STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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KANTOOR VAN DIE STAATSPRESIDENT

No. 772. 23 April 1986

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 41 van 1986: Wysigingswet op Huwelike, Geboortes en Sterfgevalle, 1986.

STATE PRESIDENT'S OFFICE

No. 772. 23 April 1986

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 41 of 1986: Marriages, Births and Deaths Amendment Act, 1986.

ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

__________ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Huwelikswet, 1961, ten einde sekere bepalings ten opsigte van Swartes te skrap; tot wysiging van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963, ten einde te bepaal dat sekere posbekleërs ampshalwe registrateurs van geboortes en sterfgevalle is; sekere bepalings ten opsigte van Swartes te skrap; die bepalings ten opsigte van die registrasie van geboortes van Suid-Afrikaanse burgers wat in die buiteland plaasgevind het in ooreenstemming te bring met die bepalings van die Wet op Suid-Afrikaanse Burgerskap, 1949; te bepaal dat geboortes wat in 'n ander landdrosdistrik plaasgevind het as dié waarin die betrokke ouers woon, ook by die landdros van laasgenoemde distrik of by die betrokke streekverteenwoordiger aangemeld kan word; 'n "naam" vir die doel van die registrasie van geboortes te omskryf; te bepaal dat die natuurlike vader van 'n buite-egtelike kind toestemming kan verleen dat die kind onder sy van geregistreer word; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 14 April 1986.)

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

Wysiging van artikel 1 van Wet 25 van 1961, soos gewysig deur artikel 1 van Wet 51 van 1970.

1. Artikel 1 van die Huwelikswet, 1961, word hierby gewysig deur die omskrywing van "Minister" deur die volgende omskrywing te vervang:

"'Minister' die Minister van Binnelandse Sake **[of, met betrekking tot 'n persoon wat 'n Swarte is soos omskryf in die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), of wat 'n naturel (uitgesonderd 'n Nama) is soos omskryf in artikel 25 van die Naturelle-administrasie Proklamasie, 1928 (Proklamasie No. 15 van 1928), van Suidwes-Afrika, die Minister van Plurale Betrekkinge en Ontwikkeling]**;".

Herroeping van artikel 38A van Wet 25 van 1961, soos ingevoeg deur artikel 12 van Wet 51 van 1970.

2. Artikel 38A van die Huwelikswet, 1961, word hierby herroep.

Wysiging van artikel 39 van Wet 25 van 1961.

3. Artikel 39 van die Huwelikswet, 1961, word hierby gewysig deur subartikel (5) te skrap.

Wysiging van artikel 1 van Wet 81 van 1963, soos gewysig deur artikel 1 van Wet 58 van 1970 en artikel 1 van Wet 35 van 1982.

4. Artikel 1 van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963 (hieronder die Hoofwet genoem), word hierby gewysig—

(*a*) deur die omskrywing van "Direkteur-generaal" deur die volgende omskrywing te vervang:

"'Direkteur-generaal' die Direkteur-generaal: Binnelandse **[Aangeleenthede]** Sake **[of, vir die doelein-**

GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

________ Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Marriage Act, 1961, so as to delete certain provisions relating to Blacks; to amend the Births, Marriages and Deaths Registration Act, 1963, so as to provide that certain incumbents shall be *ex officio* registrars of births and deaths; to delete certain provisions relating to Blacks; to bring the provisions relating to the registration of births of South African citizens which took place abroad into line with the provisions of the South African Citizenship Act, 1949; to provide that births which took place in a magisterial district other than that in which the parents in question reside, may also be reported to the magistrate of the latter district or to the regional representative in question; to define a "name" for the purpose of the registration of births; to provide that the natural father of an illegitimate child may grant consent that the child be registered under his surname; and to provide for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 14 April 1986.)

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

Amendment of section 1 of Act 25 of 1961, as amended by section 1 of Act 51 of 1970.

1. Section 1 of the Marriage Act, 1961, is hereby amended by the substitution for the definition of "Minister" of the following definition:

"'Minister' means the Minister of Home Affairs **[the Interior or, in relation to any person who is a Black as defined in the Population Registration Act, 1950 (Act No. 30 of 1950), or is a native (excluding a Nama) as defined in section 25 of the Native Administration Proclamation, 1928 (Proclamation No. 15 of 1928), of South-West Africa, the Minister of Plural Relations and Development]**;".

Repeal of section 38A of Act 25 of 1961, as inserted by section 12 of Act 51 of 1970.

2. Section 38A of the Marriage Act, 1961, is hereby repealed.

Amendment of section 39 of Act 25 of 1961.

3. Section 39 of the Marriage Act, 1961, is hereby amended by the deletion of subsection (5).

Amendment of section 1 of Act 81 of 1963, as amended by section 1 of Act 58 of 1970 and section 1 of Act 35 of 1982.

4. Section 1 of the Births, Marriages and Deaths Registration Act, 1963 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for the definition of "area" of the following definition:

"'area' means, when used in relation to a registrar or assistant registrar, the magisterial district or part

des van die toepassing van hierdie Wet met betrekking tot 'n Swarte, die Direkteur-generaal: Samewerking en Ontwikkeling];";

(*b*) deur die omskrywing van "gebied" deur die volgende omskrywing te vervang:

"'gebied' wanneer gebruik met betrekking tot 'n registrateur of assistent-registrateur, die landdrosdistrik of deel daarvan, polisiewyk, bedieningsgebied van 'n streekverteenwoordiger van die Departement van Binnelandse Sake, gebied waarvoor 'n Kommissaris ingevolge artikel 2 (2) van die Swart Administrasie Wet, 1927 (Wet No. 38 van 1927), aangestel is, land of gebied ten opsigte waarvan sodanige registrateur of assistent-registrateur as sodanig aangewys of aangestel is of optree;";

(*c*) deur na die omskrywing van "hoofregistrateur" die volgende omskrywing in te voeg:

"'Kommissaris' 'n Kommissaris aangestel kragtens die Swart Administrasie Wet, 1927 (Wet No. 38 van 1927);";

(*d*) deur die omskrywing van "Minister" deur die volgende omskrywing te vervang:

"'Minister' die Minister van Binnelandse Sake **[of, vir die doeleindes van die toepassing van hierdie Wet ten opsigte van 'n Swarte, die Minister van Plurale Betrekkinge en Ontwikkeling]**;";

(*e*) deur die omskrywing van "Republiek" te skrap; en

(*f*) deur na die omskrywing van "stadsgebied" die volgende omskrywing in te voeg:

"'streekverteenwoordiger' iemand wat as streekverteenwoordiger van die Departement van Binnelandse Sake vir 'n bepaalde gebied aangestel is;".

Wysiging van artikel 3 van Wet 81 van 1963, soos vervang deur artikel 3 van Wet 58 van 1970 en gewysig deur artikel 4 van Wet 35 van 1982.

5. Artikel 3 van die Hoofwet word hierby gewysig—

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

"(1) Behoudens die bepalings van **[subartikel]** subartikels (1A) en (2), kan die Direkteur-generaal of 'n deur hom daartoe gemagtigde beampte of die bekleër van 'n pos in die Staatsdiens, vir die doeleindes van die toepassing van hierdie Wet, beamptes of werknemers of die bekleërs van poste in die Staatsdiens, of ander persone, as registrateurs en assistent-registrateurs van geboortes en sterfgevalle ten opsigte van 'n landdrosdistrik of deel daarvan aanwys."; en

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

"(1A) 'n Streekverteenwoordiger of 'n Kommissaris is 'n registrateur van geboortes en sterfgevalle ten opsigte van die gebied waarvoor hy aangestel is.".

Herroeping van artikel 3A van Wet 81 van 1963, soos ingevoeg deur artikel 4 van Wet 58 van 1970 en gewysig deur artikel 4 van Wet 35 van 1982.

6. Artikel 3A van die Hoofwet word hierby herroep.

Wysiging van artikel 7A van Wet 81 van 1963, soos ingevoeg deur artikel 2 van Wet 18 van 1968, vervang deur artikel 9 van Wet 58 van 1970 en gewysig deur artikel 4 van Wet 35 van 1982.

7. Artikel 7A van die Hoofwet word hierby gewysig deur subartikel (1A) te skrap.

thereof, police area, serving area of a regional representative of the Department of Home Affairs, area for which a Commissioner has been appointed in terms of section 2 (2) of the Black Administration Act, 1927 (Act No. 38 of 1927), country or territory in respect of which such registrar or assistant registrar has been designated or appointed or is acting as such;";

(b) by the insertion after the definition of "chief registrar" of the following definition:

"'Commissioner' means a Commissioner appointed under the Black Administration Act, 1927 (Act No. 38 of 1927);";

(c) by the substitution for the definition of "Director-General" of the following definition:

"'Director-General' means the Director-General: **[Internal]** Home Affairs **[or, for the purposes of the application of this Act in respect of a Black, the Director-General: Co-operation and Development]**;";

(d) by the substitution for the definition of "Minister" of the following definition:

"'Minister' means the Minister of Home Affairs **[the Interior or, for the purposes of the application of this Act in respect of a Black, the Minister of Plural Relations and Development]**;";

(e) by the deletion of the definition of "Republic"; and

(f) by the insertion after the definition of "prescribed" of the following definition:

"'regional representative' means any person appointed as regional representative of the Department of Home Affairs for a specified area;".

Amendment of section 3 of Act 81 of 1963, as substituted by section 3 of Act 58 of 1970 and amended by section 4 of Act 35 of 1982.

5. Section 3 of the principal Act is hereby amended—

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

"(1) Subject to the provisions of **[subsection]** subsections (1A) and (2), the Director-General, or any officer or the holder of any office in the public service authorized thereto by him, may, for the purposes of the application of this Act, designate officers or employees or the holders of offices in the public service, or other persons, as registrars and assistant registrars of births and deaths in respect of a magisterial district or part thereof."; and

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

"(1A) A regional representative or a Commissioner is a registrar of births and deaths in respect of the area for which he has been appointed.".

Repeal of section 3A of Act 81 of 1963, as inserted by section 4 of Act 58 of 1970 and amended by section 4 of Act 35 of 1982.

6. Section 3A of the principal Act is hereby repealed.

Amendment of section 7A of Act 81 of 1963, as inserted by section 2 of Act 18 of 1968, substituted by section 9 of Act 58 of 1970 and amended by section 4 of Act 35 of 1982.

7. Section 7A of the principal Act is hereby amended by the deletion of subsection (1A).

Wet No. 41, 1986

WYSIGINGSWET OP HUWELIKE, GEBOORTES EN STERFGEVALLE, 1986

Wysiging van artikel 8A van Wet 81 van 1963, soos ingevoeg deur artikel 3 van Wet 18 van 1968, vervang deur artikel 11 van Wet 58 van 1970 en gewysig deur artikel 3 van Wet 35 van 1982.

8. Artikel 8A van die Hoofwet word hierby gewysig deur na subartikel (1) die volgende subartikel in te voeg:

"(1A) 'n Persoon onder die ouderdom van 21 jaar wat buite-egtelik gebore is, en wie se geboorte onder sy moeder se van geregistreer is, kan, indien sy vader skriftelik erken dat hy die vader van daardie persoon is en daardie persoon se moeder haar toestemming verleen, by die Direkteur-generaal aansoek doen om die verandering van sy van in die geboorteregister na die van van sy vader.".

Wysiging van artikel 9 van Wet 81 van 1963, soos vervang deur artikel 12 van Wet 58 van 1970 en gewysig deur artikel 4 van Wet 35 van 1982.

9. Artikel 9 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg:

"(3) By die toepassing van hierdie artikel beteken 'naam' die woord of woorde waarmee 'n persoon as 'n individu aangedui word en wat sy van voorafgaan.".

Wysiging van artikel 10 van Wet 81 van 1963, soos vervang deur artikel 13 van Wet 58 van 1970.

10. Artikel 10 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg:

"(3) Die geboorte van 'n buite-egtelike kind word geregistreer onder die van van—

(a) sy moeder; of

(b) sy vader, mits laasgenoemde 'n erkenning bedoel in subartikel (2) gemaak het en die moeder toegestem het.".

Wysiging van artikel 13 van Wet 81 van 1963, soos vervang deur artikel 16 van Wet 58 van 1970 en gewysig deur artikel 4 van Wet 35 van 1982.

11. Artikel 13 van die Hoofwet word hierby gewysig deur die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

"Iemand wat ooreenkomstig 'n bepaling van 'n wet 'n geregtelike doodsondersoek of ander ondersoek na die dood van 'n persoon hou, moet onverwyld na afhandeling van sodanige doodsondersoek of ander ondersoek die voorgeskrewe besonderhede ten opsigte van die dood verstrek aan

[(i) indien die oorledene 'n Swarte was, die betrokke registrateur of assistent-registrateur;

(ii) indien die oorledene nie 'n Swarte was nie, die Direkteur-generaal] die betrokke registrateur of assistent-registrateur:".

Wysiging van artikel 16 van Wet 81 van 1963, soos vervang deur artikel 18 van Wet 58 van 1970.

12. Artikel 16 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

"(2) 'n Polisiebeampte in bevel van 'n polisiekantoor of in bevel of tydelik in bevel van 'n polisielykhuis, of 'n polisiebeampte in bevel van 'n aanklagkantoor, kan aan 'n persoon wat **[die]** 'n lyk **[van 'n Swarte]** onder sy sorg het van iemand wat buite die Republiek te sterwe gekom het, namens die betrokke registrateur of assistent-registrateur 'n begrafnisorder uitreik wat die begrafnis van sodanige lyk magtig indien die plek waar die lyk begrawe gaan word, geleë is binne die polisiewyk waarin die betrokke polisiekantoor, polisielykhuis of aanklagkantoor geleë is, waar sodanige beampte dit nodig ag om sodanige begrafnisorder uit te reik ten einde oponthoud of ongerief te vermy, en enige sodanige beampte moet so spoedig moontlik nadat hy so 'n order uitgereik het die betrokke registrateur of assistent-registrateur skriftelik van die uitreiking daarvan in kennis stel.".

Vervanging van artikel 17A van Wet 81 van 1963, soos ingevoeg deur artikel 20 van Wet 58 van 1970.

13. Artikel 17A van die Hoofwet word hierby deur die volgende artikel vervang:

"Registrasie van sekere geboortes en sterfgevalle wat buite die Republiek plaasvind.

17A. (1) Indien iemand buite die Republiek gebore word, en daardie persoon uit hoofde van die bepalings van artikel 6 (1) *(a)* van die Wet op Suid-Afrikaanse Burgerskap, 1949 (Wet No. 44 van 1949), 'n Suid-Afrikaanse burger is indien sy geboorte oor-

Amendment of section 8A of Act 81 of 1963, as inserted by section 3 of Act 18 of 1968, substituted by section 11 of Act 58 of 1970 and amended by section 3 of Act 35 of 1982.

8. Section 8A of the principal Act is hereby amended by the insertion after subsection (1) of the following subsection:

"(1A) A person under the age of 21 years who was born out of wedlock, and whose birth was registered under his mother's surname, may, if his father acknowledges in writing himself to be the father of that person and the mother of that person grants her consent, apply to the Director-General for the alteration of his surname in the birth register to the surname of his father.".

Amendment of section 9 of Act 81 of 1963, as substituted by section 12 of Act 58 of 1970 and amended by section 4 of Act 35 of 1982.

9. Section 9 of the principal Act is hereby amended by the addition of the following subsection:

"(3) For the purposes of this section 'name' means the word or words by which a person is designated as an individual and which precedes or precede his surname.".

Amendment of section 10 of Act 81 of 1963, as substituted by section 13 of Act 58 of 1970.

10. Section 10 of the principal Act is hereby amended by the addition of the following subsection:

"(3) The birth of a child born out of wedlock shall be registered under the surname of—

(a) his mother; or

(b) his father, provided the latter has made the acknowledgement contemplated in subsection (2) and the mother has consented.".

Amendment of section 13 of Act 81 of 1963, as substituted by section 16 of Act 58 of 1970 and amended by section 4 of Act 35 of 1982.

11. Section 13 of the principal Act is hereby amended by the substitution for the words preceding the proviso of the following words:

"Any person holding in accordance with any law any inquest or other enquiry as to the death of any person shall forthwith on completion of such inquest or other enquiry furnish the prescribed particulars in respect of the death to

[(i) if the deceased person was a Black, the registrar or assistant registrar concerned; or

(ii) if the deceased person was not a Black, the Director-General] the registrar or assistant registrar concerned:".

Amendment of section 16 of Act 81 of 1963, as substituted by section 18 of Act 58 of 1970.

12. Section 16 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) Any police officer in charge of a police station or in charge or temporarily in charge of a police mortuary, or any police officer in charge of a charge office, may issue, on behalf of the registrar or assistant registrar concerned, to a person having the charge of the body of **[a Black]** any person who has died outside the Republic, a burial order authorizing the burial of such body, if the place where the body is to be buried is situated within the police area in which the police station, police mortuary or charge office concerned is situated, where such officer considers it necessary to issue such an order in order to avoid delay or inconvenience, and any such officer shall as soon as possible after the issue by him of such an order advise the registrar or assistant registrar concerned in writing of the issue thereof.".

Substitution of section 17A of Act 81 of 1963, as inserted by section 20 of Act 58 of 1970.

13. The following section is hereby substituted for section 17A of the principal Act:

"Registration of certain births and deaths taking place outside the Republic.

17A. (1) If a person is born outside the Republic, and that person is a South African citizen by virtue of the provisions of section 6 (1) *(a)* of the South African Citizenship Act, 1949 (Act No. 44 of 1949), if his birth is registered in terms of the provisions of

eenkomstig die bepalings van hierdie artikel geregistreer word, kan sy geboorte, behoudens die bepalings van artikel 7, deur die betrokke registrateur of assistent-registrateur bedoel in artikel 3 (3) of (4) geregistreer word mits die voorgeskrewe besonderhede aan daardie beampte verstrek word en die aansoeker voldoen aan alle ander bepalings van hierdie Wet en die regulasies daarkragtens uitgevaardig.

(2) Indien 'n Suid-Afrikaanse burger buite die Republiek sterf, of 'n persoon wat gewoonlik in die Republiek woonagtig is, buite die Republiek sterf en die voorgeskrewe besonderhede aangaande die sterfgeval aan die betrokke registrateur of assistent-registrateur bedoel in artikel 3 (3) of (4) verstrek word, moet hy die sterfgeval registreer.

(3) 'n In subartikel (1) of (2) bedoelde registrateur of assistent-registrateur moet, teen betaling van die voorgeskrewe gelde (as daar is), 'n sertifikaat in die voorgeskrewe vorm uitreik ten opsigte van 'n geboorte of sterfgeval wat ingevolge daardie subartikels geregistreer is.".

Wysiging van artikel 19 van Wet 81 van 1963, soos vervang deur artikel 23 van Wet 58 van 1970.

14. Artikel 19 van die Hoofwet word hierby gewysig deur die volgende voorbehoudsbepaling by subartikel (1) te voeg:

"Met dien verstande dat indien die vader of moeder van die kind in 'n ander gebied woonagtig is as dié waarin die geboorte plaasgevind het, daardie vader of moeder die voorgeskrewe kennis of inligting kan gee aan die registrateur in wie se gebied sy of haar woonadres is of aan die streekverteenwoordiger van die gebied waarin bedoelde woonadres is.".

Wysiging van artikel 22 van Wet 81 van 1963, soos vervang deur artikel 26 van Wet 58 van 1970 en gewysig deur artikel 4 van Wet 35 van 1982.

15. Artikel 22 van die Hoofwet word hierby gewysig deur subartikel (4) deur die volgende subartikel te vervang:

"(4) **[In die geval van die oorlyde van 'n Swarte kan die]** 'n Kennisgewing kan ingevolge subartikel (1) ontvang en 'n order kragtens subartikel (2) uitgereik word namens die betrokke registrateur of assistent-registrateur deur 'n polisiebeampte in bevel van 'n polisiekantoor of in bevel of tydelik in bevel van 'n polisielykhuis, of 'n polisiebeampte in bevel van 'n aanklagkantoor, in die distrik of gebied waarin die oorlyde plaasgevind het, waar sodanige beampte dit nodig ag om sodanige kennisgewing te ontvang en so 'n order uit te reik ten einde oponthoud of ongerief te vermy, en enige sodanige beampte wat so 'n kennisgewing ontvang en so 'n order uitreik, moet so spoedig moontlik daarna die betrokke registrateur of assistent-registrateur skriftelik dienooreenkomstig in kennis stel, en terselfdertyd aan hom die kennisgewing en enige mediese sertifikaat ten opsigte van die oorsake van dood, of enige sertifikaat in artikel 13A (2) of 26 bedoel, stuur wat hy aldus ontvang het.".

Wysiging van artikel 29 van Wet 81 van 1963, soos vervang deur artikel 32 van Wet 58 van 1970.

16. Artikel 29 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

"(2) 'n Ingevolge subartikel (1) vereiste verwyderingsorder kan **[in die geval van die oorlyde van 'n Swarte]** uitgereik word deur 'n polisiebeampte in bevel van 'n polisiekantoor of in bevel of tydelik in bevel van 'n polisielykhuis, of 'n polisiebeampte in bevel van 'n aanklagkantoor, in die distrik of gebied waarin die oorlyde plaasgevind het, waar sodanige beampte dit nodig ag om sodanige order uit te reik ten einde oponthoud of ongerief te vermy, en enige sodanige beampte wat so 'n order uitreik, moet so spoedig moontlik daarna die betrokke registrateur of assistent-registrateur skriftelik van die uitreiking daarvan in kennis stel.".

this section, his birth may, subject to the provisions of section 7, be registered by the registrar or assistant registrar concerned contemplated in section 3 (3) or (4) provided that the prescribed particulars are furnished to that official and the applicant complies with all other provisions of this Act and the regulations made thereunder.

(2) If a South African citizen dies outside the Republic, or a person who is usually resident in the Republic dies outside the Republic and the registrar or assistant registrar concerned contemplated in section 3 (3) or (4) is furnished with the prescribed particulars relating to the death, he shall register the death.

(3) A registrar or assistant registrar contemplated in subsection (1) or (2) shall, upon payment of the prescribed fees (if any), issue a certificate in the prescribed form in respect of a birth or death registered in terms of those subsections.".

Amendment of section 19 of Act 81 of 1963, as substituted by section 23 of Act 58 of 1970.

14. Section 19 of the principal Act is hereby amended by the addition to subsection (1) of the following proviso:

"Provided that if the father or mother of the child is resident in an area other than that in which the birth occurred, that father or mother may give the prescribed notice or information to the registrar in whose area his or her residential address is or to the regional representative of the area in which that residential address is.".

Amendment of section 22 of Act 81 of 1963, as substituted by section 26 of Act 58 of 1970 and amended by section 4 of Act 35 of 1982.

15. Section 22 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:

"(4) **[In the case of the death of a Black a]** A notice in terms of subsection (1) may be received, and an order under subsection (2) may be issued, on behalf of the registrar or assistant registrar concerned by any police officer in charge of a police station or in charge or temporarily in charge of a police mortuary, or any police officer in charge of a charge office, in the district or area in which the death occurred, where such officer considers it necessary to receive such notice and to issue such order in order to avoid delay or inconvenience, and any such officer who receives such a notice and issues such an order shall as soon as possible thereafter advise the registrar or assistant registrar concerned in writing accordingly, and at the same time transmit to him the notice and any medical certificate in respect of the cause of death, or any certificate referred to in section 13A (2) or 26, so received by him.".

Amendment of section 29 of Act 81 of 1963, as substituted by section 32 of Act 58 of 1970.

16. Section 29 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) A removal order required in terms of subsection (1) may **[in the case of the death of a Black]** be issued by any police officer in charge of a police station or in charge or temporarily in charge of a police mortuary, or any police officer in charge of a charge office, in the district or area in which the death occurred, where such officer considers it necessary to issue such order in order to avoid delay or inconvenience, and any such officer who issues such an order shall as soon as possible thereafter advise the registrar or assistant registrar concerned in writing of the issue thereof.".

Herroeping van artikel 36 van Wet 81 van 1963, soos vervang deur artikel 35 van Wet 58 van 1970.

17. Artikel 36 van die Hoofwet word hierby herroep.

Wysiging van artikel 40 van Wet 81 van 1963, soos vervang deur artikel 40 van Wet 58 van 1970 en gewysig deur artikel 4 van Wet 35 van 1982.

18. Artikel 40 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

"(1) Die huweliksbeampte wat 'n huwelik voltrek **[tussen partye van wie die man nie 'n Swarte is nie]**, die partye daarby en ten minste twee bevoegde getuies moet 'n register en twee duplikate van die register van sodanige huwelik in die voorgeskrewe vorm onderteken voordat hulle die perseel waar die huwelik plaasgevind het, verlaat.".

Herroeping van artikel 41 van Wet 81 van 1963, soos gewysig deur artikel 41 van Wet 58 van 1970 en artikel 4 van Wet 35 van 1982.

19. Artikel 41 van die Hoofwet word hierby herroep.

Wysiging van artikel 42 van Wet 81 van 1963, soos gewysig deur artikel 4 van Wet 18 van 1968, artikel 42 van Wet 58 van 1970 en artikel 4 van Wet 35 van 1982.

20. Artikel 42 van die Hoofwet word hierby gewysig deur die voorbehoudsbepaling by subartikel (1) te skrap.

Wysiging van artikel 50 van Wet 81 van 1963, soos vervang deur artikel 44 van Wet 58 van 1970 en gewysig deur artikel 4 van Wet 35 van 1982.

21. Artikel 50 van die Hoofwet word hierby gewysig deur paragraaf *(d)* van subartikel (1) deur die volgende paragraaf te vervang:

"*(d)* **[waarby]** wat die Direkteur-generaal magtig om voorskrifte uit te vaardig en enige vorms, sertifikate, gesertifiseerde uittreksels, kennisgewings of registers wat in verband met die registrasie van geboortes, huwelike en sterfgevalle gebruik moet word, **[voorgeskryf word en]** voor te skryf aangaande die doeleindes waarvoor hulle gebruik kan word; aangaande verbeterings of veranderings in en byvoegings by sodanige vorms, sertifikate, kennisgewings of registers of enige vorms, sertifikate, gesertifiseerde uittreksels, kennisgewings of registers wat kragtens hierdie Wet geag word voorgeskryf te wees, en die beskikking daaroor of die veilige bewaring of in goeie toestand hou daarvan;".

Voorbehoud.

22. Iets wat gedoen is kragtens 'n bepaling van die Huwelikswet, 1961, of kragtens 'n bepaling van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963, voordat daardie bepaling deur hierdie Wet gewysig is, word geag kragtens die ooreenstemmende bepaling van hierdie Wet gedoen te gewees het.

Kort titel.

23. Hierdie Wet heet die Wysigingswet op Huwelike, Geboortes en Sterfgevalle, 1986.

Repeal of section 36 of Act 81 of 1963, as substituted by section 35 of Act 58 of 1970.

17. Section 36 of the principal Act is hereby repealed.

Amendment of section 40 of Act 81 of 1963, as substituted by section 40 of Act 58 of 1970 and amended by section 4 of Act 35 of 1982.

18. Section 40 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The marriage officer solemnizing any marriage **[between parties of whom the male is not a Black]**, the parties thereto and at least two competent witnesses shall sign a register and two copies of the register of such marriage in the prescribed form before they leave the premises where the marriage took place.".

Repeal of section 41 of Act 81 of 1963, as amended by section 41 of Act 58 of 1970 and section 4 of Act 35 of 1982.

19. Section 41 of the principal Act is hereby repealed.

Amendment of section 42 of Act 81 of 1963, as amended by section 4 of Act 18 of 1968, section 42 of Act 58 of 1970 and section 4 of Act 35 of 1982.

20. Section 42 of the principal Act is hereby amended by the deletion of the proviso to subsection (1).

Amendment of section 50 of Act 81 of 1963, as substituted by section 44 of Act 58 of 1970 and amended by section 4 of Act 35 of 1982.

21. Section 50 of the principal Act is hereby amended by the substitution for paragraph *(d)* of subsection (1) of the following paragraph:

"*(d)* **[prescribing]** authorizing the Director-General to issue directions and to prescribe any forms, certificates, certified extracts, notices or registers to be used in connection with the registration of births, marriages and deaths and as to the purposes for which they may be used; as to the correction or alteration of and addition to any such forms, certificates, notices or registers or any forms, certificates, certified extracts, notices or registers deemed to have been prescribed under this Act; and for the disposal, safe custody and preservation thereof;".

Saving.

22. Anything done under a provision of the Marriage Act, 1961, or under a provision of the Births, Marriages and Deaths Registration Act, 1963, prior to the amendment of that provision by this Act, is deemed to have been done under the corresponding provision of this Act.

Short title.

23. This Act is called the Marriages, Births and Deaths Amendment Act, 1986.