



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 409. 17 Maart 1976.

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

No. 4 van 1976: Wysigingswet op Bantoewetgewing, 1976.

No. 409. 17 March 1976.

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

No. 4 of 1976: Bantu Laws Amendment Act, 1976.

WET

Om Wet No. 19 van 1891 van Natal te herroep; tot wysiging van die Bantoe-administrasie Wet, 1927, ten einde te bepaal dat die Bylae by Wet No. 19 van 1891 van Natal van krag bly as Bantoe-reg in Natal; en om die voorlegging aan die Parlement te reël van lyste van proklamasies ingevolge genoemde Bantoe-administrasie Wet uitgereik; tot wysiging van die Bantoe-trust en -grond Wet, 1936, ten einde voorsiening te maak vir die oordrag van sekere Trusteïendom aan selfregerende gebiede; en om voorsiening te maak vir die verhaal van sekere verliese of skade gely deur die Trustfonds ingevolge daardie Wet; tot wysiging van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945, ten einde die bevoegdheid om regulasies uit te vaardig vanaf die Staatspresident op die Minister oor te dra en die Minister se bevoegdheid om te delegeer in dié verband te beperk; tot wysiging van die Wet op Bantoebier, 1962, met betrekking tot woordomsrywings; en om die verkoop van Bantoebier in Bantoe-eeuise te reël; tot wysiging van die Wet op Bantoe-arbeid, 1964, met betrekking tot woordomsrywings; tot wysiging van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Bantoe-tuislande, 1968, ten einde die bevoegdhede van die Bantoe-beleggingskorporasie uit te brei; om voorsiening te maak vir waarborge in verband met sekere lenings; en om die Bantoe-beleggingskorporasie te magtig om 'n aandeelhouer in 'n ontwikkelingskorporasie en 'n korporasie te wees; tot wysiging van die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968, ten einde die kwessie van raadpleging in verband met die intrekking of wysiging van sekere proklamasies te reël; om die wetgewende gesag van wetgewende rade te reël; om die uitvoerende gesag betreffende sekere aangeleenthede te reël; en om die tertafellegging in die Parlement te reël van lyste van proklamasies ingevolge daardie Wet uitgevaardig; tot wysiging van die Wet op Pensioene vir Bantoe-owerheidsdiens, 1971, met betrekking tot woordomsrywings; om 'n keuse aan sekere beamptes van 'n plaaslike bestuur te gee in verband met die erkenning van pensioengewende diens by 'n munisipale pensioenfonds verwerf; en om die betaling van oordragwaardes ten opsigte van pensioengewende diens by 'n munisipale pensioenfonds te reël; tot wysiging van die Grondwet van die Bantoe-tuislande, 1971, ten einde sekere sake te reël ten opsigte van grond wat by die gebied van 'n wetgewende vergadering ingesluit is; om die kwessie van raadpleging in verband met die intrekking of wysiging van sekere proklamasies te reël; om die uitvoerende gesag betreffende sekere aangeleenthede te reël; en om die tertafellegging in die Parlement te reël van lyste van proklamasies ingevolge daardie Wet uitgereik; tot wysiging van die Wet op die Administrasie van Bantoesake, 1971, ten einde die samestelling van Bantoesake-administrasierade te reël; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 4 Maart 1976.)

BANTU LAWS AMENDMENT ACT, 1976

Act No. 4, 1976

ACT

To repeal Natal Law No. 19 of 1891; to amend the Bantu Administration Act, 1927, so as to provide that the Schedule to Natal Law No. 19 of 1891 shall remain in force as Bantu Law in Natal; and to regulate the laying before Parliament of lists of proclamations issued under the said Bantu Administration Act; to amend the Bantu Trust and Land Act, 1936, in order to provide for the transfer of certain Trust property to self-governing territories; and to provide for the recovery of certain losses or damages suffered by the Trust Fund under that Act; to amend the Bantu (Urban Areas) Consolidation Act, 1945, in order to transfer from the State President to the Minister the power to make regulations and in this respect to curtail the Minister's power of delegation; to amend the Bantu Beer Act, 1962, with regard to definitions; and to regulate the sale of Bantu beer in Bantu eating-houses; to amend the Bantu Labour Act, 1964, with regard to definitions; to amend the Promotion of the Economic Development of Bantu Homelands Act, 1968, in order to extend the powers of the Bantu Investment Corporation; to provide for guarantees in connection with certain loans; and to empower the Bantu Investment Corporation to be a shareholder in a development corporation and a corporation; to amend the Development of Self-government for Native Nations in South-West Africa Act, 1968, in order to regulate the matter of consultation in connection with the withdrawal or amendment of certain proclamations; to regulate the legislative authority of legislative councils; to regulate the executive authority concerning certain matters; and to regulate the Tabling in Parliament of lists of proclamations issued under that Act; to amend the Bantu Authorities' Service Pensions Act, 1971, with regard to definitions; to give certain officers of a local authority a choice in connection with the recognition of pensionable service acquired with a municipal pension fund; and to regulate the payment of transfer values in respect of pensionable service with a municipal pension fund; to amend the Bantu Homelands Constitution Act, 1971, in order to regulate certain matters in respect of land included in the area of a legislative assembly; to regulate the matter of consultation in connection with the withdrawal or amendment of certain proclamations; to regulate the executive authority concerning certain matters; and to regulate the Tabling in Parliament of lists of proclamations issued under that Act; to amend the Bantu Affairs Administration Act, 1971, in order to regulate the constitution of Bantu Affairs Administration Boards; and to provide for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 4 March 1976.)

Wet No. 4, 1976

WYSIGINGSWET OP BANTOEWETGEWING, 1976

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

Herroeping van Wet 19 van 1891 van Natal.

1. Wet No. 19 van 1891 van Natal word hierby herroep.

Wysiging van artikel 24 van Wet 38 van 1927.

2. Artikel 24 van die Bantoe-administrasie Wet, 1927, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Nieteenstaande die herroeping van die Natalse Wet No. 19 van 1891 deur artikel 1 van die Wysigingswet op Bantoewetgewing, 1976, bly die Bylae by daardie Wet, soos vervang deur Proklamasie R.195 van 1967, ten volle van krag as Bantoe-reg in Natal en mag die Staatspresident van tyd tot tyd by proklamasie in die *Staatskoerant* die bepalings van bedoelde Bylae, wat bekend sal staan as die Natalse Wetboek van Bantoe-reg, wysig, herroep of vervang: Met dien verstande dat sodanige proklamasie geen geldigheid besit voor een maand na die datum van die afkondiging daarvan in die *Staatskoerant* verloop is.”.

Vervanging van artikel 26 van Wet 38 van 1927.

3. Artikel 26 van die Bantoe-administrasie Wet, 1927, word hierby deur die volgende artikel vervang:

„Lys van proklamasies moet aan Parlement voorgelê word.

26. (1) 'n Lys van proklamasies deur die Staatspresident kragtens hierdie Wet uitgevaardig, moet in beide Parlements-huise ter Tafel gelê word op dieselfde wyse as die lys bedoel in artikel 17 van die Interpretasiewet, 1957 (Wet No. 33 van 1957), en elke sodanige proklamasie is van krag tensy en totdat beide Parlements-huise by besluite in dieselfde sitting geneem, die Staatspresident versoek het om daardie proklamasie te herroep of om sy uitwerking te wysig, in watter geval daardie proklamasie onverwyld herroep of gewysig moet word, na gelang van die geval, deur 'n verdere proklamasie in die *Staatskoerant*.

(2) As die Bantoesakekommissie, ingestel kragtens artikel 2 van die Wet op Bantoesake, 1959 (Wet No. 55 van 1959), 'n bepaling opgeneem in 'n proklamasie wat ingevolge artikel 25 uitgevaardig is, afkeur, dan moet 'n aantekening van daardie afkeuring en die redes waarop dit steun, wanneer die lys van proklamasies in albei Parlements-huise ter Tafel gelê word soos voormeld, gelyktydig aan die Parlement voorgelê word.”.

Vervanging van artikel 4bis van Wet 18 van 1936, soos ingevoeg deur artikel 7 van Wet 46 van 1959.

4. Artikel 4bis van die Bantoe-trust en -grond Wet, 1936, word hierby deur die volgende artikel vervang:

„Oordrag van Trust-eiendom aan self-regerende gebiede.

4bis. Die Staatspresident kan by proklamasie in die *Staatskoerant* gelas dat vanaf 'n datum wat hy bepaal enige reg of verpligting van die Trustee ten opsigte van grond of ander eiendom van die Trust in 'n gebied wat ingevolge die een of ander wet 'n selfregerende gebied binne die Republiek of 'n selfregerende gebied is of was op die regering van so 'n selfregerende gebied oorgaan, en wel onderworpe aan die bepalings van hierdie Wet en die voorwaardes wat in bedoelde proklamasie voorgeskryf word.”.

Invoeging van artikel 9ter in Wet 18 van 1936.

5. (1) Die volgende artikel word hierby in die Bantoe-trust en -grond Wet, 1936, na artikel 9bis ingevoeg:

„Verhaal van verlies of skade.

9ter. Die bepalings van die Skatkis- en Ouditwet, 1975 (Wet No. 66 van 1975), met betrekking tot 'n verlies of skade volgens die bedoeling van artikel 34

BANTU LAWS AMENDMENT ACT, 1976

Act No. 4, 1976

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

1. Law No. 19 of 1891 of Natal is hereby repealed.

Repeal of Law
19 of 1891 of
Natal.

2. Section 24 of the Bantu Administration Act, 1927, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of
section 24 of
Act 38 of 1927.

“(1) Notwithstanding the repeal of Natal Law No. 19 of 1891 by section 1 of the Bantu Laws Amendment Act, 1976, the Schedule to that Act, as substituted by Proclamation R.195 of 1967, shall remain of full force as Bantu Law in Natal, and the State President may from time to time by proclamation in the *Gazette* amend, repeal or substitute the provisions of the said Schedule, which shall be known as the Natal Code of Bantu Law: Provided that no such proclamation shall have any force or effect until one month has elapsed from the date of its promulgation in the *Gazette*.”.

3. The following section is hereby substituted for section 26 of the Bantu Administration Act, 1927:

Substitution of
section 26 of
Act 38 of 1927.

“List of
proclama-
tions to be
laid before
Parliament.

26. (1) A list of proclamations issued by the State President under the authority of this Act shall be laid upon the Tables of both Houses of Parliament in the same manner as the list referred to in section 17 of the Interpretation Act, 1957 (Act No. 33 of 1957), and every such proclamation shall be in operation unless and until both Houses of Parliament have, by resolutions passed in the same session, requested the State President to repeal such proclamation or to modify its operation, in which case such proclamation shall forthwith be repealed or modified, as the case may be, by a further proclamation in the *Gazette*.

(2) If the Bantu Affairs Commission established in terms of section 2 of the Bantu Affairs Act, 1959 (Act No. 55 of 1959), has dissented from any provision contained in a proclamation issued under section 25, the record of, and the reasons for, such dissent shall, when the list of proclamations is laid upon the Tables of both Houses of Parliament as aforesaid, simultaneously be so presented to Parliament.”.

4. The following section is hereby substituted for section 4bis of the Bantu Trust and Land Act, 1936:

Substitution of
section 4bis
of Act 18 of 1936,
as inserted by
section 7 of Act
46 of 1959.

“Transfer
of Trust
property to
self-govern-
ing terri-
tories.

4bis. The State President may by proclamation in the *Gazette* direct that as from a date determined by him any right or obligation of the Trustee in respect of any land or other property of the Trust in an area which is or was in terms of any law a self-governing territory within the Republic or a self-governing territory, shall, subject to the provisions of this Act and the conditions prescribed in such proclamation, vest in the government of such self-governing territory.”.

5. (1) The following section is hereby inserted after section 9bis of the Bantu Trust and Land Act, 1936:

Insertion of
section 9ter in
Act 18 of 1936.

“Recovery
of loss or
damage.

9ter. The provisions of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975), relating to a loss or damage within the meaning of section 34 of

Wet No. 4, 1976

WYSIGINGSWET OP BANTOEWETGEWING, 1976

van daardie Wet, is *mutatis mutandis* van toepassing ten opsigte van 'n ooreenstemmende verlies of skade deur die fonds.”.

(2) Subartikel (1) tree op 1 April 1976 in werking.

Wysiging van artikel 10 van Wet 18 van 1936, soos gewysig deur artikel 5 van Wet 17 van 1939, artikel 11 van Wet 46 van 1962, artikel 2 van Wet 19 van 1970 en artikel 3 van Wet 7 van 1973.

6. (1) Artikel 10 van die Bantoe-trust en -grond Wet, 1936, word hierby gewysig—

(a) deur paragraaf (c) van subartikel (3) deur die volgende paragraaf te vervang:

„(c) word alle grond wat, terwyl die Trust dit besit het, oorgedra of vervreem is aan die regering van 'n gebied wat ingevolge die een of ander wet 'n selfregerende gebied binne die Republiek is of was, geag deur die Trust besit te word;”;

(b) deur die volgende paragraaf na paragraaf (d) van subartikel (3) in te voeg:

„(e) word alle grond, geleë buite 'n afgesonderde Bantoegebied maar binne 'n gebied wat ingevolge een of ander wet 'n selfregerende gebied binne die Republiek was, en wat nie deur die Trust besit word of ingevolge 'n ander bepaling van hierdie artikel geag word deur die Trust besit te word.”.

(2) Subartikel (1) word geag op 1 Julie 1939 in werking te getree het.

Wysiging van artikel 1 van Wet 25 van 1945, soos gewysig deur artikel 23 van Wet 36 van 1957, artikel 20 van Wet 63 van 1962, artikel 39 van Wet 42 van 1964 en artikel 8 van Wet 70 van 1974.

7. Artikel 1 van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945, word hierby gewysig deur die omskrywing van „Minister” deur die volgende omskrywing te vervang:

„Minister” beteken die Minister van Bantoe-administrasie en -ontwikkeling en ook, behalwe met betrekking tot artikel 38 (1), 'n beampte in die Departement van Bantoe-administrasie en -ontwikkeling wat kragtens sy magtiging optree;”.

Wysiging van artikel 38 van Wet 25 van 1945, soos vervang deur artikel 67 van Wet 42 van 1964.

8. Artikel 38 van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945, word hierby gewysig—

(a) deur in subartikel (1) al die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

„(1) Die Minister kan regulasies uitvaardig, wat nie met hierdie Wet onbestaanbaar is nie, betreffende al of enige van die ondervermelde aangeleenthede;”;

(b) deur paragraaf (l) van subartikel (1) te skrap.

Wysiging van artikel 1 van Wet 63 van 1962.

9. Artikel 1 van die Wet op Bantoebier, 1962, word hierby gewysig deur die volgende omskrywing voor die omskrywing van „Bantoe” in te voeg:

„algemene handelaar” ook 'n werkgewer van meer as 25 Bantoes bo die ouderdom van 18 jaar;”.

Wysiging van artikel 5 van Wet 63 van 1962, soos gewysig deur artikel 2 van Wet 30 van 1972 en artikel 11 van Wet 70 van 1974.

10. Artikel 5 van die Wet op Bantoebier, 1962, word hierby gewysig deur die volgende subartikel na subartikel (1A) in te voeg:

„(1B) Die houer van 'n Bantoe-eethuislisensie wat kragtens hierdie artikel skriftelik daartoe deur die Minister gemagtig is, kan verpakte Bantoebier van 'n Bantoesake-administrasieraad of van 'n korporasie, 'n ontwikkelingskorporasie of die beleggingskorporasie soos omskryf in artikel 1 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Bantoe-tuislande, 1968 (Wet No. 46 van 1968), verkry, op alle dae tussen die ure tienuur in die oggend en agtuur in die aand aan iemand verskaf wat *bona fide*, in die Bantoe-eethuis, 'n gewone maaltyd by die eethuis gekoop, neem of staan te neem, om met, of onmiddellik voor of na, die maaltyd verbruik te word: Met dien verstande dat die ure van verskaffing op 'n Sondag

BANTU LAWS AMENDMENT ACT, 1976

Act No. 4, 1976

that Act, shall *mutatis mutandis* apply with reference to any corresponding loss or damage by the fund.”.

(2) Subsection (1) shall come into operation on 1 April 1976.

6. (1) Section 10 of the Bantu Trust and Land Act, 1936, is hereby amended—

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

“(c) all land which, while it was held by the Trust, was transferred or alienated to the government of an area which is or was in terms of any law a self-governing territory within the Republic, shall be deemed to be held by the Trust;” and

(b) by the insertion after paragraph (d) of subsection (3) of the following paragraph:

“(e) all land situated outside a scheduled Bantu area but within an area which was in terms of any law a self-governing territory within the Republic and which is not held by the Trust or which is not in terms of any other provision of this section deemed to be held by the Trust, shall be deemed to be held by the Trust.”.

(2) Subsection (1) shall be deemed to have come into operation on 1 July 1939.

7. Section 1 of the Bantu (Urban Areas) Consolidation Act, 1945, is hereby amended by the substitution for the definition of “Minister” of the following definition:

“‘Minister’ means the Minister of Bantu Administration and Development and includes, except with respect to section 38 (1), any officer of the Department of Bantu Administration and Development acting under his authority;”.

Amendment of section 1 of Act 25 of 1945, as amended by section 23 of Act 36 of 1957, section 20 of Act 63 of 1962, section 39 of Act 42 of 1964 and section 8 of Act 70 of 1974.

8. Section 38 of the Bantu (Urban Areas) Consolidation Act, 1945, is hereby amended—

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

“(1) The Minister may make regulations, not inconsistent with this Act, as to all or any of the following matters;” and

(b) by the deletion of paragraph (l) of subsection (1).

Amendment of section 38 of Act 25 of 1945, as substituted by section 67 of Act 42 of 1964.

9. Section 1 of the Bantu Beer Act, 1962, is hereby amended by the insertion after the definition of “Bantu Beer” of the following definition:

“‘general dealer’ includes an employer of more than 25 Bantu over the age of 18 years;”.

Amendment of section 1 of Act 63 of 1962.

10. Section 5 of the Bantu Beer Act, 1962, is hereby amended by the insertion after subsection (1A) of the following subsection:

“(1B) The holder of a Bantu eating-house licence who has been authorized by the Minister in writing under this section to do so, may supply packaged Bantu beer acquired from a Bantu Affairs Administration Board or from a corporation, a development corporation or the investment corporation as defined in section 1 of the Promotion of the Economic Development of Bantu Homelands Act, 1968 (Act No. 46 of 1968), on all days between the hours of ten o’clock in the morning and eight o’clock in the evening to a person *bona fide* having or about to have, in the Bantu eating-house, an ordinary meal purchased at the eating-house, for consumption with, or immediately before or after, such meal: Provided that the hours of supply on a Sunday or on Christmas Day, Good Friday, Ascension

Amendment of section 5 of Act 63 of 1962, as amended by section 2 of Act 30 of 1972 and section 11 of Act 70 of 1974.

Wet No. 4, 1976

WYSIGINGSWET OP BANTOEWETGEWING, 1976

of op Kersdag, Goeie Vrydag, Hemelvaartdag of Gelofte-
dag tussen twaalfuur middag en halfdrie-uur in die na-
middag en tussen sesuur en agtuur in die aand is."

Wysiging van
artikel 1 van Wet
67 van 1964.

11. Artikel 1 van die Wet op Bantoe-arbeid, 1964, word
hierby gewysig deur die omskrywing van „Minister” deur die
volgende omskrywing te vervang:

„Minister” die Minister van Bantoe-administrasie en
-ontwikkeling en, behalwe met betrekking tot artikels
20A en 28, ook ’n beampste in die Departement van
Bantoe-administrasie en -ontwikkeling wat kragtens
die magtiging van die Minister optree;"

Wysiging van
artikel 4 van
Wet 46 van 1968.

12. Artikel 4 van die Wet op die Bevordering van die Eko-
nomiese Ontwikkeling van Bantoetuislande, 1968, word hierby
gewysig deur na paragraaf (d) van subartikel (1) die volgende
paragraaf in te voeg:

„(dA) om geld uit te leen en om op die voorwaardes wat
die Minister in oorleg met die Minister van Finansies
van die Republiek bepaal, geld op te neem of te leen;"

Invoeging van
artikel 4A in
Wet 46 van 1968.

13. Die volgende artikel word hierby in die Wet op die
Bevordering van die Ekonomiese Ontwikkeling van Bantoetuis-
lande, 1968, na artikel 4 ingevoeg:

„Waarborge 4A. Die Minister kan, op die voorwaardes wat
in verband hy in oorleg met die Minister van Finansies van die
met sekere Republiek bepaal, die terugbetaling van die hoof-
lenings. som van, en die betaling van rente op en koste
aangegaan in verband met, ’n lening wat aangegaan
is of aangegaan staan te word deur die beleggings-
korporasie, ’n ontwikkelingskorporasie of ’n korp-
rasie, waarborg."

Wysiging van
artikel 16 van
Wet 46 van 1968.

14. Artikel 16 van die Wet op die Bevordering van die
Ekonomiese Ontwikkeling van Bantoetuislande, 1968, word
hierby gewysig deur subartikel (3) deur die volgende subartikel
te vervang:

„(3) Slegs die Trust kan ’n aandeelhouer in die beleg-
gingskorporasie word en slegs die Trust en die beleggings-
korporasie kan aandeelhouders in ’n ontwikkelingskorp-
rasie en ’n korporasie word."

Vervanging van
artikel 17 van
Wet 46 van 1968.

15. Artikel 17 van die Wet op die Bevordering van die
Ekonomiese Ontwikkeling van Bantoetuislande, 1968, word
hierby deur die volgende artikel vervang:

„Aanspreek- 17. Die aanspreeklikheid van ’n aandeelhouer in
likheid van die beleggingskorporasie of in ’n ontwikkelings-
aandeel- korporasie of in ’n korporasie word in iedere geval
houer. beperk tot die bedrag wat op die aandele deur hom
gehou, verskuldig is."

Wysiging van
artikel 4 van Wet
54 van 1968,
soos gewysig deur
artikel 5 van
Wet 9 van 1975.

16. Artikel 4 van die Wet op die Ontwikkeling van Self-
bestuur vir Naturellevolke in Suidwes-Afrika, 1968, word
hierby gewysig deur subartikel (3) deur die volgende subartikel
te vervang:

„(3) ’n Proklamasie ingevolge subartikel (1) kan deur die
Staatspresident by proklamasie in die *Staatskoerant* op
versoek van ’n wetgewende raad of na raadpleging tussen
die Minister en die betrokke wetgewende raad ingetrek of
gewysig word."

Wysiging van
artikel 5A van
Wet 54 van 1968,
soos ingevoeg
deur artikel 3 van
Wet 20 van 1973.

17. Artikel 5A van die Wet op die Ontwikkeling van Self-
bestuur vir Naturellevolke in Suidwes-Afrika, 1968, word
hierby gewysig deur paragraaf (f) deur die volgende para-
graaf te vervang:

„(f) spoorweë, hawens, geproklameerde paaie in die mate
wat die Minister van Bantoe-administrasie en -ont-
wikkeling bepaal, en burgerlike lugvaart;"

BANTU LAWS AMENDMENT ACT, 1976

Act No. 4, 1976

Day or the Day of the Covenant shall be between twelve o'clock midday and half past two o'clock in the afternoon and between six o'clock and eight o'clock in the evening."

11. Section 1 of the Bantu Labour Act, 1964, is hereby amended by the substitution for the definition of "Minister" of the following definition: Amendment of section 1 of Act 67 of 1964.

"'Minister' means the Minister of Bantu Administration and Development and, except with respect to sections 20A and 28, includes any officer of the Department of Bantu Administration and Development acting under the authority of the Minister;".

12. Section 4 of the Promotion of the Economic Development of Bantu Homelands Act, 1968, is hereby amended by the insertion after paragraph (d) of subsection (1) of the following paragraph: Amendment of section 4 of Act 46 of 1968.

"(dA) to lend money and, on such conditions as the Minister may determine in consultation with the Minister of Finance of the Republic, to raise or borrow money;".

13. The following section is hereby inserted in the Promotion of the Economic Development of Bantu Homelands Act, 1968, after section 4: Insertion of section 4A in Act 46 of 1968.

"Guarantees in connection with certain loans. 4A. The Minister may, on such conditions as he may determine in consultation with the Minister of Finance of the Republic, guarantee the repayment of the capital of, and the payment of the interest on and any charges incurred in connection with, any loan negotiated or to be negotiated by the investment corporation, a development corporation or a corporation."

14. Section 16 of the Promotion of the Economic Development of Bantu Homelands Act, 1968, is hereby amended by the substitution for subsection (3) of the following subsection: Amendment of section 16 of Act 46 of 1968.

"(3) Only the Trust is capable of becoming a shareholder in the investment corporation and only the Trust and the investment corporation are capable of becoming shareholders in a development corporation and a corporation."

15. The following section is hereby substituted for section 17 of the Promotion of the Economic Development of Bantu Homelands Act, 1968: Substitution of section 17 of Act 46 of 1968.

"Liability of shareholder. 17. The liability of a shareholder in the investment corporation or in a development corporation or in a corporation shall in each case be limited to the amount unpaid on the shares held by it."

16. Section 4 of the Development of Self-government for Native Nations in South-West Africa Act, 1968, is hereby amended by the substitution for subsection (3) of the following subsection: Amendment of section 4 of Act 54 of 1968, as amended by section 5 of Act 9 of 1975.

"(3) A proclamation in terms of subsection (1) may be withdrawn or amended by the State President by proclamation in the *Gazette* at the request of a legislative council or after consultation between the Minister and the legislative council concerned."

17. Section 5A of the Development of Self-government for Native Nations in South-West Africa Act, 1968, is hereby amended by the substitution for paragraph (f) of the following paragraph: Amendment of section 5A of Act 54 of 1968, as inserted by section 3 of Act 20 of 1973.

"(f) railways, harbours, proclaimed roads to the extent determined by the Minister of Bantu Administration and Development, and civil aviation;".

Wet No. 4, 1976

WYSIGINGSWET OP BANTOEWETGEWING, 1976

Wysiging van artikel 10F van Wet 54 van 1968, soos ingevoeg deur artikel 5 van Wet 20 van 1973.

18. Artikel 10F van die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968, word hierby gewysig deur al die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

„Behoudens die bepalings van hierdie Wet, berus al die regte, bevoegdhede, gesag, pligte, verpligtings en werksaamhede wat regtens by 'n Minister of by 'n ander persoon of liggaam in die Republiek of die gebied Suidwes-Afrika berus, en wat betrekking het op aangeleenthede waarvoor die wetgewende raad van 'n gebied ingevolge hierdie Wet op die datum van instelling daarvan bevoeg is, of op 'n datum daarna bevoeg word, om maatreëls te maak, vanaf die betrokke datum in bedoelde gebied by die betrokke uitvoerende raad of die persoon of liggaam, na gelang van die geval, wat soortgelyke bevoegdhede, gesag en werksaamhede in daardie gebied uitoefen of, by ontstentenis van so 'n persoon of liggaam, die persoon of liggaam wat laasgenoemde raad vir die doel aanwys:”.

Vervanging van artikel 10G van Wet 54 van 1968, soos ingevoeg deur artikel 5 van Wet 20 van 1973.

19. Artikel 10G van die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968, word hierby deur die volgende artikel vervang:

„Administratiewe beheer, bevoegdhede, gesag en werksaamhede van uitvoerende raad.

10G. Behoudens die bepalings van hierdie Wet, berus die administratiewe beheer, bevoegdhede, gesag en werksaamhede wat by die Staatspresident berus of deur hom uitgeoefen word met betrekking tot aangeleenthede ten opsigte waarvan die wetgewende raad van 'n gebied ingevolge hierdie Wet op die datum van instelling daarvan bevoeg is, of op 'n datum daarna bevoeg word, om maatreëls te maak, vanaf die betrokke datum in bedoelde gebied by die betrokke uitvoerende raad.”.

Vervanging van artikel 15 van Wet 54 van 1968.

20. Artikel 15 van die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968, word hierby deur die volgende artikel vervang:

„Tertafellegging van lys van proklamasies.

15. 'n Lys van proklamasies wat kragtens hierdie Wet deur die Staatspresident uitgevaardig word, moet in die Senaat en in die Volksraad ter Tafel gelê word op dieselfde wyse as die lys bedoel in artikel 17 van die Interpretasiewet, 1957 (Wet No. 33 van 1957), en indien die Senaat sowel as die Volksraad by besluit, wat gedurende dieselfde sessie geneem is, so 'n proklamasie of 'n bepaling van so 'n proklamasie afkeur, verval die regskrag van dié proklamasie of bepaling, dog sonder om afbreuk te doen aan die geldigheid van iets wat ingevolge so 'n proklamasie of so 'n bepaling gedoen is voor die regskrag daarvan aldus verval het, of aan 'n reg of verpligting wat ingevolge so 'n proklamasie of so 'n bepaling verkry of opgeloopt is voor die regskrag daarvan aldus verval het.”.

Wysiging van die Bylae by Wet 54 van 1968, soos gewysig deur artikel 9 van Wet 23 van 1972, artikel 8 van Wet 20 van 1973 en artikel 6 van Wet 71 van 1974.

21. Die Bylae by die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968, word hierby gewysig—

(a) deur item 7 deur die volgende item te vervang:

„7. Die aanlê en instandhouding van paaie, brûe en afvoerkanale in die mate wat die Minister van Bantoe-administrasie en -ontwikkeling bepaal, en damme en werke wat nodig geag word vir gesondheidsdoeleindes of die versekering van bevredigende watervoorrade of die voorkoming of bestryding van gronderosie.”;

BANTU LAWS AMENDMENT ACT, 1976

Act No. 4, 1976

18. Section 10F of the Development of Self-government for Native Nations in South-West Africa Act, 1968, is hereby amended by the substitution for all the words preceding the proviso of the following words:

Amendment of section 10F of Act 54 of 1968, as inserted by section 5 of Act 20 of 1973.

“Subject to the provisions of this Act, all rights, powers, authorities, duties, obligations and functions which are vested by any law in a Minister or in any other person or body in the Republic or the territory of South-West Africa, and which have reference to matters in respect of which the legislative council of an area is, on the date of its establishment, empowered or becomes, on a later date, empowered to make enactments in terms of this Act, shall, as from the relevant date, in the said area be vested in the executive council concerned, or in the person or body, as the case may be, exercising similar powers, authorities and functions in that area or, in the absence of any such person or body, the person or body designated by the last-mentioned council for the purpose.”.

19. The following section is hereby substituted for section 10G of the Development of Self-government for Native Nations in South-West Africa Act, 1968:

Substitution of section 10G of Act 54 of 1968, as inserted by section 5 of Act 20 of 1973.

“Adminis-
trative con-
trol, powers,
authorities
and func-
tions of
executive
council.

10G. Subject to the provisions of this Act, the administrative control, powers, authorities and functions which are vested in or exercised by the State President in relation to matters in respect of which the legislative council of an area is, on the date of its establishment, empowered or becomes, on a later date, empowered to make enactments in terms of this Act, shall, as from the relevant date, in the said area be vested in the executive council concerned.”.

20. The following section is hereby substituted for section 15 of the Development of Self-government for Native Nations in South-West Africa Act, 1968:

Substitution of section 15 of Act 54 of 1968.

“Tabling of
list of pro-
clamations.

15. A list of proclamations, issued by the State President under this Act shall be laid upon the Table of the Senate and of the House of Assembly in the same manner as the list referred to in section 17 of the Interpretation Act, 1957 (Act No. 33 of 1957), and if both the Senate and the House of Assembly by resolution passed in the same session disapprove of any such proclamation or any provision thereof, such proclamation or provision shall cease to be of force and effect, but without prejudice to the validity of anything done in terms of such proclamation or such provision before it so ceased to be of force and effect, or to any right or liability acquired or incurred in terms of such proclamation or such provision before it so ceased to be of force and effect.”.

21. The Schedule to the Development of Self-government for Native Nations in South-West Africa Act, 1968, is hereby amended—

Amendment of the Schedule to Act 54 of 1968, as amended by section 9 of Act 23 of 1972, section 8 of Act 20 of 1973 and section 6 of Act 71 of 1974.

(a) by the substitution for item 7 of the following item:

“7. The construction and maintenance of roads, bridges and furrows to the extent determined by the Minister of Bantu Administration and Development, and dams and any works considered necessary for purposes of sanitation or of securing a satisfactory water supply or of preventing or combating soil erosion.”;

Wet No. 4, 1976

WYSIGINGSWET OP BANTOEWETGEWING, 1976

- (b) deur item 20F deur die volgende item te vervang:
 „20F. Die reëling en beheer van padverkeer, met inbegrip van die lisensiëring en beheer van voertuie en die bestuurders van voertuie, maar met uitsondering, behoudens die bepalings van item 20FA, van alle aangeleenthede wat in die Motortransportwet, 1930 (Wet No. 39 van 1930), of die Wet op Verpligte Motorvoertuigversekering, 1972 (Wet No. 56 van 1972), handel word.”; en
- (c) deur na genoemde item 20F die volgende item in te voeg:
 „20FA. Met ingang van 'n datum wat deur die Minister van Bantoe-administrasie en -ontwikkeling by kennisgewing in die *Staatskoerant* ten opsigte van 'n bepaalde gebied bepaal word, motortransport: Met dien verstande dat indien die Motortransportwet, 1930 (Wet No. 39 van 1930), in die betrokke gebied van toepassing bly na 'n datum deur die Minister aldus bepaal, daar geen appèl ingevolge artikel 6 (2) van genoemde Wet na die Raad daarin vermeld, is nie: Met dien verstande voorts dat na 'n datum aldus deur die Minister bepaal, genoemde Motortransportwet, 1930, in alle gevalle van toepassing bly in die betrokke gebied ten opsigte van 'n sertifikaat of vrystelling daarkragtens verleen voor dié datum, maar so 'n verleende sertifikaat of vrystelling verval op die 30ste Junie wat onmiddellik op dié datum volg.”.

Wysiging van artikel 1 van Wet 6 van 1971, soos gewysig deur artikel 26 van Wet 20 van 1972.

22. (1) Artikel 1 van die Wet op Pensioene vir Bantoe-owerheidsdiens, 1971, word hierby gewysig deur die omskrywing van „munisipale pensioenfondse” in subartikel (1) deur die volgende omskrywing te vervang:

„„munisipale pensioenfondse” 'n superannuasie-, pensioen-, ondersteunings- of voorsorgfonds of -skema waarmee 'n plaaslike bestuur geassosieer is of wat deur 'n plaaslike bestuur ten voordele van sy werknemers, of by of kragtens 'n ordonnansie ten voordele van die werknemers van een of meer plaaslike besture, ingestel is en wat, in die geval van die werknemers van 'n plaaslike bestuur wat nie 'n in artikel 84 (1) (f) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), bedoelde instelling, raad of liggaam is nie, deur die Minister vir die doeleindes van hierdie Wet goedgekeur is;”.

(2) Subartikel (1) word geag op 1 April 1975 in werking te getree het.

Wysiging van artikel 3 van Wet 6 van 1971.

23. (1) Artikel 3 van die Wet op Pensioene vir Bantoe-owerheidsdiens, 1971, word hierby gewysig—

- (a) deur paragrafe (a) en (b) van subartikel (7) deur die volgende paragrafe te vervang:
 „(a) die tydperk van so iemand se diens, wat ingevolge sodanige ordonnansie of reëls as pensioengewende diens erken word, by sy pensioengewende diens vir die doeleindes van die pensioenfondse of van die superannuasiefonds, na gelang van die geval, ingesluit tensy so iemand voor die betrokke datum van oorname die Sekretaris skriftelik in kennis stel dat hy verlang dat sy vorige pensioengewende diens nie ingevolge hierdie subartikel as pensioengewende diens gereken moet word nie;
- (b) uit die betrokke munisipale pensioenfondse aan die pensioenfondse of aan die superannuasiefonds, na gelang van die geval, 'n bedrag betaal wat gelyk is aan die oordragwaarde wat kragtens sodanige ordonnansie of reëls betaalbaar sou gewees het as so iemand oorgeplaas was na, of

BANTU LAWS AMENDMENT ACT, 1976

Act No. 4, 1976

- (b) by the substitution for item 20F of the following item:

"20F. The regulation and control of road traffic, including the licensing and control of vehicles and the drivers of vehicles, but excluding, subject to the provisions of item 20FA, all matters dealt with in the Motor Carrier Transportation Act, 1930 (Act No. 39 of 1930), or the Compulsory Motor Vehicle Insurance Act, 1972 (Act No. 56 of 1972)."; and

- (c) by the insertion after the said item 20F of the following item:

"20FA. With effect from a date to be determined by the Minister of Bantu Administration and Development by notice in the *Gazette* in respect of any particular area, motor carrier transportation: Provided that if the Motor Carrier Transportation Act, 1930 (Act No. 39 of 1930), continues to apply in the area in question after a date so determined by the Minister, there shall be no appeal in terms of section 6 (2) of the said Act to the Board referred to therein: Provided further that after a date so determined by the Minister the said Motor Carrier Transportation Act, 1930, shall in all cases continue to apply in the area in question in respect of any certificate or exemption granted thereunder prior to such date, but any certificate or exemption so granted shall lapse on the 30th June immediately following upon such date."

22. (1) Section 1 of the Bantu Authorities' Service Pensions Act, 1971, is hereby amended by the substitution in subsection (1) for the definition of "municipal pension fund" of the following definition:

Amendment of section 1 of Act 6 of 1971, as amended by section 26 of Act 20 of 1972.

"'municipal pension fund' means any superannuation, pension or provident fund or scheme with which a local authority is associated or which has been established by a local authority for the benefit of its employees, or by or under any ordinance for the benefit of the employees of one or more local authorities and which, in the case of the employees of a local authority which is not an institution, council or body referred to in section 84 (1) (f) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), has been approved by the Minister for the purposes of this Act;"

(2) Subsection (1) shall be deemed to have come into operation on 1 April 1975.

23. (1) Section 3 of the Bantu Authorities' Service Pensions Act, 1971, is hereby amended—

Amendment of section 3 of Act 6 of 1971.

- (a) by the substitution for paragraphs (a) and (b) of subsection (7) of the following paragraphs:

"(a) the period of such person's service recognized in terms of such ordinance or rules as pensionable service, shall be included in such person's pensionable service for the purposes of the pension fund or of the superannuation fund, as the case may be, unless such a person notifies the Secretary in writing before the relative date of take-over that he does not wish his previous pensionable service to be reckoned as pensionable service in terms of this subsection;

- (b) an amount equal to the transfer value which would have been payable in terms of such ordinance or rules if such person had been transferred or directly appointed to the service of any other local authority having a different municipal pension fund or associated with a different

Wet No. 4, 1976

WYSIGINGSWET OP BANTOEWETGEWING, 1976

regstreeks aangestel was in, die diens van 'n ander plaaslike bestuur wat 'n ander munisipale pensioenfonds het of met 'n ander munisipale pensioenfonds geassosieer is, of, indien geen bedrag aldus betaalbaar sou gewees het nie, 'n bedrag wat die Minister na oorleg met die bestuur van die betrokke munisipale pensioenfonds, met behoorlike inagneming van die omstandighede van 'n bepaalde geval of kategorie van gevalle, bepaal;"; en

- (b) deur die volgende subartikel na subartikel (7) in te voeg:

„(7A) Indien die totaal van die bedrae wat ingevolge paragrawe (b) en (c) van subartikel (7) aan die pensioenfonds of die superannuasiefonds betaal moet word—

- (a) minder is as die bedrag wat ingevolge die regulasies betreffende die pensioenfonds of die superannuasiefonds, na gelang van die geval, ten opsigte van die betrokke lid van 'n munisipale pensioenfonds se vorige pensioengewende diens betaal moet word ten einde sodanige vorige pensioengewende diens vir die doeleindes van die pensioenfonds of superannuasiefonds te reken, word die tekort uit inkomste aan die pensioenfonds of superannuasiefonds, na gelang van die geval, betaal;

- (b) meer is as die bedrag in paragraaf (a) bedoel, word die oorskot deur die munisipale pensioenfonds aan die betrokke lid betaal.”.

(2) Subartikel (1) word geag op 1 April 1975 in werking te getree het.

Invoeging van artikel 1A in Wet 21 van 1971.

24. Die volgende artikel word hierby in die Grondwet van die Bantoetuislande, 1971, na artikel 1 ingevoeg:

„Bepalings betreffende gebiede by die gebied van 'n wetgewende vergadering ingesluit na die eerste wetgewende vergadering vir die gebied ingestel is.

1A. (1) Ten opsigte van 'n gebied wat na die instelling van die eerste wetgewende vergadering vir 'n gebied by laasgenoemde gebied ingesluit is—

- (a) word die verwysing in artikel 3 (3) na „na die samestelling van die eerste uitvoerende raad vir 'n gebied', of in artikel 11 na „die datum waarop die eerste uitvoerende raad vir 'n gebied saamgestel word', of in artikel 12 na „die datum van die samestelling van die eerste uitvoerende raad vir 'n gebied', of in artikel 13 (1) na „die datum waarop die eerste uitvoerende raad ingevolge hierdie Wet ingestel is', of in artikel 14 (1) na „die datum waarop die eerste uitvoerende raad vir daardie gebied saamgestel word', of in artikel 18 na „onmiddellik voor die samestelling van die eerste uitvoerende raad', of in artikel 21 na „onmiddellik voor die datum waarop die eerste uitvoerende raad vir 'n gebied saamgestel word', of in artikel 22 na „onmiddellik voor die datum van die samestelling van die eerste uitvoerende raad', of in artikel 24 (2) na „onmiddellik voor die instelling van 'n wetgewende vergadering' of na „vanaf die datum van die instelling van die wetgewende vergadering', of in artikel 30 (3) na „na die datum waarop 'n gebied ingevolge artikel 26 tot 'n selfregerende gebied verklaar word', vertolk as 'n verwysing na die datum waarop bedoelde gebied aldus ingesluit is;

- (b) word die verwysing in artikel 21 na „die Republiek' geag ook 'n verwysing te wees na die gebied aldus ingesluit;

BANTU LAWS AMENDMENT ACT, 1976

Act No. 4, 1976

municipal pension fund, shall be paid out of the municipal pension fund concerned to the pension fund or to the superannuation fund, as the case may be or, if no amount would have been so payable, an amount which the Minister determines after consultation with the management of the municipal pension fund concerned, with due regard to the circumstances of a specified case or category of cases;"; and

- (b) by the insertion after subsection (7) of the following subsection:

"(7A) If the total of the amounts payable to the pension fund or the superannuation fund in terms of paragraphs (b) and (c) of subsection (7)—

- (a) is less than the amount payable in terms of the regulations governing the pension fund or the superannuation fund, as the case may be, in respect of the previous pensionable service of the member of a municipal pension fund concerned in order to reckon such previous pensionable service for the purposes of the pension fund or superannuation fund, the deficiency shall be paid from revenue to the pension fund or superannuation fund, as the case may be;
- (b) exceeds the amount referred to in paragraph (a), the surplus shall be paid to the member concerned by the municipal pension fund."

(2) Subsection (1) shall be deemed to have come into operation on 1 April 1975.

24. The following section is hereby inserted in the Bantu Homelands Constitution Act, 1971, after section 1:

Insertion of
section 1A in
Act 21 of 1971.

"Provisions relating to areas included in the area of a legislative assembly after the establishment of the first legislative assembly for the area.

1A. (1) In respect of any area included in an area after the establishment of the first legislative assembly for the last-mentioned area—

- (a) the reference in section 3 (3) to 'after the constitution of the first executive council for an area', or in sections 11 and 12 to 'the date on which the first executive council for an area is constituted', or in section 13 (1) to 'the date on which the first executive council is constituted in terms of this Act', or in section 14 (1) to 'the date on which the first executive council is constituted for such area', or in section 18 to 'immediately prior to the constitution of the first executive council', or in sections 21 and 22 to 'immediately prior to the date of the constitution of the first executive council for an area', or in section 24 (2) to 'immediately prior to the establishment of a legislative assembly' or to 'from the date of the establishment of the legislative assembly', or in section 30 (3) to 'after the date on which an area is in terms of section 26 declared a self-governing territory', shall be construed as a reference to the date on which such area was so included;
- (b) the reference in section 21 to 'the Republic' shall be deemed to include a reference to the area so included;

Wet No. 4, 1976

WYSIGINGSWET OP BANTOEWETGEWING, 1976

- (c) word 'n verwysing in hierdie Wet na ,hoofkapteins', ,kapteins' of ,hoofmanne' geag 'n verwysing te wees na hoofkapteins, kapteins of hoofmanne, na gelang van die geval, wat behoorlik erken of aangestel is ingevolge 'n wet wat in die gebied aldus ingesluit van krag is; en
- (d) word 'n verwysing in hierdie Wet na ,stamowerheid' of ,streeksowerheid' geag 'n verwysing te wees na 'n stamowerheid of streeksowerheid, na gelang van die geval, wat behoorlik ingestel is ingevolge 'n wet wat in die gebied aldus ingesluit van krag is."

Wysiging van artikel 2 van Wet 21 van 1971.

25. Artikel 2 van die Grondwet van die Bantoetuislande, 1971, word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

„(3) 'n Proklamasie ingevolge subartikel (1) kan deur die Staatspresident op versoek van 'n wetgewende vergadering of na raadpleging deur die Minister van die betrokke wetgewende vergadering, by proklamasie in die *Staatskoerant* ingetrek of gewysig word."

Wysiging van artikel 21 van Wet 21 van 1971.

26. Artikel 21 van die Grondwet van die Bantoetuislande, 1971, word hierby gewysig deur al die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

„Behoudens die bepalings van hierdie Wet, berus alle regte, bevoegdhede, gesag, pligte, verpligtings en werksaamhede wat regtens by 'n Minister of by 'n ander persoon of liggaam in die Republiek berus, en wat betrekking het op aangeleenthede waaroor die wetgewende vergadering van 'n gebied kragtens hierdie Wet op die datum van samestelling van die eerste uitvoerende raad vir daardie gebied bevoeg is, of op 'n datum daarna bevoeg word, om wette te maak, vanaf die betrokke datum in bedoelde gebied by die uitvoerende raad of die persoon of liggaam, na gelang van die geval, wat soortgelyke bevoegdhede, gesag en werksaamhede in bedoelde gebied uitoefen of, by ontstentenis van so 'n persoon of liggaam, die persoon of liggaam wat laasgenoemde raad vir die doel aanwys:"

Vervanging van artikel 22 van Wet 21 van 1971.

27. Artikel 22 van die Grondwet van die Bantoetuislande, 1971, word hierby deur die volgende artikel vervang:

„Administratiewe beheer, bevoegdhede, magte en werksaamhede van uitvoerende raad.

22. Behoudens die bepalings van hierdie Wet, berus die administratiewe beheer, bevoegdhede, magte en werksaamhede (uitgesonderd wetgewende bevoegdhede) wat by die Staatspresident berus of deur hom uitgeoefen word met betrekking tot aangeleenthede ten opsigte waarvan die wetgewende vergadering van 'n gebied ingevolge hierdie Wet op die datum van samestelling van die eerste uitvoerende raad vir daardie gebied bevoeg is, of op 'n datum daarna bevoeg word, om wette te maak, vanaf die betrokke datum in bedoelde gebied by die uitvoerende raad daarvan."

Vervanging van artikel 37 van Wet 21 van 1971.

28. Artikel 37 van die Grondwet van die Bantoetuislande, 1971, word hierby deur die volgende artikel vervang:

„Tertafellegging van lys van proklamasies.

37. 'n Lys van proklamasies wat kragtens hierdie Wet deur die Staatspresident uitgevaardig word, moet in die Senaat en in die Volksraad ter Tafel gelê word op dieselfde wyse as die lys bedoel in artikel 17 van die Interpretasiewet, 1957 (Wet No. 33 van 1957), en indien sowel die Senaat as die Volksraad by besluit, wat gedurende dieselfde sessie geneem is, so 'n proklamasie of 'n bepaling van so 'n proklamasie afkeur, vervel die regskrag van die proklamasie of

BANTU LAWS AMENDMENT ACT, 1976

Act No. 4, 1976

- (c) any reference in this Act to 'paramount chiefs', 'chiefs' or 'headmen' shall be deemed to be a reference to paramount chiefs, chiefs or headmen, as the case may be, duly recognized or appointed in terms of any law in force in the area so included; and
- (d) any reference in this Act to 'tribal authority' or 'regional authority' shall be deemed to be a reference to a tribal authority or a regional authority, as the case may be, duly established in terms of any law in force in the area so included."

25. Section 2 of the Bantu Homelands Constitution Act, 1971, is hereby amended by the substitution for subsection (3) of the following subsection: Amendment of section 2 of Act 21 of 1971.

"(3) A proclamation in terms of subsection (1) may be withdrawn or amended by the State President by proclamation in the *Gazette* at the request of a legislative assembly or after consultation by the Minister with the legislative assembly concerned."

26. Section 21 of the Bantu Homelands Constitution Act, 1971, is hereby amended by the substitution for all the words preceding the proviso of the following words: Amendment of section 21 of Act 21 of 1971.

"Subject to the provisions of this Act, all rights, powers, authorities, duties, obligations and functions which are vested by any law in a Minister or in any other person or body in the Republic, and which have reference to matters in respect of which the legislative assembly of an area is, on the date of the constitution of the first executive council for that area, empowered or becomes, on a later date, empowered to make laws in terms of this Act, shall, as from the relevant date, in the said area, be vested in the executive council or in the person or body, as the case may be, exercising similar powers, authorities and functions in the said area or, in the absence of any such person or body, the person or body designated by the last-mentioned council for the purpose:"

27. The following section is hereby substituted for section 22 of the Bantu Homelands Constitution Act, 1971: Substitution of section 22 of Act 21 of 1971.

"Administrative control, powers, authorities and functions of executive council. 22. Subject to the provisions of this Act, the administrative control, powers, authorities and functions (other than legislative powers) which are vested in or exercised by the State President in relation to matters in respect of which the legislative assembly of an area is, on the date of the constitution of the first executive council for that area, empowered or becomes, on a later date, empowered to make laws in terms of this Act, shall, as from the relevant date, in the said area be vested in its executive council."

28. The following section is hereby substituted for section 37 of the Bantu Homelands Constitution Act, 1971: Substitution of section 37 of Act 21 of 1971.

"Tabling of list of proclamations. 37. A list of proclamations issued by the State President under this Act shall be laid upon the Table of the Senate and of the House of Assembly in the same manner as the list referred to in section 17 of the Interpretation Act, 1957 (Act No. 33 of 1957), and if both the Senate and the House of Assembly by resolution passed in the same session disapprove of any such proclamation or any provision thereof,

Wet No. 4, 1976

WYSIGINGSWET OP BANTOEWETGEWING, 1976

bepaling, dog sonder om afbreuk te doen aan die geldigheid van iets wat ingevolge so 'n proklamasie of so 'n bepaling gedoen is voor die regsrag daarvan aldus verval het, of aan 'n reg of verpligting wat ingevolge so 'n proklamasie of so 'n bepaling verkry of opgeloo is voor die regsrag daarvan aldus verval het.”.

Wysiging van artikel 3 van Wet 45 van 1971, soos gewysig deur artikel 16 van Wet 7 van 1973.

29. Artikel 3 van die Wet op die Administrasie van Bantoesake, 1971, word hierby gewysig—

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

„(c) een of meer aangestel word ooreenkomstig die bepalings van subartikel (2); en”; en

(b) deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

„(a) moet 'n lid wees of gewees het van 'n in artikel 11 (1) (e) beoogde liggaam wie se hele regsgebied of deel daarvan in die raad se administrasiegebied opgeneem is;”.

Wysiging van artikel 4 van Wet 45 van 1971.

30. Artikel 4 van die Wet op die Administrasie van Bantoesake, 1971, word hierby gewysig deur paragraaf (e) van subartikel (2) deur die volgende paragraaf te vervang:

„(e) indien hy ingevolge artikel 3 (1) (d) aangestel is en op hou om die kwalifikasie te besit uit hoofde waarvan hy as 'n lid van die raad aangestel is.”.

Kort titel.

31. Hierdie Wet heet die Wysigingswet op Bantoe wetgewing, 1976.

BANTU LAWS AMENDMENT ACT, 1976

Act No. 4, 1976

such proclamation or provision shall cease to be of force and effect, but without prejudice to the validity of anything done in terms of such proclamation or such provision before it so ceased to be of force and effect, or to any right or liability acquired or incurred in terms of such proclamation or such provision before it so ceased to be of force and effect.”.

29. Section 3 of the Bantu Affairs Administration Act, 1971, is hereby amended—

(a) by the substitution for paragraph (c) of subsection (1) of the following paragraph: Amendment of section 3 of Act 45 of 1971, as amended by section 16 of Act 7 of 1973.

“(c) one or more shall be appointed in accordance with the provisions of subsection (2); and”;

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

“(a) shall be or shall have been a member of a body contemplated in section 11 (1) (e) the whole or part of whose area of jurisdiction is included in the board's administration area;”.

30. Section 4 of the Bantu Affairs Administration Act, 1971, is hereby amended by the substitution for paragraph (e) of subsection (2) of the following paragraph: Amendment of section 4 of Act 45 of 1971.

“(e) if he was appointed in terms of section 3 (1) (d) and ceases to hold the qualification by virtue of which he was appointed as a member of a board.”.

31. This Act shall be called the Bantu Laws Amendment Act, Short title. 1976.

