

# OFFICIAL GAZETTE

EXTRAORDINARY  
OF SOUTH WEST AFRICA.



BUITENGEWONE

# OFFISIELLE KOERANT

UITGawe OP GESAG.

VAN SUIDWES-AFRIKA.

PUBLISHED BY AUTHORITY.

10c

Friday, 23 June 1967

WINDHOEK

Vrydag, 23 Junie 1967

No. 2807

## CONTENTS

## INHOUD

Page/Bladsy

### ACTS:—

- No. 63 (Republic) Public Service Amendment Act,  
1967 . . . . .  
No. 69 (Republic) Civil Defence Amendment Act, 1967

### WETTE:—

- |   |   |
|---|---|
| No. 63 (Republiek) Staatsdienswysigingswet, 1967 . . . . .                | 3 |
| No. 69 (Republiek) Wysigingswet op Burgerlike Be-skerming, 1967 . . . . . | 7 |

No. 63, 1967]

# ACT

To amend the definition of "Commission"; to bring the retirement age of members of the Public Service Commission into line with that of officers in the public service; to make further provision for the delegation of the Public Service Commission's powers and functions; to make provision for the delegation of the Treasury's power to approve of certain expenditure; to declare the contravention of or non-compliance with a provision of the rules of the constitution of a compulsory medical aid scheme for public servants to be misconduct; to confer upon the State President certain additional powers to make regulations with respect to such a compulsory medical aid scheme; and for the said purposes to amend the Public Service Act, 1957.

*(Afrikaans text signed by the State President.)  
(Assented to 16th May, 1967.)*

**BE IT ENACTED** by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 54 of 1957, as amended by section 1 of Act 71 of 1963 and section 1 of Act 47 of 1965.

1. Section 1 of the Public Service Act, 1957 (hereinafter referred to as the principal Act), is hereby amended by the substitution in subsection (1) for the definition of "Commission" of the following definition:

"(iii) 'Commission' means the Public Service Commission established by section 4 (1), and in relation to any power conferred upon or function entrusted to the Commission by this Act or any other law, includes any member or members of the Commission or any officer to whom the exercise of such power or the performance of such function has been lawfully delegated by the Commission in terms of section 5 (2), and in relation to any such power or function the exercise or performance of which has been so delegated to the staff board or a member or members of that staff board established by section 4bis, includes that staff board or a member or members of that staff board; (xi)".

Amendment of section 4 of Act 54 of 1957.

2. Section 4 of the principal Act is hereby amended by the substitution for subsection (12) of the following subsection:

"(12) A member of the Commission shall vacate his office, and if he is a member such as is referred to in subsection (13) he shall retire, on attaining the age of sixty-five years: Provided that if he attains the said age after the first day of any month in the year, he shall be deemed to have attained that age on the first day of the next succeeding month.".

Amendment of section 5 of Act 54 of 1957, as amended by section 3 of Act 71 of 1963, and section 3 of Act 47 of 1965.

3. Section 5 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) Subject to the provisions of subsection (3), any power conferred upon or function entrusted to the Commission by this Act or any other law (except the power of delegation conferred hereby) may, with the concurrence of all the members of the Commission, be exercised or carried out under a general or special delegation from the Commission and subject to such conditions as it may determine—

- (a) by any member or members of the Commission;
- (b) by any officer; or

No. 63, 1967.]

## WET

**Om die omskrywing van „Kommissie” te wysig; om die aftreouderdom van lede van die Staatsdienskommissie in ooreenstemming te bring met dié van beampies in die staatsdiens; om verdere voorseening te maak vir die delegering van die Staatsdienskommissie se bevoegdheide en werksaamhede; om voorseening te maak vir die delegering van die Tesourie se bevoegdheid om sekere uitgawes goed te keur; om die oortreding of nie-nakoming van 'n bepaling van die reëls van die konstitusie van 'n verpligte mediese hulpskema vir staatsamptenare tot wangedrag te verklaar; om aan die Staatspresident sekere bevoegdheide te verleen om regulasies uit te vaardig met betrekking tot so 'n verpligte mediese hulpskema; en om vir geneomende doelende die Staatsdienswet, 1957, te wysig.**

*(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 16 Mei 1967.)*

**D**AAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volgt:—

**1. Artikel 1 van die Staatsdienswet, 1957 (hieronder die Hoofwet genoem), word hierby gewysig deur in subartikel (1) die omskrywing van „Kommissie” deur die volgende omskrywing te vervang:**

„(xi) ‚Kommissie’, die by artikel 4 (1) ingestelde Staatsdienskommissie, en in verband met 'n bevoegdheid of werksaamheid wat aan die Kommissie by hierdie Wet of enige ander wetsbepaling verleent of opgedra word, ook enige lid of lede van die Kommissie of 'n beampie aan wie die uitoefening van daardie bevoegdheid of die verrigting van daardie werksaamheid wettiglik deur die Kommissie ingevoige subartikel 5 (2) gedelegeer is, en in verband met so 'n bevoegdheid of werksaamheid waarvan die uitvoering of verrigting aldus aan die by artikel 4bis ingestelde personeelraad of 'n lid of lede van daardie personeelraad gedelegeer is, ook daardie personeelraad of 'n lid of lede van daardie personeelraad; (iii)”.

**2. Artikel 4 van die Hoofwet word hierby gewysig deur subartikel (12) deur die volgende subartikel te vervang:**

„(12) 'n Lid van die Kommissie moet sy amp neerlê, en as hy 'n in subartikel (13) bedoelde lid is, moet hy aftree, wanneer hy die leeftyd van vyf-en-sestig jaar bereik: Met dien verstande dat as hy bedoelde leeftyd na die eerste dag van enige maand van die jaar bereik, hy geag word bedoelde leeftyd op die eerste dag van die eersvolgende maand te bereik het.”.

**3. Artikel 5 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:**

„(2) Behoudens die bepalings van subartikel (3) kan enige bevoegdheid wat verleent of werksaamheid wat opgedra is aan die Kommissie by hierdie Wet of enige ander wetsbepaling (behalwe die delegasiebevoegdheid wat hierby verleent word), met die instemming van al die lede van die Kommissie ingevoige 'n algemene of spesiale delegasie van die Kommissie en onderworpe aan die voorwaardes deur hom bepaal uitgeoefen of verrig word—

- (a) deur 'n lid of lede van die Kommissie;
- (b) deur 'n beample;

Wysiging van  
artikel 1 van Wet  
54 van 1957, soos  
gewysig deur  
artikel 1 van Wet  
71 van 1963  
en artikel 1 van  
Wet 47 van 1965.

Wysiging van  
artikel 4 van Wet  
54 van 1957.

Wysiging van  
artikel 5 van Wet  
54 van 1957, soos  
gewysig deur  
artikel 3 van Wet  
71 van 1963, en  
artikel 3 van Wet  
47 van 1965.

- (c) (i) by the staff board established by section 4bis; or  
(ii) by a member or members of that staff board.”.

Amendment of  
section 7 of Act  
54 of 1957.

4. Section 7 of the principal Act is hereby amended by the addition to subsection (2) of the following proviso:

“Provided that the Treasury may, in its discretion and upon such conditions as it may determine, delegate its power to approve of such expenditure, to any officer.”.

Amendment of  
section 17 of Act  
54 of 1957.

5. Section 17 of the principal Act is hereby amended—

(a) by the addition at the end of paragraph (r) of the word “or”; and

(b) by the addition to the said section of the following paragraph:

“(s) contravenes any provision of the rules of the constitution of a medical aid fund or medical aid society of which he is required to be a member in terms of the regulations or fails to comply with any provision of the said rules with which it is his duty to comply by virtue of his membership of such medical aid fund or medical aid society.”.

Amendment of  
section 26 of Act  
54 of 1957, as  
amended by  
section 4 of Act  
71 of 1963.

6. Section 26 of the principal Act is hereby amended by the insertion after subsection (1) (b)bis of the following paragraph:

“(b)ter the recognition by the Commission of a specific medical aid fund or medical aid society or specific medical aid funds or medical aid societies as an institution or institutions of which officers and employees are or may be required to become and to remain members; the conditions under which such recognition and continued recognition or the withdrawal of such recognition may in general take place and, in particular, the power of the Commission to prescribe the requirements with which the constitution, rules, control, management, powers, duties, scales of membership fees and any other aspect whatsoever of the activities of any medical aid fund or medical aid society must comply before such medical aid fund or medical aid society may become eligible for recognition or continued recognition as contemplated herein; officers' and employees' compulsory membership of any medical aid fund or medical aid society recognized by the Commission; the classes of officers and employees who are so required or who may be so required to become and to remain members of such medical aid fund or medical aid society; the conditions of such compulsory membership and the circumstances in which an officer or employee is or classes of officers and employees are or may be exempted from compulsory membership of a recognized medical aid fund or medical aid society.”.

Short title.

7. This Act shall be called the Public Service Amendment Act, 1967.

- (c) (i) deur die by artikel 4bis ingestelde personeelraad; of  
(ii) deur 'n lid of lede van daardie personeelraad.”.

4. Artikel 7 van die Hoofwet word hierby gewysig deur by Wysiging van subartikel (2) die volgende voorbehoedsbepaling te voeg: artikel 7 van Wet „Met dien verstande dat die Tesorie, na goedunke en op 54 van 1957.  
die voorwaardeur hom bepaal, sy bevoegheid om sodanige uitgawes goed te keur, aan 'n beampete kan deleger.“.

5. Artikel 17 van die Hoofwet word hierby gewysig—  
(a) deur aan die end van paragraaf (r) die woord „of“ by te Wysiging van voeg; en artikel 17 van Wet 54 van 1957.  
(b) deur by genoemde artikel die volgende paragraaf te voeg:  
„(s) 'n bepaling van die reëls van die konstitusie van 'n mediese hulpfonds of mediese hulpvereniging waarvan hy ingevolge die regulasies verplig is om lid te wees, oortree of versum om te voldoen aan 'n bepaling van bedoelde reëls waaraan dit uit hoofde van sy lidmaatskap van sodanige mediese hulpfonds of mediese hulpvereniging sy plig is om te voldoen.“.

6. Artikel 26 van die Hoofwet word hierby gewysig deur na Wysiging van subartikel (1) (b)*bis* die volgende paragraaf in te voeg: artikel 26 van Wet 54 van 1957, soos „(b)ter die erkenning deur die Kommissie van 'n bepaalde mediese hulpfonds of mediese hulpvereniging of bepaalde mediese hulpfondse of mediese hulpverenigings 71 van 1963.  
as 'n instelling of instellings waarvan beampetes en werknemers verplig is of kan word om lede te word en te bly; die voorwaarde waaronder sodanige erkenning en voortgesette erkenning of die intrekking van sodanige erkenning in die algemeen kan geskied, en in die besonder die bevoegheid van die Kommissie om die vereistes voor te skryf waaraan die konstitusie, reëls, beheer, bestuur, bevoegdhede, pligte, skale van lidmaatskappelde en enige ander aspek hoegenaamd van die bedrywigheede van 'n mediese hulpfonds of mediese hulpvereniging moet voldoen voordat dié mediese hulpfonds of mediese hulpvereniging vir erkenning of voortgesette erkenning soos hierin beoog, in aanmerking kan kom; beampetes en werknemers se verpligte lidmaatskap van die een of ander mediese hulpfonds of mediese hulpvereniging deur die Kommissie erken; die klasse beampetes en werknemers wat aldus verplig is of kan word om lede van so 'n mediese hulpfonds of mediese hulpvereniging te word en te bly; die voorwaarde van sodanige verpligte lidmaatskap en die omstandighede waaronder 'n beampete of werknemer of klasse beampetes en werknemers van verpligte lidmaatskap van 'n erkende mediese hulpfonds of mediese hulpvereniging vrygestel is of kan word.“.

7. Hierdie Wet heet die Staatsdienswysigingswet, 1967. Kort titel.

## ACT

**To amend the provisions of the Civil Defence Act, 1966, relating to the administration and application of that Act, and to provide for incidental matters.**

*(Afrikaans text signed by the State President.)*  
*(Assented to 22nd May, 1967.)*

**B**E IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

**Amendment of section 1 of Act 39 of 1966.**

**1.** Section 1 of the Civil Defence Act, 1966 (hereinafter referred to as the principal Act), is hereby amended—  
 (a) by the substitution for the definition of “Minister” of the following definition:  
     “(iv) ‘Minister’ means the Minister of Defence; (iv)”;  
     and  
 (b) by the deletion of the definition of “Republic”.

**Amendment of section 2 of Act 39 of 1966.**

**2.** Section 2 of the principal Act is hereby amended by the substitution for paragraph (c) of subsection (2) of the following paragraph:

“(c) designate any officer attached to any department of State including a provincial administration to perform such functions in connection with any matter referred to in subparagraphs (i) to (x), inclusive, of section 3 (1) as the Minister may determine: Provided that the Minister shall designate such officer in consultation with the Minister of the department in question or, in the case of a provincial administration, the administrator of the province in question.”.

**Amendment of section 3 of Act 39 of 1966.**

**3.** Section 3 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) If any of the matters referred to in subparagraphs (i) to (x), inclusive, or (bb) of subsection (1) have, or any aspect of any such matter has, whether before or after the commencement of this Act, been entrusted to any department of State (including the Railways and Harbours Administration and a provincial administration), the powers of the Minister with reference to such matter or aspect shall be exercised only in consultation with the department of State in question.”.

**Amendment of section 9 of Act 39 of 1966.**

**4.** Section 9 of the principal Act is hereby amended—

- (a) by the substitution for paragraphs (a) and (b) of subsection (2) of the following paragraphs:
  - “(a) a member of the Senate or the House of Assembly or of a provincial council or an officer of Parliament as defined in section 1 of the Powers and Privileges of Parliament Act, 1963 (Act No. 91 of 1963);
  - (b) an administrator of a province and any member of an executive committee for a province;”;
- (b) by the substitution for paragraph (d) of subsection (2) of the following paragraph:
  - “(d) the secretary of a department of State or of a provincial administration;”;

## WET

Tot wysiging van die bepalings van die Wet op Burgerlike Beskerming, 1966, met betrekking tot die uitvoering en toepassing van daardie Wet, en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 22 Mei 1967.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 1 van die Wet op Burgerlike Beskerming, 1966 (hieronder die Hoofwet genoem), word hierby gewysig— Wysiging van artikel 1 van Wet 39 van 1966.

- (a) deur die omskrywing van „Minister“ deur die volgende omskrywing te vervang:  
„(iv) ‚Minister‘ die Minister van Verdediging; (iv)“; en
- (b) deur die omskrywing van „Republiek“ te skrap.

2. Artikel 2 van die Hoofwet word hierby gewysig deur Wysiging van paragraaf (c) van subartikel (2) deur die volgende paragraaf artikiel 2 van Wet 39 van 1966.  
te vervang:

„(c) 'n beampte verbonde aan 'n staatsdepartement (met inbegrip van 'n provinsiale administrasie) kan aanwy om die werkzaamhede in verband met 'n aangeleentheid waarna in subparagraafe (i) tot en met (x) van artikel 3 (1) verwys word, te verrig wat die Minister bepaal: Met dien verstande dat die Minister bedoelde beampte in oorleg met die Minister van die betrokke departement of, in die geval van 'n provinsiale administrasie, die administrateur van die betrokke provinsie, aanwys.“.

3. Artikel 3 van die Hoofwet word hierby gewysig deur sub- Wysiging van artikel 3 van artikel (2) deur die volgende subartikel te vervang: Wet 39 van 1966.

- „(2) Indien enige van die in subparagraafe (i) tot en met (x) of (bb) van subartikel (1) bedoelde aangeleentheid van enige aspek van so 'n aangeleentheid, hetsy voor of na die inwerkintreding van hierdie Wet, aan 'n staatsdepartement (met inbegrip van die Spoorweg- en Hawe-administrasie en 'n provinsiale administrasie) toevertrou is, word die bevoegdheid van die Minister met betrekking tot daardie aangeleentheid of aspek slegs in oorleg met die betrokke staatsdepartement uitgeoefen.“.

4. Artikel 9 van die Hoofwet word hierby gewysig— Wysiging van artikel 9 van  
(a) deur paragrafe (a) en (b) van subartikel (2) deur die Wet 39 van 1966.  
volgende paragrafe te vervang:

- „(a) 'n lid van die Senaat of die Volksraad of van 'n provinsiale raad of 'n Parlementsamprenteaar soos omskryf in artikel 1 van die Wet op die Bevoegdheide en Voorregte van die Parlement, 1963 (Wet No. 91 van 1963);
- (b) 'n administrateur van 'n provinsie en 'n lid van 'n uitvoerende komitee vir 'n provinsie;“;
- (b) deur paragraaf (d) van subartikel (2) deur die volgende paragraaf te vervang:  
„(d) die sekretaris van 'n staatsdepartement of van 'n provinsiale administrasie;“;

- (c) by the substitution for paragraph (g) of subsection (2) of the following paragraph:  
“(g) any person contemplated in the definition of ‘the Prisons Service’ in section 1 of the Prisons Act, 1959 (Act No. 8 of 1959);”; and
- (d) by the substitution in paragraph (j) of subsection (2) for all the words preceding the proviso of the following words:  
“(j) a member of the National Reserve referred to in section 49 of the Defence Act, 1957, who is under an age limit determined for the purposes of this paragraph by the Minister.”.

Substitution  
of section 19  
of Act 39 of 1966.

5. The following section is hereby substituted for section 19 of the principal Act:

*“Application of Act to South-West Africa.* 19. (1) The State President may by proclamation in the *Gazette* declare any of or all the provisions of this Act and of any amendment thereof to be *mutatis mutandis* applicable in the territory of South-West Africa (including the Eastern Caprivi Zipfel referred to in section 3 of the South-West Africa Affairs Amendment Act, 1951 (Act No. 55 of 1951)), and in relation to all persons in that portion of the said territory known as the ‘Rehoboth Gebiet’ and defined in the First Schedule to Proclamation No. 28 of 1923 of the Administrator of the said territory.

(2) The said provisions may be declared to be applicable subject to such conditions, modifications or exceptions and with retrospective effect from any date, not earlier than the date of commencement of this Act, specified in the proclamation.

(3) The State President may in like manner withdraw or amend any proclamation issued under this section.”.

Short title.

6. This Act shall be called the Civil Defence Amendment Act, 1967.

- (c) deur paragraaf (g) van subartikel (2) deur die volgende paragraaf te vervang:  
„(g) iemand beoog in die omskrywing van ‚die Gevangenisdiens’ in artikel 1 van die Wet op Gevangenis, 1959 (Wet No. 8 van 1959);” en
- (d) deur in paragraaf (j) van subartikel (2) al die woorde voor die voorbehoudsbepaling deur die volgende woorde te vervang:  
„(j) ‘n lid van die in artikel 49 van die Verdedigingswet, 1957, bedoelde Nasionale Reserwe wat onder ‘n ouderdomsgrens is wat vir die doeleindes van hierdie paragraaf deur die Minister bepaal word.”

**5. Artikel 19 van die Hoofwet word hierby deur die volgende artikel vervang:**

„**Toepassing van Wet op Suidwes-Afrika.** 19. (1) Die Staatspresident kan by proklamasie in die *Staatskoerant* ‘n bepaling of al die bepalings van hierdie Wet en van enige wysiging daarvan *mutatis mutandis* in die gebied Suidwes-Afrika (met inbegrip van die Oostelike Caprivi Zipfel in artikel 3 van die Wysigingswet op Aangeleentheide van Suidwes-Afrika, 1951 (Wet No. 55 van 1951), bedoel), en met betrekking tot alle persone in daardie gedeelte van genoemde gebied bekend as die ‚Rehoboth Gebiet’ en omskryf in die Eerste Bylae by Proklamasie No. 28 van 1923 van die Administrateur van genoemde gebied, van toepassing verklaar.

Vervanging van artikel 19 van Wet 39 van 1966.

(2) Bedoelde bepalings kan van toepassing verlaat word onderworpe aan die voorwaardes, wysigings of uitsonderings en met terugwerkende krag van ‘n datum, nie vroeër as die datum van inwerkingtreding van hierdie Wet nie, wat in die proklamasie vermeld word.

(3) Die Staatspresident kan op dergelike wyse enige proklamasie kragtens hierdie artikel uitgevaardig, intrek of wysig.”.

**6. Hierdie Wet heet die Wysigingswet op Burgerlike Besker- Kort titel, ming, 1967.**