OFFICIAL GAZETTE

EXTRAORDINARY

of South West Africa.

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BUITENGEWONE

OFFISIËLE KOERANT

van Suidwes-Afrika.

Uitgegee op gesag.

d **Friday, 4th January, 1929.** **WINDHOEK** **Vrydag, 4 Januarie 1929.** **No. 301**

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INHOUD.

PROCLAMATION

BY MAJOR-GENERAL HIS EXCELLENCY THE RIGHT HONOURABLE THE EARL OF ATHLONE, KNIGHT OF THE MOST NOBLE ORDER OF THE GARTER, KNIGHT GRAND CROSS OF THE MOST HONOURABLE ORDER OF THE BATH, KNIGHT GRAND CROSS OF THE MOST DISTINGUISHED ORDER OF ST. MICHAEL AND ST. GEORGE, KNIGHT GRAND CROSS OF THE ROYAL VICTORIAN ORDER, COMPANION OF THE DISTINGUISHED SERVICE ORDER, PERSONAL AIDE-DE-CAMP TO HIS MAJESTY THE KING, HIGH COMMISSIONER FOR SOUTH AFRICA, AND GOVERNOR-GENERAL AND COMMANDER-IN-CHIEF IN AND OVER THE UNION OF SOUTH AFRICA.

No. 3, 1929.]

Under and by virtue of the powers vested in me by section *ninety-nine* of the Medical, Dental and Pharmacy Act, 1928 (Act No. 13 of 1928), I do hereby declare, proclaim and make known as follows:—

1. The Medical, Dental and Pharmacy Act, 1928 (Act No. 13 of 1928), hereinafter referred to as "the Act" is hereby extended to the Mandated Territory of South West Africa, subject to the following modifications:—

(a) Every reference in the Act to any of the provisions thereof shall be construed as a reference to those provisions as modified by this Proclamation.

(b) Every reference in the Act to a provincial or local division of the Supreme Court shall be construed as a reference to the High Court of South West Africa.

(c) Every reference in the Act or in any regulation made thereunder to the official languages of the Union shall be construed as including a reference to the German language.

(d) The reference in section *thirty-six* and *one hundred* of the Act to the promulgation of the Act shall be construed as a reference to the promulgation of this Proclamation.

(e) The words '"Poison" and "Vergif"' occurring in sections *forty-nine, fifty-two* and *fifty-five* of the Act shall be deleted and the words '"Poison", "Vergif" and "Gift"' be substituted therefor.

(f) The reference in section *fifty-one* of the Act to the Co-operative Societies Act, 1922, shall be construed as a reference to the Co-operation Proclamation, 1922 (Proclamation No. 19 of 1922), as amended by the Co-operation Amendment Proclamation, 1924 (Proclamation No. 26 of 1924), and by the Co-operation Further Amendment Proclamation, 1924 (Proclamation No. 32 of 1924), issued by the Administrator of the said Territory.

(g) Paragraph (b) of section *fifty-five* of the Act shall be modified by the deletion of the word "and" occurring between the words "only" and "alleen", and by the addition at the end of the paragraph of the words 'and "Nur zum aeusserlichen Gebrauch"'.

(h) Sub-section (3) of section *sixty-five* of the Act shall be modified by the addition at the end thereof of the words '"Nur fuer zahnaerztliche Behandlung"'.

(i) Sub-section (4) of section *sixty-five* of the Act shall be modified by the addition at the end thereof of the words '"Nur fuer Tierbehandlung"'.

(j) Sub-section (8) of section *sixty-five* of the Act shall be modified by the insertion immediately before the words "the Commissioner of Customs and Excise" of the words "the Administrator of South West Africa".

(k) Sub-section (1) of section *seventy-one* of the Act shall be modified—

(i) by the insertion immediately before the words "the Commissioner of Customs and Excise" of the words "the Administrator of South West Africa";

(ii) by the deletion of the word "Crown" and the substitution therefor of the words "Administration of South West Africa".

(l) The reference in section *eighty-six* of the Act to the Inquests Act, 1919, shall be construed as a reference to the Inquests Proclamation, 1920 (Proclamation No. 9 of 1920), issued by the Administrator of the said Territory, and the reference to the Births, Marriages and Deaths Registration Act, 1923, shall be construed as a reference to the last-mentioned Act as modified and applied to the said Territory by the Births, Marriages and Deaths Registration Proclamation, 1923 (Proclamation No. 38 of 1923), issued by the said Administrator.

PROKLAMASIE

VAN GENERAALMAJOOR SY EKSELLENSIE DIE HOOGEDELAGBARE DIE GRAAF VAN ATHLONE, RIDDER VAN DIE MEES EDELE ORDE VAN DIE KOUSBAND, GROOTKRUISRIDDER VAN DIE MEES EDELAGBARE BATHORDE, GROOTKRUISRIDDER VAN DIE MEES ONDERSKEIE ORDE VAN ST. MICHAEL EN ST. GEORGE, GROOTKRUISRIDDER VAN DIE KONINKLIKE VICTORIA ORDE, GESEL VAN DIE ONDERSKEIE DIENSORDE, PERSOONLIKE AIDE-DE-CAMP VAN SY MAJESTEIT DIE KONING, HOË KOMMISSARIS VIR SUID-AFRIKA EN GOEWERNEUR-GENERAAL EN OPPERBEVELHEBBER IN EN OOR DIE UNIE VAN SUID-AFRIKA.

No. 3, 1929.]

Kragtens die bevoegdheid my verleen ingevolge Artiekel *nege-en-negentig* van die Wet op Geneeshere, Tandartse en Aptekers, 1928 (Wet No. 13 van 1928), verklaar, proklameer en maak ek hiermee bekend dat:—

1. Die Wet op Geneeshere, Tandartse en Aptekers, 1928, (Wet No. 13 van 1928), hierna "die Wet" genoem, hiermee ook van krag is in die Mandaatgebied van Suidwes-Afrika, onderhewig aan die volgende wysigings:—

(a) By enige verwysing in die Wet na enige van sy bepalings sal sodanige verwysing betrekking hê op die bepalings soos deur hierdie Proklamasie gewysig.

(b) Enige verwysing in die Wet na 'n prowinsiale of plaaslike afdeling van die Hoë Geregshof sal ook beteken dat dit 'n verwysing is na die Geregshof van Suidwes-Afrika.

(c) Enige verwysing in die Wet of in enige regulasie daaronder gemaak na die amptelike tale van die Unie, sal ook beteken dat dit 'n verwysing is na die Duitse taal.

(d) Die verwysing in Artiekels *ses-en-dertig* en *eenhonderd* van die Wet na die uitvaardiging van die Wet, sal ook beteken 'n verwysing na die uitvaardiging van hierdie Proklamasie.

(e) Die woorde '"Poison" en "Vergif"' wat in Artiekels *nege-en-veertig, twee-en-vyftig* en *vyf-en-vyftig* van die Wet voorkom, word geskrap en die woorde '"Poison", "Vergif" en "Gift"' daarvoor in die plek gestel.

(f) Die verwysing in Artiekel *een-en-vyftig* van die Wet na die Wet op Ko-operatiewe Verenigings, 1922, sal ook beteken 'n verwysing na Ko-operasie Proklamasie, 1922 (Proklamasie No. 19 van 1922), soos gewysig deur Ko-operasie Wysigings Proklamasie, 1924 (Proklamasie No. 26 van 1924), en soos deur die Ko-operasie Verdere Wysigings Proklamasie, 1924 (Proklamasie No. 32 van 1924), deur die Administrateur van genoemde Gebied uitgevaardig.

(g) Paragraaf (b) van Artiekel *vyf-en-vyftig* van die Wet word gewysig deur weglating van die woord "en" tussen die woorde "only" en "alleen" en deur aan die end van die paragraaf die woorde 'en "Nur zum aeusserlichen Gebrauch"' by te voeg.

(h) Sub-artiekel (3) van Artiekel *vyf-en-sestig* van die Wet word gewysig deur byvoeging, aan die end daarvan, van die woorde '"Nur fuer zahnaerztliche Behandlung"'.

(i) Sub-artiekel (4) van Artiekel *vyf-en-sestig* van die Wet word gewysig deur byvoeging, aan die end daarvan, van die woorde "Nur fuer Tierbehandlung".

(j) Sub-artiekel (8) van Artiekel *vyf-en-sestig* van die Wet word gewysig deur inlassing, onmiddellik vòòr die woorde "die Kommissaris van Doeane en Aksyns" van die woorde "die Administrateur van Suidwes-Afrika".

(k) Sub-artiekel (1) van Artiekel *een-en-sewentig* van die Wet word gewysig:

(i) deur inlassing, onmiddellik voor die woorde "die Kommissaris van Doeane en Aksyns" van die woorde "die Administrateur van Suidwes-Afrika";

(ii) deur weglating van die woord "Kroon" en in die plek daarvan te stel die woorde "Administrateur van Suidwes-Afrika".

(l) Die verwysing in Artiekel *ses-en-tagtig* van die Wet na die Wet op Lykschouwingen, 1919, sal ook beteken 'n verwysing na die Lykskouwinge Proklamasie, 1920 (Proklamasie No. 9 van 1920), uitgevaardig deur die Administrateur van die genoemde Gebied en die verwysing na die Wet op Geboorten, Huweliken en Sterfgevallen Registrasie, 1923, sal ook beteken 'n verwysing na laasgenoemde Wet soos gewysig en van krag in die genoemde Gebied ingevolge die Proklamasie op Geboortes, Huwelike en Sterfgevalle Registrasie, 1923 (Proklamasie No. 38 van 1923), deur die genoemde Administrateur uitgevaardig.

2. The laws specified in the Schedule to this Proclamation are hereby repealed.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Capetown on this the 17th day of December, One thousand Nine hundred and Twenty-eight.

ATHLONE,
Governor-General.

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

SCHEDULE.

LAWS REPEALED.

Number and Date of Law	Title or Subject of Law	Extent of Repeal
Ordinance of the Imperial Governor of German South West Africa, dated the 1st day of January, 1901.	The traffic in drugs.	The whole.
Ordinance of the German Emperor, dated the twenty-second of October, 1901.	The traffic in drugs.	So much as is in force in the Mandated Territory of South West Africa.
Ordinance of the Imperial Governor of German South West Africa dated the twenty-fifth day of May, 1912.	The importation of, Cultivation of, Traffic in and smoking of Hemp.	The whole.
Proclamation No. 3 of 1920 issued by the Administrator.	The Medical Practitioners, Dentists & Chemists and Druggists Licensing Proclamation, 1920.	The whole.
Proclamation No. 25 of 1922 issued by the Administrator.	The Medical Practitioners, Dentists & Chemists and Druggists Licensing Amendment Proclamation, 1922.	The whole.
Proclamation No. 40 of 1923 issued by the Administrator.	The Medical Practitioners, Dentists & Chemists and Druggists Licensing Further Amendment Proclamation, 1923.	The whole.
Proclamation No. 35 of 1927 issued by the Administrator.	The Medical Practitioners, Dentists & Chemists and Druggists Licensing Proclamation, 1927.	The whole.

2. Die wette gespesifiseer in die Bylae tot hierdie Proklamasie word hiermee herroep.

GOD BEHOEDE DIE KONING.

Gegee onder my Hand en die Grootseël van die Unie van Suidafrika te Kaapstad op hierdie 17de dag van Desember, Eenduisend Negehonderd Ag-en-twintig.

ATHLONE,
Goewerneur-Generaal.

Op las van Sy Eksellensie die
Goewerneur-Generaal-in-Rade.
J. KEMP.

BYLAE.

HERROEPE WETTE.

No. en Datum van Wet	Tietel of Onderwerp van Wet	Omvang van herroeping
Ordonnansie van die Imperiale Goewerneur van Duits Suidwes-Afrika van 1 Januarie 1901.	Die Handel in Medisyne.	Die hele.
Ordonnansie van die Imperiale Goewerneur van Duits Suidwes-Afrika van 25 Mei 1912.	Die Handel in Medisyne.	Soveel daarvan as van krag is in die Mandaatgebied van Suidwes-Afrika.
Ordonnansie van die Duitse Keiser van 22 Oktober 1901.	Die Invoer van, Aankweek van, Handel in en Rook van Hennep	Die hele.
Proklamasie No. 3 van 1920 deur die Administrateur uitgevaardig.	Die Geneeshere, Tandartse en Aptekers en Drogiste Lisensies Proklamasie, 1920.	Die hele.
Proklamasie No. 25 van 1922 deur die Administrateur uitgevaardig.	Die Geneeshere, Tandartse en Aptekers en Drogiste Lisensies Wysigings Proklamasie, 1922.	Die hele.
Proklamasie No. 40 van 1923 deur die Administrateur uitgevaardig.	Die Geneeshere, Tandartse en Aptekers en Drogiste Lisensies Verdere Wysigings Proklamasie, 1923.	Die hele.
Proklamasie No. 35 van 1927, deur die Administrateur uitgevaardig.	Die Geneeshere, Tandartse en Aptekers en Drogiste Lisensies Proklamasie, 1927.	Die hele.

No. 13, 1928.]

ACT

To consolidate and amend the laws in force in the Union relating to medical practitioners, dentists, chemists and druggists, nurses, midwives, masseurs and other classes of persons; the keeping and sale of poisons; the importation, sale and use of habit-forming drugs and as to other matters connected therewith; and to provide for the extension of this Act to the mandated territory of South West Africa.

—

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:—

PRELIMINARY.

Division of Act into chapters.

1. This Act is divided into chapters relating to the following matters respectively:—

Chapter I.—Medical Council and Pharmacy Board. (Sections *two* to *thirteen*.)

Chapter II.—Registration of Medical Practitioners, Dentists, Chemists and Druggists, Nurses, Midwives, Masseurs, Medical Students, Dental Students and other classes of persons. (Sections *fourteen* to *thirty-three*.)

Chapter III.—Offences by Unregistered Persons. (Sections *thirty-four* to *forty*.)

Chapter IV.—Disciplinary Powers of the Council and the Board. (Sections *forty-one* to *forty-seven*.)

Chapter V.—Keeping and Sale of Poisons. (Sections *forty-eight* to *sixty*.)

Chapter VI.—Regulation of Importation, Sale and Use of Opium and other Habit-forming drugs. (Sections *sixty-one* to *seventy-two*.)

Chapter VII.—General and Supplementary. (Sections *seventy-three* to *one hundred*.)

CHAPTER I.

MEDICAL COUNCIL AND PHARMACY BOARD.

Constitution of medical council and pharmacy board.

2. (1) As from the commencement of this Act there shall be established for the Union a council, to be styled "The South African Medical Council," and a board to be styled "The South African Pharmacy Board."

(2) Save as is otherwise provided in this section or in section *three*, the members of the council and of the board shall be appointed or elected for periods of five years, and at the end of every such period they shall vacate office, but shall be eligible for re-appointment or re-election.

(3) On a date not less than three months prior to the commencement of each such quinquennial period the Minister shall appoint four medical practitioners, one dentist and two persons not registered under this Act to be members of the council, and two chemists and druggists and one medical practitioner to be members of the board, for the ensuing period of five years, the said appointments being made and notified in the *Gazette* before the date fixed for the calling for nominations, as prescribed in the First Schedule to this Act, for the election of members of the council and the board for the same period. One member of the council and one member of the board so to be appointed shall be the chief health officer or an assistant health officer of the Department of Public Health, and another member of the council shall be the commissioner of mental hygiene or the physician-superintendent of a State mental hospital.

(4) As soon as the Minister has made the appointments referred to in sub-section (3) the necessary steps shall be taken as prescribed in the First Schedule to this Act for the election by the medical practitioners and dentists, respectively, registered and resident within the Union, of ten medical practitioners and three dentists to be members of the council, and, by the chemists and druggists registered and resident within the Union, of six chemists and druggists to be members of the board:

Provided that—

(a) not more than four medical practitioners so elected nor more than one dentist so elected nor more than two chemists and druggists so elected shall be ordinarily resident in any one province of the Union;

(b) each province of the Union shall be represented on the council by at least one medical practitioner ordinarily resident in that province; and

(c) at the first election no voter shall, by reason of being registered in more than one province, have more than one vote.

No. 13, 1928.]

WET

Tot samevatting en wysiging van die wette wat in die Unie van krag is met betrekking tot geneeshere, tandartse, aptekers, verpleegsters, vroedvroue, masseurs en ander klasse van persone; die aanhou en verkoop van vergifte; die invoer, verkoop en gebruik van gewoontevormende medisyne en ander daarmee in verband staande sake, en om vooorsiening te maak vir die toepassing van hierdie Wet op die mandaatgebied Suidwes-Afrika.

—

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

INLEIDING.

Indeling in hoofst

1. Hierdie Wet word ingedeel in hoofstukke wat respektieflik oor die volgende onderwerpe handel:—

Hoofstuk I.—Geneeskundige Raad en Aptekerskommissie (Artiekels *twee* tot *dertien*.)

Hoofstuk II.—Registrasie van geneeshere, tandartse, aptekers, verpleegsters, vroedvroue, masseurs, studente in geneeskunde, studente in tandheelkunde en ander klasse van persone. (Artiekels *veertien* tot *drie-en-dertig*.)

Hoofstuk III.—Misdrywe deur ongeregistreerde persone. (Artiekels *vier-en-dertig* tot *veertig*.)

Hoofstuk IV.—Tuguitoefening deur die raad en deur die kommissie. (Artiekels *een-en-veertig* tot *sewen-en-veertig*.)

Hoofstuk V.—Aanhou en verkoop van vergifte. (Artiekels *ag-en-veertig* tot *sestig*.)

Hoofstuk VI.—Reëling van invoer, verkoop en gebruik van opium en ander gewoontevormende medisyne. (Artiekels *een-en-sestig* tot *twee-en-sewentig*.)

Hoofstuk VII.—Algemene en aanvullende bepalings. (Artiekels *drie-en-sewentig* tot *honderd*.)

HOOFSTUK I.

GENEESKUNDIGE RAAD EN APTEKERSKOMMISIIE.

Instellin geneeskı raad en kommiss

2. (1) Vanaf die inwerkingtreding van hierdie Wet woor daar vir die Unie ingestel 'n raad, onder die naam van "Die Suidafrikaanse Geneeskundige Raad" en 'n kommissie onder die naam van "Die Suidarfrikaanse Aptekerskommissie."

(2) Behalwe vir sover hierdie artiekel of artiekel *drie* anders bepaal, word die lede van die raad en van die kommissie vir tydperke van vyf jaar benoem of gekies en na verloop van elke sodanige tydperk ontruim hulle hul amp, maar is herbenoembaar of herkiesbaar.

(3) Op 'n dag, nie minder as drie maande voor die begin van elke sodanige vyfjarige tydperk, moet die Minister vier geneeshere, een tandarts en twee persone wat nie ingevolge hierdie Wet geregistreer is nie as lede van die geneeskundige raad en twee aptekers en een geneesheer as lede van die aptekerskommissie benoem vir die volgende tydperk van vyf jaar. Bedoelde benoemings moet plaasvind en in die *Staatskoerant* bekend gemaak word voor die dag vasgestel vir die oproeping tot nominasies, volgens voorskrif van die Eerste Bylae tot hierdie Wet, vir die verkiesing van lede van die raad en die kommissie vir dieselfde tydperk. Een lid van die raad en een lid van die kommissie wat aldus benoem moet word, moet die hoofgesondheidsamptenaar of 'n assistent-gesondheidsamptenaar van die Departement van Volksgesondheid wees en 'n ander lid van die raad moet die Kommissaris van Geesteshigiëne of die Geneesheer-Bestuurder van 'n Staatskranksinnigehospitaal wees.

(4) Sodra die Minister die benoemings vermeld in subartiekel (3) gemaak het, moet die nodige stappe geneem word, volgens voorskrif van die Eerste Bylae tot hierdie Wet, vir die verkiesing, deur die geneeshere en tandartse, respektieflik, wat in die Unie geregistreer en woonagtig is, van tien geneeshere en drie tandartse as lede van die raad en deur die aptekers wat in die Unie geregistreer en woonagtig is, van ses aptekers as lede van die kommissie:—

Met die verstande dat—

(a) nie meer as vier geneeshere, nie meer as een tandarts en nie meer as twee aptekers wat aldus verkies is, gewoonlik in dieselfde provinsie van die Unie woonagtig mag wees nie;

(b) elke provinsie van die Unie in die raad verteenwoordig moet wees deur minstens een geneesheer wat gewoonlik in daardie provinsie woonagtig is; en

(c) by die eerste verkiesing geen kieser meer as een stem het nie omdat hy in meer as een provinsie geregistreer is.

(5) Simultaneously with the elections under sub-section (4) the nurses, midwives and masseurs, registered and resident within the Union, shall similarly be entitled to elect as members of the council two persons each of whom is registered as a medical practitioner, nurse, midwife or masseur:

Provided that no person entitled to vote under this sub-section shall have more than one vote.

(6) Every university in the Union in which a complete faculty of medicine is or becomes lawfully established shall appoint a medical practitioner (being a member of the governing body or of the staff of such university) to be a member of the council, and every such member shall hold office until the expiration of the quinquennial period mentioned in sub-section (2).

(7) Whenever one or more schools of pharmacy approved by the board as to organisation and curriculum have been established in the Union, whether or not as a constituent portion of a university, the Minister may, after consultation with the board, appoint one chemist and druggist (being a member of the governing body or of the staff of any such school) to be a member of the board, and such member shall hold office until the expiration of the quinquennial period mentioned in sub-section (2).

(8) The elections referred to in sub-sections (4) and (5) and every election to fill a casual vacancy shall be held in accordance with the provisions set out in the First Schedule to this Act.

Vacation of office and filling of vacancies.

3. (1) A member of the council or of the board shall vacate his office—

(a) if he becomes insolvent or assigns his estate for the benefit of, or compounds with, his creditors; or

(b) if he is absent from more than two consecutive ordinary meetings of the council or of the board without its leave; or

(c) if he has been disqualified under this Act from carrying on his profession or calling; or

(d) if as an elected member he notifies his resignation, in writing, to the council or the board, or if as an appointed member he ceases to be eligible for the appointment or gives notice in writing to the Minister or university (as the case may be) of his desire to resign office and his resignation is accepted.

(2) Every such vacancy and every vacancy caused by the death of a member shall be filled by appointment or election according as the vacating member was appointed or elected, and every member so appointed or elected shall hold office only for the unexpired portion of that period for which the vacating member was appointed or elected.

President, vice-president and treasurer.

4. (1) At the first meeting of every newly constituted council and of every newly constituted board, a president, a vice-president and a treasurer shall be elected from among themselves by the members of the council and the board respectively, who shall hold office during the term of office of the council or board, unless any of them shall sooner resign or cease to be a member. The vice-president may, if the president is absent or unable to act, exercise all the functions of the president.

(2) If the president and vice-president are absent from any meeting, the members present shall elect one of their number to preside at that meeting and the person so presiding may during that meeting and until the president or the vice-president resumes duty, exercise all the functions of the president.

(3) If the president and vice-president have been given leave of absence, the members of the council or board shall choose one of their number to act as president until the president or the vice-president resumes duty or vacates office. If the president or the vice-president or the treasurer vacates office, a new president or a new vice-president or a new treasurer shall be elected at the next meeting or as soon thereafter as may be convenient.

(4) A president or a vice-president or a treasurer may, as such, vacate office without such vacation *ipso facto* determining his membership of the council or board.

Meetings.

5. (1) The first meeting of the first council and of the first board shall take place at places and on dates to be fixed by the Minister.

(2) The ordinary meetings of the council and of the board shall be held twice in each year.

(3) Special meetings may be convened by the president and shall be convened by him upon the requisition in writing of at least six members in the case of the council or at least four members in the case of the board: Provided that the said requisition shall state clearly the purposes for which the meeting is to be convened.

Quorum and proceedings at meetings.

6. (1) In the case of the council, seven members (of whom not less than four shall be medical members), and in the case of the board, four members, shall form a quorum at any meeting.

(2) All acts of the council or the board shall be decided by a majority of the votes of the members present at any meeting.

(5) Gelyktydig met die verkiesings kragtens sub-artikel (4) is die verpleegsters, vroedvroue en masseurs wat in die Unie geregistreer en woonagtig is, insgelyks geregtig om twee persone van wie elkeen geregistreer is as 'n geneesheer, verpleegster, vroedvrou of masseur as lede van die raad te kies:

Met die verstande dat niemand wat kragtens hierdie sub-artikel stemgeregtig is, meer as een stem mag uitbring nie.

(6) Elke uniwersiteit in die Unie waarin 'n volledige geneeskundige fakulteit wettig ingestel is of word, moet 'n geneesheer wat lid van die bestuursliggaam of van die personeel van daardie uniwersiteit is, as lid van die raad benoem en elke sodanige lid beklee sy amp totdat die vyfjarige tydperk, vermeld in sub-artikel (2), afgeloop is.

(7) Wanneer een of meer aptekerskole wie se inrigting en leerplan die kommissie goedkeur, in die Unie opgerig is, hetsy al dan nie as 'n bestanddeel van 'n uniwersiteit, mag die Minister na oorleg met die kommissie, een apteker, wat lid van die bestuursliggaam of van die personeel van so 'n skool is, as lid van die raad benoem en daardie lid beklee sy amp totdat die vyfjarige tydperk, vermeld in sub-artikel (2), afgeloop is.

(8) Die verkiesings vermeld in sub-artikels (4) en (5) en elke verkiesing om 'n toevallige vakature aan te vul moet gehou word volgens die bepaling vervat in die Eerste Bylae tot hierdie Wet.

Ampsontruiming en aanvulling van vakatures.

3. (1) 'n Lid van die raad of van die kommissie ontruim sy amp—

(a) as hy insolvent gaan of van sy boedel afstand doen ten voordele van sy skuldeisers of met hulle 'n skikking aangaan; of

(b) as hy van meer as twee agtereenvolgende gewone vergaderings van die raad of van die kommissie sonder die se toestemming afwesig is; of

(c) as hy ingevolge hierdie Wet onbevoeg geword het om sy professie of beroep uit te oefen; of

(d) as hy, as 'n gekose lid sy bedanking skriftelik meedeel aan die raad of kommissie, of as hy as 'n benoemde lid, ophou om benoembaar te wees of skriftelik kennis gee aan die Minister of uniwersiteit (na gelang van omstandighede) van sy wens om te bedank en sy bedanking word aangeneem.

(2) Elke sodanige vakature en elke vakature wat deur die dood van 'n lid ontstaan moet aangevul word deur benoeming of verkiesing na gelang dat die uitvallende lid benoem of gekies was en elke aldus benoemde of gekose lid beklee sy amp slegs gedurende die onverstreke deel van die tydperk waarvoor die uitvallende lid benoem of gekies was.

Voorsitter, vise-voorsitter en penningmeester.

4. (1) Op die eerste vergadering van elke nuut-ingestelde raad en van elke nuut-ingestelde kommissie moet 'n voorsitter, vise-voorsitter en penningmeester respektieflik deur die lede van die raad en van die kommissie uit hul midde gekies word, en hulle beklee hulle amp gedurende die ampsduur van die raad of kommissie, tensy een of meer van hulle eerder bedank of ophou om lid te wees. Die vise-voorsitter mag, as die voorsitter afwesig is of nie kan optree nie, al die werksaamhede van die voorsitter verrig.

(2) As die voorsitter en vise-voorsitter van 'n vergadering afwesig is, moet die aanwesige lede een uit hulle midde kies om op daardie vergadering voor te sit en die aldus voorsittende persoon mag gedurende daardie vergadering en totdat die vooorsitter of vise-voorsitter sy ampspligte hervat, alle werksaamhede van die voorsitter verrig.

(3) As die voorsitter en vise-voorsitter afwesigheidsverlof ontvang het, moet die lede van die raad of kommissie een uit hulle midde kies om as voorsitter op te tree totdat die voorsitter of vise-voorsitter sy ampspligte hervat of sy amp ontruim. As die voorsitter of die vise-voorsitter of die penningmeester sy amp ontruim, moet 'n nuwe voorsitter of 'n nuwe vise-voorsitter of 'n nuwe penningmeester op die volgende vergadering of so spoedig daarna as gerieflik mag wees, gekies word.

(4) 'n Voorsitter of vise-voorsitter of penningmeester mag as sodanig aftree sonder dat sy aftreding vanself sy lidmaatskap van die raad of kommissie beëindig.

Vergaderings.

5. (1) Die eerste vergadering van die eerste raad en van die eerste kommissie moet plaasvind op plekke en dae deur die Minister vas te stel.

(2) Die gewone vergaderings van die raad en van die kommissie moet jaarliks tweekeer gehou word.

(3) Spesial vergaderings mag deur die voorsitter belê word en moet deur hom belê word op skriftelike aansoek van minstens ses lede in die geval van die raad of minstens vier lede in die geval van die kommissie, mits die aansoek duidelik melding maak van die doel waarvoor die vergadering belê moet word.

Kworum en verrigtings op vergaderings.

6. (1) Op 'n vergadering van die raad vorm sewe lede (waarvan nie minder as vier geneeskundige lede moet wees nie) en op 'n vergadering van die kommissie vorm vier lede 'n kworum.

(2) Alle handelings van die raad of van die kommissie word beslis deur 'n meerderheid van die stemme van die lede wat op 'n vergadering aanwesig is.

(3) A president, in addition to his vote as a member, shall in case of an equality of votes, have a casting vote.

(4) The members of the council elected by the registered nurses, midwives and masseurs shall not be entitled to vote on matters which, in the opinion of the president, do not relate to or affect the interests of nurses, midwives or masseurs.

Executive and other committees.

7. The council or the board may appoint from its members an executive committee and other committees and may delegate to such committees such of its functions as it may from time to time determine, but no decision of any such committee regarding any matter dealt with in Chapter IV. of this Act shall be of force and effect until confirmed by the council or board.

Offices of council and board.

8. The offices of the council and of the board shall be at Pretoria; but this provision shall not prevent the holding of meetings of the council or board, or of examinations, at any other place as may from time to time be found convenient.

Appointment of registrar, staff and legal adviser.

9. (1) The council and the board may jointly appoint for their service a registrar who shall also be secretary, and may appoint such other persons as may be necessary for carrying out their functions under this Act, and may dismiss any such other persons.

(2) The appointment or dismissal of a registrar shall be subject to the approval of the Minister.

(3) The council and the board may from time to time jointly appoint a legal adviser.

(4) The Minister may authorize the council and the board each to appoint a registrar and sub-section (2) shall apply to any such appointment; the Minister may also authorize the council and board each to appoint a legal adviser.

Council and board to be corporate bodies.

10. The council and the board shall each be a corporate body and may, subject to the provisions of this Act, exercise all the functions exercisable by a corporate body.

Revenues of council and board.

11. Every registration and examination fee and any other moneys payable under this Act in respect of a medical practitioner, dentist, nurse, midwife, masseur, or other class of registered person other than a chemist and druggist or an apprentice to a chemist and druggist, shall be paid to the council, and in respect of a chemist and druggist or an apprentice to a chemist and druggist, to the board, and shall be devoted to the services of the council or the board.

Rectification of errors, etc.

12. If through any error or accident anything required by this Chapter or by the First Schedule to this Act to be done in the nomination or election of members or in the conduct of an election of members be omitted or be not done within the time prescribed, the Minister may order all such steps to be taken as may be necessary to rectify any such error or accident or may validate anything which may have been irregularly done in manner or form, so that the intent and purpose of this Act may have effect.

Amendment of First Schedule.

13. The Governor-General may from time to time, by proclamation in the *Gazette,* alter or amend any provision contained in the First Schedule to this Act if it appears to him that such alteration or amendment is necessary for the better carrying out of the provisions thereof.

CHAPTER II.

REGISTRATION OF MEDICAL PRACTITIONERS, DENTISTS, CHEMISTS AND DRUGGISTS, NURSES, MIDWIVES, MASSEURS, MEDICAL STUDENTS, DENTAL STUDENTS AND OTHER CLASSES OF PERSONS.

Provincial registration at commencement of Act recognised throughout the Union.

14. Upon the commencement of this Act every person who is or has been registered and is entitled to practise under a scheduled law in any part of the Union as a medical practitioner or a dentist or a chemist and druggist or a nurse or a midwife shall, subject to the provisions of sub-section (2) of section *fifteen,* be deemed to be registered under this Act for the whole Union as a medical practitioner, dentist, chemist and druggist, nurse or midwife, and shall thereby be entitled, subject to the provisions of this Act or of any other law, to practise or carry on within the Union the profession or calling in respect of which he or she is so registered.

Establishment of registers.

15. (1) As from the commencement of this Act registers shall be kept in which shall be entered the names, addresses, qualifications, dates of first registration thereof, and such other particulars as may be prescribed by the council or board relating to—

(a) medical practitioners,
(b) dentists,
(c) chemists and druggists,
(d) nurses, including medical and surgical nurses, fever nurses, sick children's nurses, mental nurses, male nurses and any other description which the council may adopt to denote any particular class of nurses,
(e) midwives,
(f) masseurs,
(g) medical students, and
(h) dental students.

(3) 'n Voorsitter het, buiten sy stem as 'n lid, by staking van stemme 'n beslissende stem.

(4) Die lede van die raad wat gekies is deur die geregistreerde verpleegsters, vroedvroue en masseurs is nie stemgeregtig nie in sake wat volgens oordeel van die voorsitter geen betrekking of invloed het op die belange van verpleegsters, vroedvroue of masseurs.

Uitvoerende en ander komitees

7. Die raad of die kommissie mag uit sy lede 'n uitvoerende komitee en ander komitees benoem en mag aan daardie komitees sodanige van sy werksaamhede opdra as wat hy van tyd tot tyd mag bepaal, maar geen beslissing van so 'n komitee aangaande 'n saak waaroor Hoofstuk IV. van hierdie Wet handel, is regsgeldig totdat dit deur die raad of kommissie bekragtig is.

Kantore van raad en kommissie.

8. Die kantore van die raad en van die kommissie moet in Pretoria wees; maar hierdie bepaling belet nie dat vergaderings van die raad of kommissie gehou of eksamens afgeneem mag word op enige ander plek, soas van tyd tot tyd gerieflik mog blyk.

Aanstelling va registrateur, personeel en regsadviseur.

9. (1) Die raad en die kommissie mag gesamentlik vir hulle diens 'n registrateur aanstel wat ook sekretaris sal wees, en mag sodanige ander persone aanstel as wat nodig mag wees om hulle werksaamhede ingevolge hierdie Wet te verrig, en mag daardie ander persone afsit.

(2) Die aanstelling of afsitting van die registrateur is van die goedkeuring van die Minister afhanklik.

(3) Die raad en die kommissie mag van tyd tot tyd gesamentlik 'n regsadviseur aanstel.

(4) Die Minister mag die raad en die kommissie magtig om elkeen 'n registrateur aan te stel en sub-artiekel (2) is van toepassing op so 'n aanstelling; die Minister mag die raad en die kommissie ook magtig om elkeen 'n regsadviseur aan te stel.

Raad en kommissie is regspersone.

10. Die raad en die kommissie is elkeen 'n regspersoon, en mag, met inagneming van die bepalings van hierdie Wet, alle werksaamhede verrig wat deur 'n regspersoon verrig kan word.

Inkomste van raad en kommissie.

11. Elke registrasie- en eksamenfooi en alle ander gelde ingevolge hierdie Wet verskuldig ten opsigte van 'n geneesheer, tandarts, verpleegster, vroedvrou, masseur of ander klas van geregistreerde persoon, behalwe 'n apteker of 'n aptekersleerling, moet aan die raad, en ten opsigte van 'n apteker of 'n aptekersleerling, aan die kommissie uitbetaal word en moet tot die diens van die raad of van die kommissie bestee word.

Foutverbetering ens.

12. Wanneer deur 'n vergissing of toeval iets wat hierdie Hoofstuk of die Eerste Bylae tot hierdie Wet voorskryf by die nominasie of verkiesing van lede of by die leiding van 'n verkiesing van lede, versuim word of nie binne die voorgeskrewe termyn verrig word nie, dan mag die Minister die nodige stappe gelas om so 'n vergissing of toeval te herstel, of hy mag iets wat op onreëlmatige manier of in 'n onreëlmatige vorm verrig is, bekragtig sodat aan die strekking en doel van hierdie Wet gevolg gegee word.

Wysiging van Eerste Bylae.

13. Die Goewerneur-generaal mag van tyd tot tyd by proklamasie in die *Staatskoerant* 'n bepaling in die Eerste Bylae tot hierdie Wet verander of wysig as aan hom blyk dat die verandering of wysiging nodig is tot betere uitvoering van die bepalings daarvan.

HOOFSTUK II.

REGISTRASIE VAN GENEESHERE, TANDARTSE, APTEKERS, VERPLEEGSTERS, VROEDVROUE, MASSEURS, STUDENTE IN GENEESKUNDE, STUDENTE IN TANDHEELKUNDE EN ANDER KLASSE VAN PERSONE.

Prowinsiale registrasie by inwerkingtreding van Wet word in hele Unie erken.

14. Met die inwerkingtreding van hierdie Wet word elkeen wat kragtens 'n herroepe wet in enige deel van die Unie geregistreer is of geword is en geregtig is om te praktiseer as 'n geneesheer of tandarts of apteker of verpleegster of vroedvrou, met inagneming van die bepalings van sub-artiekel (2) van artiekel *vyftien* geag vir die hele Unie kragtens hierdie Wet geregistreer te wees as 'n geneesheer, tandarts, apteker, verpleegster of vroedvrou en is daardeur met inagneming van die bepalings van hierdie of enige ander wet, geregtig om in die Unie die professie of beroep uit te oefen ten opsigte waarvan hy of sy aldus geregistreer is.

Aanleg van registers.

15. (1) Vanaf die inwerkingtreding van hierdie Wet moet registers gehou word waarin ingeskrywe moet word die name, adresse, bevoegdhede en die dag van die eerste registrasie van, en sodanige ander besonderhede as wat die raad of kommissie mog voorskrywe aangaande—

(a) geneeshere,
(b) tandartse,
(c) aptekers,
(d) verpleegsters, insluitende geneeskundige en girurgiese verpleegsters, koors-verpleegsters, verpleegsters vir siek kinders, verpleegsters vir kranksinniges, verplegers en enige ander omskrywing wat die raad mog gebruik om 'n bepaalde soort van verplegers of verpleegsters aan te dui,
(e) vroedvroue,
(f) masseurs,
(g) studente in geneeskunde, en
(h) studente in tandheelkunde.

(2) As soon as possible after the commencement of this Act the said particulars regarding all persons referred to in section *fourteen* shall, without payment of any fee, be enrolled upon the register applicable to those persons: Provided that where the address of any such person in any of the provincial registers existing at the commencement of this Act is given as outside the Union, or as unknown, or is insufficient for registration purposes, the name of such person shall not be entered upon the register nor shall he be entitled to carry on his profession or calling within the Union unless and until he produces proof that he is resident within the Union, together with such proof of identity as the council or board may require.

(3) The date of first registration of every person referred to in section *fourteen* shall be the date when such person was first registered in any part of the Union as described in that section.

(2) So spoedig moontlik na die inwerkingtreding van hierdie Wet moet die bedoelde besonderhede omtrent die persone vermeld in artiekel *veertien* sonder betaling van 'n fooi ingeskrywe word in die registers wat op daardie persone van toepassing is: Met die verstande dat wanneer die adres van so iemand in een van die prowinsiale registers wat by die inwerkingtreding van hierdie Wet bestaan, buite die Unie of as onbekend aangegee is of vir die vereistes van die registrasie onvoldoende is, die naam van daardie persoon nie in die register ingeskrywe mag word nie en dat hy nie sy professie of beroep in die Unie mag uitoefen nie, tensy en totdat hy die bewys dat hy in die Unie woonagtig is en ook sodanige bewys van identiteit lewer as wat die raad of kommissie mog verlang.

(3) Die dag van eerste registrasie van elkeen, vermeld in artiekel *veertien,* is die dag waarop daardie persoon vir die eerste maal in enige deel van die Unie geregistreer is soos in daardie artiekel bepaal.

Keeping of registers.

16. (1) It shall be the duty of the registrar to keep the several registers correctly and in accordance with the provisions of this Act and to erase therefrom the names of all registered persons who have died, and from time to time to make the necessary alterations in the addresses or qualifications of registered persons.

(2) It shall be the duty of every registered person who changes his address to intimate the fact to the registrar within one month after such change.

(3) Every district registrar of deaths who receives a death notice showing that the deceased belonged to a profession or calling the members of which are registerable under this Act, shall forthwith notify the registrar of the council or board of such death.

(4) No degree, diploma or certificate shall be entered in the register unless the registrar, subject to the authority of the council or board, is satisfied that the person claiming to possess such degree, diploma or certificate is entitled thereto, and any entry which is proved to the satisfaction of the council or board to have been made in error or through fraudulent representation or under circumstances not authorized by law, may be erased from the register and a record of the reason for every such erasure shall be made in the register, and the person in respect of whose entry such erasure has been made shall be notified thereof and any certificate issued in respect of any such registration shall be deemed to be cancelled as from the date of the erasure.

Hou van registers.

16. (1) Die registrateur is verplig om die verskeie registers met juistheid en ooreenkomstig die bepalings van hierdie Wet te hou en om die name van alle geregistreerde persone wat oorlede is, daaruit te skrap en om van tyd tot tyd die nodige veranderings te maak in die adresse of bevoegdhede van geregistreerde persone.

(2) Elke geregistreerde persoon wat van adres verander is verplig om binne een maand na die verandering daarvan aan die registrateur kennis te gee.

(3) Elke distriks-registrateur van sterfgevalle wat 'n sterfkennis ontvang waaruit blyk dat die oorledene behoor het tot 'n professie of beroep waarvan die beoefenaars ingevolge hierdie Wet registreerbaar is, moet onmiddellik die registrateur van die raad of kommissie van daardie sterfgeval in kennis stel.

(4) Geen graad, diploma of sertifikaat mag in die register ingeskrywe word nie, tensy die registrateur, behoudens die gesag van die raad of kommissie, oortuig is dat die persoon wat beweer in besit te wees van daardie graad, diploma of sertifikaat, daarop geregtig is en as die raad of kommissie op grond van gelewerde bewys oortuig is dat 'n inskrywing uit vergissing of ten gevolge van bedrieglike voorwendsels of ander regtens nie geoorloofde omstandighede plaasgevind het, mag dit uit die register geskrap word. Die rede vir elke sodanige skrapping moet in die register aangeteken word en die persoon ten opsigte van wie se inskrywing die skrapping plaasgevind het moet daarvan in kennis gestel word en elke sertifikaat wat op grond van so 'n registrasie uitgereik is, word as ingetrek beskou vanaf die dag van die skrapping.

Removal of name from, and restoration to, register.

17. (1) The council or board may erase from the register the name of any person who—

(a) has been absent from the Union during the three years preceding such erasure; or

(b) has failed, within a period of three months from the date of an enquiry sent by the registrar by registered letter to the address appearing on the register in respect of him, to notify to the registrar his present address; or

(c) has requested that his name be removed from the register, in which case such person may be required to lodge an affidavit that no disciplinary or criminal proceedings are being or are likely to be taken against him.

(2) The council or board may erase from the register the name of any person whose name, before or after the commencement of this Act, has been removed from the roll, register or record of any university, hospital, college, society or other body from which that person received the degree, diploma or certificate in respect of the holding whereof he was registered, and any registration certificate issued to such person shall be deemed to be cancelled as from the date of such erasure, and such person shall not be entitled to carry on the profession or calling in respect of which he was so registered unless and until the council or board causes his name to be restored to the register from which it was erased.

(3) No person whose name has been erased in accordance with this section or under sub-section (4) of section *sixteen* shall be deemed to be registered unless and until, on application being made by him to the registrar, his name has been restored to the register.

(4) Every application for restoration to the register of a name erased under this section shall be made on a form to be prescribed by the council or board and the fee prescribed in the Second Schedule to this Act shall be payable in respect thereof.

Skrapping van naam uit register en herstel daarop.

17. (1) Die raad of kommissie mag uit die register skrap die naam van elkeen wat—

(a) gedurende die drie jaar wat aan die skrapping voorafgaan, uit die Unie afwesig was; of

(b) in gebreke gebly het, om binne 'n tydperk van drie maande vanaf die datum van 'n navraag wat die registrateur in 'n aangetekende brief gestuur het na die adres wat as syne in die register aangegee is, die registrateur van sy teenswoordige adres in kennis te stel; of

(c) die skrapping van sy naam uit die register versoek het, in watter geval van daardie persoon geëis kan word inlewering van 'n beëdigde verklaring dat geen tugmaatreëls of strafgeding teen hom ingestel word of waarskynlik ingestel sal word nie.

(2) Die raad of kommissie mag uit die register skrap die naam van elkeen wie se naam voor of na die inwerkingtreding van hierdie Wet verwyder is van die rol, register of boeke van 'n uniwersiteit, hospitaal, kollege, genootskap of ander liggaam waarvan daardie persoon die graad, diploma, of sertifikaat, op grond van die besit waarvan hy geregistreer is, ontvang het, en 'n registrasiesertifikaat wat aan daardie persoon uitgereik is word as ingetrek beskou vanaf die dag van die skrapping, en daardie persoon is nie geregtig om die professie of beroep uit te oefen ten opsigte waarvan hy aldus geregistreer was tensy en totdat die raad of kommissie sy naam laat herstel op die register waaruit dit geskrap is.

(3) Niemand wie se naam ooreenkomstig hierdie artiekel of ingevolge sub-artiekel (4) van artiekel *sestien* geskrap is, word as geregistreer beskou tensy en totdat sy naam, op sy aansoek by die registrateur, op die register herstel is.

(4) Elke aansoek om herstel, op die register, van 'n naam wat ingevolge hierdie artiekel geskrap is, moet gemaak word op 'n deur die raad of kommissie voor te skrywe vorm, en in verband daarmee is die fooi, wat in die Twede Bylae tot hierdie Wet voorgeskrywe word, verskuldig.

Appeal to the court against refusal to register or removal from register.

18. (1) After notice to the council or board an application may be made to any provincial or local division of the Supreme Court by a person who is aggrieved by—

(a) the refusal of the council or board to register him or any degree, diploma, certificate or particular which he wishes to be registered in terms of this Chapter; or

(b) the erasure from the register of his name, or of any degree, diploma, certificate or particular which he maintains he is entitled under this Chapter to have enrolled upon the register.

(2) The court may dismiss such application or, if it is of opinion that the council or board has not acted in accordance with the provisions of this Act, may make an order for the enrolment on the register of the applicant's name or of any particular as aforesaid, or may remit the matter to the council or board for further consideration or make such other order as to costs or otherwise as may to it seem just.

Appèl na hof teen weiering van registrasie of skrapping uit register.

18. (1) Na kennisgewing aan die raad of kommissie mag iemand wat ontevrede is—

(a) met die raad of kommissie se weiering van die registrasie van homself of van enige graad, diploma, sertifikaat of besonderheid wat hy volgens hierdie Hoofstuk wil laat registreer; of

(b) met die skrapping, uit die register, van sy naam of van 'n graad, diploma, sertifikaat of besonderheid wat hy, volgens sy bewering, kragtens hierdie Hoofstuk geregtig is om in die register te laat inskrywe,

'n applikasie maak by 'n prowinsiale of plaaslike afdeling van die Hooggeregshof.

(2) Die hof mag die applikasie afwys of as hy van oordeel is dat die raad of kommissie nie volgens die bepalings van hierdie Wet gehandel het nie, mag hy gelas dat die applikant se naam of so 'n besonderheid as voormeld in die register ingeskrywe moet word of mag die saak ter verdere oorweging na die raad of kommissie terugverwys of mag so 'n ander order omtrent koste of andersins uitvaardig as wat hy regvaardig oordeel.

Custody and publication of registers.

19. The registers shall be kept at the offices of the council and of the board, and the registrar shall from time to time under the authority of the council and of the board cause copies of such registers, or of supplementary lists showing all alterations, additions, revisions and erasures made since the last publication of the complete registers, to be printed and published.

Register to be evidence.

20. A copy of the last published issue of the register or any supplementary list purporting to be printed and published under the authority of the council or of the board shall be *prima facie* evidence in all legal proceedings of the facts therein recorded, and the absence of the name of any person from such copy shall be evidence, until the contrary is proved, that such person is not registered according to the provisions of this Act:

Provided that in the case of any person whose name does not appear in such copy, or whose name has been added to the register after the date of the last published issue thereof, a certified copy under the hand of the registrar of the entry of the name of such person on the register shall be evidence that such person is registered under the provisions of this Act:

Provided further that in the case of a person whose name has been erased from the register since the date of the last published issue thereof and has not been restored thereto a certificate under the hand of the registrar that the name of such person has been erased from the register shall be evidence that such person is not registered according to the provisions of this Act.

Duplicate registration certificate may be issued.

21. A duplicate registration certificate may be issued by the registrar to any registered person and a certified extract from the register or a certificate under his hand as provided in section *twenty* may be issued by the registrar to any person on payment of the fee prescribed in the Second Schedule to this Act.

What degrees diplomas, and certificates will entitle to registration.

22. The Governor-General may from time to time, after considering any recommendation of the council or board, prescribe by regulation the several degrees, diplomas and certificates granted after examination by a university, medical school or other examining authority, which, when held singly or conjointly with any other degree, diploma or certificate, entitle the holders thereof to registration under this Act as medical practitioners, dentists or chemists and druggists: Provided that, save as is provided in the next succeeding section or in section *twenty-eight,* no degree, diploma or certificate of a university, medical school or other examining authority outside the Union shall be prescribed under this section or accepted as a qualification for registration of the holder as a medical practitioner or dentist or chemist and druggist (as the case may be) unless—

(a) such degree, diploma or certificate entitles the holder to practise as a medical practitioner or dentist or chemist and druggist (as the case may be) in the country or state in which such university, school or examining authority is situate; and

(b) by the laws of that country or state, persons holding degrees or qualifications granted after examination in the Union and entitling them to practise as medical practitioners, dentists or chemists and druggists (as the case may be) therein, are admitted without further examination to practise in that country or state; and

(c) the council or board is satisfied that possession of such degree, diploma or certificate indicates a standard of professional education not lower than that prescribed by the council or board for medical practitioners, dentists or chemists and druggists (as the case may be) within the Union.

Exception in favour of British subjects born or domiciled in the Union.

23. (1) Any British subject who—

(a) having been born in any part of the Union; or

(b) being domiciled in the Union when he commences his professional studies and having proceeded therefrom for the purpose of prosecuting those studies,

has obtained a degree, diploma, or certificate not prescribed under section *twenty-two,* but which is prescribed under sub-section (3), may be registered as a medical practitioner or as a dentist (as the case may be).

(2) Any British subject who has been domiciled in the Union during the ten years preceding the commencement of this Act and is the holder of a degree, diploma or certificate in dentistry to which the provisos to sub-section (3) apply and whose degree, diploma or certificate is of a kind that has been recognized by the General Council of Medical Education and Registration of the United Kingdom, may be registered as a dentist in the Union.

(3) The Governor-General may from time to time, after considering any recommendation of the council, prescribe by regulation the degrees, diplomas or certificates of a university, medical school or other examining authority outside the Union which when held singly or conjointly with any other degree, diploma or certificate by any person described in sub-section (1) shall entitle the holder to be registered as a medical practitioner or as a dentist (as the case may be):

Provided that—

(a) such degrees, diplomas or certificates have been granted after examination; and

Bewaring en uitgifte van registers.

19. Die registers moet gehou word op die kantore van die raad en van die kommissie en die registrateur moet van tyd tot tyd op gesag van die raad en van die kommissie eksemplare van daardie registers of van aanvullingslyste wat bevat alle veranderings, byvoegings, hersienings en skrappings wat plaasgevind het sedert die laaste uitgawe van die volledige registers, laat druk en uitgee.

Register is bewys van reg om te praktiseer of beroep uit te oefen.

20. 'n Eksemplaar van die laas gepubliseerde uitgawe van die register of van 'n aanvullingslys wat voorgee op gesag van die raad of van die kommissie gedruk en uitgegee te wees, is in alle regsgedinge, *prima facie* bewys van die daarin vermelde feite, en die afwesigheid van iemand se naam van daardie eksemplaar is bewys, totdat die teendeel bewys is, dat daardie persoon nie ooreenkomstig die bepalings van hierdie Wet geregistreer is nie: Met die verstande dat in die geval van iemand wie se naam nie in daardie eksemplaar voorkom nie of wie se naam in die register bygevoeg is na die dagtekening van die laas gepubliseerde uitgawe daarvan, 'n gesertifiseerde kopie, onderteken deur die registrateur, van die inskrywing van daardie persoon se naam in die register, bewys is dat daardie persoon ingevolge die bepalings van hierdie Wet geregistreer is: Met die verstande ook dat in die geval van iemand wie se naam uit die register geskrap is sedert die dagtekening van die laas gepubliseerde uitgawe daarvan en wat nie daarop herstel is nie, 'n sertifikaat, onderteken deur die registrateur, dat die naam van daardie persoon uit die register geskrap is, bewys is dat daardie persoon nie geregistreer is nie ooreenkomstig die bepalings van hierdie Wet.

Uitreiking van duplikaat van registrasiesertifikaat.

21. Teen betaling van die fooi wat die Twede Bylae tot hierdie Wet voorskryf, mag die registrateur 'n duplikaat van 'n registrasie-sertifikaat aan enige geregistreerde persoon uitreik en 'n gesertifiseerde uittreksel uit die register of 'n deur hom ondertekende sertifikaat, soas bepaal in artiekel *twintig,* aan enigeen uitreik.

Watter grade, diplomas en sertifikate reg gee op registrasie.

22. Die Goewerneur-generaal mag van tyd tot tyd na oorweging van 'n aanbeveling van die raad of kommissie, deur regulasies voorskrywe watter verskeie grade, diplomas en sertifikate, na eksamens verleen deur 'n uniwersiteit, geneeskundige skool of ander eksaminerende outoriteit, indien alleen of saam met 'n ander graad, diploma of sertifikaat besit, die besitters daarvan die reg gee om ingevolge hierdie Wet geregistreer te word as geneeshere, tandartse of aptekers: Met die verstande dat, behoudens die bepalings van die eersvolgende artiekel of van artiekel *ag-en-twintig,* geen graad, diploma of sertifikaat van 'n uniwersiteit, geneeskundige skool of ander eksaminerende outoriteit buite die Unie kragtens hierdie artiekel mag voorgeskrywe word nie of erken mag word nie as 'n vereiste vir die registrasie van die besitter as geneesheer of tandarts of apteker (na gelang van omstandighede) tensy—

(a) daardie graad, diploma of sertifikaat aan die besitter die reg verleen om, na gelang van omstandighede, as geneesheer of tandarts of apteker te praktiseer in die land of staat waarin daardie uniwersiteit, skool of eksaminerende outoriteit geleë is; en

(b) besitters van grade of bevoegdhede in die Unie na eksamens verleen, wat hulle die reg gee om daarin na gelang van omstandighede as geneeshere, tandartse of aptekers te praktiseer, kragtens die wette van daardie land of staat sonder verder eksamen tot die praktyk in daardie land of staat toegelaat word; en

(c) die raad of kommissie oortuig is dat die besit van so 'n graad, diploma of sertifikaat getuig van 'n trap van professionele onderwys wat nie laer staan nie as die wat deur die raad of kommissie na gelang van omstandighede voorgeskrywe word vir geneeshere, tandartse of aptekers in die Unie.

Uitsondering ten gunste van Britse onderdane wat in die Unie gebore of gevestig is.

23. (1) Elke Britse onderdaan wat—

(a) in enige deel van die Unie gebore is; of

(b) in die Unie gevestig is wanneer hy sy professionele studies beginne en daaruit vertrek het om hom op daardie studies toe te lê,

en wat 'n graad, diploma of sertifikaat verkry het wat nie ingevolge artiekel *twee-en-twintig* voorgeskrywe is nie, maar wat ingevolge sub-artiekel (3) voorgeskrewe is, mag na gelang van omstandighede as 'n geneesheer of as 'n tandarts geregistreer word.

(2) Elke Britse onderdaan wat gedurende die tien jare wat aan die inwerkingtreding van hierdie Wet voorafgaan, in die Unie gedomisilieer was en 'n graad, diploma of sertifikaat in tandheelkunde besit, waarop die voorbehoudsbepalings van sub-artiekel (3) van toepassing is, en wie se graad, diploma of sertifikaat is van 'n soort, erken deur die "General Council of Medical Education and Registration" van die Verenigde Koninkryk, kan in die Unie as tandarts geregistreer word.

(3) Die Goewerneur-generaal mag van tyd tot tyd na oorweging van 'n aanbeveling van die raad deur regulasies voorskrywe watter grade, diplomas of sertifikate van 'n uniwersiteit, geneeskundige skool of ander eksaminerende outoriteit buite die Unie, indien alleen of saam met 'n ander graad, diploma of sertifikaat besit deur iemand bedoel in sub-artiekel (1) van hierdie artiekel, aan die besitter die reg gee om na gelang van omstandighede as geneesheer of as tandarts geregistreer te word:

Mits dat—

(a) daardie grade, diplomas of sertifikate op grond van eksamens verleen is; en

(b) such degrees, diplomas or certificates would, so far as professional qualifications are concerned, entitle the holder to practise as a medical practitioner or dentist (as the case may be) in the country or state in which the university, school or examining authority is situate; and

(c) the council is satisfied that such degrees, diplomas or certificates indicate a standard of professional education not lower than that prescribed by regulation for medical practitioners or dentists (as the case may be) within the Union.

Procedure when making application for registration.

24. (1) No person shall be entitled to practise within the Union as a medical practitioner or as a dentist or as a chemist and druggist unless and until he has obtained a registration certificate signed by the registrar.

(2) Every person desirous of obtaining a registration certificate shall apply to the council or board and shall submit the degree, diploma or certificate on which he relies as a qualification for registration, together with such proof of identity and good character and of the authenticity and validity of the degree, diploma or certificate submitted as may be prescribed by the council or board: Provided that a person who has obtained from the board a diploma or certificate under section *twenty-seven* may be exempted from submitting with his application for registration under this subsection any such document or proof as is herein mentioned.

(3) If the registrar is satisfied that the degree, diploma or certificate and the facts or documents submitted in support of the application are in accordance with the requirements of this Act and that the applicant is domiciled in the Union he shall, upon payment by the applicant of a registration fee as prescribed in the Second Schedule to this Act, issue a registration certificate authorizing the applicant, subject to the provisions of this Act or of any other law, to practise or carry on within the Union the profession or calling of a medical practitioner or a dentist or a chemist and druggist (as the case may be).

(4) If the registrar is not satisfied that the degree, diploma or certificate and the facts or documents submitted in support of the application, are in accordance with the requirements of this Act, he shall, if so required by the applicant, submit the application for decision to the council or board.

Registration of medical and dental students. Standard of medical and dental education to be prescribed.

25. The Governor-General may from time to time, after considering any recommendation of the council, make regulations as to the registration by the council of medical students or dental students at any university or any medical or dental school in the Union, the fees payable for such registration, the standards of general education required of them before such registration, the duration of their curricula, the minimum ages of persons eligible for registration as medical practitioners or dentists (as the case may be) and the minimum curricula and standards of medical and dental education and examinations which shall be maintained at every university in the Union at which a medical or dental faculty is or becomes lawfully established, and at every medical or dental school in the Union, in order to secure the recognition under this Act of the degrees, diplomas or certificates granted by such university or school, and such regulations shall provide for the presence at and report upon any such examinations by a person appointed by the council.

Universities and medical and dental schools to furnish particulars to the council.

26. (1) Every university and every medical and dental school within the Union the degrees, diplomas or certificates of which entitle the holders thereof to registration as medical practitioners or dentists under this Act shall, whenever so requested by the council, furnish the council with full particulars as to the minimum age and the standard of general education required of students and the courses of study and the training and examinations required in order to obtain such degrees, diplomas or certificates, returns of professional examinations and any other particulars in connection therewith which the council may require.

(2) If any university or medical or dental school neglects or refuses to give such information, or if it appears to the council that any provision of this Act is not being properly complied with by any such university or school, the Governor-General may, on the recommendation of the council, and by proclamation in the *Gazette,* declare that any degree, diploma or certificate of such university or school granted after a date to be mentioned in the proclamation shall not entitle the holder to registration under this Act: Provided that the Governor-General may, when it has been made to appear to him upon further representation by the council that satisfactory provision has been made by such university or school for complying with the requirements of this Act, rescind such proclamation: Provided further that any degree, diploma or certificate granted by such university or school between the date mentioned in such proclamation and the date of rescission thereof shall not entitle the holder to registration under this Act.

Board to control pharmaceutical education and to conduct examinations.

27. (1) The board may grant a diploma or certificate (which shall entitle the holder to be registered as a chemist and druggist in manner prescribed in section *twenty-four*) to any person who has attained the age of twenty-one years and who satisfies the board that he—

(a) has served as an indentured apprentice to a chemist and druggist within the Union for a period of not less than three years; or

(b) daardie grade, diplomas of sertifikate, wat betref professionele vereistes, aan die besitter die reg sou verleen om na gelang van omstandighede as geneesheer of tandarts te praktiseer in die land of staat, waarin die uniwersiteit, skool of eksaminerende outoriteit gevestig is; en

(c) die raad oortuig is dat daardie grade, diplomas of sertifikate getuig van 'n trap van professionele onderwys wat nie laer is nie as die wat deur regulasies na gelang van omstandighede vir geneeshere of tandartse in die Unie voorgeskrywe word.

Handelwyse by aansoek om registrasie.

24. (1) Niemand is geregtig om in die Unie as 'n geneesheer of as tandarts of as apteker te praktiseer, tensy en totdat hy 'n deur die registrateur getekende registrasiesertifikaat verkry het.

(2) Elkeen wat 'n registrasiesertifikaat wens te verkry moet by die raad of kommissie aansoek doen en moet die graad, diploma of sertifikaat wat volgens sy bewering aan die registrasievereistes voldoen, voorlê, met sodanige bewyse van identiteit, goeie sedelike gedrag en egtheid en geldigheid van die voorgelegde graad, diploma of sertifikaat as wat die raad of kommissie mog voorskrywe: Met die verstande dat iemand wat ingevolge artiekel *sewen-en-twintig* van die kommissie 'n diploma of sertifikaat ontvang het, vrygestel mag word van die verpligting om met sy aansoek om registrasie ingevolge hierdie sub-artiekel, so 'n dokument of bewys as wat hierin bedoel is, voor te lê.

(3) As die registrateur oortuig is dat die graad, diploma of sertifikaat en die feite of dokumente wat tot stawing van die aansoek voorgelê is ooreenstem met die vereistes van hierdie Wet en dat die aansoeker in die Unie gevestig is, dan moet hy teen betaling deur die aansoeker van 'n registrasiefooi, soas voorgeskrywe in die Twede Bylae tot hierdie Wet 'n registrasie-sertifikaat uitreik wat die aansoeker magtig, met inagneming van die bepalings van hierdie of enige ander Wet, om in die Unie na gelang van omstandighede die professie of beroep van 'n geneesheer of tandarts of apteker uit te oefen.

(4) As die registrateur nie oortuig is nie dat die graad, diploma of sertifikaat en die feite of dokumente tot stawing van die aansoek voorgelê, ooreenstem met die vereistes van hierdie Wet, moet hy, as die aansoeker dit verlang, die aansoek aan die raad of kommissie ter beslissing voorlê.

Registrasie van geneeskundige en tandheelkundige studente. Voor te skrywe trap van geneeskundige en tandheelkundige opvoeding.

25. Die Goewerneur-generaal mag van tyd tot tyd na oorweging van 'n aanbeveling van die raad regulasies invoer omtrent die registrasie, deur die raad, van studente in geneeskunde of studente in tandheelkunde aan 'n uniwersiteit of ander geneeskundige of tandheelkundige skool in die Unie, die fooie wat vir die registrasie verskuldig is, die trappe van algemene opvoeding wat van hulle voor daardie registrasie verlang word, die duur van hulle leerplanne, die mienimumleeftyd wat iemand moet bereik het om, na gelang van omstandighede, as geneesheer of tandarts registreerbaar te wees en die mienimum van die leerplanne en trappe van geneeskundige en tandheelkundige onderwys en eksamens wat elke uniwersiteit in die Unie waaraan 'n fakulteit van geneeskunde of tandheelkunde wettig ingestel is of word en elke geneeskundige of tandheelkundige skool in die Unie moet instandhou om ingevolge hierdie Wet erkenning te erlang van die grade, diplomas of sertifikate deur daardie uniwersiteit of skool verleen, en daardie regulasies moet bepaal dat iemand wat deur die raad benoem is daardie eksamens moet bywoon en daaromtrent 'n verslag moet uitbring.

Uniwersiteite en geneeskundige en tandheelkundige skole moet aan raad gegewens verstrek.

26. (1) Elke uniwersiteit en elke geneeskundige en tandheelkundige skool in die Unie, wie se grade, diplomas of sertifikate aan hulle besitters reg gee op registrasie as geneeshere of tandartse ingevolge hierdie Wet, moet, wanneer die raad dit versoek, aan die raad verstrek volledige besonderhede omtrent die mienimum leeftyd en die trap van algemene opvoeding wat studente moet bereik het en die leergange en opleiding en eksamens wat vereistes is vir die verkryging van daardie grade, diplomas of sertifikate, opgawes van professionele eksamens en enige ander besonderhede in verband daarmee wat die raad mag verlang.

(2) As 'n uniwersiteit of geneeskundige of tandheelkundige skool versuim of weier om sulke inligtings te verstrek of as aan die raad blyk dat so 'n uniwersiteit of skool nie behoorlik voldoen aan een of ander bepaling van hierdie Wet, dan mag die Goewerneur-generaal op aanbeveling van die raad by proklamasie in die *Staatskoerant* verklaar dat enige graad, diploma of sertifikaat van daardie uniwersiteit of skool, verleen na 'n in die proklamasie te vermelde dag, aan die besitter geen reg op registrasie ingevolge hierdie Wet sal verleen nie: Met die verstande dat die Goewerneur-generaal, wanneer aan hom blyk na verdere voordrag van die raad, dat daardie uniwersiteit of skool bevredigende voorsiening gemaak het om aan die vereistes van hierdie Wet te voldoen, daardie proklamasie mag intrek: Met die verstande ook dat 'n graad, diploma of sertifikaat deur daardie uniwersiteit of skool verleen tussen die dag vermeld in daardie proklamasie en die dag van sy intrekking, die besitter nie reg op registrasie ingevolge hierdie Wet gee nie.

Kommissie bestuur opleiding van aptekers en neem eksamens af.

27. (1) Die kommissie mag 'n diploma of sertifikaat verleen (wat aan die besitter die reg gee om as apteker geregistreer te word, volgens voorskrif van artiekel *vier-en-twintig*) aan elkeen wat die ouderdom van een-en-twintig jaar bereik het en wat die kommissie oortuig dat hy—

(a) gedurende 'n tydperk van nie minder as drie jaar as 'n ingeboekte leerling by 'n apteker in die Unie gedien het; of

(b) if trained in a country or state outside the Union, has undergone such course of apprenticeship or training, not being less than three years, as is legally required of persons desirous of qualifying as chemists and druggists in such country or state; or

(c) if his training within the Union began prior to the commencement of this Act, has completed a course of apprenticeship or service under the conditions prescribed by any scheduled law which immediately prior to such commencement was in force in the province in which such apprenticeship or service began; and

(d) is a person of good character,

and who has undergone a prescribed course of training and study at an institution recognized by the board and has passed an examination or examinations to the satisfaction of, and before examiners appointed by, the board: Provided that in the case of a person coming under paragraph (c), compliance with the requirements of that paragraph shall be accepted in lieu of having undergone a prescribed course of training and study at an institution recognized by the board, and provided further that the board may grant exemption from examination in any particular subject to the holder of a degree, diploma or certificate of an examining authority recognized by the board which, in the opinion of the board, indicates a standard of training and knowledge in that subject not less than that required by the board.

(2) No contract of apprenticeship in the case of a person referred to in paragraph (a) of sub-section (1) shall, if the apprenticeship began after the commencement of this Act, be deemed to be valid unless a duplicate original thereof has been lodged with the registrar of the board for registration within three months after the date of such contract, and no such contract shall be recognized unless the board is satisfied that the employer has at his disposal sufficient facilities and material for the proper training of the apprentice.

(3) The board may, if it thinks fit, promote or establish or assist in the promotion or establishment of schools of pharmacy or courses of instruction for pharmaceutical students and may contribute towards the cost thereof.

Exception in favour of chemists and druggists who are British subjects born or domiciled in the Union.

28. (1) Any British subject who—

(a) having been born in any part of the Union; or

(b) being domiciled in the Union when he commences his pharmaceutical studies and having proceeded therefrom for the purpose of prosecuting those studies,

has obtained a diploma or certificate prescribed under sub-section (2) of this section, may be registered as a chemist and druggist without examination by the board.

(2) The Governor-General may from time to time, after considering any recommendation of the board, prescribe by regulation the diplomas or certificates of a university, school of pharmacy or other examining authority outside the Union which when held singly or conjointly with any other diploma or certificate by any person described in sub-section (1) of this section shall entitle the holder to be registered as a chemist and druggist:

Provided that—

(a) such diplomas or certificates have been granted after examination; and

(b) such diplomas or certificates would, so far as pharmaceutical qualifications are concerned, entitle the holder to practise as a chemist and druggist in the country or state in which the university, school of pharmacy or other examining authority is situate; and

(c) the board is satisfied that such diplomas or certificates indicate a standard of general and pharmaceutical education not lower than is prescribed by the board for chemists and druggists within the Union.

Registration of nurses and midwives.

29. A registration certificate entitling the holder to practise as a registered nurse or registered midwife (as the case may be) may, in accordance with regulations to be made by the Governor-General after considering any recommendation of the council and on payment of the registration fee prescribed in the Second Schedule to this Act, be issued by the registrar to any person who—

(a) is the holder of a diploma or certificate as a trained nurse, or midwife granted after examination by any such body outside the Union, as the council may from time to time by resolution approve and who furnishes proof, to the satisfaction of the council, of identity and good character and of the authenticity and validity of the diploma or certificate submitted; and

(b) within two years after the date specified in a proclamation constituting a "prescribed area" in terms of section *thirty-nine* proves to the satisfaction of the council that for at least three consecutive years immediately preceding such date such person had been in *bona fide* practice in such prescribed area as a medical and surgical or fever or mental or sick children's nurse or midwife and bears a good character and is recommended by one or more medical practitioners under whose supervision such person has worked as a fit and proper person to practise as a registered nurse or registered midwife respectively: Provided that a certificate issued in accordance with

(b) indien opgelei in 'n land of staat buite die Unie, so 'n tydperk van leerlingskap of opleiding van nie minder as drie jaar ondergaan het, as wat regtens vereis word van persone wat wens om hulle in daardie land of staat as aptekers te bekwaam; of

(c) as sy opleiding in die Unie beginne het voor die inwerkingtreding van hierdie Wet, 'n tydperk van leerlingskap of diens voltooi het onder die voorwaardes gestel deur 'n herroepe wet wat onmiddellik voor daardie inwerkingtreding van krag was in die provinsie, waarin daardie leerlingskap of diens begin het; en

(d) iemand van goeie sedelike gedrag is,

en wat 'n voorgeskrewe opleidings- en studiekursus gevolg het aan 'n inrigting wat deur die kommissie erken word en by aflegging van een of meer eksamens voor eksaminatore benoem deur die kommissie, laasgenoemde tevredegestel het: Met die verstande dat in die geval van iemand wat onder paragraaf (c) val, voldoening aan die vereistes van daardie paragraaf erken word in plaas van 'n voorgeskrewe opleidings- en studiekursus te gevolg het aan 'n inrigting wat deur die kommissie erken word, en met die verstande ook dat die kommissie in enige bepaalde onderwerp vrystelling van eksamen mag verleen aan die besitter van 'n graad, diploma óf sertifikaat van 'n deur die kommissie erkende eksaminerende outoriteit wat, volgens oordeel van die kommissie, getuig van 'n trap van opleiding en kennis in daardie onderwerp wat nie laer staan nie as die wat die kommissie vereis.

(2) In die geval van iemand vermeld in paragraaf (a) van sub-artiekel (1) word geen leerlingskontrak as geldig beskou nie as die leerlingskap na die inwerkingtreding van hierdie Wet beginne het, tensy 'n oorspronklike duplikaat daarvan binne drie maande na die dagtekening van daardie kontrak by die registrateur van die kommissie ter registrasie ingedien is en so 'n kontrak word nie erken nie, tensy die kommissie oortuig is dat die meester oor voldoende geleentheid en materiaal beskik om die leerling behoorlik op te lei.

(3) Die kommissie mag, as hy dit wenslik ag, aptekerskole of opleidingskursusse vir aptekerstudente bevorder of instel of by die bevordering of instelling daarvan behulpsaam wees en mag tot die koste daarvan bydra.

Uitsondering ten gunste van aptekers wat in die Unie gebore of gevestigde Britse onderdane is.

28. (1) 'n Britse onderdaan wat—

(a) in enige deel van die Unie gebore is; of

(b) in die Unie gevestig is wanneer hy sy aptekerstudies beginne en daaruit vertrek het om hom op daardie studies toe te lê,

en wat 'n ingevolge onderartiekel (2) voorgeskrewe diploma of sertifikaat verkry het, mag as apteker geregistreer word sonder deur die kommissie geëksamineer te word.

(2) Die Goewerneur-generaal mag van tyd tot tyd na oorweging van 'n aanbeveling van die kommissie deur regulasies voorskrywe watter diplomas of sertifikate van 'n universiteit, aptekerskool of ander eksaminerende outoriteit buite die Unie, indien alleen of saam met 'n ander diploma of sertifikaat besit deur iemand bedoel in onderartiekel (1) van hierdie artiekel, aan die besitter die reg gee om as apteker geregistreer te word:

Mits dat—

(a) daardie diplomas of sertifikate op grond van eksamens verleen is; en

(b) daardie diplomas of sertifikate, wat betref artsenykundige vereistes, aan die besitter die reg sou verleen om as apteker te praktiseer in die land of staat waarin die uniwersiteit, aptekerskool of ander eksaminerende outoriteit gevestig is; en

(c) die kommissie oortuig is dat daardie diplomas of sertifikate getuig van 'n trap van algemene en artsenykundige onderwys wat nie laer is nie as die wat deur die kommissie voorgeskrywe word vir aptekers in die Unie.

Registrasie van verplegters en vroedvroue.

29. 'n Registrasiesertifikaat wat aan sy besitter die reg verleen om na gelang van omstandighede as 'n geregistreerde verpleegster of geregistreerde vroedvrou te praktiseer, mag, ooreenkomstig die deur die Goewerneur-generaal na oorweging van 'n aanbeveling van die raad uit te vaardige regulasies en teen betaling van die registrasiefooi voorgeskrywe in die Twede Bylae tot hierdie Wet, deur die registrateur uitgereik word aan iemand wat—

(a) in besit is van 'n diploma of sertifikaat as opgeleide verpleegster of vroedvrou, op grond van 'n eksamen verleen deur 'n liggaam buite die Unie wat die raad van tyd tot tyd by besluit mog goedkeur, en wat bewys lewer, waarmee die raad genoeë neem, van identiteit en goeie sedelike gedrag en van die egtheid en geldigheid van die voorgelegde diploma of sertifikaat; en

(b) binne twee jaar na die dag vasgestel in 'n proklamasie wat 'n "omskrewe gebied" ingevolge artiekel *negen-en-dertig* instel, die raad met bewyse oortuig dat daardie persoon gedurende minstens drie agtereenvolgende jare wat aan daardie dag onmiddellik voorafgaan, in daardie omskrewe gebied te goeder trou as geneeskundige en girurgiese of koors- of kranksinnige-verpleegster of verpleegster vir siek kinders of vroedvrou gepraktiseer het en van goeie sedelike gedrag is en aanbeveel word deur een of meer geneeshere onder wie se toesig daardie persoon gewerk het as 'n geskikte persoon om respektieflik as 'n geregistreerde verpleegster of geregistreerde vroedvrou te praktiseer: Met die verstande dat 'n ooreenkomstig hierdie paragraaf uitgereikte sertifikaat aan die be-

this paragraph shall not confer upon the holder any right or privilege other than that of continuing within the prescribed area, and subject to this Act, the practice in which such holder has been engaged before the date of the notice constituting such area.

sitter geen ander reg of voorreg verleen nie dan om in die omskrewe gebied en met inagneming van hierdie Wet die praktyk voort te sit wat bedoelde besitter uitgeoefen het voor die dagtekening van die kennisgewing wat daardie gebied vasstel.

Registration of masseurs.

30. A registration certificate entitling the holder to practise as a registered masseur may, in accordance with regulations to be made by the Governor-General, after considering any recommendation of the council and on payment of the registration fee prescribed in the Second Schedule to this Act, be issued by the registrar to any person who is the holder of a diploma or certificate as a masseur, granted after examination by any such body outside the Union as the council may from time to time approve, and who furnishes proof, to the satisfaction of the council, of identity and good character and of the authenticity and validity of the diploma or certificate submitted.

Registrasie van masseurs.

30. 'n Registrasiesertifikaat wat aan sy besitter die reg verleen om as 'n geregistreerde masseur te praktiseer mag ooreenkomstig die deur die Goewerneur-generaal na oorweging van 'n aanbeveling van die raad uit te vaardige regulasies en teen betaling van die registrasiefooi voorgeskrywe in die Twede Bylae tot hierdie Wet deur die registrateur uitgereik word aan iemand wat in besit is van 'n diploma of sertifikaat as masseur, op grond van 'n eksamen verleen deur 'n liggaam buite die Unie wat die raad van tyd tot tyd mog goedkeur, en wat hewys lewer, waarmee die raad genoeg neem, van identiteit en goeie sedelike gedrag en van die egtheid en geldigheid van die voorgelegde diploma of sertifikaat.

Grant of certificates of competence in nursing, midwifery and massage.

31. (1) The council may grant a certificate of competency (which shall entitle the holder to registration, subject to the provisions of this Act, as a nurse or midwife or masseur, as the case may be) to any person who has undergone a prescribed course of instruction and training in nursing or midwifery or massage respectively, and who has passed an examination or examinations to the satisfaction of, and before examiners appointed by, the council.

(2) Every such certificate shall be signed by the president or vice-president and the registrar, and shall bear an endorsement that the name of the person to whom it has been granted has been entered in the appropriate register.

Verlening van sertifikate van bekwaamheid in verpleging, verloskunde en massage.

31. (1) Die raad mag 'n sertifikaat van bekwaamheid verleen wat aan die besitter die reg gee om, met inagneming van die hepalings van hierdie Wet, na gelang van omstandighede as 'n verpleegster of vroedvrou of masseur geregistreer te word aan iemand wat 'n voorgeskrewe onderrig- en opleidingskursus respektieflik in verpleging of verloskunde of massage gevolg het en wat by aflegging van een of meer eksamens voor eksaminatore benoem deur die raad, laasgenoemde tevredegestel het.

(2) Elke sodanige sertifikaat moet deur die voorsitter of vise-voorsitter en deur die registrateur geteken wees en moet van die aantekening voorsien wees dat die naam van die persoon aan wie dit verleen is, in die toepaslike register ingeskrywe is.

Examination and registration of dental mechanicians and others.

32. (1) The council may establish and keep registers in which shall be entered particulars of dental mechanicians, sanitary or health inspectors, meat or food inspectors, health visitors or other classes of persons who have been trained and have passed examinations in dental mechanics, sanitation, meat or food inspection, hygiene or other matters relating to the treatment or prevention of physical defects or disease in man, may hold examinations for such persons, and may make rules prescribing the fee for registration and the diplomas or certificates which may be accepted for registration in lieu of the passing of any examination prescribed by the council, and the conditions of acceptance.

(2) The council may, for good and sufficient reason, cancel any certificate issued to, or erase from the register the name of, any person registered under this section.

Eksamens en registrasie van tandwerktuigkundiges en andere.

32. (1) Die raad mag registers aanlê en hou waarin moet ingeskrywe word besonderhede van tandwerktuigkundiges, inspekteurs van gesondheid, vlees- of voedsel-inspekteurs, gesondheidsbesoekers of ander klasse van persone wat opgelei is en eksamens afgelê het in tandwerktuigkunde, gesondheidsleer, vlees- of voedsel-inspeksie, higiëne of ander sake in verband met die behandeling of voorkoming van liggaamlike gebreke of siekte van die mens, mag eksamens aan sulke persone afneem en mag reëls vasstel wat die fooi vir registrasie voorskryf en bepaal watter diplomas of sertifikate erken mag word vir registrasie in plaas van aflegging van 'n deur die raad voorgeskrewe eksamen en die voorwaardes van erkenning.

(2) Die raad mag om gegronde en voldoende rede 'n sertifikaat, uitgereik aan iemand wat ingevolge hierdie artiekel geregistreer is, intrek of sy naam uit die register skrap.

Registration and use of additional qualifications.

33. (1) Every person who desires to register a degree, diploma or certificate other than the degree, diploma or certificate in respect of which he has in the first instance been registered, may, upon payment of the fee prescribed in the Second Schedule to this Act and subject to sub-section (2), have such other degree, diploma or certificate entered in the register.

(2) Only such degrees, diplomas or certificates as may be prescribed by rule shall be registrable under this section.

(3) No registered person shall take, use of publish in any way whatsoever any name, title, description or symbol indicating, or calculated to lead persons to infer, that he possesses any professional qualification which is not shown in the register in connection with his name.

Registrasie en gebruik van verder bevoegdhede.

33. (1) Elkeen wat 'n ander graad, diploma of sertifikaat dan die graad, diploma of sertifikaat, ten opsigte waarvan hy in die eerste plek geregistreer is, wil registreer, mag, teen betaling van die fooi wat in die Twede Bylae tot hierdie Wet voorgeskrewe word en met inagneming van sub-artiekel (2), daardie ander graad, diploma of sertifikaat in die register laat inskrywe.

(2) Alleen die grade, diplomas of sertifikate wat 'n reël mog bepaal, is ingevolge hierdie artiekel registreerbaar.

(3) Geen geregistreerde persoon mag, op watter wyse ook, enige naam, tietel, beskrywing of teken aanneem, gebruik of bekend maak, wat aandui of mense sou kan laat aflei dat hy 'n professionele bevoegdheid besit wat nie in verband met sy naam in die register voorkom nie.

CHAPTER III.

OFFENCES BY UNREGISTERED PERSONS.

HOOFSTUK III.

MISDRYWE DEUR ONGEREGISTREERDE PERSONE.

Penalties for practising as a medical practitioner when unregistered.

34. Any person not registered as a medical practitioner who—

(a) for gain, practises as a medical practitioner (whether or not purporting to be registered) or performs any act specially pertaining to the calling of a medical practitioner; or

(b) pretends, or by any means whatsoever holds himself out, to be a medical practitioner (whether or not purporting to be registered), or uses the name of medical practitioner or any name, title, description or symbol indicating or calculated to lead persons to infer that he possesses a degree, diploma or other qualification as a medical practitioner, doctor of medicine, physician, surgeon or accoucheur, or that he is registered as a medical practitioner under this Act,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds.

Strawwe op praktiseer as geneesheer deur ongeregistreerdes.

34. Iemand wat nie as geneesheer geregistreer is nie, wat—

(a) vir wins as geneesheer praktiseer (hetsy hy al dan nie voorgee dat hy geregistreer is) of 'n handeling verrig wat spesiaal tot die beroep van 'n geneesheer behoor; of

(b) hom voordoen of op watter manier ook uitgee as 'n geneesheer (hetsy hy al dan nie voorgee dat by geregistreer is) of gebruik maak van die naam van geneesheer of enige naam, tietel, beskrywing of teken wat aandui of iemand sou kan laat aflei dat hy 'n graad, diploma of ander bevoegdheid as geneesheer, dokter in geneeskunde, arts, girurg of verloskundige besit of dat hy as geneesheer ingevolge hierdie Wet geregistreer is,

is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens honderd pond.

Penalties for practising as a dentist when unregistered.

35. (1) Any person not registered as a dentist who—

(a) for gain, practises as a dentist (whether or not purporting to be registered), or performs any act specially pertaining to the practice of dentistry or takes in the mouth any impression or bite in connection with, or tries in or fits in the mouth, any artificial denture or other similar dental appliance for the purpose of making, repairing or supplying any such denture or appliance; or makes, repairs or supplies any artificial denture or other similar dental appliance if for the purpose of such making, repairing or supplying any impression or bite was taken or any trying in or fitting was done in the mouth by any person not registered as a dentist; or

Strawwe op praktiseer as tandarts deur ongeregistreerdes.

35. (1) Iemand wat nie as tandarts geregistreer is nie wat—

(a) vir wins as 'n tandarts praktiseer (hetsy hy al dan nie voorgee dat hy geregistreer is), of 'n handeling verrig wat spesiaal tot die tandheelkundige praktyk behoor of in verband met kunstande of ander dergelike tandtoestelle, 'n afdruk of byt in die mond neem, of dit in die mond beproef of inpas, met die doel om sodanige kunstande of tandtoestelle te vervaardig, te herstel of te lewer; of kunstande of ander dergelike tandtoestelle vervaardig, herstel of lewer, indien, met die doel om dit te vervaardig, te herstel of te lewer, die afdruk of byt geneem en die proef of inpas gedaan is in die mond deur iemand wat nie as tandarts registreer is nie; of

(b) pretends or by any means whatsoever holds himself out to be a dentist (whether or not purporting to be registered), or to be entitled to practise dentistry, or uses the name of dentist or any name, title, description or symbol indicating or calculated to lead persons to infer that he possesses a degree, diploma or other qualification as a dentist, or that he is registered as a dentist or entitled to practise dentistry under this Act,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds.

(2) For the purposes of this Act the practice of dentistry means the performance of any such operation or any such treatment, advice or attendance as is usually performed or given by a dentist, or any operation, treatment, advice or attendance preparatory to or for the purpose of or in connection with the making, repairing, supplying, fitting, insertion or fixing of artificial dentures or other similar dental appliances.

(3) Nothing in this section contained shall be construed as prohibiting a medical practitioner, not registered also as a dentist, from performing in the course of his practice acts pertaining to the practice of dentistry other than prosthetic dentistry, or as prohibiting the employment by and under the supervision of a dentist of any person for the purpose of making or repairing dentures or other dental appliances, or as prohibiting any person from making or repairing any artificial denture or other dental appliance for his own profit; provided that such work is carried out on the instructions and to the order of a dentist, and does not include the taking of any impression or bite or any trying in or fitting, in the mouth.

Exemption of certain unregistered persons performing dental work prior to commencement of Act.

36. (1) The council shall grant a certificate to any person who—

(a) satisfies the council that at the commencement of this Act he had had ten years' practical experience of dental work within any province of the Union, and either—

(i) that during the whole of that period such work was his sole or principal means of livelihood, and that before the commencement of such period he was the holder of a degree, diploma or qualification in dentistry granted after examination but which did not entitle him to obtain registration as a dentist in that province; or

(ii) that during five years of that period he had as his sole or principal means of livelihood the performance within any province of the Union of dental work other than that of a dental mechanician which under the law of that province it was not an offence for him to perform, but the performance of which would be an offence under this Act; and

(b) makes application to the Minister (who shall forward such application to the council) for such certificate within three months after the promulgation of this Act; and

(c) passes an oral and practical examination in dentistry before and to the satisfaction of a board of examiners appointed by the council.

(2) Such certificate shall entitle the holder to be registered as a dentist in manner prescribed in section *twenty-four:* Provided that the holder when registered shall be entitled to practise only in that province within which the dental work referred to in paragraph (a) of sub-section (1) was performed.

Penalties for professing to be, or carrying on business as, a chemist and druggist when unregistered.

37. Save as is otherwise specially provided in this Act, any person who, not being registered as a chemist and druggist—

(a) carries on business, or for gain practises, as a chemist and druggist, or performs any act specially pertaining to the calling of a chemist and druggist; or

(b) pretends, or by any means whatsoever holds himself out, to be a chemist and druggist (whether or not purporting to be registered), or uses the name of chemist and druggist or any name, title, description or symbol indicating or calculated to lead persons to infer that he possesses a diploma or other qualification as a chemist and druggist, pharmacist, pharmaceutical chemist, dispensing chemist or druggist, or dispenser or compounder of drugs, or that he is registered as a chemist and druggist under this Act, or uses the term "pharmacy" or "chemists' shop" or "drug store" or any other term of like meaning to describe his business premises,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds:

Provided that nothing in this section contained shall be construed as prohibiting the employment by and under the supervision of a chemist and druggist of any apprentice or unregistered assistant for the purpose of compounding and dispensing drugs and medicines.

(b) hom voordoen of op watter manier ook uitgee as 'n tandarts (hetsy hy al dan nie voorgee dat hy geregistreer is), of as iemand wat geregtig is om tandheelkunde te praktiseer, of gebruik maak van die naam van tandarts of van enige naam, tietel, beskrywing of teken wat aandui of mense sou kan laat aflei dat hy 'n graad, diploma of ander bevoegdheid as tandarts besit of dat hy ingevolge hierdie Wet as tandarts geregistreer is of geregtig is om tandheelkunde te praktiseer,

is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens honderd pond.

(2) Vir die doeleindes van hierdie Wet beteken tandheelkundige praktyk die verrigting van 'n operasie of die behandeling of verlening van advies wat gewoonlik deur 'n tandarts verrig of verleen word, of enige operasie of behandeling van of advies aan iemand as 'n voorbereiding vir of met die oog op, of in verband met die vervaardiging, herstelling, lewering, aanpassing, insetting of bevestiging van kunstande of ander dergelike tandtoestelle.

(3) Die bepalings van hierdie artiekel belet nie dat 'n geneesheer wat nie ook as tandarts geregistreer is nie, in die loop van sy praktyk handelings verrig wat tot die tandheelkundige praktyk behoor, behalwe insetting van kunsdele, en dat 'n tandarts iemand in diens stel om onder sy toesig kunstande of ander tandtoestelle te vervaardig of te herstel, en dat iemand kunstande of ander tandtoestelle vir eie voordeel vervaardig of herstel, mits daardie werk op voorskrif en op bestelling van 'n tandarts uitgevoer word, en nie die neem van 'n afdruk of byt of die beproef of inpas in die mond insluit nie.

Vrystelling van sekere ongeregistreerde persone wat voor inwerkingtreding van Wet tandheelkundige werk verrig het.

36. (1) Die raad moet 'n sertifikaat verleen aan elkeen wat—

(a) die raad oortuig dat hy by die inwerkingtreding van hierdie Wet 'n tienjarige praktiese ondervinding van tandheelkundige werk in een of ander provinsie van die Unie had en—

(i) òf dat daardie werk gedurende daardie hele tydperk sy enigste of vernaamste lewensonderhoud uitgemaak het en dat hy voor die begin van daardie tydperk in besit was van 'n graad, diploma of blyk van bekwaamheid in tandheelkunde, op grond van 'n eksamen verleen, maar wat hom nie reg op registrasie as 'n tandarts in daardie provinsie verleen het nie;

(ii) òf dat sy enigste of vernaamste lewensonderhoud gedurende vyf jaar van daardie tydperk bestaan het uit die verrigting in een of ander provinsie van die Unie, van ander tandheelkundige werk dan die Unie, van ander tandheelkundige werk dan die van 'n tandwerktuigkundige, wat hy kragtens die wette van daardie provinsie kon verrig sonder 'n misdryf te begaan, maar waarvan die verrigting ingevolge hierdie Wet 'n misdryf sou uitmaak; en

(b) binne drie maande na die afkondiging van hierdie Wet, by die Minister (wat gemelde aansoek aan die raad stuur) om so 'n sertifikaat aansoek doen; en

(c) 'n mondelinge en praktiese eksamen in tandheelkunde aflê voor 'n eksamenkommissie benoem deur die raad met 'n uitslag wat die kommissie tevrede stel.

(2) Daardie sertifikaat verleen aan sy besitter die reg om as tandarts geregistreer te word volgens bepaling van artiekel *vier-en-twintig*: Met die verstande dat die besitter na registrasie geregtig is om alleen in die provinsie te praktiseer, waarin die tandheelkundige werk, vermeld in paragraaf (a) van sub-artiekel (1), verrig is.

Strawwe vir 'n ongeregistreerde wat hom as apteker uitgee of as sodanig besigheid dryf.

37. Behalwe vir sover as hierdie Wet spesiaal anders bepaal, is elkeen wat nie as apteker geregistreer is nie en wat—

(a) as apteker besigheid dryf of vir wins as sodanig praktiseer of handelings verrig wat spesiaal tot die aptekersberoep behoor; of

(b) hom voordoen of op watter manier ook uitgee as 'n apteker (hetsy hy al dan nie voorgee dat hy geregistreer is) of gebruik maak van die naam van apteker of enige ander naam, tietel, beskrywing of teken wat aandui of iemand sou kan laat aflei dat hy 'n diploma of ander bevoegdheid as apteker, farmaseut, farmaseutiese skeikundige, resepterende apteker of resepteerder of bereider van artsenye besit of as apteker ingevolge hierdie Wet geregistreer is, of gebruik maak van die uitdrukking "apteek" of "aptekerswinkel" of "medisynwinkel" of van enige ander uitdrukking met 'n dergelike betekenis om sy besigheidslokaal te beskrywe,

is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens honderd pond: Met die verstande dat die bepalings van hierdie artiekel nie 'n apteker belet nie om 'n leerling of ongeregistreerde assistent onder sy toesig in diens te stel om artsenye en medisyne te berei en te resepteer.

Penalties in respect of practising as or professing to be or using uniform, badge or token of registered nurse or registered midwife.

38. (1) Any person who, not being registered as a nurse or midwife (as the case may be)—

(a) acts for gain as a nurse within a prescribed area as defined in paragraph (a) of section *thirty-nine,* or as a midwife within a prescribed area as defined in paragraph (b) of section *thirty-nine;* or

(b) whilst acting as nurse or midwife makes any internal examination of the genitals of any lying-in woman; or

(c) pretends, or by any means whatsoever holds herself out, to be a registered nurse or registered midwife, or uses any name, title, description or symbol indicating or calculated to lead anyone to infer that she is a registered nurse or registered midwife or is registered or possesses a diploma or certificate as such; or

(d) on or after a date to be notified by the Minister in the *Gazette,* acts as matron or nurse in charge of any hospital, home, or any other institution for the reception and treatment of lying-in women or of medical, surgical, fever or mental patients respectively,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty pounds: Provided that paragraph (a) of this section shall not apply to anyone rendering assistance in a case of emergency.

(2) The Minister, after consultation with the council, may make regulations specifying distinctive uniforms, badges or tokens which may be worn or used only by registered nurses or registered midwives or registered masseurs respectively, and prohibiting the wearing or use thereof by any other person, and prohibiting the manufacture or sale or supply thereof by any person other than a person approved for the purpose by the council.

Governor-General may prescribe areas for certain purposes in connection with nursing and midwifery.

39. After considering any recommendation of the council the Governor-General may, by proclamation in the *Gazette*—

(a) on being satisfied that in any area the facilities for obtaining attendance by registered nurses are sufficient for all classes of the population, declare such area to be as from a date to be specified in such proclamation a "prescribed area" within which no person, not being a registered nurse, shall act as a medical and surgical or fever or mental nurse for gain;

(b) on being satisfied that in any area the facilities for obtaining attendance by medical practitioners or registered midwives are sufficient for all classes of the population, declare such area to be as from a date to be specified in such proclamation a "prescribed area" within which no person other than a medical practitioner or a midwife registered under this Act shall attend any lying-in woman for gain;

(c) make regulations defining the conditions under which all persons (other than medical practitioners and registered midwives) practising midwifery for gain within any area not being a "prescribed area" may carry on their calling. Every person complying with those conditions shall be entitled to use the description "midwife" without prefix or addition of any word or words implying certification or registration under this Act; but every person (other than a person rendering assistance in case of emergency) who fails to comply with or contravenes any of the regulations defining those conditions or who uses any title or description implying that she is certified or registered as a midwife under this Act shall be guilty of an offence and be liable on conviction to the penalty mentioned in sub-section (1) of section *thirty-eight.*

Penalty for falsely professing to be a registered masseur or other registered person.

40. Any person who, not being registered as—

(a) a masseur; or

(b) a dental mechanician, sanitary or health inspector meat or food inspector, or health visitor; or

(c) a member of any other class of persons for which a register has been established under sub-section (1) of section *thirty-two,*

holds himself out to be so registered, or uses any name, title description or symbol indicating or calculated to lead persons to infer that he is so registered, shall be guilty of an offence and liable on conviction to the penalty mentioned in sub-section (1) of section *thirty-eight.*

CHAPTER IV.

DISCIPLINARY POWERS OF THE COUNCIL AND THE BOARD.

Enquiry by council or board into charges of misconduct.

41. The council or the board shall have the power to enquire into any complaint, charge or allegation of improper conduct or disgraceful conduct against any person registered under this Act, and on conviction to impose the penalties prescribed by sub-section (1) of section *forty-two:* Provided that in the case of a complaint or charge which forms or is likely to form the subject of criminal proceedings in a court of law the council or board may postpone enquiry until such proceedings have been determined.

Strawwe op praktiseer ens. as geregistreerde verpleegsters of geregistreerde vroedvroue.

38. (1) Iemand wat nie (na gelang van omstandighede) as verpleegster of vroedvrou geregistreer is nie en wat—

(a) vir wins in 'n omskrewe gebied, soas bepaal in paragraaf (a) van artiekel *negen-en-dertig* as 'n verpleegster of in 'n omskrewe gebied, soas bepaal in paragraaf (b) van artiekel *negen-en-dertig,* as 'n vroedvrou optree; of

(b) terwyl sy as verpleegster of vroedvrou werksaam is, die geslagsdele van 'n kraamvrou inwendig ondersoek;

(c) haar voordoen of op watter manier ook uitgee as 'n geregistreerde verpleegster of geregistreerde vroedvrou of gebruik maak van 'n naam, tietel, beskrywing of teken wat aandui of mense sou kan laat aflei dat sy 'n geregistreerde verpleegster of geregistreerde vroedvrou is of geregistreer is of 'n diploma of sertifikaat as sodanig besit; of

(d) op of na 'n deur die Minister in die *Staatskoerant* bekend te make dag optree as huismoeder of verpleegster aan die hoof van 'n hospitaal, tehuis of ander inrigting vir die opname en behandeling respektieflik van kraamvroue of van geneeskundige, girurgiese of koorspasjente of kranksinniges,

is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens twintig pond: Met die verstande dat paragraaf (a) van hierdie artiekel nie van toepassing is nie op iemand wat in geval van nood hulp verleen.

(2) Na oorleg met die raad mag die Minister regulasies uitvaardig waarin onderskeidende uniforms, kentekens of kenmerke voorgeskrywe word wat net respektieflik deur geregistreerde verpleegsters of geregistreerde vroedvroue of geregistreerde masseurs gedra of gebruik mag word, en wat die dra of gebruik daarvan deur iemand anders belet en wat belet dat hulle vervaardig of verkoop of gelewer word deur iemand anders dan deur iemand wat die raad vir die doel goedgekeur het.

Goewerneur-generaal mag gebiede omskrywe vir sekere doeleindes in verband met verpleging en verloskunde.

39. Na oorweging van 'n aanbeveling van die raad mag die Goewerneur-Generaal by proklamasie in die *Staatskoerant*—

(a) as hy oortuig is dat daar in een of ander gebied voldoende geleentheid bestaan vir alle klasse van die bevolking om behandeling deur geregistreerde verpleegsters te verkry daardie gebied vanaf 'n in daardie proklamasie vas te stelle dag tot 'n "omskrewe gebied" verklaar, waarbinne niemand wat nie 'n geregistreerde verpleegster is nie, vir wins as geneeskundige en girurgiese of koors- of kranksinnigeverpleegster mag optree nie;

(b) as hy oortuig is dat daar in een of ander gebied voldoende geleentheid bestaan vir alle klasse van die bevolking om behandeling deur geneeshere of geregistreerde vroedvroue te verkry daardie gebied vanaf 'n in daardie proklamasie vas te stelle dag tot 'n "omskrewe gebied" verklaar, waarbinne niemand anders dan 'n geneesheer of vroedvrou wat ingevolge hierdie Wet geregistreer is, vir wins, 'n kraamvrou mag behandel nie;

(c) regulasies uitvaardig wat die voorwaardes bepaal waaronder alle persone (behalwe geneeshere en geregistreerde vroedvroue) wat vir wins die verloskunde beoefen in 'n gebied wat nie 'n "omskrewe gebied" is nie, hulle beroep mag uitoefen. Elkeen wat aan daardie voorwaardes voldoen is geregtig om die beskrywing "vroedvrou" te gebruik, sonder voorvoegsel of byvoeging van 'n woord of woorde wat sertifisering of registrasie ingevolge hierdie Wet te kenne gee; maar elkeen (behalwe iemand wat in geval van nood hulp verleen) wat 'n regulasie wat daardie voorwaardes bepaal, veronagsaam of oortree of wat 'n tietel of beskrywing gebruik wat te kenne gee dat sy ingevolge hierdie Wet as 'n vroedvrou gesertifiseer of geregistreer is, is aan 'n misdryf skuldig en by veroordeling strafbaar met die boete vermeld in subartiekel (1) van artiekel *ag-en-dertig.*

Straf op iemand wat valselik voorgee 'n geregistreerde masseur of ander geregistreerde persoon te wees.

40. Iemand wat nie geregistreer is nie as—

(a) 'n masseur; of

(b) 'n tandwerktuigkundige, inspekteur van gesondheid, vlees- of voedselinspekteur, of gesondheidsbesoeker; of

(c) 'n lid van enige ander klas van persone waarvoor 'n register aangelê is ingevolge sub-artiekel (1) van artiekel *twee-en-dertig,*

en wat voorgee aldus geregistreer te wees of wat gebruik maak van 'n naam, tietel, teken of beskrywing wat aandui of wat iemand sou kan laat aflei dat hy aldus geregistreer is, is aan 'n misdryf skuldig en by veroordeling strafbaar met die straf vermeld in sub-artiekel (1) van artiekel *ag-en-dertig.*

HOOFSTUK IV.

TUGUITOEFENING DEUR RAAD EN KOMMISSIE.

Ondersoek deur raad of kommissie van beskuldiging van wangedrag..

41. Die raad of die kommissie is bevoeg om 'n ondersoek in te stel na enige klagte, beskuldiging of bewering van onbetaamlike of skandelike gedrag teen 'n ingevolge hierdie Wet geregistreerde persoon en om by skuldigbevinding die strawwe, gestel in onderartiekel (1) van artiekel *twee-en-veertig,* op te lê: Met die verstande dat die raad of kommissie die ondersoek van 'n klagte of beskuldiging wat die onderwerp van 'n strafgeding in 'n geregshof uitmaak of waarskynlik sal uitmaak, mag uitstel totdat die geding beëindig is.

Matters for and procedure upon enquiry by the council or the board.

42. (1) Every person registered under this Act who has been found after enquiry held by the council or board to have been guilty of improper conduct or disgraceful conduct, or conduct which when regard is had to such person's profession or calling is improper or disgraceful, shall be liable to one or other of the following penalties:—

(a) reprimand and caution under the hand of the president; or

(b) suspension for a specified period from practising or performing acts specially pertaining to his profession or calling; or

(c) erasure of his name from the register:

Provided that every person as to whose conduct as aforesaid enquiry is to be made shall be afforded an opportunity, by himself or his counsel or attorney, of answering the charge and of being heard in his defence.

(2) (a) For the purpose of any enquiry under this section the council or board may take evidence and may, under the hand of the president or registrar, summon witnesses and require the production of any book, record, document or thing, and may through the president administer an oath to any witness, and may examine any book, record, document, or thing which any witness has been required to produce.

(b) A summons for the attendance before the council or board or for the production to it of any book, record, document or thing shall be, as nearly as practicable, in the form set out in the Third Schedule to this Act, shall be signed by the president or registrar and shall be served either by registered letter sent through the post or in the same manner as it would be served if it were a subpoena issued by a magistrate's court.

(c) Every person summoned as aforesaid shall be bound to obey the summons served on him. Any person who refuses, or fails without sufficient cause, to attend and give evidence relevant to the enquiry at the time and place specified in the summons, or who refuses to be sworn when the president desires to administer an oath to him, or to produce any book, record, document or thing which he has been required by summons to produce, shall be guilty of an offence and liable on conviction to a fine not exceeding twenty-five pounds:

Provided that every person so summoned shall be entitled to all the privileges to which a witness subpoenaed to give evidence before a provincial division of the Supreme Court is entitled.

(d) Every witness who attends before the council or board and refuses to answer, or to answer fully and satisfactorily to the best of his knowledge and belief, any question lawfully put to him shall be guilty of an offence and liable on conviction to a fine not exceeding twenty-five pounds.

(3) Every enquiry held under this section shall be conducted in accordance with regulations made by the Governor-General regarding—

(a) the manner in which complaints or charges brought against a registered person shall be lodged;

(b) the method of summoning an accused person and the penalties for failure or refusal on the part of any such person to attend when summoned or for refusing to give evidence or for obstructing or interrupting the proceedings;

(c) any other matters incidental to the holding of such enquiry.

(4) The council or the board may appoint a legal assessor to be present at any enquiry under this Chapter to advise on matters of law, procedure or evidence.

(5) An application may be made to any provincial or local division of the Supreme Court by any person aggrieved at the finding of or penalty imposed by the council or the board under this section, and the provisions of section *eighteen* shall, as far as possible, apply to such application, but the proceedings of the council or the board shall not be set aside by reason only of an informality which did not embarrass or prejudice the applicant in answering the charge or in the conduct of his defence.

(6) The council or board may if it thinks fit terminate any suspension under sub-section (1) before the expiry of the specified period, or restore to the register any name which has been erased therefrom.

Effect of suspension or erasure from register.

43. Every person who has been suspended or whose name has been erased from the register under this Chapter shall, if his profession or calling is one which, under this Act, cannot be lawfully carried on by an unregistered person, be disqualified from carrying on his profession or calling and his registration certificate shall be deemed to be cancelled until the period of suspension has expired or until his name has been restored to the register by the council or the board.

Cancellation of certificates of competence granted by council.

44. If for any reason the name of a nurse or midwife or masseur is erased from the register under this Chapter, the council may cancel any certificate of competence granted to such person under section *thirty-one*.

Onderwerpe van, en prosedure by ondersoek deur raad of kommissie.

42. (1) Elke ingevolge hierdie Wet geregistreerde persoon wat na 'n deur die raad of kommissie gehoue ondersoek skuldig bevind is aan onbetaamlike gedrag of skandelike gedrag of van gedrag wat met die oog op daardie persoon se professie of beroep onbetaamlik of skandelik is, is met die een of die ander van die volgende strawwe strafbaar:—

(a) berisping en waarskuwing onder die handtekening van die voorsitter; of

(b) skorsing, gedurende 'n vasgestelde tydperk, van uitoefening van sy praktyk of verrigting van handelings wat spesiaal tot sy professie of beroep behoor; of

(c) skrapping van sy naam uit die register:

Met die verstande dat aan elkeen na wie se gedrag 'n ondersoek staan ingestel te word, die geleentheid verleen moet word om self of deur sy advokaat of prokureur op die beskuldiging te antwoord en om sy verdediging voor te dra.

(2) (a) Vir die doeleindes van 'n ondersoek ingevolge hierdie artiekel mag die raad of kommissie getuienis afneem en onder die handtekening van sy voorsitter of registrateur getuies dagvaar en oorlegging van enige boek, aantekening, dokument of voorwerp gelas, en deur die voorsitter aan 'n getuie 'n eed oplê en enige boek, aantekening, dokument of voorwerp waarvan oorlegging aan 'n getuie gelas is, ondersoek.

(b) 'n Dagvaarding om voor die raad of kommissie te verskyn of om aan hom 'n boek, aantekening, dokument of voorwerp oor te lê, moet sover doenlik vervat wees in die vorm opgeneem in die Derde Bylae tot hierdie Wet, moet deur die voorsitter of registrateur geteken wees en moet gedien word òf deur versending deur die pos in 'n geregistreerde brief, òf op dieselfde manier as dit gedien sou word as dit 'n getuiedagvaarding was wat deur 'n magistraatshof uitgereik was.

(c) Elke soas voormeld gedagvaarde is verplig om aan die dagvaarding wat op hom gedien is, gevolg te gee. Iemand wat weier of sonder voldoende rede versuim om op die tyd en plek vermeld in die dagvaarding te verskyn en getuienis af te lê wat op die ondersoek betrekking het, of wat weier om die eed te neem wanneer die voorsitter aan hom 'n eed wil oplê, of om 'n boek, aantekening, dokument of voorwerp, oor te lê waarvan oorlegging aan hom by dagvaarding gelas is, is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens vyf-en-twintig pond: Met die verstande dat aan elke aldus gedagvaarde alle voorregte toekom wat toekom aan 'n getuie gedagvaar om getuienis af te lê voor 'n prowinsiale afdeling van die Hooggeregshof.

(d) Elke getuie wat voor die raad of kommissie verskyn en weier om enige wettig aan hom gestelde vraag te beantwoord of ten volle en bevredigend te beantwoord volgens sy werklike oortuiging, is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens vyf-en-twintig pond.

(3) Elke ondersoek ingevolge hierdie artiekel moet gehou word ooreenkomstig regulasies deur die Goewerneur-generaal uitgevaardig met betrekking tot—

(a) die manier waarop klagtes of beskuldigings teen 'n geregistreerde persoon ingedien moet word;

(b) die wyse van dagvaarding van 'n beskuldigde persoon en die strawwe op versuim of weiering van so iemand om op 'n dagvaarding te verskyn of weens weiering om getuienis af te lê of weens belemmering of onderbreking van die verrigtings;

(c) enige ander sake wat op so 'n ondersoek betrekking het.

(4) Die raad of kommissie mag 'n regskundige assessor benoem om 'n ondersoek ingevolge hierdie Hoofstuk by te woon en in verband met regskwessies, prosedure en bewyslewering van advies te dien.

(5) Iemand wat beswaar het teen die beslissing of straf oplegging van die raad of kommissie ingevolge hierdie artiekel mag by 'n prowinsiale of plaaslike afdeling van die Hooggeregshof applikasie maak en die bepalings van artiekel *agtien* is vir sover moontlik op so 'n applikasie van toepassing, maar die verrigtings van die raad of kommissie mag nie vernietig word nie alleen weens 'n formaliteitsgebrek wat die applikant by sy verdediging nie in ongeleentheid gebring of benadeel het nie.

(6) Die raad of kommissie mag, as hy wil, 'n skorsing ingevolge sub-artiekel (1) voor verstryking van die vasgestelde tydperk beëindig of enige naam wat uit die register geskrap is, daarop herstel.

Gevolg van skorsing of skrapping uit register.

43. Elkeen wat geskors of wie se naam uit die register geskrap is ingevolge hierdie Hoofstuk is as sy professie of beroep sodanig is dat dit ingevolge hierdie Wet nie wettig deur 'n ongeregistreerde persoon uitgeoefen kan word, onbevoeg om sy professie of beroep uit te oefen en sy registrasiesertifikaat word as ingetrek beskou totdat die skorsingstydperk verstryk is of totdat die raad of kommissie sy naam op die register herstel.

Intrekking van bekwaamheidssertifikate deur raad uitgereik.

44. As die naam van 'n verpleegster of vroedvrou of masseur om enige rede ingevolge hierdie Hoofstuk uit die register geskrap word, dan mag die raad 'n sertifikaat van bekwaamheid aan so iemand ingevolge artiekel *een-en-dertig* verleen, intrek.

Cognizance by council or board of conduct of registered persons under certain circumstances.

45. (1) Every registered person who, either before or after registration, has been convicted of any offence by a court of law shall be liable to be dealt with by the council or board in accordance with this Chapter if the council or board is of opinion that such offence constitutes improper conduct or disgraceful conduct, or conduct which when regard is had to such person's profession or calling is improper or disgraceful, and shall be liable on proof of the conviction to one or other of the penalties mentioned in section *forty-two:* Provided that such person shall be afforded an opportunity of tendering an explanation to the council or board in extenuation of his conduct.

(2) Whenever in the course of any proceedings before any court of law it appears to the court that there is *prima facie* evidence of improper conduct or disgraceful conduct on the part of a registered person, or conduct which when regard is had to such person's profession or calling is improper or disgraceful, the court shall direct that a copy of the record in such proceedings, or such portion thereof as is material to the issue, shall be transmitted to the council or to the board.

(3) In the case of charges the evidence in support whereof is documentary, or in such other cases as the council or board may think fit, the registrar acting as *pro forma* complainant may institute proceedings under this Chapter.

Penalty for false evidence. Privileges of council and board.

46. (1) Any person who gives false evidence on oath at any enquiry held under this Chapter, knowing such evidence to be false, shall be guilty of an offence and liable on conviction to the penalties prescribed by law for the crime of perjury.

(2) Save as is provided in this Act, no legal proceedings, civil or criminal, shall lie against the council or board or any member or officer thereof in respect of any act or duty performed in accordance with this Chapter.

Council and board to prescribe what shall be regarded as offences under this Chapter.

47. The council and the board shall, according as the matter is one concerning the functions of the council or the board, from time to time prescribe the acts or omissions of which the council or board may take cognisance under this Chapter: Provided that the powers of the council or board to enquire into and deal with any complaint, charge or allegation under this Chapter shall not be limited to the acts or omissions so prescribed.

CHAPTER V.

KEEPING AND SALE OF POISONS.

Substances mentioned in Fourth Schedule to be deemed poisons.

48. (1) The suhstances mentioned or included in the Fourth Schedule to this Act shall be deemed for the purposes of this Act to be poisons.

(2) The council or board may from time to time by resolution declare that any substance named or described in such resolution should be deemed a poison within the meaning of either division I. or division II. of the Fourth Schedule, or that any substance so named or described should be transferred from one division of the said Schedule to the other, or that the said Schedule should be otherwise amended.

(3) Every such resolution passed by the council shall be subject to the concurrence of the board, or if passed by the board shall be subject to the concurrence of the council, and shall, if supported by a statement of such concurrence, be transmitted to the Minister, and if such resolution is approved of by resolution of both Houses of Parliament the Governor-General may thereupon, by proclamation in the *Gazette*, amend the Fourth Schedule accordingly.

Provisions as to the keeping of poisons.

49. Every medical practitioner, dentist and chemist and druggist, and every other person entitled under this Act to keep, sell or supply poisons shall label with the words "Poison" and "Vergif" every vessel, box, bottle, wrapper or package in his possession which contains any article which is a poison, and he shall otherwise comply with the provisions of this Act relating to the keeping, dispensing, selling and supplying of poison.

Who may sell poisons.

50. Save as is otherwise provided by this Act, poisons as defined by this Act shall not be sold, bartered, exchanged or otherwise supplied by any person other than a chemist and druggist or the unregistered assistant or indentured apprentice of a chemist and druggist acting under his personal supervision, but nothing in this Act contained shall be construed as prohibiting or restricting any medical practitioner, dentist or authorized veterinarian from supplying any poison in the course of the lawful exercise of his calling to or for any patient or animal under his care or treatment.

Sale of certain poisons by dealers and co-operative bodies.

51. (1) Notwithstanding anything in the last preceding section contained, a person entitled by law to carry on business as a general or retail dealer, or any co-operative agricultural society or company registered under the Co-operative Societies Act, 1922, or any amendment thereof, may be granted, by the magistrate of the district wherein the business is carried on, a certificate that he or it may keep for sale and sell such of the following poisons or preparations containing poison as may be specified or described in regulations to be made by the Minister, that is to say—

(a) poisons to be used exclusively in agriculture or horticulture, or as a dip for cattle, sheep or other animals, or to be used exclusively for the destruction of vermin, insects, plants, fungi or bacteria, or for the preservation of wood;

Raad of kommissie neem in sekere gevalle kennis van geregistreerde persoon se gedrag.

45. (1) Met elke geregistreerde persoon wat voor of na sy registrasie deur 'n geregshof skuldig bevind is aan enige misdryf, mag die raad of kommissie ooreenkomstig hierdie Hoofstuk handel as die raad of kommissie van oordeel is dat daardie misdryf onbetaamlike gedrag of skandelike gedrag of gedrag wat met die oog op daardie persoon se professie of beroep onbetaamlik of skandelik is, uitmaak, en so iemand is na bewys van die skuldigbevinding strafbaar met een of ander van die strawwe vermeld in artiekel *twee-en-veertig:* Met die verstande dat aan so iemand geleentheid verleen moet word om aan die raad of kommissie 'n uitleg te gee wat sy gedrag in 'n gunstiger lig stel.

(2) Wanneer in 'n geding in 'n geregshof aan die hof blyk dat *prima facie* die bewys gelewer is dat 'n geregistreerde persoon hom onbetaamlik of skandelik gedra het of dat hy hom met die oog op sy professie of beroep onbetaamlik of skandelik gedra het, moet die hof gelas dat 'n kopie van die notule van daardie geding of daardie deel daarvan wat op die saak betrekking het, aan die raad of aan die kommissie gestuur moet word.

(3) By klagtes wat op skriftelike bewyse berus of in sodanige ander sake as waarin die raad of kommissie dit wenslik ag, mag die registrateur *pro forma* as aanklaer optree en maatreëls ingevolge hierdie Hoofstuk op tou sit.

Straf op valse getuienis. Voorregte van raad en kommissie.

46. (1) Iemand wat by 'n ondersoek ingevolge hierdie Hoofstuk valse getuienis onder eed aflê met wete dat daardie getuienis vals is, is aan 'n misdryf skuldig en by veroordeling strafbaar met die strawwe wat die wet op meineed stel.

(2) Behalwe volgens die bepalings van hierdie Wet, kan geen regsgeding, hetsy siviel of krimineel, teen die raad of kommissie of een van sy lede of beamptes ingestel word nie weens 'n handeling of lig ooreenkomstig hierdie Hoofstuk verrig.

Raad en kommissie moet misdrywe ingevolge hierdie Hoofstuk omskrywe.

47. Die raad en die kommissie moet, na gelang die saak betrekking het op die werkkring van die raad of van die kommissie, van tyd tot tyd die handelings of versuime omskrywe waarvan die raad of kommissie kragtens hierdie Hoofstuk kennis mag neem: Met die verstande dat die bevoegdhede van die raad of kommissie om kragtens hierdie Hoofstuk 'n klagte, beskuldiging of bewering te ondersoek nie beperk is nie tot die aldus omskrewe handelings of versuime.

HOOFSTUK V.

AANHOU EN VERKOOP VAN VERGIFTE.

Stowwe vermeld in vierde Bylae word as vergifte beskou.

48. (1) Die stowwe vermeld of opgeneem in die Vierde Bylae tot hierdie Wet word vir die doeleindes van hierdie Wet as vergifte beskou.

(2) Die raad of kommissie mag van tyd tot tyd by besluit verklaar dat enige stof, in daardie besluit genoem of beskrywe, as 'n vergif behoort beskou te word volgens die betekenis hetsy van afdeling I of van afdeling II van die Vierde Bylae of dat 'n aldus genoemde of heskrewe stof van die een afdeling van bedoelde Bylae na die ander oorgeplaas behoor te word of dat bedoelde Bylae andersins gewysig behoor te word.

(3) Elke sodanige deur die raad geneemde besluit vereis die kommissie se instemming of as dit deur die kommissie geneem is, vereis dit die raad se instemming en moet, indien bekragtig deur 'n verklaring van sodanige instemming, aan die Minister gestuur word, en as sodanige hesluit deur besluit van albei Huise van die Parlement goedgekeur is, mag die Goewerneur-generaal daarop by proklamasie in die *Staatskoerant* dienooreenkomstig die Vierde Bylae wysig.

Bepalings omtrent aanhou van vergifte.

49. Elke geneesheer, tandarts en apteker en elke ander persoon wat ingevolge hierdie Wet geregtig is om vergifte aan te hou, te verkoop of te lewer moet aan alle vaatwerk, elke kissie, bottel, omslag of pakkie in sy besit wat 'n stof bevat wat 'n vergif is 'n etiket heg met die woorde "Vergif" en "Poison" daarop en moet andersins voldoen aan die bepalings van hierdie Wet aangaande die aanhou, resepteer, verkoop en lewering van vergif.

Wie vergifte mag verkoop.

50. Behalwe vir sover hierdie Wet anders bepaal, mag vergifte soas in hierdie Wet omskrywe, nie verkoop, verruil, of andersins gelewer word nie deur iemand anders dan 'n apteker of die ongeregistreerde bediende of ingeboekte leerling van 'n apteker as hy onder laasgenoemde se persoonlike toesig handel, maar hierdie Wet belet of verhinder nie 'n geneesheer, tandarts of bevoegde veearts om by die wettige uitoefening van sy beroep vergif te verstrek aan of vir 'n onder sy sorg of behandeling staande pasjent of dier.

Verkoop van sekere vergifte deur handelaars en kooperatiewe liggame.

51. (1) Nieteenstaande die bepalings van die voorgaande artiekel, mag aan iemand wat wetlik geregtig is om as algemene of kleinhandelaar besigheid te dryf of aan 'n koöperatiewe landbouvereniging of maatskappy, wat ingevolge die Wet op Koöperatieve Verenigingen, 1922, of 'n wysiging daarvan geregistreer is, deur die magistraat van die distrik waarin die besigheid gedryf word, 'n sertifikaat verleen word dat hy sodaniges van die volgende vergifte of gifhoudende preparate mag aanhou om te verkoop en verkoop, as wat in regulasies, deur die Minister uit te vaardig, opgenoem of omskrywe mog wees, te wete:—

(a) vergifte tot uitsluitende gebruik by land- of tuinbou of as dip vir beeste, skape of ander diere of tot uitsluitende gebruik om ongedierte, insekte, plante, swamme of bakterië te dood of om hout te verduursaam;

(b) poisons to be used for veterinary purposes;

(c) poisonous substances to be used exclusively for the cleansing of clothing and similar purposes,

and any such general or retail dealer may also be granted by the magistrate of the district wherein his business is carried on a certificate that he may keep for sale and sell such preparations known as "patent," "proprietary" or "Dutch" medicines containing poison as may be specified or described in regulations to be made by the Minister.

(2) Every such certificate shall have effect only until the thirty-first day of December in the year in which it is issued, shall bear a revenue stamp of the value of ten shillings, shall state the place at which any such poison or preparation may be sold by the dealer or society or company and the name of the person responsible for supervising the sale or supply in accordance with the provisions of this Act, shall be issued in accordance with regulations made by the Minister and shall authorize the sale of any such poison or preparation at that address only, and, in the case of a society or company, to its members only.

(3) No such certificate shall be issued unless in the opinion of the magistrate its issue is desirable in the public interest.

(4) No such certificate shall be issued to any person who is under the age of twenty-one years or who is unable to read and write one or other of the official languages or who in the opinion of the magistrate is otherwise unsuitable or, in respect of such preparations known as "patent," "proprietary" or "Dutch" medicines containing poison as may be specified or described in regulations to be made by the Minister, to any person who carries on business in or within five miles of any municipality, town, or village if therein a chemist and druggist is carrying on business.

(5) The holder of any such certificate shall keep all poisons in his possession or charge under proper care and control, entirely separate from articles of food or drink and either in a store provided with a proper lock and key and reserved solely for the purpose, or in a special cupboard or receptacle provided with a proper lock and key. No poison shall be sold over any counter or table used in connection with the handling, preparation or sale of any article of food or drink.

(6) The magistrate may cancel any certificate issued by him under this section if satisfied after enquiry, of which the holder shall have notice, that the requirements of this section have not been observed by the holder or that the continuation of such certificate is not in the public interest.

(7) Any authority granted under any of the scheduled laws to a person or society or company described in subsection (1) to sell poisons therein described shall cease to be valid at the expiry of six months after the commencement of this Act.

Conditions of sale of poisons by dealers.

52. (1) A dealer to whom or the responsible officer of a society or company to which has been granted a certificate under the last preceding section shall not sell or supply any poison therein described (other than "patent," "proprietary" or "Dutch" medicines containing poison) unless in respect of every sale or supply he enters in a book to be exclusively kept for the purpose (herein called the "poisons book"):—

(a) the date of the sale or supply; and

(b) the nature and quantity of the poison sold or supplied; and

(c) the full name and address and the occupation and place of employment of the purchaser or recipient; and

(d) the purpose for which the poison is stated to be required,

and unless further to such entry is affixed the signature of the purchaser or recipient, and if such purchaser or recipient has not previously been known to the dealer or responsible officer, the signature also of a person whom the dealer or responsible officer knows and who knows the purchaser or recipient: Provided that where the purchase of poison is sought on a written order which discloses the purpose for which it is to be used and is signed by a person known to the dealer or responsible officer as a person entitled to sign the poisons book, the dealer or responsible officer may supply the poison and shall retain and keep the order and shall enter all particulars of the sale in the poisons book.

(2) If there exists any written contract relative to the sale or supply of any poison, the dealer or responsible officer shall enter all particulars thereof in the poisons book and shall not sell or supply any poison in fulfilment of such contract unless the signature of the other party thereto is known to him or attested by a magistrate, justice of the peace or commissioner of oaths.

(3) Every poison or preparation aforesaid kept for sale by a dealer or society or company shall be kept for sale and sold or supplied in unbroken original containers as supplied by the manufacturer or wholesale dealer. Such containers shall be securely closed, free from leaks and of sufficient strength to withstand rough usage, and shall be clearly labelled with—

(b) vergifte tot gebruik vir veeartsenykundige doeleindes;

(c) giftige stowwe tot uitsluitende gebruik vir die skoonmaak van klere en dergelike doeleindes;

en aan so 'n algemene of kleinhandelaar mag die magistraat van die distrik, waarin sy besigheid gedryf word, ook 'n sertifikaat verleen dat hy sodanige gifhoudende preparate wat "patente" of "private" of "Hollandse" medisyne genoem word, as wat opgenoem of beskrywe mog wees in regulasies, deur die Minister uit te vaardig, mag aanhou om te verkoop en mag verkoop.

(2) Elke sodanige sertifikaat is slegs geldig tot die een-en-dertigste dag van Desember van die jaar waarin dit uitgereik is, moet van 'n belastingseël ter waarde van tien sjielings voorsien wees, moet die plek waar so 'n vergif of preparaat deur die handelaar, vereniging of maatskappy verkoop mag word en die naam van die persoon wat verantwoordelik is vir die toesig op die verkoop of lewering ooreenkomstig die bepalings van hierdie Wet, vermeld en moet uitgereik word in ooreenstemming met regulasies wat die Minister uitgevaardig het en mag die verkoop van so 'n vergif of preparaat slegs op daardie plek en in die geval van 'n vereniging of maatskappy, slegs aan sy lede veroorloof.

(3) So 'n sertifikaat mag nie uitgereik word nie tensy die magistraat van oordeel is dat sy uitreiking in die publieke belang wenslik is.

(4) So 'n sertifikaat mag nie uitgereik word nie aan iemand wat onder een-en-twintig jaar oud is of wat nie die een of die ander offisiële taal kan lees en skrywe nie of wat volgens oordeel van die magistraat andersins ongeskik is of, ten opsigte van sodanige gifhoudende preparate wat "patente" of "private" of "Hollandse" medisyne genoem word, as wat in regulasies deur die Minister uit te vaardig, vermeld of omskrywe mog wees, aan iemand wat besigheid dryf in of binne vyf myl van 'n munisipaliteit, stad of dorp, waarin 'n apteker besigheid dryf.

(5) Die besitter van so 'n sertifikaat moet alle vergifte wat in sy besit of bewaring is, onder behoorlike sorg en toesig hou, heeltemal afgesonder van eetware of drank en wel in 'n magasyn voorsien van 'n behoorlike slot en sleutel wat uitsluitend vir daardie doel bestem is, of in 'n spesiale kas of houer wat van 'n behoorlike slot en sleutel voorsien is. Geen vergif mag verkoop word oor 'n toonbank of tafel wat in verband met die hantering, vervaardiging of verkoop van eetware of drank gebruik word.

(6) Die magistraat kan 'n sertifikaat wat hy ingevolge hierdie artiekel uitgereik het, intrek as hy, na 'n ondersoek waarvan die sertifikaathouer kennis moet kry, oortuig is dat die sertifikaathouer nie aan die voorskrifte van hierdie artiekel gevolg gegee het nie of dat die voortduring van daardie sertifikaat nie in die publieke belang is nie.

(7) Enige magtiging kragtens 'n herroepe wet aan iemand of aan 'n in sub-artiekel (1) genoemde vereniging of maatskappy verleen om die daarin genoemde vergifte te verkoop, verloor sy geldigheid na verloop van ses maande na die inwerkingtreding van hierdie Wet.

Voorwaardes van verkoop van vergifte deur handelaars.

52. (1) 'n Handelaar aan wie of die verantwoordelike beampte van 'n vereniging of maatskappy waaraan ingevolge die voorgaande artiekel 'n sertifikaat verleen is mag geen daarin vermelde vergif (buiten gifhoudende "patente" of "private" of "Hollandse" medisyne) verkoop of lewer nie tensy hy by elke verkoop of lewering in 'n uitsluitend daartoe bestemde boek (hieronder "gifboek" genoem) aantekening hou van—

(a) die dag van verkoop of lewering; en

(b) die soort en hoeveelheid van die verkoopte of gelewerde vergif; en

(c) die volledige naam en adres en die beroep en diensplek van die koper of ontvanger; en

(d) die doel waarvoor die vergif beweer word benodig te wees,

en tensy, verder, daardie aantekening onderteken word deur die koper of ontvanger, en as die handelaar of verantwoordelike beampte die koper of ontvanger nie voorheen geken het nie, ook deur iemand wat aan die handelaar of verantwoordelike beampte bekend is en wat die koper of ontvanger ken: Met die verstande dat wanneer die koop van vergif steun op 'n skriftelike bestelling waaruit blyk vir watter doel dit bestem is en wat geteken is deur iemand wat aan die handelaar of verantwoordelike beampte bekend is as iemand wat geregtig is om die gifboek te teken, die handelaar of verantwoordelike beampte die vergif mag lewer en die bestelling moet behou en bewaar en alle besonderhede van die verkoop in die gifboek moet opteken.

(2) Bestaan daar 'n skriftelike kontrak op verkoop of lewering van vergif, dan moet die handelaar of verantwoordelike beampte alle besonderhede daarvan in die gifboek opteken en mag geen vergif in die uitvoering van daardie kontrak verkoop of lewer nie tensy hy die handtekening van die ander party ken of dit geattesteer is deur 'n magistraat, vrederegter of kommissaris van ede.

(3) Elke voormelde vergif of preparaat wat 'n handelaar of vereniging of maatskappy te koop aanhou moet aangehou en verkoop of gelewer word in onaangebroke oorspronklike houers, soos deur die fabrikant of groothandelaar gelewer. Daardie houers moet dig toe, sonder lekkasie en sterk genoeg wees om ruwe behandeling te verdra en moet voorsien wees van 'n duidelike etiket bevattende—

(a) the name of the article and of the specific poison contained therein, in both the English and Dutch languages; and

(b) the words "Poison" and "Vergif" in type more conspicuous than that of the remainder of the label; and

(c) the name and address of the dealer or supplier.

Saving in case of wholesale dealing.

53. Nothing in this Act contained shall be construed as prohibiting the sale or supply in the ordinary course of wholesale dealing or in bulk as defined by regulations made by the Minister under this Chapter—

(a) by any importer or dealer to any other importer or dealer of any of the poisons or preparations referred to in section *fifty-one;* or

(b) by any manufacturer or wholesale distributor of any poison sold for mining or industrial or agricultural purposes,

or as prohibiting the distribution by persons on behalf of the Government of such poisons as may be specified by the Minister by notice in the *Gazette:* Provided that the provisions of sub-section (3) of section *fifty-two* shall be complied with.

Penalty for keeping or using poison without reasonable care.

54. Any person who keeps in his possession or under his control or uses any poison without exercising all reasonable care in the custody or use thereof shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds.

Conditions of sale or supply of poisons by chemists and druggists.

55. Every chemist and druggist, or any indentured apprentice or unregistered assistant acting under the personal supervision of a chemist and druggist, or a magistrate may sell or supply poisons or preparations containing poison under the following conditions but not otherwise—

(a) the container in which on delivery to the purchaser or recipient the poison is contained, shall be conspicuously labelled with the name and address of the chemist and druggist by whom or on whose behalf the sale or supply has been effected and with the name of the article and of the specific poison contained therein in the English and Dutch languages and the words "Poison" and "Vergif" in type more conspicuous than that of the remainder of the label;

(b) if the poison or preparation is for external use, the container in which on delivery to the purchaser or recipient the poison is contained shall be distinguishable by touch from ordinary similar containers and shall be labelled "For external use only" and "Alleen vir uitwendige gebruik";

(c) if the poison is one mentioned or included in Division I. of the Fourth Schedule to this Act, an entry shall be made in a book to be called the "poisons book," to be kept for the purpose, setting forth the date of the sale or supply, the name of the poison, the quantity sold or supplied, the name and address of the purchaser or recipient and the purpose for which the poison is stated to be required, and to the entry shall, before delivery of the poison, be affixed the signature of the purchaser or recipient, and if he has not previously been known to the seller or supplier, the signature also of a person whom the seller or supplier knows and who knows the purchaser or recipient;

(d) if there is a written order or contract relative to the sale or supply of any poison or preparation containing poison mentioned or included in Division I. of the Fourth Schedule to this Act the seller or supplier shall enter all particulars thereof in the poisons book and shall not sell or supply any such poison in fulfilment of any written order or contract unless either the purchaser is known to him or the signature of the purchaser is attested by a magistrate or justice of the peace or commissioner of oaths;

Provided that, in the case of the sale or supply of any poison in the ordinary course of wholesale dealing or in bulk as defined by regulation made by the Minister under this Chapter, it shall be sufficient if the poison is contained in a container which is securely closed, free from leaks and of sufficient strength to withstand rough usage, and that it is labelled in accordance with paragraph (a) of this section.

Saving as to labelling of medicines dispensed on prescription.

56. Nothing in the last preceding section contained shall apply to any poison contained in medicine dispensed by a chemist and druggist or medical practitioner or dentist or authorized veterinarian if the medicine so dispensed is labelled with the name and address of the person by whom or on whose behalf the sale or supply has been effected and the name and the quantity of each ingredient are entered, together with the name of the person to whom it is sold or supplied and the date of the sale or supply, in a book called the "prescription book" to be kept by the seller or supplier for the purpose.

Poison not to be sold to persons under fifteen years of age except on a prescription or order.

57. No poison shall be sold or supplied or delivered to any person apparently under the age of fifteen years except upon a prescription dispensed by a chemist and druggist or medical practitioner or dentist or authorized veterinarian or on a written order which discloses the purpose for which the poison is to be used and bears a signature for which the poison is to be used and bears a signature known to the seller or supplier as the signature of a person entitled to

(a) die benaming van die voorwerp en van die bepaalde vergif wat dit bevat, sowel in Engels as in Hollands; en

(b) die woorde "Poison" en "Vergif" in meer opvallende drukletters dan die van die orige deel van die etiket; en

(c) die naam en adres van die handelaar of leweransier.

Uitsondering van groothandel.

53. Hierdie Wet belet nie die verkoop of lewering, in die gewone groothandel of by die grote maat soas omskrywe in regulasies deur die Minister ingevolge hierdie Hoofstuk uitgevaardig—

(a) deur 'n invoerder of handelaar aan 'n ander invoerder of handelaar, van vergifte of preparate vermeld in artiekel *een-en-vyftig;* of

(b) deur 'n fabrikant of groothandelaar, van vergif wat vir myn- of industriële of landboudoeleindes verkoop word,

en belet ook nie die uitdeling, deur iemand namens die Regering, van sodanige vergifte as wat deur die Minister by kennisgewing in die *Staatskoerant* vasgestel mog word, mits aan die bepalings van sub-artiekel (3) van artiekel *twee-en-vyftig* voldoen word.

Straf op aanhou of gebruik van vergif sonder redelike voorsorg.

54. Iemand wat vergif in sy besit of onder sy toesig hou of gebruik sonder om elke redelike voorsorg by die bewaring of gebruik daarvan toe te pas, is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens vyftig pond.

verkoop of lewering van vergif Voorwaardes van deur apteke rs.

55. Elke apteker, of 'n ingeboekte leerling of ongeregistreerde bediende wat onder die persoonlike toesig van 'n apteker handel, of 'n magistraat mag vergifte of gifhoudende preparate onder die volgende voorwaardes verkoop of lewer, maar nie anders nie—

(a) die houer wat die vergif by oorhandiging aan die koper of ontvanger bevat, moet 'n in die oogvallende etiket dra met die naam en adres van die apteker deur of namens wie die verkoop of lewering plaasgevind het en met die benaming in Engels en Hollands van die voorwerp en van die bepaalde vergif wat dit bevat en die woorde: "Poison" en "Vergif" in meer opvallende drukletters dan die op die orige deel van die etiket;

(b) as die vergif of preparaat vir uitwendige gebruik is, moet die houer, wat die vergif by aflewering aan die koper of ontvanger bevat, deur betasting van gewone soortgelyke houers te onderskeie wees en voorsien wees van die opskrif "For external use only" en "Alleen vir uitwendige gebruik";

(c) as dit 'n vergif is wat vermeld of opgeneem is in afdeling I. van die Vierde Bylae tot hierdie Wet, moet in 'n daarvoor aan te houe boek, die "gifboek" te noem, opgeteken word die dag van verkoop of lewering, die benaming van die vergif, die verkoopte of gelewerde hoeveelheid, die naam en adres van die koper of ontvanger en die doel waarvoor die vergif beweer word benodig te wees, en voor oorhandiging van die vergif moet die optekening onderteken word deur die koper of ontvanger, en as die verkoper of leweransier hom nie voorheen geken het nie, ook deur iemand wat aan die verkoper of leweransier bekend is en die koper of ontvanger ken;

(d) bestaan daar 'n skriftelike bestelling of kontrak op verkoop of lewering van vergif of van 'n gifhoudende preparaat vermeld of opgeneem in afdeling I. van die Vierde Bylae tot hierdie Wet moet die verkoper of leweransier alle besonderhede daarvan in die gifboek opteken en hy mag nie so 'n vergif in die uitvoering van 'n skriftelike bestelling of kontrak verkoop of lewer nie tensy hy die koper ken of tensy die handtekening van die koper deur 'n magistraat, vrederegter of kommissaris van eede geattesteer is:

Met die verstande, dat dit by die verkoop of lewering van vergif in die gewone groothandel of by die grote maat soas omskrywe in regulasies deur die Minister ingevolge hierdie Hoofstuk uitgevaardig, voldoende is, as die vergif vervat is in 'n houer wat dig toe, sonder lekkasie en sterk genoeg is om ruwe behandeling te verdra en as dit van 'n etiket voorsien is ooreenkomstig paragraaf (a) van hierdie artiekel.

Uitsondering omtrent opskrif op medisyne na resep opgemaak.

56. Die bepalings van die voorgaande artiekel is nie van toepassing nie op vergif wat voorkom in medisyne geresepteer deur 'n apteker of geneesheer óf tandarts of bevoegde veearts, as die aldus geresepteerde medisyne voorsien is van 'n etiket met die naam en adres van die persoon deur of namens wie die verkoop of lewering plaasgevind het en die naam en hoeveelheid van elke bestanddeel met die naam van die persoon aan wie dit verkoop of gelewer is en die dag van verkoop of lewering opgeteken word in 'n boek, die "resepteboek" genoem, wat die verkoper of leweransier vir die doel moet aanhou.

Vergif mag nie aan iemand onder 15 jaar verkoop word nie behalwe op resep of bestelling.

57. Geen vergif mag verkoop of gelewer of oorhandig word aan iemand wat blykbaar onder vyftien jaar oud is, behalwe op 'n resep opgemaak deur 'n apteker of geneesheer of tandarts of bevoegde veearts of op 'n skriftelike bestelling waaruit blyk vir watter gebruik die vergif bestem is en waarop 'n handtekening voorkom wat aan die verkoper of leweransier bekend is as die handtekening van iemand wat

sign the poisons book. Such order shall be retained by the seller or supplier and the details therein shall be entered by him in the poisons book.

Inspection of poisons books.

58. (1) The poisons book to be kept under this Chapter shall be open to inspection by any person authorized thereto in writing by the Minister, or the registrar of the board or by any person authorized thereto by him in writing, or by any member of the police force of or above the rank of sergeant.

(2) Any chemist and druggist and any dealer or the responsible officer of any society or company authorized to sell or supply poison who, personally or by his agent, fails upon demand to produce his poisons book for inspection by any person authorized thereto by or under this section shall be guilty of an offence.

Other offences.

59. Any person who—

(a) purchases or obtains or attempts to purchase or obtain poison by giving false information to the seller or supplier in relation to any particulars which the latter is authorized to require; or

(b) signs any record required to be kept under this Chapter as knowing any person when that person was not previously known to him,

shall be guilty of an offence.

Regulations under this Chapter.

60. The Minister after consulting the council and the board may make regulations—

(a) as to the importation, manufacture, conveyance, keeping, storage, packing, dispensing, labelling, colouring, flavouring, sale, supply or use of poisons;

(b) specifying the forms of certificates to be issued by magistrates to persons permitted under section *fifty-one* to keep and sell poisons;

(c) specifying the poisons or preparations containing poison which may or may not be sold by certificated persons described in section *fifty-one;*

(d) as to the inspection of poisons books and other inspections in connection with any matter referred to in paragraph (a);

(e) as to what shall be deemed for the purpose of this Chapter to be sales of poisons in bulk;

(f) exempting from all or any specified provisions or requirements of this Act any specified preparation, compound or admixture containing a poison in such small quantity or so prepared or compounded as to be relatively safe or innocuous, subject to such conditions or restrictions as may be specified in the regulations,

and generally for the better carrying out of the objects and purposes of this Chapter.

CHAPTER VI.

REGULATION OF IMPORTATION, SALE AND USE OF OPIUM AND OTHER HABIT-FORMING DRUGS.

Prohibition of importation, exportation, manufacture or disposal of habit-forming drugs.

61. (1) Notwithstanding anything contained in Chapter V. or in any other law, no person shall, save as is in this Chapter provided—

(a) import, convey, transmit, export, tranship, produce or manufacture, or assist in the importation, conveyance, transmission, exportation, transhipment, production or manufacture, of any habit-forming drug mentioned or included in the Fifth Schedule to this Act; or

(b) import, convey, transmit, export, tranship, cultivate or collect, or assist in the importation, conveyance, transmission, exportation, transhipment, cultivation or collection, of any plant or portion of a plant from which any such drug can be extracted, derived, produced or manufactured; or

(c) administer, give, sell, barter, exchange or otherwise supply, or use, accept, purchase, take in exchange or otherwise receive or be in possession of any such drug, plant or portion of a plant.

(2) Every person who keeps in his possession or under his control or uses any habit-forming drug without exercising all reasonable care in the custody or use thereof shall be guilty of an offence.

Importation or acquisition of habit-forming drugs under certificate.

62. (1) A chemist and druggist, or an individual or body corporate entitled under this Act to carry on the business of chemist and druggist, or a medical practitioner, dentist or authorized veterinarian may, when authorized thereto by a certificate issued in accordance with the next succeeding section, import from outside the Union or acquire by purchase or otherwise from a producer or manufacturer licensed under section *sixty-four* any such drug aforesaid, in quantities stated in such certificate.

(2) No person authorized under this section to import into or to acquire by purchase or otherwise within the Union any habit-forming drug shall dispose of the same except in manner prescribed in this Chapter.

geregtig is om die gifboek te teken. Die verkoper of leweransier moet daardie bestelling behou, en hy moet die daarop voorkomende besonderhede in die gifboek inskrywe.

Insage van gifboeke.

58. (1) Die ingevolge hierdie Hoofstuk te houe gifboek moet ter insage beskikbaar wees aan enigeen wat die Minister skriftelik daartoe gemagtig het, of aan die registrateur van die kommissie, of aan enigeen wat hy skriftelik daartoe gemagtig het, of aan enige lid van die poliesiemag wat die rang van sersjant of 'n hoëre rang beklee.

(2) 'n Apteker en 'n handelaar of verantwoordelike beampte van 'n vereniging of maatskappy wat gemagtig is om vergif te verkoop of te lewer en wat persoonlik of deur sy verteenwoordiger versuim om op aanvraag sy gifboek ter insage voor te lê aan iemand wat deur of ingevolge hierdie artiekel daartoe gemagtig is, is aan 'n misdryf skuldig.

Ander misdrywe.

59. Iemand wat—

(a) vergif koop of verkry of poog om te koop of te verkry deur valse inligtings te gee aan die verkoper of leweransier met betrekking tot besonderhede wat laasgenoemde geregtig is om te vorder; of

(b) deur ondertekening van 'n ingevolge hierdie Hoofstuk vereiste aantekening te kenne gee dat hy iemand ken, as hy daardie persoon nie voorheen geken het nie,

is aan 'n misdryf skuldig.

Regulasies kragtens hierdie Hoofstuk.

60. Die Minister mag na oorleg met die raad en die kommissie regulasies uitvaardig—

(a) omtrent die invoer, vervaardiging, vervoer, aanhouding, opslag, verpakking, resepteer, voorsiening van etikette, kleuring, smaakgewing, verkoop, lewering of gebruik van vergifte;

(b) wat die vorm vasstel van sertifikate, deur magistrate uit te reik aan mense wat kragtens artiekel *een-en-vyftig* vergifte mag aanhou en verkoop;

(c) wat die vergifte of gifhoudende preparate vasstel wat al dan nie verkoop mag word deur die sertifikaathouers vermeld in artiekel *een-en-vyftig;*

(d) omtrent die insage van gifboeke en ander ondersoeke in verband met enige saak vermeld in paragraaf (a);

(e) omtrent die vraag wat vir die doeleindes van hierdie Hoofstuk beskou word as verkoop van vergif by die grote maat;

(f) wat vrystelling verleen van alle of van bepaalde voorskrifte of vereistes van hierdie Wet ten opsigte van 'n bepaalde preparaat, samestelling of mengsel waarin vergif voorkom in so 'n klein hoeveelheid of sodanig berei of opgemaak dat dit betreklik veilig of onskadelik is, met inagneming van sodanige voorwaardes of beperkings as wat die regulasies mog bepaal.

en oor die algemeen tot betere verwesenliking van die oogmerke en doeleindes van hierdie Hoofstuk.

HOOFSTUK VI.

REËLING VAN INVOER, VERKOOP EN GEBRUIK VAN OPIUM EN ANDER GEWOONTEVORMENDE MEDISYNE.

Verbod van invoer, uitvoer, vervaardiging of vervreemding van gewoontevormende medisyne.

61. (1) Nieteenstaande die bepalings van Hoofstuk V. of van enige ander wet, mag niemand behalwe volgens bepaling van hierdie Hoofstuk—

(a) gewoontevormende medisyne, vermeld of opgeneem in die Vyfde Bylae tot hierdie Wet, invoer, vervoer, verstuur, uitvoer, oorlaai, voortbring of vervaardig of by die invoer, vervoer, versending, uitvoer, oorlaaiing, voortbringing of vervaardiging daarvan behulpsaam wees; of

(b) 'n plant of deel van 'n plant waaruit sulke medisyne afgetrek, verkry, voortgebring of vervaardig kan word, invoer, vervoer, verstuur, uitvoer, oorlaai, verbou of insamel of by die invoer, vervoer, versending, uitvoer, oorlaaiing, verbouing of insameling daarvan behulpsaam wees; of

(c) sulke medisyne of so 'n plant of deel van 'n plant toedien, gee, verkoop, verruil of andersins verstrek of gebruik, aanneem, koop, of in ruil of andersins ontvang of besit.

(2) Elkeen wat gewoontevormende medisyne in sy besit of bewaring hou of gebruik sonder elke redelike voorsorg by die bewaring of gebruik daarvan toe te pas, is aan 'n misdryf skuldig.

Invoer of verkryging van gewoontevormende medisyne kragtens sertifikaat.

62. (1) 'n Apteker, of 'n indiwidu of regspersoon ingevolge hierdie Wet geregtig om as apteker besigheid te dryf, of geneesheer, tandarts of bevoegde veearts mag, indien daartoe gemagtig deur 'n sertifikaat uitgereik ooreenkomstig die eersvolgende artiekel, sodanige medisyne as voormeld, in hoeveelhede in die sertifikaat bepaal, van buite die Unie invoer of deur koop of andersins verkry van 'n voortbringer of vervaardiger wat ingevolge artiekel *vier-en-sestig* gelisensieer is.

(2) Niemand wat ingevolge hierdie artiekel gemagtig is om gewoontevormende medisyne in die Unie in te voer of daarin deur koop of andersins te verkry, mag dit van die hand sit behalwe volgens voorskrif van hierdie Hoofstuk.

(3) Except as authorized by this Act or by a certificate or order issued thereunder, no person other than a chemist and druggist, or an individual or body corporate entitled under this Act to carry on the business of chemist and druggist, shall for purposes of sale or supply to any other person be in possession of or keep any habit-forming drug: Provided that a medical practitioner, or a dentist, or an authorized veterinarian may keep such drugs to be used or supplied by him in accordance with the provisions of this Act and exclusively for medicinal purposes in the course of his practice, and provided further that the medical superintendent or medical officer in charge of a hospital or other institution used solely for the reception of sick persons may keep any such drug for use therein in accordance with the provisions of this Act.

(3) Niemand behalwe 'n apteker, of 'n individu of regspersoon ingevolge hierdie Wet geregtig om as apteker besigheid te dryf, mag gewoontevormende medisyne besit of aanhou om dit aan iemand anders te verkoop of te lewer, tensy hy deur hierdie Wet of 'n ingevolge daarvan uitgereikte sertifikaat of order daartoe gemagtig is: Met die verstande dat 'n geneesheer of 'n tandarts of 'n bevoegde veearts sulke medisyne mag aanhou om deur hom ooreenkomstig die bepalings van hierdie Wet en uitsluitend as geneesmiddel in sy praktyk gebruik of verstrek te word, en met die verstande ook dat die geneeskundige superintendent of geneeskundige amptenaar aan die hoof van 'n hospitaal of ander inrigting wat alleen vir die opname van siekes gebruik word, sulke medisyne mag aanhou om daarin ooreenkomstig die bepalings van hierdie Wet gebruik te word.

Certificates authorizing the importation or acquisition of habit-forming drugs

63. (1) Every certificate authorizing the importation or acquisition by purchase or otherwise of any habit-forming drug shall be in such a form and shall contain or be subject to such conditions as may be prescribed by regulation made by the Minister and shall be issued on the authority of the Minister by such officer as may from time to time be designated by him.

Sertifikate vir invoer of verkryging van gewoontevormende medisyne.

63. (1) Elke sertifikaat wat magtiging verleen tot invoer of verkryging deur koop of andersins, van gewoontevormende medisyne moet in so 'n vorm wees en sulke voorwaardes bevat of daaraan onderhewig wees as wat vasgestel mog wees in regulasies deur die Minister uitgevaardig, en moet op gesag van die Minister uitgereik word deur 'n amptenaar wat van tyd tot tyd deur hom aangewys mog word.

(2) Every application for any such certificate shall be made in the form prescribed by regulation and shall in the first instance be sent, if made by a medical practitioner or dentist, to the council, and if made by a chemist and druggist or authorized veterinarian, to the board, and shall be transmitted by the registrar together with an endorsement of the views of the council or board to the officer authorized in accordance with sub-section (1) to issue such certificate.

(2) Elke aansoek om so 'n sertifikaat moet gedaan word in die vorm wat by regulasie voorgeskrywe is en moet, indien gedaan deur 'n geneesheer of tandarts, in die eerste plek aan die raad, en indien gedaan deur 'n apteker of bevoegde veearts, in die eerste plek aan die kommissie gestuur word, en moet deur die registrateur aan die amptenaar wat ooreenkomstig sub-artiekel (1) gemagtig is om sulke sertifikate uit te reik, deurgestuur word met 'n aantekening van die sienswyse van die raad of kommissie.

Certificates and licences to import or cultivate plants from which habit-forming drugs can be extracted.

64. (1) (a) On being satisfied that for medicinal, surgical, dental, veterinary or export purposes there is a reasonable and legitimate demand for any habit-forming drug which can be extracted, derived, produced or manufactured, within the Union, or for any plant or portion of a plant from which any such drug is derived which can be cultivated within the Union the Minister may authorize the issue of—

(i) licences for the importation, cultivation or collection of plants, or any portion thereof, from which any such drug can be extracted, derived, produced or manufactured; or

(ii) licences for the extraction, derivation, production or manufacture of any such drug; or

(iii) certificates authorizing the sale within, or exportation from, the Union of any such plant or portion thereof, or of any such drug.

Sertifikate en lisensies om plante, waaruit gewoontevormende medisyne afgetrek kan word, in te voer of te verbou.

64. (1) (a) As die Minister oortuig is dat daar vir geneeskundige, girurgiese, tandheelkundige, veeartsenykundige of uitvoerdoeleindes 'n redelike en wettige navraag bestaan vir gewoontevormende medisyne wat in die Unie afgetrek, verkry, voortgebring of vervaardig kan word of vir 'n plant of deel van 'n plant waaruit sulke medisyne verkry word wat in die Unie verbou kan word, dan mag hy magtiging verleen tot uitreiking van—

(i) lisensies vir die invoer, verbouing of insameling van plante, of van enige deel daarvan, waaruit sulke medisyne afgetrek, verkry, voortgebring of vervaardig kan word; of

(ii) lisensies om sulke medisyne af te trek, te verkry, voort te bring of te vervaardig; of

(iii) sertifikate wat magtiging verleen om so 'n plant of deel daarvan of sulke medisyne in die Unie te verkoop of daaruit uit te voer.

(b) Every such licence or certificate shall set forth the place at which importation or exportation of the plants or portion thereof or exportation of the drugs may be permitted, or the place at which the plants may be cultivated or collected, or at which the drugs may be extracted, derived, produced or manufactured, and shall contain such conditions as to cultivation, collection, extraction, derivation, production, manufacture, importation, exportation, storage, distribution and sale, and as to the keeping of records, as the Minister may deem necessary for the purpose of giving effect to the objects of this Chapter.

(b) Elke sodanige lisensie of sertifikaat moet die plek vermeld waar invoer of uitvoer van die plante of deel daarvan of die uitvoer van die medisyne vergun mog wees, of die plek waar die plante verbou of ingesamel mag word, of waar die medisyne afgetrek, verkry, voortgebring of vervaardig mag word, en moet sodanige voorwaardes bevat wat betref die verbouing, insameling, aftrekking, verkryging, voortbrenging, vervaardiging, invoer, uitvoer, opslag, omset en verkoop, en wat betref boekhou, as wat die Minister nodig mog ag om die oogmerke van hierdie Hoofstuk te bereik.

(2) (a) No person shall export or remove out of the Union in any way whatsoever any habit-forming drug unless a certificate for such export or removal has been issued to him under the authority of the Minister and in accordance with regulations.

(2) (a) Niemand mag gewoontevormende medisyne op watter manier ook uit die Unie uitvoer of vervoer tensy 'n sertifikaat vir sodanige uitvoer of vervoer aan hom uitgereik is op gesag van die Minister en ooreenkomstig die regulasies.

(b) No such certificate shall be issued unless or until there is furnished by the applicant a certificate by a duly authorized officer of the Government or Administration of the importing country to the effect that such Government or Administration is satisfied that the drug and the quantity thereof for which an export certificate is desired is required and will be used exclusively for medicinal, scientific or educational purposes and that such Government or Administration approves of the importation.

(b) Geen sodanige sertifikaat mag uitgereik word nie, tensy of totdat die aanvraer 'n sertifikaat oorlê van 'n behoorlik gemagtigde amptenaar van die Regering of Administrasie van die invoerende land, dat daardie Regering of Administrasie oortuig is dat die medisyne en die hoeveelheid daarvan waarvoor 'n uitvoersertifikaat verlang word, benodig is en uitsluitend gebruik sal word vir geneeskundige, wetenskaplike of opvoedkundige doeleindes en dat daardie Regering of Administrasie die invoer goedkeur.

(3) Notwithstanding anything in this Act no person shall import into the Union or export therefrom any prepared opium as defined in the Fifth Schedule to this Act and no certificate for the importation or exportation of any prepared opium shall be issuable under this Act.

(3) Nieteenstaande die bepalings van hierdie Wet mag niemand bereide opium, soas omskrywe in die Vyfde Bylae tot hierdie Wet, in die Unie invoer of daaruit uitvoer en geen sertifikaat vir die invoer of uitvoer van bereide opium kan ingevolge hierdie Wet uitgereik word.

Conditions under which habit-forming drugs may be used, sold or disposed of.

65. (1) Any habit-forming drug imported or otherwise acquired by a chemist and druggist or other authorized person in accordance with the provisions of this Chapter may be used in the manufacture of any preparation, admixture or extract of such drug, and any such drug or any preparation, admixture or extract thereof, being in itself a habit-forming drug mentioned or included in the Fifth Schedule to this Act, may be sold or supplied under the following conditions, but not otherwise—

(a) to a medical practitioner, dentist or authorized veterinarian or to a chemist and druggist, or to a responsible medical officer of, and on behalf of, a hospital or other institution used solely for the reception of sick persons, on production of a written order signed by such medical practitioner or officer, dentist, authorized veterinarian or chemist and druggist;

(b) to any person, on production of a prescription signed by a medical practitioner, dentist, or authorized veterinarian;

Voorwaardes waaronder gewoontevormende medisyne gebruik, verkoop of vervreemd mag word.

65. (1) Gewoontevormende medisyne, ingevoer of andersins verkry deur 'n apteker of ander bevoegde persoon ooreenkomstig die bepalings van hierdie Hoofstuk, mag gebruik word by die vervaardiging van 'n preparaat, mengsel of aftreksel van sulke medisyne, en sulke medisyne of 'n preparaat, mengsel of aftreksel daarvan wat self 'n in die Vyfde Bylae tot hierdie Wet vermelde of opgeneemde gewoontevormende medisyne is, mag onder die volgende voorwaardes, maar anders nie verkoop of gelewer word—

(a) aan 'n geneesheer, tandarts of bevoegde veearts of aan 'n apteker of aan 'n verantwoordelike geneeskundige amptenaar van en ten behoewe van 'n hospitaal of ander inrigting wat gebruik word uitsluitend vir die opname van siekes, teen vertoon van 'n skriftelike bestelling, geteken deur daardie geneesheer, tandarts, bevoegde veearts, apteker of geneeskundige amptenaar;

(b) aan enigeen, op vertoon van 'n resep, geteken deur 'n geneesheer, tandarts of bevoegde veearts;

(c) to any person, without production of a written order or prescription, if such drug or preparation, admixture or extract thereof forms merely a component part of a recognised medicinal preparation and is in quantity insufficient to constitute the finished preparation a habit-forming drug as defined by the said Fifth Schedule;

(d) as authorized by regulations made by the Minister under this Chapter.

"Recognised medicinal preparation" for the purposes of this section means—

(i) a preparation manufactured or compounded in accordance with a formula contained in any recognized formulary declared to be such by the Minister by notice in the *Gazette;*

(ii) a preparation manufactured or compounded in accordance with a private formula or sold as a "patent" or "proprietary" or "Dutch" medicine if the name and quantity of the habit-forming drug contained in such formula or "patent" or "proprietary" or "Dutch" medicine have been submitted to and approved for the purpose of this section by the Minister.

Every such preparation shall be clearly labelled in both the English and Dutch languages with the name and quantity of the habit-forming drug contained therein, in addition to other particulars which may be required under the provisions of Chapter V. relating to the sale of poisons.

(2) No such drug acquired by a medical practitioner, dentist or authorized veterinarian or on behalf of a hospital or other institution aforesaid shall be used in the course of his practice by such medical practitioner, dentist or authorized veterinarian or in such hospital or institution except for strictly medicinal purposes as defined in section *ninety-six*.

(3) An order or prescription referred to in paragraph (a) or (b) of sub-section (1) shall be given by a dentist only for dental treatment and shall be headed by the words "For dental treatment only" "Alleen vir tandheelkundige behandeling."

(4) An order or prescription referred to in paragraph (a) or (b) of sub-section (1) shall be given by an authorized veterinarian only for the treatment of animals and shall be headed by the words "For animal treatment only" "Alleen vir die behandeling van diere."

(5) Every order or prescription referred to in paragraph (a) or (b) of sub-section (1) shall state—

(a) the name and quantity of such drug which may be sold or supplied thereon; and

(b) the name and address of the person for whom such drug is required or prescribed, or the name and address of the institution for which it is ordered; and

(c) the name, address and the profession or qualification of the person signing such prescription or order; and

(d) the date of issue of such prescription or order,

and not more than two issues of the drug mentioned in any such prescription or order shall be made thereon. Every such prescription or order shall be retained and preserved by the person selling or supplying the drug and no such person shall supply or permit to be made a copy of such prescription or order, except in respect of the provisions of sub-section (8) of this section.

(6) Every chemist and druggist and every medical practitioner, dentist or authorized veterinarian who, in the lawful exercise of his profession, uses or compounds or dispenses any habit-forming drug shall cause to be entered in a book to be called the "register of habit-forming drugs" and to be kept exclusively for the purpose—

(a) the quantity of any of such drugs possessed, imported or acquired by him as aforesaid;

(b) the date of the importation or acquisition;

(c) the person from whom and the place from which the same were imported or acquired; and

(d) the quantity which has been disposed of and whether by sale or by process of manufacture or dispensing or use in the ordinary course of practice, and if such disposal be by sale, the date of such sale and the name and address of the purchaser:

Provided that where a medical practitioner or the medical superintendent or medical officer in charge of a hospital or other institution used solely for the reception of sick persons, or a chemist and druggist, or an authorized veterinarian, keeps in a day book or prescription book a record of prescriptions dispensed, with the name and address of the patient or person supplied and the date of supply, it shall be sufficient for him to state in his register of habit-forming drugs the total quantity of each such drug used for dispensing and the serial number of the relative entries in such day book or prescription book.

(7) Every such register shall be kept up-to-date and in proper order, and shall be balanced so as to show clearly the quantity of each habit-forming drug remaining in stock as on the last day of March, June, September and December of each year, the balancing to be completed within the three days following each of the dates herein mentioned.

(c) aan enigeen, sonder vertoon van 'n skriftelike bestelling of resep, as daardie medisyne, preparaat, mengsel of affreksel daarvan net 'n bestanddeel uitmaak van 'n erkende geneeskundige preparaat en van onvoldoende hoeveelheid is om die volledige preparaat uit te maak van gewoontevormende medisyne soas omskrywe in die bedoelde Vyfde Bylae;

(d) soas veroorloof deur die regulasies, deur die Minister ingevolge hierdie Hoofstuk uitgevaardig.

"Erkende geneeskundige preparaat" beteken vir die doeleindes van hierdie artiekel—

(i) 'n preparaat, vervaardig of opgemaak volgens 'n formule vervat in 'n erkende formuleboek wat deur die Minister by kennisgewing in die *Staatskoerant* as sodanig verklaar is;

(ii) 'n preparaat, vervaardig of opgemaak volgens 'n private formule of verkoop as "patente" of "private" of "Hollandse" medisyne as die naam en hoeveelheid van die gewoontevormende medisyne wat in daardie formule of "patente" of "private" of "Hollandse" medisyne voorkom, aan die Minister meegedeel en deur hom vir die doel van hierdie artiekel goedgekeur is.

Elke sodanige preparaat moet voorsien wees van 'n duidelike etiket sowel in Engels as in Hollands, met die naam en hoeveelheid van die gewoontevormende medisyne wat dit bevat, benewens enige ander besonderhede wat nodig mog wees ingevolge die bepalings van Hoofstuk V. met betrekking tot die verkoop van vergifte.

(2) Geen sodanige medisyne wat deur 'n geneesheer, tandarts of bevoegde veearts of ten behoewe van 'n hospitaal of ander voormelde inrigting verkry is, mag deur daardie geneesheer, tandarts of bevoegde veearts in sy praktyk of in daardie hospitaal of inrigting anders gebruik word dan stiptelik as geneesmiddel soas in artiekel *ses-en-negentig* omskrywe.

(3) 'n Bestelling of resep vermeld in paragraaf (a) of (b) van sub-artiekel (1) mag deur 'n tandarts alleen vir tandheelkundige behandeling gegee word en moet die opskrif dra: "For dental treatment only," "Alleen vir tandheelkundige behandeling".

(4) 'n Bestelling of resep vermeld in paragraaf (a) of (b) van sub-artiekel (1) mag deur 'n bevoegde veearts alleen vir die behandeling van diere gegee word en moet die opskrif dra "For animal treatment only", "Alleen vir behandeling van diere."

(5) Elke bestelling of resep vermeld in paragraaf (a) of (b) van sub-artiekel (1) moet vermeld—

(a) die naam en hoeveelheid van die medisyne wat daarop verkoop of gelewer mag word; en

(b) die naam en adres van die persoon vir wie daardie medisyne benodig of voorgeskrywe is of die naam en adres van die inrigting, waarvoor dit bestel is; en

(c) die naam, adres en die beroep of bevoegdheid van die persoon wat die resep of bestelling teken; en

(d) die dag van uitreiking van daardie resep of bestelling,

en nie meer as twee uitgiftes van die medisyne wat in so 'n resep of bestelling vermeld is, mag uit kragte daarvan verstrek word nie. Die persoon wat die medisyne verkoop of lewer moet die resep of bestelling behou en bewaar en so iemand mag behalwe met betrekking tot die bepalings van sub-artiekel (8) van hierdie artiekel, geen afskrif van daardie resep of bestelling verstrek of laat maak nie.

(6) Elke apteker en elke geneesheer, tandarts of bevoegde veearts wat by die wettige uitoefening van sy praktyk gewoontevormende medisyne gebruik, opmaak of resepteer, moet in 'n boek, "register van gewoontevormende medisyne" genoem te word en uitsluitend vir daardie doel aan te hou, laat inskrywe—

(a) die hoeveelheid sodanige medisyne wat hy soas voormeld besit of ingevoer of verkry het;

(b) die dag van invoer of verkryging;

(c) van wie en van waar dit ingevoer of verkry is; en

(d) die van die hand gesette hoeveelheid en of dit geskied is deur verkoop of in die loop van vervaardiging of opmaking van resepte of gebruik by die gewone praktyk, en as deur verkoop van die hand geset is, die dag van die verkoop en die naam en adres van die koper:

Met die verstande dat, wanneer 'n geneesheer of die geneeskundige superintendent of geneeskundige amptenaar aan die hoof van 'n hospitaal of ander inrigting wat uitsluitend gebruik word vir die opname van siekes, of 'n apteker of 'n bevoegde veearts, in 'n dagboek of resepteboek aantekening hou van opgemaakte resepte, met die naam en adres van die pasjent of persoon aan wie gelewer is en die dag van lewering, dit voldoende is as hy in sy register van gewoontevormende medisyne vermeld die totale hoeveelheid van elke soort sodanige medisyne wat by opmaking van resepte gebruik is en die volgnommer van die betrokke aantekenings in daardie dagboek of resepteboek.

(7) Elke sodanige register moet tot op datum en in behoorlike volgorde bygehou word en die balans moet daarvan opgemaak word sodat duidelik blyk hoeveel van elke soort gewoontevormende medisyne in voorraad oorbly op die eerste dag van Maart, Junie, September en Desember van elke jaar. Die balans moet opgemaak word binne drie dae na elkeen van voormelde datums.

(8) Every such prescription or order and every such register as is mentioned in this section shall be retained and preserved for a period of at least three years, and shall be open to inspection by any person authorized thereto in writing by the Minister or by the Commissioner of Customs and Excise, or by any member of the police force authorized thereto in writing by a magistrate or by the registrar or by any person authorized thereto by him in writing, and any chemist and druggist or medical practitioner or dentist or authorized veterinarian who personally or by any person associated with or employed by him fails so to retain and preserve or forthwith upon demand to produce such prescription, order or register for inspection, or fails to furnish such particulars regarding dealings in habit-forming drugs as the Minister or the council or board or the person inspecting may require, shall be guilty of an offence.

Labelling and supply or delivery of habit-forming drugs.

66. (1) No person shall sell or supply to any person any habit-forming drug unless the container bears a label stating correctly the name and quantity of the contents.

(2) No person shall sell or supply any preparation, admixture or other substance containing any habit-forming drug unless the container bears a label stating correctly—

(a) in the case of a powder, solution or ointment, the nature and amount of the contents and the nature and percentage of the habit-forming drug contained therein;

(b) in the case of pills, tablets or other articles, the nature and amount of the habit-forming drug in each article and the number of articles in the container:

Provided that the provisions of this sub-section shall not apply to any preparation dispensed by a medical practitioner or on the prescription of a medical practitioner, dentist or authorized veterinarian.

(3) No person shall supply or deliver any habit-forming drug to any person not authorized under this Act to receive or be in possession of the same unless the latter produces a written authority signed by a person entitled to receive the drug, and unless the person supplying or delivering the drug is satisfied that the authority is genuine: Provided that this sub-section shall not apply to medicines dispensed by a medical practitioner or on the prescription of a medical practitioner, dentist or authorized veterinarian.

Governor-General may add to or amend the Fifth Schedule.

67. The Governor-General may from time to time, after the Minister has consulted with, or on the joint recommendation of, the council and board, and on the authority of a resolution of both Houses of Parliament, declare by proclamation in the *Gazette* any substance (other than those mentioned or included in the Fifth Schedule to this Act) to be a habit-forming drug, and by such proclamation may add that drug to, or may withdraw any drug from, or may otherwise amend the said Fifth Schedule.

Council or board to report evasions, etc. to Minister.

68. Where the council or board has reason to believe that any provision of this Chapter or of any regulation made thereunder is being contravened or evaded or that an amendment of any such provision is desirable the council or board shall bring the matter to the notice of the Minister.

Prohibition as to use of receptacles, etc., for smoking opium, etc.

69. No person shall smoke or use, or shall import, manufacture, sell or supply, or possess for purposes of sale or supply to any other person, any pipe, receptacle or appliance for smoking opium, Indian hemp or dagga or intsangu, or save and except in the circumstances contemplated in sections *sixty-two, sixty-four* and *sixty-five*, be in possession of, or consume, or use, any habit-forming drug or any plant or portion thereof from which such drug can be derived, extracted, produced or manufactured; and no person shall keep, or assist, or be concerned in the keeping of, or frequent, any premises or place for the smoking of opium, Indian hemp or dagga or intsangu, or for the surreptitious consumption, injection or administration in any manner whatsoever of any habit-forming drug.

Penalties.

70. Any person who contravenes any provision of section *sixty-one, sixty-two, sixty-five, sixty-six* or *sixty-nine* or the conditions of any certificate or licence issued under the provisions of section *sixty-three* or *sixty-four* or any regulation made under this Chapter shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months without the option of a fine or to both such fine and such imprisonment, and any such drug or plant referred to in any of these sections shall, if there is reasonable ground for suspecting that it has been unlawfully imported, acquired, produced, extracted, derived, or manufactured, be seized, and if any person is convicted of a contravention of any provision of any of those sections or of the conditions of any such certificate or licence aforesaid, the plant or drug or pipe, receptacle or appliance in respect of which the contravention has taken place shall be forfeited and shall be disposed of in accordance with regulations.

Powers of entry and search.

71. (1) Any person authorized thereto in writing by the Minister, or by the Commissioner of Customs and Excise, any police constable similarly authorized by a magistrate or special justice of the peace, or any police officer of or above the rank of sergeant, may at any time search any person suspected on reasonable grounds of being in unlawful possession of any habit-forming drug or plant from which such drug is derived, or enter and search any premises, place,

(8) Elke resep of bestelling en elke register waarvan in hierdie artiekel melding gemaak word, moet gedurende 'n tydperk van minstens drie jaar behou en bewaar word en moet ter insage beskikbaar wees aan elkeen wat skriftelik daartoe gemagtig is deur die Minister of deur die Kommissaris van Doeane en Aksyns of deur 'n lid van die poliesiemag skriftelik daartoe gemagtig deur 'n magistraat of deur die registrateur of deur iemand skriftelik deur hom daartoe gemagtig, en 'n apteker of geneesheer of tandarts of bevoegde veearts wat persoonlik of deur iemand wat met hom in verbinding of in sy diens staan, in gebreke bly om daardie resep, bestelling of register te behou en te bewaar of onmiddellik op aanvraag ter insage te vertoon, of in gebreke bly om sodanige besonderhede omtrent transaksies in gewoontevormende medisyne te verstrek as wat die Minister of die raad of kommissie of die insage-nemende persoon mog verlang, is aan 'n misdryf skuldig.

Etikette op, en lewering of afgifte van gewoontevormende medisyne.

66. (1) Niemand mag gewoontevormende medisyne aan iemand verkoop of lewer tensy die houer voorsien is van 'n etiket waarop die naam en hoeveelheid van die inhoud juis aangegee is.

(2) Niemand mag 'n preparaat, mengsel of ander stof waarin gewoontevormende medisyne voorkom, verkoop of lewer, tensy die houer voorsien is van 'n etiket waarop juis aangegee is—

(a) in die geval van 'n poeier, oplossing of salf, die aard en hoeveelheid van die inhoud en die aard en persentasie van die gewoontevormende medisyne wat dit bevat;

(b) in die geval van pille, tablette of ander voorwerpe, die aard en hoeveelheid van gewoontevormende medisyne in elke voorwerp en die aantal voorwerpe in die houer:

Met die verstande dat die bepalings van hierdie subartiekel nie van toepassing is nie op 'n preparaat opgemaak deur 'n geneesheer of op 'n resep van 'n geneesheer, tandarts of bevoegde veearts.

(3) Niemand mag gewoontevormende medisyne lewer of afgee aan iemand wat nie ingevolge hierdie Wet gemagtig is om dit te ontvang of te besit, tensy laasgenoemde 'n skriftelike magtiging vertoon, geteken deur iemand wat gemagtig is om die medisyne te ontvang, en tensy die persoon wat die medisyne lewer of afgee oortuig is dat die magtiging eg is: Met die verstande dat hierdie sub-artiekel nie van toepassing is nie op medisyne wat opgemaak is deur 'n geneesheer of op 'n resep van 'n geneesheer, tandarts of bevoegde veearts.

Goewerneur-generaal mag Vyfde Bylae aanvul of wysig.

67. Die Goewerneur-generaal mag van tyd tot tyd, nadat die Minister met die raad of kommissie beraadslaag het of op gesamentlike aanbeveling van die raad en kommissie, en op gesag van 'n besluit van albei Huise van die Parlement, hy proklamasie in die *Staatskoerant* enige stof (buiten die wat in die Vyfde Bylae tot hierdie Wet vermeld of opgeneem is) tot gewoontevormende medisyne verklaar en by sodanige proklamasie daardie medisyne aan die Vyfde Bylae toevoeg, of mag enige medisyne daaraan onttrek of dit andersins wysig.

Raad of kommissie moet wetsontduikings ens. aan Minister meedeel.

68. Wanneer die raad of kommissie gegronde vermoedens het dat 'n bepaling van hierdie Hoofstuk of van 'n uit kragte daarvan uitgevaardigde regulasie oortree of ontduik word of dat 'n wysiging van so 'n bepaling wenslik is, moet die raad of kommissie die saak onder die Minister se aandag bring.

Verbod van gebruik van voorwerpe ens. om opium te rook, ens.

69. Niemand mag 'n pyp, bak of toestel om opium, Indiese hennep, of dagga of intsangu mee te rook, rook of gebruik of invoer, vervaardig, verkoop of lewer of besit met die doel om dit aan iemand anders te verkoop of te lewer, of, buiten en behalwe in die omstandighede bedoel in artiekels *twee-en-sestig, vier-en-sestig* en *vyf-en-sestig*, gewoontevormende medisyne of 'n plant of deel daarvan, waaruit sulke medisyne verkry, afgetrek, voortgebring of vervaardig kan word, besit, inneem of gebruik; en niemand mag 'n perseel of plek vir die rook van opium, Indiese hennep of dagga of intsangu of vir die heimelike gebruik, inspuiting of toediening, op watter manier ook, van gewoontevormende medisyne, hou of daarby behulpsaam of betrokke wees of so 'n perseel of plek besoek.

Strafbepalings.

70. Iemand wat 'n bepaling van artiekel *een-en-sestig, twee-en-sestig, vyf-en-sestig, ses-en-sestig* of *negen-en-sestig* of die voorwaardes van 'n sertifikaat of lisensie uitgereik ingevolge die bepalings van artiekel *drie-en-sestig* of *vier-en-sestig* of 'n regulasie uitgevaardig ingevolge hierdie Hoofstuk oortree, is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens honderd pond of met gevangenisstraf van hoogstens ses maande sonder keus van boete of met albei daardie boete en daardie gevangenisstraf, en enige medisyne of plant vermeld in een van daardie artiekels, moet, as daar gegronde verdenking bestaan dat dit onwettig ingevoer, verwerf, voortgebring, afgetrek, verkry of vervaardig is, in beslag geneem word, en as iemand veroordeel is weens 'n oortreding van 'n bepaling van een van daardie artiekels of van die voorwaardes van so 'n voormelde sertifikaat of lisensie, moet die plant of medisyne of pyp, bak of toestel in verband waarmee die oortreding plaasgevind het, verbeurdverklaar en ooreenkomstig die regulasies van die hand gesit word.

Bevoegdheid om persele ens. te betree en te deursoek.

71. (1) Iemand wat skriftelik daartoe gemagtig is deur die Minister of deur die Kommissaris van Doeane en Aksyns, 'n poliesiekonstabel wat op dergelike manier gemagtig is deur 'n magistraat, of spesiale vrederegter, of 'n poliesiebeampte wat die rang van sersjant of 'n hoëre rang beklee, mag te eniger tyd iemand visenteer wat om gegronde redes verdink word in onwettige besit te wees van gewoontevormende medisyne of van 'n plant waaruit sulke medisyne verkry word, of enige perseel, plek, houer of voertuig betree en deursoek, waarin volgens gegronde verdenking sulke medisyne of so 'n plant in stryd met hierdie Wet aangehou

receptacle or vehicle wherein it is suspected upon reasonable grounds that any such drug or plant is being kept or used or cultivated or conveyed in contravention of this Act, and if on such search any such drugs or plants or any pipes, receptacles or appliances for smoking or using the same are found, they shall be seized and removed together with any books, accounts or documents relating thereto, and if it is proved that any such drug, plant, pipe, receptacle or appliance was possessed, kept, used, cultivated or conveyed in contravention of this Act, it shall be forfeited to the Crown: Provided that if any delay involved in securing such written authority would defeat the objects of this section, any European member of the police force may exercise without any such written authority the powers conferred by this section, but he shall, as soon as possible, report to the chief officer of police of the district or to the magistrate what he has done: Provided further that whenever a woman is searched under this section the provisions of sub-section (2) of section *forty-three* of the Criminal Procedure and Evidence Act, 1917 (Act No. 31 of 1917), shall apply.

(2) Any person who resists, hinders or obstructs any officer or person in the lawful exercise of his powers under this section shall be guilty of an offence and liable on conviction to the penalty mentioned in section *seventy*.

Regulations under this Chapter.

72. The Minister, after consulting the council and the board, may make regulations—

(a) as to the transhipment or the exportation from the Union or importation thereto of any habit-forming drug, and specifying the ports or places at which such drug may be brought into the Union;

(b) prescribing the minimum size or weight and the manner of labelling packages of any habit-forming drug imported into the Union and the persons by whom and the manner in which they shall be kept after importation;

(c) authorizing and regulating or restricting the transmission through the Union of habit-forming drugs consigned to places outside the Union;

(d) authorizing and regulating the importation, purchase, acquisition, keeping or use of habit-forming drugs for scientific or educational purposes, or the collection, cultivation or keeping for such purposes of any plant from which any such drug may be extracted, derived, produced or manufactured;

(e) authorizing and regulating the purchase, acquisition keeping or use by owners of livestock of limited quantities of specified habit-forming drugs for the prevention or treatment of disease in livestock;

(f) authorizing and regulating the purchase, acquisition keeping or use of preparations of cocaine by managers or persons in charge of factories or workshops in connection with the treatment of eye injuries or for other necessary purposes;

(g) exempting from all or any specified provisions of this Chapter specified substances or preparations containing habit-forming drugs which by reason of their nature or composition are not likely to be used for any purpose not in accordance with such provisions;

(h) as to the summary seizure and disposal of any habit forming drug or of pipes, receptacles or appliances for smoking or using the same found in the possession or custody of any person not entitled under this Chapter to keep or use the same;

(i) requiring the furnishing of returns and reports in respect of habit-forming drugs or plants from which any such drug may be extracted, derived, produced or manufactured;

(j) prescribing the forms of certificates, licences, registers, records, returns and other documents to be used in connection with this Chapter;

(k) providing for the inspections of registers, records, or stocks of habit-forming drugs or other inspections in connection with this Chapter;

and generally for the better carrying out of the objects and purposes of this Chapter.

CHAPTER VII.

GENERAL AND SUPPLEMENTARY.

Medical practitioners may dispense medicines on payment of licence fixed by law.

73. Every medical practitioner shall be entitled, on payment of the licence fee (if any) fixed by law, to compound or dispense medicines prescribed by himself or by any other medical practitioner with whom he is in partnership or with whom he is associated as principal or assistant or *locum tenens:* Provided that he shall not be entitled to keep an open shop or pharmacy.

Exemptions from registration.

74. Notwithstanding anything in this Act contained—

(a) any medical officer of His Majesty's Imperial naval, military or air forces stationed within the Union may, though not registered under this Act, carry on his profession in accordance with his duties in those forces, but not otherwise;

of gebruik of verbou of vervoer word en as by so 'n visentering of deursoeking sulke medisyne of plante of pype, bakke of toestelle om dit te rook of te gebruik, gevind word, moet hulle in beslag geneem en verwyder word, met enige boeke, rekenings of dokumente wat daarop betrekking het, en as bewys word dat sulke medisyne of so 'n plant, pyp, bak of toestel in stryd met hierdie Wet in iemand se besit, aangehou, gebruik, verbou of vervoer was, verval dit aan die Kroon: Met die verstande dat, indien die vertraging wat die gevolg sou wees van die verkryging van daardie skriftelike magtiging, die oogmerke van hierdie artikel sou verydel, enige blanke lid van die poliesiemag die mits dese verleende bevoegdhede sonder voormelde skriftelike magtiging mag uitoefen, maar hy moet so spoedig moontlik aan die hoofamptenaar van poliesie van die distrik of aan die magistraat meedeel wat hy gedaan het: Met die verstande ook dat wanneer 'n vrou ingevolge hierdie artikel gevisenteer word, die bepalings van sub-artikel (2) van artikel *drie-en-veertig* van die Wet op die Kriminele Procedure en Bewyslevering, 1917 (Wet No. 31 van 1917) van toepassing is.

(2) Iemand wat hom versit teen 'n beampte of persoon in die wettige uitoefening van sy bevoegdhede ingevolge hierdie artikel of hom daarby hinder of belemmer, is aan 'n misdryf skuldig en by veroordeling strafbaar met die straf vermeld in artikel *sewentig*.

Regulasies ingevolge hierdie Hoofstuk.

72. Na raadpleging van die raad en kommissie mag die Minister regulasies uitvaardig—

(a) aangaande die oorlaaiing of die uitvoer uit die Unie of die invoer daarheen van enige gewoontevormende-medisyne, met aangifte van die hawens of plekke waar daardie medisyne in die Unie gebring mag word;

(b) tot bepaling van die kleinste grootte of gewig van pakkette van gewoontevormende medisyne en van die manier waarop hulle van etikette voorsien moet wees by hulle invoer in die Unie en deur wie en op watter manier hulle na die invoer bewaar moet word;

(c) tot magtiging en reëling of beperking van die vervoer van gewoontevormende medisyne deur die Unie na plekke buite die Unie;

(d) tot magtiging en reëling van die invoer, koop, verkryging, aanhou of gebruik van gewoontevormende medisyne vir wetenskaplike of opvoedkundige doeleindes, of van die insameling, verbouing of aanhou vir sodanige doeleindes van enige plant waaruit sulke medisyne afgetrek, verkry, voortgebring of vervaardig kan word;

(e) tot magtiging en reëling van die koop, verkryging, aanhou of gebruik deur vee-eienaars, van beperkte hoeveelhede van bepaalde gewoontevormende medisyne ter voorkoming of behandeling van veesiektes;

(f) tot magtiging en reëling van die koop, verkryging, aanhou of gebruik van kokainepreparate deur bestuurders of hoofde van fabrieke of werkplase in verband met die behandeling van oogbeserings of vir ander noodsaaklike doeleindes;

(g) tot uitsluiting van al die bepalings of van enige opgenoemde bepaling van hierdie Hoofstuk ten opsigte van bepaalde stowwe of preparate wat gewoontevormende medisyne bevat, waarvan die gebruik vir doeleindes wat nie met daardie bepalings ooreenkom nie, weens hulle geaardheid of samestelling onwaarskynlik is;

(h) aangaande die summiere beslaglegging op en beskikking oor gewoontevormende medisyne of pype, bakke of toestelle om dit te rook of te gebruik, wat in die besit of bewaring gevind word van iemand wat nie ingevolge hierdie Hoofstuk geregtig is nie om dit aan te hou of te gebruik;

(i) waarin gevorder word opgawes en verslae omtrent gewoontevormende medisyne of plante waaruit sulke medisyne afgetrek, verkry, voortgebring of vervaardig kan word;

(j) waarin voorgeskrywe word die vorms van sertifikate, lisensies, registers, aantekenings, opgawes en ander dokumente wat in verband met hierdie Hoofstuk gebruik moet word;

(k) waarin voorsiening gemaak word vir besigtiging van registers, aantekenings of voorrade van gewoontevormende medisyne of vir besigtigings in verband met hierdie Hoofstuk;

en oor die algemene tot betere verwesenliking van die oogmerke en doeleindes van hierdie Hoofstuk.

HOOFSTUK VII.

ALGEMENE EN AANVULLENDE BEPALINGS.

Geneeshere mag medisyne opmaak teen betaling van wetlik vasgestelde lisensie.

73. Elke geneesheer is geregtig om teen betaling van die lisensiegeld wat wetlik vasgestel mog wees, medisyne same te stel of op te maak, wat voorgeskrywe is deur homself of deur 'n ander geneesheer met wie hy in vennootskap is of tot wie hy as prinsipaal of assistent of plaasvervanger in betrekking staan: Met die verstande dat hy nie geregtig is nie om 'n ope winkel of apteek te hou.

Vrystelling van registrasie.

74. Nieteenstaande die bepalings van hierdie Wet—

(a) mag 'n geneeskundige offisier in Sy Majesteit se Imperiale see-, land- of lug-mag, wat in die Unie gestasioneer is, sy beroep volgens sy dienswerksaamhede in daardie mag uitoefen (maar nie andersins nie), alhoewel hy nie ingevolge hierdie Wet geregistreer is nie;

(b) the Minister, after consulting the council or board may exempt from the registration requirements of this Act any person not permanently resident in the Union who is engaged solely in medical or pharmaceutical research work and such exemption shall be valid for such period only as the Minister may prescribe.

(b) mag die Minister na raadpleging van die raad of kommissie iemand wat nie permanent in die Unie woonagtig is nie en wat hom uitsluitend toelê op geneeskundige of artsenykundige navorsings van die registrasievoorskrifte van hierdie Wet vrystel, en daardie vrystelling is alleen solank geldig as wat die Minister mog bepaal.

Misuse of titles by plurality of persons.

75. Save as is mentioned in the next succeeding section, no partnership, society or other association of persons who are not each individually registered shall use any description or title for which provision is made in this Act.

75. Behoudens die bepalings van die eersvolgende artiekel, mag geen vennootskap, vereniging of ander genootskap van persone wat nie elkeen afsonderlik geregistreer is nie, 'n beskrywing of tietel gebruik waarvoor hierdie Wet voorsiening maak.

Misbruik van tietels deur vereniging van persone.

Conditions under which a body corporate may carry on business as chemist and druggist.

76. (1) Notwithstanding anything in this Act contained a body corporate may carry on business in the Union as chemist and druggist under the following conditions, but not otherwise—

(a) the body corporate shall appoint a chemist and druggist to be its managing director in the Union and shall notify his name and appointment to the board within thirty days after the commencement of this Act or after his appointment, for entry by the registrar, on payment of the registration fee prescribed in the Second Schedule to this Act, in a register to be kept for the purposes of this section, and such chemist and druggist shall not act at the same time in a similar capacity for any other body corporate or other concern carrying on a similar business;

(b) every pharmacy in which such body corporate carries on business shall be conducted under the continuous personal supervision of a chemist and druggist whose name shall be displayed conspicuously over the main entrance door of such pharmacy;

(c) the registered name of any such body corporate shall not include the name of any person who is not registered as a chemist and druggist at the date of the registration of the body corporate and who is not also a director of such body corporate; but this condition shall not apply to any body corporate formed after the commencement of this Act for the purpose of continuing the business of a deceased chemist and druggist under his name, nor shall it apply to a body corporate lawfully carrying on the business of a chemist and druggist at the commencement of this Act.

(2) The managing director of a body corporate carrying on business as chemist and druggist shall be responsible to the board for any acts done by or on behalf of such body corporate which may involve a charge under Chapter IV. unless it is shown by him to the satisfaction of the board that the responsibility for such acts rests upon some chemist and druggist employed by the body corporate other than himself.

(3) A contravention of or default in complying with any provision of this section, or a refusal or failure to answer any enquiry made by or on behalf of the board as to the name of the managing director or other person employed by any such body corporate, shall be an offence and shall be punishable on conviction by a fine not exceeding fifty pounds.

76. (1) Nieteenstaande die bepalings van hierdie Wet mag 'n regspersoon onder die volgende voorwaardes, maar nie anders nie, in die Unie as apteker besigheid dryf:—

Voorwaardes waaronder regspersoon as apteker mag handel dryf.

(a) die regspersoon moet 'n apteker as sy besturende direkteur in die Unie aanstel en moet sy naam en aanstelling binne dertig dae na die inwerkingtreding van hierdie Wet of na sy aanstelling aan die kommissie meedeel om deur die registrateur teen betaling van die registrasiefooi wat in die Twede Bylae van hierdie Wet voorgeskryf word ingeskrywe te word in 'n vir die doeleindes van hierdie artiekel te houe register, en daardie apteker mag nie gelyktydig in 'n dergelike hoedanigheid handel vir 'n ander regspersoon of ander onderneming wat 'n dergelike besigheid dryf;

(b) elke apteek waar daardie regspersoon besigheid dryf moet gedryf word onder die voortdurende persoonlike toesig van 'n apteker wie se naam op 'n in die oog vallende manier bo die hoofingang van daardie apteek aangegee moet wees;

(c) die geregistreerde naam van daardie regspersoon mag nie insluit die naam van iemand wat nie op die dag van registrasie van die regspersoon as apteker geregistreer is nie en wat nie ook 'n direkteur van daardie regspersoon is nie; maar hierdie voorwaarde is nie van toepassing nie op 'n regspersoon wat na die inwerkingtreding van hierdie Wet gestig is om die besigheid van 'n oorlede apteker onder sy naam voort te sit, en dit is ewemin van toepassing op 'n regspersoon wat by die inwerkingtreding van hierdie Wet die *besigheid van 'n apteker wettig dryf.*

(2) Die besturende direkteur van 'n regspersoon wat as apteker besigheid dryf is teenoor die kommissie verantwoordelik vir handelings deur of namens die regspersoon verrig, wat sou aanleiding kan gee tot 'n aanklag ingevolge Hoofstuk IV., tensy hy die kommissie oortuig dat die verantwoordelikheid vir daardie handelings rus op 'n ander apteker dan homself in diens van die regspersoon.

(3) 'n Oortreding van 'n bepaling van hierdie artiekel of 'n versuim om daaraan te voldoen of 'n weiering of versuim om te antwoord op 'n navraag deur of namens die raad gedaan omtrent die naam van die besturende direkteur, of ander persoon in diens van so 'n regspersoon, is 'n misdryf en is by veroordeling strafbaar met 'n boete van hoogstens vyftig pond.

Every pharmacy to be under control of a chemist and druggist.

77. Every pharmacy shall be conducted under the continuous personal supervision of a chemist and druggist whose name shall be displayed conspicuously over the main entrance door of such pharmacy, and every chemist and druggist who keeps or suffers to be kept any pharmacy save under his own immediate supervision and control or that of some other chemist and druggist, or any person employed in, or in any way associated with, a pharmacy, who fails or refuses to give information on demand by the registrar of the board, or by any person authorized thereto in writing by him, or any member of the police force, as to the name and qualification of the person in charge of such pharmacy, shall be guilty of an offence.

77. Elke apteek moet gedryf word onder die voortdurende persoonlike toesig van 'n apteker wie se naam op 'n in die oog vallende manier bo die hoofingang van daardie apteek aangegee moet wees, en elke apteker wat 'n apteek aanhou of laat aanhou wat nie onder sy eie of, 'n ander apteker se onmiddellike toesig en beheer staan nie, of iemand in diens in, of hoe ook in betrekking staande tot 'n apteek wat versuim of weier om inligtings te verstrek indien daartoe opgevorder deur die registrateur van die kommissie of deur 'n beampte wat hy skriftelik daartoe gemagtig het, of deur 'n lid van die poliesiemag omtrent die naam en bevoegdhede van die persoon aan die hoof van so 'n apteek, is aan 'n misdryf skuldig.

Elke apteek moet onder beheer van 'n apteker staan.

Powers of executors trustees, assignees or curators as to the carrying on of the business of a chemist and druggist.

78. Notwithstanding anything in this Act contained—

(a) the executor in the estate of a deceased chemist and druggist may, subject to the law relating to the administration of estates, for a period of five years after his decease, or for such further period as the board may by resolution sanction, continue the pharmacy business of the deceased, provided it is conducted under the continuous personal supervision of a chemist and druggist;

(b) the trustee in the insolvent or the assignee in the assigned estate of a chemist and druggist or the liquidator of a body corporate carrying on the business of a chemist and druggist may, subject to the law relating to insolvency and to companies, for a period of twelve months after the final order of sequestration or after the date of completion of the deed of assignment or after the date of the final order for liquidation of such body corporate, continue the pharmacy business of such chemist and druggist or body corporate, provided it is conducted under the continuous personal supervision of a chemist and druggist;

(c) the curator in the estate of a chemist and druggist who has been declared by an order of a competent court to be incapable of managing his own affairs may, subject to the law relating to mental disorders,

78. Nieteenstaande die bepalings van hierdie Wet—

Bevoegdhede van eksekuteurs, kuratore en boedelhouers om besigheid van 'n apteker voort te sit.

(a) mag die eksekuteur in die boedel van 'n oorlede apteker, met inagneming van die wet op die beheer van boedels, gedurende 'n tydperk van vyf jaar na sy dood of gedurende so 'n verdere tydperk as wat die kommissie by besluit mog toestaan, die aptekersbesigheid van die oorledene voortsit, mits dit gedryf word onder die voortdurende persoonlike toesig van 'n apteker;

(b) mag die kurator in 'n insolvente boedel of die boedelhouer in 'n afgestane boedel van 'n apteker, of die likwidateur van 'n regspersoon wat die besigheid van 'n apteker dryf, met inagneming van die wet op insolventskap en op maatskappye, gedurende 'n tydperk van twaalf maande na die finale sekwestrasieorder of na die dag van voltooiing van die akte van afstand of na die dag van die finale order tot likwidasie van daardie regspersoon, die aptekersbesigheid van daardie apteker of regspersoon voortsit, mits dit onder die voortdurende persoonlike toesig van 'n apteker gedryf word;

(c) mag die kurator in die boedel van 'n apteker wat deur die order van 'n bevoegde hof verklaar is onbekwaam te wees om sy eie sake te beheer, met inagneming

for a period of twelve months after the date of such order, or for such further period as the board may by resolution sanction, continue the pharmacy business of such chemist and druggist, provided it is conducted under the continuous personal supervision of a chemist and druggist.

van die wet op geestesgebreke, gedurende 'n tydperk van twaalf maande na die dag van daardie order of gedurende so 'n verdere tydperk as wat die kommissie by besluit mog toestaan, die aptekersbesigheid van daardie apteker voortsit, mits dit onder die voortdurende persoonlike toesig van 'n apteker gedryf word.

Pharmacopoeia to be used.

79. (1) The British Pharmacopoeia shall be the pharmacopoeia according to which all medicines mentioned therein shall be prepared unless otherwise directed in writing by a medical practitioner, dentist or authorized veterinarian on whose prescription any medicine is prepared. The Minister after consultation with the council and the board, shall from time to time determine and notify in the *Gazette* the edition of the British Pharmacopoeia and any official addendum thereto which shall be used.

(2) Any person failing to comply with the provisions of this section, or selling or supplying any medicine which has not been prepared as aforesaid, shall be guilty of an offence.

Watter Farmacopea gebruik moet word.

79. (1) Die Britse Farmacopea is die farmacopea waarvolgens alle daarin genoemde medisyne berei moet word, tensy 'n geneesheer, tandarts of bevoegde veearts op wie se resep medisyne berei word, skriftelik anders gelas. Die Minister moet na beraadslaging met die raad en die kommissie van tyd tot tyd bepaal en in die *Staatskoerant* bekend maak watter uitgaaf van die Britse Farmacopea en enige offisiële byvoegsel daartoe gebruik moet word.

(2) Iemand wat in gebreke bly om te voldoen aan die bepalings van hierdie artiekel, of wat medisyne verkoop of lewer wat nie soas voormeld berei is nie, is aan 'n misdryf skuldig.

Charges by registered persons.

80. (1) No person registered under this Act shall himself make or attempt to make or to recover, or shall enter into any agreement or associate himself in any way with any other person for the purpose of making or fixing, excessive or extortionate charges for any service rendered or to be rendered or for any article supplied or to be supplied by him by virtue of being so registered.

(2) Unless the circumstances are such as to render it impossible so to do, every person registered under this Act, shall, before rendering any service by virtue of being so registered, inform the person to whom the service is to be rendered, or the person in charge of such person, of the fee which he intends to charge therefor—

(a) when so requested by any person concerned; or

(b) when such fee exceeds that usually charged for the service.

(3) Any person registered under this Act who claims payment from any other person in respect of any service rendered or article supplied by virtue of being so registered shall furnish a detailed account to the person from whom payment is claimed, when so requested by such person.

(4) Any registered person who contravenes or fails to comply with any provision of this section shall be guilty of improper or disgraceful conduct within the meaning of Chapter IV. of this Act, and it shall be the duty of the council or board to take cognizance of and deal with such conduct under that Chapter.

Fooie van geregistreerde persone.

80. (1) Niemand ingevolge hierdie Wet geregistreer mag self bereken of probeer om te bereken of in te vorder, of mag 'n ooreenkoms aangaan of hom op enige manier met 'n ander persoon assosieer om te bereken of vas te stel, buitensporige of afpersende koste vir 'n diens bewys of bewys te word of vir 'n artiekel gelewer of deur hom gelewer te word kragtens sodanige registrasie.

(2) Tensy omstandighede dit onmoontlik maak om so te doen, moet elke ingevolge hierdie Wet geregistreerde persoon, voordat hy 'n diens bewys kragtens sodanige registrasie, die persoon aan wie die diens bewys sal word of die persoon onder wie se beheer sodanige persoon staan, verwittig watter fooi hy voornemens is daarvoor te bereken—

(a) as hy daarom deur 'n daarby betrokke persoon gevra word; of

(b) as sodanige fooi dié wat gewoonlik vir die diens bereken word, te bo gaan.

(3) 'n Onder hierdie Wet geregistreerde persoon wat van iemand anders betaling vorder ten aansien van 'n diens bewys of artiekel verskaf kragtens sodanige registrasie moet 'n gespesifiseerde rekening verskaf aan die persoon van wie betaling gevorder word indien sodanige persoon sulks versoek.

(4) 'n Geregistreerde persoon wat 'n bepaling van hierdie artiekel oortree of nalaat om daaraan te voldoen, is skuldig aan onbetaamlike of skandelike gedrag volgens die betekenis van Hoofstuk IV van hierdie Wet, en die raad of kommissie is verplig om van sodanige gedrag kennis te neem en daarmee ooreenkomstig daardie Hoofstuk te handel.

Suspension from practice of registered person found to be mentally or physlcally disabled.

81. (1) If at any time it is made to appear by information on oath to the Minister that a person registered under this Act has become mentally or physically disabled to the extent that the continued practising of such person is contrary to the public welfare, the Minister may require the council or board to hold enquiry into the facts submitted, and if the council or board so recommends, the Minister may order the suspension of such person for a specified period from carrying on his profession or calling, and the Minister may on cause shown to his satisfaction withdraw or extend the operation of such orders.

(2) The provisions of sections *forty-two* and *forty-three* shall *mutatis mutandis* apply in respect of any enquiry held and suspension imposed under this section.

Skorsing van geregistreerde persoon wat blyk geestelik of liggaamlik gebreklik te wees.

81. (1) As aan die Minister te eniger tyd uit 'n beëdigde meedeling blyk dat iemand wat ingevolge hierdie Wet geregistreer is, geestelik of liggaamlik in die mate gebreklik geword het dat voortduring van sy praktyksuitoefening in stryd met die openbare welsyn is, dan mag die Minister die raad of kommissie gelas om die voorgelegde feite te ondersoek en as die raad of kommissie dit aanbeveel, mag hy gelas dat bedoelde persoon gedurende 'n vasgestelde tydperk in die uitoefening van sy professie of beroep geskors word, en die Minister mag, om aangevoerde redes wat hy voldoende ag, daardie order intrek of sy werking verleng.

(2) Die bepalings van artiekels *twee-en-veertig* en *drie-en-veertig* is *mutatis mutandis* van toepassing met betrekking tot 'n ingevolge hierdie artiekel gehoue ondersoek en toegepaste skorsing.

Provision for labelling of certain poisonous substances.

82. (1) No person shall sell by retail any of the substances or preparations to which this section applies except in containers which are securely closed, free from leaks, of sufficient strength to withstand rough usage, and distinctly labelled with the name of the substance in the English and Dutch languages, and the words "Poisonous" and "Giftig" in type more conspicuous than that of the remainder of the label and bearing the name and address of the seller and (where the substance is a liquid and the quantity less than thirty fluid ounces) in a bottle, vessel or other container which is rendered distinguishable by touch from ordinary bottles, vessels or other containers.

(2) The provisions of this section shall apply to sulphuric acid, nitric acid, hydrochloric acid (spirits of salts), absolute alcohol, rectified spirit, methylated spirit, liquid preparations of ammonia containing more thon five per cent. by weight of free ammonia, caustic soda, preparations of zinc chloride intended to be used for soldering or other purely industrial purposes, all liquid preparations of carbolic acid (phenol) or cresylic acid (cresol) not containing such proportion of these substances as to constitute the preparations "Poisons" within the meaning of the Fourth Schedule to this Act, whether sold or described as "carbolic," "carbolic disinfectant" or "lysol" or by any other name, and to any other poisonous substance or preparations specified from time to time by the Minister by notice in the *Gazette*.

(3) Any person who sells or supplies otherwise than in accordance with the provisions of this section any substance or preparation to which this section applies shall be guilty of an offence.

Bepaling omtrent etikette op sekere giftige stowwe.

82. (1) Niemand mag van die stowwe of preparate waarop hierdie artiekel van toepassing is, by die kleine maat verkoop, behalwe in houers wat dig toe, sonder lekkasie en sterk genoeg is om ruwe behandeling te verdra, en voorsien is van 'n duidelike etiket met die naam van die stof in Engels en Hollands en die woorde "Poisonous" en "Giftig" in drukletters wat meer in die oog val dan die orige deel van die etiket, en waarop voorkom die naam en adres van die verkoper, en (as die stof vloeibaar is en minder dan dertig vloeibare onse bedra), in 'n bottel, vaatwerk of 'n ander houer wat deur betasting onderskei kan word van gewone bottels, vaatwerk of ander houers.

(2) Die bepalings van hierdie artiekel is van toepassing op swawelsuur, salpetersuur, soutsuur, absolute alkohol, gerektifiseerde spieritus, brandspieritus, vloeibare ammonia preparate wat meer dan vyf persent volgens gewig vrye ammonia bevat, bytende soda, preparate van sinkgloried bestem om by die soldeer of vir ander suiwer industriële doeleindes gebruik te word, alle vloeibare preparate van karbolsuur (fenol) of kresielsuur (kresol) wat nie so 'n persentasie van hierdie stowwe bevat dat die preparate tot "vergifte" gemaak word volgens die betekenis van die Vierde Bylae tot hierdie Wet, hetsy dit as "karbol", "karbolontsmettingsmiddel" of "liesol" of onder enige ander naam verkoop of beskrywe word, en op enige ander giftige stof of preparaat wat van tyd tot tyd deur die Minister in die *Staatskoerant* aangegee word.

(3) Iemand wat 'n stof of preparaat waarop hierdie artiekel van toepassing is, anders verkoop of lewer dan ooreenkomstig die bepalings van hierdie artiekel, is aan 'n misdryf skuldig.

Regulations regarding vaccines, thermometers, etc.

83. The Minister, after consultation with the council and the board, may make regulations—

(a) in respect of vaccines, vaccine lymph, sera, toxins, antitoxins, antigens, insulin, salvarsan and any other therapeutic substances specified or defined in the

Regulasies omtrent entstowwe, korstermometers, ens.

83. Die Minister mag, na beraadslaging met die raad en kommissie, regulasies uitvaardig—

(a) met betrekking tot entstof, inentingslimf, sera, toksiens, teëgifte, antigens, insulien, salvarsan en enige ander terapeutiese stowwe, in die regulasies vermeld of

regulations the purity or potency of which cannot be adequately tested by chemical means, imported into or manufactured, sold or supplied within the Union and used or intended to be used for the treatment, prevention or diagnosis of disease in man, whether manufactured, imported or sold under their accepted scientific names or as patent or proprietary medicines or contained in such medicines—

(i) providing for the licensing of persons or establishments for the manufacture of any such substance intended for importation into or for sale, supply or use within the Union, the conditions under which such licences may be granted and prohibiting the importation into or the keeping, sale, supply or use within the Union of any such substance manufactured by any person or in any establishment not so licensed;

(ii) prescribing standards of composition, purity, sterility, efficacy or activity of such substances;

(iii) prescribing the methods of marking or labelling the containers and the particulars to be stated thereon;

(iv) prescribing units of standardisation and providing for inspection, sampling, examination and testing, and prescribing the fees payable and the certificates issuable in respect thereof;

(v) prescribing the certificates of examination and testing which may be accepted in lieu of examination and testing under the regulations;

(vi) as to storage and sale, and prohibiting importation or sale except by medical practitioners, dentists, chemists and druggists or specially authorized persons;

(vii) prescribing the period after manufacture and testing within which any such substance may be imported into or sold or used for medicinal purposes within the Union and prohibiting the importation, sale or use for medicinal purposes and providing for the seizing and destruction of any such substance after the expiry of that period;

(viii) prohibiting the importation into, or the manufacture, sale or use within, the Union, and providing for the seizure and destruction or requiring the re-export from the Union of, any such substance which is not in accordance with the standard prescribed or in respect of which any requirement of the regulations has not been complied with;

(b) in respect of clinical thermometers or other instruments or apparatus used or intended to be used in connection with the diagnosis or treatment of physical defects or disease in man—

(i) prescribing standards of accuracy;

(ii) providing for inspection, sampling, examination and testing;

(iii) prescribing the fees payable and the certificates issuable and the methods of marking or labelling in respect of such examination and testing;

(iv) prescribing the certificates of testing and accuracy which may be accepted in lieu of examination and testing under the regulations;

(v) prohibiting the importation into, or the manufacture, sale or use within, the Union, and providing for the seizure and destruction or requiring re-export from the Union of, any such article or apparatus which is not in accordance with the standard prescribed, or in respect of which any requirement of the regulations has not been complied with.

False representation inducing registration or false entries in register, or impersonation.

84. Any person who—

(a) procures or attempts to procure for himself or any other person registration under this Act or any certificate, licence, order or prescription referred to in this Act by means of a false representation whether verbally or in writing, or aids or abets any person in so doing; or

(b) makes or causes to be made any unauthorised entry or alteration or erasure in a register or certified copy thereof or extract therefrom or on any certificate issued under this Act; or

(c) makes or causes to be made a false declaration in any identification envelope issued in the form shown in the fourth annexure to the First Schedule to this Act; or

(d) wilfully destroys or injures or renders illegible or causes to be destroyed, injured, or rendered illegible any entry in the register, or, without the permission of the holder, any certificate issued under this Act; or

(e) forges or utters, knowing the same to be forged, any document purporting to be a certificate issued under this Act; or

(f) impersonates any person registered in terms of this Act,

shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred pounds.

Penalty for causing injury or ill-health to lying-in women.

85. Any person attending a lying-in woman for gain who, through uncleanliness or neglect or failure to take proper precautions for preventing or guarding against injury or infection, causes injury or ill-health or disease to such woman or to any infant, shall be guilty of an offence.

omskrywe, waarvan die suiwerheid of sterkte nie doelmatig langs gemiese weg getoets kan word nie, in die Unie ingevoer, vervaardig, verkoop of gelewer en gebruik of bestem om gebruik te word vir die behandeling, voorkoming of diagnose van mensesiektes, hetsy vervaardig, ingevoer of verkoop onder hulle erkende wetenskaplike benaming of as patente of private medisyne of as bestanddeel van sulke medisyne—

(i) wat voorsiening maak vir verlening van lisensies aan persone of inrigtings vir die vervaardiging van so 'n stof wat bestem is om in die Unie ingevoer, verkoop, gelewer of gebruik te word, die voorwaardes waaronder sulke lisensies verleen mag word en waarin die invoer, aanhou, verkoop, lewering of gebruik, in die Unie, van so 'n stof, vervaardig deur iemand of in 'n inrigting wat nie aldus gelisensieer is nie, belet word;

(ii) wat standaards vasstel vir samestelling, suiwerheid, steriliteit, uitwerkingskrag, of aktiwiteit van sulke stowwe;

(iii) wat voorskrywe hoe die houers gemerk of van etikette voorsien moet word en watter besonderhede daarop moet voorkom;

(iv) wat standaardiseringseenhede vasstel, en voorsiening maak vir besigtiging, neem van monsters, ondersoek en toetse en wat die in verband daarmee te betale fooie en uit te reike sertifikate vasstel;

(v) wat vasstel watter ondersoek- en toetssertifikate erken mag word in plaas van 'n ondersoek of toets ingevolge die regulasies;

(vi) aangaande die opslag en verkoop, en wat invoer of verkoop belet, behalwe deur geneeshere, tandartse, aptekers of besonders gemagtigde persone;

(vii) wat vasstel binne watter tydperk na die vervaardiging en toets so 'n stof as geneesmiddel in die Unie ingevoer of verkoop of gebruik mag word en wat die invoer, verkoop of gebruik as geneesmiddel belet en voorsiening maak vir inbeslagneming en vernietiging van so 'n stof na verloop van daardie tydperk;

(viii) wat belet dat so 'n stof, wat nie ooreenkom nie met die vasgestelde standaard of ten opsigte waarvan nie voldoen is nie aan 'n voorskrif van die regulasies, in die Unie ingevoer, vervaardig, verkoop of gebruik word, en voorsiening maak vir sy inbeslagneming of vernietiging, of sy weer-uitvoer uit die Unie voorskryf;

(b) met betrekking tot koorstermometers of ander instrumente of toestelle, gebruik of bestem vir die gebruik in verband met die diagnose of behandeling van menslike liggaamsgebreke of siekte—

(i) wat juistheids-standaards vasstel;

(ii) wat voorsiening maak vir besigtiging, neem van monsters, ondersoek en toetse;

(iii) wat vasstel die te betale fooie en uit te reike sertifikate en die manier waarop merke gemaak of etikette aangeheg moet word by daardie ondersoek en toetse;

(iv) wat vasstel watter toets- en juistheidsertifikate erken mag word in plaas van 'n ondersoek of toets ingevolge die regulasies;

(v) wat belet dat so 'n voorwerp of toestel, wat nie ooreenkom nie met die vasgestelde standaard, of ten opsigte waarvan nie voldoen is nie aan 'n voorskrif van die regulasies, in die Unie ingevoer, vervaardig, verkoop of gebruik word en voorsiening maak vir sy inbeslagneming en vernietiging of sy weer-uitvoer uit die Unie voorskryf.

Valse voorstelling tot bewerking van registrasie of valse aantekenings in registers of voorgee iemand anders te wees.

84. Iemand wat—

(a) deur middel van 'n valse voorstelling, hetsy mondeling of skriftelik, sy eie of iemand anders se registrasie ingevolge hierdie Wet, bewerkstellig of poog om te bewerkstellig of 'n sertifikaat, lisensie, bestelling of resep, in hierdie Wet vermeld, verkry of poog om te verkry of aan iemand anders hulp of bystand verleen om dit te doen; of

(b) 'n ongeoorloofde aantekening of verandering of uitskrapping maak of laat maak in 'n register of gesertifiseerde kopie of uittreksel daarvan of op 'n sertifikaat, uitgegee ingevolge hierdie Wet; of

(c) 'n valse verklaring aflê of laat aflê in 'n identifikasiekoevert, uitgereik in die vorm aangegee in die vierde aanhangsel tot die Eerste Bylae tot hierdie Wet; of

(d) 'n aantekening in die register of, sonder toestemming van die houer, 'n ingevolge hierdie Wet uitgereikte sertifikaat opsetlik vernietig of beskadig of onleesbaar maak of laat vernietig, beskadig of onleesbaar maak; of

(e) 'n dokument wat voorgee 'n ingevolge hierdie Wet uitgereikte sertifikaat te wees, vervals of uitgee met wete dat dit vervals is; of

(f) voorgee iemand anders te wees wat volgens hierdie Wet geregistreer is,

is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens vyfhonderd pond.

Straf op veroorsaking van letsel of ongesteldheid van kraamvrou deur onsindelikheid of nalatigheid.

85. Iemand wat vir wins 'n kraamvrou versorg en wat deur onsindelikheid of verwaarlosing of versuim om behoorlike voorsorgsmaatreëls te neem tot verhindering of voorkoming van letsel of besmetting, veroorsaak dat daardie vrou of 'n suigeling letsel of ongesteldheid of siekte oploop, is aan 'n misdryf skuldig.

Death of person under anaesthetic.

86. The death of a person whilst under the influence of a general anaesthetic or local anaesthetic, or of which administration of an anaesthetic has been a contributory cause, shall not be deemed to be a death from natural causes within the meaning of the Inquests Act, 1919 (Act No. 12 of 1919), or the Births, Marriages and Deaths Registration Act, 1923 (Act No. 17 of 1923), or any amendment of these Acts.

Liability of persons authorized to sell poisons, etc., for acts of their employees.

87. Every person authorized under this Act to prepare, keep, sell or supply poisons or poisonous substances or habit-forming drugs shall be liable civilly and criminally for the act or default of his partner, manager, assistant, clerk, apprentice, agent or servant (not being a person himself registered or otherwise authorized to sell, use or supply any poison or habit-forming drug) in respect of any contravention of this Act in connection therewith unless he proves that such act or default was not due to failure on his part properly to instruct and supervise such partner, manager, assistant, clerk, apprentice, agent or servant.

Commissions on prescriptions.

88. (1) No chemist and druggist shall pay to a medical practitioner any commission in connection with a prescription which such medical practitioner has prescribed and n medical practitioner shall receive such commission.

(2) Any medical practitioner or chemist and druggist who contravenes the provisions of sub-section (1) shall be guilty of an offence and may also be dealt with by the council or board as provided in Chapter IV.

Authorization of veterinarians in respect of poisons and habit-forming drugs.

89. (1) The Minister may issue a certificate to any veterinarian authorizing him to import, purchase, acquire, keep, use, prescribe, order or supply poisons and habit-forming drugs in the course of his practice solely for the treatment of animals under his care and in accordance with the provisions of this Act.

(2) The Minister may at any time cancel any such certificate if satisfied that sufficient reason exists for such cancellation, and his decision in the matter shall be final.

(3) The issue or cancellation of every such certificate shall be notified in the *Gazette*.

Onus of Proof.

90. (1) In any criminal proceedings against any person upon a charge of having performed any act which constitutes an offence under this Act if performed by a person who is not registered or who is not in possession of a certificate, licence, permit, order or prescription, the person charged shall be deemed to be unregistered or not to be in possession of any such certificate, licence, permit, order or prescription unless he proves the contrary.

(2) In any criminal proceedings against any person upon a charge of having performed an act which constitutes an offence under this Act if performed by such person for gain, such person shall be deemed to have performed such act for gain if he has accepted any valuable consideration in respect of such act.

Penalties where not expressly provided.

91. Where no penalty is expressly provided for a contravention of this Act or for failure to comply therewith the offender shall be liable on conviction to a fine not exceeding fifty pounds.

Disabilities of unregistered persons and proof required for the issue of licences.

92. (1) No remuneration shall be recoverable in respect of any act pertaining to the calling of a registered person when performed by a person who is not authorized under this Act to perform the same for gain.

(2) No person other than a registered person holding the necessary qualifications shall be eligible for or entitled to hold any appointment to any establishment, institution, body, organization or association, whether public or private, involving the performance of any act which it is unlawful for any unregistered person to perform for gain: Provided that nothing in this sub-section shall be construed as preventing the training of medical or dental students under the supervision of a medical practitioner or of a dentist, as the case may be, or the employment in any hospital or similar institution of attendants or of probationer nurses undergoing training or of persons undergoing training for certification as midwives, under the supervision of a registered nurse or registered midwife or of persons undergoing training as masseurs under the supervision of a registered masseur, or as preventing, in the case of any military or naval institution or unit, the employment for the dispensing of medicines of members of the military or naval forces who having undergone training therein are considered by the Minister to be competent to dispense medicines in such institution or unit.

(3) No revenue or other licence now or hereafter required to be obtained by a medical practitioner, dentist, chemist and druggist or other registered person shall be issued by the authority empowered by law to issue such licence unless the person applying therefor produces proof that he is registered.

Scope and allocation of duties of council and board under this Act.

93. (1) The scope of the council under this Act shall include all matters relating to medical practitioners, dentists, nurses, midwives, masseurs, medical students, dental students, dental mechanicians, sanitary or health inspectors, meat or food inspectors, health visitors and other classes of registered persons concerned with the treatment or prevention of physical defects or disease in man, and the scope of the board under this Act shall include all matters relating to chemists and druggists and apprentices and assistants to chemists and druggists; and the expression "the council or board" wherever used in this Act shall mean the council or the board as the case may be, unless the context otherwise requires.

Dood van persoon onder verdowingsmiddel.

86. Die dood van 'n persoon terwyl hy onder die invloed van 'n algemene verdowingsmiddel of plaaslike verdowingsmiddel is of waarvan die toediening van 'n verdowingsmiddel 'n aanleidende oorsaak is, word nie beskou nie as 'n sterfgeval weens natuurlike oorsake volgens die betekenis van die Wet op Lijkschouwingen, 1919 (Wet No. 12 van 1919), of die Wet op Geboorten, Huweliken en Sterfgevallen Registratie Wet, 1923 (Wet No. 17 van 1923), of enige wysiging daarvan.

Aanspreeklikheid van persone wat geregtig is om vergifte ens. te verkoop vir handelings van hulle bedienes.

87. Elkeen wat kragtens hierdie Wet bevoeg is om vergif of giftige stowwe of gewoontevormende medisyne te berei, aan te hou, te verkoop of te lewer, is sivielregtelik en strafregtelik aanspreeklik vir die handeling of versuim van sy vennoot, bestuurder, assistent, klerk, leerling, verteenwoordiger of bediende (wat nie self geregistreer of andersins bevoeg is nie om vergif of gewoontevormende medisyne te verkoop, te gebruik of te lewer) ten opsigte van 'n oortreding van 'n bepaling van hierdie Wet in verband daarmee, tensy hy bewys dat daardie handeling of versuim nie te wyte was aan sy versuim om daardie vennoot, bestuurder, assistent, klerk, leerling, verteenwoordiger of bediende behoorlik te onderrig en onder toesig te hou.

Kommissie op resepte.

88. (1) Geen apteker mag enige kommissie aan 'n geneesheer betaal in verband met 'n resep wat die geneesheer voorgeskrywe het en geen geneesheer mag sodanige kommissie ontvang.

(2) 'n Geneesheer of apteker, wat die bepalings van sub-artiekel (1) oortree, is skuldig aan 'n misdryf en kan ook deur die raad of kommissie, soas in Hoofstuk IV. bepaal, behandel word.

Magtiging van veeartse met betrekking tot vergifte en gewoontevormende medisyne.

89. (1) Die Minister mag aan 'n veearts 'n sertifikaat uitreik wat hom magtig om vergifte en gewoontevormende medisyne in te voer, te koop, aan te skaf, aan te hou, te gebruik, voor te skryf, te bestel of te verstrek in sy praktyk en uitsluitend vir die behandeling van diere wat onder sy sorg staan en ooreenkomstig die bepalings van hierdie Wet.

(2) Die Minister mag te eniger tyd so 'n sertifikaat intrek as hy oortuig is dat daar voldoende rede vir die intrekking bestaan, en sy beslissing in die saak is finaal.

(3) Die uitreiking of intrekking van elke sodanige sertifikaat moet in die *Staatskoerant* bekendgemaak word.

Bewyslas.

90. (1) In 'n strafgeding teen iemand op 'n beskuldiging dat hy 'n handeling verrig het wat 'n misdryf ingevolge hierdie Wet uitmaak indien verrig deur iemand wat nie geregistreer is nie of wat nie in besit is nie van 'n sertifikaat, lisensie, permit, bestelling of resep, word die beskuldigde geag ongeregistreer te wees of nie in besit van so 'n sertifikaat, lisensie, permit, bestelling of resep te wees nie tensy hy die teendeel bewys.

(2) In 'n strafgeding teen iemand op 'n beskuldiging dat hy 'n handeling verrig het wat 'n misdryf ingevolge hierdie Wet uitmaak indien deur hom vir wins verrig, word hy geag daardie handeling vir wins te verrig het as hy enigiets van waarde met betrekking tot daardie handeling aangeneem het.

Straf as geen uitdruklike strafbepaling bestaan.

91. Wanneer op 'n oortreding van hierdie Wet of op nie-nakoming daarvan nie uitdruklik 'n straf gestel is nie is die skuldige by veroordeling strafbaar met 'n boete van hoogstens vyftig pond.

Onbevoegdhede van ongeregistreerde persone. Watter bewys nodig is vir uitreiking van lisensies.

92. (1) Geen vergoeding kan ingevorder word nie vir 'n handeling wat tot die beroep van 'n geregistreerde persoon behoor indien verrig deur iemand wat nie ingevolge hierdie Wet bevoeg is nie om dit vir wins te verrig.

(2) Niemand anders dan 'n geregistreerde persoon wat die nodige bevoegdhede besit, is benoembaar of geregtig om 'n betrekking te beklee in enige inrigting of gestig of onder enige liggaam, instelling of vereniging, hetsy publiek of privaat, om 'n handeling te verrig wat 'n ongeregistreerde persoon regtens nie vir wins mag verrig nie: Met die verstande dat hierdie sub-artiekel nie die opleiding belet nie van studente in die geneeskunde of tandheelkunde onder toesig van 'n geneesheer of van 'n tandarts, na gelang van omstandighede, of indiensstelling in 'n hospitaal of 'n dergelike inrigting van bediendes of van leerling-verpleegsters wat opgelei word of persone wat opgelei word om as vroedvroue gesertifiseer te word, onder toesig van 'n geregistreerde verpleegster of geregistreerde vroedvrou of van persone wat opgelei word as masseurs onder toesig van 'n geregistreerde masseur, en in die geval van 'n militêre of marine-inrigting of -eenheid, nie belet nie dat lede van die land- of see-mag gebruik word om medisyne te resepteer as hulle daartoe opgelei is en deur die Minister bekwaam geag word om in daardie inrigting of eenheid medisyne te resepteer.

(3) Geen belasting of ander lisensie wat 'n geneesheer, tandarts, of apteker of ander geregistreerde persoon nou of in die toekoms sal moet verkry, mag uitgereik word deur die gesag wat regtens bevoeg is om so 'n lisensie uit te reik, tensy die persoon wat dit aanvra die bewys lewer dat hy geregistreer is.

Werkkring van, en arbeidsverdeling tussen raad en kommissie ingevolge hierdie Wet.

93. (1) Die werkkring van die raad ingevolge hierdie Wet omvat alle sake wat betrekking het op geneeshere, tandartse, verpleegsters, vroedvroue, masseurs, studente in geneeskunde, studente in tandheelkunde, tandwerktuigkundiges, inspekteurs van gesondheid, vlees- of voedselinspekteurs, gesondheidsbesoekers en ander klasse van geregistreerde persone wat te doen het met die behandeling of voorkoming van menslike liggaamsgebreke of siektes, en die werkkring van die kommissie ingevolge hierdie Wet omvat alle sake wat betrekking het op aptekers en aptekersleerlinge en aptekersbediendes; en waar die uitdrukking "die raad of kommissie" in hierdie Wet gebruik word, beteken dit die raad of die kommissie, na gelang van omstandighede, tensy die samehang anders vereis.

(2) The council or board may be required by the Minister to advise the Government on any matter within its sphere, and shall communicate to the Minister information acquired by it in the course of its duties on matters of public import.

(3) Any dispute arising between the council and the board shall be referred to the Minister or to some person to be appointed by him and the decision of the Minister or of such person shall be final and binding.

Regulations, rules and orders.

94. (1) Any proclamation, regulation, rule or order made under this Act may from time to time be amended or rescinded by the authority which made it.

(2) The council or board may from time to time make rules not inconsistent with this Act providing for—

(a) the conduct of the business and the procedure at meetings of the council or board and of committees of the council or board, and the manner in which minutes of such proceedings shall be kept;

(b) the manner in which contracts shall be entered into on behalf of the council or board and in which the accounts of the council and of the board shall be kept;

(c) the fees and allowances to be paid to members when engaged on the service of the council or board;

(d) the duties of the registrar and other officers;

(e) the fees to be charged (other than such as are fixed by this Act) for any matter in respect of which a fee is under this Act chargeable;

(f) the forms of the registers and of all certificates issuable under this Act (other than certificates issued under Chapter V. or Chapter VI.) and the manner in which alterations may be effected in such registers;

(g) the forms to be filled in and the documents to be submitted by applicants for registration or for restoration to the registers;

(h) the degrees, diplomas and certificates which may be registered as additional qualifications;

(i) the form and method of and the fee for registration of contracts of apprenticeship to chemists and druggists, the transfer of such contracts from one chemist and druggist to another, the standard of general education required of candidates, the course of training and study prior to examination, the institutions at which such course may be taken and the subjects and standard of examinations which will enable a person to obtain registration as chemist and druggist on compliance with any other requirement of this Act; the fees payable by candidates, the appointment and remuneration of examiners, and any other matter incidental to such examinations;

(j) the minimum age and the standard of general education required of candidates for examination for certificates as nurses, midwives, masseurs, dental mechanicians, sanitary or health inspectors, meat or food inspectors, health visitors or other classes of persons in respect of which the council may establish registers under this Act, the persons who may be admitted to such examinations, the courses of study and the training required for such examinations, the institutions at which such courses or training may be taken or other requirements in connection with such study or training, the fees payable by candidates for examination, the appointment and remuneration of examinors the issue of certificates by the council and any other matter incidental to such examinations or the issue of such certificates;

(k) the conditions under which registered nurses, midwives, masseurs, dental mechanicians, sanitary or health inspectors, meat or food inspectors, health visitors and any other classes of persons registered by the council may carry on their callings;

(l) the acts or omissions of which the council or board may take cognizance under Chapter IV.,

and generally for the better carrying out of its functions under this Act.

(3) The rules may provide penalties for any contravention thereof or failure to comply therewith, not exceeding a fine of ten pounds.

(4) No such rule nor any amendment or rescission thereof shall be of force and effect until approved by the Minister and published in the *Gazette*.

Alteration of Second Schedule and levying of annual fees on registered persons.

95. (1) The Governor-General may from time to time, by proclamation in the *Gazette*, after the Minister has consulted with the council or the board or on the recommendation of the council or board, amend the Second Schedule to this Act by increasing or reducing any of the fees mentioned therein or by adding to the list of fees therein a registration fee in respect of any additional register established by the council or board under this Act.

(2) If at any time the funds of the council or board prove insufficient for its requirements, the Minister may, in his discretion, refund to the council or board any fees or allowances paid by the council or board in accordance with rules framed under paragraph (c) of sub-section (2) of section *ninety-four* to members appointed by the Minister, or any other expenses necessarily incurred by the council or board in connection with such members, and further the Governor-

(2) Die raad of kommissie moet op versoek van die Minister die Regering van advies dien omtrent enige saak wat binne sy gebied val en moet aan die Minister inligtings meedeel wat hy in die loop van sy ampswerksaamhede omtrent sake van openbare belang verkry het.

(3) Enige geskil tussen die raad en die kommissie moet na die Minister verwys word of na iemand deur hom te benoem, en die beslissing van die Minister of van daardie persoon is finaal en bindend.

Regulasies reëls en orders.

94. (1) 'n Proklamasie, regulasie, reël of order wat kragtens hierdie Wet uitgevaardig is, mag van tyd tot tyd gewysig of ingetrek word deur die gesag wat dit uitgevaardig het.

(2) Die raad of kommissie mag van tyd tot tyd deur reëls, wat nie met hierdie Wet in stryd is nie, bepaal—

(a) die verrigting van die werksaamhede en prosedure by vergaderings van die raad of kommissie en van komitees van die raad of kommissie en die manier waarop notule van sulke verrigtings gehou moet word;

(b) die manier waarop kontrakte namens die raad of kommissie aangegaan moet word en waarop die rekenings van die raad en van die kommissie gehou moet word;

(c) die fooie en toelae aan lede te betaal, wanneer hulle in diens van die raad of kommissie werksaam is;

(d) die werksaamhede van die registrateur en ander beamptes;

(e) die fooie, (behalwe die wat hierdie Wet vasstel) te bereken vir iets waarvoor ingevolge hierdie Wet 'n fooi bereken kan word;

(f) die vorm van die registers en van alle sertifikate wat ingevolge hierdie Wet uitgereik kan word (behalwe sertifikate uitgereik ingevolge Hoofstuk V. of Hoofstuk VI.) en die manier waarop veranderings in daardie registers aangebring kan word;

(g) die vorms wat ingevul en die dokumente wat voorgelê moet word deur aanvraers om registrasie of om herstel op die registers;

(h) die grade, diplomas en sertifikate wat as bykomende bevoegdhede geregistreer mag word;

(i) die vorm en manier van registrasie van leerlingkontrakte met aptekers en die fooi daarvoor, die oordrag van sodanige kontrakte van een apteker aan 'n ander, die trap van algemene opvoeding wat van kandidate vereis word, die opleidings- en leerkursus wat aan 'n eksamen moet voorafgaan, die inrigtings waaraan daardie kursus gevolg mag word en die vakke en standard van die eksamens wat iemand in staat sal stel om as apteker geregistreer te word wanneer hy voldoen aan enige ander vereiste van hierdie Wet; die deur kandidate te betale fooie, die benoeming en besoldiging van eksaminatore en enige ander saak wat op daardie eksamens betrekking het;

(j) die mienimum leeftyd en die trap van algemene opvoeding gestel vir kandidate by eksamens vir sertifikate as verpleegsters, vroedvroue, masseurs, tandwerktuigkundiges, inspekteurs van gesondheid, vlees- of voedselinspekteurs, gesondheidsbesoekers of ander klasse van persone waarvoor die raad ingevolge hierdie Wet registers mag aanlê, die persone wat tot daardie eksamens toegelaat mag word, die vir daardie eksamens vereiste studie- en opleidingskursusse, die inrigtings waarin sodanige kursusse of opleiding gevolg mag word, of ander vereistes in verband met daardie studie of opleiding, die deur eksamenkandidate te betale fooie, die benoeming en besoldiging van eksaminatore, die uitreiking van sertifikate deur die raad en enige ander saak wat op daardie eksamens of die uitreiking van daardie sertifikate betrekking het;

(k) die voorwaardes waaronder geregistreerde verpleegsters, vroedvroue, masseurs, tandwerktuigkundiges, inspekteurs van gesondheid, vlees- of voedselinspekteurs, gesondheidsbesoekers en ander klasse van persone wat deur die raad geregistreer is, hulle beroep mag uitoefen;

(l) die handelings of versuime waarvan die raad of kommissie, kragtens Hoofstuk IV., kennis mag neem,

en oor die algemeen om beter sy werksaamhede ingevolge hierdie Wet te kan verrig.

(3) Die reëls mag op hulle oortreding of nie-nakoming strawwe stel van hoogstens 'n boete van tien pond.

(4) So 'n reël of 'n wysiging of intrekking daarvan is nie regsgeldig nie tensy dit deur die Minister goedgekeur en in die *Staatskoerant* gepubliseer is.

Verandering van Twede Bylae en heffing van jaarlikse fooie van geregistreerde persone.

95. (1) Die Goewerneur-generaal mag van tyd tot tyd by proklamasie in die *Staatskoerant*, nadat die Minister met die raad of kommissie beraadslaag het of op aanbeveling van die raad of kommissie die Twede Bylae tot hierdie Wet wysig deur verhoging of vermindering van enige van die daarin vermelde fooie of deur toevoeging aan die daarin vervatte lys van fooie, van 'n registrasiefooi ten opsigte van 'n verdere register deur die raad of kommissie ingevolge hierdie Wet aangelê.

(2) As die gelde van die raad of kommissie te eniger tyd vir sy behoeftes onvoldoende blyk, mag die Minister volgens sy diskresie aan die raad of kommissie terugbetaal fooie of toelaes, deur die raad of kommissie ooreenkomstig reëls opgestel ingevolge paragraaf (c) van sub-artiekel (2) van artiekel *vier-en-negentig*, betaal aan lede deur die Minister aangestel of ander onkoste noodsaaklikerwys deur die raad of kommissie aangegaan in verband met sulke lede, en verder mag die Goewerneur-generaal op aanbeveling van die raad

General, on the recommendation of the council or the board, may, by proclamation, authorize the council to prescribe a fee to be paid to it by every registered medical practitioner and every registered dentist, and may similarly authorize the board to prescribe a fee to be paid to it by every registered chemist and druggist. Where any registered person fails or refuses to pay such fee after due notice and within a reasonable time to be specified in the proclamation, the council or the board may recover such fee by action in a competent court.

of kommissie by proklamasie die raad magtig om 'n fooi vas te stel, deur elke geregistreerde geneesheer en deur elke geregistreerde tandarts aan die raad te betaal, en hy mag eweneens die kommissie magtig, om 'n fooi vas te stel, deur elke geregistreerde apteker aan die kommissie te betaal. Wanneer 'n geregistreerde persoon in gebreke bly of weier om na kennisgewing en binne 'n redelike, in die proklamasie te bepale tyd, daardie fooi te betaal, dan mag die raad of die kommissie daardie fooi in 'n bevoegde hof invorder.

Interpretation of terms.

96. (1) In this Act, unless inconsistent with the context—

"authorized veterinarian" means a veterinarian holding a certificate, current at the time being, issued to him by the Minister under section *eighty-nine;*

"board" means the South African Pharmacy Board constituted under this Act;

"chemist and druggist" means a person registered as such under this Act;

"council" means the South African Medical Council constituted under this Act;

"dental mechanician" means a person registered as such under this Act;

"dentist" means a person registered as such under this Act;

"lying-in" in relation to a woman, refers to confinement, abortion or miscarriage, or any similar condition arising in connection with pregnancy;

"medical practitioner" means a person registered as such under this Act;

"medicinal purpose" in relation to a habit-forming drug; means the treatment of a disease or some other definite curative or therapeutic purpose, but does not include the satisfaction or relief of a habit or craving for the drug used or for any other habit-forming drug except where the drug is administered or used in a hospital or similar institution maintained wholly or partly by the Government or a Provincial Administration, or approved for this purpose by the Minister;

"member" means a member of the council or of the board, as the context may require;

"Minister" means the Minister of Public Health or any other Minister of State acting in his stead;

"pharmacy" means any place wherein is performed any act specially pertaining to the calling of a chemist and druggist;

"poison" means any substance mentioned or included in the Fourth Schedule to this Act;

"prescribed" means prescribed by this Act;

"president" or "vice-president" means the president or vice-president of the council or of the board (as the context may require) and includes a person lawfully acting as such and, for the purposes of sub-section (2) of section *forty-two,* a member acting as chairman at an enquiry;

"proprietary medicine" means a medicine prepared, or purporting or professed to be prepared, by a secret process or formula the property or in the custody of the manufacturer;

"register" when used as a noun means a register kept in accordance with Chapter II., and when used in relation to any class or a member of any class of persons in respect of which a register is kept, means the register kept for that class, and when used as a verb means to enter in such register; the words registered, registerable, registration and all other words formed with or derived from the word "register" have a corresponding meaning;

"registrar" means the registrar, or person lawfully acting as such, of the council or of the board, as the case may be;

"regulation" means any regulation lawfully made and in force under this Act;

"rule" means a rule in force and lawfully made by the council or board under section *ninety-four;*

"scheduled law" means one of the laws specified in the Sixth Schedule to this Act;

"this Act" includes any proclamation, regulation, rule or order made and in force under this Act;

"university" includes any constituent college or portion of any university;

"unregistered assistant" for the purposes of sections *thirty-seven, fifty* and *fifty-five* means a person who has completed any one of the periods of apprenticeship or service with a chemist and druggist as prescribed in section *twenty-seven.*

(2) A reference in this Act to any Schedule thereto shall be interpreted as a reference to that Schedule as altered or amended under the powers conferred by this Act.

(3) Wherever in any law or regulation having the force of law heretofore or hereafter enacted or made, the term "medical practitioner" or "dentist" or "chemist and druggist" or "pharmacist" or "pharmaceutical chemist" or "certificated nurse" or "trained nurse" or "certificated midwife" or "certificated masseur," or any other term having the meaning of any of those terms, is used, such term shall mean the corresponding term used in respect of a person registered under this Act; and no certificate required by any such law or regulation to be granted by a person comprehended by any of the terms aforesaid shall be valid unless the person signing the same is registered under this Act.

Woordbepaling.

96. (1) Tensy uit die samehang anders blyk, beteken in hierdie Wet—

"bevoegde veearts", 'n veearts wat in besit is van 'n op die betrokke tydstip geldige sertifikaat, deur die Minister aan hom ingevolge artiekel *neën-en-tagtig* uitgereik;

"kommissie", die Suidafrikaanse Aptekerskommissie, ingevolge hierdie Wet ingestel;

"apteker", iemand wat ingevolge hierdie Wet as sodanig geregistreer is;

"raad", die Suidafrikaanse Geneeskundige Raad, ingevolge hierdie Wet ingestel;

"tandwerktuigkundige", iemand wat as sodanig ingevolge hierdie Wet geregistreer is;

"tandarts", iemand wat as sodanig ingevolge hierdie Wet geregistreer is;

"kraam", (met betrekking tot 'n vrou) 'n bevalling, miskraam of 'n dergelike toestand wat in verband met swangerskap ontstaan;

"geneesheer", iemand wat as sodanig ingevolge hierdie Wet geregistreer is;

"as geneesmiddel", (in verband met gewoontevormende medisyne) tot behandeling van 'n siekte of met 'n ander bepaalde genesende of terapeutiese doel, maar dit omvat nie die bevrediging of verligting van 'n gewoonte of drang na die gebruikte medisyne nie of na enige ander gewoontevormende medisyne, behalwe wanneer die medisyne toegedien of gebruik word in 'n hospitaal of dergelike inrigting wat geheel of gedeeltelik deur die Regering of 'n prowinsiale administrasie onderhou of vir hierdie doel deur die Minister goedgekeur is;

"lid", 'n lid van die raad of van die kommissie, soas die sinsverband dit vereis;

"Minister", die Minister van Volksgesondheid of enige ander Staatsminister wat in sy plek optree;

"apteek", 'n plek waar 'n handeling verrig word wat spesiaal tot die beroep van 'n apteker behoor;

"vergif", 'n stof vermeld of opgeneem in die Vierde Bylae tot hierdie Wet;

"voorgeskrywe", deur hierdie Wet voorgeskrywe;

"voorsitter" of "vise-voorsitter", die voorsitter of vise-voorsitter van die raad of van die kommissie (soas die sinsverband dit vereis), en ook iemand wat wettig as voorsitter optree, en vir die doeleindes van subartiekel (2) van artiekel *twee-en-veertig,* 'n lid wat by 'n ondersoek as voorsitter optree;

"private medisyne" 'n medisyn berei of wat heet of beweer word berei te wees, deur 'n geheime proses of formule wat die eiendom of in bewaring is van die fabrikant;

"register", 'n register gehou ooreenkomstig Hoofstuk II. en indien gebruik in verband met 'n klas of 'n lid van 'n klas van persone waarvoor 'n register gehou word, beteken dit die register gehou vir daardie klas; en

"registreer" beteken in so 'n register inskrywe; die woorde "geregistreer", "registreerbaar", "registrasie" en alle ander woorde wat met die woord "register" gevorm of daaruit afgelei is, het 'n daarmee ooreenstemmende betekenis;

"registrateur", die registrateur of die persoon wat wettig as sodanig optree, van die raad of van die kommissie, na gelang van omstandighede;

"regulasie", 'n regulasie wat wettig ingevolge hierdie Wet uitgevaardig en van krag is;

"reël", 'n reël wat deur die raad of kommissie ingevolge artiekel *vier-en-negentig* wettig vasgestel en van krag is;

"herroepe wet", een van die wette vermeld in die Sesde Bylae tot hierdie Wet;

"hierdie Wet", ook 'n ingevolge daarvan uitgevaardigde en geldende proklamasie, regulasie, reël of order;

"uniwersiteit", ook 'n kollege of deel waaruit 'n uniwersiteit bestaan;

"ongeregistreerde bediende", vir die doeleindes van artiekels *sewen-en-dertig, vyftig* en *vyf-en-vyftig,* iemand wat een van die leerlings- of dienstydperke by 'n apteker voltooi het, soas in artiekel *sewen-en-twintig* bepaal.

(2) In hierdie Wet word onder 'n Bylae daartoe verstaan, daardie Bylae soas verander of gewysig kragtens die bevoegdhede deur hierdie Wet verleen.

(3) Wanneer in 'n wet of in 'n regulasie met krag van wet, wat voor of na hierdie Wet ingevoer of uitgevaardig is, die uitdrukking "geneesheer" of "tandarts" of "apteker" of "farmaseut" of "opgeleide verpleegster" of "gesertifiseerde verpleegster" of "gesertifiseerde vroedvrou" of "gesertifiseerde masseur" of enige ander uitdrukking wat die betekenis van een van daardie uitdrukkings het, voorkom, dan het daardie uitdrukking die betekenis van die daarmee ooreenstemmende uitdrukking gebruik met betrekking tot iemand wat ingevolge hierdie Wet geregistreer is; en geen sertifikaat wat volgens vereiste van so 'n wet of regulasie verleen moet word deur iemand wat onder een van voormelde uitdrukkings val, is geldig tensy die persoon wat dit onderteken, ingevolge hierdie Wet geregistreer is.

Repeal of laws.

97. (1) The laws specified in the Sixth Schedule to this Act are hereby repealed to the extent set out in the fourth column of that Schedule: Provided that regulations made under any laws repealed by this Act shall remain in force unless in conflict with this Act and be deemed to be made thereunder until superseded by regulations made under this Act: Provided further that all matters and proceedings commenced under the scheduled laws and pending or in progress before the councils or boards constituted thereunder at the commencement of this Act may be continued and completed as if this Act had not been passed.

(2) Any funds and property in the possession of any of the medical councils or pharmacy boards constituted under any scheduled law and existing at the commencement of this Act shall be transferred to the council or to the board, as the case may be.

Savings and rights of certain married women to registration.

98. (1) Nothing in this Act contained, except the provisions contained in Chapters V. and VI., shall be construed as prejudicing or terminating the right of any medical practitioner or dentist or chemist and druggist registered under any scheduled law to continue to perform acts which, but for this Act, he would have been entitled to perform so long as such person is registered under this Act and continues to reside and practise in the province in which such right was acquired.

(2) Nothing in this Act contained shall be construed as prejudicing or terminating the right of any native entitled at the commencement of this Act under the provisions of Chapter XIV. of Law No. 19 of 1891 of Natal to practise amongst natives in Natal, or under the provisions of Zululand Proclamation No. 7 of 1895 to practise amongst natives in Zululand, as a medicine man or medicine woman or as a herbalist or midwife; but from and after the commencement of this Act no licence under either of the said laws shall be issued except on the order of the Minister or by way of renewal of a licence already issued and where application for such renewal is made within three months after the date of expiry of the previous licence.

(3) Notwithstanding any other provision of this Act, a woman born elsewhere than in the Union who might, if she had been born in any part of the Union, have been registered under the provisions of section *twenty-three* or *twenty-eight* shall be eligible for registration as a medical practitioner, dentist or chemist and druggist if she proves that she is or was lawfully married to a person whose name is or was on the register upon which she applies for enrolment.

Extension of Act to South West Africa.

99. (1) The Governor-General may, by proclamation in the *Gazette,* extend this Act, with such modifications of an administrative nature as he may deem necessary, to the mandated territory of South West Africa, and thereafter and subject to any modifications as aforesaid, that territory shall, for all purposes of this Act, be deemed to be a province of the Union.

(2) Every person who on the date of the issue of the proclamation under sub-section (1) was licensed and entitled to pratise as a medical practitioner or as a dentist or as a chemist and druggist under Administrator's Proclamation No. 3 of 1920, or No. 25 of 1922, or No. 40 of 1923, shall subject to the provisions of sub-section (2) of section *fifteen,* be deemed to be registered under this Act for the said territory and the Union as a medical practitioner, dentist or chemist and druggist, as the case may be, and shall thereby be entitled, subject to the provisions of this Act or of any other law, to practise or carry on in the said territory and the Union the profession or calling in respect of which he is so registered. The date of first registration of every such person shall be the date when such person was registered under the aforesaid Proclamation.

(3) Upon the issue of a proclamation under sub-section (1), the Minister shall appoint a medical practitioner whom he considers representative of registered persons in the said territory to be a member of the council, in addition to those mentioned in sub-section (3) of section *two,* and thereafter the provisions of that sub-section, and all other provisions of this Act which apply to members of the council nominated by the Minister, shall apply to such member.

(4) The Minister may, on the recommendation of the Administrator of the said territory, grant a permit to any person who holds an *Approbation als Arzt,* an *Approbation als Zahnarzt* or an *Approbation als Apotheker* issued by a competent authority in Germany and is entitled to practise in Germany as *Arzt, Zahnarzt* or *Apotheker,* to practise in the said territory as a medical practitioner, dentist or chemist and druggist, as the case may be, without being registered as such, in the place of a medical practitioner, dentist or chemist and druggist lawfully practising as such in the said territory, during the latter's absence from his ordinary place of residence in the said territory.

(5) Such permit shall specify a period during which it shall be in force but it shall cease to be in force if within such period the medical practitioner, dentist or chemist and druggist in whose place the holder of such permit is practising shall resume his practise as such in any part of the said territory or die or cease to be domiciled in the said territory.

(6) Such permit shall entitle the holder thereof to practise as a medical practitioner, dentist or chemist and druggist, as the case may be, in the said territory during the period of validity of such permit: Provided that if the Minister is satisfied that the holder of such permit has been guilty of improper conduct or disgraceful conduct, or conduct which when regard is had to such person's profession is improper or disgraceful, he may cancel such permit.

Wetsherroeping.

97. (1) Die wette vermeld in die Sesde Bylae tot hierdie Wet word hiermee herroep tot die omvang aangegee in die vierde kolom van daardie Bylae: Met die verstande dat regulasies uitgevaardig ingevolge 'n wet wat deur hierdie Wet in stryd is, en beskou word ingevolge daarvan uitgevaardig te wees totdat hulle vervang word deur regulasies wat ingevolge hierdie Wet uitgevaardig is: Met die verstande ook, dat alle sake en verrigtings wat ingevolge die herroepe wette beginne en by die inwerkingtreding van hierdie Wet voor die ingevolge daardie wette ingestelde rade of kommissies hangende of in behandeling is, voortgesit en voltooi mag word asof hierdie Wet nie ingevoer was nie.

(2) Gelde en eiendom in besit van een van die geneeskundige rade of aptekerskommissies wat ingevolge 'n herroepe wet ingestel is en by die inwerkingtreding van hierdie Wet nog bestaan, gaan, na gelang van omstandighede, op die raad of op die kommissie oor.

Voorbehoudsbepalings en regte van sekere getroude vrouens op registrasie.

98. (1) Hierdie Wet, behalwe die bepalings van Hoofstukke V. en VI., verkort of beëindig nie die reg van 'n geneesheer of tandarts of apteker, wat ingevolge 'n herroepe wet geregistreer is, om voort te gaan met die verrigting van iets waartoe hy geregtig sou gewees het as hierdie Wet nie ingevoer was nie, mits hy ingevolge hierdie Wet geregistreer is en woonagtig bly en sy praktyk voortsit in die provinsie waarin daardie reg verkry is.

(2) Hierdie Wet verkort of beëindig nie die reg van 'n naturel wat by die inwerkingtreding van hierdie Wet geregtig is om ingevolge die bepalings van Hoofstuk XIV van Wet No. 19 van 1891 van Natal onder naturelle in Natal, of ingevolge die bepalings van die Soeloelandse Proklamasie No. 7 van 1895, onder die naturelle in Soeloeland te praktiseer as 'n medisynman of medisynvrou of as 'n kruiedokter of vroedvrou; maar met en na die inwerkingtreding van hierdie Wet mag geen lisensie ingevolge een van genoemde wette uitgereik word nie behalwe op las van die Minister of as 'n vernuwing van 'n reeds uitgereikte lisensie en as daardie vernuwing aangevra word binne drie maande na die vervaldag van die vorige lisensie.

(3) Nieteenstaande enige ander bepaling in hierdie Wet, kan 'n vrou wat elders as in die Unie gebore is en wat kragtens die bepalings van artiekel *drie-en-twintig* of *ag-en-twintig* sou geregistreer kan geword het as sy in enige deel van die Unie gebore was, geregistreer word as 'n geneesheer, tandarts of apteker as sy bewys dat sy wettig getroud is of was met iemand wie se naam voorkom of voorgekom het op die register waarop sy versoek om ingeskrywe te word.

Toepassing van Wet op Suidwes-Afrika.

99. (1) Die Goewerneur-generaal mag by proklamasie in die *Staatskoerant* hierdie Wet, met sodanige wysigings van 'n administratiewe aard as wat hy nodig ag, op die mandaatgebied Suidwes-Afrika van toepassing verklaar en daarna word daardie gebied, met inagneming van voormelde wysigings, vir alle doeleindes van hierdie Wet beskou as 'n provinsie van die Unie.

(2) Elkeen wat op die dag van verskyning van die proklamasie ingevolge sub-artiekel (1) kragtens Administrateurs-Proklamasie No. 3 van 1920 of No. 25 van 1922 of No. 40 van 1923 as geneesheer of as tandarts of as apteker gelisensieer en geregtig was om as sodanig te praktiseer, word, met inagneming van die bepalings van sub-artiekel (2) van artiekel *vyftien,* geag ingevolge hierdie Wet vir voormelde gebied en die Unie geregistreer te wees na gelang van omstandighede as 'n geneesheer, tandarts of apteker en is daardeur, met inagneming van die bepalings van hierdie Wet of van enige ander wet geregtig om in genoemde gebied en in die Unie die professie of beroep, ten opsigte waarvan hy aldus geregistreer is, uit te oefen. Die dag van eerste registrasie van elke sodanige persoon is die dag waarop hy ingevolge voormelde proklamasie geregistreer is.

(3) Met die uitvaardiging van 'n proklamasie ingevolge sub-artiekel (1) moet die Minister 'n geneesheer wat hy as 'n verteenwoordiger van geregistreerde persone in die voormelde gebied beskou, as lid van die raad benoem, buiten daardie wat in sub-artiekel (3) van artiekel *twee* vermeld word, en daarna is die bepalings van daardie sub-artiekel en alle ander bepalings van hierdie Wet, wat van toepassing is op lede van die raad deur die Minister benoem, op daardie lid van toepassing.

(4) Op aanbeveling van die Administrateur van voormelde gebied mag die Minister aan iemand wat in besit is van 'n *Approbation als Arzt,* 'n *Approbation als Zahnarzt* of 'n *Approbation als Apotheker,* deur 'n bevoegde gesag in Duitsland uitgereik, en wat geregtig is om in Duitsland as *Arzt, Zahnarzt* of *Apotheker* te praktiseer, 'n permit verleen om in voormelde gebied na gelang van omstandighede as geneesheer, tandarts of apteker te praktiseer sonder om as sodanig geregistreer te wees, in die plek van 'n geneesheer, tandarts of apteker wat wettig as sodanig in bedoelde gebied praktiseer, gedurende laasgenoemde se afwesigheid van sy gewone woonplek in voormelde gebied.

(5) Die permit moet 'n tydperk vasstel waarin dit van krag sal wees, maar dit verval as die geneesheer, tandarts of apteker in wie se plek die permithouer praktiseer gedurende daardie tydperk in enige deel van genoemde gebied sy praktyk as sodanig hervat of sterf of ophou om in voormelde gebied gedomisilieer te wees.

(6) Die permit gee aan sy besitter die reg om in genoemde gebied na gelang van omstandighede as geneesheer, tandarts of apteker te praktiseer solank die permit van krag is: Met die verstande dat die Minister, as hy oortuig is dat die permithouer hom skuldig gemaak het aan onbetaamlike gedrag of skandelike gedrag of aan gedrag wat met die oog op die permithouer se beroep onbetaamlik of skandelik is, die permit mag intrek.

(7) The number of such permits in force at any one time shall not exceed four, and no such permit shall be granted or remain in force and effect after the thirty-first day of December, 1933.

(8) If on or before the thirty-first day of December, 1933, any medical practitioner or dentist or chemist and druggist who is deemed to be registered under sub-section (2) and who is *bona fide* practising as such in the said territory, notifies the Administrator of the said territory in writing that he is about to cease to practise as such, in the said territory, or if any such medical practitioner or dentist or chemist and druggist dies on or before the said date the Minister may, on the recommendation of the said Administrator, and after consultation with the council or board, direct that any person designated by such medical practitioner, dentist or chemist and druggist or by the executor in his estate, who holds an *Approbation als Arzt,* an *Approbation als Zahnarzt,* or an *Approbation als Apotheker* issued by a competent authority in Germany and is entitled to practice in Germany as *Arzt, Zahnarzt* or *Apotheker,* as the case may be, be registered under this Act as a medical practitioner or dentist or chemist and druggist, as the case may be, but such registration shall entitle such person to carry on his profession or calling only in the said territory and not in any part of the Union.

(9) Upon the registration referred to in sub-section (8), the person from whom the notification of cessation of practise has been received by the Administrator shall no longer by deemed to be registered as aforesaid and shall cease to be entitled to carry on within the said territory or the Union the profession or calling aforesaid.

Short title and commencement of Act.

100. (1) This Act may be cited as the Medical, Dental and Pharmacy Act, 1928.

(2) Chapter I., the First Schedule and all other provisions of this Act enabling the council and the board to be constituted and to commence their functions, shall come into operation upon the promulgation of this Act.

(3) All the other provisions of this Act shall come into operation on the first day of January, 1929, which date shall, for all the purposes of this Act not falling under the portions of this Act referred to in sub-section (2), be deemed to be the date of commencement of this Act.

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FIRST SCHEDULE.

REGULATIONS FOR HOLDING ELECTIONS OF THE COUNCIL AND OF THE BOARD.

Notice of date of nominations and persons to receive the same.

1. (1) On a date prior to the first day of October, 1928, and thereafter on a date not less than three months prior to the day upon which the period of office of the members of the council and the board then holding office will expire, or in the event of any elected member vacating his seat in any manner as set forth in section *three* of this Act, notices shall be published in the *Gazette* of the appointment of a returning officer and inviting, in the form set out in the First Annexure to this Schedule, the submission of nominations.

(2) The said notices shall be given and the appointment of the returning officer shall be made, in the case of the election of the first council and of the first board, by the Minister, and, in the case of all subsequent elections, by the president of the council or of the board.

Requirements for valid nomination.

2. (1) No person shall be eligible for election as a member either of the council or of the board, unless—

(a) in the case of the council, he is registered as a medical practitioner or dentist, or, as regards the members to be elected by the registered nurses, midwives and masseurs, he or she is registered as a medical practitioner or as a nurse or midwife or masseur or, in the case of the board, he is registered as a chemist and druggist; and

(b) a nomination, as nearly as possible in the form set forth in the Second Annexure to this Schedule, reaches the returning officer not later than the day appointed; and

(c) the nomination states the christian name or names and the surname of the person proposed as a candidate, and such other particulars as are mentioned in or required by the said Second Annexure; and

(d) the person proposed as a candidate has signified his acceptance in writing or by telegram, and the nomination form is signed, in the case of the council, by not less than two registered medical practitioners if the nomination is of a medical member, or two registered dentists if the nomination is of a dental member, or if the nomination is of a nursing member by two persons registered as nurses or midwives or masseurs; and in the case of the board, by two registered chemists and druggists; and

(e) each nomination form proposes one person only as a candidate for election; and

(f) such person is ordinarily resident within the Union.

(2) Nothing in this regulation shall be construed as prohibiting any person entitled to vote at any such election from signing nomination forms of any number of candidates not exceeding the number to be elected, but his signature shall be void and of no effect on any nomination form signed by him after he has signed nomination forms for the full number of candidates to be elected and for whom he is entitled to vote.

(7) Die aantal sodanige permitte wat gelyktydig van krag is, mag nie meer as vier bedra nie en geen sodanige permit mag verleen word of is van krag na die een-en-dertigste dag van Desember 1933.

(8) As 'n geneesheer of tandarts of apteker wat kragtens sub-artiekel (2) geag word geregistreer te wees, en wat te goeder trou in genoemde gebied as sodanig praktiseer, op of voor die een-en-dertigste dag van Desember 1933 aan die Administrateur van voormelde gebied skriftelik meedeel dat hy op die punt staan om sy praktyk as sodanig in daardie gebied op te gee of as so 'n geneesheer of tandarts of apteker op of voor daardie dag sterf, mag die Minister op aanbeveling van bedoelde Administrateur en na beraadslaging met die raad of kommissie, gelas dat 'n deur daardie geneesheer, tandarts of apteker of deur die eksekuteur in sy boedel aangewese persoon wat na gelang van omstandighede in besit is van 'n *Approbation als Arzt,* 'n *Approbation als Zahnarzt,* of 'n *Approbation als Apotheker,* uitgereik deur 'n bevoegde gesag in Duitsland en geregtig is om in Duitsland as *Arzt, Zahnarzt* of *Apotheker* te praktiseer, volgens hierdie Wet na gelang van omstandighede as geneesheer, of tandarts of apteker geregistreer moet word, maar die registrasie gee aan daardie persoon die reg om sy professie of beroep alleen in voormelde gebied uit te oefen en nie in enige deel van die Unie.

(9) Na die registrasie vermeld in onderartiekel (8) word die persoon, van wie die Administrateur kennis ontvang het dat hy sy praktyk gaan opgee, nie meer geag geregistreer te wees nie, soas voormeld, en hy verloor die reg om in bedoelde gebied of in die Unie voormelde professie of beroep uit te oefen.

Kort tietel en inwerkingtreding van Wet.

100. (1) Hierdie Wet mag aangehaal word as die Wet op Geneeshere, Tandartse en Aptekers, 1928.

(2) Hoofstuk I., die Eerste Bylae en alle ander bepalings van hierdie Wet wat instelling van die raad en van die kommissie en 'n begin van hulle werksaamhede moontlik maak, tree met die afkondiging van hierdie Wet in werking.

(3) Al die ander bepalings van hierdie Wet tree op die eerste dag van Januarie 1929 in werking en daardie dag word vir alle doeleindes van hierdie Wet wat nie val onder die dele van hierdie Wet vermeld in sub-artiekel (2), beskou as die dag van inwerkingtreding van hierdie Wet.

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EERSTE BYLAE.

REGULASIES VIR VERKIESINGS VAN DIE RAAD EN VAN DIE KOMMISSIE.

Kennisgewing van nominasiedag en aan wie dit gerig moet wees.

1. (1) Op 'n dag voor die eerste dag van Oktober, 1928, en daarna op 'n dag nie minder as drie maande voor die dag waarop die ampsduur van die lede van die raad en van die kommissie wat dan hulle amp beklee, sal verstryk of in geval 'n gekose lid sy setel ontruim op 'n wyse vermeld in artiekel *drie* van hierdie Wet, moet in die *Staatskoerant* kennis gegee word van die aanstelling van 'n kiesbeampte en in die vorm aangegee in die Eerste Aanhangsel tot hierdie Bylae, 'n oproeping geskied om nominasies voor te dra.

(2) Bedoelde kennisgewings moet uitgevaardig en die kiesbeampte moet aangestel word, by die verkiesing van die eerste raad en van die eerste kommissie, deur die Minister en by alle latere verkiesings deur die voorsitter van die raad of van die kommissie.

Vereistes vir geldige nominasie.

2. (1) Niemand is as lid hetsy van die raad of van die kommissie verkiesbaar tensy—

(a) met betrekking tot die raad, hy geregistreer is as 'n geneesheer of tandarts of, wat betref die lede wat deur die geregistreerde verpleegsters, vroedvroue, en masseurs gekies moet word, hy of sy geregistreer is as 'n geneesheer of as verpleegster of vroedvrou of masseur, of met betrekking tot die kommissie, hy geregistreer is as 'n apteker; en

(b) 'n nominasie soveel moontlik in die vorm aangegee in die Twede Aanhangsel tot hierdie Bylae nie later as die vasgestelde dag die kiesbeampte bereik; en

(c) die nominasie aangee die voornaam of voorname en die van van die persoon wat as kandidaat voorgedra word en sodanige ander besonderhede as wat in bedoelde Twede Aanhangsel vermeld of voorgeskrywe word; en

(d) die persoon wat as kandidaat voorgedra word, skriftelik of telegrafies sy instemming te kenne gegee het en die nominasievorm geteken is, met betrekking tot die raad, deur nie minder as twee geregistreerde geneeshere as die nominasie 'n geneeskundige lid betref of twee geregistreerde tandartse as die nominasie 'n tandheelkundige lid betref of as die nominasie 'n verplegingslid betref, deur twee persone wat geregistreer is as verpleegsters of vroedvroue of masseurs, en met betrekking tot die kommissie, deur twee geregistreerde aptekers; en

(e) elke nominasievorm met een persoon as kandidaat vir verkiesing voordra; en

(f) daardie persoon gewoonlik in die Unie woon.

(2) Hierdie regulasie belet nie dat iemand wat by so 'n verkiesing stemgeregtig is, die nominasievorms van enige aantal kandidate (dog hoogstens die getal wat gekies moet word) onderteken, maar sy handtekening is nietig en ongeldig op enige nominasievorm wat hy teken nadat hy nominasievorms geteken het vir die volle getal kandidate wat gekies moet word en vir wie hy geregtig is om te stem.

(3) In the case of an election to fill a casual vacancy no person shall be deemed to be validly nominated if resident in a province already represented on the council or board by the maximum number of elected members prescribed for any one province under sub-section (4) of section *two* of this Act.

(3) By 'n verkiesing om 'n toevallige vakature aan te vul, word niemand geag geldig genomineer te wees nie as hy woonagtig is in 'n provinsie wat reeds op die raad of kommissie verteenwoordig is deur die grootste getal gekose lede wat sub-artiekel (4) van artiekel *twee* van hierdie Wet vir een provinsie vasstel.

Notice of election.

3. (1) As soon as may be after the day appointed for receiving nomination papers, the returning officer shall transmit written notice to the Minister in the case of the election of the first council and the first board, and to the president of the council or the board in the case of every subsequent election, of the names of the persons validly nominated.

3. (1) So spoedig doenlik na die dag wat vir die ontvangs van nominasiebriefies vasgestel is, moet die kiesbeampte by verkiesing van die eerste raad en van die eerste kommissie, aan die Minister en by elke volgende verkiesing aan die voorsitter van die raad of van die kommissie skriftelik die name van die geldig genomineerde persone meedeel. Kennisgewing van verkiesing.

(2) If the number of persons validly nominated does not exceed the number of persons then to be elected, the persons so nominated shall be deemed to be duly elected.

(2) As die getal geldig genomineerde persone die getal asdan te verkiese persone nie oortref nie, word die aldus genomineerde persone geag behoorlik gekies te wees.

(3) If the number of persons validly nominated exceeds the number of persons then to be elected, the returning officer shall publish in the *Gazette* a notice—

(3) As die getal geldig genomineerde persone die getal te verkiese persone oortref, moet die kiesbeampte in die Staatskoerant 'n kennisgewing publiseer waarin—

(a) specifying the names of the persons validly nominated; and

(a) die name van die geldig genomineerde persone aangegee word; en

(b) appointing a day (not being less than one month after the publication of the notice) on or before which every person entitled to vote at an election, as a medical practitioner, dentist, registered nurse or registered midwife or registered masseur, or chemist and druggist (as the case may be), may sign and transmit, or deliver to the returning officer the voting paper hereinafter described.

(b) 'n dag vasgestel word (nie minder as een maand na verskyning van die kennisgewing) op of waarvoor elkeen wat geregtig is om by 'n verkiesing te stem na gelang van omstandighede as geneesheer, tandarts, geregistreerde verpleegsters of geregistreerde vroedvrou of geregistreerde masseur of apteker die hieronder omskrewe stembriefie mag teken en aan die kiesbeampte stuur of oorhandig.

(4) If before the day appointed under paragraph (3) of this regulation a person validly nominated notifies in writing to the returning officer the withdrawal of his candidature, and owing to such withdrawal the number of persons remaining validly nominated does not exceed the number then to be elected, the persons so remaining shall be deemed to be duly elected.

(4) As 'n geldig genomineerde persoon voor die ingevolge paragraaf (3) van hierdie regulasie vasgestelde dag aan die kiesbeampte skriftelik die terugtrekking van sy kandidatuur meedeel en ten gevolge van die terugtrekking die getal persone wat geldig genomineer bly, die dan te verkiese getal nie oortref nie, dan word die aldus oorblywende persone geag behoorlik gekies te wees.

Transmission of voting papers.

4. (1) If an election by vote becomes necessary the returning officer shall, not less than one month before the day appointed, transmit by post to the last registered address of every person qualified to vote at the election—

4. (1) As 'n verkiesing deur stemming nodig word, moet die kiesbeampte nie minder as een maand voor die vasgestelde dag deur die pos na die laaste geregistreerde adres van elkeen wat by die verkiesing stemgeregtig is— Versending van stembriefies.

(a) a voting paper, as nearly as possible in the form set forth in the Third Annexure to this Schedule; accompanied by

(a) 'n stembriefie stuur, soveel moontlik in die vorm aangegee in die Derde Aanhangsel tot hierdie Bylae; vergesel van

(b) a printed identification envelope, as nearly as possible in the form set forth in the Fourth Annexure to this Schedule;

(b) 'n gedrukte identifikasie-koevert, soveel moontlik in die vorm aangegee in die Vierde Aanhangsel tot hierdie Bylae;

and in the event of any voting paper or envelope so transmitted being lost or destroyed, he shall, if satisfied of the loss or destruction, and at the request of the person to whom it was transmitted, transmit or deliver to him a fresh voting paper or envelope, or both.

en in geval 'n aldus versonde stembriefie of koevert verlore gaan of vernietig word, moet hy, as hy van die verlies of vernietiging oortuig is, en wel op versoek van die persoon aan wie dit gestuur was, aan hom 'n nuwe stembriefie of koevert of albei stuur of oorhandig.

(2) Every voting paper and envelope transmitted or delivered under this provision shall be one proper to the particular election, according as the election to be held be of a medical practitioner, dentist, representative of nurses, midwives and masseurs, or chemist and druggist.

(2) Elke ingevolge hierdie bepaling versonde of oorhandigde stembriefie en koevert moet op die betrokke verkiesing toepaslik wees, na gelang dit 'n verkiesing van 'n geneesheer, tandarts, verteenwoordiger van verpleegsters, vroedvroue en masseurs of apteker is.

Manner of voting.

5. (1) Each voter desiring to record a vote or votes shall mark upon the voting paper received by him one cross (thus X) against the name of each candidate for whom he intends to vote.

5. (1) Elke kieser wat sy stem of stemme wil uitbring, moet op die stembriefie wat hy ontvang het 'n kruis (aldus X) maak by die naam van elke kandidaat vir wie hy wil stem. Hoe gestem word.

(2) A voter shall place his voting paper, folded with the face inwards, into the identification envelope, securely close that envelope, sign the declaration printed thereon in the presence of two witnesses who shall certify to his signature, place it inside the covering envelope, and transmit it by post or otherwise deliver it to the returning officer.

(2) 'n Kieser moet sy stembriefie met die voorkant na binne gevou in die identifikasie-koevert sit, die koevert dig toe maak, die verklaring wat daarop gedruk staan, teken in teenwoordigheid van twee getuie wat sy handtekening moet sertifiseer, dit in die omslag-koevert sit en dit aan die kiesbeampte deur die pos stuur of andersins oorhandig.

(3) A voter shall be deemed to have spoiled his voting paper, and the vote or votes purporting to be recorded thereon shall not be counted, if—

(3) 'n Kieser word geag sy stembriefie te bederwe het en die stemme wat daarop blyk uitgebring te wees, word nie getel nie, as hy—

(a) he votes for more candidates than there are persons to be elected;

(a) vir meer kandidate stem as wat daar persone is wat gekies moet word;

(b) he votes for a person for whom, under the law, he is not qualified to vote;

(b) stem vir iemand vir wie hy regtens nie bevoeg is om te stem nie;

(c) he places a mark on the voting paper whereby he may be identified;

(c) 'n merk op die stembriefie maak waardeur hy herken kan word;

(d) he votes more than once for the same person or returns more than one voting paper.

(d) meer as eens vir dieselfde persoon stem of meer as een stembriefie terugstuur.

(4) No vote recorded on a voting paper shall be counted unless the voting paper enclosed in the identification envelope, as aforesaid, is received at the place and on or before the day appointed.

(4) Geen stem wat op 'n stembriefie uitgebring is, word getel, tensy die stembriefie, soas voormeld in die identifikasie-koevert ingesluit, op die bepaalde plek en op of voor die vasgestelde dag ontvang word.

Manner of counting votes.

6. (1) The returning officer shall, as soon as possible after the day appointed, and in conjunction with a scrutineer nominated by the Minister—

6. (1) Die kiesbeampte moet so spoedig moontlik na die vasgestelde dag en tesame met 'n deur die Minister benoemde stemopnemer— Hoe stemme getel word.

(a) examine the identification envelopes and the declarations thereon for the purpose of determining whether the declarations are signed by persons qualified to vote;

(a) die identifikasie-koeverte en die verklarings daarop ondersoek ten einde te bepaal of die verklarings deur stembevoegde persone geteken is;

(b) open such of the identification envelopes as they are satisfied are signed by such persons and put the voting papers, kept folded face inwards, into a closed ballot box with an aperture for inserting the papers;

(c) open the ballot box, examine the voting papers, and ascertain the number of valid votes recorded for each candidate.

(2) The persons for whom the greatest number of votes have been recorded (according to the number of persons to be elected and subject to the provisions of sub-section (4) of section *two* of the Act) shall be deemed to be duly elected medical or dental or nursing members of the council or members of the board (as the case may be) and upon the certificate of the returning officer and scrutineer, addressed to the Minister in the case of the election of the first council and the first board, and to the president of the council or the board in the case of every subsequent election, shall be declared by notice in the *Gazette* to have been so elected:

Provided that—

(a) if the Minister or the president of the council or the board (as the case may be) receives from any such member written notice of withdrawal from the election prior to the publication of that notice the person who obtained the next greatest number of votes shall be deemed to be duly elected, and shall be declared as elected;

(b) in the event of the number of votes recorded for any two or more candidates being found to be equal and of the equality affecting the result of the election, the returning officer shall immediately determine the election by lot in the presence of the scrutineer.

(3) Any candidate for election may be present in person or by deputy at and after the opening of the ballot box.

Publication of names of candidates and number of votes recorded for each.

7. The Minister in the case of the election of the first council or board, or the president of the council or the board in the case of every subsequent election, shall as soon as possible after the elections have been determined, publish in the *Gazette* the names of all candidates validly nominated and the number of votes recorded for each.

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FIRST ANNEXURE.

NOTICE OF ELECTION.

Election of member or members of the South African Medical Council or South African Pharmacy Board.

Notice is hereby given, pursuant to the provisions of the First Schedule of the Medical, Dental and Pharmacy Act, 1928, that an election of (1) ..... member..... of the South African Medical Council (or South African Pharmacy Board) to serve during the period expiring on the .....day of ..... is about to be held.

Nomination(*s*) of eligible persons to fill the vacancy are invited.

The following are eligible for nomination:—

(a) For medical or dental member of the council—

every registered medical practitioner or dentist resident in the Union.(2)

(b) For nursing member of the council—

every registered medical practitioner, nurse, midwife, or masseur resident in the Union.

(c) For member of the board—

every registered chemist and druggist resident in the Union.(2)

Each candidate must be nominated by a separate nomination paper, but any person entitled to vote at the election may sign the nomination paper of any number of candidates not exceeding the number to be elected and for which he is entitled to vote.

Every nomination paper must state the christian name in full and surname of the candidate nominated, and must be signed by not fewer than two registered medical practitioners, dentists, nurses or midwives or masseurs, or chemists and druggists (as the case may be), and also by the person nominated under a statement that he consents to be nominated and the address and registered qualifications of each one so signing must be appended to his signature. If the person nominated is unable to sign the nomination paper he may inform the returning officer by letter or telegram that he consents to be nominated.

Every nomination paper must reach the undersigned at the address stated below not later than the .....day of ..... from whom forms of nomination papers may be obtained on application.

(b) die identifikasie-koeverte wat volgens hulle oortuiging deur sodanige persone geteken is, open en die stembriefies, waarvan die voorkant na binne gevou moet bly, sit in 'n geslote stembus met 'n opening om die briefies in te steek;

(c) die stembus open, die stembriefies ondersoek en die aantal geldige stemme vasstel wat op elke kandidaat uitgebring is.

(2) Die persone op wie die grootste aantal stemme uitgebring is (na gelang van die getal van die te verkiese persone en met inagneming van die bepalings van sub-artiekel (4) van artiekel *twee* van die Wet) word beskou as behoorlik gekose geneeskundige of tandheelkundige of verplegingslede van die raad of lede van die kommissie (na gelang van omstandighede) en op grond van die sertifikaat van die kiesbeampte en stemopnemer, gerig, by die verkiesing van die eerste raad en van die eerste kommissie aan die Minister, en by elke volgende verkiesing aan die voorsitter van die raad of van die kommissie, moet hulle by kennisgewing in die *Staatskoerant* as aldus gekies verklaar word.
Met die verstande dat—

(a) as die Minister of die voorsitter van die raad of van die kommissie (na gelang van omstandighede) voor die verskyning van daardie kennisgewing van so 'n lid 'n skriftelike kennisgewing van sy terugtrekking ontvang, die persoon wat die twede-grootste aantal stemme verkry het as behoorlik gekies beskou en as gekies verklaar moet word;

(b) in geval bevind word dat op twee of meer kandidate eweveel stemme uitgebring is en dat die gelykheid van stemme die uitslag van die verkiesing beïnvloed, die kiesbeampte onmiddellik die verkiesing deur die lot moet beslis, in teenwoordigheid van die stemopnemer.

(3) 'n Verkiesingskandidaat mag persoonlik of deur 'n verteenwoordiger aanwesig wees by en na die opening van die stembus.

Bekendmaking van name van kandidate en aantal stemme op elkeen uitgebring.

7. So spoedig moontlik nadat die verkiesing beslis is, moet die Minister by die verkiesing van die eerste raad of kommissie of die voorsitter van die raad of van die kommissie by elke volgende verkiesing, in die *Staatskoerant* die name van alle geldig genomineerde kandidate en die aantal stemme wat op elkeen uitgebring is, bekendmaak.

—

EERSTE AANHANGSEL.

VERKIESINGSKENNISGEWING.

Verkiesing van lid of lede van die Suidafrikaanse Geneeskundige Raad of Suidafrikaanse Aptekerskommissie.

Hiermee word ingevolge die bepalings van die Eerste Bylae tot die Wet op Geneeshere, Tandartse en Aptekers, 1928, kennis gegee dat 'n verkiesing op hande is van (1)..... .....lid/lede van die Suidafrikaanse Geneeskundige Raad (of Suidafrikaanse Aptekerskommissie) om te dien gedurende die tydperk wat op die .....dag van ..... sal verstryk.

Nominasies van verkiesbare persone word ingewag om die vakature aan te vul.

Die volgendes is nomineerbaar:—

(a) As geneeskundige of tandheelkundige lid van die raad—

elke in die Unie (2) woonagtige geregistreerde geneesheer of tandarts.

(b) As verplegingslid van die raad—

elke in die Unie (2) woonagtige geregistreerde geneesheer, verpleegster, vroedvrou of masseur.

(c) As lid van die kommissie—

elke in die Unie (2) woonagtige geregistreerde apteker.

Elke kandidaat moet op 'n afsonderlike nominasiebrief genomineer word maar elkeen wat by die verkiesing stemgeregtig is mag die nominasiebrief van enige aantal kandidate teken dog nie meer as die te verkiese getal en waarvoor hy stemgeregtig is.

Elke nominasiebrief moet vermeld die voornaam voluit en die van van die genomineerde kandidaat en moet geteken wees, na gelang van omstandighede, deur nie minder as twee geregistreerde geneeshere, tandartse, verpleegsters of vroedvroue of masseurs of aptekers en ook deur die genomineerde persoon onder 'n verklaring dat hy tot sy nominasie toestem en die adres en geregistreerde bevoegdhede van elkeen wat aldus teken moet by sy handtekening gevoeg wees. As die genomineerde persoon nie in staat is nie om die nominasiebrief te teken, dan mag hy aan die kiesbeampte per brief of telegram meedeel dat hy tot sy nominasie toestem.

Elke nominasiebrief moet nie later as die .....dag van ..... by onderstaande adres die ondergetekende bereik, van wie nominasiebrief-vorms op aanvraag verkry kan word.

Every nomination paper in respect of which any of these provisions has not been complied with, or which is not received by the aforesaid date at the address stated below, will be invalid.

.....
Returning Officer.

Adress .....
Date .....

(1) Here insert number of representatives to be elected, and in the case of an election for the council also insert whether medical or dental or nursing members.

(2) Except, in the case of an election to fill a casual vacancy, where any one or more provinces are already represented on the council or board by the maximum number of elected members prescribed by subsection (4) of section *two* of the Act, in which case insert the names of the remaining provinces, residence in any one of which shall be one of the qualifications for nomination.

—

SECOND ANNEXURE.

FORM OF NOMINATION PAPER.

Election of member or members of the South African Medical Council or South African Pharmacy Board.

We, the undersigned, being registered (1) ..... hereby nominate (2) ..... of ..... a registered (1)..... as a candidate for election as a member of the South African Medical Council or South African Pharmacy Board(4) at the forthcoming election.

Signatures, addresses and registered qualifications of two medical practitioners, dentists or chemists and druggists or nurses or midwives or masseurs (as the case may be).

(1) Signature .....
Address .....
Registered qualifications .....

Signed in the presence of (3)
Signature .....
Signature .....
(2) Signature .....
Address .....
Registered qualifications .....

Signed in the presence of:
Signature .....
Signature .....

I, the undersigned, hereby consent to accept nominations as a candidate for election to the South African Medical Council or South African Pharmacy Board (4)
Signature .....
Address .....
Registered qualifications .....

(1) Here state whether medical practitioner, dentist, chemist and druggist, registered nurse, registered midwife or registered masseur.
(2) Christian name, in full, and surname and address.
(3) There must be two witnesses to each signature.
(4) Delete the words not applicable.

—

THIRD ANNEXURE.

FORM OF VOTING PAPER.

Official mark of Returning Officer.	Election of member or members of the South African Medical Council or South African Pharmacy Board.

Election of (1)..... Member.

Column for Voter's Mark (X)	Names of Candidates (2)	Address	Registered qualifications

(1) Number of candidates to be elected to be printed here.
(2) Names of all validly nominated candidates to be printed in alphabetical order in this column.

Instructions to Voters.

The voter is entitled to vote for ..... candidate..... and no more, and must vote by placing a mark (thus X) opposite the name of each candidate for whom he votes.

Elke nominasiebrief ten opsigte waarvan een van hierdie bepalings nie nagekom is nie of wat nie teen voormelde dag by onderstaande adres ontvang is nie, is ongeldig.

Adres .....
Dagtekening .....
.....
Kiesbeampte.

(1) Vul hier in hoeveel verteenwoordigers gekies moet word en by 'n verkiesing vir die raad, vermeld ook of dit geneeskundige, tandheelkundiige of verplegingslede is.

(2) Behalwe by 'n verkiesing om 'n toevallige vakature aan te vul wanneer een of meer provinsies reeds in die raad of kommissie verteenwoordig is deur die meeste verkose lede wat sub-artiekel (4) van artiekel *twee* van die Wet bepaal, in watter geval in te vulle is die name van die orige provinsies in een waarvan 'n kandidaat volgens een van die vereistes vir nominasie woonagtig moet wees.

—

TWEDE AANHANGSEL.

VORM VAN 'N NOMINASIEBRIEF.

Verkiesing van 'n lid of lede van die Suidafrikaanse Geneeskundige Raad of Suidafrikaanse Aptekerskommissie.

Ons, die ondergetekendes, geregistreerde (1)..... ..... nomineer hiermee (2)..... 'n geregistreerde (1)..... as 'n kandidaat vir verkiesing as lid van die Suidafrikaanse Geneeskundige Raad of van die Suidafrikaanse Aptekerskommissie (4) by die aanstaande verkiesing.

Handtekenings, adresse en geregistreerde bevoegdhede van twee geneeshere, tandartse of aptekers of verpleegsters of vroedvroue of masseurs (na gelang van omstandighede).

(1) Handtekening .....
Adres .....
Geregistreerde bevoegdhede.....

Geteken in teenwoordigheid van (3)
Handtekening .....
Handtekening .....
(2) Handtekening .....
Adres .....
Geregistreerde bevoegdhede.....

Geteken in teenwoordigheid van:
Handtekening .....
Handtekening .....

Ek, die ondergetekende, stem hiermee toe tot my nominasie as 'n kandidaat vir verkiesing as lid van die Suidafrikaanse Geneeskundige Raad of van die Suidafrikaanse Aptekerskommissie (4).
Handtekening .....
Adres .....
Geregistreerde bevoegdhede.....

(1) Vermeld hier of geneesheer, tandarts, apteker, geregistreerde verpleegster, geregistreerde vroedvrou of geregistreerde masseur.
(2) Voornaam, voluit, en van en adres.
(3) Daar moet twee getuie by elke handtekening wees.
(4) Skrap die woorde wat nie toepaslik is nie.

—

DERDE AANHANGSEL.

VORM VAN STEMBRIEFIE.

Offisiële merk van kies-beampte.	Verkiesing van lid of lede van Suidafrikaanse Geneeskundige Raad of van die Suidafrikaanse Aptekerskommissie.

Verkiesing van (1) ..... lid (lede)

Kolom vir kieser se merk (X)	Name van kandidate (2)	Adres	Geregistr. bevoegdhede

(1) Getal te verkiese kandidate moet hier gedruk word.
(2) Die name van alle geldig genomineerde kandidate moet in alfabetiese volgorde in hierdie kolom gedruk word.

Instruksies aan Kiesers.

Die kieser is geregtig om te stem vir .....kandida..... en nie meer nie, en moet stem deur sy merk (aldus X) te maak teenoor die naam van elke kandidaat op wie hy sy stem uitbring.

A voting paper will be invalidated if the voter—

(a) votes for more than ..... candidate.....; or
(b) places any mark on the voting paper by which he may be identified; or
(c) gives more than one vote for the same candidate; or
(d) returns more than one voting paper; or
(e) returns his voting paper otherwise than in the "Identification Envelope," with the declaration thereon duly completed.

This paper must be folded *face inwards* and placed in the accompanying "Identification Envelope," which must be securely closed, and then placed in a covering envelope, which must be sent to.....at..... so as to reach him not later than .....day of.....

'n Stembriefie word ongeldig as die kieser—

(a) vir meer as ..... kandida..... stem; of
(b) op die stembriefie 'n merk maak waardeur hy herken kan word; of
(c) meer as een stem op dieselfde kandidaat uitbring; of
(d) meer as een stembriefie terugstuur; of
(e) sy stembriefie anders terugstuur as in die "Identifikasie-Koevert," met die verklaring daarop behoorlik ingevul.

Hierdie briefie moet *met die voorkant na binne* gevou en ingesluit word in newensgaande "Identifikasie-Koevert," wat dig toegemaak en dan ingesluit moet word in 'n omslag-koevert, wat gestuur moet word aan ..... in ..... en wel so, dat dit hom nie later as op die .....dag van ..... bereik.

—

FOURTH ANNEXURE.

FORM OF DECLARATION ON IDENTIFICATION ENVELOPE.

SOUTH AFRICAN MEDICAL COUNCIL or SOUTH AFRICAN PHARMACY BOARD.

I, (1)..... of ..... hereby declare that I am the person to whom the enclosed voting paper was addressed, that I am a medical practitioner, dentist, chemist and druggist, nurse, midwife or masseur (2) registered in (3)..... and that I have not returned any other voting paper in this election.

Signature .....
Registered qualifications .....
Address .....
Date .....

Signed in the presence of (4)
Signature .....
Signature .....

(1) Insert full name and address.
(2) Delete the words not applicable.
(3) In case of first elections insert name of province. In case of subsequent elections insert the words "The Union."
(4) There must be two witnesses to the signature.

—

VIERDE AANHANGSEL.

VORM VAN VERKLARING OP IDENTIFIKASIE-KOEVERT.

SUIDAFRIKAANSE GENEESKUNDIGE RAAD, of SUIDAFRIKAANSE APTEKERSKOMMISSIE.

Ek (1) ..... van ..... verklaar hiermee dat ek die persoon is aan wie ingeslote stembriefie geadresseer was, dat ek 'n in (2) ..... geregistreerde geneesheer, tandarts, apteker, verpleegster, vroedvrou of masseur (3) is en dat ek geen ander stembriefie in hierdie verkiesing teruggestuur het nie.

Handtekening .....
Geregistreerde bevoegdhede.....
Adres .....
Dagtekening .....

Geteken in teenwoordigheid van (4).
Handtekening .....
Handtekening .....

(1) Vul in volledige naam en adres.
(2) By eerste verkiesing vul naam van provinsie in. By volgende verkiesing vul in die woorde "Die Unie."
(3) Skrap die ontoepaslike woorde.
(4) Daar moet twee getuie by die handtekening wees.

—

SECOND SCHEDULE.

FEES PAYABLE UNDER THIS ACT.

Medical practitioner or dentist, registration of	£25 0 0
Chemist and druggist, registration of . . .	12 10 0
Managing director of a corporate body carrying on business as chemist and druggist, registration of	12 10 0
Nurse, midwife or masseur, registration of (otherwise than under section *thirty-one*) . .	2 10 0
Registration of additional degree, diploma or certificate; restoration of name to register after erasure under section *seventeen;* duplicate certificate of registration or certified extract from a register, or certificate by the registrar under section *twenty-one*—	
Medical practitioner, dentist or chemist and druggist	1 0 0
Nurse, midwife or masseur . . .	0 5 0

FOOIE INGEVOLGE HIERDIE WET VERSKULDIG.

Geneesheer of tandarts, registrasie van . .	£25 0 0
Apteker, registrasie van	12 10 0
Besturende direkteur van 'n regspersoon wat as apteker besigheid dryf, registrasie van . .	12 10 0
Verpleegster, vroedvrou of masseur, registrasie van (behalwe ingevolge artikel *een-en-dertig*)	2 10 0
Registrasie van verdere graad, diploma of sertifikaat; herstel van 'n naam op 'n register na skrapping ingevolge artikel *sewentien* van die Wet; duplikaat van 'n registrasie-sertifikaat of gesertifiseerde uittreksel uit 'n register of sertifikaat onder die handtekening van die registrateur ingevolge artikel *een-en-twintig*—Geneesheer, tandarts, of apteker	1 0 0
Verpleegster, vroedvrou of masseur . . .	0 5 0

—

THIRD SCHEDULE.

FORM OF SUMMONS TO APPEAR BEFORE THE SOUTH AFRICAN MEDICAL COUNCIL OR SOUTH AFRICAN PHARMACY BOARD.

To ..... (name of person summoned and his calling and residence).

You are hereby summoned to appear at ..... (place) upon the ..... day of ....., 19....., at .....o'clock, ...m., before the *South African Medical Council or South African Pharmacy Board established under the Medical, Dental and Pharmacy Act, 1928, to give evidence respecting .....
.....
(if the person summoned is to produce any book, record, document or thing, add), and you are required to bring with you ..... (specify the book, record, document or thing required).

Given under the hand of the .....of the *Council (or Board) this .....day of ....., 19..... .

.....
President or Registrar.

*Delete words not applicable.

DERDE BYLAE.

VORM VAN DAGVAARDING OM TE VERSKYN VOOR DIE SUIDAFRIKAANSE GENEESKUNDIGE RAAD OF SUIDAFRIKAANSE APTEKERSKOMMISSIE.

Aan ..... (naam van gedagvaarde en sy beroep en woonplek).

U word hiermee gedagvaar om in ..... (plek) op die ..... dag van ..... 19....., om..... uur, ...m, te verskyn voor die* Suidafrikaanse Geneeskundige Raad (of Suidafrikaanse Aptekerskommissie) ingestel kragtens die Wet op Geneeshere, Tandartse en Aptekers, 1928, om getuienis af te lê aangaande .....
(as die gedagvaarde 'n boek, aantekening, dokument of voorwerp moet oorlê, voeg daaraan toe) en u word gelas om saam te bring ..... (vermeld die betrokke boek, aantekening, dokument of voorwerp).

Uitgevaardig onder die handtekening van die ..... van die* raad of kommissie op die ..... dag van ..... 19.....

.....
Voorsitter of Registrateur.

*Skrap ontoepaslike woorde.

FOURTH SCHEDULE.

POISONS.

Division I.

Aconite, aconitine and its salts, and their preparations.

Alkaloids—All poisonous alkaloids and glucosides not specifically named in this Schedule, and their salts and preparations, and all poisonous derivatives of alkaloids and glucosides.

Arsenic and its salts and their preparations.

Atropine and its salts and their preparations.

Belladonna and all preparations or admixtures thereof (except belladonna plasters) containing one-tenth or more per cent. of belladonna alkaloids.

Cannabis indica and all solid preparations thereof (except cannabis indica plasters).

Cantharides and its poisonous derivatives and all other cantharidin-yielding insects.

Chloral hydrate and its preparations.

Chloroform.

Coca, cocaine and its salts and derivatives, and any preparation or admixture containing one-tenth or more per cent. of coca alkaloids.

Cyanides of potassium and sodium and all other poisonous cyanides and their preparations.

Diamorphine (diacetil-morphine) also known as "heroin," including all preparations, salts, derivatives or admixtures prepared therefrom or therewith and containing one-tenth or more per cent. of diamorphine.

Diethyl barbituric acid, and other alkyl, aryl or metallic derivatives thereof, whether described as veronal, proponal, medinal, or by any other name; and all poisonous urethanes and ureides.

Ecgonine and all preparations and admixtures containing one-tenth or more per cent. of ecgonine.

Emetic tartar and all preparations or admixtures thereof containing one or more per cent. of emetic tartar.

Ergot of rye and preparations of ergots.

Lead, in combination with oleic acid or other highly fatty acid, whether sold as diachylon or under any other name (except machine-spread plasters).

Mercuric chloride (corrosive sublimate).

Nux vomica, strychnine and its salts, and all preparations or admixtures containing one-fifth or more per cent. of strychnine.

Opium and its alkaloids, including morphine, and all salts and poisonous derivatives thereof and all preparations or admixtures containing one-fifth or more per cent. of anhydrous morphine or other alkaloid or poisonous derivative of opium.

Picrotoxin.

Prussic acid, and all preparations or admixtures containing one-tenth or more per cent. of prussic acid.

Savin and its oil, and all preparations or admixtures containing savin or its oil.

Vermin and fly killers, if containing poisons the preparations of which are included in Division I. of this Schedule.

Division II.

Acetanilide (antifebrin).
Almonds, essential oil of, unless deprived of prussic acid.
Antimonial wine.

Barium, salts of, except barium sulphate.

Cannabis indica, all liquid preparations or admixtures of.

Cantharides, tincture of, and all vesicating liquid preparations or admixtures containing cantharidin.

Carbolic acid (phenol), cresylic acid (cresol) and all preparations containing three or more per cent. of any one, or of a mixture, of these substances or of their derivatives. (This includes "lysol" and similar preparations under whatever name they may be described or sold).
Chloride of zinc.
Chlorodyne.

Chloroform; all preparations or admixtures thereof containing more than twenty per cent. of chloroform.
Digitalis.
Exalgin.
Mercuric chloride (corrosive sublimate), all preparations of.
Mercuric iodide.
Mercuric sulpho-cyanide.

Nux vomica, preparations or admixtures of, containing less than one-fifth per cent. of strychnine.
Oxalic acid and its soluble salts.
Phenazone (antipyrine).

Poppies, all preparations of, excepting red poppy petals and syrup of red poppies (papaver rhoeas).
Precipitate, red, and all oxides of mercury.
Precipitate, white.
Strophanthus.

Sulphonal and its homologues, whether described as "trional," "tetronal," or by any other name.

Vermin killers (see Division I.), compounds containing poisons prepared for the destruction of vermin, if not included in Division I. fall under Division II. of this Schedule.

All preparations or admixtures which are not included in Division I. of this Schedule and contain a poison within the meaning of this Act, except preparations or admixtures specifically excluded from Division II. by the terms of this Schedule, and except substances to which section *eighty-two* of this Act applies.

VIERDE BYLAE.

VERGIFTE.

Afdeling I.

Akoniet, akonitien en sy soute, en hulle preparate.

Alkaloïede—Alle giftige alkaloïede en glukosiede wat nie uitdruklik in hierdie Bylae opgeneem word nie, en hulle soute en preparate en alle giftige derivate van alkaloïede en glukosiede.

Arsenikum en sy soute en hulle preparate.
Atropien en sy soute en hulle preparate.

Belladonna en alle preparate of mengsels daarvan (behalwe belladonnapleisters) wat een tiende of meer persent belladonna-alkaloïede bevat.

Cannabis indica en alle vaste preparate daarvan (behalwe Cannabis Indica-pleister).

Spaanse vlieg en sy giftige derivate en alle kantaridien-voortbrengende insekte.

Kloorhidraat en sy preparate.

Kloroform.

Koka, kokaiën en sy soute en derivate en enige preparaat of mengsel wat een tiende of meer persent koka-alkaloïede bevat.

Kalium- en Natrium-sianiede en alle ander giftige sianiede en hulle preparate.

Diamorfien (diasetiel-morfien), ook genoem "heroien," met insluiting van alle daaruit of daarmee bereide preparate, soute, derivate en mengsels wat een tiende of meer per sent diamorfien bevat.

Diëtiel-barbitur-suur en ander alkiel, ariel of metaal-derivate daarvan, hetsy dit beskryf word as veronaal, proponaal, medinaal of met enige ander naam, en alle giftige uretane en ureiëde.

Ekgonien en alle preparate en mengsels wat een tiende of meer persent ekgonien bevat.

Braakwynsteen en alle preparate en mengsels wat een of meer persent braakwynsteen bevat.

Rog-moederkoring en moederkoring-preparate.

Lood in verbinding met oliesuur of ander in hoge mate vethoudende sure, hetsy dit as diakilon of onder enige ander naam verkoop word (behalwe masjinaal uitgebreide pleisters).

Kwiksilwer-kloried (bytende sublimaat).

Nux vomica, wolwegif en sy soute en alle preparate of mengsels wat een vyfde of meer persent wolwegif bevat.

Opium en sy alkaloiede, met insluiting van morfien en alle soute en giftige derivate daarvan en alle preparate of mengsels wat een vyfde of meer persent watervrye morfien of ander alkaloïed of giftige opiumderivaat bevat.

Pikrotoksien.

Blousuur en alle preparate en mengsels wat een tiende of meer persent blousuur bevat.

Seweboomskruid en sy olie en alle preparate en mengsels wat seweboomskruid of sy olie bevat.

Ongedierte- en vlieë-gif, as dit 'n gif bevat waarvan die preparate in Afdeling I van hierdie Bylae voorkom.

Afdeling II.

Asetanilied (antifebrien).
Eteriese amandelolie, tensy dit van blousuur bevry is.
Antimoonwyn.
Bariumsoute, behalwe bariumsulfaat.
Alle vloeibare preparate of mengsels van cannabis indica.

Tinktuur van Spaanse vlieg en alle blaartrekkende vloeibare preparate of mengsels wat kantaridien bevat.

Karbolsuur (fenol), kresielsuur (kresol) en alle preparate wat drie of meer persent bevat van een van hierdie stowwe of hulle derivate of van 'n mengsel van hulle. (Dit sluit in liesol en dergelike preparate, onder watter naam hulle ook mog beskrywe of verkoop word.)

Sink-kloried.

Klorodien.

Alle preparate of mengsels van kloroform wat meer as twintig persent kloroform bevat.

Digitalis.
Eksalgien.

Alle kwiksilwer kloried- (bytende sublimaat)- preparate.

Kwiksilwer-iodied.
Kwiksilwer-suffo-sianied.

Preparate of mengsels van nux vomica wat minder as een vyfde persent wolwegif bevat.

Suringsuur en sy oplosbare soute.
Fenasoon (antipirien).

Alle papaver-preparate, behalwe die blomblare van rooie papaver (papaver rhoeas) en rooi-papaverstroop.

Rooie presipitaat en alle kwiksilweroksiede.
Witte presipitaat.
Strofantus.

Sulfonaal en sy homologe stowwe, hetsy as trionaal, tetronaal of onder enige ander naam beskrywe.

Ongediertegif (kyk Afdeling I.) vergifhoudende verbindings wat berei is vir die vernietiging van ongedierte, val, indien nie in Afdeling I. opgeneem nie, onder Afdeling II. van hierdie Bylae.

Alle nie in Afdeling I van hierdie Bylae opgenome preparate of mengsels wat 'n vergif volgens die betekenis van hierdie Wet bevat, behalwe preparate of mengsels wat volgens die bewoording van hierdie Bylae uitdruklik van Afdeling II uitgesluit is, en behalwe stowwe waarop artiekel *twee-en-tagtig* van hierdie Wet van toepassing is.

FIFTH SCHEDULE.

HABIT-FORMING DRUGS.

"Coca leaves," the leaves of erythroxylon coca.

"Cocaine," the principal alkaloid of coca leaves, including all preparations, salts, admixtures or derivatives prepared therefrom or therewith and containing one-tenth or more per cent. of cocaine or of any derivative of cocaine.

"Dagga," "intsangu," or "indian hemp," the whole or any portion of the plant.

"Diamorphine" or "diacetyl-morphine," also known as heroin, including all preparations, salts, admixtures or derivatives prepared therefrom or therewith and containing one-tenth or more per cent. of diamorphine or of any derivative of diamorphine.

"Ecgonine," including all preparations, salts, admixtures or derivatives prepared therefrom or therewith and containing one-tenth or more per cent. of ecgonine, or of any derivative of ecgonine.

"Morphine," the principal alkaloid of opium, including all preparations, salts, admixtures or derivatives prepared therefrom or therewith and containing one-fifth or more per cent. of anhydrous morphine or of any derivative of morphine.

"Opium," including—

"Raw opium," the untreated coagulated juice of the capsules of papaver somniferum; the expression includes gum opium and powdered or granulated opium, also the leaves or wrappings in which opium has been wrapped.

"Prepared opium," opium prepared for smoking; the expression shall include opium dross or refuse or any residue remaining after opium has been smoked or roasted.

"Medicinal opium," raw opium which has been artificially dried, whether pure or mixed with other substances.

"Extract of opium," including both the solid and the liquid extracts.

Every other preparation, admixture, compound or derivative of opium containing one-fifth or more per cent. of anhydrous morphine or other narcotic alkaloid.

—

SIXTH SCHEDULE.

LAWS REPEALED.

Province or Union.	No. and year of law.	Title or subject of law.	Extent of repeal.
Cape of Good Hope	Act No. 34 of 1891	The Medical and Pharmacy Act, 1891	The whole.
"	Act No. 7 of 1899	The Medical and Pharmacy Act, Amendment Act, 1899	The whole.
Natal	Act No. 30 of 1896	The Dentists Act, 1896	The whole, except in so far as it applies to veterinary surgeons.
"	Act No. 37 of 1904.	"To enable certain persons in the Province of Zululand to practise as dentists"	The whole.
"	Act No. 35 of 1896	The Medical and Pharmacy Act, 1896	The whole, except in so far as it applies to veterinary surgeons.
"	Act No. 21 of 1899	Act to amend the Medical & Pharmacy Act, 1896, etc.	The whole, except in so far as it applies to veterinary surgeons.
Transvaal	Ordinance No. 29 of 1904	The Medical, Dental & Pharmacy Ordinance, 1904	The whole.
"	Ordinance No. 18 of 1905	The Medical, Dental & Pharmacy Amendment Ordinance, 1905	The whole.
"	Ordinance No. 25 of 1906	The Opium Trade Regulation Ordinance, 1906	The whole.
"	Act No. 4 of 1909	The Opium Trade Regulation Amendment Act, 1909	The whole.

VYFDE BYLAE.

GEWOONTEVORMENDE MEDISYNE.

Kokablare, die blare van erythroxylon coca.

Kokaïen, die vernaamste alkaloïed van kokablare, met insluiting van alle daaruit of daarmee bereide preparate, soute mengsels of derivate wat een tiende of meer persent kokaïen-derivaat bevat.

Dagga, intsangu of Indiese hennep: die hele plant of enige deel daarvan.

Diamofien of diasetiel-morfien, ook genoem heroïen met insluiting van alle daaruit of daarmee bereide preparate, soute, mengsels of derivate wat een tiende of meer persent diamorfien of diamorfien-derivaat bevat.

Ekgonien, met insluiting van alle daaruit of daarmee bereide preparate, soute, mengsels of derivate wat een tiende of meer persent ekgonien of ekgonien-derivaat bevat.

Morfien. Die vernaamste alkaloïed van opium, met insluiting van alle daaruit of daarmee bereide preparate, soute, mengsels of derivate wat een vyfde of meer persent watervrye morfien of morfien-derivaat bevat.

Opium, met insluiting van—

Rou opium: Die onbewerkte gestolte sap van die saadhuisies van papaver somniferum; die uitdrukking omvat ook gom-opium en poeier- of korrel-opium en ook die blare en omslae waarin opium gepak was.

Toebereide opium: Opium berei om gerook te word; die uitdrukking omvat ook opium-droesem of afval of al wat oorbly nadat opium gerook of gebrand is.

Medisyn-opium: Rou opium wat kunsmatig gedroog is, hetsy suiwer of met ander stowwe vermeng.

Opiumekstrak wat albei die vaste en vloeibare ekstrakte insluit.

Elke ander preparaat, mengsel, verbinding of derivaat van opium wat een vyfde of meer persent watervrye morfien of ander verdowende alkaloïed bevat.

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SESDE BYLAE.

HERROEPE WETTE.

Provinsie of Unie	No. en jaar van Wet	Tietel of onderwerp van Wet	Omvang van herroeping
Kaap die Goeie Hoop	Wet No. 34 van 1891.	Die Wet op Geneeshere en Aptekers, 1891.	Geheel.
"	Wet No. 7 van 1899.	Die Wet tot wysiging van die Wet op Geneeshere en Aptekers 1899.	Geheel.
Natal	Wet No. 30 van 1896.	Die Tandartswet, 1896.	Geheel, behalwe vir sover hy van toepassing is op veeartse.
"	Wet No. 37 van 1904.	Om sekere persone in die Provinsie Soeloeland in staat te stel om as tandartse te praktiseer.	Geheel.
"	Wet No. 35 van 1896.	Die Wet op Geneeshere en Aptekers, 1896.	Geheel, behalwe vir sover hy van toepassing is op veeartse.
"	Wet No. 21 van 1899.	Wet tot wysiging van die Wet op Geneeshere en Aptekers, 1896, ens.	Geheel, behalwe vir sover hy van toepassing is op veeartse.
Transvaal	Ordonnansie No. 29 van 1904.	Die Ordonnansie op Geneeshere, Tandartse en Aptekers, 1904.	Geheel.
"	Ordonnansie No. 18 van 1905.	Die Wysigings Ordonnansie op Geneeshere, Tandartse en Aptekers, 1905.	Geheel.
"	Ordonnansie No. 25 van 1906.	Die Ordonnansie tot Reëling van die Opiumhandel 1906.	Geheel.
"	Wet No. 4 van 1909.	Die Wysigings Ordonnansie tot Reëling van die Opiumhandel, 1909.	Geheel.

Transvaal	Act No. 5 of 1909	The Medical, Dental & Pharmacy Ordinance Further Amendment Act, 1909	The whole.
Orange Free State	Ordinance No. 48 of 1903.	The Dagga Prohibition Ordinance, 1903	The whole.
„	Ordinance No. 1 of 1904.	The Medical and Pharmacy Act, 1904	The whole.
„	Ordinance No. 14 of 1907	The Medical and Pharmacy Amendment Ordinance, 1907	The whole.
„	Act No. 39 of 1908	The Admission of Advocates, Attorneys & Medical Practitioners Amendment Act, 1908	Sections *three* and *four*.
Union	Act No. 21 of 1919	The Medical Practitioners' & Dentists' Registration Amendment Act, 1919	The whole.
„	Act No. 35 of 1922	The Customs and Excise Duties Amendment Act, 1922	Section *ten*.

Transvaal	Wet No. 5 van 1909.	Die Wet tot verdere Wysiging van die Ordonnansie op Geneeshere, Tandartse en Aptekers, 1909.	Geheel.
Oranje Vrystaat	Ordonnansie No. 48 van 1903.	Die Daggaverbod-Ordonnansie, 1903.	Geheel.
„	Ordonnansie No. 1 van 1904.	Die Ordonannsie op Geneeshere en Aptekers, 1904.	Geheel.
„	Ordonnansie No. 14 van 1907.	Die Wysigings Ordonnansie op Geneeshere en Aptekers, 1907.	Geheel.
„	Wet No. 39 van 1908.	Die Wysigingswet op Toelating van Advokate, Prokureurs en Geneeshere, 1908.	Artiekels *drie* en *vier*.
Unie	Wet No. 21 van 1919.	De Geneeskundigen en Tandmeesters Registratie Wijzigingswet, 1919.	Geheel.
„	Wet No. 35 van 1922.	De Doeane- en Aksijnsrechten [illegible]	Artiekel *tien*.

John Meinert Ltd., Windhoek.