

OFFICIAL GAZETTE

EXTRAORDINARY
OF SOUTH WEST AFRICA.

BUITENGEWONE

OFFISIËLE KOERANT



UITGAVE OP GEZAG.

VAN SUIDWES-AFRIKA.

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No. 80, 1967.]

ACT

To amend the provisions of the Price Control Act, 1964, relating to definitions, the fixing of prices, deposits in respect of containers, the issue and retention of invoices, the conditional sale of goods, the keeping and preservation of records and the granting of exemptions; and to provide for certain incidental matters.

*(Afrikaans text signed by the Acting State President.)
(Assented to 7th June, 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 25 of 1964.

1. Section 1 of the Price Control Act, 1964 (hereinafter referred to as the principal Act), is hereby amended by the substitution for all the words preceding the definition of "controller" of the words "In this Act and in any notice issued thereunder, unless the context otherwise indicates—".

Amendment of
section 4 of
Act 25 of 1964.

2. Section 4 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of any particular person, by notice in writing—

- (a) fix the maximum price at which any goods may be sold by any person to any other person;
- (b) fix the maximum price at which any person may purchase any goods from any other person;
- (c) fix the maximum charge that may be made by any person for any specified service;
- (d) prohibit any person from making any charge for any specified service."

Amendment of
section 5 of
Act 25 of 1964.

3. Section 5 of the principal Act is hereby amended by the substitution in subsection (1) for all the words preceding paragraph (a) of the words "The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of any particular person, by notice in writing—";

Amendment of
section 8 of
Act 25 of 1964.

4. Section 8 of the principal Act is hereby amended by the substitution for all the words preceding paragraph (a) of the words "The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of any particular person, by notice in writing—".

Substitution of
section 9 of
Act 25 of 1964.

5. The following section is hereby substituted, with effect from the second day of October, 1964, for section 9 of the principal Act:

"Certain conditional sales or the rendering of services on certain conditions may be prohibited.

9. (1) The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of any particular person, by notice in writing, prohibit the sale of any goods or the rendering of any services subject to conditions specified in the notice, or the refusal to sell any goods or render any services except subject to conditions so specified, whether the maximum price for the sale of such goods or the maximum charge for the rendering of such services has been fixed under this Act or not.

No. 80, 1967.]

WET

Tot wysiging van die bepalings van die Wet op Prysbeheer, 1964, met betrekking tot woordomsrywings, die vasstelling van pryse, deposito's ten opsigte van houters, die uitreiking en bewaring van fakture, die verkoop van goedere op sekere voorwaardes, die hou en bewaring van registers en die verlening van vrystellings; en om voorsiening te maak vir sekere bykomstige aangeleenthede.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 7 Junie 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 Prysbeheer, 1964 (hieronder die Hoofwet genoem), word hierby gewysig deur al die woorde wat die omskrywing van „diens” voorafgaan, deur die woorde „In hierdie Wet en in enige kennisgewing daarkragtens uitgereik, tensy uit die samehang anders blyk, beteken—” te vervang. Wysiging van artikel 1 van Wet 25 van 1964.

2. Artikel 4 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang: Wysiging van artikel 4 van Wet 25 van 1964.

„(1) Die kontroleur kan van tyd tot tyd by kennisgewing in die *Staatskoerant* of, met die magtiging van die Minister, in die geval van 'n bepaalde persoon, by skriftelike kennisgewing—

- (a) die maksimumprys vasstel waarteen enige goedere deur 'n persoon aan 'n ander persoon verkoop mag word;
- (b) die maksimumprys vasstel waarteen 'n persoon enige goedere van 'n ander persoon mag koop;
- (c) die maksimumbedrag vasstel wat 'n persoon vir 'n bepaalde diens mag vra;
- (d) 'n persoon verbied om enige bedrag vir 'n bepaalde diens te vra.”

3. Artikel 5 van die Hoofwet word hierby gewysig deur in subartikel (1) al die woorde wat paragraaf (a) voorafgaan, deur die woorde „Die kontroleur kan van tyd tot tyd by kennisgewing in die *Staatskoerant* of, met die magtiging van die Minister, in die geval van 'n bepaalde persoon, by skriftelike kennisgewing—” te vervang. Wysiging van artikel 5 van Wet 25 van 1964.

4. Artikel 8 van die Hoofwet word hierby gewysig deur al die woorde wat paragraaf (a) voorafgaan, deur die woorde „Die kontroleur kan van tyd tot tyd by kennisgewing in die *Staatskoerant* of, met die magtiging van die Minister, in die geval van 'n bepaalde persoon, by skriftelike kennisgewing—” te vervang. Wysiging van artikel 8 van Wet 25 van 1964.

5. Artikel 9 van die Hoofwet word, met ingang van die tweede dag van Oktober 1964, deur die volgende artikel vervang: Vervanging van artikel 9 van Wet 25 van 1964.

„Verkoop of 9. (1) Die kontroleur kan van tyd tot tyd by die verrigting van dienste op sekere voorwaardes kan verbied word. kennisgewing in die *Staatskoerant* of, met die magtiging van die Minister, in die geval van 'n bepaalde persoon, by skriftelike kennisgewing, die verkoop van goedere of die verrigting van dienste op voorwaardes in die kennisgewing uiteengesit, of die weiering om goedere te verkoop of dienste te verrig behalwe op voorwaardes aldus uiteengesit, verbied, hetsy die maksimumprys vir die verkoop van daardie goedere of die maksimumbedrag vir die verrigting van daardie dienste kragtens hierdie Wet vasgestel is al dan nie.

(2) Any such prohibition may relate to any goods or services or to any class of goods or services and may vary in respect of different goods or services or classes of goods or services or classes or categories of persons.

(3) Without prejudice to the generality of the powers conferred on the controller by subsection (1), he may under that subsection by notice in the *Gazette* or, with the authority of the Minister, in the case of any particular person, by notice in writing, prohibit the sale of goods subject to conditions in terms of which, if the purchase price or other consideration is payable by instalments, less than the portion of the purchase price or other consideration specified in the notice shall or may be paid in a cash amount of money or in goods at the time the agreement is entered into and the full purchase price or other consideration shall or may be paid over a longer period than that specified in the notice.

(4) For the purposes of the application of a notice such as is referred to in subsection (3)—

- (a) substantial compliance with any condition specified in such notice shall be regarded as compliance with such condition; and
- (b) payment by means of a negotiable instrument (other than a promissory note) payable on demand to the seller or his order or to bearer shall be regarded as payment to the extent to which the amount due under such negotiable instrument is, within twenty-one days of delivery thereof to the seller, paid to the seller or his order or to the credit of his account, or that of his order, with a banker.

(5) For the purposes of this section 'sale' shall, in addition to the meaning it has in terms of the definition thereof in section 1, have the meaning assigned to it in any notice issued under subsection (1) of this section, and any such meaning may include disposal of any goods by way of a lease-lend, lease or any other agreement as defined in such notice, the date of any such agreement being deemed to be the date of sale; and 'sell' shall have a corresponding meaning.

(6) No agreement shall be deemed to be inoperative by reason only of the fact that it is or was entered into in contravention of a prohibition contained in a notice issued under subsection (1), and no negotiable instrument shall be deemed to be inoperative by reason only of the fact that it was given or drawn in respect of any liability under any agreement which has been prohibited under subsection (1)."

Amendment of
section 11 of
Act 25 of 1964.

6. Section 11 of the principal Act is hereby amended by the substitution for all the words preceding paragraph (a) of the words "The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of a particular person, by notice in writing—".

Substitution of
section 15 of
Act 25 of 1964.

7. The following section is hereby substituted for section 15 of the principal Act:

"Controller
may grant
exemptions.

15. The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of a particular person, by notice in writing, subject to such conditions as he may impose, grant any person exemption from any provision of this Act to such extent as he may specify, and may at any time, without assigning any reason, in like manner modify or withdraw any such exemption."

Substitution of
section 21 of
Act 25 of 1964.

8. The following section is hereby substituted for section 21 of the principal Act:

(2) So 'n verbod kan betrekking hê op enige goedere of dienste of op enige klas van goedere of dienste en kan verskil ten opsigte van verskillende goedere of dienste of klasse van goedere of dienste of klasse of kategorieë van persone.

(3) Sonder om afbreuk te doen aan die algemeenheid van die bevoegdhede deur subartikel (1) aan die kontroleur verleen, kan hy kragtens daardie subartikel by kennisgewing in die *Staatskoerant* of, met die magtiging van die Minister, in die geval van 'n bepaalde persoon, by skriftelike kennisgewing, die verkoop van goedere verbied op voorwaardes ingevolge waarvan, indien die koopprys of ander teenprestasie in paaiemente betaalbaar is, minder as die gedeelte van die koopprys of ander teenprestasie in die kennisgewing uiteengesit in 'n kontantbedrag geld of in goedere ten tyde van die aangaan van die ooreenkoms betaal moet of kan word en die hele koopprys of ander teenprestasie oor 'n langer tydperk as dié in die kennisgewing uiteengesit, betaal moet of kan word.

(4) By die toepassing van 'n in subartikel (3) bedoelde kennisgewing—

- (a) word wesenlike voldoening aan 'n voorwaarde in so 'n kennisgewing uiteengesit, as voldoening aan dié voorwaarde beskou; en
- (b) word betaling deur middel van 'n verhandelbare stuk (behalwe 'n promesse) betaalbaar op aanvraag aan die verkoper of sy order of aan toonder, as betaling beskou in soverre die bedrag kragtens daardie verhandelbare stuk verskuldig binne een-en-twintig dae na lewering daarvan aan die verkoper, betaal word aan die verkoper of sy order, of tot krediet van sy rekening, of dié van sy order, by 'n bankier.

(5) By die toepassing van hierdie artikel het 'verkoop', benewens die betekenis wat dit ingevolge die omskrywing daarvan in artikel 1 het, die betekenis daaraan toegewys in 'n kennisgewing kragtens subartikel (1) van hierdie artikel uitgereik, en enige sodanige betekenis kan ook beskikking oor goedere by wyse van 'n bruikleen-, huur- of enige ander ooreenkoms soos in daardie kennisgewing omskryf, insluit, terwyl die datum van so 'n ooreenkoms die datum van verkoop geag word; en het 'verkoop', wanneer dit as 'n werkwoord gebesig word, 'n ooreenstemmende betekenis.

(6) Geen ooreenkoms word geag kragtelos te wees nie slegs omrede van die feit dat dit aangegaan word of is in stryd met 'n verbod in 'n kragtens subartikel (1) uitgereikte kennisgewing vervat, en geen verhandelbare stuk word geag kragtelos te wees nie slegs omrede van die feit dat dit gegee of getrek is ten opsigte van enige aanspreeklikheid ingevolge 'n ooreenkoms wat kragtens subartikel (1) verbied is."

6. Artikel 11 van die Hoofwet word hierby gewysig deur al die woorde wat paragraaf (a) voorafgaan, deur die woorde „Die kontroleur kan van tyd tot tyd by kennisgewing in die *Staatskoerant* of, met die magtiging van die Minister, in die geval van 'n bepaalde persoon, by skriftelike kennisgewing—” te vervang. Wysiging van artikel 11 van Wet 25 van 1964.

7. Artikel 15 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 15 van Wet 25 van 1964.

„Kontroleur 15. Die kontroleur kan van tyd tot tyd by kennisgewing in die *Staatskoerant* of, met die magtiging van die Minister, in die geval van 'n bepaalde persoon, by skriftelike kennisgewing, behoudens die voorwaardes deur hom opgelê, aan 'n persoon vrystelling van enige bepaling van hierdie Wet verleen in die mate wat hy bepaal, en kan van tyd tot tyd, sonder aangifte van enige rede so 'n vrystelling op dergelike wyse wysig of intrek.”.

8. Artikel 21 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 21 van Wet 25 van 1964.

"Applica-
tion of Act
to South-
West Africa.

21. This Act and any amendment thereof shall apply also 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 the 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 that territory."

Short title.

9. This Act shall be called the Price Control Amendment Act, 1967.

„Toepassing
van Wet op
Suidwes-
Afrika.

21. Hierdie Wet en enige wysiging daarvan is ook van toepassing in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel vermeld in artikel 3 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951), en met betrekking tot alle persone in daardie gedeelte van genoemde gebied wat as die „Rehoboth Gebiet“ bekend staan en wat in die Eerste Bylae by Proklamasie No. 28 van 1923 van die Administrateur van daardie gebied omskryf word.”.

9. Hierdie Wet heet die Wysigingswet op Prysbeheer, 1967. Kort titel.

No. 83, 1967.]

ACT

To prohibit terroristic activities and to amend the law relating to criminal procedure; and to provide for other incidental matters.

*(English text signed by the Acting State President.)
(Assented to 12th June, 1967.)*

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

Definitions.

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

- (i) "Commissioner" means the Commissioner of the South African Police; (iii)
- (ii) "detainee" means a person detained under section 6; (i)
- (iii) "Minister" means the Minister of Justice; (iv)
- (iv) "organization" includes any association of persons, incorporated or unincorporated and whether or not it has been established or registered in accordance with any law; (v)
- (v) "Republic", includes the territory, except in sections 4 (3) and 7; (vi)
- (vi) "terrorist" means any person who has committed an offence under section 2 or an act which had or was likely to have had any of the results referred to in section 2 (2); (vii)
- (vii) "the territory" means the territory of South-West Africa. (ii)

Terrorism.

2. (1) Subject to the provisions of subsection (4), any person who—

- (a) with intent to endanger the maintenance of law and order in the Republic or any portion thereof, in the Republic or elsewhere commits any act or attempts to commit, or conspires with any other person to aid or procure the commission of or to commit, or incites, instigates, commands, aids, advises, encourages or procures any other person to commit, any act; or
- (b) in the Republic or elsewhere undergoes, or attempts, consents or takes any steps to undergo, or incites, instigates, commands, aids, advises, encourages or procures any other person to undergo any training which could be of use to any person intending to endanger the maintenance of law and order, and who fails to prove beyond a reasonable doubt that he did not undergo or attempt, consent or take any steps to undergo, or incite, instigate, command, aid, advise, encourage or procure such other person to undergo such training for the purpose of using it or causing it to be used to commit any act likely to have any of the results referred to in subsection (2) in the Republic or any portion thereof; or
- (c) possesses any explosives, ammunition, fire-arm or weapon and who fails to prove beyond a reasonable doubt that he did not intend using such explosives, ammunition, fire-arm or weapon to commit any act likely to have any of the results referred to in subsection (2) in the Republic or any portion thereof,

shall be guilty of the offence of participation in terroristic activities and liable on conviction to the penalties provided for by law for the offence of treason: Provided that, except where

No. 83, 1967.]

WET

Om terroristiese bedrywighede te verbied en die wetsbepallings met betrekking tot die prosedure in strafsake te wysig; en om voorsiening te maak vir ander aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 12 Junie 1967.)

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

1. In hierdie Wet, tensy uit die samehang anders blyk, be- Woord-
omskrywing.
teken—

- (i) „aangehoudene” ’n persoon kragtens artikel 6 aangehou; (ii)
- (ii) „die gebied” die gebied Suidwes-Afrika; (vii)
- (iii) „Kommissaris” die Kommissaris van die Suid-Afrikaanse Polisie; (i)
- (iv) „Minister” die Minister van Justisie; (iii)
- (v) „organisasie” ook ’n vereniging van persone met of sonder regs persoonlikheid, en ongeag of hy ooreenkomstig ’n wet ingestel of geregistreer is al dan nie; (iv)
- (vi) „Republiek” ook die gebied, behalwe in artikels 4 (3) en 7; (v)
- (vii) „terroris” ’n persoon wat ’n misdryf ingevolge artikel 2 of ’n daad wat enige van die in artikel 2 (2) bedoelde gevolge tot gevolg gehad het of waarskynlik kon gehad het, gepleeg het. (vi)

2. (1) Behoudens die bepalinge van subartikel (4), is ’n Terrorisme persoon wat—

- (a) met die opset om die handhawing van wet en orde in die Republiek of ’n gedeelte daarvan in gevaar te stel, in die Republiek of elders ’n daad pleeg of poog om dit te pleeg, of met ’n ander persoon saamsweer om by die pleeg van ’n daad behulpsaam te wees of dit te bewerkstellig of te pleeg, of ’n ander persoon uitlok, aanstig, beveel, hulp verleen, aanraai, aanmoedig of verkry om ’n daad te pleeg; of
- (b) in die Republiek of elders opleiding ontvang wat van nut sou kon wees vir ’n persoon wat die ingevaarstelling van die handhawing van wet en orde beoog, of poog, inwillig of stappe doen om bedoelde opleiding te ontvang, of ’n ander persoon uitlok, aanstig, beveel, hulp verleen, aanraai, aanmoedig of verkry om bedoelde opleiding te ontvang, en wat in gebreke bly om bo redelike twyfel te bewys dat hy nie bedoelde opleiding ontvang het of gepoog, ingewillig of stappe gedoen het om dit te ontvang, of bedoelde ander persoon uitgelok, aangestig, beveel, hulp verleen, aangeraai, aangemoedig of verkry het om bedoelde opleiding te ontvang met die doel om dit te gebruik of laat gebruik om ’n daad te pleeg, wat waarskynlik die een of ander van die in subartikel (2) bedoelde gevolge in die Republiek of ’n gedeelte daarvan kan hê nie; of
- (c) ontplofbare stowwe, ammunisie, ’n vuurwapen of wapen besit en in gebreke bly om bo redelike twyfel te bewys dat hy nie beoog het om bedoelde ploffstowwe, ammunisie, vuurwapen of wapen te gebruik om ’n daad te pleeg wat waarskynlik die een of ander van die in subartikel (2) bedoelde gevolge in die Republiek of ’n gedeelte daarvan kan hê nie,

skuldig aan die misdryf van deelname aan terroristiese bedrywighede en by skuldigbevinding strafbaar met die strawwe wat by wet vir die misdryf van hoogverraad bepaal word: Met dien

the death penalty is imposed, the imposition of a sentence of imprisonment for a period of not less than five years shall be compulsory, whether or not any other penalty is also imposed.

(2) If in any prosecution for an offence contemplated in subsection (1) (a) it is proved that the accused has committed or attempted to commit, or conspired with any other person to aid or procure the commission of or to commit, or incited, instigated, commanded, aided, advised, encouraged or procured any other person to commit the act alleged in the charge, and that the commission of such act, had or was likely to have had any of the following results in the Republic or any portion thereof, namely—

- (a) to hamper or to deter any person from assisting in the maintenance of law and order;
- (b) to promote, by intimidation, the achievement of any object;
- (c) to cause or promote general dislocation, disturbance or disorder;
- (d) to cripple or prejudice any industry or undertaking or industries or undertakings generally or the production or distribution of commodities or foodstuffs at any place;
- (e) to cause, encourage or further an insurrection or forcible resistance to the Government or the Administration of the territory;
- (f) to further or encourage the achievement of any political aim, including the bringing about of any social or economic change, by violence or forcible means or by the intervention of or in accordance with the direction or under the guidance of or in co-operation with or with the assistance of any foreign government or any foreign or international body or institution;
- (g) to cause serious bodily injury to or endanger the safety of any person;
- (h) to cause substantial financial loss to any person or the State;
- (i) to cause, encourage or further feelings of hostility between the White and other inhabitants of the Republic;
- (j) to damage, destroy, endanger, interrupt, render useless or unserviceable or put out of action the supply or distribution at any place of light, power, fuel, foodstuffs or water, or of sanitary, medical, fire extinguishing, postal, telephone or telegraph services or installations, or radio transmitting, broadcasting or receiving services or installations;
- (k) to obstruct or endanger the free movement of any traffic on land, at sea or in the air;
- (l) to embarrass the administration of the affairs of the State,

the accused shall be presumed to have committed or attempted to commit, or conspired with such other person to aid or procure the commission of or to commit, or incited, instigated, commanded, aided, advised, encouraged or procured such other person to commit, such act with intent to endanger the maintenance of law and order in the Republic, unless it is proved beyond a reasonable doubt that he did not intend any of the results aforesaid.

(3) In any prosecution for an offence under this section, any document, book, record, pamphlet, publication or written instrument—

- (a) which has been found in or removed from the possession, custody or control of the accused or of any person who was at any time before or after the commencement of this Act an office-bearer, officer, member or active supporter of an organization of which the accused is or was an office-bearer, officer, member or active supporter;
- (b) which has been found in or removed from any office or other premises occupied or used at any time before or after the commencement of this Act by an organization of which the accused is or was an office-bearer, officer, member or active supporter or by any person in his capacity as office-bearer or officer of such organization; or

verstande dat behalwe waar die doodvonnis opgelê word, die op-
legging van gevangenisstraf vir 'n tydperk van minstens vyf jaar
verpligtend is, hetsy 'n ander straf ook opgelê word al dan nie.

(2) Indien daar by 'n vervolging weens 'n in subartikel (1) (a)
beoogde misdryf bewys word dat die beskuldigde die daad in die
klagstaat beweer, gepleeg het of gepoog het om bedoelde daad
te pleeg, of met 'n ander persoon saamgesweer het om by die
pleeg van daardie daad behulpsaam te wees of dit te bewerkstellig
of te pleeg, of 'n ander persoon uitgelok, aangestig, beveel, hulp
verleen, aangeraai, aangemoedig of verkry het om bedoelde daad
te pleeg, en dat die pleeg van bedoelde daad, die een of ander van
die volgende gevolge in die Republiek of 'n gedeelte daarvan ge-
had het of waarskynlik kon gehad het, naamlik—

- (a) om die handhawing van wet en orde te bemoeilik of om
'n persoon af te skrik om daarmee behulpsaam te wees;
- (b) om deur vreesaanjaging die verwesenliking van die een
of ander oogmerk te bevorder;
- (c) om algemene ontwrigting, stoornis of wanorde te ver-
oorsaak of te bevorder;
- (d) om 'n nywerheid of onderneming of nywerhede of
ondernemings oor die algemeen of die produksie of
verspreiding van handels- of voedselware op enige plek
te verlam of te benadeel;
- (e) om 'n opstand of gewelddadige verset teen die Regering
of die Administrasie van die gebied te veroorsaak, aan
te moedig of te bevorder;
- (f) om die verwesenliking van 'n politieke doelstelling, met
inbegrip van die teweegbring van 'n maatskaplike of
ekonomiese verandering deur geweld of op geweld-
dadige wyse of deur tussenkoms van of ooreenkomstig
die voorskrifte van of onder leiding van of in same-
werking met of met die hulp van 'n buitelandse regering
of 'n buitelandse of internasionale liggaam of instelling,
te bevorder of aan te moedig;
- (g) om 'n persoon ernstige liggaamlike letsels toe te dien of
om die veiligheid van 'n persoon in gevaar te stel;
- (h) om 'n persoon of die Staat aansienlike geldelike verlies
te berokken;
- (i) om vyandigheidsindheid tussen die blanke en ander in-
woners van die Republiek te veroorsaak, aan te moedig
of te bevorder;
- (j) om die verskaffing of verspreiding op enige plek van lig,
krag, brandstof, voedselware of water, of van sanitêre,
mediese, brandweer-, pos-, telefoon- of telegraafdienste
of -installasies, of radio-oorsendings-, radio-uitsaai- of
radio-ontvangsdienste of -installasies te beskadig, vernietig,
in gevaar te stel, te onderbreek, nutteloos of on-
bruikbaar te maak of buite werking te stel;
- (k) om die vrye beweging van verkeer op land, ter see of in
die lug te belemmer of in gevaar te stel;
- (l) om die administrasie van landsake te bemoeilik,

word daar vermoed dat die beskuldigde bedoelde daad gepleeg
het of gepoog het om dit te pleeg, of met bedoelde ander persoon
saamgesweer het om by die pleeg van daardie daad behulpsaam
te wees of dit te bewerkstellig of te pleeg, of bedoelde ander
persoon uitgelok, aangestig, beveel, hulp verleen, aangeraai,
aangemoedig of verkry het om bedoelde daad te pleeg met die
opset om die handhawing van wet en orde in die Republiek in
gevaar te stel, tensy daar bo redelike twyfel bewys word dat hy
nie die een of ander van voormelde gevolge beoog het nie.

(3) By 'n vervolging weens 'n misdryf ingevolge hierdie artikel,
is 'n dokument, boek, rekord, pamflet, publikasie of geskrif—

- (a) wat gevind is in of verwyder is uit die besit, bewaring of
beheer van die beskuldigde of van 'n persoon wat te
eniger tyd vóór of ná die inwerkingtreding van hierdie
Wet 'n ampsdraer, beampite, lid of aktiewe onder-
steuner was van 'n organisasie waarvan die beskuldigde
'n ampsdraer, beampite, lid of aktiewe ondersteuner is
of was;
- (b) wat gevind is in of verwyder is uit 'n kantoor of ander
perseel wat te enige tyd vóór of ná die inwerking-
treding van hierdie Wet geokkupeer of gebruik is deur
'n organisasie waarvan die beskuldigde 'n ampsdraer,
beampite, lid of aktiewe ondersteuner is of was of deur
'n persoon in sy hoedanigheid van ampsdraer of be-
ampite van bedoelde organisasie; of

- (c) which on the face thereof has been compiled, kept, maintained, used, issued or published by or on behalf of an organization of which the accused is or was an office-bearer, officer, member or active supporter or by or on behalf of any person having a name corresponding substantially to that of the accused,

and any photostatic copy of any such document, book, record, pamphlet, publication or written instrument, shall be admissible in evidence against the accused as *prima facie* proof of the contents thereof.

(4) No person shall be convicted of an offence under subsection (1) committed at any place outside the Republic, if such person proves that he is not a South African citizen and has not at any time before or after the commencement of this Act been resident in the Republic and that he has not at any time after such commencement, entered or been in the Republic in contravention of any law.

Harbouring or
concealing of
or rendering
assistance to
terrorists.

3. Any person who harbours or conceals or directly or indirectly renders any assistance to any other person whom he has reason to believe to be a terrorist, shall be guilty of an offence and liable on conviction to the penalties provided by law for the offence of treason: Provided that, except where the death penalty is imposed, the imposition of a sentence of imprisonment for a period of not less than five years shall be compulsory, whether or not any other penalty is imposed.

Jurisdiction and
venue.

4. (1) Notwithstanding anything to the contrary in any law or the common law contained any superior court or attorney-general in the Republic shall have jurisdiction in respect of any offence under this Act committed outside the area of jurisdiction of such court or attorney-general, as if it had been committed within such area.

(2) If the Minister so directs the trial of any person for an offence under this Act, shall take place at such place in the Republic as the Minister may determine.

(3) Whenever the trial for an offence under this Act committed in the territory or elsewhere outside the Republic, takes place in the Republic, whether or not on the instructions of the Minister, the laws relating to procedure and evidence of the Republic shall apply in respect of such trial and whenever the trial for such an offence committed in the Republic or elsewhere outside the territory so takes place in the territory, the laws relating to procedure and evidence of the territory shall so apply.

Procedure at
the trial of persons
for offences under
this Act.

5. Notwithstanding anything to the contrary in any law or the common law contained—

- (a) any person charged in the Republic, excluding the territory, with having committed an offence under this Act, shall be tried by a judge without a jury as if the provisions of sections 109 and 110 of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), applied in respect of his trial;
- (b) the trial of any person accused of having committed any offence under this Act may, subject to the provisions of section 4, be held at any time and at any place within the area of jurisdiction of the division of the Supreme Court of South Africa concerned;
- (c) whenever two or more persons are in any indictment, summons or charge alleged to have committed, whether jointly or severally, offences under this Act, such persons may be tried jointly for such offences on that indictment, summons or charge;
- (d) any person accused of having committed an offence under this Act shall be tried summarily without a preparatory examination having been instituted against him;
- (e) the procedure prescribed by law in respect of a criminal trial in a magistrate's court shall *mutatis mutandis* apply in respect of the trial of any such person before plea;
- (f) no person detained in custody on a charge of having committed an offence under this Act, shall be released on bail or otherwise, before sentence has been passed or he has been discharged, unless the attorney-general consents to his release;

(c) wat oënskynlik deur of namens 'n organisasie waarvan die beskuldigde 'n ampsdraer, beampte, lid of aktiewe ondersteuner is of was of deur of namens 'n persoon met 'n naam wat in hoofsaak met dié van die beskuldigde ooreenstem, opgestel, aangehou, in stand gehou, gebruik, uitgereik of gepubliseer is, en 'n fotostatiese afdruk van so 'n dokument, boek, rekord, pamflet, publikasie of geskrif, as getuieis teen die beskuldigde toelaatbaar as *prima facie*-bewys van die inhoud daarvan.

(4) Geen persoon word aan 'n misdryf ingevolge subartikel (1) wat op 'n plek buite die Republiek gepleeg is, skuldig bevind nie, indien daardie persoon bewys dat hy nie 'n Suid-Afrikaanse burger is nie en nie te eniger tyd vóór of ná die inwerkingtreding van hierdie Wet in die Republiek woonagtig was nie en dat hy nie te eniger tyd ná bedoelde inwerkingtreding in stryd met 'n wetsbepaling die Republiek binnegekom het of daarin was nie.

3. 'n Persoon wat rede het om te vermoed dat 'n ander persoon 'n terroris is en daardie ander persoon herberg of versteek of regstreeks of onregstreeks aan hom hulp verleen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met die strawwe wat by wet vir die misdryf van hoogverraad bepaal word: Met dien verstande dat behalwe waar die doodvonnis opgelê word, die oplegging van gevangenisstraf vir 'n tydperk van minstens vyf jaar verpligtend is, hetsy 'n ander straf ook opgelê word al dan nie.

Die herberg of versteek van of hulpverlening aan terroriste.

4. (1) Ondanks andersluidende wetsbepalings of gemeenregtelike bepaling, besit enige hoërhof of prokureur-generaal in die Republiek ten opsigte van enige misdryf ingevolge hierdie Wet wat buite die regsgebied van daardie hof of prokureur-generaal gepleeg is, regsbevoegdheid asof dit binne bedoelde regsgebied gepleeg is.

Regsbevoegdheid en plek van verhoor.

(2) Indien die Minister dit gelas, moet die verhoor van 'n persoon weens 'n misdryf ingevolge hierdie Wet plaasvind op die plek in die Republiek wat die Minister bepaal.

(3) Wanneer die verhoor weens 'n misdryf ingevolge hierdie Wet wat in die gebied of elders buite die Republiek gepleeg is, in die Republiek plaasvind, hetsy in opdrag van die Minister al dan nie, is die wetsbepalings met betrekking tot prosedure en bewysleer van die Republiek ten opsigte van bedoelde verhoor van toepassing en wanneer die verhoor weens so 'n misdryf wat in die Republiek of elders buite die gebied gepleeg is, aldus in die gebied plaasvind, is die wetsbepalings met betrekking tot prosedure en bewysleer van die gebied aldus van toepassing.

5. Ondanks andersluidende wetsbepalings of gemeenregtelike bepaling—

Prosedure by verhoor van persone weens misdrywe ingevolge hierdie wet.

- (a) word 'n persoon wat in die Republiek, met uitsondering van die gebied, daarvan aangekla word dat hy 'n misdryf ingevolge hierdie Wet gepleeg het, deur 'n register sonder 'n jurie verhoor asof die bepaling van artikels 109 en 110 van die Strafproseswet, 1955 (Wet No. 56 van 1955), ten opsigte van sy verhoor van toepassing is;
- (b) kan die verhoor van 'n persoon wat daarvan beskuldig word dat hy 'n misdryf ingevolge hierdie Wet gepleeg het, behoudens die bepaling van artikel 4, te eniger tyd en op enige plek binne die regsgebied van die betrokke afdeling van die Hooggeregshof van Suid-Afrika plaasvind;
- (c) kan, wanneer daar in 'n akte van beskuldiging, dagvaarding of klagskrif beweer word dat twee of meer persone, hetsy gesamentlik of afsonderlik, misdrywe ingevolge hierdie Wet gepleeg het, daardie persone gesamentlik weens bedoelde misdrywe op daardie akte van beskuldiging, dagvaarding of klagskrif verhoor word;
- (d) word 'n persoon wat daarvan beskuldig word dat hy 'n misdryf ingevolge hierdie Wet gepleeg het, summier verhoor sonder dat 'n voorlopige ondersoek teen hom ingestel was;
- (e) is die by wet voorgeskrewe prosedure ten opsigte van 'n strafverhoor in 'n landdroshof *mutatis mutandis* van toepassing ten opsigte van die verhoor van so 'n persoon voordat hy pleit;
- (f) word 'n persoon wat in hegtenis is op 'n aanklag dat hy 'n misdryf ingevolge hierdie Wet gepleeg het, nie voordat vonnis gevel is of hy ontslaan is, op borgtog of andersins vrygelaat nie, tensy die prokureur-generaal tot sy vrylating toestem;

- (g) no person shall on trial for or conviction of an offence under this Act be dealt with under section 159, 342, 345 or 352 of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), or the corresponding provisions of the Criminal Procedure Ordinance, 1963 (Ordinance No. 34 of 1963), of the territory;
- (h) acquittal on a charge of having committed an offence under section 2 shall not preclude the arraignment of the person acquitted on any other charge arising out of the acts alleged in respect of the charge of such offence.

Detention of
terrorists and
certain other
persons for
interrogation.

6. (1) Notwithstanding anything to the contrary in any law contained, any commissioned officer as defined in section 1 of the Police Act, 1958 (Act No. 7 of 1958), of or above the rank of Lieutenant-Colonel may, if he has reason to believe that any person who happens to be at any place in the Republic, is a terrorist or is withholding from the South African Police any information relating to terrorists or to offences under this Act, arrest such person or cause him to be arrested, without warrant and detain or cause such person to be detained for interrogation at such place in the Republic and subject to such conditions as the Commissioner may, subject to the directions of the Minister, from time to time determine, until the Commissioner orders his release when satisfied that he has satisfactorily replied to all questions at the said interrogation or that no useful purpose will be served by his further detention, or until his release is ordered in terms of subsection (4).

(2) The commissioner shall, as soon as possible after the arrest of any detainee, advise the Minister of his name and the place where he is being detained, and shall furnish the Minister once a month with the reasons why any detainee shall not be released.

(3) Any detainee may at any time make representations in writing to the Minister relating to his detention or release.

(4) The Minister may at any time order the release of any detainee.

(5) No court of law shall pronounce upon the validity of any action taken under this section, or order the release of any detainee.

(6) No person, other than the Minister or an officer in the service of the State acting in the performance of his official duties, shall have access to any detainee, or shall be entitled to any official information relating to or obtained from any detainee.

(7) If circumstances so permit, a detainee shall be visited in private by a magistrate at least once a fortnight.

Legal force
of
process in
criminal
proceedings in the
Republic and
South-West Africa.

7. (1) Notwithstanding anything to the contrary in any law contained, any warrant, summons, subpoena or other process issued under any law of the Republic or of the territory in connection with any criminal proceedings, shall be of force and effect throughout the Republic and the territory.

(2) Whenever any person has been arrested in the territory under any warrant aforesaid issued in the Republic, or has been arrested in the Republic under any such warrant issued in the territory, he shall, as soon as possible, be taken to the place mentioned in such warrant or, if no such place is mentioned in the warrant, to the place where the warrant was issued, and if such person has escaped or has been rescued from custody, he may be arrested without warrant at any place in the Republic or the territory by any person.

Trial only at the
instance of the
attorney-general or
acting attorney-
general.

8. No trial for an offence under this Act shall be instituted without the written authority given personally by an attorney-general or acting attorney-general.

Commencement
and application
of this Act.

9. (1) This Act, except sections 3, 6 and 7, shall be deemed to have come into operation on the twenty-seventh day of June, 1962, and shall, notwithstanding anything to the contrary in any law or the common law contained, apply also in respect of or with reference to any act committed (including the undergoing of any training or the possession of anything) at any time on or after the said date.

- (g) word daar met geen persoon by verhoor weens of skuldigbevinding aan 'n misdryf ingevolge hierdie Wet, kragtens artikel 159, 342, 345 of 352 van die Strafproseswet, 1955 (Wet No. 56 van 1955), of die ooreenstemmende bepalinge van die Strafprosesordonnansie, 1963, (Ordonnansie No. 34 van 1963), van die gebied gehandel nie;
- (h) belet vryspraak op 'n aanklag weens die pleeg van 'n misdryf ingevolge artikel 2 nie die voorbrenging van die vrygesprekte persoon op 'n ander aanklag wat voortvloei uit die daad hom ten opsigte van die aanklag weens bedoelde misdryf ten laste gelê nie.

6. (1) Ondanks andersluidende wetsbepalinge, kan 'n offisier soos omskrywe in artikel 1 van die Polisiewet, 1958 (Wet No. 7 van 1958), met of bo die rang van luitenant-kolonel, indien hy rede het om te vermoed dat 'n persoon wat hom op enige plek in die Republiek bevind, 'n terroris is of inligting met betrekking tot terroriste of tot misdrywe ingevolge hierdie Wet van die Suid-Afrikaanse Polisie weerhou, bedoelde persoon sonder lasbrief in hegtenis neem of laat neem en by die plek in die Republiek en op die voorwaardes wat die Kommissaris, behoudens die voorskrifte van die Minister, van tyd tot tyd bepaal, vir ondervraging aanhou of laat aanhou, totdat die Kommissaris sy vrylating beveel wanneer hy oortuig is dat die aangehoudene alle vrae by dié ondervraging bevredigend beantwoord het of dat dit nutteloos sal wees om hom langer aan te hou, of totdat die aangehoudene se vrylating kragtens subartikel (4) beveel word.

Aanhouding van terroriste en sekere ander persone vir ondervraging.

(2) Die Kommissaris moet, so spoedig moontlik na inhegtenisneming van 'n aangehoudene, sy naam en die plek waar hy aangehou word aan die Minister mededeel en moet eenkeer per maand aan die Minister die redes verstrek waarom 'n aangehoudene nie vrygelaat moet word nie.

(3) 'n Aangehoudene kan te eniger tyd aan die Minister skriftelike versoë met betrekking tot sy aanhouding of vrylating rig.

(4) Die Minister kan te eniger tyd die vrylating van 'n aangehoudene beveel.

(5) Geen geregtshof is bevoeg om uitspraak te doen oor die geldigheid van enige optrede ingevolge hierdie artikel, of om die vrylating van 'n aangehoudene te beveel nie.

(6) Geen persoon, behalwe die Minister of 'n beampte in diens van die Staat wat by die verrigting van sy ampspligte optree, het toegang tot 'n aangehoudene, of is op enige amptelike inligting met betrekking tot of verkry van 'n aangehoudene, geregtig nie.

(7) Indien omstandighede dit toelaat, moet 'n aangehoudene minstens eenkeer elke veertien dae deur 'n landdros in afsonderlike besoek word.

7. (1) Ondanks andersluidende wetsbepalinge, is 'n lasbrief, dagvaarding, getuiedagvaarding of ander prosesstuk wat ingevolge 'n wetsbepaling van die Republiek of van die gebied in verband met 'n strafsake uitgereik word, oral in die Republiek en die gebied van krag.

Regakrag van prosesstukke in strafsake in die Republiek en Suidwes-Afrika.

(2) Wanneer 'n persoon in die gebied in hegtenis geneem is ingevolge 'n voormelde lasbrief wat in die Republiek uitgereik is, of in die Republiek in hegtenis geneem is ingevolge so 'n lasbrief wat in die gebied uitgereik is, word hy so spoedig moontlik na die in die lasbrief vermelde plek geneem of, indien geen sodanige plek in die lasbrief vermeld word nie, na die plek waar die lasbrief uitgereik is, en indien hy ontvang het of wederregtelik uit hegtenis bevry is, kan hy op enige plek in die Republiek of die gebied deur enige persoon sonder lasbrief in hegtenis geneem word.

8. Geen verhoor weens 'n misdryf ingevolge hierdie Wet word sonder skriftelike magtiging deur 'n prokureur-generaal of waarnemende prokureur-persoonlik verstrek, ingestel nie.

Verhoor word slegs in opdrag van prokureur-generaal of waarnemende prokureur-generaal ingestel.

9. (1) Hierdie Wet, behalwe artikels 3, 6 en 7, word geag op die sewe-en-twintigste dag van Junie 1962 in werking te getree het en is, ondanks andersluidende wetsbepalinge of gemeenregtelike bepalinge, ook van toepassing ten opsigte van of met verwysing na enige daad gepleeg (met inbegrip van die ontvang van opleiding of die besit van enigiets) te eniger tyd op of na daardie datum.

Inwerkingtreding en toepassing van Wet.

(2) This Act and any amendment thereof which may be made from time to time, shall apply also in the territory, 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 territory known as the "Rehoboth Gebiet" and defined in the First Schedule to Proclamation No. 28 of 1923 of the territory.

Short title.

10. This Act shall be called the Terrorism Act, 1967.

(2) Hierdie Wet en enige wysiging daarvan wat van tyd tot tyd aangebring word, is ook van toepassing in die gebied, met inbegrip van die Oostelike Caprivi Zipfel vermeld in artikel 3 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951), en met betrekking tot alle persone in daardie gedcelte van die gebied bekend as die „Rehoboth Gebiet” en omskrywe in die Eerste Bylae by Proklamasie No. 28 van 1923, van die gebied.

10. Hierdie Wet heet die Wet op Terrorisme, 1967.

Kort titel.

No. 85, 1967.]

ACT

To amend the provisions of the Defence Act, 1957, relating to liability for service, service (including training), duties of employers, the composition and organization of the Reserve, the Permanent Force, the Citizen Force, the commandos and the Cadet Corps, sales and loans of rifles and ammunition, liability to report and to maintain uniform and equipment, registration, allotment to the Citizen Force or commandos, the manpower board, control and use of transport systems, emergency regulations, improper disclosure of information, defined areas, intoxicating liquor, wrongful disposal of property, offences and penalties, death or disablement caused by military service, and the application of the Act; to provide specially for training or service during 1967 and for references to the Secretary for Defence in any law or document; and to amend the Civil Defence Act, 1966

(English text signed by the Acting State President.)
(Assented to 19th June, 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 44 of 1957, as amended by section 1 of Act 12 of 1961, section 1 of Act 42 of 1961, section 1 of Act 77 of 1963 and section 20 of Act 39 of 1966.

1. Section 1 of the Defence Act, 1957 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the deletion in subsection (1) of the definition of "deferment";
- (b) by the addition of the following subsection:
 "(3) Any reference in this Act to any liability to render service in the South African Defence Force or the Reserve shall be construed as including a reference to a liability to undergo training therein."

Amendment of section 2 of Act 44 of 1957, as amended by section 20 of Act 39 of 1966.

2. Section 2 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:
 "(a) in so far as it relates to liability for service, to any citizen who is a member of the Senate or the House of Assembly or of a Provincial Council or of the Legislative Assembly of South-West Africa; or";
- (b) by the substitution for subsection (2) of the following subsection:
 "(2) The Minister or any person duly authorized thereto by him, may exempt from service under this Act any citizen who is also a citizen of any other country or is domiciled outside the Republic, and who is a member of a military force of such other country or of the country in which he is domiciled, as the case may be, or is a member of a reserve of any such force, so long as he is by the laws of the country concerned obliged to serve or undergo training in such force or reserve."
- (c) by the addition of the following subsections:
 "(3) Subject to the provisions of subsection (4) the State President may by proclamation in the *Gazette* declare that any provision of this Act specified in the proclamation, other than a provision applicable in time of war only, shall to the extent so specified apply to persons who are white persons as defined in the

No. 85, 1967.]

WET

Tot wysiging van die bepalings van die Verdedigingswet, 1957 met betrekking tot diensplig, diens (met inbegrip van opleiding), pligte van werkgewers, die samestelling en organisasie van die Reserwe, die Staande Mag, die Burgermag, die kommando's en die Kadetkorps, die verkoop en leen van gewere en ammunisie, verpligting om aan te meld en om uniform en uitrusting in stand te hou, registrasie, toewysing aan die Burgermag of kommando's, die mannekragraad, beheer oor en gebruik van vervoerstelsels, noodregulasies, onbehoorlike openbaarmaking van inligting, omskrewre gebiede, bedwelmende drank, onregmatige beskikking oor eiendom, misdrywe en strawwe, dood of ongeskiktheid deur militêre diens veroorsaak, en die toepassing van die Wet; om voorsiening te maak vir opleiding of diens gedurende 1967 in die besonder en vir verwysings na die Sekretaris van Verdediging in 'n wet of dokument; en om die Wet op Burgerlike Beskerming, 1966, te wysig.

(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 19 Junie 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 Verdedigingswet, 1957 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur in subartikel (1) die omskrywing van „uitstel” te skrap;

(b) deur die volgende subartikel by te voeg:

„(3) 'n Verwysing in hierdie Wet na 'n verpligting om diens in die Suid-Afrikaanse Weermag of die Reserwe te doen, word uitgelê ook as 'n verwysing na 'n verpligting om opleiding daarin te ondergaan.”.

Wysiging van artikel 1 van Wet 44 van 1957, soos gewysig deur artikel 1 van Wet 12 van 1961, artikel 1 van Wet 42 van 1961, artikel 1 van Wet 77 van 1963 en artikel 20 van Wet 39 van 1966.

2. Artikel 2 van die Hoofwet word hierby gewysig—

(a) deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

„(a) vir sover dit op diensplig betrekking het, op 'n burger wat lid is van die Senaat of die Volksraad of van 'n Provinsiale Raad of van die Wetgewende Vergadering van Suidwes-Afrika; of”;

(b) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Die Minister of 'n deur hom behoorlik daartoe gemagtigde persoon kan enige burger wat ook 'n burger van 'n ander land is of buite die Republiek gedomisileer is, en wat 'n lid is van 'n militêre mag van daardie ander land of van die land waarin hy gedomisileer is, na gelang van die geval, of 'n lid is van 'n reserwe van so 'n mag, van diens kragtens hierdie Wet vrystel solank as wat hy kragtens die wette van die betrokke land verplig is om in daardie mag of reserwe te dien of opleiding te ondergaan.”;

(c) deur die volgende subartikels by te voeg:

„(3) Behoudens die bepalings van subartikel (4) kan die Staatspresident by proklamasie in die *Staatskoerant* verklaar dat 'n bepaling van hierdie Wet in die proklamasie vermeld, behalwe 'n bepaling wat slegs in oorlogstyd van toepassing is, in die mate aldus vermeld van toepassing is op persone wat blankes is, soos in die

Wysiging van artikel 2 van Wet 44 van 1957, soos gewysig deur artikel 20 van Wet 39 van 1966.

Population Registration Act, 1950 (Act No. 30 of 1950), and are not citizens but have been domiciled in the Republic for not less than five years, as if they were citizens.

- (4) Any proclamation issued under subsection (3)—
- (a) shall provide for exemption from liability to render service under this Act of persons who have at such time and in such manner as may be specified in the proclamation, declared that they do not intend becoming citizens;
 - (b) may provide for exemption from or concessions in respect of any provision applied by such proclamation, to such extent as may be specified therein;
 - (c) may apply the provisions of section 63 with such modifications as the State President may consider necessary in order to provide for the registration under that section of any person who has been domiciled in the Republic for five years, before the date upon which he attains the age of twenty-five years.

(5) The State President may at any time amend or repeal a proclamation issued under subsection (3)."

Amendment of section 3 of Act 44 of 1957, as amended by section 2 of Act 77 of 1963.

3. Section 3 of the principal Act is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

"(b) every citizen between his seventeenth and his sixty-fifth year, both included, shall be liable to render service in the South African Defence Force as hereinafter prescribed."

Amendment of section 4 of Act 44 of 1957, as amended by section 3 of Act 77 of 1963.

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

- (a) by the substitution for subsection (1) of the following subsection:

"(1) An employer shall afford any person in his employ all reasonable facilities to be enrolled for or to carry out any service under this Act;"

- (b) by the substitution for paragraphs (b) and (c) of subsection (2) of the following paragraphs:

"(b) by dismissing an employee or reducing his salary or wages or altering his position to his disadvantage or in any other manner penalizes such employee on account of his having been enrolled for or being engaged in any such service; or

(c) by words, conduct or otherwise directly or indirectly compels, induces or prevails upon, or attempts to compel, induce or prevail upon, any person in or seeking to enter his employment to evade or refrain from being enrolled for or carrying out any service under this Act;"

- (c) by the substitution for subsections (2)bis, 2ter and (3) of the following subsections:

"(2)bis (a) Nothing in this section shall be construed as requiring any employer to pay any person in his employ any salary or wages in respect of any period during which he is absent from his work for the purpose of carrying out any service under this Act.

- (b) Notwithstanding the provisions of subsections (1) and (2) and of any other law, no employee who is rendering service under this Act and who is by law or in terms of any condition of his employment entitled to increased remuneration, paid sick leave or other paid leave of absence, or, subject to the provisions of subparagraph (ii), any similar benefit upon completion of a fixed period or successive fixed periods of employment shall—

(i) have the right to reckon in respect of any one unbroken period of such service more than four months of the absence from his employment occasioned by such service as employment in the determination of such increased remuneration, paid sick leave, or other paid leave of absence or similar benefit as may

Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf, en nie burgers is nie maar minstens vyf jaar in die Republiek gedomisileer is, asof hulle burgers is.

(4) 'n Proklamasie kragtens subartikel (3) uitgevaardig—

(a) moet voorsiening maak vir vrystelling van diensplig ingevolge hierdie Wet van persone wat op die tydstop en wyse, wat in die proklamasie vermeld word, verklaar het dat hulle nie van voorneme is om burgers te word nie;

(b) kan, in die mate wat daarin vermeld word, voorsiening maak vir vrystelling van of toegewings ten opsigte van 'n by bedoelde proklamasie toegepaste bepaling;

(c) kan die bepalings van artikel 63 van toepassing verklaar met die wysigings wat die Staatspresident nodig ag ten einde voorsiening te maak vir die registrasie ingevolge daardie artikel van 'n persoon wat voor die datum waarop hy vyf-en-twintig jaar oud word, vyf jaar in die Republiek gedomisileer is.

(5) Die Staatspresident kan te eniger tyd 'n proklamasie kragtens subartikel (3) uitgevaardig, wysig of herroep."

3. Artikel 3 van die Hoofwet word hierby gewysig deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

Wysiging van artikel 3 van Wet 44 van 1957, soos gewysig deur artikel 2 van Wet 77 van 1963.

„(b) kan elke burger verplig word om tussen sy sewentiende en sy vyf-en-sestigste jaar, albei inbegrepe, in die Suid-Afrikaanse Weermag diens soos hieronder voorgeskryf, te doen."

4. Artikel 4 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van artikel 4 van Wet 44 van 1957, soos gewysig deur artikel 3 van Wet 77 van 1963

„(1) 'n Werkgewer moet aan iemand in sy diens alle redelike fasiliteite verleen om hom vir enige diens kragtens hierdie Wet te laat inskryf of dit uit te voer."

(b) deur paragrawe (b) en (c) van subartikel (2) deur die volgende paragrawe te vervang:

„(b) deur 'n werknemer te ontslaan of sy salaris of loon te verminder of sy posisie tot sy nadeel te verander of op enige ander wyse so 'n werknemer benadeel omdat hy hom vir sodanige diens laat inskryf het of dit verrig; of

(c) deur woorde, gedrag of andersins iemand wat in sy diens is of wil tree, regstreeks of onregstreeks verplig, beweeg of oorhaal of probeer verplig, beweeg of oorhaal om diens ingevolge hierdie Wet te vermy of om hom nie daarvoor te laat inskryf of dit nie te verrig nie;"

(c) deur subartikels (2)*bis*, (2)*ter* en (3) deur die volgende subartikels te vervang:

„(2)*bis* (a) Die bepalings van hierdie artikel word nie so uitgelê dat dit 'n werkgewer verplig om aan iemand in sy diens salaris of loon te betaal ten opsigte van 'n tydperk waartydens hy afwesig is van sy werk ten einde diens ingevolge hierdie Wet te verrig nie.

(b) Ondanks die bepalings van subartikels (1) en (2) en van enige ander wet, is geen werknemer wat ingevolge hierdie Wet diens doen en wat by wet of ingevolge 'n voorwaarde van sy diens geregtig is op verhoogde besoldiging, betaalde siekteverlof of ander betaalde verlof, of, behoudens die bepalings van subparagraaf (ii), enige soortgelyke voordeel na voltooiing van 'n bepaalde tydperk of agtereenvolgende bepaalde tydperke van diens—

(i) geregtig om ten opsigte van enige een onderbroke tydperk van bedoelde diens meer as vier maande van die afwesigheid van sy werk wat deur bedoelde diens veroorsaak is, as diens te reken by die vasstelling van daardie verhoogde besoldiging, betaalde siekteverlof of ander betaalde verlof of soortgelyke voordeel wat aan hom toekom

accrue to him in respect of such employment: Provided that this subparagraph shall not be construed as limiting any longer period which may be determined or fixed by or under any law relating to his employment;

- (ii) be entitled to the grant to him by his employer of paid sick leave in respect of a period falling within the limits of any period of such service, during which he is incapacitated as a result of any injury or illness;
- (iii) claim any such paid sick leave or other paid leave of absence or any other benefit before he has, pursuant to the provisions of this Act, been permitted to resume his employment and has so resumed such employment.

(2) If an employee referred to in subsection (2) *bis* is an apprentice as defined in the Apprenticeship Act, 1944 (Act No. 37 of 1944), the provisions of section 26 (1) of that Act shall not apply in respect of a period of not more than four months of the first period and not more than three weeks of any subsequent period of his absence from his employment occasioned by such service during the prescribed period of his apprenticeship.

(3) Whenever in any proceedings under subsection (2) *b*, it is proved that an employer has dismissed the employee concerned or has reduced his salary or wages or altered his position to his disadvantage, or has in any other manner penalized such employee, that employer shall be deemed to have dismissed such employee or to have so reduced his salary or wages or to have so altered his position or to have so penalized him, as the case may be, by reason of such employee having been enrolled for or carried out the service in question, unless the contrary is proved."

Substitution of section 6 of Act 44 of 1957.

5. The following section is hereby substituted for section 6 of the principal Act:

"Composition of the Reserve.

6. The Reserve shall consist of—

- (a) the Reserve of Officers;
- (b) the Permanent Force Reserve;
- (c) the Citizen Force Reserve;
- (cA) the Commando Reserve; and
- (d) the National Reserve."

Amendment of section 9 of Act 44 of 1957.

6. Section 9 of the principal Act is hereby amended—

- (a) by the substitution in subsection (1) for all the words preceding the proviso of the following words:

"The Permanent Force shall consist of officers appointed thereto and other ranks engaged for service therein, whether appointed or engaged in a permanent or temporary capacity, and shall be organized in such manner as may be prescribed;"

- (b) by the addition to subsection (2) of the following paragraph, the existing subsection becoming paragraph (a):

"(b) The said conditions may provide for the payment of gratuities upon discharge, to specified categories or kinds of persons appointed or engaged in a temporary capacity;"

- (c) by the substitution for subsection (3) of the following subsection:

"(3) Different conditions may be prescribed under subsection (2) for different categories or kinds of members of the Permanent Force."

Substitution of section 10 of Act 44 of 1957.

7. The following section is hereby substituted for section 10 of the principal Act:

"Qualifications of members of Permanent Force.

10. No person shall be enrolled for service in the Permanent Force unless he is a citizen and, except where the Minister or any person acting under his authority otherwise directs, has passed in both official languages of the Republic in the examination which he is in terms of the conditions prescribed under section 9 (2) required to pass as a condition precedent to appointment or engagement in terms of that section: Provided that the Minister or any

ten opsigte van bedoelde diens nie: Met dien verstande dat hierdie subparagraaf nie so uitgelê word dat dit enige langer tydperk vasgestel of bepaal by of kragtens 'n wet wat op sy diens betrekking het, beperk nie;

- (ii) geregtig op die verlening aan hom deur sy werkgever van betaalde siekteverlof ten opsigte van 'n tydperk wat binne die perke van 'n tydperk van bedoelde diens val en waartydens hy buite aksie gestel is as 'n gevolg van 'n besering of siekte nie;
- (iii) geregtig om enige sodanige betaalde siekteverlof of ander betaalde verlof of enige ander voordeel te eis voordat hy ooreenkomstig die bepalings van hierdie Wet, toegelaat is om sy werk te hervat, en hy aldus sy werk hervat het nie.

(2)ter Indien 'n in subartikel (2)bis bedoelde werknemer 'n vakleerling is soos in die Wet op Vakleerlinge, 1944 (Wet No. 37 van 1944), omskryf, is die bepalings van artikel 26 (1) van daardie Wet nie van toepassing nie ten opsigte van 'n tydperk van hoogstens vier maande van die eerste tydperk en hoogstens drie weke van enige daaropvolgende tydperk van sy afwesigheid van sy werk veroorsaak deur bedoelde diens gedurende die voorgeskrewe tydperk van sy vakleerlingskap.

(3) Wanneer by verrigtings ingevolge subartikel (2) (b) bewys word dat 'n werkgever die betrokke werknemer ontslaan het of sy salaris of loon verminder het of sy posisie tot sy nadeel verander het, of daardie werknemer op enige ander wyse benadeel het, word daardie werkgever, by ontstentenis van bewys van die teendeel, geag bedoelde werknemer te ontslaan het of sy salaris of loon aldus te verminder het of sy posisie aldus te verander het of hom aldus te benadeel het, na gelang van die geval, omdat bedoelde werknemer hom vir die betrokke diens laat inskryf of dit verrig het."

5. Artikel 6 van die Hoofwet word hierby deur die volgende artikel vervang:

„Samestelling van die Reserve.

- 6. Die Reserve bestaan uit—
- (a) die Reserve van Offisiere;
- (b) die Staandemagreserwe;
- (c) die Burgermagreserwe;
- (cA) die Kommandoreserwe; en
- (d) die Nasionale Reserve."

Vervanging van artikel 6 van Wet 44 van 1957.

6. Artikel 9 van die Hoofwet word hierby gewysig—

- (a) deur in subartikel (1) al die woorde voor die voorbehoudbepaling deur die volgende woorde te vervang: „Die Staande Mag bestaan uit offisiere wat daarin aangestel is en manskappe wat hul tot diens daarin verbind het, hetsy aangestel of tot diens verbind in 'n permanente of tydelike hoedanigheid, en word georganiseer op die wyse wat voorgeskryf mag word:";
- (b) deur die volgende paragraaf by subartikel (2) te voeg, terwyl die bestaande subartikel paragraaf (a) word: „(b) Bedoelde voorwaardes kan voorsiening maak vir die betaling van gratifikasies by uitdienstreding, aan bepaalde kategoriese of soorte van persone wat in 'n tydelike hoedanigheid aangestel of tot diens verbind is.";
- (c) deur subartikel (3) deur die volgende subartikel te vervang: „(3) Verskillende voorwaardes kan ingevolge subartikel (2) voorgeskryf word vir verskillende kategoriese of soorte van lede van die Staande Mag."

Wysiging van artikel 9 van Wet 44 van 1957.

7. Artikel 10 van die Hoofwet word hierby deur die volgende artikel vervang:

„Kwalifikasies van lede van Staande Mag.

10. Niemand word vir diens in die Staande Mag ingeskryf nie, tensy hy 'n burger is en, behalwe waar die Minister of iemand wat op sy gesag handel anders gelas, in beide offisiële tale van die Republiek geslaag het in die eksamen waarin hy ingevolge die vereistes kragtens artikel 9 (2) voorgeskryf, as 'n voorvereiste vir aanstelling of indiensneming ingevolge daardie artikel moet slaag: Met dien ver-

Vervanging van artikel 10 van Wet 44 van 1957.

person acting under his authority may authorize the enrolment in such Force of any person in a temporary capacity, but not for a period exceeding three years at any one time in the case of a person who is not a citizen."

Amendment of
section 17 of
Act 44 of 1957.

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

(a) by the substitution for subsection (2) of the following subsection:

"(2) Any person who holds a permanent appointment with commissioned rank in the Citizen Force shall serve as an officer in that Force for a period expiring not before the expiration of any period he is in terms of section 21 required to serve in that Force, unless he has otherwise been released from service.";

(b) by the substitution for subsection (4) of the following subsection:

"(4) Notwithstanding anything in this Act contained, any citizen who owing to his professional qualifications or civilian position is specially fitted for such appointment, may be appointed as an officer in the Citizen Force."

Amendment of
section 19 of
Act 44 of 1957.

9. Section 19 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) Any citizen liable to render service in defence of the Republic, other than a citizen liable to be enrolled in terms of Chapter VIII, may apply to serve in the Citizen Force and may be engaged for such service under such conditions as may be prescribed."

Amendment of
section 20 of
Act 44 of 1957.

10. Section 20 of the principal Act is hereby amended by the deletion of subsection (3).

Substitution of
section 21 of
Act 44 of 1957.

11. The following section is hereby substituted for section 21 of the principal Act:

"Liability
to serve in
Citizen
Force.

21. (1) Every person allotted to the Citizen Force in terms of Chapter VIII, who is a member of that Force on or after the thirty-first day of August, 1967, shall, subject to the provisions of this Act, be liable to serve in that Force over a period of ten years reckoned from the first day of January of the year in which he commenced or commences service or training in such Force for the first time: Provided that any such person who for any reason whatever has not rendered any service to which he is liable in terms of section 22, shall remain liable to serve in the Citizen Force until he has rendered such service, unless the Minister or any person acting under his authority otherwise directs.

(2) For the purposes of determining the date of expiration of the period referred to in subsection (1), any service in the Permanent Force, the commandos, the South African Police, the Railways and Harbours Police or the Prisons Service by any person shall be regarded as service in the Citizen Force by such person to such extent as the Minister or any person acting under his authority may determine in respect of such person or in respect of any category or kind of persons to which such person belongs.

(3) For the purposes of subsection (1) any person who has at any time been enrolled for training in a military gymnasium, shall be deemed to have been allotted to the Citizen Force in terms of Chapter VIII."

Substitution of
section 22 of
Act 44 of 1957.

12. The following section is hereby substituted for section 22 of the principal Act:

"Service in
Citizen
Force.

22. (1) A member of the Citizen Force, other than a member enrolled for service therein in terms of section 20 or 24, shall, subject to the provisions of this Act, be liable to render such continuous and non-continuous service as the Minister or any person acting under his authority may, within the limits laid down in this section, determine.

stande dat die Minister of iemand wat op sy gesag handel die inskrywing in daardie Mag van enige persoon in 'n tydelike hoedanigheid kan magtig, maar nie op enige bepaalde tyd vir 'n langer tydperk as drie jaar in die geval van iemand wat nie 'n burger is nie."

8. Artikel 17 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (2) deur die volgende subartikel te vervang:

Wysiging van
artikel 17 van
Wet 44 van 1957.

„(2) Iemand wat 'n permanente aanstelling met offisersrang in die Burgermag beklee, moet in daardie Mag as offisier dien vir 'n tydperk wat nie voor die verstryking van 'n tydperk wat hy ingevolge artikel 21 in daardie Mag moet dien, verstryk nie, tensy hy andersins van sy diens onthef is.”;

- (b) deur subartikel (4) deur die volgende subartikel te vervang:

„(4) Ondanks andersluidende bepalings van hierdie Wet, kan enige burger wat weens sy professionele kwalifikasies of burgerlike posisie spesiaal vir so 'n aanstelling geskik is, as 'n offisier in die Burgermag aangestel word.”.

9. Artikel 19 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van
artikel 19 van
Wet 44 van 1957.

„(1) Enige burger wat tot diens ter verdediging van die Republiek verplig kan word, behalwe 'n burger wat ooreenkomstig Hoofstuk VIII aan inskrywing onderhewig is, kan aansoek doen om in die Burgermag te dien en kan op die voorwaardes wat voorgeskryf mag word vir sodanige diens aangeneem word.”.

10. Artikel 20 van die Hoofwet word hierby gewysig deur subartikel (3) te skrap.

Wysiging van
artikel 20 van
Wet 44 van 1957.

11. Artikel 21 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van
artikel 21 van
Wet 44 van 1957.

„Diensplig
in Burger-
mag.

21. (1) Elke persoon wat ingevolge Hoofstuk VIII aan die Burgermag toegewys is en wat op of na die een-en-dertigste dag van Augustus 1967 lid van daardie Mag is, is, behoudens die bepalings van hierdie Wet, verplig om in daardie Mag te dien oor 'n tydperk van tien jaar bereken vanaf die eerste dag van Januarie van die jaar waarin hy vir die eerste keer diens of opleiding in daardie Mag begin het of begin: Met dien verstande dat so 'n persoon wat om watter rede ook al nie diens gedoen het waartoe hy ingevolge artikel 22 verplig is nie, verplig bly om in die Burgermag te dien totdat hy bedoelde diens gedoen het, tensy die Minister of 'n persoon wat op sy gesag handel, anders gelas.

(2) By die bepaling van die datum van verstryking van die tydperk in subartikel (1) bedoel, word diens deur 'n persoon in die Staande Mag, die kommando's, die Suid-Afrikaanse Polisie, die Spoorweg- en Hawepolisie of die Gevangenisdiens, as diens deur bedoelde persoon in die Burgermag beskou in die mate wat die Minister of 'n persoon wat op sy gesag handel, bepaal ten opsigte van bedoelde persoon of ten opsigte van 'n kategorie of soort van persone waartoe bedoelde persoon behoort.

(3) By die toepassing van subartikel (1) word 'n persoon wat te eniger tyd by 'n militêre gimnasium vir opleiding ingeskryf was, geag ingevolge Hoofstuk VIII aan die Burgermag toegewys te gewees het.”.

12. Artikel 22 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van
artikel 22 van
Wet 44 van 1957.

„Diens in
Burgermag.

22. (1) 'n Ander lid van die Burgermag as 'n lid wat ingevolge artikel 20 of 24 vir diens daarin ingeskryf is, is behoudens die bepalings van hierdie Wet, verplig om die ononderbroke en onderbroke diens te doen wat die Minister of 'n persoon wat op sy gesag handel, binne die perke in hierdie artikel neergelê, bepaal.

(2) No person liable to serve in the Citizen Force in terms of section 21 shall be liable to render service in that Force before he is in his eighteenth year.

(3) The continuous service to which a member liable to serve in the Citizen Force in terms of section 21 shall be liable, shall be completed within not more than nine periods and shall not exceed—
(a) twelve months during the first period;
(b) twenty-six days during each of three periods;
(c) twelve days during each of five periods;

Provided that no person shall during his service in terms of section 21, be liable to render more than sixteen months continuous service in the aggregate in terms of this subsection.

(4) The continuous service to which an officer of the Citizen Force or a member engaged or re-engaged for service in terms of section 19 is liable in respect of any calendar year shall be completed within a single period not exceeding twenty-six days during that year.

(5) The non-continuous service to which a member of the Citizen Force shall be liable, shall not exceed three days in any calendar year.

(6) For the purpose of reckoning days of non-continuous service—

(a) a period of service lasting eight hours; or
(b) two periods of service each lasting four hours; or
(c) three periods of service each lasting three hours;

or

(d) six periods of service each lasting one hour and a half,
shall be deemed to be equivalent to one day's service.

(7) The Minister may, whenever he considers it to be necessary in the interest of the South African Defence Force or in the public interest, direct that members of the Citizen Force of a category or kind specified by him shall, in addition to any other service to which such members are liable in terms of this section, render special continuous service for a period not exceeding two months or periods not exceeding two months in the aggregate.

(8) The time occupied in travelling to or from any place where service is to be rendered, shall not, for the purpose of this section, be reckoned as part of any period of service.

(9) Any training undergone or service rendered by any person in the Permanent Force, the commandos, the South African Police, the Railways and Harbours Police or the Prisons Service at any time or in the Citizen Force before the thirty-first day of December, 1967, shall, if the Minister or any person acting under his authority so directs, be regarded as service for the purposes of this section to such extent as the Minister or any person acting under his authority may determine in respect of such person or in respect of any category or kind of persons to which such person belongs.

(10) Whenever any person for any reason whatever renders any service for a shorter period than the period for which he is liable to render such service, such service shall be disregarded as service rendered for the purposes of this section except as the Minister or any person acting under his authority may otherwise determine."

Repeal of
section 23 of
Act 44 of 1957.

13. Section 23 of the principal Act is hereby repealed.

Substitution of
section 24bis of
Act 44 of 1957.

14. The following section is hereby substituted for section 24bis of the principal Act:

"Voluntary
additional
service.

24bis. Any member of the Citizen Force may voluntarily render service in addition to service to which he may be liable, under such conditions as may be prescribed."

Repeal of
section 25 of
Act 44 of 1957.

15. Section 25 of the principal Act is hereby repealed.

(2) Geen persoon wat ingevolge artikel 21 verplig is om in die Burgermag te dien, is verplig om voordat hy in sy agtiende jaar is diens in daardie Mag te doen nie.

(3) Die ononderbroke diens waartoe 'n lid wat ingevolge artikel 21 verplig is om in die Burgermag te dien, verplig is, word voltooi binne hoogstens nege tydperke en duur hoogstens—

(a) twaalf maande gedurende die eerste tydperk;
(b) ses-en-twintig dae gedurende elk van drie tydperke;

(c) twaalf dae gedurende elk van vyf tydperke:

Met dien verstande dat niemand verplig word om gedurende sy diens ingevolge artikel 21, ononderbroke diens van meer as sesien maande altesaam ingevolge hierdie subartikel te doen nie.

(4) Die ononderbroke diens waartoe 'n offisier van die Burgermag of 'n lid wat ingevolge artikel 19 aangeneem of weer aangeneem word, verplig is ten opsigte van 'n kalenderjaar, word voltooi binne 'n enkele tydperk van hoogstens ses-en-twintig dae gedurende daardie jaar.

(5) Die onderbroke diens waartoe 'n lid van die Burgermag verplig is, is hoogstens drie dae in 'n kalenderjaar.

(6) By die berekening van dae van onderbroke diens word—

(a) 'n tydperk van diens wat agt uur duur; of

(b) twee tydperke van diens wat elk vier uur duur; of

(c) drie tydperke van diens wat elk drie uur duur; of

(d) ses tydperke van diens wat elk anderhalf uur duur,

as gelykstaande met een dag se diens gaag.

(7) Die Minister kan, wanneer hy dit in belang van die Suid-Afrikaanse Weermag of in die openbare belang nodig ag, gelas dat lede van die Burgermag van 'n kategorie of soort deur hom bepaal, spesiale ononderbroke diens vir 'n tydperk van hoogstens twee maande of tydperke van hoogstens twee maande altesaam moet doen benewens ander diens waartoe bedoelde lede ingevolge hierdie artikel verplig is.

(8) Die tyd in beslag geneem deur te reis na of van 'n plek waar diens gedoen moet word, word nie by die toepassing van hierdie artikel as deel van 'n diens tydperk gereken nie.

(9) Opleiding ondergaan of diens gedoen deur 'n persoon in die Staande Mag, die kommando's, die Suid-Afrikaanse Polisie, die Spoorweg- en Hawepolisie of die Gevangenisdiens te eniger tyd of in die Burgermag voor die een-en-dertigste dag van Desember 1967, word, indien die Minister of 'n persoon wat op sy gesag handel aldus gelas, by die toepassing van hierdie artikel as diens beskou in die mate wat die Minister of 'n persoon wat op sy gesag handel, bepaal ten opsigte van bedoelde persoon of ten opsigte van 'n kategorie of soort van persone waartoe bedoelde persoon behoort.

(10) Wanneer 'n persoon om watter rede ook al diens doen vir 'n korter tydperk as die tydperk waarvoor hy verplig is om bedoelde diens te doen, word bedoelde diens by die toepassing van hierdie artikel nie as diens in ag geneem nie, behalwe soos die Minister of 'n persoon wat op sy gesag handel, anders bepaal."

13. Artikel 23 van die Hoofwet word hierby herroep.

Herroeping van artikel 23 van Wet 44 van 1957.

14. Artikel 24bis van die Hoofwet word hierby deur die volgende artikel vervang:

24bis. Enige lid van die Burgermag kan op die voorwaardes wat voorgeskryf mag word, vrywilliglik diens doen benewens diens waartoe hy verplig is."

Vervanging van artikel 24bis van Wet 44 van 1957.

15. Artikel 25 van die Hoofwet word hierby herroep.

Herroeping van artikel 25 van Wet 44 van 1957.

Amendment of
section 32 of
Act 44 of 1957,
as amended by
section 5 of
Act 77 of 1963.

16. Section 32 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) There shall be established under such designations as the Minister may determine, a system of commandos so as to ensure that citizens liable to render service in defence of the Republic, and not serving in the Permanent Force, the Citizen Force, the South African Police or the Railways and Harbours Police and not being members of the Prisons Service as defined in section 1 of the Prisons Act, 1959 (Act No. 8 of 1959), shall as far as possible be proficient in the use of military weapons, and that as many of such citizens as possible shall be organized, trained and available to be called up in terms of Chapter X at short notice."

Amendment of
section 33 of
Act 44 of 1957,
as amended by
section 6 of
Act 77 of 1963.

17. Section 33 of the principal Act is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):

"(2) Officers in the commandos required to render service in connection with the Cadet Corps, shall as far as may be practicable be selected from amongst persons on the staff of schools or other educational institutions."

Substitution of
section 35 of
Act 44 of 1957.

18. The following section is hereby substituted for section 35 of the principal Act:

"Liability
to serve
in com-
mandos.

35. (1) Every person allotted to the commandos in terms of Chapter VIII and every person who, on the thirty-first day of August, 1967, is a member of a commando (other than a member referred to in section 36 or 37 or an officer), shall, subject to the provisions of this Act, be liable to serve in a commando over a period of sixteen years reckoned from the first day of January of the year in which he commenced or commences service or training in a commando for the first time: Provided that any such person who for any reason whatever has not rendered any service to which he is liable in terms of section 44, shall remain liable to serve in a commando until he has rendered such service, unless the Minister or any person acting under his authority otherwise directs.

(2) For the purposes of determining the date of expiration of the period referred to in subsection (1), any service in the Permanent Force, the Citizen Force, a Cadet Officers Training Corps, the South African Police, the Railways and Harbours Police or the Prisons Service by any person shall be regarded as service in a commando to such extent as the Minister or any person acting under his authority may determine in respect of such person or in respect of any category or kind of persons to which such person belongs.

(3) Any person who is a member of a Cadet Officers Training Corps on the thirty-first day of August, 1967, shall, for the purposes of subsection (1), be deemed to have become a member of a commando and to have commenced service for the first time in a commando, on that date."

Substitution of
section 38 of
Act 44 of 1957.

19. The following section is hereby substituted for section 38 of the principal Act:

"Liability
of members
of com-
mandos for
service.

38. No member of a commando shall, by reason of his membership of such commando, be exempted from any liability for service in any other portion of the South African Defence Force or in connection with the Cadet Corps, and if any such member is posted to the Citizen Force while rendering service in terms of Chapter X, he shall, while so serving and so posted, be deemed to be a member of the Citizen Force."

Amendment of
section 40 of
Act 44 of 1957.

20. Section 40 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) Any person serving voluntarily as a member of a commando may be allowed to obtain a military rifle from Government stores either—

16. Artikel 32 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van artikel 32 van Wet 44 van 1957, soos gewysig deur artikel 5 van Wet 77 van 1963.

„(1) Daar word onder die benamings wat die Minister mag bepaal, 'n kommandostelsel ingestel om te verseker dat burgers wat tot diens ter verdediging van die Republiek verplig kan word, en wat nie in die Staande Mag, die Burgermag, die Suid-Afrikaanse Polisie of die Spoorweg- en Hawepolisie dien nie, en wat nie lede van die Gevangenisdiens soos in artikel 1 van die Wet op Gevangenis- diens (Wet No. 8 van 1959), omskryf, is nie, so ver moontlik in die gebruik van militêre wapens bedrewe sal wees, en dat soveel as moontlik van daardie burgers georganiseer, opgelei en beskikbaar sal wees om op kort kennisgewing ingevolge Hoofstuk X opgeroep te word.”

17. Artikel 33 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word:

Wysiging van artikel 33 van Wet 44 van 1957, soos gewysig deur artikel 6 van Wet 77 van 1963.

„(2) Offisiere in die kommando's wat in verband met die Kadetkorps diens moet doen, word sover doenlik gekies uit persone op die personeel van skole of ander opvoedkundige inrigtings.”

18. Artikel 35 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 35 van Wet 44 van 1957.

„Diensplig in kommando's.

35. (1) Elke persoon aan die kommando's ingevolge Hoofstuk VIII toegewys en elke persoon wat op die een-en-dertigste dag van Augustus 1967 lid van 'n kommando is (behalwe 'n in artikel 36 of 37 bedoelde lid of 'n offisier), is, behoudens die bepalinge van hierdie Wet, verplig om in 'n kommando te dien oor 'n tydperk van sestiën jaar bereken van die eerste dag van Januarie van die jaar waarin hy vir die eerste keer diens of opleiding in 'n kommando begin het of begin: Met dien verstande dat so 'n persoon wat om watter rede ook al nie diens gedoen het waartoe hy ingevolge artikel 44 verplig is nie, verplig bly om in 'n kommando te dien totdat hy bedoelde diens gedoen het, tensy die Minister of 'n persoon wat op sy gesag handel, anders gelas.

(2) By die bepaling van die datum van verstryking van die tydperk in subartikel (1) bedoel, word diens deur 'n persoon in die Staande Mag, die Burgermag, 'n Opleidingskorps vir Kadetoffisiere, die Suid-Afrikaanse Polisie, die Spoorweg- en Hawepolisie of die Gevangenisdiens, as diens in 'n kommando beskou in die mate wat die Minister of 'n persoon wat op sy gesag handel, bepaal ten opsigte van bedoelde persoon of ten opsigte van 'n kategorie of soort van persone waartoe bedoelde persoon behoort.

(3) 'n Persoon wat op die een-en-dertigste dag van Augustus 1967 lid van 'n Opleidingskorps vir Kadetoffisiere is, word, by die toepassing van subartikel (1) geag op daardie datum lid van 'n kommando te geword het en vir die eerste keer diens in 'n kommando te begin het.”

19. Artikel 38 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 38 van Wet 44 van 1957.

„Diensplig van lede van kommando's.

38. 'n Lid van 'n kommando is nie vanweë sy lidmaatskap van daardie kommando, van enige verpligting om in enige ander deel van die Suid-Afrikaanse Weermag of in verband met die Kadetkorps diens te doen, vrygestel nie, en indien so 'n lid terwyl hy ingevolge Hoofstuk X diens doen, by die Burgermag ingedeel word, word hy, terwyl hy aldus diens doen en aldus ingedeel is, geag 'n lid van die Burgermag te wees.”

20. Artikel 40 van die Hoofwet word hierby gewysig—

Wysiging van artikel 40 van Wet 44 van 1957.

(a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Iemand wat vrywillig as lid van 'n kommando dien, kan toegelaat word om 'n militêre geweer uit Staatsvoorrade te verkry, hetsy—

- (a) by purchase at such special rates (approximating to cost price) and under such conditions as may be prescribed; or
- (b) on loan for temporary use and custody on such conditions (which may include the making of a cash deposit or the giving of other satisfactory security therefor) as may be prescribed:

Provided that a member who has at any time either before or after the commencement of this Act obtained a military rifle from Government stores by purchase, shall not be entitled to receive another military rifle under this section, unless the prescribed authority referred to in subsection (3) has certified such rifle to be unserviceable or obsolete and has given permission for it to be sold or otherwise disposed of.”;

- (b) by the substitution for subsection (3) of the following subsection:

“(3) Any person who has been allowed to obtain a military rifle under subsection (1) (a), shall continue to serve as a member of a commando for a period of not less than five years and shall not during that period or while he is a member of a commando, sell or otherwise dispose of the rifle without the permission of a prescribed authority.”;

- (c) by the substitution for subsection (4) of the following subsection:

“(4) If any such person contravenes or fails to comply with any provision of this section or fails to comply with the conditions of purchase or to render service in any year during the aforesaid period of five years, on the minimum number of occasions prescribed as provided in section 44 (2), the rifle shall be forfeited to the Government and may be taken possession of by a prescribed officer without payment of compensation or refund of the purchase price.”.

Substitution of
section 44 of
Act 44 of 1957.

21. The following section is hereby substituted for section 44 of the principal Act:

“Service in
commandos. 44. (1) The service to be rendered by members of commandos shall be as may be prescribed.

(2) Except in the case of members liable to serve in a commando in terms of section 35, the rendering of service shall be voluntary, but a member who fails in any year to render service on a prescribed number of occasions may be discharged from the commando and debarred from again engaging in any commando for a prescribed period.

(3) A member liable to serve in a commando in terms of section 35 shall be liable to render such continuous or non-continuous service as may be prescribed, for a period not exceeding sixty days or periods not exceeding sixty days in the aggregate in his first year of service and nineteen days in any subsequent year.

(4) The manner and basis of calculation of any number of days for the purposes of subsection (3) shall be as prescribed.

(5) No person shall be liable to render service in a commando before he is in his eighteenth year.

(6) The Minister may whenever he considers it to be necessary in the interest of the South African Defence Force or in the public interest, direct that members of the commandos of a category or kind specified by him shall, in addition to any other service to which such members are liable in terms of this section, render special continuous service for a period not exceeding two months or periods not exceeding two months in the aggregate, during any continuous period of service of ten years of such members.

(7) Any training undergone or service rendered by any person in the Permanent Force, the Citizen Force, a Cadet Officers Training Corps, the South African Police, the Railways and Harbours Police or the Prisons Service at any time shall, if the Minister or any person acting under his authority so directs, be regarded as service rendered for the purposes of this section, to such extent as the

- (a) deur aankoop teen die spesiale prys (naasteby gelyk aan die kosprys) en op die voorwaardes wat voorgeskryf mag word; of
- (b) deur dit te leen vir tydelike gebruik en bewaring op die voorwaardes (waarby die storting van 'n kontantdeposito of die verstrekking van ander bevredigende sekerheid inbegrepe kan wees) wat voorgeskryf mag word:
- Met dien verstande dat 'n lid wat te eniger tyd voor of na die inwerkingtreding van hierdie Wet 'n militêre geweer uit Staatsvoorrade verkry het deur aankoop, nie geregtig is om 'n ander militêre geweer ingevolge hierdie artikel te verkry nie, tensy die in subartikel (3) bedoelde voorgeskrewe gemagtigde gesertifiseer het dat daardie geweer onbruikbaar of verouderd is, en toestemming gegee het dat dit verkoop of op ander wyse daarvoor beskik mag word."
- (b) deur subartikel (3) deur die volgende subartikel te vervang:
- „(3) Iemand wat toegelaat is om ingevolge subartikel (1) (a) 'n militêre geweer te verkry, moet vir 'n tydperk van minstens vyf jaar aanhou om as lid van 'n kommando te dien en mag nie gedurende daardie tydperk of terwyl hy lid van 'n kommando is die geweer sonder toestemming van 'n voorgeskrewe gemagtigde, verkoop of andersins van die hand sit nie."
- (c) deur subartikel (4) deur die volgende subartikel te vervang:
- „(4) Indien so iemand enige bepaling van hierdie artikel oortree of versuim om daaraan te voldoen of versuim om die voorwaardes van aankoop na te kom of om in enige jaar gedurende voormelde tydperk van vyf jaar, op die voorgeskrewe minimum getal geleenthede soos ingevolge artikel 44 (2) bepaal, diens te doen, word die geweer aan die Regering verbeur en kan dit sonder betaling van vergoeding of terugbetaling van die koopprys, deur 'n voorgeskrewe offisier in besit geneem word."

21. Artikel 44 van die Hoofwet word hierby deur die volgende artikel vervang:

„Diens in kommando's.

44. (1) Die diens wat deur lede van kommando's gedoen moet word, is soos voorgeskryf.

(2) Behalwe in die geval van lede wat ingevolge artikel 35 verplig is om in 'n kommando te dien, word diens vrywilliglik gedoen maar 'n lid wat in gebreke bly om in 'n bepaalde jaar op 'n voorgeskrewe aantal geleenthede diens te doen, kan uit die kommando ontslaan word en vir 'n voorgeskrewe tydperk van heraanstelling by 'n kommando uitgesluit word.

(3) 'n Lid wat ingevolge artikel 35 verplig is om in 'n kommando te dien, is verplig om die ononderbroke of onderbroke voorgeskrewe diens te doen vir 'n tydperk van hoogstens sestig dae of tydperke van hoogstens sestig dae altesaam in sy eerste diensjaar en negentien dae in 'n daaropvolgende jaar.

(4) Die wyse en basis van berekening van 'n aantal dae by die toepassing van subartikel (3) is soos voorgeskryf.

(5) Geen persoon is verplig om voordat hy in sy agtiende jaar is, diens in 'n kommando te doen nie.

(6) Die Minister kan, wanneer hy dit in belang van die Suid-Afrikaanse Weermag of in die openbare belang nodig ag, gelas dat lede van die kommando's van 'n kategorie of soort deur hom bepaal, benewens ander diens waartoe bedoelde lede ingevolge hierdie artikel verplig is, spesiale ononderbroke diens vir 'n tydperk van hoogstens twee maande of tydperke van hoogstens twee maande altesaam moet doen gedurende 'n ononderbroke dienstydperk van tien jaar van bedoelde lede.

(7) Opleiding ondergaan of diens gedoen te eniger tyd deur 'n persoon in die Staande Mag, die Burgermag, 'n Opleidingkorps vir Kadetoffisiere, die Suid-Afrikaanse Polisie, die Spoorweg- en Hawepolisie of die Gevangensidiens, word, indien die Minister of 'n persoon wat op sy gesag handel aldus gelas, by die toepassing van hierdie artikel as diens beskou

Vervanging van artikel 44 van Wet 44 van 1957.

Minister or any person acting under his authority may determine in respect of such person or in respect of any category or kind of persons to which such person belongs.

(8) Whenever any person for any reason whatever renders any service for a shorter period than the period for which he is liable to render such service, such service shall be disregarded as service rendered for the purpose of this section except as the Minister or any person acting under his authority may otherwise determine.

(9) Members of commandos may, subject to the regulations, be permitted to render service in the Citizen Force or to attend any training or course of instruction, subject to such conditions as may be prescribed."

Substitution of section 47 of Act 44 of 1957.

22. The following section is hereby substituted for section 47 of the principal Act:

"Composition of Permanent Force Reserve.

47. The Permanent Force Reserve shall consist of citizens who, having served in the Permanent Force for a period of not less than one year, are on the termination of their services therein required with the approval of the Minister or a person acting under his authority, and in accordance with regulations, to complete a period of service in the Permanent Force Reserve as may be prescribed: Provided that no person, other than an officer who has in terms of section 86 tendered the resignation of his commission, shall be required to serve in the said Reserve in a rank lower than that which he held in the Permanent Force at the termination of his service therein, and that no person shall serve in the said Reserve beyond his sixty-fifth year."

Substitution of section 48 of Act 44 of 1957.

23. The following section is hereby substituted for section 48 of the principal Act:

"Composition of Citizen Force Reserve.

48. The Citizen Force Reserve shall consist of citizens who, having served in the Citizen Force, are, with the approval of the Minister or a person acting under his authority, and in accordance with regulations, required to complete a period of service in the Citizen Force Reserve as may be prescribed: Provided that no such citizen shall be required to serve in the said Reserve beyond his sixty-fifth year."

Insertion of section 48A in Act 44 of 1957.

24. The following section is hereby inserted in the principal Act after section 48:

"Composition of Commando Reserve.

48A. The Commando Reserve shall consist of persons who, having served in a commando, are, with the approval of the Minister or a person acting under his authority, and in accordance with regulations, required to complete such period of service in the Commando Reserve as may be prescribed: Provided that no person shall be required to serve in the said Reserve beyond his sixty-fifth year."

Substitution of section 50 of Act 44 of 1957.

25. The following section is hereby substituted for section 50 of the principal Act:

"Organization of Reserves.

50. The Reserve of Officers, the Permanent Force Reserve, the Citizen Force Reserve and the Commando Reserve shall respectively be organized in such manner as may in the case of each of those Reserves be determined by the Minister or be prescribed."

Amendment of section 51 of Act 44 of 1957, as amended by section 5 of Act 81 of 1964.

26. Section 51 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) Members of the Permanent Force Reserve shall be liable to render such service as may be prescribed: Provided that the period of such service shall not exceed one hundred and five days during any period of five years or thirty days in any one year which extends from the first day of January to the last day of December."

in die mate wat die Minister of 'n persoon wat op sy gesag handel, bepaal ten opsigte van bedoeelde persoon of ten opsigte van 'n kategorie of soort van persone waartoe bedoeelde persoon behoort.

(8) Wanneer 'n persoon om watter rede ook al diens vir 'n korter tydperk doen as die tydperk waarvoor hy verplig is om bedoeelde diens te doen, word daardie diens nie by die toepassing van hierdie artikel as diens in ag geneem nie, behalwe soos die Minister of 'n persoon wat op sy gesag handel, anders bepaal.

(9) Lede van kommando's kan, behoudens die regulasies, toegelaat word om diens in die Burgermag te doen of om opleiding of 'n instruksiekursus behoudens die voorgeskrewe voorwaardes, by te woon."

22. Artikel 47 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 47 van Wet 44 van 1957.

„Samestelling van Staandemagreserwe.

47. Die Staandemagreserwe bestaan uit burgers wat, nadat hulle vir 'n tydperk van minstens een jaar in die Staande Mag gedien het, by die beëindiging van hul diens daarin, met goedkeuring van die Minister of iemand wat op sy gesag handel, en in ooreenstemming met die regulasies verplig word om 'n tydperk van diens in die Staandemagreserwe te voltooi soos voorgeskryf mag word: Met dien verstande dat niemand, behalwe 'n offisier wat ingevolge artikel 86 die bedanking van sy kommissie ingedien het, verplig word om in 'n laer rang as wat hy by die beëindiging van sy diens in die Staande Mag daarin beklee het, in bedoeelde Reserwe te dien nie, en dat niemand na sy vyf-en-sestigste jaar in bedoeelde Reserwe dien nie."

23. Artikel 48 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 48 van Wet 44 van 1957.

„Samestelling van Burgermagreserwe.

48. Die Burgermagreserwe bestaan uit burgers wat, nadat hulle in die Burgermag gedien het, met goedkeuring van die Minister of iemand wat op sy gesag handel, en in ooreenstemming met regulasies, verplig word om 'n tydperk van diens in die Burgermagreserwe te voltooi soos voorgeskryf mag word: Met dien verstande dat so 'n burger nie verplig word om na sy vyf-en-sestigste jaar in bedoeelde Reserwe te dien nie."

24. Die volgende artikel word hierby in die Hoofwet na artikel 48 ingevoeg:

„Invoeging van artikel 48A in Wet 44 van 1957.

„Samestelling van Kommandoreserwe.

48A. Die Kommandoreserwe bestaan uit persone wat, nadat hulle in 'n kommando gedien het, met goedkeuring van die Minister of iemand wat op sy gesag handel, en in ooreenstemming met regulasies, verplig word om die tydperk van diens in die Kommandoreserwe te voltooi wat voorgeskryf word: Met dien verstande dat geen persoon verplig word om na sy vyf-en-sestigste jaar in bedoeelde Reserwe te dien nie."

25. Artikel 50 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 50 van Wet 44 van 1957.

„Organisasie van Reserwes.

50. Die Reserwe van Offisiere, die Staandemagreserwe, die Burgermagreserwe en die Kommandoreserwe word onderkeidelik georganiseer op die wyse wat in die geval van elk van daardie Reserwes deur die Minister bepaal of voorgeskryf mag word."

26. Artikel 51 van die Hoofwet word hierby gewysig—

„Wysiging van artikel 51 van Wet 44 van 1957, soos gewysig deur artikel 5 van Wet 81 van 1964.

(a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Lede van die Staandemagreserwe kan verplig word om die diens wat voorgeskryf mag word, te doen: Met dien verstande dat die tydperk van sodanige diens nie honderd-en-vyf dae gedurende enige tydperk van vyf jaar of dertig dae in enige jaar wat strek van die eerste dag van Januarie tot die laaste dag van Desember, oorskry nie."

- (b) by the substitution for subsection (3) of the following subsection:

"(3) Any member of the Reserve of Officers or of the Permanent Force Reserve or the Citizen Force Reserve or the Commando Reserve may be permitted to attend voluntarily any course of training provided under this Act."

Amendment of section 52 of Act 44 of 1957, as amended by section 1 of Act 83 of 1962.

27. Section 52 of the principal Act is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:

"(1) A member of the Reserve other than a member of the Permanent Force Reserve shall be liable to render service in terms of Chapter X in any portion of the South African Defence Force as the public interest may require, and any such member shall while rendering such service be deemed to be a member of the Citizen Force unless he is rendering service in a commando and is in terms of the regulations deemed to be a member of a commando."

- (b) by the insertion after subsection (1) of the following subsection:

"(1A) Any member of the Reserve referred to in subsection (1) may be required in accordance with the regulations to render service as contemplated in that subsection, in a rank lower than that which he holds in the Reserve."

- (c) by the substitution for subsection (3) of the following subsection:

"(3) Any member of the Permanent Force Reserve may at any time on the instructions of the Minister and by means of a registered letter addressed to him at his registered address by a prescribed officer, be called out for any service in the Permanent Force in addition to any service referred to in section 51 (1) and may be employed as if he were a member of that Force."

- (d) by the substitution in subsection (5)bis for all the words preceding the proviso of the following words:

"Any member of the Permanent Force Reserve who—

- (a) was engaged to serve in the Permanent Force for a specified period;
- (b) during such period and in the course of such service successfully completed any manual training; and
- (c) obtained his discharge by purchase after having so completed such training, but before the expiration of the period referred to in paragraph (a), may, subject to the provisions of subsection (5)ter, also be called out at any time on the instructions of the Minister or a person authorized thereto by him, for service in the Permanent Force, in addition to any service referred to in section 51 (1), for a continuous period not exceeding thirty days, in each of the six years following the year in which he so obtained his discharge."

- (e) by the deletion of subsection (6).

Substitution of section 53 of Act 44 of 1957.

28. The following section is hereby substituted for section 53 of the principal Act:

"Conditions of service in Permanent Force Reserve.

53. (1) The conditions of service in the Permanent Force Reserve shall be as prescribed and members of that Reserve shall in respect of any service or duty performed or required to be performed in pursuance of this Act, deemed to be members of the Permanent Force.

(2) No member of the Permanent Force Reserve who has been called out for service in terms of this Act shall, except with his own consent or in pursuance of action taken under the Military Discipline Code, be required to serve in a rank lower than that which he holds in the said Reserve."

Amendment of section 54 of Act 44 of 1957, as amended by section 2 of Act 83 of 1962.

29. Section 54 of the principal Act is hereby amended—

- (a) by the substitution for subsection (2) of the following subsection:

"(2) Every member of the Permanent Force Reserve or the Citizen Force Reserve or the Commando Reserve shall in such manner and at such times or within such periods as may be prescribed, report in writing or in person to a prescribed officer and shall also advise that officer of any change in his address within fourteen days after such change has occurred."

- (b) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) 'n Lid van die Reserwe van Offisiere of van die Staandemagreserwe of die Burgermagreserwe of die Kommandoreserwe kan toegelaat word om vrijwillig enige instruksiekursus by te woon wat kragtens hierdie Wet voorsien word.”

27. Artikel 52 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) 'n Ander lid van die Reserwe as 'n lid van die Staandemagreserwe, kan verplig word om diens ingevolge Hoofstuk X in enige deel van die Suid-Afrikaanse Weermag te doen, al na die openbare belang vereis, en so 'n lid word terwyl hy aldus diens doen, geag lid te wees van die Burgermag tensy hy by 'n kommando diens doen en ingevolge die regulasies geag word lid van 'n kommando te wees.”;

- (b) deur na subartikel (1) die volgende subartikel in te voeg:

„(1A) 'n In subartikel (1) bedoelde lid van die Reserwe kan ooreenkomstig die regulasies verplig word om diens te doen soos in daardie subartikel beoog, in 'n laer rang as dié wat hy in die Reserwe beklee.”;

- (c) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) 'n Lid van die Staandemagreserwe kan te eniger tyd op las van die Minister in deur middel van 'n aangetekende brief deur 'n voorgeskrewe offiser aan hom by sy aangetekende adres gerig, tot diens in die Staande Mag, benewens die diens in artikel 51 (1) bedoel, opgeroep word, en kan in diens gestel word asof hy 'n lid van daardie Mag is.”;

- (d) deur in subartikel (5)bis al die woorde voor die voorbehoudsbepaling deur die volgende woorde te vervang:

„'n Lid van die Staandemagreserwe wat—

- (a) tot diens in die Staande Mag vir 'n bepaalde tydperk verbind was;

- (b) gedurende sodanige tydperk en in die loop van sodanige diens enige ambagsopleiding met welslae voltooi het; en

- (c) sy ontslag deur afkoop verkry het nadat hy sodanige opleiding aldus voltooi het maar vóór die verstryking van die tydperk vermeld in paragraaf (a),

kan behoudens die bepalings van subartikel (5)ter, ook te eniger tyd op las van die Minister of iemand deur hom daartoe gemagtig, tot diens in die Staande Mag, benewens die diens in artikel 51 (1) bedoel, opgeroep word vir 'n onafgebroke tydperk van hoogstens dertig dae, in elk van die ses jaar wat volg op die jaar waarin hy sy ontslag aldus verkry het.”;

- (e) deur subartikel (6) te skrap.

Wysiging van artikel 52 van Wet 44 van 1957, soos gewysig deur artikel 1 van Wet 83 van 1962.

28. Artikel 53 van die Hoofwet word hierby deur die volgende artikel vervang:

„Diensvoorwaardes in Staandemagreserwe.

53. (1) Die diensvoorwaardes in die Staandemagreserwe is soos voorgeskryf, en lede van daardie Reserwe word ten opsigte van enige diens of pligte wat uit hoofde van hierdie Wet gedoen of verrig word of moet word, geag lede van die Staande Mag te wees.

(2) Geen lid van die Staandemagreserwe wat ooreenkomstig hierdie Wet vir diens opgeroep is, word, behalwe met sy eie toestemming of uit hoofde van stappe ingevolge die Reglement van Disipline gedoen, verplig om in 'n rang laer as wat hy in bedoelde Reserwe beklee, te dien nie.”.

Vervanging van artikel 53 van Wet 44 van 1957.

29. Artikel 54 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Iedere lid van die Staandemagreserwe of die Burgermagreserwe of die Kommandoreserwe moet hom op die wyse en op die tye of binne die tydperke wat voorgeskryf mag word, skriftelik of persoonlik by 'n voorgeskrewe offiser aanmeld, en daardie offiser ook van enige verandering in sy adres in kennis stel binne veertien dae nadat so 'n verandering plaasgevind het.”;

Wysiging van artikel 54 van Wet 44 van 1957, soos gewysig deur artikel 2 van Wet 83 van 1962.

- (b) by the insertion after subsection (2) of the following subsections:

"(2A) A member of the National Reserve shall, if so required by registered letter addressed to him by an officer designated for the purpose by the Minister—

- (a) furnish such officer within such period as may be specified in such letter, with information concerning his personal particulars, address, work, profession or occupation and such other information as the said officer may deem necessary;
- (b) report to such officer in writing in such manner and at such times or within such periods as the said officer may determine; and
- (c) advise that officer of any change in his address within fourteen days after such change has occurred.

(2B) Whenever the Minister by notice in the *Gazette* requires members of the National Reserve or such members belonging to any category or kind specified in such notice, to furnish an officer so specified, with the information referred to in subsection (2A) (a), any such member or any such member belonging to such category or kind shall, within such period as may be so specified, comply with the requirements of such notice."

- (c) by the substitution for subsection (3) of the following subsection:

"(3) Any person charged under this section with having failed to notify an officer of any change in his address, or with having failed to furnish an officer with any information, shall be presumed to have so failed, unless he produces—

- (a) an acknowledgment by the officer concerned of his notification of such change or of his having furnished such information; or
- (b) other proof to the satisfaction of the court that he has in fact notified the officer concerned of such change or furnished him with such information."

Substitution of section 55 of Act 44 of 1957.

30. The following section is hereby substituted for section 55 of the principal Act:

"Liability to maintain uniform and equipment.

55. (1) A member of the Permanent Force Reserve or the Citizen Force Reserve or the Commando Reserve shall maintain in his possession and in good order any articles of uniform and equipment which may have been issued to him, under such conditions as may be prescribed.

(2) Any such member shall when called up for service or at such other times as may be prescribed, produce such articles of uniform and equipment."

Amendment to section 56 of Act 44 of 1957.

31. Section 56 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection—

"(1) There shall be a Cadet Corps which shall consist of such cadet detachments as may under such conditions as may be prescribed be established under the directions of the Minister at any school or other educational institution."

Repeal of section 59 of Act 44 of 1957.

32. Section 59 of the principal Act is hereby repealed.

Repeal of section 60 of Act 44 of 1957.

33. Section 60 of the principal Act is hereby repealed.

Substitution of section 61 of Act 44 of 1957.

34. The following section is hereby substituted for section 61 of the principal Act:

"Cost of training to be defrayed by State.

61. All arms, ammunition, uniforms, equipment, instruction and training prescribed for cadets shall be provided at public expense."

Amendment of heading to Chapter VIII.

35. The following heading is hereby substituted for the heading to Chapter VIII:

"Registration and Selection of Persons for Allotment to Citizen Force or Commandos."

- (b) deur na subartikel (2) die volgende subartikels in te voeg:

„(2A) 'n Lid van die Nasionale Reserwe moet, indien daartoe gelas per aangetekende brief aan hom gerig deur 'n offisie wat deur die Minister vir die doel aangewys is—

- (a) aan bedoelde offisier binne die tydperk in die brief bepaal inligting verstrek met betrekking tot sy persoonsbesonderhede, adres, werk, beroep of nering en die ander inligting wat bedoelde offisier nodig ag;
- (b) hom op die wyse en op die tyd of binne die tydperke wat bedoelde offisier bepaal, skriftelik by bedoelde offisier aanmeld; en
- (c) daardie offisier van enige verandering in sy adres in kennis stel binne veertien dae nadat so 'n verandering plaasgevind het.

(2B) Wanneer die Minister by kennisgewing in die Staatskoerant lede van die Nasionale Reserwe of sodanige lede wat aan 'n in bedoelde kennisgewing bepaalde kategorie of soort behoort, gelas om aan 'n offisier aldus bepaal, die in subartikel (2A) (a) bedoelde inligting te verstrek, moet so 'n lid of so 'n lid wat aan bedoelde kategorie of soort behoort, binne die aldus bepaalde tydperk aan die vereistes van bedoelde kennisgewing voldoen.”;

- (c) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Iemand wat ingevolge hierdie artikel aangekla word weens versuim om 'n offisier van 'n verandering van sy adres in kennis te stel, of weens versuim om inligting aan 'n offisier te verstrek, word geag aldus te versuim het, tensy hy—

- (a) 'n erkenning deur die betrokke offisier van sy kennisgewing van bedoelde verandering, of van sy verstrekking van bedoelde inligting, toon; of
- (b) ander bewys tot bevrediging van die hof lewer dat hy inderdaad die betrokke offisier van bedoelde verandering in kennis gestel het of bedoelde inligting aan hom verstrek het.”.

30. Artikel 55 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 55 van Wet 44 van 1957.

„Verantwoordelijkheid om uniform en uitrusting in stand te hou.

55. (1) 'n Lid van die Staandemagreserwe of die Burgermagreserwe of die Kommandoreserwe moet onder sulke voorwaardes as wat voorgeskryf mag word, enige aan hom uitgereikte artikels wat deel van sy uniform of uitrusting uitmaak, in sy besit en in goeie orde hou.

(2) So 'n lid moet wanneer hy vir diens opgeroep word of op sulke ander tye as wat voorgeskryf mag word, bedoelde artikels wat deel van sy uniform of uitrusting uitmaak, toon.”.

31. Artikel 56 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang: Wysiging van artikel 56 van Wet 44 van 1957.

„(1) Daar is 'n Kadetkorps bestaande uit die kadet-afdelings wat onder voorwaardes soos voorgeskryf mag word, op las van die Minister by enige skool of ander opvoedkundige inrigting ingestel word.”.

32. Artikel 59 van die Hoofwet word hierby herroep. Herroeping van artikel 59 van Wet 44 van 1957.

33. Artikel 60 van die Hoofwet word hierby herroep. Herroeping van artikel 60 van Wet 44 van 1957.

34. Artikel 61 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 61 van Wet 44 van 1957.

„Koste van opleiding word deur Staat besty. 61. Alle wapens, ammunisie, uniforms, uitrusting, instruksie en opleiding wat vir kadette voorgeskryf word, word op Staatskoste voorsien.”.

35. Die opskrif by Hoofstuk VIII word hierby deur die volgende opskrif vervang: Wysiging van opskrif by Hoofstuk VIII.
„Registrasie en Keuse van Persone vir Toewysing aan Burgermag of Kommando's.”.

Amendment of
section 63 of
Act 44 of 1957,
as amended by
section 6 of
Act 81 of 1964.

36. Section 63 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) during the period from the first day of January to the last day of February of the year in which he will attain the age of sixteen years; or”;

- (b) by the substitution for subsection (2) of the following subsection:

“(2) Any person who becomes a citizen between the last day of February in his sixteenth year and the date upon which he attains the age of twenty-five years, shall apply for registration as aforesaid within thirty days after the date upon which he becomes a citizen.”.

- (c) by the insertion of the following subsection after subsection (2):

“(2A) Every citizen who has applied for registration under this section shall attend at his own expense and submit to the prescribed medical examination at the public expense at such time and place as may be notified to him by a prescribed person.”;

- (d) by the substitution for subsection (3) of the following subsection:

“(3) The registering officer shall issue to every person who has under this section applied for registration a certificate of registration in such form as such officer may determine, and may issue to any such person pronounced by the prescribed medical authorities to be permanently unfit for military service in any capacity, a certificate of exemption from such service.”.

Substitution of
section 65 of
Act 44 of 1957.

37. The following section is hereby substituted for section 65 of the principal Act:

“Voluntary
enrolment.

65. (1) Any citizen or any person domiciled in the Republic who is not a citizen may, if he is under a prescribed age or has prescribed qualifications, apply in accordance with regulations to be enrolled in the Citizen Force or in a commando by appearing personally before or submitting a written application to the registering officer, and may in his application name any unit which has its headquarters within the military area in which he resides, as the Unit in which he wishes to serve.

(2) Such a citizen or person who is accepted for enrolment shall at his own expense present himself for and shall at the public expense undergo the prescribed medical examination at a time and place to be notified to him by the registering officer.”.

Insertion of
section 66 in
Act 44 of 1957.

38. The following section is hereby inserted in the principal Act after section 65:

“Selection
lists.

66. (1) The registering officer shall every year prepare a selection list for each of such areas into which the Minister may from time to time divide the Republic for the purpose.

(2) The selection list for any area for any year shall contain the name and prescribed particulars of every person whose registered address or address known to the registering officer is in such area and who—

- (a) (i) has applied for registration in terms of section 63 during or after the year 1966;

(ii) in the opinion of the registering officer will probably not attend as a full time scholar any educational institution for secondary or equivalent education during the year following upon the year during which such selection list is prepared;

(iii) has not been included in any ballot list other than the ballot list prepared during the year 1966 or in any selection list prepared under this Act;

36. Artikel 63 van die Hoofwet word hierby gewysig—

Wysiging van
artikel 63 van
Wet 44 van 1957,
soos gewysig deur
artikel 6 van
Wet 81 van 1964.

- (a) deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:
„(a) gedurende die tydperk vanaf 1 Januarie tot die laaste dag van Februarie van die jaar waarin hy sestiën jaar oud word; of”;

- (b) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Iemand wat 'n burger word tussen die laaste dag van Februarie in sy sestiende jaar en die datum waarop hy vyf-en-twintig jaar oud word, moet soos voormeld om registrasie aansoek doen binne dertig dae na die datum waarop hy 'n burger word.”.

- (c) deur na subartikel (2) die volgende subartikel in te voeg:

„(2A) Iedere burger wat ingevolge hierdie artikel om registrasie aansoek gedoen het, moet op eie koste op die tyd en plek wat deur 'n voorgeskrewe persoon aan hom meegedeel word, verskyn en hom aan die voorgeskrewe geneeskundige ondersoek onderwerp, wat op Staatskoste plaasvind.”;

- (d) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Die registrasiebeampte reik aan elke persoon wat ingevolge hierdie artikel om registrasie aansoek gedoen het, 'n registrasiesertifikaat uit in die vorm wat bedoelde beampte bepaal, en kan aan so 'n persoon wat deur die voorgeskrewe geneeskundige owerhede vir militêre diens in enige hoedanigheid permanent ongeskik verklaar is, 'n sertifikaat van vrystelling van bedoelde diens uitreik.”.

37. Artikel 65 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van
artikel 65 van
Wet 44 van 1957.

„Vrywillige
inskrifwing.

65. (1) 'n Burger of 'n persoon wat in die Republiek gedomisileer is en nie 'n burger is nie, kan, indien hy benede 'n voorgeskrewe ouderdom is of voorgeskrewe kwalifikasies besit, ooreenkomstig regulasies aansoek doen om in die Burgermag of in 'n kommando ingeskryf te word, deur persoonlik voor die registrasiebeampte te verskyn of 'n skriftelike aansoek aan hom te rig, en kan in sy aansoek enige eenheid wat sy hoofkwartier het in die militêre gebied waarin hy woon, noem as die eenheid waarin hy wil dien.

(2) So 'n burger of persoon wat vir inskrywing aangeneem word, moet hom op eie koste vir die voorgeskrewe geneeskundige ondersoek aanmeld op die tyd en plek waarvan die registrasiebeampte hom in kennis stel, en op Staatskoste daardie ondersoek ondergaan.”.

38. Die volgende artikel word hierby in die Hoofwet na artikel 65 ingevoeg:

Invoeging van
artikel 66 in
Wet 44 van 1957.

„Keur-
lyste.

66. (1) Die registrasiebeampte stel elke jaar vir elk van die gebiede waarin die Minister die Republiek vir die doel van tyd tot tyd verdeel, 'n keurlys op.

(2) Die keurlys vir 'n gebied vir 'n bepaalde jaar bevat die name en voorgeskrewe besonderhede van elke persoon wie se aangetekende adres of adres aan die registrasiebeampte bekend, in bedoelde gebied is en—

(a) wat—

(i) gedurende of na die jaar 1966 ingevolge artikel 63 om registrasie aansoek gedoen het;

(ii) volgens die oordeel van die registrasiebeampte in die jaar wat volg op die jaar waarin sodanige keurlys opgestel word waarskynlik nie 'n opvoedkundige inrigting vir sekondêre of gelykwaardige onderwys voltyds as 'n skool sal bywoon nie;

(iii) nie in 'n ander lotingslys as die lotingslys gedurende die jaar 1966 opgestel of in 'n ingevolge hierdie Wet opgestelde keurlys ingesluit is nie;

- (iv) is not the holder of a certificate of exemption issued under section 63; and
- (v) has not been enrolled for training or service under this Act; or
- (b) being in his sixteenth year or older but not older than twenty-five years, has to the knowledge of the registering office, failed to apply for registration as required by section 63; or
- (c) has before the commencement of his training or service, been granted deferment under this Act for a period expiring during the year in which the selection list is prepared."

Insertion of
section 66A in
Act 44 of 1957.

39. The following section is hereby inserted in the principal Act after section 66:

"Selection
boards.

66A. (1) The Minister may from time to time appoint one or more selection boards consisting of a chairman appointed from amongst the officers in the South African Defence Force and not more than four other members.

(2) The calling of and procedure and quorum at meetings of a selection board shall be as determined by the Minister from time to time.

(3) A member of a selection board shall hold office at the pleasure of the Minister.

(4) A member of a selection board not being in the full-time employment of the State, shall receive such remuneration or allowances as the Minister in consultation with the Minister of Finance may from time to time determine.

(5) A selection board shall make recommendations in respect of such matters relating to the allotment of persons under section 67 or the classification of persons so to be allotted as the Minister may direct.

(6) A selection board may investigate any matter in respect of which it is required to make recommendations and for that purpose—

- (a) the said board may by notice in writing require any person whose name has been included in a selection list to appear before the said board for interrogation at such time and place as may be specified in such notice;
- (b) the said board may in connection with such investigation concerning persons who are pupils of a particular school or institution co-opt any member of the staff of such school or institution in an advisory capacity; and
- (c) the said board shall hear any person whose name has been included in a selection list and who has applied in writing therefor, at such time and place as the board may determine.

(7) Any person receiving a notice as aforesaid shall report to the selection board at the time and place specified in such notice, shall reply to the satisfaction of such board to all such questions as the board may put to him relating to any matter in respect of which it is required to make recommendations and shall submit to such medical examination at the public expense as the board may direct.

(8) Travelling or other expenses incurred by any person appearing before a selection board may be paid to such person only in such circumstances and at such rates as the Minister in consultation with the Minister of Finance may from time to time determine.

(9) No member of a selection board shall without the approval of the Minister communicate to any person any information obtained by him by virtue of his office."

Substitution of
section 67 of
Act 44 of 1957.

40. The following section is hereby substituted for section 67 of the principal Act:

"Allotment
to Citizen
Force or
commandos.

67. (1) Such number of the persons referred to in subsection (2) as the Minister may determine shall be allotted in any year to the Citizen Force and all other such persons shall be allotted in that year to the commandos.

(2) Subject to the provisions of subsection (1) and the directions of the Minister the registering officer shall, with due regard to the requirements of

- (iv) nie die houer van 'n ingevolge artikel 63 uitgereikte vrystellingsertifikaat is nie; en
- (v) nie vir opleiding of diens ingevolge hierdie Wet ingeskryf is nie; of
- (b) wat in sy sestienste jaar of ouer maar nie ouer as vyf-en-twintig jaar is nie en, na die wete van die registrasiebeampte, versuim het om soos by artikel 63 vereis word, om registrasie aansoek te doen; of
- (c) aan wie voor die begin van sy opleiding of diens, ingevolge hierdie Wet uitstel verleen is vir 'n tydperk wat gedurende die jaar waarin die keurlys opgestel word, verstryk."

39. Die volgende artikel word hierby in die Hoofwet na Invoeging van artikel 66A in/ Wet 44 van 1957.

„Keurade.

66A. (1) Die Minister kan van tyd tot tyd een of meer keurade aanstel bestaande uit 'n voorsitter uit die offisiere in die Suid-Afrikaanse Weermag aangestel en hoogstens vier ander lede.

(2) Die byeenroep van en prosedure en kworum op vergaderings van 'n keurraad word van tyd tot tyd deur die Minister bepaal.

(3) 'n Lid van 'n keurraad beklee sy amp vir so lank dit die Minister behaag.

(4) 'n Lid van 'n keurraad wat nie voltyds in diens van die Staat is nie, ontvang die besoldiging of toelae wat die Minister in ooreenstemming met die Minister van Finansies van tyd tot tyd bepaal.

(5) 'n Keurraad doen aanbevelings ten opsigte van die aangeleenthede met betrekking tot die toewysing van persone ingevolge artikel 67 of die klassifikasie van persone wat aldus toegewys moet word, wat die Minister gelas.

(6) 'n Keurraad kan ondersoek instel na enige aangeleentheid ten opsigte waarvan hy aanbevelings moet doen, en vir daardie doel—

(a) kan bedoelde raad by skriftelike kennisgewing 'n persoon wie se naam in 'n keurlys opgeneem is, gelas om voor bedoelde raad vir ondervraging te verskyn op die tyd en plek wat in die kennisgewing vermeld word;

(b) kan bedoelde raad in verband met sodanige ondersoek betreffende persone wat leerlinge van 'n besondere skool of inrigting is, 'n lid van die personeel van sodanige skool of inrigting in 'n adviserende hoedanigheid koöpteer; en

(c) moet bedoelde raad 'n persoon wie se naam in 'n keurlys opgeneem is en wat skriftelik daarom aansoek gedoen het, aanhoor op die tyd en plek wat die raad bepaal.

(7) 'n Persoon wat 'n voormelde kennisgewing ontvang, moet hom op die tyd en plek in bedoelde kennisgewing vermeld, by die keurraad aanmeld, moet ten genoë van bedoelde raad al die vræ beantwoord wat die raad aan hom stel met betrekking tot enige aangeleentheid ten opsigte waarvan die raad aanbevelings moet doen en moet hom aan die geneskundige ondersoek op Staatskoste onderwerp wat die raad gelas.

(8) Reis- of ander onkoste aangegaan deur 'n persoon wat voor 'n keurraad verskyn, kan aan bedoelde persoon betaal word slegs onder die omstandighede en teen die skaal wat die Minister in ooreenstemming met die Minister van Finansies van tyd tot tyd bepaal.

(9) Geen lid van 'n keurraad mag inligting deur hom uit hoofde van sy amp verkry, sonder goedkeuring van die Minister aan 'n persoon mededeel nie."

40. Artikel 67 van die Hoofwet word hierby deur die volgende artikel vervang:

„Toewysing aan Burgermag of kommando's.

67. (1) Daardie getal van die persone in subartikel (2) bedoel wat die Minister bepaal, moet in 'n bepaalde jaar aan die Burgermag toegewys word en alle ander sodanige persone moet in daardie jaar aan die kommando's toegewys word.

(2) Behoudens die bepalings van subartikel (1) en die voorafskrifte van die Minister, moet die registrasiebeampte, met behoorlike inagneming van die be-

Vervanging van artikel 67 van Wet 44 van 1957.

the South African Defence Force and the recommendations of selection boards, allot to the Citizen Force or the commandos persons—

- (a) whose names have been included in a selection list for the year concerned; or
- (b) who have been accepted for enrolment under section 65; or
- (c) who are under the age of twenty-five years and have on termination of service in the Permanent Force served therein for less than three years; or
- (d) who are under the age of twenty-five years, held a permanent appointment in the South African Police, the Railways and Harbours Police or the Prisons Service and are not members of the South African Defence Force.

(3) The registering officer shall as far as may be practicable allot any person who to his knowledge *bona fide* belongs and adheres to a recognized religious denomination by the tenets whereof its members may not participate in war, to a unit where such person will be able to render service in the defence of the Republic in a non-combatant capacity.

(4) Every person allotted under this section shall be notified by a prescribed officer of the name of the Citizen Force unit or the commando to which he has been allotted and of the date upon which and place where he is required to commence service."

Amendment of section 68 of Act 44 of 1957, as amended by section 8 of Act 42 of 1961 and section 10 of Act 81 of 1964.

41. Section 68 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:

"(a) appoint one or more exemption boards to consider applications in terms of section 69 for deferment of or exemption from service and to exercise such other powers and to perform such other duties as may be conferred or imposed upon them by or under this Act;"

- (b) by the addition to subsection (2) of the following paragraph:

"(c) The quorum at a meeting of the board shall consist of the chairman and two members of whom one shall be a member referred to in paragraph (b)."

Amendment of section 69 of Act 44 of 1957, as substituted by section 11 of Act 81 of 1964.

42. Section 69 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) (a) Any person liable to serve in terms of section 21 (1) or 35 (1) or any interested person acting on behalf of such person, whether with or without his consent but with his knowledge, may apply to any board referred to in section 68—

- (i) before the person so liable commences service in terms of section 22 or 44, for deferment of or exemption from service;
- (ii) after the person so liable has commenced service in terms of section 22, for deferment of such service.

- (b) Any application under paragraph (a) (i) shall be lodged with the chairman of the said board and any application under paragraph (a) (ii) shall be lodged with the commanding officer of the unit in which the person concerned is serving."

Repeal of section 70 of Act 44 of 1957.

43. Section 70 of the principal Act is hereby repealed.

Amendment of section 70bis of Act 44 of 1957 as inserted by section 13 of Act 81 of 1964.

44. Section 70bis of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) Any board appointed under section 68 which has considered an application in terms of section 69 for deferment of or exemption from service may, with due regard to any general instructions issued by the Minister of Labour in consultation with the Minister, grant such application where in its opinion such deferment or exemption is justified—

hoeftes van die Suid-Afrikaanse Weermag en die aanbevelings van keurrade, aan die Burgermag of die kommando's persone toewys—

- (a) wie se name in 'n keurlys vir die betrokke jaar opgeneem is; of
- (b) wat ingevolge artikel 65 vir inskrywing aange-
neem is; of
- (c) wat onder die ouderdom van vyf-en-twintig jaar
is en by beëindiging van diens in die Staande
Mag minder as drie jaar daarin gedien het; of
- (d) wat onder die ouderdom van vyf-en-twintig jaar
is, 'n permanente aanstelling in die Suid-
Afrikaanse Polisie, die Spoorweg- en Hawe-
polisie of die Gevangenisdiens beklee het en nie
lede van die Suid-Afrikaanse Weermag is nie.

(3) Die registrasiebeampte moet vir sover doenlik
'n persoon wat na sy wete *bona fide* aan 'n erkende
kerkgemeenskap, volgens die leerstellings waarvan sy
lede nie aan oorlog mag deelneem nie, behoort en
dit aanhang, aan 'n eenheid toewys waar bedoelde
persoon in staat sal wees om in 'n nie-vegtende
hoedanigheid diens ter verdediging van die Republiek
te doen.

(4) Elke persoon wat ingevolge hierdie artikel toe-
gewys is, word deur 'n voorgeskrewe offisier in
kennis gestel van die naam van die Burgermagen-
heid of die kommando waaraan hy toegewys is en
van die datum waarop en plek waar hy diens moet
begin."

41. Artikel 68 van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (a) van subartikel (1) deur die volgende
paragraaf te vervang:

„(a) een of meer vrystellingsrade benoem om aansoek
ingevolge artikel 69, om uitstel of vrystelling van
diens te oorweeg en om die ander bevoegdhede uit
te oefen en die ander pligte te verrig wat by of
krachtens hierdie Wet aan hulle verleen of opgedra
word;"

- (b) deur by subartikel (2) die volgende paragraaf by te
voeg:

„(c) Die kworum op 'n vergadering van die raad bestaan
uit die voorsitter en twee lede waarvan een 'n in
paragraaf (b) bedoelde lid moet wees."

Wysiging van
artikel 68 van
Wet 44 van 1957,
soos gewysig deur
artikel 8 van
Wet 42 van 1961
en artikel 10 van
Wet 81 van 1964.

42. Artikel 69 van die Hoofwet word hierby gewysig deur
subartikel (1) deur die volgende subartikel te vervang:

„(1) (a) 'n Persoon wat verplig is om ingevolge artikel
21 (1) of 35 (1) te dien, of 'n belanghebbende wat
namens hom optree, hetsy met of sonder sy toestem-
ming, maar met sy wete, kan by 'n raad in artikel 68
bedoel, aansoek doen—

- (i) voordat die persoon wat aldus verplig is, diens
ingevolge artikel 22 of 44 begin, om uitstel of vry-
stelling van diens;
- (ii) nadat die persoon wat aldus verplig is, diens
ingevolge artikel 22 begin het, om uitstel van
bedoelde diens.

- (b) 'n Aansoek ingevolge paragraaf (a) (i) moet by die voor-
sitter van bedoelde raad ingedien word en 'n aansoek
ingevolge paragraaf (a) (ii) moet ingedien word by die
bevelvoerder van die eenheid waarin die betrokke
persoon dien."

Wysiging van
artikel 69 van
Wet 44 van 1957,
soos vervang deur
artikel 11 van
Wet 81 van 1964.

43. Artikel 70 van die Hoofwet word hierby herroep.

Herroeping van
artikel 70 van
Wet 44 van 1957.

44. Artikel 70*bis* van die Hoofwet word hierby gewysig deur
subartikel (1) deur die volgende subartikel te vervang:

„(1) 'n Raad benoem krachtens artikel 68 wat 'n aansoek
ingevolge artikel 69 om uitstel of vrystelling van diens oor-
weeg het, kan, met behoorlike inagneming van enige alge-
mene opdragte deur die Minister van Arbeid in oorleg met
die Minister uitgereik, sodanige aansoek toestaan indien,
volgens sy oordeel, sodanige uitstel of vrystelling gereg-
verdig is—

Wysiging van
artikel 70*bis* van
Wet 44 van 1957,
soos ingevoeg deur
artikel 13 van
Wet 81 van 1964.

- (a) in order to prevent the interruption of the course of educational studies of the person concerned; or
- (b) by reason of the nature and extent of such person's domestic obligations or any circumstances connected with any trade, profession or business in which he is engaged; or
- (c) on the ground of physical defects, ill-health or mental incapacity on the part of such person; or
- (d) on the ground that such person is being compulsorily detained in an institution; or
- (e) on any other ground it may deem sufficient:

Provided that—

- (i) no application shall be granted except where the board is satisfied that undue hardship would otherwise be caused or that it is in the public interest that the application be granted;
- (ii) the board may in its discretion, if it is so satisfied, grant deferment of or exemption from service irrespective of whether or not the application is for such deferment or exemption; and
- (iii) the board may, instead of granting deferment of or exemption from service, in consultation with a prescribed officer, direct that any person allotted to the Citizen Force be re-allotted to the commandos or, in the case of a person who has commenced service in the Citizen Force, that he be posted to a commando."

Substitution of section 71 of Act 44 of 1957.

45. The following section is hereby substituted for section 71 of the principal Act:

"Exemption from service if medically unfit. 71. Any citizen who has been medically examined and has been pronounced by the prescribed medical authorities to be unfit for military service in any capacity, shall so long as the unfitness continues be exempt from liability for service in the Citizen Force or a commando."

Repeal of section 72 of Act 44 of 1957.

46. Section 72 of the principal Act is hereby repealed.

Amendment of section 74bis of Act 44 of 1957, as inserted by section 13 of Act 77 of 1963.

47. Section 74bis of the principal Act is hereby amended by the substitution for subparagraph (ii) of subsection (1) (a) of the following subparagraph:

"(ii) determine from time to time, with due regard to the maintenance of the economy of the Republic, which categories or portions of categories of persons employed in or practising any particular profession, industry, trade or occupation, should be exempted from military service and submit recommendations in accordance with such determinations to the Minister of Labour, who may, in terms of the powers conferred hereby, direct any exemption board appointed in terms of this Act to authorize the exemption of persons in any such category or portion thereof from such service; or"

Amendment of section 76 of Act 44 of 1957, as amended by section 5 of Act 12 of 1961.

48. Section 76 of the principal Act is hereby amended—

- (a) by the deletion at the end of subsection (2) (d) of the word "and";
- (b) by the addition to subsection (2) of the following paragraph:

"(f) permit persons of any category or kind who are not members of the South African Defence Force and have registered in such manner as the Minister may determine, to participate voluntarily in any training exercises with the commandos, subject to such conditions as the Minister may from time to time determine and may, after consultation with the Minister of Finance, by notice in the *Gazette* declare that such provisions of sections 39, 40, 41 or 125 as may be specified in the notice shall, to such extent and with such modifications as may be so specified, apply in respect of such persons as if they were citizens voluntarily serving as members of a commando."

Amendment of section 84 of Act 44 of 1957, as amended by section 7 of Act 12 of 1961.

49. Section 84 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) Officers of the South African Defence Force who are not in terms of section 46, 47, 48 or 48A appointed to the Reserve or required to complete a period of service therein, and officers of the Reserve, shall, at the termination of their service in the said Force or Reserve, be placed on a retired list and any officer on that list shall retain his commission

- (a) om 'n onderbreking in die opvoedingstudiekursus van die betrokke persoon te voorkom; of
- (b) vanweë die aard en omvang van bedoelde persoon se huishoudelike verpligtings of enige omstandighede verbonde aan 'n bedryf, beroep of besigheid waarmee hy besig is; of
- (c) op grond van liggaamsgebreke, swak gesondheid of swaksinnigheid van bedoelde persoon; of
- (d) op grond daarvan dat bedoelde persoon onder dwang in 'n inrigting aangehou word; of
- (e) op ander gronde wat hy genoegsaam ag:

Met dien verstande dat—

- (i) geen aansoek toegestaan word nie behalwe waar die raad oortuig is dat buitensporige ontbering anders veroorsaak sou word of dat dit in die openbare belang is dat die aansoek toegestaan word;
- (ii) die raad na goeë dunde, indien hy aldus oortuig is, uitstel of vrystelling van diens kan toestaan ongeag of dit 'n aansoek om sodanige uitstel of vrystelling is; en
- (iii) die raad in plaas van uitstel of vrystelling van diens toe te staan, in ooreenstemming met 'n voorgeskrewe offisier kan gelas dat 'n persoon aan die Burgermag toegewys, aan die kommando's hertoegewys word of, in die geval van 'n persoon wat diens in die Burgermag begin het, dat hy by 'n kommando ingedeel word."

45. Artikel 71 van die Hoofwet word hierby deur die volgende artikel vervang:

„Vrystelling van diens indien geneeskundig ongeskik. 71. 'n Burger wat geneeskundig ondersoek en deur die voorgeskrewe geneeskundige owerhede vir militêre diens in enige hoedanigheid ongeskik verklaar is, is solank sy ongeskiktheid duur, vrystel van die verpligting om in die Burgermag of 'n kommando diens te doen."

Vervanging van artikel 71 van Wet 44 van 1957.

46. Artikel 72 van die Hoofwet word hierby herroep.

Herroeping van artikel 72 van Wet 44 van 1957.

47. Artikel 74bis van die Hoofwet word hierby gewysig deur subparagraaf (ii) van subartikel (1) (a) deur die volgende subparagraaf te vervang:

„(ii) met behoorlike inagneming van die instandhouding van die ekonomie van die Republiek, van tyd tot tyd te bepaal watter kategorieë of dele van kategorieë van persone wat in enige bepaalde beroep, nywerheid, bedryf of nering werksaam is of dit beoefen, van militêre diens vrystel behoort te word en ooreenkomstig daardie bepalings aanbevelings voor te lê aan die Minister van Arbeid, wat ingevolge die bevoegdhede hierby verleen, enige vrystellingsraad wat kragtens hierdie Wet aangestel is, kan gelas om die vrystelling van persone in enige sodanige kategorie of deel daarvan van sodanige diens te magtig; of"

Wysiging van artikel 74bis van Wet 44 van 1957, soos ingevoeg deur artikel 13 van Wet 77 van 1963.

48. Artikel 76 van die Hoofwet word hierby gewysig—

(a) deur aan die end van subartikel (2) (d) die woord „en" te skrap;

(b) deur by subartikel (2) die volgende paragraaf by te voeg:

„(f) persone van 'n kategorie of soort wat nie lede van die Suid-Afrikaanse Weermag is nie en op die wyse wat die Minister bepaal, geregistreer het, toelaat om vrywilliglik aan opleidingsoefeninge met die kommando's deel te neem op die voorwaardes wat die Minister van tyd tot tyd bepaal, en kan hy, na ooreenstemming met die Minister van Finansies, by kennisgewing in die Staatskoerant verklaar dat dié bepalings van artikel 39, 40, 41 of 125 wat in die kennisgewing vermeld word, in die mate en met die wysigings aldus vermeld, van toepassing is op bedoelde persone asof hulle burgers is wat vrywilliglik as lede van 'n kommando dien."

Wysiging van artikel 76 van Wet 44 van 1957, soos gewysig deur artikel 5 van Wet 12 van 1961.

49. Artikel 84 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Offisiere van die Suid-Afrikaanse Weermag wat nie ingevolge artikel 46, 47, 48 of 48A in die Reserwe aangestel word of verplig word om 'n tydperk van diens daarin te voltooi nie, en offisiere van die Reserwe, word by die beëindiging van hul diens in bedoelde Mag of Reserwe, op 'n lys van afgetredenes geplaas en 'n offisier op daardie lys behou sy kommissie en is geregtig om uniform te dra soos

Wysiging van artikel 84 van Wet 44 van 1957, soos gewysig deur artikel 7 van Wet 12 van 1961.

and shall be entitled to wear uniform as prescribed: Provided that the State President may direct that an officer shall not so be placed on a retired list."

Amendment of section 86 of Act 44 of 1957, as amended by section 8 of Act 12 of 1961.

50. Section 86 of the principal Act is hereby amended by the addition to subsection (1) of the following proviso:

"Provided that an officer serving in the Citizen Force or a commando, other than any such officer serving voluntarily, may so tender the resignation of his commission or appointment only with the approval of the Minister or any person acting under his authority."

Amendment of section 87 of Act 44 of 1957, as amended by section 9 of Act 12 of 1961, section 15 of Act 81 of 1964 and section 20 of Act 39 of 1966.

51. Section 87 of the principal Act is hereby amended by the substitution in subsection (1) for paragraphs (h) (i) and (j) of the following paragraphs:

"(h) the registration of citizens liable for service;

(i) the exemption of any member of the South African Defence Force, the Reserve or the Cadet Corps from carrying out any full course of training prescribed for any one year;

(j) the standards of physical fitness and the medical examination of members of the South African Defence Force and the Reserve, and authorizing medical authorities to determine such standards;"

Repeal of section 94 of Act 44 of 1957.

52. Section 94 of the principal Act is hereby repealed.

Amendment of section 97 of Act 44 of 1957, as amended by section 19 of Act 77 of 1963.

53. Section 97 of the principal Act is hereby amended—

(a) by the substitution for paragraph (f) of subsection (1) of the following paragraph:

"(f) a member of the Prisons Service as defined in section 1 of the Prisons Act, 1959 (Act No. 8 of 1959);"

(b) by the substitution for subsection (3) of the following subsection:

"(3) A person who *bona fide* belongs and adheres to a recognized religious denomination, by the tenets whereof its members may not participate in war, may be granted exemption from serving in any combatant capacity, but shall, if called upon to do so, serve in a non-combatant capacity."

Substitution of section 102 of Act 44 of 1957.

54. The following section is hereby substituted for section 102 of the principal Act:

"Control and use of transport systems.

102. (1) The State President may in time of war, or during operations for the prevention or suppression of internal disorder in the Republic, authorize any officer of the South African Defence Force to assume control over any railway, road, inland water or sea transport system or any air service, or any portion thereof, within the Republic.

(2) The Minister may in time of war, or during operations for the prevention or suppression of internal disorder in the Republic, requisition the authorities controlling any transport system or air service referred to in subsection (1), to supply suitable engines and rolling stock, vehicles, vessels or aircraft for the conveyance of members of the South African Defence Force or other forces acting in co-operation therewith, or any auxiliary or voluntary nursing service established under this Act, and their guns, armament, ammunition, baggage, stores, supplies, vehicles, vessels and animals, and to convey the same by rail, road, water or air to or from any point within or outside the Republic, as may be necessary."

Amendment of section 103 of Act 44 of 1957, as amended by section 21 of Act 77 of 1963.

55. Section 103 of the principal Act is hereby amended by the substitution for subsection (6) of the following subsection:

"(6) In time of war this section shall apply only from such date as the State President may by proclamation in the *Gazette* declare it to be applicable, and any such proclamation shall cease to have any force or effect upon the expiration of a period of thirty days after the date of publication thereof unless it has within that period been approved by resolution by the Senate and the House of Assembly, but

voorgeskryf: Met dien verstande dat die Staatspresident kan gelas dat 'n offisier nie aldus op 'n lys van afgetredenes geplaas word nie."

50. Artikel 86 van die Hoofwet word hierby gewysig deur by Wysiging van subartikel (1) die volgende voorbehoedsbepaling by te voeg: Wet 44 van 1957, artikel 86 van
 „Met dien verstande dat 'n offisier wat in die Burgermag Wet 44 van 1957, soos gewysig deur of 'n kommando dien, behalwe so 'n offisier wat vrywilliglik artikel 8 van dien, die bedanking van sy kommissie of sy aanstelling aldus Wet 12 van 1961. kan indien slegs met goedkeuring van die Minister of 'n persoon wat op sy gesag handel."

51. Artikel 87 van die Hoofwet word hierby gewysig deur in Wysiging van subartikel (1) paragrawe (h), (i) en (j) deur die volgende para- artikel 87 van grawe te vervang: Wet 44 van 1957, soos gewysig deur artikel 9 van Wet 12 van 1961, artikel 15 van

„(h) die registrasie van burgers wat verplig kan word om diens te doen;

(i) die vrystelling van enige lid van die Suid-Afrikaanse Weermag, die Reserwe of die Kadetkorps van die verpligting om die volle opleidingskursus wat vir enige jaar voorgeskryf is, te ondergaan;

(j) die peil van liggaamlike geskiktheid en die geneeskundige ondersoek van lede van die Suid-Afrikaanse Weermag en die Reserwe, en wat geneeskundige owerhede magtig om bedoelde peil te bepaal;"

52. Artikel 94 van die Hoofwet word hierby herroep.

Herroeping van artikel 94 van Wet 44 van 1957.

53. Artikel 97 van die Hoofwet word hierby gewysig—

(a) deur paragraaf (f) van subartikel (1) deur die volgende paragraaf te vervang:

„(f) 'n lid van die Gevangenisdiens is soos in artikel 1 van die Wet op Gevangenis, 1959 (Wet No. 8 van 1959), omskryf;"

Wysiging van artikel 97 van Wet 44 van 1957, soos gewysig deur artikel 19 van Wet 77 van 1963.

(b) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Iemand wat *bona fide* aan 'n erkende kerkgenootskap, volgens die leerstellings waarvan sy lede nie aan oorlog mag deelneem nie, behoort en dit ahang, kan van diens in 'n vegtende hoedanigheid vrygestel word, maar moet indien hy daartoe opgeroep word, in 'n nie-vegtende hoedanigheid dien."

54. Artikel 102 van die Hoofwet word hierby deur die volgende artikel vervang:

„Beheer oor 102. (1) Die Staatspresident kan in oorlogstyd of gedurende optrede ter voorkoming of onderdrukking van binnelandse onluste in die Republiek, enige offisier van die Suid-Afrikaanse Weermag magtig om beheer te neem oor enige spoorweg-, pad-, hinnelandse water- of seevervoerstelsel of enige lugdiens, of enige deel daarvan, binne die Republiek.

(2) Die Minister kan in oorlogstyd of gedurende optrede ter voorkoming of onderdrukking van hinnelandse onluste in die Republiek, die owerheid wat enige in subartikel (1) bedoelde vervoerstelsel of lugdiens beheer, nansê om geskikte lokomotiewe en roltende materiaal, voertuie, vaartuie of vliegtuie te verskaf vir die vervoer van lede van die Suid-Afrikaanse Weermag of ander magte wat in samewerking daarmee optree, of enige kragtens hierdie Wet ingestelde hulpdiens of vrywillige verpleegdiens, en hul gewere, bewapening, ammunisie, bagasie, voorrade, kommissariaat, voertuie, vaartuie en diere, en om dit per spoor, pad, water of lug na of van enige plek binne of buite die Republiek te vervoer soos nodig mag wees."

Vervanging van artikel 102 van Wet 44 van 1957.

55. Artikel 103 van die Hoofwet word hierby gewysig deur subartikel (6) deur die volgende subartikel te vervang:

„(6) In oorlogstyd geld hierdie artikel slegs vanaf die datum waarop die Staatspresident by proklamasie in die *Staatskoerant* dit van toepassing verklaar, en so 'n proklamasie hou op om van krag te wees by verstryking van 'n tydperk van dertig dae na die datum van publikasie daarvan, tensy dit binne bedoelde tydperk deur die Senaat en die Volksraad by besluit goedgekeur is, dog sonder afbreuk aan

Wysiging van artikel 103 van Wet 44 van 1957, soos gewysig deur artikel 21 van Wet 77 van 1963.

without prejudice to the validity during the said period of any regulation issued thereunder or of anything done under any such regulation or to any right, privilege, obligation or liability acquired, accrued or incurred during the said period under and by virtue of any such regulation."

Amendment of section 104 of Act 44 of 1957, as amended by section 19 of Act 12 of 1961.

56. Section 104 of the principal Act is hereby amended by the substitution in subsection (5) (b) for all the words preceding the proviso of the following words:

"to members of the Citizen Force, commandos, and the Reserve in relation to any service, training or duty undertaken or to be undertaken by them in pursuance of this Act:"

Amendment of section 118 of Act 44 of 1957.

57. Section 118 of the principal Act is hereby amended—
(a) by the substitution for subsection (1) of the following subsection:

"(1) No person shall publish in any newspaper, magazine, book or pamphlet or by radio or any other means—

(a) any information relating to the composition, movements or dispositions of—

(i) the South African Defence Force or any auxiliary or voluntary nursing service established under this Act, or any force of a country which is allied to the Republic; or

(ii) any South African or allied ships or aircraft used for naval or military purposes; or

(iii) any engines, rolling stock, vehicles, vessels or aircraft of any railway, road, inland water or sea transport system or air service over which an officer of the South African Defence Force has assumed control in terms of section 102 (1), or anything which has been supplied on requisition by the Minister in terms of section 102 (2),

or any statement, comment or rumour calculated directly or indirectly to convey such information, except where the information has been furnished or the publication thereof has been authorized by the Minister or under his authority; or

(b) any statement, comment or rumour relating to any member of the South African Defence Force or any activity of the South African Defence Force or any force of a foreign country, calculated to prejudice or embarrass the Government in its foreign relations or to alarm or depress members of the public, except where publication thereof has been authorized by the Minister or under his authority.

(b) by the insertion of the following subsection after subsection (1):

"(1A) No prosecution in respect of an offence under subsection (1) shall be instituted except on the written authority of the attorney-general having jurisdiction in the area concerned or of a member of his staff designated by him in writing;"

(c) by the substitution for subsection (2) of the following subsection:

"(2) No person shall publish in any manner whatsoever any secret or confidential information relating to the defence of the Republic, or any information relating to any works proposed, undertaken or completed for or connected with the fortification or defence of the Republic except where the information has been furnished or the publication thereof has been authorized by the Minister or under his authority."

Amendment of section 119 of Act 44 of 1957.

58. Section 119 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

"(a) take any photograph or make any sketch, plan, model or note of any area defined by the Minister by notice published in the *Gazette* or in any other manner which he considers sufficient in the circumstances, or of any part of any such area or any object therein; or"

die geldigheid gedurende bedoelde tydperk van enige regulasie daarkragtens uitgevaardig of enigiets kragtens so 'n regulasie gedoen of aan enige reg, voorreg, verpligting of aanspreeklikheid gedurende bedoelde tydperk ingevolge en uit hoofde van so 'n regulasie verkry, toegeval of opge-loop."

56. Artikel 104 van die Hoofwet word hierby gewysig deur in subartikel (5) (b) al die woorde voor die voorbehoudsbepaling deur die volgende woorde te vervang:

„op lede van die Burgermag, kommando's en die Reserwe, met betrekking tot enige diens, opleiding of plig wat uit hoofde van hierdie Wet deur hulle onderneem word of moet word."

Wysiging van artikel 104 van Wet 44 van 1951, soos gewysig deur artikel 19 van Wet 12 van 1961.

57. Artikel 118 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van artikel 118 van Wet 44 van 1957.

„(1) Niemand mag in 'n nuusblad, tydskrif, boek of pamflet of per radio of op ander wyse—

(a) inligting met betrekking tot die samestelling, bewegings of opstellings van—

(i) die Suid-Afrikaanse Weermag of enige kragtens hierdie Wet ingestelde hulpdiens of vrywillige verpleegdiens, of 'n mag van 'n land wat 'n bondgenoot van die Republiek is; of

(ii) Suid-Afrikaanse of geallieerde skepe of vliegtuie wat vir vloot- of militêre doeleindes aangewend word; of

(iii) lokomotiewe, rollende materiaal, voertuie, vaartuie, of vliegtuie van enige spoorweg-, pad-, binnelandse water- of seevervoerstelsel of lugdiens waaroor 'n offisier van die Suid-Afrikaanse Weermag ingevolge artikel 102 (1) beheer geneem het, of enigiets wat ingevolge artikel 102 (2) op aansegging van die Minister verskaf is,

of enige verklaring, kommentaar of gerug wat daarop bereken is om regstreks of onregstreks sulke inligting oor te dra, publiseer nie, behalwe waar die inligting verstrek of die publikasie daarvan gemagtig is deur of op gesag van die Minister; of

(b) enige verklaring, kommentaar of gerug met betrekking tot 'n lid van die Suid-Afrikaanse Weermag of 'n bedrywigheid van die Suid-Afrikaanse Weermag of 'n mag van 'n vreemde land, wat daarop bereken is om die Regering in sy buitelandse verhoudinge te benadeel of in verleentheid te stel of om lede van die publiek te ontstel of neerslagtig te maak, publiseer nie, behalwe waar die publikasie daarvan deur of op gesag van die Minister gemagtig is.

(b) deur die volgende subartikel na subartikel (1) in te voeg:

„(1A) Geen vervolging ten opsigte van 'n misdryf ingevolge subartikel (1) word ingestel nie behalwe kragtens die skriftelike magtiging van die prokureur-generaal wat met regsbevoegdheid in die betrokke gebied beklee is of van 'n lid van sy personeel wat skriftelik deur hom daartoe aangewys is."

(c) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Niemand mag op enige wyse hoegenaamd geheime of vertroulike inligting met betrekking tot die verdediging van die Republiek, of inligting met betrekking tot enige werke wat beoog word of onderneem of voltooi is vir of in verband met die versterking of verdediging van die Republiek, publiseer nie, behalwe waar die inligting verstrek of die publikasie daarvan gemagtig is deur of op gesag van die Minister."

58. Artikel 119 van die Hoofwet word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

Wysiging van artikel 119 van Wet 44 van 1957.

„(a) 'n foto neem of 'n skets, plan, model of aantekening maak van enige gebied omskryf deur die Minister by kennisgewing gepubliseer in die Staatskoerant of op 'n ander wyse wat hy onder die omstandighede genoegsaam ag, of van enige deel van so 'n gebied of enige voorwerp daarin nie; of"

Amendment of section 122 of Act 44 of 1957, as amended by section 24 of Act 77 of 1963 and section 20 of Act 39 of 1966.

59. Section 122 of the principal Act is hereby amended—

(a) by the substitution for paragraph (b) of subsection (1) of the following subsection:

“(b) supplies intoxicating liquor for other than medicinal purposes to any cadet in uniform.”;

(b) by the deletion of paragraph (c) of the said subsection:

(c) by the deletion of subsection (2).

Substitution of section 125 of Act 44 of 1957.

60. The following section is hereby substituted for section 125 of the principal Act:

“Wrongful disposal of property.

125. (1) Any member of the South African Defence Force or the Reserve or the Cadet Corps or any Auxiliary Service established under this Act, who without authority gives away, sells, pledges, lends or otherwise disposes of any moneys, animals, arms, ammunition, accoutrements, clothing, supplies or any other articles entrusted to or held by him for the service of such defence force, reserve, corps or auxiliary service, or who as a result of his negligence loses any such articles so entrusted to or held by him, shall be guilty of an offence, and may, apart from any penalty which may be imposed upon him for such an offence under this Act, be ordered by the court or other competent authority which imposes that penalty, to make good any loss or deficiency caused by the commission of such offence, and every such gift, sale, pledge, loan or other disposition shall be null and void.

(2) Whenever it is proved on a charge under this section for the loss of any article as a result of negligence, that the said article was entrusted to or held by the accused for any service referred to in subsection (1), and that he has failed to produce such article on demand to any person holding a rank superior to his, it shall be presumed, until the contrary is proved, that the accused had lost the said article as a result of his negligence.”.

Substitution of section 126 of Act 44 of 1957.

61. The following section is hereby substituted for section 126 of the principal Act:

“Neglect of duty.

126. Any member of the South African Defence Force or the Reserve who without just cause, the burden of proof whereof shall lie on him, fails to attend at any time and place appointed for instruction, training or exercise, or who evades or fails to perform duly and with proper zeal the full course of training allotted to him in any year, shall be guilty of an offence.”.

Amendment of section 127 of Act 44 of 1957.

62. Section 127 of the principal Act is hereby amended by the substitution for paragraph (a) of the following paragraph—

“(a) in the case of an offence referred to in section 88, 101, 115, 118, 120, 121 or 123, to a fine not exceeding five hundred pounds or imprisonment for a period not exceeding five years or to both such fine and imprisonment.”.

Amendment of section 130 of Act 44 of 1957.

63. Section 130 of the principal Act is hereby amended by the substitution in paragraph (a) of subsection (3) for the word “External” of the word “Foreign”.

Amendment of section 145 of Act 44 of 1957, as amended by section 18 of Act 80 of 1959, section 23 of Act 12 of 1961 and section 27 of Act 77 of 1963.

64. Section 145 of the principal Act is hereby amended—

(a) by the substitution for subsection (2) of the following subsection:

“(2) The provisions of the War Pensions Act, 1942 (Act No. 44 of 1942), shall *mutatis mutandis* apply to or in respect of a member whose disablement arose in the circumstances described in sub-section (1) (a).”;

(b) by the substitution for subsection (4) of the following subsection:

“(4) The provisions of the War Pensions Act, 1942, shall *mutatis mutandis* apply to or in respect of a widow, child, parent or other dependant of a member whose death occurred in the circumstances described in subsection (1) (b).”;

59. Artikel 122 van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:
 „(b) bedwelmende drank vir ander as geneeskundige doeleindes verskaf aan 'n kadet in uniform;”;
 (b) deur paragraaf (c) van bedoelde subartikel te skrap;
 (c) deur subartikel (2) te skrap.

Wysiging van artikel 122 van Wet 44 van 1957, soos gewysig deur artikel 24 van Wet 77 van 1963 en artikel 20 van Wet 39 van 1966.

60. Artikel 125 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 125 van Wet 44 van 1957.

„Onregmatige beskikking oor eiendom.

125. (1) 'n Lid van die Suid-Afrikaanse Weermag of die Reserve of die Kadetkorps of 'n kragtens hierdie Wet ingestelde hulpdiens, wat sonder magtiging geld, diere, wapens, ammunisie, toebehoore, klere, voorrade of enige ander artikels wat vir die doeleindes van bedoelde weermag, reserwe, korps of hulpdiens, aan hom toevertrou is of deur hom gehou word, weggee, verkoop, verpand, leen of op enige wyse daaroor beskik, of wat enige sodanige artikels aldus aan hom toevertrou of deur hom gehou, deursy nalatigheid verloor, is aan 'n misdryf skuldig, en kan, afgesien van enige straf wat hom kragtens hierdie Wet vir daardie misdryf opgelê kan word, deur die hof of ander bevoegde gesag wat daardie straf opleë, bevel word om enige verlies of tekort wat deur die pleeg van bedoelde misdryf veroorsaak is, aan te suiwer, en iedere sodanige skenking, verkoping, verpanding, lening of ander beskikking is nietig.

(2) Wanneer daar op 'n aanklag ingevolge hierdie artikel weens die verlies van 'n artikel deur nalatigheid, bewys word dat bedoelde artikel vir enige in subartikel (1) bedoelde doeleindes aan die beskuldigde toevertrou of deur hom gehou is, en dat hy in gebreke gebly het om bedoelde artikel aan iemand wat 'n hoër rang as hy beklee, op versoek te toon, word daar vermoed, totdat die teendeel bewys word, dat die beskuldigde bedoelde artikel deur sy nalatigheid verloor het.”.

61. Artikel 126 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 126 van Wet 44 van 1957.

„Pliëgsversuim.

126. 'n Lid van die Suid-Afrikaanse Weermag of die Reserve wat sonder grondige rede, waarvan die bewysas op hom rus, versuim om op 'n vir onderrig, opleiding of oefening aangewese tyd en plek te verskyn, of wat versuim om die volledige opleidingskursus wat in enige jaar hom opgedra is, behoorlik en met gepaste ywer te ondergaan of uit te voer of wat dit ontduik, is aan 'n misdryf skuldig.”.

62. Artikel 127 van die Hoofwet word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:

Wysiging van artikel 127 van Wet 44 van 1957.

- „(a) in die geval van 'n misdryf in artikel 88, 101, 115, 118, 120, 121 of 123 bedoel, met 'n boete van hoogstens vyfhonderd pond of gevangenisstraf vir 'n tydperk van hoogstens vyf jaar of sowel daardie boete as daardie gevangenisstraf;”.

63. Artikel 130 van die Hoofwet word hierby gewysig deur in die Engelse teks in paragraaf (a) van subartikel (3) die woord „External” deur die woord „Foreign” te vervang.

Wysiging van artikel 130 van Wet 44 van 1957.

64. Artikel 145 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (2) deur die volgende subartikel te vervang:
 „(2) Die bepalinge van die Oorlogspensioenwet, 1942 (Wet No. 44 van 1942), is *mutatis mutandis* van toepassing op of ten opsigte van 'n lid wie se ongeskiktheid onder die omstandighede in subartikel (1) (a) beskryf, ontstaan het.”;
 (b) deur subartikel (4) deur die volgende subartikel te vervang:
 „(4) Die bepalinge van die Oorlogspensioenwet, 1942, is *mutatis mutandis* van toepassing op of ten opsigte van 'n weduwee, kind, ouer of ander afhanklike van 'n lid wie se dood onder die omstandighede in subartikel (1) (b) beskryf, plaasgevind het.”.

Wysiging van artikel 145 van Wet 44 van 1957, soos gewysig deur artikel 18 van Wet 80 van 1959, artikel 23 van Wet 12 van 1961 en artikel 27 van Wet 77 van 1963.

(c) by the addition of the following subsections:

"(5) For the purposes of the War Pensions Act, 1942, as applied by subsection (2) or (4) 'termination of military service' means—

(a) in the case of a disablement referred to in subsection (1) (a) which is caused or aggravated during a period of full-time military service or training in terms of this Act, the date during such period on which the member concerned has last actually undergone such training or rendered such service;

(b) in the case of such disablement which is caused or aggravated during any part-time or non-continuous training or service in terms of this Act, the date on which it is caused or aggravated;

(c) in the case of a member who dies while rendering military service or undergoing training in terms of this Act, the date of his death.

(6) The provisions of subsection (3) shall not apply in respect of a member to whom compensation has been awarded in terms of the provisions of the War Pensions Act, 1942, as applied by subsection (2)."

Insertion of sections 146A and 146B in Act 44 of 1957.

65. The following sections are hereby inserted in the principal Act after section 146:

"Date of membership of Citizen Force or commandos.

146A. A person becomes a member of the Citizen Force of a commando when he reports for service therein for the first time: Provided that any person who has been notified in terms of section 67 (4) of the date upon which and the place where he is required to commence service, shall be deemed to be a member of the Citizen Force or the commandos, as the case may be—

(a) for the purposes of section 104 (5), from the said date;

(b) for the purposes of section 145 or 146, from the date upon which he commences his journey by public transport to the said place.

Refusal of appointment or promotion in Citizen Force.

146B. Any member of the Citizen Force or a commando may refuse an appointment to commissioned rank or promotion to non-commissioned officer's rank in the Citizen Force or a commando only with the approval of a prescribed officer."

Amendment of section 153 of Act 44 of 1957, as amended by section 26 of Act 12 of 1961.

66. Section 153 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) This Act and any amendment thereof, whenever enacted, shall apply also in the territory of South-West Africa, including the Eastern Caprivi Zipfel referred to in section 3 of the South-West African 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 said territory."

Training or service liabilities during 1967.

67. Any person who would have been liable to undergo training or render any service under the principal Act during the year 1967, if the Defence Amendment Act, 1967, had not been enacted, shall continue to be so liable until the thirty-first day of December, 1967, as if the lastmentioned Act had not been enacted.

Interpretation of certain references.

68. Any reference in the principal Act, as amended by this Act, to a person allotted in terms of Chapter VIII, shall be construed as including a reference to a person allotted under Chapter VIII of the principal Act prior to its amendment by this Act.

References to Secretary for Defence construed as references to head of Department of Defence.

69. Any reference in any law or document to the Secretary for Defence shall be construed as a reference to the person who, in terms of the Public Service Act, 1957 (Act No. 54 of 1957), is for the time being the head of the Department of Defence.

Application of sections 66 to 68.

70. Sections 66 to 68, both inclusive, shall apply also in the territory of South-West Africa, including the Eastern Caprivi Zipfel referred to in section 3 of the South-West African 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 said territory.

- (c) deur die volgende subartikels by te voeg:

„(5) By die toepassing van die Oorlogspensioenwet, 1942, soos toegepas deur subartikel (2) of (4), beteken „beëindiging van militêre diens”—

(a) in die geval van 'n in subartikel (1) (a) bedoelde ongeskiktheid wat veroorsaak of vererger word gedurende enige tydperk van voltydse militêre diens of opleiding ingevolge hierdie Wet, die datum gedurende bedoelde tydperk waarop die betrokke lid laas werklik sodanige opleiding ondergaan of sodanige diens verrig het;

(b) in die geval van bedoelde ongeskiktheid wat gedurende enige deelydse of onderbroke opleiding of diens ingevolge hierdie Wet veroorsaak of vererger word, die datum waarop dit veroorsaak of vererger word;

(c) in die geval van 'n lid wat sterf terwyl hy ingevolge hierdie Wet militêre diens doen of opleiding ondergaan, die datum van sy dood.

(6) Die bepalinge van subartikel (3) is nie ten opsigte van 'n lid aan wie daar kragtens die bepalinge van die Oorlogspensioenwet, 1942, soos deur subartikel (2) toegepas, vergoeding toegeken is, van toepassing nie.”

65. Die volgende artikels word hierby in die Hoofwet na Invoeging van artikels 146A en 146B in Wet 44 van 1957.

artikel 146 ingevoeg:

„Datum van lidmaatskap van Burgermag of kommando's.

146A. 'n Persoon word lid van die Burgermag of 'n kommando wanneer hy hom vir die eerste keer vir diens daarin aanmeld: Met dien verstande dat 'n persoon wat ingevolge artikel 67 (4) in kennis gestel is van die datum waarop en die plek waar hy moet begin diens doen, gegag word lid van die Burgermag of die kommando's te wees, na gelang van die geval—

(a) by die toepassing van artikel 104 (5), vanaf bedoelde datum;

(b) by die toepassing van artikel 145 of 146, vanaf die datum waarop hy sy reis per openbare vervoermiddel na bedoelde plek begin.

Weiering van aanstelling of bevoordering in Burgermag.

146B. 'n Lid van die Burgermag of 'n kommando kan 'n aanstelling met offisiêre rang of bevordering tot onder-offisiêre rang in die Burgermag of 'n kommando slegs met goedkeuring van 'n voorgeskrewe offisiêr weier.”

66. Artikel 153 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Hierdie Wet en enige wysiging daarvan, wanneer ook al aangebring, is ook van toepassing in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipsel vermeld in artikel 3 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951), en met betrekking tot alle persone in daardie gedeelte van bedoelde gebied bekend as die „Rehoboth Gebied” en omskrywe in die Eerste Bylae by Proklamasie No. 28 van 1923 van bedoelde gebied.”

Wysiging van artikel 153 van Wet 44 van 1957, soos gewysig deur artikel 26 van Wet 12 van 1961.

67. 'n Persoon wat verplig sou wees om gedurende die jaar 1967 ingevolge die Hoofwet opleiding te ondergaan of diens te doen, indien die Wysigingswet op Verdediging, 1967, nie verorden was nie, bly aldus verplig tot die een-en-dertigste dag van Desember 1967, asof laasbedoelde Wet nie verorden is nie.

Opleiding of diensverpligtinge gedurende 1967.

68. 'n Verwysing in die Hoofwet soos deur hierdie Wet gewysig, na 'n persoon toegewys ingevolge Hoofstuk VIII, word uitgelê ook as 'n verwysing na 'n persoon wat ingevolge Hoofstuk VIII van die Hoofwet voor die wysiging daarvan deur hierdie Wet, ingedeel is.

Uitleg van sekere verwysings.

69. 'n Verwysing in 'n wet of dokument na die Sekretaris van Verdediging word uitgelê as 'n verwysing na die persoon wat ingevolge die Staatsdienswet, 1957 (Wet No. 54 van 1957), op die betrokke tydstip die hoof van die Departement van Verdediging is.

Verwysings na Sekretaris van Verdediging uitgelê as verwysing na hoof van Departement van Verdediging.

70. Artikels 66 tot en met 68 is ook van toepassing in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipsel vermeld in artikel 3 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951), en met betrekking tot alle persone in daardie gedeelte van bedoelde gebied bekend as die „Rehoboth Gebied” en omskrywe in die Eerste Bylae by Proklamasie No. 28 van 1923 van bedoelde gebied.

Toepassing van artikels 66 tot 68.

Amendment of section 9 of Act No. 39 of 1966, as amended by section 4 of Act 69 of 1967.

71. Section 9 of the Civil Defence Act, 1966 (Act No. 39 of 1966), is hereby amended by the substitution for paragraphs (f) and (j) of subsection (2) of the following paragraphs:

- "(f) a member of the South African Defence Force, the Reserve of Officers, the Permanent Force Reserve, the Citizen Force Reserve or the Commando Reserve as defined in sections 5, 46, 47, 48 and 48A, respectively, of the Defence Act, 1957, other than a member exempted from service in terms of section 74bis of the said Defence Act, and also any person who is in the full-time service of the Department of Defence in any section of the South African Defence Force;
- (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: Provided that the provisions of this paragraph shall not apply with reference to any such member who has been exempted from service in terms of section 74bis of the said Act."

Short title and commencement.

72. This Act shall be called the Defence Amendment Act, 1967, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

71. Artikel 9 van die Wet op Burgerlike Beskerming, 1966 (Wet No. 39 van 1966), word hierby gewysig deur paragrawe (f) en (j) van subartikel (2) deur die volgende paragrawe te vervang:
- „(f) 'n lid van die Suid-Afrikaanse Weermag, die Reserwe van Offisiere, die Staandemagreserwe, die Burgermagreserwe of die Kommandoreserwe soos onderskeidelik in artikels 5, 46, 47, 48 en 48A van die Verdedigingswet, 1957 omskryf, behalwe 'n lid wat ingevolge artikel 74*bis* van bedoelde Verdedigingswet van diens vrygestel is, en ook iemand wat in die voltydse diens van die Departement van Verdediging by enige deel van die Suid-Afrikaanse Weermag is;
- (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: Met dien verstande dat die bepalings van hierdie paragraaf nie geld nie met betrekking tot so 'n lid wat ingevolge artikel 74*bis* van bedoelde Wet van diens vrygestel is.”.

Wysiging van artikel 9 van Wet 39 van 1966, soos gewysig deur artikel 4 van Wet 69 van 1967.

72. Hierdie Wet heet die Wysigingswet op Verdediging, 1967, Kort titel en en tree in werking op 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal. Inwerkingtreding.

No. 89, 1967.]

ACT

To amend the Nuclear Installations (Licensing and Security) Act, 1963, so as to exempt the Atomic Energy Board from having to give security in the prescribed manner for the fulfilment of its liability for nuclear damage; to provide for control over certain vessels capable of causing nuclear damage; and to provide for incidental matters.

*(English text signed by the Acting State President.)
(Assented to 19th June, 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 12 of
Act 43 of 1963.

1. Section 12 of the Nuclear Installations (Licensing and Security) Act, 1963 (hereinafter referred to as the principal Act), is hereby amended by the deletion of subsection (4).

Insertion of
section 12A in
Act 43 of 1963.

2. The following section is hereby inserted in the principal Act after section 12:

“Conditions
regarding
certain
visiting
vessels.

12A. (1) The Minister may, after consultation with the Minister of Finance, from time to time determine the conditions (including those relating to the liability for nuclear damage, security therefor and the manner of dealing with such security) under which any vessel registered at any place outside the Republic and which is propelled by nuclear energy or has on board any nuclear installation, may enter the territorial waters of the Republic or call at any port within the Republic.

(2) Any person who contravenes or fails to comply with any condition so determined which is binding on him, shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rand or, in default of payment of the fine, to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment.”.

Substitution of
long title of Act 43
of 1963.

3. The following long title is hereby substituted for the long title of the principal Act:

“To provide for the licensing of sites used for certain installations capable of causing nuclear damage, to regulate the liability for such damage in certain circumstances, to compel certain persons liable for such damage to provide security for the fulfilment of such liability, to provide for control over certain vessels capable of causing nuclear damage, and to provide for matters incidental thereto.”.

Application of
Act to South-
West Africa.

4. This Act shall apply also in the territory of South-West Africa.

Short title.

5. This Act shall be called the Nuclear Installations (Licensing and Security) Amendment Act, 1967.

No. 89, 1967.]

WET

Tot wysiging van die Wet op Kerninstallasies (Lisensiëring en Sekerheidstelling), 1963, om die Raad op Atoomkrag van sekerheidstelling op die voorgeskrewe wyse vir die nakoming van sy aanspreeklikheid vir kernskade te onthef; om vir beheer oor sekere vaartuie wat kernskade kan veroorsaak, voorsiening te maak; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 19 Junie 1967.)

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

1. Artikel 12 van die Wet op Kerninstallasies (Lisensiëring en Sekerheidstelling), 1963 (hieronder die Hoofwet genoem) word hierby gewysig deur subartikel (4) te skrap. Wysiging van artikel 12 van Wet 43 van 1963.

2. Die volgende artikel word hierby in die Hoofwet na artikel 12 ingevoeg: Invoeging van artikel 12A in Wet 43 van 1963.

„Voorwaardes betreffende sekere vaartuie wat besoek aan.

12A. (1) Die Minister kan na oorlegpleging met die Minister van Finansies van tyd tot tyd die voorwaardes (met inbegrip van dié wat betrekking het op die aanspreeklikheid vir kernskade, sekerheid daarvoor en die wyse waarop met sodanige sekerheid gehandel word) vasstel waarop 'n vaartuig wat op enige plek buite die Republiek geregistreer is en wat deur kernkrag voortgedryf word of enige kerninstallasie aan boord het, die territoriale waters van die Republiek mag binnegaan of enige hawe binne die Republiek mag aandoen.

(2) Iemand wat 'n aldus vasgestelde voorwaarde wat vir hom bindend is, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens duisend rand of by wanbetaling van die boete, met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar, of met sowel dié boete as dié gevangenisstraf.”

3. Die lang titel van die Hoofwet word hierby deur die volgende lang titel vervang: Vervanging van lang titel van Wet 43 van 1963.

„Om voorsiening te maak vir die lisensiëring van terreine wat gebruik word vir sekere installasies wat kernskade kan veroorsaak, om aanspreeklikheid vir sodanige skade onder sekere omstandighede te reël, om sekere persone wat vir sodanige skade aanspreeklik is, te verplig om sekerheid te stel vir die nakoming van sodanige aanspreeklikheid, om vir beheer oor sekere vaartuie wat kernskade kan veroorsaak, voorsiening te maak, en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.”

4. Hierdie Wet is ook in die gebied Suidwes-Afrika van toepassing. Toepassing van Wet op Suidwes-Afrika.

5. Hierdie Wet heet die Wysigingswet op Kerninstallasies Kort titel. (Lisensiëring en Sekerheidstelling), 1967.

No. 90, 1967.]

ACT

To provide for the control of prospecting and mining for and the processing, enrichment, re-processing, possession and disposal of source material and of the production of nuclear or atomic energy and radio-active nuclides; to provide for the continued existence of the Atomic Energy Board and to define its powers and functions; to provide for the control of certain patents; and to provide for incidental matters.

(Afrikaans text signed by the Acting State President.)
(Assented to 19th June, 1967.)

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

Definitions.

1. (1) In this Act, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Patents Act bears the meaning so assigned thereto, "radio-active nuclide" has the ordinary scientific meaning assigned to it but for the purposes of this Act does not include source material, and—

- (i) "board" means the Atomic Energy Board referred to in section 11; (viii)
- (ii) "commission" means the Electricity Supply Commission referred to in section 2 of the Electricity Act, 1958 (Act No. 40 of 1958); (vi)
- (iii) "enrich" means to increase the ratio of an isotopic constituent of an element to the remaining isotopic constituents of that element relative to the naturally occurring ratio; and "enrichment" has a corresponding meaning; (x)
- (iv) "Minister" means the Minister of Mines; (vii)
- (v) "nuclear or atomic energy" means all energy released in any self-sustaining process which involves the transformation of or reactions between atomic nuclei, but does not include energy released in the process of natural transmutation, such as radio-active decay, which is not influenced by external means; (v)
- (vi) "Patents Act" means the Patents Act, 1952 (Act No. 37 of 1952); (xii)
- (vii) "process", in relation to any source material, means to recover, extract, concentrate, refine or convert such material but does not include enriching; and "processing" has a corresponding meaning; (xi)
- (viii) "re-process", in relation to any source material, means to extract or separate constituents occurring in source material that has been subjected to irradiation capable of causing transmutation of the source material; and "re-processing" has a corresponding meaning; (iv)
- (ix) "restricted material" means beryl and any other ores of beryllium and any other substance which the State President has by proclamation in the *Gazette* declared to be a restricted material for the purposes of this Act; (i)
- (x) "source material" means uranium, thorium and any substance containing uranium or thorium above concentration limits specified by the State President by proclamation in the *Gazette*; (ii)
- (xi) "special nuclear material" means U-233 and uranium enriched in its U-235 isotope and trans-uranium elements and any of their compounds derived from source material; (ix)

WET

Om voorsiening te maak vir beheer oor prospektering na en die ontginning, verwerking, verryking, herverwerking en besit van en beskikking oor bronmateriaal en oor voortbrenging van kern- of atoomkrag en radioaktiewe nuklide; om voorsiening te maak vir die voortbestaan van die Raad op Atoomkrag en om sy bevoegdhede en werksaamhede te omskrywe; om vir beheer oor sekere patente voorsiening te maak; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 19 Junie 1967.)

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

1. (1) In hierdie Wet, tensy uit die samhang anders blyk, **Woordomskrywing.** het enige uitdrukking waaraan in die Wet op Patente 'n betekenis gegee is, die betekenis aldus daaraan gegee, het „radioaktiewe nuklid” sy gewone wetenskaplike betekenis, maar beteken dit by die toepassing van hierdie Wet nie ook bronmateriaal nie, en beteken—

- (i) „beperkte materiaal” beril en enige ander ertse van berillium en enige ander stof wat die Staatspresident by proklamasie in die *Staatskoerant* by die toepassing van hierdie Wet tot beperkte materiaal verklaar het; (ix)
- (ii) „bronmateriaal” uraan, thorium en enige stof wat uraan of thorium bevat bo sterkteperke deur die Staatspresident by proklamasie in die *Staatskoerant* aangewys; (x)
- (iii) „die gebied” die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel in artikel 3 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951), bedoel; (xii)
- (iv) „herverwerk”, met betrekking tot 'n bronmateriaal, om bestanddele wat voorkom in bronmateriaal wat blootgestel is aan bestraling wat transmutasie van die bronmateriaal kan veroorsaak, te ekstraheer of af te skei; en het „herverwerking” 'n ooreenstemmende betekenis; (viii)
- (v) „kern- of atoomkrag” al die krag wat vrygestel word in 'n selfonderhoudende proses waarin transformasie van of reaksies tussen atoomkerns plaasvind, maar nie ook krag wat vrygestel word nie in 'n natuurlike transmutasieproses, soos radioaktiewe ontbinding, wat nie van buite beïnvloed word nie; (v)
- (vi) „kommissie” die Elektrisiteitsvoorsieningskommissie in artikel 2 van die Elektrisiteitswet, 1958 (Wet No. 40 van 1958), bedoel; (ii)
- (vii) „Minister” die Minister van Mynwese; (iv)
- (viii) „raad” die in artikel 11 bedoelde Raad op Atoomkrag; (i)
- (ix) „spesiale kernmateriaal” U-233 en uraan verryk in sy U-235-isotoop en transuraan-elemente en 'n samestelling daarvan uit bronmateriaal verkry; (xi)
- (x) „verryk” om die verhouding van 'n isotopiese bestanddeel van 'n element tot die oorblywende isotopiese bestanddele van daardie element te verhoog relatief tot die verhouding wat in die natuur voorkom; en het „verryking” 'n ooreenstemmende betekenis; (iii)
- (xi) „verwerk”, met betrekking tot 'n bronmateriaal, om daardie materiaal te herwin, ekstraheer, konsentreer, raffineer of om te skep, maar nie ook verryk nie; en het „verwerking” 'n ooreenstemmende betekenis; (vii)

(xii) "the territory" means 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). (iii)

(2) Whenever under this Act any matter is required to be determined by arbitration, the relevant arbitration proceedings shall be governed by the provisions of the Arbitration Act, 1965 (Act No. 42 of 1965), as if there had been a written agreement to submit such matters to arbitration in terms of that Act.

Right to produce nuclear or atomic energy vested in the State.

2. Subject to the provisions of this Act, the sole right to produce nuclear or atomic energy shall be vested in the board on behalf of the State.

Production of nuclear or atomic energy prohibited except under special authority.

3. (1) No person may produce nuclear or atomic energy except with the written permission of the board and unless he is in possession of a licence issued in terms of the Nuclear Installations (Licensing and Security) Act, 1963 (Act No. 43 of 1963).

(2) Any permission granted under subsection (1) may be made subject to such conditions as the board may deem fit to impose.

Production of nuclear or atomic energy for generating electricity and powers of the commission in regard thereto.

4. (1) Whenever the board receives an application for its written permission in terms of section 3 (1) to produce nuclear or atomic energy for the exclusive purpose of generating electricity in an area in which the commission may in terms of the Electricity Act, 1958 (Act No. 40 of 1958), or any other law undertake the generation and supply of electricity, the board shall consult the commission and shall not grant such permission if the commission notifies the board within six months after it has been consulted by the board that it desires to undertake the generation and supply of electricity by means of nuclear or atomic energy in the area of supply contemplated by the applicant.

(2) If the commission notifies the board in accordance with the provisions of subsection (1) it shall, in collaboration with the board and within a period agreed upon with the board, undertake the construction of the necessary plant, and the commission shall thereafter operate such plant in accordance with the provisions of the Electricity Act, 1958.

(3) (a) The commission may at any time after the board has granted written permission to an undertaker to produce nuclear or atomic energy for the exclusive purpose of generating electricity in an area referred to in subsection (1), or at any time after such undertaker has constructed or commenced to construct any works for that purpose, and after two years' written notice to such undertaker, take over the construction of such works or any additional works or the working of the undertaking, subject to the payment by the commission to the undertaker of the value of the works, machinery, materials and plant belonging to or used by the undertaker in respect of the said undertaking.

(b) For the purpose of such payment and the taking over of the said undertaking, the provisions of section 34 (1) (a), (b) and (c), section 34 (2) and section 37 of the Electricity Act, 1958, shall *mutatis mutandis* apply.

(4) The generation of electricity by means of nuclear or atomic energy and its distribution by any person shall be subject to the provisions of the Electricity Act, 1958.

Prospecting for and mining of source material.

5. (1) Notwithstanding the provisions of any other law, no person shall prospect for or mine source material or recover such material from any tailings, slimes or other residues—

(a) unless he has first obtained the written permission of the Minister thereto;

(b) in the case of land situated in the Republic, otherwise than in accordance with and subject to the provisions of the Mining Rights Act, 1967 (Act No. 20 of 1967);

(c) in the case of land situated in the territory, otherwise than in accordance with and subject to the provisions of the Mines, Works and Minerals Ordinance, 1954 (Ordinance No. 26 of 1954), of the territory.

(2) The Minister shall only withhold any permission contemplated in subsection (1) (a) if he is satisfied that the security of the State would be endangered by the issue of such permission to the applicant.

(3) Any right to mine vested in, conferred upon or acquired by any person under any law relating to prospecting for and mining of precious metals, base minerals or precious stones, or

(xii) „Wet op Patente” die Wet op Patente, 1952 (Wet No. 37 van 1952). (vi)

(2) Wanneer 'n aangeleentheid kragtens hierdie Wet deur arbitrasie beslis moet word, geskied die verrigtings in verband met die arbitrasie volgens voorskrif van die Wet op Arbitrasie, 1965 (Wet No. 42 van 1965), asof daar 'n skriftelike ooreenkoms was om daardie aangeleentheid na arbitrasie ingevolge die bepalings van bedoelde Wet te verwys.

2. Behoudens die bepalings van hierdie Wet, berus die alleen- Reg om kern- of atoomkrag voort te bring by die raad ten behoewe van die Staat.

3. (1) Niemand mag, behalwe met skriftelike toestemming van Voortbrenging van kern- of atoomkrag, die raad en tensy hy in besit is van 'n lisensie uitgereik ingevolge die Wet op Kerninstallasies (Lisensiering en Sekerheidstelling), 1963 (Wet No. 43 van 1963), kern- of atoomkrag voortbring nie. behalwe kragtens spesiale magtiging, onderworpe gestel word aan die voorwaardes wat die raad na goeddunke ople.

4. (1) Wanneer die raad 'n aansoek om sy skriftelike toestemming ingevolge artikel 3 (1) ontvang om kern- of atoomkrag voort te bring met die uitsluitlike doel om elektrisiteit op te wek in 'n gebied waarin die kommissie ingevolge die Elektrisiteitswet, 1958 (Wet No. 40 van 1958), of 'n ander wet elektrisiteits-opwekking en -voorsiening kan onderneem, moet die raad die kommissie raadpleeg en mag hy sodanige toestemming nie verleen nie indien die kommissie die raad binne ses maande nadat hy deur die raad geraadpleeg is, in kennis stel dat hy elektrisiteitsopwekking en -voorsiening deur middel van kern- of atoomkrag in die voorsieningsgebied deur die aansoeker beoog, wil onderneem.

(2) Indien die kommissie die raad ooreenkomstig die bepalings van subartikel (1) in kennis stel, moet hy, in samewerking met die raad en binne die tydperk waarop daar met die raad ooreengekom is, die oprigting van die nodige uitrusting onderneem, waarna die kommissie daardie uitrusting ooreenkomstig die bepalings van die Elektrisiteitswet, 1958, moet bestuur.

(3) (a) Die kommissie kan te eniger tyd nadat die raad aan 'n ondernemer skriftelike toestemming verleen het om kern- of atoomkrag voort te bring met die uitsluitlike doel om elektrisiteit op te wek in 'n in subartikel (1) bedoelde gebied, of te eniger tyd nadat daardie ondernemer werke vir daardie doel opgerig het of begin oprig het, en na skriftelike kennisgewing van twee jaar aan daardie ondernemer, die oprigting van sodanige werke of bykomende werke of die bestuur van die onderneming oorneem, behoudens betaling deur die kommissie aan die ondernemer van die waarde van die werke, masjinerie, bybehorende stowwe en uitrusting wat aan die ondernemer behoort of deur hom ten opsigte van genoemde onderneming gebruik is.

(b) Vir die doeleindes van sodanige betaling en die oorneem van genoemde onderneming is die bepalings van artikel 34 (1) (a), (b) en (c), artikel 34 (2) en artikel 37 van die Elektrisiteitswet, 1958, *mutatis mutandis* van toepassing.

(4) Die opwekking van elektrisiteit deur middel van kern- of atoomkrag en die verspreiding daarvan deur enigiemand is onderworpe aan die bepalings van die Elektrisiteitswet, 1958.

5. (1) Ondanks enige ander wetsbepalings, mag niemand na bronmateriaal prospekter of dit ontgin of sodanige materiaal uit uitskot, slyk of ander residu's herwin nie— Prospektering na en ontginning van bronmateriaal.

(a) tensy hy eers die skriftelike toestemming van die Minister daartoe verkry het;

(b) in die geval van grond geleë in die Republiek, anders as ooreenkomstig en behoudens die bepalings van die Wet op Mynregte, 1967 (Wet No. 20 van 1967);

(c) in die geval van grond geleë in die gebied, anders as ooreenkomstig en behoudens die bepalings van die Ordonnansie op Myne, Werke en Minerale, 1954 (Ordonnansie No. 26 van 1954), van die gebied.

(2) Die Minister weerhou die in subartikel (1) (a) beoogde toestemming slegs indien hy oortuig is dat die veiligheid van die Staat deur die verlening van sodanige toestemming aan die aansoeker in gevaar gestel sou word.

(3) 'n Reg om te ontgin wat kragtens 'n wet betreffende prospektering na en ontginning van edele metale, onedele minerale of edelgesteentes, of die gemeneres, berus by, verleen

the common law, shall include the right to mine for and dispose of source material which may be won in conjunction with the precious metals, base minerals or precious stones being mined by such person.

(4) Any permission under subsection (1) (a)—

(a) shall, if the permission is in respect of land to which the provisions of subsection (3) apply and the person who obtains the permission is not the holder of the right to source material in respect of the land, provide for the payment to such holder in respect of source material produced on private land otherwise than in terms of an authority or agreement referred to in subsection (12) of—

(i) a royalty of 2½c per pound of uranium oxide (U_3O_8) contained in the source material produced by a person who at the commencement of this Act was engaged in producing source material on the land to which the permission relates; or

(ii) in any other case, such royalty or other consideration as may be mutually agreed upon between the said holder and the holder of the permission or, in the absence of agreement between the said holders, as the Minister may determine on the recommendation of the Mining Leases Board;

(b) may provide for the payment to the State, in addition to any rent, licence moneys, claim fees, mining area fees, share of profits, royalty or other consideration payable under the Act or Ordinance referred to in subsection (1) (b) or (c), of such levy in respect of the production or disposal of source material by the holder of the permission as the Minister may so determine but not exceeding 2½c per pound of uranium oxide (U_3O_8) contained in such material produced by the holder of the permission.

(5) Any payments required to be made under subsection (4) (a) shall be made annually before the thirty-first day of March in respect of the year which ended on the thirty-first day of December preceding, and any moneys payable under subsection (4) (b) shall be paid to the board which shall—

(a) if the permission under subsection (1) (a) relates to land situated in the Republic, pay such moneys into the Consolidated Revenue Fund;

(b) if such permission relates to land situated in the territory, pay over such moneys to the Secretary for South-West Africa for the benefit of the Fund mentioned in section 10 (2) of the Mines, Works and Minerals Ordinance, 1954, of the territory.

(6) The right to recover source material from any tailings, slimes or other residues on unproclaimed land in the Republic in respect of which a permit under section 161 of the Mining Rights Act, 1967, is not held, shall vest in the Minister who may grant permission to any person to recover such material from the residues in question subject to such conditions as the Minister may deem fit, including conditions providing for the payment of a royalty or any other consideration to any person who in the Minister's opinion is entitled thereto by virtue of such last-mentioned person—

(a) having created the residues;

(b) being the holder of the right to source material in respect of the land from which the residues were produced; or

(c) having some other interest in the residues.

(7) Any person who has obtained permission under subsection (6) to recover source material from residues referred to in that subsection, shall obtain from the mining commissioner a permit in accordance with the provisions of section 161 of the Mining Rights Act, 1967, as if the residues were situated on proclaimed land.

(8) The provisions of section 161 (2) and (9) of the Mining Rights Act, 1967, shall *mutatis mutandis* apply in connection with the issue and renewal of any permit referred to in subsection (7) of this section, and the provisions of section 18 of that Act shall so apply in connection with the use of the surface of any

is aan of verkry is deur iemand, sluit die reg in om bronmateriaal wat tesame met die edele metale, onedele minerale of edelgesteentes wat deur so iemand ontgin word, gewin word, te ontgin en daaroor te beskik.

(4) 'n Toestemming kragtens subartikel (1) (a)—

(a) moet, indien die toestemming in verband staan met grond waarop die bepalings van subartikel (3) van toepassing is en indien die persoon wat die toestemming verkry nie die houer van die reg op bronmateriaal ten opsigte van die grond is nie, voorsiening maak vir die betaling aan sodanige houer ten aansien van bronmateriaal wat ontgin word op privaat grond anders as ingevolge 'n magtiging of ooreenkoms in subartikel (12) bedoel van—

(i) 'n tantième van 2½c per pond uraanoksied (U_3O_8) wat voorkom in die bronmateriaal wat voortgebring is deur iemand wat by die inwerkings-treding van hierdie Wet besig was met die voortbrenging van bronmateriaal op die grond waarop die toestemming betrekking het; of

(ii) in enige ander geval, die tantième of ander vergoeding waarop onderling ooreengekom word tussen genoemde houer en die houer van die toestemming of, by onstentenis van ooreenkomste tussen genoemde houters, wat die Minister op die aanbeveling van die Mynverhursraad vasstel;

(b) kan voorsiening maak vir betaling aan die Staat, bo en behalwe enige huur, lisensiegelde, kleimgelde, mynreëringelde, aandeel in winste, tantième of ander vergoeding betaalbaar kragtens die Wet of Ordonnansie in subartikel (1) (b) of (c) bedoel, van die heffing met betrekking tot die voortbrenging van of beskikking oor bronmateriaal delur die houer van die toestemming wat die Minister andus vasstel maar wat hoogstens 2½c per pond uraaoxsied (U_3O_8) vervat in sodanige materiaal wat deur die houer van die toestemming voortgebring word, is.

(5) Betalings wat vereis word kragtens subartikel (4) (a) moet jaarliks geskied voor die een-en-dertigste dag van Maart ten opsigte van die jaar wat goëindig het op die voorafgaande een-en-dertigste dag van Desember, en gelde betaalbaar kragtens subartikel (4) (b) moet aan die raad betaal word en die raad moet—

(a) indien die toestemming kragtens subartikel (1) (a) betrekking het op grond in die Republiek geleë, sodanige gelde in die Gekonsolideerde Inkomstefonds stort;

(b) indien sodanige toestemming betrekking het op grond in die gebied geleë, sodanige gelde oorbetal aan die Sekretaris vir Suidwes-Afrika ten bate van die Fonds vermeld in artikel 10 (2) van die Ordonnansie op Myne, Werke en Minerale, 1954, van die gebied.

(6) Die reg om bronmateriaal te herwin uit uitiskot, slyk of ander residu's op ongeproklameerde grond in die Republiek ten opsigte waarvan geen permit kragtens artikel 161 van die Wet op Mynregte, 1967, gehou word nie, berus by die Minister, wat toestemming kan verleen aan enigiemand om sodanige materiaal te herwin uit die betrokke residu's op die voorwaardes wat die Minister goedvind, met inbegrip van voorwaardes wat voorsiening maak vir die betaling van 'n tantième of ander vergoeding aan enigiemand wat na die Minister se mening daarop geregtig is op grond daarvan dat sodanige laasgenoemde persoon—

(a) die residu's laat ontstaan het;

(b) die houer is van die reg op bronmateriaal ten opsigte van die grond waaruit die residu's voortkom; of

(c) 'n ander belang in die residu's het.

(7) Iemand wat kragtens subartikel (6) toestemming verkry het om bronmateriaal te herwin uit in daardie subartikel bedoelde residu's, moet 'n permit verkry van die mynkommissaris, ooreenkomstig die bepalings van artikel 161 van die Wet op Mynregte, 1967, asof die residu's op geproklameerde grond voorkom.

(8) Die bepalings van artikel 161 (2) en (9) van die Wet op Mynregte, 1967, is *mutatis mutandis* van toepassing in verband met die uitreiking en hernuwing van 'n permit in subartikel (7) van hierdie artikel bedoel, en die bepalings van artikel 18 van daardie Wet is aldus van toepassing in verband met die gebruik

land on which the residues in question are situated and of water on or under that land for purposes incidental to the recovery of source material from such residues.

(9) Particulars of every permission granted by the Minister under this section shall be furnished in writing to the board—

- (a) if the permission relates to land situated in the Republic, by the Secretary for Mines;
- (b) if the permission related to land situated in the territory, by the Secretary for South-West Africa.

(10) Any permission under subsection (1) (a) may be withdrawn by the Minister—

- (a) if he is satisfied that the security of the State may be endangered by its continuance; or
- (b) if any payments referred to in subsection (4) have not been made as and when due by the holder of the permission.

(11) Any permission under subsection (6) may be withdrawn by the Minister—

- (a) if he is satisfied as provided in subsection (10) (a); or
- (b) if any condition attaching to such permission is not complied with by the holder of the permission.

(12) The rights of any person to prospect or mine for prescribed material under any authority granted or agreement entered into under the Atomic Energy Act, 1948 (Act No. 35 of 1948), which exists at the commencement of this Act, and his obligations, shall, unless otherwise agreed by the Minister and such person, remain in force and all payments required to be made by the Minister in terms of section 8 of that Act shall continue to be made by the board on behalf of the Minister, as if this Act had not been passed.

(13) In this section—

- (a) any expression to which a meaning has been assigned in the Mining Rights Act, 1967, has, in relation to land situated in the Republic, the meaning so assigned thereto;
- (b) the expressions "prospect" and "mine" have, in relation to land situated in the territory, the respective meanings assigned to the expressions "prospecting" and "mine" in section 2 of the Mines, Works and Minerals Ordinance, 1954, of the territory.

Acquisition
by State of
source
material and
special nuclear
material.

6. (1) The Minister may, at any time when in his opinion the national interest so requires, acquire or cause to be acquired by purchase, lease or expropriation, any source material which has been mined or processed, and any special nuclear material.

(2) The ownership in and control of all source material and special nuclear material acquired under subsection (1) shall vest in the board on behalf of the State.

(3) The Minister shall, in respect of any expropriation of source material or special nuclear material under subsection (1), pay to the owner thereof such compensation as may be agreed upon by the Minister, in consultation with the Minister of Finance and the owner, or failing agreement as may be determined by arbitration.

(4) The provisions of sections 4, 5 and 6 of the Expropriation Act, 1965 (Act No. 55 of 1965), shall *mutatis mutandis* apply in respect of any expropriation under subsection (1).

Possession,
disposal,
enrichment,
re-processing
and export of
source material
and special
nuclear material.

7. (1) Except with the written authority of the Minister, no person shall—

- (a) be in possession of any source material unless he has come into possession thereof as a result of prospecting or mining operations lawfully carried out by him or unless he is in possession of such material on behalf of a person who—
 - (i) has so come into possession of such material; or
 - (ii) has lawfully acquired such material;
- (b) dispose of any source material;
- (c) enrich or re-process any source or special nuclear material;
- (d) import any source material into or export it from the Republic or the territory; or
- (e) acquire, import, export or be in possession of any special nuclear material.

van die oppervlakte van enige grond waarop die betrokke residu's voorkom en van water op of onder daardie grond vir doeleindes wat in verband staan met die herwinning van bronmateriaal uit sodanige residu's.

(9) Besonderhede van elke toestemming verleen deur die Minister kragtens hierdie artikel moet skriftelik aan die raad verstrekk word—

- (a) indien die toestemming betrekking het op grond in die Republiek geleë, deur die Sekretaris van Mynwese;
- (b) indien die toestemming betrekking het op grond in die gebied geleë, deur die Sekretaris vir Suidwes-Afrika.

(10) 'n Toestemming kragtens subartikel (1) (a) kan deur die Minister ingetrek word—

- (a) indien hy oortuig is dat die veiligheid van die Staat deur die voortbestaan daarvan in gevaar gestel sou kan word; of
- (b) indien betalings in subartikel (4) bedoel nie, wanneer verskuldig, deur die persoon wat die toestemming het, gedoen is nie.

(11) 'n Toestemming kragtens subartikel (6) kan deur die Minister ingetrek word—

- (a) indien hy volgens voorskrif van subartikel (10) (a) oortuig is; of
- (b) indien die persoon wat die toestemming het nie voldoen aan 'n voorwaarde waarop die toestemming verleen is nie.

(12) Die regte van enigiemand om na voorgeskrewe materiaal te prospekteer of dit te ontgin kragtens 'n magtiging toegestaan of ooreenkoms aangegaan kragtens die Wet op Atoomkrag, 1948 (Wet No. 35 van 1948), wat bestaan by die inwerkingtreding van hierdie Wet, en sy verpligtings, bly, tensy die Minister en sodanige persoon andersins ooreenkom, voortbestaan en alle betalings wat deur die Minister gedoen moet word ingevolge artikel 8 van daardie Wet word deur die raad ten behoeve van die Minister voorgesit, asof hierdie Wet nie aangeneem was nie.

(13) In hierdie artikel het—

- (a) elke uitdrukking waaraan in die Wet op Mynregte, 1967, 'n betekenis gegee is, met betrekking tot grond in die Republiek geleë die betekenis wat aldus daaraan gegee is;
- (b) die uitdrukkings „prospekteer” en „ontgin”, met betrekking tot grond in die gebied geleë, die betekenis wat onderskeidelik aan die uitdrukkings „prospekteer” en „ontgin” in artikel 2 van die Ordonnansie op Myne, Werke en Minerale, 1954, van die gebied gegee is.

6. (1) Die Minister kan te eniger tyd wanneer die landsbelang dit na sy mening vereis, enige bronmateriaal wat ontgin of verwerk is, en enige spesiale kernmateriaal, verkry of laat verkry by wyse van koop, huur of onteiening.

Verkryging deur Staat van bronmateriaal en spesiale kernmateriaal.

(2) Die eiendomsreg op en beheer oor alle bronmateriaal en spesiale kernmateriaal verkry kragtens subartikel (1) berus by die raad ten behoeve van die Staat.

(3) Die Minister moet ten opsigte van 'n onteiening van bronmateriaal of spesiale kernmateriaal kragtens subartikel (1), aan die eienaar daarvan die vergoeding betaal waarop die Minister, in oorleg met die Minister van Finansies, en die eienaar ooreenkom, of wat, by ontstentenis van sodanige ooreenkoms, by wyse van arbitrasie bepaal word.

(4) Die bepalinge van artikels 4, 5 en 6 van die Onteieningswet, 1965 (Wet No. 55 van 1965), geld *mutatis mutandis* ten opsigte van elke onteiening kragtens subartikel (1).

7. (1) Behalwe met die skriftelike magtiging van die Minister mag niemand—

Besit van, beskikking oor en verwerking, herverwerking en uitvoer van bronmateriaal en spesiale kernmateriaal.

- (a) in besit wees van enige bronmateriaal nie tensy hy in besit daarvan gekom het as gevolg van prospekteer- of ontginbedrywighede wettiglik deur hom verrig of tensy hy in besit is van sodanige materiaal ten behoeve van iemand wat—

- (i) aldus in besit van sodanige materiaal gekom het; of

- (ii) sodanige materiaal wettiglik verkry het;

- (b) oor enige bronmateriaal beskik nie;
- (c) enige bronmateriaal of spesiale kernmateriaal verrek of herverwerk nie;
- (d) enige bronmateriaal invoer in of uitvoer uit die Republiek of die gebied nie; of
- (e) enige spesiale kernmateriaal verkry, invoer, uitvoer of in besit daarvan wees nie.

(2) Any authority under subsection (1) may be given subject to such conditions as the Minister may in his discretion impose.

(3) The Minister may, subject to such conditions as he may determine, delegate such of the powers conferred upon him in subsections (1) and (2) as he may deem necessary to the board or, after consultation with the board, to the chairman of the board, but he shall not be divested of any power so delegated and he may amend or rescind any decision by the board or the chairman of the board.

(4) Any authority granted by the Minister under subsection (1), and any conditions imposed by him under subsection (2) in connection therewith, shall be granted or imposed by him only after consultation with the board.

Production,
acquisition,
disposal and
importation of
radio-active
nuclides.

8. (1) No person shall, except under written authority of the board, unless expressly exempted by it, produce or otherwise acquire or dispose of or import into or export from the Republic or the territory or be in possession of or use or convey or cause to be conveyed, any radio-active nuclide.

(2) Any authority required under subsection (1) may be granted on such conditions as the board may determine.

(3) The authority to control and regulate the discarding of radio-active waste vests in the board, until such time as the Minister in consultation with the Minister of Health decides to vest such authority in the Department of Health.

Board's powers
of obtaining
information and
of entry and
inspection.

9. (1) The board may by notice in writing served upon any person require him to make such returns at such times and containing such particulars and accompanied by such plans, drawings and other documents as may be specified in the notice, of—

(a) any source material or restricted material, radio-active nuclide or special nuclear material in his possession or under his control;

(b) any minerals so specified, in his possession or under his control or present in any land owned or occupied by him, or in relation to which he has mineral rights, being minerals from which in the opinion of the board, any source material or restricted material may be obtained;

(c) any plant in his possession or under his control designed or adapted for the production or use of source material or restricted material, radio-active nuclides, nuclear or atomic energy or for research into matters connected therewith;

(d) any other information in his possession relating to—

(i) the price obtained by him in respect of the sale of source material, restricted material or special nuclear material; or

(ii) any work carried out by him or on his behalf or under his direction in connection with the production or use of source material, restricted material or special nuclear material or radio-active nuclides or nuclear or atomic energy or in connection with research into matters connected therewith.

(2) Any person authorized by the board may, on producing, if so required, a duly authenticated document showing his authority, enter any premises or go upon any land where he has reasonable grounds for believing that any material, substance, work or plant such as is referred to in subsection (1) occurs or is being carried out or is situate, and may inspect such premises or land and any articles found therein or thereon.

(3) The person carrying out the inspection may make copies of, or extracts from, any drawing, plan or other document, and take samples from any mineral, material or substance found on the premises, and, for the purpose of making copies or extracts or carrying out tests or examinations, may remove any such drawing, plan, document or sample and retain possession thereof for a period not exceeding thirty days and may also require the production of such documentation as he may deem necessary.

(4) No information obtained from a return under subsection (1) or an inspection under subsection (2) shall be divulged to any person outside the service of the board except with the written permission of the person from whom such information was obtained.

(2) 'n Magtiging kragtens subartikel (1) kan verleen word op die voorwaardes wat die Minister na goeddunke opleë.

(3) Die Minister kan, op die voorwaardes wat hy bepaal, die bevoegdhede aan hom verleen in subartikels (1) en (2) wat hy nodig ag, deleger aan die raad of, na oorlepleging met die raad, aan die voorsitter van die raad, maar hy word nie onthef van enige aldus gedelegeerde bevoegdheid nie en hy kan enige besluit van die raad of die voorsitter van die raad wysig of intrek.

(4) 'n Magtiging deur die Minister kragtens subartikel (1) verleen, en voorwaardes deur hom kragtens subartikel (2) in verband daarmee opgelê, word deur hom verleen of opgelê slegs na oorlepleging met die raad.

8. (1) Niemand mag behalwe met die skriftelike magtiging van die raad, tensy uitdruklik daarvan vrygestel, 'n radio-aktiewe nuklied voortbring of andersins verkry of daarvoor beskik of dit invoer in of uitvoer uit die Republiek of die gebied of in besit wees daarvan of dit gebruik of vervoer of laat vervoer nie.

Voortbrenging en verkryping van, beskikking oor en invoer van radioaktiewe nukliede.

(2) 'n Magtiging wat kragtens subartikel (1) vereis word, kan verleen word op die voorwaardes wat die raad bepaal.

(3) Die gesag om die wegruim van radioaktiewe afval te beheer en te reël, berus by die raad, tot tyd en wyl die Minister in oorleg met die Minister van Gesondheid besluit om die Departement van Gesondheid met hierdie gesag te beklee.

9. (1) Die raad kan enigiemand by skriftelike kennisgewing aan hom bestel, aansê om die opgawes wat die besonderhede bevat en vergesel gaan van die planne, tekeninge en ander stukke in die kennisgewing vermeld, te verstrek op die tye insgelyks vermeld, van—

Raad se bevoegdhede om inligting te bekom en ten opsigte van betreding en inspeksie.

(a) enige bronmateriaal of beperkte materiaal, radio-aktiewe nuklied of spesiale kernmateriaal wat in sy besit of onder sy beheer is;

(b) enige minerale aldus vermeld wat in sy besit of onder sy beheer is of voorkom in enige grond waarvan hy eienaar of okkipeerder is, of ten opsigte waarvan hy die houer van mineraalregte is, indien enige bronmateriaal of beperkte materiaal na die mening van die raad uit sodanige minerale verkry kan word;

(c) enige uitrusting in sy besit of onder sy beheer wat ontwerp of aangepas is vir die voortbrenging of gebruik van bronmateriaal of beperkte materiaal, radioaktiewe nukliede, kern- of atoomkrag of vir navorsing rakende aangeleenthede wat daarmee in verband staan;

(d) enige ander inligting in sy besit met betrekking tot—

(i) die prys deur hom verkry vir die verkoop van bronmateriaal, beperkte materiaal of spesiale kernmateriaal; of

(ii) enige werk uitgevoer deur hom of ten behoeve van hom of volgens sy lasgewing in verband met die voortbrenging of gebruik van bronmateriaal, beperkte materiaal of spesiale kernmateriaal of radioaktiewe nukliede of kern- of atoomkrag of in verband met navorsing oor aangeleenthede daaraan verbonde.

(2) Iemand daartoe gemagtig deur die raad kan by voorlegging, indien dit van hom vereis word, van 'n behoorlik ge-waarmerkte dokument wat sy magtiging aandui, enige perseel binnegaan of grond betree ten opsigte waarvan hy redelike gronde het om te vermoed dat enige materiaal, stof, werk of uitrusting soos in subartikel (1) bedoel, voorkom of uitgevoer word of geleë is, en sodanige perseel of grond of enige artikels wat daarin of daarop gevind word, inspekteer.

(3) Die persoon wat die inspeksie uitvoer, kan afskrifte maak van, of uittreksels maak uit, enige tekening, plan of ander doku-ment, en monsters neem van enige mineraal, materiaal of stof, wat op die perseel gevind word en, met die doel om afskrifte of uittreksels te maak, of toetse of ondersoeke uit te voer, so 'n tekening, plan, dokument of monster wegneem en in sy besit hou vir 'n tydperk van hoogstens dertig dae, en kan ook die voorlegging van die dokumente wat hy nodig ag, eis.

(4) Geen inligting verkry uit 'n opgawe kragtens subartikel (1) of 'n inspeksie kragtens subartikel (2) mag verstrek word aan iemand buite die diens van die raad nie, behalwe met die skriftelike toestemming van die persoon van wie sodanige in-ligting verkry is.

Information relating to existence of source material to be reported to Secretary for Mines.

10. Any person who by virtue of information obtained in the course of prospecting or mining operations, or of carrying out any scientific investigation or chemical or metallurgical operation, or otherwise, has reason to believe that any source material occurs at any place, shall within a period of thirty days after such reason became apparent to him submit to the Secretary for Mines a written report in regard to the matter, containing full particulars of the grounds on which his belief is based and full particulars of the locality and occurrence concerned.

Continued existence of the Atomic Energy Board.

11. The Atomic Energy Board established by section 11 of the Atomic Energy Act, 1948 (Act No. 35 of 1948), shall, notwithstanding the repeal of that Act by this Act, continue to exist and to be a body corporate, capable of suing and being sued in its corporate name, and of performing all such acts as are necessary for or incidental to the exercise of its powers or the performance of its functions and duties under this Act or any other law.

Constitution of the board.

12. (1) The board shall consist of—

(a) a chairman to be appointed by the Minister on such conditions of service, including term of office, as the Minister may determine;

(b) not more than nine persons to be appointed by the Minister, of whom—

(i) two shall represent persons engaged in the mining or extraction of any source material;

(ii) one shall represent persons engaged in commerce;

(iii) one shall represent persons engaged in industry;

(iv) one shall represent the Council for Scientific and Industrial Research, referred to in section 2 of the Scientific Research Council Act, 1962 (Act No. 32 of 1962);

(v) one shall represent the commission;

(vi) not more than three shall be additional members of whom one at least shall be a person with special knowledge or experience in respect of any aspect of the work of the board; and

(c) the Secretary for Mines and the Secretary for Foreign Affairs.

(2) From the members referred to in subsection (1) (b) the Minister shall designate one as deputy chairman, who shall in the absence of the chairman preside at board meetings.

(3) Whenever both the chairman and deputy chairman are absent from a meeting of the board, the members present shall elect from amongst themselves a chairman who shall preside at that meeting.

(4) A member of the board appointed under subsection (1) (b) shall hold office for a period of three years and shall be eligible for reappointment on termination of such period.

(5) Any person may serve as an alternate in the place of any member during his absence from any meeting of the board—

(a) in the case of a member referred to in subsection (1)

(b) (i)—

(i) if such person has been appointed by the Minister as an alternate to such member; or

(ii) if such person has been appointed by the Minister as an alternate to the other member referred to in subsection (1) (b) (i) and any alternate so appointed to the absent member is unable to attend any meeting of the board;

(b) in the case of a member referred to in subsection (1) (b) (ii) or (iii), if such person has been appointed by the Minister as an alternate to such member;

(c) in the case of a member referred to in subsection (1) (b) (iv) or (v), if such person has, with the approval of the Minister, been nominated by such member as his alternate;

(d) in the case of a member referred to in subsection (1) (c), if such person has been nominated by such member as his alternate.

(6) The remuneration and allowances payable to the chairman and members of the board and to the alternates to such members shall, subject to the provisions of subsection (7), be determined by the Minister in consultation with the Minister of Finance.

10. Iemand wat op grond van inligting ingewin in die loop van prospektering of mynbouwerkzaamhede, of van die uitvoering van wetenskaplike navorsing of 'n chemiese of metallurgiese proses, of andersins, rede het om te vermoed dat bronmateriaal op enige plek voorkom, moet binne 'n tydperk van dertig dae nadat sodanige rede aan hom gebyk het 'n skriftelike verslag in verband met die aangeleentheid, met volledige besonderhede van die gronde waarop sy mening berus, en volle besonderhede van die betrokke lokaliteit en voorkoms, aan die Sekretaris van Mynwese voorleë.

Inligting betreffende aanwesigheid van bronmateriaal moet aan Sekretaris van Mynwese gerapporteer word.

11. Die Raad op Atoomkrag, ingestel by artikel 11 van die Wet op Atoomkrag, 1948 (Wet No. 35 van 1948), bly, ondanks die herroeping van daardie Wet deur hierdie Wet, voortbestaan as 'n regs persoon, wat in sy naam as regs persoon eisend en verwerend in die regte kan optree, en wat die handelinge kan verrig wat nodig is vir of in verband staan met die uitoefening van sy bevoegdhede of die uitvoer van sy werksaamhede en pligte kragtens hierdie Wet of 'n ander wet.

Voortbestaan van die Raad op Atoomkrag.

12. (1) Die raad bestaan uit—

Samestelling van die raad.

- (a) 'n voorsitter, wat aangestel word deur die Minister op die diensvoorwaardes, met inbegrip van ampstermyn, wat die Minister bepaal;
- (b) hoogstens nege persone wat deur die Minister aangestel moet word en van wie—
 - (i) twee persone moet verteenwoordig wat betrokke is by die ontginning of ekstrahering van bronmateriaal;
 - (ii) een persone moet verteenwoordig wat by die handel betrokke is;
 - (iii) een persone moet verteenwoordig wat by die nywerheid betrokke is;
 - (iv) een die Wetenskaplike en Nywerheidsnavorsingsraad, vermeld in artikel 2 van die Wet op die Wetenskaplike Navorsingraad, 1962 (Wet No. 32 van 1962), moet verteenwoordig;
 - (v) een die kommissie moet verteenwoordig;
 - (vi) hoogstens drie addisionele lede moet wees van wie minstens een iemand moet wees wat besondere kennis of ondervinding met betrekking tot een of ander aspek van die raad se werk het; en
- (c) die Sekretaris van Mynwese en die Sekretaris van Buitelandse Sake.

(2) Uit die lede in subartikel (1) (b) genoem, moet die Minister een aanwys as adjunk-voorsitter, wat in die afwesigheid van die voorsitter moet voorsit op vergaderings van die raad.

(3) Wanneer sowel die voorsitter as die adjunk-voorsitter van 'n raadsvergadering afwesig is, moet die aanwesige lede uit hul midde 'n voorsitter kies wat op daardie vergadering moet voorsit.

(4) 'n Kragtens subartikel (1) (b) aangestelde lid van die raad beklee sy amp vir 'n tydperk van drie jaar, en kan by verstryking van so 'n tydperk weer aangestel word.

(5) Enigiemand kan dien as 'n plaasvervanger van enige lid gedurende sy afwesigheid van enige vergadering van die raad—

- (a) in die geval van 'n in subartikel (1) (b) (i) vermelde lid—
 - (i) indien so iemand deur die Minister as plaasvervanger vir sodanige lid aangestel is; of
 - (ii) indien so iemand aangestel is deur die Minister as plaasvervanger vir die ander in subartikel (1) (b) (i) vermelde lid en 'n aldus aangestelde plaasvervanger van die afwesige lid 'n vergadering van die raad nie kan bywoon nie;
- (b) in die geval van 'n lid in subartikel (1) (b) (ii) of (iii) genoem, indien so iemand aangestel is deur die Minister as 'n plaasvervanger vir sodanige lid;
- (c) in die geval van 'n lid in subartikel (1) (b) (iv) of (v) genoem, indien so iemand met die goedkeuring van die Minister genomineer is deur sodanige lid as sy plaasvervanger;
- (d) in die geval van 'n lid in subartikel (1) (c) genoem, indien so iemand genomineer is deur sodanige lid as sy plaasvervanger.

(6) Die besoldiging en toelaes betaalbaar aan die voorsitter en lede van die raad en aan die plaasvervangers van daardie lede word, behoudens die bepalings van subartikel (7), deur die Minister in ooreenstemming met die Minister van Finansies vasgestel.

(7) A member of the board who is a member of the public service shall not in respect of the services rendered by him as a member of the board, be paid any remuneration in addition to his salary as a member of the public service, nor shall any such member be paid any allowance in respect of subsistence or transport at a higher rate than that applicable to him as a member of the public service.

(8) In the event of the death or resignation of a member of the board referred to in subsection (1) (b), the Minister may appoint another person in his stead for the unexpired term of office of the said member.

(9) Any person who immediately before the commencement of this Act was a member of the board, shall be deemed to have been appointed in terms of the provisions of this Act as a member of the board as from the date on which he became a member thereof.

Powers and
functions
of the board.

13. (1) The board shall, subject to the provisions of this Act, have power—

- (a) to acquire, hold or alienate movable and immovable property;
- (b) to undertake prospecting and mining for source material and to enrich and re-process source material or special nuclear material;
- (c) to process source material and restricted material;
- (d) to import into or export from the Republic or the territory any source material, special nuclear material and radio-active nuclides.
- (e) to acquire, dispose of or hold any source material, special nuclear material and radio-active nuclides;
- (f) to undertake the production of nuclear or atomic energy and radio-active nuclides;
- (g) on such conditions as it may determine, to provide financial or other assistance in connection with the training of research and other workers in the field of nuclear or atomic energy, in so far as in the opinion of the board it may be necessary to ensure that a sufficient number of trained persons will be available to enable the board to perform its functions, and to undertake or initiate or make grants in aid of research in connection with the processing, re-processing and enrichment of source material and of special nuclear material, the processing of restricted material, the production of nuclear or atomic energy and in connection with radio-active nuclides;
- (h) to enter into agreements with producers to produce and deliver such quantities of source material as may be required by the board for the fulfilment of contracts in existence at the commencement of this Act and to cede, assign or make over to any person any or all of the rights and obligations of the board under any contract relating to the sale or supply of source material;
- (i) to receive contributions from any person for the carrying out of the special investigations referred to in section 28 (1);
- (j) to pay to present and past contributors to the board's research funds such portion of the moneys received by it from the licensing or sale of patents held by the board in respect of inventions discovered or made by or on behalf of the board (excluding any patent granted in respect of any discovery or invention referred to in section 28 (3)) as it may determine;
- (k) from time to time on such terms and conditions as the Minister in consultation with the Minister of Finance may approve, to raise moneys by way of loan for the purpose of effectively carrying out such of its powers and functions in terms of this section as the board, in consultation with the Minister, may determine; and
- (l) to advise the Minister on any matter within his purview under this Act which he may refer to the board for investigation.

(2) The Minister may on behalf of the Government of the Republic guarantee the redemption of any loan referred to in subsection (1) (k), together with the interest or other charges in connection therewith.

Appointment of
committees
of board.

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

(7) Aan 'n raadslid wat lid is van die Staatsdiens mag ten opsigte van die dienste wat deur hom as lid van die raad verrig word, geen besoldiging bo en behalwe sy salaris as lid van die Staatsdiens betaal word nie, en daar mag ook nie aan so 'n lid 'n reis- of verblyfstoelae teen 'n hoër skaal as dié wat op hom as lid van die Staatsdiens van toepassing is, betaal word nie.

(8) Ingeval van die dood of bedanking van 'n lid van die raad in subartikel (1) (b) genoem, kan die Minister iemand anders in sy plek aanstel vir die onverstrekte dienstermyn van genoemde lid.

(9) Iemand wat onmiddellik voor die inwerkingtreding van hierdie Wet lid van die raad was, word geag aangestel te gewees het ingevolge die bepalings van hierdie Wet as 'n lid van die raad vanaf die datum waarop hy 'n lid daarvan geword het.

13. (1) Die raad is, behoudens die bepalings van hierdie Wet, bevoeg— Bevoegdhede en werksaamhede van die raad.

- (a) om roerende en onroerende eiendom te verkry, te besit of te vervreem;
- (b) om prospektering na en ontginning van bronmateriaal te onderneem en om bronmateriaal of spesiale kernmateriaal te verryk en te herverwerk;
- (c) om bronmateriaal en beperkte materiaal te verwerk;
- (d) om bronmateriaal, spesiale kernmateriaal en radio-aktiewe nukliede in te voer in of uit te voer uit die Republiek of die gebied;
- (e) om bronmateriaal, spesiale kernmateriaal en radio-aktiewe nukliede te verkry, daarvoor te beskik of dit te besit;
- (f) om die voortbrenging van kern- of atoomkrag en radioaktiewe nukliede te onderneem;
- (g) om op die voorwaardes wat hy bepaal geldelike of ander hulp te verleen in verband met die opleiding van navorsers en ander werkers op die gebied van kern- of atoomkrag vir sover dit na die oordeel van die raad nodig is ten einde te verseker dat 'n voldoende aantal opgeleide persone beskikbaar sal wees om die raad in staat te stel om sy werksaamhede te verrig en om navorsing in verband met die verwerking, herverwerking en verryking van bronmateriaal en van spesiale kernmateriaal, die verwerking van beperkte materiaal, die voortbrenging van kern- of atoomkrag en in verband met radioaktiewe nukliede te onderneem of op tou te sit of hulptoelae daarvoor toe te staan;
- (h) om ooreenkomste aan te gaan met produsente om die hoeveelhede bronmateriaal voort te bring en te lewer wat die raad nodig het vir die nakoming van die kontrakte wat bestaan by die inwerkingtreding van hierdie Wet, en om enige van of al die regte en verpligtinge van die raad ingevolge 'n kontrak betreffende die verkoop of voorsiening van bronmateriaal aan enigiemand te sêdeer of oor te dra;
- (i) om bydraes van iemand vir die instel van die in artikel 28 (1) bedoelde spesiale ondersoeke te ontvang;
- (j) om aan bestaande en gewese bydraers tot die raad se navorsingsfondse te betaal die gedeelte van die gelde deur die raad verkry uit die lisensiëring of verkoop van patente wat die raad hou ten opsigte van uitvindings ontdek of gedoen deur of ten behoeve van die raad (uitgesonderd enige patent verleen ten opsigte van 'n ontdekking of uitvinding in artikel 28 (3) bedoel), wat die raad bepaal;
- (k) om van tyd tot tyd op die bedinge en voorwaardes wat die Minister in ooreenstemming met die Minister van Finansies goedkeur, gelde by wyse van lening op te neem ten einde dié bevoegdhede en werksaamhede van die raad ingevolge hierdie artikel wat die raad in ooreenstemming met die Minister bepaal, doeltreffend uit te voer; en
- (l) om die Minister van advies te dien aangaande 'n aangeleentheid wat kragtens hierdie Wet binne sy bestek val en wat hy vir ondersoek na die raad verwys.

(2) Die Minister kan namens die Regering van die Republiek die delging van 'n lening in subartikel (1) (k) bedoel, tesame met die rente of ander vorderings in verband daarmee, waarborg.

14. (1) Die raad kan komitees instel om hom by die ver- Aanstelling van komitees van raad. rigting van sy werksaamhede en die uitvoering van sy pligte behulpsaam te wees, en kan die persone, met inbegrip van beaamptes van die raad, wat hy goedvind as lede van so 'n komitee aanstel.

(2) The members of any such committee, who are not members or officers of the board, may, out of the funds of the board, be paid such remuneration or allowances in respect of their services as the Minister may determine in consultation with the Minister of Finance.

Delegation of powers.

15. The board may from time to time delegate to a committee established under section 14, or to any member or officer of the board, such of its powers as it may deem fit, but shall not be divested of any power so delegated, and may amend or rescind any decision by any such committee or member or officer.

Appointment of servants by the board and secondment of officers in the public service to the board.

16. (1) The board may from time to time and upon such conditions and at such rates of remuneration as may be approved by the Minister in consultation with the Minister of Finance, appoint—

(a) a Director-General who shall be its chief executive officer, whose appointment and dismissal shall be subject to confirmation by the Minister and who shall perform such duties as the board may from time to time determine and be responsible to the board, or to the chairman of the board if the board is not in session;

(b) such other persons as it may deem necessary to assist it in the performance of its functions under this Act.

(2) The Minister may, in terms of section 13 (6) of the Public Service Act, 1957 (Act No. 54 of 1957), second any officer in the public service to the service of the board, and any such officer shall, while so seconded, remain in all respects subject to the laws governing the public service, and for the purposes of such application the said Director-General shall be deemed to be a head of a department.

(3) The Director-General and any other person (except any officer in the public service seconded to the service of the board), who immediately prior to the commencement of this Act was in the service of the board, shall be deemed to have been appointed under subsection (1) as from the date on which he became a servant of the board.

Pension rights of servants of the board.

17. (1) The provisions of the Associated Institutions Pension Fund Act, 1963 (Act No. 41 of 1963), and of the regulations made thereunder, shall apply *mutatis mutandis* in respect of any person appointed under section 16 (1), and shall continue to apply in respect of any person in the service of the board who immediately prior to the commencement of this Act was a contributor to the fund referred to in section 2 (1) (b) of that Act.

(2) If any person in the service of the board is appointed as chairman or other member of the board by the Minister under section 12 (1) (a) or (b), the provisions of subsection (1) of this section or of section 37 (2), as the case may be, shall continue to apply in respect of him as if he had remained in the service of the board.

Finances of the board.

18. (1) The funds of the board shall consist of—

(a) moneys appropriated annually by Parliament for the purpose of enabling the board to exercise its powers and to perform its functions and duties, other than the powers referred to in section 13 (1) (g);

(b) moneys appropriated annually by Parliament or contributions received for the purpose of enabling the board to exercise the powers referred to in section 13 (1) (g);

(c) interest derived from investments made in terms of subsection (5) (c), and moneys acquired from the disposal or use of any property or product derived from the employment of the funds referred to in paragraph (b) of this subsection;

(d) moneys contributed for the purpose of the carrying out of the special investigations referred to in section 28 (1);

(e) moneys derived from the licensing or sale of patents held by the board and granted in respect of discoveries, inventions or improvements referred to in section 28 (3);

(f) such portion of the moneys derived from the licensing or sale of patents held by the board in respect of inventions discovered or made by or on behalf of the board (but excluding patents referred to in paragraph (e)) as may remain after the board has each year paid to present, and past contributors to the board's research funds, such proportion of such moneys as the board may determine; and

(2) Aan die lede van so 'n komitee wat nie lede of beamptes van die raad is nie, kan daar uit die fondse van die raad die besoldiging of toelae ten opsigte van hul dienste betaal word wat die Minister in ooreenstemming met die Minister van Finansies vasstel.

15. Die raad kan na goeie dinge van tyd tot tyd aan 'n komitee kragtens artikel 14 ingestel, of aan 'n lid of beampte van die raad, van sy bevoegdheid oordra, maar word nie daardeur onthef van 'n bevoegdheid aldus oorgedra nie en kan 'n besluit van so 'n komitee of lid of beampte wysig of intrek.

Delegering van bevoegdhede.

16. (1) Die raad kan van tyd tot tyd en op die voorwaardes en teen die skaal van besoldiging wat deur die Minister in ooreenstemming met die Minister van Finansies goedgekeur word—

Aanstelling van dienaars deur die raad en tydelike oorplassing van beamptes in Staatsdiens na die raad.

- (a) 'n Direkteur-generaal aanstel wat die raad se hoof-uitvoerende beampte is, wie se aanstelling en ontslag onderworpe is aan bekragtiging deur die Minister en wat die pligte moet uitvoer wat die raad van tyd tot tyd bepaal, en verantwoordelik is aan die raad, of aan die voorsitter van die raad wanneer die raad nie sit nie;
- (b) die ander persone aanstel wat die raad nodig ag om hom by die uitvoering van sy werksaamhede kragtens hierdie Wet behulpsaam te wees.

(2) Die Minister kan kragtens artikel 13 (6) van die Staatsdienswet, 1957 (Wet No. 54 van 1957), enige beampte in die Staatsdiens tydelik na die diens van die raad oorplassing en so 'n beampte bly, vir so lank hy aldus oorgeplaas is, in alle opsigte onderworpe aan die wetsbepalings wat die Staatsdiens reël en vir die doeleindes van sodanige toepassing word die genoemde Direkteur-generaal geag 'n departementshoof te wees.

(3) Die Direkteur-generaal en enigiemand anders (behalwe 'n beampte in die Staatsdiens tydelik oorgeplaas na die diens van die raad) wat onmiddellik voor die inwerkingtreding van hierdie Wet in die diens van die raad was, word geag ingevolge subartikel (1) aangestel te gewees het vanaf die datum waarop hy 'n dienaar van die raad geword het.

17. (1) Die bepalinge van die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963 (Wet No. 41 van 1963), en van die regulasies daarkragtens uitgevaardig, is *mutatis mutandis* van toepassing ten opsigte van iemand kragtens artikel 16 (1) aangestel, en bly van toepassing ten opsigte van iemand in diens van die raad wat onmiddellik voor die inwerkingtreding van hierdie Wet 'n bydraer was tot die in artikel 2 (1) (b) van daardie Wet bedoelde fonds.

Pensioenregte van dienaars van die raad.

(2) Indien iemand wat in die diens van die raad is, deur die Minister kragtens artikel 12 (1) (a) of (b) as voorsitter of ander lid van die raad aangestel word, bly die bepalinge van subartikel (1) van hierdie artikel of van artikel 37 (2), na gelang van die geval, geld ten opsigte van hom asof hy in die diens van die raad aangebly het.

18. (1) Die fondse van die raad bestaan uit—

Finansies van die raad.

- (a) gelde wat die Parlement jaarliks bewillig ten einde die raad in staat te stel om sy bevoegdhede uit te oefen en om sy werksaamhede en pligte uit te voer, uitgesonderd die bevoegdhede in artikel 13 (1) (g) bedoel;
- (b) gelde wat die Parlement jaarliks bewillig of bydraes wat ontvang word ten einde die raad in staat te stel om die bevoegdhede in artikel 13 (1) (g) vermeld, uit te oefen;
- (c) rente verkry uit beleggings ingevolge subartikel (5) (c) gemaak, en gelde verkry uit die beskikking oor of gebruik van eiendom of produkte verkry uit die aanwending van die fondse in paragraaf (b) van hierdie subartikel bedoel;
- (d) gelde bygedra ten einde die spesiale ondersoeke wat in artikel 28 (1) bedoel word, in te stel;
- (e) gelde verkry uit die lisensiering of verkoop van patente gehou deur die raad en ten opsigte van in artikel 28 (3) bedoelde ontdekkings, uitvindings of verbeterings verleen;
- (f) die gedeelte van die gelde verkry uit die lisensiering of verkoop van patente gehou deur die raad met betrekking tot uitvindings ontdek of gedoen deur of ten behoeve van die raad (maar uitgesonderd in paragraaf (e) bedoelde patente) wat oorbly nadat die raad elke jaar aan die bestaande en gewese bydraers tot die raad se navorsingsfondse die gedeelte van sodanige gelde wat die raad bepaal, uitbetaal het; en

- (g) all moneys which immediately before the commencement of this Act were standing to the credit of the board.
- (2) (a) The financial year of the board shall terminate on the thirty-first day of March in each year, and the board shall keep a proper record of all its financial transactions, and such records as shall at all times reflect the stocks of source material, restricted material, special nuclear material, radio-active nuclides and equipment in its custody, as well as all its transactions in such material, nuclides and equipment.
- (b) The board shall as soon as possible after the end of each financial year prepare separate accounts of its revenue and expenditure for such year, including a balance sheet of its assets and liabilities as at the thirty-first day of March, in respect of—
 - (i) the moneys referred to in subsection (1) (a); and
 - (ii) the moneys referred to in subsection (1) (b), (c), (d), (e) and (f).
- (3) The board shall at the end of each financial year pay into the Consolidated Revenue Fund any moneys referred to in subsection (1) (a) which have not been utilized.
- (4) The proceeds derived from the sale of source material and radio-active nuclides and any royalties or other moneys which have resulted from the employment of funds made available under subsection (1) (a) shall be paid into the Consolidated Revenue Fund.
- (5) The board shall—
 - (a) open an account with a bank approved by the Minister and deposit therein all moneys received from any source;
 - (b) credit to an account to be known as the Atomic Energy Research Account all moneys referred to in subsection (1) (b), (c), (d), (e) and (f), and defray from that account all expenditure incurred by the board in the exercise of its powers referred to in section 13 (1) (g), and all payments to contributors in terms of subsection (1) (f);
 - (c) subject to the provisions of paragraphs (d) and (e), invest with the Public Debt Commissioners any moneys standing to the credit of the said Atomic Energy Research Account which are not required for immediate use;
 - (d) refund to the contributor so much of any amount contributed to the board in terms of subsection (1) (b) as may not have been utilized for the purposes agreed to by the contributor or as may be surplus to the requirements of the board for such purposes;
 - (e) pay into the Consolidated Revenue Fund the balance of the moneys referred to in subsection (1) (b) which have been appropriated by Parliament and which are surplus to the requirements of the board, in the event of the board ceasing finally to exercise the powers conferred upon it by section 13 (1) (g).
- (6) The accounts of the board shall be audited by the Controller and Auditor-General.
- (7) As soon as may be after completion of an audit the Controller and Auditor-General shall transmit a copy of his report on such audit to the State President.

Provision of materials for research and training purposes.

19. The board may, as far as practicable, having regard to the public interest and safety, and to the quantities of source material, special nuclear material and radio-active nuclides available to it, make available, upon such terms as the board may determine, for research and investigation and for the training of persons to qualify them to engage in research and investigation, such quantities and kinds of materials and nuclides as the board may deem fit.

Board may charge royalties.

20. The board may charge any person to whom it has granted a licence to use a patent vested in or acquired by the board under this Act, such royalty as it may deem reasonable.

Procedure in connection with applications for patents for inventions relating to nuclear or atomic energy.

21. (1) Notwithstanding anything to the contrary contained in the Patents Act or any other law—

- (a) any person who lodges with the registrar an application for a patent in respect of an invention relating to nuclear or atomic energy or to special nuclear material or to the processing, enrichment or re-processing of

- (g) alle gelde wat onmiddellik voor die inwerkingtreding van hierdie Wet tot die krediet van die raad gestaan het.
- (2) (a) Die boekjaar van die raad eindig op die een-en-dertigste dag van Maart elke jaar, en die raad moet van al sy geldelike transaksies behoorlik boekhou, en aantekeninge hou wat te alle tye die voorrade bronmateriaal, beperkte materiaal, spesiale kernmateriaal, radioaktiewe nukliede en toerusting in sy bewaring aandui, asook al sy transaksies in sodanige materiaal, nukliede en toerusting.
- (b) Die raad moet so spoedig moontlik na die einde van elke boekjaar afsonderlike rekenings opstel van sy inkomste en uitgawes vir daardie jaar, met inbegrip van 'n balansstaat van sy bates en laste op die een-en-dertigste dag van Maart, ten opsigte van
- die gelde in subartikel (1) (a) bedoel; en
 - die gelde in subartikel (1) (b), (c), (d), (e) en (f) bedoel.
- (3) Die raad moet aan die einde van elke boekjaar enige gelde in subartikel (1) (a) bedoel, wat nie bestee is nie, in die Gekonsolideerde Inkomstefonds stort.
- (4) Die opbrengs verkry uit die verkoop van bronmateriaal en radioaktiewe nukliede en enige tantièmes of ander gelde wat verkry is uit die aanwending van fondse beskikbaar gestel kragtens subartikel (1) (a), moet in die Gekonsolideerde Inkomstefonds gestort word.
- (5) Die raad moet—
- by 'n bank wat die Minister goedkeur 'n rekening open en daarin alle gelde stort wat hy uit enige bron ontvang;
 - 'n rekening bekend as die Atoomkragnavorsingsrekening met al die in subartikel (1) (b), (c), (d), (e) en (f) bedoelde gelde krediteer, en uit daardie rekening alle uitgawes bestry wat die raad by die uitoefening van sy in artikel 13 (1) (g) bedoelde bevoegdhede aangaan, asook alle betalings aan bydraers ingevolge subartikel (1) (f);
 - behoudens die bepalings van paragrawe (d) en (e), enige gelde waarmee die gemelde Atoomkragnavorsingsrekening gekrediteer is en wat nie vir onmiddellike gebruik benodig is nie by die Openbare Skuldkommissarisse belê;
 - soveel van enige bedrag ingevolge subartikel (1) (b) tot die raad bygedra as wat nie vir doeleindes waartoe die bydraer ingestem het, aangewend is nie, of as wat die raad se benodigdhede vir daardie doeleindes te bowe gaan, aan die bydraer terugbetaal;
 - die oorblywende bedrag van die gelde in subartikel (1) (b) bedoel wat deur die Parlement bewillig is en wat die raad se benodigdhede te bowe gaan, in die Gekonsolideerde Inkomstefonds stort, ingeval die raad uiteindelik ophou om die by artikel 13 (1) (g) aan hom verleende bevoegdhede uit te oefen.
- (6) Die rekenings van die raad word deur die Kontroleur en Ouditeur-generaal geouditeer.
- (7) Die Kontroleur en Ouditeur-generaal stuur so gou doenlik na voltooiing van 'n audit 'n afskrif van sy verslag oor daardie audit aan die Staatspresident.

19. Die raad kan, so ver doenlik, met inagneming van die openbare belang en veiligheid en van die hoeveelheid bronmateriaal, spesiale kernmateriaal en radioaktiewe nukliede wat hy beskikbaar het en op die voorwaardes wat die raad bepaal, die hoeveelheid en soorte van materiaal en nukliede wat die raad goedvind, beskikbaar stel vir navorsing en ondersoekingswerk en vir die opleiding van persone om hulle vir navorsing en ondersoekingswerk te bekwaam.

Voorsiening van materiaal vir navorsings- en opleidingsdoeleindes.

20. Die raad kan van iemand aan wie hy 'n lisensie toegestaan het om 'n patent te gebruik wat kragtens hierdie Wet by die raad berus of deur die raad verkry is, die tantième vorder wat hy redelik ag.

Raad kan tantièmes vorder.

21. (1) Ondanks andersluidende bepalings van die Wet op Patente of 'n ander wet—

- (a) moet iemand wat by die registrateur aansoek doen om 'n patent ten opsigte van 'n uitvinding met betrekking tot kern- of atoomkrag of spesiale kernmateriaal of die verwerking, verryking of herverwerking van

Prosedure in verband met aansoek om patente vir uitvindings met betrekking tot kern- of atoomkrag.

source material or special nuclear material, shall forthwith in writing advise the board of the lodging by him of such application and at the same time lodge with the board a copy of the specification relating to such invention, and any other information in regard to that invention which the board may require;

- (b) the registrar shall in writing notify the board of every application lodged in the patent office which appears to him to relate to any such invention as is referred to in paragraph (a);
- (c) any person duly authorized thereto in writing by the chairman of the board or the said Director-General may at any time inspect any application for a patent lodged with the registrar and any document relevant to and accompanying any such application;
- (d) the registrar shall—
 - (i) defer acceptance of any application for a patent in respect of any such invention for a period of three months from the date upon which such application is lodged in the patent office, and for such further period thereafter as the board may in writing direct;
 - (ii) at the written request of the board, and until the board otherwise directs, withhold acceptance or sealing of any such invention (not being an invention relating to prospecting or mining for or processing of source material) and keep secret the specification thereof and the manner in which it is to be performed, and notify the applicant accordingly; and
 - (iii) at the written request of the board, and until the board otherwise directs, keep secret any such invention (not being an invention relating to prospecting or mining for or processing of source material) received from a country outside the Republic and the territory, and the manner in which it is to be performed, whether or not a patent is granted in respect of that invention, and in connection with the grant of a patent in respect of such invention, dispense with such requirements of the Patents Act as the board may specify.

(2) The communication of an invention to the board or any member or officer of the board or any person acting in pursuance of authority vested in him by virtue of subsection (1) (c), shall not, nor shall anything done by any person in connection with any invention for the purpose of any investigation undertaken by him in pursuance of such authority, be deemed to be publication or use of the invention so as to prejudice the grant or validity of any patent for the invention, nor shall the fact that the invention has by or under authority of the board been used or made known to any person or described in any printed publication in the Republic or in any other country prejudice the grant or the validity of any patent for which application has been or may be made.

(3) Notwithstanding anything contained in this section or the Patents Act—

- (a) the board may, where an application has been made for a patent in respect of any invention referred to in this section, if it is satisfied in the light of any information available to it that the invention was known, or used, whether secretly or otherwise, in the Republic or the territory by the board or any person other than the applicant or his agents or the person or persons from whom the applicant derived his right or title, direct the registrar to refuse to grant the patent, and the registrar shall thereupon refuse to grant the patent and shall notify the applicant accordingly;
- (b) any information by virtue of which the board is in terms of paragraph (a) empowered to direct the registrar to refuse the grant of any such application may, if a patent has been granted in respect of the invention in question, be adduced by the board or any person against whom an action for infringement of such patent may be brought, as evidence that the invention was not new at the effective date of such application.
- (4) There shall be no appeal from a refusal of an application by the registrar in pursuance of a direction by the board under subsection (3).

bronmateriaal of spesiale kernmateriaal, die raad onverwyld skriftelik in kennis stel dat hy bedoelde aansoek ingedien het en tegelykertyd 'n eksemplaar van die spesifikasie in verband met daardie uitvinding en enige ander inligting wat die raad in verband met dié uitvinding verlang, by die raad indien;

- (b) moet die registrateur aan die raad skriftelik kennis gee van elke aansoek wat by die patentkantoor ingedien is en wat na dit hom voorkom op 'n in paragraaf (a) bedoelde uitvinding betrekking het;
- (c) kan enigiemand wat behoorlik en skriftelik deur die voorsitter van die raad of die gemelde Direkteur-generaal daartoe gemagtig is te eniger tyd enige aansoek om 'n patent wat by die registrateur ingedien is en enige stuk wat op die aansoek betrekking het en dit versesel, insien;
- (d) moet die registrateur—

- (i) die aanname van 'n aansoek om 'n patent ten opsigte van so 'n uitvinding uitstel vir 'n tydperk van drie maande vanaf die datum waarop daardie aansoek by die patentkantoor ingedien word, en vir die verdere tydperk daarna wat die raad skriftelik gelas;
- (ii) op skriftelike versoek van die raad en totdat die raad anders gelas, aanname of seëling van so 'n uitvinding (uitgesonderd 'n uitvinding met betrekking tot prospektering na of die ontginning of verwerking van bronmateriaal) weerhou, en die spesifikasie daarvan en die wyse waarop dit toegepas moet word geheim hou en die applikant dienooreenkomstig in kennis stel; en
- (iii) op skriftelike versoek van die raad, en totdat die raad anders gelas, so 'n uitvinding (uitgesonderd 'n uitvinding met betrekking tot die prospektering na of die ontginning of verwerking van bronmateriaal) wat van 'n land buite die Republiek en die gebied ontvang is en die wyse waarop dit toegepas moet word, geheim hou, hetsy 'n patent ten opsigte van bedoelde uitvinding verleen word, al dan nie, en, in verband met die verlening van 'n patent ten opsigte van so 'n uitvinding, die bepalings van die Wet op Patente wat die raad spesifiseer, buite rekening laat.

(2) Die mededeling van 'n uitvinding aan die raad of 'n lid of beampte van die raad of 'n persoon wat ingevolge magtiging uit hoofde van subartikel (1) (c) optree, en enigiets deur iemand in verband met 'n uitvinding gedoen vir die doeleindes van 'n ondersoek ingevolge sodanige magtiging deur hom onderneem, word nie geag openbaarmaking of gebruik van die uitvinding te wees wat die verlening of geldigheid van 'n patent vir die uitvinding benadeel nie, en die verlening of geldigheid van 'n patent waarom aansoek gedoen is of word, word ook nie benadeel weens die feit dat die uitvinding deur of op gesag van die raad gebruik of aan enigiemand bekendgemaak of in 'n gedrukte publikasie in die Republiek of in 'n ander land beskryf is nie.

(3) Ondanks enige bepaling van hierdie artikel of die Wet op Patente—

- (a) kan die raad, waar om 'n patent ten opsigte van 'n in hierdie artikel bedoelde uitvinding aansoek gedoen is, en die raad, aan die hand van inligting tot sy beskikking oortuig is dat die uitvinding in die Republiek of die gebied bekend was of hetsy in die geheim of andersins aangewend is, deur die raad of iemand anders as die aansoeker of sy agente of die persoon of persone van wie die aansoeker sy reg of aanspraak verkry het, die registrateur gelas om die verlening van die patent te weier, en moet die registrateur daarop weier om die patent te verleen en die aansoeker dienooreenkomstig in kennis stel;
- (b) kan, indien 'n patent ten opsigte van die betrokke uitvinding verleen is, enige inligting op grond waarvan die raad ingevolge paragraaf (a) gemagtig word om die registrateur te gelas om te weier om so 'n aansoek toe te staan, deur die raad of iemand teen wie 'n geding weens inbreuk op so 'n patent ingestel word, aangevoer word as getuies dat die uitvinding op die geldingsdatum van die aansoek nie nuut was nie.

(4) Daar is geen appél teen 'n weiering van 'n aansoek deur die registrateur ingevolge 'n lasgewing van die raad kragtens subartikel (3) nie.

Acquisition of
certain rights to
patents by
the board.

22. (1) The board may by notice in writing signed by a person authorized thereto by it, and served upon the holder of or any applicant for a patent which, in the opinion of the board, relates to or can be applied in connection with nuclear or atomic energy or special nuclear material or enrichment or re-processing of source material or special nuclear material, advise such holder or applicant that it desires to acquire the rights in the patent or the rights of the applicant to obtain a patent, as the case may be, and the service of such a notice shall have the effect of divesting the person upon whom it has been served of any such rights and vesting those rights in the board.

(2) If any rights in respect of which a notice has been served under subsection (1) have been assigned, or if any licence has been granted under a patent in respect of which such a notice has been served, the board shall simultaneously with the service of that notice, or as soon as possible thereafter, cause a copy of the notice to be served upon the assignee or licensee, and may at the same time cause such assignee or licensee to be informed that it desires to cancel the assignment or licence, and in that event such assignment or licence shall be deemed to have been cancelled, but in any other case the said assignment or licence shall remain of full force and effect except that it shall for all purposes be deemed to have been granted by the board.

(3) A copy of any notice served under subsection (1), and of any communication addressed under subsection (2) to an assignee of any rights in a patent or to a licensee under a patent, shall forthwith be transmitted to the registrar by the board.

(4) Whenever the board has under subsection (1) served a notice as contemplated by that subsection, upon—

(a) a patentee, the registrar shall, upon receipt of a copy of that notice, make such entries in his registers as may be necessary to record the transfer of the rights in the patent to the board on behalf of the State, and if the board has under subsection (2) advised any assignee or licensee under a patent that it desires to cancel the assignment or licence, the registrar shall at the same time make such entries in the said registers as may be necessary to record the cancellation;

(b) an applicant for a patent which has not yet been accepted and sealed, the patent in respect of the relevant invention shall forthwith be made out in the name of the board and sealed, and the registrar shall, if the board so directs, keep secret the invention to which the patent relates and the manner in which it is to be performed.

(5) No proceedings shall lie for the revocation of any patent the rights in which have in terms of this section been acquired by the board.

Restrictions on
assignment or
licensing of
certain patents.

23. (1) If in the opinion of the board the public interest so requires, it may by notice in writing signed by a person authorized thereto by it, and served upon a patentee in respect of a patent relating to nuclear or atomic energy or to special nuclear material or enrichment or re-processing of source material or special nuclear material, or upon an applicant for such a patent, direct that such patent or, as the case may be, any patent obtained in pursuance of the application, shall not be assigned, and that no licence under any such patent shall be granted without the consent of the board in respect of each assignment or licence.

(2) The board shall in writing advise the registrar of any direction or consent given by it under subsection (1), and the registrar shall upon receipt of any such advice make appropriate entries in his registers.

Acquisition by
board of
licences under
certain patents.

24. (1) The board may by notice in writing signed by a person authorized thereto by it, and served upon any patentee, advise such patentee that it desires to exercise in respect of any patent held by that patentee, and to the extent set out in the notice, the rights of a licensee thereunder, and the effect of such a notice shall be to vest in the board the same rights as it would have had if it were in possession of a licence granted by the patentee to use that patent to the extent set out in the said notice, including the right to authorize any other person to exercise any such rights on behalf of the board.

22. (1) Die raad kan by skriftelike kennisgewing, onderteken deur iemand wat die raad daartoe gemagtig het en bestel aan die houer van 'n aansoeker om 'n patent wat na die oordeel van die raad betrekking het op of aangewend kan word in verband met kern- of atoomkrag of spesiale kernmateriaal of verryking of herverwerking van bronmateriaal of spesiale kernmateriaal, daardie patenthouer of aansoeker in kennis stel dat die raad begerig is om die regte op die patent of die regte van die aansoeker om 'n patent te verkry, na gelang van die geval, oor te neem, en die bestel van so 'n kennisgewing het die uitwerking dat dit die persoon aan wie dit bestel is van sodanige regte onthef en daardie regte in die raad vestig.

Verkryging van sekere regte op patente deur die raad.

(2) Indien enige regte ten opsigte waarvan 'n kennisgewing kragtens subartikel (1) bestel is, gesedeer is, of indien 'n lisensie toegestaan is kragtens 'n patent ten opsigte waarvan so 'n kennisgewing bestel is, moet die raad gelyktydig met die bestel van daardie kennisgewing of so gou moontlik daarna, 'n afskrif van die kennisgewing aan die sessionaris of lisensiehouer laat bestel, en kan die raad daardie sessionaris of lisensiehouer terselfdertyd in kennis laat stel dat die raad die sessie of lisensie wil kanselleer, en in so 'n geval word die sessie of lisensie gegag gekanselleer te gewees het, maar in enige ander geval bly die sessie of lisensie ten volle van krag en geldig, behalwe dat dit vir alle doeleindes gegag word deur die raad toegestaan te gewees het.

(3) 'n Afskrif van enige kennisgewing wat kragtens subartikel (1) bestel is, en van enige mededeling wat kragtens subartikel (2) aan 'n sessionaris van regte op 'n patent of aan 'n lisensiehouer kragtens 'n patent gerig is, moet onverwyld deur die raad aan die registrateur gestuur word.

(4) Wanneer die raad kragtens subartikel (1) 'n kennisgewing, soos deur daardie subartikel beoog, bestel het aan—

- (a) 'n patenthouer, moet die registrateur, by ontvangs van 'n afskrif van daardie kennisgewing, die aantekeninge in sy registers maak wat nodig is om die oordrag van die regte op die patent aan die raad ten behoeve van die Staat te boekstaaf, en indien die raad kragtens subartikel (2) aan 'n sessionaris of 'n lisensiehouer kragtens 'n patent kennis gegee het dat die raad die sessie of lisensie wil kanselleer, moet die registrateur terselfdertyd in bedoelde registers die aantekeninge maak wat nodig is om die kansellering te boekstaaf;
- (b) 'n aansoeker om 'n patent wat nog nie aangeneem en verseël is nie, moet die patent ten opsigte van die betrokke uitvinding onverwyld op naam van die raad uitgemaak en geseël word, en moet die registrateur, indien die raad dit gelas, die uitvinding waarop die patent betrekking het en die wyse waarop dit toegepas moet word, geheim hou.

(5) Geen geding kan vir die intrekking van 'n patent waarop die regte kragtens hierdie artikel deur die raad verkry is, ingestel word nie.

23. (1) Indien na die mening van die raad die openbare belang dit vereis, kan die raad by skriftelike kennisgewing onderteken deur iemand wat die raad daartoe gemagtig het en bestel aan 'n patenthouer ten opsigte van 'n patent met betrekking tot kern- of atoomkrag of spesiale kernmateriaal of verryking of herverwerking van bronmateriaal of spesiale kernmateriaal, of aan 'n aansoeker om so 'n patent, gelas dat bedoelde patent of, na gelang van die geval, enige patent ingevolge die aansoek verkry, nie gesedeer mag word nie en dat geen lisensie kragtens sodanige patent toegestaan mag word nie behalwe met toestemming van die raad ten opsigte van elke sessie of lisensie.

Beperkings op sessie of lisensie van sekere patente.

(2) Die raad moet die registrateur skriftelik in kennis stel van elke opdrag of toestemming kragtens subartikel (1) deur die raad gegee, en die registrateur moet by ontvangs van so 'n kennisgewing gepaste aantekeninge in sy registers maak.

24. (1) Die raad kan by skriftelike kennisgewing, onderteken deur iemand wat die raad daartoe gemagtig het, en bestel aan 'n patenthouer, daardie patenthouer in kennis stel dat die raad verlang om ten opsigte van enige patent deur daardie patenthouer gehou, en in die mate wat in die kennisgewing uiteengesit is, die regte van 'n lisensiehouer kragtens daardie patent uit te oefen, en die uitwerking van so 'n kennisgewing is dat in die raad dieselfde regte gevestig word as wat die raad sou gehad het indien hy in besit was van 'n lisensie deur die patenthouer toegestaan om daardie patent te gebruik in die mate wat in die kennisgewing uiteengesit is, met inbegrip van die reg om enige ander persoon te magtig om bedoelde regte ten behoeve van die raad uit te oefen.

Verkryging deur raad van lisensies kragtens sekere patente.

(2) The board shall cause a copy of any such notice to be transmitted to the registrar, who shall upon receipt thereof make appropriate entries in his registers.

Address for
service of notices.

25. Any notice which may in terms of section 22, 23 or 24 be required to be served upon any patentee or applicant for a patent, or any assignee or licensee under a patent, may be served at his address in the Republic as furnished to the registrar by him or on his behalf in terms of the Patents Act or the rules under that Act.

Payment of
compensation.

26. (1) The board shall in respect of—

- (a) the withholding of acceptance or sealing under section 21 (1) (d) (ii) of any invention which is the subject of an application for a patent;
- (b) any rights acquired by it under section 22, in any patent, or in any invention which is the subject of an application for a patent;
- (c) the cancellation of the rights of an assignee or licensee under a patent acquired by the board under section 22;
- (d) any of the rights of a licensee under a patent, exercised by it under section 24;
- (e) any restrictions imposed by it under section 23 in connection with the assignment of or the grant of a licence under any patent,

pay to the patentee, applicant, assignee or licensee concerned compensation on such a basis as may be agreed upon between him and the board, or as may, failing such agreement, be determined by the commissioner of patents referred to in section 4 of the Patents Act: Provided that the board may, notwithstanding anything to the contrary in any law contained, at any time dispute the validity of any patent in respect of which it has exercised rights under section 24, and discontinue the payment of any royalty, rental or other periodical payment which may be payable by it in respect of the exercise of such rights, until the question of the validity or invalidity of the patent has been determined by the said commissioner of patents.

(2) The said commissioner of patents may, whenever he is required to determine the amount of any compensation to be paid under subsection (1), call in the assistance of an assessor to assist at the hearing of the matter in question, and may give such judgment as he may deem fit in respect of the costs involved in the hearing, including the fees of any such assessor, as fixed by such commissioner.

(3) Whenever any request made by the board under section 21 (1) (d) is withdrawn, any steps which were prior to the date of that request taken under the Patents Act in connection with the application which was the subject of that request, and which were interrupted in consequence of that request, may be proceeded with as if the interruption had not occurred, and any period which may have elapsed between the date on which that request was lodged with the registrar and the date of withdrawal thereof shall not be taken into account in the computation of any period prescribed under the Patents Act.

Rights in
discoveries and
inventions by
officers of the
board and others
and payment of
bonuses to such
persons.

27. (1) Subject to the provisions of section 28, the rights in all discoveries, inventions and improvements made by officers of the board, or by persons to whom grants-in-aid have been made by the board, in relation to any matter within the purview of the board in terms of this Act, and in any discovery, invention or improvement of whatever nature, whether within the purview of the board or not, made by such officer or person in the course of any investigation or research initiated or financed by the board, shall vest in the board on behalf of the State and the board may make such discoveries, inventions or improvements available for use in the public interest, subject to such conditions and the payment of such fees or royalties as the board may determine.

(2) The board may, in respect of any such discovery, invention or improvement, out of its funds pay to the officer or person concerned such bonus, or provide for that officer or person to participate in any profits which may be derived from the discovery, invention or improvement, to such an extent, as the Minister may, in consultation with the Minister of Finance, determine.

(3) The board may apply for a patent in respect of any invention referred to in subsection (1) and shall for the purposes of the Patents Act be regarded as the assignee of the inventor, and may direct the registrar to keep secret any such invention and the manner in which it is to be performed.

(2) Die raad moet 'n afskrif van so 'n kennisgewing aan die registrateur laat stuur, wat by ontvangs daarvan gepaste aantekeninge in sy registers moet maak.

25. 'n Kennisgewing wat ingevolge artikel 22, 23 of 24 aan 'n patenthouer, of 'n aansoeker om 'n patent, of 'n sessionaris of lisensiehouer kragtens 'n patent, bestel moet word, kan bestel word by sy adres in die Republiek soos ingevolge die Wet op Patente of die reëls ingevolge daardie Wet deur of namens hom aan die registrateur verstrek.

Adres vir
bestelling van
kennisgewings.

26. (1) Die raad moet ten opsigte van—

- (a) die weerhouding kragtens artikel 21 (1) (d) (ii) van aanname of seëling van 'n uitvinding wat die onderwerp van 'n aansoek om 'n patent is;
- (b) enige regte kragtens artikel 22 deur hom verkry op enige patent, of op enige uitvinding wat die onderwerp van 'n aansoek om 'n patent uitmaak;
- (c) die kansellering van die regte van 'n sessionaris of lisensiehouer kragtens 'n patent wat kragtens artikel 22 deur die raad verkry word;
- (d) enige van die regte van 'n lisensiehouer kragtens 'n patent, wat kragtens artikel 24 deur die raad uitgeoefen word;
- (e) enige beperkings kragtens artikel 23 deur die raad opgelê in verband met die sessie van of die verlening van 'n lisensie kragtens 'n patent,

Betaling van
vergoeding.

aan die betrokke patenthouer, aansoeker, sessionaris of lisensiehouer vergoeding betaal op 'n gronslag waarop deur hom en die raad ooreengekom word, of wat, by ontstentenis van ooreenkoms, deur die in artikel 4 van die Wet op Patente bedoelde kommissaris van patente bepaal word: Met dien verstande dat die raad, ondanks andersluidende wetsbepalings, te eniger tyd die geldigheid van 'n patent ten opsigte waarvan hy kragtens artikel 24 regte uitgeoefen het, kan betwis, en die betaling van enige tantième, huurgeld of ander periodieke betaling wat ten opsigte van die uitoefening van sodanige regte deur hom betaalbaar is, kan staak, totdat bedoelde kommissaris van patente oor die vraag van die geldigheid of ongeldigheid van die patent 'n beslissing gegee het.

(2) Bedoelde kommissaris van patente kan, wanneer hy die bedrag moet vasstel van enige vergoeding wat kragtens subartikel (1) betaal moet word, die hulp van 'n assessor inroep om met die verhoor van die betrokke geval behulpzaam te wees, en kan na goedgekeurde uitspraak gee ten opsigte van die koste betrokke by die verhoor, met inbegrip van die besoldiging van die assessor, soos deur bedoelde kommissaris vasgestel.

(3) Wanneer 'n versoek kragtens artikel 21 (1) (d) deur die raad gedoen, ingetrek word, kan daar met enige stappe wat voor die datum van daardie versoek ingevolge die Wet op Patente gedoen is in verband met die aansoek wat die onderwerp van daardie versoek was, en wat as gevolg van daardie versoek onderbreek is, voortgegaan word asof die onderbreking nie plaasgevind het nie, en enige tydperk wat tussen die datum waarop daardie versoek by die registrateur ingedien is, en die datum van intrekking daarvan, verstryk het, word nie by die berekening van enige ingevolge die Wet op Patente voorgeskrewe tydperk in aanmerking geneem nie.

27. (1) Behoudens die bepalinge van artikel 28 berus die regte op alle ontdekkings, uitvindings en verbeterings gedoen deur beampies van die raad, of deur persone aan wie hulp-toelae deur die raad toegestaan is, met betrekking tot enige aangeleentheid wat ingevolge hierdie Wet binne die raad se bestek val en op enige ontdekking, uitvinding of verbetering van watter aard ook al, hetsy binne die raad se bestek al dan nie, deur sodanige beampies of persoon gedoen gedurende enige ondersoek of navorsing op tou gesit of gefinansier deur die raad, by die raad ten bate van die Staat en kan die raad bedoelde ontdekkings, uitvindings of verbeterings vir gebruik in die openbare belang beskikbaar stel op die voorwaardes en teen betaling van die gelde of tantièmes wat die raad vasstel.

Regte op
ontdekkings en
uitvindings deur
beampies van
die raad en ander
persone, en
betaling van
bonusse aan
sodanige persone.

(2) Die raad kan, ten opsigte van so 'n ontdekking, uitvinding of verbetering, uit sy fondse aan die betrokke beampies of persoon die bonus betaal, of reël dat daardie beampies of persoon in die mate deel het aan enige winste wat uit die ontdekking, uitvinding of verbetering verkry word, wat die Minister in ooreenstemming met die Minister van Finansies bepaal.

(3) Die raad kan om 'n patent ten opsigte van 'n in subartikel (1) bedoelde uitvinding aansoek doen, en word by die toepassing van die Wet op Patente as die sessionaris van die uitvinder beskou, en kan die registrateur gelas om so 'n uitvinding en die wyse waarop dit toegepas moet word, geheim te hou.

Special investigations by arrangement with any person with a view to discoveries, inventions or improvements.

28. (1) The board may, by arrangement with any person and at such place and subject to such conditions and the payment of such charges and the furnishing of such contributions as may be agreed upon, carry out or cause to be carried out special investigations with the object of making discoveries, inventions or improvements in relation to any matter within the purview of the board in terms of this Act.

(2) The rights in any discovery, invention or improvement of whatever nature, whether within the purview of the board or not, so made, shall vest in either the board or any other person, according to the provisions of a written agreement entered into by the parties in question prior to the investigation.

(3) If the rights in any discovery, invention or improvement vest in the board in pursuance of an agreement contemplated in subsection (2), the board may make such discovery, invention or improvement available for use in the public interest, and the board may apply for a patent in respect thereof as if it were a discovery, invention or improvement referred to in section 27 (1).

(4) If the rights in any discovery, invention or improvement vest in any person other than the board in pursuance of an agreement contemplated in subsection (2), the said discovery, invention or improvement shall be used or made available for use in the public interest, subject to such conditions as may be provided by the agreement.

Prohibition of applications for certain patents in countries outside the Republic or the territory without consent of the board.

29. (1) No person who is a South African citizen or is resident or carries on business in the Republic or the territory shall, except with the written consent of the board, make or cause to be made, an application in any country outside the Republic or the territory for a patent in respect of any invention or discovery relating to nuclear or atomic energy or special nuclear material or enrichment or re-processing of source material or special nuclear material.

(2) The board shall grant or refuse such consent within a period of three months from the date of the application for such consent.

Disclosure of information prohibited.

30. (1) No person—

- (a) shall, without the consent in writing of the board or of the board in consultation with the Minister if deemed necessary by it, communicate, transmit or make known to any person, whether in or outside the Republic, or use, any information in regard to reserves of ores containing any source material or the annual output of such material or ores by any person or the price paid to any person in respect of such material or ores, or any investigation or research or any discovery or invention relating to the processing, re-processing, enrichment or use of any source material or special nuclear material or nuclear or atomic energy, or any such investigation or research financed wholly or partly by the board or the State or relating to prospecting or mining for or treatment of ores containing any source material, or anything done by or on behalf of the board in the exercise of its powers, or any property, whether movable or immovable, in the possession or under the control of the board;
- (b) shall receive any information knowing or having reasonable grounds to believe, at the time when he receives it, that the information is communicated, transmitted or made known to him in contravention of the provisions of paragraph (a); or
- (c) who has in his possession or under his control any information which under paragraph (a) he is prohibited from communicating, transmitting or making known to any person, shall fail to take reasonable steps to safeguard such information or so conduct himself as to endanger the secrecy thereof.

(2) The provisions of subsection (1) shall not apply in respect of the disclosure of information to any patent agent, advocate or attorney in the Republic or the territory in the course of a professional consultation.

(3) The Minister may direct that any proceedings, including arbitration proceedings, under this Act, be held *in camera* and that the public be excluded from being present thereat.

28. (1) Die raad kan by wyse van ooreenkoms met iemand en op die plek en op die voorwaardes en teen betaling van die koste en die verskaffing van die bydraes waarop ooreengekom word, spesiale ondersoek instel of laat instel met die doel om ontdekkings, uitvindings of verbeterings te doen met betrekking tot enige aangeleentheid wat ingevolge hierdie Wet binne die raad se bestek val.

Spesiale ondersoek by wyse van ooreenkoms met iemand met die oog op ontdekkings, uitvindings of verbeterings.

(2) Die regte op 'n ontdekking, uitvinding of verbetering van watter aard ook al, aldus gedoen, hetsy binne die bestek van die raad, al dan nie, berus óf by die raad óf by iemand anders, ooreenkomstig die bepalings van 'n skriftelike ooreenkoms wat vóór die ondersoek deur die betrokke partye aangegaan is.

(3) Indien die regte op enige ontdekking, uitvinding of verbetering uit hoofde van 'n in subartikel (2) beoogde ooreenkoms by die raad berus, kan die raad bedoelde ontdekking, uitvinding of verbetering in die openbare belang vir gebruik beskikbaar stel, en kan die raad om 'n patent ten opsigte daarvan aansoek doen asof dit 'n in artikel 27 (1) vermelde ontdekking, uitvinding of verbetering was.

(4) Indien die regte op 'n ontdekking, uitvinding of verbetering by iemand anders as die raad uit hoofde van 'n in subartikel (2) beoogde ooreenkoms berus, word bedoelde ontdekking, uitvinding of verbetering in die openbare belang gebruik of vir gebruik beskikbaar gestel op die voorwaardes wat by die ooreenkoms bepaal word.

29. (1) Niemand wat 'n Suid-Afrikaanse burger is of woonagtig is of sake doen in die Republiek of die gebied mag, behalwe met die skriftelike toestemming van die raad, in enige land buite die Republiek of die gebied om 'n patent aansoek doen of laat doen nie ten opsigte van 'n uitvinding of ontdekking met betrekking tot kern- of atoomkrag of spesiale kernmateriaal of verryking of herverwerking van bronmateriaal of spesiale kernmateriaal.

Verbod op aansoek om sekere patente in lande buite die Republiek of die gebied sonder toestemming van die raad.

(2) Die raad moet sodanige toestemming verleen of weier binne 'n tydperk van drie maande vanaf die datum van die aansoek om die toestemming.

30. (1) Niemand—

Openbaarmaking van inligting verbode.

(a) mag sonder die skriftelike toestemming van die raad of van die raad in oorleg met die Minister, indien die raad dit nodig ag, aan enigiemand hetsy binne of buite die Republiek meedeel, versend of bekend maak, of mag gebruik maak van, enige inligting met betrekking tot reserwevoorrade ertse wat bronmateriaal bevat of die jaarlikse produksie van sodanige materiaal of ertse deur enigiemand of die prys ten opsigte van sodanige materiaal of ertse aan enigiemand betaal, of enige ondersoek of navorsing of enige ontdekking of uitvinding betreffende die verwerking, herverwerking, verryking of gebruik van enige bronmateriaal of spesiale kernmateriaal of kern- of atoomkrag, of enige sodanige ondersoek of navorsing wat geheel of gedeeltelik deur die raad of die Staat gefinansier word of wat betrekking het op die prospektering na of die ontginning van of behandeling van ertse wat bronmateriaal bevat, of enigiets gedoen deur of ten behoeve van die raad by die uitoefening van sy bevoegdhede gedoen, of enige eiendom, hetsy roerend of onroerend in die besit of onder die beheer van die raad;

(b) mag inligting ontvang nie, as hy weet of redelike gronde het om te vermoed wanneer hy dit ontvang, dat die inligting aan hom in stryd met die bepalings in paragraaf (a) meegedeel, oorgedra of bekendgemaak word; of

(c) wat inligting wat hy ingevolge paragraaf (a) verbied word om aan enigiemand mee te deel, oor te dra of bekend te maak, in sy besit of onder sy beheer het, mag in gebreke bly om redelike stappe te doen om daardie inligting te beveilig of hom so gedra dat geheimhouding daarvan in gevaar gestel word nie.

(2) Die bepalings van subartikel (1) is nie ten opsigte van die openbaarmaking van inligting aan 'n patentagent, advokaat of prokureur in die Republiek of die gebied wat in sy professionele hoedanigheid geraadpleeg word, van toepassing nie.

(3) Die Minister kan gelas dat enige verrigtings, met inbegrip van verrigtings by arbitrasie, kragtens hierdie Wet, *in camera* gehou word, en dat die publiek van bywoning daarvan uitgesluit word.

(4) No trial or preparatory examination in respect of an offence under this section shall be instituted without the written authority of the attorney-general concerned.

(5) For the purposes of this section "information" includes anything containing or affording information.

State President may apply certain provisions to processing of source material and prohibit export of restricted material.

31. The State President may, if he considers it in the public interest, by proclamation in the *Gazette*—

- (a) apply any provision of section 21 (1) (d) (ii) or (iii) to inventions relating to the processing of source material;
- (b) prohibit any person from exporting any restricted material except under the authority of a permit issued by the board.

Compensation in respect of injuries suffered by persons employed by the board in connection with source material.

32. (1) If a person, while engaged in any capacity by or on behalf of the board, suffers a personal injury or contracts a disease which is attributable to ionising radiation of any radioactive material, or to the inflammable, explosive, poisonous or special properties of such material, or to the ionising radiation of any apparatus or production or application of such material or apparatus, the board shall, subject to the succeeding provisions of this section—

- (a) defray all reasonable expenses incurred by or on behalf of such person in respect of medical, surgical, dental or hospital treatment, nursing services or the supply and maintenance of any artificial part of the body or other device, necessitated by such injury or disease; and
- (b) pay compensation in respect of disablement or death caused by such injury or disease.

(2) (a) All questions as to the right to any payment under this section, the amount of such payment and the method of payment shall be determined by the Workmen's Compensation Commissioner appointed in terms of section 12 (1) of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), hereinafter referred to as the commissioner, and in making any determination in regard to compensation, the commissioner shall, *mutatis mutandis*, apply the provisions of sections 4, 27, 35, 36, 38, 39, 40, 41, 42, 44, 46, 49, 84, 85 and 86 of, and the First Schedule to, the said Act: Provided that in calculating the amount of the compensation payable under this section, the commissioner shall disregard the maximum prescribed by section 85 (1) of the said Act, as so applied as well as any provision of the said sections of the said Act as so applied in terms of which earnings in excess of a fixed amount are not taken into consideration.

(b) If the person in respect of whom the board is required to make any payment is a person to whom the provisions of section 29, 30 or 31 of the said Act would apply in respect of any similar payment under that Act, the provisions of the said section shall *mutatis mutandis* apply in respect of any payment under this section.

(c) The provisions of sections 100 and 102 of the said Act shall *mutatis mutandis* apply to any compensation payable under this section.

(3) (a) If any person who is entitled to any benefit under this section would also be entitled, but for the provisions of this section, to any benefit in respect of the same injury or disease under the Workmen's Compensation Act, 1941, his right under the said Act shall *ipso facto* lapse.

(b) Nothing in this section contained shall affect any right which any person may have under his contract of employment, or under any law, to benefits more favourable than those to which he may be entitled under this section: Provided that no person shall be entitled to claim benefits both under this section and under the said contract or law.

(4) For the purposes of this section the commissioner shall *mutatis mutandis* possess all the powers vested in him in respect of the matters dealt with by sections 17, 24, 56, 57, 58, 59, 60 and 88 of the Workmen's Compensation Act, 1941, and the provisions of the said sections shall *mutatis mutandis* apply in respect of all matters incidental to or necessary for any determination by the commissioner under this section.

(4) Geen verhoor of voorlopige ondersoek ten opsigte van 'n misdryf ingevolge hierdie artikel word sonder die skriftelike magtiging van die betrokke prokureur-generaal ingestel nie.

(5) By die toepassing van hierdie artikel beteken „inligting” ook enigiets wat inligting bevat of verskaf.

31. Die Staatspresident kan, indien hy dit in die openbare belang ag, by proklamasie in die *Staatskoerant*—

Staatspresident

(a) enige bepaling van artikel 21 (1) (d) (ii) of (iii) toepas op uitvindings met betrekking tot die verwerking van bronmateriaal;

kan sekere

bepalings met

betrekking tot

verwerking van

bronmateriaal

toepas en uitvoer

deur beperkte

materiaal verbied.

(b) enigiemand verbied om beperkte materiaal uit te voer, behalwe op gesag van 'n permit uitgereik deur die raad.

32. (1) Indien iemand wat in enige hoedanigheid deur of ten behoeve van die raad in diens geneem is, terwyl hy sodanige diens doen, 'n persoonlike besering opdoen of 'n siekte oploop wat toe te skryf is aan ioniserende bestraling van radioaktiewe materiaal, of aan die ontvlambare, ontplofbare, giftige of spesiale eienskappe van sodanige materiaal, of aan die ioniserende bestraling van enige apparaat of die produksie of aanwending van sodanige materiaal of apparaat, moet die raad, behoudens die hieropvolgende bepalings van hierdie artikel—

Skadeloosstelling

ten opsigte van

beserings opgedoen

deur persone wat

vir die raad

diens doen in

verband met

bronmateriaal.

(a) al die redelike uitgawes wat deur of namens so iemand ten opsigte van geneeskundige, heelkundige of tandheelkundige behandeling of hospitaalbehandeling, deskundige verplegingsdienste of die verskaffing en instandhouding van 'n kunsmatige liggaamsdeel of ander toestel wat deur sodanige besering of siekte nodig gemaak word, betaal; en

(b) skadeloosstelling ten opsigte van arbeidsongeskiktheid of dood wat deur sodanige besering of siekte veroorsaak is, betaal.

(2) (a) Alle geskille wat betref die reg op enige betaling kragtens hierdie artikel, die bedrag van so 'n betaling en die wyse van betaling word deur die ingevolge artikel 12 (1) van die Ongevallewet, 1941 (Wet No. 30 van 1941), aangestelde ongevallekommissaris, (hieronder die kommissaris genoem) beslis, en by enige beslissing met betrekking tot skadeloosstelling moet die kommissaris die bepalings van artikels 4, 27, 35, 36, 38, 39, 40, 41, 42, 44, 46, 49, 84, 85, en 86 van en die Eerste Bylae by genoemde Wet *mutatis mutandis* toepas: Met dien verstande dat by die berekening van die bedrag van die kragtens hierdie artikel betaalbare skadeloosstelling die kommissaris sowel die maksimum voorgeskryf by artikel 85 (1) van genoemde Wet soos aldus toegepas, as enige bepaling van genoemde artikels van genoemde Wet, soos aldus toegepas, waarvolgens verdienste bo 'n vasgestelde bedrag buite rekening gelaat word, verontagsaam.

(b) Indien die persoon ten opsigte van wie die raad 'n bedrag moet betaal, iemand is op wie die bepalings van artikel 29, 30 of 31 van genoemde Wet van toepassing sou wees ten opsigte van 'n soortgelyke betaling ingevolge genoemde Wet, is die bepalings van bedoelde artikel *mutatis mutandis* van toepassing ten opsigte van enige betaling ingevolge hierdie artikel.

(c) Die bepalings van artikels 100 en 102 van genoemde Wet is *mutatis mutandis* van toepassing op skadeloosstelling kragtens hierdie artikel betaalbaar.

(3) (a) Indien iemand wat op 'n voordeel kragtens hierdie artikel geregtig is, ook, as dit nie vir die bepalings van hierdie artikel was nie, ten opsigte van dieselfde besering of siekte op 'n voordeel kragtens die Ongevallewet, 1941, geregtig sou wees, dan vervel sy reg kragtens genoemde Wet *ipso facto*.

(b) Geen bepaling van hierdie artikel raak 'n reg wat enigiemand kragtens sy dienskontrak of 'n wetsbepaling op gunstiger voordele as dié waarop hy kragtens hierdie artikel geregtig is, besit nie: Met dien verstande dat niemand voordele sowel kragtens hierdie artikel as kragtens bedoelde kontrak of wetsbepaling kan eis nie.

(4) By die toepassing van hierdie artikel het die kommissaris *mutatis mutandis* al die bevoegdhede wat by hom berus ten opsigte van die aangeleenthede wat by artikels 17, 24, 56, 57, 58, 59, 60 en 88 van die Ongevallewet, 1941, behandel word, en die bepalings van genoemde artikels is *mutatis mutandis* van toepassing ten opsigte van alle aangeleenthede wat in verband staan met of nodig is vir 'n beslissing deur die kommissaris kragtens hierdie artikel.

- (5) (a) The board shall, from time to time, pay to the accident fund established by section 64 of the Workmen's Compensation Act, 1941, a contribution towards the expense incurred by the commissioner under this section as may be agreed upon between the board and the commissioner, or as may in the absence of such agreement be determined by the Minister.
- (b) In assessing the board in terms of section 69 of the said Act, the commissioner shall make allowance for any reduction in the potential liability of the said accident fund by reason of the provisions of this section.

Compensation for other personal injuries or diseases to be decided upon by a specially appointed committee.

33. (1) If a person while engaged in any capacity by the board suffers a personal injury or contracts a disease other than a personal injury or disease contemplated in section 32 (1), the Minister may in consultation with the Minister of Finance, notwithstanding the provisions of any other law, authorize the payment of compensation to such person, or, in the event of his death, to his dependants out of the funds of the board.

(2) (a) The Minister shall appoint a committee consisting of five members, one of whom shall be a judge of any division of the Supreme Court of South Africa and who shall be chairman, and four of whom shall be persons with expert knowledge of the sphere of activities of the board in which the injury or damage is alleged to have occurred.

(b) Two of the four members with such expert knowledge shall be persons who are not in the service of the board.

(3) It shall be the duty of the said committee to receive and consider all the available information adduced in any matter referred to it and to advise the Minister on the amount of compensation, if any, to be paid in terms of subsection (1).

(4) Any person who considers himself aggrieved by the finding of the said committee or the decision of the Minister shall have a right of appeal to the appropriate division of the Supreme Court of South Africa.

(5) Any member of such a committee who is not in the full-time employment of the State or of the board may out of the funds of the board be paid such remuneration or allowances as may be determined by the Minister in consultation with the Minister of Finance.

Offences and penalties.

34. Any person who—

- (a) contravenes or fails to comply with the provisions of section 5 (1), 7, 8 or 29;
- (b) contravenes or fails to comply with any condition upon which any authority has been granted to him under section 7 or 8;
- (c) fails to comply with any notice served on him under section 9 (1), or knowingly or negligently makes any untrue statement in any return made in pursuance of such notice, or wilfully obstructs any person exercising powers under section 9 (2) or (3), or wilfully publishes or affords access to any information in contravention of section 9 (4);
- (d) contravenes or fails to comply with the provisions of section 10 or 21;
- (e) fails to comply with any direction served upon him in terms of section 23 (1);
- (f) contravenes or fails to comply with the provisions of section 30;
- (g) contravenes or fails to comply with any provision of section 21 (1) (d) (ii) or (iii), as applied in terms of section 31 (a), or any prohibition under section 31 (b), shall be guilty of an offence and on conviction liable—
 - (i) in the case of an offence referred to in paragraph (a), (b), (c), (e) or (g), to a fine not exceeding three thousand rand or to imprisonment for a period not exceeding seven years or to both such fine and such imprisonment;
 - (ii) in the case of an offence referred to in paragraph (d), to a fine not exceeding five hundred rand or to imprisonment for a period not exceeding twelve months; or
 - (iii) in the case of an offence referred to in paragraph (f), to a fine not exceeding ten thousand rand or to imprisonment for a period not exceeding twenty years or to both such fine and such imprisonment.

- (5) (a) Die raad betaal van tyd tot tyd aan die ongevallefonds by artikel 64 van die Ongevallewet, 1941, ingestel, 'n bydrae tot die uitgawes deur die kommissaris ingevolge hierdie artikel aangeaan waarop onderling deur die raad en die kommissaris ooreengekom word of wat, by ontstentenis van so 'n ooreenkoms, deur die Minister vasgestel word.
- (b) By aanslag van die raad ingevolge artikel 69 van genoemde Wet, hou die kommissaris rekening met die vermindering in die potensiele aanspreeklikheid van die ongevallefonds ten gevolge van die bepalinge van hierdie artikel.

33. (1) Indien iemand wat in enige hoedanigheid deur die raad in diens geneem is, 'n persoonlike besering opdoen of 'n siekte oploop, behalwe 'n persoonlike besering of siekte in artikel 32 (1) beoog, terwyl hy sodanige diens doen, kan die Minister in ooreenstemming met die Minister van Finansies, ondanks ander wetsbepalinge, betaling van vergoeding uit die fondse van die raad aan so iemand magtig of, ingeval van sy dood, aan sy afhanklikes.

(2) (a) Die Minister moet 'n komitee bestaande uit vyf lede aanstel, een waarvan 'n regter van enige afdeling van die Hooggeregshof van Suid-Afrika en die voorsitter is, en vier waarvan persone is met deskundige kennis van die bedryfsfeer van die raad waarin die besering of benadeling na bewering plaasgevind het.

(b) Twee van die vier lede met sodanige deskundige kennis moet persone wees wat nie in diens van die raad is nie.

(3) Genoemde komitee is belas daarmee om al die beskikbare inligting aangevoer by 'n aangeleentheid aan hom voorgelê, te ontvang en te oorweeg en om die Minister van advies te dien omtrent die bedrag vergoeding, indien daar is, betaalbaar ingevolge subartikel (1).

(4) Enigiemand wat homself deur die bevinding van genoemde komitee of die beslissing van die Minister veronreg ag, het 'n reg van appell na die gepaste afdeling van die Hooggeregshof van Suid-Afrika.

(5) 'n Lid van so 'n komitee wat nie in die voltydse diens van die Staat of die raad is nie kan uit die fondse van die raad die besoldiging of toelae betaal word wat die Minister in ooreenstemming met die Minister van Finansies vasstel.

34. Iemand wat—

Misdrywe en
strawwe.

- (a) die bepalinge van artikel 5 (1), 7, 8 of 29 oortree of versuim om daaraan te voldoen;
- (b) 'n voorwaarde waarop 'n magtiging kragtens artikel 7 of 8 aan hom verleen is, oortree of versuim om daaraan te voldoen;
- (c) versuim om te voldoen aan 'n kennisgewing ingevolge artikel 9 (1) aan hom bestel, of wetend of nalatiglik 'n onware verklaring maak in 'n opgawe uit hoofde van sodanige kennisgewing verstrek, of opsetlik iemand by die uitoefening van sy bevoegdhede kragtens artikel 9 (2) of (3) belemmer, of opsetlik inligting publiseer of toegang daartoe verleen, ter oortreding van artikel 9 (4);
- (d) die bepalinge van artikel 10 of 21 oortree of versuim om daaraan te voldoen;
- (e) versuim om aan 'n opdrag ingevolge artikel 23 (1) aan hom bestel, te voldoen;
- (f) die bepalinge van artikel 30 oortree of versuim om daaraan te voldoen;
- (g) 'n bepaling van artikel 21 (1) (d) (iii) of (iii), soos ingevolge artikel 31 (a) toegepas, of 'n verbod kragtens artikel 31 (b), oortree of versuim om daaraan te voldoen,
- is aan 'n misdryf skuldig en by skuldigbevinding strafbaar—
- (i) in die geval van 'n in paragraaf (a), (b), (c), (e) of (g) bedoelde misdryf, met 'n boete van hoogstens drieduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens sewe jaar of met sowel sodanige boete as sodanige gevangenisstraf;
- (ii) in die geval van 'n in paragraaf (d) bedoelde misdryf, met 'n boete van hoogstens vyfhonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens twaalf maande; of
- (iii) in die geval van 'n in paragraaf (f) bedoelde misdryf, met 'n boete van hoogstens tienduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens twintig jaar of met sowel sodanige boete as sodanige gevangenisstraf.

Regulations.

35. (1) The State President may make regulations as to—

- (a) the calling of meetings of the board and of any committee thereof and the procedure and quorum at such meetings;
- (b) the safeguarding of any mine or portion of a mine producing source material, and any plant or premises in which such material is extracted or isolated from any substance; and
- (c) generally, all matters which he deems it necessary or expedient to prescribe in order that the objects of this Act may be achieved.

(2) Any regulations made under subsection (1) (b) may prescribe penalties for any contravention thereof or failure to comply therewith, and different regulations may be made under that subsection in respect of different mines, plants or premises or portions thereof.

Application of Act to South-West Africa.

36. This Act and any amendment thereof which may be made from time to time shall apply also in the territory and in relation to all persons in that portion of the territory known as the "Rehoboth Gebiet" and defined in the First Schedule to Proclamation No. 28 of 1923 of the Administrator of the territory.

Repeal of laws and savings.

37. (1) Subject to the provisions of subsections (2) and (3), the laws specified in the Schedule are hereby repealed to the extent indicated in the third column of the Schedule.

(2) The provisions of section 15 (2), (3) and (4) of the Atomic Energy Act, 1948 (Act No. 35 of 1948), shall notwithstanding the repeal of that Act by this Act, continue to apply in respect of any person who immediately prior to the commencement of this Act was a contributor to the university institutions provident fund established under the regulations made in terms of section 12 (1) (g) of the Higher Education Additional Provision Act, 1917 (Act No. 20 of 1917), subject to any right he may have to elect to become a contributor to the fund referred to in section 2 (1) (b) of the Associated Institutions Pension Fund Act, 1963 (Act No. 41 of 1963).

(3) Subject to the provisions of this Act, any appointment, regulation, proclamation or authority made, granted or issued or any agreement entered into or guarantee furnished or any other thing done under a provision of a law repealed by subsection (1) shall be deemed to have been made, granted, issued, entered into, furnished or done under the corresponding provision of this Act.

Short title and commencement.

38. This Act shall be called the Atomic Energy Act, 1967, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

Schedule.

LAWS REPEALED.

No. and year of law.	Title.	Extent of repeal.
Act No. 35 of 1948	Atomic Energy Act, 1948	The whole.
Act No. 8 of 1950	Atomic Energy Amendment Act, 1950	The whole.
Act No. 18 of 1952	Atomic Energy Amendment Act, 1952	The whole.
Act No. 11 of 1956	Atomic Energy Amendment Act, 1956	The whole.
Act No. 27 of 1958	Atomic Energy Amendment Act, 1958	The whole.
Act No. 35 of 1959	Atomic Energy Amendment Act, 1959	The whole.
Act No. 44 of 1961	Atomic Energy Amendment Act, 1961	The whole.
Act No. 77 of 1962	Finance Act, 1962	Section II.
Act No. 39 of 1965	Atomic Energy and Nuclear Installations (Licensing and Security) Amendment Act, 1965.	Sections 1 to 10, inclusive.

35. (1) Die Staatspresident kan regulasies uitvaardig aan-Regulasies.
gaande—

- (a) die byeenroeping van vergaderings van die raad en van enige komitee daarvan, en die prosedure en kworum by sodanige vergaderings;
- (b) die beveiliging van enige myn of deel van 'n myn wat bronmateriaal voortbring, en enige uitrusting of perseel waarin sodanige materiaal uit enige stof geëkstraheer of geïsoleer word; en
- (c) oor die algemeen alle aangeleenthede wat hy nodig of raadsaam ag om voor te skryf sodat die doel van hierdie Wet bereik word.

(2) Enige regulasies kragtens subartikel (1) (b) uitvaardig, kan vir 'n oortreding daarvan of versuim om daaraan te voldoen, strawwe voorskryf en verskillende regulasies kan kragtens daardie subartikel ten opsigte van verskillende myne, uitrustings of persele of dele daarvan voorgeskryf word.

36. Hierdie Wet en enige wysiging daarvan wat van tyd tot tyd aangebring mag word, is ook van toepassing in die gebied en met betrekking tot alle persone in daardie gedeelte van die gebied bekend as die „Rehoboth Gebiet” en omskrywe in die Eerste Bylae by Proklamasie No. 28 van 1923 van die Administrateur van die gebied. Toepassing van Wet op Suidwes-Afrika.

37. (1) Behoudens die bepalings van subartikels (2) en (3) word die wette in die Bylae aangewys hierby herroep vir sover in die derde kolom van die Bylae aangedui. Herroeping van wette en voorbehoude.

(2) Die bepalings van artikel 15 (2), (3) en (4) van die Wet op Atoomkrag, 1948 (Wet No. 35 van 1948), bly, ondanks die herroeping van daardie Wet by hierdie Wet, van toepassing ten opsigte van iemand wat onmiddellik voor die inwerkingtreding van hierdie Wet 'n bydraer was tot die voorsorgfonds vir universiteitsinrigtings kragtens die regulasies uitvaardig ingevolge artikel 12 (1) (g) van die „Wet tot Addisionele Regeling van het Hoger Onderwijs, 1917” (Wet No. 20 van 1917), ingestel, behoudens 'n reg wat hy het om te kies om bydraer te word tot die fonds bedoel in artikel 2 (1) (b) van die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963 (Wet No. 41 van 1963).

(3) Behoudens die bepalings van hierdie Wet, word 'n aanstelling, regulasie, proklamasie of magtiging gedoen, uitvaardig, verleen of uitgereik of 'n ooreenkoms aangegaan of waarborg verstrek of enigiets anders gedoen ingevolge 'n wetsbepaling deur subartikel (1) herroep, geag ingevolge die ooreenstemmende bepaling van hierdie Wet gedoen, uitvaardig, verleen, uitgereik, aangegaan of verstrek te gewees het.

38. Hierdie Wet heet die Wet op Atoomkrag, 1967, en tree Kort titel en in werking op 'n datum wat die Staatspresident by proklamasie inwerkingtreding in die Staatskoerant bepaal.

Bylae.

WETTE HERROEP.

No. en jaar van Wet.	Titel.	In hoeverre herroep.
Wet No. 35 van 1948	Wet op Atoomkrag, 1948	Die geheel.
Wet No. 8 van 1950	Wysigingswet op Atoomkrag, 1950	Die geheel.
Wet No. 18 van 1952	Wysigingswet op Atoomkrag, 1952	Die geheel.
Wet No. 11 van 1956	Wysigingswet op Atoomkrag, 1956	Die geheel.
Wet No. 27 van 1958	Wysigingswet op Atoomkrag, 1958	Die geheel.
Wet No. 35 van 1959	Wysigingswet op Atoomkrag, 1959	Die geheel.
Wet No. 44 van 1961	Wysigingswet op Atoomkrag, 1961	Die geheel.
Wet No. 77 van 1962	Finansiëlewet, 1962	Artikel 11.
Wet No. 39 van 1965	Wysigingswet op Atoomkrag en Kerninstallasies (Lisensiering en Sekerheidsstelling), 1965.	Artikels 1 tot en met 10.

No. 96, 1967.]

ACT

To amend section 77 of and Schedules Nos. 1 to 6, inclusive, to the Customs and Excise Act, 1964; and to provide for incidental matters.

(Afrikaans text signed by the Acting State President.)
(Assented to 19th June, 1967.)

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

Substitution
of section
77 of Act 91
of 1964.

1. The following section is hereby substituted for section 77 of the Customs and Excise Act, 1964 (hereinafter referred to as the principal Act):

"Overpay-
ments in
respect of
excisable
goods.

77. (a) Any amount due to a licensee of a customs and excise warehouse who, in terms of the regulations, is permitted to pay excise duty monthly in respect of such duty paid by him for which he was not liable may, at any time within a period of one year from the date on which such amount first becomes due, be set off against any amount for which such licensee subsequently becomes liable in respect of excise duty, provided the accounts submitted by such licensee in respect of the payment of any amount against which any amount so due to him has been set off are accompanied by a full statement by such licensee, supported by a certificate by an officer, giving full particulars of the excise duty so paid and a full account of the circumstances under which the payment thereof took place and by such documentary evidence as the Secretary may in each case require.

(b) If the set off of any amount is not allowed by the Secretary in terms of paragraph (a) such amount shall be re-debited to the account of such licensee."

Amendment of
Schedules Nos.
1 to 6, inclusive,
to Act 91 of 1964,
as amended by
section 19 of
Act 95 of 1965
and section 15
of Act 57 of 1966.

2. (1) Every notice issued under the provisions of section 48 (1), (2) or (3), section 55 (2) or (3) or section 75 (15) of the principal Act prior to the twenty-fourth day of March, 1967, is hereby repealed and Schedules Nos. 1, 2, 3, 4, 5 and 6 to that Act shall be construed as if the amendments made by any such notice had not been effected.

(2) The said Schedules as so construed are hereby amended to the extent set out in Schedules Nos. 1, 2, 3, 4, 5 and 6 to this Act.

(3) Any amendment to Schedule No. 1, 2, 3, 4, 5 or 6 to the principal Act, made under the provisions of section 48, 55 or 75 of that Act after the twenty-third day of March, 1967, shall be construed *mutatis mutandis* as if it were an amendment of the Schedule concerned, as amended by this section.

(4) This section, except in so far as subsection (2) relates to the amendments referred to in subsections (5), (6), (7), (8), (9) and (10) and to the title of Chapter 34, Note 3 (a) (ii) to Chapter 59, Note 6 to Section XV, and tariff heading No. 73.03 referred to in Schedule No. 1 to this Act, tariff heading No. 57.09 in item

No. 96, 1967.]

WET

Tot wysiging van artikel 77 van en Bylaes Nos. 1 tot en met 6 by die Doeane- en Aksynswet, 1964; en om vir bykomstige aanleenthede voorsiening te maak.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 19 Junie 1967.)

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

1. Artikel 77 van die Doeane- en Aksynswet, 1964 (hieronder die Hoofwet genoem), word hierby deur die volgende artikel vervang:

„Oorbetalings ten opsigte van synebare goedere.

77. (a) Enige bedrag wat aan 'n lisensiehouer van 'n doeane-en-aksynspakhuis wat kragtens die regulasies toegelaat word om aksynsreg maandeliks te betaal, verskuldig is ten opsigte van sodanige reg deur hom betaal waarvoor hy nie aanspreeklik was nie, kan te eniger tyd binne 'n tydperk van een jaar vanaf die datum waarop sodanige bedrag vir die eerste keer verskuldig word, verreken word teen enige bedrag waarvoor sodanige lisensiehouer daarna aanspreeklik word ten opsigte van aksynsreg, mits die rekeninge wat deur sodanige lisensiehouer voorgelê word ten opsigte van die betaling van enige bedrag waarteen enige bedrag aldus aan hom verskuldig, verreken is, vergesel gaan van 'n volledige verklaring van sodanige lisensiehouer, gesteun deur 'n sertifikaat van 'n beampte, wat volle besonderhede verstrek van die aksynsreg aldus betaal en 'n volledige relas gee van die omstandighede waarin betaling daarvan geskied het en deur die dokumentêre getuienis wat die Sekretaris in elke geval verlang.

(b) Indien die verrekening van enige bedrag nie ingevolge paragraaf (a) deur die Sekretaris toegelaat word nie, word sodanige bedrag weer teen die rekening van sodanige lisensiehouer gedebiteer.”.

Vervanging van artikel 77 van Wet 91 van 1964.

2. (1) Elke kennisgewing wat kragtens die bepalings van artikel 48 (1), (2) of (3), artikel 55 (2) of (3) of artikel 75 (15) van die Hoofwet voor die vier-en-twintigste dag van Maart 1967 uitgevaardig is, word hierby herroep en Bylaes Nos. 1, 2, 3, 4, 5 en 6 by daardie Wet word uitgelê asof die wysigings by so 'n kennisgewing aangebring, nie aangebring was nie.

(2) Genoemde Bylaes soos aldus uitgelê, word hierby gewysig in die mate in Bylaes Nos. 1, 2, 3, 4, 5 en 6 by hierdie Wet uiteengesit.

(3) Enige wysiging van Bylae No. 1, 2, 3, 4, 5 of 6 by die Hoofwet wat kragtens die bepalings van artikel 48, 55 of 75 van daardie Wet na die drie-en-twintigste dag van Maart 1967 aangebring is, word uitgelê *mutatis mutandis* asof dit 'n wysiging was van die betrokke Bylae soos by hierdie artikel gewysig.

(4) Hierdie artikel, behalwe vir sover subartikel (2) betrekking het op die wysigings waarna in subartikels (5), (6), (7), (8), (9) en (10) verwys word en op die benaming van Hoofstuk 34, Opmerking 3 (a) (ii) by Hoofstuk 59, Opmerking 6 by Afdeling XV, en tariefpos No. 73.03 waarna in Bylae No. 1 by hierdie Wet verwys word, tariefpos No. 57.09 in item 312.01 waarna in

Wysiging van Bylaes Nos. 1 tot en met 6 by Wet 91 van 1964, soos gewysig deur artikel 19 van Wet 95 van 1965 en artikel 15 van Wet 57 van 1966.

312.01 referred to in Schedule No. 3 to this Act, tariff heading No. 70.13 in item 513.01 referred to in Schedule No. 5 to this Act and items 602.00, 602.01, 604.02.10, 604.03.10, 605.04.05, 606.05.20 and 608.01 referred to in Schedule No. 6 to this Act, shall be deemed to have come into operation on the twenty-fourth day of March, 1967.

(5) Subject to the provisions of section 58 (1) of the principal Act, this section, in so far as subsection (2) relates to tariff heading No. 87.02.10.90 and tariff item 117.05 referred to in Schedule No. 1 to this Act and paragraphs (b) to (s), inclusive, of item 609.17.20 referred to in Schedule No. 6 to this Act, shall be deemed to have come into operation on the twenty-second day of March, 1967.

(6) This section, in so far as subsection (2) relates to items 603.01.03 and 607.02 referred to in Schedule No. 6 to this Act, shall be deemed to have come into operation on the twenty-third day of March, 1967.

(7) This section, in so far as subsection (2) relates to tariff headings Nos. 43.03 and 90.07 referred to in Schedule No. 1 to this Act, tariff heading No. 04.02 in item 304.07, tariff heading No. 27.07 in item 307.07 and tariff headings Nos. 51.04 and 60.01 in item 311.25 referred to in Schedule No. 3 to this Act, shall be deemed to have come into operation on the first day of January, 1965.

(8) This section, in so far as subsection (2) relates to item 460.06 referred to in Schedule No. 4 to this Act, shall be deemed to have come into operation on the first day of May, 1966.

(9) Tariff heading No. 87.06.55 of Schedule No. 1 to the principal Act shall be construed as if during the period from the first day of January, 1965, up to and including the tenth day of February, 1966, there had been included therein a provision providing for clearance at a rate of duty of 10% *ad valorem* of brake drums of unmachined cast metal, whether or not attached to wheel hubs.

(10) Tariff heading No. 84.06 in item 316.01 of Schedule No. 3 to the principal Act shall be construed as if during the period from the first day of January, 1965, up to and including the seventh day of October, 1965, there had been included therein a provision providing for a rebate of the full duty on internal combustion piston engines for the manufacture of road graders.

Refund of
excise duties
on certain
kaffircorn
malt.

3. (1) If a manufacturer of bantu beer proves to the satisfaction of the Secretary, as defined in section 1 of the principal Act, that the full excise duty has been paid on any kaffircorn malt delivered prior to the twenty-third day of March, 1967, from any customs and excise warehouse and used in the manufacture of bantu beer in respect of which a rebate of the full excise duty was not applicable during any period after the said date, and on which the non-rebated portion of the excise duty has been paid, the Secretary may refund to the manufacturer of such beer the excise duty paid on any such malt which has been so used.

(2) For the purposes of subsection (1)—

(a) kaffircorn malt used in the manufacture of bantu beer shall be deemed to include kaffircorn malt used in the manufacture of bantu beer powder or mash subsequently used in the manufacture of bantu beer; and

(b) the Secretary may in his discretion accept proof of payment in respect of kaffircorn malt or bantu beer powder or mash by a manufacturer of bantu beer of a price which in the opinion of the Secretary included any excise duty on kaffircorn malt as proof that the excise duty on such kaffircorn malt has been paid.

(3) No refund of duty shall be paid by virtue of the provisions of this section unless the application for refund is received by the Controller, as defined in section 1 of the principal Act, within six months after the date of commencement of this section and any such application and any refund in pursuance of such application shall otherwise be subject to the provisions of sections 76 and 77 of the principal Act.

(4) This section shall apply also 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)).

Short title.

4. This Act shall be called the Customs and Excise Amendment Act, 1967.

Bylae No. 3 by hierdie Wet verwys word, tariefpos No. 70.13 in item 513.01 waarna in Bylae No. 5 by hierdie Wet verwys word en items 602.00, 602.01, 604.02.10, 604.03.10, 605.04.05, 606.05.20 en 608.01 waarna in Bylae No. 6 by hierdie Wet verwys word, word geag op die vier-en-twintigste dag van Maart 1967 in werking te getree het.

(5) Behoudens die bepalings van artikel 58 (1) van die Hoofwet, word hierdie artikel, vir sover subartikel (2) betrekking het op tariefpos No. 87.02.10.90 en tariefitem 117.05 waarna in Bylae No. 1 by hierdie Wet verwys word en paragrawe (b) tot en met (s) van item 609.17.20 waarna in Bylae No. 6 by hierdie Wet verwys word, geag op die twee-en-twintigste dag van Maart 1967 in werking te getree het.

(6) Hierdie artikel, vir sover subartikel (2) betrekking het op items 603.01.03 en 607.02 waarna in Bylae No. 6 by hierdie Wet verwys word, word geag op die drie-en-twintigste dag van Maart 1967 in werking te getree het.

(7) Hierdie artikel, vir sover subartikel (2) betrekking het op tariefposte Nos. 43.03 en 90.07 waarna in Bylae No. 1 by hierdie Wet verwys word, tariefpos No. 04.02 in item 304.07, tariefpos No. 27.07 in item 307.07 en tariefposte Nos. 51.04 en 60.01 in item 311.25 waarna in Bylae No. 3 by hierdie Wet verwys word, word geag op die eerste dag van Januarie 1965 in werking te getree het.

(8) Hierdie artikel, vir sover subartikel (2) betrekking het op item 460.06 waarna in Bylae No. 4 by hierdie Wet verwys word, word geag op die eerste dag van Mei 1966 in werking te getree het.

(9) Tariefpos No. 87.06.55 van Bylae No. 1 by die Hoofwet word uitgelê asof daar gedurende die tydperk vanaf die eerste dag van Januarie 1965 tot en met die tiende dag van Februarie 1966, 'n bepaling daarin ingesluit was wat voorsiening maak vir die klaring teen 'n skaal van reg van 10% *ad valorem* van rementrommels van ongemasjineerde gegote metaal, hetsy aan wien nawe geheg al dan nie.

(10) Tariefpos No. 84.06 in item 316.01 van Bylae No. 3 by die Hoofwet word uitgelê asof daar gedurende die tydperk vanaf die eerste dag van Januarie 1965 tot en met die sewende dag van Oktober 1965, 'n bepaling daarin ingesluit was wat voorsiening maak vir die korting van die volle reg op binnebrandsuieringjins vir die vervaardiging van padskrapers.

3. (1) Indien 'n vervaardiger van bantoebier tot bevrediging van die Sekretaris, soos in artikel 1 van die Hoofwet omskryf, bewys dat die volle aksynsreg betaal is op enige kafferkoringmout wat voor die drie-en-twintigste dag van Maart 1967 uit 'n doecane-en-aksynspakhuis gelewer is en wat gebruik is by die vervaardiging van bantoebier ten opsigte waarvan 'n korting van die volle aksynsreg nie gedurende enige tydperk sedert vermeldde datum gegeld het nie, en waarop die ongekorte gedeelte van die aksynsreg betaal is, kan die Sekretaris die aksynsreg wat betaal is op enige sodanige mout wat aldus gebruik is aan die vervaardiger van sodanige bier terugbetaal.

Terugbetaling van aksynsregte op sekere kafferkoringmout.

(2) By die toepassing van subartikel (1)—

(a) word kafferkoringmout wat gebruik is by die vervaardiging van bantoebier geag kafferkoringmout in te sluit wat gebruik is by die vervaardiging van bantoebierpoeier of -pap wat daarna gebruik is by die vervaardiging van bantoebier; en

(b) kan die Sekretaris na goedgekeurde bewys van betaling ten opsigte van kafferkoringmout of bantoebierpoeier of -pap deur 'n vervaardiger van bantoebier van 'n prys wat na die Sekretaris se oordeel enige aksynsreg op kafferkoringmout ingesluit het as bewys aanvaar dat die aksynsreg op sodanige kafferkoringmout betaal is.

(3) Geen terugbetaling van reg word uit hoofde van die bepalings van hierdie artikel gedoen nie tensy die aansoek om terugbetaling deur die Kontroleur, soos in artikel 1 van die Hoofwet omskryf, binne ses maande na die datum van inwerkingtrede van hierdie artikel ontvang word en enige sodanige aansoek en enige terugbetaling ingevolge sodanige aansoek is andersins aan die bepalings van artikels 76 en 77 van die Hoofwet onderworpe.

(4) Hierdie artikel is ook in die gebied Suidwes-Afrika (met inbegrip van die Oostelike Caprivi Zipfel in artikel 3 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951), vermeld) van toepassing.

4. Hierdie Wet heet die Wysigingswet op Doecane en Aksyns, Kort titel. 1967.

Schedule No. 1

AMENDMENTS TO SCHEDULE NO. 1 TO THE CUSTOMS AND EXCISE ACT. 1964.

I Tariff Heading	II Statistical Unit	III	IV	V
		General	Rate of Duty M.F.N.	Preferential
General Note VII				
By the substitution for General Note VII of the following:				
"NOTE VII				
SEA PRODUCE TAKEN BY A SHIP RECOGNIZED AS A SHIP OF SOUTH AFRICAN NATIONALITY				
Fish, crustaceans, molluscs, birds and any other marine or other animals of any nature and parts of and products derived or manufactured from such fish, crustaceans, molluscs, birds or animals taken from the sea or taken from any island forming part of the Republic by any ship recognized as a ship of South African nationality in terms of section 64 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) shall be exempt from customs duty and from such requirements of this Act as the Secretary may decide in each case, when landed in the Republic direct from such ship or when landed from any other ship so recognized subject to the prior permission of the Secretary for transshipment having been obtained and subject to such conditions as he may impose in each case.				
NOTE VII A				
TIME OF IMPORTATION OF CERTAIN GOODS				
For the purposes of this Act, any ship (excluding a flying boat) built outside the Republic and brought to any place in the Republic under its own power or in any manner except as cargo in any other ship or vehicle, shall be deemed to have been imported into the Republic at the time when such ship acquired recognition as a ship of South African nationality in terms of section 64 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) or if it acquired such recognition before arrival at any place in the Republic, at the time when such ship first came within the control area of the port authority at the first port of call in the Republic: Provided that this note shall not be construed to apply to any ship so recognized as a ship of South African nationality on the ninth day of December, 1966, for as long as such recognition continues."				
Chapter 2				
By the substitution for paragraph (c) of the Notes to Chapter 2 of the following:				
"(c) Animal fat, excluding products of heading No. 02.05 (Chapter 15)."				
11.02	By the insertion after subheading No. 11.02.50 of the following:			
	"11.02.60 Germ of cereals	lb.	20%"	
20.05	By the substitution for tariff heading No. 20.05 of the following:			
	"20.05 Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar:			

Bylae No. 1

WYSIGINGS VAN BYLAE NO. 1 BY DIE DOEANE- EN AKSYNSWET, 1964.

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
Algemene Opmerking VII				
Deur Algemene Opmerking VII deur die volgende te vervang:				
„OPMERKING VII				
SEEPRODUKTE VERKRY DEUR 'N SKIP WAT AS 'N SKIP VAN SUID-AFRIKAANSE NASIONALITEIT ERKEN WORD				
Vis, skaaldiere, weekdiere, voëls en enige seediere of ander diere van enige aard en dele van en produkte afkomstig of vervaardig van sodanige vis, skaaldiere, weekdiere, voëls of diere wat van die see of van enige eiland wat deel van die Republiek uitmaak, verkry is deur enige skip wat kragtens artikel 64 van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951) as 'n skip van Suid-Afrikaanse nasionaliteit erken word, word vrygestel van doeanereg en van die voorskrifte van hierdie Wet waartoe die Sekretaris in elke geval besluit, wanneer regstreeks uit sodanige skip in die Republiek geland of wanneer uit enige ander aldus erkende skip geland, onderworpe aan die voorafgaande verkryging van toestemming van die Sekretaris vir oorskeping en onderworpe aan die voorwaardes wat hy in elke geval stel.				
OPMERKING VII A				
TYD VAN INVOER VAN SEKERE GOEDERE				
By die toepassing van hierdie Wet word enige skip (uitgesonderd 'n vliegboot) wat buite die Republiek gebou is en wat op eie krag of op enige ander wyse, behalwe as vrag in enige ander skip of voertuig, na enige plek in die Republiek gebring word, gegag in die Republiek ingevoer te gewees het op die tydstip waarop sodanige skip kragtens artikel 64 van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951) erkenning verkry het as 'n skip van Suid-Afrikaanse nasionaliteit of indien dit genoemde erkenning verkry het voor aankoms by enige plek in die Republiek, die tydstip waarop sodanige skip die eerste keer binne die beheergebied gekom het van die hawe-owerheid by die eerste hawe in die Republiek waar die skip aandoen: Met dien verstande dat hierdie opmerking nie uitgelê word om op enige skip wat op die negende dag van Desember 1966 aldus as 'n skip van Suid-Afrikaanse nasionaliteit erken is, solank as sodanige erkenning voortduur, van toepassing te wees nie."				
Hoofstuk 2				
Deur paragraaf (e) van die Opmerkings by Hoofstuk 2 deur die volgende te vervang:				
„(c) Dieret, uitgesonderd produkte van pos No. 02.05 (Hoofstuk 15)."				
11.02	Deur na subpos No. 11.02.50 die volgende in te voeg:			
	„11.02.60 Graankiem	lb.	20 %"	
20.05	Deur tariefpos No. 20.05 deur die volgende te vervang:			
	„20.05 Konfyte, vrugtelies, marmelades, vrugtepuree en vrugtepastas, naamlik gekookte bereidings, hetsy met bygevoegde suiker al dan nie:			

I Tariff Heading	II Statistical Unit	IV Rate of Duty			V Preferential
		General	M.F.N.		
20.05—Continued					
20.05.10 Jams, fruit jellies and marmalades	lb.	30% or 205c per 100 lb.			
20.05.90 Other	lb.	30% or 205c per 100 lb.			
27.08 By the substitution for subheading No. 27.08.30 of the following:					
"27.08.30 Pitch coke	lb.	free			
27.13 By the substitution in subheading No. 27.13.20 for the rate of duty in Column III of the following:					
"27.13.20 Petroleum coke	lb.	free			
27.14 By the substitution for subheading No. 27.14.30 of the following:					
"27.14.30 Petroleum coke	lb.	free			
28.44 By the substitution for subheading No. 28.44.20 of the following:					
"28.44.20 Cyanates	lb.	10%			
28.44.30 Thiocyanates (sulphocyanides):					
.10 Potassium	lb.	free			
.20 Other	lb.	free			
29.01 By the substitution for subheading No. 29.01.10 of the following:					
"29.01.10 Ethane, propane, butane, acetylene	lb.	10%			
Chapter 34					
By the insertion of inverted commas before the word "DENTAL" and after the word "WAXES" appearing in the title of Chapter 34.					
37.01 By the substitution for subheading No. 37.01.10 of the following:					
"37.01.10 Radiographic film and plates	lb.	free			
38.13 By the substitution for subheading No. 38.13.10 of the following:					
"38.13.05 Soldering, brazing or welding powders and pastes consisting of nickel and other materials	lb.	free			
38.13.10 Other, packed for retail sale	lb.	20%			
39.01 By the substitution for subheadings Nos. 39.01.20.10 and 39.01.20.20 of the following:					
.10 Urea formaldehyde, etherified with alcohols containing 3 or more carbon atoms	lb.	20%			
.15 Other urea formaldehyde	lb.	15%			
.20 Melamine formaldehyde, etherified with alcohols containing 3 or more carbon atoms	lb.	20%			
.25 Other melamine formaldehyde	lb.	15%			
39.02 By the substitution for subheading No. 39.02.10 of the following:					
"39.02.10 Ethylene polymers and copolymers:					
.10 Liquid or pasty, of a specific gravity not exceeding 0.940	lb.	20%			
.15 Other liquid or pasty	lb.	free			

I Tariefpos	II Statistiese Eenhed	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
20.05—Vervolg				
20.05.10 Konfyt, vrugtejellies en marmelades	lb.	30% of 205c per 100 lb.		
20.05.90 Ander	lb.	30% of 205c per 100 lb."		
27.08 Deur subpos No. 27.08.30 deur die volgende te vervang:				
„27.08.30 Pikkooks	lb.	vry"		
27.13 Deur in subpos No. 27.13.20 die skaal van reg in Kolom III deur die volgende te vervang:		„vry"		
27.14 Deur subpos No. 27.14.30 deur die volgende te vervang:				
„27.14.30 Petroleumkooks	lb.	vry"		
28.44 Deur subpos No. 28.44.20 deur die volgende te vervang:				
„28.44.20 Sianate	lb.	10%		
28.44.30 Tiosianate (sulfosianiede):				
.10 Kalium	lb.	vry		
.20 Ander	lb.	vry"		
29.01 Deur subpos No. 29.01.10 deur die volgende te vervang:				
„29.01.10 Etaan, propaan, butaan, asetileen	lb.	10%"		
Hoofstuk 34				
Deur aanhalingstekens voor die woord „TANDHEELKUNDIGE" en na die woord „WASSE" waar dit in die benaming van Hoofstuk 34 voorkom, in te voeg.				
37.01 Deur subpos No. 37.01.10 deur die volgende te vervang:				
„37.01.10 Radiografiese film en plate	lb.	vry"		
38.13 Deur subpos No. 38.13.10 deur die volgende te vervang:				
„38.13.05 Soldeer-, hardsoldeer- of sweispoeiers en -pastas wat uit nikkel en ander stowwe bestaan	lb.	vry		
38.13.10 Ander, vir kleinhandelverkoop verpak	lb.	20%"		
39.01 Deur subposte Nos. 39.01.20.10 en 39.01.20.20 deur die volgende te vervang:				
„.10 Ureumformaldehid, vererter met alkohol-soorte wat minstens 3 koolstofatome bevat	lb.	20%		
.15 Ander ureumformaldehid	lb.	15%		
.20 Melamienformaldehid, vererter met alkohol-soorte wat minstens 3 koolstofatome bevat	lb.	20%		
.25 Ander melamienformaldehid	lb.	15%"		
39.02 Deur subpos No. 39.02.10 deur die volgende te vervang:				
„39.02.10 Etilleenpolimere en -kopolimere:				
.10 Vloestof of pasta, met 'n soortlike gewig van hoogstens 0.940	lb.	20%		
.15 Ander vloestof of pasta	lb.	vry		

I Tariff Heading	II Statistical Unit	III Rate of Duty		V Preferential
		General	M.F.N.	
39.02—Continued				
.20 Blocks, lumps, powders and similar bulk forms, of a specific gravity not exceeding 0.940	lb.	20%		
.25 Other blocks, lumps, powders and similar bulk forms	lb.	free		
.30 Monofil	lb.	20%		
.40 Tubes, rods, sticks and profile shapes	lb.	20%		
.50 Plates, sheets, strip, film and foil	lb.	20%		
.90 Waste and scrap	lb.	20%"		
By the insertion after subheading No. 39.02.40.23 of the following:				
"24 Ion exchangers in blocks, lumps, powders and similar bulk forms	lb.	free"		
By the substitution for subheading No. 39.02.50.50 of the following:				
"50 Plates, sheets, strip, film and foil, of a thickness not exceeding 0.009 in., printed	lb.	25% or 7c per sq. yd. less 40%		
.51 Plates, sheets, strip, film and foil, of a thickness not exceeding 0.009 in., unprinted	lb.	25% or 3½c per sq. yd. less 12½%		
.52 Other plates, sheets, strip, film and foil	lb.	20%"		
By the insertion after subheading No. 39.02.80.20 of the following:				
"30 Tubes, rods, sticks and profile shapes	lb.	20%		
.40 Plates, sheets, strip, film and foil	lb.	20%"		
By the substitution for subheading No. 39.02.90.50 of the following:				
"50 Vinyl chloride copolymers in plates, sheets, strip, film and foil, of a thickness not exceeding 0.009 in., printed	lb.	25% or 7c per sq. yd. less 40%		
.51 Vinyl chloride copolymers in plates, sheets, strip, film and foil, of a thickness not exceeding 0.009 in., unprinted	lb.	25% or 3½c per sq. yd. less 12½%		
.52 Other plates, sheets, strip, film and foil	lb.	20%"		
39.07 By the insertion after subheading No. 39.07.56 of the following:				
"39.07.57 Capsules and tubular neckbands, for bottles and similar containers	lb.	5%"		
40.02 By the substitution for subheading No. 40.02.30.10 of the following:				
"10 Polybutadiene-styrene	lb.	5c per lb."		
40.03 By the substitution in tariff heading No. 40.03 for the rate of duty in Column III of the following:				
		"1c per lb."		
43.03 By the substitution for subheading No. 43.03.10 of the following:				

I Tariefpos	II Statistiese Eenheid	III IV Skaal van Reg		V
		Algemeen	M.B.N.	Voorkeur
39.02—Vervolg				
.20 Blokke, stukke, poelers en dergelike massavorms, met 'n soortlike gewig van hoogstens 0-940	lb.	20%		
.25 Ander blokke, stukke, poelers en dergelike massavorms	lb.	vry		
.30 Monofil	lb.	20%		
.40 Buisse, stawe, stokke en profielvorms	lb.	20%		
.50 Plate, velle, reep, film en foelie	lb.	20%		
.90 Oorskiet en afval	lb.	20% ¹		
Deur na subpos No. 39.02.40.23 die volgende in te voeg:				
„.24 Ioonuitruilers in blokke, stukke, poelers en dergelike massavorms	lb.	vry ¹		
Deur subpos No. 39.02.50.50 deur die volgende te vervang:				
„.50 Plate, velle, reep, film en foelie, met 'n dikte van hoogstens 0-009 dm., bedruk	lb.	25% of 7c per vk. jt. min 40%		
.51 Plate, velle, reep, film en foelie, met 'n dikte van hoogstens 0-009 dm., onbedruk	lb.	25% of 3½c per vk. jt. min 12½%		
.52 Ander plate, velle, reep, film en foelie	lb.	20% ¹		
Deur na subpos No. 39.02.80.20 die volgende in te voeg:				
„.30 Buisse, stawe, stokke en profielvorms	lb.	20%		
.40 Plate, velle, reep, film en foelie	lb.	20% ¹		
Deur subpos No. 39.02.90.50 deur die volgende te vervang:				
„.50 Vinielchloriedkopoli-mere in plate, velle, reep, film en foelie, met 'n dikte van hoogstens 0-009 dm., bedruk	lb.	25% of 7c per vk. jt. min 40%		
.51 Vinielchloriedkopoli-mere in plate, velle, reep, film en foelie, met 'n dikte van hoogstens 0-009 dm., onbedruk	lb.	25% of 3½c per vk. jt. min 12½%		
.52 Ander plate, velle, reep, film en foelie	lb.	20% ¹		
39.07 Deur na subpos No. 39.07.56 die volgende in te voeg:				
„.39.07.57 Kapsules en buisvormige nekbande, vir bottels en dergelike houers	lb.	5% ¹		
40.02 Deur subpos No. 40.02.30.10 deur die volgende te vervang:				
„.10 Polibutadienstireen	lb.	.5c per lb. ¹		
40.03 Deur in tariefpos No. 40.03 die skaal van reg in Kolom III deur die volgende te vervang:				
		„1c per lb. ¹		
43.03 Deur subpos No. 43.03.10 deur die volgende te vervang:				

I Tariff Heading	II Statistical Unit	III IV Rate of Duty V		
		General	M.F.N.	Preferential
43.03—Continued				
"43.03.10 Articles of apparel, muffis and clothing accessories	no.	33½ %		
43.03.20 Trunks, suit-cases, hat-boxes, travelling-bags, rucksacks, shopping-bags, handbags, satchels, brief-cases, wallets, purses, toilet-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers:				
.10 Ladies' handbags	no.	30%	25%	
.20 Tobacco-pouches, cigarette-cases, cigar-cases, pipe-cases and other tobaccoists' ware	no.	20%		
.30 Golf club bags	no.	30% or 300c each	25% or 200c each	
.90 Other	no.	25%"		
44.09 By the substitution in the heading to tariff heading No. 44.09 for the word "chips" of the word "shavings".				
45.03 By the insertion after subheading No. 45.03.20 of the following:				
"45.03.30 Washers	lb.	free"		
Section XI				
By the substitution for Note 6 (b) to Section XI of the following:				
"(b) Made and finished by weaving and ready for use (or merely needing separation by cutting dividing threads) and not requiring sewing or further fabrication (for example, certain dusters, towels, tablecloths, scarf squares and blankets);".				
55.05 By the substitution for subheading No. 55.05.80.10 of the following:				
"10 In units exceeding 300 yards each	lb.	25% or 3½c per 1000 yd."		
55.06 By the substitution for tariff heading No. 55.06 of the following:				
"55.06 Cotton yarn, put up for retail sale:				
55.06.10 Prepared sewing yarn in units exceeding 300 yards each	lb.	25% or 3½c per 1000 yd.		
55.06.90 Other	lb.	10%	5%"	
56.05 By the deletion of subheading No. 56.05.70.				
Chapter 59				
By the substitution in Note 3 (a) (ii) to Chapter 59 for the word "materials" of the word "material".				
59.07 By the deletion in the heading to tariff heading No. 59.07 of the word "woven".				
60.01 By the substitution for subheading No. 60.01.50.10 of the following:				
"10 Printed or flocked	sq. yd.	10%"		
60.06 By the substitution for subheading No. 60.06.10 of the following:				

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
43.03—Vervolg				
„43.03.10 Kledingstukke, mowwe en klerasiebykomstighede	getal	33½ %		
43.03.20 Trommels, handkoffers, hoededose, reistasse, rugsakke, inkopiesakke, handsakke, boeksakke, aktetasse, sakportefeuljes, beursies, toiletasse, tabaksakke, skedes, kiste, dose (byvoorbeeld, vir wapens, musiek-instrumente, verkykers, juweliersware, bottels, hoordjies, skoetsel, borsels) en dergelyke houters:				
.10 Dameshandsakke	getal	30 %	25 %	
.20 Tabaksakke, sigaret-kokers, sigaarkokers, pypdose en ander tabak-handelaarsware	getal	20 %		
.30 Gholfstoksakke	getal	30 % of 300c elk	25 % of 200c elk	
.90 Ander	getal	25 % ^a		
44.09 Deur in die opskrif by tariefpos No. 44.09 die woord „houtspaaners” deur die woord „houtskaafels” te vervang.				
45.03 Deur na subpos No. 45.03.20 die volgende in te voeg:				
„45.03.30 Wasters	lb.	vry ^a		
Afdeling XI				
Deur Opmerking 6 (b) by Afdeling XI deur die volgende te vervang:				
„(b) Gemaak en afgewerk deur 'n weefproses en gereed vir gebruik (of wat bloot deur die any van skeidingsdrade geskei kan word) en wat nie naaiwerk of verdere bewerking nodig het nie (byvoorbeeld, sekere stoffappe, handdoeke, tafeldoek, serpvierkante en komberse);”				
55.05 Deur subpos No. 55.05.80.10 deur die volgende te vervang:				
„.10 In eenhede van meer as 300 jaars elk	lb.	25 % of 3½c per 1000 jt. ^a		
55.06 Deur tariefpos No. 55.06 deur die volgende te vervang:				
„55.06 Katoengaring, vir kleinhandel-verkoop bemark:				
55.06.10 Bereide naalgaring in eenhede van meer as 300 jaars elk	lb.	25 % of 3½c per 1000 jt.		
55.06.90 Ander	lb.	10 %	5 % ^a	
56.05 Deur subpos No. 56.05.70 te skrap.				
Hoofstuk 59				
Deur in Opmerking 3 (a) (ii) by Hoofstuk 59 die woord „tekstielstowwe” deur die woord „tekstielstof” te vervang.				
59.07 Deur in die opskrif by tariefpos No. 59.07 die woord „weefstowwe” deur die woord „stowwe” te vervang.				
60.01 Deur subpos No. 60.01.50.10 deur die volgende te vervang:				
„.10 Bedruk of gevloek	vk. jt.	10 % ^a		
60.06 Deur subpos No. 60.06.10 deur die volgende te vervang:				

I Tariff Heading	II Statistical Unit	III Rate of Duty		V Preferential
		General	M.F.N.	
60.06—Continued				
“60.06.10 Elastic fabric:				
.10 Containing more than 50 per cent of synthetic fibres	sq. yd.	10%		
.90 Other	sq. yd.	25%”		
62.03 By the insertion after subheading No. 62.03.20 of the following:				
“62.03.30 Of vegetable fibres (ex- cluding jute or hemp), of fabric of a weight per sq. yd. exceeding 10.5 oz.	lb.	free”		
68.06 By the deletion of subheading No. 68.06.20.				
By the substitution for subheading No. 68.06.90 of the following:				
“68.06.90 Other	lb.	15%”		
Section XV				
By the substitution for Note 6 to Section XV of the following:				
“6. For the purposes of this Section, the expression “waste and scrap” means waste and scrap metal fit only for the recovery of metal or for use in the manufacture of chemi- cals.”.				
73.03 By the substitution for the heading of tariff heading No. 73.03 of the follow- ing:				
“73.03 Waste and scrap metal, of iron or steel:”				
73.32 By the substitution for subheading No. 73.32.50 of the following:				
“73.32.50 Machine screws:				
.10 Socket screws	lb.	3%		
.20 Other, fully threaded with heads adapted for tightening with a span- ner	lb.	20% or 2c per lb.		
.90 Other	lb.	20% or 5c per lb.”		
73.33 By the substitution for subheading No. 73.33.10 of the following:				
“73.33.10 Hand sewing needles (house- hold), including darning needles and embroidery needles; knitting needles; crochet hooks	lb.	free”		
74.15 By the substitution for subheading No. 74.15.40 of the following:				
“74.15.30 Machine screws	lb.	20% or 5c per lb.		
74.15.40 Set screws	lb.	3%”		
75.03 By the substitution in subheading No. 75.03.40 for the rate of duty in Column III of the following:				
“75.03.40		“free”		
76.03 By the substitution for subheading No. 76.03.10 of the following:				
“76.03.10 Flat plates, sheets and strip (excluding circles), not coiled:				
10 Containing, by weight, not more than 99.9 per cent of aluminium, of a thickness of not more than 0.015 in. (excluding products containing, by weight, more than—	lb.	15%		

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkuur
60.06—Vervolg				
„60.06.10 Rekstof:				
.10 Wat meer as 50 persent sintetiese vesels bevat	vk. jt.	10%		
.90 Ander	vk. jt.	25%”		
62.03 Deur na subpos No. 62.03.20 die volgende in te voeg:				
„62.03.30 Van plantaardige vesels (uitgesonderd jute of hennep), van stof met 'n gewig per vk. jt. van meer as 10.5 oz.	lb.	vry”		
68.06 Deur subpos No. 68.06.20 te skrap.				
Deur subpos No. 68.06.90 deur die volgende te vervang:				
„68.06.90 Ander	lb.	15%”		
Afdeling XV				
Deur Opmerking 6 by Afdeling XV deur die volgende te vervang:				
„6. By die toepassing van hierdie Afdeling, beteken die uitdrukking „oorskiet en afval”, metaaloorskiet en afval wat slegs vir die herwinning van metaal, of vir gebruik by die vervaardiging van chemikalieë geskik is.”				
73.03 Deur die opskrif van tariefpos No. 73.03 deur die volgende te vervang:				
„73.03 Oorskiet- en afvalmetaal, van yster of staal:”				
73.32 Deur subpos No. 73.32.50 deur die volgende te vervang:				
„73.32.50 Masjienskroewe:				
.10 Sokskroewe	lb.	3%		
.20 Ander, ten volle gegroef met koppe aangepas vir vasdraai met 'n sleutel	lb.	20% of 2c per lb.		
.90 Ander	lb.	20% of 5c per lb.”		
73.33 Deur subpos No. 73.33.10 deur die volgende te vervang:				
„73.33.10 Handnaaiwerknaalde (huishoudelik), met inbegrip van stopnaalde en borduurnaalde; breinaalde; hekelnaalde	lb.	vry”		
74.15 Deur subpos No. 74.15.40 deur die volgende te vervang:				
„74.15.30 Masjienskroewe	lb.	20% of 5c per lb.		
74.15.40 Klemskroewe	lb.	3%”		
75.03 Deur in subpos No. 75.03.40 die skaal van reg in Kolom III deur die volgende te vervang:			„vry”	
76.03 Deur subpos No. 76.03.10 deur die volgende te vervang:				
„76.03.10 Platplate, -flynplate en -band (uitgesonderd sirkels), nie gehaspel nie:				
.10 Wat, volgens gewig, hoogstens 99.9 persent aluminium bevat, met 'n dikte van hoogstens 0.015 dm. (uitgesonderd produkte wat, volgens gewig, meer bevat as—	lb.	15%		

I Tariff Heading	II Statistical Unit	Rate of Duty		
		III General	IV M.F.N.	V Preferential
76.03—Continued				
0.5 per cent of copper, or 1.6 per cent of magnesium, or 4.0 per cent of silicon)				
.20 Containing, by weight, not more than 99.9 per per cent of aluminium, of a thickness of more than 0.015 in. but not exceeding 0.128 in. (ex- cluding products con- taining, by weight, more than— 0.5 per cent of copper, or 6.0 per cent of magne- sium, or 4.0 per cent of silicon)	lb.	15%		
.90 Other	lb.	free"		
By the substitution for subheading No. 76.03.30.20 of the following:				
"20 Other containing, by weight, not more than 99.9 per cent of alu- minium	lb.	15%"		
By the substitution for subheading No. 76.03.50.20 of the following:				
"20 Other containing, by weight, not more than 99.9 per cent of alu- minium, of a thickness of not more than 0.128 in. (excluding products containing, by weight, more than— 0.5 per cent of copper, or 6.0 per cent of magne- sium, or 4.0 per cent of silicon)	lb.	15%"		
By the substitution for subheading No. 76.03.80 of the following:				
"76.03.80 Circles containing, by weight, not more than 99.9 per cent of aluminium, of a diameter not exceeding 48 in. and of a thickness not exceeding 0.25 in. (excluding products con- taining, by weight, more than— 0.5 per cent of copper, or 6.0 per cent of magnesium, or 4.0 per cent of silicon)	lb.	15%"		
76.15 By the deletion of subheading No. 76.15.20.				
76.16 By the insertion after subheading No. 76.16.60 of the following:				
"76.16.70 Knitting needles and crochet hooks	lb.	free"		
83.06 By the insertion after subheading No. 83.06.10 of the following:				
"83.06.20 Ornaments of plate or sheet copper, not plated with pre- cious metal	no.	20%"		
84.18 By the substitution for subheadings Nos. 84.18.20, 84.18.25 and 84.18.30 of the following:				
"84.18.20 Laundry centrifuge driers with a dry weight loading capacity not exceeding 15 lb.	no.	20%		
84.18.25 Centrifuge washing machines with a dry weight loading capacity not exceeding 15 lb.	no.	25%		

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voortekur
76.03—Vervolg				
0.5 persent koper, of 1.6 persent magnesium, of 4.0 persent silikon)				
.20 Wat, volgens gewig, hoogstens 99.9 persent aluminium bevat, met 'n dikte van meer as 0.015 dm. maar hoogstens 0.128 dm. (uitgesonderd produkte wat, volgens gewig, meer bevat as— 0.5 persent koper, of 6.0 persent magnesium, of 4.0 persent silikon)	lb.	15%		
.90 Ander	lb.	vry"		
Deur subpos No. 76.03.30.20 deur die volgende te vervang:				
„.20 Ander wat, volgens gewig, hoogstens 99.9 persent aluminium bevat	lb.	15%"		
Deur subpos No. 76.03.50.20 deur die volgende te vervang:				
„.20 Ander wat, volgens gewig, hoogstens 99.9 persent aluminium bevat, met 'n dikte van hoogstens 0.128 dm. (uitgesonderd produkte wat, volgens gewig, meer bevat as— 0.5 persent koper, of 6.0 persent magnesium, of 4.0 persent silikon)	lb.	15%"		
Deur subpos No. 76.03.80 deur die vol- gende te vervang:				
„76.03.80 Sirkels wat, volgens gewig, hoogstens 99.9 persent alu- minium bevat, met 'n deursnee van hoogstens 48 dm. en met 'n dikte van hoogstens 0.25 dm. (uitgesonderd produkte wat, volgens gewig, meer bevat as— 0.5 persent koper, of 6.0 persent magnesium, of 4.0 persent silikon)	lb.	15%"		
76.15 Deur subpos No. 76.15.20 te skrap.				
76.16 Deur na subpos No. 76.16.60 die vol- gende in te voeg:				
„76.16.70 Breinaalde en hekelnaalde	lb.	vry"		
83.06 Deur na subpos No. 83.06.10 die vol- gende in te voeg:				
„83.06.20 Ornamente van plaat- of fyn- plaatkoper, nie met edel- metaal geplateer nie	getal	20%"		
84.18 Deur subposte Nos. 84.18.20, 84.18.25 en 84.18.30 deur die volgende te vervang:				
„84.18.20 Wasgoedwinteldroërs met 'n droëwasgoedinhoudsvermoë van hoogstens 15 lb.	getal	20%		
84.18.25 Sentrifugewasmaasjiene met 'n droëwasgoedinhoudsvermoë van hoogstens 15 lb.	getal	25%		

I Tariff Heading	II Statistical Unit	III Rate of Duty			V Preferential
		General	M.F.N.		
84.18—Continued					
84.18.30 Laundry centrifuges (excluding types with a dry weight loading capacity not exceeding 15 lb.)	no.	5%	3%	free (U.K.)	
84.40 By the substitution for subheadings Nos. 84.40.10 and 84.40.20 of the following:					
"84.40.10 Laundry washing machines with a dry weight loading capacity not exceeding 15 lb.	no.	25%			
84.40.20 Laundry machinery (excluding laundry washing machines with a dry weight loading capacity not exceeding 15 lb.)	no.	5%	3%	free (U.K.)	
85.01 By the substitution for subheading No. 85.01.20.10 of the following:					
"10 Fractional horse power motors of not less than $\frac{1}{4}$ h.p., of voltages from 220 to 440 and of a motor speed of not less than 900 but not exceeding 2,800 revolutions per minute (excluding repulsion induction motors, motors equipped with brakes and clutches, motors with adjustable speeds and 2-18 poles reversible motors)	no.	30%		25% (U.K.)	
.15 Other fractional horse power motors	no.	5%		free (U.K.)	
By the substitution for subheading No. 85.01.30 of the following:					
"85.01.30 Electric motors (excluding three-phase):					
.10 Single-phase, fractional horse power of not less than $\frac{1}{4}$ h.p., of voltages from 220 to 440 and of a motor speed of not less than 900 but not exceeding 2,800 revolutions per minute (excluding motors marked or identifiable as flame-proof or explosion-proof, submersible motors, a.c. commutator motors and synchronous motors, repulsion induction motors, motors equipped with gear-boxes, motors equipped with brakes and clutches, motors with adjustable speeds and 2-18 poles reversible motors)	no.	30%		25% (U.K.)	
.90 Other	no.	5%		free (U.K.)	
85.17 By the insertion after subheading No. 85.17.10 of the following:					
"85.17.20 Tower and turret bells; parts thereof	no.	free			
87.02 By the substitution in subheading No. 87.02.10.90 for the expression "40%" in Column III of the expression "45%".					
87.03 By the substitution for the heading of tariff heading No. 87.03 of the following:					

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
84.18—Vervolg				
84.18.30 Wasserysentrifuges (uitgesonderd tipes met 'n droëwasgoedinhoudsvermoë van hoogstens 15 lb.)	getal	5%	3%	vry (V.K.) ^a
84.40 Deur subposte Nos. 84.40.10 en 84.40.20 deur die volgende te vervang:				
„84.40.10 Wasgoedwasmasjiene met 'n droëwasgoedinhoudsvermoë van hoogstens 15 lb.	getal	25%		
84.40.20 Wasserymasjinerie (uitgesonderd wasgoedwasmasjiene met 'n droëwasgoedinhoudsvermoë van hoogstens 15 lb.)	getal	5%	3%	vry (V.K.) ^a
85.01 Deur subpos No. 85.01.20.10 deur die volgende te vervang:				
„.10 Breukperdekrasemotore van minstens ½ pk., van spannings van 220 tot 440 volt en van 'n motorspoed van minstens 900 maar hoogstens 2,800 omwentelings per minuut (uitgesonderd repulsie-induksiemotore, motore toegerus met remme en koppelars, motore met verstelbare spoed en 2-18 pool motore met omsetbeweging)	getal	30%		25% (V.K.)
.15 Ander breukperdekrasemotore	getal	5%		vry (V.K.) ^a
Deur subpos No. 85.01.30 deur die volgende te vervang:				
„85.01.30 Elektriese motore (uitgesonderd driefasig):				
.10 Enkelfasig, breukperdekrag van minstens ½ pk., van spannings van 220 tot 440 volt en van 'n motorspoed van minstens 900 maar hoogstens 2,800 omwentelings per minuut (uitgesonderd motore gemerk of uitkenbaar as vlamvas of plofry, dopelmotore, ws. kommutor- en sinchroommotore, repulsie-induksiemotore, motore toegerus met ratkaste, motore toegerus met remme en koppelars, motore met verstelbare spoed en 2-18 pool motore met omsetbeweging)	getal	30%		25% (V.K.)
.90 Ander	getal	5%		vry (V.K.) ^a
85.17 Deur na subpos No. 85.17.10 die volgende in te voeg:				
„85.17.20 Toring- en torinkielokke; onderdele daarvan	getal	vry ^a		
87.02 Deur in subpos No. 87.02.10.90 die uitdrukking „40 %” in Kolom III deur die uitdrukking „45 %” te vervang.				
87.03 Deur die opakrif van tariefpos No. 87.03 deur die volgende te vervang:				

I Tariff Heading	II Statistical Unit	III IV Rate of Duty V		
		General	M.F.N.	Pre- ferential
87.03—Continued				
"87.03 Special purpose motor lorries and vans (such as breakdown lorries, fire-engines, fire-escapes, road sweeper lorries, snow-ploughs, spraying lorries, crane lorries, search-light lorries, mobile workshops and mobile radiological units), but excluding the motor vehicles of heading No. 87.02:"				
By the substitution for subheading No. 87.03.20 of the following:				
"87.03.20 Road sweeper lorries; street spraying lorries	no.	free"		
87.06 By the substitution for subheading No. 87.06.85 of the following:				
"87.06.85 Track link assemblies (with or without shoes), identifiable for use solely or principally with tracklaying tractors; parts thereof:				
.10 Track link assemblies, with or without shoes	lb.	20%		
.20 Track pins and bushes therefor	lb.	20%		
.90 Other	lb.	free"		
87.14 By the substitution for subheading No. 87.14.45.10 of the following:				
"10 Of a wheel size not exceeding 16 in. and a rim size not exceeding 5.5 in.	lb.	20% or 7c per lb."		
89.01 By the substitution for subheading No. 89.01.40 of the following:				
"89.01.40 Trawlers and other deepsea ships and boats of a kind used for the catching of fish, crustaceans and other marine animals (excluding factory ships)	no.	20%"		
By the substitution in subheading No. 89.01.90 for the rate of duty in Column III of the following:		"20%"		
89.02 By the substitution for the rate of duty in Column III of the following:				
		"20%"		
90.07 By the insertion after subheading No. 90.07.20 of the following:				
"90.07.30 Electrostatic automatic document reproducers	no.	free"		
90.26 By the substitution for subheading No. 90.26.60 of the following:				
"90.26.60 Water supply meters for use with piping with an inside diameter of more than 1 in. but not exceeding 6 in.	no.	25%		20% (U.K.; Canada)
90.26.70 Water supply meters for use with piping with an inside diameter of more than 6 in.	no.	5%		free (U.K.; Canada)"
90.29 By the substitution for subheading No. 90.29.10 of the following:				
"90.29.10 Parts or accessories suitable for use with water supply meters for use with piping with an inside diameter not exceeding 6 in.	no.	25%		20% (U.K.; Canada)"
93.07 By the substitution for subheadings Nos. 93.07.30 and 93.07.40 of the following:				

I		II	III	IV	V
Tariefpos		Statistiese Eenheid	Skaal van Reg		
			Algemeen	M.B.N.	Voorkeur
87.03—Vervolg					
„87.03	Motorlorries en toewas vir spesiale doeleindes (soos takellorries, brandweervoertuie, brandleerlorries, padveelories, sneeuploë, sproeilorries, kraanlorries, soekligvoertuie, mobiele werksinkels en mobiele radiologiese eenhede), maar uitgesonderd die motorvoertuie in pos No. 87.02 vermeld:”				
Deur subpos No. 87.03.20 deur die volgende te vervang:					
„87.03.20	Padveelories; straatsproeilorries	getal	vry”		
87.06 Deur subpos No. 87.06.85 deur die volgende te vervang:					
„87.06.85	Rusperskakelsamestellings (met of sonder loopvlakskoene), uitkenbaar as vir gebruik slegs of hoofsaaklik met kruiptrekkers; onderdele daarvan:				
.10	Rusperskakelsamestellings, met of sonder loopvlakskoene	lb.	20%		
.20	Skakelpenne en busse daarvoor	lb.	20%		
.90	Ander	lb.	vry”		
87.14 Deur subpos No. 87.14.45.10 deur die volgende te vervang:					
„10	Met 'n wielgrootte van hoogstens 16 dm. en 'n vellinggrootte van hoogstens 5.5 dm.	lb.	20% of 7c per lb.”		
89.01 Deur subpos No. 89.01.40 deur die volgende te vervang:					
„89.01.40	Treilers en ander diepskepe en -bote van 'n soort gebruik vir die vang van vis, skaaldiere en ander seediere (uitgesonderd fabriekskepe)	getal	20%”		
Deur in subpos No. 89.01.90 die skaal van reg in Kolom III deur die volgende te vervang:			„20%”		
89.02 Deur die skaal van reg in Kolom III deur die volgende te vervang:					
			„20%”		
90.07 Deur na subpos No. 90.07.20 die volgende in te voeg:					
„90.07.30	Elektrostatische outomatiese dokumentreproduseerders	getal	vry”		
90.26 Deur subpos No. 90.26.60 deur die volgende te vervang:					
„90.26.60	Watertoevoermeters vir gebruik met pypleiding met 'n binne-deursnee van meer as 1 dm. maar hoogstens 6 dm.	getal	25%		20% (V.K.; Kanada)
90.26.70	Watertoevoermeters vir gebruik met pypleiding met 'n binne-deursnee van meer as 6 dm.	getal	5%		vry (V.K.; Kanada)”
90.29 Deur subpos No. 90.29.10 deur die volgende te vervang:					
„90.29.10	Onderdele of bybehooraks geskik vir gebruik met watertoevoermeters vir gebruik met pypleiding met 'n binne-deursnee van hoogstens 6 dm.	getal	25%		20% (V.K.; Kanada)”
93.07 Deur subposte Nos. 93.07.30 en 93.07.40 deur die volgende te vervang:					

I Tariff Heading	II Statistical Unit	III IV Rate of Duty			V Preferential
		General	M.F.N.		
93.07—Continued					
"93.07.30 Cartridges of .22 in. calibre, rimfire type (excluding blanks)	no.	35%			
93.07.31 Rivet gun cartridges of .22/.25 in. calibre, rimfire type	lb.	35%			
93.07.32 Shotgun cartridges	lb.	30%			
93.07.40 Cartridge cases and other parts of .22 in. calibre cartridges and .22/.25 in. calibre rivet gun cartridges, rimfire type	lb.	35%			
93.07.41 Cartridge cases, wads and other parts of shotgun cartridges (excluding lead shot)	lb.	30%			
93.07.42 Other cartridge cases, wads and other parts of ammunition	lb.	20%"			
By the substitution for subheading No. 93.07.99 of the following:					
"93.07.99 Lead shot prepared for ammunition	lb.	30%"			
95.04 By the insertion after subheading No. 95.04.10 of the following:					
"95.04.20 Knitting needles and crochet hooks	lb.	free"			
98.01 By the substitution for subheadings Nos. 98.01.80, 98.01.85 and 98.01.90 of the following:					
"98.01.80 Buttons of other kinds, put up on cards, with a ligne size:					
.10 Not exceeding 22	gross	60c per gross or 5c per card or 25%			
.20 From 23 to 36 inclusive	gross	120c per gross or 5c per card or 25%			
.30 Exceeding 36	gross	240c per gross or 5c per card or 25%			
98.01.85 Buttons of other kinds, put up on supports other than cards, with a ligne size:					
.10 Not exceeding 22	gross	60c per gross or 25%			
.20 From 23 to 36 inclusive	gross	120c per gross or 25%			
.30 Exceeding 36	gross	240c per gross or 25%			
98.01.90 Other buttons, not put up on supports and button blanks, with a ligne size:					
.10 From 8 to 20 inclusive	gross	1c per ligne per gross or 25%			
.20 From 21 to 28 inclusive	gross	1½c per ligne per gross or 25%			

I Tariefpos	II Statistiese Eenheid	III	IV	V
		Algemeen	Skaal van Reg M.B.N.	Voortseur
93.07—Vervolg				
„93.07.30 Patrone van -22 dm. kaliber, randontstekingspatrone (uitgesonderd loskruitpatrone)	gestal	35%		
93.07.31 Klinknaelgeweerpatrone van -22/-25 dm. kaliber, randontstekingspatrone	lb.	35%		
93.07.32 Haelgeweerpatrone	lb.	30%		
93.07.40 Patroondoppies en ander onderdele van -22 dm. kaliber patrone en -22/-25 dm. kaliber klinknaelgeweerpatrone, randontstekingspatrone	lb.	35%		
93.07.41 Patroondoppies, -pluissies en ander onderdele van haelgeweerpatrone (uitgesonderd loodhael)	lb.	30%		
93.07.42 Ander patroondoppies, -pluissies en ander onderdele van ammunisie	lb.	20% ¹¹		
Deur subpos No. 93.07.99 deur die volgende te vervang:				
„93.07.99 Loodhael berei vir ammunisie	lb.	30% ¹¹		
95.04 Deur na subpos No. 95.04.10 die volgende in te voeg:				
„95.04.20 Breinaalde en hekelsnaalde	lb.	vry ¹¹		
98.01 Deur subposite Nos. 98.01.80, 98.01.85 en 98.01.90 deur die volgende te vervang:				
„98.01.80 Knope van ander soorte, op kaart bemark, met 'n maasgrootte:				
.10 Van hoogstens 22	gros	60c per gros of 3c per kaart of 25%		
.20 Van 23 tot en met 36	gros	120c per gros of 3c per kaart of 25%		
.30 Van meer as 36	gros	240c per gros of 3c per kaart of 25%		
98.01.85 Knope van ander soorte, op ander steunsels as kaart bemark, met 'n maasgrootte:				
.10 Van hoogstens 22	gros	60c per gros of 25%		
.20 Van 23 tot en met 36	gros	120c per gros of 25%		
.30 Van meer as 36	gros	240c per gros of 25%		
98.01.90 Ander knope, nie op steunsels bemark nie en ru-stukke van knope, met 'n maasgrootte:				
.10 Van 8 tot en met 20	gros	1c per maas per gros of 25%		
.20 Van 21 tot en met 28	gros	1½c per maas per gros of 25%		

I Tariff Heading	II Statistical Unit	III IV Rate of Duty V		
		General	M.F.N.	Preferential
98.01—Continued				
.30 From 29 to 38 inclusive	gross	2c per ligne per gross or 25%		
.40 From 39 to 50 inclusive	gross	2½c per ligne per gross or 25%		
.50 Exceeding 50	gross	3c per ligne per gross or 25%”		
98.07 By the insertion after subheading No. 98.07.10 of the following:				
“98.07.20 Numbering stamps	no.	5%”		

I Tariff Item	II Tariff Heading and Description	Rate of Duty	
		III Excise	IV Customs
102.00	By the deletion of tariff items 102.00 and 102.50.		
117.05	By the substitution in tariff heading No. 87.02 for the expression “13c per lb.” in Column III of the expression “15c per lb.”.		

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
98.01— <i>Vervolg</i>				
.30 Van 29 tot en met 38	gros	2c per maas per gros of 25%		
.40 Van 39 tot en met 50	gros	2½c per maas per gros of 25%		
.50 Van meer as 50	gros	3c per maas per gros of 25%		
98.07 Deur na subpos No. 98.07.10 die volgende in te voeg:				
„98.07.20 Nommerstempels	getal	5%”		

I Tarief- item	II Tariefpos en Beskrywing	III IV Skaal van Reg	
		Aksyns	Docane
102.00	Deur tariefitems 102.00 en 102.50 te skrap.		
117.05	Deur in tariefpos No. 87.02 die uitdrukking „13c per lb.” in Kolom III deur die uitdrukking „15c per lb.” te vervang.		

Schedule No. 2

AMENDMENTS TO SCHEDULE NO. 2 TO THE CUSTOMS AND EXCISE ACT, 1964.

I Item	II Tariff Heading and Description	III Rebate Items	IV Territories
206.03	By the substitution for paragraph (3) of tariff heading No. 30.04 of the following: “(3) Plaster of Paris bandages; adhesive plasters (excluding adhesive corn plasters)	401	Denmark France U.K. U.S.A. W. Germ.”
207.01	By the deletion of tariff heading No. 59.12. By the substitution for paragraph 2 (b) of tariff heading No. 39.02 of the following: “(b) Blocks, lumps, powders and similar bulk forms (excluding ion exchangers)	300-399	U.K. U.S.A. W. Germ.”
210.02	By the substitution for paragraphs (1) and (2) of tariff heading No. 48.01 of the following: “(1) Tissue paper (excluding cigarette paper) (2) Kraft paper and paperboard; imitation kraft and semi-chemical paper and paperboard (3) Paper [excluding cigarette paper and those mentioned in paragraphs (1) and (2)] of a basis weight per sq. m. of less than 35 grm.		Sweden U.S.A. Sweden U.S.A.”
211.10	By the insertion after tariff heading No. 59.08 of the following: “59.12 Bandages, plasters and the like, containing zinc oxide; fracture bandages coated with plaster; the following: (1) Adhesive bandages; plaster of Paris plasters (2) Adhesive plasters; plaster of Paris bandages	401 401	Denmark France U.K. W. Germ. Denmark France U.K. U.S.A. W. Germ.”
211.12	By the substitution for tariff heading No. 61.01 of the following: “61.01 Men's and boys' outer garments, the following: (1) Woven swimwear (2) Clothing of rubberised fabrics (excluding raincoats), ready made (3) Clothing of fabrics impregnated or coated with oil or with artificial plastic material, ready made		Hong Kong Hong Kong Hong Kong”
216.01	By the substitution for tariff heading No. 84.20 of the following: “84.20 Portable platform type scales of the steelyard type operated with loose weights, with a weighing capacity of not less than 500 lb. and not more than 2,100 lb.		U.K.”

Bylae No. 2

WYSIGINGS VAN BYLAE NO. 2 BY DIE DOEANE- EN AKSYNSWET, 1964.

I Item	II Tariefpos en Beskrywing	III Korting- items	IV Gebiede
206.03	Deur paragraaf (3) van tariefpos No. 30.04 deur die volgende te vervang: „(3) Gipsverbande; kleefpleisters (uitgesonderd liddoringkleefpleisters) Deur tariefpos No. 59.12 te skrap.	401	Denemarke Frankryk V.K. V.S.A. W. Duits.“
207.01	Deur paragraaf 2 (b) van tariefpos No. 39.02 deur die volgende te vervang: „(b) Blokke, stukke, poeiers en dergelike massavorms (uitgesonderd loonuitruilers)	300-399	V.K. V.S.A. W. Duits.“
210.02	Deur paragrafe (1) en (2) van tariefpos No. 48.01 deur die volgende te vervang: „(1) Sympapier (uitgesonderd sigaretpapier) (2) Kraftpapier en -papierbord; nagemaakte kraft- en half-chemiese papier en papierbord (3) Papier [uitgesonderd sigaretpapier en dié in paragrafe (1) en (2) vermeld] met 'n basigewig per vk. m. van minder as 35 grm.		Swede V.S.A. V.S.A. Swede V.S.A.“
211.10	Deur na tariefpos No. 59.08 die volgende in te voeg: „59.12 Verbande, pleisters en soortgelyke goedere, wat sinkoksied bevat; breukverbande met pleister bestryk; die volgende: (1) Kleefverbande; gipspleisters (2) Kleefpleisters; gipsverbande	401	Denemarke Frankryk V.K. W. Duits.
211.12	Deur tariefpos No. 61.01 deur die volgende te vervang: „61.01 Mans- en seunsboklers, die volgende: (1) Geweefde swemdrag (2) Klerasie van gerubberde stowwe (uitgesonderd reënjasse), klaargemaak (3) Klerasie van stowwe geïmpregneer of bestryk met olie of met kunplastiekstof, klaargemaak	401	Denemarke Frankryk V.K. V.S.A. W. Duits.“ Hong Kong Hong Kong Hong Kong“
216.01	Deur tariefpos No. 84.20 deur die volgende te vervang: „84.20 Verplaasbare weegbrugtipe skale van die unsterptipe wat met los gewigte werk, met 'n weegvermoë van minstens 500 lb. en hoogstens 2,100 lb.		V.K.“

Schedule No. 3

AMENDMENTS TO SCHEDULE NO. 3 TO THE CUSTOMS AND EXCISE ACT, 1964.

I Item	II Tariff Heading and Description	III Extent of Rebate
303.01	By the substitution for tariff heading No. 15.07 of the following: "15.07 (1) Vegetable oil (excluding boiled linseed oil and sunflower seed oil), for processing into paint or varnish oil (2) Palm kernel and coconut oil, unrefined, in such quantities and at such times as the Secretary for Agricultural Economics and Marketing may allow by specific permit, for the manufacture of edible vegetable fats (excluding margarine) which contain not less than 90 per cent, by weight, of either refined palm kernel oil, or refined coconut oil, or both together	- Full duty Full duty"
304.07	By the insertion after tariff heading No. 04.01 of the following: "04.02 Electrolysed whey, for the manufacture of infants' food	Full duty"
305.01	By the insertion after tariff heading No. 29.31 of the following: "34.02 Petroleum sulphonate, for use in the flotation process	Full duty"
305.03	By the insertion after paragraph (2) of tariff heading No. 27.10 of the following: "(3) Petroleum oil (excluding topped crudes), partly refined, for the manufacture, in accordance with a formula approved by the Secretary, of rubber reclaiming oil By the substitution for tariff heading No. 34.02 of the following: "34.02 Emulsifying compounds, for the manufacture of bituminous emulsions and tanning and textile oil	Full duty" Full duty"
306.01	By the substitution for tariff heading No. 27.10 of the following: "27.10 (1) Mineral oil, for the manufacture of chemical compounds (including reactor and tangential oil, for the manufacture of carbon black) (2) Mineral oil, for the manufacture of dielectric oil By the insertion after tariff heading No. 29.01 of the following: "29.02 Decyl bromide, octyl bromide and benzyl chloride, for the manufacture of quaternary ammonium compounds By the substitution for tariff heading No. 29.22 of the following: "29.22 (1) Diphenylamine, for the manufacture of phenothiazine (2) Tertiary amines and mixtures thereof, for the manufacture of quaternary ammonium compounds	Full duty Full duty" Full duty" Full duty Full duty"
306.04	By the deletion of tariff heading No. 29.04. By the insertion after paragraph (2) of tariff heading No. 29.14 of the following: "(3) 2-Ethylhexoic acid, for the manufacture of paint driers By the insertion after tariff heading No. 29.14 of the following: "29.19 Triethyl phosphate By the substitution for tariff heading No. 38.19 of the following: "38.19 (1) Naphthenic acid and mixtures of isononanoic, isodecanoic and iso-octanoic acids, for the manufacture of paint driers (2) Prepared grinding aids	Full duty" Full duty" Full duty" Full duty Full duty"
306.05	By the substitution for tariff heading No. 32.07 of the following: "32.07 Carbon black dispersion and other colouring matter (excluding dry pigments with a basis of chrome oxide green, zinc chromate, lead chromate, barium chromate or strontium chromate)	Full duty"
306.10	By the deletion of tariff heading No. 29.04.	
306.13	By the insertion after item 306.12 of the following:	

Bylae No. 3

WYSIGINGS VAN BYLAE NO. 3 BY DIE DOEANE- EN AKSYNSWET, 1964.

I Item	II Tariefpos en Beskrywing	III Mate van Korting
303.01	Deur tariefpos No. 15.07 deur die volgende te vervang: „15.07 (1) Plantaardige olie (uitgesonderd gekookte lynolie en sonneblomsaadolie), vir verwerking tot verf- of vernisolie (2) Palm- en klapperolie, ongeraffineer, in die hoeveelhede en op die tye wat die Sekretaris van Landbou-ekonomie en -bemarking by bepaalde permit toelaat, vir die vervaardiging van plantaardige spysvette (uitgesonderd margarinen) wat minstens 90 persent, volgens gewig, aan of geraffineerde palmpitolie, of geraffineerde klapperolie, of beide gesamentlik bevat	Volle reg Volle reg"
304.07	Deur na tariefpos No. 04.01 die volgende in te voeg: „04.02 Geëlektrodialiseerde wei, vir die vervaardiging van babavoedsel	Volle reg"
305.01	Deur na tariefpos No. 29.31 die volgende in te voeg: „34.02 Petroleumsulfoaat, vir gebruik in die flotteringsproses	Volle reg"
305.03	Deur na paragraaf (2) van tariefpos No. 27.10 die volgende in te voeg: „(3) Petroleumolie (uitgesonderd verrykte ru-olies), gedeeltelik geraffineer, vir die vervaardiging, ooreenkomstig 'n formule wat deur die Sekretaris goedgekeur is, van rubberherwinningsole	Volle reg"
	Deur tariefpos No. 34.02 deur die volgende te vervang: „34.02 Emulgerende samestellings, vir die vervaardiging van bitumineuse emulsies en lool- en tekstielolie	Volle reg"
306.01	Deur tariefpos No. 27.10 deur die volgende te vervang: „27.10 (1) Mineraleolie, vir die vervaardiging van chemiese verbindings (met inbegrip van reaktor- en tangensiaalolie, vir die vervaardiging van koolswart) (2) Mineraleolie, vir die vervaardiging van dielektriese olie Deur na tariefpos No. 29.01 die volgende in te voeg: „29.02 Dieselmotormiddel, oktylebromied en bensielchloried, vir die vervaardiging van kwaternêre ammoniumverbindings Deur tariefpos No. 29.22 deur die volgende te vervang: „29.22 (1) Difensielamien, vir die vervaardiging van fenotiasien (2) Tersiere amlene en mengsels daarvan, vir die vervaardiging van kwaternêre ammoniumverbindings	Volle reg Volle reg" Volle reg" Volle reg Volle reg"
306.04	Deur tariefpos No. 29.04 te skrap. Deur na paragraaf (2) van tariefpos No. 29.14 die volgende in te voeg: „(3) 2-Etyleksoësuur, vir die vervaardiging van verdroogmiddels Deur na tariefpos No. 29.14 die volgende in te voeg: „29.19 Trixiellfosfaat Deur tariefpos No. 38.19 deur die volgende te vervang: „38.19 (1) Nafteensuur en mengsels van isononen-, isodekano- en isoktanoësuur, vir die vervaardiging van verdroogmiddels (2) Bereide maalhuilpmiddels	Volle reg" Volle reg" Volle reg Volle reg"
306.05	Deur tariefpos No. 32.07 deur die volgende te vervang: „32.07 Koolswartdispersie en ander kleursel (uitgesonderd droë pigmente met 'n basis van chroomoksiedgroen, sinkchromaat, loodchromaat, bariumchromaat of strontiumchromaat)	Volle reg"
306.10	Deur tariefpos No. 29.04 te skrap.	
306.13	Deur na item 306.12 die volgende in te voeg:	

I Item	II Tariff Heading and Description	III Extent of Rebate
306.13	<i>—Continued</i>	
	"306.13 Industry: Fertilizers	
	29.23 Di-isopropanolamine	Full duty
	29.35 Tetrahydrothiophen dioxide	Full duty"
307.01	By the insertion before tariff heading No. 15.07 of the following:	
	"13.03 Cashew nutshell liquid	Full duty"
	By the substitution for tariff heading No. 29.01 of the following:	
	"29.01 Xylene; toluene	Full duty"
	By the substitution for paragraph (2) of tariff heading No. 39.02 of the following:	
	"(2) Polyvinyl chloride compound, for the manufacture of rigid pipes and fittings therefor and rigid profile shapes	Full duty"
	By the insertion after paragraph (3) of tariff heading No. 39.02 of the following:	
	"(4) Ethylene polymers and copolymers with a specific gravity not exceeding 0.940, liquid or pasty and in blocks, lumps, powders and similar bulk forms, for the manufacture of pipes	Full duty
	(5) Artificial plastic materials (in sheets or rolls), for the manufacture of chemically impregnated materials incorporating an ultra-violet barrier	Full duty"
307.03	By the substitution for paragraph (1) of tariff heading No. 39.02 of the following:	
	"(1) Artificial plastic polymer or copolymer moulding powders (excluding styrene polymers and copolymers, ethylene polymers and copolymers and polyvinyl chloride)	Full duty"
	By the insertion after paragraph (2) of tariff heading No. 39.02 of the following:	
	"(3) Ethylene polymers and copolymers with a specific gravity not exceeding 0.940, liquid or pasty and in blocks, lumps, powders and similar bulk forms, for the manufacture of moulded plastic goods (excluding goods manufactured according to the injection moulding process)	Full duty"
307.04	By the substitution for tariff heading No. 39.00 of the following:	
	"39.00 (1) Artificial plastic film or sheet (excluding film or sheet of polyvinyl chloride, polyacrylic and polymethacrylic derivatives and acrylomethacrylic copolymers)	Full duty
	(2) Tubing, valves and adaptors, of artificial plastic material, for the manufacture of inflatable articles	Full duty"
	By the substitution for paragraph (7) of tariff heading No. 39.02 of the following:	
	"7) Printed, not laminated, for the manufacture of laminated sheets suitable for the covering of floors, walls, table-tops and the like	Full duty"
	By the insertion after tariff heading No. 39.03 of the following:	
	"84.61 Valves and adaptors, of base metal, for the manufacture of inflatable articles	Full duty"
307.07	By the insertion after tariff heading No. 15.10 of the following:	
	"27.07 Mineral oil	Full duty"
307.08	By the substitution for tariff heading No. 27.07 of the following:	
	"27.07 Hydrocarbon solvents, for rubber; mineral oil	Full duty"
308.02	By the substitution for tariff heading No. 59.07 of the following:	
	"59.07 Buckram and similar fabrics	Not exceeding the M.F.N. duty"
	By the substitution for tariff heading No. 83.01 of the following:	
	"83.01 Locks and parts thereof, of base metal:	
	(1) For travel goods (for example, trunks, suitcases, travelling-bags and hat-boxes)	Ordinary duty in excess of 34c each less 30%

I Item	II Tariefpos en Beskrywing	III Mate van Kortlag
306.13	—Vervolg „306.13 Nywerheid: Masiowwe 29.23 Diisopropanolamien 29.35 Tetrahidrotiofendioksied	Volle reg Volle reg"
307.01	Deur voor tariefpos No. 15.07 die volgende in te voeg: „13.03 Kasjoenutdopvloeistof Deur tariefpos No. 29.01 deur die volgende te vervang: „29.01 Xileen; toluen Deur paragraaf (2) van tariefpos No. 39.02 deur die volgende te vervang: „(2) Polivinielchloriedsamestelling, vir die vervaardiging van onbuigsame pype en toebehoere daarvoor en onbuigsame profielvorms Deur na paragraaf (3) van tariefpos No. 39.02 die volgende in te voeg: „(4) Etilleenpolimere en -kopolimere met 'n soortlike gewig van hoogstens 0.940, vloeistof of pasta en in blokke, stukke, poeiers en dergelike massavorms, vir die vervaardiging van pype (5) Kunsplastiekstowwe (in velle of rolle), vir die vervaardiging van chemies gelpregneerde stowwe waarin 'n ultravioletversperring getinkorporeer is	Volle reg" Volle reg" Volle reg" Volle reg" Volle reg Volle reg"
307.03	Deur paragraaf (1) van tariefpos No. 39.02 deur die volgende te vervang: „(1) Kunsplastiekpolimeer of -kopolimeer vormpoeiers (uitgesonderd stireenpolimere en -kopolimere, etileenpolimere en -kopolimere en polivinielchloried) Deur na paragraaf (2) van tariefpos No. 39.02 die volgende in te voeg: „(3) Etilleenpolimere en -kopolimere met 'n soortlike gewig van hoogstens 0.940, vloeistof of pasta en in blokke, stukke, poeiers en dergelike massavorms, vir die vervaardiging van gevormde plastiekgoedere (uitgesonderd goedere vervaardig volgens die inspuilvormingsproses)	Volle reg" Volle reg"
307.04	Deur tariefpos No. 39.00 deur die volgende te vervang: „39.00 (1) Kunsplastiekfilm of -vel (uitgesonderd film of vel van polivinielchloried, poli-akriel- en polimetakrieldrivare en akrilo-metakriolkopolimere) (2) Buisleiding, kleppe en pastukke, van kunsplastiekstof, vir die vervaardiging van opblaasbare artikels Deur paragraaf (7) van tariefpos No. 39.02 deur die volgende te vervang: „(7) Bedruk, ongelamelleer, vir die vervaardiging van gelamelleerde velle geskik vir die bedekking van vloere, mure, tafelblaaie en soortgelyke oppervlaktes Deur na tariefpos No. 39.03 die volgende in te voeg: „84.61 Kleppe en pastukke, van onedelmetaal, vir die vervaardiging van opblaasbare artikels	Volle reg Volle reg" Volle reg" Volle reg"
307.07	Deur na tariefpos No. 15.10 die volgende in te voeg: „27.07 Mineraleolie	Volle reg"
307.08	Deur tariefpos No. 27.07 deur die volgende te vervang: „27.07 Koolwaterstofoplosmiddels, vir rubber; mineraleolie	Volle reg"
308.02	Deur tariefpos No. 59.07 deur die volgende te vervang: „59.07 Styfdoek en dergelike stowwe Deur tariefpos No. 83.01 deur die volgende te vervang: „83.01 Slotte en onderdele daarvan, van onedelmetaal: (1) Vir reisartikels (byvoorbeeld, trommels, handkoffers, reistasse en hoededoe)	Hoogstens die M.B.N.-reg" Gewone reg wat 3½ elk min 30% oorskry

I Item	II Tariff Heading and Description	III Extent of Rebate
308.02	<i>Continued</i>	
	(2) Other	Full duty"
	By the substitution for paragraph (1) of tariff heading No. 83.09 of the following:	
	"(1) Clasps of base metal	Full duty"
309.01	By the insertion after tariff heading No. 39.01 of the following:	
	"39.02 Polyvinyl chloride film or sheet, printed or unprinted, of a thickness less than 0.003 in., for the covering of chipboard	Full duty"
310.01	By the substitution for tariff heading No. 28.17 of the following:	
	"28.17 Sodium peroxide, for use as a pulp bleaching agent	Full duty
	28.38 Sodium sulphate, for the manufacture of paper pulp	Full duty"
310.02	By the insertion after tariff heading No. 29.01 of the following:	
	"39.02 Ethylene polymers and copolymers with a specific gravity not exceeding 0.940, liquid or pasty and in blocks, lumps, powders and similar bulk forms, for extrusion coating of paper and paperboard	Full duty"
310.04	By the insertion after tariff heading No. 27.12 of the following:	
	"39.02 Polyvinyl chloride film or sheet, printed or unprinted, of a thickness less than 0.003 in., for the covering of hardboard	Full duty"
310.06	By the insertion after tariff heading No. 48.07 of the following:	
	"48.15 Angle cut (other than rectangular) linen finish paper, for the manufacture of envelopes	Full duty"
310.08	By the insertion after tariff heading No. 58.05 of the following:	
	"68.13 Stereo moulding board	Full duty"
311.01	By the insertion after tariff heading No. 38.19 of the following:	
	"39.01 Polyester resins, for the manufacture of textile yarn (continuous)	Full duty"
	By the insertion after tariff heading No. 39.06 of the following:	
	"53.06 Left-over yarns of carded sheep's or lambs' wool (woollen yarn), for the recovery of fibres	Full duty
	53.07 Left-over yarns of combed sheep's or lambs' wool (worsted yarn), for the recovery of fibres	Full duty
	53.10 Left-over yarns of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), for the recovery of fibres	Full duty
	55.05 Left-over yarns of cotton, for the recovery of fibres	Full duty
	55.06 Left-over yarns of cotton, for the recovery of fibres	Full duty
	56.05 Left-over yarns of man-made fibres (discontinuous or waste), for the recovery of fibres	Full duty
	56.06 Left-over yarns of man-made fibres (discontinuous or waste), for the recovery of fibres	Full duty
	63.01 Old clothing and other old textile articles, for the recovery of fibres	Full duty"
311.05	By the deletion of tariff heading No. 55.05.	
311.06	By the insertion after tariff heading No. 38.12 of the following:	
	"39.02 Ethylene polymers and copolymers with a specific gravity not exceeding 0.940, liquid or pasty and in blocks, lumps, powders and similar bulk forms, for the lamination of textile fabrics	Full duty"
311.11	By the substitution for the heading to the item of the following:	
	"Industry: Narrow Fabrics (Woven, Cut or Braided)"	
	By the substitution for tariff heading No. 55.09 of the following:	
	"55.09 Woven fabrics of cotton [excluding fabrics (other than calico interlinings) in a plain, twill or saten weave], woven from two-fold yarns in both the warp and the weft:	

I Item	II Tariefpos en Beskrywing	III Mate van Korting
308.02	—Vervolg	
	(2) Ander	
	Deur paragraaf (1) van tariefpos No. 83.09 deur die volgende te vervang:	Volle reg"
	„(1) Knippe van onedelmetaal	Volle reg"
309.01	Deur na tariefpos No. 39.01 die volgende in te voeg:	
	„39.02 Polivinielchloriedfilm of -vel, bedruk of onbedruk, met 'n dikte van minder as 0.003 dm., vir die bedekking van spaanderbord	Volle reg"
310.01	Deur tariefpos No. 28.17 deur die volgende te vervang:	
	„28.17 Natriumperoksied, vir gebruik as 'n pulp bleikmiddel	Volle reg
	28.38 Natriumsulfaat, vir die vervaardiging van papierpulp	Volle reg"
310.02	Deur na tariefpos No. 29.01 die volgende in te voeg:	
	„39.02 Etilenpolimere en -kopolimere met 'n soortlike gewig van hoogstens 0.940, vloeistof of pasta en in blokke, stukke, poeiers en dergelike massavorms, vir ekstrusiebestryking van papier en papierbord	Volle reg"
310.04	Deur na tariefpos No. 27.12 die volgende in te voeg:	
	„39.02 Polivinielchloriedfilm of -vel, bedruk of onbedruk, met 'n dikte van minder as 0.003 dm., vir die bedekking van hardbord	Volle reg"
310.06	Deur na tariefpos No. 48.07 die volgende in te voeg:	
	„48.15 Skuinsgesnyde (uitgesonderd reghoekige) papier met 'n linne-afwerking, vir die vervaardiging van koeverte	Volle reg"
310.08	Deur na tariefpos No. 58.05 die volgende in te voeg:	
	„68.13 Stereovormplaat	Volle reg"
311.01	Deur na tariefpos No. 38.19 die volgende in te voeg:	
	„39.01 Poli-esterharde, vir die vervaardiging van tekstielgaring (kontinu)	Volle reg"
	Deur na tariefpos No. 39.06 die volgende in te voeg:	
	„53.06 Oorskietsgarings van gekaarde skaap- of lamwol (kaardgaring), vir die herwinning van vesels	Volle reg
	53.07 Oorskietsgarings van gekaarde skaap- of lamwol (kamd-garing), vir die herwinning van vesels	Volle reg
	53.10 Oorskietsgarings van skaap- of lamwol, van perdchaar of van ander dlerehaar (lyn of grof), vir die herwinning van vesels	Volle reg
	55.05 Oorskietsgarings van katoen, vir die herwinning van vesels	Volle reg
	55.06 Oorskietsgarings van katoen, vir die herwinning van vesels	Volle reg
	56.05 Oorskietsgarings van gefabriseerde vesels (diakontinu of afval), vir die herwinning van vesels	Volle reg
	56.06 Oorskietsgarings van gefabriseerde vesels (diakontinu of afval), vir die herwinning van vesels	Volle reg
	63.01 Ou klerasie en ander ou tekstielartikels, vir die herwinning van vesels	Volle reg"
311.05	Deur tariefpos No. 55.05 te skrap.	
311.06	Deur na tariefpos No. 38.12 die volgende in te voeg:	
	„39.02 Etilenpolimere en -kopolimere met 'n soortlike gewig van hoogstens 0.940, vloeistof of pasta en in blokke, stukke, poeiers en dergelike massavorms, vir die lamellering van tekstielstowwe	Volle reg"
311.11	Deur die opskrif van die item deur die volgende te vervang:	
	„Nywerheid: Smakstowwe (Gewef, Gemy of Omslag)"	
	Deur tariefpos No. 55.09 deur die volgende te vervang:	
	„55.09 Weefstowwe van katoen [uitgesonderd stowwe (nle kalikotus: nvoerings nie) met 'n effe-, keper- of saateenbinding], gewef van tweevoudige garings in beide die skering en die inslag:	

I Item	II Tariff Heading and Description	III Extent of Rebate
311.11	<i>Continued</i>	
	(i) Containing 50 per cent or more cotton of a f.o.b. price per sq. yd. not exceeding 24c and liable to the general duty (ii) Other	Full duty less the difference between the M.F.N. duty and the preferential duty Full duty"
311.18	By the substitution for the item of the following:	
	"311.18 Industry: Handkerchiefs and Other General Made Up Textile Articles	
	55.09 Woven fabrics of cotton, for the manufacture of handkerchiefs	Full duty less 10%
	58.10 Embroidered trimmings (including motifs)	Full duty"
311.21	By the substitution for tariff heading No. 51.04.60 of the following:	
	"51.04.60 Woven printed fabrics of man-made fibres, raised on one or on both sides:	
	(1) Of cellulosic fibres (continuous) of a f.o.b. price not exceeding 110c per lb. and exceeding 29c per sq. yd.	Full duty
	(2) Of synthetic fibres (continuous) of a f.o.b. price not exceeding 110c per lb. and exceeding 29c per sq. yd.	Full duty less 10%"
	By the substitution for tariff headings Nos. 55.09.60 and 55.09.61 of the following:	
	"55.09.60 Woven printed fabrics of cotton, raised on one or on both sides, of a f.o.b. price not exceeding 110c per lb. and exceeding 29c per sq. yd., for the manufacture of nightdresses, pyjama suits and shirts, including collars	Full duty
	55.09.61 Woven printed fabrics of cotton, raised on one or on both sides, of a f.o.b. price exceeding 110c per lb. and 29c per sq. yd., for the manufacture of nightdresses, pyjama suits and shirts, including collars	Not exceeding the M.F.N. duty"
	By the substitution for tariff heading No. 56.07.60 of the following:	
	"56.07.60 Woven printed fabrics of man-made fibres, raised on one or on both sides:	
	(1) Of cellulosic fibres (discontinuous) of a f.o.b. price not exceeding 110c per lb. and exceeding 29c per sq. yd.	Full duty
	(2) Of synthetic fibres (discontinuous) of a f.o.b. price not exceeding 110c per lb. and exceeding 29c per sq. yd.	Full duty less 10%"
311.25	By the substitution for paragraph (2) of tariff heading No. 51.04 of the following:	
	"(2) Of synthetic fibres (excluding fabrics woven from stretch or similar bulked yarns and woven fabrics containing polyurethane elastomers) of a f.o.b. price per lb. exceeding 90c	Full duty less 10%
	(3) Containing polyurethane elastomers	Not exceeding the M.N.F. duty"
	By the insertion after paragraph (2) of tariff heading No. 60.01 of the following:	
	"(3) Knitted fabrics containing polyurethane elastomers	Full duty"
312.01	By the deletion of tariff heading No. 57.09.	
312.02	By the substitution for tariff heading No. 59.07 of the following:	
	"59.07 Buckram and similar fabrics	Not exceeding the M.F.N. duty
	By the deletion in tariff heading No. 59.09 of the expression "for the manufacture of caps and cap covers".	
314.01	By the substitution for tariff heading No. 71.16 of the following:	
	"71.16 Necklace clasps; unfinished parts of imitation jewellery	Full duty"
315.01	By the substitution for tariff heading No. 76.03 of the following:	
	"76.03 Aluminium sheet and strip (coiled), of a thickness of not more than 0.128 in., for the manufacture of aluminium foil	Full duty"

I Item	II Tariefpos en Beskrywing	III Mate van Korting
311.11	—Vervolg	
	(i) Wat 50 persent of meer katoen bevat met 'n prys v.a.b. per vk. jt. van hoogstens 24c en onderbewig is aan die algemene reg	Volle reg min die verakil tussen die M.B.N.-reg en die voorkeurreg
	(ii) Ander	Volle reg"
311.18	Deur die item deur die volgende te vervang:	
	„311.18 Nywerheid: Sakdoeke en Ander Algemene Opgemaakte Tekstielartikels	
	55.09 Weefstowwe van katoen, vir die vervaardiging van sakdoeke	Volle reg min 10%
	58.10 Geborduurde toisels (met inbegrip van motiewe)	Volle reg"
311.21	Deur tariefpos No. 51.04.60 deur die volgende te vervang:	
	„51.04.60 Bedrukte weefstowwe van gefabriseerde vesels, aan een of aan albei kante gepluis:	
	(1) Van sellulosiese vesels (kontinu) met 'n prys v.a.b. van hoogstens 110c per lb. en meer as 29c per vk. jt.	Volle reg
	(2) Van sintetiese vesels (kontinu) met 'n prys v.a.b. van hoogstens 110c per lb. en meer as 29c per vk. jt.	Volle reg min 10%"
	Deur tariefposte Nos. 55.09.60 en 55.09.61 deur die volgende te vervang:	
	„55.09.60 Bedrukte weefstowwe van katoen, aan een of aan albei kante gepluis, met 'n prys v.a.b. van hoogstens 110c per lb. en meer as 29c per vk. jt., vir die vervaardiging van nagrokke, slaappakke en hemde, met inbegrip van boordjies	Volle reg
	55.09.61 Bedrukte weefstowwe van katoen, aan een of aan albei kante gepluis, met 'n prys v.a.b. van meer as 110c per lb. en 29c per vk. jt., vir die vervaardiging van nagrokke, slaappakke en hemde, met inbegrip van boordjies	Hoogstens die M.B.N.-reg"
	Deur tariefpos No. 56.07.60 deur die volgende te vervang:	
	„56.07.60 Bedrukte weefstowwe van gefabriseerde vesels, aan een of aan albei kante gepluis:	
	(1) Van sellulosiese vesels (diskontinu) met 'n prys v.a.b. van hoogstens 110c per lb. en meer as 29c per vk. jt.	Volle reg
	(2) Van sintetiese vesels (diskontinu) met 'n prys v.a.b. van hoogstens 110c per lb. en meer as 29c per vk. jt.	Volle reg min 10%"
311.25	Deur paragraaf (2) van tariefpos No. 51.04 deur die volgende te vervang:	
	„(2) Van sintetiese vesels (uitgesonderd stowwe van rek- of dergelike uitbultgarings gewef en weefstowwe wat poliuretaan elastomere bevat) met 'n prys v.a.b. per lb. van meer as 90c	Volle reg min 10%
	(3) Wat poliuretaan elastomere bevat	Hoogstens die M.B.N.-reg"
	Deur na paragraaf (2) van tariefpos No. 60.01 die volgende in te voeg:	
	„(3) Breistowwe wat poliuretaan elastomere bevat	Volle reg"
312.01	Deur tariefpos No. 57.09 te skrap.	
312.02	Deur tariefpos No. 59.07 deur die volgende te vervang:	
	„59.07 Styfdoek en dergelike stowwe	Hoogstens die M.B.N.-reg"
	Deur 'n tariefpos No. 59.09 die uitdrukking „vir die vervaardiging van pette en petootreksels" te skrap.	
314.01	Deur tariefpos No. 71.16 deur die volgende te vervang:	
	„71.16 Halsnoerknippe; onafgewerkte onderdele van nage- maakte juweliersware	Volle reg
315.01	Deur tariefpos No. 76.03 deur die volgende te vervang:	
	„76.03 Aluminiumlynplaat en -band (gehaspel), met 'n dikte van hoogstens 0.128 dm., vir die vervaardiging van aluminiumfoelie	Volle reg"

I Item	II Tariff Heading and Description	III Extent of Rebate
315.04	By the insertion after tariff heading No. 73.14 of the following: "73.15 Wire of stainless steel, for the manufacture of woven wire	Full duty"
316.01	By the insertion after tariff heading No. 84.62 of the following: "84.63 Reduction gears or gear-boxes and parts thereof, for the manufacture of scrapers By the substitution for tariff heading No. 85.01 of the following: "85.01 (1) Electric motors, three-phase, not exceeding 350 h.p., for the manufacture of coal-cutters and loaders (2) Fractional horse power electric motors, for the manufacture of floor polishers, vacuum cleaners, lathes and machine-tools (3) Electric motors, three-phase, from 1 h.p. to 75 h.p., for the manufacture of scrapers 87.07 Crane-trucks, for the manufacture of mobile cranes	Not exceeding the preferential duty" Not exceeding the preferential duty Not exceeding the preferential duty Full duty"
316.07	By the substitution for tariff heading No. 85.09 of the following: "85.09 Parts (excluding coils, horn anchors, horn housings, horn lids, magnet plates for horns, horn oscillators, parts of motor cycle horns and unassembled horns, complete or incomplete), for the manufacture of horns	Full duty"
316.13	By the substitution for tariff heading No. 85.08 of the following: "85.08 Electrical starting and ignition equipment (excluding sparking plugs and 12-volt generators which develop a maximum of 30 amperes) By the substitution for tariff heading No. 85.19 of the following: "85.19 Electrical switches (excluding starter solenoid switches)	Full duty" Full duty"
317.03	By the substitution for the expression "Generator or alternator and brackets therefor;" where it appears in paragraph .01 of Note 05.00 of the expression "Alternator and brackets therefor;" By the insertion after the expression "Exhaust system from the exhaust manifold connection;" where it appears in paragraph .01 of Note 05.00 of the following: "Generator; Starter solenoid switches;" By the deletion of the words "generator or" where they appear in paragraph .02 of Note 05.00. By the insertion in paragraph (I) after tariff heading No. 73.35 of the following: "84.59 Arms and blades for non-electrical windscreen wipers, except for motor vehicles of a gross vehicle weight of less than 22,400 lb. for the transport of goods or materials not being any motor vehicle specified in paragraph (III) of this item By the substitution for tariff headings Nos. 85.08 and 85.09 in paragraph (I) of the following: "85.08 (1) Sparking plugs, except for motor vehicles of a gross vehicle weight of less than 22,400 lb. for the transport of goods or materials not being any motor vehicle specified in paragraph (III) of this item (2) 12-volt generators which develop a maximum of 30 amperes and voltage regulators, direct current, for use with vehicles specified in paragraph (III) of this item 85.09 (1) Electrical horns, except for motor vehicles of a gross vehicle weight of less than 22,400 lb. for the transport of goods or materials not being any motor vehicle specified in paragraph (III) of this item (2) Arms and blades for electrical windscreen wipers, except for motor vehicles of a gross vehicle weight of less than 22,400 lb. for the transport of goods or materials not being any motor vehicle specified in paragraph (III) of this item	Full duty" Full duty" Full duty less 20 %" Full duty less 30c per doz. Full duty less 20 % Full duty less 20 % Full duty less 20 %

I Item	II Tariefpos en Beskrywing	III Mate van Korting
315.04	Deur na tariefpos No. 73.14 die volgende in te voeg: „73.15 Draad van vlekrye staal, vir die vervaardiging van gewoefde draad	Volle reg
316.01	Deur na tariefpos No. 84.62 die volgende in te voeg: „84.63 Reduksierat of -ratkaste en onderdele daarvan, vir die vervaardiging van skroppe Deur tariefpos No. 85.01 deur die volgende te vervang: „85.01 (1) Elektriese motore, driefasig, van hoogstens 350 pk., vir die vervaardiging van steenkoolsmylers en -laaiers (2) Breukperdekrag elektriese motore, vir die vervaardiging van vloerpoliers, stofsuikers, draalbanke en masjiengeredskap (3) Elektriese motore, driefasig, van 1 pk. tot 75 pk., vir die vervaardiging van skroppe 87.07 Hyskraanvoertuie, vir die vervaardiging van mobiele hyskrane	Hoogstens die voorkeurreg Hoogstens die voorkeurreg Hoogstens die voorkeurreg Volle reg
316.07	Deur tariefpos No. 85.09 deur die volgende te vervang: „85.09 Onderdele (uitgesonderd spoel, toeterankers, toeteromhulsels, toeterdeksels, magneetplate vir toeters, toeterossilators, onderdele van motorfietsmotors en ongemonteerde toeters, volledig of onvolledig), vir die vervaardiging van toeters	Volle reg
316.13	Deur tariefpos No. 85.08 deur die volgende te vervang: „85.08 Elektriese aansit- en ontstekingstoerusting (uitgesonderd vonkproppe en 12-volt ontwikkelaars wat 'n maksimum van 30 ampères ontwikkel) Deur tariefpos No. 85.19 deur die volgende te vervang: „85.19 Elektriese skakelaars (uitgesonderd aansittersolenoid-skakelaars)	Volle reg Volle reg
317.03	Deur die uitdrukking „Ontwikkelaar of alternator en steunstukke daarvoor;” waar dit in paragraaf .01 van Opmerking 05.00 voorkom, deur die uitdrukking „Alternator en steunstukke daarvoor;” te vervang. Deur na die uitdrukking „Uitlaatselsel vanaf die uitlaatspruitverbinding;” waar dit in paragraaf .01 van Opmerking 05.00 voorkom, die volgende in te voeg: „Ontwikkelaar; „Aansittersolenoidskakelaars;” Deur die woorde „ontwikkelaar of” waar hulle in paragraaf .02 van Opmerking 05.00 voorkom, te skrap. Deur in paragraaf (I) na tariefpos No. 73.35 die volgende in te voeg: „84.59 Arms en blaas vir nie-elektriese ruitveërs, behalwe vir motorvoertuie met 'n bruto voertuiggewig van minder as 22,400 lb., vir die vervoer van goedere of materiale, maar nie enige motorvoertuig in paragraaf (III) van hierdie item vermeld nie Deur in paragraaf (I) tariefposte Nos. 85.08 en 85.09 deur die volgende te vervang: „85.08 (1) Vonkproppe, behalwe vir motorvoertuie met 'n bruto voertuiggewig van minder as 22,400 lb., vir die vervoer van goedere of materiale, maar nie enige motorvoertuig in paragraaf (III) van hierdie item vermeld nie (2) 12-voltontwikkelaars wat 'n maksimum van 30 ampères ontwikkel en spanningreëlaars, gelykstrom, vir gebruik met voertuie in paragraaf (III) van hierdie item vermeld 85.09 (1) Elektriese toeters, behalwe vir motorvoertuie met 'n bruto voertuiggewig van minder as 22,400 lb., vir die vervoer van goedere of materiale, maar nie enige motorvoertuig in paragraaf (III) van hierdie item vermeld nie (2) Arms en blaas vir elektriese ruitveërs, behalwe vir motorvoertuie met 'n bruto voertuiggewig van minder as 22,400 lb., vir die vervoer van goedere of materiale, maar nie enige motorvoertuig in paragraaf (III) van hierdie item vermeld nie	Volle reg min 20% Volle reg min 30c per dos. Volle reg min 20% Volle reg min 20% Volle reg min 20%

I Item	II Tariff Heading and Description	III Extent of Rebate
317.03	<i>Continued</i>	
	85.19 Starter solenoid switches for use with vehicles specified in paragraph (II) of this item	Full duty less 20%
	By the deletion in paragraph (II) of tariff heading No. 84.59.	
	By the substitution in paragraph (II) for tariff heading No. 85.09 of the following:	
	"85.09 Interior lighting fittings, complete with holders, switch boxes and control panels, internal signaling systems and electrical direction indicator signals or lights, for omnibuses	Full duty"
317.06	By the insertion after tariff heading No. 73.40 of the following:	
	"76.03 Aluminium flat plates or sheets (excluding circles), not coiled, of a thickness of more than 0.015 in., containing, by weight, more than 1.6 per cent of magnesium, for the manufacture of bodies for goods vehicles	Full duty"
	By the substitution for paragraph (8) of tariff heading No. 87.06 of the following:	
	"(8) Rear-axle half shafts of the type with a universal joint at each end and transmission shafts, complete or incomplete (whether or not finished), completely unassembled, for the manufacture or completion thereof	Full duty"
317.08	By the substitution for the item of the following:	
	"317.08 Industry: Ships (excluding Flying Boats)	
	(I) Parts and equipment of ships and boats and materials, for use in the building and equipment of new ships and boats, in the rebuilding and re-equipment of ships and boats or in the repair of ships and boats (excluding ship's stores and catering equipment not specially designed for use on ships and boats)	Full duty less the difference between the M.F.N. duty and any preferential duty provided for in the tariff heading or sub-heading concerned or, if a M.F.N. duty has not been provided for in such heading or sub-heading, less the difference between the general duty and any such preferential duty"
318.04	By the insertion after item 318.03 of the following:	
	"318.04 Industry: Prepared Sound and Similar Recording Media	
	28.23 Iron oxide, for the manufacture of magnetic recording tape	Full duty
	39.01 Polyethylene terephthalate film or sheet, for the manufacture of magnetic recording tape	Full duty
	39.03 Cellulose acetate and cellulose triacetate film or sheet, for the manufacture of magnetic recording tape	Full duty"
319.01	By the insertion before tariff heading No. 44.11 of the following:	
	"36.01 Propellant powders, for the manufacture of cartridges	Full duty"
320.02	By the substitution for tariff heading No. 56.07 of the following:	
	"56.07 Woven fabrics of man-made fibres (discontinuous) (excluding unprinted fabrics of cellulosic fibres), commonly known as downproof	Full duty"
320.06	By the substitution for tariff heading No. 39.00 of the following:	
	"39.00 (1) Artificial plastic material, in sheets or discs (un-worked)	Full duty
	(2) Artificial plastic material, in rods, for the manufacture of buttons	Full duty"
320.10	By the deletion of tariff heading No. 76.03.	
320.11	By the insertion after item 320.10 of the following:	
	"320.11 Industry: Novelties	
	74.19 Key rings fitted with chains, of copper, not plated, for the manufacture of electroplated key rings	Full duty"

I Item	II Tariefpos en Beskrywing	III Mate van Korting
317.03	—Vervolg	
	85.19 Aansittersolenoidskakelaars vir gebruik met voertuie in paragraaf (III) van hierdie item vermeld	Volle reg min 20% ¹⁴
	Deur in paragraaf (II) tariefpos No. 84.59 te skrap.	
	Deur in paragraaf (II) tariefpos No. 85.09 deur die volgende te vervang:	
	„85.09 Binneverligtingstoehore, volledig met houers, skakelaarkassies en beheerpaneel, binne-einstelsels en elektriese rigtingwysersels of -ligte, vir omnibusse	Volle reg ¹⁵
317.06	Deur na tariefpos No. 73.40 die volgende in te voeg:	
	„76.03 Aluminiumplaat of -plaat (uitgesonderd sirkels), nie gehaspel nie, met 'n dikte van meer as 0.015 dm., en wat, volgens gewig, meer as 1.6 persent magnesium bevat, vir die vervaardiging van bakke vir vragevoertuie	Volle reg ¹⁶
	Deur paragraaf (8) van tariefpos No. 87.06 deur die volgende te vervang:	
	„(8) Agerenshaffase van die tipe met 'n kruiskoppeling aan elke punt en dryfasse, volledig of onvolledig (betsy afge- werk al dan nie), geheel en al ongemonteer, vir die vervaardiging of voltooiing daarvan	Volle reg ¹⁷
317.08	Deur die item deur die volgende te vervang:	
	„317.08 Nywerheid: Skepe (uitgesonderd Vliegboote)	
	(1) Onderdele en toerusting van skepe en bote en materiale, vir gebruik by die bou en toerusting van nuwe skepe en bote, by die herbou en hertoerusting van skepe en bote of by die herstel van skepe en bote (uitgesonderd skeepsvoorrade en verversingstoerusting wat nie spesiaal vir gebruik op skepe en bote ontwerp is nie)	Volle reg min die verskil tussen die M. B. N. -reg en enige voorkeure waarvoor in die betrokke tariefpos of subpos voorsiening gemaak is of, indien geen voorsiening vir 'n M. B. N. -reg in sodanige pos of subpos gemaak is nie, min die verskil tussen die algemene reg en enige sodanige voorkeure-reg ¹⁸
318.04	Deur na item 318.03 die volgende in te voeg:	
	„318.04 Nywerheid: Bereide Klank- en Dergelike Opneem-media	
	28.23 Ysteroksied, vir die vervaardiging van magnetiese opnameband	Volle reg
	39.01 Poli-etileneenterslataatfilm of -vel, vir die vervaardiging van magnetiese opnameband	Volle reg
	39.03 Sellulose-asetaat- en sellulose-triasetaatfilm of -vel, vir die vervaardiging van magnetiese opnameband	Volle reg ¹⁹
319.01	Deur voor tariefpos No. 44.11 die volgende in te voeg:	
	„36.01 Dryfspringstofpoelers, vir die vervaardiging van patrone	Volle reg ²⁰
320.02	Deur tariefpos No. 56.07 deur die volgende te vervang:	
	„56.07 Weefstowwe van gefabriceerde vesels (diskontinu) (uitgesonderd onbedrukte stowwe van sellulosese vesels), gewoonlik donsig genoem	Volle reg ²¹
320.06	Deur tariefpos No. 39.00 deur die volgende te vervang:	
	„39.00 (1) Kunspastiekstof, in velde of akywe (onbewerk)	Volle reg
	(2) Kunspastiekstof, in stange, vir die vervaardiging van knope	Volle reg ²²
320.10	Deur tariefpos No. 76.03 te skrap.	
320.11	Deur na item 320.10 die volgende in te voeg:	
	„320.11 Nywerheid: Nuwigbode	
	74.19 Sleutelringe met kettings toegerus, van koper, ongeplateer, vir die vervaardiging van goetlektroplateerde sleutelringe	Volle reg ²³

I Item	II Tariff Heading and Description	III Extent of Rebate
321.01	By the insertion after tariff heading No. 28.03 of the following: "29.04 Isopropyl alcohol By the insertion after tariff heading No. 32.08 of the following: "39.02 Ethylene polymers and copolymers with a specific gravity not exceeding 0.940, in blocks, lumps, powders and similar bulk forms, for the coating of manufactured articles according to the powder coating process	Full duty less 15% Full duty"

I Item	II Tariefpos en Beskrywing	III Mate van Korting
321.01	Deur na tariefpos No. 28.03 die volgende in te voeg: „29.04 Isopropielalkohol Deur na tariefpos No. 32.08 die volgende in te voeg: „39.02 Etilenpolimere en -kopolimere met 'n soortlike gewig van hoogstens 0.940, in blokke, stukke, poeiers en dergelike massavorms, vir die bestryking van gefabriseerde artikels volgens die poelbestrykingsproes	Volle reg min 15% . Volle reg

Schedule No. 4

AMENDMENTS TO SCHEDULE NO. 4 TO THE CUSTOMS AND EXCISE ACT, 1964.

I Item	II Tariff Heading and Description	III Extent of Rebate
404.03	By the insertion after paragraph (IX) of the following: “(X) Goods of any description, for use by the National Institute for Metallurgy (XI) Goods of any description, for use by the Oceanographic Research Institute	Full duty Full duty”
410.02	By the substitution for tariff heading No. 07.01 of the following: “07.01 Seed potatoes, in such quantities and at such times as the Secretary for Agricultural Technical Services may allow by specific permit By the substitution for tariff headings Nos. 07.05 and 10.00 of the following: “07.05 Foundation seed of dried leguminous vegetables for multiplication in terms of the Export Seed Scheme and/or Seed Certification Scheme, in such quantities and at such times as the Secretary for Agricultural Technical Services may allow by specific permit 10.00 Cereal foundation seeds for multiplication in terms of the Export Seed Scheme and/or Seed Certification Scheme, in such quantities and at such times as the Secretary for Agricultural Technical Services may allow by specific permit By the substitution for tariff heading No. 12.01 of the following: “12.01 Oil foundation seeds for multiplication in terms of the Export Seed Scheme and/or Seed Certification Scheme, in such quantities and at such times as the Secretary for Agricultural Technical Services may allow by specific permit	Full duty” Full duty Full duty” Full duty”
410.03	By the insertion in paragraph (3) of tariff heading No. 30.03 after the word “thiabendazole,” of the word “tetramisole,” By the insertion in paragraph (3) of tariff heading No. 30.03 after the word “methyridine” of the word “, nicarbazin”. By the insertion after tariff heading No. 44.21 of the following: “48.01 Machine-glazed bleached kraft paper and paperboard, for the packing of grapes	Full duty”
410.04	By the substitution for paragraph (1) of tariff heading No. 27.10 (in respect of distillate fuels and residual fuel oils) of the following: “(1) For use as engine fuel in coasting ships chartered by South African companies and in coasting ships, whalers, trawlers and other ocean-going fishing boats registered in the Republic (excluding such vessels used for pleasure)	Full duty”
411.00	By the insertion before tariff heading No. 49.00 of the following: “29.14 Sodium trichloroacetate, for use as a weed-killer By the deletion of tariff heading No. 84.65. By the insertion after tariff heading No. 87.02 of the following: “89.01 Ships and boats (excluding warships of all kinds, yachts and other sailing vessels, launches, canoes, skiffs, dinghies, rowing boats and other pleasure or sporting craft not provided for elsewhere in this tariff heading and rowing shells of a kind commonly used for boat-racing), for such purposes and subject to such conditions as the Minister of Economic Affairs may, on the recommendation of the Board of Trade and Industries, specify by specific permit By the deletion of paragraphs (I), (II), (III) and (IV).	Full duty” Full duty”
460.04	By the substitution for tariff heading No. 15.07 of the following: “15.07 Cotton seed oil, soya bean oil, sunflower seed oil or groundnut oil, in such quantities and at such times as the Secretary for Commerce and Industries may allow by specific permit	Full duty”
460.06	By the insertion after item 460.05 of the following: “460.06 (I) Goods imported or cleared from a customs and excise warehouse by a person certified by the Secretary for Mines to be a person who, in the Republic (including the territorial waters and the continental shelf of the Republic)—	Full duty”

I Item	II Tariff Heading and Description	III Extent of Rebate
460.06	<i>Continued</i> (1) prospects for natural oil or natural gas in terms of a prospecting lease or a prospecting sublease, (2) mines natural oil or natural gas in terms of a mining lease, (3) is a contractor of any person referred to in paragraph (1) or (2), for use solely in operations in connection with the prospecting for, or mining of natural oil or natural gas, in such quantities and at such times as the Secretary for Commerce and Industries may allow by specific permit (excluding— (a) distillate fuels and residual fuel oils, (b) goods for the personal use of any person, and (c) goods for use in the exploitation or processing of any product other than natural oil or natural gas or in the processing or distribution of natural oil or natural gas)	

I Item	II Tariefpos en Beskrywing	III Mate van Korting
460.06	—Vervolg (1) ingevolge 'n prospekteerhuur of prospektoer- onderverhuring na aardolie of natuurlike gas prospekteer, (2) ingevolge 'n mynverhuring aardolie of natuur- like gas myn, (3) 'n kontrakteur is van enige persoon in para- graaf (1) of (2) vermeld, vir gebruik slegs by werksaamhede in verband met die prospekter na, of myn van aardolie of natuur- like gas, in die hoeveelhede en op die tye wat die Sekretaris van Handel en Nywerheid by bepaalde permit toelaat (uitgesonderd— (a) distillaatbrandstowwe en residu-brandolies, (b) goedere vir die persoonlike gebruik van enige persoon, en (c) goedere vir gebruik by die ontginning of ver- werking van 'n ander produk as aardolie of natuurlike gas of by die verwerking of ver- spreiding van aardolie of natuurlike gas)	

Schedule No. 5

AMENDMENTS TO SCHEDULE NO. 5 TO THE CUSTOMS AND EXCISE ACT, 1964.

I Item	II Tariff Heading and Description	III Extent of Drawback
503.01	By the insertion after item 503.00 of the following: "503.01 Vegetable Fat and Oil Products 15.07 Castor oil, used in the manufacture of castor oil products	Full duty"
504.05	By the substitution for tariff heading No. 22.09 of the following: "22.09 (1) Concentrated alcoholic extracts of kola nuts, used for making kola tonic beverages (2) Malt whisky, used for making spirituous beverages	Full duty Full duty"
511.10	By the insertion before tariff heading No. 57.10 of the following: "48.05 Kraft paper, creped, used in the manufacture of paper-lined bags, used as containers for asbestos	Full duty"
511.12	By the insertion after item 511.11 of the following: "511.12 Sewing Thread 55.05 Yarn of cotton, used in the manufacture of sewing thread	Full duty"
512.02	By the insertion before tariff heading No. 54.05 of the following: "39.03 Vulcanised fibre, used in the manufacture of cap peaks for caps	Full duty"
513.01	By the deletion of tariff heading No. 70.13.	
515.05	By the insertion before tariff heading No. 73.38 of the following: "73.13 Sheets and plates, of steel, used in the manufacture of steel tubing	Full duty"
516.01	By the insertion after tariff heading No. 32.09 of the following: "84.40 Spin pulley assemblies, aluminium lids for tubs and driers, tub heater sumps and mask plate assemblies, used in the manufacture of domestic laundry washing machines	Full duty"
516.03	By the insertion after tariff heading No. 40.09 of the following: "73.13 Sheets and plates, of steel, used in the manufacture of lifting jacks	Full duty"
516.07	By the deletion of tariff heading No. 75.03.	
517.02	By the insertion before tariff heading No. 87.00 of the following: "73.13 Sheets and plates, of steel, used in the manufacture of exhaust systems	Full duty"
517.04	By the deletion of item 517.04.	
521.00	By the insertion after tariff heading No. 44.22 of the following: "(T) Goods used in the manufacture, processing, finishing, equipment or packing of any goods exported: Provided that— (1) no drawback in terms of this item shall be granted unless the claim in respect of such drawback is accompanied by and complies with the provisions of a permit issued by the Secretary for Commerce and Industries on the recommendation of the Board of Trade and Industries, (2) the said permit may specify the nature, quantity or value of the goods to which the drawback relates, the nature, quantity or value of the goods in the manufacture, processing, finishing, equipment or packing of which the first-mentioned goods are used, the period during which any such goods shall be imported or exported or any other restriction of whatever nature, and (3) the Secretary may, in his discretion, exempt any person to whom such permit has been issued or any goods to which this item is applicable from the provision of any regulation relating to Part I of Schedule No. 5	Full duty"

Bylae No. 5

WYSIGINGS VAN BYLAE NO. 5 BY DIE DOEANE- EN AKSYNSWET, 1964.

I Item	II Tariefpos en Beskrywing	III Mate van Teruggawe
503.01	Deur na item 503.00 die volgende in te voeg: „503.01 Plantaardige Vet- en Olieprodukte	
	15.07 Kasterolie, gebruik by die vervaardiging van kasterolieprodukte	Volle reg ^a
504.05	Deur tariefpos No. 22.09 deur die volgende te vervang: „22.09 (1) Gekonsentreerde alkoholiese ekstrakte van kola-	Volle reg
	neute, gebruik by die vervaardiging van kolaversterkdranke	
	(2) Moutwhisky, gebruik by die vervaardiging van spiritusdranke	Volle reg ^a
511.10	Deur voor tariefpos No. 57.10 die volgende in te voeg: „48.05 Kraftpapier, gekreukel, gebruik by die vervaardiging	Volle reg ^a
	van sakke met papiervoering, gebruik as houters vir asbes	
511.12	Deur na item 511.11 die volgende in te voeg: „511.12 Naalgaring	
	55.05 Garing van katoen, gebruik by die vervaardiging van naalgaring	Volle reg ^a
512.02	Deur voor tariefpos No. 54.05 die volgende in te voeg: „39.03 Gevulkaniseerde vesel, gebruik by die vervaardiging	Volle reg ^a
	van pettuite vir pette	
513.01	Deur tariefpos No. 70.13 te skrap.	
515.05	Deur voor tariefpos No. 73.38 die volgende in te voeg: „73.13 Fynplate en plate, van staal, gebruik by die vervaar-	Volle reg ^a
	ding van staalbuis	
516.01	Deur na tariefpos No. 32.09 die volgende in te voeg: „84.40 Tolkatrolsamestellings, aluminiumdeksels vir kuipe en	Volle reg ^a
	droërs, kulpverwarmeroliebakke en maskerplaat-samestellings, gebruik by die vervaardiging van huishoudelike wasgoedwasmasjiene	
516.03	Deur na tariefpos No. 40.09 die volgende in te voeg: „73.13 Fynplate en plate, van staal, gebruik by die vervaardi-	Volle reg ^a
	ging van hysdomkrigte	
516.07	Deur tariefpos No. 75.03 te skrap.	
517.02	Deur voor tariefpos No. 87.00 die volgende in te voeg: „73.13 Fynplate en plate, van staal, gebruik by die vervaardi-	Volle reg ^a
	ging van uitlaatselsels	
517.04	Deur item 517.04 te skrap.	
521.00	Deur na tariefpos No. 44.22 die volgende in te voeg: „(I) Goedere gebruik by die vervaardiging, verwerking, afwer-	Volle reg ^a
	king, uitrusting of verpakking van enige goedere wat uitgevoer word:	
	Met dien verstande dat—	
	(1) geen teruggawe kragtens hierdie item toegestaan word tensy die eis in verband met sodanige teruggawe versag word deur en voldoen aan die bepalings van 'n permit wat deur die Sekretaris van Handel en Nywerheid op aanbeveling van die Raad van Handel en Nywerheid uitgereik is nie,	
	(2) die vermelde permit die aard, hoeveelheid of waarde van die goedere waarop die teruggawe betrekking het, die aard, hoeveelheid of waarde van die goedere by die vervaardiging, verwerking, afwerking, uitrusting of verpakking waarvan ongenoemde goedere gebruik word, die tydperk waartydens enige sodanige goedere in- of uitgevoer moet word of enige ander beperking van watter aard ook al kan bepaal, en	
	(3) die Sekretaris na goeddunke enige persoon aan wie sodanige permit uitgereik is of enige goedere waarop hierdie item van toepassing is van die bepaling van enige regulasie wat op Deel I van Bylae No. 5 betrekking het, kan vrystel	

Schedule No. 6

AMENDMENTS TO SCHEDULE NO. 6 TO THE CUSTOMS AND EXCISE ACT, 1964.

I Item	II Tariff Item and Description	III Extent of Rebate	IV Extent of Refund
602.00	By the insertion in the heading to the item after the word "BY" of the words "HEADS OF STATE".		
602.01	By the insertion in the heading to the item after the word "by" of the words "the State President".		
603.01.03	By the deletion of item 603.01.03.		
604.02.10	By the insertion after paragraph (2) of tariff item 104.15 of the following: "(3) Sparkling wine (excluding champagne)	Full duty"	
604.03.10	By the insertion after paragraph (3) of tariff item 104.15 of the following: "(4) Sparkling wine (excluding champagne)	Full duty"	
605.04.05	By the insertion after paragraph (1) of tariff item 104.15 of the following: "(2) In the manufacture of spirituous beverages exported in terms of item 603.01.15		Full duty"
606.05.20	By the substitution in the Afrikaans text of paragraph (1) of tariff item 105.10 for the expression "tariefitem 105.10.10" of the expression "tariefitem 105.05.10".		
607.02	By the deletion of item 607.02.		
607.04.10	By the insertion in paragraph (2) of tariff item 104.20 after tariff heading No. 13.03 of the following: "20.04 Glacé fruit"		
607.05.10	By the deletion of tariff heading No. 29.35 in paragraph (3) of tariff item 104.20.		
607.05.10	By the substitution for paragraph (5) of tariff items 105.05 and 105.10 of the following: "(5) As engine fuel in coasting ships chartered by South African companies and in coasting ships, whalers, trawlers and other ocean-going fishing boats registered in the Republic (excluding such vessels used for pleasure)	Full duty"	
608.01	By the substitution in the Afrikaans text of the heading to the item for the word "onopsetlik" of the word "onvermydelik".		
609.04.10	By the substitution for item 609.04.10 of the following: "609.04.10 104.10 Bantu beer: (1) Brewed for sale or brewed for supply to employees by employers in urban areas who have more than 25 employees in their service (2) Brewed for any other purpose	Full duty less 2c per gal.	Full duty"
609.05	By the insertion before item 609.05.10 of the following item: "609.05.05 105.05 Petrol and aviation spirit supplied to any person entitled to the privileges provided for in item 460.06 of Schedule No. 4, subject to the provisions of the said item	Full duty"	
609.17.20	By the substitution for paragraph (a) of tariff item 117.05 of the following: "(a) No paragraph". By the substitution in tariff item 117.05 for the expression "2c per lb." where it appears in Column III against paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r) and (s) of the expression "4c per lb."		
609.22.10	By the substitution for item 609.22.10 of the following: "609.22.10 Excisable goods of any class or kind approved by the Secretary in each case, where all goods of that class or kind are withdrawn from marketing and returned to a customs and excise manufacturing warehouse with his permission, provided such goods are suitable for reprocessing and are taken into stocks of materials for reprocessing		Full duty"

Bylae No. 6

WYSIGINGS VAN BYLAE NO. 6 BY DIE DOEANE- EN AKSYNSWET, 1964.

I Item	II Tariefitem en Beskrywing	III Maat van Korting	IV Maat van Terugbetaling
602.00	Deur in die opskrif by die item na die woord „DEUR“ die woord „STAATSHOOFDE,“ in te voeg.		
602.01	Deur in die opskrif by die item na die woord „deur“ die woorde „die Staatspresident,“ in te voeg.		
603.01.03	Deur item 603.01.03 te skrap.		
604.02.10	Deur na paragraaf (2) van tariefitem 104.15 die volgende in te voeg: „(3) Skuimwyn (uitgesonderd sjampanje)	Volle reg“	
604.03.10	Deur na paragraaf (3) van tariefitem 104.15 die volgende in te voeg: „(4) Skuimwyn (uitgesonderd sjampanje)	Volle reg“	
605.04.05	Deur na paragraaf (1) van tariefitem 104.15 die volgende in te voeg: „(2) By die vervaardiging van spiritusdranke wat ingevolge item 603.01.15 uitgevoer word		Volle reg“
606.05.20	Deur in die Afrikaanse teks van paragraaf (1) van tariefitem 105.10 die uitdrukking „tariefitem 105.10.10“ deur die uitdrukking „tariefitem 105.05.10“ te vervang.		
607.02	Deur item 607.02 te skrap.		
607.04.10	Deur in paragraaf (2) van tariefitem 104.20 na tariefpos No. 13.03 die volgende in te voeg: „20.04 Glasuurvrugte“ Deur tariefpos No. 29.35 in paragraaf (3) van tariefitem 104.20 te skrap.		
607.05.10	Deur paragraaf (5) van tariefitems 105.05 en 105.10 deur die volgende te vervang: „(5) As enjilbrandstof in kusvaarders deur Suid-Afrikaanse maatskappye gehuur en in kusvaarders, walvisbote, trekkers en ander diepseefvangbote wat in die Republiek geregistreer is (uitgesonderd sodanige vaartuie wat vir plesier gebruik word)	Volle reg“	
608.01	Deur in die Afrikaanse teks van die opskrif by die item die woord „onopsetlik“ deur die woord „oewermydelik“ te vervang.		
609.04.10	Deur item 609.04.10 deur die volgende te vervang: „609.04.10 104.10 Bantoebier: (1) Gebrou vir verkoop of gebrou vir verskaffing aan werknemers deur werke- mers in stedelike gebiede wat meer as 25 werknemers in hulle diens het (2) Gebrou vir enige ander doel- einde	Volle reg min 2c per gel.	
609.05	Deur voor item 609.05.10 die volgende item in te voeg: „609.05.05 105.05 Petrol en vliegtuigspiritus verskaf 105.10 aan enige persoon wat op die voorregte waarvoor in item 460.06 van Bylae No. 4 voorsien- ing gemaak is, geregtig is, onder- worpe aan die bepalinge van genoemde item	Volle reg“	
609.17.20	Deur paragraaf (a) van tariefitem 117.05 deur die volgende te vervang: „(a) Geen paragraaf“. Deur in tariefitem 117.05 die uitdrukking „2c per lb.“ waar dit in Kolom III teenoor paragrafe (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r) en (s) voorkom, deur die uitdrukking „4c per lb.“ te ver- vang.		
609.22.10	Deur item 609.22.10 deur die volgende te vervang: „609.22.10 Synsbare goedere van enige klas of soort in elke geval deur die Sekretaris goedge- keur, waar alle goedere van daardie klas of soort met sy toestemming aan bemerking onttrek en na 'n doeane-en-aksynsvervaar- digingspakhuis teruggestuur word, mits sodanige goedere geskik is vir herbewer- king en in voorrade van materiale vir her- bewerking opgeneem word		Volle reg“

No. 98, 1967.]

ACT

To amend the provisions of the Participation Bonds Act, 1964, in regard to the definition of "participation bond", the rights of participants in participation bonds to enforce their rights against the mortgagors, the transfer or cession of rights in participation bonds and the alteration of the rules of schemes.

*(Afrikaans text signed by the Acting State President.)
(Assented to 19th June, 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 48 of 1964.

1. Section 1 of the Participation Bonds Act, 1964 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "participation bond" of the following definition:

"(v) 'participation bond' means a mortgage bond over immovable property—

- (a) which is described as a participation bond and is registered as such in the name of a nominee company and is included in a scheme; and
- (b) by which, if it is so registered on or after the first day of October, 1967, and unless it ranks equally with such an existing bond in respect of the same immovable property and the same mortgagor, the total sum secured is not less than twenty thousand rand; (vi)".

Amendment of
section 6 of
Act 48 of 1964.

2. Section 6 of the principal Act is hereby amended—

- (a) by the addition of the following proviso to subsection (2):

"Provided that where any such right to repayment of the principal debt secured by the bond is granted to such holder on or after the date of commencement of the Participation Bonds Amendment Act, 1967, he shall not be entitled to enforce against the mortgagor his right to recover any amount owing by the mortgagor in terms of such bond unless a period of not less than three years has elapsed after such right was granted to him"; and

- (b) by the substitution for subsection (6) of the following subsection:

"(6) A participant shall have the right to transfer, cede or encumber his rights in a participation bond without the consent of the mortgagor, provided—

- (a) he has obtained the prior written consent of the manager to such transfer, cession or encumbrance; and
- (b) in the case of any such transfer or cession—
 - (i) Where he acquires his rights in such participation bond on or after the date of commencement of the Participation Bonds Amendment Act, 1967, a period of not less than three years has elapsed after he acquired such rights; or
 - (ii) the registrar approves such transfer or cession."

WET

Tot wysiging van die bepalinge van die Wet op Deelnemingsverbanne, 1964, met betrekking tot die omskrywing van „deelnemingsverband”, die regte van deelnemers in deelnemingsverbanne om hul regte teen die verbandgewers uit te oefen, die oordrag of sessie van regte in deelnemingsverbanne en die verandering van die reëls van skemas.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 19 Junie 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 Deelnemingsverbanne, 1964 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van „deelnemingsverband” deur die volgende omskrywing te vervang:

Wysiging van artikel 1 van Wet 48 van 1964.

„(vi) „deelnemingsverband” ’n verband oor onroerende goed—

- (a) wat as ’n deelnemingsverband beskryf en as sodanig op naam van ’n benoemde maatskappy geregistreer is en by ’n skema ingesluit is; en
- (b) waardeur, indien dit op of na die eerste dag van Oktober 1967 aldus geregistreer word en tensy dit gelyke voorkeur geniet met so ’n bestaande verband ten opsigte van dieselfde onroerende goed en dieselfde verbandgewer, die totale bedrag wat gesekureer word nie minder as twintigduisend rand is nie; (v)”.

2. Artikel 6 van die Hoofwet word hierby gewysig—

Wysiging van artikel 6 van Wet 48 van 1964.

(a) deur die volgende voorbehoudsbepaling by subartikel (2) te voeg:

„Met dien verstande dat waar so ’n reg tot terugbetaling van die hoofskuld deur die verband gesekureer, aan so ’n houër op of na die datum van inwerkingtreding van die Wysigingswet op Deelnemingsverbanne, 1967, toegeken word, hy nie geregtig is om sy reg om ’n bedrag te verhaal, wat ingevolge die verband deur die verbandgewer verskuldig is, uit te oefen nie tensy ’n tydperk van nie minder nie as drie jaar verstryk het nadat sodanige reg aan hom toegeken is.”; en

(b) deur subartikel (6) deur die volgende subartikel te vervang:

„(6) ’n Deelnemer het die reg om sonder die toestemming van die verbandgewer sy regte in ’n deelnemingsverband oor te dra, te sedgeer of te beswaar, mits—

- (a) hy vooraf die skriftelike toestemming van die bestuurder tot sodanige oordrag, sessie of beswaring verkry het; en
- (b) in die geval van sodanige oordrag of sessie—
 - (i) waar hy sy regte in sodanige deelnemingsverband op of na die datum van inwerkingtreding van die Wysigingswet op Deelnemingsverbanne, 1967, verkry, ’n tydperk van nie minder nie as drie jaar verstryk het nadat hy sodanige regte verkry het; of
 - (ii) die registrateur sodanige oordrag of sessie goedkeur.”.

Amendment of
section 9 of
Act 48 of 1964.

3. Section 9 of the principal Act is hereby amended by the substitution for subsection (5) of the following subsection:

"(5) The rules of the scheme as applicable to any particular participation bond may not be altered without the consent in writing of all the participants therein and the manager, unless the registrar is satisfied that alterations are necessary for such rules to comply with the provisions of this Act."

Short title.

4. This Act shall be called the Participation Bonds Amendment Act, 1967.

3. Artikel 9 van die Hoofwet word hierby gewysig deur sub-artikel (5) deur die volgende subartikel te vervang:

Wysiging van
artikel 9 van
Wet 48 van 1964.

„(5) Die reëls van die skema soos van toepassing op 'n bepaalde deelnemingsverband mag nie sonder die skriftelike toestemming van al die deelnemers daarin en die bestuurder verander word nie tensy die registrateur oortuig is dat veranderings nodig is sodat daardie reëls aan die bepalings van hierdie Wet voldoen.”.

4. Hierdie Wet heet die Wysigingswet op Deelnemings-verbande, 1967.

No. 99, 1967.]

ACT

To amend sections 19 and 22 of the Unit Trusts Control Act, 1947, so as to abolish rounding-off accruals to the made-up prices of units and to limit the initial charges on the made-up prices of units; to amend section 28 of the Building Societies Act, 1965, so as to make provision for extending the period after the expiry of which subscription shares shall mature; and to suspend section 36 (1) of the Building Societies Act, 1965.

(English text signed by the Acting State President.)

(Assented to 19th June, 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 19 of Act 18 of 1947, as amended by section 17 of Act 11 of 1962 and section 8 of Act 65 of 1963.

1. Section 19 of the Unit Trusts Control Act, 1947, is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) No management company shall sell any unit under a unit trust scheme at a price which exceeds the made-up price of that unit: Provided that where units in a newly established unit portfolio are offered to the public for the first time, a management company shall be permitted to make an initial offer on a specified date or for a specified period of a specific number of units at a fixed price based on the made-up price of the units on a previous date which shall not be more than twenty-eight days prior to the closing date of the offer."

Amendment of section 22 of Act 18 of 1947, as substituted by section 20 of Act 11 of 1962 and amended by section 9 of Act 65 of 1963.

2. Section 22 of the Unit Trusts Control Act, 1947, is hereby amended—

(a) by the deletion of the word "and" at the end of paragraph (f); and

(b) by the addition to subsection (1) of the following paragraph:

"(h) that the initial charge shall not exceed five per cent of the made-up price of units."

Amendment of section 28 of Act 24 of 1965.

3. Section 28 of the Building Societies Act, 1965, is hereby amended by the addition to subsection (1) (b) of the following further proviso:

"Provided further that at any time before the expiry of such period after which a subscription share is calculated to mature, the society may, at the request of the shareholder, extend such period for a further period of not less than twelve months after the expiry of which such share is calculated to mature, in which event such share shall mature after the expiry of such period of extension, and that the society may thereafter from time to time similarly extend the total period after the expiry of which such share is calculated to mature, in which case such share shall mature after the expiry of any further period of such extension."

Suspension of section 36 (1) of Act 24 of 1965.

4. The provisions of section 36 (1) of the Building Societies Act, 1965, shall not apply in respect of the financial year ending on the thirty-first day of March, 1968.

Short title.

5. This Act shall be called the Financial Institutions Amendment Act, 1967.

WET

Tot wysiging van artikels 19 en 22 van die Wet op Beheer van Effekte-trustskemas, 1947, om afrondingstoevoegings tot die insetpryse van onderaandeel af te skaf en die aanvangsheffings op die insetpryse van onderaandeel te beperk; tot wysiging van artikel 28 van die Bouverenigingswet, 1965, om voorsiening te maak vir verlenging van die termyn na verstryking waarvan subskripsie-aandeel verval; en tot opskorting van artikel 36 (1) van die Bouverenigingswet, 1965.

(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 19 Junie 1967.)

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

Wysiging van
artikel 19 van
Wet 18 van 1947,
soos gewysig deur
artikel 17 van
Wet 11 van 1962
en artikel 8 van
Wet 65 van 1963.

1. Artikel 19 van die Wet op Beheer van Effekte-trustskemas, 1947, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Geen bestuursmaatskappy mag 'n onderaandeel ingevolge 'n effekte-trustskema verkoop teen 'n prys wat die insetprys van daardie onderaandeel te bowe gaan nie: Met dien verstande dat waar onderaandeel in 'n pas gestigte effektegroep vir die eerste maal aan die publiek aangebied word, dit vir 'n bestuursmaatskappy goorloof is om 'n eerste aanbod op 'n bepaalde datum of vir 'n bepaalde tydperk van 'n bepaalde getal onderaandeel te maak teen 'n vaste prys gebaseer op die insetprys van die onderaandeel op 'n vorige datum wat nie vroeër as agt-en-twintig dae voor die sluitingsdatum van die aanbod is nie.”

2. Artikel 22 van die Wet op Beheer van Effekte-trustskemas, 1947, word hierby gewysig—

(a) deur die woord „en” aan die end van paragraaf (f) van subartikel (1) te skrap; en

(b) deur by subartikel (1) die volgende paragraaf te voeg:

„(h) dat die aanvangsheffing nie vyf persent van die insetprys van onderaandeel mag oorskry nie.”

Wysiging van
artikel 22 van
Wet 18 van 1947,
soos vervang deur
artikel 20 van
Wet 11 van 1962
en gewysig deur
artikel 9 van
Wet 65 van 1963.

3. Artikel 28 van die Bouverenigingswet, 1965, word hierby gewysig deur die volgende verdere voorbehoudsbepaling by subartikel (1) (b) by te voeg:

Wysiging van
artikel 28 van
Wet 24 van 1965.

„Met dien verstande voorts dat die vereniging te eniger tyd voor verstryking van so 'n termyn waarna 'n subskripsie-aandeel bereken is om te verval, sodanige tydperk op versoek van die aandeelhouer kan verleng vir 'n verdere termyn van nie minder nie as twaalf maande na die verstryking waarvan so 'n aandeel bereken is om te verval, en in daardie geval verval so 'n aandeel na verstryking van daardie verlengingstermyn, en dat die vereniging daarna van tyd tot tyd die totale termyn na die verstryking waarvan so 'n aandeel bereken is om te verval insgelyks kan verleng, en in daardie geval verval so 'n aandeel na verstryking van enige verdere termyn waarvoor dit aldus verleng is.”

4. Die bepalinge van artikel 36 (1) van die Bouverenigingswet, 1965, geld nie ten opsigte van die boekjaar eindigende op die een-en-dertigste dag van Maart 1968 nie.

Opskorting van
artikel 36 (1) van
Wet 24 van 1965.

5. Hierdie Wet heet die Wysigingswet op Finansiële In- Kort titel. stelling, 1967.

No. 100, 1967.]

ACT

To provide for the control and promotion of the marketing of canned fruit on export markets and to that end to establish a board of control; and to provide for other incidental matters.

(Afrikaans text signed by the Acting State President.)

(Assented to 19th June, 1967.)

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

Definitions.

1. (1) In this Act, unless the context otherwise indicates—
 - (i) "board" means the South African Canned Fruit Export Board established by this Act; (vi)
 - (ii) "canned fruit" means canned apricots, canned peaches or canned pears or any canned product declared to be canned fruit under the provisions of subsection (2); (i)
 - (iii) "cannery" means a factory producing canned fruit; (ii)
 - (iv) "co-operative society" means a co-operative society or company registered under the Co-operative Societies Act, 1939 (Act No. 29 of 1939); (iii)
 - (v) "licensee" means the holder of a licence issued under this Act; (iv)
 - (vi) "Minister" means the Minister of Economic Affairs. (v)

(2) The Minister may from time to time by notice in the *Gazette* declare any canned product defined in such notice, which in his opinion contains one or more kinds of fruit or one or more ingredients derived from fruit, to be canned fruit for the purposes of this Act.

(3) The Minister shall exercise the powers conferred upon him by subsection (2) in respect of any canned product, only on the recommendation of the board after consultation by the board with persons who in its opinion are the principal canners of such product.

Establishment of South African Canned Fruit Export Board.

2. (1) There is hereby established a board to be known as the South African Canned Fruit Export Board, which shall be a body corporate, capable of suing and being sued in its corporate name and subject to the provisions of this Act, of purchasing or otherwise acquiring, holding, hiring, letting, selling, exchanging or otherwise alienating property, movable or immovable, of granting to any person any real right in or servitude over its property, of investing, lending or borrowing moneys and of performing all such acts as are necessary for or incidental to the attainment of its objects, the exercise of its powers and the performance of its functions.

(2) The board shall not let, sell, exchange or otherwise alienate its immovable property or grant to any person any real right in or servitude over such property, without the approval of the Minister.

Objects and general powers of the board.

3. The objects of the board shall be to control and promote the marketing of canned fruit on export markets, and to that end the board shall, in addition to any other powers vested in it by this Act, have power—

No. 100, 1967.]

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Om voorsiening te maak vir die beheer oor en bevordering van die bemarking van ingemaakte vrugte op uitvoermarkte en om vir daardie doel 'n beheerraad in te stel; en om voorsiening te maak vir ander aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.
(Goedgekeur op 19 Junie 1967.)

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

1. (1) In hierdie Wet, tensy uit die samehang anders blyk, Woordom-
skrywing.
beteken—

- (i) „ingemaakte vrugte” ingemaakte appelkose, ingemaakte perskes of ingemaakte pere of 'n ingemaakte produk wat kragtens die bepalings van subartikel (2) tot ingemaakte vrugte verklaar is; (ii)
- (ii) „inmakery” 'n fabriek wat ingemaakte vrugte produseer; (iii)
- (iii) „koöperatiewe vereniging” 'n koöperatiewe vereniging of maatskappy geregistreer ingevolge die Wet op Koöperatiewe Verenigings, 1939 (Wet No. 29 van 1939); (iv)
- (iv) „lisensiehouer” die houer van 'n lisensie kragtens hierdie Wet uitgereik; (v)
- (v) „Minister” die Minister van Ekonomiese Sake; (vi)
- (vi) „raad” die by hierdie Wet ingestelde Uitvoerraad vir Suid-Afrikaanse Ingemaakte Vrugte. (i)

(2) Die Minister kan van tyd tot tyd by kennisgewing in die *Staatskoerant* 'n in bedoelde kennisgewing omskrewe ingemaakte produk, wat na sy oordeel een of meer soorte vrugte of een of meer bestanddele van vrugte afkomstig, bevat, tot ingemaakte vrugte vir die doeleindes van hierdie Wet verklaar.

(3) Die Minister oefen die bevoegdhede hom by subartikel (2) verleen, ten opsigte van 'n ingemaakte produk uit slegs op aanbeveling van die raad na oorlegpleging deur die raad met persone wat na sy oordeel die vernaamste inmakers van bedoelde produk is.

2. (1) Daar word hierby 'n raad ingestel bekend as die Instelling van
Uitvoerraad vir
Suid-Afrikaanse
Ingemaakte
Vrugte.
Uitvoerraad vir Suid-Afrikaanse Ingemaakte Vrugte, met regspersoonlikheid beklee en bevoeg om in sy naam as regspersoon as eiser en verweerder in regte op te tree, en om, behoudens die bepalings van hierdie Wet, roerende of onroerende goed te koop of op 'n ander wyse te verkry, te besit, huur, verhuur, verkoop, verruil of op 'n ander wyse te vervreem, of om 'n saaklike reg of serwituut op sy goed aan 'n persoon te verleen, of om geld te belê, uit te leen of te leen en om alle handelinge te verrig wat nodig is vir of in verband staan met die bereiking van sy oogmerke, die uitoefening van sy bevoegdhede en die verrigting van sy werksaamhede.

(2) Die raad mag nie sonder die goedkeuring van die Minister sy onroerende goed verhuur, verkoop, verruil of op 'n ander wyse vervreem of 'n saaklike reg of serwituut daarop aan 'n persoon verleen nie.

3. Die oogmerke van die raad is om die bemarking van ingemaakte vrugte op uitvoermarkte te beheer en te bevorder, en vir die bereiking van daardie oogmerke het die raad, benewens ander bevoegdhede by hierdie Wet aan hom verleen, die bevoegdheid— Oogmerke en
algemene be-
voegdhede van die
raad.

- (a) to establish an agency of the board in London to advise the board on matters relating to the marketing of canned fruit on export markets and to act as the agent of the board;
- (b) with the approval of the Minister, to assist any licensee with the marketing of canned fruit on export markets;
- (c) by notice in writing addressed to all licensees, to determine the terms and conditions subject to which a licensee may export for sale canned fruit in general or canned fruit of a class, kind or quality specified in such notice, to any country or territory or to any particular country or territory so specified;
- (d) by notice in writing addressed to all licensees, to determine the minimum price calculated in the manner specified in such notice, at which any licensee may sell any canned fruit or canned fruit of a class, kind, quality or quantity so specified, which has been exported or is intended for export by such licensee to any country or territory or to any particular country or territory so specified;
- (e) with the approval of the Minister and by notice in writing addressed to all licensees, to impose on all canned fruit exported for sale by any licensee, a levy calculated in the manner specified in such notice and payable to the board by such licensee in such manner and at such times as may be so specified;
- (f) by notice in writing to direct any licensee to furnish the board with or produce to it within such period as may be specified in such notice such information or returns or books, correspondence, accounts, statements, balance sheets, invoices or other documents or copies thereof, in his possession or custody or under his control, as may be so specified, relating to the sale, disposal or export, or intended sale, disposal or export of canned fruit by such licensee at any time, or relating to canned fruit which is or has at any time been in his possession or custody or under his control;
- (g) by notice in writing direct any person connected with the canned fruit industry to furnish the board within such period as may be specified in such notice with such information or returns as may be so specified, relating to the said industry;
- (h) to do all such things and perform all such functions as may be necessary or incidental to the attainment of its objects.

Constitution of the board.

4. (1) The board shall consist of five members appointed by the Minister of whom—

- (a) four shall represent the proprietors of canneries other than canneries owned by co-operative societies;
- (b) one shall represent co-operative societies owning canneries.

(2) The Minister may appoint an alternate to serve in the stead of any member of the board whenever such member is for any reason unable to perform his functions as a member of the board.

(3) The Minister shall by notice in writing invite as many nominations as he may determine from the South African Fruit and Vegetable Canners Association (Proprietary) Limited or any other association which in the opinion of the Minister is its successor, and from any body which in the opinion of the Minister is sufficiently representative of co-operative societies owning canneries, and shall, subject to the provisions of subsection (4), select the members contemplated in subsection (1) (a) and their alternates from amongst the nominees of any association aforesaid and the member contemplated in subsection (1) (b) and his alternate from amongst the nominees of the body aforesaid.

(4) If any nominations invited under subsection (2) are not lodged with the Minister within the period stated in the notice inviting such nominations, the Minister may, in making the appointment in respect of which such nominations are not so lodged, appoint any person whom he considers to be suitable to be a member of the board or an alternate to such a member.

- (a) om 'n agentskap van die raad in Londen in te stel om die raad van advies te dien oor aangeleenthede met betrekking tot die bemaking van ingemaakte vrugte op uitvoermarkte en om as agent van die raad op te tree;
 - (b) om met goedkeuring van die Minister, 'n lisensiehouer bystand te verleen by die bemaking van ingemaakte vrugte op uitvoermarkte;
 - (c) om by skriftelike kennisgewing aan alle lisensiehouders gerig, die bedinge en voorwaardes te bepaal waarop 'n lisensiehouer ingemaakte vrugte oor die algemeen of ingemaakte vrugte van 'n klas, soort of gehalte in bedoelde kennisgewing vermeld, vir verkoop kan uitvoer na enige land of gebied of na 'n bepaalde land of gebied aldus vermeld;
 - (d) om by skriftelike kennisgewing aan alle lisensiehouders gerig, die minimum prys te bepaal, bereken op die wyse in bedoelde kennisgewing vermeld, waarteen 'n lisensiehouer ingemaakte vrugte of ingemaakte vrugte van 'n klas, soort, gehalte of hoeveelheid aldus vermeld en wat deur bedoelde lisensiehouer uitgevoer is of vir uitvoer deur hom bestem is na enige land of gebied of na 'n bepaalde land of gebied aldus vermeld, kan verkoop;
 - (e) om met goedkeuring van die Minister en by skriftelike kennisgewing aan alle lisensiehouders gerig, op alle ingemaakte vrugte deur 'n lisensiehouer vir verkoop uitgevoer, 'n heffing op te lê, bereken op die wyse in bedoelde kennisgewing vermeld en deur bedoelde lisensiehouer aan die raad betaalbaar op die wyse en tye aldus vermeld;
 - (f) om by skriftelike kennisgewing 'n lisensiehouer te gelas om die in bedoelde kennisgewing vermelde inligting of opgawes of registers, korrespondensie, rekenings, state, balansstate, fakture of ander stukke in sy besit of bewaring of onder sy beheer of afskrifte daarvan binne die aldus vermelde tydperk aan die raad te verstrek of voor te lê, met betrekking tot die verkoop, vandiehandsetting of uitvoer, of voorgenome verkoop, vandiehandsetting of uitvoer van ingemaakte vrugte deur bedoelde lisensiehouer te enige tyd, of met betrekking tot ingemaakte vrugte wat te enige tyd in sy besit of bewaring of onder sy beheer is of was;
 - (g) om by skriftelike kennisgewing 'n persoon aan die ingemaakte-vrugtenywerheid verbonde, te gelas om binne die tydperk in bedoelde kennisgewing vermeld, die aldus vermelde inligting of opgawes met betrekking tot bedoelde nywerheid aan die raad te verstrek;
 - (h) om alles te doen en alle werksaamhede te verrig wat ter bereiking van sy oogmerke nodig is of daarmee in verband staan.
4. (1) Die raad bestaan uit vyf deur die Minister aangestelde lede van wie—
- Samestelling van die raad.
- (a) vier die besitters verteenwoordig van ander inmakerye as inmakerye wat aan koöperatiewe verenigings behoort;
 - (b) een koöperatiewe verenigings verteenwoordig aan wie inmakerye behoort.
- (2) Die Minister kan 'n plaasvervanger aanstel om in die plek van 'n lid van die raad te dien wanneer bedoelde lid om die een of ander rede nie in staat is om sy werksaamhede as lid van die raad te verrig nie.
- (3) Die Minister vra by skriftelike kennisgewing die deur hom bepaalde aantal nominasies aan van die „South African Fruit and Vegetable Canners' Association (Proprietary) Limited” of 'n ander vereniging wat na die oordeel van die Minister, sy opvolger is, en van 'n liggaam wat na die oordeel van die Minister voldoende verteenwoordigend is van koöperatiewe verenigings aan wie inmakerye behoort, en kies, behoudens die bepalings van subartikel (4), die in subartikel (1) (a) beoogde lede en hul plaasvervangers uit die genomineerdes van eersbedoelde vereniging en die in subartikel (1) (b) beoogde lid en sy plaasvervanger uit die genomineerdes van voormelde liggaam.
- (4) Indien enige nominasies kragtens subartikel (2) aangevra nie by die Minister ingedien word binne die tydperk in die kennisgewing aangegee wat daardie nominasies aanvra nie, kan die Minister, wanneer hy die aanstelling doen ten opsigte waarvan daardie nominasies nie aldus ingedien is nie, enige persoon aanstel wat hy geskik ag om lid van die raad of 'n plaasvervanger van so 'n lid te wees.

(5) The members of the board and their alternates shall hold office for such period as the Minister may at the time of the appointment determine, but shall be eligible for re-appointment: Provided that if in his opinion there are good reasons for doing so, the Minister may at any time terminate the period of office of any member or his alternate.

(6) A member of the board designated by the Minister as chairman, or, in his absence, such a member so designated as deputy chairman shall preside at any meeting of the board: Provided that if both the chairman and the deputy chairman are absent from any meeting of the board, a chairman elected by the members present from among themselves, shall preside at such meeting.

(7) The board shall out of its funds pay to a member of the board or his alternate such remuneration and allowances and afford him such transport facilities in respect of his services as such a member or alternate as the Minister in consultation with the Minister of Finance may determine.

Officers, employees
and agents of the
board.

5. The board may appoint on such conditions and at such remuneration as may be approved by the Minister in consultation with the Minister of Finance such officers, employees or agents in the Republic or elsewhere as may be required to assist the board in the performance of its functions.

Finances of the
board.

6. (1) The funds of the board shall consist of moneys received by way of levies under section 3 (e) or from any other source.

(2) Subject to the provisions of subsection (3), the board shall utilize its funds for defraying expenses in connection with the performance of its functions.

(3) The board may invest any unexpended portion of its moneys with the Public Debt Commissioners or in such other manner as may be determined by the Minister in consultation with the Minister of Finance.

(4) The financial year of the board shall terminate on the thirty-first day of October in each year, and the board shall keep proper records of all its financial transactions.

(5) The board shall open one or more accounts with any bank approved by the Minister and shall deposit therein any moneys received.

(6) The accounts of the board shall be audited by the Controller and Auditor-General.

(7) The board shall furnish the Minister with such information as he may call for from time to time in respect of the activities and financial position of the board, and shall in addition submit to the Minister an annual report, including a balance sheet certified by the Controller and Auditor-General and a statement of income and expenditure.

(8) The Minister shall lay the said report upon the Table of the Senate and of the House of Assembly within fourteen days after receipt thereof, if Parliament is then in ordinary session, or, if Parliament is not in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.

Indemnity of
members of
board.

7. The members of the board shall not be personally liable for any act or omission of the board where the board acted in good faith in the exercise of its powers or the performance of its functions.

Licences to export
canned fruit for
sale.

8. (1) No person shall export for sale any canned fruit to any country or territory specified by the Minister from time to time by notice in the *Gazette*, unless he is the holder of a licence issued under this section.

(2) A licence under this section shall be required in addition to any other licence or permit which may be required in terms of any law.

(3) An application for a licence to export canned fruit for sale shall be in such form as the Minister may determine and shall be lodged with the board who shall forward it to the Minister together with its recommendation.

(4) On receipt of any such application the Minister or any person acting under his authority may at his discretion, after considering the recommendation of the board, issue to the applicant a licence to export canned fruit for sale for such period as may be specified in such licence.

(5) The Minister may, after consultation with the board, cancel or suspend for such period as he may determine, any licence issued under this section, if he is satisfied that the licensee has committed an offence under this Act or has failed to pay any levy payable by him under this Act.

(5) Die lede van die raad en hul plaasvervangers beklee hul amp vir die tydperk wat die Minister ten tyde van die aanstelling bepaal, maar kan weer aangestel word: Met dien verstande dat indien daar na sy oordeel gegronde redes daarvoor bestaan, die Minister te eniger tyd die ampstermyn van 'n lid of sy plaasvervanger kan beëindig.

(6) 'n Deur die Minister as voorsitter aangewese lid van die raad of, in sy afwesigheid, so 'n aldus as adjunk-voorsitter aangewese lid, sit voor op 'n vergadering van die raad: Met dien verstande dat indien sowel die voorsitter as die adjunk-voorsitter van 'n vergadering van die raad afwesig is, 'n voorsitter deur die aanwesige lede uit hul midde verkies, op die vergadering voorsit.

(7) Die raad betaal uit sy fondse aan 'n lid van die raad of sy plaasvervanger die besoldiging of vergoeding en toelaes en verskaf aan hom die vervoergeriewe ten opsigte van sy dienste as so 'n lid of plaasvervanger, wat die Minister in oorleg met die Minister van Finansies bepaal.

5. Die raad kan, op die voorwaardes en teen die besoldiging of vergoeding wat deur die Minister in oorleg met die Minister van Finansies goedgekeur word, die amptenare, werknemers of agente in die Republiek of elders aanstel wat nodig is om die raad by die verrigting van sy werksaamhede by te staan.

Amptenare,
werknemers en
agente van die
raad.

6. (1) Die fondse van die raad bestaan uit gelde ontvang by wyse van heffings kragtens artikel 3 (e) of uit enige ander bron. Finansies van die raad.

(2) Behoudens die bepalings van subartikel (3), kan die raad sy fondse aanwend vir die bestryding van onkoste in verband met die verrigting van sy werksaamhede.

(3) Die raad kan enige onbestede gedeelte van sy geld belê by die Staatskuldkommissaris of op die ander wyse wat deur die Minister in oorleg met die Minister van Finansies bepaal word.

(4) Die boekjaar van die raad eindig op die een-en-dertigste dag van Oktober in elke jaar, en die raad moet van al sy geldelike transaksies behoorlik boekhou.

(5) Die raad moet by 'n deur die Minister goedgekeurde bank een of meer rekenings open en daarin enige geld stort wat ontvang word.

(6) Die rekenings van die raad word deur die Kontroleur en Ouditeur-generaal geouditeer.

(7) Die raad moet aan die Minister die inligting verstrek wat hy van tyd tot tyd ten opsigte van die bedrywighede en geldelike stand van die raad aanvra, en moet daarbenewens aan die Minister 'n jaarlikse verslag verstrek en ook 'n balansstaat deur die Kontroleur en Ouditeur-generaal gesertifiseer en 'n staat van inkomste en uitgawes.

(8) Die Minister lê bedoelde verslag in die Senaat en in die Volksraad ter tafel binne veertien dae na ontvangs daarvan, indien die Parlement dan in gewone sessie is, of, indien die Parlement nie in gewone sessie is nie, binne veertien dae na die aanvang van die eersvolgende gewone sessie.

7. Die lede van die raad is nie persoonlik aanspreeklik weens 'n handeling of versuim van die raad waar die raad te goeder trou by die uitoefening van sy bevoegdhede of die verrigting van sy werksaamhede opgetree het nie. Vrywaring van lede van raad.

8. (1) Geen persoon mag ingemaakte vrugte vir verkoop uitvoer na 'n land of gebied deur die Minister van tyd tot tyd by kennisgewing in die *Staatskoeraant* vermeld nie, tensy hy die houër is van 'n lisensie kragtens hierdie artikel uitgereik. Lisensies om ingemaakte vrugte vir verkoop uit te voer.

(2) 'n Lisensie kragtens hierdie artikel word vereis benewens enige ander lisensie of permit wat deur die een of ander wetsbepaling vereis word.

(3) 'n Aansoek om 'n lisensie om ingemaakte vrugte vir verkoop uit te voer, is in die vorm wat die Minister bepaal en moet by die raad ingedien word, wat dit tesame met sy aanbeveling na die Minister aanstuur.

(4) By ontvangs van so 'n aansoek, kan die Minister of 'n persoon wat op sy gesag handel, na goeddunke en ná oorweging van die aanbeveling van die raad, aan die applikant 'n lisensie uitreik om ingemaakte vrugte vir verkoop uit te voer vir die tydperk wat in bedoelde lisensie vermeld word.

(5) Die Minister kan, na oorlegpleging met die raad, 'n kragtens hierdie artikel uitgereikte lisensie intrek of opskort vir die tydperk wat hy bepaal, indien hy oortuig is dat die lisensiehouer 'n misdryf ingevolge hierdie Wet gepleeg het of in gebreke gebly het om 'n heffing ingevolge hierdie Wet deur hom betaalbaar, te betaal.

- Offences.** 9. Any person who—
(a) being a licensee, exports or sells canned fruit contrary to a determination contained in a notice issued under section 3 (c) or (d);
(b) being a licensee, fails to comply with a notice issued under section 3 (f);
(c) fails to comply with a notice issued under section 3 (g);
(d) contravenes the provisions of section 8 (1),
shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand rand or, in default of payment, to imprisonment for a period not exceeding twelve months.
- Regulations.** 10. The Minister may make regulations as to—
(a) the calling of and procedure and quorum at meetings of the board;
(b) generally, all matters for which he deems it necessary or expedient to make regulations in order to attain the objects of this Act.
- Application of Act to South-West Africa.** 11. This Act shall apply also 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 said territory.
- Repeal.** 12. The Canned Fruit and Vegetables Export Control Act, 1956 (Act No. 66 of 1956), is hereby repealed.
- Short title and date of commencement.** 13. This Act shall be called the Canned Fruit Export Marketing Act, 1967, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

9. 'n Persoon wat—

Misdrywe.

- (a) 'n lisensiehouer is en in stryd met 'n bepaling in 'n kragtens artikel 3 (c) of (d) uitgereikte kennisgewing vervat, ingemaakte vrugte uitvoer of verkoop;
 - (b) 'n lisensiehouer is en versuim om aan 'n kragtens artikel 3 (f) uitgereikte kennisgewing te voldoen;
 - (c) versuim om aan 'n kragtens artikel 3 (g) uitgereikte kennisgewing te voldoen;
 - (d) die bepalings van artikel 8 (1) oortree,
- is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweeduisend rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens twaalf maande.

10. Die Minister kan regulasies uitvaardig met betrekking tot—

Regulasies.

- (a) die byeenroep van en prosedure en kworum op vergaderings van die raad;
- (b) oor die algemeen, alle aangeleenthede waarvoor hy dit nodig of dienstig ag dat regulasies uitgevaardig moet word ten einde die oogmerke van hierdie Wet te bereik.

11. Hierdie Wet is ook van toepassing in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel vermeld in artikel 3 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951), en met betrekking tot alle persone in daardie gedeelte van genoemde gebied bekend as die „Rehoboth Gebied” en omskryf in die Eerste Bylae by Proklamasie No. 28 van 1923 van bedoelde gebied.

Toepassing van Wet op Suidwes-Afrika.

12. Die Wet op Beheer van die Uitvoer van Ingemaakte Herroeping. Vrugte en Groente, 1956 (Wet No. 66 van 1956), word hierby herroep.

13. Hierdie Wet heet die Wet op Uitvoerbemarking van Ingemaakte Vrugte, 1967, en tree in werking op 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Kort titel en datum van inwerkingtreding.

No. 102, 1967.]

ACT

To repeal the Public Bodies' Private Bill Act, 1885, of the Cape of Good Hope, and the Private Bill Procedure Act, 1912; to amend Proclamation No. 80 of 1890, of the Cape of Good Hope, so as to delete the reference therein to the Public Bodies' Private Bill Act, 1885; to amend the Commissions Act, 1947, so as to extend the powers of the State President to make regulations; to amend the Rents Act, 1950, so as to make it possible to define with greater particularity the jurisdiction of rent boards; to amend the Suppression of Communism Act, 1950, so as to extend the period of operation of certain provisions thereof; to amend the provisions of the Criminal Procedure Act, 1955, with reference to the expiration of the period for which certain persons may be detained, the powers of a judicial officer in regard to the disposal of proceedings in which the accused was convicted by another judicial officer, the matters which may be proved by way of affidavit, the power of peace officers in regard to the steps which may be taken by them after the arrest of a person, the power of the Minister of Justice to declare that certain persons shall be deemed to be peace officers, and the joint trial of offenders; to amend the provisions of the Interpretation Act, 1957, with reference to the manner in which laws and notices are to be published; to amend the provisions of the Supreme Court Act, 1959, with reference to the fees payable to witnesses in civil proceedings, and the area of jurisdiction of the Witwatersrand Local Division of the Supreme Court of South Africa; to amend the provisions of the Children's Act, 1960, with reference to the definition of "child"; to amend the provisions of section 6 of the Finance Act, 1960, with reference to the administration of the provisions of the said section; to amend the provisions of the Conventional Penalties Act, 1962, in regard to the application thereof to certain hire-purchase agreements; to amend the provisions of the Administration of Estates Act, 1965, in regard to the transfer of immovable property by an executor; to amend the National Welfare Act, 1965, and the Reciprocal Enforcement of Civil Judgments Act, 1966, so as to clarify certain provisions thereof; and to make further provision for the supply and acquisition of liquor to and by natives in the territory of South-West Africa.

*(Afrikaans text signed by the Acting State President.)
(Assented to 19th June, 1967.)*

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

Repeal of Act 35 of 1885 (Cape) and Act 20 of 1912.

1. The Public Bodies' Private Bill Act, 1885, of the Cape of Good Hope, and the Private Bill Procedure Act, 1912, are hereby repealed.

Amendment of Proclamation 80 of 1890 (Cape).

2. Proclamation No. 80 of 1890, of the Cape of Good Hope, is hereby amended by the deletion in Schedule A of the words "Act No. 35 of 1885, Public Bodies' Private Bill Act, 1885."

Amendment of section 1 of Act 8 of 1947, as amended by section 13 of Act 80 of 1964.

3. Section 1 of the Commissions Act, 1947, is hereby amended—

(a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

"(b) make regulations with reference to such commission—

No. 102, 1967.]

WET

Om die „Public Bodies' Private Bill Act, 1885,” van die Kaap die Goeie Hoop, en die „Private Wetsontwerpen Regelings Wet, 1912,” te herroep; om Proklamasie No. 80 van 1890, van die Kaap die Goeie Hoop, te wysig ten einde die verwysing daarin na die „Public Bodies' Private Bill Act, 1885,” te skrap; om die Kommissiewet, 1947, te wysig ten einde die bevoegdheid van die Staatspresident om regulasies uit te vaardig, uit te brei; om die Wet op Huurgelde, 1950, te wysig ten einde dit moontlik te maak om die jurisdiksie van huurraade in syner besonderhede te omskryf; om die Wet op die Onderdrukking van Kommunisme, 1950, te wysig ten einde die geldingsduur van sekere bepalings daarvan te verleng; om die bepalings van die Strafproseswet, 1955, te wysig met betrekking tot die verstryking van die tydperk waarvoor sekere persone aangehou kan word, die bevoegdheid van 'n regterlike amptenaar in verband met die afhandeling van 'n geding waarin die beskuldigde deur 'n ander regterlike amptenaar skuldig bevind is, die aangeleentheid wat by wyse van beëdigde verklaring bewys kan word, die bevoegdheid van vredesbeampies in verband met die stappe wat deur hulle na die inhegtenisneming van iemand gedoen kan word, die bevoegdheid van die Minister van Justisie om te verklaar dat sekere persone geag word vredesbeampies te wees, en die gesamentlike verhoor van oortreders; om die bepalings van die Interpretasiewet, 1957, te wysig met betrekking tot die wyse waarop wette en kennisgewings gepubliseer moet word; om die bepalings van die Wet op die Hooggeregshof, 1959, te wysig met betrekking tot die gelde wat aan getuies in siviele gedinge betaalbaar is, en die regsgebied van die Witwatersrandse Plaaslike Afdeling van die Hooggeregshof van Suid-Afrika; om die bepalings van die Kinderwet, 1960, te wysig met betrekking tot die omskrywing van „kind”; om die bepalings van artikel 6 van die Finansiewet, 1960, te wysig met betrekking tot die uitvoering van die bepalings van genoemde artikel; om die bepalings van die Wet op Strafbedinge, 1962, te wysig met betrekking tot die toepassing daarvan op sekere huurkoop-ooreenkomste; om die bepalings van die Boedelwet, 1965, te wysig met betrekking tot die oordrag van onroerende goed deur 'n eksekuteur; om die Nasionale Wetsynswet, 1965, en die Wet op die Wederkerige Afdwinging van Siviele Vonnisse, 1966, te wysig ten einde sekere bepalings daarvan op te klaar; en om verdere voorsiening te maak vir die verskaffing en verkryging van drank aan en deur inboorlinge in die gebied Suidwes-Afrika.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 19 Junie 1967.)

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

1. Die „Public Bodies' Private Bill Act, 1885,” van die Kaap die Goeie Hoop, en die „Private Wetsontwerpen Regelings-Wet, 1912,” word hierby herroep.

Herroeping van
Wet 35 van 1885
(Kaap) en Wet 20
van 1912.

2. Proklamasie No. 80 van 1890, van die Kaap die Goeie Hoop, word hierby gewysig deur in Bylae A die woorde „Wet No. 35 van 1885, „Wet op Private Wetsontwerpen van Publieke Lichamen 1885” te skrap.

Wysiging van
Proklamasie 80
van 1890 (Kaap).

3. Artikel 1 van die Kommissiewet, 1947, word hierby gewysig—

Wysiging van
artikel 1 van
Wet 8 van 1947,
soos gewysig
deur artikel 13 van
Wet 80 van 1964.

(a) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

„(b) regulasies met betrekking tot daardie kommissie uitvaardig—

- (i) conferring additional powers on the commission;
 - (ii) providing for the manner of holding or the procedure to be followed at the investigation or for the preservation of secrecy;
 - (iii) which he may deem necessary or expedient to prevent the commission or a member of the commission from being insulted, disparaged or belittled or to prevent the proceedings or findings of the commission from being prejudiced, influenced or anticipated;
 - (iv) providing generally for all matters which he considers it necessary or expedient to prescribe for the purposes of the investigation."; and
- (b) by the substitution for subsection (2) of the following subsections:

(2) Any regulation made under paragraph (b) of subsection (1) may provide for penalties for any contravention thereof or failure to comply therewith, by way of—

- (a) in the case of a regulation referred to in subparagraph (i), (ii) or (iv) of the said paragraph, a fine not exceeding two hundred rand or imprisonment for a period not exceeding six months;
- (b) in the case of a regulation referred to in subparagraph (iii) of the said paragraph, a fine not exceeding one thousand rand or imprisonment for a period not exceeding one year.

(3) Notwithstanding anything to the contrary in any other law contained, a magistrate's court shall have jurisdiction to impose any penalty prescribed by any such regulation."

Amendment of section 4 of Act 43 of 1950, as amended by section 2 of Act 47 of 1964 and section 2 of Act 54 of 1966.

4. Section 4 of the Rents Act, 1950, is hereby amended—

- (a) by the substitution for paragraph (b) of subsection (2) of the following paragraph:

"(b) The Minister may similarly by notice in the *Gazette* from time to time withdraw any notice by which a rent board has been dissolved only in so far as its jurisdiction over business premises is concerned, either absolutely or only in respect of a specified portion of the area for which such rent board had been constituted or only in respect of any specified business premises or class of business premises, and thereupon the jurisdiction of such rent board shall revive and the provisions of this Act shall apply in respect of business premises situate within the area for which it is constituted or within the portion of that area specified in such notice or in respect of the business premises or class of business premises so specified, as the case may be."; and

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

(c) The Minister may similarly by notice in the *Gazette* withdraw any notice issued in terms of paragraph (b), and thereupon the provisions of paragraph (a) and the said paragraph (b) shall *mutatis mutandis* apply."

Amendment of section 33 of Act 43 of 1950, as amended by section 6 of Act 53 of 1951, section 7 of Act 47 of 1964, section 13 of Act 98 of 1965 and section 9 of Act 54 of 1966.

5. Section 33 of the Rents Act, 1950, is hereby amended by the insertion after subsection (1B) of the following subsection:

"(1C) The provisions of subsection (1A) shall apply in respect of business premises, irrespective of whether or not a rent board exists in respect of any business premises in the area in which any business premises concerned are situated."

- (i) wat bykomende bevoegdheede aan die kommissie verleen;
- (ii) wat voorsiening maak vir die wyse waarop die ondersoek ingestel moet word of die prosedure wat daarby gevolg moet word of vir geheimhouding;
- (iii) wat hy nodig of dienstig ag om te verhinder dat die kommissie of 'n lid van die kommissie beledig, neergehaal of verkleineer word of dat die verrigtinge of bevindings van die kommissie benadeel, beïnvloed of vooruitgehoop word;
- (iv) wat oor die algemeen voorsiening maak vir alle aangeleenthede wat hy nodig of dienstig ag om vir die doeleindes van die ondersoek voor te skryf." en

(b) deur subartikel (2) deur die volgende subartikels te vervang:

„(2) 'n Kragtens paragraaf (b) van subartikel (1) uitgevaardigde regulasie kan vir 'n oortreding daarvan of versuim om dit na te kom voorsiening maak vir strawwe by wyse van—

- (a) in die geval van 'n regulasie bedoel in subparagraaf (i), (ii) of (iv) van genoemde paragraaf, 'n boete van hoogstens tweehonderd rand of gevangenisstraf vir 'n tydperk van hoogstens ses maande;
- (b) in die geval van 'n regulasie bedoel in subparagraaf (iii) van genoemde paragraaf, 'n boete van hoogstens duisend rand of gevangenisstraf vir 'n tydperk van hoogstens een jaar.

(3) Ondanks andersluidende bepalings van die een of ander wet is 'n landdroshof bevoeg om enige straf op te lê wat by so 'n regulasie voorgeskryf is."

4. Artikel 4 van die Wet op Huurgelde, 1950, word hierby gewysig—

Wysiging van artikel 4 van Wet 43 van 1950, soos gewysig deur artikel 2 van Wet 47 van 1964 en artikel 2 van Wet 54 van 1966.

(a) deur paragraaf (b) van subartikel (2) deur die volgende paragraaf te vervang:

„(b) Die Minister kan insgelyks by kennisgewing in die *Staatskoerant* 'n kennisgewing waarby 'n huurraad ontbind is slegs vir sover dit sy regsbevoegdheid oor besigheidspersone betref, van tyd tot tyd intrek, of geheel en al of slegs ten opsigte van 'n vermelde gedeelte van die gebied waarvoor daardie huurraad ingestel was of slegs ten opsigte van 'n vermelde besigheidspersoneel of klas besigheidspersoneel, en daarna herleef die regsbevoegdheid van daardie huurraad en geld die bepalings van hierdie Wet ten opsigte van besigheidspersoneel wat geleë is binne die gebied waarvoor hy ingestel is, of binne dié gedeelte van daardie gebied wat in sodanige kennisgewing vermeld is of ten opsigte van die besigheidspersoneel of klas besigheidspersoneel wat aldus vermeld is, na gelang van die geval." en

(b) deur die volgende paragraaf by genoemde subartikel te voeg:

„(c) Die Minister kan insgelyks by kennisgewing in die *Staatskoerant* 'n kennisgewing uitgereik ingevolge paragraaf (b), intrek, en daarna geld die bepalings van paragraaf (a) en genoemde paragraaf (b) *mutatis mutandis*."

5. Artikel 33 van die Wet op Huurgelde, 1950, word hierby gewysig deur na subartikel (1B) die volgende subartikel in te voeg:

Wysiging van artikel 33 van Wet 43 van 1950, soos gewysig deur artikel 6 van Wet 33 van 1951, artikel 7 van Wet 47 van 1964, artikel 13 van Wet 58 van 1965 en artikel 9 van Wet 54 van 1966.

„(1C) Die bepalings van subartikel (1A) geld ten opsigte van besigheidspersoneel, hetsy daar 'n huurraad bestaan ten opsigte van een of meer besigheidspersoneel in die gebied waarin 'n betrokke besigheidspersoneel geleë is, al dan nie."

Amendment of section 10 of Act 44 of 1950, as amended by section 7 of Act 15 of 1954, section 8 of Act 76 of 1962, section 4 of Act 37 of 1963, section 14 of Act 80 of 1964, section 3 of Act 97 of 1965 and section 1 of Act 8 of 1966.

6. Section 10 of the Suppression of Communism Act, 1950, is hereby amended by the substitution for paragraph (a) *ter* of subsection (1) of the following paragraph:

"(a) *ter* Subject to the provisions of paragraph (a) *quat*, the provisions of paragraph (a) *bis* shall lapse on the 30th June, 1968."

Amendment of section 27 of Act 56 of 1955, as amended by section 1 of Act 96 of 1965.

7. Section 27 of the Criminal Procedure Act, 1955 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the second proviso to subsection (1) of the following proviso:

"Provided further that if the said period of forty-eight hours expires on a Saturday, Sunday or public holiday, it shall be deemed to expire at four o'clock in the afternoon on the next day, not being a Saturday, Sunday or public holiday."

Amendment of section 186 of Act 56 of 1955.

8. Section 186 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:

"(4) If sentence is not passed upon an accused forthwith upon his conviction in an inferior court or if, by reason of any decision or order of a superior court on appeal, review or otherwise, it is necessary to add to or vary any sentence passed in an inferior court, or to pass sentence afresh in such court, any judicial officer of that court may, in the absence of the judicial officer who convicted the accused or passed the sentence, as the case may be, and after consideration of the evidence recorded and in the presence of the accused, pass sentence on the accused or take such other steps as the judicial officer who is absent, could lawfully have taken in the criminal proceedings concerned if he had not been absent."

Amendment of section 239 of Act 56 of 1955, as amended by section 21 of Act 92 of 1963 and section 8 of Act 96 of 1965.

9. Section 239 of the principal Act is hereby amended by the insertion after subsection (4) *quat* of the following subsection:

"(4) *quin* In any criminal proceedings in which the receipt, custody, packing, delivery or despatch of any finger or palm print, article of clothing, specimen, limb, organ or any object of whatever nature is relevant to the issue, a document purporting to be an affidavit made by a person who in that affidavit alleges that he is or was in the service of the State or is or was in the service of, or is or was attached to, the South African Institute for Medical Research or any university or institution referred to in subsection (4), and that in the performance of his official duties he received from, or delivered or despatched to, a person, institute, department or institution mentioned in the affidavit, a finger or palm print, article of clothing, specimen, limb, organ or other object described in the affidavit or packed or marked in a manner so described, or that during the period mentioned in the affidavit he had the custody, in the manner so mentioned, of a finger or palm print, article of clothing, specimen, limb, organ or other object described in the affidavit or packed or marked in the manner so described, as the case may be, shall on its mere production in those proceedings by any person, but subject to the provisions of subsection (6), be *prima facie* proof of the facts so alleged."

Amendment of section 289 of Act 56 of 1955, as amended by section 28 of Act 50 of 1956 and section 20 of Act 16 of 1959.

10. Section 289 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) Any peace officer may take or cause to be taken the finger prints, palm prints and foot prints of any person arrested upon any charge and may make or cause to be made available such person for identification in such condition, position or apparel as such peace officer may determine,

6. Artikel 10 van die Wet op die Onderdrukking van Kommunisme, 1950, word hierby gewysig deur paragraaf (a)ter van subartikel (1) deur die volgende paragraaf te vervang:

„(a)ter Behoudens die bepaling van paragraaf (a)quat, hou die bepaling van paragraaf (a)bis op 30 Junie 1968 op om van krag te wees.”

Wysiging van artikel 10 van Wet 44 van 1950, soos gewysig deur artikel 7 van Wet 15 van 1954, artikel 8 van Wet 76 van 1962, artikel 4 van Wet 37 van 1963, artikel 14 van Wet 80 van 1964, artikel 3 van Wet 97 van 1965 en artikel 1 van Wet 8 van 1966.

7. Artikel 27 van die Strafproseswet, 1955 (hieronder die Hoofwet genoem), word hierby gewysig deur die tweede voorbehoudsbepaling by subartikel (1) deur die volgende voorbehoudsbepaling te vervang:

„Met dien verstande voorts dat indien genoemde tydperk van agt-en-veertig uur op 'n Saterdag, Sondag of openbare vakansiedag verstryk, dit geag word om vieruur namiddag op die eersvolgende dag te verstryk wat nie 'n Saterdag, Sondag of openbare vakansiedag is nie.”

Wysiging van artikel 27 van Wet 56 van 1955, soos gewysig deur artikel 1 van Wet 96 van 1965.

8. Artikel 186 van die Hoofwet word hierby gewysig deur subartikel (4) deur die volgende subartikel te vervang:

„(4) Indien 'n beskuldigde nie onmiddellik by sy skuldigebevinning in 'n laerhof vonnis opgelê word nie of indien, vanweë 'n beslissing of bevel van 'n hoërhof by appél, hersiening of andersins, dit nodig is om 'n vonnis wat in 'n laerhof opgelê is, te wysig of iets daarby te voeg of om opnuut vonnis in so 'n hof op te lê, kan enige regterlike amptenaar van daardie hof, by afwesigheid van die regterlike amptenaar wat, na gelang van die geval, die beskuldigde skuldig bevind of die vonnis opgelê het, en na oorweging van die aangetekende getuienis en in die teenwoordigheid van die beskuldigde, die beskuldigde vonnis opelê of die ander stappe doen wat die afwesige regterlike beampte regtens in die betrokke strafsak sou kon gedoen het indien hy nie afwesig was nie.”

Wysiging van artikel 186 van Wet 56 van 1955.

9. Artikel 239 van die Hoofwet word hierby gewysig deur die volgende subartikel na subartikel (4)quat in te voeg:

„(4)quin In 'n strafsak waarin die ontvangs, bewaring, verpakking, oorhandiging of versending van 'n vinger- of palmafdruk, kledingstuk, monster, liggaamsdeel, orgaan of enige voorwerp van watter aard ook al ter sake dienend is, is 'n geskrif wat 'n beëdigde verklaring heet te wees van 'n persoon wat in daardie beëdigde verklaring beweer dat hy in diens is of was van die Staat of in diens is of was van of verbonde is of was aan die Suid-Afrikaanse Instituut vir Mediese Navorsing of 'n in subartikel (4) bedoelde universiteit of inrigting en dat hy by die verrigting van sy amptepligte 'n vinger- of palmafdruk, kledingstuk, monster, liggaamsdeel, orgaan of ander voorwerp wat in die verklaring beskryf word of wat op 'n aldus beskrywe wyse verpak of gemerk was, ontvang het van of oorhandig of versend het aan 'n in die verklaring vermelde persoon, instituut, departement of inrigting, of dat hy 'n vinger- of palmafdruk, kledingstuk, monster, liggaamsdeel, orgaan of ander voorwerp wat in die verklaring beskryf word of wat op 'n aldus beskrywe wyse verpak of gemerk was, op die in die verklaring vermelde wyse en gedurende die aldus vermelde tydperk bewaar het, na gelang van die geval, by blote voorlegging in bedoelde saak deur enige persoon, behoudens die bepaling van subartikel (6), *prima facie* bewys van die feite wat aldus beweer word.”

Wysiging van artikel 239 van Wet 56 van 1955, soos gewysig deur artikel 21 van Wet 92 van 1963 en artikel 8 van Wet 96 van 1965.

10. Artikel 289 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) 'n Vredesbeampte kan die vingerafdrukke, palmafdrukke en voetafdrukke van iemand wat op enige aanklag in hegtenis geneem is, neem of laat neem en kan so 'n persoon beskikbaar stel of laat beskikbaar stel vir identifikasie in die toestand, houding of kleding wat bedoelde vredesbeampte bepaal, en die geneskundige beampte van

Wysiging van artikel 289 van Wet 56 van 1955, soos gewysig deur artikel 28 van Wet 50 van 1956 en artikel 20 van Wet 16 van 1959.

and the medical officer of any prison or any district surgeon or (except in the case of a woman), any peace officer may take or cause to be taken such steps, including (except in the case of a peace officer), any blood test, as he may deem necessary in order to ascertain whether the body of any such person bears any mark, characteristic or distinguishing feature or shows any condition or appearance."

Amendment of section 309bis of Act 56 of 1955, as inserted by section 23 of Act 16 of 1959 and amended by section 32 of Act 92 of 1963.

11. Section 309bis of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) The Minister may by notice in the *Gazette* declare that for the purposes of subsections (1) and (2) any person in the service of the State or of the National Parks Board of Trustees established under section 5 of the National Parks Act, 1962 (Act No. 42 of 1962), or of an institution or body contemplated in section 84 (1) (f) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), who falls within any category defined in such notice shall, in an area so defined, be deemed to be a peace officer in relation to any offence specified in such notice, and may at any time by like notice withdraw or vary any such notice."

Substitution of section 328 of Act 56 of 1955, as amended by section 57 of Act 68 of 1957.

12. The following section is hereby substituted for section 328 of the principal Act:

"Joint trial of offenders charged with different offences.

328. Whenever it is alleged in an indictment, summons or charge that two or more persons have committed separate offences at the same time and place or at the same place and about the same time and the public prosecutor informs the court that any evidence which is in his opinion admissible at the trial of one of those persons is in his opinion also admissible at the trial of the other person or persons, such persons may be tried jointly for those offences on that indictment, summons or charge."

Insertion of section 16A in Act 33 of 1957.

13. The following section is hereby inserted in the Interpretation Act, 1957, after section 16:

"Promulgation and commencement of laws and publication of certain notices when publication of the *Gazette* impracticable.

16A. (1) If the State President is satisfied that the publication of the *Gazette* cannot be effected or is likely to be seriously delayed as a result of circumstances beyond the control of the Government Printer, he may by proclamation published in the manner directed by him, make such rules as he may deem fit for the publication, during any period specified in the proclamation, of laws or notices required or authorized by law to be published in the *Gazette*.

(2) Any law or notice published in accordance with any rules so made, shall be deemed to have been published in the *Gazette*, and any law so published shall be deemed to have come into operation on the day on which it was first so published as a law, unless some other day is fixed by or under that law for the commencement thereof.

(3) The State President may at any time vary or withdraw any proclamation referred to in subsection (1) by like proclamation.

(4) Any law or notice published in accordance with any rule made under subsection (1) shall, if it is then still in force, be published in the *Gazette* for general information as soon as publication of the *Gazette* can be effected.

(5) The provisions of subsection (4) shall not affect the validity of anything done under any rules made under subsection (1)."

Substitution of section 42 of Act 59 of 1959.

14. (1) The following section is hereby substituted for section 42 of the Supreme Court Act, 1959:

"Witness fees.

42. (1) The Minister may in consultation with the Minister of Finance from time to time by notice in the *Gazette* prescribe a tariff of allowances which shall be paid to a witness in civil proceedings or to

'n gevangenis of 'n distrikgeenesheer of (behalwe in die geval van 'n vrou) 'n vredesbeampte, kan die stappe doen of laat doen, insluitende (behalwe in die geval van 'n vredesbeampte) 'n bloedondersoek, wat hy nodig ag om vas te stel of die liggaam van so 'n persoon 'n merk, eienaardigheid of onderskeidende kenmerk dra of 'n bepaalde toestand aantoon of voorkoms het."

11. Artikel 309*bis* van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

Wysiging van artikel 309*bis* van Wet 56 van 1955, soos ingevoeg deur artikel 23 van Wet 16 van 1959 en gewysig deur artikel 32 van Wet 92 van 1963.

„(3) Die Minister kan by kennisgewing in die *Staatskoerant* verklaar dat by die toepassing van subartikels (1) en (2) iemand in diens van die Staat of van die Raad van Kuratore vir Nasionale Parke kragtens artikel 5 van die Wet op Nasionale Parke, 1962 (Wet No. 42 van 1962), ingestel of van 'n instelling of liggaam wat in artikel 84 (1) (f) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), beoog word, wat behoort tot 'n kategorie in die kennisgewing omskrywe, in 'n aldus omskrewe gebied geag word 'n vredesbeampte te wees met betrekking tot 'n misdryf wat in daardie kennisgewing aangedui word, en kan te eniger tyd by dergelike kennisgewing so 'n kennisgewing intrek of wysig."

12. Artikel 328 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 328 van Wet 56 van 1955, soos gewysig deur artikel 57 van Wet 68 van 1957.

„Gesamentlike verhoor van oortreders wat weens afsonderlike misdrywe aangekla word.

328. Wanneer in 'n akte van beskuldiging, dagvaarding of klagskrif beweer word dat twee of meer persone op dieselfde tyd en plek of op dieselfde plek en ongeveer dieselfde tyd afsonderlike misdrywe gepleeg het en die Staatsaanklaer die hof meedeel dat getuïenis wat na sy oordeel by die verhoor van een van daardie persone toelaatbaar is, na sy oordeel ook by die verhoor van die ander persoon of persone toelaatbaar is, kan sodanige persone gesamentlik weens bedoelde misdrywe op daardie akte van beskuldiging, dagvaarding of klagskrif verhoor word."

13. Die volgende artikel word hierby in die Interpretasiewet, 1957, na artikel 16 ingevoeg:

Invoeging van artikel 16A in Wet 33 van 1957.

„Afskondiging en inwerking-treding van wette en publikasie van sekere kennisgewings wanneer publikasie van die *Staatskoerant* ondoenlik is.

16A. (1) Indien die Staatspresident oortuig is dat die publikasie van die *Staatskoerant* nie bewerkstellig kan word nie of waarskynlik ernstig vertraag sal word as gevolg van omstandighede buite die beheer van die Staatsdrukker, kan hy by proklamasie, afgekondig op die wyse deur hom bepaal, dié reëls uitvaardig wat hy goedvind vir die publikasie, tydens 'n in die proklamasie bepaalde tydperk, van wette of kennisgewings wat kragtens wet in die *Staatskoerant* gepubliseer moet of kan word.

(2) 'n Wet of kennisgewing wat ooreenkomstig aldus uitgevaardigde reëls gepubliseer is, word geag in die *Staatskoerant* gepubliseer te wees, en 'n aldus gepubliseerde wet word geag in werking te getree het op die dag waarop dit vir die eerste keer aldus as 'n wet gepubliseer is, tensy 'n ander dag deur of kragtens dié wet vir die inwerkingtreding daarvan bepaal is.

(3) Die Staatspresident kan te eniger tyd 'n in subartikel (1) bedoelde proklamasie by dergelike proklamasie wysig of intrek.

(4) 'n Wet of kennisgewing wat gepubliseer is ooreenkomstig 'n reël wat kragtens subartikel (1) uitgevaardig is, moet, indien dit dan nog van krag is, vir algemene inligting in die *Staatskoerant* gepubliseer word sodra die publikasie van die *Staatskoerant* bewerkstellig kan word.

(5) Die bepalings van subartikel (4) raak nie die geldigheid nie van enigiets wat gedoen is kragtens reëls wat kragtens subartikel (1) uitgevaardig is."

14. (1) Artikel 42 van die Wet op die Hooggeregshof, 1959, word hierby deur die volgende artikel vervang:

Vervanging van artikel 42 van Wet 59 van 1959.

„Getuieselde.

42. (1) Die Minister kan, in oorleg met die Minister van Finansies, van tyd tot tyd by kennisgewing in die *Staatskoerant* 'n tarief van toeloes voorskryf wat betaal moet word aan 'n getuie in 'n

any person who is to accompany any such witness on account of the youth or infirmity due to old age or any other infirmity of such witness.

(2) Such notice may differentiate between persons according to the distances which they have to travel to attend the court to which they are summoned or subpoenaed, or according to their professions, callings or occupations, or between different classes of persons, and may empower such officers in the service of the State as may be specified therein, to order payment of allowances in accordance with a higher tariff than the tariff so prescribed, in cases where payment of allowances in accordance with the lastmentioned tariff may cause undue hardship.

(3) Notwithstanding anything to the contrary in any law contained, the court may order that no allowances or only a portion of the allowances prescribed shall be paid to any witness."

(2) Subsection (1) shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

Amendment of
First Schedule to
Act 59 of 1959.

15. The First Schedule to the Supreme Court Act, 1959, is hereby amended by the substitution in the third column thereof for the words opposite the words "Witwatersrand Local Division of the Supreme Court of South Africa" of the following words:

"In civil matters: the magisterial districts of Alberton, Benoni, Boksburg, Brakpan, Delmas, Germiston, Johannesburg, Kempton Park, Krugersdorp, Nigel, Randfontein, Roodepoort and Springs.

In criminal matters: the magisterial districts of Alberton, Boksburg, Germiston, Johannesburg, Kempton Park, Krugersdorp, Randfontein and Roodepoort."

Amendment of
section 1 of
Act 33 of 1960,
as amended by
section 1 of
Act 50 of 1965
and section 15
of Act 62 of 1966.

16. Section 1 of the Children's Act, 1960, is hereby amended by the substitution for paragraph (b) of the definition of "child" of the following paragraph:

"(b) of section 60 and Chapter VII,".

Amendment of
section 6 of
Act 64 of 1960,
as amended by
section 17 of
Act 76 of 1964.

17. Section 6 of the Finance Act, 1960, is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

"(b) The board shall consist of not less than three and not more than four members who shall be appointed by the Minister of Public Works (in this section referred to as the Minister) from persons who are required to be in Cape Town in connection with a session of Parliament, and who shall hold office during his pleasure on such terms and conditions as he may determine."

Substitution of
section 5 of
Act 15 of 1962.

18. (1) The following section is hereby substituted for section 5 of the Conventional Penalties Act, 1962:

"Application of Act to agreements to which Act 36 of 1942 or Ordinance 7 of 1942 of South-West Africa applies.

5. If any provision of the Hire-Purchase Act, 1942, or of the Hire-Purchase Ordinance, 1942, of the territory of South-West Africa is, in terms of the said Act or Ordinance or any notice issued under the said Act or Ordinance, applicable to any agreement, the provisions of this Act shall not apply to such agreement in so far as they are in conflict with the provision in question."

(2) Subsection (1) shall apply also in the territory of South-West Africa.

Substitution of
section 42 of
Act 66 of 1965.

19. The following section is hereby substituted for section 42 of the Administration of Estates Act, 1965:

"Documents 42. (1) Except as is otherwise provided in subsection (2), an executor who desires to have any immovable property registered in the name of an heir or other person legally entitled to such property or to have any endorsement made under section 39 or 40 shall, in addition to any other deed or document

siviele geding of aan iemand wat so 'n getuie weens die jeug of 'n ouderdoms- of ander gebrek van daardie getuie moet begelei.

(2) So 'n kennisgewing kan onderskeid maak tussen persone volgens die afstande wat hulle moet reis om aanwesig te wees by die hof waarheen hulle opgeroep of gedagvaar is, of volgens hul professie, beroep of besigheid, of tussen verskillende klasse persone, en kan aan daarin vermelde beamptes in diens van die Staat die bevoegdheid verleen om, in gevalle waar betaling van toelae teen die aldus voorgeskrewe tarief buitensporige ontbering kan meebring, die betaling van toelae teen 'n hoër tarief as daardie tarief te gelas.

(3) Ondanks andersluidende bepalinge van die een of ander wet, kan die hof gelas dat geen toelae of slegs 'n deel van die voorgeskrewe toelae aan 'n getuie betaal word."

(2) Subartikel (1) tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

15. Die Eerste Bylae van die Wet op die Hooggeregshof, 1959, word hierby gewysig deur in die derde kolom daarvan die woorde teenoor die woorde „Witwatersrandse Plaaslike Afdeling van die Hooggeregshof van Suid-Afrika" deur die volgende woorde te vervang:

Wysiging van Eerste Bylae van Wet 59 van 1959.

„In siviele aangeleenthede: die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Delmas, Germiston, Johannesburg, Kempton Park, Krugersdorp, Nigel, Randfontein, Roodepoort en Springs.

In strafregtelike aangeleenthede: die landdrosdistrikte Alberton, Boksburg, Germiston, Johannesburg, Kempton Park, Krugersdorp, Randfontein en Roodepoort."

16. Artikel 1 van die Kinderwet, 1960, word hierby gewysig deur paragraaf (b) van die omskrywing van „kind" deur die volgende omskrywing te vervang:

Wysiging van artikel 1 van Wet 33 van 1960, soos gewysig deur artikel 1 van Wet 50 van 1965 en artikel 15 van Wet 62 van 1966.

„(b) van artikel 60 en Hoofstuk VII,".

17. Artikel 6 van die Finansiewet, 1960, word hierby gewysig deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

Wysiging van artikel 6 van Wet 64 van 1960, soos gewysig deur artikel 17 van Wet 76 van 1964.

„(b) Die raad bestaan uit minstens drie en hoogstens vier lede wat aangestel word deur die Minister van Openbare Werke (in hierdie artikel die Minister genoem) uit persone wat in Kaapstad moet wees in verband met 'n sessie van die Parlement en wat hulle ampte op die deur hom bepaalde bedinge en voorwaardes beklee solank dit hom behaag."

18. (1) Artikel 5 van die Wet op Strafbepende, 1962, word hierby deur die volgende artikel vervang:

Vervanging van artikel 5 van Wet 15 van 1962.

„Toepassing 5. Indien 'n bepaling van die Wet op Huurkoop, van Wet op kontraktoe toepassing is, is die bepaling van die Wet op Huurkoop of Ordonnansie of 'n kennisgewing kragtens genoemde Wet of Ordonnansie uitgevaardig, op 'n kontrak van toepassing is, is die bepaling van hierdie Wet, vir sover hulle met die bewuste bepaling van Suidwes-Afrika van Strydig is, nie op daardie kontrak van toepassing nie."

(2) Subartikel (1) is ook van toepassing in die gebied Suidwes-Afrika.

19. Artikel 42 van die Boedelwet, 1965, word hierby deur die volgende artikel vervang:

Vervanging van artikel 42 van Wet 66 van 1965.

„Stukke wat eksekuteur by registrasie-beampte moet inlewer. 42. (1) Behalwe soos in subartikel (2) anders bepaal, moet 'n eksekuteur wat verlang om onroerende goed op naam van 'n erfgenaam of ander persoon wat regtens op sodanige goed geregtig is, te laat registreer of om 'n aantekening ingevolge artikel 39 of 40 te laat aanbring, benewens enige ander akte of stuk wat hy volgens wet by die

which he may be by law required to lodge with the registration officer, lodge with the said officer a certificate by the Master that the proposed transfer or endorsement, as the case may be, is in accordance with the liquidation and distribution account.

(2) An executor who desires to effect transfer of any immovable property in pursuance of a sale shall lodge with the registration officer, in addition to any such other deed or document, a certificate by the Master that no objection to such transfer exists."

Amendment of section 30 of Act 79 of 1965.

20. (1) Section 30 of the National Welfare Act, 1965, is hereby amended by the substitution for subsection (5) of the following subsection, subsection (6) becoming subsection (5):

(4) Any person who, having received notice under subsection (3), without lawful excuse fails to produce any book or document referred to in that subsection which he is able to produce, shall be guilty of an offence: Provided that in connection with the production of any such book or document the law relating to privilege, as applicable to a witness subpoenaed to produce any book or document before a court of law, shall apply."

(2) The provisions of subsection (1) shall be deemed to have come into operation on the first day of July, 1966.

Amendment of section 6 of Act 9 of 1966.

21. Section 6 of the Reciprocal Enforcement of Civil Judgments Act, 1966, is hereby amended by the substitution in paragraph (a), in the Afrikaans text, for the word „maande" of the word „jaar".

Supply and acquisition of liquor to and by natives in South-West Africa.

22. (1) The provisions of this section and any amendment thereof and any regulation made thereunder shall apply in the territory of South-West Africa, including that portion of the said territory known as the Eastern Caprivi Zipfel and referred to in section 3 of the South-West Africa Affairs Amendment Act, 1951 (Act No. 55 of 1951).

(2) Notwithstanding anything to the contrary contained in any other law, but subject to the provisions of this section and any regulation made thereunder, a native may purchase, obtain, possess and deal in liquor, and liquor may be sold, delivered, given or supplied in any other manner to a native.

(3) The Minister of Bantu Administration and Development or any person acting under his directions may, subject to such conditions or restrictions whatsoever as he may deem fit to impose, grant written authority to any person or the nominee of—

- (a) any urban local authority as defined in section 1 of the Natives (Urban Areas) Proclamation, 1951 (Proclamation No. 56 of 1951 of the territory of South-West Africa);
- (b) any association of persons, whether natives or otherwise;
- (c) any statutory or other body or board, whether or not its members are natives,

to sell liquor or such kinds of liquor as the Minister or such person may determine, to any native of the age of eighteen years or more or any class of such natives specified in such authority, for consumption on or off such premises as may be described in such authority.

(4) As from a date fixed by the State President by proclamation in the *Gazette*, the holder of any licence issued under the laws relating to the sale of liquor and authorizing the sale of liquor by the bottle may, subject to the conditions of his licence and the provisions of this section and the regulations made thereunder, sell liquor to any native of the age of eighteen years or more for consumption off the premises in respect of which such licence has been issued.

(5) (a) The State President may by proclamation in the *Gazette* make regulations as to the granting of authority in terms of subsection (3), the purchase, obtaining, possession and consumption of and dealing in liquor by, and the sale, delivery, giving or supplying in any other manner of liquor to a native, and subject to the provisions of paragraph (c), the manufacture and brewing of substances usually brewed by natives, whether known as kaffir beer or by any other name.

registrasiebeampte moet inlewer, 'n sertifikaat deur die Meester dat die voorgenome transport of aantekening, na gelang van die geval, in ooreenstemming met die likwidasië- en distribusierekening is, by gemeenskaplike beampte inlewer.

(2) 'n Eksekuteur wat verlang om ingevolge 'n verkoop transport van onroerende goed te bewerkstellig, moet benewens enige ander sodanige akte of stuk, 'n sertifikaat deur die Meester dat daar geen beswaar teen die transport bestaan nie, by die registrasiebeampte inlewer."

20. (1) Artikel 30 van die Nasionale Wetsynswet, 1965, word hierby gewysig deur subartikel (5) deur die volgende subartikel te vervang, terwyl subartikel (6) subartikel (5) word:—

Wysiging van artikel 30 van Wet 79 van 1965.

„(4) Iemand wat, nadat hy kragtens subartikel (3) kennis ontvang het, sonder wettige verontskuldiging versuim om enige in daardie subartikel bedoelde boek of dokument oor te lê wat hy in staat is om oor te lê, is aan 'n misdryf skuldig: Met dien verstande dat die regsreëls met betrekking tot privilegie, soos toepaslik op 'n getuie wat gedagvaar is om 'n boek of dokument aan 'n geregtshof oor te lê, in verband met die oorlegging van so 'n boek of dokument van toepassing is."

(2) Die bepalings van subartikel (1) word geag op die eerste dag van Julie 1966 in werking te getree het.

21. Artikel 6 van die Wet op die Wederkerige Afdwinging van Siviele Vonnisse, 1966, word hierby gewysig deur in paragraaf (a) die woord „maande" deur die woord „jaar" te vervang.

Wysiging van artikel 6 van Wet 9 van 1966.

22. (1) Die bepalings van hierdie artikel en elke wysiging daarvan en elke regulasie wat daarkragtens uitgevaardig is, is van toepassing in die gebied Suidwes-Afrika, met inbegrip van dié gedeelte van genoemde gebied wat die Oostelike Caprivi Zipfel heet en vermeld word in artikel 3 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951).

Verskaffing en verkryging van drank aan en deur inboorlinge in Suidwes-Afrika.

(2) Ondanks andersluidende bepalings van die een of ander wet, maar behoudens die bepalings van hierdie artikel en elke regulasie wat daarkragtens uitgevaardig is, kan 'n inboorling drank koop, verkry en besit en daarin handel dryf, en kan drank aan 'n inboorling verkoop, gelewer, gegee of op 'n ander wyse verskaf word.

(3) Die Minister van Bantoe-administrasie en -ontwikkeling of iemand wat op sy gesag handel, kan, onderworpe aan watter voorwaardes of beperkings hy ook al goedvind om op te lê, skriftelike magtiging verleen aan iemand of die benoemde van—

(a) 'n stedelike plaaslike bestuur soos omskryf in artikel 1 van die Proklamasie op Inboorlinge in Stedelike Gebiede, 1951 (Proklamasie No. 56 van 1951 van die gebied Suidwes-Afrika);

(b) 'n vereniging van persone, hetsy inboorlinge of andersins;

(c) 'n statutêre of ander liggaam of raad, hetsy die lede daarvan inboorlinge is of nie,

om drank of die soorte drank wat die Minister of so iemand bepaal, te verkoop aan inboorlinge wat agtien jaar oud of ouer is of 'n klas sodanige inboorlinge in sodanige magtiging vermeld, vir gebruik binne of buite die gebou in sodanige magtiging beskryf.

(4) Vanaf 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal, kan die houer van 'n lisensie wat uitgereik is kragtens die wette op die verkoop van drank en waarby die verkoop van drank per bottel gemagtig word, onderworpe aan die voorwaardes van sy lisensie en die bepalings van hierdie artikel en die regulasies wat daarkragtens uitgevaardig is, aan 'n inboorling wat agtien jaar oud of ouer is, drank verkoop vir gebruik buite die perseel ten opsigte waarvan sodanige lisensie uitgereik is.

(5) (a) Die Staatspresident kan by proklamasie in die *Staatskoerant* regulasies uitvaardig betreffende die verlening van magtiging ingevolge subartikel (3), die koop, verkryging, besit en gebruik van en handel-drywe in drank deur, en die verkoop, lewering, gee of die verskaffing op 'n ander wyse van drank aan 'n inboorling, en, behoudens die bepalings van paragraaf (c), die vervaardiging en brou van enige stof wat gewoonlik deur inboorlinge gebrou word, hetsy dit kafferbier genoem word of 'n ander naam het.

- (b) Without prejudice to the generality of the powers conferred by paragraph (a), such regulations may provide—
- (i) for, or empower any person to provide for, the prohibition, restriction or control of the sale, supply or delivery of liquor to natives by any particular holder of a licence referred to in subsection (4) or all such holders, either generally or in a particular area;
 - (ii) for, or empower any person to provide for, the conditions subject to which any authority shall be granted in terms of subsection (3), and the period of validity, the renewal and the summary revocation of any such authority;
 - (iii) for the fee payable in respect of any such authority, the appropriation of such fee, the disposal of any profits derived from the sale of liquor by virtue of any such authority, and the recovery in a court of law of such profits and costs from the holder of such authority;
 - (iv) for penalties for a contravention thereof or failure to comply therewith, by way of a fine not exceeding four hundred rand or in default of payment imprisonment for a period not exceeding one year, or both such fine and such imprisonment;
 - (v) differently for different areas, different classes or groups of natives, different holders or classes of holders of authority granted in terms of subsection (3), and different kinds of liquor or kaffir beer and other substances referred to in paragraph (a).
- (c) Such regulations shall not authorize the manufacture or brewing of any substance referred to in paragraph (a) which contains more than five per cent by volume of alcohol.

(6) If—

- (a) any native consumes liquor on any premises when such liquor was sold to him for consumption off such premises, or consumes liquor in contravention of any regulation made under this section;
- (b) any person sells any liquor to any native under or by virtue of the provisions of this section and permits such native to consume such liquor on the premises on which it was so sold to him, while he was not entitled to sell liquor to such native for consumption on such premises,

he shall be guilty of an offence and liable on conviction to a fine not exceeding four hundred rand or in default of payment to imprisonment for a period not exceeding twelve months.

(7) In this section—

(a) "liquor" means—

- (i) any spirit (including methylated spirits), wine, ale, beer, porter, cider, perry, hoybeer, kaffir beer and weissbeer;
- (ii) any drink containing more than 2 per cent by volume of alcohol;
- (iii) any drink, substance or concoction which the State President may from time to time by proclamation in the *Gazette* declare to be liquor for the purpose of this section,

but does not include any drink which the State President may at any time by proclamation in the *Gazette* declare not to be liquor for the purpose of this section;

- (b) "native" means any person who is a member of an aboriginal tribe or race of Africa, and includes any person who lawfully resides in a location, native hostel or native village as defined in section 1 of the Natives (Urban Areas) Proclamation, 1951 (Proclamation No. 56 of 1951 of the territory of South-West Africa), or on land referred to in section 4 of the South-West Africa Native Affairs Administration Act, 1954 (Act No. 56 of 1954), under the same conditions as a native, and any person who, although not a native by descent, is generally accepted as a native.

(b) Sonder om afbreuk te doen aan die algemeenheid van die bevoegdheid by paragraaf (a) verleen, kan sodanige regulasies voorsiening maak—

- (i) vir, of iemand magtig om voorsiening te maak vir, 'n verbod of beperking op of die beheer oor die verkoop, verskaffing of lewering van drank aan inboorlinge deur 'n bepaalde houer van 'n lisensie bedoel in subartikel (4) of alle sodanige houters, of in die algemeen of in 'n bepaalde gebied;
- (ii) vir, of iemand magtig om voorsiening te maak vir, die voorwaardes waarop 'n magtiging ingevolge subartikel (3) verleen moet word, en die geldingsduur, die hernuwing en die summiere intrekking van so 'n magtiging;
- (iii) vir die gelde wat ten opsigte van so 'n magtiging betaalbaar is, die aanwending van sodanige gelde, die beskikking oor winste wat gemaak word uit die verkoop van drank uit hoofde van sodanige magtiging, en die verhaal in 'n gereghof van sodanige winste en koste op die houer van so 'n magtiging;
- (iv) vir strawwe, weens oortreding daarvan of versuim om daaraan te voldoen, by wyse van 'n boete van hoogstens vierhonderd rand of, by wanbetaling, gevangenisstraf vir 'n tydperk van hoogstens 'n jaar, of sodanige boete sowel as sodanige gevangenisstraf;
- (v) en kan verskillende voorsiening maak vir verskillende gebiede, verskillende klasse of groepe inboorlinge, verskillende houters of klasse houters van magtiging wat ingevolge subartikel (3) verleen is, en vir verskillende soorte drank of kafferbier en ander stowwe bedoel in paragraaf (a).

(c) Sodanige regulasies mag nie die vervaardiging of brou magtig van 'n stof bedoel in paragraaf (a) wat meer alkohol bevat as vyf persent van sy volume nie.

(6) Indien—

- (a) 'n inboorling drank gebruik op 'n perseel wanneer sodanige drank aan hom verkoop is vir gebruik buite sodanige perseel, of drank gebruik strydig met 'n regulasie wat kragtens hierdie artikel uitgevaardig is;
- (b) iemand aan 'n inboorling drank verkoop kragtens of uit hoofde van die bepaling van hierdie artikel en sodanige inboorling toelaat om sodanige drank te gebruik op die perseel waarop dit aldus aan hom verkoop is, terwyl hy nie geregtig was om aan sodanige inboorling drank vir gebruik op sodanige perseel te verkoop nie.

is hy aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vierhonderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens twaalf maande.

(7) In hierdie artikel beteken—

(a) „drank”—

- (i) spiritus (met inbegrip van brandspiritus), wyn, Engelse bier, bier, porter, appelpyn, peerwyn, hophier, kafferbier en weissbier;
- (ii) drank wat meer alkohol bevat as twee persent van sy volume;
- (iii) enige drank, stof of brousel ten opsigte waarvan die Staatspresident van tyd tot tyd by proklamasie in die *Staatskoerant* verklaar dat dit drank by die toepassing van hierdie artikel is,

maar nie ook drank nie ten opsigte waarvan die Staatspresident te eniger tyd by proklamasie in die *Staatskoerant* verklaar dat dit nie drank by die toepassing van hierdie artikel is nie;

- (b) „inboorling” iemand wat 'n lid is van 'n inboorlingstam of -ras van Afrika, en ook iemand wat wettiglik woon in 'n lokasie, inboorlingtehuis of inboorlingdorp soos omskryf in artikel 1 van die Proklamasie op Inboorlinge in Stedelike Gebiede, 1951 (Proklamasie No. 56 van 1951 van die gebied Suidwes-Afrika), of op grond bedoel in artikel 4 van die Wet op die Administrasie van Naturellesake in Suidwes-Afrika, 1954 (Wet No. 56 van 1954), onder dieselfde omstandighede as 'n inboorling, en iemand wat hoewel hy nie 'n inboorling volgens afkoms is nie, gewoonlik vir 'n inboorling deurgaen.

(8) Until such time as the Legislative Assembly of the territory of South-West Africa makes provision therefor, this section and any regulation made under this section shall *mutatis mutandis* apply in relation to the sale of liquor by the bottle to any person other than a native who is in terms of section 25 of the Liquor Licensing Proclamation, 1920 (Proclamation No. 6 of 1920 of the territory of South-West Africa), prohibited from receiving or possessing liquor.

Short title.

23. This Act shall be called the General Law Amendment Act, 1967.

(8) Tot tyd en wyl die Wetgewende Vergadering van die gebied Suidwes-Afrika daarvoor voorsiening maak, is hierdie artikel en elke regulasie wat kragtens hierdie artikel uitgevaardig is, *mutatis mutandis* van toepassing met betrekking tot die verkoop van drank per bottel aan iemand anders as 'n inboorling wat ingevolge artikel 25 van die „Liquor Licensing Proclamation, 1920" (Proklamasie No. 6 van 1920 van die gebied Suidwes-Afrika), verbied is om drank te ontvang of te besit.

23. Hierdie Wet heet die Algemene Regswysigingswet, 1967. Kort titel.

No. 103, 1967.]

ACT

To provide for the transfer of a certain amount from the Revenue Account to the Loan Account; for the remission of interest owing by the Municipality of Schweizer-Reneke and the repayment of an amount outstanding; for the adjustment of deficits arising from the transfer of the pension rights of certain persons in the service of the Department of Health; to amend section 8 of the Wine and Spirits Control Amendment Act, 1940, in order to alter certain financial adjustments between the "Koöperatieve Wijnbouwers Vereniging van Zuid-Afrika, Beperk" and the Secretary for Customs and Excise; to amend section 3bis of the General Loans Act, 1961, in order to provide that advances may be made from the Stabilization Account to the External Procurements Fund; to amend section 86 of the Pneumoconiosis Compensation Act, 1962, in order to provide for training benefits for the dependants of certain miners or coloured labourers; to amend section 1 of the Finance Act, 1966, in order to provide for guarantees by the Government in respect of certain loans; to amend section 8 of the Second Finance Act, 1966, in order to provide for the financing of the Trading Account of the External Procurements Fund; and to provide for the disposal of surplus revenue of the Railway and Harbour Fund.

(English text signed by the Acting State President.)
(Assented to 19th June, 1967.)

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

PART I.

MATTERS AFFECTING THE CONSOLIDATED REVENUE FUND.

Transfer of certain amount from the Revenue Account to the Loan Account.

Remission of interest owing, and repayment of loans, by Municipality of Schweizer-Reneke.

Adjustment of deficits arising from the transfer of the pension rights of certain persons in the service of the Department of Health.

1. There shall be transferred from the Revenue Account to the Loan Account on or before the thirty-first day of March, 1968, an amount of forty-three million seven hundred thousand rand.

2. Notwithstanding anything to the contrary contained in the Local Loans Act, 1926 (Act No. 19 of 1926)—

- (a) the Municipality of Schweizer-Reneke is hereby discharged with effect from the first day of January, 1954, from all liability in respect of the interest accruing, and which has accrued as from that date, on an amount of forty-six thousand seven hundred and seventy-one rand nine cents, consisting of a portion of the amount of the loans granted to it under that Act and not yet repaid and capitalized interest on such loans;
- (b) the said Municipality shall repay the said amount with effect from the first day of July, 1966, in equal half-yearly instalments of nine hundred and thirty-five rand forty-two cents.

3. (1) If any person, employed at the Brewelskloof Hospital, and who is a contributor to the Public Service Pension Fund, was immediately prior to his appointment to a post in the Department of Health a member of or a contributor to the Worcester Municipal Pension Fund, the provisions of regulation 9 of the regulations published under Government Notice No. R.1969 of the fifteenth day of December, 1965, shall *mutatis mutandis* apply in respect of him as if—

- (a) prior to the day on which he became a member of the said Public Service Pension Fund he had been trans-

No. 103, 1967.]

WET

Om voorsiening te maak vir die oordrag van 'n sekere bedrag van die Inkomsterekening na die Leningsrekening; vir die kwytstelling van rente verskuldig deur die Munisipaliteit Schweizer-Reneke en die terugbetaling van 'n verskuldigde bedrag; vir die aansuiwering van tekorte wat uit die oorsprong van die pensioenregte van sekere persone in diens van die Departement van Gesondheid voortspruit; tot wysiging van artikel 8 van die Wysigingswet op die Kontrole oor Wyn en Spirituallie, 1940, ten einde sekere geldverrekenings tussen die „Koöperatiewe Wijnbouwers Vereniging van Zuid-Afrika, Beperk" en die Sekretaris van Doane en Aksyns te verander; tot wysiging van artikel 3bis van die Algemene Leningswet, 1961, ten einde voorsiening daarvoor te maak dat voorskotte uit die Stabilisasie rekening aan die Buitelandse Verkrygingsfonds gemaak kan word; tot wysiging van artikel 86 van die Pneumokoniosevergoedingswet, 1962, ten einde voorsiening te maak vir opleidingsvoordele vir die afhanklikes van sekere mynwerkers of kleurlingarbeiders; tot wysiging van artikel 1 van die Finansiële wet, 1966, ten einde voorsiening te maak vir waarborge deur die Regering ten opsigte van sekere lenings; tot wysiging van artikel 8 van die Tweede Finansiële wet, 1966, ten einde voorsiening te maak vir die finansiering van die Handelsrekening van die Buitelandse Verkrygingsfonds; en om voorsiening te maak vir die besteding van die surplus-inkomste van die Spoorweg- en Hawefonds.

(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 19 Junie 1967.)

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

DEEL I.

AANGELEENTHEDE WAT DIE GEKONSOLIDEERDE INKOMSTEFONDS RAAK.

1. Van die Inkomsterekening word daar op of voor die een-en-dertigste dag van Maart 1968 'n bedrag van drie-en-veertigmiljoen sewehonderdduisend rand na die Leningsrekening oorgedra.
2. Ondanks andersluidende bepalings van die Plaaslike Leningswet, 1926 (Wet No. 19 van 1926)—
 - (a) word die Munisipaliteit Schweizer-Reneke hierby met ingang van die eerste dag van Januarie 1954 onthef van alle aanspreeklikheid ten opsigte van die rente wat oploep, en wat vanaf daardie datum opgeloop het, op 'n bedrag van ses-en-veertigduisend sewehonderd een-en-sewentig rand nege sent, bestaande uit 'n gedeelte van die bedrag van die lenings wat kragtens daardie Wet aan hom toegestaan is en nog nie terugbetaal is nie en gekapitaliseerde rente op sodanige lenings;
 - (b) moet bedoelde Munisipaliteit gemelde bedrag met ingang van die eerste dag van Julie 1966 in gelyke half-jaarlikse paaiemente van negehonderd vyf-en-dertig rand twee-en-veertig sent terugbetaal.
3. (1) Indien iemand wat by die Brewelskloof-hospitaal in diens is en 'n bydraer tot die Staatsdiens-pensioenfonds is, onmiddellik voordat hy in 'n pos by die Departement van Gesondheid aangestel is 'n lid van of bydraer tot die Worcesterse Munisipale Pensioenfonds was, geld die bepalings van regulasie 9 van die regulasies afgekondig kragtens Goewermenskennisgewing No. R. 1969 van die vyftiende dag van Desember 1965 ten opsigte van hom asof—
 - (a) hy voor die dag waarop hy lid van gemelde Staatsdiens-pensioenfonds geword het, uit 'n diens ten opsigte

Oordrag van sekere bedrag van die Inkomsterekening na die Leningsrekening.

Kwytskelding van rente verskuldig, en terugbetaling van lenings, deur Munisipaliteit Schweizer-Reneke.

Aansuiwering van tekorte wat voortspruit uit die oorsprong van die pensioenregte van sekere persone by die Departement van Gesondheid in diens.

ferred from employment in respect of which he had become subject to a pension law administered by a provincial administration;

(b) the said Worcester Municipal Pension Fund were the pension fund to which prior to his becoming a member of the Public Service Pension Fund, he had contributed in respect of his past pensionable service; and

(c) his past service at the Brewelskloof Hospital were his past pensionable service with a provincial administration.

(2) If such person elects in terms of the provisions of regulation 9 (2) of the said regulations to reckon his said past pensionable service as pensionable service for the purposes of the Public Service Pension Fund, any amount which he is required to pay in accordance with a determination made by the Secretary for Social Welfare and Pensions in terms of the said regulation 9 (2), shall be paid on his behalf out of moneys appropriated by Parliament for the purpose.

(3) Any amount paid on behalf of any person in terms of subsection (2) shall, for the purposes of the said regulations or any other pension law which becomes applicable to him, be regarded as having been paid by such person himself: Provided that, if for any reason such person ceases in terms of the said regulations or such other law to be a member of any pension or provident fund to which he contributes in terms of the said regulations or other law, there may be deducted from any amount which becomes payable to or in respect of such person from the fund in question, and paid to the Consolidated Revenue Fund, so much of the amount, which in terms of this subsection is regarded as having been paid by such person himself, as the Treasury may determine.

(4) The provisions of this section shall be deemed to have come into operation on the first day of April, 1966.

Amendment of
section 8 of
Act 23 of 1940.

4. (1) Section 8 of the Wine and Spirits Control Amendment Act, 1940, is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) (a) The vereniging shall pay one-quarter of any amount paid to it under subsection (1) or (2) to the Secretary for Customs and Excise.

(b) In any year an amount not exceeding the amount paid to the Secretary for Customs and Excise in terms of paragraph (a) during the immediately preceding year may, if appropriated by Parliament for the purpose, be paid out to the vereniging."

(2) Subsection (1) shall be deemed to have come into operation on the first day of February, 1967.

Amendment of
section 3bis
of Act 16 of 1961,
as inserted by
section 18 of
Act 76 of 1964.

5. Section 3bis of the General Loans Act, 1961, is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) The said Reserve Bank may, with the approval of the Treasury—

(a) invest the funds in the Stabilization Account in any country; or

(b) out of the funds in the said Stabilization Account grant advances to the External Procurements Fund established by regulation 34 of the Schedule to Proclamation No. 319 of 1942 (War Measure No. 146 of 1942),

and the interest, if any, earned on funds so invested or on advances so granted shall be paid into the Consolidated Revenue Fund at such times as the Treasury may determine."

Amendment of
section 86 of
Act 64 of 1962.

6. (1) Section 86 of the Pneumoconiosis Compensation Act, 1962, is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) When a miner or coloured labourer has become entitled to a benefit, or has died and the committee has found that at the time of his death he was suffering from tuberculosis which would have entitled him to a benefit had he not died, or from pneumoconiosis, the council may in its discretion, but subject to the provisions of subsection (4), grant assistance on a scale approved by the Minister in connection with the provision of education of a nature determined by the council with the approval of the Minister in respect of one or more of the following persons or the training in southern Africa of one or more such persons to become proficient in any trade or in any industrial, commercial or domestic occupation, that is to say—

waarvan hy onderhewig geword het aan 'n pensioenwet deur 'n provinsiale administrasie geadministreer, oorgeplaas was;

- (b) gemelde Worcesterse Munisipale Pensioenfonds die pensioenfonds was waartoe hy ten opsigte van sy vorige pensioengewende diens bygedra het voordat hy van die Staatsdiens-pensioenfonds lid geword het; en
- (c) sy vorige diens by die Brewelskloof-hospitaal sy vorige pensioengewende diens by 'n provinsiale administrasie was.

(2) Indien so iemand ingevolge die bepaling van regulasie 9 (2) van bedoelde regulasies kies om sy gemelde vorige pensioengewende diens as pensioengewende diens vir die doeleindes van die Staatsdiens-pensioenfonds te reken, word 'n bedrag wat hy ooreenkomstig 'n bepaling wat die Sekretaris van Volkswelsyn en Pensioene ingevolge bedoelde regulasie 9 (2) gemaak het, verplig is om te betaal, ten behoeve van hom betaal uit gelde deur die Parlement vir die doel bewillig.

(3) 'n Bedrag wat ingevolge subartikel (2) ten behoeve van iemand betaal is, word by die toepassing van bedoelde regulasies of enige ander pensioenwet wat op hom van toepassing word, geag deur so iemand self betaal te gewees het: Met dien verstande dat indien so iemand om enige rede ingevolge bedoelde regulasies of sodanige ander wet ophou om 'n lid te wees van 'n pensioen- of voorsorgfonds waartoe hy ingevolge bedoelde regulasies of ander wet bydra, daar van 'n bedrag wat uit die betrokke fonds aan of ten opsigte van so iemand betaalbaar word, soveel van die bedrag wat ingevolge hierdie subartikel geag word deur so iemand self betaal te gewees het as wat die Tesourie bepaal, afgetrek en in die Gekonsolideerde Inkomstefonds gestort kan word.

(4) Die bepaling van hierdie artikel word geag op die eerste dag van April 1966 in werking te getree het.

4. (1) Artikel 8 van die Wysigingswet op die Kontrole oor Wyn en Spiritualiteit, 1940, word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

Wysiging van artikel 8 van Wet 23 van 1940.

„(3) (a) Die vereniging moet 'n kwart van enige bedrag ingevolge subartikel (1) of (2) aan hom betaal, aan die Sekretaris van Doeane en Aksyns oorbetaal.

- (b) In enige jaar kan 'n bedrag wat nie meer is nie as die bedrag aan die Sekretaris van Doeane en Aksyns gedurende die onmiddellik voorafgaande jaar ingevolge paragraaf (a) oorbetaal, indien dit deur die Parlement daarvoor bewillig is, aan die vereniging uitbetaal word.”.

(2) Subartikel (1) word geag op die eerste dag van Februarie 1967 in werking te getree het.

5. Artikel 36/s van die Algemene Leningswet, 1961, word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

Wysiging van artikel 36/s van Wet 16 van 1961, soos ingevoeg deur artikel 18 van Wet 76 van 1964.

„(3) Die gemelde Reserwebank kan, met die goedkeuring van die Tesourie—

- (a) die fondse in die Stabilisasie rekening in enige land belê; of
 - (b) uit die fondse in gemelde Stabilisasie rekening voorskotte maak aan die Buitelandse Verkrigingsfonds ingestel by regulasie 34 van die Bylae by Proklamasie No. 319 van 1942 (Oorlogsmaatregel No. 146 van 1942),
- en die rente, as daar is, op fondse aldus belê of op voorskotte aldus gemaak, verdien, word in die Gekonsolideerde Inkomstefonds inbetaal op die tyde wat die Tesourie bepaal.”.

6. (1) Artikel 86 van die Pneumokoniosevergoedingswet, 1962, word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

Wysiging van artikel 86 van Wet 64 van 1962.

„(3) Wanneer 'n mynwerker of kleurlingarbeider op 'n voordeel geregtig geword het, of oordele is en die komitee bevind het dat hy ten tyde van sy dood gely het aan tuberkulose ten opsigte waarvan hy op 'n voordeel geregtig sou gewees het indien hy nie gesterf het nie, of aan pneumokoniose, kan die raad na goeddunke, maar behoudens die bepaling van subartikel (4), bystand op 'n skaal wat die Minister goedgekeur het, verleen in verband met die voorsiening van onderwys van 'n aard wat die raad met goedkeuring van die Minister bepaal ten opsigte van een of meer van die volgende persone of die opleiding in suidelike Afrika van een of meer van dié persone om hulle vir 'n ambag of vir 'n nywerheids-, handels- of huishoudelike beroep te bekwaam, te wete—

- (a) in the case of such miner or coloured labourer—
 - (i) his wife, if she is not living apart from him as a result of malicious desertion on her part;
 - (ii) his dependent child who at the date on which he became entitled to the benefit in question, had not reached the age of eighteen years;
 - (b) in the case of such deceased miner or coloured labourer—
 - (i) his widow, if at the time of his death she was not living apart from him as a result of malicious desertion on her part;
 - (ii) his dependent child who at the time of his death had not reached the age of eighteen years.”
- (2) Subsection (1) shall be deemed to have come into operation on the first day of October, 1962.

Substitution of section 1 of Act 23 of 1966, as amended by section 15 of Act 58 of 1966.

7. The following section is hereby substituted with effect from the first day of July, 1966, for section 1 of the Finance Act, 1966:

“Guarantees by the Government for the repayment, and for the reimbursement of losses consequent upon other guarantees for the repayment, of certain loans.

1. Any Minister, authorized for that purpose by the State President, may, on such terms and conditions as such Minister may, in consultation with the Minister of Finance, determine, guarantee—

- (a) repayment of the capital of and payment of the interest on and payment of any charges incurred in connection with any loan granted by the South African Reserve Bank to any statutory body or fund or a foreign government or central bank and in respect of which no guarantee has been given by the first-mentioned Minister in terms of any other law: Provided that no guarantee may be given in terms of this paragraph in respect of any loan to any such body, fund, government or bank, if—
 - (i) the amount of such loan; or
 - (ii) the amount of such loan together with any other loans granted to such body, fund, government or bank by the South African Reserve Bank and guaranteed by the Government in terms of this paragraph, exceeds fifty million rand, unless Parliament has by resolution of the Senate and the House of Assembly approved thereof;
- (b) repayment of the capital of and payment of the interest on and payment of any charges incurred in connection with any loan granted by any person to the company registered under the Companies Act, 1926 (Act No. 46 of 1926), as Atlas Aircraft Corporation of South Africa Limited or the company registered under the said Act as Aero Properties (Proprietary) Limited: Provided that no guarantee may be given in terms of this paragraph in respect of any loan to such a company, if—
 - (i) the amount of such loan; or
 - (ii) the amount of such loan together with the amounts of any other loans granted to the said companies and guaranteed by the Government in terms of this paragraph, and in respect of which the reimbursement of any loss referred to in paragraph (c) has been guaranteed by the Government in terms of the said paragraph (c), exceeds the sum of twenty-two million rand;
- (c) reimbursement of any loss which may be sustained by the South African Reserve Bank or the Industrial Development Corporation of South Africa, Limited, established by section 2 of the Industrial Development Act, 1940 (Act No. 22 of 1940), in respect of any guarantee furnished by the South African Reserve Bank or the said Industrial Development Corporation of South Africa, Limited, for the repayment of the capital of and payment of the interest on and payment of any charges incurred in connection with any loan granted by the South African Reserve Bank to any statutory body or fund or a foreign government or central bank and in respect of which no guarantee has been given by the first-mentioned Minister in terms of any other law: Provided that no guarantee may be given in terms of this paragraph in respect of any loan to any such body, fund, government or bank, if—
 - (i) the amount of such loan; or
 - (ii) the amount of such loan together with any other loans granted to such body, fund, government or bank by the South African Reserve Bank and guaranteed by the Government in terms of this paragraph, exceeds fifty million rand, unless Parliament has by resolution of the Senate and the House of Assembly approved thereof;

- (a) in die geval van so 'n mynwerker of kleurlingarbeider—
 - (i) sy vrou, indien sy nie as gevolg van kwaadwillige verlatng aan haar kant weg van hom woon nie;
 - (ii) sy afhanklike kind wat op die datum waarop hy op bedoelde voordeel geregtig geword het, nie die ouderdom van agtien jaar bereik het nie;
 - (b) in die geval van so 'n oorlede mynwerker of kleurlingarbeider—
 - (i) sy weduwee, indien sy ten tyde van sy dood nie as gevolg van kwaadwillige verlatng aan haar kant weg van hom gewoon het nie;
 - (ii) sy afhanklike kind wat ten tyde van sy dood nie die ouderdom van agtien jaar bereik het nie.”.
- (2) Subartikel (1) word geag op die eerste dag van Oktober 1962 in werking te getree het.

7. Artikel 1 van die Finansiewet, 1966, word hierby met ingang van die eerste dag van Julie 1966 deur die volgende artikel vervang:

„Waarborg deur die Regering vir die terugbetaling, en vir die vergoeding van verliese as gevolg van ander waarborge vir die terugbetaling, van sekere lenings.

1. Enige vir dié doel deur die Staatspresident gemagtigde Minister kan op die bedinge en voorwaardes wat sodanige Minister in oorleg met die Minister van Finansies bepaal—

(a) die terugbetaling van die hoofsom van en die betaling van die rente op en die betaling van enige koste aangegaan in verband met 'n lening wat deur die Suid-Afrikaanse Reserwebank aan 'n statutêre liggaam of fonds of 'n buitelandse regering of sentrale bank toegestaan word en ten opsigte waarvan geen waarborg deur eersbedoelde Minister kragtens enige ander wetsbepaling gegee is nie, waarborg: Met dien verstande dat geen waarborg kragtens hierdie paragraaf ten opsigte van 'n lening aan enige sodanige liggaam, fonds, regering of bank gegee kan word nie indien—

- (i) die bedrag van sodanige lening; of
- (ii) die bedrag van sodanige lening tesame met die bedrae van enige ander lenings aan sodanige liggaam, fonds, regering of bank deur die Suid-Afrikaanse Reserwebank toegestaan en deur die Regering kragtens hierdie paragraaf gewaarborg,

vyftigmiljoen rand oorskry, tensy die Parlement dit by besluit van die Senaat en van die Volksraad goedgekeur het;

(b) die terugbetaling van die hoofsom van en die betaling van die rente op en die betaling van koste aangegaan in verband met 'n lening, waarborg wat deur enigiemand aan die maatskappy wat kragtens die Maatskappywet, 1926 (Wet No. 46 van 1926), as die Atlas Vliegtuigkorporasie van Suid-Afrika Beperk geregistreer is of die maatskappy wat kragtens bedoelde Wet as Aero Eiendomme (Eiendoms) Beperk geregistreer is, toegestaan word: Met dien verstande dat geen waarborg kragtens hierdie paragraaf ten opsigte van 'n lening aan so 'n maatskappy gegee kan word nie indien—

- (i) die bedrag van sodanige lening; of
- (ii) die bedrag van sodanige lening tesame met die bedrae van enige ander lenings aan bedoelde maatskappye toegestaan en deur die Regering kragtens hierdie paragraaf gewaarborg en ten opsigte waarvan die vergoeding van 'n verlies in paragraaf (c) vermeld deur die Regering kragtens gemelde paragraaf (c) gewaarborg is,

die som van twee-en-twintigmiljoen rand oorskry;

(c) vergoeding van enige verlies waarborg wat die Suid-Afrikaanse Reserwebank of die Nywerheid-ontwikkelingskorporasie van Suid-Afrika, Beperk, by artikel 2 van die Nywerheid-ontwikkelingswet, 1940 (Wet No. 22 van 1940), ingestel, mag ly ten opsigte van enige waarborg wat die Suid-Afrikaanse Reserwebank of die gemelde Nywerheid-ontwikkelingskorporasie van Suid-Afrika, Beperk, verstrek het vir die terugbetaling van die hoofsom van en die betaling van die rente op en die betaling van

Vervanging van artikel 1 van Wet 23 van 1966, soos gewysig deur artikel 15 van Wet 58 van 1966.

tion with any loan granted by any person to any company referred to in paragraph (b): Provided that no guarantee may be given in terms of this paragraph in respect of any such reimbursement, if—

- (i) the amount of such loan; or
 - (ii) the amount of such loan together with the amounts of any other loans granted to the said companies and guaranteed by the Government in terms of paragraph (b), and in regard to which the Government has in terms of this paragraph guaranteed the reimbursement of any loss referred to in this paragraph,
- exceeds the sum of twenty-two million rand;
- (d) repayment of the capital of and payment of the interest on and payment of any charges incurred in connection with any loan granted by a commercial bank to the company registered under the Companies Act, 1926, as S.A. Sugar Export Corporation (Proprietary) Limited: Provided that the total amount of all the loans granted to the said company whereof repayment may be so guaranteed shall not exceed the sum of sixteen million rand; and
 - (e) repayment of the capital of and payment of the interest on and payment of any charges incurred in connection with any loan granted by any person to the Municipality of Umtata: Provided that the total amount of all the loans granted to the said Municipality whereof repayment may be so guaranteed shall not exceed the sum of seven hundred and thirty-nine thousand rand.

Amendment of section 8 of Act 58 of 1966.

8. Section 8 of the Second Finance Act, 1966, is hereby amended by the substitution for paragraph (b) of the following paragraph:

- (b) moneys advanced to the said Fund in terms of—
 - (i) section 26A of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956); or
 - (ii) section 36is (3) of the General Loans Act, 1961 (Act No. 16 of 1961)."

PART II.

MATTERS AFFECTING THE RAILWAY AND HARBOUR FUND.

Disposal of surplus revenue of Railway and Harbour Fund.

9. The surplus revenue of the Railway and Harbour Fund in respect of the financial year ended on the thirty-first day of March, 1967, as certified by the Controller and Auditor-General, shall be credited to the fund established under section 104 of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961).

Short title.

10. This Act shall be called the Finance Act, 1967.

koste aangegaan in verband met enige lening wat deur enigiemand aan 'n in paragraaf (b) bedoelde maatskappy toegestaan is: Met dien verstande dat geen waarborg kragtens hierdie paragraaf ten opsigte van so 'n vergoeding gegee kan word nie indien—

- (i) die bedrag van sodanige lening; of
- (ii) die bedrag van sodanige lening tesame met die bedrae van enige ander lenings aan bedoelde maatskappy toegestaan en deur die Regering kragtens paragraaf (b) gewaarborg, en in verband waarmee die Regering die vergoeding van 'n in hierdie paragraaf bedoelde verlies gewaarborg het, die som van twee-en-twintigmiljoen rand oorskry;
- (d) die terugbetaling van die hoofsom van en die betaling van die rente op en die betaling van koste aangegaan in verband met 'n lening, waarborg wat deur 'n handelsbank aan die maatskappy wat kragtens die Maatskappywet, 1926, as „S.A. Sugar Export Corporation (Proprietary) Limited” geregistreer is, toegestaan word: Met dien verstande dat die totale bedrag van alle aan bedoelde maatskappy toegestane lenings waarvan terugbetaling aldus gewaarborg kan word, nie die som van sestienmiljoen rand mag oorskry nie; en
- (e) die terugbetaling van die hoofsom van en die betaling van die rente op en die betaling van koste aangegaan in verband met 'n lening, waarborg wat deur enigiemand aan die Munisipaliteit van Umtata toegestaan word: Met dien verstande dat die totale bedrag van alle aan bedoelde Munisipaliteit toegestane lenings waarvan terugbetaling aldus gewaarborg kan word, nie die som van sewehonderd nege-en-dertigduisend rand mag oorskry nie.

8. Artikel 8 van die Tweede Finansiewet, 1966, word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

Wysiging van artikel 8 van Wet 58 van 1966.

„(b) gelde ingevolge—

- (i) artikel 26A van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956); of
- (ii) artikel 3bis (3) van die Algemene Leningswet, 1961 (Wet No. 16 van 1961), aan bedoelde Fonds voorgesket.”.

DEEL II.

AANGELEENTHEDE WAT DIE SPOORWEG- EN HAWEFONDS RAAK.

9. Die surplus-inkomste van die Spoorweg- en Hawefonds ten opsigte van die boekjaar wat op die een-en-dertigste dag van Maart 1967 geëindig het, soos deur die Kontroleur en Ouditeur-generaal gesertifiseer, word oorgedra na die fonds wat ingevolge artikel 104 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), ingestel is.

Besteding van surplus-inkomste van Spoorweg- en Hawefonds.

10. Hierdie Wet heet die Finansiewet, 1967.

Kort titel.