van die president en amptenare van die raad, ontvang, uit die fondse van die raad sodanige besoldiging en toelaes ten opsigte van hulle dienste as wat die Minister, in oorleg met die Minister van Finansies, mag bepaal.

10. (1) Die raad kan, vir sodanige tydperke en op sodanige Amptenare voorwaardes as wat voorgeskryf mag word, sodanige amptenare van die raad. aanstel as wat hy nodig ag om hom by te staan ter bereiking van die oogmerke waarvoor hy ingestel word.

(2) Die president en ander voltydse amptenare van die raad wat deur die Minister goedgekeurde poste beklee, word lede van en dra tot die kragtens artikel *twaalf* van die „Wet tot Addisionele Regeling van het Hoger Onderwijs, 1917” (Wet No. 20 van 1917) ingestelde voorsorgsfonds by op dieselfde wyse en op dieselfde voorwaardes asof hulle lede was van die onderwys- of administratiewe personeel van 'n kollege of universiteit soos by artikel *een* van genoemde Wet omskrywe, en die raad word vir alle doeleindes van genoemde voorsorgsfonds beskou as 'n kollege of universiteit soos aldus omskrywe.

(3) Die raad word geag 'n „raad” te wees soos omskrywe in die regulasies wat genoemde voorsorgsfonds reël, en moet, ondanks andersluidende bepalinge, die bydraes wat andersins deur die Regering betaalbaar sou gewees het ten opsigte van die president en amptenare van die raad wat lede van genoemde voorsorgsfonds word, op die voorsorgsfonds inbetaal.

(4) By die toepassing van artikels *ses-en-twintig* en *sewen-en-twintig* van die Regeringsdiens Pensioenwet, 1936 (Wet No. 32 van 1936) soos gewysig, word die raad geag 'n inrigting vir hoër onderwys te wees.

(5) Die Minister kan op aanbeveling van die Staatsdienskommissie enige amptenaar in die staatsdiens tydelik oorplaas na die diens van die raad. Sodanige amptenaar bly, tydens sodanige tydelike oorplasing, in alle opsigte onderhewig aan die wette wat die Staatsdiens reël.

11. (1) Behoudens die bepalinge van artikel *twaalf* berus die regte op al die ontdekkings, uitvindings en op alle verbeterings ten opsigte van prosesse, apparaat en masjiene wat deur amptenare van die raad of deur persone wat deur die raad toegekende beurse hou, gemaak word, by die raad, en sodanige ontdekkings, uitvindings en verbeterings word beskikbaar gestel vir gebruik in die openbare belang op sodanige voorwaardes en onderworpe aan die betaling van sodanige gelde of tantième as wat die raad, ooreenkomstig deur die Goewerneur-generaal uitgevaardigde regulasies, bepaal.

Ontdekkings, uitvindings en verbeterings deur amptenare van die raad en andere, en die toekennings van bonusse aan sodanige persone.

(2) Die raad kan uit sy fondse aan 'n ontdekker of uitvinder wat as amptenaar van die raad of as persoon wat 'n deur die raad toegekende beurs hou, werk doen, sodanige bonus toeken, of voorsiening maak vir sodanige geldelike deelname in die winste verkry uit die betrokke ontdekking of uitvinding, as wat die Minister, in oorleg met die Minister van Finansies, mag bepaal.

(3) Die raad kan aansoek doen om 'n patentbrief ten opsigte van enige in sub-artikel (1) bedoelde ontdekking, uitvinding, of verbetering, en vir die doeleindes van die Wet op „Patenten, Modellen, Handelsmerke en Auteursrecht, 1916” (Wet No. 9 van 1916) word die raad beskou as die sessionaris van die ontdekker of uitvinder.

12. (1) Die raad kan, op versoek van enige persoon, en op sodanige plek en op sodanige voorwaardes en onderworpe aan die betaling van sodanige koste as wat op ooreengekom mag word, spesiale ondersoeke instel of laat instel deur middel van sy amptenare of deur middel van persone wat deur die raad toegekende beurse hou of deur middel van persone aan wie die raad spesiale toekennings gemaak het, met die bepaalde doel om 'n ontdekking of uitvinding van of 'n verbetering ten opsigte van 'n proses, apparaat of masjien te maak.

Spesiale ondersoeke op versoek van enige persoon met die bepaalde doel om ontdekkings, uitvindings of verbeterings te maak.

(2) The rights in any discovery, invention or improvement so made shall be vested in either the council, or the person who requested the investigation, or the person who made the discovery, invention or improvement if he is a person to whom a special grant was made by the council, as may be provided by a written agreement entered into by the parties concerned prior to the investigation.

(3) Any discoveries, inventions or improvements the rights to which are vested in the council in pursuance of an agreement referred to in sub-section (2), shall be made available for use in the public interest and the council may apply for letters patent in respect thereof, as if they were discoveries, inventions or improvements referred to in sub-section (1) of section *eleven*.

(4) If the rights to any discovery, invention or improvement are in pursuance of an agreement referred to in sub-section (2) vested in any person other than the council, the said discovery, invention or improvement shall be used or be made available for use in the public interest subject to such conditions as may be provided by the agreement.

Auditing and
annual report.

13. (1) (a) The accounts and balance sheet of the council shall be audited each year by or under the direction of the Controller and Auditor-General.

(b) The provisions of sections *thirteen* and *fourteen* of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), shall *mutatis mutandis* apply in respect of any such audit: Provided that any reference in the said sections as so applied to officers in the public service shall be deemed to be a reference to the officers of the council.

(c) As soon as may be after any such audit the Controller and Auditor-General shall transmit to the Minister and the council a report in respect of the audit.

(2) An amount which shall be determined by the Treasury after consultation with the Controller and Auditor-General shall be paid out of the funds of the council to the Treasury for any such audit.

(3) The council shall submit to the Minister such information as he may call for from time to time in respect of its activities and its financial position, and shall in addition submit to the Minister an annual report, including a balance sheet and a statement of income and expenditure certified by the Controller and Auditor-General, and such other particulars, including an estimate of expenditure in respect of the following financial year, as the Minister may require, and such report shall be laid by the Minister on the Tables of both Houses of Parliament within fourteen days of receipt thereof if Parliament is then in ordinary session, or, if Parliament is not then in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.

Financing of
the council.

14. (1) The council shall establish a capital fund to the credit of which shall be placed any moneys voted by Parliament for the purpose and any contributions thereto received from any other source.

(2) The capital fund shall be utilized only for expenditure of a capital nature, but any proceeds derived from the unexpended portion thereof may either be added to the fund or, with the approval of the Minister, utilized for the objects for which the council is established, in a manner to be determined by the council.

(3) The Minister may, out of funds appropriated by Parliament for the purpose, and subject to such conditions as the Minister of Finance may impose, contribute annually, for the purposes referred to in sub-section (4), such an amount as the Minister, in consultation with the Minister of Finance, may determine.

(4) The moneys contributed under sub-section (3) shall be utilized by the council to defray its annual running expenses, including the remuneration and allowances of the president and other members of the council, members of the executive committee established under section *eight* and of any subsidiary committee established under section *nine*, and of the officers of the council appointed under section *ten*, and any balance of those moneys remaining at the end of a financial year of the council may, subject to the directions of the council, be used for defraying the running expenses of the next financial year of the council or utilized for the objects for which the council is established.

(5) Subject to the provisions of any regulations made under section *fifteen*, the council may, in respect of any services rendered by it under this Act, charge such fees or make such financial arrangements as it may deem fit, and may deal

(2) Die regte op 'n ontdekking, uitvinding of verbetering aldus gemaak berus of by die raad of by die persoon wat die ondersoek versoek het of by die persoon wat die ontdekking, uitvinding of verbetering gemaak het mits hy iemand is aan wie 'n spesiale toekenning deur die raad gedoen is, soos by 'n skriftelike ooreenkoms wat voor die ondersoek deur die betrokke partye aangegaan is, bepaal word.

(3) Enige ontdekkings, uitvindings of verbeterings die regte waarop ten gevolge van 'n in sub-artikel (2) bedoelde ooreenkoms by die raad berus, word beskikbaar gestel vir gebruik in die openbare belang, en die raad kan aansoek doen om patentbriewe ten opsigte daarvan, asof hulle in sub-artikel (1) van artikel *elf* bedoelde ontdekkings, uitvindings of verbeterings was.

(4) Indien die regte op 'n ontdekking, uitvinding of verbetering ten gevolge van 'n in sub-artikel (2) bedoelde ooreenkoms by enige ander persoon dan die raad berus, word die genoemde ontdekking, uitvinding of verbetering gebruik of beskikbaar gestel vir gebruik in die openbare belang op sodanige voorwaardes as wat by die ooreenkoms bepaal word.

13. (1) (a) Die rekenings en balansstaat van die raad word elke jaar deur of onder toesig van die Kontroleur en Ouditeur-generaal geouditeer. Ouditering en jaarverslag.

(b) Die bepalings van artikels *dertien* en *veertien* van die „Financiewet 1911” (Wet No. 21 van 1911) is *mutatis mutandis* ten opsigte van so 'n ouditering van toepassing; Met dien verstande dat die verwysing in genoemde artikels soos aldus van toepassing verklaar na amptenare in die staatsdiens geag word 'n verwysing te wees na die amptenare van die raad.

(c) Die Kontroleur en Ouditeur-generaal stuur so spoedig doenlik na so 'n ouditering 'n verslag ten opsigte daarvan aan die Minister en die raad.

(2) 'n Bedrag wat deur die Tesourie na raadpleging met die Kontroleur en Ouditeur-generaal bepaal word, word uit die fondse van die raad aan die Tesourie vir so 'n ouditering betaal.

(3) Die raad moet aan die Minister die inligting verstrek wat hy van tyd tot tyd mag vra in verband met die werksaamhede en geldelike toestand van die raad, en moet daarbeneuens 'n jaarverslag met inbegrip van 'n balansstaat en 'n staat van inkomste en uitgawes deur die Kontroleur en Ouditeur-generaal gesertifiseer, en die ander besonderhede, met inbegrip van 'n beraming van uitgawes ten opsigte van die volgende boekjaar, wat die Minister verlang, aan die Minister voorlê, en bedoelde verslag word deur die Minister in albei Huise van die Parlement ter Tafel gelê binne veertien dae na ontvangs daarvan, as die Parlement dan in gewone sitting is of, indien die Parlement nie dan in gewone sitting is nie, binne veertien dae van die aanvang van sy eersvolgende gewone sitting.

14. (1) Die raad stel 'n kapitaalfonds in waaraan gelde wat deur die Parlement vir die doel beskikbaar gestel word, en bydraes daartoe wat uit enige ander bron ontvang word, gekrediteer word. Finansiering van raad.

(2) Die kapitaalfonds word slegs vir uitgawes van 'n kapitale aard aangewend, maar enige inkomste wat uit die onbestede gedeelte daarvan verkry word, kan of by die fonds gevoeg word of, met goedkeuring van die Minister, op 'n wyse wat die raad moet bepaal, aangewend word vir die oogmerke waarvoor die raad ingestel word.

(3) Die Minister kan, uit gelde wat vir die doel deur die Parlement beskikbaar gestel is, en op die voorwaardes wat die Minister van Finansies mag voorskryf, jaarliks vir die in sub-artikel (4) bedoelde doeleindes, die bedrag bydra wat die Minister in oorleg met die Minister van Finansies mag bepaal.

(4) Die gelde wat kragtens sub-artikel (3) bygedra word, word deur die raad aangewend tot dekking van sy jaarlikse lopende uitgawes, met inbegrip van die besoldiging en toelaes van die president en ander lede van die raad, lede van die kragtens artikel *agt* ingestelde uitvoerende komitee en van enige kragtens artikel *nege* ingestelde hulpkomitee, en van die kragtens artikel *tien* aangestelde amptenare van die raad, en enige saldo wat aan die end van 'n boekjaar van die raad uit daardie gelde oorbly, kan, onderworpe aan die voorskrifte van die raad, aangewend word tot dekking van die lopende uitgawes van die volgende boekjaar van die raad, of vir die oogmerke waarvoor die raad ingestel word.

(5) Die raad kan, behoudens die bepalings van enige regulasies kragtens artikel *vyftien* uitgevaardig, ten opsigte van dienste wat hy kragtens hierdie Wet gelewer het, die gelde vorder of die ander geldelike reëlings tref wat hy goedvind, en

with any moneys derived from such fees or in respect of such arrangements, and with any moneys derived from the fees or royalties referred to in sub-section (2) of section *eleven*, in the same manner as is prescribed in sub-section (4) in respect of moneys contributed by the Minister.

(6) The council may receive donations or contributions from any person and shall use any moneys so acquired for the purpose designated and in accordance with the conditions imposed by the donor or contributor, or, if no purpose has been so designated or no conditions have been so imposed, utilize such moneys in the manner prescribed in sub-section (4).

Regulations.

15. The Governor-General may make regulations as to—

- (a) the circumstances under which a member of the council shall vacate his office ;
- (b) the filling of casual vacancies on the council and the appointment of persons to act for absent members ;
- (c) the conditions of service of the president and the officers of the council ;
- (d) the matters in respect of which fees shall be payable to the council, the amount of such fees, and the persons who shall be liable for the payment thereof ;
- (e) the circumstances under which any fees so paid shall be refunded ;
- (f) the conditions under which the discoveries, inventions and improvements in respect of processes, apparatus and machines, referred to in section *eleven*, shall be made available for use ;
- (g) the payment of bursaries and grants ;
- (h) the procedure at meetings of the council, of the executive committee and of the subsidiary committees thereof ; and
- (i) generally, all matters which he considers it necessary or expedient to prescribe in order that the objects of this Act may be achieved.

Administration of Act to be assigned and prescribed by proclamation.

16. The Governor-General may by proclamation in the *Gazette* assign the administration of this Act to any Minister of State and may prescribe that any power, function or duty conferred or imposed by this Act upon the Minister shall be exercised or performed by that Minister after consultation with one or more other Ministers of State.

Short title.

17. This Act shall be called the Scientific Research Council Act, 1945.

kan met bydrae uit aldus gevorderde gelde of ten opsigte van sulke reëlings verkry, of met die bydraes uit die in sub-artikel (2) van artikel *elf* bedoelde gelde of tantième verkry, op dieselfde wyse handel as wat in sub-artikel (4) voorgeskryf is ten opsigte van gelde wat die Minister bygedra het.

(6) Die raad kan van enige persoon skenkings of bydraes ontvang, en moet gelde wat aldus verkry word, aanwend vir die doel wat die donateur of bydraer aanwys en volgens die voorwaardes wat hy voorskryf of, as hy nie so 'n doel aanwys of sulke voorwaardes voorskryf nie, daardie gelde aanwend op die in sub-artikel (4) voorgeskrewe wyse.

15. Die Goewerneur-generaal kan regulasies uitvaardig Regulasies. aangaande—

- (a) die omstandighede waaronder 'n lid van die raad sy amp ontruim;
- (b) die aanvulling van toevallige vakatures in die raad en die aanstelling van persone om namens afwesige lede op te tree;
- (c) die diensvoorwaardes van die president en die amptenare van die raad;
- (d) die aangeleenthede ten opsigte waarvan gelde aan die raad betaalbaar is, die bedrag van sulke gelde en die persone wat vir die betaling daarvan aanspreeklik is;
- (e) die omstandighede waaronder aldus betaalde gelde terugbetaal moet word;
- (f) die voorwaardes waarop die in artikel *elf* bedoelde ontdekkings, uitvindings en verbeterings ten opsigte van prosesse, apparaat en masjiene vir gebruik beskikbaar gestel moet word;
- (g) die uitkering van beurse en toekennings;
- (h) die prosedure by vergaderings van die raad, van die uitvoerende komitee en die hulpkomitees daarvan; en
- (i) n die algemeen, alle aangeleenthede wat hy nodig of raadsaam ag om voor te skryf ten einde die oogmerke van hierdie Wet te bereik.

16. Die Goewerneur-generaal kan by proklamasie in die *Staatskoerant* die uitvoering van hierdie Wet aan enige Staatsminister opdra en kan voorskryf dat 'n bevoegdheid, werksaamheid of ampsplig deur hierdie Wet aan die Minister verleen of opgelê, uitgeoefen of verrig moet word deur daardie Minister na oorlegpleging met een of meer ander Staatsministers.

Uitvoering van Wet opgedra en voorgeskrywe by proklamasie.

17. Hierdie Wet heet die Wet op die Wetenskaplike Navorsingsraad, 1945. Kort titel.

No. 34, 1945.]

ACT**To provide for the registration of unemployed persons; the establishment of juvenile affairs boards; and for matters incidental thereto.***(Afrikaans Text signed by the Officer Administering the Government.)**(Assented to on 8th June, 1945.)***BE IT ENACTED** by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—**Definitions.****1.** In this Act, unless the context otherwise indicates—

“adult workseeker” means a workseeker of the age of eighteen years or over;

“agriculture” means any employment on a farm connected with farming, including horticulture and forestry;

“board” means a juvenile affairs board established under section *thirteen* and includes any officer who performs the duties and exercises the functions of a board under sub-section (1) of section *sixteen*;

“employee” means any person employed by or working for an employer, and receiving, or being entitled to receive, any remuneration; and “employed” and “employment” have corresponding meanings;

“employer” means any person whatsoever who employs or provides work for any person and remunerates or expressly or tacitly undertakes to remunerate him; and “employ” and “employment” have corresponding meanings;

“employment officer” means the person appointed as such under section *three*;

“guardian”, in relation to a juvenile workseeker, means the father, or if the father be dead or absent from the residence of the juvenile workseeker, or if the juvenile workseeker be an illegitimate child, the mother, and if both parents be dead or absent from the residence of the juvenile workseeker, the person who has the custody of that juvenile workseeker;

“juvenile workseeker” means a workseeker under the age of eighteen years;

“Minister” means the Minister of Labour;

“native” means any person belonging to one or other of the following categories—

(a) aboriginal tribes or races of Africa, including Bushmen, Hottentots, and Korannas, and

(b) persons upon whom is levied general or local tax in terms of section *two* of the Native Taxation and Development Act, 1925 (Act No. 41 of 1925) or any tax substituted for any such tax,

but does not include American negroes, Eurafrians, Eurasians, or persons commonly known as Cape Malays, Griquas, Mauritians or St. Helenians;

“officer” means a person on the fixed establishment of the public service;

“principal” in relation to a school means the person in charge of or immediately responsible for the conduct of the school;

“school” includes any school whether established, maintained or aided out of public funds or conducted by a private individual or association of individuals for profit out of private resources;

“this Act” includes any regulation made thereunder;

“trade union” means a trade union registered under section *four* of the Industrial Conciliation Act, 1937 (Act No. 36 of 1937);“unemployment benefit fund” means a fund established under section *four* of the Unemployment Benefit Act, 1937 (Act No. 25 of 1937);

No. 34, 1945.]

WET

Om voorsiening te maak vir die registrasie van werklooses; die instelling van jeugrade; en vir daarmee in verband staande aangeleenthede.

(Afrikaanse Teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 8 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

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

- „volwasse werksoeker” ’n werksoeker van die ouderdom van agtien jaar of meer;
- „landbou” enige diens op ’n plaas in verband met boerdery met inbegrip van tuinbou en bosbou;
- „raad” ’n jeugraad ingestel kragtens artikel *dertien*, met inbegrip van ’n amptenaar wat die pligte en werksaamhede van ’n raad ingevolge sub-artikel (1) van artikel *sestien* uitoefen en verrig;
- „werknemer” enige persoon wat in diens is by of werk verrig vir enige werkgever en enige besoldiging ontvang, of geregtig is op sodanige besoldiging; en het „in diens”, „werk” en „diens” ooreenkomstige betekenis;
- „werkgever” enige persoon hoegenaamd wat enige persoon in diens het of aan hom werk verskaf, en wat daardie persoon besoldig, of uitdruklik of stilswyend onderneem om hom te besoldig; en het „in diens”, „werk” en „diens” ooreenkomstige betekenis;
- „werksbeampte” die persoon wat kragtens artikel *drie* as sulks aangestel is;
- „voog”, in verband met ’n jeugdige werksoeker, die vader, of as die vader oorlede is of van die jeugdige werksoeker se woonplek afwesig is, of as die jeugdige werksoeker ’n onwettige kind is, die moeder, en as beide ouers oorlede is of van die jeugdige werksoeker se woonplek afwesig is, die persoon in wie se bewaring daardie jeugdige werksoeker is;
- „jeugdige werksoeker” ’n werksoeker onder die ouderdom van agtien jaar;
- „Minister” die Minister van Arbeid;
- „naturel” iemand wat tot een van die volgende kategorieë behoort—
 - (a) inboorlingstamme of -rasse van Afrika, met inbegrip van Boesmans, Hottentotte en Korannas; en
 - (b) persone op wie ’n algemene of plaaslike belasting gehef word kragtens artikel *twee* van die „Naturelle Belasting en Ontwikkeling Wet, 1925” (Wet No. 41 van 1925) of ’n belasting wat daardie belasting vervang, maar daaronder word nie ingesluit nie Amerikaanse Negers, Eurafrikane, Eurasiate of persone gewoonlik Kaapse Slamaasiers, Griekwas, Maurisiane of St. Helenas genoem;
- „amptenaar” iemand op die vaste diensstaat van die staatsdiens;
- „hoof”, in verband met ’n skool, die persoon wat belas is met, of direk verantwoordelik is vir die leiding van die skool;
- „skool” enige skool, onverskillig of dit uit openbare fondse opgerig is of daaruit onderhou of gesteun word, of vir wins met private middele deur ’n privaats persoon of vereniging van persone gehou word;
- „hierdie Wet” ook ’n regulasie uit hoofde daarvan uitgevaardig;
- „vakvereniging” ’n kragtens artikel *vier* van die Nywerheid-versoeningswet, 1937 (Wet No. 36 van 1937) geregistreeerde vakvereniging;
- „werkloosheid-bystandsfonds” ’n kragtens artikel *vier* van die Werkloosheidbystandswet, 1937 (Wet No. 25 van 1937) ingestelde werkloosheid-bystandsfonds;

“workseeker” means a person over the age of fifteen years who—

- (a) is unemployed or not *bona fide* engaged in any business, trade, profession or other remunerative activity, or is not a pupil or student at an educational institution or who having completed a course of study at one institution, is not awaiting admission to another institution; and
- (b) is capable of employment and is mainly dependent upon employment for his means of subsistence, but does not include a male person over sixty-five years of age or a female person over sixty years of age.

Application of Act.

2. (1) The Minister may by notice in both official languages in the *Gazette* and in one or more newspapers circulating in the area concerned declare this Act to be applicable to any area in respect of any specified class of workseeker within that area.

(2) The Minister may in like manner cancel or amend any such notice.

(3) The Minister may, in specifying any class of workseeker under sub-section (1), apply any method of differentiation he may deem advisable.

(4) The provisions of this Act shall apply to any area in respect of the specified class of juvenile workseeker for which a board has been established under section *thirteen*.

(5) The Minister shall not declare this Act to be applicable to native workseekers, or establish a board in respect of any class of native juvenile workseeker under section *thirteen* except after consultation with the Minister of Native Affairs.

(6) This Act shall not apply to employers in respect of the employment of any person in agriculture, or in domestic service in private households.

Appointment of employment officers.

3. The Minister may by notice in the *Gazette* appoint any officer or the secretary of any board, or any other person, all of whom shall be bilingual, to be an employment officer in respect of any specified class of workseeker in an area to which the provisions of this Act have been applied.

Registration of workseekers.

4. (1) Every workseeker in respect of whom, and who is either temporarily or permanently resident in an area to which, the provisions of this Act have been applied, and who at the date of such application has been unemployed for a continuous period of more than one week, or who thereafter becomes unemployed and remains unemployed for a continuous period of more than one week, shall within seven days from the date of the application of the provisions of this Act to the said area, or, as the case may be, within seven days of the expiration of the first period of one week during which he has been continuously unemployed, furnish to the employment officer appointed for the said area, his name and address, and such other particulars as may be prescribed by regulation.

(2) The employment officer shall issue a registration card in the form prescribed by regulation to every workseeker who has furnished to him the particulars referred to in sub-section (1).

(3) The provisions of this section shall not apply to a workseeker who is registered as a contributor to an unemployment benefit fund or as a member of a trade union.

Workseeker obtaining employment must notify employment officer.

5. Every workseeker referred to in sub-section (1) of section *four* shall, within seven days of obtaining employment for a continuous period of at least one week—

- (a) notify the employment officer concerned that he has obtained employment;
- (b) return to the employment officer the registration card issued to him in terms of sub-section (2) of section *four*; and
- (c) supply the employment officer with such particulars as may be prescribed by regulation.

Workseeker who remains unemployed must notify employment officer.

6. Every workseeker referred to in sub-section (1) of section *four* shall, while he remains unemployed—

- (a) notify the employment officer concerned, on or before the tenth day of each month succeeding the month during which he furnished the particulars required in terms of sub-section (1) of section *four*, that he is still unemployed; and
- (b) notify the employment officer of any change of address within seven days of such change.

„werksoeker” iemand bo die ouderdom van vyftien jaar wat—

(a) werkloos is of nie *bona fide* 'n besigheid dryf, 'n bedryf of beroep beoefen, of hom met 'n ander winsgewende bedrywigheid besig hou nie, of nie 'n leerling of student aan 'n opleidingsinrigting is nie, of wat nadat hy 'n leergang by een inrigting voltooi het, nie wag op toelating tot 'n ander inrigting nie; en

(b) vir werk geskik is en hoofsaaklik van werk vir sy lewensbestaan afhanklik is, maar sluit nie 'n manspersoon bo die ouderdom van vyf-en-sestig jaar of 'n vrou bo die ouderdom van sestig jaar in nie.

2. (1) Die Minister kan by kennisgewing in albei amptelike tale in die *Staatskoerant* en in een of meer nuusblaaie in die betrokke gebied in omloop hierdie Wet op enige gebied ten opsigte van enige vermeldde kategorie van werksoeker binne daardie gebied van toepassing verklaar. Toepassing van Wet.

(2) Die Minister kan op soortgelyke wyse enige sodanige kennisgewing intrek of wysig.

(3) Die Minister kan, by die vermelding van 'n kategorie van werksoeker kragtens sub-artikel (1), op enige grond wat hy raadsaam ag, 'n verskil trek.

(4) Die bepalings van hierdie Wet is van toepassing op enige gebied ten opsigte van die bepaalde kategorie van jeugdige werksoeker waarvoor 'n raad kragtens artikel *dertien* ingestel is.

(5) Die Minister verklaar nie hierdie Wet op natuurlike werksoekers van toepassing nie, of stel nie 'n raad ten opsigte van 'n kategorie van jeugdige natuurlike-werksoekers kragtens artikel *dertien* in nie, behalwe na oorleg met die Minister van Naturellesake.

(6) Hierdie Wet is nie van toepassing op 'n werkgewer wat iemand in sy diens het in verband met landbou of as bediende in 'n privaat huis nie.

3. Die Minister kan by kennisgewing in die *Staatskoerant* 'n amptenaar, of die sekretaris van 'n raad, of enige ander persoon wat in elke geval tweetalig moet wees, as 'n werksbeampte ten opsigte van enige bepaalde kategorie van werksoeker in 'n gebied waarop die bepalings van hierdie Wet toegepas is, aanstel. Aanstelling van werksbeampstes.

4. (1) Elke werksoeker ten opsigte van wie, en wat hetsy tydelik of permanent woonagtig is in 'n gebied waarop, die bepalings van hierdie Wet toegepas is, en wat op die datum van bedoelde toepassing werkloos was vir 'n onafgebroke tydperk van meer dan 'n week, of wat daarna werkloos word en werkloos bly vir 'n onafgebroke tydperk van meer dan 'n week, moet, binne sewe dae vanaf die datum van die toepassing van die bepalings van hierdie Wet op genoemde gebied, of, na gelang van die geval, binne sewe dae na afloop van die eerste week van onafgebroke werkloosheid, sy naam en adres en sodanige verdere besonderhede as wat by regulasie voorgeskryf mag word, aan die werksbeampte wat vir die genoemde gebied aangestel is, verstrek. Registrasie van werksoekers.

(2) Die werksbeampte reik aan elke werksoeker wat die in sub-artikel (1) bedoelde besonderhede aan hom verstrek het, 'n by regulasie voorgeskrewe registrasiokaart uit.

(3) Die bepalings van hierdie artikel is nie van toepassing op 'n werksoeker wat as 'n hydraer tot 'n werkloosheidsbystandsfonds of as 'n lid van 'n vakvereniging ingeskryf staan nie.

5. Elke in sub-artikel (1) van artikel *vier* bedoelde werksoeker moet binne sewe dae nadat hy werk vir 'n onafgebroke tydperk van minstens een week gekry het— Werksoeker wat werk kry moet werksbeampte in kennis stel.

(a) die betrokke werksbeampte in kennis stel dat hy werk gekry het;

(b) die registrasiokaart ingevolge sub-artikel (2) van artikel *vier* aan hom uitgereik, aan die werksbeampte terugstuur; en

(c) sodanige besonderhede as wat by regulasie voorgeskryf mag word aan die werksbeampte verstrek.

6. Elke in sub-artikel (1) van artikel *vier* bedoelde werksoeker moet, onderwyl hy werkloos bly— Werksoeker wat werkloos bly moet die werksbeampte daarvan in kennis stel.

(a) die betrokke werksbeampte op of voor die tiende dag van elke maand na die maand waarin hy die kragtens sub-artikel (1) van artikel *vier* vereiste besonderhede verstrek het, in kennis stel dat hy nog altyd werkloos is; en

(b) die werksbeampte binne sewe dae vanaf enige adresverandering van sodanige verandering in kennis stel.

Employer to notify engagement or termination of service of persons over the age of fifteen years.

7. (1) Every employer who within an area in which the provisions of this Act apply engages the services of a person over fifteen years of age for a continuous period of at least one week, or terminates the services of such a person, shall, if the person is a member of the class of workseeker in respect of which the provisions of this Act apply in the said area, within three working days of the date on which the person entered his employment, or within three working days of the termination of his services, as the case may be, notify the employment officer concerned that he has engaged or, as the case may be, terminated the services of, the person, and supply such particulars as may be prescribed by regulation.

(2) An employer shall, for the purpose of sub-section (1), be deemed to have terminated the services of a person who has left his employment with his knowledge or consent.

Juvenile workseekers.

8. The information required to be furnished by a workseeker in terms of sections *four*, *five* and *six*, shall, in the case of a juvenile workseeker, who has a guardian, be furnished by his guardian, and any information so furnished shall be deemed to have been furnished by that juvenile workseeker.

Information to be supplied by principals of schools.

9. The principal of every school situate within an area to which the provisions of this Act apply shall, within one month after the commencement of every term of the school, give to the employment officer concerned information in the form prescribed by regulation in respect of every pupil on the roll of the school who is a member of the class of juvenile workseeker in respect of which the provisions of this Act apply in the area, and who—

- (a) will, before the commencement of the following term, attain an age at which attendance at a school ceases by law to be compulsory for him; or
- (b) is a candidate for an examination, the passing of which has the like effect as the attainment of that age; or
- (c) having taken a course of education at a school more advanced than is required by law in respect of him, has notified his intention of leaving school; or
- (d) not falling under paragraphs (a), (b) or (c) has failed to return to school.

Employers, secretaries of management committees of unemployment benefit funds, and secretaries of trade unions to furnish particulars.

10. (1) Every person who employs any other person in an area to which this Act applies shall in addition to the particulars that he may be required to furnish under this Act, furnish to the employment officer such further particulars concerning the persons employed by him and the number of persons he may be able to employ at any particular time at such times as may be prescribed by regulation.

(2) The secretary of the management committee of every unemployment benefit fund, and the secretary of every trade union, whose office is situate in an area to which this Act applies, shall furnish to the employment officer, at the prescribed times, such particulars concerning unemployed contributors to the fund, or unemployed members of the union, as the case may be, as may be prescribed by regulation.

Voluntary registration for employment.

11. Nothing in this Act contained shall prevent any person who is not a workseeker from registering voluntarily with an employment officer for the purpose of obtaining employment or a change of employment if such person is or will be available for any employment that may be offered to him by the employment officer.

Duties of employment officers.

12. (1) Every employment officer shall, in the area for which and in connection with the specified class of workseeker in respect of which he has been appointed—

- (a) maintain a register of all workseekers under his jurisdiction and record the information furnished in terms of sections *four*, *five*, *six*, *seven*, *nine*, *ten* and *eleven*;
- (b) conduct and carry on an employment office for workseekers within the area in respect of which he has been appointed; and
- (c) make due provision for affording guidance to workseekers in regard to the choice of employment, by means of the collection and communication of information and the furnishing of advice.

(2) The provisions of this section shall not apply to an employment officer appointed in respect of a specified class of juvenile workseeker in respect of which a board has been estab-

7. (1) Elke werkgewer wat binne 'n gebied waarop die bepalinge van hierdie Wet van toepassing is, iemand bo die ouderdom van vyftien jaar vir 'n onafgebroke tydperk van minstens een week in sy diens neem, of die dienste van sodanige persoon beëindig, moet, as die persoon onder die kategorie van werksoeker val ten opsigte waarvan die bepalinge van hierdie Wet in genoemde gebied van toepassing is, binne drie werksdae vanaf die datum waarop die persoon by hom diens aanvaar het, of binne drie werksdae vanaf die beëindiging van sy dienste, na gelang van die geval, die betrokke werksbeampte in kennis stel dat hy die persoon in sy diens geneem het, of, na gelang van die geval, sy dienste beëindig het, en sodanige besonderhede as wat by regulasie voorgeskryf mag word, verstrekk.

Werkgewer moet werksbeampte in kennis stel van die indiensneming, of van die beëindiging van die dienste, van persone bo die ouderdom van vyftien jaar.

(2) Vir die doeleindes van sub-artikel (1) word 'n werkgewer geag die dienste van 'n persoon wat sy diens met sy wete of toestemming verlaat het, te beëindig het.

8. Die inligting wat 'n werksoeker ingevolge artikels vier, vyf en ses moet verstrekk, word in die geval van 'n jeugdige werksoeker wat 'n voog het deur sy voog verstrekk, en enige aldus verstrekte inligting word geag deur daardie jeugdige werksoeker verstrekk te gewees het.

Jeugdige werksoekers.

9. Die hoof van elke skool wat geleë is binne 'n gebied waarop die bepalinge van hierdie Wet van toepassing is, moet binne een maand na die aanvang van elke kwartaal van die skool, aan die betrokke werksbeampte inligting op die by regulasie voorgeskrewe vorm verstrekk ten opsigte van elke leerling op die skoolregister wat onder die kategorie van jeugdige werksoekers ten opsigte waarvan die bepalinge van hierdie Wet in die gebied van toepassing is, val, en wat—

Inligting moet deur hoofde van skole verstrekk word.

- (a) voor die aanvang van die volgende kwartaal die leeftyd sal bereik waarop hy nie langer by wet verplig sal wees om die skool by te woon nie; of
- (b) 'n kandidaat is vir 'n eksamen wat, as hy daarin slaag, dieselfde gevolg sal hê as die bereiking van bedoelde leeftyd; of
- (c) na voltooiing op skool van 'n onderwyskursus wat verder gaan dan dié waartoe die wet hom verplig, kennis gegee het van sy voorneme om die skool te verlaat; of
- (d) wat nie onder paragrawe (a), (b) of (c) val nie en versuim het om na skool terug te keer.

10. (1) Iedereen wat in 'n gebied waarop hierdie Wet van toepassing is, iemand in sy diens het, moet, benewens die besonderhede wat ingevolge hierdie Wet van hom vereis mag word, sodanige verdere besonderhede aangaande die persone in sy diens en die getal persone wat hy op 'n bepaalde tyd in staat mag wees om in sy diens te neem op sodanige tye as wat by regulasie voorgeskryf mag word, aan die werksbeampte verstrekk.

Werkgewers, sekretarisse van bestuurskomitees van werkloosheidsbystandsfondse, en sekretarisse van vakverenigings moet besonderhede verstrekk.

(2) Die sekretaris van die bestuurskomitee van elke werkloosheidsbystandsfonds, en die sekretaris van elke vakvereniging, wie se kantoor geleë is in 'n gebied waarop hierdie Wet van toepassing is, moet op die voorgeskrewe tye sodanige besonderhede aangaande werklose bydraers tot die fonds, of werklose lede van die vereniging, na gelang van die geval, as wat by regulasie voorgeskryf mag word, aan die werksbeampte verstrekk.

11. Die bepalinge van hierdie Wet verbied niemand wat nie 'n werksoeker is nie om hom vrywilliglik by 'n werksbeampte te laat inskryf met die doel om werk of 'n verandering van werk te kry nie, as sodanige persoon beskikbaar is of sal wees vir werk wat hom deur die werksbeampte aangebied mag word.

Vrywillige registrasie vir werk.

12. (1) Elke werksbeampte moet binne die gebied en in verband met die bepaalde kategorie van werksoeker ten opsigte waarvan hy aangestel is—

Pligte van werksbeamptes.

- (a) 'n register hou van al die werksoekers onder sy jurisdiksie, en die informasie ingevolge artikels vier, vyf, ses, sewe, nege, tien en elf verstrekk, aanteken;
- (b) arbeidsburo's vir werksoekers binne die gebied ten opsigte waarvan hy aangestel is, beheer en dryf; en
- (c) behoorlike voorsiening maak vir leiding aan werksoekers wat betref beroepskeuse deur middel van die insameling en bekendmaking van inligting en die verstrekking van advies.

(2) Die bepalinge van hierdie artikel is nie van toepassing op 'n werksbeampte wat aangestel is ten opsigte van 'n bepaalde kategorie van jeugdige werksoeker waarvoor 'n raad

lished under section *thirteen*, but he shall transmit to that board all the information furnished to him in respect of the said class of juvenile workseeker.

**Establishment
of juvenile
affairs boards.**

13. (1) The Minister may by notice in the *Gazette* establish for any area a juvenile affairs board to perform duties and exercise functions in relation to matters affecting the employment, training, welfare and supervision of juvenile workseekers within such area.

(2) The Minister may in like manner cancel or amend any such notice.

(3) The Minister may establish a separate board in respect of every class of juvenile workseeker specified in the notice.

(4) The Minister may in specifying any class of juvenile workseeker under sub-section (3) apply any method of differentiation he may deem advisable.

(5) The Minister may assign to any board an officer, who shall be bilingual, or appoint any other person, who shall be bilingual, to act as secretary of that board.

**Constitution
of juvenile
affairs
boards.**

14. (1) A board shall consist of a number of members to be determined by the Minister, not being less than six or more than eighteen and appointed by the Minister, of whom—

- (a) one-third shall be nominated by such organizations as the Minister may deem qualified to represent the interests of employers;
- (b) one-third shall be nominated by such organizations as the Minister may deem qualified to represent the interests of employees; and
- (c) one-third shall be nominated by such organizations as the Minister may deem qualified to represent educational and social interests:

Provided that if any such organization fails to nominate the number of persons specified by the Minister in a written notice given to such organization, within the period so specified, or, if in the opinion of the Minister, there is no organization qualified to represent the interests referred to in any one or more of paragraphs (a), (b) and (c), the Minister may appoint such persons as in his opinion will be able to represent those interests.

(2) The Minister may in like manner appoint such number of alternates to the members appointed under sub-section (1) as he may deem fit.

(3) The Minister may, when appointing members and alternates for a new period of office in terms of sub-section (4) increase or decrease, as the circumstances may in his opinion require, the number of members or alternates on the board.

(4) (a) The members of a board and the alternates to the members shall hold office for a period of three years, and upon expiration of the said period, new members and alternates shall be appointed in accordance with the provisions of this section.

(b) Members and alternates whose period of office have expired shall be eligible for re-appointment.

(5) The Minister may appoint any other person to act in the place of a member for any period during which the member is for any reason unable to perform his duties.

(6) Any casual vacancy that occurs on a board shall be filled by the appointment of another member or alternate, as the case may be, in accordance with the procedure prescribed in sub-section (1).

(7) The Minister may, on the recommendation of a board, appoint assessor-members with the right to attend meetings and discuss or advise on items appearing on the agenda, but such members shall not be entitled to vote.

(8) No decision or act of a board or act performed under the authority of the board shall be invalid by reason only of the existence of a vacancy on the board at the time when the decision is made or the act is performed.

(9) The members of a board shall appoint a chairman, deputy-chairman and an executive committee at the first meeting of the board and thereafter at the first meeting in each calendar year.

(10) The deputy-chairman shall act as chairman at any meeting of the board at which the chairman is not present. If the chairman and deputy-chairman are both absent from any meeting, the members who are present may elect from amongst themselves a chairman to act at that meeting.

kragtens artikel *dertien* ingestel is nie, maar hy moet al die inligting wat aan hom verstrekk is ten opsigte van genoemde kategorie van jeugdige werksoeker aan bedoelde raad deurstuur.

13. (1) Die Minister kan by kennisgewing in die *Staatskoerant* ten opsigte van enige gebied 'n jeugraad instel om pligte en werksaamhede betreffende aangeleenthede aangaande die indiensneming, opleiding en welsyn van en die toesig oor, jeugdige werksoekers binne sodanige gebied uit te oefen en te verrig. Instelling van jeugrade.

(2) Die Minister kan op soortgelyke wyse enige sodanige kennisgewing intrek of wysig.

(3) Die Minister kan 'n afsonderlike raad ten opsigte van elke in die kennisgewing vermelde kategorie van jeugdige werksoeker instel.

(4) Die Minister kan, by die vermelding van 'n kategorie van jeugdige werksoeker kragtens sub-artikel (3), op enige grond wat hy raadsaam ag, 'n verskil trek.

(5) Die Minister kan aan 'n raad 'n amptenaar, wat tweetalig moet wees, toewys, of 'n ander persoon wat tweetalig moet wees aanstel, om as sekretaris van daardie raad op te tree.

14. (1) 'n Raad bestaan uit die getal lede deur die Minister bepaal wat nie minder as ses of meer as agtien mag wees nie, en wat deur die Minister aangestel word, en waarvan— Samestelling van jeugrade.

(a) een-derde deur sodanige organisasies as wat die Minister bevoeg ag om die belange van werkgewers te verteenwoordig, benoem word;

(b) een-derde deur sodanige organisasies as wat die Minister bevoeg ag om die belange van werknemers te verteenwoordig, benoem word; en

(c) een-derde deur sodanige organisasies as wat die Minister bevoeg ag om opvoedkundige en maatskaplike belange te verteenwoordig, benoem word:

Met dien verstande dat as enige sodanige organisasie versuim om die getal lede wat deur die Minister in 'n skriftelike kennisgewing aan die organisasie vermeld word, binne die daarin vermelde tydperk, te benoem, of as daar na oordeel van die Minister geen organisasie bestaan wat bevoeg is om enige van die in paragrawe (a), (b) en (c) bedoelde belange te verteenwoordig nie, kan die Minister sodanige persone aanstel as wat na sy oordeel in staat sal wees om daardie belange te verteenwoordig.

(2) Die Minister kan op soortgelyke wyse soveel plaasvervangers aanstel vir die kragtens sub-artikel (1) aangestelde lede, as wat hy mag goeddink.

(3) Die Minister kan wanneer hy lede en plaasvervangers vir 'n nuwe ampstermyn kragtens sub-artikel (4) aanstel, die getal lede of plaasvervangers op die raad vermeerder of verminder as die omstandighede dit na sy oordeel vereis.

(4) (a) Die lede van 'n raad en hulle plaasvervangers beklee hul amp vir 'n tydperk van drie jaar, en by afloop van genoemde tydperk word nuwe lede en plaasvervangers aangestel ooreenkomstig die bepalinge van hierdie artikel.

(b) Lede en plaasvervangers wie se ampstermyn verstryk het, kan weer aangestel word.

(5) Die Minister kan enige ander persoon aanstel om op te tree in die plek van 'n lid vir sodanige tydperk gedurende welke die lid om enige rede nie in staat is om sy pligte te vervul nie.

(6) 'n Toevallige vakature wat in die raad ontstaan, word aangevul deur die aanstelling van 'n ander lid of 'n plaasvervanger, na gelang van die geval, ooreenkomstig die prosedure in sub-artikel (1) voorgeskryf.

(7) Die Minister kan op aanbeveling van 'n raad assessorlede aanstel wat die reg het om vergaderings by te woon en onderwerpe op die agenda te bespreek en daarvoor advies te gee, maar sulke lede is nie geregtig om 'n stem uit te bring nie.

(8) Geen besluit of handeling van die raad of handeling verrig op gesag van die raad is ongeldig slegs omdat daar, wanneer die besluit geneem of die handeling verrig word, 'n vakature in die raad bestaan nie.

(9) Die lede van 'n raad stel 'n voorsitter, onder-voorsitter en 'n uitvoerende komitee aan op die eerste vergadering van die raad, en daarna op die eerste vergadering in elke kalenderjaar.

(10) Die onder-voorsitter tree as voorsitter op by 'n vergadering van die raad waarop die voorsitter nie teenwoordig is nie. As beide die voorsitter en die onder-voorsitter van 'n vergadering afwesig is, kan die lede onder hulself 'n voorsitter kies om by daardie vergadering op te tree.

**Vacancies and
cancellation of
appointments.**

15. (1) If a member of a board or any alternate resigns or has been absent without the permission of the chairman from three consecutive meetings of the board of which he has had notice, he shall vacate his office.

(2) The Minister may after consultation with, or at the request of the nominating organization, at any time cancel the appointment of any member or alternate if in his opinion there are good grounds for doing so.

**Disestablishment
and discharge
of boards.**

16. (1) The Minister may by notice in the *Gazette*—

- (a) disestablish any board ;
- (b) if any board has failed or ceased to perform all or any of its functions, discharge the members of the board and order that the duties and functions of the board shall, for a period specified in the notice, be performed and exercised by an officer so specified ; and

- (c) withdraw such notice and from time to time amend any notice under paragraph (b) by extending any period specified under this sub-section or specifying another officer in the place of any officer specified under this sub-section.

(2) Before publishing any notice under sub-section (1) the Minister shall consult any organizations which in his opinion have a material interest in the publication of the proposed notice.

**Meetings of
boards.**

17. (1) The first meeting of a board shall be held at a time and place to be appointed by the Minister.

(2) All subsequent meetings of the board shall be held at such times and places as the board may from time to time determine : Provided that the chairman may at any time call a special meeting of the board, to be held at a time and place appointed by him.

(3) An officer nominated by the Minister for the purpose may attend any meeting of the board and may take part in the proceedings of any such meeting, but shall not be entitled to vote.

(4) Minutes of the proceedings of every meeting of the board shall be kept by the secretary.

(5) The minutes of a meeting shall be submitted to the next ensuing meeting and shall, if they are passed as correct, be signed by the chairman presiding at that meeting.

Committees.

18. A board may at any time appoint from amongst its members and their alternates a committee to investigate any specified matter or any specified class of matter and to report to the board thereon, and may give such committee power to co-opt as members of the committee persons who are not members of the board.

**Rules of
boards.**

19. A board may, subject to the approval of the Minister, make rules as to—

- (a) the admittance to meetings of the board or of any committee thereof, of persons other than those entitled under this Act to be present thereat ;
- (b) the quorum at any such meeting, the procedure to be followed if there is no quorum, and the majority of votes by which a decision of the board or a committee thereof shall be taken ;
- (c) the circumstances under which an alternate may sit as a member of the board ;
- (d) the procedure at meetings of the board or a committee thereof, including the procedure to be followed in the event of an equality of votes ;
- (e) such other matters as may be necessary or expedient for the proper functioning of the board or a committee thereof.

**Duties and
functions
of boards.**

20. A board shall, in its area of jurisdiction and in connection with the class of juvenile workseeker in respect of which it has been established, perform the following duties and functions :

- (a) It shall maintain a register of all juvenile workseekers under its jurisdiction and record the information furnished in terms of sections *four, five, six, seven, nine, ten* and *eleven*.
- (b) It shall conduct and carry on an employment office for juvenile workseekers within the area of its jurisdiction.
- (c) It shall make due provision for affording guidance to juvenile workseekers and their guardians in regard to the choice of employment, by means of the collection and communication of information and the furnishing of advice.

15. (1) Indien 'n lid van 'n raad of enige plaasvervanger **Vakatures en intrekking van raad waarvan hy kennis gekry het, sonder verlof van die voorsitter afwesig was, ontruim hy sy amp.** **aanstellings.**

(2) Die Minister kan te eniger tyd na oorleg met of op versoek van die organisasie wat die lid of plaasvervanger benoem het, die aanstelling van enige lid of plaasvervanger intrek, as daar na sy oordeel goeie gronde daarvoor bestaan.

16. (1) Die Minister kan by kennisgewing in die **Staats-** **Ontbinding en ontslag van raade.**
koerant—

- (a) enige raad ontbind ;
- (b) indien 'n raad versuim het of opgehou het om almal of enigeen van sy werksaamhede te verrig, die lede van die raad ontslaan, en gelas dat die pligte en werksaamhede van die raad, vir 'n tydperk in die kennisgewing vermeld, berus by en uitgeoefen en verrig word deur 'n amptenaar in die kennisgewing benoem ; en
- (c) so 'n kennisgewing intrek, en van tyd tot tyd 'n kennisgewing kragtens paragraaf (b) wysig deur 'n kragtens hierdie sub-artikel vermelde tydperk te verleng of 'n ander amptenaar in die plek van 'n kragtens hierdie sub-artikel benoemde amptenaar te benoem.

(2) Alvorens 'n kennisgewing kragtens sub-artikel (1) te publiseer, raadpleeg die Minister die organisasies wat na sy oordeel 'n wesenlike belang by die publikasie van die voor-genome kennisgewing het.

17. (1) Die eerste vergadering van 'n raad word gehou op 'n dag en plek wat die Minister bepaal. **Vergaderings van raade.**

(2) Alle daaropvolgende vergaderings van 'n raad word gehou op die tye en plekke wat die raad van tyd tot tyd mag bepaal: Met dien verstande dat die voersitter 'n buitengewone vergadering van die raad, wat gehou moet word op 'n dag en plek deur hom bepaal, kan byeenroep.

(3) 'n Amptenaar deur die Minister daartoe benoem, kan enige vergadering van 'n raad bywoon en kan aan die verrigtings van so 'n vergadering deelneem, maar is nie geregtig om 'n stem uit te bring nie.

(4) Notule van die verrigtings van elke vergadering van die raad word deur die sekretaris gehou.

(5) Die notule van 'n vergadering word aan die daaropvolgende vergadering voorgelê, en indien hulle as juis aangeneem word, word hulle deur die voorsitter wat op daardie vergadering presideer onderteken.

18. 'n Raad kan te eniger tyd uit sy lede en hul plaasvervangers 'n komitee benoem om ondersoek in te stel na, en aan die raad verslag te doen oor, 'n bepaalde aangeleentheid of kategorie aangeleenthede, en kan aan sodanige komitee die bevoegdheid verleen om persone wat nie lede van die raad is nie te koöpteer as lede van die komitee. **Komitees.**

19. 'n Raad kan, met goedkeuring van die Minister, reëls neerlê aangaande— **Reëls van raade.**

- (a) die verleen van toegang tot vergaderings van die raad of enige komitee daarvan, aan ander persone dan die wat ingevolge hierdie Wet geregtig is om daarop aanwesig te wees ;
- (b) die kworum by so 'n vergadering, die prosedure wat by gebrek aan 'n kworum gevolg moet word, en die meerderheid van stemme waarmee 'n besluit van die raad of 'n komitee daarvan geneem moet word ;
- (c) die omstandighede waarin 'n plaasvervanger as lid van die raad kan sitting neem ;
- (d) die prosedure by vergaderings van die raad of 'n komitee daarvan, met inbegrip van die prosedure wat by 'n staking van stemme gevolg moet word ;
- (e) sodanige ander aangeleenthede as wat nodig of raadzaam mag wees vir die behoorlike verrigting van die werksaamhede van die raad of 'n komitee daarvan.

20. 'n Raad verrig die volgende pligte en werksaamhede binne sy magsgebied in verband met die kategorie van jeugdige werksoeker ten opsigte waarvan dit ingestel is : **Pligte en werksaamhede van raad.**

- (a) Hy moet 'n register hou van al die jeugdige werksoekers onder sy jurisdiksie en die inligting verstrek ingevolge artikels vier, vyf, ses, sewe, nege, tien en elf, aanteken.
- (b) Hy moet arbeidsburo's vir jeugdige werksoekers binne sy gebied beheer en dryf.
- (c) Hy moet behoorlike voorsiening maak vir leiding aan jeugdige werksoekers en hul voogde wat betref beroepskeuse, deur middel van die insameling en bekendmaking van inligting en die verstrekking van advies.

- (d) It shall take such steps as may be approved by the Minister for exercising a general and continuing supervision over juvenile workseekers within the area of its jurisdiction.
- (e) It shall report on any matter concerning the employment, training, welfare and supervision of juvenile workseekers referred to it by the Minister, and submit on its own initiative such reports as it may consider advisable from time to time.

Preservation of secrecy.

21. Any member of a board, or of a committee of a board or any alternate to any such member, or any person allowed to be present at any meeting of a board, or of any such committee who discloses to any person, except to the Minister or an officer or for the purpose of the performance of his duties or the exercise of his functions under this Act, or when required to do so before a court or under any law, any information in relation to the financial or business affairs of any person, firm or business, acquired in the performance of his duties, or the exercise of his functions under this Act, or while attending any such meeting, as the case may be, shall be guilty of an offence and liable on conviction to a fine not exceeding twenty-five pounds or to imprisonment for a period not exceeding three months.

Presumptions.

22. Whenever in any proceedings under this Act the question whether or not any person is a workseeker is relevant to the issue, it shall be presumed, until the contrary is proved, that that person is capable of employment, and is mainly dependent upon employment for his means of subsistence.

Exemption by the Minister.

23. (1) Notwithstanding anything in this Act contained the Minister may, if in his opinion special circumstances exist which justify exemption, by notice in the *Gazette* exempt any class, group, section or type of employers, principals of schools or workseekers specified in the notice, either generally or with such restrictions as he may deem fit and subject to any conditions he may impose in the notice, from all or any of the provisions of this Act, and the Minister may in so specifying any such class, group, section or type, apply any method of differentiation he may deem advisable.

(2) The Minister may in the same manner cancel or amend any notice published under sub-section (1).

(3) The Minister may, if in his opinion special circumstances exist which justify exemption, under licence signed by an officer, exempt any person, either generally or with such restrictions as he may deem fit and subject to any conditions he may impose and for such period as he may specify, from all or any of the provisions of this Act, or from any conditions prescribed in a notice published under sub-section (1).

(4) The Minister may from time to time by writing under his hand and subject to such conditions as he may deem fit delegate all or any of the powers conferred upon him by this section to any officer, and withdraw any such delegation.

(5) Any exemption granted under sub-section (3) may at any time be withdrawn at the discretion of the Minister or of an officer to whom powers have been delegated under sub-section (4).

Penalties.

24. Any person who—

- (a) fails or refuses to comply with the provisions of sub-section (1) of section *four*, sections *five*, *six*, *seven* or *ten*; or
- (b) being the principal of a school conducted by a private individual or association of individuals out of private resources, fails or refuses to comply with the provisions of section *nine*,

shall be guilty of an offence and liable on conviction to a fine not exceeding ten pounds but not to imprisonment, and such fine shall be recoverable only in accordance with the law relating to the execution of a judgment given in a Magistrate's Court in respect of a civil debt.

Regulations.

25. The Governor-General may make regulations as to—

- (a) the particulars which an adult workseeker or the guardian of a juvenile workseeker is required to furnish under sub-section (1) of section *four*, section *five* and section *six*;
- (b) the form of the registration card referred to in sub-section (2) of section *four*;

- (d) Hy moet sodanige stappe doen as wat deur die Minister goedgekeur mag word vir die uitoefening van algemene en voortdurende toesig oor jeugdige werksoekers onder sy jurisdiksie.
- (e) Hy moet verslag doen oor enige deur die Minister na hom verwysde onderwerp aangaande die tewerkstelling, opleiding, welsyn van en toesig oor jeugdige werksoekers, en uit eie beweging sodanige verslae as wat hy van tyd tot tyd raadsaam ag, indien.

21. 'n Lid van die raad of van 'n komitee van die raad of 'n plaasvervanger van so 'n lid, of 'n persoon wat toegelaat word om by 'n vergadering van die raad of 'n komitee aanwesig te wees, wat aan enige persoon behalwe die Minister of 'n amptenaar of vir die doeleindes van die vervulling van sy pligte of die uitoefening van sy bevoegdhede ingevolge hierdie Wet of wanneer dit in 'n hof of ingevolge 'n wetsbepaling van hom vereis word, enige inligting openbaar met betrekking tot die geld- of besigheidsake van enige persoon, firma of besigheid wat ingewin is by die vervulling van sy pligte of die uitoefening van sy bevoegdhede ingevolge hierdie Wet of terwyl hy so 'n vergadering bywoon, na gelarg van die geval, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vyf-en-twintig pond of met gevangenisstraf vir 'n tydperk van hoogstens drie maande.

22. Wanneer by 'n proses ingevolge hierdie Wet die vraag of al dan nie iemand 'n werksoeker is tot die geskilpunt relevant is, word vermoed, tensy die teendeel bewys word, dat daardie persoon vir werk geskik is, en dat hy hoofsaaklik van werk vir sy lewensbestaan afhanklik is.

23. (1) Ondanks enige bepalings in hierdie Wet vervat, kan die Minister, indien daar na sy mening spesiale omstandighede bestaan wat vrystelling regverdig, by kennisgewing in die *Staatskoerant* enige kategorie, groep, afdeling, of soort werkgewers, hoofde van skole of werksoekers in die kennisgewing vermeld, òf in die algemeen òf met die beperkings wat hy goedvind en onderworpe aan die voorwaardes wat hy in die kennisgewing mag oplê, vrystel van almal of enigeen van die bepalings van hierdie Wet, en die Minister kan, by 'n sodanige vermelding van so 'n kategorie, groep, afdeling of soort, op enige grond wat hy raadsaam ag, 'n verskil trek.

(2) Die Minister kan op dieselfde wyse 'n kragtens sub-artikel (1) gepubliseerde kennisgewing intrek of wysig.

(3) Die Minister kan, indien daar na sy mening spesiale omstandighede bestaan wat vrystelling regverdig, enige persoon by vergunning deur 'n amptenaar onderteken, òf in die algemeen òf met die beperkings wat hy goedvind en onderworpe aan die voorwaardes wat hy oplê en vir die tydperk deur hom vermeld, vrystel van almal of enigeen van die bepalings van hierdie Wet of van enige voorwaarde wat in 'n kragtens sub-artikel (1) gepubliseerde kennisgewing voorgeskryf is.

(4) Die Minister kan van tyd tot tyd skriftelik onder sy handtekening en onderworpe aan die voorwaardes wat hy goedvind, almal of enigeen van die bevoegdhede by hierdie artikel aan hom verleen, aan 'n amptenaar oordra, en so 'n oordrag intrek.

(5) 'n Kragtens sub-artikel (3) verleende vrystelling kan te eniger tyd, na goëddunke van die Minister of van 'n amptenaar aan wie bevoegdhede kragtens sub-artikel (4) oorgedra is, ingetrek word.

24. Iemand wat—

- (a) versuim of weier om te voldoen aan die bepalings van sub-artikel (1) van artikel vier, artikels vyf, ses, sewe of tien; of
- (b) die hoof van 'n skool is wat met private middele deur 'n private persoon of vereniging van persone gehou word, en versuim of weier om te voldoen aan die bepalings van artikel nege,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tien pond dog nie met gevangenisstraf nie, en sodanige boete is verhaalbaar alleen in ooreenstemming met die regsbepalings betreffende die tenuitvoerlegging van 'n vonnis in 'n magistratuurshof gevel ten opsigte van 'n siviele skuld.

25. Die Goewerneur-generaal kan regulasies uitvaardig betreffende—

- (a) die besonderhede wat 'n volwasse werksoeker of die voog van 'n jeugdige werksoeker ingevolge sub-artikel (1) van artikel vier, artikel vyf en artikel ses moet verstrekk;
- (b) die vorm van die in sub-artikel (2) van artikel vier bedoelde registrasiëkaart;

Geheimhouding.

Vermoedens.

Vrystellings deur Minister.

Strafbepalings

Regulasies.

- (c) the particulars which an employer is required to furnish under section *seven*, and sub-section (1) of section *ten* ;
- (d) the information which the principal of a school is required to furnish under section *nine* ;
- (e) the particulars which the secretary of the management committee of an unemployment benefit fund, or the secretary of a trade union is required to furnish under sub-section (2) of section *ten* ;
- (f) all matters which by this Act are required or permitted to be prescribed ;
- (g) the allowances for out-of-pocket expenses that may be paid to members, assessor-members or alternates to members of a board or to persons co-opted as members of a committee for attendance at meetings of the board or a committee thereof, or when engaged on duties in connection with their work ;
- (h) generally all matters which he considers it necessary or expedient to prescribe in order that the purposes of this Act may be achieved.

Application to State.

26. This Act shall bind the State.

Repeal of Act 33 of 1921.

27. (1) The Juveniles Act, 1921 is hereby repealed.

(2) Any board established under the provisions of the Act repealed by sub-section (1) shall be deemed to have been established under the provisions of this Act.

Short title and date of commencement.

28. This Act shall be called the Registration for Employment Act, 1945, and shall come into operation on a date to be fixed by the Governor-General by proclamation in the *Gazette*.

- (c) die besonderhede wat 'n werkgewer ingevolge artikel *sewe* en sub-artikel (1) van artikel *tien* moet verstrek;
- (d) die inligting wat die hoof van 'n skool ingevolge artikel *nege* moet verstrek;
- (e) die besonderhede wat die sekretaris van die bestuurskomitee van 'n werkloosheid-bystandsfonds, of die sekretaris van 'n vakvereniging, ingevolge sub-artikel (2) van artikel *tien* moet verstrek;
- (f) alle aangeleenthede wat ingevolge hierdie Wet voorgeskryf moet of kan word;
- (g) die toelae ten opsigte van lopende uitgawe wat aan lede, assessor-lede of aan plaasvervangers van lede van 'n raad of aan persone wat, as lede van 'n komitee gekoöpteer is, betaal mag word vir bywoning van vergaderings van die raad of 'n komitee daarvan, of vir die verrigting van werksaamhede in verband met hulle werk;
- (h) in die algemeen, alle aangeleenthede wat hy nodig of raadsaam ag om voor te skryf ten einde die oogmerke van hierdie Wet te bereik.

26. Hierdie Wet bind die Staat.

Toepassing op die Staat.

27. (1) Die „Jeugdige Personen Wet, 1921” word hiermee herroep. Herroeping van Wet.

(2) Enige raad wat ingevolge die bepalings van die Wet by sub-artikel (1) herroep, ingestel is, word geag kragtens die bepalings van hierdie Wet ingestel te gewees het.

28. Hierdie Wet heet die Wet op Registrasie vir Werk, 1945, en tree in werking op 'n datum wat deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* vasgestel word. Kort titel en datum van inwerkingtreding.

No. 35, 1945.]

ACT

To confer on the Supreme Court of South Africa and the High Court of South-West Africa temporary jurisdiction in certain matrimonial causes and to provide for the recognition in the Union and the mandated territory of South-West Africa of certain decrees and orders in matrimonial causes.

(English Text signed by the Officer Administering the Government.)

(Assented to on 11th June, 1945.)

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definition.

1. In this Act, unless the context otherwise indicates, "marriage" includes a purported marriage which was void *ab initio*, and "husband" or "wife" shall be construed accordingly.

Temporary jurisdiction in proceedings for divorce or nullity of marriage where husband domiciled outside Union and South-West Africa at time of marriage.

2. (1) In the case of marriages to which this section applies, any division of the Supreme Court of South Africa (including the High Court of South-West Africa) within whose area of jurisdiction the wife was domiciled immediately before the marriage or has been ordinarily resident for a period of one year immediately preceding the date on which the proceedings are instituted, shall, subject to the provisions of paragraph (a) of sub-section (3), have jurisdiction in and in relation to proceedings for divorce, for restitution of conjugal rights or for nullity of marriage, as if the husband were at all material times domiciled in the said area.

(2) Subject to the provisions of paragraph (b) of sub-section (3), the marriages to which this section applies are marriages solemnized on or after the sixth day of September, 1939, but before a date to be fixed by the Governor-General by proclamation in the *Gazette*, not being a date earlier than the date of publication of the proclamation, where the husband was at the time of the marriage domiciled outside the Union and the mandated territory of South-West Africa and the wife was, immediately before the marriage, domiciled in the Union or in the said territory, as the case may be.

(3) This section shall not apply—

- (a) in relation to any proceedings for divorce, for restitution of conjugal rights or for nullity of marriage unless those proceedings were commenced not later than five years after the date fixed under sub-section (2); or
- (b) to a marriage if, since the solemnization thereof, the parties thereto have at any time resided together in the country in which the husband was domiciled at the time of the residence.

(4) This section shall not extend or alter the jurisdiction of any division of the Supreme Court of South Africa (including the High Court of South-West Africa) in, or in relation to any proceedings for divorce, for restitution of conjugal rights or for nullity of marriage where, at the commencement of those proceedings, the parties are domiciled anywhere in the Union or the mandated territory of South-West Africa.

Certain decrees and orders to be recognized in Union and South-West Africa.

3. (1) The validity of any decree or order made in any country by virtue of a law which is declared by the Governor-General, by proclamation in the *Gazette*, to be a law substantially corresponding to section two, shall be recognized by the courts of the Union and the mandated territory of South-West Africa.

(2) No proclamation shall be issued under sub-section (1) unless the Governor-General is satisfied that adequate provision is made by the law of the country concerned for the recognition by the courts thereof of the decrees and orders made by virtue of this Act.

No. 35, 1945.]

WET

Om aan die Hooggeregshof van Suid-Afrika en die Hoë Hof van Suidwes-Afrika tydelike regsbevoegdheid te verleen in sekere matroniële regsake, en om voorsiening te maak vir die erkenning in die Unie en die mandaatgebied Suidwes-Afrika van sekere bevelen en orders in matroniële regsake.

(Engelse Teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 11 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken „huwelik” ook ’n vermeende huwelik wat nietig was *ab initio*, en „eggenoot” en „eggenote” word dienooreenkomstig uitgelê. Woordbepaling.

2. (1) In die geval van huwelike waarop hierdie artikel van toepassing is, het enige afdeling van die Hooggeregshof van Suid-Afrika (met inbegrip van die Hoë Hof van Suidwes-Afrika) in wie se regsgebied die eggenote onmiddellik voor die huwelik gedomisilieer was of vir ’n tydperk van een jaar wat die datum waarop die proses ingestel word onmiddellik voorafgaan, gewoonlik woonagtig was, onderworpe aan die bepalings van paragraaf (a) van sub-artikel (3), regsbevoegdheid in en in verband met egskeidingsprosesse, of prosesse vir herstel van huweliksregte of vir die nietigverklaring van ’n huwelik, asof die eggenoot te alle tye waarop dit aankom in genoemde gebied gedomisilieer was. Tydelike regsbevoegdheid in egskeidingsprosesse en prosesse vir die nietigverklaring van ’n huwelik waar eggenoot ten tyde van huwelik buite die Unie en Suidwes-Afrika gedomisilieer was.

(2) Behoudens die by paragraaf (b) van sub-artikel (3) bepaalde, is die huwelike waarop hierdie artikel van toepassing is, huwelike wat voltrek is op of na die sesde dag van September 1939, maar voor ’n datum deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* vasgestel te word (wat nie ’n datum voor die datum van die publikasie van die proklamasie mag wees nie) waar die eggenoot ten tyde van die huwelik buite die Unie en die mandaatgebied Suidwes-Afrika gedomisilieer was en die eggenote onmiddellik voor die huwelik in die Unie of in die mandaatgebied Suidwes-Afrika, na gelang van die geval, gedomisilieer was.

(3) Hierdie artikel is nie van toepassing nie—

(a) met betrekking tot ’n egskeidingsproses of ’n proses vir herstel van huweliksregte of vir die nietigverklaring van ’n huwelik, tensy die proses hoogstens vyf jaar na die kragtens sub-artikel (2) vasgestelde datum ingestel is; of

(b) op ’n huwelik, indien die partye daarby sedert die voltrekking daarvan te eniger tyd saamgewoon het in die land waarin die eggenoot ten tyde van die saamwoning gedomisilieer was.

(4) Die regsbevoegdheid van ’n afdeling van die Hooggeregshof van Suid-Afrika (met inbegrip van die Hoë Hof van Suidwes-Afrika) in en in verband met ’n egskeidingsproses of ’n proses vir herstel van huweliksregte of vir die nietigverklaring van ’n huwelik word nie deur hierdie artikel uitgebrei of verander nie, waar die partye by die aanvang van die proses êrens in die Unie of die mandaatgebied Suidwes-Afrika, gedomisilieer is.

3. (1) Die geldigheid van ’n bevel of order in enige land verleen uit hoofde van ’n wet wat die Goewerneur-generaal by proklamasie in die *Staatskoerant* tot ’n wet verklaar het wat in hoofsaak met artikel twee ooreenstem, word deur die howe van die Unie en die mandaatgebied Suidwes-Afrika erken.

Sekere bevelen en orders erken te word in Unie en Suidwes-Afrika.

(2) Geen proklamasie word kragtens sub-artikel (1) uitgevaardig nie tensy die Goewerneur-generaal daarvan oortuig is dat voldoende voorsiening deur die reg van die betrokke land gemaak word vir die erkenning deur die howe van daardie land van die bevelen en orders kragtens hierdie Wet verleen.

(3) Every such proclamation shall, within fourteen days after the publication thereof, be laid upon the Tables of both Houses of Parliament, if Parliament is then in session, and if Parliament is not then in session, within fourteen days after the commencement of its next ensuing session.

(4) If, within forty days of the date on which any such proclamation is laid upon the Table, a resolution is passed by each House of Parliament requesting that the proclamation be withdrawn, the Governor-General shall withdraw the proclamation.

(5) The withdrawal of any such proclamation shall not affect the validity of anything done thereunder.

Short title.

4. This Act shall be called the Matrimonial Causes Jurisdiction Act, 1945.

No. 36, 1945.]

PRIVATE ACT

To amend the Incorporated Law Society of Natal Act, No. 10 of 1907 (Natal).

(English Text signed by the Officer Administering the Government.)

(Assented to on 11th June, 1945.)

Preamble.

WHEREAS by an Act of the former Colony of Natal No. 10 of 1907 (hereinafter referred to as the principal Act), the Incorporated Law Society of Natal was constituted a Corporation with perpetual succession consisting of all Advocates and all Attorneys duly admitted, enrolled and practising as such in Natal:

AND WHEREAS it is expedient that all persons practising solely as Advocates in Natal shall be released from membership of the said Society:

AND WHEREAS it is further expedient that all persons enrolled or practising as Attorneys in Natal shall be members of the said Society:

BE IT THEREFORE ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa as follows:—

Substitution of new section for section 2 of Act No. 10 of 1907 (Natal).

1. Section two of the Incorporated Law Society of Natal Act No. 10 of 1907 (Natal), hereinafter referred to as the principal Act, is hereby repealed and the following new section substituted therefor:

"2. The Incorporated Law Society of Natal, as established by this Act, shall consist of all persons enrolled or practising in the Province of Natal as Attorneys, Notaries or Conveyancers, but shall not include any Conveyancer (not being an Attorney) admitted under Act No. 23 of 1904 of Natal."

Amendment of section 21 of Act No. 10 of 1907 (Natal).

2. Section twenty-one of the principal Act is hereby amended by the deletion of the words "Advocate or Attorney" and the substitution therefor of the words "Attorney, Notary or Conveyancer".

Repeal of sections 22, 23, 25 and 26 of Act No. 10 of 1907 (Natal).

3. Sections twenty-two, twenty-three, twenty-five and twenty-six of the principal Act are hereby repealed.

Amendment of section 27 of Act No. 10 of 1907 (Natal).

4. Section twenty-seven of the principal Act is hereby amended by the substitution in paragraphs (a), (b), (f) and (g) of the words "Attorneys, Notaries or Conveyancers" for the words "Advocates or Attorneys".

Amendment of section 28 of Act No. 10 of 1907 (Natal).

5. Section twenty-eight of the principal Act is hereby amended by the deletion of the words "Advocate or Attorney" and the substitution therefor of the words "Attorney, Notary or Conveyancer".

Substitution of new section for section 33 of Act No. 10 of 1907 (Natal).

6. Section thirty-three of the principal Act is hereby repealed and the following new section substituted therefor:

"33. 'The Society' means the Society incorporated by this Act.

'Council' means the Council of the Society."

Short title.

7. This Act shall be called the Incorporated Law Society of Natal Amendment (Private) Act, 1945.

(3) Iedere sodanige proklamasie word in albei Huise van die Parlement ter Tafel gelê binne veertien dae na die publikasie van die proklamasie as die Parlement dan in sitting is, en as die Parlement nie dan in sitting is nie, binne veertien dae na die aanvang van sy eersvolgende sitting.

(4) Indien elke Huis van die Parlement binne veertig dae na die datum waarop so 'n proklamasie ter Tafel gelê word 'n besluit aanneem waarby die intrekking van die proklamasie versoek word, trek die Goewerneur-generaal die proklamasie in.

(5) Die intrekking van so 'n proklamasie raak nie die geldigheid van enigiets wat uit hoofde daarvan gedoen is nie.

4. Hierdie Wet heet die Wet op Regsbevoegdheid in Matri- Kort titel. moniële Regsake, 1945.

No. 36, 1945.]

PRIVATE WET

Tot wysiging van die Incorporated Law Society of Natal Act, No. 10 van 1907 (Natal).

(Engelse Teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 11 Junie 1945.)

NADEMAAL die Incorporated Law Society of Natal, bestaande uit alle advokate en alle prokureurs wat behoorlik as sulks in Natal toegelaat en ingeskryf is en praktiseer, deur 'n Wet van die vorige Kolonie Natal, No. 10 van 1907 (hierna die Hoofwet genoem) ingestel is as 'n regs persoon met ewigduurende opvolging: Aanhel.

EN NADEMAAL dit dienstig is dat alle persone wat uitsluitend as advokate in Natal praktiseer onthef word van lidmaatskap van genoemde genootskap:

EN NADEMAAL dit verder dienstig is dat alle persone wat in Natal as prokureurs ingeskryf is of praktiseer lede van genoemde genootskap moet wees:

WORD DIT DERHALWE BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Artikel twee van die Incorporated Law Society of Natal Act, No. 10 van 1907 (Natal), hierna die Hoofwet genoem, word hiermee herroep en deur die volgende nuwe artikel vervang: Vervanging van artikel 2 van Wet No. 10 van 1907 (Natal) deur nuwe artikel.

„2. The Incorporated Law Society of Natal, as established by this Act, shall consist of all persons enrolled or practising in the Province of Natal as Attorneys, Notaries or Conveyancers, but shall not include any Conveyancer (not being an Attorney) admitted under Act No. 23 of 1904 of Natal.”

2. Artikel een-en-twintig van die Hoofwet word hiermee gewysig deur die woorde „Advocate or Attorney” te skrap en te vervang deur die woorde „Attorney, Notary or Conveyancer”. Wysiging van artikel 21 van Wet No. 10 van 1907 (Natal).

3. Artikels twee-en-twintig, drie-en-twintig, vyf-en-twintig en ses-en-twintig van die Hoofwet word hiermee herroep. Herroeping van artikels 22, 23, 25 en 26 van Wet No. 10 van 1907 (Natal).

4. Artikel sewen-en-twintig van die Hoofwet word hiermee gewysig deur in paragrawe (a), (b), (f) en (g) die woorde „Advocates or Attorneys” te vervang deur die woorde „Attorneys, Notaries or Conveyancers”. Wysiging van artikel 27 van Wet No. 10 van 1907 (Natal).

5. Artikel agt-en-twintig van die Hoofwet word hiermee gewysig deur die woorde „Advocate or Attorney” te skrap en te vervang deur die woorde „Attorney, Notary or Conveyancer”. Wysiging van artikel 28 van Wet No. 10 van 1907 (Natal).

6. Artikel drie-en-dertig van die Hoofwet word hiermee herroep en deur die volgende nuwe artikel vervang: Vervanging van artikel 33 van Wet No. 10 van 1907 (Natal) deur nuwe artikel.

„33. The Society' means the Society incorporated by this Act.

„Council' means the Council of the Society.”

7. Hierdie Wet heet die Private Wysigingswet op die Kort titel. Ingelyfde Wetsgenootskap van Natal, 1945.

No. 40, 1945.]

ACT**To amend the laws relating to the election of members of the House of Assembly and of provincial councils.***(English Text signed by the Officer Administering the Government.)**(Assented to on 12th June, 1945.)*

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—

“Amendment Act” means the Electoral Act, 1918, Amendment Act, 1926 (Act No. 11 of 1926);

“application” means an application for registration;

“chief electoral officer” means the chief electoral officer appointed under sub-section (1) of section *two* of the Amendment Act;

“competent witness” means a person whose name appears on a list which, at the time when he acts as a witness, is a valid voters' list prepared under this Act or the principal Act;

“electoral officer” means an electoral officer appointed under sub-section (2) of section *two* of the Amendment Act;

“non-European” means a person who is not a white person and not a native as defined in section *one* of the Representation of Natives Act, 1936 (Act No. 12 of 1936): Provided that in the province of Natal, “non-European” shall include any such native who is entitled to be registered as an elector under section *six* of Law No. 11 of 1865 of Natal;

“principal Act” means the Electoral Act, 1918 (Act No. 12 of 1918);

“qualified by residence” means qualified in terms of section *eight* or of the said section read with sub-section (3) of section *eleven*, for registration;

“register” means register as a voter, and registration has a corresponding meaning; and

any expression to which a meaning has been assigned in the principal Act bears, when used in this Act, the same meaning.

Application of certain provisions.

2. Sections *three* to and including *twenty-nine* shall apply in respect of the registration of voters for the election of members of the House of Assembly and of provincial councils, other than elections under the Representation of Natives Act, 1936 (Act No. 12 of 1936).

Preparation of voters' lists.

3. (1) As soon as may be after the first day of May, 1946, every electoral officer shall prepare in accordance with the provisions of this Act, for each division in the area for which he has been appointed, a list of persons who are entitled to vote.

(2) As from a date to be fixed by the Governor-General by proclamation in the *Gazette*, the voters' lists so prepared, and as amended from time to time in accordance with the provisions of this Act, shall be the voters' lists for the respective divisions.

(3) The voters' lists prepared for the purposes of the principal Act, which are valid at the commencement of this Act, shall continue to be valid up to the date referred to in sub-section (2).

By whom and to whom application for registration to be made.

4. (1) Every white person who is a Union national and who, on the first day of May, 1946, is of or over the age of twenty-one years, shall, subject to the provisions of sub-section (3), within a period of one month after that date, complete a form of application as provided in section *five*, and post or deliver the application to the electoral officer for the area in which he actually resides or retains his home, or in which place of business, office or branch business referred to in sub-section (3) of section *eight* is situate, as the case may be.

(2) Every white person who is a Union national and who at the date referred to in sub-section (1) is under the age of twenty-one years, or who is born or, not being under the said age, becomes a Union national after that date, shall, subject to the provisions of sub-section (3), within a period of one month after the date on which he attains the age of twenty-one years, or becomes a Union national, as the case may be, complete a form of application and post or deliver the application, as provided in sub-section (1).

No. 40, 1945.]

WET**Tot wysiging van die wetsbepalings betreffende die verkiesing van lede van die Volksraad en van provinsiale rade.**

(Engelse Tekst deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 12 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. In hierdie Wet, tensy uit die samehang anders blyk, **Woordbepaling.** beteken—

- „Wysigingswet” die „Kieswet, 1918, Wijzigings Wet, 1926” (Wet No. 11 van 1926);
- „aansoek” ’n aansoek om registrasie;
- „hoofverkiesingsbeampte” die kragtens sub-artikel (1) van artikel twee van die Wysigingswet aangestelde hoofverkiesingsbeampte;
- „bevoegde getuie” ’n persoon wie se naam op ’n lys verskyn wat, op die tydstip wanneer hy as getuie optree, ’n geldige kieserslys is wat kragtens hierdie Wet of die Hoofwet opgestel is;
- „verkiesingsbeampte” ’n kragtens sub-artikel (2) van artikel twee van die Wysigingswet aangestelde verkiesingsbeampte;
- „nie-blanke” ’n persoon wat nie ’n blanke is nie en nie ’n naturel soos in artikel een van die Naturelle-Verteenwoordigings-Wet, 1936 (Wet No. 12 van 1936) omskryf nie: Met dien verstande dat „nie-blanke” in die provinsie Natal ook beteken so ’n naturel wat kragtens artikel ses van Wet No. 11 van 1865 van Natal die reg het om as kieser geregistreer te word;
- „Hoofwet” die Kieswet, 1918 (Wet No. 12 van 1918);
- „bevoegd uit hoofde van verblyf” bevoegd volgens artikel agt of volgens genoemde artikel gelees met sub-artikel (3) van artikel elf, vir registrasie;
- „registreer” as kieser registreer, en het registrasie ’n ooreenstemmende betekenis; en

het ’n uitdrukking waaraan in die Hoofwet ’n betekenis toegeskryf is, dieselfde betekenis waar dit in hierdie Wet voorkom.

2. Artikels drie tot en met *nege-en-twintig* is van toepassing ten opsigte van die registrasie van kiesers vir die verkiesing van lede van die Volksraad en van provinsiale rade, uitgesonderd verkiesings ingevolge die Naturelle-Verteenwoordigings-Wet, 1936 (Wet No. 12 van 1936).

Toepassing van sekere bepalinge.

3. (1) So spoedig doenlik na die eerste dag van Mei 1946 moet elke verkiesingsbeampte vir elke afdeling in die gebied waarvoor hy aangestel is, ooreenkomstig die bepalinge van hierdie Wet ’n lys opstel van persone wat stemgeregtig is.

Opstel van kieserslyste.

(2) Vanaf ’n datum deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* vasgestel te word, is die aldus opgestelde kieserslyste soos van tyd tot tyd ooreenkomstig die bepalinge van hierdie Wet gewysig, die kieserslyste vir die onderskeie afdelings.

(3) Die kieserslyste vir die doeleindes van die Hoofwet opgestel wat by die inwerkingtreding van hierdie Wet geldig is, bly geldig tot die in sub-artikel (2) bedoelde datum.

4. (1) Iedere blanke Unie-staatsburger wat op die eerste dag van Mei 1946 een-en-twintig jaar of ouer is, moet, behoudens die by sub-artikel (3) bepaalde, binne ’n tydperk van ’n maand na daardie datum, ’n aansoekvorm soos by artikel vyf bepaal, voltooi, en die aansoek pos of aflewer aan die verkiesingsbeampte vir die gebied waarin hy werklik sy verblyf het of sy vaste woonplek aanhou, of waarin die in sub-artikel (3) van artikel agt bedoelde besigheidsplek, kantoor of besigheidstak geleë is, na gelang van die geval.

Deur wie en by wie aansoek om registrasie gedoen moet word.

(2) Iedere blanke Unie-staatsburger wat op die in sub-artikel (1) bedoelde datum nog nie een-en-twintig jaar is nie, of wat na daardie datum gebore word of terwyl hy nie benede genoemde leeftyd is nie ’n Unie-staatsburger word, moet, behoudens die by sub-artikel (3) bepaalde, binne ’n tydperk van ’n maand na die datum waarop hy die leeftyd van een-en-twintig jaar bereik, of ’n Unie-staatsburger word, na gelang van die geval, ’n aansoekvorm voltooi en die aansoek pos of aflewer soos in sub-artikel (1) bepaal.

(3) The provisions of sub-sections (1) and (2) shall not apply to any person who, during any portion of the period referred to therein—

- (a) is detained in a prison or elsewhere under a sentence or order of court or an order of any other competent authority; or
- (b) is subject to an order of court declaring him to be mentally disordered or defective or is detained as mentally disordered or defective under the Mental Disorders Act, 1916 (Act No. 38 of 1916); or
- (c) is absent from the Union.

(4) Any such person who is disqualified in terms of paragraph (c) of sub-section (1) of section *three* of the Franchise Laws Amendment Act, 1931 (Act No. 41 of 1931), shall within a period of two months after he ceases to be so disqualified and any such person who is not so disqualified shall, within a period of one month after the date upon which he ceases to be so detained or to be subject to such order or returns to the Union, as the case may be, complete a form of application, and post or deliver the application as provided in sub-section (1).

(5) Any non-European who has any claim to registration, may at any time, and any person who has failed to comply with sub-section (1), (2) or (4), may at any time thereafter complete a form of application and post or deliver the application as provided in sub-section (1).

(6) The electoral officer shall, on the prescribed form, addressed to the applicant at the address stated in the application, acknowledge the receipt of every application received by him under this section.

Form of application and how to be completed.

5. An application shall be in the prescribed form, shall be completed in duplicate in one or other of the official languages of the Union, so as to show all the prescribed particulars, shall, subject to the provisions of section *six*, be signed by the applicant personally in the presence of a competent witness, and shall contain a declaration signed by the said witness that he is a competent witness and that the applicant personally signed the application in his presence.

When and how application may be completed and signed by other person on behalf of applicant.

6. (1) If any person is unable by reason of physical infirmity to sign an application, the application may, subject to the provisions of sub-section (2), be signed by any other adult person on his behalf.

(2) Any such application shall be completed and signed in the presence of the applicant and of a magistrate, an electoral officer, a justice of the peace, a commissioner of oaths, a police officer of a rank not below that of a second class sergeant, or a police officer in charge of a police post or his deputy, and shall have endorsed thereon—

- (a) a statement by the person signing it on behalf of the applicant, setting forth the nature of the physical infirmity in question, and that he has been authorized by the applicant to sign the application on his behalf; and
- (b) a statement by the magistrate, electoral officer, justice of the peace, commissioner of oaths or police officer that the application has been completed and has been signed on behalf of the applicant in the presence of the applicant and himself.

Applications transmitted free of charge.

7. Applications may be transmitted by post free of charge.

In which division voter is to be registered.

8. (1) Subject to the provisions of sub-sections (2), (3) and (4) no person shall be registered in any division—

- (a) unless he actually resided in that division for a continuous period of at least two months immediately preceding the date of completion of his application; or
- (b) if he did not so reside, unless he retained his home in that division for such a period.

(2) If at the said date there is no division in which the applicant has so resided or retained his home, he shall, subject to the provisions of sub-sections (3) and (4), as soon as he has actually resided in any division for a continuous period of two months, or not having so resided, has retained his home in any division for such a period, be entitled, if he is otherwise qualified for registration, to be registered in that division.

(3) Die bepalings van sub-artikels (1) en (2) is nie van toepassing nie op iemand wat gedurende 'n gedeelte van die daarin bedoelde tydperk—

- (a) in 'n gevangenis of elders aangehou word ingevolge 'n geregtelike vonnis of bevel, of 'n bevel van 'n ander bevoegde gesaghebbende dan 'n hof; of
- (b) onder 'n geregtelike bevel staan waarby hy geestelik gekrenk of gebrekkig verklaar is of kragtens die „Wet op Geestesgebreken, 1916” (Wet No. 38 van 1916), as geestelik gekrenk of gebrekkig aangehou word; of
- (c) uit die Unie afwesig is.

(4) So iemand wat volgens paragraaf (c) van sub-artikel (1) van artikel drie van die Wet tot Wysiging van die Stemreg, 1931 (Wet No. 41 van 1931) onbevoeg is, moet binne 'n tydperk van twee maande nadat die onbevoegdheid eindig, en so iemand wat nie aldus onbevoeg is nie moet, binne 'n tydperk van 'n maand na die datum waarop die aanhouding eindig of die bevel buite werking tree of waarop hy na die Unie terugkeer, na gelang van die geval, 'n aansoekvorm voltooi en die aansoek pos of aflewer soas in sub-artikel (1) bepaal.

(5) 'n Nie-blanke wat 'n aanspraak op registrasie het kan te eniger tyd, en iemand wat versuim het om sub-artikel (1), (2) of (4) na te kom, kan te eniger tyd daarna, 'n aansoekvorm voltooi en die aansoek pos of aflewer soas in sub-artikel (1) bepaal.

(6) Die verkiesingsbeampte moet op die voorgeskrewe vorm, gerig aan die aansoeker by die adres in die aansoek vermeld, die ontvangs erken van elke aansoek wat hy ingevolge hierdie artikel ontvang het.

5. 'n Aansoek moet in die voorgeskrewe vorm wees, moet in duplo voltooi wees in die een of die ander amptelike taal van die Unie, en wel sodat al die voorgeskrewe besonderhede aangegee word, moet, behoudens die by artikel ses bepaalde, deur die aansoeker in eie persoon in teenwoordigheid van 'n bevoegde getuie onderteken wees, en moet 'n deur genoemde getuie ondertekende verklaring bevat dat hy 'n bevoegde getuie is en dat die aansoeker die aansoek in eie persoon in sy teenwoordigheid onderteken het.

Vorm van aansoek en hoe dit voltooi moet word.

6. (1) Indien iemand ter oorsake van liggaamlike swakheid of liggaamlike gebrek nie in staat is om 'n aansoek te onderteken nie, kan 'n ander volwasse persoon die aansoek, met inagneming van die bepalings van sub-artikel (2), ten behoeve van hom onderteken.

Wanneer en hoe 'n aansoek deur 'n ander persoon ten behoeve van die aansoeker voltooi en onderteken kan word.

(2) So 'n aansoek moet voltooi en onderteken word in teenwoordigheid van die aansoeker en van 'n magistraat, verkiesingsbeampte, vrederegter, kommissaris van ede, polisiebeampte met 'n rang wat nie laer as dié van tweedeklas sersant is nie of polisiebeampte aan die hoof van 'n polisiepos of sy plaasvervanger, en op die aansoek moet geëndosseer staan—

- (a) 'n verklaring deur die persoon wat dit ten behoeve van die aansoeker onderteken, waarin hy die aard van die onderhawige liggaamlike swakheid of gebrek aangee, en vermeld dat die aansoeker hom gemagtig het om die aansoek ten behoeve van hom te onderteken; en
- (b) 'n verklaring deur die magistraat, verkiesingsbeampte, vrederegter, kommissaris van ede of polisiebeampte dat die aansoek in sy teenwoordigheid en in dié van die aansoeker ten behoeve van die aansoeker voltooi en onderteken is.

7. Aansoeke kan kosteloos oor die pos versend word.

Kostelose versending van aansoeke.

8. (1) Behoudens die by sub-artikels (2), (3) en (4) bepaalde, word niemand in 'n afdeling geregistreer nie—

- (a) tensy hy gedurende 'n ononderbroke tydperk van minstens twee maande onmiddellik voor die datum van voltooiing van sy aansoek, werklik sy verblyf in daardie afdeling gehad het; of
- (b) indien hy nie aldus sy verblyf gehad het nie, tensy hy sy vaste woonplek in daardie afdeling vir so 'n tydperk aangehou het.

In watter afdeling stemgeregtigde geregistreer moet word.

(2) Indien daar op genoemde datum geen afdeling is waar die aansoeker aldus sy verblyf gehad het of sy vaste woonplek aangehou het nie, het hy, behoudens die by sub-artikels (3) en (4) bepaalde, sodra hy gedurende 'n ononderbroke tydperk van twee maande werklik sy verblyf in 'n afdeling gehad het of as hy nie aldus sy verblyf gehad het nie, sy vaste woonplek vir so 'n tydperk in 'n afdeling aangehou het, die reg om in daardie afdeling geregistreer te word, mits hy andersins bevoeg is vir registrasie.

(3) If the nature of the occupation of any person is such that he is required to change his place of residence so often that he is unable to reside in any one division for a continuous period of two months, and he does not retain a home in any one division for such a period, and if he is otherwise qualified for registration, he shall be entitled to be registered in the division in which his principal place of business is situated; or, if he is in employment, in which the principal place of business of his employer, or the office or branch business of his employer from which his remuneration is paid, is situated.

(4) If any person domiciled in the Union (or the wife or adult child of such person who resides with him) who is employed by the State (including the railway administration and any provincial administration) to perform any functions outside the Union, was, immediately prior to the commencement of the employment, in terms of sub-section (1) or (3) qualified by residence for registration in any division, he (and his wife and any such child, while residing with him) shall be deemed to retain that qualification in respect of that division during the whole period of the employment and during a further period of two months as from the date upon which he ceased to be so employed outside the Union.

(5) If applications for registration in more than one division are received from any person, the electoral officer shall not include his name in the voters' list for any division other than that in which he last qualified by residence for registration.

(6) No person shall merely by reason of his not being entitled to be registered in any division in terms of this section, be disqualified to be elected or to sit as a member of either House of Parliament or of a provincial council.

Consideration of applications.

9. (1) If an electoral officer who has received an application is satisfied—

- (a) that the applicant is qualified by residence for registration in any division within the area for which he has been appointed, and that the applicant is qualified for registration in other respects and is not disqualified in any respect, he shall include his name in the voters' list for that division;
- (b) that the applicant is so qualified by residence, but is in any other respect not qualified for registration or is disqualified in any respect, he shall disallow the application;
- (c) that the applicant is not so qualified by residence but is or may be qualified by residence for registration in a division outside the area for which he has been appointed, he shall forward the application to the electoral officer for the area in which that division is situate, and on receipt of the application by the latter officer, it shall be deemed to be an application for registration in that division;
- (d) that there is no division in which the applicant is so qualified by residence, he shall retain the application for subsequent enquiry.

(2) In coming to a decision under sub-section (1), in respect of an application signed under section six on behalf of a non-European applicant in the province of the Cape of Good Hope, the electoral officer shall have regard, *inter alia*, to the question whether or not the inability of the applicant to sign the application is due to any lack of the necessary educational qualification for registration.

(3) Whenever an electoral officer has come to any decision under paragraph (b), (c) or (d) of sub-section (1), he shall in the prescribed form inform the applicant of the decision and of the reason therefor.

Particulars to be shown in voters' list.

10. (1) A voters' list shall show in each section referred to in sub-section (2), in respect of every person whose name is included therein—

- (a) the surname, in alphabetical order, and with serial number and with the christian names and the sex (by means of the letters M and F or V) immediately thereafter;
- (b) the residential address;
- (c) the profession, trade or occupation;
- (d) in the case of non-Europeans in the provinces of the Cape of Good Hope and Natal—
 - (i) if qualification is claimed by reason of salary or wages or of income in which salary or wages are included, the name and address of the employer, and if claimed by reason of income other than salary or wages, the source of the income; and

(3) Indien die aard van iemand se beroep sodanig is dat hy sy verblyfplek so dikwels moet verander dat hy nie in staat is om gedurende 'n ononderbroke tydperk van twee maande sy verblyf in een afdeling te hê nie, en hy nie gedurende so 'n tydperk 'n vaste woonplek in een afdeling aanhou nie, het hy, mits hy andersins bevoeg is vir registrasie, die reg om geregistreer te word in die afdeling waarin sy hoofbesigheidsplek geleë is; of as hy in diens is, waarin die hoofbesigheidsplek van sy werkgewer of die kantoor of besigheidstak van sy werkgewer vanwaar sy besoldiging betaal word, geleë is.

(4) Indien iemand wat in die Unie gedomisileer is en by die Staat (met inbegrip van die spoorwegadministrasie en 'n provinsiale administrasie) in diens is vir die verrigting van werksaamhede buite die Unie (of die eggenote of volwasse kind van so iemand wat by hom woon), onmiddellik voor die begin van die diens, volgens sub-artikel (1) of (3) vir registrasie in een of ander afdeling bevoeg is uit hoofde van verblyf, word hy (asook sy eggenote en so 'n kind terwyl sy of hy by hom woon) geag daardie bevoegdheid ten opsigte van daardie afdeling te behou, gedurende die hele tydperk van die diens en gedurende 'n verdere tydperk van twee maande vanaf die datum waarop bedoelde diens buite die Unie eindig.

(5) Indien aansoeke om registrasie in meer dan een afdeling van iemand ontvang word, neem die verkiesingsbeampte sy naam nie in die kieserslys vir 'n ander afdeling op nie dan alleen dié waarin hy laas uit hoofde van verblyf vir registrasie bevoeg geword het.

(6) Niemand is alleen omdat hy volgens hierdie artikel nie die reg het om in 'n afdeling geregistreer te word nie, onbevoeg om as lid van een van die twee Parlements huise of van 'n provinsiale raad gekies te word of sitting te neem nie.

9. (1) Indien 'n verkiesingsbeampte wat 'n aansoek ontvang het, oortuig is— Oorweging van
aansoeko.

- (a) dat die aansoeker bevoeg is uit hoofde van verblyf vir registrasie in 'n afdeling binne die gebied waarvoor hy aangestel is, en dat die aansoeker in ander opsigte vir registrasie bevoeg is en in geen opsig onbevoeg is nie, neem hy sy naam in die kieserslys vir daardie afdeling op;
- (b) dat die aansoeker aldus bevoeg is uit hoofde van verblyf, maar in enige ander opsig nie vir registrasie bevoeg is nie of in enige opsig onbevoeg is, wys hy die aansoek van die hand;
- (c) dat die aansoeker nie aldus bevoeg is uit hoofde van verblyf nie maar vir registrasie in 'n afdeling buite die gebied waarvoor hy aangestel is, bevoeg is of mag wees uit hoofde van verblyf, stuur hy die aansoek aan die verkiesingsbeampte vir die gebied waarin daardie afdeling geleë is, en by ontvangs van die aansoek deur laasbedoelde beampte, word dit geag 'n aansoek om registrasie in daardie afdeling te wees;
- (d) dat daar geen afdeling is waarin die aansoeker aldus bevoeg is uit hoofde van verblyf nie, behou hy die aansoek vir latere navraag.

(2) By die neem van 'n besluit ingevolge sub-artikel (1), ten opsigte van 'n aansoek wat kragtens artikel ses ten behoeve van 'n nie-blanke aansoeker in die provinsie Kaap die Goeie Hoop onderteken is, moet die verkiesingsbeampte onder meer die vraag oorweeg of die onvermoë van die aansoeker om die aansoek te onderteken al dan nie te wyte is aan 'n gebrek aan die nodige opvoedingskwalifikasie vir registrasie.

(3) Wanneer 'n verkiesingsbeampte ingevolge paragraaf (b), (c) of (d) van sub-artikel (1) 'n besluit geneem het, moet hy die aansoeker in die voorgeskrewe vorm van die besluit verwittig en van die rede daarvoor.

10. (1) Op 'n kieserslys moet, in elke afdeling in sub-artikel (2) bedoel, ten aansien van iedere persoon wie se naam daarin opgeneem is, aangegee word— Besonderhede wat
op 'n kieserslys
aangegee moet
word.

- (a) die van, in alfabetiese orde, en met volgnommer en die voorname en met die geslag (deur middel van die letters M en F of V) onmiddellik daarna;
- (b) die woonadres;
- (c) die professie, bedryf of beroep;
- (d) in die geval van nie-blankes in die provinsies Kaap die Goeie Hoop en Natal—
 - (i) indien op bevoegdheid aanspraak gemaak word uit hoofde van salaris of loon of inkomste waarby salaris of loon inbegrepe is, die naam en adres van die werkgewer, en indien die aanspraak gemaak word uit hoofde van ander inkomste dan salaris of loon, die bron van die inkomste; en

- (ii) if qualification is claimed by reason of property, whether it is claimed as owner, tenant or otherwise, and if as tenant, whether as sole or joint tenant.
- (2) A voters' list shall be divided into—
- (a) a section containing the names of white women, which shall be the first section thereof;
 - (b) a section containing the names of white males, which shall be the second section thereof; and
 - (c) a section containing the names of non-Europeans, if there are non-Europeans who are entitled to registration in the division concerned.
- (3) If a division is divided into polling districts under section *forty-one* of the principal Act, the voters' list for that division shall be subject to the provisions of sub-section (2) be compiled and printed so as to show—
- (a) the names of the voters in each polling district in serial numbers and in alphabetical order; and
 - (b) in which polling district every voter is, subject to the provisions of the principal Act, required to vote.
- (4) At the end of every voters' list a certificate that the list has been checked and is correct shall be signed and dated by the electoral officer responsible for the compilation of that list.

Alteration of registration as a result of permanent change in qualification by residence.

11. (1) Whenever there has been a permanent change in the place of residence, home, place of business, office or branch business with reference to which a voter who has been registered in any division became qualified by residence, he shall, on the expiry of ten weeks thereafter and not later than three months thereafter, notify the electoral officer for the area in which that division is situate, of the change.

(2) The provisions of sections *five* and *six* shall *mutatis mutandis* apply in respect of any such notification.

(3) On receipt of any such notification the electoral officer shall, if he is satisfied that there has been a permanent change as described in sub-section (1), and that the voter would, if his name is removed from the voters' list, not be qualified by residence for registration in the same division, had the notification been an application for registration, remove his name from the voters' list for the division in question, or cause it to be removed, and thereupon the notification shall be deemed to be an application for registration in the appropriate division received by the electoral officer, and shall be dealt with in accordance with the provisions of section *nine*.

Returns to chief electoral officer by district registrars of births and deaths, clerks and registrars of court and superintendents at mental institutions.

12. (1) Every district registrar of births and deaths shall, subject to the provisions of sub-section (4), not later than the tenth day of every month, transmit to the chief electoral officer a return in the prescribed form containing the prescribed particulars concerning every adult male and adult white female whose death was registered by him during the preceding month.

(2) The registrar or clerk of any court which—

- (a) imposes on any adult male or adult white female a sentence or makes an order which would render any such person unqualified for registration or disqualified for continuance of registration or incapable of voting at any election; or
- (b) declares any person incapable during any period of being registered or of voting at any election; or
- (c) declares any person to be mentally disordered or defective,

shall, subject to the provisions of sub-section (4), not later than the tenth day of the month following the month in which the sentence was imposed or the declaration was made, or if the conviction, sentence or declaration is brought under review or is appealed against, not later than the tenth day of the month following the month in which it is confirmed on review or appeal, as the case may be, transmit to the chief electoral officer a return in the prescribed form containing the prescribed particulars concerning that person.

(3) The superintendent of every institution as defined in section *eight-seven* of the Mental Disorders Act, 1916 (Act No. 38 of 1916), shall, subject to the provisions of sub-section (4), not later than the tenth day of every month, transmit to the chief electoral officer a return in the prescribed form containing the prescribed particulars concerning every adult male and

(ii) indien op bevoegdheid aanspraak gemaak word uit hoofde van eiendom, of die aanspraak gemaak word as eienaar, huurder of andersins, en indien as huurder, of dit gemaak word as alleenhuurder of gesamentlike huurder.

(2) 'n Kieserslys word verdeel in—

- (a) 'n afdeling wat die name van blanke vrouens bevat, wat die eerste afdeling daarvan uitmaak;
- (b) 'n afdeling wat die name van blanke mans bevat, wat die tweede afdeling daarvan uitmaak; en
- (c) 'n afdeling wat die name van nie-blankes bevat, as daar nie-blankes is wat op registrasie in die betrokke kiesafdeling geregtig is.

(3) Indien 'n afdeling kragtens artikel *een-en-veertig* van die Hoofwet in stemdistrikte onderverdeel is, word die kieserslys vir daardie afdeling met inagneming van die bepaling van sub-artikel (2) so opgestel en gedruk dat daarop aangegee word—

- (a) die name van die kiesers in elke stemdistrik in volgnommernummers en in alfabetiese orde; en
- (b) in welke stemdistrik elke kieser, onderworpe aan die bepaling van die Hoofwet, sy stem moet uitbring.

(4) Aan die end van elke kieserslys word 'n sertifikaat dat die lys nagesien en juis is, deur die verkiesingsbeampte wat vir die opstel van daardie lys verantwoordelik is, onderteken en gedagteken.

11. (1) So dikwels daar 'n blywende verandering plaasgevind het in die verblyfplek, woonplek, besigheidsplek, kantoor of besigheidstak met betrekking tot welke 'n kieser wat in 'n afdeling geregistreer is, bevoegd geword het uit hoofde van verblyf, moet hy by verloop van tien weke daarna en nie later dan drie maande daarna nie, die verkiesingsbeampte vir die gebied waarin daardie afdeling geleë is, van die verandering kennis gee.

Wysiging van registrasie as gevolg van blywende verandering in bevoegdheid uit hoofde van verblyf.

(2) Die bepaling van artikels *vyf* en *ses* is *mutatis mutandis* ten opsigte van so 'n kennisgewing van toepassing.

(3) By ontvangs van so 'n kennisgewing moet die verkiesingsbeampte, as hy oortuig is dat daar 'n blywende verandering soos in sub-artikel (1) beskryf, plaasgevind het, en dat die kieser, as sy naam uit die kieserslys verwyder word, nie uit hoofde van verblyf vir registrasie in dieselfde afdeling bevoegd sou wees as die kennisgewing 'n aansoek om registrasie was nie, sy naam uit die kieserslys vir die betrokke afdeling verwyder of dit laat verwyder, en daarop word die kennisgewing geag 'n aansoek om registrasie in die paslike afdeling te wees, wat die verkiesingsbeampte ontvang het, en word ooreenkomstig die bepaling van artikel *nege* daarmee gehandel.

12. (1) Elke distriksregistrator van geboortes en sterfgevallen moet, behoudens die by sub-artikel (4) bepaalde, nie later nie dan die tiende dag van elke maand, na die hoofverkiesingsbeampte 'n opgaaf in die voorgeskrewe vorm instuur wat die voorgeskrewe besonderhede bevat omtrent elke sterfgeval van 'n volwasse man of volwasse blanke vrou wat hy gedurende die vorige maand geregistreer het.

Opgawes aan hoofverkiesingsbeampte deur distriksregistratours van geboortes en sterfgevallen, griffiere en klerke van howe en bestuurders van inrigtings vir sielsiektes.

(2) Die griffier of klerk van 'n hof wat—

- (a) 'n volwasse man of 'n volwasse blanke vrou 'n straf opelê of 'n bevel gee wat so 'n persoon onbevoeg sou maak vir registrasie of onbevoeg om geregistreer te bly of om by 'n verkiesing 'n stem uit te bring; of
- (b) 'n persoon onbevoeg verklaar om gedurende enige tydperk geregistreer te word of om by 'n verkiesing 'n stem uit te bring; of

(c) 'n persoon geestelik gekrenk of gebrekkig verklaar, moet, behoudens die by sub-artikel (4) bepaalde, nie later nie dan die tiende dag van die maand wat volg op die maand waarin die straf opgelê of die verklaring gedoen is, of as die skuldigbevinding, straf of verklaring in hersiening geneem word of as daarteen in hoër beroep gegaan word, dan nie later nie dan die tiende dag van die maand wat volg op die maand waarin dit by hersiening of appèl, na gelang van die geval, bekragtig word, na die hoofverkiesingsbeampte 'n opgaaf in die voorgeskrewe vorm instuur wat die voorgeskrewe besonderhede omtrent daardie persoon bevat.

(3) Die bestuurder van elke inrigting soos in artikel *sewen-en-tahtig* van die „Wet op Geestesgebreken, 1916 (Wet No. 38 van 1916)” omskryf, moet, behoudens die by sub-artikel (4) bepaalde, nie later nie dan die tiende dag van elke maand, na die hoofverkiesingsbeampte 'n opgaaf in die voorgeskrewe vorm instuur wat die voorgeskrewe besonderhede bevat

adult white female who had been detained in the institution under an order of court declaring such person to be mentally disordered or defective and was discharged during the previous month as a patient who has recovered.

(4) The provisions of sub-sections (1), (2) and (3) shall not apply in respect of any non-European who, at the time of his death, or of the sentence or declaration, or of his admission to the institution, as the case may be, has his usual place of residence in the province of the Transvaal or of the Orange Free State.

(5) Upon receipt of a return under sub-section (1) or (2), the chief electoral officer shall cause to be ascertained whether or not any person whose name is included therein, is registered and if any such person appears to be registered, he shall notify the electoral officer concerned of the inclusion of the name of that person in the return.

(6) Upon receipt of a return under sub-section (3), the chief electoral officer shall cause to be ascertained whether or not the name of any person whose name is included therein has been removed from a voters' list because he has been declared mentally disordered or defective, and if the name of any such person appears to have been so removed, he shall notify the electoral officer concerned of the inclusion of the name of that person in the return.

Amendment of voters' list by electoral officer.

13. (1) Subject to the provisions of sub-section (2), an electoral officer shall, except between the day on which the relative proclamation under section *thirty-six* or *fifty-eight* of the principal Act is issued and polling day, if he is satisfied of the relevant facts, amend the voters' list for any division in the area for which he has been appointed by—

- (a) correcting any mistake, supplying any omission or recording any change in the particulars of the registration of any person;
- (b) removing the name of any person who has failed to comply with the provisions of sub-section (1) of section *eleven*, which he would have removed had that person complied with the said provisions;
- (c) removing the name of any person who, according to a notification under sub-section (5) of section *twelve*, is dead or disqualified for continuance of registration;
- (d) restoring the name of any person referred to in paragraph (c), who has ceased to be so disqualified or restoring the name of any person in pursuance of a notification under sub-section (6) of the said section;
- (e) removing any superfluous entry where the name of the same person appears more than once in the same voters' list or in voters' lists for more than one division;
- (f) removing the name of any person who is not a Union national or is under the age of twenty-one years, or who would otherwise not be qualified to be registered, should he complete an application for registration on the date of the removal;
- (g) removing the name of any person in respect of whom an objection has been lodged under section *seventeen* and has been upheld;
- (h) restoring the name of any person removed by mistake; or
- (i) adding the name of any person which has wrongly been omitted.

(2) Before removing the name of any person from the voters' list, or restoring or adding it thereto, the electoral officer shall, by such means as are practicable, satisfy himself that the name relates to the person concerned.

(3) If under sub-section (1) the electoral officer removes from a voters' list a name which is not the name of a fictitious person or of a person who has died, he shall inform the person concerned, by a notice in the prescribed form directed to the address of that person as shown in the voters' list.

How amendments of voters' lists to be made.

14. Whenever the electoral officer has decided to remove the name of any person from, or to restore or add the name of any person to any voters' list, or to correct any mistake or supply any omission therein, he shall make the requisite alteration in ink in his official copy of the list and initial the altera-

omtrent elke volwasse man en volwasse blanke vrou wat ingevolge 'n geregtelike bevel waarby bedoelde persoon geestelik gekrenk of gebrekkig verklaar word, in die inrigting aangehou was en gedurende die vorige maand as 'n herstelde pasiënt ontslaan is.

(4) Die bepalings van sub-artikels (1), (2) en (3) is nie van toepassing nie ten opsigte van 'n nie-blanke wat, ten tyde van sy dood, of van die straf of verklaring, of van sy opname in die inrigting, na gelang van die geval, sy gewone verblyfplek in die provinsie Transvaal of Oranje-Vrystaat het.

(5) By ontvangs van 'n opgaaf ingevolge sub-artikel (1) of (2), laat die hoofverkiesingsbeampte vasstel of enige persoon wie se naam daarin opgeneem is al dan nie geregistreer is, en as enige sodanige persoon blyk geregistreer te wees, stel hy die betrokke verkiesingsbeampte daarvan in kennis dat die naam van daardie persoon in die opgaaf opgeneem is.

(6) By ontvangs van 'n opgaaf ingevolge sub-artikel (3), laat die hoofverkiesingsbeampte vasstel of die naam van enige persoon wie se naam daarin opgeneem is al dan nie uit 'n kieserslys verwyder is omdat hy geestelik gekrenk of gebrekkig verklaar is, en as die naam van so 'n persoon aldus verwyder blyk te gewees het, stel hy die betrokke verkiesingsbeampte daarvan in kennis dat die naam van daardie persoon in die opgaaf opgeneem is.

13. (1) Indien 'n verkiesingsbeampte oortuig is van die feite wat ter sake is, moet hy, met inagneming van die bepalings van sub-artikel (2), behalwe tussen die dag waarop die toepaslike proklamasie kragtens artikel *ses-en-dertig* of *agt-en-veftig* van die Hoofwet uitgereik word en stemdag, die kieserslys vir 'n afdeling in die gebied waarvoor hy aangestel is, wysig deur—

Wysiging van kieserslys deur verkiesingsbeampte.

- (a) 'n fout in die besonderhede van die registrasie van enige persoon te verbeter, 'n weglating daarin aan te vul of 'n verandering daarin aan te teken;
- (b) die naam te verwyder van 'n persoon wat versuim het om aan die bepalings van sub-artikel (1) van artikel *elf* te voldoen, en wie se naam hy sou verwyder het as daardie persoon wel aan genoemde bepalings voldoen het;
- (c) die naam van 'n persoon wat volgens 'n kennisgewing ingevolge sub-artikel (5) van artikel *twaalf* oorlede is of onbevoeg is om geregistreer te bly, te verwyder;
- (d) die naam van 'n in paragraaf (c) bedoelde persoon wat nie langer aldus onbevoeg is nie, op die lys te herstel, of die naam van enige persoon na aanleiding van 'n kennisgewing ingevolge sub-artikel (6) van genoemde artikel, op die lys te herstel;
- (e) 'n oorbodige inskrywing te verwyder, waar die naam van dieselfde persoon meer dan een maal in dieselfde kieserslys of in kieserslyste vir meer dan een afdeling voorkom;
- (f) die naam te verwyder van enige persoon wat nie 'n Unie-staatsburger is nie of benede die leeftyd van een-en-twintig jaar is, of wat andersins, as hy op die datum van die verwydering 'n aansoek om registrasie sou voltooi, nie bevoeg sou wees om geregistreer te word nie;
- (g) die naam te verwyder van enige persoon ten aansien van wie 'n beswaar kragtens artikel *sewentien* ingelewer en geldig verklaar is;
- (h) die naam van 'n persoon wat per abuis verwyder is, op die lys te herstel; of
- (i) die naam van 'n persoon wat verkeerdelik weggelaat is, by te voeg.

(2) Alvorens die naam van enige persoon uit die kieserslys te verwyder, of dit daarop te herstel of by te voeg, moet die verkiesingsbeampte hom deur die doenlike middele vergewis dat die naam betrekking het op die betrokke persoon.

(3) Indien die verkiesingsbeampte kragtens sub-artikel (1) 'n naam uit 'n kieserslys verwyder wat nie die naam van 'n denkbeeldige of afgestorwe persoon is nie, moet hy die betrokke persoon by kennisgewing in die voorgeskrewe vorm gerig aan die adres van daardie persoon soos op die kieserslys aangegee, daarvan verwittig.

14. Wanneer die verkiesingsbeampte besluit het om die naam van enige persoon uit 'n kieserslys te verwyder of om die naam van enige persoon daarop te herstel of by te voeg of om 'n fout daarin te verbeter of om 'n weglating daarin aan te vul, moet hy die nodige verandering op sy amptelike afskrif van die lys in ink aanbring en die verandering parafeer,

Hoe wysigings van kieserslyste aangebring moet word.

tion, and, in the case of a removal, restoration or addition, shall clearly indicate the same and state the reason for the alteration opposite to the name removed, restored or added.

Returns of amendments by electoral officers to chief electoral officer, magistrate and representatives of political parties.

15. The electoral officer shall within ten days after the end of each month furnish to the chief electoral officer a return of all amendments made by him under section *thirteen* during the preceding month, and shall at the same time supply one copy of each such return to the magistrate of every district wherein a division in the area for which the electoral officer has been appointed, or any portion of such a division, is situated (other than the magistrate in the town or city where the office of the electoral officer is situated), one copy to every officer in charge of a police station in such a division, and one copy to the authorized representative of each political party or group in the said area, one of whose objects it is to promote the election of candidates representing such party or group.

Copy of voters' list to be kept for inspection.

16. A copy of the voters' list for a division shall be kept for inspection by the public at the magistrate's office of every district wherein that division or any portion thereof is situated (except the magistrate's office in the town or city where the office of the electoral officer is situated), at the office of the electoral officer for the area in which that division is situated and at every police station in that division, and any person desiring to inspect or take copies of, or extracts from, that list, shall, during office hours, be entitled, without payment, to do, so.

Objections.

17. (1) The inclusion of any name in, the restoration or addition of any name to, and the removal of any name from a voters' list may be objected to by any person at any time by lodging with the electoral officer for the area concerned an objection in the prescribed form.

(2) When an objection is lodged under sub-section (1) against the inclusion of any name in, or the restoration or addition of any name to, a voters' list, the electoral officer shall (unless he is satisfied that the ground of the objection is not a ground on which a name could be removed or excluded from a voters' list) forthwith by registered post notify the person whose registration is objected to, of the nature of the objection, and that he may make representations to the electoral officer in regard thereto, within a period of twenty-one days after the date of the notice.

(3) Whenever an objection is lodged under sub-section (1) with the electoral officer for a division in the province of the Cape of Good Hope or Natal against the inclusion in or the restoration or addition to the voters' list for that division of the name of any person on the ground that that person has not complied with the requirements prescribed by any law—

(a) in regard to the occupation of any building or premises, or the receipt of any salary or wages, or his ability to sign his name and write his address and occupation, if that division is in the province of the Cape of Good Hope; or

(b) in regard to the possession or renting of immovable property, or the receipt of a specified income, if that division is in the province of Natal,

that person shall be registered only if he appears in person (if the objection relates to his inability to sign his name and to write his address and occupation) or if he appears in person or by an agent authorized by him in writing (if the objection relates to any other ground specified in paragraph (a) or (b)), within the period referred to in sub-section (2), before the electoral officer or a magistrate authorized thereto by him in writing, and refutes the objection and establishes his right to be registered: Provided that if any objection relates to the ability of such person to sign his name and write his address and occupation, and it is shown to the satisfaction of the electoral officer that he has been or will be prevented by sufficient cause from so appearing in person, the electoral officer shall take such steps as he may think fit to satisfy himself as to whether that person is or is not able to sign his name, and to write his address and occupation.

(4) When an objection has been lodged under sub-section (1), the electoral officer shall, upon expiration of the period referred to in sub-section (2), if that sub-section applies, and completion of the steps (if any) taken under the proviso to sub-section (3), determine the objection.

en in die geval van 'n verwydering, herstel of byvoeging, moet hy dit duidelik aandui en teenoor die verwyderde, herstelde of bygevoegde naam die rede vir die verandering vermeld.

15. Die verkiesingsbeampte moet binne tien dae na die end van elke maand aan die hoofverkiesingsbeampte 'n opgaaf verstrek van alle wysigings wat hy gedurende die vorige maand kragtens artikel *dertien* aangebring het, en moet terselfdertyd een afskrif van elke sodanige opgaaf verstrek aan die magistraat van elke distrik waarin 'n afdeling in die gebied waarvoor die verkiesingsbeampte aangestel is, of 'n gedeelte van so 'n afdeling, geleë is (behalwe die magistraat in die dorp of stad waar die kantoor van die verkiesingsbeampte geleë is), een afskrif aan elke beampte aan die hoof van 'n polisiepos in so 'n afdeling, asook een afskrif aan die gemagtigde verteenwoordiger van elke politieke party of groep in genoemde gebied, een van wie se oogmerke dit is om die verkiesing van kandidate wat bedoelde party of groep verteenwoordig, te bevorder.

Opgawes van wysigings deur verkiesings-beamptes aan hoofverkiesings-beampte, magistrate en verteenwoordigers van politieke partye.

16. 'n Afskrif van die kieserslys vir 'n afdeling moet vir insage deur die publiek gehou word by die magistraatskantoor van elke distrik waarin daardie afdeling of 'n gedeelte daarvan geleë is (behalwe die magistraatskantoor in die dorp of stad waar die kantoor van die verkiesingsbeampte geleë is), by die kantoor van die verkiesingsbeampte vir die gebied waarin daardie afdeling geleë is, asook by elke polisiepos in daardie afdeling, en enige persoon wat verlang om daardie lys in te sien of om afskrifte daarvan of uittreksels daaruit te maak, het die reg om dit sonder betaling gedurende kantoorure te doen.

Afskrif van kieserslys moet vir insage gehou word.

17. (1) Enige persoon kan te eniger tyd beswaar opper teen die opname, herstel, byvoeging of verwydering van 'n naam in, op of uit 'n kieserslys, deur by die verkiesingsbeampte vir die betrokke gebied 'n beswaar in die voorgeskrewe vorm in te lewer.

Besware.

(2) Wanneer kragtens sub-artikel (1) 'n beswaar ingelewer is teen die opname van 'n naam in, of die herstel of byvoeging van 'n naam op 'n kieserslys, moet die verkiesingsbeampte (tensy hy oortuig is dat die grond vir die beswaar nie 'n grond is waarop 'n naam uit 'n kieserslys verwyder of geweerd kan word nie) onverwyld die persoon teen wie se registrasie beswaar geopper word, per geregistreerde pos van die aard van die beswaar in kennis stel, en dat hy binne 'n tydperk van een-en-twintig dae na die datum van die kennisgewing, vertoë met betrekking tot die beswaar aan die verkiesingsbeampte kan rig.

(3) Wanneer kragtens sub-artikel (1) by die verkiesingsbeampte vir 'n afdeling in die provinsie Kaap die Goeie Hoop of Natal 'n beswaar ingelewer is teen die opname in of die herstel of byvoeging op die kieserslys vir daardie afdeling van die naam van 'n persoon op grond daarvan dat daardie persoon nie voldoen het nie aan die wetlik voorgeskrewe vereistes—

(a) betreffende die bewoning van 'n gebou of perseel, of die ontvangs van salaris of loon, of sy vermoë om sy naam te teken en sy adres en beroep neer te skryf, as daardie afdeling in die provinsie die Kaap die Goeie Hoop is; of

(b) betreffende die besit of huur van onroerende goed, of die ontvangs van 'n aangegewe inkomste, as daardie afdeling in die provinsie Natal is,

word daardie persoon alleen geregistreer as hy binne die in sub-artikel (2) bedoelde tydperk, in eie persoon (waar die beswaar betrekking het op sy onvermoë om sy naam te teken en sy adres en beroep neer te skryf), of in eie persoon of deur 'n skriftelik deur hom gemagtigde verteenwoordiger (waar die beswaar betrekking het op enige ander in paragraaf (a) of (b) vermelde grond), voor die verkiesingsbeampte verskyn of voor 'n skriftelik deur hom daartoe gemagtigde magistraat, en die beswaar weerlê en sy reg om geregistreer te wees, bewys: Met dien verstande dat indien 'n beswaar betrekking het op die vermoë van bedoelde persoon om sy naam te teken en sy adres en beroep neer te skryf en dit aan die verkiesingsbeampte oortuigend bewys word dat hy deur 'n voldoende oorsaak verhinder is of sal word om aldus in eie persoon te verskyn, die verkiesingsbeampte die stappe moet doen wat hy wenslik ag om hom te vergewis of daardie persoon al dan nie in staat is om sy naam te teken en sy adres en beroep neer te skryf.

(4) Wanneer kragtens sub-artikel (1) 'n beswaar ingelewer is, moet die verkiesingsbeampte, by verloop van die in sub-artikel (2) bedoelde tydperk, as daardie sub-artikel van toepassing is, en voltooiing van die stappe (as daar is) kragtens die voorbehoudsbepaling by sub-artikel (3) gedoen, oor die beswaar besluit.

Appeals.

18. (1) If any person—

- (a) whose application has been disallowed ; or
- (b) who has objected to the removal of his name from a voters' list ; or
- (c) the inclusion of whose name in or the restoration or addition of whose name to a voters' list has been objected to ; or
- (d) who has objected to the inclusion of the name of any other person in, its restoration or addition to, or its removal from, a voters' list,

is not satisfied with the decision of the electoral officer, he may, within twenty-one days of being notified of the decision, appeal to the chief electoral officer, who shall decide the matter on the evidence on which the decision of the electoral officer is based, and on such further evidence as may be obtained by or submitted to him.

(2) The decision of the chief electoral officer shall, subject to the provisions of section *nineteen*, be final.

Statement of case for decision by a judge.

19. (1) The chief electoral officer shall, at the request of any person who has appealed under sub-section (1) of section *eighteen*, and is not satisfied with his decision, transmit a statement of the case to the registrar of the court to be submitted to a judge in chambers.

(2) A statement referred to in sub-section (1) shall be signed by the chief electoral officer and by the party at whose request it is submitted.

(3) The judge to whom the statement is submitted may, on the application of the chief electoral officer, before considering the statement, order the party at whose request it is submitted, to furnish security for any costs allowed against him, and if he fails to furnish such security, the statement shall be deemed to have been withdrawn from the decision of the judge.

(4) The said judge may, if the statement appears to him to be defective, call for further information and may give such decision and make such order as to costs, as he may think fit.

(5) The registrar of the court shall forward to the chief electoral officer, to the electoral officer and to the party at whose request the statement has been submitted, a certified copy of the decision of the court.

(6) There shall be no appeal against any decision given by a judge under this section, except to the Appellate Division, and then only if the Appellate Division has given special leave to appeal.

When voters' lists to be printed.

20. The voters' lists as prepared and amended from time to time in accordance with the provisions of this Act, shall be printed not later than two months before every general election following upon the dissolution of the House of Assembly or of a provincial council by effluxion of time, and at such other times as the chief electoral officer considers necessary, or as the Minister may direct.

Copies of printed lists.

21. As soon as any voters' list for any division has been printed, any person shall be entitled to obtain, on payment of such charges and subject to such conditions as may be prescribed, a reasonable number of copies of that list.

Adjustment of voters' lists on alteration of electoral divisions.

22. (1) If by reason of any new delimitation of divisions in accordance with sections *forty-one*, *forty-two* and *seventy-one* of the South Africa Act, 1909, any portion of a division as existing before the delimitation, is allocated to another division, the chief electoral officer or Administrator concerned, as the case may be, shall, as circumstances require, cause to be compiled from the voters' lists prepared on the basis of the last previous delimitation, voters' lists for the altered divisions.

(2) Such voters' lists for the altered divisions shall not come into operation until the next general election of the House of Assembly or of the provincial council, as the case may be.

(3) The voters' lists first referred to in sub-section (1) shall be retained and shall be the lists to be used at elections to fill casual vacancies in the House of Assembly or the provincial council, as the case may be, until the alteration of the divisions comes into operation at the next general election of the House of Assembly or of the provincial council.

Adjustment of voters' lists where Assembly divisions not co-terminous with provincial divisions.

23. (1) Whenever the divisions for the House of Assembly are not co-terminous with the divisions for the provincial council, the Administrator shall cause all necessary steps to be taken to compile from the appropriate voters' lists for the first mentioned divisions, correct voters' lists for the provincial divisions, and such last mentioned lists shall be the voters' lists for the elections of the provincial council.

18. (1) Indien iemand—

Appèlle.

- (a) wie se aansoek van die hand gewys is ; of
- (b) wat beswaar geopper het teen die verwydering van sy naam uit 'n kieserslys ; of
- (c) teen die opname van wie se naam in, of die herstel of byvoeging van wie se naam op 'n kieserslys beswaar geopper is ; of
- (d) wat beswaar geopper het teen die opname van die naam van 'n ander persoon in, die herstel of byvoeging daarvan op, of die verwydering daarvan uit 'n kieserslys,

beswaard voel deur die besluit van die verkiesingsbeampte, kan hy hom binne een-en-twintig dae nadat hy van die besluit in kennis gestel is, op die hoofverkiesingsbeampte beroep, en hy besluit oor die saak op die getuienis waarop die besluit van die verkiesingsbeampte berus, en op die verdere getuienis wat hy mag inwin of wat aan hom voorgelê mag word.

(2) Behoudens die by artikel *negentien* bepaalde, is die besluit van die hoofverkiesingsbeampte afdoende.

19. (1) Op versoek van iemand wat kragtens sub-artikel (1) van artikel *agtien* in hoër beroep gegaan het en beswaard voel deur sy besluit, stuur die hoofverkiesingsbeampte 'n gestelde saak aan die griffier van die hof ter voorlegging aan 'n regter *in camera*. Gestelde saak vir uitwysing deur regter.

(2) 'n In sub-artikel (1) bedoelde gestelde saak word deur die hoofverkiesingsbeampte onderteken asook deur die party op versoek van wie dit voorgelê word.

(3) Die regter aan wie die saak voorgelê word kan, op aansoek van die hoofverkiesingsbeampte, alvorens die saak te oorweeg, die party op versoek van wie dit voorgelê word, beveel om sekerheid te stel vir koste wat teen hom toegestaan mag word, en as hy versuim om die sekerheid te stel, word die saak geag aan die beslissing van die regter onttrek te wees.

(4) Genoemde regter kan, as die gestelde saak hom gebreklik voorkom, nadere inligting vorder, en kan na goeddunke 'n beslissing gee, asook 'n bevel insake koste.

(5) Die griffier van die hof stuur 'n gesertifiseerde afskrif van die beslissing van die hof aan die hoofverkiesingsbeampte, aan die verkiesingsbeampte en aan die party op versoek van wie die saak voorgelê is.

(6) Teen die beslissing deur 'n regter kragtens hierdie artikel gegee, is daar geen appèl nie, dan alleen na die Afdeling van Appèl, en dan slegs as die Afdeling van Appèl spesiale verlof tot appèl verleen het.

20. Die kieserslyste, soos ooreenkomstig die bepalinge van hierdie Wet opgestel en van tyd tot tyd gewysig, word gedruk nie later nie dan twee maande voor elke algemene verkiesing wat volg op 'n ontbinding van die Volksraad of van 'n provinsiale raad deur tydsverloop, en op die ander tye wat die hoofverkiesingsbeampte nodig ag of wat die Minister mag gelas. Wanneer kieserslyste gedruk moet word.

21. Sodra 'n kieserslys vir 'n afdeling gedruk is, het enige persoon die reg om, teen betaling van die gelde en onderworpe aan die voorwaardes wat voorgeskryf mag word, 'n redelike aantal eksemplare van daardie lys te verkry. Afskrifte van gedrukte lys.

22. (1) Indien weens 'n nuwe afbakening van afdelings ooreenkomstig artikels *een-en-veertig*, *twee-en-veertig* en *een-en-sewentig* van die „Zuid Afrika Wet, 1909”, 'n gedeelte van 'n afdeling soos dit voor die afbakening bestaan het, aan 'n ander afdeling toegewys word, laat die hoofverkiesingsbeampte of die betrokke Administrateur, na gelang van die geval, uit die kieserslyste wat op die grondslag van die laaste voorafgaande afbakening opgestel is, na gelang van omstandighede kieserslyste vir die veranderde afdelings opstel. In orde bring van kieserslyste na verandering van kiesafdelings.

(2) Sulke kieserslyste vir die veranderde afdelings tree nie voor die volgende algemene verkiesing van die Volksraad of van die provinsiale raad, na gelang van die geval, in werking nie.

(3) Die in sub-artikel (1) bedoelde kieserslyste word behou en is die lys wat by verkiesings ter aanvulling van tussentydse vakatures in die Volksraad of die provinsiale raad, na gelang van die geval, gebruik moet word, totdat die verandering van afdelings by die volgende algemene verkiesing van die Volksraad of van die provinsiale raad in werking tree.

23. (1) Wanneer die afdelings vir die Volksraad nie met die afdelings vir die provinsiale raad saamval nie, laat die Administrateur al die nodige stappe doen om uit die paslike kieserslyste vir eersbedoelde afdelings, juiste kieserslyste vir die provinsiale kiesafdelings op te stel, en laasbedoelde lys is die kieserslyste vir die verkiesings van die provinsiale raad. In orde bring van kieserslyste waar Volksraad-afdelings nie met provinsiale afdelings saamval nie.

(2) Electoral officers shall carry out the instructions of the Administrator with regard to the compilation of such last mentioned lists.

Comparison of voters' lists by chief electoral officer.

24. (1) The chief electoral officer shall cause the several voters' lists to be compared for the purpose of ensuring that no person shall be registered more than once in the same division or in more than one division and if, after due enquiry, he is satisfied that any person is registered more than once in the same division or in more than one division, he shall cause the name of that person to be removed from every list in which it should not appear.

(2) The provisions of sub-sections (2) and (3) of section *thirteen*, sub-sections (1), (2) and (4) of section *seventeen* and section *nineteen* shall *mutatis mutandis* apply in connection with the removal of a name under sub-section (1).

Powers of electoral officers.

25. An electoral officer may by notice in writing at any time require any person, whether registered or not, to furnish on the prescribed form or otherwise, and in the manner and within the period (not being less than ten days) specified in the notice, such particulars as may be prescribed or as the electoral officer may specify in the notice, as to the identity, age, nationality, qualification by residence, qualification by reason of property, salary, wages or income, or any other matter relevant to the registration, of such person or of any other person.

Exemption from stamp duty.

26. Anything to the contrary notwithstanding in any law relating to stamp duty, no stamp duty shall be charged upon any declaration made or any authorization issued in connection with the registration of any voter.

Voters' lists not invalidated by reason of errors.

27. If through accident, inadvertence or oversight, anything required by law to be done in the preparation of any voters' list is erroneously done or omitted to be done, the voters' list shall not be invalidated thereby and the chief electoral officer may take or cause to be taken such steps as are necessary to rectify the error or omission.

Penalties.

28. (1) Any person who—

- (a) fails to comply with the provisions of sub-section (1), (2) or (4) of section *four* or of sub-section (1) of section *eleven*, or with any notice under section *twenty-five*; or
- (b) having obtained possession of an application signed by any other person, for the purpose of being delivered or sent to an electoral officer, fails to deliver or send the application to that officer without delay; or
- (c) being an officer having any duty under this Act or any regulation in connection with the registration of voters, wilfully or with gross negligence fails to perform that duty, or to perform it in a due and proper manner; or
- (d) makes any false statement in or on an application, or in a notice under sub-section (1) of section *eleven*, or in pursuance of a notice under section *twenty-five*, knowing the statement to be false; or
- (e) under the name of any other person (whether living, dead or fictitious) signs an application for the registration of that person, or signs as a witness in respect of an application which has been so signed; or
- (f) procures the registration of himself or any other person (whether living, dead or fictitious) in any division, knowing that he or such other person is not entitled to registration in that division or is already registered therein; or
- (g) procures the removal from a voters' list of the name of any person, knowing that such person is entitled to have his name included in that list;

shall be guilty of an offence and liable—

- (i) in the case of an offence referred to in paragraph (a) or (b), to a fine not exceeding twenty-five pounds or to imprisonment not exceeding a period of three months;
- (ii) in the case of an offence referred to in paragraph (c), to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding six months; and

(2) Verkiesingsbeamptes moet die bevele van die Administrateur uitvoer met betrekking tot die opstel van laasbedoelde lyste.

24. (1) Die hoofverkiegingsbeampte laat die onderskeie kieserslyste vergelyk ten einde te verseker dat niemand meer dan eenmaal in dieselfde afdeling of in meer dan een afdeling geregistreer is nie, en indien hy, na behoorlike ondersoek, oortuig is dat iemand meer dan eenmaal in dieselfde afdeling of in meer dan een afdeling geregistreer is, laat hy die naam van so iemand verwyder uit elke lys waarin dit nie behoort voor te kom nie.

Vergelyking van kieserslyste deur hoofverkiegingsbeampte.

(2) Die bepalings van sub-artikels (2) en (3) van artikel *dertien*, sub-artikels (1), (2) en (4) van artikel *sewentien* en artikel *negentien* is *mutatis mutandis* in verband met die verwydering van 'n naam kragtens sub-artikel (1) van toepassing.

25. 'n Verkiesingsbeampte kan te eniger tyd enige persoon, onverskillig of hy geregistreer is al dan nie, by skriftelike kennisgewing aansê om op die voorgeskrewe vorm of andersins, en op die wyse en binne die tydperk (wat minstens tien dae moet wees) in die kennisgewing vermeld, die besonderhede te verstrek wat voorgeskryf mag word of wat die verkiesingsbeampte in die kennisgewing mag aandui, betreffende die identiteit, leeftyd, burgerskap, bevoegdheid uit hoofde van verblyf, bevoegdheid uit hoofde van eiendom, salaris, loon of inkomste of enige ander aangeleentheid wat ter sake is by die registrasie, van bedoelde persoon of van enige ander persoon.

Magte van verkiesingsbeamptes.

26. Ondanks andersluidende bepalings betreffende seëlregte, is daar op 'n verklaring wat afgelê of 'n magtiging wat uitgereik is in verband met die registrasie van 'n kieser, geen seëlreg verskuldig nie.

Vrystelling van seëlregte.

27. Indien per ongeluk, per abuis of deur onoplettendheid iets wat regtens by die opstel van 'n kieserslys gedoen moet word, verkeerd gedoen word of nie gedoen word nie, maak dit die kieserslys nie ongeldig nie, en kan die hoofverkiegingsbeampte die stappe doen of laat doen wat nodig is om die fout te verbeter of om die versuim te herstel.

Kieserslyste nie as gevolg van foute ongeldig nie.

28. (1) Iemand wat—

Strafbepalings.

- (a) versuim om aan die bepalings van sub-artikel (1), (2) of (4) van artikel *vier* of van sub-artikel (1) van artikel *elf*, of aan 'n kennisgewing kragtens artikel *vyf-en-twintig* te voldoen; of
- (b) nadat hy van 'n deur 'n ander persoon ondertekende aansoek besit verkry het met die doel dat dit aan 'n verkiesingsbeampte afgelewer of gestuur moet word, versuim om die aansoek onverwyld aan daardie beampte af te lewer of te stuur; of
- (c) terwyl hy 'n beampte is op wie enige plig ingevolge hierdie Wet of 'n regulasie in verband met die registrasie van kiesers rus, opsetlik of met growwe nalatigheid versuim om daardie plig te vervul of om dit op behoorlike wyse te vervul; of
- (d) in of op 'n aansoek, of in 'n kennisgewing kragtens sub-artikel (1) van artikel *elf*, of ingevolge 'n kennisgewing kragtens artikel *vyf-en-twintig*, 'n valse verklaring doen, wetende dat dit vals is; of
- (e) onder die naam van 'n ander persoon (onverskillig of hy 'n lewende, afgestorwe of denkbeeldige persoon is) 'n aansoek om die registrasie van daardie persoon onderteken, of ten opsigte van 'n aldus ondertekende aansoek as getuie teken; of
- (f) die registrasie in een of ander afdeling van homself of van 'n ander persoon (onverskillig of hy 'n lewende, afgestorwe of denkbeeldige persoon is) bewerkstellig, wetende dat hy of bedoelde ander persoon nie op registrasie in daardie afdeling geregtig is nie of alreeds daarin geregistreer is; of
- (g) die verwydering van die naam van enige persoon uit 'n kieserslys bewerkstellig, wetende dat daardie persoon geregtig is op opname van sy naam in daardie lys,

is aan 'n misdryf skuldig, en strafbaar—

- (i) in die geval van 'n in paragraaf (a) of (b) bedoelde misdryf, met 'n boete van hoogstens vyf-en-twintig pond of met gevangenisstraf vir 'n tydperk van hoogstens drie maande;
- (ii) in die geval van 'n in paragraaf (c) bedoelde misdryf, met 'n boete van hoogstens vyftig pond of met gevangenisstraf vir 'n tydperk van hoogstens ses maande; en

(iii) in the case of an offence referred to in paragraphs (d) to and including (g), to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding one year, or to both such fine and imprisonment.

(2) Within fourteen days after the commencement of every ordinary session of Parliament, the Minister of Justice shall lay upon the Tables of both Houses of Parliament a statement showing the nature of the charges upon which prosecutions were instituted under sub-section (1) during the preceding calendar year, and the number of prosecutions instituted upon the various charges.

Evidence.

29. If any person is charged with a contravention of sub-section (1) or (2) of section *eleven* and it is proved that there has been a change in the place of residence, home, place of business, office or branch business with reference to which the voter concerned became qualified by residence, such change shall, until the contrary is proved, be presumed to have been a permanent change.

Sections 1 to 29 form part of principal Act.

30. Sections *one* to and including *twenty-nine* shall be deemed to form part of the principal Act.

Amendment of section 8 of Cape Constitution Ordinance, as amended by section 4 of Cape Act 9 of 1892.

31. Section *eight* of the Constitution Ordinance, 1853, of the Cape of Good Hope, is hereby amended by the substitution for the words "next before the day on which any such registration of voters as is hereinafter mentioned shall commence" of the words "immediately preceding the date of completion of his application to be registered as a voter,".

Amendment of section 5 of Cape Act 9 of 1892.

32. Section *five* of the Franchise and Ballot Act, 1892, of the Cape of Good Hope, is hereby amended by the substitution for the words "the day when any registration of voters shall commence," of the words "the date of completion of his application to be registered as a voter,".

Amendment of section 7 of Cape Act 9 of 1892.

33. Section *seven* of the Franchise and Ballot Act, 1892, of the Cape of Good Hope, is hereby amended by the deletion of the word "provisional".

Amendment of section 3 of Cape Act 48 of 1899.

34. Section *three* of the Registration of Parliamentary Voters' Amendment Act, 1899, of the Cape of Good Hope, is hereby amended—

- (a) by the substitution in paragraph (1) for the words "next before the day on which any registration of voters shall commence," of the words "immediately preceding the date of completion of his application to be registered as a voter,"; and
- (b) by the substitution in paragraph (2) for the words "the time any registration shall commence" and for the words "the day on which any registration of voters shall commence", of the words "the date of completion of his application to be registered as a voter".

Amendment of section 10 of Transvaal Constitution Letters Patent, 1906, as amended by section 7 of Act 41 of 1931.

35. Section *ten* of the Transvaal Constitution Letters Patent, 1906, is hereby amended by the substitution for the words "commencement (as declared by proclamation of the Governor) of the framing of a general register of voters", and for the words "commencement of the framing of a general register of voters", of the words "date of completion of his application to be registered as a voter,".

Amendment of section 10 of Orange River Colony Constitution Letters Patent, 1907, as amended by section 7 of Act 41 of 1931.

36. Section *ten* of the Orange River Colony Constitution Letters Patent, 1907, is hereby amended by the substitution for the words "commencement (as declared by proclamation of the Governor) of the framing of a general register of voters", and for the words "commencement of the framing of a general register of voters", of the words "date of completion of his application to be registered as a voter,".

Repeal of sections 1 to 34 of Act 12 of 1918.

37. Sections *one* to and including *thirty-four* (except sub-sections (7) and (8) of section *four*) of the principal Act are hereby repealed.

Amendment of section 36 of Act 12 of 1918, as amended by section 26 of Act 11 of 1926.

38. Section *thirty-six* of the principal Act is hereby amended by the addition at the end of paragraph (c) of sub-section (1), of the following proviso to that paragraph: "Provided that if a casual vacancy occurs in the office of a person so appointed, or if for any reason a returning officer is unable to act, the Minister or the Administrator, as the case may be, shall appoint another person as returning officer or to act in the stead of the returning officer, as the case may be."

(iii) in die geval van 'n in paragrawe (d) tot en met (g) bedoelde misdryf, met 'n boete van hoogstens honderd pond of met gevangenisstraf vir 'n tydperk van hoogstens een jaar, of met beide sodanige boete en gevangenisstraf.

(2) Binne veertien dae na die aanvang van elke gewone sitting van die Parlement, lê die Minister van Justisie in albei Huise van die Parlement 'n verklaring ter Tafel wat die aard aangee van die aanklagtes waarop vervolgings ingevolge sub-artikel (1) gedurende die vorige kalenderjaar ingestel is, asook die aantal vervolgings wat op die verskillende aanklagtes ingestel is.

29. Indien iemand van 'n oortreding van sub-artikel (1) of (2) van artikel *elf* aangekla word en dit word bewys dat daar 'n verandering plaasgevind het in die verblyfplek, woonplek, besigheidsplek, kantoor of besigheidstak met betrekking tot welke die betrokke kieser bevoegd geword het uit hoofde van verblyf, word die verandering, totdat die teendeel bewys is, geag 'n blywende verandering te gewees het.

30. Artikels *een* tot en met *nege-en-twintig* word geag deel van die Hoofwet uit te maak. Bewyslewing.
Artikels 1 tot 29 maak deel van Hoofwet uit.

31. Artikel *agt* van die „Constitution Ordinance, 1853”, van die Kaap die Goeie Hoop, word hiermee gewysig deur die woorde „next before the day on which any such registration of voters as is hereinafter mentioned shall commence” te vervang deur die woorde „immediately preceding the date of completion of his application to be registered as a voter.” Wysiging van artikel 8 van Kaapse „Constitution Ordinance”, soos gewysig deur artikel 4 van Kaapse Wet 9 van 1892.

32. Artikel *vyf* van die „Franchise and Ballot Act, 1892” van die Kaap die Goeie Hoop, word hiermee gewysig deur die woorde „the day when any registration of voters shall commence,” te vervang deur die woorde „the date of completion of his application to be registered as a voter.” Wysiging van artikel 5 van Kaapse Wet 9 van 1892.

33. Artikel *sewe* van die „Franchise and Ballot Act, 1892”, van die Kaap die Goeie Hoop, word hiermee gewysig deur die woord „provisional” te skrap. Wysiging van artikel 7 van Kaapse Wet 9 van 1892.

34. Artikel *drie* van die „Registration of Parliamentary Voters' Amendment Act, 1899”, van die Kaap die Goeie Hoop, word hiermee gewysig— Wysiging van artikel 3 van Kaapse Wet 48 van 1899.

(a) deur in paragraaf (1) die woorde „next before the day on which any registration of voters shall commence,” te vervang deur die woorde „immediately preceding the date of completion of his application to be registered as a voter.”; en

(b) deur in paragraaf (2) die woorde „the time any registration shall commence”, asook die woorde „the day on which any registration of voters shall commence”, te vervang deur die woorde „the date of completion of his application to be registered as a voter.”

35. Artikel *tien* van die „Transvaal Constitution Letters Patent, 1906”, word hiermee gewysig deur die woorde „commencement (as declared by proclamation of the Governor) of the framing of a general register of voters”, asook die woorde „commencement of the framing of a general register of voters”, te vervang deur die woorde „date of completion of his application to be registered as a voter.” Wysiging van artikel 10 van „Transvaal Constitution Letters Patent, 1906” soos gewysig deur artikel 7 van Wet 41 van 1931.

36. Artikel *tien* van die „Orange River Colony Constitution Letters Patent, 1907”, word hiermee gewysig deur die woorde „commencement (as declared by proclamation of the Governor) of the framing of a general register of voters”, asook die woorde „commencement of the framing of a general register of voters”, te vervang deur die woorde „date of completion of his application to be registered as a voter.” Wysiging van artikel 10 van „Orange River Colony Constitution Letters Patent, 1907”, soos gewysig deur artikel 7 van Wet 41 van 1931.

37. Artikels *een* tot en met *vier-en-dertig* (behalwe sub-artikels (7) en (8) van artikel *vier*) van die Hoofwet word hiermee herroep. Herroeping van artikels 1 tot 34 van Wet 12 van 1918.

38. Artikel *ses-en-dertig* van die Hoofwet word hiermee gewysig deur aan die end van paragraaf (c) van sub-artikel (1) die volgende voorbehoudsbepaling by daardie paragraaf by te voeg: „Met dien verstande dat indien een toevallige vakature ontstaat in het ambt van een aldus aangestelde persoon, of indien een kiesbeambte om een of ander reden niet in staat is op te treden, de Minister of de Administrateur, naar gelang van het geval, een andere persoon aanstelt als kiesbeambte of om, naar gelang van het geval, in plaats van de kiesbeambte op te treden.” Wysiging van artikel 36 van Wet 12 van 1918, soos gewysig deur artikel 26 van Wet 11 van 1926.

Amendment of section 37 of Act 12 of 1918, as amended by section 27 of Act 11 of 1926, and section 17 of Act 35 of 1931.

39. Section *thirty-seven* of the principal Act is hereby amended—

- (a) by the substitution in sub-section (2) for the words "during the sitting" of the words "at any time after the publication of the relative proclamation under sub-section (1) of section *thirty-six* and before the close of the sitting.";
- (b) by the insertion after sub-section (2), of the following sub-sections :
 - "(2)*bis*. No candidate shall be regarded as having been duly nominated, unless his consent to the nomination conveyed in writing or by telegraphic message, is lodged with the returning officer before the close of the sitting of the nomination court.
 - (2)*ter*. A candidate may withdraw his consent to nomination at any time before the close of the sitting of the nomination court by lodging with the returning officer a withdrawal so conveyed, and thereupon the nomination shall lapse." ; and
- (c) by the substitution in paragraphs (a) and (b) of sub-section (3), for the words "the proviso to sub-section (4) of section *four* of this Act as amended by section *four* of the Electoral Act, 1918, Amendment Act, 1926", of the words "sub-section (6) of section *eight* of the Electoral Laws Amendment Act, 1945".

Amendment of section 41 of Act 12 of 1918, as amended by section 18 of Act 35 of 1931, and section 12 of Act 20 of 1940.

40. Section *forty-one* of the principal Act is hereby amended—

- (a) by the deletion in sub-section (1), of the words "under any law hereby repealed";
- (b) by the substitution for the proviso to sub-section (2) of the following proviso :
 - "Provided that if the Minister is of opinion that the conduct of an election will be facilitated thereby, he may direct the returning officer, before he has given the notice referred to in section *thirty-nine*, to establish more than one polling station in the electoral division or in any polling district therein for voters whose names appear on the voters' list opposite serial numbers specified by him in respect of each such polling station ;" and
- (c) by the deletion of sub-section (3).

Amendment of section 42 of Act 12 of 1918.

41. Section *forty-two* of the principal Act is hereby amended by the substitution in sub-section (2) of the word "electoral" for the word "revising".

Amendment of section 44 of Act 12 of 1918.

42. Section *forty-four* of the principal Act is hereby amended—

- (a) by the insertion in sub-section (1) after the word "shall" of the words "subject to the provisions of section *sixty-six*," ; and
- (b) by the substitution for the proviso to sub-section (2), of the following proviso :
 - "Provided that if more than one polling station in any division or polling district has been established under the proviso to sub-section (2) of section *forty-one*, the voters for whom any polling station has been established shall vote at that polling station and at no other."

Amendment of section 52 of Act 12 of 1918, as substituted by section 34 of Act 11 of 1926.

43. Section *fifty-two* of the principal Act is hereby amended by the substitution in sub-section (5) for the words "the Minister or the Administrator concerned" of the words "the chief electoral officer or clerk of the provincial council".

Amendment of section 55 of Act 12 of 1918, as amended by section 35 of Act 11 of 1926.

44. Section *fifty-five* of the principal Act is hereby amended—

- (a) by the substitution for sub-sections (2) and (3) of the following sub-sections :
 - "(2) The returning officer shall, immediately after the declaration of the poll, transmit all counterfoils of ballot papers, together with a report on the prescribed form as to the verification of the ballot paper accounts to the chief electoral officer or clerk of the provincial council, as the case may be.
 - (3) (a) The returning officer shall be responsible for the safe custody of all counted, rejected and tendered ballot papers, and all other election documents, other than counterfoils of ballot papers.

39. Artikel *sewen-en-dertig* van die Hoofwet word hiermee gewysig—
- (a) deur in sub-artikel (2) die woorde „gedurende de zitting” te vervang deur die woorde „te eniger tijd na afkondiging van de toepaslike proklamatie krachtens sub-artikel (1) van artikel *zes en dertig* en voor het einde van de zitting”;
- (b) deur na sub-artikel (2) die volgende sub-artikels in te voeg:
- „(2)*bis*. Geen kandidaat wordt geacht behoorlik genomineerd te zijn, tenzij zijn toestemming tot de nominatie schriftelik of bij telegraphisch bericht medegedeeld, voor het einde van de zitting van het nominatiehof bij de kiesbeambte ingeleverd wordt.
- (2)*ter*. Een kandidaat kan zijn toestemming tot nominatie te eniger tijd voor het einde van de zitting van het nominatiehof intrekken door inlevering bij de kiesbeambte van een aldus medegedeelde intrekking, waarop de nominatie vervalt.”; en
- (c) deur in paragrafe (a) en (b) van sub-artikel (3) die woorde „het voorbehoud van sub-artikel (4) van artikel *vier* van de Kieswet, 1918, Wijzigingswet, 1926” te vervang deur die woorde „sub-artikel (6) van artikel *acht* van de Wysigingswet op die Kieswette, 1945”.
40. Artikel *een-en-veertig* van die Hoofwet word hiermee gewysig—
- (a) deur in sub-artikel (1) die woorde „onder een hierbij herroepen wet” te skrap;
- (b) deur die voorbehoudsbepaling by sub-artikel (2) te vervang deur die volgende voorbehoudsbepaling:
- „Met dien verstande dat indien de Minister van mening is dat het voeren van een verkiezing daardoor vergemakkelikt zal worden, hij de kiesbeambte, voordat hij de in artikel *negen en dertig* bedoelde bekendmaking uitgevaardigd heeft, kan gelasten om meer dan een stembureau in de kiesafdeling of in een of ander stemdistrikt erin in te richten voor kiezers wier namen op die kiezerslijst verschijnen tegenover volgnommers door hem ten opzichte van zodanig stembureau vermeld.”; en
- (c) deur sub-artikel (3) te skrap.
41. Artikel *twee-en-veertig* van die Hoofwet word hiermee gewysig deur in sub-artikel (2) die woord „revisor” te vervang deur die woord „verkiezingsbeambte”.
42. Artikel *vier-en-veertig* van die Hoofwet word hiermee gewysig—
- (a) deur in sub-artikel (1) voor die woord „beslissend” die woorde „behoudens het bij artikel *zes en zestig* bepaalde,” in te voeg; en
- (b) deur die voorbehoudsbepaling by sub-artikel (2) te vervang deur die volgende voorbehoudsbepaling:
- „Met dien verstande dat indien meer dan een stembureau krachtens de voorbehoudsbepaling bij sub-artikel (2) van artikel *een en veertig* in een afdeling of stemdistrikt ingesteld is, de kiezers voor wie een stembureau ingesteld is, hun stemmen bij dat stembureau en bij geen ander uitbrengen moeten.”.
43. Artikel *twee-en-veertig* van die Hoofwet word hiermee gewysig deur in sub-artikel (5) die woorde „de Minister of de betrokken administrateur” te vervang deur die woorde „de hoofdverkiezingsbeambte of de klerk van de provinciale raad”.
44. Artikel *vyf-en-veertig* van die Hoofwet word hiermee gewysig—
- (a) deur sub-artikels (2) en (3) te vervang deur die volgende sub-artikels:
- „(2) De kiesbeambte zendt dadelik na de verklaring van de verkiezing alle kontrôlebladen van stembriefjes, met een rapport op het voorgescreven formulier betreffende de verifikatie van de opgaven van stembriefjes, aan de hoofdverkiezingsbeambte of klerk van de provinciale raad, naar gelang van het geval.
- (3) (a) De kiesbeambte is verantwoordelik voor de veilige bewaring van alle getelde, afgekeurde en aangeboden stembriefjes, en van alle andere verkiezings-dokumenten, uitgezonderd kontrôlebladen van stembriefjes.

Wysiging van artikel 37 van Wet 12 van 1918, soas gewysig deur artikel 27 van Wet 11 van 1926, en artikel 17 van Wet 35 van 1931.

Wysiging van artikel 41 van Wet 12 van 1918, soas gewysig deur artikel 18 van Wet 35 van 1931, en artikel 12 van Wet 20 van 1940.

Wysiging van artikel 42 van Wet 12 van 1918.

Wysiging van artikel 44 van Wet 12 van 1918.

Wysiging van artikel 52 van Wet 12 van 1918, soas gewysig deur artikel 34 van Wet 11 van 1926.

Wysiging van artikel 55 van Wet 12 van 1918, soas gewysig deur artikel 35 van Wet 11 van 1926.

- (b) The returning officer shall retain the said papers and documents for a period of one year from the date of the election, and thereafter they shall, unless the court otherwise directs, be disposed of as directed by the chief electoral officer, or by the Administrator concerned, as the case may be.
- (c) The chief electoral officer shall retain all counter-foils received by him under sub-section (2) for a period of one year from the date of the election, and shall thereafter, unless the court otherwise directs, cause them to be destroyed.”;
- (b) by the substitution in sub-sections (4), (5) and (7) for the words “ Minister or an Administrator ”; wherever they occur, of the words “ returning officer ”; and
- (c) by the substitution for sub-section (6) of the following sub-section :
- “ (6) All documents retained by a returning officer in pursuance of this Act (other than ballot papers of whatsoever description) shall be open to public inspection at such time and under such regulations as may be prescribed ; and the returning officer shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may be prescribed.”.
- Amendment of section 56 of Act 12 of 1918. 45. Section *fifty-six* of the principal Act is hereby amended by the substitution for the word “ Minister ” of the words “ chief electoral officer ”.
- Amendment of section 57 of Act 12 of 1918. 46. Section *fifty-seven* of the principal Act is hereby amended by the substitution for the word “ Minister ” of the words “ chief electoral officer ”.
- Amendment of section 59 of Act 12 of 1918, as substituted by section 36 of Act 11 of 1926. 47. Section *fifty-nine* of the principal Act is hereby amended by the substitution for the words “ an Administrator ” of the words “ the Clerk of the Provincial Council ”, and for the word “ Administrator ”, wherever it occurs, of the words “ Clerk of the Provincial Council ”.
- Amendment of section 68 of Act 12 of 1918, as amended by section 20 of Act 35 of 1931. 48. Section *sixty-eight* of the principal Act is hereby amended by the substitution for paragraph (h) of the following paragraph :
- “ (h) Polling agents appointed under sub-section (1) of section *seventy-one* ; ”.
- Amendment of section 77 of Act 12 of 1918, as amended by section 38 of Act 11 of 1926, and section 21 of Act 35 of 1931. 49. Section *seventy-seven* of the principal Act is hereby amended—
- (a) by the substitution in sub-section (1) for the word “ forty ” of the word “ forty-two ”; and
- (b) by the insertion in sub-section (1) before the word “ Attorney-General ”, of the words “ chief electoral officer and to the ”.
- Amendment of section 79 of Act 12 of 1918 as amended by section 22 of Act 35 of 1931. 50. Section *seventy-nine* of the principal Act is hereby amended—
- (a) by the substitution in sub-section (2), for the words “ two years ” of the words “ one year ”; and
- (b) by the substitution in sub-section (3), for the words “ two years ” of the word “ year ”, and the insertion in the said sub-section, after the word “ may ”, and after the word “ shall ”, of the words “ unless the court otherwise directs ”.
- Amendment of section 86 of Act 12 of 1918, as amended by section 43 of Act 11 of 1926. 51. Section *eighty-six* of the principal Act is hereby amended by the substitution for paragraph (c) of sub-section (1), of the following paragraph :
- “ (c) for bands or torches or for any flag which is or was the national flag of any country ; ”.
- Insertion of new section 91bis in Act 12 of 1918. 52. The following section is hereby inserted in the principal Act after section *ninety-one* :
- “ Prohibition on use of flags. 91bis. No person shall in connection with any election on the polling day use or display any flag which is or was the national flag of any country.”
- Amendment of section 92 of Act 12 of 1918. 53. Section *ninety-two* of the principal Act is hereby amended by the deletion of sub-section (3).
- Amendment of section 112 of Act 12 of 1918. 54. Section *one hundred and twelve* of the principal Act is hereby amended by the substitution for the word “ revising ”, of the word “ electoral ”.

- (b) De kiesbeambte behoudt genoemde stembriefjes en dokumenten voor een tijdperk van één jaar vanaf de datum van de verkiezing, en daarna wordt, tenzij het hof anders gelast, volgens voorschrift van de hoofdverkiezingsbeambte of de Administrateur, naar gelang van het geval, ermede gehandeld.
- (c) De hoofdverkiezingsbeambte behoudt alle door hem ingevolge sub-artikel (2) ontvangen kontrôlebladen voor een tijdperk van een jaar vanaf de datum van de verkiezing, en doet dezelve daarna, tenzij het hof anders gelast, vernietigen.”;
- (b) deur in sub-artikels (4), (5) en (7), die woorde „Minister of een administrateur”, oral waar hül voorkom, te vervang deur die woord „kiesbeambte”; en
- (c) deur sub-artikel (6) te vervang deur die volgende sub-artikel:
- „(6) Alle door een kiesbeambte ingevolge deze Wet behouden dokumenten (uitgezonderd stembriefjes van welke aard ook) liggen ter inzage van het publiek op de tijd en onderworpen aan de regulaties die mogen worden voorgeschreven; en de kiesbeambte moet afschriften van of uittreksels uit genoemde dokumenten verstrekken aan een ieder die dezelve verlangt, tegen betaling van de gelden en onderworpen aan de regulaties die mogen worden voorgeschreven.”.
45. Artikel *ses-en-vyftig* van die Hoofwet word hiermee gewysig deur die woord „Minister” te vervang deur die woord „hoofdverkiezingsbeambte”. Wysiging van artikel 56 van Wet 12 van 1918.
46. Artikel *sewen-en-vyftig* van die Hoofwet word hiermee gewysig deur die woord „Minister” te vervang deur die woord „hoofdverkiezingsbeambte”. Wysiging van artikel 57 van Wet 12 van 1918.
47. Artikel *negen-en-vyftig* van die Hoofwet word hiermee gewysig deur die woorde „een administrateur” te vervang deur die woorde „de klerk van de provinciale raad”, en die woord „administrateur”, oral waar dit voorkom, te vervang deur die woorde „klerk van de provinciale raad”. Wysiging van artikel 59 van Wet 12 van 1918, soos vervang deur artikel 36 van Wet 11 van 1926.
48. Artikel *agt-en-sestig* van die Hoofwet word hiermee gewysig deur paragraaf (h) te vervang deur die volgende paragraaf:
- „(h) Krachtens sub-artikel (1) van artikel *een en zeventig* aangestelde stemagenten.”. Wysiging van artikel 68 van Wet 12 van 1918, soos gewysig deur artikel 20 van Wet 35 van 1931.
49. Artikel *sewen-en-sewentig* van die Hoofwet word hiermee gewysig—
- (a) deur in sub-artikel (1) die woord „veertig” te vervang deur die woorde „twee en veertig”; en
- (b) deur in sub-artikel (11) voor die woord „Prokureur-generaal”, die woorde „hoofdverkiezingsbeambte en aan de”, in te voeg. Wysiging van artikel 77 van Wet 12 van 1918, soos gewysig deur artikel 38 van Wet 11 van 1926, en artikel 21 van Wet 35 van 1931.
50. Artikel *negen-en-sewentig* van die Hoofwet word hiermee gewysig—
- (a) deur in sub-artikel (2) die woorde „twee jaren” te vervang deur die woorde „een jaar”; en
- (b) deur in sub-artikel (3) die woorde „twee jaren” te vervang deur die woorde „een jaar”, en na die woord „kan”, asook na die woorde „moet hij”, die woorde „tenzij het hof anders gelast”, in te voeg. Wysiging van artikel 79 van Wet 12 van 1918, soos gewysig deur artikel 22 van Wet 35 van 1931.
51. Artikel *ses-en-tagtig* van die Hoofwet word hiermee gewysig deur paragraaf (c) van sub-artikel (1) te vervang deur die volgende paragraaf:
- „(c) voor muziekkorpsen of fakkels of voor enige vlag die de nationale vlag van een of ander land is of was;”. Wysiging van artikel 86 van Wet 12 van 1918, soos gewysig deur artikel 43 van Wet 11 van 1926.
52. Die volgende artikel word hiermee na artikel *een-en-negentig* van die Hoofwet ingevoeg:
- „Verbod op *91bis*. Niemand mag in verband met een ver- gebruik van kiezing op de stemdag een vlag gebruiken of ver- vlaggen. tonen die de nationale vlag van een of ander land is of was.”. Invoeging van nuwe artikel *91bis* in Wet 12 van 1918.
53. Artikel *twee-en-negentig* van die Hoofwet word hiermee gewysig deur sub-artikel (3) te skrap. Wysiging van artikel 92 van Wet 12 van 1918.
54. Artikel *honderd-en-twaalf* van die Hoofwet word hiermee gewysig deur die woord „revisor” te vervang deur die woord „verkiezingsbeambte”. Wysiging van artikel 112 van Wet 12 van 1918.

- Amendment of section 134 of Act 12 of 1918, as amended by section 48 of Act 11 of 1926.
55. Section *one hundred and thirty-four* of the principal Act is hereby amended—
- (a) by the substitution for the words "The revising officer for every division" of the words "Every electoral officer";
 - (b) by the substitution for the words "for that division" of the words "in any division in the area for which he has been appointed,"; and
 - (c) by the substitution for the word "revising", where it occurs the second time, of the word "electoral".
- Amendment of section 139 of Act 12 of 1918, as amended by section 3 of Act 30 of 1928.
56. Section *one hundred and thirty-nine* of the principal Act is hereby amended by the insertion in sub-section (1) after the word "division" of the words "or at any place within an adjoining division which is not more than twenty miles by the shortest practicable public road from the nearest polling station in the first mentioned division,".
- Amendment of section 140 of Act 12 of 1918, as amended by section 55 of Act 11 of 1926.
57. Section *one hundred and forty* of the principal Act is hereby amended by the deletion in sub-section (1) of the words "registering officer, revising officer," and the substitution in the said sub-section for the word "Dutch" of the word "Afrikaans" and for the word "Minister", of the word "chief electoral officer".
- Amendment of section 146 of Act 12 of 1918, as amended by section 23 of Act 35 of 1931.
58. Section *one hundred and forty-six* of the principal Act is hereby amended—
- (a) by the insertion after the definition of "the court", of the following definition:
" 'vote' or 'give a vote' means to vote or to give a vote for any candidate at an election;";
 - (b) by the substitution, in the definition of "voter", for the word "twenty-eight", of the words "twenty of the Electoral Laws Amendment Act, 1945,"; and
 - (c) by the deletion of the definition of "voters' list".
- Repeal of section 22 of Act 11 of 1926.
59. Section *twenty-two* of the Amendment Act is hereby repealed.
- Amendment of section 40 of Act 11 of 1926.
60. Section *forty* of the Amendment Act is hereby amended—
- (a) by the substitution in sub-section (3) for the word "Minister" of the words "chief electoral officer" and for the word "forty" of the word "forty-two"; and
 - (b) by the substitution in sub-section (4) for the words "two years", of the words "one year", and for the word "Minister" of the words "chief electoral officer".
- Amendment of section 41 of Act 11 of 1926, as amended by section 25 of Act 35 of 1931.
61. Section *forty-one* of the Amendment Act is hereby amended—
- (a) by the substitution in sub-section (3) for the words "twelve weeks", of the words "forty-two days" and for the word "Minister" of the words "chief electoral officer"; and
 - (b) by the substitution in sub-section (10) for the words "two years" of the words "one year", and for the word "Minister" of the words "chief electoral officer".
- Amendment of section 46 of Act 11 of 1926, as amended by section 25 of Act 20 of 1940.
62. Section *forty-six* of the Amendment Act is hereby amended by the insertion after the word "Act", where it first occurs, of the words "Chapter III of the principal Act,".
- Amendment of section 56 of Act 11 of 1926, as substituted by section 26 of Act 20 of 1940.
63. Section *fifty-six* of the Amendment Act is hereby amended by the insertion after the word "believe" of the words "that he will, because of his serious illness or physical infirmity or, in the case of a female, her advanced pregnancy, not be able to attend at any polling station, or".
- Substitution of paragraph (1) of Second Schedule to Act 11 of 1926, as substituted by section 27 of Act 20 of 1940, and amended by section 6 of Act 20 of 1943.
64. The following paragraph is hereby substituted for paragraph (1) of the Second Schedule to the Amendment Act:
- " (1) (a) Every application to vote under the provisions of this Schedule shall contain a declaration that the applicant has reason to believe—
- (i) that he will, because of his serious illness, physical infirmity or, in the case of a female, her advanced pregnancy, not be able to attend at any polling station; or
 - (ii) that he will not at any time throughout the hours of polling on the day fixed under section *thirty-*

55. Artikel *honderd vier-en-dertig* van die Hoofwet word hiermee gewysig—
- (a) deur die woorde „De revisor van iedere afdeling” te vervang deur die woorde „Iedere verkiezingsbeambte”;
- (b) deur die woorde „van die afdelingen” te vervang deur die woorde „in een afdeling in het gebied waarvoor hij aangesteld is,”; en
- (c) deur die woord „revisor”, waar dit die tweede maal voorkom, te vervang deur die woord „verkiezingsbeambte”.
- Wysiging van artikel 134 van Wet 12 van 1918, soas gewysig deur artikel 48 van Wet 11 van 1926.
56. Artikel *honderd negen-en-dertig* van die Hoofwet word hiermee gewysig deur in sub-artikel (1) na die woord „afdeling”, die woorde „of op eenige plaats in een aangrenzende afdeling die niet verder van de naastgelegen stembureau in de eerstvermelde afdeling is dan twintig mijl langs de kortste bruikbare openbare weg.”.
- Wysiging van artikel 139 van Wet 12 van 1918, soas gewysig deur artikel 3 van Wet 30 van 1928.
57. Artikel *honderd-en-veertig* van die Hoofwet word hiermee gewysig deur in sub-artikel (1) die woorde „registratie-ambtenaar, revisor” te skrap, en die woord „Hollands” te vervang deur die woord „Afrikaans”, en die woord „Minister” deur die woord „hoofdverkiezingsbeambte”.
- Wysiging van artikel 140 van Wet 12 van 1918, soas gewysig deur artikel 55 van Wet 11 van 1926.
58. Artikel *honderd ses-en-veertig* van die Hoofwet word hiermee gewysig—
- (a) deur na die woordbepaling van „het hof” die volgende woordbepaling in te voeg:
„stemmen’ of ‚stem uitbrengen’ betekent te stemmen voor of een stem uit te brengen op een of ander kandidaat bij een verkiezing;”;
- (b) deur in die woordbepaling van „kiezer” die woord „acht en twintig” te vervang deur die woorde „twintig van de Wysigingswet op die Kieswette, 1945”; en
- (c) deur die woordbepaling van „kizerslijst” te skrap.
- Wysiging van artikel 146 van Wet 12 van 1918, soas gewysig deur artikel 23 van Wet 35 van 1931.
59. Artikel *twee-en-twintig* van die Wysigingswet word hiermee herroep.
- Herroeping van artikel 22 van Wet 11 van 1926.
60. Artikel *veertig* van die Wysigingswet word hiermee gewysig—
- (a) deur in sub-artikel (3) die woord „Minister” te vervang deur die woord „hoofdverkiezingsbeambte”, en die woord „veertig” deur die woorde „twee en veertig”; en
- (b) deur in sub-artikel (4) die woord „twee” te vervang deur die woord „een”, en die woord „Minister” deur die woord „hoofdverkiezingsbeambte”.
- Wysiging van artikel 40 van Wet 11 van 1926.
61. Artikel *een-en-veertig* van die Wysigingswet word hiermee gewysig—
- (a) deur in sub-artikel (3) die woorde „twaalf weken” te vervang deur die woorde „twee en veertig dagen”, en die woord „Minister” deur die woord „hoofdverkiezingsbeambte”; en
- (b) deur in sub-artikel (10) die woord „twee” te vervang deur die woord „een”, en die woord „Minister” deur die woord „hoofdverkiezingsbeambte”.
- Wysiging van artikel 41 van Wet 11 van 1926, soas gewysig deur artikel 25 van Wet 35 van 1931.
62. Artikel *ses-en-veertig* van die Hoofwet word hiermee gewysig deur na die woord „Wet” waar dit die eerste maal voorkom, die woorde „Hoofdstuk III van de Hoofwet” in te voeg.
- Wysiging van artikel 46 van Wet 11 of 1926, soas gewysig deur artikel 25 van Wet 20 van 1940.
63. Artikel *ses-en-veertig* van die Wysigingswet word hiermee gewysig deur na die woord „geloven” die woorde „dat hij, wegens zijn ernstige krankheid of lichaaamlike zwakheid of gebrek, of in het geval van een vrouw, haar gevorderde zwangerschap, niet in staat zal zijn een stembureau te bezoeken, of”, in te voeg.
- Wysiging van artikel 56 van Wet 11 van 1926, soas vervang by artikel 26 van Wet 20 van 1940.
64. Paragraaf (1) van die Tweede Bylae van die Wysigingswet word hiermee vervang deur die volgende paragraaf:
- „(1) (a) Elk aanzoek om ingevolge de bepalingen van deze Bijlage te stemmen, moet een verklaring bevatten dat de aanzoeker reden heeft om te geloven—
- (i) dat hij, wegens zijn ernstige krankheid of lichaaamlike zwakheid of gebrek, of in het geval van een vrouw, haar gevorderde zwangerschap, niet in staat zal zijn een stembureau te bezoeken; of
- (ii) dat hij zich te gener tijd gedurende de stemuren van de dag ingevolge artikel zes en dertig of
- Vervanging van paragraaf (1) van Tweede Bylae van Wet 11 van 1926, soas vervang by artikel 27 van Wet 20 van 1940, en gewysig deur artikel 6 van Wet 20 van 1943.

six or *fifty-eight* of the principal Act as polling day be within the electoral division for which he is enrolled; or

- (iii) if that division be situated wholly or partly within any municipality, that he will not at any time throughout the hours of polling aforesaid, be within that division or any other division which is situated wholly or partly within that municipality or any other municipality, contiguous thereto: and

shall set forth, in the case of a belief referred to in item (i), the nature of the illness or infirmity, or the duration of the pregnancy, as the case may be, and in the case of a belief referred to in item (ii) or (iii), the reason for that belief.

- (b) Every such application shall be signed by the applicant with his own hand in the presence of any person whose name appears on a list which, at the time when he acts as a witness, is a valid voters' list prepared under the principal Act or the Electoral Laws Amendment Act, 1945, hereinafter called a competent witness (who shall also sign the application and add the date and state his address thereon) shall state the address to which the ballot paper may be sent, and shall be delivered by hand or sent by registered post to the returning officer appointed for the said division.
- (c) No such application shall be delivered or sent to the returning officer prior to the date of the publication of the proclamation issued under the provisions of section *thirty-six* or *fifty-eight* of the principal Act.
- (d) Failure to register the application, when sent through the post, shall not invalidate the application.
- (e) If the application is received by the returning officer not later than four o'clock in the afternoon of the fifth day before the polling day, the applicant shall be entitled to have a ballot paper issued to him and to record his vote as provided in these regulations.
- (f) A person who is desirous of making or who has made such an application is in these regulations referred to as 'the absent voter'."

Amendment of paragraph (6) of Second Schedule of Act 11 of 1926 as substituted by section 30 of Act 35 of 1931, and amended by section 29 of Act 20 of 1940.

65. Paragraph (6) of the said Schedule is hereby amended by the substitution for the word "third", wherever it occurs, of the word "fifth".

Amendment of paragraph (9) of Second Schedule of Act 11 of 1926, as substituted by section 31 of Act 35 of 1931, and amended by section 30 of Act 20 of 1940.

66. Paragraph (9) of the said Schedule is hereby amended by the substitution for the word "third" of the word "fifth".

Amendment of paragraph (19) of Second Schedule of Act 11 of 1926, as amended by section 33 of Act 35 of 1931, section 33 of Act 20 of 1940, and section 9 of Act 20 of 1943.

67. Paragraph (19) of the said Schedule is hereby amended by the insertion in sub-paragraph (d), after the words "and shall", of the words "either deliver it personally or despatch it by registered post or", and before the words "voters' ballot box" of the word "absent".

Insertion of new paragraph after paragraph (31) of the Second Schedule of Act 11 of 1926.

68. The following paragraph is hereby inserted after paragraph (31) of the said Schedule:

"(31)*bis*. (1): If, in any division, at or prior to the counting of the votes, any candidate or any agent of any candidate or any voter makes before the returning officer a declaration on oath or produces to the returning officer a death certificate showing that a voter, who has voted in that division as an absent voter, has died before the

- acht en vijftig* van de Hoofdwet als stemdag bepaald, binnen de kiesafdeling op de lijst waarvan hij opgenomen is, zal bevinden; of
- (iii) indien die afdeling geheel of gedeeltelik in een municipaliteit gelegen is, dat hij zich te gener tijd gedurende de genoemde stemuren binnen de afdeling of een andere afdeling die geheel of gedeeltelik in die municipaliteit of een aangrenzende municipaliteit gelegen is, zal bevinden; en

moet uiteenzetten, in het geval van een in item (i) bedoeld geloof, de aard van de krankheid, zwakheid of gebrek, of de duur van de zwangerschap, naar gelang van het geval, en in het geval van een in item (ii) of (iii) bedoeld geloof, de reden voor dat geloof.

- (b) Elk zodanige aanzoek moet door de aanzoeker met zijn eigen hand ondertekend worden in tegenwoordigheid van een persoon wiens naam vershijnt op een kiezerslijst die, wanneer hij als getuige optreedt, een geldige, krachtens de Hoofdwet of de „Wysigingswet op die Kieswette, 1945” opgestelde lijst is, hieronder een bevoegde getuige genoemd, (welke ook de vorm moet ondertekenen en de datum bijvoegen en zijn adres daarop vermelden), moet het adres vermelden waarheen het stembriefje mag worden gezonden en moet aan de kiesbeambte voor genoemde afdeling aangesteld persoonlik overhandigd of per geregistreerde post worden toegezonden.
- (c) Geen zodanig aanzoek wordt de kiesbeambte toegezonden of overhandigd voor de datum waarop de ingevolge artikel *zes en dertig* of *acht en vijftig* van de Hoofdwet uitgevaardigde proklamatie gepubliceerd wordt.
- (d) Verzuim om het aanzoek, indien per post verzonden, te registreren, maakt het aanzoek niet ongeldig.
- (e) Indien het aanzoek niet later dan vier uur in de namiddag van de vijfde dag voor de stemdag door de kiesbeambte ontvangen is, is de aanzoeker gerechtigd op uitreiking van een stembriefje aan hem en het uitbrengen van zijn stem zoals in deze regulaties bepaald.
- (f) Iemand die zulk een aanzoek wenst in te dienen of ingediend heeft, wordt in deze regulaties de afwezige kiezer genoemd.”

65. Paragraaf (6) van genoemde Bylae word hiermee gewysig deur die woord „derde”, oral waar dit voorkom, te vervang deur die woord „vijfde”.

Wysiging van paragraaf (6) van Tweede Bylae van Wet 11 van 1926, soas vervang by artikel 30 van Wet 35 van 1931, en gewysig deur artikel 29 van Wet 20 van 1940.

66. Paragraaf (9) van genoemde Bylae word hiermee gewysig deur die woord „derde” te vervang deur die woord „vijfde”.

Wysiging van paragraaf (9) van Tweede Bylae van Wet 11 van 1926, soas vervang by artikel 31 van Wet 35 van 1931 en gewysig deur artikel 30 van Wet 20 van 1940.

67. Paragraaf (19) van genoemde Bylae word hiermee gewysig deur in paragraaf (d), na die woorde „kiesbeambte en”, die woorde „levert dezelve of persoonlik af of verzendt dezelve als aangetekende brief per post of”, en in die Engelse teks voor die woorde „voters' ballot box”, die woord „absent” in te voeg.

Wysiging van paragraaf (19) van Tweede Bylae van Wet 11 van 1926, soas gewysig deur artikel 33 van Wet 35 van 1931, artikel 33 van Wet 20 van 1940, en artikel 9 van Wet 20 van 1943.

68. Die volgende paragraaf word hiermee na paragraaf (31) van genoemde Bylae ingevoeg:

„(31)*bis* (1) Indien in een afdeling een kandidaat of een agent van een kandidaat of een kiezer, bij of voor de telling van de stemmen, voor de kiesbeambte een beëdigde verklaring aflegt of aan hem een certificaat van overlijden voorlegt luidens welke een kiezer die in die afdeling zijn stem als afwezige kiezer uitgebracht heeft, voor den aan-

Invoeging van nuwe paragraaf na paragraaf (31) van die Tweede Bylae van Wet 11 van 1926.

commencement of the poll, the returning officer, if satisfied as to the identity of the deceased person with the person who voted as an absent voter, shall trace and reject the ballot paper marked by the deceased person.

(2) Any person who in such a declaration makes any false statement, knowing the statement to be false, shall be guilty of an offence and liable to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment."

Substitution of paragraphs (34) and (35) of Second Schedule of Act 11 of 1926.

69. The following paragraphs are hereby substituted for paragraphs (34) and (35) of the said Schedule :

"(34) The returning officer shall be responsible for the safe custody of the sealed packets referred to in paragraphs (16), (26) and (32) and of the lists referred to in paragraphs (24) and (25), and of any envelopes returned as undelivered and any covering envelopes received after the date of the election.

(35) The returning officer shall retain the said packets, lists and envelopes unopened for a period of one year from the date of the election, and thereafter the said packets, lists and envelopes shall, unless the court otherwise directs, if they relate to an election for the House of Assembly, be disposed of as directed by the chief electoral officer, and if they relate to an election for a provincial council, as directed by the Administrator concerned."

Amendment of section 1 of Act 23 of 1926, as substituted by section 40 of Act 20 of 1940.

70. Section *one* of the Cape Franchise Amendment Act, 1926, is hereby amended—

(a) by the substitution in sub-section (1), for the words "day when any registration of voters commences" of the words "date of completion of his application to be registered as a voter—"; and

(b) by the substitution for sub-paragraph (i) of the said sub-section, of the following sub-paragraph :

"(i) (if he is a person referred to in paragraph (a)) the provisions of section *eight* of the Electoral Laws Amendment Act, 1945, have been complied with ; or "

Amendment of section 63 of Act 30 of 1928, as amended by section 11 of Act 20 of 1943.

71. Section *sixty-three* of the Liquor Act, 1928, is hereby amended by the substitution for sub-section (3), of the following sub-section :

"(3) (a) As soon as may be after the last day of August in each year, the chief electoral officer shall cause to be ascertained, in respect of the area of every urban local authority, the number of parliamentary voters resident therein on the said date, and notify in the *Gazette* the number so ascertained.

(b) The number so notified in respect of any area shall, until the next notification in respect of that area, for all purposes of this Act be conclusive evidence as to the number of voters in that area."

Amendment of section 1 of Act 18 of 1930.

72. Section *one* of the Women's Enfranchisement Act, 1930, is hereby amended by the deletion of the words "at and as from the first biennial registration of voters under Chapter I of the Electoral Act commenced" and of the words "after the coming into operation of the voters' lists revised after the said registration".

Repeal of section 24 of Act 35 of 1931.

73. Section *twenty-four* of the Electoral Laws Amendment Act, 1931 (Act No. 35 of 1931) is hereby repealed.

Amendment of section 2 of Act 41 of 1931.

74. Section *two* of the Franchise Laws Amendment Act, 1931, is hereby amended by the substitution for the words after the word "national" of the words "on the date of completion of his application to be registered as a voter."

Amendment of section 3 of Act 41 of 1931.

75. Section *three* of the Franchise Laws Amendment Act, 1931, is hereby amended by the substitution for paragraph (c) of sub-section (1), of the following paragraph :

"(c) of any other offence and sentenced therefor to a period of imprisonment (other than detention until the rising of the court) without the option of a fine or ordered to be detained under any law relating to work colonies and the said period has not expired or such order has not finally ceased to be operative,

vang van de stemming gestorven is, moet de kiesbeambte, indien oortuigd dat de afgestorven persoon de persoon is die als afwezige kiezer zijn stem uitgebracht heeft, het door de afgestorven persoon gemerkte stembriefje opsporen en afkeuren.

(2) Iemand die in zulk een verklaring een valse bewering doet, wetende dat de bewering vals is, is aan een misdrijf schuldig en strafbaar met een boete van hoogstens honderd pond of met gevangenisstraf voor een tydperk van hoogstens twaalf maanden, of met beide zodanige boete en gevangenisstraf."

69. Paragrafe (34) en (35) van genoemde Bylae word hiermee vervang deur die volgende paragrafe :

„(34) De kiesbeambte is verantwoordelik voor de veilige bewaring van de in paragrafen (16), (26) en (32) bedoelde verzegelde pakketten, en van de in paragrafen (24) en (25) bedoelde lijsten, alsook van alle enveloppen als onbestelbaar teruggezonden en alle omslag enveloppen na de datum van de verkiesing ontvangende.

(35) De verkiesingsbeambte behoudt genoemde pakketten, lijsten en enveloppen ongeopend voor een tydperk van één jaar vanaf de datum van de verkiesing, en daarna word, tensy het hof anders gelast, met genoemde pakketten, lijsten en enveloppen gehandeld, indien zj betrekking hebben op een volksraadsverkiesing, volgens voorschrift van die hoofverkiesingsbeambte, en indien zj betrekking hebben op een provinciale raadsverkiesing, volgens voorschrift van die betrokken Administrateur."

Vervanging van paragrafe (34) en (35) van Tweede Bylae van Wet 11 van 1926.

70. Artikel een van die Kaapse Kiesreg. Wysigings-Wet, 1926, word hiermee gewysig—

(a) deur in sub-artikel (1) die woorde „dag waarop 'n registrasie van kiesers begin—” te vervang deur die woorde „datum van voltooiing van sy aansoek om as kiezer geregistreer te word—”; die woord „hy” waar dit na die woord „mits” voorkom, te skrap en in sub-paragraaf (ii), voor die woord „gedurende”, die woord „hy” in te voeg ;

(b) deur sub-paragraaf (i) van genoemde sub-artikel te vervang deur die volgende sub-paragraaf :

„(i) (as hy 'n persoon is wat in paragraaf (a) bedoel word) aan die bepalings van artikel *agt* van die Wysigingswet op die Kieswette, 1945, voldoen is ; of”.

Wysiging van artikel 1 van Wet 23 van 1926, soos vervang by artikel 40 van Wet 20 van 1940.

71. Artikel drie-en-sestig van die Drankwet, 1928, word hiermee gewysig deur sub-artikel (3) te vervang deur die volgende sub-artikel :

„(3) (a) Die hoofverkiesingsbeambte moet, so spoedig doenlik na die laaste dag van Augustus in elke jaar, ten opsigte van die gebied van elke stedelike plaaslike bestuur laat vasstel hoeveel parlementêre kiesers op genoemde datum daarin woon, en die aldus vasgestelde getal in die *Staatskoerant* bekendmaak.

(b) Die getal wat aldus ten opsigte van 'n gebied bekendgemaak is, is tot die volgende bekendmaking ten opsigte van daardie gebied, vir alle doeleindes van hierdie Wet afdoende bewys van die getal kiesers in daardie gebied.”

Wysiging van artikel 63 van Wet 30 van 1928, soos gewysig deur artikel 11 van Wet 20 van 1943.

72. Artikel een van die Vrouestemregwet, 1930, word hiermee gewysig deur die woorde „by en na die eerste tweejaarlikse registrasie van kiesers wat ingevolge Hoofstuk I van die Kieswet 'n aanvang neem”, asook die woorde „na die inwerking-treding van die kieserslyste wat na bedoelde registrasie hersien is”, te skrap.

Wysiging van artikel 1 van Wet 18 van 1930.

73. Artikel vier-en-twintig van die Wet tot Wysiging van die Kieswette, 1931, word hiermee herroep.

Herroeping van artikel 24 van Wet 35 van 1931.

74. Artikel twee van die Wet tot Wysiging van die Stemreg, 1931, word hiermee gewysig deur die woorde na die woord „was” te vervang deur die woorde „op die dag van voltooiing van sy aansoek om as kiezer geregistreer te word.”

Wysiging van artikel 2 van Wet 41 van 1931.

75. Artikel drie van die Wet tot Wysiging van die Stemreg, 1931, word hiermee gewysig deur paragraaf (c) van sub-artikel (1) te vervang deur die volgende paragraaf :

„(c) enige ander misdryf en daarvoor gevonnissen is tot 'n tydperk van gevangenisstraf (behalwe aanhouding tot verdagting van die hof) sonder keuse van 'n boete of beveel is om kragtens 'n wetsbepaling betreffende werkkolonies aangehou te word, en genoemde tydperk nie minstens drie jaar voor die datum van voltooiing van sy aansoek om as kiezer geregistreer te

Wysiging van artikel 3 van Wet 41 van 1931

as the case may be, at least three years before the date of completion of his application to be registered as a voter, unless he has been granted a free pardon."

Amendment of section 5 of Act 23 of 1941.

76. Section *five* of the Census, Delimitation and Electoral Act, 1941, is hereby amended—

- (a) by the substitution in sub-section (1), for the words "sub-section (4) of section *four* and sub-section (3) of section *twenty-one* of the Electoral Act", of the words "section *eight* of the Electoral Laws Amendment Act, 1945,";
- (b) by the substitution in the proviso to sub-section (2) for the words "sub-section (9) of section *four* of the Electoral Act", of the words "section *six* read with sub-section (2) of section *nine* of the Electoral Laws Amendment Act, 1945," and for the word "registering" wherever it occurs, of the word "electoral"; and
- (c) by the addition at the end thereof, of the following sub-section:
 - "(5) (a) The provisions of section *eleven* of the Electoral Laws Amendment Act, 1945, shall not apply in respect of any person who is serving with the defence forces or is employed by the State in connection with the war, or any dependant of any such person, during the period during which the provisions of sub-section (1) or (2) of this section, as the case may be, apply in respect of such person or dependant.
 - (b) If, when the provisions of sub-section (1) or (2) of this section cease to apply in respect of any such person or dependant, there has with reference to such person or dependant been a change referred to in sub-section (1) of the said section *eleven*, that change shall, for the purposes of that section, be deemed to have taken place on the date upon which the said provisions so cease to apply."

Amendment of section 6 of Act 23 of 1941.

77. Section *six* of the Census, Delimitation and Electoral Act, 1941, is hereby amended by the substitution in sub-section (2), for the word "revising" of the word "electoral".

Amendment of section 7 of Act 23 of 1941.

78. Section *seven* of the Census, Delimitation and Electoral Act, 1941, is hereby amended—

- (a) by the substitution in sub-section (1), for the words before the words "is required", of the words "Whenever in terms of the Electoral Laws Amendment Act, 1945, the chief electoral officer or an electoral officer";
- (b) by the substitution in sub-section (2), for the words "registering officer or revising officer" of the words "chief electoral officer or electoral officer", and for the words "claim or objection", of the word "matter"; and
- (c) by the substitution for sub-section (3), of the following sub-section:
 - "(3) The chief electoral officer or electoral officer in deciding any matter in respect of which any statement has been submitted under sub-section (2), shall take into consideration the information set forth in that statement."

Amendment of section 8 of Act 23 of 1941.

79. Section *eight* of the Census, Delimitation and Electoral Act, 1941, is hereby amended by the substitution for the words before the words "any person who" of the words "Whenever in terms of the Electoral Laws Amendment Act, 1945", and for the word "revising", wherever it occurs, of the word "electoral".

Amendment of section 9 of Act 23 of 1941.

80. Section *nine* of the Census, Delimitation and Electoral Act, 1941, is hereby amended by the substitution for the words before the words "the name", of the words "The chief electoral officer or an electoral officer shall not remove from a voters' list,".

Short title and commencement.

81. This Act shall be called the Electoral Laws Amendment Act, 1945, and shall come into operation on the first day of May, 1946.

word, verstryk het nie, of bedoelde bevel nie minstens drie jaar voor genoemde datum finaal buite werking getree het nie, na gelang van die geval, tensy hy ten volle begenadig is."

- 76.** Artikel *vyf* van die Sensus-, Afbakenings- en Kieswet, 1941, word hiermee gewysig— Wysiging van artikel 5 van Wet 23 van 1941.
- (a) deur in sub-artikel (1) die woorde „sub-artikel (4) van artikel *vier* en sub-artikel (3) van artikel *een-en-twintig* van die Kieswet” te vervang deur die woorde „artikel *agt* van die Wysigingswet op die Kieswette, 1945,”;
- (b) deur in die voorbehoudsbepaling by sub-artikel (2), die woorde „sub-artikel (9) van artikel *vier* van die Kieswet”, te vervang deur die woorde „artikel *ses* geles met sub-artikel (2) van artikel *nege* van die Wysigingswet op die Kieswette, 1945,” en die woord „registrasiebeampte”, oral waar dit voorkom, deur die woord „verkiegingsbeampte”; en
- (c) deur aan die end daarvan die volgende sub-artikel by te voeg:
- „(5) (a) Die bepalings van artikel *elf* van die Wysigingswet op die Kieswette, 1945, is nie van toepassing nie op enige persoon wat by die verdedigingsmagte diens doen of by die Staat in verband met die oorlog in diens is, of op 'n afhanklike van so 'n persoon, gedurende die tydperk gedurende welke die bepalings van sub-artikels (1) of (2) van hierdie artikel, na gelang van die geval, ten opsigte van daardie persoon of afhanklike van toepassing is.
- (b) Indien daar, wanneer die bepalings van sub-artikel (1) of (2) van hierdie artikel ten opsigte van so 'n persoon of afhanklike buite werking tree, met betrekking tot daardie persoon of afhanklike, 'n in sub-artikel (1) van genoemde artikel *elf* bedoelde verandering plaasgevind het, word daardie verandering vir die doeleindes van genoemde artikel geag plaas te gevind het op die datum waarop genoemde bepalings aldus buite werking tree.”.
- 77.** Artikel *ses* van die Sensus-, Afbakenings- en Kieswet, 1941, word hiermee gewysig deur in sub-artikel (2) die woord „hersieningsbeampte” te vervang deur die woord „verkiegingsbeampte”. Wysiging van artikel 6 van Wet 23 van 1941.
- 78.** Artikel *sewe* van die Sensus-, Afbakenings- en Kieswet, 1941, word hiermee gewysig— Wysiging van artikel 7 van Wet 23 van 1941.
- (a) deur in sub-artikel (1) die woorde voor die woorde „kennis moet gee” te vervang deur die woorde „Wanneer die hoofverkiegingsbeampte of 'n verkiegingsbeampte volgens die Wysigingswet op die Kieswette, 1945,”;
- (b) deur in sub-artikel (2) die woorde „registrasiebeampte of hersieningsbeampte” te vervang deur die woorde „hoofverkiegingsbeampte of verkiegingsbeampte”, en die woorde „aanspraak of beswaar” deur die woord „saak”; en
- (c) deur sub-artikel (3) te vervang deur die volgende sub-artikel:
- „(3) Die hoofverkiegingsbeampte of verkiegingsbeampte moet, wanneer hy besluit oor 'n saak ten aansien waarvan 'n verklaring ingevolge sub-artikel (2) voorgeleë is, die inligting wat in daardie verklaring vervat is, in aanmerking neem.”.
- 79.** Artikel *agt* van die Sensus-, Afbakenings- en Kieswet, 1941, word hiermee gewysig deur die woorde tussen die woord „ingevolge”, en die woorde „om persoonlik”, te vervang deur die woorde „die Wysigingswet op die Kieswette, 1945,”; en die woord „hersieningsbeampte”, oral waar dit voorkom, deur die woord „verkiegingsbeampte”. Wysiging van artikel 8 van Wet 23 van 1941.
- 80.** Artikel *nege* van die Sensus-, Afbakenings- en Kieswet, 1941, word hiermee gewysig deur die woorde voor die woord „indien”, te vervang deur die woorde „Die hoofverkiegingsbeampte of 'n verkiegingsbeampte mag nie die naam van 'n persoon (of daar beswaar teen hom gemaak is al dan nie) wat by die verdedigingsmagte diens doen, van 'n kieserslys verwyder nie.”. Wysiging van artikel 9 van Wet 23 van 1941.
- 81.** Hierdie Wet heet die Wysigingswet op die Kieswette, 1945, en tree in werking op die eerste dag van Mei 1946. Kort titel en inwerkingtreding.

No. 41, 1945.]

ACT**To amend the Census Act, 1910, and the Census, Delimitation and Electoral Act, 1941.***(Afrikaans Text signed by the Officer Administering the Government.)**(Assented to on 12th June, 1945.)*

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of section 3 of Act 2 of 1910, as amended by section 3 of Act 30 of 1942.

1. Section *three* of the Census Act, 1910, is hereby amended by the deletion in sub-section (1) of the words "of the European population of the Union".

Amendment of section 1 of Act 23 of 1941.

2. Section *one* of the Census, Delimitation and Electoral Act, 1941 (hereinafter referred to as the principal Act), is hereby amended by the deletion of the definition of "adult Union national".

Amendment of section 3 of Act 23 of 1941.

3. Section *three* of the principal Act is hereby amended—
 (a) by the substitution in sub-section (1) for the figure "1941" of the figure "1946", and for the words "European adult Union national" of the word "person"; and
 (b) by the substitution in sub-section (2) for the figure "1941" of the figure "1946".

Amendment of section 4 of Act 23 of 1941.

4. Section *four* of the principal Act is hereby amended by the substitution for the figure "1941" of the figure "1946", by the deletion of the words "under section *thirty-four* of that Act", and by the substitution for the words "adult Union nationals who" of the words "persons of the age of twenty-one years or over, who are Union nationals or deemed to be Union nationals in terms of the Union Nationality and Flags Act, 1927 (Act No. 40 of 1927), and".

Amendment of section 14 of Act 23 of 1941.

5. Section *fourteen* of the principal Act is hereby amended by the insertion, after the word "*two*" of the words "*three, four*".

Short title.

6. This Act shall be called the Census Amendment Act, 1945.

No. 41, 1945.]

WET**Tot wysiging van die „Census Wet, 1910”, en die Sensus-, Afbakenings- en Kieswet, 1941.**

(Afrikaanse Teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 12 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. Artikel *drie* van die Census Wet, 1910, word hiermee gewysig deur in sub-artikel (1) die woorde „van de europese bevolking van de Unie” te skrap. Wysiging van artikel 3 van Wet 2 van 1910, soos gewysig deur artikel 3 van Wet 30 van 1942.
2. Artikel *een* van die Sensus-, Afbakenings- en Kieswet, 1941 (hieronder die Hoofwet genoem) word hiermee gewysig deur die woordbepaling van „volwasse Unie-staatsburger” te skrap. Wysiging van artikel 1 van Wet 23 van 1941.
3. Artikel *drie* van die Hoofwet word hiermee gewysig— Wysiging van artikel 3 van Wet 23 van 1941.
 - (a) deur in sub-artikel (1) die syfer „1941” te vervang deur die syfer „1946” en die woorde „blanke volwasse Unie-staatsburger” deur die woord „persoon”; en
 - (b) deur in sub-artikel (2) die syfer „1941” te vervang deur die syfer „1946”.
4. Artikel *vier* van die Hoofwet word hiermee gewysig deur die syfer „1941” te vervang deur die syfer „1946”, deur die woorde „ingevalge artikel *vier-en-dertig* van daardie Wet” te skrap en deur die woorde „volwasse Unie-staatsburgers wat” te vervang deur die woorde „persone wat een-en-twintig jaar oud of ouer is en volgens die Unie Nasionaliteit en Vlae Wet, 1927 (Wet No. 40 van 1927) Unie-staatsburgers is of geag word Unie-staatsburgers te wees en”. Wysiging van artikel 4 van Wet 23 van 1941.
5. Artikel *veertien* van die Hoofwet word hiermee gewysig deur na die woord „*twee*” die woorde „*drie, vier*” in te voeg. Wysiging van artikel 14 van Wet 23 van 1941.
6. Hierdie Wet heet die Sensuswysigingswet, 1945. Kort titel.

No. 42, 1945.]

ACT**To provide for certain pensions, grants, gratuities and other benefits.***(English Text signed by the Officer Administering the Government.)**(Assented to on 13th June, 1945.)*

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly, of the Union of South Africa, as follows:—

Granting of certain benefits.

1. Notwithstanding anything to the contrary in any law, every person indicated as a beneficiary in an item of the Schedule to this Act shall be entitled to the benefit specified in the relevant item.

Short title.

2. This Act may be cited as the Pensions (Supplementary) Act, 1945.

Schedule.

1. The award to the widow of Dr. S. F. N. Gie, late Envoy Extraordinary and Minister Plenipotentiary of the Union of South Africa at Washington, of a gratuity of £1,000.

2. The service as High Commissioner or as Envoy Extraordinary and Minister Plenipotentiary for the Union of South Africa, of Dr. P. R. Viljoen to be pensionable and regarded as continuous with his previous pensionable service under the Government Service Pensions Act, 1936, subject to the payment by him of the necessary contributions to the Union Public Service Pension Fund on the salary he would have drawn had he remained in the post of Secretary, Department of Agriculture and Forestry.

3. The award, with effect from 9th September, 1941, to C. E. D'Assonville, who was injured as a result of an accident arising out of and in the course of his training under the Central Organization of Technical Training, of such compensation as would have been payable had the provisions of the Workmen's Compensation Act, 1934, been applicable to his case.

4. E. van Schalkwyk and A. J. Nel, employees at the Government Printing Works, to be permitted to retain their membership of the Government Employees' Provident Fund and to contribute thereto in respect of the periods 23rd November, 1942, to 28th November, 1943, and 6th December, 1943, to 5th December, 1944, respectively.

5. The award to A. Woodland, formerly head constable, South African Police, with effect from date of retirement, of the pension to which he would have been entitled in respect of service from 2nd July, 1906, had his case been governed by the provisions of Act No. 12 of 1882 (Cape).

6. The award to P. J. Liebenberg, formerly general, Anglo-Boer War, of a pension of £180 per annum, with effect from 1st April, 1945.

7. The award to D. J. J. Breytenbach, formerly commandant, Anglo-Boer War, of a pension of £120 per annum, with effect from 1st April, 1945.

8. The award to Helena C. Muller, widow of C. H. Muller, formerly Assistant Commandant-General, Anglo-Boer War, of a pension of £120 per annum, with effect from 1st April, 1945, payable during widowhood.

9. The award to Isobel L. Tanner, widow of W. E. C. Tanner, formerly Major-General, Union Defence Force, of a pension of £120 per annum, with effect from 1st April, 1945, payable during widowhood.

10. The award to Helena D. Lemmer, widow of L. A. S. Lemmer, formerly General, Anglo-Boer War, of a pension of £120 per annum, with effect from 1st April, 1945, payable during widowhood.

11. The award to Bridget M. C. T. Nussey, widow of Brigadier-General A. H. M. Nussey, of a pension of £120 per annum, with effect from 1st April, 1945, payable during widowhood.

12. The award to M. J. van Schoor, formerly commandant, Anglo-Boer War, of a pension of £120 per annum, with effect from 1st April, 1945.

13. Subject to re-payment by C. I. Vorster, formerly constable, South African Police, of the gratuities of £275 19s. 8d. and £229 17s. 11d. paid to him in 1931 and 1944, respectively, together with interest at the rate of *four* per cent. per annum, compounded annually as at 31st March, from dates of payment to date of repayment, and the further payment of an amount equal to *four* per cent. of his pensionable emoluments from 19th October, 1931, to 31st March, 1936, and *six and one-half* per cent. of such emoluments from 1st April, 1936, to 15th December, 1944, he be awarded a gratuity of £431 13s. 9d. and an annuity of £106 9s. 0d., with effect from 16th December, 1944.

14. The award to A. S. Bouwer, ex-No. 8530 lance sergeant, South African Police, with effect from 24th August, 1942, of a pension of £60 per annum, subject to recovery of an amount equal to the benefit granted him under the provisions of Act No. 32 of 1936.

15. The award to H. Chamberlain, ex-No. 7784 detective constable, South African Police, with effect from 30th July, 1942, of a pension of £60 per annum, subject to the recovery of an amount equal to the benefit paid to him under the provisions of Act, No. 32 of 1936.

No. 42, 1945.]

WET**Om voorsiening te maak vir sekere pensioene, toelaes, gratifikasies en ander voordele.**

(Engelse Tekst deur die Amptenaar Belas met die Uitvoering van die Uitvoerende Gesag geteken.)
(Goedgekeur op 13 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. Ondanks andersluidende wetsbepalings, is elke persoon wat in 'n item van die Bylae by hierdie Wet as 'n bevoordeelde aangewys word, op die in die betrokke item bepaalde voordeel geregtig. Toekening van sekere voordele.

2. Hierdie Wet heet die Wet tot Aanvulling van Pensioene, Kort titel. 1945.

Bylae.

1. Die toekening aan die weduwee van Dr. S. F. N. Gie, gewese Buitengewone Gesant en Gevolmagtigde Minister van die Unie van Suid-Afrika te Washington, van 'n gratifikasie van £1,000.

2. Die diens van Dr. P. R. Viljoen as Hoë Kommissaris of as Buitengewone Gesant en Gevolmagtigde Minister van die Unie van Suid-Afrika pensioengewend te wees en beskou te word aaneenlopend te wees met sy vorige pensioengewende diens kragtens die Regeringsdiens Pensioenwet, 1936, onderhewig aan die betaling deur hom van die nodige bydraes tot die Unie-staatsdienspensioenfonds ten opsigte van die salaris wat hy sou ontvang het indien hy in die betrekking Sekretaris, Departement van Landbou en Bosbou, aangebly het.

3. Die toekening, met ingang van 9 September 1941, aan C. E. D'Assonville, wat beseer is as gevolg van 'n ongeluk wat ontstaan het uit en in die loop van sy opleiding onder die Sentrale Organisasie vir tegniese opleiding, van sodanige vergoeding as wat betaalbaar sou gewees het indien die bepaling van die Werkamense Skadeloosstelling Wet 1934 op sy geval van toepassing was.

4. E. van Schalkwyk en A. J. Nel, werknemers by die Staatsdrukkery, toegelaat te word om hulle lidmaatskap van die Regeringswerknemers-ondersteuningsfonds te behou en om daartoe by te dra ten opsigte van die tydperke 23 November 1942 tot 28 November 1943 en 6 Desember 1943 tot 5 Desember 1944, onderskeidelik.

5. Die toekening aan A. Woodland, voorheen hoofkonstabel, Suid-Afrikaanse Polisie, met ingang van datum van uitdienstreding, van die pensioen waarop hy geregtig sou gewees het ten opsigte van sy diens vanaf 2 Julie 1906, indien sy geval deur die bepaling van Wet No. 12 van 1882 (Kaap) beheer was.

6. Die toekening aan P. J. Liebenberg, voorheen generaal, Anglo-Boereoorlog, van 'n pensioen van £180 per jaar, met ingang van 1 April 1945.

7. Die toekening aan D. J. J. Breytenbach, voorheen kommandant, Anglo-Boereoorlog, van 'n pensioen van £120 per jaar, met ingang van 1 April 1945.

8. Die toekening aan Helena C. Muller, weduwee van C. H. Muller, voorheen assistent-kommandant-generaal, Anglo-Boereoorlog, van 'n pensioen van £120 per jaar met ingang van 1 April 1945, betaalbaar gedurende weduweeskap.

9. Die toekening aan Isobel L. Tanner, weduwee van W. E. C. Tanner, voorheen generaal-majoor, Unie-verdedigingsmag, van 'n pensioen van £120 per jaar, met ingang van 1 April 1945, betaalbaar gedurende weduweeskap.

10. Die toekening aan Helena D. Lemmer, weduwee van L. A. S. Lemmer, voorheen generaal, Anglo-Boereoorlog, van 'n pensioen van £120 per jaar met ingang van 1 April 1945, betaalbaar gedurende weduweeskap.

11. Die toekening aan Bridget M. C. T. Nussey, weduwee van Brigade-Generaal A. H. M. Nussey, van 'n pensioen van £120 per jaar, met ingang van 1 April 1945, betaalbaar gedurende weduweeskap.

12. Die toekening aan M. J. van Schoor, voorheen kommandant, Anglo-Boereoorlog, van 'n pensioen van £120 per jaar, met ingang van 1 April 1945.

13. Onderworpe aan die terugbetaling deur C. I. Vorster, voorheen konstabel, Suid-Afrikaanse Polisie, van die gratifikasies van £275 19s. 8d. en £229 17s. 11d. wat in 1931 en 1944 onderskeidelik aan hom betaal is, tesame met rente teen vier persent per jaar, jaarliks saamgestel op 31 Maart, vanaf datums van betaling tot datum van terugbetaling, en die verdere betaling van 'n bedrag gelyk aan vier persent van sy pensioengewende besoldiging vanaf 19 Oktober 1931 tot 31 Maart 1936 en ses-en-'n-half persent van sodanige besoldiging vanaf 1 April 1936 tot 15 Desember 1944, die toekening aan hom van 'n gratifikasie van £431 13s. 9d. en 'n jaargeld van £106 9s. 0d., met ingang van 16 Desember 1944.

14. Die toekening aan A. S. Bouwer, oud-no. 8530 onder-sersant, Suid-Afrikaanse Polisie, met ingang van 24 Augustus 1942, van 'n pensioen van £60 per jaar, onderhewig aan terugvordering van 'n bedrag gelyk aan die voordeel aan hom toegeken kragtens die bepaling van Wet No. 32 van 1936.

15. Die toekening aan H. Chamberlain, oud-no. 7784 speurder-konstabel, Suid-Afrikaanse Polisie, met ingang van 30 Julie 1942, van 'n pensioen van £60 per jaar, onderhewig aan terugvordering van 'n bedrag gelyk aan die voordeel aan hom uitbetaal kragtens die bepaling van Wet No. 32 van 1936.

16. The award to Elizabeth S. Fahey, widow of F. J. Fahey, formerly Chairman, Board of Trade and Industries, of a pension of £60 per annum, with effect from 1st April, 1945, payable during widowhood.

17. Subject to the payment of an amount equal to *four* per cent. of his emoluments from 6th January, 1902, to 31st March, 1931, the pension of J. A. Barber, formerly a plumber, Robben Island, to be increased to £116 18s. 0d. per annum, with effect from 1st April, 1931: Provided that such pension shall be subject to such abatement as the Treasury may direct in respect of the periods of his re-employment in the Public Works Department.

18. The pension of G. W. Holl, who was wounded whilst serving as a field-cornet during the Anglo-Boer War, to be increased from £60 per annum to £120 per annum, with effect from 1st April, 1945.

19. The pension of A. J. Mason, who lost his sight as the result of wounds received in action in 1916, to be increased from £84 per annum to £100 per annum, with effect from 1st April, 1945.

20. The pension of A. J. Alberts, formerly a constable, South African Police, to be increased from £40 per annum to £60 per annum, with effect from 1st April, 1945.

21. The pension of Margaret Halse, widow of Major C. W. Halse, to be increased from £38 per annum to £60 per annum, with effect from 1st April, 1944.

22. The award to Jessie E. Fowle, widow of L. T. Fowle, formerly headmaster, Natal Education Department, of a gratuity of £360 3s. 0d.

23. The award to Margaret H. Spencer, widow of H. T. B. Spencer, formerly assistant superintendent, Department of Posts and Telegraphs, of a gratuity of £343 11s. 0d.

24. The award to T. W. Harris, to R. I. Pyne, and to J. J. Terblanche, formerly members of the late Natal Police Force, of a long service and good conduct medal gratuity of £20 each.

25. The award to A. H. Truter, formerly captain, Anglo-Boer War, with effect from 1st April, 1944, of the compensation to which he would have been entitled under the provisions of the War Special Pensions Act, 1919, in respect of wounds to his face and left hand, had application been made therefor prior to 1st April, 1927.

26. The award to E. S. Murray, ex-No. 12119 private, 4th South African Infantry, with effect from 1st April, 1945, of the compensation to which he would have been entitled under the provisions of the War Special Pensions Act, 1919, in respect of bronchitis and effects of gas, had application been made therefor prior to 1st April, 1932.

27. The award to C. J. West, ex-No. 3892 company sergeant-major, 4th South African Infantry, with effect from 1st April, 1945, of the compensation to which he would have been entitled under the provisions of the War Special Pensions Act, 1919, in respect of effects of shrapnel wound, right lung (pulmonary tuberculosis), had application been made therefor prior to 1st April, 1932.

28. The award to J. R. Wocke, major, South African Permanent Force, with effect from 1st April, 1944, of the compensation to which he would have been entitled under the provisions of the War Special Pensions Act, 1919, in respect of wounds to his neck and right shoulder, had application been made therefor prior to 1st April, 1932.

29. The pension and allowance awarded to R. B. Nelson in respect of an injury sustained whilst an inmate of the Valkenberg Mental Hospital, to be re-assessed with effect from 1st April, 1945, in accordance with the rates laid down in the Second Schedule to Act No. 44 of 1942, as amended, and that he be awarded, with effect from 1st April, 1945, such additional grants as may be recommended by the Military Pensions Board from time to time, on the basis of and in terms of section *twelve* of Act No. 42 of 1919, as amended.

30. The award to Lillie L. Lotter, widow of C. D. Lotter, with effect from 1st April, 1945, of compensation in terms of and on the basis of the War Pensions Act, 1942, as amended.

31. The award to S. Minnaar, formerly engine driver, South African Railways, of the pension he would have received had he been retired on the grounds of permanent ill-health on 9th October, 1942, less so much thereof as will, in the opinion of the actuary and medical practitioner referred to in section *seventy-two* (1) of Act No. 24 of 1925, upon such evidence as they may deem sufficient, offset the amount of £289 17s. 5d. already paid to him in respect of benefits from the New Super-annuation Fund.

32. Subject to the re-payment of the amount of £440 17s. previously paid to Hester M. Swart, widow of M. J. Swart, detective sergeant, South African Police, in terms of section *ten* of the Government Service Pensions Act, 1936, she and her two minor children be awarded, with effect from 29th July, 1944, the pension to which they would have been entitled had the circumstances of their case conformed to the requirements of section *thirty* of the said Act.

33. The award to Rachelle E. Yorke, widow of Walter Yorke, formerly inspector, South African Railway Police, of the difference between the total amount of the annuity paid to him and that which would have been paid over a period of five years from the date of his retirement as if section *forty-one* (2) of Act No. 32 of 1936 applied.

34. J. J. Kotze, storekeeper, Irrigation Department, to be permitted to contribute to the Union Public Service Pension Fund, in respect of his service from 8th July, 1929, to 11th July, 1943.

35. Subject to the repayment by J. G. Benfield, senior clerk, University of Cape Town, of the amount paid to him in terms of section *twenty-one* (2) of the Government Service Pensions Act, 1936, together with interest thereon at the rate of *four* per cent. per annum, from date of payment to date of re-payment, his case to be dealt with as if it had complied with the provisions of section *twenty-seven* (1) of the said Act.

F-36. Subject to J. W. B. Carter, System Manager, South African Railways and Harbours, paying to the Cape Civil Service Pension

16. Die toekenning aan Elizabeth S. Fahey, weduwe van F. J. Fahey, voorheen Voorsitter, Raad van Handel en Nywerheid, van 'n pensioen van £60 per jaar, met ingang van 1 April 1945, betaalbaar gedurende weduweeskap.

17. Onderworpe aan die betaling van 'n bedrag gelyk aan vier persent van sy besoldiging vanaf 6 Januarie 1902 tot 31 Maart 1931, die pensioen van J. A. Barber, voorheen loodgieter, Robbeneiland, verhoog te word tot £116 18s. 0d. per jaar met ingang van 1 April 1931: Met dien verstande dat sodanige pensioen onderhewig is aan sodanige vermindering as wat die Tesourie mag gelas ten opsigte van die tydperke van sy herindiansname by die Departement van Publieke Werke.

18. Die pensioen van G. W. Holl, wat gewond is terwyl hy gedurende die Anglo-Boereoorlog as veldkornet diens gedoen het, verhoog te word van £60 per jaar tot £120 per jaar, met ingang van 1 April 1945.

19. Die pensioen van A. J. Mason, wat sy gesig verloor het as gevolg van wonde in 1916 op die slagveld opgedoen, verhoog te word van £84 per jaar tot £100 per jaar met ingang van 1 April 1945.

20. Die pensioen van A. J. Alberts, voorheen konstabel, Suid-Afrikaanse Polisie, verhoog te word van £40 per jaar tot £60 per jaar, met ingang van 1 April 1945.

21. Die pensioen van Margaret Halse, weduwe van Majoor C. W. Halse, verhoog te word van £36 per jaar tot £60 per jaar, met ingang van 1 April 1944.

22. Die toekenning aan Jessie E. Fowle, weduwe van L. T. Fowle, voorheen skoolhoof, Natalse Onderwysdepartement, van 'n gratifikasie van £360 3s. 0d.

23. Die toekenning aan Margaret H. Spencer, weduwe van H. T. B. Spencer, voorheen assistent-superintendent, Departement van Pos- en Telegraafweese, van 'n gratifikasie van £343 11s. 0d.

24. Die toekenning aan T. W. Harris, aan R. I. Pyne en aan J. J. Terblanche, voorheen lede van die eertydse Natalse Polisiemag, van 'n gratifikasie van £20 elk ten aansien van 'n medalje vir lang diens en goeie gedrag.

25. Die toekenning aan A. H. Truter, voorheen kaptein, Anglo-Boereoorlog, met ingang van 1 April 1944, van die vergoeding waarop hy geregtig sou gewees het ingevolge die bepalings van die „Oorlogs Speciale Pensioenen Wet, 1919”, ten opsigte van wonde aan sy gesig en linkerhand, indien aansoek daarom gedoen was voor 1 April 1927.

26. Die toekenning aan E. S. Murray, oud-no. 12119 manskap, 4de Suid-Afrikaanse Infanterie, met ingang van 1 April 1945, van die vergoeding waarop hy geregtig sou gewees het ingevolge die bepalings van die „Oorlogs Speciale Pensioenen Wet, 1919”, ten opsigte van bronchitis en die gevolge van gas, indien aansoek daarom gedoen was voor 1 April 1932.

27. Die toekenning aan C. J. West, oud-no. 3892 kompanjiesersant-majoor, 4de Suid-Afrikaanse Infanterie, met ingang van 1 April 1945, van die vergoeding waarop hy geregtig sou gewees het ingevolge die bepalings van die „Oorlogs Speciale Pensioenen Wet, 1919”, ten opsigte van die gevolge van 'n wond in die regterlong deur granaatkartets veroorsaak (longtering), indien aansoek daarom gedoen was voor 1 April 1932.

28. Die toekenning aan J. R. Woeke, majoor, Suid-Afrikaanse Staande Mag, met ingang van 1 April 1944, van die vergoeding waarop hy geregtig sou gewees het ingevolge die bepalings van die „Oorlogs Speciale Pensioenen Wet, 1919”, ten opsigte van wonde aan sy nek en regterskouer, indien aansoek daarom gedoen was voor 1 April 1932.

29. Die pensioen en toelae aan R. B. Nelson toegeken ten opsigte van 'n besering opgedoen onderwyl hy 'n pasiënt in die Valkenbergse Hospitaal vir Sielsiektes was, opnuut vasgestel te word met ingang van 1 April 1945 in ooreenstemming met die skale in die Tweede Bylae by Wet No. 44 van 1942, soos gewysig, bepaal, en dat met ingang van 1 April 1945 sodanige verdere skenkings aan hom toegeken word as wat deur die Militêre Pensioenraad van tyd tot tyd aanbeveel mag word, op die grondslag van 'n ooreenkomstig artikel *twaalf* van Wet No. 42 van 1919, soos gewysig.

30. Die toekenning aan Lillie L. Lotter, weduwe van C. D. Lotter, met ingang van 1 April 1945, van vergoeding ooreenkomstig en op die grondslag van die Oorlogspensioenwet 1942, soos gewysig.

31. Die toekenning aan S. Minnaar, voorheen lokomotiefdrywer, Suid-Afrikaanse Spoorweë, van die pensioen wat hy sou ontvang het indien hy op 9 Oktober 1942 op grond van permanente swak gesondheid afgedank was, min soveel daarvan as wat, na die mening van die aktuaris en die mediese praktisyn vermeld in artikel *twee-en-sewentig* (1) van Wet No. 24 van 1925, op grond van sodanige getuienis as wat hulle voldoende ag, die bedrag van £289 17s. 5d. wat reeds aan hom betaal is ten opsigte van voordele uit die Nuwe Superannuasiefonds, sal goedmaak.

32. Onderworpe aan die terugbetaling van die bedrag van £440 17s. 0d. voorheen betaal aan Hester M. Swart, weduwe van M. J. Swart, speurdersersant, Suid-Afrikaanse Polisie, ooreenkomstig artikel *tien* van die Regeringsdiens Pensioenwet 1936, aan haar en haar twee minderjarige kinders, met ingang van 29 Julie 1944, die pensioen toegeken word waarop hulle geregtig sou gewees het indien die omstandighede van hulle geval voldoen het aan die vereistes van artikel *dertig* van genoemde Wet.

33. Die toekenning aan Rachelle E. Yorke, weduwe van Walter Yorke, voorheen inspekteur, Suid-Afrikaanse Spoorwegpolisie, van die verskil tussen die totale bedrag van die jaargeld aan hom betaal en die bedrag wat gedurende 'n tydperk van vyf jaar vanaf die datum van sy uitdienstreding betaal sou gewees het indien artikel *een-en-veertig* (2) van Wet No. 32 van 1936 van toepassing was.

34. J. J. Kotze, magasynmeester, Besproeiingsdepartement, toegelaat te word om by te dra tot die Unie-staatsdienspensioenfonds ten opsigte van sy diens vanaf 8 Julie 1929 tot 11 Julie 1943.

35. Onderworpe aan die terugbetaling deur J. G. Benfield, senior klerk, Universiteit van Kaapstad, van die bedrag aan hom betaal ooreenkomstig artikel *een-en-twintig* (2) van die Regeringsdiens Pensioenwet 1936, tesame met rente daarop teen vier persent per jaar vanaf datum van betaling tot datum van terugbetaling, sy geval behandel te word asof dit voldoen het aan die bepalings van artikel *sewen-en-twintig* (1) van genoemde Wet.

36. Onderworpe aan die betaling deur J. W. B. Carter, Afdelingsbestuurder, Suid-Afrikaanse Spoorweë en Hawens, aan die Pensioen-

Fund the necessary contributions with interest at the rate of *five* per cent. per annum in respect of his service from 19th November, 1903, to 25th March, 1908, he be permitted to count such service for pension purposes.

37. Subject to the re-payment by C. Fletcher, Senior Assistant Architect, Public Works Department, of the amount of £289 7s. 2d. paid to him in 1929, together with interest thereon at the rate of *four* per cent. per annum, compounded annually as at 31st March, from date of payment to date of re-payment, the break in his service from 1st October, 1929, to 21st November, 1929, to be condoned, being regarded as special leave of absence without pay, not counting as service but preserving to him the benefit of his previous service for pension purposes.

38. Subject to the payment by H. P. Lyell, Principal of the South African Railways and Harbours Training Institute, of contributions at the rates per cent. prescribed in section *eight* (1) of Act No. 24 of 1925, as amended, plus £ for £ thereon and compound interest at the rate of *five* per cent. per annum on both, his service from 16th August, 1926, to 31st December, 1944, to be admitted for pension purposes under the Railways and Harbours Superannuation Fund Act No. 24 of 1925.

39. Subject to the provisions of section *sixteen* (c) of the Government Service Pensions Act, 1936, W. C. Roome, Inspector of Works, Department of Public Works, to be permitted to contribute to the Union Public Service Pension Fund, at the rate prescribed in section *twelve* of the said Act, in respect of his service from 25th September, 1903, to 30th May, 1910.

40. Subject to the payment by the Cape Provincial Administration of the sum of £1,259 0s. 10d., together with interest at the rate of *four* per cent. per annum, compounded annually, from 1st January, 1935, to date of payment, P. J. van der B. Smuts, inspector of schools, Cape Provincial Administration, to be permitted to contribute to the Union Public Service Pension Fund, in respect of his past pensionable teaching service from 1st January, 1917, on the basis of section *twenty-six* of the Government Service Pensions Act, 1936.

41. The break in service of P. Barnes, formerly game conservator, Natal Provincial Administration, from 1st November, 1914, to 27th July, 1915, to be condoned for pension purposes, being regarded as special leave of absence without pay, not counting as service, and that he be permitted to contribute to the Union Public Service Pension Fund in respect of his service from 1st April, 1913, to 31st October, 1914, subject to such conditions as the Treasury may determine.

42. The break in service of R. V. Hosking, Senior Assistant Architect, Public Works Department, from 1st April, 1932, to 12th November, 1933, to be condoned, being regarded as special leave of absence without pay, not counting as service, but preserving to him the benefit of his previous service for pension purposes.

43. Subject to the re-payment by J. J. Kritzinger, major, South African Permanent Force, of the gratuity of £58 15s. 3d. paid to him in 1922, the break in his service from 1st March, 1922, to 28th March, 1922, to be condoned for pension purposes, being regarded as special leave of absence without pay, not counting as service, and that he be permitted to contribute to the Union Public Service Pension Fund, at the rate prescribed by section *twelve* of the Government Service Pensions Act, 1936, in respect of his service from 23rd October, 1915, to 28th February, 1922, and from 29th March, 1922, to 13th June, 1922, provided that contributions in respect of the latter period shall be based on such emoluments as the Treasury may determine.

44. The breaks in service of A. C. Simkins, principal clerk, Pensions Office, from 5th March, 1915, to 13th June, 1915, and from 14th November, 1915, to 4th June, 1919, to be condoned for pension purposes, being regarded as special leave of absence without pay, not counting as service, and that he be permitted to contribute to the Union Public Service Pension Fund in respect of his service from 13th July, 1914, to 4th March, 1915, and from 14th June, 1915, to 13th November, 1915, subject to such conditions as the Treasury may determine.

45. The break in service of Doreen Tredrea, masseuse, Kimberley Hospital Board, from 1st August, 1933, to 30th September, 1934, to be condoned, being regarded as special leave of absence, without pay, not counting as service, and that she be permitted to contribute to the School and Hospital Boards' Officials' Pension Fund, in respect of her service from 1st January, 1930, to 31st July, 1933, and from 1st October, 1934: Provided that within six months of the commencement of this Act she pays to the said Fund contributions at the rate of *five* per cent. of the cash salary paid to her by the Board since 1st January, 1930, together with interest on those contributions at the rate of *five* per cent. per annum, compounded annually, from 1st January, 1930, to date of payment: Provided further that the Kimberley Hospital Board pays to the said Fund contributions and interest calculated on the same basis as those payable by her.

46. M. Bik, instructor, Union Education Department, to be permitted to contribute to the Union Public Service Pension Fund (at the rate prescribed in section *twelve* of the Government Service Pensions Act, 1936), in respect of his teaching service from 1st November, 1920, to 31st December, 1925, as if he were a person referred to in section *six* of Act No. 29 of 1928, and the period of his service from 1st January, 1926, to 30th June, 1926, to be regarded, for pension purposes, as special leave of absence without pay, not counting as service for such purposes.

47. The award to Evelyn May Smuts, widow of C. Smuts, formerly Chief Messenger, House of Assembly, of a pension of £100 per annum, with effect from 21st March, 1945, payable during widowhood.

48. The award to Louisa Johanna Thompson, widow of W. Thompson, formerly cleaner on the Joint Parliamentary Establishment of the Houses of Parliament, of a pension of £72 per annum, with effect from 6th May, 1944, payable during widowhood.

49. The award to William Sydney Stemmett, messenger, House of Assembly, of a pension of £168 per annum with effect from 10th October, 1945.

50. The award to William Samuel Greenfield, cleaner, Houses of Parliament, of a pension of £136 18s. 9d. per annum, with effect from 16th August, 1945.

fonds van die Kaapse Siviele Diens van die nodige bydraes met rente teen vyf persent per jaar ten opsigte van sy diens vanaf 19 November 1903 tot 25 Maart 1908, hy toegelaat word om sodanige diens vir pensioendoeleindes by te reken.

37. Onderworpe aan die terugbetaling deur C. Fletcher, Senior-Assistent-argitek, Departement van Publieke Werke, van die bedrag van £289 7s. 2d. in 1929 aan hom betaal, tesame met rente daarop teen vier persent per jaar, jaarliks saamgestel op 31 Maart, vanaf datum van betaling tot datum van terugbetaling, sy diensonderbreking vanaf 1 Oktober 1929 tot 21 November 1929 verskoon te word en beskou te word as spesiale verlof van afwesigheid sonder betaling wat nie as diens geld nie maar wat aan hom die voordeel van sy vorige diens vir pensioendoeleindes voorbehou.

38. Onderworpe aan die betaling deur H. P. Lyell, Hoof van die Op-leidingsinstituut van die Suid-Afrikaanse Spoorweë en Hawens, van bydraes teen die persentasieskale voorgeskryf in artikel *agt* (1) van Wet No. 24 van 1925, soos gewysig, plus £ vir £ daarop en saamgestelde rente teen vyf persent per jaar op albei, sy diens vanaf 16 Augustus 1926 tot 31 Desember 1944 vir pensioendoeleindes toegelaat te word ingevolge die „Spoorwegen en Havens Superannuatie Fonds Wet”, No. 24 van 1925.

39. Onderworpe aan die bepalings van artikel *sestien* (c) van die Regeringsdiens Pensioenwet 1936, W. C. Roome, inspekteur van werke, Departement van Publieke Werke, toegelaat te word om by te dra tot die Unie-staatsdienspensioenfonds teen die skaal voorgeskryf in artikel *twalf* van genoemde Wet ten opsigte van sy diens vanaf 25 September 1903 tot 30 Mei 1910.

40. Onderworpe aan die betaling deur die Kaapse Provinsiale Administrasie van die bedrag van £1,259 0s. 10d., tesame met rente teen vier persent per jaar, jaarliks saamgestel, vanaf 1 Januarie 1935 tot datum van betaling, P. J. van der B. Smuts, skoolinspekteur, Kaapse Provinsiale Administrasie, toegelaat te word om by te dra tot die Unie-staatsdienspensioenfonds, ten opsigte van sy vorige pensioengewende onderwysdiens vanaf 1 Januarie 1917 op die grondslag van artikel *ses-en-twintig* van die Regeringsdiens Pensioenwet 1936.

41. Die diensonderbreking van P. Barnes, voorheen wildebewaarder, Natalse Provinsiale Administrasie, vanaf 1 November 1914 tot 27 Julie 1915, vir pensioendoeleindes verskoon te word en beskou te word as spesiale verlof van afwesigheid sonder betaling wat nie as diens geld nie en dat hy toegelaat word om by te dra tot die Unie-staatsdienspensioenfonds ten opsigte van sy diens vanaf 1 April 1913 tot 31 Oktober 1914, onderhewig aan sodanige voorwaardes as wat die Tesourie mag vasstel.

42. Die diensonderbreking van R. V. Hosking, Senior Assistent-argitek, Departement van Publieke Werke, vanaf 1 April 1932 tot 12 November 1933, verskoon te word en beskou te word as spesiale verlof van afwesigheid sonder betaling wat nie as diens geld nie maar wat aan hom die voordeel van sy vorige diens vir pensioendoeleindes voorbehou.

43. Onderworpe aan die terugbetaling deur J. J. Kritzinger, majoor, Suid-Afrikaanse Staande Mag, van die gratifikasie van £58 15s. 3d. in 1922 aan hom betaal, sy diensonderbreking vanaf 1 Maart 1922 tot 28 Maart 1922, vir pensioendoeleindes verskoon te word en beskou te word as spesiale verlof van afwesigheid sonder betaling wat nie as diens geld nie, en dat hy toegelaat word om by te dra tot die Unie-staatsdienspensioenfonds teen die skaal voorgeskryf deur artikel *twalf* van die Regeringsdiens Pensioenwet 1936, ten opsigte van sy diens vanaf 23 Oktober 1915 tot 28 Februarie 1922 en vanaf 29 Maart 1922 tot 13 Junie 1922, met dien verstande dat bydraes ten opsigte van laasgenoemde tydperk gebaseer word op sodanige besoldiging as wat die Tesourie mag vasstel.

44. Die diensonderbrekings van A. C. Simkins, eerste klerk, Pensioen-kantoor, vanaf 5 Maart 1915 tot 13 Junie 1915 en vanaf 14 November 1915 tot 4 Junie 1919 vir pensioendoeleindes verskoon te word en beskou te word as spesiale verlof van afwesigheid sonder betaling wat nie as diens geld nie en dat hy toegelaat word om by te dra tot die Unie-staatsdienspensioenfonds ten opsigte van sy diens vanaf 13 Julie 1914 tot 4 Maart 1915 en vanaf 14 Junie 1915 tot 13 November 1915, onderhewig aan sodanige voorwaardes as wat die Tesourie mag vasstel.

45. Die diensonderbreking van Doreen Tredrea, massouse, Hosiptaal-raad van Kimberley, vanaf 1 Augustus 1933 tot 30 September 1934, verskoon te word en beskou te word as spesiale verlof van afwesigheid sonder betaling wat nie as diens geld nie en dat sy toegelaat word om by te dra tot die Pensioenfonds vir Amptenare van Skool- en Hospitaalrade ten opsigte van haar diens vanaf 1 Januarie 1930 tot 31 Julie 1933 en vanaf 1 Oktober 1934: Met dien verstande dat sy binne ses maande vanaf die inwerkingtreding van hierdie Wet aan gemelde Fonds bydraes betaal teen die skaal van vyf persent van die kontantsalaris deur die Raad sedert 1 Januarie 1930 aan haar betaal tesame met rente op daardie bydraes teen vyf persent per jaar, jaarliks saamgestel, vanaf 1 Januarie 1930 tot op datum van betaling; met dien verstande voorts dat die Hospitaalraad van Kimberley aan gemelde Fonds bydraes en rente betaal bereken op dieselfde grondslag as die wat deur haar betaalbaar is.

46. M. Bik, instrukteur, Unie-onderwysdepartement, toegelaat te word om by te dra tot die Unie-staatsdienspensioenfonds (teen die skaal voorgeskryf in artikel *twalf* van die Regeringsdiens Pensioenwet 1936) ten opsigte van sy onderwysdiens vanaf 1 November 1920 tot 31 Desember 1925, asof hy 'n persoon was soos vermeld in artikel *ses* van Wet No. 29 van 1928, en die tydperk van sy diens vanaf 1 Januarie 1926 tot 30 Junie 1926 vir pensioendoeleindes beskou te word as spesiale verlof van afwesigheid sonder betaling wat nie vir sodanige doeleindes as diens geld nie.

47. Die toekenning aan Evelyn May Smuts, weduwee van C. Smuts, voorheen Hoofbode, Volksraad, van 'n pensioen van £100 per jaar, met ingang van 21 Maart 1945, betaalbaar gedurende weduweeskap.

48. Die toekenning aan Louisa Johanna Thompson, weduwee van W. Thompson, voorheen skoonmaker in die Gesamentlike Parlementêre Dienspersoneel van die Parlementsuis, van 'n pensioen van £72 per jaar, met ingang van 6 Mei 1944, betaalbaar gedurende weduweeskap.

49. Die toekenning aan William Sydney Sterrett, bode, Volksraad, van 'n pensioen van £168 per jaar, met ingang van 10 Oktober 1945.

50. Die toekenning aan William Samuel Greenfield, skoonmaker, Parlementsuis, van 'n pensioen van £136 18s. 9d. per jaar, met ingang van 16 Augustus 1945.

No. 43, 1945.]

ACT**To amend the Natives (Urban Areas) Consolidation Act, 1945.***(Afrikaans Text signed by the Officer Administering the Government.)**(Assented to on 13th June, 1945.)*

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of section 19 of Act No. 25 of 1945.

1. (1) Section *nineteen* of the Natives (Urban Areas) Consolidation Act, 1945 (hereinafter referred to as the principal Act), is hereby amended by the addition, to sub-section (3), of the following paragraph:

“(c) such interest and redemption charges on any loan—
 (i) raised by the urban local authority to finance any works or services for or in connection with a location, native village or native hostel; and
 (ii) approved by the Minister as a charge against the native revenue account prior to the commencement of the Native Laws Amendment Act, 1944 (Act No. 36 of 1944),
 together with such maintenance and upkeep costs in connection with the said works or services, as may be approved in writing by the Minister.”

(2) Paragraph (c) of sub-section (3) of section *nineteen* of the principal Act, as enacted by sub-section (1) of this section, shall be deemed to have been in force, as paragraph (iii) of sub-section (2)*bis* of section *eight* of the Natives (Urban Areas) Act, 1923 (Act No. 27 of 1923), as from the date of commencement of the Native Laws Amendment Act, 1944 (Act No. 36 of 1944), and shall, in relation to any local authority, cease to have effect in respect of any financial year of that local authority which commences after the thirty-first day of December, 1946.

Short title and commencement.

2. This Act shall be called the Natives (Urban Areas) Amendment Act, 1945, and shall be deemed to have come into operation on the date of commencement of the principal Act.

No. 44, 1945.]

ACT**To authorize a certain transaction affecting land reserved for native occupation.***(English Text signed by the Officer Administering the Government.)**(Assented to on 13th June, 1945.)*

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Authorization of transaction affecting certain land reserved for native occupation.

1. (1) Authority is hereby granted for the disestablishment of the native reserve known as the Aukeigas Native Reserve, set aside by the Administrator of the Mandated Territory of South West Africa by Government Notice No. 77 dated the twelfth day of April 1932, and situated in the district of Windhoek in the said Territory, subject to the setting aside, as a native reserve in lieu thereof, of a certain area of land approximately 60,000 hectares in extent, belonging to the Administration of the said Territory and adjoining the Okombahe native reserve and the Otjohorong native reserve in the district of Omaruru.

(2) The Administrator of the said Territory and every other person who may be concerned in the transaction authorized by sub-section (1) may do all such acts as are necessary to give effect thereto.

Short title.

2. This Act shall be called the Native Reserves (South West Africa) Act, 1945.

No. 43, 1945.]

WET**Tot wysiging van die Naturelle (Stadsgebiede) Konsolidasiewet, 1945.**

(Afrikaanse Teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 13 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. (1) Artikel *negentien* van die Naturelle (Stadsgebiede) Konsolidasiewet, 1945 (hieronder die Hoofwet genoem) word hierby gewysig deur die volgende paragraaf aan sub-artikel (3) toe te voeg: Wysiging van artikel 19 van Wet No. 25 van 1945.

„(c) sodanige betalings ten aansien van rente op en delging van 'n lening—

(i) deur die stedelike plaaslike bestuur gesluit ter finansiering van werke of dienste vir of in verband met 'n lokasie, naturelledorp of naturelle-tehuis; en

(ii) vòòr die inwerkingtreding van die Wet tot Wysiging van die Wette op Naturelle, 1944 (Wet No. 36 van 1944) deur die Minister as 'n las teen die naturelle-inkomsterekening goedgekeur, tesame met sodanige koste aan die instandhouding en onderhoud van bedoelde werke of dienste verbonde, as wat skriftelik deur die Minister goedgekeur word.”.

(2) Paragraaf (c) van sub-artikel (3) van artikel *negentien* van die Hoofwet, soos deur sub-artikel (1) van hierdie artikel ingevoer, word geag van krag te gewees het, as paragraaf (iii) van sub-artikel (2) *bis* van artikel *agt* van die „Naturellen (Stadsgebieden) Wet, 1923” (Wet No. 27 van 1923), vanaf die datum van inwerkingtreding van die Wet tot Wysiging van die Wette op Naturelle, 1944 (Wet No. 36 van 1944), en dit hou op om van krag te wees, met betrekking tot een of ander plaaslike bestuur, ten opsigte van enige boekjaar van daardie plaaslike bestuur wat na die een-en-dertigste dag van Desember 1946 'n aanvang neem.

2. Hierdie Wet heet die Naturelle (Stadsgebiede) Wysigings-wet, 1945, en word geag op die datum van die inwerkingtreding van die Hoofwet in werking te getree het. Kort titel.

No. 44, 1945.]

WET**Tot magtiging van 'n sekere regshandeling met betrekking tot grond wat vir naturellebesit gereserveer is.**

(Engelse Teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 13 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. (1) Magtiging word hierby verleen vir die afskaffing van die naturelleservaat wat as die Aukeigas-naturelleservaat bekend staan, afgesonder deur die Administrateur van die Mandaatgebied Suidwes-Afrika by Goewermentskennisgewing No. 77, gedagteken die twaalfde dag van April 1932, en in die distrik Windhoek in genoemde mandaatgebied geleë, onderworpe aan die afsondering as 'n naturelleservaat in plaas daarvan, van 'n sekere terrein groot nagenoeg 60,000 hektaar, die eiendom van die Administrasie van bedoelde mandaatgebied en geleë aan die Okombahe-naturelleservaat en die Otjohorongonaturelleservaat in die distrik Omaruru. Magtiging van regshandeling met betrekking tot sekere grond wat vir naturellebesit gereserveer is.

(2) Die Administrateur van bedoelde mandaatgebied en elke ander persoon wat by die deur sub-artikel (1) gemagtigde regshandeling betrokke mag wees, kan alle handelings verrig wat nodig is om daaraan gevolg te gee.

2. Hierdie Wet heet die Wet op Naturelleservate (Suidwes-Afrika), 1945. Kort titel.

[No. 45, 1945.]

ACT

To make special temporary provision in relation to the construction of dwellings and the carrying out of housing schemes, and to amend the law relating to housing.

(Afrikaans Text signed by the Officer Administering the Government.)

(Assented to on 13th June, 1945.)

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—
 - “apprentice” means an apprentice, as defined in section *one* of the Apprenticeship Act, 1944 (Act No. 37 of 1944), in any trade in the building industry;
 - “artisan” means any person whose ordinary work is skilled work in the construction or maintenance of buildings;
 - “commission” means the National Housing and Planning Commission established by section *eighteen* of the Housing Act, and includes, in section *two*, any housing board established under section *four* of this Act;
 - “construction” includes alteration, enlargement, adaptation and repair, and any construction as herein defined whether commenced before or after the commencement of this Act;
 - “dwelling” or “local authority” means a dwelling or local authority as defined in section *one* of the Housing Act;
 - “Housing Act” means the Housing Act, 1920 (Act No. 35 of 1920);
 - “land” includes, except in section *three*, any right in respect of land, other than a right which has been granted or acquired or has accrued under any law relating to prospecting or mining for precious or base metals, minerals or precious stones;
 - “learner” means any person (other than an apprentice) who is being trained as an artisan;
 - “Minister” means the Minister of Welfare and Demobilization;
 - “prescribed” means prescribed by regulation;
 - “regulation” means a regulation made under this Act;
 - “scheme” means a scheme as defined in section *one* of the Housing Act, whether or not it is a scheme for the construction of dwellings for a particular class of persons, or has been commenced before or after the commencement of this Act.

Emergency housing regulations.

2. (1) The Governor-General may by proclamation make regulations as to—
 - (a) the powers of the commission and of local authorities to construct dwellings and to prepare and carry out schemes, and to acquire the materials and equipment necessary for that purpose;
 - (b) the grant to the commission of land belonging to the State, the conditions of such grants, the acquisition or the expropriation, with the written consent of the Minister and subject to an obligation to pay compensation, of land by the commission or by a local authority (whether within or outside its area of jurisdiction), for the purpose of constructing dwellings or carrying out schemes, or of enabling any prescribed class of company or other body to construct dwellings or carry out schemes or of enabling any other person to construct a dwelling and the circumstances in which and the conditions subject to which such consent shall or may be granted;
 - (c) the extinction or modification of any restriction upon the use or occupation of any land upon which dwellings have been or are to be constructed or any scheme has been or is to be carried out;
 - (d) the determination (including determination by a court of law, in accordance with a prescribed procedure or otherwise), subject to the provisions of

No. 45, 1945.]

WET

Om spesiale tydelike voorsiening te maak met betrekking tot die bou van wonings en die uitvoer van behuising-skemas, en tot wysiging van die wetsbepalings betreffende behuising.

(*Afrikaanse Teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.*)
(Goedgekeur op 13 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. In hierdie Wet, tensy uit die samehang anders blyk, **Woordbepaling.** beteken—

- „vakleerling” ’n vakleerling, soas omskryf in artikel *een* van die Wet op Vakleerlinge, 1944 (Wet No. 37 van 1944), in ’n bedryf in die bounywerheid;
- „ambagsman” iemand wie se gewone werk geskoolde werk by die bou of instandhouding van geboue is;
- „kommissie” die kragtens artikel *agtien* van die Woningwet ingestelde „Nasionale Behuizings en Plannen Kommissie”, en ook, in artikel *twee*, ’n kragtens artikel *vier* van hierdie Wet ingestelde behuizingsraad;
- „bou” ook verander, vergroot, verbou en herstel, en ook bou soas hierin omskryf, onverskillig of voor of na die inwerkingtreding van hierdie Wet daarmee begin is;
- „woning” of „plaaslike outoriteit” ’n woning of plaaslike outoriteit soas in artikel *een* van die Woningwet omskryf;
- „Woningwet” die Woningwet, 1920 (Wet No. 35 van 1920);
- „grond”, behalwe in artikel *drie*, ook ’n reg ten opsigte van grond, uitgesonder ’n reg wat toegeken of verkry is of toegeval het kragtens ’n wetsbepaling betreffende die prospekteer vir of myn van edele of onedele metale, minerale of edelgesteentes;
- „leerling” ’n ander persoon dan ’n vakleerling, wat besig is om as ambagsman opgelei te word;
- „Minister” die Minister van Welsyn en Demobilisasie;
- „voorgeskryf” by regulasie voorgeskryf;
- „regulasie” ’n kragtens hierdie Wet uitgevaardigde regulasie;
- „skema” ’n skema soas in artikel *een* van die Woningwet omskryf, onverskillig of dit ’n skema is vir die bou van wonings vir ’n bepaalde kategorie persone of begin is voor of na die inwerkingtreding van hierdie Wet.

2. (1) Die Goewerneur-generaal kan by proklamasie regulasies uitvaardig betreffende— **Noodregulasies vir behuising.**

- (a) die magte van die kommissie en van plaaslike outoriteite om wonings te bou en skemas voor te berei en uit te voer, en om die materiaal en toerusting wat vir daardie doel nodig is, te verkry;
- (b) die toekening aan die kommissie van grond wat aan die Staat behoort, die voorwaardes van sulke toekennings, die verkryging, of die onteiening, met skriftelike toestemming van die Minister en onderworpe aan ’n verpligting om vergoeding te betaal, van grond deur die kommissie of deur ’n plaaslike outoriteit (ditsy binne of buite sy magsgebied) ten einde wonings te bou of skemas uit te voer of ’n voorgeskrewe kategorie maatskappy of ander liggaam in staat te stel om wonings te bou of skemas uit te voer, of ’n ander persoon in staat te stel om ’n woning te bou en die omstandighede waarin en die voorwaardes waarop bedoelde toestemming verleen moet of kan word;
- (c) die opheffing of wysiging van enige beperking op die gebruik of bewoning van grond waarop wonings gebou is of gaan word of ’n skema uitgevoer is of gaan word;
- (d) die bepaling (met inbegrip van bepaling deur ’n geregshof ooreenkomstig ’n voorgeskrewe prosedure of andersins), met inagneming van die bepaling van

section *three*, of the amount of compensation for land expropriated for any purpose referred to in paragraph (b), the time when the compensation shall be paid and the rights of mortgagees or other persons in respect of moneys payable by way of such compensation ;

- (e) the duties of registrars of deeds on being notified of any such expropriation, the registration of any such land in the name of the commission, local authority, company or other body, or of such land or any portion thereof in the name of a person to whom the commission, local authority, company or other body, has disposed of the land or portion thereof, and the registration of any such extinction or modification ;
- (f) the planning or replanning and laying out of any area for the purpose of carrying out any scheme thereon, and the duties of surveyors-general and registrars of deeds in connection therewith ;
- (g) exemptions from transfer duty, stamp duty, fees of office or other charges in connection with the registration of land acquired for the construction of a dwelling or under a scheme, or in connection with registrations in pursuance of regulations under paragraph (e) or (f) ;
- (h) the vacation of land expropriated for the purpose of constructing dwellings or carrying out schemes, by persons occupying or using the land ;
- (i) the management, disposal or use, by the commission or a local authority, of land, dwellings, material or equipment, of which it is the owner, including, in the case of the commission, the management, disposal or use of such land or dwellings on behalf of the commission by a prescribed class of company or other body, a company or other body promoted or established for the purpose, or a local authority ;
- (j) the management, disposal or use by the company or other body concerned of land expropriated under regulations made under paragraph (b), or of land acquired or dwellings constructed by a company or other body out of an advance made by the commission or a local authority, and of the proceeds of such land or dwellings, and the taking over (with or without the consent of the company or other body and with or without compensation) by the commission or a local authority of any of or all the assets and liabilities of a company or other body acquired or incurred in or for the purpose of the construction of dwellings or the carrying out of a scheme ;
- (k) the payment by the commission of subsidies to prescribed classes of persons, the making of advances—
 - (i) by the commission to local authorities, with the approval of the administrator concerned, or in prescribed circumstances, without his approval, or to prescribed classes of companies or other bodies, or to individuals ; or
 - (ii) by local authorities to such companies or other bodies or to individuals,

for the construction of dwellings and the carrying out of schemes, the conditions subject to which such subsidies shall be paid or such advances shall be made, and the recovery (including in the case of the commission recovery on behalf of the commission by a prescribed class of company or other body, a company or other body promoted or established for the purpose or a local authority) of such advances, and of the purchase price or rent of land or dwellings disposed of or let by the commission or by local authorities ;

- (l) the provision of prescribed services by a local authority in any area in which dwellings have been constructed, and the charges to be made for such services ;
- (m) the powers (including the restriction of existing powers) of local authorities to impose rates or other charges (including differential rates or charges) in

- artikel *drie*, van die bedrag vergoeding vir grond wat vir 'n in paragraaf (b) bedoelde doel onteien is, die tydstip waarop die betaling gedoen moet word en die regte van verbandhouders of ander persone ten opsigte van die geld wat by wyse van sodanige vergoeding betaalbaar is ;
- (e) die pligte van registrateurs van aktes wanneer hul van so 'n onteiening in kennis gestel word, die registrasie van sulke grond op naam van die kommissie, plaaslike outoriteit, maatskappy of ander liggaam, of van sulke grond of 'n gedeelte daarvan op naam van 'n persoon aan wie die kommissie, plaaslike outoriteit, maatskappy of ander liggaam die grond of gedeelte daarvan van die hand gesit het, en die registrasie van so 'n opheffing of wysiging ;
- (f) die beplanning of herbeplanning en uitleg van 'n gebied ten einde 'n skema daarop uit te voer, en die pligte van landmeters-generaal en registrateurs van aktes in verband daarmee ;
- (g) vrystellings van hereregte, seëlregte, kantoor- en ander gelde, in verband met die registrasie van grond wat vir die bou van 'n woning of ingevolge 'n skema verkry is, of in verband met registrasies ingevolge regulasies kragtens paragraaf (e) of (f) ;
- (h) die ontruiming, deur persone wat die grond bewoon of gebruik, van grond wat onteien is ten einde wonings te bou of skemas uit te voer ;
- (i) die bestuur, van die hand sit of gebruik, deur die kommissie of 'n plaaslike outoriteit, van grond, wonings, materiaal of toerusting waarvan hy die eienaar is, met inbegrip, in die geval van die kommissie, van die bestuur, van die hand sit of gebruik van sulke grond of wonings ten behoeve van die kommissie deur 'n voorgeskrewe kategorie maatskappy of ander liggaam, 'n maatskappy of ander liggaam wat vir dié doel gestig of ingestel is of 'n plaaslike outoriteit ;
- (j) die bestuur, van die hand sit of gebruik deur die betrokke maatskappy of ander liggaam, van grond wat onteien is ingevolge regulasies kragtens paragraaf (b) uitgevaardig, of van grond wat verkry is of wonings wat gebou is deur 'n maatskappy of ander liggaam uit 'n lening wat die kommissie of 'n plaaslike outoriteit verstrek het, en van die opbrengs van sulke grond of wonings, en die oorname (met of sonder toestemming van die maatskappy of ander liggaam en met of sonder vergoeding) deur die kommissie of 'n plaaslike outoriteit, van sommige van of al die bates en laste van 'n maatskappy of ander liggaam wat verkry of opgeloopt is by of vir die doeleindes van die bou van wonings of die uitvoer van 'n skema ;
- (k) die betaling deur die kommissie van subsidies aan voorgeskrewe kategorieë persone en die verstrek van lenings—
- (i) deur die kommissie aan plaaslike outoriteite, met goedkeuring van die betrokke administrateur, of in voorgeskrewe omstandighede, sonder sy goedkeuring, of aan voorgeskrewe kategorieë maatskappye of ander liggamme of aan individue ; of
- (ii) deur plaaslike outoriteite aan sulke maatskappye of ander liggamme, of aan individue,
- vir die bou van wonings en die uitvoer van skemas, die voorwaardes waaraan die betaling van sulke subsidies en die verstrekking van sulke lenings onderworpe is, en die verhaal (met inbegrip, in die geval van die kommissie, van verhaal ten behoeve van die kommissie deur 'n voorgeskrewe kategorie maatskappy of ander liggaam, 'n maatskappy of ander liggaam wat vir dié doel gestig of ingestel is of 'n plaaslike outoriteit) van sulke lenings, en van die koopprys of huurgeld van grond of wonings wat deur die kommissie of deur plaaslike outoriteite van die hand gesit of verhuur is ;
- (l) die voorsiening van voorgeskrewe dienste deur 'n plaaslike outoriteit in 'n gebied waarin wonings gebou is, en die gelde wat vir sulke dienste bereken moet word ;
- (m) die magte (met inbegrip van die inkorting van bestaande magte) van plaaslike outoriteite om belastings (met inbegrip van differensiële belastings) op

- respect of land or dwellings owned by the commission or acquired from the commission or acquired or constructed out of moneys advanced by an administrator or the commission ;
- (n) the reports or returns to be made by local authorities to the commission ;
- (o) surveys by the commission of the accommodation used or capable of being used for residential purposes, and the duties and powers of the commission and of local authorities in connection therewith ;
- (p) the supervision by an administrator or the commission of activities of local authorities under the Housing Act and the regulations made under this section, the exercise or performance by an administrator or the commission in lieu of any local authority, of any powers or functions conferred or entrusted to the local authority by or under the said Act or regulations (including the carrying out of a scheme, with or without modifications, which the local authority has not carried out, or the completion of a scheme, with or without modifications, which the local authority is not carrying out to the satisfaction of the administrator or the commission), the liability of the local authority for any expenses incurred by the administrator or the commission in the exercise of such powers or the performance of such functions, and the recovery of any such expenses from the local authority, whether by the levying of a special rate upon rateable property in the area of its jurisdiction or otherwise ;
- (q) the exercise or performance by a local authority, by arrangement with another local authority, of any powers or functions conferred or entrusted to the last mentioned local authority by or under the said Act or regulations, and the enforcement of any rights or liabilities under any such arrangement ;
- (r) the maximum payments (calculated according to a prescribed basis or method or otherwise) which may be made under contracts entered into by the commission, local authorities or other persons, whether before or after the commencement of this Act, with contractors in connection with the construction of dwellings or the carrying out of schemes, the matters for which provision shall or may be made in such contracts entered into after the commencement of this Act, and the returns to be made by such contractors to the commission or the local authority concerned : Provided that no payment prescribed under this paragraph shall exceed the costs (as so calculated) actually incurred by the contractor concerned, together with six per cent. of those costs ;
- (s) the provision and control of the labour required from time to time for the construction of dwellings and the carrying out of schemes, including (without limiting the generality of the preceding provisions of this paragraph)—
- (i) the training of an adequate number of persons whose services are or are likely to be required for any such purpose ;
 - (ii) the circumstances in which an employer shall be required to employ learners, and the number of learners he shall employ ;
 - (iii) the registration in any area of all or any class of artisans ;
 - (iv) the furnishing by the State to registered artisans, or to any class of such artisans, of a guarantee of full-time employment (in the ordinary trade or occupation of any such artisan or otherwise) for a period of not less than ten years from the date of registration ;
 - (v) the wages and other conditions of service of any class of artisans, learners, apprentices or other employees employed for the construction of dwellings or other buildings or the carrying out of schemes ;
 - (vi) the employment of additional employees (including learners and apprentices) by any employer for any such purpose ;

- te lê ten opsigte van grond of wonings wat die eiendom van die kommissie is of van die kommissie verkry is of wat verkry of gebou is met geld wat deur 'n administrateur of deur die kommissie voorgeskiet is ;
- (*) die verslae en opgawes wat plaaslike outoriteite aan die kommissie moet doen ;
- (o) opnames deur die kommissie van die akkommodasie wat vir woondoeleindes gebruik word of kan word, en die pligte en magte van die kommissie en van plaaslike outoriteite in verband daarmee ;
- (p) die toesig deur 'n administrateur of die kommissie oor die werksaamhede van plaaslike outoriteite ingevolge die Woningwet of die regulasies kragtens hierdie artikel uitgevaardig, die uitoefening of verrigting deur 'n administrateur of die kommissie in plaas van 'n plaaslike outoriteit, van magte of werksaamhede wat deur of kragtens genoemde Wet of regulasies aan die plaaslike outoriteit verleen of opgedra is (met inbegrip van die uitvoer van 'n skema, met of sonder wysigings, wat die plaaslike outoriteit nie uitgevoer het nie, of die voltooiing van 'n skema, met of sonder wysigings, wat die plaaslike outoriteit nie ter bevrediging van die administrateur of die kommissie uitvoer nie), die aanspreeklikheid van die plaaslike outoriteit vir koste deur die administrateur of die kommissie beloop by die uitoefening van bedoelde magte of die verrigting van bedoelde werksaamhede, en die verhaal van sulke koste op die plaaslike outoriteit, ditsy deur die heffing van 'n spesiale belasting op belasbare eiendom in sy magsgebied of op ander wyse ;
- (q) die uitoefening of verrigting deur 'n plaaslike outoriteit, ingevolge reëling met 'n ander plaaslike outoriteit, van magte of werksaamhede wat deur of kragtens genoemde Wet of regulasies aan laasgenoemde plaaslike outoriteit verleen of opgedra is, en die afdwing van regte of verpligtings ingevolge so 'n reëling ;
- (r) die maksimum betalings (bereken volgens 'n voorgeskrewe basis of metode of andersins) wat gedoen kan word ingevolge kontrakte wat die kommissie, plaaslike outoriteite of ander persone met aannemers gesluit het, ditsy voor of na die inwerkingtreding van hierdie Wet, in verband met die bou van wonings of die uitvoer van skemas, die sake waarvoor in sulke kontrakte wat na die inwerkingtreding van hierdie Wet gesluit word, voorsiening gemaak moet of kan word, en die opgawes wat sulke aannemers aan die kommissie of die betrokke plaaslike outoriteit moet doen : Met dien verstande dat 'n kragtens hierdie paragraaf voorgeskrewe betaling nie meer mag bedra nie dan die koste (soas aldus bereken) wat werklik deur die betrokke aannemer beloop is, tesame met ses persent van daardie koste ;
- (s) die voorsiening en beheer van die werkkragte wat van tyd tot tyd vir die bou van wonings en die uitvoer van skemas nodig is, met inbegrip (sonder om die algemeenheid van die voorgaande bepalings van hierdie paragraaf te beperk) van—
- (i) die opleiding van 'n voldoende aantal persone wie se dienste vir so 'n doel nodig is of waarskynlik nodig sal wees ;
 - (ii) die omstandighede waarin 'n werkgewer verplig is om leerlinge in diens te neem, en die aantal leerlinge wat hy in diens moet neem ;
 - (iii) die registrasie in een of ander gebied van alle of een of ander kategorie ambagsmanne ;
 - (iv) die verstrekking deur die Staat aan geregistreerde ambagsmanne, of aan een of ander kategorie sulke ambagsmanne, van 'n waarborg van voltydse werk (in die gewone bedryf of ambag van so 'n ambagsman of andersins) vir 'n tydperk van minstens tien jaar vanaf die datum van registrasie ;
 - (v) die loon en ander diensvoorwaardes van enige kategorie ambagsmanne, leerlinge, vakleerlinge of ander werknemers wat vir die bou van wonings of ander geboue of die uitvoer van skemas in diens geneem is ;
 - (vi) die indiensneming van addisionele werknemers (met inbegrip van leerlinge en vakleerlinge) deur 'n werkgewer vir so 'n doel ;

- (vii) the prohibition, restriction or regulation of the employment of artisans, learners or apprentices for any purpose other than the construction of dwellings or the carrying out of schemes ;
- (viii) the prohibition, restriction or regulation of the employment in different areas or in the construction of dwellings or the carrying out of schemes for persons of different races, of artisans, learners or apprentices of different races :

Provided that no regulation shall be made under this paragraph unless the Minister of Labour has consulted the trade unions registered or deemed to be registered under the Industrial Conciliation Act, 1937 (Act No. 36 of 1937) in respect of the area and the interests concerned ;

- (t) the control of materials or equipment used in the construction of dwellings or the carrying out of schemes, and of the prices of such materials or equipment, including (without limiting the generality of the preceding provisions of this paragraph)—
 - (i) the restriction of the use of such materials or equipment for any other purpose ; and
 - (ii) the restriction of the acquisition and holding of stocks of such materials or equipment by contractors or other persons ;
 - (u) the compulsory letting for residential purposes (including the rental, calculated according to a prescribed basis or method or otherwise, to be paid, and any other conditions of the lease), of dwellings which are temporarily or permanently without occupants living therein, and the prohibition or restriction of the demolition of dwellings or of the use of dwellings for any other than residential purposes ;
 - (v) the granting of loans by building societies and other approved institutions for the construction of dwellings, or the first acquisition of dwellings after their completion, the conditions of such loans, including the security against which they may be granted, the financial or other assistance to be granted to building societies by the State in connection with such loans, and the supervision to be exercised over the construction of such dwellings ;
- (2) Without limiting the generality of the powers conferred by sub-section (1)—
- (a) regulations made under the said sub-section may provide for—
 - (i) the imposition and recovery of such fees as may be specified therein ;
 - (ii) the issue, in connection with the control, prohibition, restriction or regulation of any matter specified in the said sub-section, by a person appointed for the purpose, of orders or directions ; and
 - (iii) the imposition of penalties for a contravention or failure to comply with any provision thereof or any orders or directions issued thereunder ; and
 - (b) different regulations may be made under the said sub-section in respect of the commission and any housing board established under section four, or in respect of different housing boards so established, local authorities, companies or other bodies, areas or schemes, or in respect of different classes of local authorities, companies or other bodies, areas, schemes, dwellings, contracts, contractors, employers, artisans, learners, apprentices, employees, materials or equipment.

(3) No regulation made under sub-section (1) shall be invalid because it is in conflict or inconsistent with any other law (including an Act of Parliament, other than this Act) which directly or indirectly relates to or affects any matter specified in the said sub-section, and any such other law shall, to the extent of such conflict or inconsistency, be suspended while the regulation in question is in force.

- (vii) die verbied, beperking of reëling van die indiensneming van ambagsmanne, leerlinge of vakleerlinge vir 'n ander doel dan die bou van wonings of die uitvoer van skemas;
- (viii) die verbied, beperking of reëling van die indiensneming in verskillende gebiede of by die bou van wonings of die uitvoer van skemas vir persone van verskillende rasse, van ambagsmanne, leerlinge of vakleerlinge van verskillende rasse:

Met dien verstande dat geen regulasie kragtens hierdie paragraaf uitgevaardig word nie, tensy die Minister van Arbeid die vakverenigings wat kragtens die Nywerheid-versoeningswet, 1937 (Wet No. 36 van 1937) ten opsigte van die betrokke gebied en belange geregistreer is of geag word geregistreer te wees, geraadpleeg het;

- (t) die beheer van materiaal of toerusting wat by die bou van wonings of die uitvoer van skemas gebruik word, en van die pryse van sulke materiaal of toerusting, met inbegrip (sonder om die algemeenheid van die voorgaande bepalinge van hierdie paragraaf te beperk) van—
 - (i) die beperking van die gebruik van sulke materiaal of toerusting vir enige ander doel; en
 - (ii) die beperking van die verkryging en besit van voorrade van sulke materiaal of toerusting deur aannemers of ander persone;
- (u) die verpligte verhuur, vir woondoeleindes (met inbegrip van die huurgeld, bereken volgens 'n voorgeskrewe basis of metode of andersins, wat betaal moet word, en enige ander voorwaardes van die huur), van wonings wat tydelik of blywend sonder inwoners is, en die verbied of beperking van die afbreek van wonings of van die gebruik van wonings vir ander dan woondoeleindes;
- (v) die verstrekking van lenings deur bouverenigings en ander goedgekeurde instellings vir die bou van wonings of die eerste verkryging van wonings na hulle voltooiing, die voorwaardes van sulke lenings, met inbegrip van die sekuriteit waarteen hul verstrekkings kan word, die geldelike of ander bystand deur die Staat in verband met sulke lenings aan bouverenigings verleen te word, en die toesig wat oor die bou van sulke wonings gehou moet word;

(2) Sonder om die algemeenheid van die by sub-artikel (1) verleende magte te beperk—

- (a) kan regulasies kragtens genoemde sub-artikel uitgevaardig, voorsiening maak vir—
 - (i) die oplegging en verhaal van die daarin vermelde gelde;
 - (ii) die uitreiking, in verband met die beheer, verbied, beperking of reëling van 'n in genoemde sub-artikel vermelde aangeleentheid, van bevelen en voorskrifte deur 'n vir die doel aangestelde persoon; en
 - (iii) die oplegging van strawwe vir 'n oortreding van of versuim om te voldoen aan enige bepaling daarvan of enige bevelen of voorskrifte uit kragte daarvan uitgereik; en
- (b) kan verskillende regulasies kragtens genoemde sub-artikel uitgevaardig word ten opsigte van die kommissie en 'n kragtens artikel vier ingestelde behuisingsraad, of ten opsigte van verskillende aldus ingestelde behuisingsrade, plaaslike outoriteite, maatskappye of ander liggame, gebiede of skemas, of ten opsigte van verskillende kategorieë plaaslike outoriteite, maatskappye of ander liggame, gebiede, skemas, wonings, kontrakte, aannemers, werkgewers, ambagsmanne, leerlinge, vakleerlinge, werknemers, materiaal of toerusting.

(3) 'n Kragtens sub-artikel (1) uitgevaardigde regulasie is nie ongeldig nie omdat dit strydig of onbestaanbaar is met 'n ander wet (met inbegrip van 'n ander Parlements-wet dan hierdie Wet) wat direk of indirek op 'n in genoemde sub-artikel vermelde aangeleentheid betrekking het of so 'n aangeleentheid raak, en so 'n ander wet word, vir sover daar so 'n strydigheid of onbestaanbaarheid bestaan, geskors solank die betrokke regulasie van krag is.

(4) Regulations made under sub-section (1) shall, within fourteen days after the promulgation thereof, be laid upon the Tables of both Houses of Parliament, if Parliament is then in session, and if Parliament is not then in session, within fourteen days after the commencement of its next ensuing session.

(5) If a resolution is passed by either House of Parliament disapproving of any such regulation, that regulation shall lapse as from a date to be specified in the resolution, and no regulation having a similar import shall thereafter be made under the said sub-section, except with due regard to the terms of such resolution or of any subsequent resolution, rescinding or modifying such resolution.

Compensation for land expropriated under regulations made under section 2.

§ 3. (1) If land is expropriated under any regulation made under sub-section (1) of section *two*, the compensation to be paid therefor shall, in the case of land situated within the area of jurisdiction of a local authority, subject to the provisions of sub-section (3), not exceed the lesser of either—

(a) the maximum amount which could, on expropriation by the local authority having jurisdiction in that area, be awarded in terms of section *eleven* of the Housing Act, as compensation in respect of the land ; or

(b) an amount which—

(i) is equal to the amount at which the land was acquired by the owner thereof, together with a sum calculated at the rate of six per cent. per annum on the said amount for the period as from the date of acquisition by the owner up to the date of expropriation ; or

(ii) if the owner has acquired the land otherwise than for an amount in money, is equal to the amount at which it was acquired by the last owner who acquired it for an amount in money, together with a sum calculated at the rate of six per cent. per annum on the amount at which it was so acquired, for the period as from the date of acquisition by such last owner up to the date of expropriation ; or

(iii) if the land is a portion only of land acquired by the owner or such last owner, as the case may be, is equal to an amount which bears to the amount at which the whole of the land was acquired, the same ratio as the value of the land expropriated, as determined in accordance with regulations, bears to the value of the whole thereof, as so determined, together with a sum calculated *mutatis mutandis* as provided in sub-paragraph (i) or (ii), as the case may be ; or

(iv) if the amount at which the land was acquired as provided in sub-paragraph (i) or (ii), cannot be readily ascertained, is equal to the value of the land, at the time of its acquisition by the owner, as determined in accordance with regulations, together with a sum calculated *mutatis mutandis* as provided in sub-paragraph (i) ; or

(v) if improvements have been effected on the land between the date of its acquisition and the date of the expropriation, is equal to the amount payable under the preceding provisions of this paragraph, together with the aggregate of the cost of the improvements and a sum calculated at the rate of six per cent. per annum on the cost of each improvement, as from the date of its completion up to the date of the expropriation ; or

(vi) if as a result of the expropriation any goodwill attaching to any business or occupation carried on on the land at the date of the expropriation, will be lost or diminished in value, is equal to the amount payable under the preceding provisions of this paragraph, together with the amount of the loss or diminution in value, not exceeding the nett profit derived from the business or occupation during the period of one year immediately preceding the date of expropriation.

(2) In the case of land so expropriated, which is not situated within the area of jurisdiction of a local authority, the compensation to be paid therefor, shall, subject to the provisions

(4) Regulasies kragtens sub-artikel (1) uitgevaardig, word in albei Huise van die Parlement ter Tafel gelê binne veertien dae na die afkondiging daarvan, as die Parlement dan in sitting is, en as die Parlement nie dan in sitting is nie, binne veertien dae na die aanvang van sy eersvolgende sitting.

(5) Indien die een of die ander Huis van die Parlement 'n besluit aanneem waarby so 'n regulasie afgekeur word, vervul daardie regulasie vanaf 'n datum in die besluit vermeld te word, en geen regulasie met 'n soortgelyke strekking word daarna kragtens genoemde sub-artikel uitgevaardig nie, dan alleen met behoorlike inagneming van die bepalings van bedoelde besluit of van 'n latere besluit wat bedoelde besluit herroep of wysig.

3. (1) Indien grond ingevolge 'n regulasie kragtens sub-artikel (1) van artikel twee uitgevaardig, onteien word, mag die vergoeding wat daarvoor betaal moet word, in die geval van grond binne die magsgebied van 'n plaaslike outoriteit geleë, behoudens die by sub-artikel (3) bepaalde, nie meer bedra nie dan die mindere van of—

(a) die hoogste bedrag wat, by onteiening deur die plaaslike outoriteit wat in daardie gebied seggenskap het, volgens artikel elf van die Woningwet as vergoeding ten opsigte van die grond toegeken sou kon word; of

(b) 'n bedrag wat—

(i) gelykstaan met die bedrag waarteen die eienaar van die grond dit verkry het, tesame met 'n som bereken volgens die skaal van ses persent per jaar op genoemde bedrag vir die tydperk vanaf die datum van verkryging deur die eienaar tot op die datum van onteiening; of

(ii) indien die eienaar die grond anders verkry het dan vir 'n bedrag geld, gelykstaan met die bedrag waarteen dit verkry is deur die laaste eienaar wat dit vir 'n bedrag geld verkry het, tesame met 'n som bereken volgens die skaal van ses persent per jaar op die bedrag waarteen dit aldus verkry is, vir die tydperk vanaf die datum van verkryging deur bedoelde laaste eienaar, tot op die datum van onteiening; of

(iii) indien die grond slegs 'n gedeelte is van die grond wat die eienaar of bedoelde laaste eienaar, na gelang van die geval, verkry het, gelykstaan met 'n bedrag wat in dieselfde verhouding staan tot die bedrag waarteen die hele stuk grond verkry is, as dié waarin die waarde van die onteiene grond, soas ooreenkomstig regulasies bepaal, staan tot die waarde van die geheel daarvan, soas aldus bepaal, tesame met 'n som *mutatis mutandis* bereken soas in sub-paragraaf (i) of (ii), na gelang van die geval, bepaal; of

(iv) indien die bedrag waarteen grond soas in sub-paragraaf (i) of (ii) bepaal, verkry is, nie maklik vasgestel kan word nie, gelykstaan met die waarde van die grond ten tyde van sy verkryging deur die eienaar, soas ooreenkomstig regulasies bepaal, tesame met 'n som *mutatis mutandis* bereken soas in sub-paragraaf (i) bepaal; of

(v) indien verbeterings op die grond aangebring is tussen die datum van die verkryging daarvan en die datum van die onteiening, gelykstaan met die bedrag wat kragtens die voorgaande bepalings van hierdie paragraaf betaalbaar is, tesame met die totaal van die koste van die verbeterings en 'n som bereken volgens die skaal van ses persent per jaar op die koste van elke verbetering, vanaf die datum van sy voltooiing tot op die datum van die onteiening; of

(vi) indien 'n klandisiewaarde wat verbonde is aan 'n besigheid of beroep wat op die datum van die onteiening op die grond gedryf of beoefen word, as gevolg van die onteiening verloor sal word of sal verminder, gelykstaan met die bedrag wat kragtens die voorgaande bepalings van hierdie paragraaf betaalbaar is, tesame met die bedrag van die verlies of vermindering, die netto wins gedurende die tydperk van een jaar onmiddellik voor die datum van onteiening uit die besigheid of beroep verkry, nie te bowe gaande nie.

(2) In die geval van aldus onteiene grond wat nie binne die magsgebied van 'n plaaslike outoriteit geleë is nie, mag die vergoeding wat daarvoor betaal moet word, behoudens die by

of sub-section (3), not exceed an amount calculated in accordance with the provisions of paragraph (b) of sub-section (1).

(3) If the Minister is of opinion that the owner of any land so expropriated, acquired that land at more than a normal price for speculative purposes, he may, by writing under his hand direct that the compensation which would be payable therefor under the provisions of paragraph (b) of sub-section (1) or of sub-section (2), shall be calculated *mutatis mutandis* in accordance with the said provisions, on the basis of a lesser amount at which the land was acquired by another specified person within a period not exceeding three years before the expropriation, or by the predecessor in title of such owner.

(4) For the purposes of this section the amount or price at which land was acquired includes any transfer duty, wartime surcharge on transfer duty payments, or costs of transfer or survey for which the owner concerned became liable in connection with his acquisition of the land.

**Provincial
housing boards.**

4. (1) The Provincial Council of Natal, and any other provincial council authorized thereto by resolution of both Houses of Parliament, may by ordinance establish a housing board, and confer on and entrust to such board, in respect of the province concerned, such of the powers and functions of the commission under sub-sections (6), (7) and (8) of section *eighteen* of the Housing Act, as may be specified in the ordinance, or any ordinance amending such ordinance: Provided that for the purposes of this sub-section—

(a) the reference in paragraph (a) of sub-section (6) of the said section, and the first reference in paragraph (d) of the said sub-section, to the Minister, shall be deemed to be a reference to the administrator concerned; and

(b) the second reference in the last mentioned paragraph, and the reference in paragraphs (e) and (f) of the said sub-section and in paragraph (a) of sub-section (7) of the said section, to the Minister, shall be deemed to be deleted.

(2) Notwithstanding the provisions of sub-section (1) or of any ordinance made thereunder, the commission shall not in the province concerned, be divested of any of its powers or functions.

(3) An administrator may, out of any housing loans fund established by him under section *three* of the Housing Act, advance moneys to a housing board established under sub-section (1) for the province concerned, as if it were a local authority, and the relevant provisions of the said Act shall *mutatis mutandis* apply in respect of any such advance.

(4) A provincial council may, by any ordinance referred to in sub-section (1), make provision for the raising by the housing board concerned by way of loans, or the advance or grant out of provincial revenues to such board, of moneys required by it for or in connection with the exercise of its powers or the performance of its functions: Provided that no payment of any such moneys or in respect of any loss incurred by such board, shall be deemed to be normal or recurrent expenditure for the purpose of determining the subsidy payable to the province concerned in accordance with the Financial Relations Consolidation and Amendment Act, 1945.

(5) Every housing board so established shall upon the request of the Minister furnish the Minister from time to time with such information as may be available to it in regard to any matters relating or incidental to housing in the province concerned.

(6) The provisions of this section shall not be construed to derogate from any power which a provincial council may have, to make any ordinance not inconsistent with this section, in relation to any matter connected with the construction of dwellings or the carrying out of schemes: Provided that no such ordinance shall provide for the expropriation by a housing board without the consent of the Minister, of any land or any right in respect of land.

sub-artikel (3) bepaalde, nie meer bedra nie dan 'n ooreenkomstig die bepaling van paragraaf (b) van sub-artikel (1) berekende bedrag.

(3) Indien die Minister van mening is dat die eienaar van aldus onteiene grond, daardie grond vir spekulatiewe doeleindes teen meer dan 'n normale prys verkry het, kan hy skriftelik onder sy handtekening gelas dat die vergoeding wat kragtens die bepaling van paragraaf (b) van sub-artikel (1) of van sub-artikel (2) daarvoor betaalbaar sou wees, bereken moet word *mutatis mutandis* ooreenkomstig genoemde bepaling, op die basis van 'n mindere bedrag waarteen 'n ander aangegewe persoon binne 'n tydperk van hoogstens drie jaar voor die onteiening, of die regsvoorganger van bedoelde eienaar, die grond verkry het.

(4) By die toepassing van hierdie artikel word enige heregte, oorlogtydse ekstra-heffing op hereregtebetalings, of transport- of opmetingskoste waarvoor die betrokke eienaar in verband met sy verkryging van die grond aanspreeklik geword het, ingereken by die bedrag of prys waarteen die grond verkry is.

4. (1) Die Provinsiale Raad van Natal, en enige ander provinsiale raad wat by besluit van albei Huise van die Parlement daartoe gemagtig is, kan by ordonnansie 'n behuisingsraad instel, en aan daardie raad, ten opsigte van die betrokke provinsie, die magte en werksaamhede van die kommissie ingevolge sub-artikels (6), (7) en (8) van artikel *agtien* van die Woningwet, verleen en opdra, wat in die ordonnansie vermeld mag word, of in 'n ordonnansie wat bedoelde ordonnansie wysig: Met dien verstande dat by die toepassing van hierdie sub-artikel—

Provinsiale
behuisingsrade.

- (a) die verwysing in paragraaf (a) van sub-artikel (6) van genoemde artikel, en die eerste verwysing in paragraaf (d) van genoemde sub-artikel, na die Minister, geag word 'n verwysing na die betrokke administrateur te wees; en
- (b) die tweede verwysing in laasgenoemde paragraaf, asook die verwysing in paragrawe (e) en (f) van genoemde sub-artikel en in paragraaf (a) van sub-artikel (7) van genoemde artikel, na die Minister, geag word geskrap te wees.

(2) Ondanks die bepaling van sub-artikel (1) of van 'n ordonnansie uit hoofde daarvan uitgevaardig, word die kommissie, in die betrokke provinsie, nie van enigeen van sy magte en werksaamhede ontdoen nie.

(3) 'n Administrateur kan, uit 'n leningsfonds vir woningbou wat hy kragtens artikel *drie* van die Woningwet gestig het, aan 'n behuisingsraad wat kragtens sub-artikel (1) yir die betrokke provinsie ingestel is, geld voorskiet asof die raad 'n plaaslike outoriteit is, en die toepaslike bepaling van genoemde Wet is *mutatis mutandis* ten opsigte van so 'n voorskot van toepassing.

(4) 'n Provinsiale raad kan, by 'n in sub-artikel (1) bedoelde ordonnansie, voorsiening maak vir die opneem deur die betrokke behuisingsraad by wyse van lenings, of die voorskiet of bewilliging uit provinsiale inkomste aan bedoelde raad, van gelde wat hy nodig het vir of in verband met die uitoefening van sy bevoegdhede of die verrigting van sy werksaamhede: Met dien verstande dat 'n betaling van sulke gelde of ten opsigte van 'n verlies wat bedoelde raad gely het, by die bepaling van die subsidie wat ooreenkomstig die Konsolidasie- en Wysigingswet op Finansiële Verhoudings, 1945, aan die betrokke provinsie betaalbaar is, nie geag word normale of terugkerende uitgawes te wees nie.

(5) Iedere aldus ingestelde behuisingsraad moet op versoek van die Minister, aan die Minister van tyd tot tyd die inligting verstrek wat vir die raad beskikbaar is, betreffende enige saak wat op behuising in die betrokke provinsie betrekking het of daarmee in verband staan.

(6) Die bepaling van hierdie artikel word nie so uitgelê nie dat hul afbreuk doen aan enige bevoegdheid wat 'n provinsiale raad mag hê om 'n ordonnansie uit te vaardig wat nie met hierdie artikel onbestaanbaar is nie, met betrekking tot 'n aangeleentheid wat met die bou van wonings of die uitvoer van skemas in verband staan: Met dien verstande dat so 'n ordonnansie nie voorsiening maak nie vir die onteiening deur 'n behuisingsraad, sonder toestemming van die Minister, van grond of 'n reg ten opsigte van grond.

Amendment of section 1 of Act 35 of 1920, as amended by section 1 of Act 25 of 1925, section 9 of Act 41 of 1937, and section 1 of Act 49 of 1944.

5. Section *one* of the Housing Act is hereby amended—
- (a) by the insertion in the definition of "dwelling", after the word "administrator", where it occurs the first time, of the words "or in the case of a building in respect of the construction whereof the commission has made or is to make any advance, the commission", and after the said word where it occurs the second and third times, of the words "or the commission, as the case may be,";
 - (b) by the addition, at the end of the definition of "approved dwelling", of the words "or in the case of a dwelling in respect of the construction whereof the commission has made or is to make any advance, by the commission,";
 - (c) by the insertion in the definition of "scheme", after the words "laying out", of the word "replanning", and before the word "welfare" of the words "health or" and by the addition at the end of the definition of the words "and land set apart, reserved or acquired as open spaces for the purposes of recreation and play"; and
 - (d) by the addition at the end of the definition of "approved scheme", of the words "or in the case of a scheme in respect of which the commission has made or is to make any advance, by the commission ;".

Amendment of section 13 of Act 35 of 1920.

6. Section *thirteen* of the Housing Act is hereby amended by the insertion after the word "administrator" of the words "or the commission, as the case may be".

Amendment of section 18 of Act 35 of 1920 as substituted by section 10 of Act 49 of 1944.

7. Section *eighteen* of the Housing Act is hereby amended by the substitution in sub-section (4) for the word "two" of the word "three".

Amendment of section 14 of Act 49 of 1944.

8. Section *fourteen* of the Housing Amendment Act, 1944, is hereby amended by the addition at the end of paragraph (i) of sub-section (1), of the words "Provided that if the said societies and companies fail to nominate a member within a period specified by the Minister, the Minister may appoint a member to represent them without such nomination."

Period for which sections 2 and 3 are in force.

9. (1) The provisions of sections *two* and *three* (except the provisions of sub-paragraph (viii) of paragraph (s) of sub-section (1) of section *two*) shall be in force for a period of three years as from the commencement of this Act, and for any such further period as may from time to time be determined by resolution of both Houses of Parliament.
- (2) Notwithstanding the provisions of sub-section (1), regulations made under sub-paragraph (iv) of paragraph (s) of sub-section (1) of section *two* shall, subject to the provisions of sub-section (5) of the said section, continue to apply in respect of guarantees furnished before the provisions of the said section cease to be in force, until all such guarantees have lapsed.

Short title.

10. This Act shall be called the Housing (Emergency Powers) Act, 1945.

5. Artikel *een* van die Woningwet word hiermee gewysig— Wysiging van artikel 1 van Wet 35 van 1920 soas gewysig deur artikel 1 van Wet 25 van 1925, artikel 9 van Wet 41 van 1937, en artikel 1 van Wet 49 van 1944.
- (a) deur in die woordbepaling van „woning”, na die woord „administrateur”, waar dit die eerstemaal voorkom, die woorde „of in het geval van een gebouw ten opzichte van het bouwen waarvan de kommissie een voorschot verstrekt of gaat verstrekken, de kommissie”, en na genoemde woord, waar dit die tweede- en derdemaal voorkom, die woorde „of de kommissie, naar gelang van het geval”, in te voeg;
- (b) deur in die woordbepaling van „goedgekeurde woning”, na die woord „administrateur”, die woorde „of in het geval van een woning ten opzichte van het bouwen waarvan de kommissie een voorschot verstrekt heeft of gaat verstrekken, door de kommissie”, in te voeg;
- (c) deur in die woordbepaling van „schema”, na die woord „aanleg”, die woord „herbeplanning”, en voor die woorde „het welzijn”, die woorde „de gezondheid of”, in te voeg en deur aan die einde van die woordbepaling in te voeg „en grond ter zijde gezet, gereserveerd of verkregen als open terreinen voor de doeleinden van ontspanning en speelplaatsen”; en
- (d) deur in die woordbepaling van „goedgekeurde schema”, na die woord „administrateur”, die woorde „of in het geval van een schema ten opzichte waarvan de kommissie een voorschot verstrekt heeft of gaat verstrekken, door de kommissie”, in te voeg.
6. Artikel *dertien* van die Woningwet word hiermee gewysig deur na die woord „administrateur”, die woorde „of de kommissie, naar gelang van het geval”, in te voeg. Wysiging van artikel 13 van Wet 35 van 1920.
7. Artikel *agtien* van die Woningwet word hiermee gewysig deur in sub-artikel (4) die woord „twee” te vervang deur die woord „drie”. Wysiging van artikel 18 van Wet 35 van 1920, soas vervang by artikel 10 van Wet 49 van 1944.
8. Artikel *veertien* van die Woning-wysigingswet, 1944, word hiermee gewysig deur aan die end van paragraaf (i) van sub-artikel (1) die volgende woorde by te voeg: „Met dien verstande dat indien genoemde verenigings en maatskappye versuim om binne 'n deur die Minister gestelde tydperk 'n lid te nomineer, die Minister sonder so 'n nominasie 'n lid kan aanstel om hul te verteenwoordig.” Wysiging van artikel 14 van Wet 49 van 1944.
9. (1) Die bepalings van artikels *twee* en *drie* (uitgesonderd die bepalings van sub-paragraaf (viii) van paragraaf (s) van sub-artikel (1) van artikel *twee*) is vir 'n tydperk van drie jaar vanaf die inwerkingtreding van hierdie Wet van krag, en vir so 'n verdere tydperk as wat van tyd tot tyd by besluit van albei Huise van die Parlement bepaal mag word. Tydperk waarvoor artikels 2 en 3 van krag is.
- (2) Behoudens die by sub-artikel (5) van artikel *twee* bepaalde, bly regulasies kragtens sub-paragraaf (iv) van paragraaf (s) van genoemde artikel uitgevaardig, ondanks die by sub-artikel (1) bepaalde, van toepassing ten opsigte van waarborge wat verstrekk is voordat die bepalings van genoemde artikel buite werking tree, totdat al daardie waarborge verval het.
10. Hierdie Wet heet die Wet op Behuising (Noodmagte), Kort titel. 1945.

No. 46, 1945.]

ACT

To provide for the disposal of certain surplus State revenues ; for the exclusion of certain stock from the "post-Union funded debt" referred to in section two of Act No. 64 of 1934 ; to impose liability upon the Railway Administration in respect of expenditure incurred in connection with the redemption of certain stocks ; to provide for the transfer of certain moneys from the Railways and Harbours Guarantee Fund to the Charitable Fund ; to authorize the Governor-General to issue special warrants in respect of certain expenditure ; to authorize the transfer of certain surplus stores or equipment to the United Nations Relief and Rehabilitation Administration and to provide for matters incidental thereto ; to provide for the exemption of certain instruments and transactions from stamp duty and fees of office ; for the payment of compensation to certain persons injured as a result of the explosion at the Grand Magazine, Pretoria, and for safeguarding the retirement benefits of certain State employees whose conditions of service were altered as a result of the said explosion ; to give retrospective effect to certain provisions of War Measure No. 25 of 1944 ; to provide for the payment of increased remuneration to the present chairman of the Irrigation Commission ; to repeal Ordinance No. 2 of 1904 of the Orange Free State ; and to amend Acts Nos. 32 of 1909 (Cape of Good Hope), 12 of 1912, 29 of 1922, 41 of 1925, 64 of 1934, 18 of 1936, 26 of 1937, 43 of 1941, 10 of 1943, 18 of 1943, 37 of 1943 and 20 of 1944.

(English Text signed by the Officer Administering the Government.)

(Assented to on 13th June, 1945.)

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows :—

PART I.**MATTERS AFFECTING THE CONSOLIDATED REVENUE FUND.**

Disposal of surplus State revenues.

1. From the surplus State revenues in respect of the financial year ended on the thirty-first day of March, 1945, as certified by the Controller and Auditor-General, the following sums are hereby appropriated as hereunder provided :

- (a) one million five hundred thousand pounds shall be applied towards the liquidation of the balance of expenses incurred in the repatriation and redemption of consolidated stock in terms of the provisions of War Measure No. 41 of 1941 (Proclamation No. 194 of 1941) ;
- (b) nine hundred and twenty-two thousand three hundred and two pounds seven shillings and seven pence shall be transferred to the credit of the Loan Account.

Exclusion of certain stock from "post-Union funded debt" referred to in section 2 of Act 64 of 1934.

2. (1) For the purpose of sub-section (2) of section two of the Finance Act, 1934, the expression "post-Union funded debt" does not include issues of local registered stock bearing interest at less than three per cent. per annum.

(2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1940.

Amendment of section 2 of Act 64 of 1934 as amended by section 23 of Act 17 of 1938.

3. (1) Section two of the Finance Act, 1934, is hereby amended by the substitution, for sub-section (2), of the following sub-sections :

"(2) The Railway Administration (hereinafter referred to as the Administration) shall pay interest on capital advances (as defined in sub-section (3)) made to it at any time after the thirty-first day of May, 1910, at the rate of interest payable by the State on the stock from the proceeds of which such advances were or are hereafter made, subject to the adjustment of such rate of interest to the rate paid by the State on any subsequent issue of stock into which the stock from the proceeds of which the advances in question were made in the first instance, may have been or may hereafter be converted.

(3) For the purposes of this section, the expression "capital advances" means capital sums advanced to the Administration from the proceeds derived from issues of stock made for the purpose of raising capital for, *inter alia*, railway and harbour purposes, and governed by the

No. 46, 1945.]

WET

Om voorsiening te maak vir die besteding van sekere surplus-staatsinkomste ; vir die uitsluiting van sekere effekte van die „fondsskuld van na die Unie” in artikel twee van Wet No. 64 van 1934 bedoel ; om aan die Spoorwegadministrasie aanspreeklikheid op te lê ten opsigte van uitgawe beloop in verband met die aflossing van sekere effekte ; om voorsiening te maak vir die oordrag van sekere gelde van die Spoorweg- en Hawewaarborgfonds na die Liefdadigheidsfonds ; om die Goewerneur-generaal te magtig om spesiale volmagte ten opsigte van sekere uitgawe uit te reik ; om magtiging te verleen vir die oordrag van sekere oortollige voorrade of toerusting aan die Verenigde Volke se Administrasie vir Noodleniging en Rehabilitasie, en om vir daarmee in verband staande aangeleenthede voorsiening te maak ; om voorsiening te maak vir die vrystelling van sekere stukke en transaksies van seëlregte en kantoor-gelde ; vir die betaling van vergoeding aan sekere persone wat as gevolg van die ontploffing by die Grootmagasyn te Pretoria beserings opgedoen het, en vir die beskerming van die uitdienstredingsvoordele van sekere werknemers van die Staat wie se diensvoorwaardes as gevolg van bedoelde ontploffing verander is ; om aan sekere bepalings van Oorlogsmaatreël No. 25 van 1944 terugwerkende krag te verleen ; om voorsiening te maak vir die betaling van verhoogde besoldiging aan die teenswoordige voorsitter van die Besproeiingskommissie ; tot herroeping van Ordonnansie No. 2 van 1904 van die Oranje-Vrystaat ; en tot wysiging van Wette Nos. 32 van 1909 (Kaap die Goeie Hoop), 12 van 1912, 29 van 1922, 41 van 1925, 64 van 1934, 18 van 1936, 26 van 1937, 43 van 1941, 10 van 1943, 18 van 1943, 37 van 1943 en 20 van 1944.

(Engelse Tekst deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 13 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg :—

DEEL I.

AANGELEENTHEDE WAT DIE GEKONSOLIDEERDE INKOMSTEFONDS RAAK.

1. Uit die surplus-staatsinkomste oor die boekjaar wat op die een-en-dertigste dag van Maart 1945 geëindig het, soos deur die Kontroleur en Ouditeur-generaal gesertifiseer, word ondervermelde bedrae hierby aangewend soos hieronder bepaal :

- (a) eenmiljoen vyfhonderdduisend pond word aangewend ter vereffening van die onafgeloste gedeelte van die uitgawes wat beloop is by die repatriasie en aflossing van gekonsolideerde effekte ingevolge die bepalings van Oorlogsmaatreël No. 41 van 1941 (Proklamasie No. 194 van 1941) ;
- (b) negehonderd twee-en-twintigduisend driehonderd-en-twee pond sewe sjelings en sewe pennies word na die Leningsrekening oorgedra.

2. (1) By die toepassing van sub-artikel (2) van artikel twee van die Finansiewet, 1934, omvat die uitdrukking „fondsskuld van na die Unie” nie uitgiftes van plaaslik geregistreerde effekte teen ’n rentekoers van minder as drie persent per jaar nie.

(2) Sub-artikel (1) word geag op die eerste dag van April 1940 in werking te getree het.

3. (1) Artikel twee van die Finansiewet, 1934, word hierby gewysig deur sub-artikel (2) deur die volgende sub-artikels te vervang :

„(2) Die Spoorwegadministrasie (hieronder die Administrasie genoem) betaal rente op kapitaalvoorskotte (soos in sub-artikel (3) omskryf) wat te eniger tyd na die een-en-dertigste dag van Mei 1910 aan hom gedoen is, teen die rentekoers wat deur die Staat betaalbaar is op die effekte uit die opbrengs waarvan sodanige voorskotte gedoen is of hierna gedoen word, onderworpe aan die gelykstelling van bedoelde rentekoers met die koers wat deur die Staat betaal word op ’n latere uitgifte van effekte waarin die effekte uit die opbrengs waarvan die betrokke voorskotte in die eerste instansie gedoen is, omgesit is of hierna omgesit mag word.

(3) By die toepassing van hierdie artikel beteken die uitdrukking „kapitaalvoorskotte” kapitaalbedrae wat aan die Administrasie voorgeskiet is uit die opbrengs verkry uit uitgiftes van effekte wat gedoen is met die doel om kapitaal vir, onder meer, spoorweg- en hawedoeleindes te hef, en beheers word deur die bepalings van die

Besteding van surplus-staatsinkomste.

Uitsluiting van sekere effekte van „fondsskuld van na die Unie” in artikel 2 van Wet 64 van 1934 bedoel.

Wysiging van artikel 2 van Wet 64 van 1934, soos gewysig deur artikel 23 van Wet 17 van 1938.

provisions of the General Loans Consolidation and Amendment Act, 1917 (Act No. 22 of 1917), and of section two of the Financial Adjustments Act, 1928 (Act No. 21 of 1928).

(4) If capital sums which are not capital advances within the meaning of sub-section (3) are advanced to the Administration by the Treasury, the Administration shall pay interest on any sums so advanced at a rate equal to that paid to the Administration by the Public Debt Commissioners on the Administration's deposits at call at the time when the advance in question is made. Any advance of the nature described in this sub-section shall be repaid by the Administration to the Treasury as soon as capital advances (within the meaning of sub-section (3)) sufficient for its purposes have been made to it.

(5) (a) The Administration shall be liable for a share of the costs of raising connected with any issue of stock from the proceeds of which an advance has been made to it, which share shall be an amount bearing the same proportion to the total of such costs as the amount advanced to the Administration from the proceeds of such stock bears to the aggregate of such proceeds, and the liability of the Administration for its share of the said costs shall accrue as from the date when the amount thereof has been determined by the Treasury.

(b) If in terms of paragraph (a) of this sub-section, the Administration is liable for a share of the costs of raising connected with any stocks extant on the thirty-first day of March, 1945, the Administration's liability shall be assessed on a fraction of the total costs of raising proportionate to the unexpired period of currency, as at that date, of the stock in question. For the purposes of this paragraph the period of currency of any stock shall be as determined prior to the first day of April, 1945.

(6) If capital sums have been advanced to the Administration from the proceeds of consolidated stock or local stock within the meaning of those terms as defined in sub-section (1) of section four of the General Loans Consolidation and Amendment Act, 1917 (Act No. 22 of 1917), the Administration shall be liable for a percentage of the management charges incurred in connection with such stock, equal to the percentage of such proceeds which has been so advanced to the Administration."

(2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1945.

Proportionate liability of Railway Administration for redemption costs of consolidated stocks.

4. If any post-Union consolidated stocks from the proceeds of which capital sums have been advanced to the Railway Administration, have been repatriated and redeemed, in full or in part, under the provisions of War Measure No. 41 of 1941 (Proclamation No. 194 of 1941), the said Administration shall be liable for a percentage of the net expenditure involved in the repatriation and redemption of such stocks, equal to the percentage of the aggregate of the proceeds of such stocks which has been so advanced to the said Administration.

Governor-General's special warrants for expenditure on re-absorption into civil life of demobilized servicemen, and repeal of section 3 of Act 43 of 1941.

5. (1) In the financial year 1945-46, the Governor-General may, by special warrant under his hand and in anticipation of the approval of Parliament, require the Treasury to issue to the accounting officers concerned, out of credits on the Exchequer Account to be granted to the Treasury by the Controller and Auditor-General, such sums not exceeding in the aggregate two million five hundred thousand pounds as may be required for the re-absorption into civil life of members of the land, naval or air forces of the Union who have been demobilized or for the re-adjustment necessitated by the transition from a state of war to a state of peace.

(2) The second and third provisos to section twenty-six of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), shall apply to such special warrant.

(3) Section three of the Finance Act, 1941 (Act No. 43 of 1941), is hereby repealed.

„Algemene Leningen Konsolidatie en Wijzigings Wet, 1917” (Wet No. 22 van 1917) en van artikel twee van die Finansiële Reëlingswet, 1928 (Wet No. 21 van 1928).

(4) Indien kapitaalbedrae wat nie kapitaalvoorskotte volgens die betekenis van sub-artikel (3) is nie, deur die Tesourie aan die Administrasie voorgeskiet word, betaal die Administrasie rente op bedrae wat aldus voorgeskiet is teen 'n koers gelyk aan dié wat deur die Openbare Skuldkommissarisse aan die Administrasie betaal word op laasgenoemde se onmiddellik opsegbare deposito's op die tydstip wanneer die betrokke voorskot gedoen word. 'n Voorskot van die in hierdie sub-artikel bedoelde aard word deur die Administrasie aan die Tesourie terugbetaal sodra kapitaalvoorskotte (volgens die betekenis van sub-artikel (3)) wat vir sy doeleindes toereikend is, aan die Administrasie gedoen is.

(5) (a) Die Administrasie is aanspreeklik vir 'n deel van die leningskoste verbonde aan 'n uitgifte van effekte uit die opbrengs waarvan 'n voorskot aan hom gedoen is, welke deel 'n bedrag is wat in dieselfde verhouding staan tot die totaal van bedoelde koste as dié waarin die bedrag wat uit die opbrengs van sodanige effekte aan die Administrasie voorgeskiet is, tot die totaal van sodanige opbrengs staan, en die aanspreeklikheid van die Administrasie vir sy deel van bedoelde koste ontstaan vanaf die datum waarop die bedrag daarvan deur die Tesourie vasgestel is.

(b) Indien die Administrasie ingevolge paragraaf (a) van hierdie sub-artikel aanspreeklik is vir 'n deel van die leningskoste verbonde aan effekte wat op die een-en-dertigste dag van Maart 1945 nog bestaande was, word die aanspreeklikheid van die Administrasie bereken op 'n onderdeel van die totale leningskoste wat in eweredige verhouding staan met die onverstreke gedeelte van die looptyd, bereken vanaf daardie datum, van die betrokke effekte. By die toepassing van hierdie paragraaf word die looptyd van enige effekte aangemerkt soos dit vòòr die eerste dag van April 1945 bepaal is.

(6) Indien kapitaalbedrae aan die Administrasie voorgeskiet is uit die opbrengs van „gekonsolideerde fondse” of „plaaslike fondse” volgens die betekenis van daardie uitdrukking soos omskryf in sub-artikel (1) van artikel vier van die „Algemene Leningen Konsolidatie en Wijzigings Wet, 1917” (Wet No. 22 van 1917) is die Administrasie aanspreeklik vir 'n persentasie van die bestuurskoste in verband met bedoelde fondse beloop, wat gelyk is aan die persentasie van bedoelde opbrengs wat aldus aan die Administrasie voorgeskiet is.”

(2) Sub-artikel (1) word geag op die eerste dag van April 1945 in werking te getree het.

4. Indien gekonsolideerde effekte van na die Unie, uit die opbrengs waarvan kapitaalbedrae aan die Spoorweg-administrasie voorgeskiet is, in geheel of ten dele gerepatrieer en afgelos is ingevolge die bepaling van Oorlogsmaatreël No. 41 van 1941 (Proklamasie No. 194 van 1941), dan is bedoelde Administrasie aanspreeklik vir 'n persentasie van die netto-uitgawe wat aan die repatriasie en aflossing van sodanige effekte verbonde is, gelyk aan die persentasie van die totale opbrengs van sodanige effekte gesamentlik, wat aldus aan bedoelde Administrasie voorgeskiet is.

Eweredige aanspreeklikheid van Spoorweg-administrasie vir aflossingskoste van gekonsolideerde effekte

5. (1) Die Goewerneur-generaal kan, in die boekjaar 1945-6 by besondere volmag onder sy hand, en in afwagting van die goedkeuring van die Parlement, die Tesourie gelas om aan die betrokke rekenpligtige amptenare, uit die krediete aan die Tesourie deur die Kontroleur en Ouditeur-generaal op die Skatkisrekening toegestaan te word, sodanige bedrae uit te reik, 'n totaal van tweemiljoen vyfhonderdduisend pond nie te bowe gaande nie, as wat benodig is vir die heropneming in die burgerlewe van gedemobiliseerde lede van die land-, see-, of lugmagte van die Unie, of vir die vereiste reorganisasie by oorgang van 'n oorlogstoestand tot 'n vrede-toestand.

Besondere volmagte van Goewerneur-generaal vir uitgawes in verband met die heropneming in die burgerlewe van gedemobiliseerde weermagslede, en herroeping van artikel 3 van Wet 43 van 1941.

(2) Die tweede en derde voorbehoudsbepaling by artikel ses-en-twintig van die „Finansiewet, 1911” (Wet No. 21 van 1911) is op so 'n besondere volmag van toepassing.

(3) Artikel drie van die Finansiewet, 1941 (Wet No. 43 van 1941) word hierby herroep.

Transfer of surplus stores to U.N.R.R.A.

6. (1) With the approval of the Treasury the War Stores Disposal Board (established under regulation 3 of War Measure No. 99 of 1944 (Proclamation No. 247 of 1944)) may transfer to the United Nations Relief and Rehabilitation Administration such surplus stores or equipment referred to it for disposal in terms of the said War Measure as it may deem fit.

(2) The value of any stores or equipment so transferred shall be regarded as a contribution by the Government of the Union to the United Nations Relief and Rehabilitation Administration.

(3) The amount representing the value of any stores or equipment transferred in terms of sub-section (1) during any calendar year shall be submitted to Parliament for appropriation in the next financial year.

(4) The total amount of such appropriations together with any other amounts appropriated by Parliament for the purposes of the United Nations Relief and Rehabilitation Administration shall not exceed four million five hundred thousand pounds.

Exemption of certain instruments and transactions from stamp duties and fees.

7. Notwithstanding the provisions of any other law, no instrument executed solely for the purposes of the regulations contained in the Annexure to War Measure No. 108 of 1944 (Proclamation No. 259 of 1944), or any amendment thereof, shall be subject to stamp duty, nor shall any fee be payable in respect of the registration of any such instrument or in respect of any certificate issued solely for the said purposes.

Exemption from stamp duty of receipts given in respect of certain war gratuities.

8. (1) Notwithstanding the provisions of any other law, no stamp duty shall be payable on a receipt given by any person in respect of the payment to him of a war gratuity under any demobilization scheme.

(2) This section shall be deemed to have come into operation on the first day of November, 1944.

Compensation to certain persons injured as result of explosion at Grand Magazine, Pretoria.

9. (1) If any person sustained personal injuries, whether directly or indirectly, as a result of the explosion which occurred at the Grand Magazine, Pretoria, on the first day of March, 1945, or died or dies as a result of injuries so sustained, then if such person or, in the case of his death, his dependants, is or are not entitled to compensation under any other statutory provision, he or his dependants, as the case may be, may be granted the compensation and benefits which would have been payable had he been an employee of the South African Mint and had the said injuries been sustained by him as the result of an accident arising out of and in the course of the discharge of his duty as such an employee.

(2) Any compensation or benefits payable in terms of sub-section (1) shall be calculated on the basis of emoluments of such an amount as may be determined by the Treasury, as defined in section *eighty-three* of the Government Service Pensions Act, 1936 (Act No. 32 of 1936).

Certain employees of South African Mint to retain membership of Government Employees Provident Fund.

10. (1) Notwithstanding anything to the contrary contained in the Government Service Pensions Act, 1936 (Act No. 32 of 1936), any person who on the thirty-first day of March, 1945, was a member of the Government Employees' Provident Fund established under section *sixty-three* of that Act and who, as a result of the explosion which occurred at the Grand Magazine, Pretoria, on the first day of March, 1945, is after the said thirty-first day of March employed on a part-time basis under the South African Mint, shall retain his membership of and continue to contribute to the said Fund: Provided that no contributions to the said Fund shall be paid by or in respect of any such person in respect of any period or periods of his employment for which he does not receive remuneration from the State.

(2) Any person referred to in sub-section (1) who voluntarily retires from employment under the South African Mint during a period commencing on the first day of April, 1945, and ending on a date to be fixed by the Minister of Finance, shall be paid the full benefit referred to in sub-section (1) of section *seventy* of the said Government Service Pensions Act, 1936.

(3) This section shall be deemed to have come into operation on the first day of April, 1945.

Date of commencement of certain provisions of War Measure No. 25 of 1944.

11. The provisions of War Measure No. 25 of 1944 (Proclamation No. 62 of 1944), shall, in so far as they—

- (i) amend regulations 3, 8, 13, 19, 51 and 58 of War Measure No. 36 of 1943 (Proclamation No. 100 of 1943); and

6. (1) Die Beskikkingsraad vir Oorlogsgoed (ingestel kragtens regulasie 3 van Oorlogsmaatreël No. 99 van 1944 (Proklamasie No. 247 van 1944)) kan, met die goedkeuring van die Tesourie, soveel as wat hy goed vind van die oortollige voorrade of toerusting waarvoor hy ingevolge bedoelde Oorlogsmaatreël moet beskik, aan die Verenigde Volke se Administrasie vir Noodleniging en Rehabilitasie oordra.

Oordrag van oortollige voorrade aan U.N.R.R.A.

(2) Die waarde van voorrade of toerusting wat aldus oorgedra is, word as 'n bydrae deur die Unie-regering tot die Verenigde Volke se Administrasie vir Noodleniging en Rehabilitasie beskou.

(3) Die bedrag wat die waarde verteenwoordig van voorrade of toerusting wat ingevolge sub-artikel (1) gedurende 'n kalenderjaar oorgedra is, word in die volgende boekjaar aan die Parlement ter bewilliging voorgelê.

(4) Die totaalbedrag van sodanige bewilligings, tesame met ander bedrae wat deur die Parlement vir die doeleindes van die Verenigde Volke se Administrasie vir Noodleniging en Rehabilitasie bewillig word, gaan nie viermiljoen vyfhonderd-duisend pond te bowe nie.

7. Ondanks andersluidende wetsbepalings, is geen dokument wat verly is uitsluitlik vir die doeleindes van die regulasies vervat in die Aanhangsel by Oorlogsmaatreël No. 108 van 1944 (Proklamasie No. 259 van 1944) of 'n wysiging daarvan, aan seëlregte onderhewig nie, en is geen gelde betaalbaar ten opsigte van die registrasie van so 'n dokument of ten opsigte van 'n sertifikaat wat uitsluitlik vir vermelde doeleindes uitgereik is nie.

Sekere dokumente en transaksies word van seëlregte en gelde vrygestel.

8. (1) Ondanks andersluidende wetsbepalings, is geen seëlregte betaalbaar nie op 'n kwitansie deur een of ander persoon gegee ten opsigte van 'n oorlogsgratifikasie wat ingevolge 'n demobilisasieskema aan hom betaal is.

Vrystelling van seëlregte van kwitansies wat ten opsigte van sekere oorlogsgratifikasies gegee is.

(2) Hierdie artikel word geag op die eerste dag van November 1944 in werking te getree het.

9. (1) Indien iemand persoonlike beserings opgedoen het hetsy regstreeks of onregstreeks, ten gevolge van die ontploffing wat op die eerste dag van Maart 1945 by die Grootmagasyn te Pretoria plaasgevind het, of gesterf het of te sterwe kom as gevolg van beserings wat hy aldus opgedoen het, dan kan daar aan so iemand of aan sy afhanklikes, na gelang van die geval, as hy (of in die geval van sy dood, sy afhanklikes) nie op vergoeding ingevolge 'n ander wetsbepaling geregtig is nie, die vergoeding en voordele toegeken word wat betaalbaar sou gewees het as hy 'n werknemer van die Suid-Afrikaanse Munt was en as bedoelde beserings deur hom opgedoen was as gevolg van 'n ongeval wat uit en in die loop van die vervulling van sy pligte as so 'n werknemer ontstaan het.

Vergoeding aan sekere persone wat beseer is as gevolg van ontploffing by Grootmagasyn, Pretoria.

(2) Vergoeding of voordele wat ingevolge sub-artikel (1) betaalbaar is, word bereken op grondslag van so 'n bedrag aan verdienste as wat deur die Tesourie (soos in artikel *drie-en-tagtig* van die Regeringsdiens Pensioenwet, 1936 (Wet No. 32 van 1936) omskryf) bepaal word.

10. (1) Ondanks andersluidende bepalinge van die Regeringsdiens Pensioenwet, 1936 (Wet No. 32 van 1936) behou iemand wat op die een-en-dertigste dag van Maart 1945 'n lid was van die Regerings-werknemersondersteuningsfonds kragtens artikel *drie-en-estig* van daardie Wet ingestel, en wat as gevolg van die ontploffing wat op die eerste dag van Maart 1945 by die Grootmagasyn te Pretoria plaasgevind het, na bedoelde een-en-dertigste dag van Maart op 'n deeltydse basis by die Suid-Afrikaanse Munt in diens is, sy lidmaatskap van daardie fonds, en hou hy aan om daartoe by te dra: Met dien verstande dat geen hydraes tot daardie fonds deur of ten opsigte van so iemand betaal word nie ten opsigte van 'n tydperk of tydperke van sy diens waarvoor hy nie besoldiging van Staatsweë ontvang nie.

Sekere werknemers van Suid-Afrikaanse Munt behou lidmaatskap van Regerings-werknemersondersteuningsfonds.

(2) Aan 'n in sub-artikel (1) bedoelde persoon wat vrywillig uit die diens van die Suid-Afrikaanse Munt tree gedurende 'n tydperk beginnende op die eerste dag van April 1945 en eindigende op 'n datum deur die Minister van Finansies bepaal te word, moet die volle voordeel wat in sub-artikel (1) van artikel *sewentig* van genoemde Regeringsdiens Pensioenwet, 1936, bedoel word, uitbetaal word.

(3) Hierdie artikel word geag op die eerste dag van April 1945 in werking te getree het.

11. Die bepalinge van Oorlogsmaatreël No. 25 van 1944 (Proklamasie No. 62 van 1944) word, vir sover hulle—

Datum van inwerkingtreding van sekere bepalinge van Oorlogsmaatreël No. 25 van 1944.

- (i) regulasies 3, 8, 13, 19, 51 en 58 van Oorlogsmaatreël No. 36 van 1943 (Proklamasie No. 100 van 1943) wysig; en

(ii) add regulation 72*bis* to the lastmentioned War Measure,

be deemed to have come into operation on the first day of June, 1943.

Salary of chairman of Irrigation Commission.

12. (1) Notwithstanding the provisions of sub-section (2) of section *three* of the Irrigation Commission Act, 1926 (Act No. 33 of 1926), there shall be paid to the present chairman of the Irrigation Commission, while he remains chairman, a salary of fifteen hundred pounds per annum.

(2) Sub-section (1) shall be deemed to have come into operation on the first day of July, 1944.

Repeal of Ordinance 2 of 1904 (Orange Free State).

13. (1) The Poll Tax Consolidation Ordinance, 1904, of the Orange Free State, is hereby repealed as from the first day of January, 1945.

(2) The repeal of the said Ordinance shall not affect the liability of any coloured person to pay any tax which in terms thereof became due and payable in respect of the year ended the thirty-first day of December, 1944, or any previous year, and such liability may be enforced as if the repeal had not been effected.

Amendment of section 6 of Act 32 of 1909 (Cape).

14. (1) Section *six* of the "Private Locations Act, 1909" of the Cape of Good Hope is hereby amended by the substitution for the word "January" of the word "July", for the word "July" of the word "January" and for the words "31st day of December" of the words "thirtieth day of June".

(2) Sub-section (1) shall come into operation on the first day of July, 1946.

(3) Any licence for a private location issued for the calendar year 1946 in terms of the section amended by sub-section (1), shall terminate on the thirtieth day of June, 1946, and one half the licence fees paid in respect of the said calendar year shall, on the application of the location proprietor concerned, be refunded to him.

Amendment of section 3 of Act 12 of 1912, as substituted by section 3 of Act 57 of 1934.

15. (1) Section *three* of the Land Settlement Act, 1912, is hereby amended by the insertion, in sub-section (11), after the word "exceeding" of the words "in the case of the chairman, twelve hundred and fifty pounds per annum, and in the case of the other members".

(2) Sub-section (1) shall be deemed to have come into operation on the seventeenth day of March, 1939.

Amendment of section 36*bis* of Act 29 of 1922 as inserted by section 12 of Act 33 of 1939.

16. Section *thirty-six bis* of the Death Duties Act, 1922, is hereby amended by the addition at the end of sub-section (1) of the words "or to the rendering of reciprocal assistance in the administration of, and in the collection of death duties under, the laws relating to death duties in force in the Union and in such other country or territory."

Insertion of section 36*ter* in Act 29 of 1922.

17. The following section is hereby inserted in the Death Duties Act, 1922, after section *thirty-six bis* :

36*ter*. (1) If the Commissioner has, in accordance with any arrangements made with the Government of any other country or territory by an agreement entered into under section *thirty-six bis* with a view to rendering reciprocal assistance in the collection of death duties, received a request for the collection from any person in the Union of an amount alleged to be due by him under the laws relating to death duties in force in such other country or territory, the Commissioner may, by notice in writing, call upon such person to state, within a period specified in the notice, whether or not he admits liability for the said amount or for any lesser amount.

(2) The Commissioner may—

- (a) if such person so admits liability; or
- (b) (i) if such person fails to comply with the notice or in answer to the notice denies his liability for the said amount or for any part thereof; and

(ii) if the President of the special court for hearing income tax appeals (constituted under section *seventy-nine* of the Income Tax Act, 1941) has certified that he has afforded the person concerned an opportunity of presenting his case, and that on the information submitted to him by

(ii) regulasie 72*bis* aan laasgenoemde Oorlogsmaatreël toevoeg,
geag op die eerste dag van Junie 1943 in werking te getree het.

12. (1) Ondanks die bepalings van sub-artikel (2) van artikel drie van die Besproeiingskommissiewet, 1926 (Wet No. 33 van 1926) word daar aan die teenswoordige voorsitter van die Besproeiingskommissie, solank hy voorsitter bly, 'n salaris van vyftienhonderd pond per jaar betaal.

Salaris van voorsitter van Besproeiingskommissie.

(2) Sub-artikel (1) word geag op die eerste dag van Julie 1944 in werking te getree het.

13. (1) Die „Poll Tax Consolidation Ordinance, 1904” van die Oranje-Vrystaat, word hierby herroep met ingang van die eerste dag van Januarie 1945.

Herroeping van Ordonnansie 2 van 1904 (Oranje-Vrystaat).

(2) Die herroeping van bedoelde Ordonnansie raak nie die aanspreeklikheid van 'n kleurling om 'n belasting wat ingevolge daarvan ten opsigte van die jaar wat op die een-en-dertigste dag van Desember 1944 geëindig het, of enige vorige jaar, verskuldig en betaalbaar geword het, te betaal nie, en daardie aanspreeklikheid kan afdwing word asof die herroeping nie plaasgevind het nie.

14. (1) Artikel ses van die „Private Locations Act, 1909” van die Kaap die Goeie Hoop, word hierby gewysig deur die woord „January” deur die woord „July”, die woord „July” deur die woord „January”, en die woorde „31st day of December” deur die woorde „thirtieth day of June” te vervang.

Wysiging van artikel 6 van Wet 32 van 1909 (Kaap).

(2) Sub-artikel (1) tree op die eerste dag van Julie 1946 in werking.

(3) 'n Lisensie vir 'n privaatlokasie wat ingevolge die bepalings van die by sub-artikel (1) gewysigde artikel vir die kalenderjaar 1946 uitgereik is, verstryk op die dertigste dag van Junie 1946, en die helfte van die lisensiegelde wat ten opsigte van bedoelde kalenderjaar betaal is, word op versoek van die betrokke lokasie-eienaar aan hom terugbetaal.

15. (1) Artikel drie van die „Kroongrond Nederzettings Wet, 1912”, word hierby gewysig deur in sub-artikel (11) die woorde „in het geval van de voorzitter, twaalf honderd vijftig pond per jaar en in het geval van de andere leden” na die woorde „te boven gaande” in te voeg.

Wysiging van artikel 3 van Wet 12 van 1912, soos vervang deur artikel 3 van Wet 57 van 1934.

(2) Sub-artikel (1) word geag op die sewentiende dag van Maart 1939 in werking te getree het.

16. Artikel ses-en-dertig bis van die „Sterfrechten Wet, 1922” word hierby gewysig deur die volgende woorde aan die end van sub-artikel (1) by te voeg: „of het wederkerige verlenen van hulp bij de uitvoering van, en de inzameling van sterfrechten krachtens, de in de Unie en in dat ander land of gebied geldende wetsbepalingen betreffende sterfrechten”.

Wysiging van artikel 36*bis* van Wet 29 van 1922 soos ingevoeg deur artikel 12 van Wet 33 van 1939.

17. Die volgende artikel word hierby na artikel ses-en-dertig bis van die „Sterfrechten Wet, 1922” ingevoeg:

Invoeging van artikel 36*ter* in Wet 29 van 1922.

„Inzameling 36*ter*. (1) Indien de Kommissaris, ingevolge regelingen met de regering van een ander land of gebied getroffen bij een overeenkomst krachtens artikel zes en dertig bis aangegaan, ten doel hebbende het wederkerige verlenen van hulp bij de inzameling van sterfrechten, een verzoek heeft ontvangen om van een persoon in de Unie een bedrag in te zamelen dat, volgens men beweert, ingevolge de in dat ander land of gebied geldende wetsbepalingen betreffende sterfrechten door hem verschuldigd is, kan de Kommissaris bedoelde persoon bij schriftelijke kennisgeving aanzeggen om binnen een in de kennisgeving vermeld tijdperk te verklaren of hij al dan niet zijn aansprakelijkheid voor bedoeld bedrag of voor een minder bedrag erkent.

(2) De Kommissaris kan—
(a) indien bedoelde persoon aldus zijn aansprakelijkheid erkent; of
(b) (i) indien bedoelde persoon in gebreke blijft om aan de kennisgeving te voldoen of in antwoord op de kennisgeving zijn aansprakelijkheid voor bedoeld bedrag of voor een gedeelte daarvan ontkent; en
(ii) indien de Voorzitter van het speciale hof voor het verhoor van inkomstebelasting appèls (ingesteld krachtens artikel zeven en negentig van de „Inkomstebelasting-wet, 1941”) gecertificeert heeft dat hij de betrokken persoon in de gelegenheid heeft gesteld zijn zaak voor te leggen en dat, volgens de inlichting aan hem voorgelegd

the Commissioner and by such person (if any), the amount specified in the certificate appears to be payable by such person in terms of a final determination under the laws relating to death duties in force in such other country or territory,

by notice in writing require such person to pay the amount for which he has admitted liability or the amount so specified, as the case may be, on a date, at a place, and to a person specified in the notice, for transmission to the proper authority in such other country or territory.

(3) If such person fails to comply with the notice under sub-section (2), the amount in question may be recovered for transmission to the said authority but subject, in the case of any amount to which any such certificate relates, to the outcome of any proceedings which such person may institute in such other country or territory for determining his liability for the said amount, as if it were a duty payable by such person under this Act.

(4) No steps taken in any other country or territory under any arrangements referred to in sub-section (1), for the collection of an amount alleged to be due by any person under this Act and no judgment given against any such person in pursuance of such arrangements in such other country or territory for any such amount, shall affect his right to have his liability for any such amount determined in the Union in accordance with the provisions of this Act."

Amendment of section 17 of Act 41 of 1925.

18. (1) Section *seventeen* of the Natives Taxation and Development Act, 1925, is hereby amended by the substitution for the words "Commissioner for Inland Revenue" of the words "Secretary for Native Affairs".

(2) Sub-section (1) shall be deemed to have come into operation on the first day of January, 1945.

Amendment of section 19 of Act 41 of 1925.

19. (1) Section *nineteen* of the Natives Taxation and Development Act, 1925, is hereby amended by the deletion in the definition of "receiver" of the words "the Commissioner for Inland Revenue in consultation with".

(2) Sub-section (1) shall be deemed to have come into operation on the first day of January, 1945.

Amendment of section 6*bis* of Act 18 of 1936 as inserted by section 26 of Act 17 of 1938.

20. (1) Section *six bis* of the Native Trust and Land Act, 1936, is hereby amended by the deletion of sub-section (4).

(2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1945.

Amendment of section 9 of Act 18 of 1936 as amended by section 27 of Act 17 of 1938.

21. (1) Section *nine* of the Native Trust and Land Act, 1936, is hereby amended by the deletion of paragraph (f) of sub-section (1).

(2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1945.

Substitution of section 7 of Act 26 of 1937.

22. The following section is hereby substituted for section *seven* of the Marketing Act, 1937:

"Reports on schemes. 7. (1) The marketing council shall in respect of every scheme which is in operation in terms of this Act submit to the Minister once in every year, not later than nine months after the close of the preceding financial year of the scheme in question, a report on the operation of that scheme during that financial year.

(2) The Minister shall lay every report submitted to him in terms of sub-section (1) together with the auditor's report referred to in sub-section (6) of section *eighteen ter* upon the Tables of both Houses of Parliament within fourteen days of receipt thereof if Parliament be then in session, or if Parliament be not then in session, within fourteen days of the commencement of its next ensuing session."

door de Kommissaris en door bedoelde persoon (indien hij inlichting heeft voorgelegd) het in het certificaat vermelde bedrag door bedoelde persoon betaalbaar schijnt te zijn ingevolge een finale vaststelling krachtens de in zulk ander land of gebied geldende wetsbepalingen betreffende sterfrechten,

bij schriftelike kennisgeving van bedoelde persoon eisen dat hij het bedrag waarvoor hij zijn aansprakelijkheid erkent heeft of het aldus vermelde bedrag, naar gelang van 't geval, op de datum, bij de plaats en aan de persoon in de kennisgeving vermeld, betalen voor verzending aan de betrokken gezaghebbende in dat ander land of gebied.

(3) Indien bedoelde persoon in gebreke blijft aan de kennisgeving krachtens sub-artikel (2) te voldoen, kan het betrokken bedrag, voor verzending aan bedoelde gezaghebbende doch onderworpen, in 't geval van een bedrag waarop een zodanig certificaat betrekking heeft, aan de uitslag van een proces dat door bedoelde persoon in zulk ander land of gebied ingesteld moge worden ter bepaling van zijn aansprakelijkheid voor bedoeld bedrag, verhaald worden alsof het een door bedoelde persoon krachtens deze Wet betaalbare belasting ware.

(4) Geen stappen die ingevolge regelingen in sub-artikel (1) bedoeld, in een ander land of gebied gedaan zijn ter inzameling van een bedrag dat, volgens men beweert, krachtens deze Wet door een persoon verschuldigd is, en geen uitspraak die in dat ander land of gebied ingevolge bedoelde regelingen tegen een zodanige persoon voor zulk een bedrag gegeven is, raakt zijn recht om zijn aansprakelijkheid voor zulk een bedrag, overeenkomstig de bepalingen van deze Wet, in de Unie te laten bepalen."

18. (1) Artikel *seventien* van die „Naturelle Belasting en Wysiging van Ontwikkeling Wet, 1925", word hierby gewysig deur die artikel 17 van die woorde „Kommissaris voor Binnenlandse Inkomsten" deur Wet 41 van 1925. die woorde „Sekretaris van Naturellezaken" te vervang.

(2) Sub-artikel (1) word geag op die eerste dag van Januarie 1945 in werking te getree het.

19. (1) Artikel *negentien* van die „Naturelle Belasting en Wysiging van Ontwikkeling Wet, 1925", word hierby gewysig deur in die artikel 19 van die woordbepaling van „ontvanger" die woorde „de Kommissaris Wet 41 van 1925. voor Binnenlandse Inkomsten na oorleg met" te skrap.

(2) Sub-artikel (1) word geag op die eerste dag van Januarie 1945 in werking te getree het.

20. (1) Artikel *ses bis* van die Naturelletrust en -grond Wet, Wysiging van artikel 6bis van 1936, word hierby gewysig deur sub-artikel (4) te skrap. Wet 18 van 1936

(2) Sub-artikel (1) word geag op die eerste dag van April soos ingevoeg deur artikel 26 van Wet 17 van 1938.

21. (1) Artikel *nege* van die Naturelletrust en -grond Wet, Wysiging van artikel 9 van 1936, word hierby gewysig deur paragraaf (f) van sub-artikel (1) te skrap. Wet 18 van 1936

(2) Sub-artikel (1) word geag op die eerste dag van April soos gewysig deur artikel 27 van Wet 17 van 1938.

22. Artikel *sewe* van die Bemerkingswet, 1937, word hierby Vervanging van deur die volgende artikel vervang: artikel 7 van Wet 26 van 1937.

„Verslag oor skemas. 7. (1) Die bemerkingsraad moet ten opsigte van elke skema wat ingevolge hierdie Wet van krag is, eenmaal elke jaar, nie later as nege maande na die sluiting van die vorige boekjaar van die betrokke skema nie, aan die Minister 'n verslag oor die uitvoering van die skema gedurende daardie boekjaar voorlê.

(2) Die Minister moet elke verslag ingevolge sub-artikel (1) aan hom voorgelê, tesame met die ouditeursverslag in sub-artikel (6) van artikel *agtien ter* bedoel, in beide Huise van die Parlement ter Tafel lê, binne veertien dae na die ontvangs daarvan as die Parlement dan sit of, as die Parlement dan nie sit nie, binne veertien dae na die aanvang van sy eersvolgende sitting."

Amendment of section 18 of Act 26 of 1937, as amended by Act 19 of 1938 and Act 12 of 1941.

23. Section *eighteen* of the Marketing Act, 1937, is hereby amended by the deletion of paragraph (g) of sub-section (1).

Insertion of new section 18ter in Act 26 of 1937.

24. The following new section is hereby inserted after section *eighteen bis* of the Marketing Act, 1937:

“Auditing of accounts. 18ter. (1) Subject to the provisions of sub-section (2), the accounts of every regulatory board administering a scheme in terms of this Act shall be audited annually by an officer in the public service or an accountant appointed by the Minister for the purpose.

(2) Whenever a regulatory board is in receipt of moneys appropriated by Parliament for administration by that board, the Governor-General may direct that the accounts of that board shall as from the current or the next ensuing financial year of that board be audited annually by the Controller and Auditor-General.

(3) Whenever the Controller and Auditor-General undertakes the audit of the accounts of a regulatory board by virtue of a direction under sub-section (2) he may for that purpose appoint one or more accountants to assist him, subject to such directions as he may deem fit, and if the said accounts are at that time being audited by an officer or accountant appointed by the Minister in terms of sub-section (1), such officer or accountant shall until the expiration of the period for which he was so appointed, be deemed to have been appointed by the Controller and Auditor-General in terms of this sub-section.

(4) The fees payable in respect of an audit of the accounts of a regulatory board undertaken—

(a) by an officer or accountant appointed under sub-section (1), shall be determined by the Minister and shall be paid by the regulatory board concerned, in the case of an audit by an officer, to the Treasury, and in the case of an audit by an accountant, to that accountant;

(b) by the Controller and Auditor-General, shall be determined by the Treasury in consultation with the Minister and the Controller and Auditor-General. Such fee shall be inclusive of any remuneration payable by the Controller and Auditor-General to any accountants appointed or deemed to have been appointed by him in terms of sub-section (3), and shall be paid by the regulatory board concerned to the Treasury.

(5) The provisions of sections *thirteen* and *fourteen* of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), as amended, shall *mutatis mutandis* apply in the case of any audit by the Controller and Auditor-General, and in the application of the said provisions, any reference therein to the Treasury shall be construed as a reference to the Minister, and any reference to officers in the public service as a reference to the servants of the regulatory board concerned.

(6) As soon as practicable, but not later than five months after the close of the financial year of any scheme, the auditor shall submit to the Minister a report in respect of his audit and the Minister shall transmit copies of that report to the marketing council and the regulatory board concerned.

(7) If it appears to the auditor—

(a) that any deficiency has occurred in collecting or accounting for moneys of a regulatory board; or

(b) that any moneys of a regulatory board have been improperly paid or are not duly vouched; or

23. Artikel *agtien* van die Bemerkingswet, 1937, word hierby gewysig deur paragraaf (g) van sub-artikel (1) te skrap.

Wysiging van artikel 18 van Wet 28 van 1937, soos gewysig deur Wet 19 van 1938 en Wet 12 van 1941.

24. Die volgende nuwe artikel word hierby na artikel *agtien* *bis* van die Bemerkingswet, 1937, ingevoeg:

Invoeging van nuwe artikel 18 *ter* in Wet 26 van 1937.

„Ouditering van re-kenings.

18*ter*. (1) Onderworpe aan die bepalings van sub-artikel (2), moet die rekenings van elke beherende raad wat 'n skema kragtens hierdie Wet uitvoer, jaarliks geouditeer word deur 'n amptenaar in die staatsdiens of 'n rekenmeester vir daardie doel deur die Minister aangestel.

(2) Wanneer 'n beherende raad geld ontvang wat deur die Parlement bewillig is vir besteding deur daardie raad, kan die Goewerneur-generaal beveel dat die rekenings van daardie raad met ingang van die lopende of die eersvolgende boekjaar van daardie raad jaarliks deur die Kontroleur en Ouditeur-generaal geouditeer moet word.

(3) Wanneer die Kontroleur en Ouditeer-generaal kragtens 'n bevel ingevolge sub-artikel (2) die ouditering van die rekenings van 'n beherende raad onderneem, kan hy vir daardie doel een of meer rekenmeesters aanstel om hom behulpsaam te wees, onderworpe aan die voorskrifte wat hy goedgevind, en indien bedoelde rekenings op daardie tydstip geouditeer word deur 'n amptenaar of rekenmeester deur die Minister kragtens sub-artikel (1) aangestel, word daardie amptenaar of rekenmeester geag kragtens hierdie sub-artikel deur die Kontroleur en Ouditeer-generaal aangestel te gewees het tot verstryking van die tydperk waarvoor hy aldus aangestel was.

(4) Die honoraria betaalbaar ten opsigte van die ouditering van die rekenings van 'n beherende raad onderneem—

(a) deur 'n amptenaar of rekenmeester kragtens sub-artikel (1) aangestel, word deur die Minister bepaal en moet deur die betrokke beherende raad, in die geval van ouditering deur 'n amptenaar, aan die Tesourie, en in die geval van ouditering deur 'n rekenmeester, aan daardie rekenmeester betaal word;

(b) deur die Kontroleur en Ouditeer-generaal, word deur die Tesourie in oorleg met die Minister en die Kontroleur en Ouditeer-generaal bepaal. Die honorarium moet die besoldiging insluit wat deur die Kontroleur en Ouditeer-generaal betaalbaar is aan rekenmeesters wat kragtens sub-artikel (3) deur hom aangestel is of wat geag word aldus aangestel te gewees het, en moet deur die betrokke beherende raad aan die Tesourie betaal word.

(5) Die bepalings van artikels *dertien* en *veertien* van die „Financiewet, 1911” (Wet No. 21 van 1911), soos gewysig, is *mutatis mutandis* van toepassing in die geval van 'n ouditering deur die Kontroleur en Ouditeer-generaal, en by die toepassing van bedoelde bepalings word enige verwysing daarin na die Tesourie as 'n verwysing na die Minister beskou en enige verwysing na amptenare in die staatsdiens as 'n verwysing na die dienaars van die betrokke beherende raad.

(6) So spoedig doenlik, maar nie later as vyf maande na die sluiting van die boekjaar van enige skema nie, moet die ouditeur aan die Minister 'n verslag ten opsigte van sy ouditering voorlê, en die Minister moet afskrifte van daardie verslag aan die bemerkingsraad en die betrokke beherende raad deurstuur.

(7) Indien dit aan die ouditeur blyk—

(a) dat daar 'n tekort ontstaan het in verband met die invordering of verantwoording van gelde van 'n beherende raad; of

(b) dat gelde van 'n beherende raad op onbehoorlike wyse uitbetaal is of dat uitbetalings nie behoorlik met bewyse gestaaf is nie; of

(c) that there is a deficiency in any moneys or other property of a regulatory board,

and if a proper explanation be not, within a period specified by him, furnished to him with regard to such deficiency, improper payment, or payment not duly vouched, he shall notify the Minister thereof, and the Minister may after such further enquiries as he may deem necessary surcharge against the person responsible therefor the amount of any such deficiency, improper payment or payment not duly vouched, or any portion thereof. The amount of any such surcharge shall be a debt due from the person against whom the surcharge is made.

(8) The Minister shall notify the regulatory board concerned of any surcharge which he may have made under sub-section (7) and the said board shall recover the amount thereof from the person against whom the surcharge was made.

(9) For the purposes of this section "auditor" means the officer or accountant appointed by the Minister in terms of sub-section (1) or the Controller and Auditor-General, as the case may be."

Amendment of section 21 of Act 27 of 1940.

25. (1) Section *twenty-one* of the Finance Act, 1940, is hereby amended by the deletion of sub-section (2).

(2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1945.

Amendment of section 2 of Act 10 of 1943.

26. (1) Section *two* of the Oliphants River Irrigation Works Act, 1943, is hereby amended by the insertion after the word "thousand" of the words "five hundred".

(2) Sub-section (1) shall be deemed to have come into operation on the sixth day of April, 1943.

Amendment of section 3 of Act 18 of 1943.

27. (1) Section *three* of the Prescription Act, 1943, is hereby amended by the insertion, in sub-section (2), after the word "shall" of the words "subject to the provisions of sub-section (2) of section *thirteen*,".

(2) Sub-section (1) shall be deemed to have come into operation on the nineteenth day of April, 1943.

Amendment of section 6 of Act 18 of 1943.

28. (1) Section *six* of the Prescription Act, 1943, is hereby amended by the substitution, for the words "exceed three years" in the proviso to sub-section (1), of the words "extend beyond three years after the date upon which the period of prescription which has been interrupted would have expired.".

(2) Sub-section (1) shall be deemed to have come into operation on the nineteenth day of April, 1943.

Amendment of section 11 of Act 18 of 1943.

29. (1) Section *eleven* of the Prescription Act, 1943, is hereby amended by the insertion, after the words "section *three*" in paragraph (b) of the proviso to sub-section (2), of the words "to which the provisions of sub-section (2) of section *thirteen* do not apply", and by the addition to the said proviso, of the following paragraph:

"(c) in the case of a claim referred to in sub-section (2) of section *thirteen*, the period shall be fifteen years."

(2) Sub-section (1) shall be deemed to have come into operation on the nineteenth day of April, 1943.

(3) The amendments to section *eleven* of the Prescription Act, 1943, which are introduced by sub-section (1) of this section, shall not have the effect of reviving any claim which became prescribed at or after the commencement of the said Act, and prior to the commencement of this Act.

Replacement of section 13 of Act 18 of 1943.

30. (1) The following section is hereby substituted for section *thirteen* of the Prescription Act, 1943:

"Applica- 13. (1) Subject to the provisions of sub-sections (2) and (3), this Act shall bind the State.
tion to State.

(2) Notwithstanding the provisions of paragraph (c) or (d) of sub-section (2) of section *three*, the period of prescription in respect of any claim by the State which would, but for the provisions of this sub-section, become prescribed, in terms of the said paragraphs, in three years or six years shall be fifteen years if the claim in question arises out of or is founded on—

(a) an advance or loan of money made by the State to the debtor, whether in terms of an oral or a written contract; or

(c) dat daar 'n tekort aan enige gelde of ander goedere van 'n beherende raad is, en indien geen behoorlike verklaring, binne 'n tydperk deur hom gestel, met betrekking tot sodanige tekort, onbehoorlike uitbetaling of nie behoorlik gestaafde betaling aan hom verstrekkend word nie, moet hy die Minister daarvan in kennis stel, en die Minister kan, na sodanige verdere ondersoek as wat hy nodig ag, aan die persoon wat daarvoor verantwoordelik is 'n ekstra-betaling opleë ten bedrae van daardie tekort, onbehoorlike uitbetaling of nie behoorlik gestaafde betaling of enige gedeelte daarvan, en so 'n ekstra-betaling maak 'n skuld uit wat verskuldig is deur die persoon aan wie die ekstra-betaling opgelê is.

(8) Die Minister moet die betrokke beherende raad in kennis stel van enige ekstra-betaling wat hy kragtens sub-artikel (7) opgelê het en bedoelde raad moet die bedrag daarvan op die persoon aan wie die ekstra-betaling opgelê is, verhaal.

(9) By die toepassing van hierdie artikel beteken „ouditeur” die amptenaar of rekenmeester kragtens sub-artikel (1) deur die Minister aangestel of die Kontroleur en Ouditeur-generaal, na gelang van die geval.”

25. (1) Artikel *een-en-twintig* van die Finansiewet, 1940, word hierby gewysig deur sub-artikel (2) te skrap. Wysiging van artikel 21 van Wet 27 van 1940.

(2) Sub-artikel (1) word geag op die eerste dag van April 1945 in werking te getree het.

26. (1) Artikel *twee* van die Wet op die Olifantsrivier-besproeiingswerke, 1943, word hierby gewysig deur die woord „vyfhonderd” voor die woord „pond” in te voeg. Wysiging van artikel 2 van Wet 10 van 1943.

(2) Sub-artikel (1) word geag op die sesde dag van April 1943 in werking te getree het.

27. (1) Artikel *drie* van die Verjaringswet, 1943, word hierby gewysig deur in sub-artikel (2) die woorde „Die termyn ten opsigte van bevrydende verjaring is” deur die woorde „Behoudens die bepalings van sub-artikel (2) van artikel *dertien*, is die termyn ten opsigte van bevrydende verjaring” te vervang. Wysiging van artikel 3 van Wet 18 van 1943.

(2) Sub-artikel (1) word geag op die negentiende dag van April 1943 in werking te getree het.

28. (1) Artikel *ses* van die Verjaringswet, 1943, word hierby gewysig deur die woorde „langer as drie jaar mag wees nie” in die voorbehoudsbepaling by sub-artikel (1) te skrap en deur die volgende woorde te vervang: „langer duur nie dan drie jaar na die datum waarop die verjaringstermyn wat gestuit is, sou verstryk het.” Wysiging van artikel 6 van Wet 18 van 1943.

(2) Sub-artikel (1) word geag op die negentiende dag van April 1943 in werking te getree het.

29. (1) Artikel *elf* van die Verjaringswet, 1943, word hierby gewysig deur in paragraaf (b) van die voorbehoudsbepaling by sub-artikel (2), na die woorde „vermeld is” die woorde „en waarop die bepalings van sub-artikel (2) van artikel *dertien* nie van toepassing is nie,” in te voeg, en deur die volgende paragraaf aan bedoelde voorbehoudsbepaling toe te voeg: Wysiging van artikel 11 van Wet 18 van 1943.

„(c) in die geval van 'n in sub-artikel (2) van artikel *dertien* bedoelde eis, die termyn vyftien jaar is.”

(2) Sub-artikel (1) word geag op die negentiende dag van April 1943 in werking te getree het.

(3) Die wysigings van artikel *elf* van die Verjaringswet, 1943, wat deur sub-artikel (1) van hierdie artikel ingevoer word, het nie die uitwerking om 'n eis wat by of na die inwerkingtreding van bedoelde Wet en, voor die inwerkingtreding van hierdie Wet verjaar het, weer te laat herleef nie.

30. (1) Artikel *dertien* van die Verjaringswet, 1943, word hierby deur die volgende artikel vervang: Vervanging van artikel 13 van Wet 18 van 1943.

„Toepassing op Staat. 13. (1) Behoudens die bepalings van sub-artikels (2) en (3), bind hierdie Wet die Staat.

(2) Ondanks die bepalings van paragraaf (c) of (d) van sub-artikel (2) van artikel *drie*, is die verjaringstermyn ten opsigte van 'n eis deur die Staat wat, afgesien van die bepalings van hierdie sub-artikel, ooreenkomstig bedoelde paragraawe in drie jaar of in ses jaar sou verjaar het, vyftien jaar indien die betrokke eis ontstaan uit of gegrond is op—

(a) 'n geldvoorskot of -lening deur die Staat aan die skuldenaar toegestaan, hetsy ingevolge 'n mondelinge of 'n skriftelike kontrak; of

(b) any deed or instrument executed or passed by the debtor in favour of the State in respect of or to secure such advance or loan.

(3) Acquisitive prescription shall not run against the State unless the property in question is capable of being alienated by the State and of being owned by a private person."

(2) Sub-section (1) shall be deemed to have come into operation on the nineteenth day of April, 1943.

Amendment of section 14 of Act 37 of 1943.

31. Section *fourteen* of the Finance Act, 1943, is hereby amended by the addition at the end thereof of the following sub-section, the existing section becoming sub-section (1)—

"(2) Sub-section (1) shall be deemed to have come into operation on the thirtieth day of June, 1942."

Amendment of section 3 of Act 20 of 1944.

32. (1) Section *three* of the General Council Employees' Transfer Act, 1944, is hereby amended by the substitution in section *eight* of the Native Trust and Land Act, 1936 (Act No. 18 of 1936) of the words "Consolidated Revenue Fund".

(2) Sub-section (1) shall be deemed to have come into operation on the fifth day of May, 1944.

Amendment of section 4 of Act 20 of 1944.

33. (1) Section *four* of the General Council Employees' Transfer Act, 1944, is hereby amended by the substitution in paragraph (c) of sub-section (3) for the words "South African Native Trust Fund, referred to in section *eight* of the Native Trust and Land Act, 1936 (Act No. 18 of 1936)" of the words "Consolidated Revenue Fund".

(2) Sub-section (1) shall be deemed to have come into operation on the fifth day of May, 1944.

PART II.

MATTERS AFFECTING THE RAILWAY ADMINISTRATION.

Transfer of certain moneys from the Railways and Harbours Guarantee Fund to the Charitable Fund.

34. (1) The Minister of Transport may, whenever he deems it expedient to do so, direct that any sum of money standing to the credit of the fund known as the Railways and Harbours Guarantee Fund, in excess of the amount at which the said fund has been stabilized by the Railway Administration from time to time, shall be transferred to the Charitable Fund referred to in section *thirty-three* of the Railways and Harbours Service Act, 1925 (Act No. 23 of 1925).

(2) This section shall be deemed to have come into operation on the first day of March, 1942.

Short title.

35. This Act shall be called the Finance Act, 1945.

(b) 'n akte of stuk wat deur die skuldenaar ten opsigte of ter versekering van so 'n voorskot of lening ten gunste van die Staat verly of gepasseer is.

(3) Verkrygende verjaring loop nie teen die Staat nie tensy die betrokke goed deur die Staat vervreem en deur 'n individu in privaatbesit gehou kan word."

(2) Sub-artikel (1) word geag op die negentiende dag van April 1943 in werking te getree het.

31. Artikel *veertien* van die Finansiewet, 1943, word hierby Wysiging van gewysig deur die volgende sub-artikel aan die end daarvan artikel 14 van by te voeg, met aanduiding van die bestaande artikel as Wet 37 van 1943. sub-artikel (1):

„(2) Sub-artikel (1) word geag op die dertigste dag van Junie 1942 in werking te getree het.”

32. (1) Artikel *drie* van die Wet op Oorplasing van Werk- Wysiging van nemers van die Algemene Raad, 1944, word hierby gewysig artikel 3 van deur die woorde „Suid-Afrikaanse Naturellestuf-fonds in Wet 20 van 1944. artikel *agt* van die Naturellestuf en -grond Wet, 1936 (Wet No. 18 van 1936) bedoel” te vervang deur die woorde „Gekonsolideerde Inkomstefonds”.

(2) Sub-artikel (1) word geag op die vyfde dag van Mei 1944 in werking te getree het.

33. (1) Artikel *vier* van die Wet op Oorplasing van Werk- Wysiging van nemers van die Algemene Raad, 1944, word hierby gewysig artikel 4 van deur in paragraaf (c) van sub-artikel (3) die woorde „Suid- Wet 20 van 1944. Afrikaanse Naturellestuf-fonds in artikel *agt* van die Naturellestuf en -grond Wet, 1936 (Wet No. 18 van 1936) bedoel” deur die woorde „Gekonsolideerde Inkomstefonds” te vervang.

(2) Sub-artikel (1) word geag op die vyfde dag van Mei 1944 in werking te getree het.

DEEL II.

AANGELEENTHEDE RAKENDE DIE SPOORWEGADMINISTRASIE.

34. (1) Die Minister van Vervoer kan, so dikwels hy dit Oordrag van gerade ag, gelas dat enige som geld waarmee die batige saldo sekere gelde van van die fonds, bekend as die Spoorweg- en Hawewaarborg- die Spoorweg- en Hawewaar- borgfonds na die fonds, die bedrag waarteen genoemde fonds van tyd tot tyd en Liefdadig- krediet van die in artikel *drie-en-dertig* van die „Spoorwegen heidsfonds en Havens Dienst Wet, 1925” (Wet No. 23 van 1925) bedoelde Liefdadigheidsfonds, oorgedra word.

(2) Hierdie artikel word geag op die eerste dag van Maart 1942 in werking te getree het.

35. Hierdie Wet heet die Finansiewet, 1945.

Kort titel.