

EXTRAORDINARY



BUITENGEWONE

Government Gazette

THE UNION OF SOUTH AFRICA

Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

[Registered at the General Post Office as a Newspaper.]

[Geregistreer by die Hoofposkantoor as 'n Nuusblad.]

VOL. CXCVI.] PRICE 6d.

CAPE TOWN, 1st MAY, 1959.
KAAPSTAD, 1 MEI 1959.

PRYS 6d. [No. 6216.

DEPARTMENT OF THE PRIME MINISTER.

No. 661.] [1st May, 1959.

It is hereby notified that His Excellency the Governor-General has been pleased to assent to the following Acts, which are hereby published for general information:—

	PAGE
No. 30 of 1959: Merchant Shipping Amendment Act, 1959	2
No. 31 of 1959: Motor Vehicle Insurance Amendment Act, 1959	24

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 661.] [1 Mei 1959.

Hierby word bekend gemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wette, wat hierby ter algemene inligting gepubliseer word:—

	BLADSY
No. 30 van 1959: Wysigingswet op Handelskeepvaart, 1959	3
No. 31 van 1959: Wysigingswet op Motorvoertuig-assuransie, 1959	25

No. 30, 1959.]

ACT

To amend the Merchant Shipping Act, 1951.

(Afrikaans text signed by the Governor-General.)
(Assented to 23rd April, 1959.)

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

Substitution in Act 57 of 1951 for the word "Director" of the word "Secretary".

Amendment of section 1 of Act 57 of 1951.

Amendment of section 2 of Act 57 of 1951.

1. The Merchant Shipping Act, 1951 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the word "Director" wherever it occurs of the word "Secretary".

2. Section *one* of the principal Act is hereby amended by the addition of the following proviso:

"Provided that until all the provisions of this Act have been brought into operation in terms of section *three hundred and fifty-eight*, any provision of any such law which corresponds to a provision of this Act which has not yet been so brought into operation shall, in so far as it is not inconsistent with any provision of this Act which has been so brought into operation, continue to apply in relation to the ships in respect of which the provisions of this Act which have been so brought into operation apply, and in relation to the owners, masters, seamen and apprentice-officers of such ships as if this section had not been enacted."

3. Section *two* of the principal Act is hereby amended—

- (a) by the substitution in the definition of "clearance" in sub-section (1) for the expression "Customs Act, 1944 (Act No. 35 of 1944)" of the expression "Customs Act, 1955 (Act No. 55 of 1955)";
- (b) by the deletion in the definition of "coasting ship" in the said sub-section of the words "of not more than one thousand gross register tons";
- (c) by the insertion in the definition of "construction regulations" in the said sub-section after the expression "Chapter II" of the expression "(except Part E thereof)";
- (d) by the substitution in the definition of "dangerous goods" in the said sub-section for the expression "Explosives Act, 1911 (Act No. 8 of 1911), as amended," of the expression "Explosives Act, 1956 (Act No. 26 of 1956)";
- (e) by the deletion in the said sub-section of the definition of "Director";
- (f) by the deletion in the definition of "fishing boat" in the said sub-section of the words "of not more than one thousand gross register tons";
- (g) by the deletion in the definition of "foreign-going ship" in the said sub-section of paragraphs (b) and (c);
- (h) by the insertion in the definition of "life-saving equipment regulations" in the said sub-section after the word "provisions" of the expression "of Part E of Chapter II and";
- (i) by the substitution in the definition of "Minister" in the said sub-section for the word "Finance" of the word "Transport";
- (j) by the substitution in the definition of "officer of customs" in the said sub-section for the expression "Customs Act, 1944 (Act No. 35 of 1944)" of the expression "Customs Act, 1955 (Act No. 55 of 1955)";
- (k) by the deletion in the definition of "sealing boat" in the said sub-section of the words "of not more than one thousand gross register tons"; and
- (l) by the insertion after the definition of "seaman" in the said sub-section of the following definition:
" 'Secretary' means the Secretary for Transport;".

No. 30, 1959.]

WET

Tot wysiging van die Handelskeepvaartwet, 1951.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 23 April 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Die Handelskeepvaartwet, 1951 (hieronder die Hoofwet genoem), word hierby gewysig deur die woord „Direkteur” oral waar dit voorkom deur die woord „Sekretaris” te vervang. Vervanging in Wet 57 van 1951 van die woord „Direkteur” deur die woord „Sekretaris”.
2. Artikel een van die Hoofwet word hierby gewysig deur die volgende voorbehoudsbepaling by te voeg: Wysiging van artikel 1 van Wet 57 van 1951.
„Met dien verstande dat tot tyd en wyl al die bepalings van hierdie Wet ingevolge artikel driehonderd agt-en-vyftig in werking gestel is, enige bepalings van enige sodanige wet wat ooreenstem met ’n bepaling van hierdie Wet wat nog nie aldus in werking gestel is nie aanhou, vir sover dit nie strydig is nie met ’n bepaling van hierdie Wet wat aldus in werking gestel is, om van toepassing te wees met betrekking tot die skepe ten opsigte waarvan die bepalings van hierdie Wet wat aldus in werking gestel is van toepassing is, en met betrekking tot die eienaars, gesagvoerders, seelui en leerling-offisiere van sodanige skepe, asof hierdie artikel nie verorden was nie.”
3. Artikel twee van die Hoofwet word hierby gewysig— Wysiging van artikel 2 van Wet 57 van 1951.
 - (a) deur in sub-artikel (1) die omskrywing van „Direkteur” te skrap;
 - (b) deur in die omskrywing van „doeanebeampte” in bedoelde sub-artikel die uitdrukking „Doeanewet, 1944 (Wet No. 35 van 1944)” deur die uitdrukking „Doeanewet, 1955 (Wet No. 55 van 1955)” te vervang;
 - (c) deur in die omskrywing van „gevaarlike goedere” in bedoelde sub-artikel die uitdrukking „Ontploffbare Stoffen Wet, 1911” (Wet No. 8 van 1911), soos gewysig deur die uitdrukking „Wet op Ontploffbare Stowwe, 1956 (Wet No. 26 van 1956)” te vervang;
 - (d) deur in die omskrywing van „kusvaarder” in bedoelde sub-artikel die woorde „van hoogstens eenduisend bruto-registerton” te skrap;
 - (e) deur in die omskrywing van „Minister” in bedoelde sub-artikel die woord „Finansies” deur die woord „Vervoer” te vervang;
 - (f) deur in die omskrywing van „regulasies in verband met konstruksie” in bedoelde sub-artikel na die uitdrukking „Hoofstuk II” die uitdrukking „(uitgesonderd Deel E daarvan)” in te voeg;
 - (g) deur in die omskrywing van „regulasies vir reddingsuitrusting” in bedoelde sub-artikel na die woord „bepalings” die uitdrukking „van Deel E van Hoofstuk II en” in te voeg;
 - (h) deur in die omskrywing van „robbevaarder” in bedoelde sub-artikel die woorde „van hoogstens eenduisend bruto-registerton” te skrap;
 - (i) deur na die omskrywing van „seeman” in bedoelde sub-artikel die volgende omskrywing in te voeg: „„Sekretaris” die Sekretaris van Vervoer;”;
 - (j) deur in die omskrywing van „skip op vreemde vaart” in bedoelde sub-artikel paragrawe (b) en (c) te skrap;
 - (k) deur in die omskrywing van „uitklaringsbewys” in bedoelde sub-artikel die uitdrukking „Doeanewet, 1944 (Wet No. 35 van 1944)” deur die uitdrukking „Doeanewet, 1955 (Wet No. 55 van 1955)” te vervang; en
 - (l) deur in die omskrywing van „visserboot” in bedoelde sub-artikel die woorde „van hoogstens eenduisend bruto-registerton” te skrap.

Amendment of
section 3 of
Act 57 of 1951.

4. Section *three* of the principal Act is hereby amended by the substitution in sub-sections (8), (9), (10) and (11) for the words "Governor-General" and "proclamation" wherever they occur of the words "Minister" and "notice", respectively.

Substitution
of section 5 of
Act 57 of 1951.

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

"Secretary
to be
responsible
for adminis-
tration of
Act.

5. (1) The Secretary shall, subject to the control of the Minister, be responsible for the administration of this Act, and shall have the control of all matters incidental thereto.

(2) The Secretary shall, subject to the provisions of this Act or any other law, have such powers and perform such duties as are assigned to him by the Minister.

(3) All powers conferred and all duties imposed upon the Secretary may be exercised or performed by the Secretary personally or by an officer under a delegation from or under the control or direction of the Secretary."

Amendment of
section 6 of
Act 57 of 1951.

6. Section *six* of the principal Act is hereby amended—

(a) by the deletion of sub-section (2);

(b) by the deletion in sub-section (3) of the words "or the National Advisory Council for the Welfare of Merchant Seamen, respectively,";

(c) by the deletion of sub-section (5);

(d) by the deletion in sub-section (8) of the words "the National Advisory Council for the Welfare of Merchant Seamen";

(e) by the deletion in sub-section (9) of the words "the National Advisory Council for the Welfare of Merchant Seamen,"; and

(f) by the addition of the following sub-section:

"(10) In sub-section (6) the expression 'seamen' includes all persons who are or have been employed, or are seeking employment, in any capacity on board any ship."

Amendment of
section 9 of
Act 57 of 1951.

7. Section *nine* of the principal Act is hereby amended—

(a) by the substitution in the English version of sub-section (1) for the words "duty or the exercise of his" of the words "or its duty or the exercise of his or its"; and

(b) by the insertion in paragraph (b) of sub-section (2) after the expression "sub-section (1)" of the words "whose reasonable expenses have been paid or offered to him".

Substitution of
section 32 of
Act 57 of 1951.

8. The following section is hereby substituted for section *thirty-two* of the principal Act:

"Notifi-
cation of
alterations
in ships.

32. (1) The master or owner of a South African ship which is so altered that she does not correspond with the particulars contained in the register relating to her tonnage or description shall—

(a) if at the time when the alteration is made the ship is at a port which has in terms of paragraph (c) of section *four* been declared to be a port of registry, within three days after the making of the alteration, notify the proper officer there of the alteration; or

(b) if the ship is not at such a port at the time when the alteration is made, but arrives at such a port within three months after the making of the alteration, within three days after she first arrives at such a port, notify the proper officer there of the alteration; or

(c) if the ship is not at such a port at the time when the alteration is made and does not arrive at such a port during the period of three months after the making of the alteration, as soon as practicable after the expiry of the said period, notify the proper officer at the ship's port of registry of the alteration.

(2) Every notification in terms of sub-section (1) shall be in writing and shall—

(a) in the case referred to in paragraph (a) or (b) of that sub-section, be delivered to the proper officer, accompanied by the certificate of registry of the ship and a certificate by a sur-

4. Artikel *drie* van die Hoofwet word hierby gewysig deur in sub-artikels (8), (9), (10) en (11) die woorde „Goewerneur-generaal” en „proklamasie” oral waar hulle voorkom deur die woorde „Minister” en „kennisgewing”, onderskeidelik, te vervang.

Wysiging van artikel 3 van Wet 57 van 1951.

5. Artikel *vyf* van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 5 van Wet 57 van 1951.

„Sekretaris
verant-
woordelik
vir uit-
voering van
Wet.

5. (1) Die Sekretaris is, onder toesig van die Minister, verantwoordelik vir die uitvoering van hierdie Wet en het beheer oor alle aanverwante sake.

(2) Die Sekretaris het, met inagneming van die bepalings van hierdie Wet of enige ander wet, die bevoegdhede en voer die pligte uit wat deur die Minister aan hom toegewys word.

(3) Alle bevoegdhede toegewys en alle pligte opgelê aan die Sekretaris, kan deur die Sekretaris persoonlik uitgeoefen of verrig word of deur ’n beamppte kragtens ’n delegasie van of onder die beheer of voorskrif van die Sekretaris.”

6. Artikel *ses* van die Hoofwet word hierby gewysig—

Wysiging van artikel 6 van Wet 57 van 1951.

(a) deur sub-artikel (2) te skrap;

(b) deur in sub-artikel (3) die woorde „of die Nasionale Adviesraad vir die Welsyn van Handelseelui, onderskeidelik,” te skrap;

(c) deur sub-artikel (5) te skrap;

(d) deur in sub-artikel (8) die woorde „van die Nasionale Adviesraad vir die Welsyn van Handelseelui” te skrap;

(e) deur in sub-artikel (9) die woorde „van die Nasionale Adviesraad vir die Welsyn van Handelseelui” te skrap; en

(f) deur die volgende sub-artikel by te voeg:

„(10) In sub-artikel (6) beteken die uitdrukking „seelui” ook alle persone wat in enige hoedanigheid aan boord van enige skip in diens is of was of wat verlang om in enige hoedanigheid werk aan boord van enige skip te kry.”

7. Artikel *nege* van die Hoofwet word hierby gewysig—

Wysiging van artikel 9 van Wet 57 van 1951

(a) deur in die Engelse teks van sub-artikel (1) die woorde „duty or the exercise of his” deur die woorde „or its duty or the exercise of his or its” te vervang; en

(b) deur in paragraaf (b) van sub-artikel (2) na die woord „is” die woorde „en wie se redelike onkoste aan hom betaal of aangebied is” in te voeg.

8. Artikel *twee-en-dertig* van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 32 van Wet 57 van 1951.

„Kennis-
gewing van
veranderings
aan skepe.

32. (1) Die gesagvoerder of eienaar van ’n Suid-Afrikaanse skip wat so verander word dat dit nie met die besonderhede betreffende sy tonnemaat of beskrywing vervat in die register ooreenstem nie moet—

(a) indien die skip tydens die aanbring van die verandering by ’n hawe is wat ingevolge paragraaf (c) van artikel *vier* tot ’n hawe vir registrasie verklaar is, binne drie dae na die aanbring van die verandering die bevoegde beamppte daar van die verandering in kennis stel; of

(b) indien die skip nie tydens die aanbring van die verandering by so ’n hawe is nie, maar binne drie maande na die aanbring van die verandering by so ’n hawe aankom, binne drie dae nadat dit die eerste keer by so ’n hawe aankom die bevoegde beamppte daar van die verandering in kennis stel; of

(c) indien die skip nie tydens die aanbring van die verandering by so ’n hawe is nie en nie binne die tydperk van drie maande na die aanbring van die verandering by so ’n hawe aankom nie, so spoedig doenlik na die verstryking van daardie tydperk, die bevoegde beamppte by die skip se registrasiehawe van die verandering in kennis stel.

(2) Elke kennisgewing ingevolge sub-artikel (1) moet skriftelik geskied en moet—

(a) in die geval in paragraaf (a) of (b) van daardie sub-artikel bedoel, aan die bevoegde beamppte oorhandig word tesame met die registrasiesertifikaat van die skip en ’n sertifikaat van ’n

veyor stating the particulars of the alteration;
or

- (b) in the case referred to in paragraph (c) of that sub-section, be sent by registered post to the proper officer, accompanied by an application for registry anew of the ship.”.

Substitution of
section 33 of
Act 57 of 1951.

9. The following section is hereby substituted for section *thirty-three* of the principal Act:

“Registry
of
alterations.

33. (1) If the proper officer to whom a notification of any alteration is given in terms of paragraph (a) or (b) of sub-section (1) of section *thirty-two* is the proper officer at the ship's port of registry, he shall, upon receipt by him of the notification and of the certificate of registry and surveyor's certificate referred to in paragraph (a) of sub-section (2) of that section, either direct that the ship be registered anew or endorse the particulars of the alteration on the existing certificate of registry and in the latter event he shall record in the register the particulars of the alteration and the fact that they have been endorsed on the certificate of registry.

(2) (a) If the proper officer to whom notification of any alteration is given in terms of paragraph (a) or (b) of sub-section (1) of section *thirty-two* is not the proper officer at the ship's port of registry, he shall, upon receipt by him of the notification and of the certificate of registry and surveyor's certificate referred to in paragraph (a) of sub-section (2) of that section, either withdraw the existing certificate of registry and direct that the ship be registered anew and, upon receipt of the application for registry anew of the ship, grant a provisional certificate of registry describing the ship as altered or endorse the particulars of the alteration on the existing certificate of registry.

(b) Where a proper officer has granted a provisional certificate of registry or endorsed a certificate of registry in terms of paragraph (a), he shall forthwith report to the proper officer at the ship's port of registry the particulars of the case and transmit to him the surveyor's certificate delivered in terms of paragraph (a) of sub-section (2) of section *thirty-two* and, where a provisional certificate has been granted, the application in pursuance of which it was granted and the withdrawn certificate of registry.

(3) Upon receipt by the proper officer at the ship's port of registry of the report made and documents transmitted to him in terms of sub-section (2), he shall record in the register the particulars of the alteration and the fact that a provisional certificate of registry has been granted, or, as the case may be, that the particulars of the alteration have been endorsed on the existing certificate of registry.

(4) (a) The master or owner of a ship in respect of which a provisional certificate of registry has been granted under sub-section (2) shall, unless she has been registered anew in terms of paragraph (b), within three days after the first subsequent arrival of that ship at her port of registry deliver that certificate to the proper officer at that port, who shall retain that certificate and register the ship anew.

(b) If the proper officer at the ship's port of registry has reason to believe that the ship will not arrive at that port within a reasonable period, he may register the ship anew and transmit the new certificate of registry granted by him in terms of sub-section (1) of section *thirty-five* to the proper officer at any port at which the ship is or for which she is bound, for delivery to the master or owner of the ship against the surrender of the provisional certificate of registry.

opnemer bevattende die besonderhede van die verandering; of

- (b) in die geval in paragraaf (c) van daardie sub-artikel bedoel, per aangetekende pos aan die bevoegde beampte gestuur word tesame met 'n aansoek om registrasie opnuut van die skip."

9. Artikel *drie-en-dertig* van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 33 van Wet 57 van 1951.

„Registrasie van veranderings. 33. (1) Indien die bevoegde beampte aan wie 'n kennisgewing van 'n verandering ingevolge paragraaf (a) of (b) van sub-artikel (1) van artikel *twee-en-dertig* gegee word die bevoegde beampte by die skip se registrasiehawe is, moet hy, by ontvangs deur hom van die kennisgewing en van die registrasiesertifikaat en die opnemer se sertifikaat wat in paragraaf (a) van sub-artikel (2) van daardie artikel bedoel word, of gelas dat die skip opnuut geregistreer word of die besonderhede van die verandering op die bestaande registrasiesertifikaat endosseer en in die laasgenoemde geval moet hy die besonderhede van die verandering en die feit dat hulle op die registrasiesertifikaat geëndosseer is in die register aanteken.

(2) (a) Indien die bevoegde beampte aan wie 'n kennisgewing van 'n verandering ingevolge paragraaf (a) of (b) van sub-artikel (1) van artikel *twee-en-dertig* gegee word nie die bevoegde beampte by die skip se registrasiehawe is nie, moet hy, by ontvangs deur hom van die kennisgewing en van die registrasiesertifikaat en die opnemer se sertifikaat wat in paragraaf (a) van sub-artikel (2) van daardie artikel bedoel word, of die bestaande registrasiesertifikaat in-trek en gelas dat die skip opnuut geregistreer word en, by ontvangs van die aansoek om registrasie opnuut van die skip, 'n voorlopige registrasiesertifikaat wat die skip soos verander beskryf, verleen, of die besonderhede van die verandering op die bestaande registrasiesertifikaat endosseer.

(b) Waar 'n bevoegde beampte 'n voorlopige registrasiesertifikaat verleen het of 'n registrasiesertifikaat ingevolge paragraaf (a) geëndosseer het, moet hy onverwyld aan die bevoegde beampte by die skip se registrasiehawe die besonderhede van die geval rapporteer en aan hom die opnemer se sertifikaat wat ingevolge paragraaf (a) van sub-artikel (2) van artikel *twee-en-dertig* oorhandig is, en, waar 'n voorlopige sertifikaat verleen is, ook die aansoek ingevolge waarvan dit verleen is en die ingetrekke registrasiesertifikaat stuur.

(3) By ontvangs, deur die bevoegde beampte by die skip se registrasiehawe, van die rapport aan hom gemaak en die dokumente aan hom gestuur ingevolge sub-artikel (2), moet hy die besonderhede van die verandering en die feit dat 'n voorlopige registrasiesertifikaat verleen is, of dat die besonderhede van die verandering op die bestaande registrasiesertifikaat geëndosseer is, al na die geval, in die register aanteken.

(4) (a) Die gesagvoerder of eienaar van 'n skip ten opsigte waarvan 'n voorlopige registrasiesertifikaat kragtens sub-artikel (2) verleen is, moet, tensy dit ingevolge paragraaf (b) opnuut geregistreer is, binne drie dae na die eerste aankoms daarna van daardie skip by sy registrasiehawe, daardie sertifikaat aan die bevoegde beampte by daardie hawe oorhandig, wat daardie sertifikaat moet behou en die skip opnuut moet registreer.

(b) Indien die bevoegde beampte by die skip se registrasiehawe rede het om te glo dat die skip nie binne 'n redelike tydperk by daardie hawe sal aankom nie, kan hy die skip opnuut registreer en die nuwe registrasiesertifikaat deur hom ingevolge sub-artikel (1) van artikel *vyf-en-dertig* verleen, aan die bevoegde beampte by enige hawe waar die skip is of waarheen dit op weg is, stuur vir oorhandiging aan die gesagvoerder of eienaar van die skip teen teruggawe van die voorlopige registrasiesertifikaat.

(c) The proper officer to whom the provisional certificate of registry is surrendered shall forthwith transmit it to the proper officer at the ship's port of registry.

(5) (a) Upon receipt by the proper officer at the ship's port of registry of the notification and application referred to in paragraph (b) of sub-section (2) of section *thirty-two*, he shall register the ship anew and transmit the new certificate of registry granted by him in terms of sub-section (1) of section *thirty-five* to the proper officer at any port at which the ship is or for which she is bound, for delivery to the master or owner of the ship against the surrender of the old certificate of registry.

(b) The proper officer to whom the old certificate of registry is surrendered shall forthwith transmit it to the proper officer at the ship's port of registry.

(6) If a proper officer directs that a ship be registered anew, the owner of the ship shall forthwith make application for registry anew of the ship."

Amendment of
section 35 of
Act 57 of 1951.

10. Section *thirty-five* of the principal Act is hereby amended by the substitution in sub-section (1) for the words "on the delivery to him of the existing certificate of registry and on compliance with all other relative provisions of this Act, he shall" of the words "shall, subject to the provisions of this Act".

Amendment of
section 41 of
Act 57 of 1951.

11. Section *forty-one* of the principal Act is hereby amended by the insertion in sub-section (1) after the words "declaration of transfer" of the words "and any other documents which in terms of the regulations have to accompany such deed".

Amendment of
section 42 of
Act 57 of 1951.

12. Section *forty-two* of the principal Act is hereby amended by the insertion in sub-section (4) after the expression "(2) and (3)" of the words "and the regulations".

Amendment of
section 55 of
Act 57 of 1951.

13. Section *fifty-five* of the principal Act is hereby amended—

(a) by the substitution for paragraph (f) of the following paragraph:

"(f) if the ship is sold—

(i) to a person who would, if the ship were not already registered in the Union, be required, in terms of section *thirteen*, to apply for the ship to be so registered, the ship shall be registered anew; or

(ii) to a person who is qualified to be the owner of a South African ship, but who would, if the ship were not already registered in the Union, not be required, in terms of section *thirteen*, to apply for the ship to be so registered, the ship may be registered anew;"

(b) by the substitution in paragraph (g) for the words "the proper officer required to make the same" of the words "a proper officer the application for registry anew;"

(c) by the substitution for paragraph (h) of the following paragraphs:

"(h) if the proper officer to whom the documents referred to in paragraph (g) are produced, is the proper officer at the ship's port of registry, he shall retain those documents, except the deed of sale, and register the ship anew;

(h)*bis* if the proper officer to whom the documents referred to in paragraph (g) are produced, is not the proper officer at the ship's port of registry, he shall retain those documents, except the deed of sale, and shall, after having endorsed on the certificate of sale and the certificate of registry an entry of the fact that a sale has taken place, forward those certificates and the application for registry anew to the proper officer at the ship's port of registry;

- (c) Die bevoegde beampte aan wie die voorlopige registrasiesertifikaat teruggegee word, moet dit onverwyld aan die bevoegde beampte by die skip se registrasiehawe stuur.
- (5) (a) By ontvangs, deur die bevoegde beampte by die skip se registrasiehawe, van die kennisgewing en aansoek in paragraaf (b) van sub-artikel (2) van artikel *twee-en-dertig* bedoel, moet hy die skip opnuut registreer en die nuwe registrasiesertifikaat deur hom ingevolge sub-artikel (1) van artikel *vyf-en-dertig* verleen, aan die bevoegde beampte by enige hawe waar die skip is of waarheen dit op weg is, stuur vir oorhandiging aan die gesagvoerder of eienaar van die skip teen teruggawe van die ou registrasiesertifikaat.
- (b) Die bevoegde beampte aan wie die ou registrasiesertifikaat teruggegee word, moet dit onverwyld aan die bevoegde beampte by die skip se registrasiehawe stuur.
- (6) Indien 'n bevoegde beampte gelas dat 'n skip opnuut geregistreer moet word, moet die eienaar van die skip onverwyld aansoek doen om registrasie opnuut van die skip."

10. Artikel *vyf-en-dertig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „by lewering aan hom van die bestaande registrasiesertifikaat en by voldoening aan al die ander betrokke bepalings van hierdie Wet voer hy” deur die woorde „voer hy, behoudens die bepalings van hierdie Wet,” te vervang.

Wysiging van artikel 35 van Wet 57 van 1951.

11. Artikel *een-en-veertig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) na die woorde „verklaring van oordrag” die woorde „en enige ander dokumente wat ingevolge die regulasies die koopakte moet vergesel” in te voeg.

Wysiging van artikel 41 van Wet 57 van 1951.

12. Artikel *twee-en-veertig* van die Hoofwet word hierby gewysig deur in sub-artikel (4) na die uitdrukking „(2) en (3)” die woorde „en die regulasies” in te voeg.

Wysiging van artikel 42 van Wet 57 van 1951.

13. Artikel *vyf-en-veertig* van die Hoofwet word hierby gewysig—

Wysiging van artikel 55 van Wet 57 van 1951.

- (a) deur paragraaf (f) deur die volgende paragraaf te vervang:

„(f) as die skip verkoop word—

- (i) aan 'n persoon wat, as die skip nie alreeds in die Unie geregistreer was nie, ingevolge artikel *dertien* verplig sou gewees het om aansoek te doen om die registrasie aldus van die skip, moet die skip opnuut geregistreer word; of

- (ii) aan 'n persoon wat bevoeg is om die eienaar van 'n Suid-Afrikaanse skip te wees, maar wat, as die skip nie alreeds in die Unie geregistreer was nie, nie ingevolge artikel *dertien* verplig sou gewees het nie om aansoek te doen om die registrasie aldus van die skip, kan die skip opnuut geregistreer word;”;

- (b) deur in paragraaf (g) die woorde „die bevoegde beampte wat die registrasie moet waarneem” deur die woorde „'n bevoegde beampte die aansoek om registrasie opnuut” te vervang;

- (c) deur paragraaf (h) deur die volgende paragrafe te vervang:

„(h) as die bevoegde beampte aan wie die in paragraaf (g) bedoelde dokumente oorgelê word, die bevoegde beampte by die skip se registrasiehawe is, moet hy daardie dokumente, behalwe die koopakte, behou en die skip opnuut registreer;

- (h)bis as die bevoegde beampte aan wie die in paragraaf (g) bedoelde dokumente oorgelê word, nie die bevoegde beampte by die skip se registrasiehawe is nie, moet hy daardie dokumente, behalwe die koopakte, behou, en moet hy, nadat hy 'n inskrywing van die feit dat 'n verkoping plaasgevind het op die verkopingsertifikaat en die registrasiesertifikaat geëndosseer het, daardie sertifikate en die aansoek om registrasie opnuut aan die bevoegde beampte by die skip se registrasiehawe stuur;

- (h)ter upon receipt by the proper officer at the ship's port of registry of the certificates and application referred to in paragraph (h)bis he shall register the ship anew and transmit the new certificate of registry granted by him in terms of sub-section (1) of section *thirty-five* to the proper officer at any port at which the ship is or for which she is bound, for delivery to the master or owner of the ship;"
- (d) by the substitution in paragraph (i) for the words "such registry anew" of the words "registry anew in terms of paragraph (h) or (h)ter";
- (e) by the substitution for paragraph (j) of the following paragraphs:
- "(j) if the ship is sold to a person not qualified to be the owner of a South African ship, or to such a person as is referred to in sub-paragraph (ii) of paragraph (f) who does not wish the ship to be registered anew, that person shall produce or cause to be produced to a proper officer the deed of sale by which the ship is transferred, the certificate of sale and the certificate of registry of the ship;
- (j)bis if the proper officer to whom the documents referred to in paragraph (j) are produced, is the proper officer at the ship's port of registry, he shall retain the certificate of sale and the certificate of registry;
- (j)ter if the proper officer to whom the documents referred to in paragraph (j) are produced, is not the proper officer at the ship's port of registry, he shall retain the certificate of sale and the certificate of registry and shall, after having endorsed thereon an entry of the fact that the ship has been sold to a person not qualified to be the owner of a South African ship, or, as the case may be, to such a person as is referred to in sub-paragraph (ii) of paragraph (f) who does not wish the ship to be registered anew, forward them to the proper officer at the ship's port of registry;
- (j)quat any proper officer who has retained the certificate of sale and the certificate of registry of any ship in terms of paragraph (j)bis and any proper officer to whom such certificates have been forwarded in terms of paragraph (j)ter shall make a memorandum of the sale in his register, and the registry of the ship in that register shall be considered as closed, except so far as relates to any unsatisfied mortgage or existing certificate of mortgage entered therein. The provisions of sub-section (3) of section *twenty-nine* shall apply in respect of such mortgage or certificate of mortgage;"
- (f) by the substitution for paragraph (k) of the following paragraph:
- "(k) if on a sale being made to a person referred to in paragraph (j) the certificates mentioned in that paragraph are not produced as required by that paragraph that person shall be considered not to have acquired any title to or interest in the ship;"

Amendment of
section 68 of
Act 57 of 1951.

14. Section *sixty-eight* of the principal Act is hereby amended by the substitution in the Afrikaans version of sub-section (2) for the words "plaaslike veiligheidsertifikaat of 'n voorwaardelike plaaslike algemene veiligheidsertifikaat en 'n plaaslike veiligheids-vrystellingsertifikaat" of the words "plaaslike algemene veiligheidsertifikaat of 'n voorwaardelike plaaslike veiligheidsertifikaat en 'n plaaslike veiligheid-vrystellingsertifikaat".

Amendment of
section 73 of
Act 57 of 1951.

15. Section *seventy-three* of the principal Act is hereby amended—

- (a) by the substitution for the Table set forth in sub-section (1) of the following Table:

- (h)ter by ontvangs deur die bevoegde beampte by die skip se registrasiehawe van die in paragraaf (h)bis bedoelde sertifikate en aansoek, moet hy die skip opnuut registreer en die nuwe registrasiesertifikaat deur hom ingevolge sub-artikel (1) van artikel vyf-en-dertig verleen, aan die bevoegde beampte by enige hawe waar die skip is of waarheen dit op weg is, stuur vir oorhandiging aan die gesagvoerder of eienaar van die skip;";
- (d) deur in paragraaf (i) die woorde „so 'n nuwe registrasie" deur die woorde „registrasie opnuut ingevolge paragraaf (h) of (h)ter" te vervang;
- (e) deur paragraaf (j) deur die volgende paragrawe te vervang:
- „(j) as die skip verkoop word aan 'n persoon wat nie bevoeg is om eienaar van 'n Suid-Afrikaanse skip te wees nie of aan so 'n persoon soos in sub-paragraaf (ii) van paragraaf (f) bedoel word wat nie verlang dat die skip opnuut geregistreer moet word nie, moet daardie persoon die koopakte waardeur die skip oorgedra word, die verkopingsertifikaat en die registrasiesertifikaat van die skip aan 'n bevoegde beampte oorlê of laat oorlê;
- (j)bis as die bevoegde beampte aan wie die in paragraaf (j) bedoelde dokumente oorgelê word, die bevoegde beampte by die skip se registrasiehawe is, moet hy die verkopingsertifikaat en die registrasiesertifikaat behou;
- (j)ter as die bevoegde beampte aan wie die in paragraaf (j) bedoelde dokumente oorgelê word, nie die bevoegde beampte by die skip se registrasiehawe is nie, moet hy die verkopingsertifikaat en die registrasiesertifikaat behou, en moet hy, nadat hy 'n inskrywing van die feit dat die skip verkoop is aan 'n persoon wat nie bevoeg is om die eienaar van 'n Suid-Afrikaanse skip te wees nie of aan so 'n persoon soos in sub-paragraaf (ii) van paragraaf (f) bedoel word wat nie verlang dat die skip opnuut geregistreer moet word nie, al na die geval, daarop geëndosseer het, hulle aan die bevoegde beampte by die skip se registrasiehawe stuur;
- (j)quat 'n bevoegde beampte wat die verkopingsertifikaat en die registrasiesertifikaat van 'n skip ingevolge paragraaf (j)bis behou het en 'n bevoegde beampte aan wie sodanige sertifikate ingevolge paragraaf (j)ter gestuur is, moet 'n aantekening van die verkoping in sy register maak, en die registrasie van die skip in daardie register word as beëindig beskou, behalwe vir sover dit 'n onafgeloste verband of bestaande verbandsertifikaat wat daarin aangeteken staan, betref. Die bepalinge van sub-artikel (3) van artikel nege-en-twintig geld ten opsigte van bedoelde verband of verbandsertifikaat;"; en
- (f) deur paragraaf (k) deur die volgende paragraaf te vervang:
- „(k) as 'n verkoping aan 'n in paragraaf (j) bedoelde persoon geskied en die in daardie paragraaf genoemde sertifikate word nie oorgelê soos deur daardie paragraaf vereis nie, word daardie persoon geag geen eiendomsreg op of belang in die skip te verkry het nie;";

14. Artikel agt-en-sestig van die Hoofwet word hierby gewysig deur in die Afrikaanse teks van sub-artikel (2) die woorde „plaaslike veiligheidsertifikaat of 'n voorwaardelike plaaslike algemene veiligheidsertifikaat en 'n plaaslike veiligheids-vrystellingsertifikaat" deur die woorde „plaaslike algemene veiligheidsertifikaat of 'n voorwaardelike plaaslike veiligheidsertifikaat en 'n plaaslike veiligheid-vrystellingsertifikaat" te vervang.

Wysiging van artikel 68 van Wet 57 van 1951.

15. Artikel drie-en-sewentig van die Hoofwet word hierby gewysig—
(a) deur die Tabel in sub-artikel (1) uiteengesit deur die volgende Tabel te vervang:

Wysiging van artikel 73 van Wet 57 van 1951.

Column 1.	Column 2.	Column 3.	Column 4.	Column 5.
Item No.	Class of ship.	Gross register-tonnage or horse-power.	Numbers of officers or other persons to be employed.	Certificates to be held by persons shown in Column 4, and paragraphs of sub-section (1) of section seventy-five by which grant of certificates is authorized.
1.	Foreign-going ship	Any	One One	Master: para. (a). Chief navigating officer: para. (b). Second navigating officer: para. (c).
2.	Coasting ship	100 or more tons	One One	Master: para. (d). Navigating officer: para. (e).
3.	Fishing, sealing or shore-based whaling boat	100 or more tons	One One One	Skipper: para. (f). Mate: para. (g). Boatswain: para. (h).
4.	Coasting ship or fishing, sealing or shore-based whaling boat	50 or more but less than 100 tons	One One	Skipper: para. (i). Mate: para. (j).
5.	Coasting ship or sealing or shore-based whaling boat	Less than 50 tons	One One	Skipper: para. (i). Mate: para. (j).
6.	Fishing Boat	Less than 50 tons	One	Mate: para. (j).
7.	Foreign-going ship, other than a whaling boat	1,000 or more horse-power	One One	Chief engineer-officer: para. (k). Second engineer-officer: para. (l).
8.	Coasting ship	1,500 or more horse-power	One	Chief engineer-officer: para. (k).
9.	Whaling boat, other than a shore-based whaling boat	1,000 or more horse-power	One	Chief engineer-officer: para. (k).
10.	Coasting ship	Less than 1,500 horse-power	One	Second engineer-officer: para. (l).
11.	Foreign-going ship, other than a whaling boat	Less than 1,000 horse-power	One	Second engineer-officer: para. (l).
12.	Whaling boat, other than a shore-based whaling boat	Less than 1,000 horse-power	One	Second engineer-officer: para. (l).
13.	Power-driven fishing, sealing or shore-based whaling boat	More than 300 horse-power	One One	Marine engineman: para. (m). Assistant marine engineman: para. (n).
14.	Power-driven fishing, sealing or shore-based whaling boat	300 or less horse-power	One	Assistant marine engineman: para. (n).";

and

(b) by the deletion of sub-section (7).

Amendment of
section 80 of
Act 57 of 1951.16. Section eighty of the principal Act is hereby amended by
the deletion of sub-section (6).

„Kolom 1.	Kolom 2.	Kolom 3.	Kolom 4.	Kolom 5.
Item No.	Kategorie van skip.	Bruto- register- tonnemaat of perde- krag.	Getal offisiere of ander persone wat in diens moet wees.	Sertifikate wat die persone wat in Kolom 4 aangedui word, moet besit, en para- grawe van sub-artikel (1) van artikel vyf-en-sewentig waarby toekenning van sertifikate gemagtig word.
1.	Skip op vreemde vaart	Enige	Een Een Een	Gesagvoerder: par. (a). Hoof-navigasie-offisier: par. (b). Tweede navigasie-offisier: par. (c).
2.	Kusvaarder	100 of meer ton	Een Een	Gesagvoerder: par. (d). Navigasie-offisier: par. (e).
3.	Vissersboot of rob- bevaarder of wal- visvaarder met landbasis	100 of meer ton	Een Een Een	Skipper: par. (f). Stuurman: par. (g). Bootsman: par. (h).
4.	Kusvaarder of vis- sersboot, robbe- vaarder of walvis- vaarder met land- basis	50 of meer m a a r minder as 100 ton	Een Een	Skipper: par. (i). Stuurman: par. (j).
5.	Kusvaarder of rob- bevaarder of wal- visvaarder met landbasis	Minder as 50 ton	Een Een	Skipper: par. (i). Stuurman: par. (j).
6.	Vissersboot	Minder as 50 ton	Een	Stuurman: par. (j).
7.	Skip op vreemde vaart (behalwe 'n walvisvaarder)	1,000 of m e e r perde- krag	Een Een	Hoof-ingenieur-offisier: par. (k). Tweede ingenieur-offisier: par. (l).
8.	Kusvaarder	1,500 of m e e r perde- krag	Een	Hoof-ingenieur-offisier: par. (k).
9.	Walvisvaarder (be- halwe 'n walvis- vaarder met land- basis)	1,000 of m e e r perde- krag	Een	Hoof-ingenieur-offisier: par. (k).
10.	Kusvaarder	Minder as 1,500 perde- krag	Een	Tweede ingenieur-offisier: par. (l).
11.	Skip op vreemde vaart (behalwe 'n walvisvaarder)	Minder as 1,000 perde- krag	Een	Tweede ingenieur-offisier: par. (l).
12.	Walvisvaarder (be- halwe 'n walvis- vaarder met land- basis)	Minder as 1,000 perde- krag	Een	Tweede ingenieur-offisier: par. (l).
13.	Vissersboot of rob- bevaarder of wal- visvaarder met landbasis wat meganies voort- beweeg word	Meer as 300 perde- krag	Een Een	See-masjini: par. (m). Assistent-seemasjini: par. (n).
14.	Vissersboot of rob- bevaarder of wal- visvaarder met landbasis wat meganies voort- beweeg word	300 of min- der per- dekrag	Een	Assistent-seemasjini: par. (n).”;

en

(b) deur sub-artikel (7) te skrap.

16. Artikel tagtig van die Hoofwet word hierby gewysig deur Wysiging van
sub-artikel (6) te skrap. artikel 8 van
Wet 57 van 1951.

Amendment of
section 101 of
Act 57 of 1951.

17. Section *one hundred and one* of the principal Act is hereby amended by the substitution in sub-section (3) for the words "the sight of a seaman" of the words "colour vision".

Substitution of
section 104 of
Act 57 of 1951.

18. The following section is hereby substituted for section *one hundred and four* of the principal Act:

"Changes in crew to be reported. 104. (1) Where an agreement has been entered into with the crew of a South African ship, the master or the owner thereof shall—

(a) before the ship leaves the port where the agreement was entered into, sign and render to the proper officer at that port a full and accurate statement in the prescribed form of every change that has taken place in the crew since the agreement was entered into; and

(b) before the ship leaves any port subsequently entered by her during the currency of the agreement, sign and render to the proper officer at that port a full and accurate statement in the prescribed form of every change that has taken place in the crew since he last rendered a statement in terms of this section.

(2) Every statement rendered in accordance with the provisions of this section shall be admissible in evidence."

Amendment of
sections 120,
121, 122, 123,
and 124 of Act
57 of 1951.

19. Sections *one hundred and twenty* to *one hundred and twenty-four*, inclusive, of the principal Act are hereby amended by the deletion of the words "or apprentice-officer" wherever they occur.

Amendment of
section 126 of
Act 57 of 1951.

20. Section *one hundred and twenty-six* of the principal Act is hereby amended by the deletion of the words "or apprentice-officer".

Amendment of
section 140 of
Act 57 of 1951.

21. Section *one hundred and forty* of the principal Act is hereby amended—

(a) by the substitution in the English version of paragraph (b) of sub-section (1) for the word "is" of the word "his";

(b) by the substitution in sub-section (1) for the words "his basic wages" where they occur for the first time of the words "wages at the rate provided in the agreement"; by the deletion in that sub-section of the words "his basic" where they occur for the second time; and by the substitution in that sub-section for the word "thirty" of the word "sixty";

(c) by the deletion in sub-section (5) of the expression "or of the Workmen's Compensation (Accidents and Industrial Diseases) Proclamation, 1924 (Proclamation No. 27 of 1924), signed by the Administrator of the Territory of South-West Africa on the fifteenth day of November, 1924"; and by the deletion in paragraph (a) of that sub-section of the words "his basic"; and

(d) by the deletion in sub-section (6) of the expression "or the Workmen's Compensation (Accidents and Industrial Diseases) Proclamation, 1924,"; by the deletion in that sub-section of the words "his basic"; and by the substitution in that sub-section for the words "Workmen's Compensation Commissioner" of the words "accident fund established under that Act".

Amendment of
section 141 of
Act 57 of 1951.

22. Section *one hundred and forty-one* of the principal Act is hereby amended by the deletion in sub-section (3) of the word "basic".

Amendment of
section 164 of
Act 57 of 1951.

23. Section *one hundred and sixty-four* of the principal Act is hereby amended by the substitution for the words "a book specially kept for the purpose" of the words "the official log-book".

Amendment of
section 180 of
Act 57 of 1951.

24. Section *one hundred and eighty* of the principal Act is hereby amended—

(a) by the substitution in sub-section (1) for the words "Governor-General" and "proclamation" of the words "Minister" and "notice" respectively; and

(b) by the substitution in sub-section (2) for the expression "thirty-four of the Criminal Procedure and Evidence

17. Artikel *honderd-en-een* van die Hoofwet word hierby gewysig deur in sub-artikel (3) die woorde „die gesig van 'n seeman” deur die woorde „kleur-gesigskerpte” te vervang. Wysiging van artikel 101 van Wet 57 van 1951.

18. Artikel *honderd-en-vier* van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 104 van Wet 57 van 1951.

„Verandering in bemanning moet gerapporteer word.” 104. (1) Waar 'n ooreenkoms met die bemanning van 'n Suid-Afrikaanse skip aangegaan is, moet die gesagvoerder of die eienaar daarvan—

(a) voordat die skip die hawe verlaat waar die ooreenkoms aangegaan is, 'n volledige en juiste verklaring in die voorgeskrewe vorm van elke verandering in die bemanning wat plaasgevind het sedert die ooreenkoms aangegaan is, onderteken en aan die bevoegde beampte by daardie hawe lewer; en

(b) voordat die skip enige hawe verlaat waarby daarna aangedoen word gedurende die duur van die ooreenkoms, 'n volledige en juiste verklaring in die voorgeskrewe vorm van elke verandering in die bemanning wat plaasgevind het sedert hy laas 'n verklaring ingevolge hierdie artikel gelewer het, onderteken en aan die bevoegde beampte by daardie hawe lewer.

(2) Elke verklaring ooreenkomstig die bepalinge van hierdie artikel gelewer, is as getuienis toelaatbaar.”.

19. Artikels *honderd-en-twintig* tot en met *honderd vier-en-twintig* van die Hoofwet word hierby gewysig deur die woorde „of leerling-offisier” oral waar hulle voorkom te skrap. Wysiging van artikels 120, 121, 122, 123 en 124 van Wet 57 van 1951.

20. Artikel *honderd ses-en-twintig* van die Hoofwet word hierby gewysig deur die woorde „of leerling-offisier” te skrap. Wysiging van artikel 126 van Wet 57 van 1951.

21. Artikel *honderd-en-veertig* van die Hoofwet word hierby gewysig— Wysiging van artikel 140 van Wet 57 van 1951.

(a) deur in die Engelse teks van paragraaf (b) van sub-artikel (1) die woord „is” deur die woord „his” te vervang;

(b) deur in sub-artikel (1) die woorde „sy basiese loon” waar hulle die eerste keer voorkom deur die woorde „loon teen die in die ooreenkoms bepaalde skaal” te vervang; deur in daardie sub-artikel die woorde „sy basiese” waar hulle die tweede keer voorkom te skrap; en deur in daardie sub-artikel die woord „dertig” deur die woord „sestig” te vervang;

(c) deur in sub-artikel (5) die uitdrukking „of kragtens die ,Werklieden Schadeloosstelling (Ongevallen en Bedryfsiekten) Proklamatie, 1924’ (Proklamasie No. 27 van 1924), onderteken deur die Administrateur van die Gebied Suidwes-Afrika op die vyftiende dag van November 1924,” te skrap; en deur in paragraaf (a) van daardie sub-artikel die woorde „sy basiese” te skrap; en

(d) deur in sub-artikel (6) die uitdrukking „of kragtens die ,Werklieden Schadeloosstelling (Ongevallen en Bedryfsiekten) Proklamatie, 1924,” te skrap; deur in daardie sub-artikel die woorde „sy basiese” te skrap; en deur in daardie sub-artikel die woord „Ongevallekommissaris” deur die woorde „kragtens daardie Wet ingestelde ongevallefonds” te vervang.

22. Artikel *honderd een-en-veertig* van die Hoofwet word hierby gewysig deur in sub-artikel (3) die woord „basiese” te skrap. Wysiging van artikel 141 van Wet 57 van 1951.

23. Artikel *honderd vier-en-sestig* van die Hoofwet word hierby gewysig deur die woorde „'n boek wat spesiaal vir hierdie doel aangehou word” deur die woorde „die amptelike skeepsjoernaal aan” te vervang. Wysiging van artikel 164 van Wet 57 van 1951.

24. Artikel *honderd-en-tagtig* van die Hoofwet word hierby gewysig— Wysiging van artikel 180 van Wet 57 van 1951.

(a) deur in sub-artikel (1) die woorde „Goewerneur-generaal” en „proklamasie” deur die woorde „Minister” en „kennisgewing”, onderskeidelik, te vervang; en

(b) deur in sub-artikel (2) die uitdrukking „vier-en-dertig” van die ,Wet op de Kriminele Procedure en Bewijs-

Act, 1917 (Act No. 31 of 1917)" of the expression "twenty-eight of the Criminal Procedure Act, 1955 (Act No. 56 of 1955)".

Amendment of
section 188 of
Act 57 of
1951.

25. Section *one hundred and eighty-eight* of the principal Act is hereby amended by the substitution for sub-sections (1) and (2) of the following sub-sections:

"(1) The master of a foreign-going South African ship who has entered into an agreement with the crew of the ship, and the master or the owner of a coasting ship or a fishing, sealing or shore-based whaling boat registered in the Union who has entered into an agreement with the crew of the ship, shall, upon the discharge of the crew, whether within or outside the Union, make out and sign a list (in this Act referred to as the list of the crew) which may be combined in one document with the agreement with the crew, in the prescribed form, containing the following particulars:

- (i) the number and date of the ship's register, and her register tonnage;
- (ii) the length and general nature of the voyage or employment;
- (iii) the names, ages, and places of birth of all the crew, including the master and apprentice-officers; their ratings on board, their last ships or other employments and the dates and places of their joining the ship; and
- (iv) the names of any of the crew who have ceased to belong to the ship, with the times, places, causes and circumstances thereof.

(2) The list of the crew shall be delivered to the proper officer—

(a) in the case of a foreign-going ship, by the master, within forty-eight hours after the ship's arrival at her final port of destination for the voyage, or, if the agreement entered into with the crew was a running agreement, within forty-eight hours after her arrival at her final port of destination for the last voyage over which the agreement extends, or upon the discharge of the crew, whichever event first occurs; and

(b) in the case of a coasting ship or a fishing, sealing or shore-based whaling boat, by the master or the owner, as the case may be, who entered into the agreement with the crew, within twenty-one days after the expiry of the agreement,

and the proper officer shall give to the master or owner from whom he has received the list a certificate of such delivery and any such ship may be detained until the certificate is produced."

Amendment of
section 207 of
Act 57 of 1951.

26. Section *two hundred and seven* of the principal Act is hereby amended by the substitution for paragraphs (b) and (c) of the following paragraphs:

"(b) (i) if she is an international load line ship constructed after the thirtieth day of June, 1932, or a local load line ship constructed after the date on which this section comes into operation, her load lines are in the position required by the load line regulations; or

(ii) if she is an international load line ship constructed not later than the thirtieth day of June, 1932, or a local load line ship constructed not later than the date on which this section comes into operation, her load lines are either in the position required by the tables used by the Ministry of Transport and Civil Aviation of the United Kingdom, as modified and in force immediately before the fifth day of July, 1930, or in the position required by the load line regulations; and

(c) (i) if she is an international load line ship constructed after the thirtieth day of June, 1932, or a local load line ship constructed after the date on which this section comes into operation, she complies with the conditions of assignment; or

(ii) if she is an international load line ship constructed not later than the thirtieth day of June, 1932, or a local load line ship constructed not later than the date on which this section comes into

levering, 1917" (Wet No. 31 van 1917)" deur die uitdrukking „*agt-en-twintig* van die Strafproseswet, 1955 (Wet No. 56 van 1955)" te vervang.

25. Artikel *honderd agt-en-tagtig* van die Hoofwet word hierby gewysig deur sub-artikels (1) en (2) deur die volgende sub-artikels te vervang: Wysiging van artikel 188 van Wet 57 van 1951.

„(1) Die gesagvoerder van 'n Suid-Afrikaanse skip op vreemde vaart wat 'n ooreenkoms met die bemanning van die skip aangegaan het en die gesagvoerder of eienaar van 'n kusvaarder, 'n vissersboot, 'n robbevaarder of 'n walvisvaarder met landbasis wat in die Unie geregistreer is wat 'n ooreenkoms met die bemanning van die skip aangegaan het, moet, wanneer die bemanning ontslaan word, hetsy binne of buite die Unie, 'n lys (in hierdie Wet die lys van die bemanning genoem), wat in een dokument met die ooreenkoms met die bemanning gekombineer mag wees, in die voorgeskrewe vorm opstel en onderteken wat die volgende besonderhede bevat:

- (i) die nommer en datum van die skip se register, en sy registertonmaat;
- (ii) die duur en algemene aard van die reis of werk;
- (iii) die name, ouderdomme en geboorteplekke van al die lede van die bemanning, insluitende die gesagvoerder en leerling-offisiere; hul grade aan boord, hul laaste skepe of ander werkkringe en die datums en plekke van hul aansluiting by die skip; en
- (iv) die name van lede van die bemanning wat opgehou het om tot die skip te behoort, met die tye, plekke, oorsake en omstandighede daarvan.

(2) Die lys van die bemanning moet aan die bevoegde beampte gelewer word—

- (a) in die geval van 'n skip op vreemde vaart, deur die gesagvoerder, binne agt-en-veertig uur na die skip se aankoms by sy finale bestemmingshawes van die reis, of, indien die ooreenkoms wat met die bemanning aangegaan is 'n lopende ooreenkoms was, binne agt-en-veertig uur na sy aankoms by sy finale bestemmingshawes vir die laaste reis waarvoor die ooreenkoms strek, of by die ontslag van die bemanning, watter gebeurtenis ook al eerste plaasvind; en
- (b) in die geval van 'n kusvaarder, 'n vissersboot, 'n robbevaarder of 'n walvisvaarder met landbasis, deur die gesagvoerder of die eienaar, al na die geval, wat die ooreenkoms met die bemanning aangegaan het, binne een-en-twintig dae na die verstryking van die ooreenkoms,

en die bevoegde beampte moet aan die gesagvoerder of eienaar van wie hy die lys ontvang het 'n sertifikaat van sodanige lewering gee en enige sodanige skip kan aangehou word totdat die sertifikaat vertoon word."

26. Artikel *tweehonderd-en-sewe* van die Hoofwet word hierby gewysig deur paragrawe (b) en (c) deur die volgende paragrawe te vervang: Wysiging van artikel 207 van Wet 57 van 1951.

- „(b) (i) as dit 'n internasionale laslynskip is wat na die dertigste dag van Junie 1932 gebou is, of 'n plaaslike laslynskip is wat na die datum waarop hierdie artikel in werking tree, gebou is, sy laslyne in die posisie is wat deur die laslynregulasies voorgeskryf word; of
- (ii) as dit 'n internasionale laslynskip is wat nie later as die dertigste dag van Junie 1932 gebou is nie, of 'n plaaslike laslynskip is wat nie later as die datum waarop hierdie artikel in werking tree, gebou is nie, sy laslyne of in die posisie is wat deur die tafels in gebruik by die „Ministry of Transport and Civil Aviation" van die Verenigde Koninkryk, soos gewysig en van krag onmiddellik voor die vyfde dag van Julie 1930, voorgeskryf word, of in die posisie is wat deur die laslynregulasies voorgeskryf word; en
- (c) (i) as dit 'n internasionale laslynskip is wat na die dertigste dag van Junie 1932 gebou is, of 'n plaaslike laslynskip is wat na die datum waarop hierdie artikel in werking tree, gebou is, dit aan die toewysingsvoorwaardes voldoen; of
- (ii) as dit 'n internasionale laslynskip is wat nie later as die dertigste dag van Junie 1932 gebou is nie, of 'n plaaslike laslynskip is wat nie later as die datum waarop hierdie artikel in werking tree,

operation, she complies with the conditions of assignment in principle and also so far in detail as, in the opinion of the Minister or the Secretary, as the case may be, is reasonable and practicable having regard to the efficiency of the protection of openings, the guard rails, the freeing ports and the means of access to the crew accommodation provided by the arrangements, fittings and appliances existing on the ship at the coming into operation of this section.”

Amendment of
section 212
Act 57 of 1951.

27. Section *two hundred and twelve* of the principal Act is hereby amended by the substitution for paragraphs (a) and (b) of the following paragraphs:

- “(a) if the voyage which she is undertaking is an international voyage—
- (i) in the case of an international load line ship, a load line convention certificate; or
 - (ii) in the case of a local load line ship, a local load line certificate,
- or, in either case, a load line exemption certificate issued under section *two hundred and four*; or
- (b) if the voyage which she is undertaking is not an international voyage, a load line convention certificate or a local load line certificate.”

Amendment of
section 214 of
Act 57 of 1951.

28. Section *two hundred and fourteen* of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

- “(1) The master of a load line ship registered in the Union shall not—
- (a) so load the ship; or
 - (b) suffer the ship to be so loaded; or
 - (c) bring the ship into any port in the Union so loaded, as to submerge in salt water, when the ship has no list, the load line on each side of the ship appropriate to the circumstances then existing.”

Amendment of
section 218 of
Act 57 of 1951.

29. Section *two hundred and eighteen* of the principal Act is hereby amended by the substitution for the words “Governor-General” and “proclamation” of the words “Minister” and “notice in the *Gazette*”, respectively.

Repeal of section
230 of Act 57 of
1951.

30. Section *two hundred and thirty* of the principal Act is hereby repealed.

Amendment of
section 237 of
Act 57 of 1951.

31. Section *two hundred and thirty-seven* of the principal Act is hereby amended by the substitution in sub-section (1) for the words “load line ship carrying a deck cargo of timber is about to make a voyage from” of the words “deck cargo of timber is loaded on a load line ship at”.

Amendment of
section 249 of
Act 57 of 1951.

32. Section *two hundred and forty-nine* of the principal Act is hereby amended by the substitution in sub-section (2) for the expression “Radio Act, 1926 (Act No. 20 of 1926)” of the expression “Radio Act, 1952 (Act No. 3 of 1952)”.

Amendment of
section 261 of
Act 57 of 1951.

33. Section *two hundred and sixty-one* of the principal Act is hereby amended—

- (a) by the substitution in paragraph (a) of sub-section (1) for the words “fifteen pounds” of the words “an amount equivalent to three thousand one hundred gold francs”;
- (b) by the substitution in paragraph (b) of the said sub-section for the words “eight pounds” of the words “an amount equivalent to one thousand gold francs”;
- (c) by the substitution in paragraph (c) of the said sub-section for the words “exceeding fifteen pounds” of the words “exceeding an amount equivalent to three thousand one hundred gold francs”;
- (d) by the substitution in the proviso to the said paragraph (c) for the words “of seven pounds” and “of fifteen pounds” of the words “equivalent to two thousand one hundred gold francs” and “equivalent to three thousand one hundred gold francs” respectively; and
- (e) by the addition of the following sub-sections:
 - “(4) For the purposes of this section a gold franc shall be taken to be a unit consisting of sixty-five and a half milligrams of gold of millesimal fineness nine hundred.
 - (5) The Secretary may from time to time by notice in the *Gazette* specify the amounts which for the purposes of this section shall be taken as equivalent

gebou is nie, dit aan die toewysingsvoorwaardes in beginsel voldoen asook sover in besonderhede as wat na die mening van die Minister of die Sekretaris, al na die geval, redelik en doenlik is met die oog op die doeltreffendheid van die beskerming van openings, die relingwerk, die waterafvoerpoele en die toegang tot die akkommodasie vir die bemanning wat verskaf word deur die reëlins, monterings en toestelle wat by die inwerkingtreding van hierdie artikel op die skip bestaan.”.

27. Artikel *tweehonderd-en-twaalf* van die Hoofwet word hierby gewysig deur paragrafe (a) en (b) deur die volgende paragrafe te vervang: Wysiging van artikel 212 van Wet 57 van 1951.

„(a) as die reis wat die skip onderneem ’n internasionale reis is—

(i) in die geval van ’n internasionale laslynskip, ’n laslynkonvensiesertifikaat; of

(ii) in die geval van ’n plaaslike laslynskip, ’n plaaslike laslynsertifikaat,

of, in albei gevalle, ’n kragtens artikel *tweehonderd-en-veer* uitgereikte laslynvrystellingsertifikaat; of

(b) as die reis wat die skip onderneem nie ’n internasionale reis is nie, ’n laslynkonvensiesertifikaat of ’n plaaslike laslynsertifikaat.”.

28. Artikel *tweehonderd-en-veertien* van die Hoofwet word hierby gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang: Wysiging van artikel 214 van Wet 57 van 1951.

„(1) Die gesagvoerder van ’n in die Unie geregistreerde laslynskip mag nie—

(a) die skip so laai; of

(b) toelaat dat die skip so gelaai word; of

(c) die skip by ’n hawe in die Unie inbring so gelaai, dat, wanneer die skip nie oorhel nie, die laslyne aan elke kant van die skip wat van pas is by die heersende omstandighede, onder soutwater kom nie.”.

29. Artikel *tweehonderd-en-agtien* van die Hoofwet word hierby gewysig deur die woorde „Goewerneur-generaal” en „proklamasie” deur die woorde „Minister” en „kennisgewing in die *Staatskoerant*”, onderskeidelik, te vervang. Wysiging van artikel 218 van Wet 57 van 1951.

30. Artikel *tweehonderd-en-dertig* van die Hoofwet word hierby herroep. Herroeping van artikel 230 van Wet 57 van 1951.

31. Artikel *tweehonderd sewe-en-dertig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „laslynskip wat ’n vrag hout op die dek vervoer, op die punt staan om uit ’n Unie-hawe te vaar” deur die woorde „vrag op dek bestaande uit hout in ’n Unie-hawe op ’n laslynskip gelaai word” te vervang. Wysiging van artikel 237 van Wet 57 van 1951.

32. Artikel *tweehonderd nege-en-veertig* van die Hoofwet word hierby gewysig deur in sub-artikel (2) die uitdrukking „Radio Wet, 1926 (Wet No. 20 van 1926)” deur die uitdrukking „Radiowet, 1952 (Wet No. 3 van 1952)” te vervang. Wysiging van artikel 249 van Wet 57 van 1951.

33. Artikel *tweehonderd een-en-sestig* van die Hoofwet word hierby gewysig— Wysiging van artikel 261 van Wet 57 van 1951.

(a) deur in paragraaf (a) van sub-artikel (1) die woorde „vyftien pond” deur die woorde „’n bedrag gelyk aan drieduisend eenhonderd goue frank” te vervang;

(b) deur in paragraaf (b) van bedoelde sub-artikel die woorde „agt pond” deur die woorde „’n bedrag gelyk aan duisend goue frank” te vervang;

(c) deur in paragraaf (c) van bedoelde sub-artikel die woorde „meer as vyftien pond” deur die woorde „meer as ’n bedrag gelyk aan drieduisend eenhonderd goue frank” te vervang;

(d) deur in die voorbehoudsbepaling by bedoelde paragraaf (c) die woorde „van sewe pond” en „van vyftien pond” deur die woorde „gelykstaande aan tweeduisend eenhonderd goue frank” en „gelykstaande aan drieduisend eenhonderd goue frank”, onderskeidelik, te vervang; en

(e) deur die volgende sub-artikels by te voeg:

„(4) By die toepassing van hierdie artikel word ’n goue frank aangeneem ’n eenheid te wees wat bestaan uit vyf-en-sestig en ’n half milligram goud met ’n fynheid van negeehonderd per duisend.

(5) Die Sekretaris kan van tyd tot tyd by kennisgewing in die *Staatskoerant* die bedrae aandui wat by die toepassing van hierdie artikel aangeneem word

to three thousand one hundred and one thousand gold francs, respectively.”.

Amendment of section 273 of Act 57 of 1951.

34. Section *two hundred and seventy-three* of the principal Act is hereby amended by the deletion in sub-section (1) of paragraph (i).

Amendment of section 274 of Act 57 of 1951.

35. Section *two hundred and seventy-four* of the principal Act is hereby amended by the substitution in the English version of sub-section (2) for the word “survey” where it occurs for the first time of the word “surveyor”.

Amendment of section 298 of Act 57 of 1951.

36. Section *two hundred and ninety-eight* of the principal Act is hereby amended—

- (a) by the substitution in paragraph (c) of sub-section (1) for the expression “Railways and Harbours Regulation, Control and Management Act, 1916 (Act No. 22 of 1916)” of the expression “Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957)”; and
- (b) by the substitution in sub-section (2) for the expression “*one hundred* of the Customs Act, 1944 (Act No. 35 of 1944)” of the expression “*one hundred and four* of the Customs Act, 1955 (Act No. 55 of 1955)”.

Amendment of section 301 of Act 57 of 1951.

37. Section *three hundred and one* of the principal Act is hereby amended by the substitution for the expression “*one hundred* of the Customs Act, 1944 (Act No. 35 of 1944)” of the expression “*one hundred and four* of the Customs Act, 1955 (Act No. 55 of 1955)”.

Amendment of section 311 of Act 57 of 1951.

38. Section *three hundred and eleven* of the principal Act is hereby amended by the substitution in the Afrikaans version of paragraph (b) of sub-section (1) for the word “of” where it occurs for the first time of the word “en”.

Amendment of section 326 of Act 57 of 1951.

39. Section *three hundred and twenty-six* of the principal Act is hereby amended by the substitution for the expression “*three hundred and sixty-three* of the Criminal Procedure and Evidence Act, 1917 (Act No. 31 of 1917)” of the expression “*three hundred and fifty-seven* of the Criminal Procedure Act, 1955 (Act No. 56 of 1955)”.

Amendment of section 327 of Act 57 of 1951.

40. Section *three hundred and twenty-seven* of the principal Act is hereby amended by the substitution in sub-section (3) for the words “Governor-General” and “proclamation” of the words “Minister” and “notice”, respectively.

Amendment of section 355 of Act 57 of 1951.

41. Section *three hundred and fifty-five* of the principal Act is hereby amended—

- (a) by the substitution in sub-section (1) for the expressions “Industrial Conciliation Act, 1937 (Act No. 36 of 1937)”, “Wage Act, 1937 (Act No. 44 of 1937)” and “War Measure No. 145 of 1942” of the expressions “Industrial Conciliation Act, 1956 (Act No. 28 of 1956)”, “Wage Act, 1957 (Act No. 5 of 1957)” and “the Native Labour (Settlement of Disputes) Act, 1953 (Act No. 48 of 1953)”, respectively;
- (b) by the substitution in sub-sections (2), (3) and (4) for the expression “Industrial Conciliation Act, 1937” wherever it occurs of the expression “Industrial Conciliation Act, 1956”; and
- (c) by the substitution in sub-section (2) and in sub-section (3) for the expressions “Wage Act, 1937” and “award under the regulations made by War Measure No. 145 of 1942” of the expressions “Wage Act, 1957” and “order under the Native Labour (Settlement of Disputes) Act, 1953”, respectively.

Amendment of section 356 of Act 57 of 1951.

42. Section *three hundred and fifty-six* of the principal Act is hereby amended—

- (a) by the substitution in sub-sections (1), (2) and (3) for the word “Governor-General” wherever it occurs of the word “Minister”;
- (b) by the substitution for paragraph (xxxv) of sub-section (1) of the following paragraphs:
“(xxxv) prescribing rules to be followed in respect of—
 - (a) the convening of courts of marine enquiry, maritime courts and courts of survey;
 - (b) the appointment of the members of such courts and of the experts to whom appeals are to be referred under section *two hundred and eighty-two*; and
 - (c) the noting and prosecution of appeals from courts of marine enquiry or maritime courts to superior courts,

gelyk te wees aan, onderskeidelik, drieduisend eenhonderd en eenduisend goue frank.”.

34. Artikel *tweehonderd drie-en-sewentig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) paragraaf (i) te skrap. Wysiging van artikel 273 van Wet 57 van 1951.
35. Artikel *tweehonderd vier-en-sewentig* van die Hoofwet word hierby gewysig deur in die Engelse teks van sub-artikel (2) die woord „survey” waar dit die eerste keer voorkom deur die woord „surveyor” te vervang. Wysiging van artikel 274 van Wet 57 van 1951.
36. Artikel *tweehonderd agt-en-negentig* van die Hoofwet word hierby gewysig— Wysiging van artikel 298 van Wet 57 van 1951.
- (a) deur in paragraaf (c) van sub-artikel (1) die uitdrukking „Spoorwegin en Hawens Reglement, Bestuur en Beheer Wet, 1916” (Wet No. 22 van 1916)” deur die uitdrukking „Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957 (Wet No. 70 van 1957)” te vervang; en
- (b) deur in sub-artikel (2) die uitdrukking „honderd van die Doeane wet, 1944 (Wet No. 35 van 1944)” deur die uitdrukking „honderd-en-vier van die Doeane wet, 1955 (Wet No. 55 van 1955)” te vervang.
37. Artikel *driehonderd-en-een* van die Hoofwet word hierby gewysig deur die uitdrukking „honderd van die Doeane wet, 1944 (Wet No. 35 van 1944)” deur die uitdrukking „honderd-en-vier van die Doeane wet, 1955 (Wet No. 55 van 1955)” te vervang. Wysiging van artikel 301 van Wet 57 van 1951.
38. Artikel *driehonderd-en-elf* van die Hoofwet word hierby gewysig deur in die Afrikaanse teks van paragraaf (b) van sub-artikel (1) die woord „of” waar dit die eerste keer voorkom deur die woord „en” te vervang. Wysiging van artikel 311 van Wet 57 van 1951.
39. Artikel *driehonderd ses-en-twintig* van die Hoofwet word hierby gewysig deur die uitdrukking „*driehonderd drie-en-sestig* van die „Wet op de Kriminele Procedure en Bewyslevering, 1917” (Wet No. 31 van 1917)” deur die uitdrukking „*driehonderd sewe-en-vyftig* van die Strafproseswet, 1955 (Wet No. 56 van 1955)” te vervang. Wysiging van artikel 326 van Wet 57 van 1951.
40. Artikel *driehonderd sewe-en-twintig* van die Hoofwet word hierby gewysig deur in sub-artikel (3) die woorde „Goewerneur-generaal” en „proklamasie” deur die woorde „Minister” en „kennisgewing”, onderskeidelik, te vervang. Wysiging van artikel 327 van Wet 57 van 1951.
41. Artikel *driehonderd vyf-en-vyftig* van die Hoofwet word hierby gewysig— Wysiging van artikel 355 van Wet 57 van 1951.
- (a) deur in sub-artikel (1) die uitdrukking „Nywerheids- versoeningswet, 1937 (Wet No. 36 van 1937)”, „Loonwet, 1937 (Wet No. 44 van 1937)” en „Oorlogsmaatreël No. 145 van 1942” deur die uitdrukking „Wet op Nywerheidsversoening, 1956 (Wet No. 28 van 1956)”, „Loonwet, 1957 (Wet No. 5 van 1957)” en „die Wet op Naturelle-arbeid (Beslegting van Geskille), 1953 (Wet No. 48 van 1953)”, onderskeidelik, te vervang;
- (b) deur in sub-artikels (2), (3) en (4) die uitdrukking „Nywerheids- versoeningswet, 1937” oral waar dit voorkom deur die uitdrukking „Wet op Nywerheids- versoening, 1956” te vervang; en
- (c) deur in sub-artikel (2) en in sub-artikel (3) die uitdrukking „Loonwet, 1937” en „uitspraak kragtens die regulasies uitgevaardig by Oorlogsmaatreël No. 145 van 1942” deur die uitdrukking „Loonwet, 1957” en „order kragtens die Wet op Naturelle-arbeid (Beslegting van Geskille), 1953”, onderskeidelik, te vervang.
42. Artikel *driehonderd ses-en-vyftig* van die Hoofwet word hierby gewysig— Wysiging van artikel 356 van Wet 57 van 1951.
- (a) deur in sub-artikels (1), (2) en (3) die woord „Goewerneur-generaal” oral waar dit voorkom deur die woord „Minister” te vervang;
- (b) deur paragraaf (xxxv) van sub-artikel (1) deur die volgende paragrafe te vervang:
„(xxxv) wat reëls voorskryf wat nagekom moet word in verband met—
- (a) die sameroeping van howe van marine-onderzoek, seehowe en opnemingshowe;
- (b) die aanstelling van die lede van sodanige howe en van die deskundiges na wie appèlle kragtens artikel *tweehonderd twee-en-tagtig* verwys moet word, en
- (c) die aantekening en voortsetting van appèlle van howe van marine-onderzoek of seehowe na hoër howe,

and prescribing the procedure to be followed by courts of marine enquiry, maritime courts, courts of survey and experts to whom appeals are referred under section *two hundred and eighty-two*;

(xxxv)*bis* empowering courts of marine enquiry or maritime courts to order the payment of compensation by persons who have made frivolous or unjustified complaints, and empowering such courts, courts of survey or experts to whom appeals have been referred under section *two hundred and eighty-two* to make orders as to costs, including the costs incurred by the State in connection with the convening of such courts, the appointment of the members of such courts or of the experts and in connection with any investigation made by such courts or experts, and the costs incurred by the parties;

(xxxv)*ter* prescribing the scales according to which costs shall be calculated, and providing for the taxation or assessment of costs;

(xxxv)*quat* as to—

- (a) the enforcement of judgments pronounced by superior courts on appeals from courts of marine enquiry or maritime courts; and
- (b) the enforcement of orders for the payment of compensation made by courts of marine enquiry or maritime courts and for the payment of costs made by such courts, courts of survey or experts to whom appeals have been referred under section *two hundred and eighty-two*; and
- (c) by the substitution in sub-section (7) for the expression "Interpretation Act, 1910 (Act No. 5 of 1910)" of the expression "Interpretation Act, 1957 (Act No. 33 of 1957)".

Amendment of
First Schedule to
Act 57 of 1951.

43. The First Schedule to the principal Act is hereby amended—

- (a) by the substitution in the second column for the expression "Act No. 22 of 1916" of the expression "Act No. 70 of 1957";
- (b) by the substitution in the third column for the expression "Railways and Harbours Regulation, Control and Management Act, 1916" of the expression "Railways and Harbours Control and Management (Consolidation) Act, 1957";
- (c) by the substitution in the fourth column for the particulars appearing opposite the expression "Railways and Harbours Regulation, Control and Management Act, 1916." in the third column, of the following particulars:

"The substitution for paragraph (o) of sub-section (1) of section *three* of the following paragraph:

(o) subject to the provisions of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), the licensing and control of tugs, launches, hulks, fishing or ferry boats or other craft lying in or using a harbour and the charges to be paid to the Administration for the licensing of such craft and for the right to lie in or use the harbour;";

and the substitution in section *forty-four* for the words after the words "inspection, and" and before the words "shall be liable" of the words "any master who fails to do so"; and

- (d) by the deletion in the second column of the expressions "Act No. 40 of 1927", "Act No. 36 of 1939", "Act No. 10 of 1940" and "Act No. 35 of 1944"; by the deletion in the third column of the expressions "Union Nationality and Flags Act, 1927", "Railways and Harbours Regulation, Control and Management Amendment Act, 1939", "Sea Fisheries Act, 1940" and "Customs Act, 1944"; and by the deletion in the first and fourth columns of the particulars appearing opposite those expressions.

Short Title.

44. This Act shall be called the Merchant Shipping Amendment Act, 1959.

en wat die prosedure voorskryf wat gevolg moet word deur howe van marine-ondersoek, seehowe, opnemingshowe en deskundiges na wie appèlle kragtens artikel *tweehonderd twee-en-tagtig* verwys word;

(xxxv)*bis* wat howe van marine-ondersoek of seehowe magtig om die betaling van vergoeding deur persone wat beuselagtige of ongeregverdigde klagtes ingedien het, te beveel, en wat sodanige howe, opnemingshowe of deskundiges na wie appèlle kragtens artikel *tweehonderd twee-en-tagtig* verwys is, magtig om bevels betreffende koste uit te reik, met inbegrip van die koste wat deur die Staat aangegaan is in verband met die sameroeping van sodanige howe, die aanstelling van die lede van sodanige howe of van die deskundiges en in verband met enige ondersoek wat deur sodanige howe of deskundiges ingestel is, en die koste wat deur die partye aangegaan is;

(xxxv)*ter* wat die skale voorskryf waarvolgens koste bereken moet word, en wat voorsiening maak vir die taksasie of vasstelling van koste;

(xxxv)*quat* wat betref—

(a) die uitvoering van vonnisse gevel deur hoër howe op appèl van howe van marine-ondersoek of seehowe; en

(b) die uitvoering van bevels vir die betaling van vergoeding uitgereik deur howe van marine-ondersoek of seehowe en vir die betaling van koste uitgereik deur sodanige howe, opnemingshowe of deskundiges na wie appèlle kragtens artikel *tweehonderd twee-en-tagtig* verwys is; en

(c) deur in sub-artikel (7) die uitdrukking „Interpretatiewet, 1910” (Wet No. 5 van 1910)” deur die uitdrukking „Interpretasiewet, 1957 (Wet No. 33 van 1957)” te vervang.

43. Die Eerste Bylae by die Hoofwet word hierby gewysig— Wysiging van

(a) deur in die tweede kolom die uitdrukking „Wet No. 22 van 1916” deur die uitdrukking „Wet No. 70 van 1957” te vervang; Eerste Bylae by Wet 57 van 1951.

(b) deur in die derde kolom die uitdrukking „Spoorwegan en Havens Reglement, Bestuur en Beheer Wet, 1916” deur die uitdrukking „Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Havens, 1957” te vervang;

(c) deur in die vierde kolom die besonderhede wat teenoor die uitdrukking „Spoorwegan en Havens Reglement, Bestuur en Beheer Wet, 1916” in die derde kolom verskyn, deur die volgende besonderhede te vervang:

„Vervanging van paragraaf (o) van sub-artikel (1) van artikel *drie* deur die volgende paragraaf:

„(o) met inagneming van die bepalings van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), die lisensiering en beheer van sleepbote, barkasse, rompe, vissersbote, veerbote of ander vaartuie wat in ’n hawe lê of daarvan gebruik maak, en die gelde wat aan die Administrasie betaal moet word vir die lisensiering van sulke vaartuie en vir die reg om in die hawe te lê of daarvan gebruik te maak;”

en vervanging in artikel *vier-en-veertig* van die woorde na die woorde „vertoon, en” en voor die woorde „is by skuldigbevinding” deur die woorde „n gesagvoerder wat versuim om dit te doen”; en

(d) deur in die tweede kolom die uitdrukking „Wet No. 40 van 1927”, „Wet No. 36 van 1939”, „Wet No. 10 van 1940” en „Wet No. 35 van 1944” te skrap; deur in die derde kolom die uitdrukking „Unie Nasionaliteit en Vlae Wet, 1927”, „Spoorweë en Havens Reglement, Bestuur en Beheer Wysigingswet, 1939”, „Wet op Seevisserye, 1940” en „Doeanewet, 1944” te skrap; en deur in die eerste en vierde kolomme die besonderhede wat teenoor daardie uitdrukking verskyn, te skrap.

44. Hierdie Wet heet die Wysigingswet op Handelskeep- Kort Titel. vaart, 1959.

No. 31, 1959.]

ACT

To amend the Motor Vehicle Insurance Act, 1942.

(English text signed by the Governor-General.)
(Assented to 24th April, 1959.)

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

Amendment of
section 1 of
Act 29 of
1942, as
amended by
section 1 of
Act 27 of 1952.

1. (1) Section *one* of the Motor Vehicle Insurance Act, 1942 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution in sub-section (1) for the definition of "motor vehicle" of the following definition:

"'motor vehicle' means any vehicle designed or adapted for propulsion or haulage on a road by means of any power (not being exclusively human or animal power) without the aid of rails, and includes any trailer of such a vehicle, but does not include—

(a) a vehicle weighing not more than five hundred pounds which is specially constructed for the use of a person who suffers from a physical defect or disability, and which is designed to carry only one person; or

(b) a roller;"; and

(b) by the addition at the end of the definition of "registered company" in that sub-section of the words "and is not the subject of a notice under sub-section (3) of section *two*".

(2) For the purposes of the application of the provisions of the principal Act in relation to trailers, the tariff of premiums published in Government Notice No. 1583 of the 31st October, 1958, shall be deemed to have been duly submitted to the Minister by every registered company and published by the Minister as provided in section *two* of the principal Act.

Amendment of
section 2 of
Act 29 of
1942.

2. Section *two* of the principal Act is hereby amended by the addition of the following sub-section:

"(3) If a registered company becomes incompetent to carry on motor insurance business (as defined in the applicable law relating to insurance) in the Union, the Minister shall as soon as possible publish in the *Gazette* a notice of that fact and upon the publication of such notice any motor vehicles insured with that company under this Act shall cease to be so insured with effect from the day following the date of publication of the notice."

Amendment of
section 4 of
Act 29 of
1942, as
amended by
section 2 of
Act 27 of
1952.

3. Section *four* of the principal Act is hereby amended—

(a) by the addition at the end of sub-section (1) of the words "and any such declaration or token of insurance issued by a registered company shall be *prima facie* proof that the motor vehicle to which it relates has been duly insured by that company under this Act"; and

(b) by the insertion after that sub-section of the following sub-section:

"(1)*bis*. A registered company shall, together with any declaration of insurance issued to a motor dealer as provided in section *five*, issue to him, in respect of every valid clearance certificate held by him in connection with his motor dealer's licence referred to in that section, a duly completed token of insurance in such form as may be prescribed by regulation for the relevant insurance period, and any such declaration or token of insurance issued by a registered company shall be *prima facie* proof that the motor vehicle to which it relates has been duly insured by that company under this Act."

No. 31, 1959.]

WET

Tot wysiging van die Motorvoertuigassuransiewet, 1942.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 24 April 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin,
die Senaat en die Volksraad van die Unie van Suid-Afrika,
soos volg:—

1. Artikel een van die Motorvoertuigassuransiewet, 1942 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur in sub-artikel (1) die omskrywing van „motorvoertuig” deur die volgende omskrywing te vervang: „„motorvoertuig” beteken ’n voertuig wat ontwerp of aangepas is om deur middel van enige krag (wat nie uitsluitlik mense- of dierekrag is nie) sonder die hulp van spoorstawe op ’n pad voortbeweeg of getrek te word, en ook ’n sleepwa van so ’n voertuig, maar nie ook—

(a) ’n voertuig waarvan die gewig vyfhonderd pond nie te bowe gaan nie, wat spesiaal gemaak is vir die gebruik van iemand wat aan ’n liggaamlike gebrek of ongeskiktheid ly en wat ingerig is om slegs een persoon te dra; of

(b) ’n roller nie;” en

(b) deur aan die end van die omskrywing van „geregistreerde maatskappy” in daardie sub-artikel die woorde „en wat nie die onderwerp van ’n kennisgewing ingevolge sub-artikel (3) van artikel twee is nie” by te voeg.

(2) By die toepassing van die bepalings van die Hoofwet met betrekking tot sleepwaens word die tarief van premies afgekondig by Goewermenskennisgewing No. 1583 van 31 Oktober 1958 geag behoorlik volgens voorskrif van artikel twee van die Hoofwet deur elke geregistreerde maatskappy aan die Minister voorgelê en deur die Minister gepubliseer te gewees het.

2. Artikel twee van die Hoofwet word hierby gewysig deur die volgende sub-artikel by te voeg:

„(3) Indien ’n geregistreerde maatskappy onbevoeg raak om motorassuransiebesigheid (soos in die toepaslike wetsbepalings op versekering omskryf) in die Unie te dryf, moet die Minister so gou moontlik daardie feit by kennisgewing in die *Staatskoerant* bekend maak, en by publikasie van so ’n kennisgewing hou motorvoertuie wat ingevolge hierdie Wet by daardie maatskappy verassureer is, op om aldus verassureer te wees met ingang van die dag wat op die datum van publikasie van die kennisgewing volg.”.

3. Artikel vier van die Hoofwet word hierby gewysig—

(a) deur aan die end van sub-artikel (1) die woorde „en so ’n assuransieverklaring of -teken deur ’n geregistreerde maatskappy uitgereik, is *prima facie*-bewys dat die motorvoertuig waarop dit betrekking het behoorlik ingevolge hierdie Wet deur daardie maatskappy verassureer is” by te voeg; en

(b) deur na daardie sub-artikel die volgende sub-artikel in te voeg:

„(1)bis ’n Geregistreerde maatskappy moet, tesame met enige assuransieverklaring volgens voorskrif van artikel vyf aan ’n motorhandelaar uitgereik, ten opsigte van elke geldige lisensiebewys wat hy in verband met sy in daardie artikel bedoelde motorhandelaarslisensie besit, ’n behoorlik ingevulde assuransieteken uitreik in die vorm wat vir die betrokke assuransietydperk by regulasie voorgeskryf word, en so ’n assuransieverklaring of -teken wat deur ’n geregistreerde maatskappy uitgereik is, is *prima facie*-bewys dat die motorvoertuig waarop dit betrekking het behoorlik ingevolge hierdie Wet deur daardie maatskappy verassureer is.”.

Wysiging van artikel 1 van Wet 29 van 1942, soos gewysig deur artikel 1 van Wet 27 van 1952.

Wysiging van artikel 2 van Wet 29 van 1942.

Wysiging van artikel 4 van Wet 29 van 1942, soos gewysig deur artikel 2 van Wet 27 van 1952.

Substitution
of section 5
of Act 29 of
1942.

4. (1) The following section is hereby substituted for section *five* of the principal Act.

"Insurance
of certain
motor
vehicles
belonging
to motor
dealers.

5. The provisions of section *three* shall *mutatis mutandis* apply in connection with an application made by a motor dealer for the insurance of all motor vehicles of which he is the owner in connection with his business as a motor dealer and which under any law relating to the licensing of motor vehicles may under the authority of a motor dealer's licence be driven or operated on a public road or street or in any other place to which the public has access, and when so driven or operated may display dealers' registration plates: Provided that the declaration of insurance issued by the registered company concerned to the applicant in respect of such motor vehicles as aforesaid shall not refer to any particular motor vehicle but to all such motor vehicles, and upon the issue of such a declaration of insurance the registered company shall be deemed to have insured under this Act every such motor vehicle which is not insured by means of a declaration of insurance relating specifically to that motor vehicle."

(2) Any declaration of insurance issued in terms of section *five* of the principal Act before the commencement of this section, shall have effect as if it had been issued under the said section *five* as substituted by sub-section (1) of this section.

Amendment of
section 6 of
Act 29 of
1942.

5. Section *six* of the principal Act is hereby amended by the insertion in sub-section (1) after the word "vehicles" where it occurs for the first time of the words "referred to in section *five*" and where it occurs for the second time of the words "in question".

Amendment of
section 11 of
Act 29 of 1942,
as amended by
section 3 of
Act 27 of 1952.

6. Section *eleven* of the principal Act is hereby amended—

(a) by the insertion at the end of paragraph (ii) of the proviso to sub-section (1), of the words "except in so far as such compensation is less than four thousand pounds plus the cost of recovery of the deficit from the company in respect of any individual employee involved or less than twenty thousand pounds plus the cost of such recovery in respect of any number of employees involved"; and

(b) by the substitution in paragraph (iv) of that proviso for the word "two" of the word "four" and for the word "ten" of the word "twenty".

Substitution
of section 12 of
Act 29 of 1942,
as amended by
section 4 of
Act 27 of 1952.

7. The following section is hereby substituted for section *twelve* of the principal Act:

"Direct
payment
of certain
incidental
expenses.

12. (1) Where—

- (a) the compensation for which a registered company is liable under section *eleven*, includes the amount of any costs incurred in respect of the accommodation of any person in a hospital or nursing home or of any treatment of or service rendered or goods supplied to any person; or
- (b) a registered company has agreed to make any payment in settlement of a claim for compensation under that section, and the compensation claimed could, if the company were liable for the payment thereof, have included such costs,

the registered company shall, subject to the provisions of sub-sections (2) and (3), pay any amount which may be due in respect of such costs direct to the person to whom that amount is due, and that person shall be entitled to recover such costs from the company without any cession of action: Provided that the total amount payable in respect of such costs under the circumstances described in paragraph (b) shall not in any case exceed one hundred pounds.

(2) A registered company shall not be liable for the payment under the circumstances described in paragraph (b) of sub-section (1) of any amount

4. (1) Artikel vyf van die Hoofwet word hierby deur die volgende artikel vervang:

„Verassurering van sekere motorvoertuie wat aan motorhandelaars behoort.

5. Die bepalings van artikel drie is *mutatis mutandis* van toepassing in verband met 'n aansoek deur 'n motorhandelaar gedoen vir die verassurering van alle motorvoertuie waarvan hy in verband met sy besigheid as motorhandelaar die eienaar is en wat ingevolge enige wet op die lisensiëring van motorvoertuie uit hoofde van 'n motorhandelaarslisensie op 'n openbare pad of straat of in 'n ander plek waartoe die publiek toegang het, bestuur of gebruik kan word, en waaraan terwyl dit aldus bestuur of gebruik word handelaars-registrasienommerplate geheg kan word: Met dien verstande dat die assuransieverklaring soos voormeld deur die betrokke geregistreerde maatskappy ten opsigte van sodanige motorvoertuie aan die applikant uitgereik, nie na 'n bepaalde motorvoertuig nie, maar na al die bedoelde motorvoertuie moet verwys, en by uitreiking van so 'n assuransieverklaring word die geregistreerde maatskappy geag elke sodanige motorvoertuig, wat nie by wyse van 'n assuransieverklaring wat uitdruklik op daardie motorvoertuig betrekking het, verassureer is nie, ingevolge hierdie Wet te verassureer het.”

Vervanging van artikel 5 van Wet 29 van 1942.

(2) 'n Assuransieverklaring wat voor die inwerkingtreding van hierdie artikel ingevolge artikel vyf van die Hoofwet uitgereik is, geld asof dit ingevolge bedoelde artikel vyf soos deur sub-artikel (1) van hierdie artikel vervang, uitgereik is.

5. Artikel ses van die Hoofwet word hierby gewysig deur in sub-artikel (1) na die woord „motorvoertuie” waar dit die eerste maal voorkom die woorde „in artikel vyf bedoel”, en voor daardie woord waar dit die tweede maal voorkom die woord „betrokke” in te voeg.

Wysiging van artikel 6 van Wet 29 van 1942.

6. Artikel elf van die Hoofwet word hierby gewysig—

- (a) deur aan die end van paragraaf (ii) van die voorbehoudsbepaling by sub-artikel (1) die woorde „behalwe vir sover bedoelde skadeloosstelling minder is as vierduisend pond plus die koste verbonde aan die verhaal van die tekort op die maatskappy ten opsigte van elke afsonderlike werknemer wat betrokke is, of minder is as twintigduisend pond plus die koste verbonde aan bedoelde verhaal ten opsigte van enige aantal werknemers wat betrokke is” by te voeg; en
- (b) deur in paragraaf (iv) van daardie voorbehoudsbepaling die woord „tweeëduisend” deur die woord „vierduisend” en die woord „tweeëduisend” deur die woord „tweintigduisend” te vervang.

Wysiging van artikel 11 van Wet 29 van 1942, soos gewysig deur artikel 3 van Wet 27 van 1952.

7. Artikel twaalf van die Hoofwet word hierby deur die volgende artikel vervang:

„Regstreekse betaling van sekere bykomende koste.

12. (1) Waar—

- (a) die skadevergoeding waarvoor 'n geregistreerde maatskappy ingevolge artikel elf aanspreeklik is, die bedrag van enige koste aangegaan ten opsigte van die huisvesting van iemand in 'n hospitaal of verpleeginrigting of van enige behandeling van of diens gelewer of goedere verskaf aan iemand insluit; of
- (b) 'n geregistreerde maatskappy ingestem het om 'n bedrag ter skikking van 'n eis om skadevergoeding ingevolge daardie artikel te betaal, en die geëiste skadevergoeding ook, indien die maatskappy vir die betaling daarvan aanspreeklik was, sodanige koste kon ingesluit het, moet die geregistreerde maatskappy, behoudens die bepalings van sub-artikels (2) en (3), enige bedrag wat ten opsigte van sodanige koste verskuldig mag wees, regstreeks aan die persoon aan wie daardie bedrag verskuldig is, betaal, en daardie persoon is geregtig om bedoelde koste sonder enige sessie van aksie op die maatskappy te verhaal: Met dien verstande dat die totale bedrag ten opsigte van sodanige koste betaalbaar onder die omstandighede in paragraaf (b) beskryf in geen geval honderd pond te bowe gaan nie.

(2) 'n Geregistreerde maatskappy is nie aanspreeklik vir die betaling onder die omstandighede in paragraaf (b) van sub-artikel (1) beskryf, van

Vervanging van artikel 12 van Wet 29 van 1942, soos gewysig deur artikel 4 van Wet 27 van 1952.

alleged to be due in respect of costs referred to in that sub-section unless a claim for the payment thereof is lodged with the company within thirty days after the date on which it has in the manner prescribed by regulation given notice that it has agreed to make any payment contemplated in that paragraph in settlement of the claim for compensation in which such costs could, if the company were liable for the payment of such compensation, have been included.

(3) If claims whereof the amounts are not in dispute and exceed in the aggregate the sum of one hundred pounds, are lodged with a registered company under sub-section (2) by two or more persons, the company shall pay to each claimant an amount which bears the same ratio to the sum of one hundred pounds as the amount of his claim bears to the amount representing the aggregate of the amounts of all such claims.”.

Amendment of section 14 of Act 29 of 1942, as substituted by section 5 of Act 27 of 1952.

8. Section *fourteen* of the principal Act is hereby amended—

(a) by the insertion in sub-paragraph (iii) of paragraph (a) of sub-section (2) after the word “vehicles” of the words “which he was required to hold”;

(b) by the addition of the following sub-sections:

“(4) When any person, state, government or body of persons referred to in sub-section (3) of section *nineteen* has paid compensation under section *eleven* or *twelve*, he or it may, without having obtained a formal cession of the right of action, recover the amount of compensation so paid from any person whose negligence or other unlawful act caused the loss or damage in question.

(5) The provisions of sub-section (4) shall not apply in respect of any right of recourse against any person who at the time of the occurrence which gave rise to the payment of compensation was driving the motor vehicle in the circumstances described in sub-paragraph (i) or (iii) of paragraph (a) of sub-section (2).”.

Amendment of section 19 of Act 29 of 1942, as amended by section 8 of Act 27 of 1952.

9. Section *nineteen* of the principal Act is hereby amended—

(a) by the substitution in paragraph (a) of sub-section (2) for the words “National Road Board or the United Transkeian Territories General Council” of the words “National Transport Commission or the Transkeian Territorial Authority or any Bantu territorial authority established under section *two* of the Bantu Authorities Act, 1951 (Act No. 68 of 1951)”; and

(b) by the deletion in that paragraph of the words “or the representative of any Government in the British Commonwealth or a diplomatic agent (as defined in section *eleven* of the Diplomatic Immunities Act, 1932 (Act No. 9 of 1932), as amended by the Diplomatic Immunities Act Amendment Act, 1934 (Act No. 19 of 1934))”.

Amendment of section 20 of Act 29 of 1942.

10. Section *twenty* of the principal Act is hereby amended by the substitution in sub-section (1) for the words “section *four*” of the expression “sub-section (1) of section *four*” and the insertion in that sub-section after the word “issued” where it occurs for the second time of the words “and the owner of a motor vehicle to whom a token of insurance in respect thereof has been issued in terms of sub-section (1)*bis* of that section shall attach the token to such vehicle in a manner prescribed by regulation and keep it attached thereto while such vehicle is driven or operated on a public road or street or in any other place to which the public has access, during the period of insurance in connection wherewith the token was issued”.

Amendment of section 21 of Act 29 of 1942, as amended by section 9 of Act 27 of 1952.

11. Section *twenty-one* of the principal Act is hereby amended—

(a) by the substitution for the words “ten thousand” wherever they occur of the words “twenty thousand” and for the words “three thousand” wherever they occur of the words “six thousand”;

(b) by the insertion in sub-section (9) after the word “possession” of the words “and (in the case of a

enige bedrag wat na bewering ten opsigte van in daardie sub-artikel bedoelde koste verskuldig is nie, tensy 'n eis om betaling daarvan by die maatskappy ingedien word binne dertig dae na die datum waarop die maatskappy op die by regulasie voorgeskrewe wyse kennis gegee het dat hy ingestem het om 'n in daardie paragraaf beoogde betaling te maak ter vereffening van die eis om skadevergoeding wat, indien die maatskappy vir bedoelde skadevergoeding aanspreeklik was, daardie koste kon ingesluit het.

(3) Indien eise waarvan die bedrae nie in geskil is nie en wat in die geheel die som van honderd pond te bowe gaan, ingevolge sub-artikel (2) deur twee of meer persone by 'n geregistreerde maatskappy ingedien word, betaal die maatskappy aan elke eiser 'n bedrag wat in dieselfde verhouding tot die som van honderd pond staan as die verhouding waarin die bedrag van sy eis tot die bedrag verteenwoordigende al die bedoelde eise gesamentlik staan."

8. Artikel *veertien* van die Hoofwet word hierby gewysig—

(a) deur in sub-paragraaf (iii) van paragraaf (a) van sub-artikel (2) na die woord „is” die woorde „en wat hy moes besit het” in te voeg;

(b) deur die volgende sub-artikels by te voeg:

„(4) Wanneer 'n persoon, staat, regering of liggaam van persone in sub-artikel (3) van artikel *negentien* bedoel, ingevolge artikel *elf* of *twaalf* skadevergoeding betaal het, kan hy, sonder dat hy 'n formele sessie van die reg van aksie verkry het, die bedrag van die aldus betaalde skadevergoeding verhaal op enige persoon wie se nalatigheid of ander onwettige daad die betrokke verlies of skade veroorsaak het.

(5) Die bepalings van sub-artikel (4) is nie van toepassing ten opsigte van enige reg van verhaal op iemand wat ten tyde van die voorval wat tot die betaling van skadevergoeding aanleiding gegee het die motorvoertuig onder die omstandighede in sub-paragraaf (i) of (iii) van paragraaf (a) van sub-artikel (2) beskryf, bestuur het nie."

Wysiging van artikel 14 van Wet 29 van 1942, soos vervang deur artikel 5 van Wet 27 van 1952.

9. Artikel *negentien* van die Hoofwet word hierby gewysig—

(a) deur in paragraaf (a) van sub-artikel (2) die woorde „Nasionale Padraad of die Verenigde Algemene Raad van die Transkeigebied” deur die woorde „Nasionale Vervoerkommissie of die Gebiedsowerheid vir die Transkeigebied of enige Bantoegebiedsowerheid ingevolge artikel *twee* van die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951), ingestel” te vervang; en

(b) deur in daardie paragraaf die woorde „of die verteenwoordiger van enige regering in die Britse gemenebes of 'n gesant (soos omskrywe in die Wet op Diplomatieke Immunitet, 1932 (Wet No. 9 van 1932) soos gewysig deur die Wet tot Wysiging van die Wet op Diplomatieke Immunitet, 1934 (Wet No. 19 van 1934))” te skrap.

Wysiging van artikel 19 van Wet 29 van 1942, soos gewysig deur artikel 8 van Wet 27 van 1952.

10. Artikel *twintig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „artikel *vier*” deur die uitdrukking „sub-artikel (1) van artikel *vier*” te vervang en na die woord „is” waar dit die tweede maal voorkom die woorde „en die eienaar van 'n motorvoertuig aan wie ingevolge sub-artikel (1)*bis* van daardie artikel 'n assuransietyken ten opsigte daarvan uitgereik is, moet die teken op die by regulasie voorgeskrewe wyse aan daardie voertuig heg en dit gedurende die assuransietydperk in verband waarmee die teken uitgereik is aan daardie voertuig geheg hou terwyl die voertuig op 'n openbare pad of straat of in 'n ander plek waartoe die publiek toegang het, bestuur of gebruik word” in te voeg.

Wysiging van artikel 20 van Wet 29 van 1942.

11. Artikel *een-en-twintig* van die Hoofwet word hierby gewysig—

(a) deur die woord „tienduisend” orals waar dit voorkom deur die woord „twintigduisend” en die woord „drieduisend” orals waar dit voorkom deur die woord „sesduisend” te vervang;

(b) deur in sub-artikel (9) na die woorde „besit het” die woorde „en (in die geval van 'n deponent wat

Wysiging van artikel 21 van Wet 29 van 1942, soos gewysig deur artikel 9 van Wet 27 van 1952.

- depositor who has been exempted under sub-section (4) from the requirement of affixing any token to any motor vehicle which bears any marking referred to in that sub-section) upon proof to the satisfaction of the Minister that such marking has been removed"; and
- (c) by the insertion in sub-section (13) after the word "possession" of the words "and (in the case of a depositor who has been exempted under sub-section (4) from the requirement of affixing any token to any motor vehicle which bears any marking referred to in that sub-section) to remove such marking from that motor vehicle".

Short title and
commencement.

12. This Act shall be called the Motor Vehicle Insurance Amendment Act, 1959, and shall come into operation on a date to be fixed by the Governor-General by proclamation in the *Gazette*.

- ingevolge sub-artikel (4) vrygestel is van die vereiste om 'n teken te heg aan 'n motorvoertuig wat 'n in daardie sub-artikel bedoelde merk dra) by bewys tot bevrediging van die Minister dat bedoelde merk verwyder is" in te voeg; en
- (c) deur in sub-artikel (13) na die woord „gee" die woorde „en om (in die geval van 'n deponent wat ingevolge sub-artikel (4) vrygestel is van die vereiste om 'n teken te heg aan 'n motorvoertuig wat 'n in daardie sub-artikel bedoelde merk dra) daardie merk van bedoelde motorvoertuig te verwyder" in te voeg.

12. Hierdie Wet heet die Wysigingswet op Motorvoertuig- Kort titel en
assuransie, 1959, en tree in werking op 'n datum wat die inwerkingtreding.
Goewerneur-generaal by proklamasie in die *Staatskoerant*
bepaal.