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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 398. 19 Maart 1969.

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

No. 5 van 1969: Wysigingswet op Burgerlike Beskerming, 1969.

DEPARTMENT OF THE PRIME MINISTER.

No. 398. 19th March, 1969.

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

No. 5 of 1969: Civil Defence Amendment Act, 1969.

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Act No. 5, 1969 CIVIL DEFENCE AMENDMENT ACT, 1969.

ACT

To amend the provisions of the Civil Defence Act, 1966, relating to definitions, the Directorate of Civil Defence, the performance of functions and duties under the said Act, delegation of powers, assistance in connection with the application of that Act and the appointment of committees.

(*Afrikaans text signed by the State President.*)
(*Assented to 6th March*, 1969.)

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 39 of 1966, as amended by section 1 of Act 69 of 1967.

1. Section 1 of the Civil Defence Act, 1966 (hereinafter referred to as the principal Act), is hereby amended by the deletion of the definitions of "director" and "division".

Repeal of section 2 of Act 39 of 1966.

2. Section 2 of the principal Act is hereby repealed.

Amendment of section 3 of Act 39 of 1966, as amended by section 3 of Act 69 of 1967.

3. Section 3 of the principal Act is hereby amended by the substitution in subsection (1) for all the words preceding subparagraph (i) of the following words:

"(1) In order to take measures, other than measures taken under the Public Safety Act, 1953 (Act No. 3 of 1953), the Defence Act, 1957 (Act No. 44 of 1957), or the Police Act, 1958 (Act No. 7 of 1958), for the purpose of—

(*a*) providing the Republic and its inhabitants with regard to a state of emergency with the greatest possible measure of protection and assistance; and

(*b*) combating in the most effective manner civilian disruption during a state of emergency,

the Minister shall, subject to the provisions of subsection (2), have power to take the steps which he deems necessary with regard to—".

Insertion of section 3A in Act 39 of 1966.

4. The following section is hereby inserted in the principal Act after section 3:

"Performance of functions and duties under this Act.

3A. (1) The Minister may, on such terms and conditions as he may determine in consultation with the Minister of Finance, appoint such persons as he may deem necessary to assist him in the performance of his functions and duties under this Act.

(2) Any member of the South African Defence Force may be required to perform any functions or duties under this Act, as if they were functions or duties which he may be required to perform under the Defence Act, 1957 (Act No. 44 of 1957).

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WET

Tot wysiging van die bepalings van die Wet op Burgerlike Beskerming, 1966, met betrekking tot woordomskrywings, die Direktoraat van Burgerlike Beskerming, die verrigting van werksaamhede en pligte ingevolge bedoelde Wet, delegering van bevoegdhede, bystand in verband met die toepassing van daardie Wet en die aanstelling van komitees.

(*Afrikaanse teks deur die Staatspresident geteken.*)
(*Goedgekeur op 6 Maart* 1969.)

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

Wysiging van artikel 1 van Wet 39 van 1966, soos gewysig deur artikel 1 van Wet 69 van 1967.

1. Artikel 1 van die Wet op Burgerlike Beskerming, 1966 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywings van „afdeling" en „direkteur" te skrap.

Herroeping van artikel 2 van Wet 39 van 1966.

2. Artikel 2 van die Hoofwet word hierby herroep.

Wysiging van artikel 3 van Wet 39 van 1966, soos gewysig deur artikel 3 van Wet 69 van 1967.

3. Artikel 3 van die Hoofwet word hierby gewysig deur in subartikel (1) al die woorde voor subparagraaf (i) deur die volgende woorde te vervang:

„(1) Ten einde maatreëls behalwe maatreëls wat getref word kragtens die Wet op Openbare Veiligheid, 1953 (Wet No. 3 van 1953), die Verdedigingswet, 1957 (Wet No. 44 van 1957), of die Polisiewet, 1958 (Wet No. 7 van 1958), te tref met die oogmerk om—

(*a*) aan die Republiek en sy inwoners met betrekking tot 'n noodtoestand die grootste moontlike mate van beskerming en bystand te verleen; en

(*b*) burgerlike ontwrigting tydens 'n noodtoestand op die effektiefste wyse te bekamp,

is die Minister, behoudens die bepalings van subartikel (2), bevoeg om die stappe te doen wat hy nodig ag met betrekking tot—".

Invoeging van artikel 3A in Wet 39 van 1966.

4. (1) Die volgende artikel word hierby in die Hoofwet na artikel 3 ingevoeg:

„Verrigting van werksaamhede en pligte ingevolge hierdie Wet.

3A. (1) Die Minister kan op dié bedinge en voorwaardes wat hy in oorleg met die Minister van Finansies bepaal, dié persone aanstel wat hy nodig ag om hom by te staan by die verrigting van sy werksaamhede en pligte ingevolge hierdie Wet.

(2) 'n Lid van die Suid-Afrikaanse Weermag kan verplig word om werksaamhede of pligte ingevolge hierdie Wet te verrig asof hulle werksaamhede en pligte is wat hy ingevolge die Verdedigingswet, 1957 (Wet No. 44 van 1957), verplig kan word om te verrig.

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(3) The Minister may, in consultation with the Minister or Administrator administering any department of State or provincial administration, designate any officer attached to such department or administration to perform such functions and duties under this Act as the Minister may determine.".

(2) Any person appointed under the repealed section 2 (2) (*b*) of the principal Act, shall be deemed to have been appointed under section 3A (1) of that Act.

Substitution of section 5 of Act 39 of 1966.

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

"Delegation of powers.

5. The Minister may delegate to any person in the service of the State any of the powers conferred upon him in terms of section 3 (1).".

Substitution of section 6 of Act 39 of 1966.

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

"Assistance in connection with application of Act.

6. The Minister may in consultation with the Minister of Finance render to any person who performs or has performed any act in connection with anything done under this Act, such financial assistance with regard to such act as the Minister, after consultation with that person, may determine.".

Amendment of section 8 of Act 39 of 1966.

7. Section 8 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

„(1) The Minister may appoint such committees as he may deem fit, to report to him or to advise him on any matter which he may refer to any such committee.".

Amendment of section 9 of Act 39 of 1966, as amended by section 4 of Act 69 of 1967 and section 71 of Act 85 of 1967.

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

„Provided that the Minister or any person acting under his authority may exempt in the prescribed manner any person from the said training and service.".

Substitution of long title to Act 39 of 1966.

9. The following long title is hereby substituted for the long title to the principal Act:

"To provide for the protection of the Republic and its inhabitants in a state of emergency and for other incidental matters.".

Short title and commencement.

10. This Act shall be called the Civil Defence Amendment Act, 1969, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

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(3) Die Minister kan 'n beampte verbonde aan 'n Staatsdepartement of provinsiale administrasie, in oorleg met die Minister of Administrateur wat daardie departement of administrasie administreer, aanwys om dié werksaamhede en pligte ingevolge hierdie Wet te verrig wat die Minister bepaal.".

(2) 'n Persoon wat kragtens die herroepe artikel 2 (2) (*b*) van die Hoofwet aangestel is, word geag kragtens artikel 3A (1) daarvan aangestel te wees.

5. Artikel 5 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 5 van Wet 39 van 1966.

„Delegering van bevoegdhede.

5. Die Minister kan aan enige persoon in diens van die Staat enige van die bevoegdhede wat kragtens artikel 3 (1) aan hom verleen word, delegeer.".

6. Artikel 6 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 6 van Wet 39 van 1966.

„Bystand in verband met toepassing van Wet.

6. Die Minister kan, in oorleg met die Minister van Finansies, aan 'n persoon wat 'n handeling verrig of verrig het in verband met enigiets kragtens hierdie Wet gedoen, die geldelike bystand ten opsigte van bedoelde handeling verleen wat die Minister na oorlegpleging met daardie persoon bepaal.".

7. Artikel 8 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang: Wysiging van artikel 8 van Wet 39 van 1966.

„(1) Die Minister kan die komitees aanstel wat hy goedvind om aan hom verslag te doen of om hom van advies te dien insake 'n aangeleentheid wat hy na enige sodanige komitee verwys.".

8. Artikel 9 van die Hoofwet word hierby gewysig deur die voorbehoudsbepaling by subartikel (1) deur die volgende voorbehoudsbepaling te vervang: Wysiging van artikel 9 van Wet 39 van 1966, soos gewysig deur artikel 4 van Wet 69 van 1967 en artikel 71 van Wet 85 van 1967.

„Met dien verstande dat die Minister of iemand wat op sy gesag handel op die voorgeskrewe wyse 'n persoon van bedoelde opleiding en diens kan vrystel.".

9. Die lang titel van die Hoofwet word hierby deur die volgende lang titel vervang: Vervanging van lang titel van Wet 39 van 1966.

„Om voorsiening te maak vir die beskerming van die Republiek en sy inwoners tydens 'n noodtoestand en vir ander aangeleenthede wat daarmee in verband staan.".

10. Hierdie Wet heet die Wysigingswet op Burgerlike Beskerming, 1969 en tree in werking op 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal. Kort titel en inwerkingtreding.