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STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

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PROKLAMASIES

van die Staatspresident van die Republiek van Suid-Afrika

No. R. 249, 1977

WYSIGING VAN (1) DIE WYSIGINGSWET OP AANGELEENTHEDE VAN SUIDWES-AFRIKA, 1949, (2) DIE GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1961, EN (3) DIE WET OP DIE KONSTITUSIE VAN SUIDWES-AFRIKA, 1968

Kragtens artikel 38 van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968), wysig ek hierby—

(1) die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1949 (Wet 23 van 1949), deur—

(a) met ingang van 29 November 1977 artikels 27 tot 33 te herroep; en

(b) paragrawe (bA) en (bB) van artikel 34 te skrap;

(2) met ingang van 29 November 1977 die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), deur—

(a) in subartikel (1) van artikel 28 die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

"(1) Die Senaat bestaan uit—";

(b) subartikel (2) van artikel 33 deur die volgende subartikel te vervang:

"(2) By so 'n ontbinding van die Senaat ontruim al die lede van die Senaat hul setels.";

(c) subartikel (3) van genoemde artikel 33 deur die volgende subartikel te vervang:

"(3) 'n Senator wat kragtens artikel 28 benoem is, ontruim sy setel, behoudens die bepalings van hierdie Wet en enige ander wetsbepalings, indien die Eerste Minister sy amp ontruim en iemand anders Eerste Minister word en die Staatspresident in die *Staatskoerant* 'n kennisgewing publiseer dat 'n verandering van Regering plaasgevind het."; en

(d) die woord "en" aan die einde van paragraaf (a), en paragraaf (b), van subartikel (1) van artikel 40 te skrap; en

PROCLAMATIONS

by the State President of the Republic of South Africa

No. R. 249, 1977

AMENDMENT OF (1) THE SOUTH-WEST AFRICA AFFAIRS AMENDMENT ACT, 1949, (2) THE REPUBLIC OF SOUTH AFRICA CONSTITUTION ACT, 1961, AND (3) THE SOUTH-WEST AFRICA CONSTITUTION ACT, 1968

Under section 38 of the South-West Africa Constitution Act, 1968 (Act 39 of 1968), I hereby amend—

(1) the South-West Africa Affairs Amendment Act, 1949 (Act 23 of 1949), by—

(a) the repeal of sections 27 to 33 with effect from 29 November 1977; and

(b) the deletion of paragraphs (bA) and (bB) of section 34;

(2) with effect from 29 November 1977, the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), by—

(a) the substitution in subsection (1) of section 28 for the words preceding paragraph (a) of the following words:

"(1) The Senate shall consist of—";

(b) the substitution for subsection (2) of section 33 of the following subsection:

"(2) Upon any such dissolution of the Senate all the members of the Senate shall vacate their seats.";

(c) the substitution for subsection (3) of the said section 33 of the following subsection:

"(3) Any senator nominated in terms of section 28 shall, subject to the provisions of this Act and any other law, vacate his seat if the Prime Minister vacates his office and another person becomes Prime Minister and the State President publishes a notice in the *Gazette* that a change of Government has occurred."; and

(d) the deletion of the word "and" at the end of paragraph (a), and of paragraph (b), of subsection (1) of section 40; and

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(3) met ingang van 29 November 1977 die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968), deur—

(a) subartikel (1) van artikel 10 deur die volgende subartikel te vervang:

"(1) Wanneer 'n afbakening van kiesafdelings ingevolge artikel 42 (1) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), in die Republiek moet plaasvind, stel die Staatspresident 'n regter van die Suidwes-Afrika-afdeling van die Hooggeregshof van Suid-Afrika en twee regters van 'n ander sodanige afdeling as kommissarisse aan ten einde die gebied in kiesafdelings te verdeel vir die verkiesing van lede van die Vergadering.";

(b) die woord "en" aan die einde van paragraaf (a), en paragraaf (b), van subartikel (2) van genoemde artikel 10 te skrap; en

(c) die woord "en" aan die einde van paragraaf (a), en paragraaf (b), van subartikel (3) van genoemde artikel 10 te skrap.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Drie-en-twintigste dag van September Eenduisend Negehonderd Seween-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

B. J. VORSTER.

No. R. 250, 1977

VOORSIENING VIR PERSOON WAT LID VIR KIESAFDELING WALVISBAAI WAS

Kragtens artikel 38 van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968), maak ek hierby die wet wat hieronder uiteengesit is:

Ondanks Proklamasie R. 202 van 1977 bly die persoon wat in die kiesafdeling Walvisbaai as lid vir daardie kiesafdeling gekies is, aan as lid van die Wetgewende Vergadering van die gebied Suidwes-Afrika.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Drie-en-twintigste dag van September Eenduisend Negehonderd Seween-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

B. J. VORSTER.

No. R. 251, 1977

VERRIGTING VAN WERKSAAMHEDE DEUR PERSONE IN DIENS VAN DIE STAAT, ONDER DIE GESAG VAN DIE ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

Kragtens artikel 38 van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968), en ondanks andersluidende wetsbepalings—

(1) bepaal ek dat, wanneer die administrasie van die sake van die gebied Suidwes-Afrika met betrekking tot die een of ander aangeleentheid van 'n Minister van die Republiek van Suid-Afrika aan die Administrateur-generaal oorgedra is, alle bevoegdhede, pligte en werksaamhede wat met betrekking tot daardie aangeleentheid aan 'n persoon in diens van die Staat opgedra is by 'n wet wat deur die Administrateur-generaal gemaak is of by 'n ander wet wat op genoemde gebied betrekking het of daarin geld of met die administrasie daarvan of die administrasie van daardie aangeleentheid

(3) with effect from 29 November 1977, the South-West Africa Constitution Act, 1968 (Act 39 of 1968), by—

(a) the substitution for subsection (1) of section 10 of the following subsection:

"(1) Whenever a delimitation of electoral divisions is required to be made in the Republic in terms of section 42 (1) of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), the State President shall appoint a judge of the South-West Africa Division of the Supreme Court of South Africa and two judges of any other such division, as commissioners for the purpose of dividing the territory into electoral divisions for the election of members of the Assembly.";

(b) the deletion of the word "and" at the end of paragraph (a), and of paragraph (b), of subsection (2) of the said section 10; and

(c) the deletion of the word "and" at the end of paragraph (a), and of paragraph (b), of subsection (3) of the said section 10.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-third day of September, One thousand Nine hundred and Seventy-seven.

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

B. J. VORSTER.

No. R. 250, 1977

PROVISION FOR PERSON WHO WAS MEMBER FOR ELECTORAL DIVISION OF WALVIS BAY

Under section 38 of the South-West Africa Constitution Act, 1968 (Act 39 of 1968), I hereby make the law set out hereunder:

Notwithstanding Proclamation R. 202 of 1977, the person who has in the electoral division of Walvis Bay been elected as a member for that electoral division shall continue to be a member of the Legislative Assembly of the territory of South-West Africa.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-third day of September, One thousand Nine hundred and Seventy-seven.

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

B. J. VORSTER.

No. R. 251, 1977

PERFORMANCE OF FUNCTIONS BY PERSONS IN THE SERVICE OF THE STATE, UNDER THE AUTHORITY OF THE ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH-WEST AFRICA

Under section 38 of the South-West Africa Constitution Act, 1968 (Act 39 of 1968), and notwithstanding anything to the contrary in any law contained—

(1) I determine that, when the administration of the affairs of the territory of South-West Africa relating to any matter has been transferred from a Minister of the Republic of South Africa to the Administrator-General, all powers, duties and functions assigned with reference to that matter to any person in the service of the State by any law made by the Administrator-General or by any other law relating to or applying in the said territory or connected with its administration or the administration of such matter by any authority in

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deur 'n gesag daarin in verband staan, deur dié persoon uitgeoefen of verrig moet word ooreenkomstig die bepalings van die wet aldus gemaak of, vir sover dit die sake van genoemde gebied met betrekking tot daardie aangeleentheid betref, ooreenkomstig die bepalings van daardie ander wet soos deur die Administrateur-generaal by proklamasie in die *Offisiële Koerant* van daardie gebied gewysig of aangepas;

(2) magtig ek die Ouditeur-generaal van die Republiek van Suid-Afrika in artikel 41 van die Skatkis- en Ouditwet, 1975 (Wet 66 van 1975), bedoel, om, indien hy deur die Administrateur-generaal daartoe aangesê word, die ouditering van 'n rekening wat op die administrasie van die sake van genoemde gebied ten opsigte van daardie aangeleentheid betrekking het, te onderneem.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Drie-en-twintigste dag van September Eenduisend Negehonderd Seweën-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

B. J. VORSTER.

it, shall be exercised or performed by that person in accordance with the provisions of the law so made or, in so far as the affairs of the said territory relating to such matter are concerned, in accordance with the provisions of such other law as amended or adjusted by the Administrator-General by proclamation in the *Official Gazette* of the said territory;

(2) I authorize the Auditor-General of the Republic of South Africa, referred to in section 41 of the Exchequer and Audit Act, 1975 (Act 66 of 1975), if so directed by the Administrator-General, to undertake the auditing of any account appertaining to the administration of the affairs of the said territory in respect of such matter.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-third day of September, One thousand Nine hundred and Seventy-seven.

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

B. J. VORSTER.

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