

EXTRAORDINARY



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Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

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DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 444.] [20th March, 1959.

No. 444.] [20 Maart 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:—

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:—

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No. 4, 1959.]

ACT

To apply a sum not exceeding one hundred and thirteen million pounds towards the service of the Union for the financial year ending on the thirty-first day of March, 1960.

(*Afrikaans text signed by the Governor-General.*)
(Assented to 17th March, 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:—

Exchequer
Account charged
with £80,000,000
on Revenue
Account,
£3,000,000 on
Bantu Education
Account and
£30,000,000 on
Loan Account.

1. On and after the first day of April, 1959, there may be issued out of the Exchequer Account such sums of money not exceeding in the aggregate the sum of eighty million pounds for revenue services, three million pounds for Bantu education and thirty million pounds for loan services as may from time to time be required for the service of the Union for the financial year ending on the 31st day of March, 1960, until such time as provision is made therefor by Parliament in an Appropriation Act.

Sums issued under
this Act to be
advances in
anticipation.

2. All sums issued under the provisions of this Act shall be deemed to be advances on account of grants to be made by Parliament in an Appropriation Act for the financial year ending on the thirty-first day of March, 1960, and upon the commencement of such Appropriation Act, this Act shall cease to have effect and issues already made hereunder shall be deemed to be issues under that Appropriation Act, and shall be accounted for in accordance with the provisions thereof:

Provided that no services upon which expenditure has not been duly authorized under an Appropriation Act during the financial year ending on the thirty-first day of March, 1959, or for which there is no statutory authority, shall be deemed to be authorized under section *one* of this Act.

Short title.

3. This Act shall be known as the Part Appropriation Act, 1959.

No. 4, 1959.]

WET

Tot aanwending van 'n som van hoogstens eenhonderd-en-dertienmiljoen pond vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1960 eindig.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 17 Maart 1959.)

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

1. Op en na die eerste dag van April 1959 mag die somme geld gesamentlik ten bedrae van hoogstens tagtigmiljoen pond vir inkomstediens, driemiljoen pond vir Bantoe-onderwys en dertigmiljoen pond vir leningsdiens wat van tyd tot tyd nodig mag wees vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1960 eindig, uit die Skatkisrekening uitgerek word, totdat die Parlement in 'n Begrotingswet daarvoor voorsiening maak.

Skatkisrekening
belas met
£80,000,000 op
Inkomsterekening,
£3,000,000 op
Bantoe-onderwys-
rekening en
£30,000,000 op
Leningsrekening.

2. Alle somme kragtens die bepaling van hierdie Wet uitgerek, word beskou as voorskotte op rekening van gelde wat deur die Parlement in 'n Begrotingswet toegestaan sal word vir die boekjaar wat op die een-en-dertigste dag van Maart 1960 eindig, en by die inwerkingtrede van daardie Begrotingswet tree hierdie Wet buite werking en word gelde wat kragtens hierdie Wet reeds uitgerek is, beskou as uitreikings kragtens daardie Begrotingswet en moet sodanige uitreikings ooreenkomstig die bepaling daarvan verantwoord word:

Somme ingevoige
hierdie Wet
uitgerek, word
beskou as
voorlopige
voorskotte.

Met dien verstande dat daar nie beskou word dat dienste waarvoor geen uitgawe gedurende die boekjaar wat op die een-en-dertigste dag van Maart 1959 eindig, behoorlik kragtens 'n Begrotingswet gemagtig is nie, of waarvoor geen wetlike magtiging bestaan nie, deur artikel een van hierdie Wet gemagtig word nie.

3. Hierdie Wet heet die Gedeeltelike Begrotingswet, 1959. Kort titel.

No. 5, 1959.]

ACT

To apply a further sum of money towards the service of the Union for the financial year ended on the thirty-first day of March, 1958, for the purpose of meeting and covering certain unauthorized expenditure.

*(English text signed by the Governor-General.)
(Assented to 17th March, 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:—

Exchequer
Account
charged with
£11,011 7s. 7d.

1. The Exchequer Account of the Union is hereby charged with the sum of eleven thousand and eleven pounds, seven shillings and seven pence, to meet certain expenditure over and above the amounts appropriated for the service of the Union for the financial year which ended on the thirty-first day of March, 1958. Such expenditure is set forth in the Schedule to this Act and is more particularly specified on pages 13, 19 and 21 of the Report (which has been submitted to Parliament) of the Controller and Auditor-General on the accounts for the said financial year and in the First Report of the Select Committee on Public Accounts, 1959.

Short title.

2. This Act shall be known as the Unauthorized Expenditure (1957-'58) Act, 1959.

Schedule.

No. of Vote.	Title of Vote.	Amount.
<i>(On Revenue Account.)</i>		
8	Prisons and Gaols	£ 1,680 s. 7 d. 3
14	Agriculture (Administration and National Services)	574 9 2
15	Agriculture (Regional Services and Education)	200 0 0
23	Defence	1,311 16 10
38	Education, Arts and Science	21 15 10
39	Industrial Schools and Reformatories	687 7 1
41	Health (Union): Hospitals and Institutions	6,478 1 4
47	Social Welfare	57 10 1
	Total	£ 11,011 7 7

No. 5, 1959.]

WET

Tot aanwending van 'n verdere som vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1958 geëindig het, tot bestryding en dekking van sekere ongemagtigde uitgawes.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 17 Maart 1959.)

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

1. Die Skatkisrekening van die Unie word hierby belas met die som van elfduisend-en-elf pond, sewe sjielings en sewe pennies tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1958 geëindig het. Hierdie uitgawes word uiteengesit in die Bylae by hierdie Wet en word nader omskryf op bladsye 12, 18 en 20 van die (aan die Parlement voorgelegde) Verslag van die Kontroleur en Ouditeur-generaal oor die rekenings vir voormelde boekjaar en in die Eerste Verslag van die Gekose Komitee oor Openbare Rekenings, 1959.

Skatkisrekening
belas met
£11,011 7s. 7d.

2. Hierdie Wet heet die Wet op Ongemagtigde Uitgawes Kort titel. (1957-'58), 1959.

Bylae.

No. van Begrotingspos.	Titel van Begrotingspos.	Bedrag.
<i>(Op Inkomsterekening).</i>		
		£ s. d.
8	Gevangnisse en Tronke	1,680 7 3
14	Landbou (Administrasie en Nasionale Dienste)	574 9 2
15	Landbou (Streekdienste en Onderwys)	200 0 0
23	Verdediging	1,311 16 10
38	Onderwys, Kuns en Wetenskap	21 15 10
39	Nywerheidskole en Verbeteringshuise	687 7 1
41	Gesondheid (Unie): Hospitale en Inrigtings	6,478 1 4
47	Volkswelsyn	57 10 1
	Totaal	£11,011 7 7

No. 6, 1959.]

ACT

To prohibit the entry or presence upon land and the entry of or presence in buildings in certain circumstances, and to provide for matters incidental thereto.

(Afrikaans text signed by the Governor-General.)
(Assented to 17th March, 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:—

Prohibition of entry or presence upon land and entry of or presence in buildings in certain circumstances.

1. (1) Any person who without the permission—
- (a) of the lawful occupier of any land or any building or part of a building; or
 - (b) of the owner or person in charge of any land or any building or part of a building that is not lawfully occupied by any person,

enters or is upon such land or enters or is in such building or part of a building, shall be guilty of an offence unless he has lawful reason to enter or be upon such land or enter or be in such building or part of a building.

(2) For the purposes of sub-section (1) the expression "lawful occupier" in relation to a building or part of a building does not include a servant of the lawful occupier of the land on which that building is situated.

Penalties.

2. Any person convicted of an offence under section *one* shall be liable to a fine not exceeding twenty-five pounds or to imprisonment for a period not exceeding three months.

Repeal of laws.

3. The laws set forth in the Schedule are hereby repealed to the extent shown in the fourth column thereof.

Short title.

4. This Act shall be called the Trespass Act, 1959.

Schedule.**LAWS REPEALED.**

Province.	No. and year of Law.	Title or Subject-matter.	Extent of Repeal.
Cape of Good Hope.	Act No. 27 of 1882.	"The Police Offences Act, 1882".	Sub-section (12) of section <i>seven</i> .
Cape of Good Hope.	Act No. 23 of 1906.	"The Trespassers Act, 1906".	Sections <i>one to four</i> , inclusive, and section <i>seven</i> .
Natal	Law No. 13 of 1874.	"With regard to trespass on Private Lands".	The whole.
Natal	Act No. 6 of 1897.	"To amend the Law with regard to Trespass".	The whole.
Orange State. Free	Act No. 11 of 1899.	"Overtreding op Privaat Eigendom".	The whole.
Orange State. Free	Ordinance No. 21 of 1902.	"The Police Offences Ordinance, 1902".	Sub-section (13) of section <i>twenty-four</i> .
Transvaal	Ordinance No. 26 of 1904.	"The Crimes Ordinance, 1904".	Section <i>nine</i> .

No. 6, 1959.]

WET

Om die betreding van of aanwesigheid op grond en die binnegaan van of aanwesigheid in geboue onder sekere omstandighede te verbied, en om vir aangeleenthede wat daarmee in verband staan, voorsiening te maak.

*(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 17 Maart 1959.)*

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

1. (1) Iemand wat sonder die toestemming —
 - (a) van die wettige okkuperder van grond of 'n gebou of deel van 'n gebou; of
 - (b) van die eienaar van, of die persoon wat toesig het oor, grond of 'n gebou of deel van 'n gebou wat nie deur iemand wettiglik geokkuper word nie,
 sodanige grond betree of daarop is, of sodanige gebou of deel van 'n gebou binnegaan of daarin is, is aan 'n misdryf skuldig tensy hy wettige rede het om sodanige grond te betree of daarop te wees of sodanige gebou of deel van 'n gebou binne te gaan of daarin te wees.

Verbod op betreding van of aanwesigheid op grond en binnegaan van of aanwesigheid in geboue onder sekere omstandighede.
- (2) By die toepassing van sub-artikel (1) sluit die uitdrukking „wettige okkuperder” met betrekking tot 'n gebou of deel van 'n gebou nie 'n diensbode van die wettige okkuperder van die grond waarop daardie gebou geleë is in nie.
2. Iemand wat aan 'n misdryf kragtens artikel een skuldig bevind word, is strafbaar met 'n boete van hoogstens vyf-en-twintig pond of met gevangenisstraf vir 'n tydperk van hoogstens drie maande. Strawwe.
3. Die wette in die Bylae vermeld word hierby herroep in die mate in die vierde kolom daarvan aangedui. Herroeping van wette.
4. Hierdie Wet heet die Wet op Oortreding, 1959. Kort titel.

Bylae.

HERROEPE WETTE.

Provincie.	No. en Jaar van Wet.	Titel of Onderwerp.	Hoever herroep.
Kaap die Goeie Hoop.	Wet No. 27 van 1882.	„The Police Offences Act, 1882”.	Sub-artikel (12) van artikel sewe.
Kaap die Goeie Hoop.	Wet No. 23 van 1906.	„The Trespassers Act, 1906”.	Artikels een tot en met vier, en artikel sewe.
Natal	Wet No. 13 van 1874.	„With regard to trespass on Private Lands”.	Die geheel.
Natal	Wet No. 6 van 1897.	„To amend the Law with regard to Trespass”.	Die geheel.
Oranje-Vrystaat.	Wet No. 11 van 1899.	„Overtreding op Privaat Eigendom”.	Die geheel.
Oranje-Vrystaat.	Ordonnansie No. 21 van 1902.	„The Police Offences Ordinance, 1902”.	Sub-artikel (13) van artikel vier-en-twintig.
Transvaal ..	Ordonnansie No. 26 van 1904.	„The Crimes Ordinance, 1904”.	Artikel nege.

No. 7, 1959.]

ACT**To amend the Interpretation Act, 1957.***(English text signed by the Governor-General.)
(Assented to 17th March, 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 10 of
Act 33 of 1957.**1.** Section *ten* of the Interpretation Act, 1957, is hereby amended by the addition thereto of the following sub-section:

“(5) Whenever the administration of any law or any provision of any law which confers a power or imposes a duty or entrusts a function to any Minister of State, has in terms of sub-section (4) been assigned by the Governor-General to any other Minister of State—

(a) any reference in that law or provision to the department of State administered by such firstmentioned Minister shall be construed as a reference to the department of State administered by such lastmentioned Minister;

(b) any reference in that law or provision to an officer in the public service attached to such firstmentioned department or to any such officer holding a specified office in that department, shall be construed as a reference to an officer in the public service attached to such lastmentioned department or, as the case may be, as a reference to such an officer holding a corresponding office in that department;

(c) any power, duty or function vested in or imposed upon or entrusted to—

(i) an officer of such firstmentioned department who is then an officer of such lastmentioned department; or

(ii) the holder of a specified office in that department, by or under that law or provision, shall be deemed to have been duly vested in or imposed upon or entrusted to the officer concerned in his capacity as an officer of such lastmentioned department or, as the case may be, to the holder of a corresponding office in that department;

(d) any regulation made or any notice, direction or order issued or any appointment made or any action taken under that law or provision prior to the date on which the administration thereof was so assigned, shall remain in full force and effect as if it had been made, issued or taken by the person who on that date was, by virtue of the assignment of the administration of that law or provision or the provisions of this sub-section, competent to make such regulation or to issue such notice, direction or order or to make such appointment or to take such action.”.

Short title and
commencement.**2.** This Act shall be called the Interpretation Amendment Act, 1959, and shall be deemed to have come into operation on the twenty-third day of October, 1958.

No. 7, 1959.]

WET

Tot wysiging van die Interpretasiewet, 1957.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 17 Maart 1959.)

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

1. Artikel *tien* van die Interpretasiewet, 1957, word hierby gewysig deur die volgende sub-artikel daarby te voeg: Wysiging van artikel 10 van Wet 33 van 1957.
- „(5) Wanneer die uitvoering van 'n wet of 'n bepaling van 'n wet wat aan 'n Staatsminister 'n bevoegdheid verleen of 'n plig oplê of 'n funksie toevertrou, ingevolge sub-artikel (4) deur die Goewerneur-generaal aan 'n ander Staatsminister opgedra is—
- (a) word 'n verwysing in daardie wet of bepaling na die Staatsdepartement wat deur eersbedoelde Minister beheer word, uitgelê as 'n verwysing na die Staatsdepartement wat deur laasbedoelde Minister beheer word;
- (b) word 'n verwysing in daardie wet of bepaling na 'n beampte in die Staatsdiens verbonde aan eersbedoelde departement of na so 'n beampte wat 'n bepaalde betrekking in daardie departement beklee, uitgelê as 'n verwysing na 'n beampte in die Staatsdiens verbonde aan laasbedoelde departement of, na gelang van die geval, as 'n verwysing na so 'n beampte wat 'n ooreenstemmende betrekking in daardie departement beklee;
- (c) word 'n bevoegdheid, plig of funksie wat deur of kragtens daardie wet of bepaling verleen of opgelê of toevertrou is—
- (i) aan 'n beampte van eersbedoelde departement wat dan 'n beampte van laasbedoelde departement is; of
- (ii) aan die bekleër van 'n vermelde betrekking in daardie departement, geag behoorlik verleen of opgelê of toevertrou te wees aan die betrokke beampte in sy hoedanigheid as 'n beampte van laasbedoelde departement of, na gelang van die geval, aan die bekleër van 'n ooreenstemmende betrekking in daardie departement;
- (d) bly enige regulasie uitgevaardig of kennisgewing, lasgewing of bevel uitgereik of enige aanstelling gemaak of stappe gedoen ingevolge so 'n wet of bepaling voor die datum waarop die uitvoering daarvan aldus opgedra is, ten volle van krag asof dit uitgevaardig, uitgereik, gemaak of gedoen is deur die persoon wat op daardie datum uit hoofde van die opdrag van die uitvoering van daardie wet of bepaling of die bepalings van hierdie sub-artikel bevoeg was om daardie regulasie uit te vaardig of daardie kennisgewing, lasgewing of bevel uit te reik of daardie aanstelling te maak of daardie stappe te doen.”.
2. Hierdie Wet heet die Wysigingswet op Interpretasie, 1959, Kort titel en en word geag op die drie-en-twintigste dag van Oktober 1958 inwerkingtreding. in werking te getree het.