

BUITENGEWONE



EXTRAORDINARY

Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

THE UNION OF SOUTH AFRICA

Government Gazette

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CAPE TOWN, 23RD JUNE, 1950.**

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KANTOOR VAN DIE EERSTE MINISTER.

OFFICE OF THE PRIME MINISTER.

Onderstaande Goewermentskennisgewing word ter algemene inligting gepubliseer:—

The following Government Notice is published for general information:—

No. 1446.] [23 Junie 1950.

No. 1446.] [23rd June, 1950.

Hierby word bekendgemaak dat dit Sy Eksellensie die Amptenaar Belas met die Uitoeffening van die Uitvoerende Gesag behaag het om sy goedkeuring te heg aan onderstaande Wet, wat hierby ter algemene inligting gepubliseer word:—

It is hereby notified that His Excellency the Officer Administering the Government has been pleased to assent to the following Act, which is hereby published for general information:—

No. 36 van 1950: Finansiewet, 1950 2

BLADSY

No. 36 of 1950: Finance Act, 1950 2

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No. 36, 1950.]

WET

Om voorsiening te maak vir die toewysing van die winste wat uit die herwaardering van die goudreserwes van die Suid-Afrikaanse Reserwebank ontstaan; vir die oorpasing van die saldo op die Goudprysreëlingsrekening na die Leningsrekening; vir die besteding van die saldo op die Premie- en Kosterekening; vir die verkryging en aflossing van sekere effekte; vir die afskrywing van sekere bedrae verskuldig ten opsigte van sekere lenings en van sekere bedrae wat terugbetaal moet word ten opsigte van pensioene en toelaes wat te veel betaal is; vir die betaling uit gelde deur die Parlement beskikbaar gestel van sekere gelde wat kragtens Ordonnansie No. 4 van 1919 (Kaap) en Ordonnansie No. 5 van 1933 (Kaap) betaalbaar is; vir die oorbetalings van sekere verkeersboetes aan afdelingsrade; dat sekere bedrae aan lede van die Suid-Afrikaanse Staande Mag betaal nie as salaris of pensioengewende verdienste moet tel nie; om aan sekere wysigings van die regulasies betreffende die voorsorgfonds- en pensioenskema vir universiteitsinrigtings en tegniese kolleges terugwerkende krag te verleen; om voorsiening te maak vir die hou van gesamentlike rekenings vir albei afdelings van die staatsdiens-deel van die fonds wat kragtens Wet No. 1 van 1910 (Natal) gestig is; vir vrystelling van betaling van seëlregte en hereregte ten opsigte van sekere sessies van regte op minerale en ten opsigte van die verlening of sessie van sekere huurkontrakte; vir die bestryding van die tekort in die Spoorweg- en Hawefonds; om die oordrag deur die Spoorwegadministrasie van sekere leningsgelde na sy Vernuwingsfonds te bekragtig, en om Wette Nos. 21 van 1911, 20 van 1917, 22 van 1917, 23 van 1917, 27 van 1917, 36 van 1919, 30 van 1923, 25 van 1931, 25 van 1932, 9 van 1933, 42 van 1935, 31 van 1937, 44 van 1942, 27 van 1944, 29 van 1944, 48 van 1947 en 44 van 1948 te wysig.

(Afrikaanse teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 22 Junie 1950.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

DEEL I.**AANGELEENTHEDE WAT DIE GEKONSOLIDEERDE INKOMSTEFONDS RAAK.**

Toewysing van netto winste wat uit die herwaardering van die goudreserwes van die Suid-Afrikaanse Reserwebank ontstaan.

1. Ondanks andersluidende wetsbepalings word die netto winste wat ontstaan uit die herwaardering ingevolge artikel *agt* van die Wet op Betaalmiddels en Wisselkoerse, 1933 (Wet No. 9 van 1933), van die goudreserwes wat op die dertigste dag van Junie 1950 in besit van die Suid-Afrikaanse Reserwebank (hieronder die bank genoem) is, as volg toegewys:

- (a) 'n bedrag van hoogstens viermiljoen sewehonderduisend pond word deur die bank aangewend om die netto verlies wat ontstaan as gevolg van die devaluasie van die betaalmiddels van die Unie, op sy uitstaande termynvalutakontrakte in ander betaalmiddels dan die van die Unie op die agtiende dag van September 1949, te bestry; en
- (b) die saldo van die winste, met inbegrip van die saldo van die bedrag in paragraaf (a) genoem wat nie vir die doeleindes daarin vermeld nodig is nie, word aan die Staatskuldkommissaris betaal en word deur hulle aangewend ter aflossing van die Unie se staatskuld.

Oorpasing van die saldo van die Goudprysreëlingsrekening na die Leningsrekening.

2. Die batige saldo, op die dertigste dag van Junie 1950, van die Goudprysreëlingsrekening wat kragtens sub-artikel (2) van artikel *agt bis* van die Wet op Betaalmiddels en Wisselkoerse, 1933 (Wet No. 9 van 1933), ingestel is, word ondanks andersluidende bepalings van genoemde artikel aan die Staatskuldkommissaris betaal en word deur hulle aangewend ter aflossing van die Unie se staatskuld.

Besteding van die saldo van Premie- en Kosterekening.

3. Die batige saldo, op die een-en-dertigste dag van Maart 1950, van die Premie- en Kosterekening in die Skatkisrekening, soos gesertifiseer deur die Kontroleur en Ouditeur-generaal, word na die Leningsrekening oorgedra.

Verkryging en terugbetaling van sekere effekte.

4. (1) Terwyl Oorname-order No. 2 van die Britse Tesourie van krag bly kan die Goewerneur-generaal enige gekonsolideerde effekte (soos in sub-artikel (1) van artikel *vier* van die „Algemene Lenings Konsolidatie en Wijzigingswet, 1917” (Wet No. 22 van 1917), omskryf) wat aan genoemde Oorname-order onderworpe is, en enige sodanige effekte wat kragtens artikel *elf* van die Finansiewet, 1941 (Wet No. 43 van 1941), in

No. 36, 1950.]

ACT

To provide for the allocation of the profits resulting from the revaluation of the South African Reserve Bank's gold reserves; for the transfer of the balance of the Gold Price Adjustment Account to the Loan Account; for the disposal of the balance in the Premium and Costs Account; for the acquisition and redemption of certain stock; for the writing off of certain amounts due in respect of certain loans and of certain sums repayable in respect of overpayments of certain pensions and grants; for certain moneys payable under Ordinance No. 4 of 1919 (Cape) and Ordinance No. 5 of 1933 (Cape) to be paid from moneys appropriated by Parliament; for the payment of certain traffic fines to divisional councils; that certain amounts paid to members of the South African Permanent Force shall not be regarded as salary or pensionable emoluments; to give retrospective effect to certain amendments to the regulations relating to the provident fund and pension schemes for university institutions and technical colleges; to provide for the maintenance of joint accounts for both divisions of the public service section of the fund established under Act No. 1 of 1910 (Natal); for exemption from payment of stamp and transfer duties in respect of certain cessions of rights to minerals and in respect of the grant or cession of certain leases; for the defrayment of the deficit of the Railway and Harbour Fund; to validate the transfer by the Railway Administration of certain loan moneys to its Renewals Fund; and to amend Acts Nos. 21 of 1911, 20 of 1917, 22 of 1917, 23 of 1917, 27 of 1917, 36 of 1919, 30 of 1923, 25 of 1931, 25 of 1932, 9 of 1933, 42 of 1935, 31 of 1937, 44 of 1942, 27 of 1944, 29 of 1944, 48 of 1947 and 44 of 1948.

(Afrikaans text signed by the Officer Administering the Government.)

(Assented to 22nd June, 1950.)

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

PART I.

MATTERS AFFECTING THE CONSOLIDATED REVENUE FUND.

1. Notwithstanding anything to the contrary in any law contained the nett profits resulting from the revaluation in terms of section *eight* of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), of the gold reserves held by the South African Reserve Bank (hereinafter referred to as the bank) as at the thirtieth day of June, 1950, shall be allocated as follows:

Allocation of nett profits resulting from the revaluation of the South African Reserve Bank's gold reserves.

- (a) an amount not exceeding four million seven hundred thousand pounds shall be applied by the bank to meeting the nett loss, arising out of the devaluation of Union currency, on its outstanding forward exchange contracts in currencies other than that of the Union as at the eighteenth day of September, 1949; and
- (b) the balance of the profits, including the balance of the amount referred to in paragraph (a) which is not required for the purpose set out therein, shall be paid to the Public Debt Commissioners and shall be applied by them to the redemption of the public debt of the Union.

2. The balance standing, on the thirtieth day of June, 1950, to the credit of the Gold Price Adjustment Account established in terms of sub-section (2) of section *eight bis* of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), shall, notwithstanding anything to the contrary in the said section contained, be paid to the Public Debt Commissioners and shall be applied by them to the redemption of the public debt of the Union.

Transfer of the balance of the Gold Price Adjustment Account to the Loan Account.

3. The balance standing to the credit of the Premium and Costs Account in the Exchequer Account as at the thirty-first day of March, 1950, as certified by the Controller and Auditor-General, shall be paid to the credit of the Loan Account.

Disposal of the balance in the Premium and Costs Account.

4. (1) For so long as the British Treasury Vesting Order No. 2 of 1942 remains in force the Governor-General may acquire and redeem any consolidated stock (as defined in sub-section (1) of section *four* of the General Loans Consolidation and Amendment Act, 1917 (Act No. 22 of 1917)) which is subject to the said Vesting Order, and any such stock which was converted into local stock (as defined in the said sub-section (1)) in terms of section *eleven* of the Finance Act, 1941 (Act

Acquisition and repayment of certain stock.

plaaslike effekte (soos in genoemde sub-artikel (1) omskryf) omgesit is, verkry en aflos, en die effekte wat aldus verkry word, word vir die doel van artikel *veertien* van die „Algemene Lenings Konsolidatie en Wijzigingswet, 1917”, geag op die datum van aankoping te verval het en die bepalings van daardie artikel is *mutatis mutandis* van toepassing ten opsigte van die terugbetaling by aflossing van die effekte wat op sodanige wyse verkry word en die opneem van geld wat vir sodanige terugbetaling nodig is.

(2) Enige wins wat gemaak word as gevolg van die verkryging en aflossing deur die Goewerneur-generaal van enige effekte ingevolge sub-artikel (1) word in die Gekonsolideerde Inkomstefonds ten bate van die Leningsrekening gestort.

Die Tesourie kan sekere bedrae verskuldig ten opsigte van sekere deur die Staat toegestane lenings afskryf.

5. Indien daar op die datum van inwerkingtreding van hierdie Wet 'n bedrag deur iemand aan die Staat verskuldig is op grond van 'n voorskot of lening deur die Staat toegestaan, kan die Tesourie na goeddunke die geheel of enige gedeelte van die aldus verskuldigde bedrag afskryf—

- (a) indien die Tesourie oortuig is dat dit onekonomies sou wees om die verskuldigde bedrag in te vorder of dat sodanige invordering die skuldenaar of sy afhanklikes oormatige ontbering sal veroorsaak deur hulle die minimum bestaansbenodigdhede te ontnem;
- (b) waar die bates van die skuldenaar of van die boedel van 'n afgestorwe of geestelik gekrenkte skuldenaar, hetsy sodanige bates aan die Staat verpand is al dan nie, vir sy huishouding onmisbaar is of van betreklik geringe waarde is en na gelang van die geval die skuldenaar of sy boedel, nie in staat is om die verskuldigde bedrag of enige gedeelte daarvan, te betaal nie behalwe deur sodanige bates te verkoop en sodanige verkoop oormatige ontbering sal veroorsaak;
- (c) waar 'n skuldenaar nie daarin geslaag het om 'n bestaan te maak uit die nering ten opsigte waarvan die voorskot of lening aan hom toegestaan is nie en hy deur die Staat of sy krediteure uitgewin is en invordering van die verskuldigde bedrag, met die oog op die finansiële posisie van die skuldenaar onmiddellik na uitwinning, oormatige ontbering sal veroorsaak.

Die Tesourie kan sekere bedrae wat terugbetaal moet word ten opsigte van pensioene en toelaes wat te veel betaal is, afskryf.

6. Wanneer iemand ingevolge—

- (a) artikel *veertien* van die Ouderdomspensioenwet, 1928 (Wet No. 22 van 1928);
- (b) genoemde artikel soos van toepassing gemaak—
 - (i) deur artikel *ses* van die Wet op Blindes, 1936 (Wet No. 11 van 1936), met betrekking tot pensioene ingevolge daardie Wet; of
 - (ii) deur artikel *een-en-dertig* van die Oorlogspensioenwet, 1941 (Wet No. 45 van 1941), met betrekking tot oudstryderspensioene ingevolge daardie Wet;
- (c) artikel *vier-en-tagtig bis* van die Kinderwet, 1937 (Wet No. 31 van 1937); of
- (d) artikel *agtien* van die Wet op Ongeskiktheidstoelaes, 1946 (Wet No. 36 van 1946),

verplig is om 'n bedrag terug te betaal, kan die Tesourie na goeddunke die geheel of enige gedeelte van die bedrag wat aldus betaalbaar is, afskryf indien die Tesourie oortuig is dat dit onekonomies sou wees om die bedrag wat betaalbaar is, in te vorder, of dat sodanige invordering oormatige ontbering sal veroorsaak.

7. Ondanks andersluidende bepalings van die „Ordonnantie op Armeverzorging en Inrichtingen van Liefdadigheid, 1919” (Ordonnansie No. 4 van 1919 (Kaap)), word enige gelde betaalbaar na die een-en-dertigste dag van Desember 1949, ingevolge artikel *elf* of *sewentien* van genoemde Ordonnansie, deur 'n plaaslike bestuur aan 'n inrigting of vereniging, ten opsigte van enige jaar na die jaar 1949, uit gelde wat vir die doel deur die Parlement beskikbaar gestel word, betaal.

Sekere gelde deur plaaslike besture aan sekere inrigtings en verenigings betaalbaar, uit gelde deur die Parlement beskikbaar gestel, betaal te word.

Sekere bedrae deur die Stadsraad van Kaapstad aan die Kaapstadse Algemene Onderstandsraad betaalbaar, uit gelde deur die Parlement beskikbaar gestel, betaal te word.

8. Ondanks andersluidende bepalings van die Wysigingsordonnansie op Armesorg en Liefdadigheidsinrigtings, 1933 (Ordonnansie No. 5 van 1933 (Kaap)), word enige bedrag betaalbaar na die een-en-dertigste dag van Desember 1949, ingevolge genoemde Ordonnansie, deur die Raad van die Stad Kaapstad aan die Kaapstadse Algemene Onderstandsraad, ten opsigte van enige jaar na die jaar 1949, uit gelde wat vir die doel deur die Parlement beskikbaar gestel word, betaal.

No. 43 of 1941), and the stocks so acquired shall for the purposes of section *fourteen* of the General Loans Consolidation and Amendment Act, 1917, be deemed to have matured at the date of acquisition and the provisions of that section shall *mutatis mutandis* apply to the repayment on redemption of the stocks so acquired and to the raising of the money required for such repayment.

(2) Any profit arising out of the acquisition and redemption by the Governor-General of any stock in terms of sub-section (1) shall be paid into the Consolidated Revenue Fund for the benefit of the Loan Account.

5. If, at the date of commencement of this Act, an amount is due by any person to the State by virtue of an advance or loan granted by the State, the Treasury may in its discretion write off the whole or any portion of the amount so due—

Treasury may write off certain amounts due in respect of certain loans granted by the State.

- (a) if it is satisfied that it would be uneconomical to recover the amount due, or that such recovery would cause undue hardship to the debtor or his dependants by depriving them of the minimum essential means of livelihood;
- (b) where the assets of the debtor or of the estate of a deceased or mentally deficient debtor, whether such assets are pledged to the State or not, are essential to his household or are of relatively small value and the debtor or his estate, as the case may be, is unable to pay the amount due or any portion thereof except by the disposal of such assets and such disposal will cause undue hardship;
- (c) where a debtor has failed to make a living from the occupation in respect of which the advance or loan was granted to him and he has been excused by the State or by his creditors and recovery of the amount due would, with due regard to the financial position of the debtor immediately after excussion, cause undue hardship.

6. Whenever any person is liable for the repayment of any sum in terms of—

Treasury may write off certain sums repayable in respect of overpayments of certain pensions and grants.

- (a) section *fourteen* of the Old Age Pensions Act, 1928 (Act No. 22 of 1928);
- (b) the said section as applied—
 - (i) by section *six* of the Blind Persons Act, 1936 (Act No. 11 of 1936), with reference to pensions under that Act; or
 - (ii) by section *thirty-one* of the War Pensions Act, 1941 (Act No. 45 of 1941), with reference to veterans' pensions under that Act;
- (c) section *eighty-four bis* of the Children's Act, 1937 (Act No. 31 of 1937); or
- (d) section *eighteen* of the Disability Grants Act, 1946 (Act No. 36 of 1946),

the Treasury may in its discretion write off the whole or any portion of the sum so payable if it is satisfied that it would be uneconomical to recover the sum payable, or that such recovery would cause undue hardship.

7. Notwithstanding anything to the contrary in the Poor Relief and Charitable Institutions Ordinance, 1919 (Ordinance No. 4 of 1919 (Cape)), contained, any moneys payable after the thirty-first day of December, 1949, in terms of section *eleven* or *seventeen* of the said Ordinance, by a local authority to an institution or society, in respect of any year after the year 1949, shall be paid from moneys appropriated by Parliament for the purpose.

Certain moneys payable by local authorities to certain institutions or societies to be paid from moneys appropriated by Parliament.

8. Notwithstanding anything to the contrary in the Poor Relief and Charitable Institutions (Amendment) Ordinance, 1933 (Ordinance No. 5 of 1933 (Cape)), contained, any amount payable after the thirty-first day of December, 1949, in terms of the said Ordinance, by the Council of the City of Cape Town to the Cape Town General Board of Aid, in respect of any year after the year 1949, shall be paid from moneys appropriated by Parliament for the purpose.

Certain amounts payable by the City Council of Cape Town to the Cape Town General Board of Aid to be paid from moneys appropriated by Parliament.

Oorbetaling van sekere verkeersboetes aan afdelingsrade.

9. (1) Ondanks andersluidende wetsbepalings word 'n verkeersboete, nadat dit ingevorder is, oorbetaal aan die afdelingsraad in wie se regsgebied die misdryf, ten opsigte waarvan daardie verkeersboete opgelê is, gepleeg is.

(2) In sub-artikel (1) beteken „verkeersboete” 'n opgelegde boete en verbeurdverklaarde borgtog-geld in verband met alle misdrywe (buiten gemeenregtelike misdrywe of misdrywe volgens die Motortransportwet, 1930 (Wet No. 39 van 1930)), met betrekking tot watter voertuig ook al of verkeer van watter aard ook al (buiten lug- of water-verkeer) gepleeg in enige gedeelte van die regsgebied van 'n afdelingsraad wat nie binne die regsgebied van 'n plaaslike bestuur, soos in sub-artikel (2) van artikel twee-en-twintig van die Finansiële Reëlingswet, 1932 (Wet No. 25 van 1932), omskryf, val nie.

Sekere besoldiging nie vir pensioendoeleindes te tel nie.

10. (1) Indien aan 'n lid van die Suid-Afrikaanse Staande Mag tydelik 'n hoër rang as sy substantiewe rang in bedoelde Mag toegeken word, word die bedrag waarmee sy soldy of toelaes verhoog is weens die feit dat hy tydelik sodanige hoër rang hou, by die toepassing van die „Public Service and Pensions Act, 1908” (Wet No. 19 van 1908 van die Transvaal), nie as deel van sy salaris soos in artikel een van daardie Wet omskryf, beskou nie en by die toepassing van die Regeringsdiens Pensioenwet, 1936 (Wet No. 32 van 1936), nie as deel van sy „pensioengewende verdienste” soos in artikel drie-en-tagtig van daardie Wet omskryf, beskou nie.

(2) Dit word geag dat sub-artikel (1) op die eerste dag van Augustus 1912 in werking getree het.

Datum van inwerkingtreding van sekere wysigings van regulasies betreffende voorsorgfonds- en pensioenskemas vir universiteitsinrigtings en tegniese kolleges.

11. Die wysigings van die regulasies betreffende die voorsorgfonds- en pensioenskema vir universiteitsinrigtings wat ingevolge paragraaf (g) van sub-artikel (1) van artikel twaalf van die „Wet tot Additionele Regeling van het Hoger Onderwijs, 1917” (Wet No. 20 van 1917), gemaak is, en by Goewermentskennissgewing No. 1134 van 1950 afgekondig is, en die wysigings van die regulasies betreffende die voorsorgfonds- en pensioenskema vir tegniese kolleges, wat ingevolge paragraaf (g) van sub-artikel (1) van artikel negentien van die „Hoger Onderwijs Wet, 1923” (Wet No. 30 van 1923), gemaak is, en by Goewermentskennissgewing No. 977 van 1950 afgekondig is, word geag op die eerste dag van Augustus 1949 in werking te getree het.

Gesamentlike rekenings gehou te word vir albei afdelings van die staatsdiens-deel van die Fonds gestig kragtens Wet 1 van 1910 (Natal).

12. (1) Ondanks die bepaling van artikel ses-en-dertig van „The Public Servants Superannuation Act, 1909” (Wet No. 1 van 1910 van Natal), word gesamentlike rekenings gehou vir albei afdelings van die staatsdiens-deel van die Fonds wat kragtens artikel vyf van daardie Wet gestig is.

(2) Dit word geag dat sub-artikel (1) op die eerste dag van April 1950 in werking getree het.

Vrystelling van betaling van seëlregte en hereregte ten opsigte van sekere sessies van regte op minerale.

13. Ondanks andersluidende wetsbepalings is geen seëlregte en geen hereregte betaalbaar nie ten opsigte van die sessie en verkryging van enige reg op minerale, indien die Staatsmyningenieur skriftelik gesertifiseer het dat dit die enigste doel van die betrokke regshandeling is om 'n uitvoerbare mynonder-neming tot stand te bring en om die sessionaris in staat te stel om volgens die bepaling van die „Precious and Base Metals Act, 1908” (Wet No. 35 van 1908 van die Transvaal), hetsy in die Transvaal of in die Oranje-Vrystaat, 'n mynverhuring of mynverhurings, vir die gesamentlike voordeel van homself en die sedent, te verkry ten opsigte van 'n grondgebied bestaande uit twee of meer stukke grond of onderdele daarvan.

Vrystelling van betaling van seëlregte en hereregte ten opsigte van die verlening of sessie en verkryging van sekere huurkontrakte.

14. (1) Geen seëlregte en geen hereregte is betaalbaar nie op die verlening of sessie en verkryging van 'n huurkontrak van die reg om edele of onedele metale (soos in artikel drie van die „Precious and Base Metals Act, 1908” (Wet No. 35 van 1908 van die Transvaal) omskryf), in die provinsie Transvaal of in die provinsie Oranje-Vrystaat te ontgin, wat kragtens artikel twee-en-vyftig van genoemde Wet of kragtens enige bepaling van die „Transvaal Mynverhuring en Minerale Wet Wijzigings Wet, 1918” (Wet No. 30 van 1918), aangegaan is.

(2) Dit word geag dat die bepaling van sub-artikel (1) op die eerste dag van Januarie 1948 in werking getree het: Met dien verstande dat niemand uit hoofde van hierdie artikel op 'n terugbetaling van enige seëlregte of hereregte wat voor die inwerkingtreding van hierdie Wet deur hom betaal is, geregtig is nie.

(3) Artikel nege van die „Finansiële Regelings Wet, 1917” (Wet No. 42 van 1917) word hiermee herroep.

9. (1) Notwithstanding anything to the contrary in any law contained any traffic fine shall, when recovered, be paid to the divisional council within whose area of jurisdiction the offence in respect of which that traffic fine was imposed, was committed.

Payment of certain traffic fines to divisional councils.

(2) In sub-section (1) "traffic fine" means a fine imposed and moneys estreated as bail in respect of any offence (other than an offence at common law or an offence under the Motor Carrier Transportation Act, 1930 (Act No. 39 of 1930)), relating to any vehicle whatsoever or to traffic of whatever nature (other than aerial or waterborne traffic) committed within any portion of the area of jurisdiction of a divisional council which does not fall within the area of jurisdiction of any local authority as defined in sub-section (2) of section *twenty-two* of the Financial Adjustments Act, 1932 (Act No. 25 of 1932).

10. (1) When any member of the South African Permanent Force has been temporarily granted a rank higher than his substantive rank in the said Force, any amount by which his pay or allowances has been increased by reason of the fact that he is temporarily holding such higher rank, shall for the purposes of the Public Service and Pensions Act, 1908 (Act No. 19 of 1908 of the Transvaal), not be regarded as part of his "salary" as defined in section *one* of that Act, and for the purposes of the Government Service Pensions Act, 1936 (Act No. 32 of 1936), not be regarded as part of his "pensionable emoluments" as defined in section *eighty-three* of that Act.

Certain remuneration not to count for pension purposes.

(2) Sub-section (1) shall be deemed to have come into operation on the first day of August, 1912.

11. The amendments to the regulations relating to the provident fund and pension scheme for university institutions, made in terms of paragraph (g) of sub-section (1) of section *twelve* of the Higher Education Additional Provision Act, 1917 (Act No. 20 of 1917), and published in Government Notice No. 1134 of 1950, and the amendments to the regulations relating to the provident fund and pension scheme for technical colleges made in terms of paragraph (g) of sub-section (1) of section *nineteen* of the Higher Education Act, 1923 (Act No. 30 of 1923), and published in Government Notice No. 977 of 1950, shall be deemed to have come into operation on the first day of August, 1949.

Date of commencement of certain amendments to regulations relating to provident fund and pension schemes for university institutions and technical colleges.

12. (1) Notwithstanding the provisions of section *thirty-six* of "The Public Servants Superannuation Act, 1909" (Act No. 1 of 1910 of Natal), there shall be maintained joint accounts for both divisions of the public service section of the Fund established under section *five* of that Act.

Joint accounts to be maintained for both divisions of public service section of the Fund established under Act 1 of 1910 (Natal).

(2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1950.

13. Notwithstanding anything to the contrary in any law contained no stamp duty and no transfer duty shall be payable in respect of the cession and acquisition of any right to minerals, if the Government Mining Engineer has certified in writing that the sole purpose of the transaction in question is to constitute a workable mining proposition and to enable the cessionary to obtain for the joint benefit of himself and the cedent a mining lease or mining leases in accordance with the provisions of the Precious and Base Metals Act, 1908 (Act No. 35 of 1908 of the Transvaal), (whether in the Transvaal or in the Orange Free State), in respect of an area of land comprising two or more pieces of land or portions thereof.

Exemption from payment of stamp and transfer duties in respect of certain cessions of rights to minerals.

14. (1) No stamp duty and no transfer duty shall be payable on the grant or cession and acquisition of a lease of the right to mine for precious or base metals (as defined in section *three* of the Precious and Base Metals Act, 1908 (Act No. 35 of 1908 of the Transvaal)), in the province of the Transvaal or in the province of the Orange Free State, which was entered into under section *fifty-two* of the said Act or under any provision of the Transvaal Mining Leases and Mineral Law Amendment Act, 1918 (Act No. 30 of 1918).

Exemption from payment of stamp and transfer duties in respect of the grant or cession and acquisition of certain leases.

(2) The provisions of sub-section (1) shall be deemed to have come into operation on the first day of January, 1948: Provided that no person shall be entitled by virtue of this section to a refund of any stamp duty or transfer duty paid by him before the commencement of this Act.

(3) Section *nine* of the Financial Adjustments Act, 1917 (Act No. 42 of 1917), is hereby repealed.

Wysiging van artikel 12 van Wet 20 van 1917.

15. (1) Artikel *twaalf* van die „Wet tot Additionele Regeling van het Hoger Onderwijs, 1917”, word hiermee gewysig deur paragraaf (g) van sub-artikel (1) deur die volgende paragraaf te vervang:

„(g) de voorziening in een voorzorgfonds en pensioenschema voor de leden van het onderwyzend en administratief personeel van de universiteiten, kolleges en de Universiteit van Zuid-Afrika.”

(2) Dit word geag dat sub-artikel (1) op die veertiende dag van Junie 1917 in werking getree het.

Wysiging van artikel 4 van Wet 22 van 1917 soos gewysig deur artikel 1 van Wet 2 van 1950.

16. (1) Artikel *vier* van die „Algemene Leningen Konsolidatie en Wijzigings Wet, 1917”, word hiermee gewysig—

(a) deur aan die end van paragraaf (a) van sub-artikel (1) die woord „en” te skrap;

(b) deur aan die end van paragraaf (b) van sub-artikel (1) die woord „en” by te voeg; en

(c) deur aan die end van sub-artikel (1) die volgende paragraaf by te voeg:

„(c) kan een krachtens paragraaf (b) aangegane overeenkomst bepalen dat gelden uit hoofde ervan geleend te eniger tijd in geheel of ten dele terugbetaald kunnen worden terwijl de overeenkomst van kracht is; dat een aldus terugbetaald bedrag wederom daarvolgens aan de Minister beschikbaar is, en dat het bedrag ingevolge de overeenkomst verschuldigd niet te eniger tijd het ingevolge bedoelde paragraaf (b) door de Goeverneur-generaal goedgekeurd bedrag te boven gaat.”

(2) Dit word geag dat sub-artikel (1) op die sesde dag van Januarie 1950 in werking getree het.

Wysiging van artikel 17 van Wet 23 van 1917, soos vervang deur artikel 23 van Wet 57 van 1934.

17. Artikel *sewentien* van die „Nederzettingwet Wijzigingswet, 1917”, word hiermee gewysig deur in paragraaf (a) van die voorbehoudsbepaling daarby na die woorde „betaalbaar is” die woorde „of in het geval van verbeteringen waarmee na de dertigste dag van Junie 1950 een aanvang gemaakt wordt, tegen een koers van drie en drie kwart per cent. per jaar” in te voeg.

Wysiging van artikel 7 van Wet 27 van 1917, soos gewysig deur artikel 4 van Wet 34 van 1919 en artikel 22 van Wet 48 van 1947.

18. (1) Artikel *sewe* van die „Diamant Uitvoerbelasting Wet, 1917”, word hiermee gewysig deur paragraaf (a) van sub-artikel (1) deur die volgende paragraaf te vervang:

„(a) zijn geen registratiegelden verschuldigd ten aanzien van de overbrenging van diamanten van een distrikt naar een ander of van een provincie naar een andere in de Unie of ten aanzien van de invoer van diamanten in de Unie;”

(2) Dit word geag dat sub-artikel (1) op die eerste dag van April 1950 in werking getree het.

Wysiging van artikel 66 van Wet 36 van 1919, soos gewysig deur artikel 3 van Wet 29 van 1933, artikel 7 van Wet 57 van 1935 en artikel 9 van Wet 51 van 1946.

19. (1) Artikel *ses-en-sestig* van die „Volksgezondheidswet, 1919”, word hiermee gewysig—

(a) deur in paragraaf (c) die woorde „verstrekken, welke van tijd tot tijd in de *Staatskoerant* mochten worden opgegeven” deur die woorde „materialen, instrumenten of toerusting welke van tijd tot tijd overeenkomstig regulaties krachtens dit artikel vastgesteld, mochten worden goedgekeurd, verstrekken” te vervang; en

(b) deur die volgende voorbehoudsbepaling aan die end van paragraaf (d) by te voeg:

„Met dien verstande dat geen terugbetaling geschiedt ten opsigte van uitgaven met het aankopen van geneesmiddelen, materialen, instrumenten of toerusting van de aard in paragraaf (c) bedoeld, aangegaan;”

(2) Sub-artikel (1) tree op die eerste dag van Oktober 1950 in werking.

Wysiging van artikel 19 van Wet 30 van 1923.

20. (1) Artikel *negentien* van die „Hoger Onderwijs Wet, 1923”, word hiermee gewysig deur in paragraaf (g) van sub-artikel (1) na die woord „voorzorgfonds” die woorde „en pensioenschema” in te voeg.

(2) Dit word geag dat sub-artikel (1) op die dertigste dag van Junie 1923 in werking getree het.

Wysiging van artikel 5 van Wet 25 van 1931, soos gewysig deur artikel 32 van Wet 57 van 1934, artikel 5 van Wet 47 van 1935 en artikel 5 van Wet 45 van 1937.

21. Artikel *vyf* van die *Nedersettings Noodlenigingswet, 1931*, word hiermee gewysig deur aan die end van sub-artikel (3) die volgende paragraaf by te voeg:

„(h) Indien ingevolge artikel *sewentien* van die „Nedersettingswet Wijzigingswet, 1917” (Wet No. 23 van 1917), by die koopprijs van ’n hoewe enige bedrag bygereken is wat die koste van verbeterings waarmee ’n aanvang gemaak is na die dertigste dag van Junie 1950, en rente daarop verteenwoordig, dan word die huurgeld

15. (1) Section *twelve* of the Higher Education Additional Provision Act, 1917, is hereby amended by the substitution for paragraph (g) of sub-section (1) of the following paragraph: Amendment of section 12 of Act 20 of 1917.

“(g) the provision of a provident fund and pension scheme for the members of the teaching and administrative staffs of the universities, colleges and University of South Africa;”.

(2) Sub-section (1) shall be deemed to have come into operation on the fourteenth day of June, 1917.

16. (1) Section *four* of the General Loans Consolidation and Amendment Act, 1917, is hereby amended— Amendment of section 4 of Act 22 of 1917, as amended by section 1 of Act 2 of 1950.

(a) by the deletion at the end of paragraph (a) of sub-section (1) of the word “and”;

(b) by the addition at the end of paragraph (b) of sub-section (1) of the word “and”; and

(c) by the addition at the end of sub-section (1) of the following paragraph:

“(c) any agreement under paragraph (b) may provide that any moneys borrowed in terms thereof may at any time during the currency of the agreement be repaid either in whole or in part; that any amount so repaid shall again be available to the Minister in terms thereof, and that the amount owing under the agreement shall at no time exceed the sum approved by the Governor-General in terms of the said paragraph (b).”.

(2) Sub-section (1) shall be deemed to have come into operation on the sixth day of January, 1950.

17. Section *seventeen* of the Land Settlement Act Amendment Act, 1917, is hereby amended by the insertion in paragraph (a) of the proviso thereto after the word “price” where it occurs for the second time of the words “or in the case of improvements commenced after the thirtieth day of June, 1950, at a rate of three and three-quarter per cent. per annum”. Amendment of section 17 of Act 23 of 1917, as substituted by section 23 of Act 57 of 1934.

18. (1) Section *seven* of the Diamond Export Duty Act, 1917, is hereby amended by the substitution for paragraph (a) of sub-section (1) of the following paragraph: Amendment of section 7 of Act 27 of 1917, as amended by section 4 of Act 34 of 1919 and section 22 of Act 48 of 1947.

“(a) no registration fee shall be payable in respect of the removal of diamonds from one district to another or from one province to another within the Union, or in respect of the importation of diamonds into the Union;”.

(2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1950.

19. (1) Section *sixty-six* of the Public Health Act, 1919, is hereby amended— Amendment of section 66 of Act 36 of 1919, as amended by section 3 of Act 29 of 1933, section 7 of Act 57 of 1935 and section 9 of Act 51 of 1946.

(a) by the substitution in paragraph (c) for the words “as may be specified from time to time in the *Gazette*” of the words “materials, instruments or equipment as may be approved from time to time in accordance with regulations made under this section”; and

(b) by the addition, at the end of paragraph (d) of the following proviso:

“Provided that no refund shall be payable in respect of any expenditure incurred in the purchase of remedies, materials, instruments or equipment of the nature referred to in paragraph (c);”.

(2) Sub-section (1) shall come into operation on the first day of October, 1950.

20. (1) Section *nineteen* of the Higher Education Act, 1923, is hereby amended by the insertion in paragraph (g) of sub-section (1) after the word “Fund” of the words “and pension scheme”. Amendment of section 19 of Act 30 of 1923.

(2) Sub-section (1) shall be deemed to have come into operation on the thirtieth day of June, 1923.

21. Section *five* of the Land Settlement Relief Act, 1931, is hereby amended by the addition at the end of sub-section (3) of the following paragraph: Amendment of section 5 of Act 25 of 1931, as amended by section 32 of Act 57 of 1934, section 5 of Act 47 of 1935 and section 5 of Act 45 of 1937.

“(h) if in terms of section *seventeen* of the Land Settlement Act Amendment Act, 1917 (Act No. 23 of 1917), any amount has been added to the purchase price of a holding, representing the cost of improvements commenced after the thirtieth day of June, 1950, and interest thereon, the rent or interest payable in terms

of rente wat ingevolge paragrawe (b) en (c) van hierdie sub-artikel betaalbaar is, ondanks andersluidende bepalings van genoemde artikel *sewentien* of van hierdie artikel, bereken teen drie-en-drie-kwart persent per jaar op die gedeelte van die koopprys wat so bygereken is."

Wysiging van artikel 22 van Wet 25 van 1932 soos vervang deur artikel 25 van Wet 57 van 1946.

22. (1) Artikel *twee-en-twintig* van die Finansiële Reëlingswet, 1932, word hiermee gewysig deur die voorbehoudsbepaling by sub-artikel (1) te skrap.

(2) Dit word geag dat sub-artikel (1) op die eerste dag van April 1950 in werking getree het.

Vervanging van artikel 8 van Wet 9 van 1933, soos vervang deur artikel 26 van Wet 57 van 1946.

23. (1) Artikel *agt* van die Wet op Betaalmiddels en Wisselkoerse, 1933, word hiermee deur die volgende artikel vervang:

„Herwaardering van goudreserwes in besit van die Suid-Afrikaanse Reserwebank op 30 Junie 1950 en waardering van goud daarna verkry.

8. (1) Die goudreserwes wat op die dertigste dag van Junie 1950 in besit van die Suid-Afrikaanse Reserwebank (hieronder die bank genoem) is, word herwaardeer teen 'n prys van twaalf pond agt sjielings per ons suiwer goud (hieronder die statutêre prys genoem).

(2) Goud wat na die dertigste dag van Junie 1950 deur die bank verkry word, word in sy Goudmunt- en Staafgoudrekening teen die statutêre prys waardeer."

(2) Sub-artikel (1) tree op die dertigste dag van Junie 1950 in werking.

Wysiging van artikel 8*ter* van Wet 9 van 1933 soos ingevoeg deur artikel 26 van Wet 57 van 1946.

24. Artikel *agt ter* van die Wet op Betaalmiddels en Wisselkoerse, 1933, word hiermee gewysig—

(a) deur in sub-artikel (4) die woord „sub-artikel” deur die woord „artikel” te vervang; en

(b) deur sub-artikels (5) en (6) te skrap.

Invoeging van artikel 8*quater* in Wet 9 van 1933.

25. Die volgende artikel word hiermee na artikel *agt ter* van die Wet op Betaalmiddels en Wisselkoerse, 1933, ingevoeg:

„Termynvalutakontrakte gesluit en buitelandse betaalmiddels geleen deur die Suid-Afrikaanse Reserwebank.

8*quater*. (1) Alle termynvalutakontrakte in ander betaalmiddels dan die van die Unie deur die bank op of na die negentiende dag van September 1949 aangegaan en alle bedrae deur die bank in sodanige betaalmiddels geleen, kom, met uitsondering van rente, kommissiegelde of ander vorderings, of die gebruikelike koersmarges wat daarop verdien of betaal is, ten bate of ten laste van die Unie-regering.

(2) Die bank stuur, op die tye wat die Tesourie gelas, 'n opgawe of opgawes aan die Tesourie waarin in beknopte vorm sy operasies in termyntransaksies en in lenings van buitelandse betaalmiddels, weer-gegee word.

(3) Enige verlies wat deur die bank op sodanige termynvalutakontrakte of lenings in ander betaalmiddels dan die van die Unie gely word as gevolg van die waardevermindering van die betaalmiddels van die Unie in terme van enige sodanige betaalmiddels, of die waardevermeerdering van enige sodanige betaalmiddels in terme van die betaalmiddels van die Unie, kom ten laste van die Gekonsolideerde Inkomstefonds, en enige wins wat deur die bank op sodanige termynvalutakontrakte of lenings in ander betaalmiddels dan die van die Unie, as gevolg van die waardevermeerdering van die betaalmiddels van die Unie in terme van enige sodanige betaalmiddels of die waardevermindering van enige sodanige betaalmiddels in terme van die betaalmiddels van die Unie gemaak word, word ten bate van die Gekonsolideerde Inkomstefonds gehou.

(4) Vereffening van enige wins of verlies ingevolge hierdie artikel geskied so spoedig doenlik na die einde van die boekjaar waarin dit ontstaan.

(5) Enige verlies ingevolge hierdie artikel en artikels *agt bis* en *agt ter* word bestry uit geldé wat vir die doel deur die Parlement beskikbaar gestel word.

(6) Die Kontroleur en Ouditeur-generaal kan as juis aanneem 'n sertifikaat van die ouditeurs van die bank, wat verklaar dat 'n staat, waarop die sertifikaat betrekking het, 'n ware en volledige opgawe is

of paragraphs (b) and (c) of this sub-section shall, notwithstanding anything to the contrary in the said section *seventeen* or in this section contained, be calculated at the rate of three and three-quarter per cent. per annum on that portion of the purchase price representing the amount so added.”.

22. (1) Section *twenty-two* of the Financial Adjustments Act, 1932, is hereby amended by the deletion of the proviso to sub-section (1).

Amendment of section 22 of Act 25 of 1932, as substituted by section 25 of Act 57 of 1946.

(2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1950.

23. (1) The following section is hereby substituted for section *eight* of the Currency and Exchanges Act, 1933:

Substitution of section 8 of Act 9 of 1933, as substituted by section 26 of Act 57 of 1946.

“Revaluation of gold reserves held by the South African Reserve Bank as at 30th June, 1950, and valuation of gold subsequently acquired. 8. (1) The gold reserves held by the South African Reserve Bank (hereinafter referred to as the bank) as at the thirtieth day of June, 1950, shall be revalued at a price of twelve pounds eight shillings per ounce of fine gold (hereinafter referred to as the statutory price). (2) Any gold acquired by the bank after the thirtieth day of June, 1950, shall be valued in its Gold Coin and Bullion Account at the statutory price.”.

(2) Sub-section (1) shall come into operation on the thirtieth day of June, 1950.

24. Section *eight ter* of the Currency and Exchanges Act, 1933, is hereby amended—

Amendment of section 8ter of Act 9 of 1933 as inserted by section 26 of Act 57 of 1946.

(a) by the substitution in sub-section (4) for the word “sub-section” of the word “section”; and

(b) by the deletion of sub-sections (5) and (6).

25. The following section is hereby inserted in the Currency and Exchanges Act, 1933, after section *eight ter*:

Insertion of section 8quater in Act 9 of 1933.

“Forward exchange contracts entered into, and foreign currencies borrowed, by the South African Reserve Bank.

8quater. (1) All forward exchange contracts in currencies other than that of the Union entered into by the bank on or after the nineteenth day of September, 1949, and all sums borrowed by the bank in such currencies shall, apart from the interest, commission or other charges or the usual exchange margins, earned or paid thereon, be for the profit or loss of the Union Government.

(2) The bank shall render to the Treasury, at such times as the Treasury may direct, a return or returns reflecting in summarized form its operations in forward exchange and in borrowings of foreign currencies.

(3) Any loss suffered by the bank on such forward exchange contracts or borrowings in currencies other than that of the Union, as a result of the depreciation of Union currency in relation to any such currency or the appreciation of any such currency in relation to Union currency shall be a charge against the Consolidated Revenue Fund, and any profit earned by the bank on such forward exchange contracts or borrowings in currencies other than that of the Union, as a result of the appreciation of Union currency in relation to any such currency or the depreciation of any such currency in relation to Union currency shall be held for the benefit of the Consolidated Revenue Fund.

(4) Settlement of any profit or loss in terms of this section shall be effected as soon as possible after the close of the financial year in which it is realized.

(5) Any loss in terms of this section or sections *eight bis* and *eight ter* shall be defrayed from monies appropriated by Parliament for the purpose.

(6) The Controller and Auditor-General may accept as correct a certificate by the auditors of the bank that any statement of account to which such certificate refers is a true and complete statement of

van al die bank se transaksies, ontvangste en uitgawes, kragtens die bepalings van hierdie artikel en artikels *agt*, *agt bis* en *agt ter*, gedurende die tydperk waarvoor die staat handel."

Wysiging van artikel 9 van Wet 9 van 1933, soos gewysig deur artikel 6 van Wet 27 van 1940 en artikel 17 van Wet 43 van 1941.

26. Artikel *nege* van die Wet op Betaalmiddels en Wisselkoerse, 1933, word hiermee gewysig deur die volgende sub-artikels daaraan toe te voeg:

„(5) (a) Enige regulasies kragtens hierdie artikel uitgevaardig kan voorsiening maak vir die verlening aan die daarin aangewese persone van die bevoegdheid om bevele en reëls uit te vaardig vir enige van die doeleindes tot bereiking waarvan die Goewerneur-generaal by hierdie artikel gemagtig word om regulasies uit te vaardig.

(b) Dit word geag dat die bepalings van hierdie sub-artikel op die drie-en-twintigste dag van Januarie 1948 in werking getree het.

(6) Die bepalings van hierdie artikel is ook op die gebied Suidwes-Afrika van toepassing."

Wysiging van artikel 5 van Wet 42 van 1935, soos gewysig deur artikel 6 van Wet 35 van 1936, artikel 13 van Wet 50 van 1937 en artikel 5 van Wet 22 van 1944.

27. (1) Artikel *vyf* van die Wet op Nasionale Paaie, 1935, word hiermee gewysig deur in paragraaf (a) van sub-artikel (1) die woord „drie” deur die woord „ses” te vervang.

(2) Dit word geag dat sub-artikel (1) op die sewentiende dag van Maart 1950 in werking getree het.

Invoeging van artikel 84*bis* in Wet 31 van 1937.

28. Die volgende artikel word hiermee na artikel *vier-en-tagtig* van die Kinderwet, 1937, ingevoeg:

„Terugbetaling van bedrae wat ten onregte ontvang is.

84*bis*. (1) As iemand by wyse van 'n toelae 'n bedrag ontvang het waarop hy nie geregtig was nie, dan is hy, of in die geval van sy dood, sy boedel, verplig om daardie bedrag aan die Minister terug te betaal, tensy die Minister oortuig is dat hy dit ontvang het sonder om te weet dat hy nie daarop geregtig was nie.

(2) Sonder afbreuk aan enige ander regs-middel, kan sodanige bedrag verhaal word by wyse van kortings op 'n toelae wat betaalbaar is aan die persoon wat tot die terugbetaling verplig is."

Wysiging van artikel 9 van Wet 44 van 1942, soos deur artikel 11 van Wet 58 van 1946 ver-vang en deur artikel 8 van Wet 41 van 1948 gewysig.

29. (1) Artikel *nege* van die Oorlogspensioenwet, 1942, word hiermee gewysig deur daardie gedeelte van sub-artikel (1) wat paragraaf (i) voorafgaan deur die volgende woorde te vervang:

„So lank as die totaal van die ongeskiktheidspensioen wat aan 'n vrywilliger toegeken is en sy verdienvermoë-na-ongeskiktheid minder is as sy potensiële verdienvermoë-voor-ongeskiktheid word maandeliks aan hom 'n aanvullingspensioen teen 'n skaal wat gelyk is aan die verskil betaal: Met dien verstande dat 'n aanvullingspensioen nie te eniger tyd betaalbaar is teen 'n skaal wat, tesame met die vrywilliger se ongeskiktheidspensioen en sy verdienvermoë-na-ongeskiktheid, meer as vierhonderd-en-vyftig pond per jaar bedra nie of teen 'n skaal wat, tesame met sy ongeskiktheidspensioen, sy verdienvermoë-na-ongeskiktheid en alle toelaes kragtens hierdie Wet (behalwe oppasserstoelaag) meer as seshonderd pond per jaar bedra nie: Met dien verstande voorts dat—"

(2) Dit word geag dat sub-artikel (1) op die eerste dag van April 1946 in werking getree het.

Wysiging van artikel 17 van Wet 27 van 1944.

30. Artikel *sewentien* van die Wet op Staatsamptenare (Militêre Diens), 1944, word hiermee gewysig—

(a) deur in die eerste voorbehoudsbepaling daarby, na die woord „vermeld” in paragraaf (b), die woord „of” en die volgende paragrawe in te voeg:

„(c) synde iemand wat 'n beampete of werknemer was en ten opsigte van wie ingevolge sub-artikel (1) van artikel *sewe-en-twintig* of paragraaf (a) van sub-artikel (2) van artikel *agt-en-twintig* van die Regeringsdiens Pensioenwet, 1936, uit die pensioenfonds, of ingevolge sub-artikel (1) van artikel *twee-en-sewentig* van daardie Wet, uit die Regeringswerknemersondersteuningsfonds, 'n bedrag betaal is, uit die diens tree of afgedank of ontslaan word uit die staatsdiens of (na gelang van die geval) uit die diens van die administrasie, departement, inrigting, of liggaam waartoe hy sonder

all transactions, receipts and payments by the bank by virtue of the provisions of this section and sections *eight*, *eight bis* and *eight ter*, during the period covered by the statement.”.

26. Section *nine* of the Currency and Exchanges Act, 1933, is hereby amended by the addition thereto of the following sub-sections:
- “(5) (a) Any regulations made under this section may provide for the empowering of such persons as may be specified therein to make orders and rules for any of the purposes for which the Governor-General is by this section authorized to make regulations.
- (b) The provisions of this sub-section shall be deemed to have come into operation on the twenty-third day of January, 1948.
- (6) The provisions of this section shall apply also to the Territory of South-West Africa.”.

Amendment of section 9 of Act 9 of 1933, as amended by section 6 of Act 27 of 1940 and section 17 of Act 43 of 1941.

27. (1) Section *five* of the National Roads Act, 1935, is hereby amended by the substitution in paragraph (a) of sub-section (1) for the word “three” of the word “six”.

Amendment of section 5 of Act 42 of 1935, as amended by section 6 of Act 35 of 1936, section 13 of Act 50 of 1937 and section 5 of Act 22 of 1944.

- (2) Sub-section (1) shall be deemed to have come into operation on the seventeenth day of March, 1950.

28. The following section is hereby inserted in the Children's Act, 1937, after section *eighty-four*:

Insertion of section 84 *bis* in Act 31 of 1937.

“Repayment of sums irregularly received.

84bis. (1) If any person has received by way of a grant, any sum to which he was not entitled, he, or in the case of his death, his estate shall be liable to repay such sum to the Minister, unless the Minister is satisfied that he received it without knowledge that he was not entitled thereto.

(2) Without prejudice to any other remedy, any such sum may be recovered by means of deductions from any grant payable to the person who is liable to make the repayment.”.

29. (1) Section *nine* of the War Pensions Act, 1942, is hereby amended by the substitution for that part of sub-section (1) which precedes paragraph (i) of the following words:

Amendment of section 9 of Act 44 of 1942, as substituted by section 11 of Act 58 of 1946 and amended by section 8 of Act 41 of 1948.

“So long as the sum of the disablement pension awarded to a volunteer and his post-disablement earning capacity is less than his potential pre-disablement earning capacity, there shall be paid to him monthly a supplementary pension at a rate equal to the difference: Provided that a supplementary pension shall not at any time be payable at a rate which, together with the volunteer's disablement pension and his post-disablement earning capacity, exceeds four hundred and fifty pounds per annum or at a rate which together with his disablement pension, his post-disablement earning capacity and all allowances under this Act (excluding attendant's allowance) exceeds six hundred pounds per annum: Provided further that—”.

- (2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1946.

30. Section *seventeen* of the Public Servants (Military Service) Act, 1944, is hereby amended—

Amendment of section 17 of Act 27 of 1944.

- (a) by the insertion in the first proviso thereto, after the figures “1925” in paragraph (b), of the word “or” and of the following paragraphs:

“(c) being a person who was an officer or employee and in respect of whom an amount has been paid from the pension fund in terms of sub-section (1) of section *twenty-seven* or paragraph (a) of sub-section (2) of section *twenty-eight* of the Government Service Pensions Act, 1936, or from the Government Employees' Provident Fund in terms of sub-section (1) of section *seventy-two* of that Act, retires or is retired or discharged from the public service or (as the case may be) from the service of the administration, department, institution or body to which he has been

- onderbreking van sy diens direk aangestel is of waartoe hy verplaas is, onder omstandighede in sub-artikel (2), (3), (4), (6) of (7) van artikel *een-en-twintig* of in sub-artikel (2), (3) of (5) van artikel *sewentig* van genoemde Wet vermeld; of
- (d) synde iemand wat by die Spoorwegadministrasie in diens was en ten opsigte van wie ingevolge sub-artikel (1) van artikel *veertig* of artikel *een-veertig* van die „Spoorwegen en Havens Superannuatie Fonds Wet, 1925”, uit die Nuwe Fonds 'n bedrag betaal is, uit die diens tree of afgedank of ontslaan word uit die staatsdiens of uit die diens van die administrasie waartoe hy verplaas is, onder omstandighede in sub-artikel (4) van artikel *sestien* of sub-artikel (3) van artikel *vier-en-twintig* of artikel *agt-en-twintig*, *negen-en-twintig* of *dertig* van daardie Wet vermeld;” en
- (b) deur in genoemde voorbehoudsbepaling die woord „inkomste” deur die woorde „die Gekonsolideerde Inkomstefonds, of (na gelang van die geval) aan die inkomstefonds van die betrokke provinsie of van die gebied Suidwes-Afrika, of aan die Spoorweg- en Hawefonds” te vervang.

Invoeging van artikel 17bis in Wet 27 van 1944.

31. Die volgende artikel word hiermee na artikel *sewentien* van die Wet op Staatsamptenare (Militêre Diens), 1944, ingevoeg:

„Sekere pensioenbydraes word van voordele afgetrek.

17bis. Indien enige provinsiale ordonnansie of enige ordonnansie van die Wetgewende Raad van die gebied Suidwes-Afrika of enige proklamasie deur die Administrateur van daardie gebied uitgevaardig, bepalings bevat—

- (i) wat wesenlik dieselfde is as die wat in artikels *twee*, *drie*, *vier*, *ses*, *sewe* en *sewentien* bevat is;
- (ii) ingevolge waarvan sekere bydraes en rente (indien daar is) wat namens iemand uit die inkomstefonds van 'n provinsie of van daardie gebied of uit die inkomste van 'n raad aan 'n pensioen- of voorsorgfonds wat deur 'n provinsiale administrasie of die administrasie van daardie gebied geadministreer word, betaal is, vir die doeleindes van enige pensioenwet wat op hom van toepassing is geag word deur so iemand self betaal te gewees het; en
- (iii) ingevolge waarvan 'n bedrag gelyk aan die aldus betaalde bydraes en rente (indien daar is), van enige voordeel wat kragtens die toepaslike pensioenwet aan hom betaalbaar is, afgetrek word indien hy uit die diens tree of afgedank of ontslaan word onder sekere omstandighede in die betrokke bepaling vermeld,

en indien, omrede die verplasing van so iemand na, of sy aanstelling in ander diens, 'n bedrag ten opsigte van genoemde persoon uit sodanige pensioen of voorsorgfonds ingevolge sub-artikel (2) van artikel *ses-en-twintig* van die Regeringsdiens Pensioenwet, 1936, aan die pensioenfonds, of ingevolge sub-artikel (3) van artikel *twee-en-sewentig* van daardie Wet, aan die Regeringswerknemersondersteuningsfonds, of ingevolge artikel *een-en-veertig* van die „Spoorwegen en Havens Superannuatie Fonds Wet, 1925” aan die Nuwe Fonds, of ingevolge die regulasies uitgevaardig kragtens artikel *twaalf* van die „Wet tot Additionele Regeling van het Hoger Onderwijs, 1917”, aan die voorsorgfonds wat kragtens daardie artikel ingestel is, of ingevolge die regulasies uitgevaardig kragtens artikel *negentien* van die „Hoger Onderwijs Wet 1923”, aan die voorsorgfonds wat kragtens daardie artikel ingestel is, betaal is, en indien so iemand daarna—

- (a) synde 'n beampte of werknemer of iemand in diens onder 'n inrigting vir hoër onderwys, uit die diens tree of afgedank of ontslaan word onder omstandighede in sub-artikel (2), (3), (4), (6) of (7) van artikel *een-en-twintig* of in sub-artikel (2), (3) of (5) van artikel *sewentig* van die Regeringsdiens Pensioenwet, 1936, vermeld; of
- (b) synde iemand in diens van die Spoorwegadministrasie, uit die diens tree of afgedank of ontslaan word onder omstandighede in sub-artikel

appointed directly without a break in his service or to which he has been transferred, in circumstances mentioned in sub-section (2), (3), (4), (6) or (7) of section *twenty-one* or in sub-section (2), (3) or (5) of section *seventy* of the said Act; or

(d) being a person who was in the employ of the Railway Administration and in respect of whom an amount has been paid from the New Fund in terms of sub-section (1) of section *forty* or section *forty-one* of the Railways and Harbours Superannuation Fund Act, 1925, retires or is retired or discharged from the public service or from the service of the administration to which he has been transferred, in circumstances mentioned in sub-section (4) of section *sixteen* or sub-section (3) of section *twenty-four* or section *twenty-eight*, *twenty-nine* or *thirty* of that Act; and

(b) by the substitution in the said proviso for the word "revenue" of the words "the Consolidated Revenue Fund, or to the revenue fund of the province concerned or of the territory of South-West Africa, or to the Railway and Harbour Fund, as the case may be".

31. The following section is hereby inserted in the Public Servants (Military Service) Act, 1944, after section *seventeen*:

"Certain pension contributions to be deducted from benefits.

17bis. If any provincial ordinance or any ordinance of the Legislative Assembly of the territory of South-West Africa or any proclamation issued by the Administrator of that territory contains provisions—

- (i) which are in substance the same as those contained in sections *two*, *three*, *four*, *six*, *seven* and *seventeen*;
- (ii) in terms of which certain contributions and interest (if any) which have been paid out of the revenue fund of a province or of that territory or out of the revenue of a board on behalf of any person to a pension or provident fund administered by a provincial administration or the administration of that territory are regarded for the purpose of any pension law applicable to him as having been paid by the said person himself; and
- (iii) in terms of which an amount equal to the contributions and interest (if any) so paid is deducted from any benefit payable to him under the applicable pension law if he retires or is retired or discharged in certain circumstances mentioned in the relevant provision,

and if, by reason of the transfer or appointment of such person to other employment, an amount has been paid, in respect of the said person, from such pension or provident fund to the pension fund in terms of sub-section (2) of section *twenty-six* of the Government Service Pensions Act, 1936, or to the Government Employees' Provident Fund in terms of sub-section (3) of section *seventy-two* of that Act, or to the New Fund in terms of section *forty-one* of the Railways and Harbours Superannuation Fund Act, 1925, or to the provident fund established under section *twelve* of the Higher Education Additional Provision Act, 1917, in terms of the regulations made under that section, or to the provident fund established under section *nineteen* of the Higher Education Act, 1923, in terms of the regulations made under that section, and if such person thereafter—

- (a) being an officer or employee or a person employed under an institution for higher education, retires or is retired or discharged in circumstances mentioned in sub-section (2), (3), (4), (6) or (7) of section *twenty-one* or in sub-section (2), (3) or (5) of section *seventy* of the Government Service Pensions Act, 1936; or
- (b) being a person in the employ of the Railway Administration, retires or is retired or discharged in circumstances mentioned in sub-

Insertion of section 17 bis in Act 27 of 1944.

(4) van artikel *sestien* of sub-artikel (3) van artikel *vier-en-twintig* of artikel *agt-en-twintig*, *negen-en-twintig* of *dertig* van die „Spoorwegen en Havens Superannuatie Fonds Wet, 1925”, vermeld,

word daar van enige voordeel wat kragtens die toepaslike pensioenwet aan hom betaalbaar is, ’n bedrag afgetrek wat gelyk is aan die bedrag wat ingevolge die betrokke ordonnansie of proklamasie geag was deur so iemand self betaal te gewees het en aan die betrokke administrasie of raad terugbetaal.”.

Wysiging van artikel 8 van Wet 29 van 1944.

32. Artikel *agt* van die Wet op die Suid-Afrikaanse Reserwebank, 1944, word hiermee gewysig—

(a) deur aan die end van paragraaf (I) van sub-artikel (1) die woord „en” te skrap; en

(b) deur na paragraaf (I) die volgende paragraaf in te voeg:

„(I)*bis* met die toestemming van die Minister, reëlings tref of ooreenkomste aangaan met enige bank of finansiële inrigting in die buiteland om op sodanige wyse, teen sodanige rentekoers en op sodanige ander terme en voorwaardes as wat die bank goed ag, enige buitelandse betaalmiddels wat die bank dit wenslik ag om te verkry, te leen; en”.

Wysiging van artikel 3 van Wet 48 van 1947.

33. (1) Artikel *drie* van die Finansiewet, 1947, word hiermee gewysig—

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

„(a) om betaling van enige gelde (uitgesonderd bedrae ten opsigte van minimum goudbydraes aan die Internasionale Monetêre Fonds en die Internasionale Bank vir Rekonstruksie en Ontwikkeling verskuldig) deur die Unie-regering aan die Internasionale Monetêre Fonds en die Internasionale Bank vir Rekonstruksie en Ontwikkeling verskuldig, te verseker deur die uitreiking aan die Suid-Afrikaanse Reserwebank as bewaarnemer, van spesiale Tesourieskuldbewyse wat nie verhandelbaar en nie rentedraend is nie en teen hul nominale waarde op aanvraag betaalbaar is;”;

(b) deur in paragraaf (b) van sub-artikel (1) die uitdrukking „of (c)” te skrap; en

(c) deur paragraaf (c) van sub-artikel (1) deur die volgende paragraaf te vervang:

„(c) om enige terugbetaling van bydraes of ander gelde beskikbaar gestel deur genoemde Fonds of genoemde Internasionale Bank ten bate van die Leningsrekening aan te neem.”.

(2) Dit word geag dat sub-artikel (1) op die vyftiende dag van Desember 1948 in werking getree het.

Wysiging van artikel 14 van Wet 44 van 1948.

34. (1) Artikel *veertien* van die Wet op die Koördineringswet van Vervoer, 1948, word hiermee gewysig—

(a) deur in paragraaf (a) van sub-artikel (4) al die woorde na die woord „hom” waar dit vir die vierde maal voorkom deur die volgende woorde te vervang:

„(i) aan die Fonds van ’n bedrag gelyk aan die helfte van die bedrag wat verkry sou gewees het as daardie polis op die dag wat die inwerkingtreding van hierdie Wet onmiddellik voorafgegaan het, afgekoop was; en

(ii) aan inkomste (soos in artikel *drie-en-tagtig* van die Pensioenwet omskryf) van ’n bedrag gelyk aan die verskil tussen die bedrag wat ingevolge die bepalings van die regulasies wat die Voorsieningsfonds van die Nasionale Padraad beheer ten opsigte van daardie polis ten opsigte van enige tydperk na die datum van inwerkingtreding van hierdie Wet betaal is en die bedrag van die bydraes wat vanaf daardie datum ingevolge die bepalings van die bedoelde regulasies van hom verhaal is; en”;

en

(b) deur aan die end daarvan die volgende sub-artikel by te voeg:

„(9) Indien iemand wat ingevolge sub-artikel (1) van artikel *dertien* ’n werknemer van die Regering word, ’n naturel of kleurling is, word die ononderbroke diens van so iemand by die Nasionale Padraad

section (4) of section *sixteen* or sub-section (3) of section *twenty-four* or section *twenty-eight*, *twenty-nine* or *thirty* of the Railways and Harbours Superannuation Fund Act, 1925,

there shall be deducted from any benefit payable to him under the applicable pension law, and repaid to the appropriate administration or board, an amount equal to the amount which in terms of the relevant ordinance or proclamation, was regarded as having been paid by such person himself.”.

32. Section *eight* of the South African Reserve Bank Act, 1944, is hereby amended—

Amendment of section 8 of Act 29 of 1944.

(a) by the deletion at the end of paragraph (1) of sub-section (1) of the word “and”; and

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

“(1)*bis* make arrangements or enter into agreements, subject to the consent of the Minister, with any bank or financial institution in a foreign country to borrow, in such manner, at such rates of interest and upon such other terms and conditions as the bank may deem fit, any foreign currency, which the bank may consider it expedient to acquire; and”.

33. (1) Section *three* of the Finance Act, 1947, is hereby amended—

Amendment of section 3 of Act 48 of 1947.

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

“(a) to secure payment of any moneys (other than amounts due in respect of minimum gold subscriptions to the International Monetary Fund and the International Bank for Reconstruction and Development) due to the International Monetary Fund and the International Bank for Reconstruction and Development by the Union Government by the issue to the South African Reserve Bank, as depository, of special Treasury promissory notes which shall be non-negotiable, non-interest bearing and payable at their face value on demand;”;

(b) by the deletion in paragraph (b) of sub-section (1) of the expression “or (c)”; and

(c) by the substitution for paragraph (c) of sub-section (1) of the following paragraph:

“(c) to accept for the credit of the Loan Account any refund of subscriptions or other moneys made available by the said Fund or the said International Bank.”.

(2) Sub-section (1) shall be deemed to have come into operation on the fifteenth day of December, 1948.

34. (1) Section *fourteen* of the Transport (Co-ordination) Act, 1948, is hereby amended—

Amendment of section 14 of Act 44 of 1948.

(a) by the substitution in paragraph (a) of sub-section (4) for all the words after the word “him” where it occurs for the fourth time of the following words:

“(i) to the Fund of an amount equal to one half of the amount which would have been realized if that policy had been surrendered on the day immediately preceding the date of commencement of this Act; and

(ii) to revenue (as defined in section *eighty-three* of the Pensions Act) of an amount equal to the difference between the amount which in terms of the regulations governing the National Road Board Provident Fund has been paid in respect of that policy in respect of any period subsequent to the date of commencement of this Act, and the amount of the contributions recovered from him in terms of the said regulations as from that date; and”;

and

(b) by the addition at the end thereof of the following sub-section:

“(9) If any person who becomes an employee of the Government in terms of sub-section (1) of section *thirteen* is a native or coloured person, the continuous employment of such person by the National Road

vóór die datum van die inwerkingtreding van hierdie Wet, by die toepassing van die Pensioenwet geag „pensioengewende diens” of „pensioengewende diens as ’n nie-bydraer tot die fonds” soos in sub-artikel (10) van artikel *negen-en-dertig* van bedoelde Wet omskryf, te wees: Met dien verstande dat enige pensioen wat ingevolge genoemde artikel *negen-en-dertig* aan so ’n naturel of kleurling betaalbaar mag word, ewerediglik uit die Fonds en uit inkomste (soos in artikel *drie-en-tagtig* van die Pensioenwet omskryf) betaal word op die basis wat die Tesourie bepaal.”

(2) Dit word geag dat sub-artikel (1) op die eerste dag van Desember 1948 in werking getree het.

DEEL II.

AANGELEENTHEDE WAT DIE SPOORWEGADMINISTRASIE RAAK.

Bestryding van tekort in die Spoorweg- en Hawefonds.

35. Die tekort in die Spoorweg- en Hawefonds ten opsigte van die boekjaar wat op die een-en-dertigste dag van Maart 1950 geëindig het, soos deur die Kontroleur en Ouditeurgeneraal gesertifiseer, word bestry uit die fonds wat ingevolge artikel *honderd agt-en-twintig* van die „Zuid-Afrika Wet, 1909” ingestel is, vir sover bedoelde tekort nie die batige saldo van daardie fonds oorskry nie.

Bekragtiging van oordrag van sekere leningsgelde na Vernuwingsfonds.

36. Die oordrag deur die Spoorwegadministrasie na sy Vernuwingsfonds, van die som van vierhonderd sewen-en-twintigduisend en twee-en-tagtig pond en tweepennies, synde ’n gedeelte van sekere gelde wat deur die Spoorweg- en Hawebegrotingswet, 1948 (Wet No. 14 van 1948) uit leningsfondse bewillig is vir die doeleindes van die oorname deur bedoelde Administrasie van sekere elektrisiteitsubstasies van die „Elektrisiteitvoorziening Kommissie” ingestel deur die „Elektrisiteit Wet, 1922” (Wet No. 42 van 1922), word hierby bekragtigt.

Invoeging van artikel 53 in Wet 21 van 1911.

37. (1) Die „Financiewet, 1911” word hiermee gewysig deur die volgende artikel daarby in te voeg:

„Belegging 53. De Administratie kan zodanige gedeelte als beschikbaar moge zijn van de bedrijfsaldo's die overeenkomstig artikel *negen* van de Openbare Schuldkommissarissen Wet, 1911 (Wet No. 18 van 1911) tot haar beschikking gehouden worden, bij wijze van korttermijndeposito voor tijdperken van hoogstens èen maand beleggen bij de „Nasionale Finansiële korporasie van Suid-Afrika” ingesteld krachtens artikel *twee* van de „Wet op die Nasionale Finansiële korporasie, 1949” (Wet No. 33 van 1949).”

(2) Dit word geag dat sub-artikel (1) op die eerste dag van April 1950 in werking getree het.

Kort titel.

38. Hierdie Wet heet die Financiewet, 1950.

Board prior to the date of commencement of this Act, shall, for the purposes of the Pensions Act, be deemed to be 'pensionable service' or 'pensionable service as a non-contributor to the fund' as defined in sub-section (10) of section *thirty-nine* of that Act: Provided that any pension which may become payable to such native or coloured person in terms of the said section *thirty-nine* shall be paid proportionately from the Fund and from revenue (as defined in section *eighty-three* of the Pensions Act) on a basis to be determined by the Treasury."

(2) Sub-section (1) shall be deemed to have come into operation on the first day of December, 1948.

PART II.

MATTERS AFFECTING THE RAILWAY ADMINISTRATION.

35. The deficit of the Railway and Harbour Fund in respect of the financial year ended on the thirty-first day of March, 1950, as certified by the Controller and Auditor-General shall, to the extent to which it does not exceed the balance standing to the credit of the fund established in terms of section *one hundred and twenty-eight* of the South Africa Act, 1909, be charged against that fund.

Defrayment of deficit of Railway and Harbour Fund.

36. The transfer by the Railway Administration to its Renewals Fund, of the sum of four hundred and twenty-seven thousand and eighty-two pounds and twopence, being a portion of certain moneys appropriated by the Railways and Harbours Appropriation Act, 1948 (Act No. 14 of 1948), from loan funds for the purposes of the acquisition by the said Administration of certain electricity sub-stations from the Electricity Supply Commission established by the Electricity Act, 1922 (Act No. 42 of 1922), is hereby validated.

Validation of transfer of certain loan moneys to Renewals Fund.

37. (1) The Exchequer and Audit Act, 1911, is hereby amended by the insertion therein of the following section:

Insertion of section 53 in Act 21 of 1911.

"Investment of Administration's working balances.

53. The Administration may invest with the National Finance Corporation of South Africa, established under section *two* of the National Finance Corporation Act, 1949 (Act No. 33 of 1949), on short call deposit for periods not exceeding one month, such portion as may be available of the working balances retained at its disposal in terms of section *nine* of the Public Debt Commissioners Act, 1911 (Act No. 18 of 1911)."

(2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1950.

38. This Act shall be called the Finance Act, 1950.

Short title.

