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GOVERNMENT NOTICE.

DEPARTMENT OF COLOURED AFFAIRS.

No. R. 1866.] [18 November 1960.

PROMULGATION OF REGULATIONS IN SUBSTITUTION OF EXISTING REGULATIONS FRAMED IN TERMS OF THE PROVISIONS OF THE MISSION STATIONS AND COMMUNAL RESERVES ACT, No. 29 OF 1909 (CAPE), AS AMENDED.

The Minister of the Interior has been pleased to make in terms of the provisions of section *sixteen* of the Mission Stations and Communal Reserves Act, 1909 [Act No. 29 of 1909 (Cape)], as amended, the subjoined regulations of which Part II shall apply in respect of each area to which the Act has been applied, with the exception of the mission stations of Shiloh in the District of Queenstown and Goschen in the District of Cathcart, and in addition to repeal the existing regulations promulgated under—

- (1) Government Notice No. 331 of 2nd March, 1956; and
- (2) Government Notice No. 1634 of 25th October, 1957, as amended by Government Notice No. 1924 of 19th December, 1958, and No. 819 of 29th May, 1959.

PART I.

REGULATIONS FOR THE CONSULTATION OF THE PERSONS AFFECTED BY THE APPLICATION OF THE ACT AND FOR MATTERS INCIDENTAL THERETO.

1. Upon information received from the Secretary for Coloured Affairs that it is proposed to apply the provisions of Act No. 29 of 1909 (Cape), as amended, to any Coloured mission station or communal reserve (hereinafter called area), the magistrate of the district within which such area is situate, shall issue a notice summoning a meeting of all persons who would be affected by applying the Act to such area, and who, in terms of section *three* of the Act, are to be consulted. The magistrate shall, at least three weeks before such meeting, publish the notice summoning the meeting in the *Government Gazette* and cause copies thereof to be posted at one or more convenient places within such area.

2. At the meeting the magistrate shall—

- (a) explain the objects of the Act;
- (b) indicate the action proposed in respect of the community; and
- (c) invite all persons affected to make through him any representations they may desire to submit for the consideration of the Minister.

3. (1) After the meeting has been consulted, the magistrate shall, unless for sound reasons he decides to the contrary, proceed to constitute a temporary consultative committee of Coloured persons to advise and assist him in the preliminary arrangements to facilitate the application of the Act.

GOEWERMENSKENNISGEWING.

DEPARTEMENT VAN KLEURLINGSAKE.

No. R. 1866.] [18 November 1960.

UITVAARDIGING VAN REGULASIES TER VERVANGING VAN BESTAANDE REGULASIES OPGESTEL KRAGTENS DIE „MISSION STATIONS AND COMMUNAL RESERVE ACT”, No. 29 VAN 1909 (KAAP), SOOS GEWYSIG.

Dit het die Minister van Binnelandse Sake behaag om, kragtens artikel *sestien* van die „Mission Stations and Communal Reserves Act, 1909” [Wet No. 29 van 1909 (Kaap)], soos gewysig, die regulasies wat hieronder verskyn, te maak waarvan deel II geld ten opsigte van elkeen van die gebiede waar genoemde Wet toegepas is, met uitsondering van die sendingstasies Shiloh in die distrik Queenstown en Goschen in die distrik Cathcart, en om verder die bestaande regulasies soos uitgevaardig by—

- (1) Goewermentskennisgewing No. 331 van 2 Maart 1956; en
- (2) Goewermentskennisgewing No. 1634 van 25 Oktober 1957, soos gewysig by Goewermentskennisgewing No. 1924 van 19 Desember 1958 en No. 819 van 29 Mei 1959,

te herroep.

DEEL I.

REGULASIES VIR DIE RAADPLEGING VAN PERSONE WAT DEUR DIE TOEPASSING VAN DIE WET GERAAK WORD EN VIR AANGELEENTHEDE WAT DAARMEE IN VERBAND STAAN.

1. Nadat hy in kennis gestel is deur die Sekretaris van Kleurlingsake dat dit die voorneme is om Wet No. 29 van 1909 (Kaap), soos gewysig, op enige sendingstasie of gemeenskaplike reservaat vir Kleurlinge (hieronder gebied genoem) toe te pas, moet die landdros van die distrik waarin sodanige gebied geleë is, 'n vergadering belê van alle persone wat deur die toepassing van die Wet op sodanige gebied geraak word en wat ingevolge artikel *drie* van die Wet geraadpleeg moet word. Die landdros moet, minstens drie weke voor so 'n vergadering, die kennisgewing wat die vergadering byeenroep in die *Staatskoerant* publiseer en afskrifte daarvan op een of meer geskikte plekke binne sodanige gebied laat opplak.

2. Die landdros moet op die vergadering—

- (a) die strekking van die Wet verduidelik;
- (b) die stappe aandui wat ten opsigte van die gemeenskap beoog word; en
- (c) alle persone wat daardeur geraak word vra om deur bemiddeling van hom vertoë te rig wat hulle wil laat voorlê vir oorweging deur die Minister.

3. (1) Na raadpleging van die vergadering moet die landdros, tensy hy om goeie redes anders besluit, voortgaan met die samestelling van 'n tydelike raadplegende komitee van Kleurlinge om hom te adviseer en by te staan met voorlopige reëlins om die toepassing van die Wet te vergemaklik.

(2) The temporary consultative committee shall be constituted as follows:—

- (a) Two persons elected by and from amongst the meeting, two representatives appointed by the society and one person appointed by the Magistrate;
- (b) in an area where no society exists, the meeting shall elect five persons;
- (c) in the event of either the meeting or the society or both failing to elect or appoint representatives as provided, the magistrate may himself, without further reference to such meeting or society appoint the number of representatives by which such meeting or society or both have so failed to elect or appoint or he may without the assistance of a committee proceed with the inquiry as prescribed in section four of the Act.

(3) All representations by or on behalf of the community shall be transmitted by the magistrate, together with his recommendations after consultation with the committee, for the consideration of the Minister.

4. The magistrate shall obtain the particulars applicable to such area as follows:—

- (1) From the resident missionary of the society or his legal representative, in writing—
 - (a) a description of the area or areas of land customarily reserved for the exclusive use of the society;
 - (b) a description of all rights, servitudes or privileges in respect of the commonage, more particularly in regard to grazing and the use of fuel and water, which have been exercised or possessed by the society or which the society claims or desires should be reserved for its benefit;
 - (c) a list of persons recognized by the society as being occupiers of land within such area, and of claimants to such right, together with a description of the position and extent of the land concerned, the fees or rent paid therefor and the accompanying commonage rights, and in the case of claimants a statement of reasons for the rejection of their claims;
 - (d) if more than one area of land has been reserved for the exclusive use of the society, and such areas are not contiguous, a statement of how, in the opinion of the society, such land or its boundaries could in the interest of both the society and the community, be exchanged or altered for the efficient management of their affairs;
 - (e) an account of the history and financial management of the area, more particularly indicating to what extent the community has become indebted to the society for financial or other assistance, contributions or gifts and what sources of income are likely to be at the disposal of the board of management, their probable annual yield, the maximum amount of the contribution or rate which this society may be fairly called upon to pay annually and the extent of land which it would be equitable to allot by way of exchange or alteration in terms of paragraph (d).
- (2) Where no society exists, from a person or persons who are acquainted with the circumstances—
 - (a) names of the occupiers of the area, a description of the position and extent of land occupied by them, the fees or rent paid therefor and the accompanying commonage rights;
 - (b) the history and financial management of the area, the sources of income which are likely to be at the disposal of the board of management and the probable annual yield thereof.

(2) Die tydelike raadplegende komitee word as volg saamgestel:—

- (a) Die vergadering kies twee persone uit sy midde, die genootskap stel twee verteenwoordigers aan en een persoon word deur die landdros aangestel.
- (b) In 'n gebied waar geen genootskap bestaan nie, kies die vergadering vyf persone.
- (c) Ingeval die vergadering of die genootskap of albei nalaat om verteenwoordigers te kies of aan te stel soos bepaal, kan die landdros self sonder verdere verwysing na die vergadering of genootskap die getal verteenwoordigers aanstel wat die vergadering of genootskap of albei aldus versuim het om te kies of aan te stel, of kan hy sonder die hulp van 'n komitee voortgaan met die ondersoek soos voorgeskryf by artikel vier van die Wet.

(3) Alle vertoë deur of namens die gemeenskap moet deur die landdros, tesame met sy aanbevelings na oorlegpleging met die komitee, vir oorweging aan die Minister deurgestuurd word.

4. Die landdros moet as volg die besonderhede inwilt wat op sodanige gebied van toepassing is:—

- (1) Van die inwonende sendeling van die genootskap of sy wettige verteenwoordiger op skrif—
 - (a) 'n beskrywing van die stuk of stukke grond wat volgens gebruik vir die uitsluitlike gebruik van die genootskap opsy gesit is;
 - (b) 'n beskrywing van alle regte, servitute of voorregte wat die genootskap ten opsigte van die meent, in die besonder in verband met weiding en die gebruik van brandhout en water, geniet of besit of waarop die genootskap aanspraak maak of verlang dat dit vir sy voordeel voorbehou word.
 - (c) 'n lys van persone wat deur die genootskap erken word as okkupeerders van grond binne die gebied, en van aanspraakmakers op sodanige reg, tesame met 'n beskrywing van die ligging en grootte van die betrokke grond, die gelde of huurgelde wat daarvoor betaal word en die meentregte wat daarmee gepaard gaan, en in die geval van aanspraakmakers redes vir verwerping van hul aansprake;
 - (d) indien meer as een stuk grond vir die uitsluitlike gebruik van die genootskap uitgehou is en indien dit nie aangrensend is nie, moet vermeld word hoe dit of die grense daarvan, na die mening van die genootskap, in belang van beide genootskap en die gemeenskap vir doeltreffende bestuur van hul sake, vervang of verander kan word;
 - (e) 'n verslag van die geskiedenis en geldelike bestuur van die gebied, in die besonder in watter mate die gemeenskap teenoor die genootskap verplig geraak het vir finansiële of ander hulp, bydraes, of geskenke en watter moontlike bronne van inkomste tot beskikking van die bestuursraad sal wees, die moontlike jaarlikse opbrengs daarvan, die maksimum bedrag wat redelikerwys as jaarlikse bydrae of belasting van die genootskap verlang kan word en die grootte van die grond wat ingevolge paragraaf (d) billikerwys by wyse van vervanging of verandering toegeken behoort te word.
- (2) Waar daar nie 'n genootskap is nie, van 'n persoon of persone wat met die toestande bekend is—
 - (a) name van die okkupeerders van die gebied, 'n beskrywing van die ligging en die grootte van grond wat deur hulle geokkupeer word, die gelde of huurgelde wat daarvoor betaal word en die meentregte wat daarmee gepaard gaan.
 - (b) die geskiedenis en geldelike bestuur van die gebied, die moontlike bronne van inkomste wat tot beskikking van die bestuursraad sal wees en die moontlike jaarlikse opbrengs daarvan.

5. On receipt of these particulars and in consultation with the temporary consultative committee, the magistrate shall prepare a preliminary list of occupiers and their allotments, and, if necessary, a supplementary schedule of claimants, as well as a draft scheme for the settlement and regulation of the matters referred to in section four of the Act.

6. As soon as may be after the promulgation of the proclamation in terms of section three of the Act, the magistrate shall convene a second meeting in the manner provided in regulation 1, in order that any person affected by the application of the Act may submit to him representations, claims or objections to the preliminary list of occupiers and their allotments or to the draft scheme. Having provisionally determined any such representations, claims or objections he shall prepare a final list of occupiers with their allotments and a scheme for the regulation of the matters referred to in section four of the Act for submission to the Minister: Provided that during the three weeks preceding the meeting, copies of the preliminary list and the draft scheme shall lie at the office of the magistrate and at one or more convenient places within such area for general inspection, and notification thereof shall be given in the notice summoning the meeting.

7. The powers and duties conferred upon a magistrate in terms of these regulations shall apply *mutatis mutandis* to any officer appointed for the purpose in terms of section four of the Act.

PART II.

GENERAL REGULATIONS.

INTERPRETATION OF TERMS.

1. For the purpose of these regulations, unless inconsistent with the context—

- (i) "allotment" shall mean—
 - (a) building allotment; or
 - (b) dry garden allotment (not the same as that on which the home is erected); or
 - (c) irrigable garden allotment (under irrigation); or
 - (d) dry land allotment; (v)
- (ii) "Board" shall mean the Board of Management; (vi)
- (iii) "certificate of occupation" shall mean a letter used by Boards under the Act to show that approval has been given to a person to reside in an area under the control of the Board and which contains a description of the allotment granted to him; (x)
- (iv) "chairman" shall mean the person (whether an officer or the magistrate) appointed under section four bis (1) (b) or section five (1) of the Act to fulfil such duties as are prescribed for such chairman under the Act and the regulations framed thereunder; (xi)
- (v) "commonage" shall mean the portion of land under section six (1) of the Act under the control of the Board, not yet allotted to registered occupiers by certificate of occupation; (iii)
- (vi) "Department" shall mean the Department of Coloured Affairs; (i)
- (vii) "Minister" shall mean the Minister of the Interior; (iv)
- (viii) "regulations" shall mean the regulations promulgated in terms of the Act; (vii)
- (ix) "Secretary" shall mean the Secretary for Coloured Affairs; (viii)
- (x) "The Act" shall mean the Mission Stations and Communal Reserves Act, 1909 [Act No. 29 of 1909 (Cape)], as amended; (ii)
- (xi) "written consent" shall mean a letter in which the Board indicates that permission has been given for a person to reside in the area under the control of the Board for a given period in a capacity other than a registered occupier; (ix)
- (xii) any word or expression defined in the Act shall have the same meaning as in the Act (xii).

5. By ontvangs van hierdie besonderhede en in oorleg met die tydelike raadplegende komitee, moet die landdros 'n voorlopige lys van okkupeerders en hul toekennings en, indien nodig, 'n aanvullende lys van aanspraakmakers opstel, asook 'n konsepskema vir die afhandeling en reëling van die aangeleenthede genoem in artikel vier van die Wet.

6. So gou moontlik na uitvaardiging van die proklamasie ingevolge artikel drie van die Wet moet die landdros, 'n tweede vergadering belê op die wyse voorgeskryf in regulasie 1 sodat enige persoon, wat deur die toepassing van die Wet geraak word, verhoër, aansprake of besware ten opsigte van die voorlopige lys van okkupeerders met persele aan hulle toegewys of die konsepskema aan hom kan voorlê. Nadat hy voorlopig daaroor beslis het, moet hy 'n finale lys van okkupeerders met persele aan hul toegewys en 'n skema vir reëling van die aangeleenthede vermeld in artikel vier van die Wet opstel vir voorlegging aan die Minister: Met dien verstande dat afskrifte van die voorlopige lys van okkupeerders en die konsepskema by die landdroskantoor en of een of meer gerieflike plekke binne die gebied vir algemene kennisname en ondersoek ter insae moet lê gedurende die drie weke wat die vergadering voorafgaan, en dit in die kennisgewing wat die vergadering byeenroep vermeld moet word.

7. Die magte en pligte wat ingevolge hierdie regulasies aan 'n landdros verleen word, is *mutatis mutandis* van toepassing op enige amptenaar wat ingevolge artikel vier van die Wet vir hierdie doel aangestel is.

DEEL II.

ALGEMENE REGULASIES.

WOORDBEPALING.

1. Vir die toepassing van hierdie regulasies beteken, tensy uit die verband anders blyk—

- (i) „Departement”, die Departement van Kleurlingsake; (vi)
- (ii) „die Wet”, die „Mission Stations and Communal Reserves Act, 1909” [Wet No. 29 van 1909 (Kaap)], soos gewysig; (x)
- (iii) „meent”, die deel van die grond kragtens artikel ses (1) van die Wet onder beheer van die raad wat nog nie aan geregistreerde okkupeerders per toekenningsbrief uitgegee is nie; (v)
- (iv) „Minister”, die Minister van Binnelandse Sake; (vii)
- (v) „perseel”—
 - (a) bouverseel; of
 - (b) droë tuinperseel (nie dieselfde as dié waarop die huis opgerig is nie); of
 - (c) watertuinperseel (onder besproeiing); of
 - (d) droëlandperseel; (i)
- (vi) „raad”, die bestuursraad; (ii)
- (vii) „regulasies”, die regulasies uitgevaardig kragtens die bepalings van die Wet; (viii)
- (viii) „Sekretaris”, die Sekretaris van Kleurlingsake; (ix)
- (ix) „skriftelike toestemming”, 'n brief waarin die raad aandui dat iemand toegelaat word om vir 'n gegewe tydperk in die gebied onder beheer van die raad te woon in 'n ander hoedanigheid as dié van geregistreerde okkupeerder; (xi)
- (x) „toekenningsbrief”, 'n brief wat gebruik word deur rade ingevolge die Wet om aan te dui dat goedkeuring ten opsigte van iemand verleen is om in 'n gebied onder beheer van die raad te woon en waarin die perseel beskrywe word wat aan hom toegeken is; (iii)
- (xi) „voorsitter”, die persoon (of dit nou al 'n amptenaar is of die landdros) wat benoem is kragtens artikel vier bis (1) (b) of artikel vyf (1) van die Wet om die pligte te vervul wat vir so 'n voorsitter by die Wet en sy regulasies voorgeskrywe word; (iv)
- (xii) enige woord of uitdrukking waaraan 'n betekenis in die Wet toegeskryf word, dieselfde as in die Wet. (xii)

QUALIFICATIONS OF VOTERS.

2. (1) Every Coloured registered occupier shall be entitled to be enrolled on the voters' list prepared annually by the Board of Management for its area in terms of section five (2) *bis* of the Act, provided—

- (a) he has been a registered occupier of or over the age of twenty-one years of such area on the first day of April in the year in which the voters' list is being prepared;
- (b) his rates due and payable to the Board of Management have been paid on or before the thirtieth day of April in that year.

(2) No person whose name does not appear in the voters' list shall be entitled to vote or exercise any right conferred on a voter by these regulations.

(3) Every registered voter shall at each election have one vote in respect of each vacancy for which a member has to be elected.

COMPILATION OF VOTERS' LIST.

3. (1) The voters' list shall contain in alphabetical order of surnames the names in full of persons entitled to be enrolled as voters of the Board of Management.

(2) The Board of Management shall notify not later than the fifteenth day of May in each year by notice posted at its office and such other place within its area as it may deem convenient—

- (a) that a copy of such list, which shall be open for inspection, is open for inspection during the office hours of the Board for a period of fourteen days; and
- (b) that on a specified day, not more than ten days after the expiry of the fourteen days referred to in paragraph (a), and at an hour and place to be specified in the notice, claims to be included in the list or objections to entries on the list will be heard and determined.

(3) On the day and at the place fixed for hearing and determining claims or objections, the chairman of the Board of Management or where no such person had been appointed, a person appointed for the purpose by the Board of Management (hereinafter in this regulation referred to as the chairman) and two members of the Board shall in open session hear all such claims and objections and determine thereon.

(4) The chairman shall where necessary alter the list by inserting or deleting any name or rectifying any error.

(5) The revised list certified by the chairman shall be final and remain in force and shall not be added to or altered until a new list has been prepared in terms of these regulations.

ELECTIONS.

4. (1) The ordinary elections of Boards of Management shall be held on a day during the second half of July in each year.

(2) (a) A person appointed by the Secretary and hereinafter referred to as the presiding officer, shall in consultation with the Board of Management, fix the day for the election and not less than fourteen days before the day so fixed he shall cause a notice to be posted at the office of the Board and such other place within the area of the Board as he may deem convenient announcing the date, time and place of the election and the names of the retiring members.

(b) The presiding officer shall not be or become a candidate at the election at which he is presiding.

(c) In the event of the presiding officer not being present, or being disqualified due to his nomination as candidate, any registered voter present may be elected by a majority of voters present at such meeting to act as presiding officer and such presiding voter shall have all the powers which the presiding officer would have had in terms of these regulations.

BEVOEGDHEDE VAN KIESERS.

2. (1) Iedere geregistreerde Kleurlingokkupeerder is geregtig om sy naam te laat plaas op die kieserslys wat die bestuursraad jaarliks ingevolge artikel vyf (2) *bis* van die Wet vir sy gebied opstel, mits—

- (a) hy op die eerste dag van April van die jaar waarin die kieserslys opgestel word, 'n geregistreerde okkupeerder van of bo die ouderdom van een-en-twintig jaar van daardie gebied is; en
- (b) sy belasting verskuldig en betaalbaar aan die bestuursraad voor of op die dertigste dag van April van daardie jaar betaal is.

(2) Geen persoon wie se naam nie op die kieserslys verskyn is geregtig om te stem of om enige reg uit te oefen wat by hierdie regulasies aan 'n kieser verleen word nie.

(3) Iedere geregistreerde kieser het by elke verkiesingsvergadering een stem ten opsigte van elke vakature waarvoor 'n lid verkies moet word.

OPSTEL VAN KIESERSLYS.

3. (1) Die kieserslys moet in alfabetiese volgorde van familienaam die name voluit vermeld van persone wat geregtig is om as kiesers van die bestuursraad geregistreer te word.

(2) Die bestuursraad moet nie later as die vyftiende dag van Mei in elke jaar by wyse van 'n kennisgewing wat by sy kantoor en op sodanige ander plek binne sy gebied as wat hy gerieflik ag, opgeplak word, bekendmaak—

- (a) dat 'n eksemplaar van sodanige lys, wat vir insae moet lê, vir 'n tydperk van veertien dae gedurende die kantoorure van die bestuursraad op sy kantoor ter insae lê; en
- (b) dat op 'n bepaalde dag, nie meer as 10 dae na die verstryking van die veertien dae waarna in paragraaf (a) verwys word, en op 'n uur en plek wat in die kennisgewing vermeld moet word, aansprake om op die lys geplaas te word of besware teen inskrywings op die lys aangehoor en beslis sal word.

(3) Op die dag en plek wat vir die aanhoor en beslissing van aansprake of besware bepaal is, moet die voorsitter van die bestuursraad of waar daar nie so 'n persoon aangestel is nie, 'n persoon vir die doel aangewys deur die bestuursraad (hierna in hierdie regulasie genoem die voorsitter) en twee lede van die bestuursraad in openbare sitting alle sodanige aansprake en besware aanhoor en daaroor beslis.

(4) Die voorsitter moet die lys waar nodig wysig deur invoeging of skapping van name of herstelling van enige fout.

(5) Die hersiene lys, gesertifiseer deur die voorsitter, is finaal en bly van krag, en niks mag daaraan toegevoeg of verander word totdat 'n nuwe lys ingevolge hierdie regulasies opgestel word nie.

VERKIESINGS.

4. (1) Die gewone verkiesing van bestuursrade word gehou op 'n dag gedurende die laaste helfte van Julie in elke jaar.

(2) (a) 'n Persoon deur die Sekretaris benoem en hieronder die voorsittende beampte genoem, moet in ooreenstemming met die bestuursraad die dag van die verkiesing bepaal, en nie minder as veertien dae voor die bepaalde dag moet hy 'n kennisgewing van die verkiesing met vermelding van die datum, tyd en plek en die name van die aftredende lede laat opplak by die kantoor van die bestuursraad en sodanige ander plek binne die gebied van die bestuursraad wat hy mag goedvind.

(b) Die voorsittende beampte mag nie 'n kandidaat wees of word by die verkiesing waarop hy as voorsittende beampte optree nie.

(c) Ingeval die voorsittende beampte nie teenwoordig is nie of weens benoeming tot kandidaat gediskwalifiseer is, kan enige aanwesige geregistreerde kieser deur 'n meerderheid van die teenwoordige kiesers op sodanige vergadering gekies word om as voorsittende beampte op te tree, en sodanige voorsittende kieser het dieselfde bevoegdheid as wat die voorsittende beampte ingevolge hierdie regulasies sou hê.

(3) (a) On the specified day and at the specified time and place the presiding officer shall be present and hold the meeting.

(b) No person save a registered voter or such other person officially admitted by the presiding officer, shall attend the meeting or take any part in the proceedings.

(c) Any person not being a registered voter or a person admitted by the presiding officer, or any registered voter or any other person causing disturbance may be called upon by the presiding officer to leave the meeting and the immediate vicinity of the building, in which the meeting is being held, and any person so requested shall comply with such request.

(d) After having opened the meeting the presiding officer shall read the notice convening the meeting and upon the withdrawal from the meeting of all persons who are not permitted to be present in accordance with sub-regulation (3) (b); the presiding officer shall invite proposals for filling the vacancies.

(e) Every proposal shall be introduced by at least one voter present and seconded by another voter present. The person so proposed and seconded shall be deemed to be duly nominated after having personally signified his acceptance of nomination at the meeting. Should the number of persons duly nominated be no more than the number of the members to be elected, the presiding officer shall then and there declare the persons so nominated to be duly elected.

(f) Should the number of persons duly nominated be more than the number of members to be elected, the presiding officer shall then and there proceed to take a poll by showing of hands or in such manner as he may think fit: provided that five or more voters present may demand a poll by secret ballot;

(g) The presiding officer shall declare so many of the candidates for whom the largest number of votes have been polled as are equal to the number of members to be elected, to be duly elected: Provided that, should the number of votes recorded for two or more candidates be equal and should such equality effect the result of the election, the presiding officer shall by lot determine which has been duly elected.

(4) Should it appear at a meeting for the election of members, that any of the circumstances referred to in regulation 6 is applicable to any person elected by such meeting, on account of which he is required to vacate his seat, the presiding officer shall then and there declare the existence of such a circumstance and request the meeting to proceed by electing another person to fill the vacancy so caused.

(5) The provisions of this regulation save sub-regulation (1) shall *mutatis mutandis* apply to the election of members held in terms of sub-section (1) *bis* of section five of the Act.

EXTRAORDINARY ELECTION.

5. (1) When a member of the Board vacates his seat in terms of regulation 6 (other than at an election meeting) an extraordinary vacancy in the office of member shall occur. Such vacancy shall be declared by the chairman or the secretary of the Board within seven days of his becoming aware of the occurrence thereof, by posting a notice at the office of the Board and any other convenient place within the area of the Board and by transmitting a copy thereof to the Secretary. Upon receipt of such notice the Secretary shall cause the appointment of a person to act as presiding officer at an election for the filling of the vacancy.

(2) The provisions of regulation 4, save sub-regulation (1) thereof, shall *mutatis mutandis* apply to the filling of such extraordinary vacancy.

(3) No extraordinary election shall be held in respect of an extraordinary vacancy declared after the first day of March. Such extraordinary vacancy shall be filled in July of that year simultaneously with the ordinary vacancies.

(3) (a) Op die bepaalde dag, tyd en plek moet die voorsittende beampte teenwoordig wees en die vergadering hou.

(b) Niemand behalwe 'n geregistreerde kieser of iemand anders wat die voorsittende beampte amptshalwe toelaat, mag die vergadering bywoon en daaraan deelneem nie.

(c) Iemand wat nie 'n geregistreerde kieser is of deur die voorsittende beampte tot die vergadering toegelaat is nie, of enige geregistreerde kieser of enige ander persoon wat steurnis verwek, kan deur die voorsittende beampte versoek word om die vergadering en die onmiddellike omgewing van die gebou waarin die vergadering gehou word, te verlaat, en iedereen wat so 'n versoek ontvang, is verplig om daaraan te voldoen.

(d) Nadat die voorsittende beampte die vergadering geopen het, lees hy die kennisgewing waardeur die vergadering belê is, en nadat alle persone wat nie ingevolge sub-regulasie (3) (b) toegelaat word om teenwoordig te wees nie, hulle van die vergadering onttrek het, vra die voorsittende beampte voorstelle vir die vulling van die vakatures.

(e) Elke voorstel moet deur minstens een teenwoordige kieser gedoen en deur 'n ander teenwoordige kieser gesekondeer word. Die aldus voorgestelde en gesekondeerde persoon word as behoorlik benoem beskou nadat hy persoonlik op die vergadering te kenne gegee het dat hy die benoeming aanneem. Indien die getal behoorlik benoemde persone nie meer is as die getal lede wat verkies moet word nie, verklaar die voorsittende beampte op staande voet dat sodanige benoemde persone behoorlik verkies is.

(f) Indien die getal behoorlik benoemde persone meer is as die getal lede wat verkies moet word, moet die voorsittende beampte op staande voet laat stem deur die opsteek van hande of op 'n ander wyse wat hy goeddink; met dien verstande dat vyf of meer aanwesige kiesers 'n geheime stemming mag eis.

(g) Die voorsittende beampte moet soveel van die kandidate wat die meeste stemme verkry het as wat gelyk staan aan die getal lede wat verkies moet word, as behoorlik verkose verklaar; met dien verstande dat indien op twee of meer kandidate ewe veel stemme uitgebring is en die uitslag van die verkiesing daardeur getref word, die voorsittende beampte deur die lot moet laat beslis wie verkies is.

(4) Indien tydens 'n verkiesingsvergadering enige van die omstandighede genoem in regulasie 6 op enige persoon wat deur sodanige vergadering verkies is, van toepassing is as gevolg waarvan hy sy setel moet ontruim, moet die voorsittende beampte op staande voet die toestand aan die vergadering bekend maak en die vergadering versoek om voort te gaan met die vulling van die vakature wat so ontstaan het deur die verkiesing van 'n ander persoon.

(5) Die bepalings van hierdie regulasie, met uitsondering van subregulasie (1), is *mutatis mutandis* van toepassing op 'n verkiesingsvergadering wat ingevolge sub-artikel (1) *bis* van artikel vyf van die Wet plaasvind.

BUITENGEWONE VERKIESING.

5. (1) Wanneer 'n raadslid sy setel ingevolge regulasie 6 ontruim (anders as tydens 'n verkiesingsvergadering) ontstaan 'n buitengewone vakature in die amp van raadslid. Sodanige vakature moet binne sewe dae nadat hy van die ontstaan daarvan bewus geword het deur die voorsitter of sekretaris van die bestuursraad bekendgemaak word per kennisgewing wat hy by die kantoor van die bestuursraad en enige ander geskikte plek binne die gebied van die bestuursraad opplak en deur 'n afskrif daarvan aan die Sekretaris te stuur. Op ontvangs van sodanige kennisgewing moet die Sekretaris stappe doen vir die aanstelling van 'n persoon om as voorsittende beampte op te tree by 'n verkiesing ter vulling van die vakature.

(2) Die bepalings van regulasie 4, behalwe subregulasie (1) daarvan, is *mutatis mutandis* van toepassing vir die vulling van sodanige buitengewone vakature.

(3) Geen buitengewone verkiesing word gehou ten opsigte van 'n buitengewone vakature wat na die eerste dag van Maart bekendgemaak word nie. Sodanige buitengewone vakature moet in Julie van daardie jaar gevul word tesame met die gewone vakatures.

CIRCUMSTANCES UNDER WHICH MEMBERS OF A BOARD SHALL VACATE THEIR SEATS.

6. (1) A member of the Board shall vacate his seat if—

- (a) he presents his resignation in writing to the chairman of the Board;
- (b) he has been absent without leave of the chairman of the Board from three consecutive monthly meetings of the Board;
- (c) a final order sequestrating his estate as insolvent is made, he assigns his estate or he is an unrehabilitated insolvent;
- (d) he is declared to be of unsound mind or mentally disordered or defective or is lawfully detained as mentally disordered or defective under the Mental Disorders Act, 1916;
- (e) he has been convicted of any offence and is sentenced to imprisonment, without the option of a fine, for more than six months unless he has obtained a free pardon;
- (f) he has been convicted of contravening any regulation prescribing the procedure of a meeting of the Board of Management or any regulation conferring duties on a member;
- (g) he has failed to pay on or before the 30th April, any rates which have been due and payable to the Board;
- (h) he in the opinion of the Minister, refuses to subject himself to the provisions of the Act or any regulation promulgated under the Act or to comply therewith;
- (i) he holds an office of profit under the Crown, unless he satisfies the presiding officer by submitting written proof signed on behalf of the head of the department, administration or body, in, under or on which such office is being held, that there is no provision in law debarring him on account of his holding such office from being a member of the Board or that he has been granted permission to serve as a member of the Board;
- (j) he holds an office of profit under the Board of Management;
- (k) he by himself, or through his spouse, partner or business associate has a direct or indirect pecuniary interest in, or is directly or indirectly concerned in or participates in the profits or benefits of, any contract with or work being done or to be done for the Board: Provided that the foregoing provisions of this paragraph shall not apply in respect of—
 - (i) any contract entered into or work undertaken by a company incorporated or registered as such under any law, merely by reason of the fact that such person or his spouse, partner or business associate is a director, shareholder, stockholder, employee or agent of such company, unless such company is a private company, or such person either by himself owns, or together with his spouse or minor children or both controls, more than one half of the shares or stock of such company;
 - (ii) the purchase of anything sold by the Board by public competition;
 - (iii) the purchase by the Board of anything at any auction sale; or
 - (iv) the supply of goods or services commonly supplied or rendered by the Board to the public at a charge fixed by law or resolution of the Board.

(2) The Secretary may on application by a Board of Management exempt a member from the provisions of paragraph (j) or (k) of sub-regulation (1) if he is satisfied that such exemption is desirable in the public interest.

OMSTANDIGHEDE WAARONDER RAADSLEDE HULLE SETELS ONTRUIM.

6. (1) 'n Raadslid ontruim sy setel wanneer—

- (a) hy skriftelik sy bedanking by die voorsitter van die bestuursraad indien;
- (b) hy sonder verlof van die voorsitter van die bestuursraad by drie agtereenvolgende maandelikse vergaderings van die bestuursraad afwesig is;
- (c) 'n finale bevel uitgevaardig is waarby sy boedel as insolvent gesekwestreer is, hy sy boedel oorgee of as hy 'n nie-gerehabiliteerde insolvent is;
- (d) hy tot kranksinnig of geestelik gekrenk of gebrekkig verklaar is of kragtens die Wet op Geestesgebreken, 1916, wettig as geestelik gekrenk of gebrekkig aangehou word;
- (e) hy vir enige oortreding skuldig bevind en veroordeel is tot gevangenisstraf sonder die keuse van 'n boete vir meer as ses maande, tensy volle grasia aan hom verleen is;
- (f) hy skuldig bevind is aan 'n oortreding van enige regulasie wat die prosedure van 'n vergadering van die bestuursraad voorskryf of van enige regulasie wat pligte op 'n lid lê;
- (g) hy in gebreke gebly het om belasting wat aan die bestuursraad verskuldig is voor of op 30 April te betaal.
- (h) hy na die oordeel van die Minister weier om hom aan die bepalings van die Wet en enige regulasie kragtens die Wet uitgevaardig te onderwerp of uitvoering daaraan te gee;
- (i) hy 'n winsbetrekking onder die Kroon beklee, tensy hy die voorsittende beampte oortuig deur voorlegging van skriftelike bewys geteken namens die hoof van die departement, administrasie of liggaam waarin, waarop of waaronder sodanige betrekking beklee word, dat daar geen wetlike bepaling is waarby hy belet of verhinder word om raadslid te wees op grond daarvan dat hy sodanige amp beklee nie, of dat vergunning verleen is dat hy as raadslid mag dien;
- (j) hy 'n winsbetrekking onder die bestuursraad beklee;
- (k) hy self, of deur sy gade, vennoot of sakegenoot 'n regstreekse of onregstreekse geldelike belang het by of regstreeks of onregstreeks betrokke is by of deel in winste of voordele van enige kontrak met of werk wat gedoen word of gedoen moet word vir die bestuursraad; met dien verstande dat die voorgaande bepalings van hierdie paragraaf nie van toepassing is ten opsigte van—
 - (i) enige kontrak wat aangegaan word of werk wat uitgevoer word deur 'n maatskappy wat ingevolge enige Wet as sodanig geïnkorporeer of geregistreer is nie, bloot omrede van die feit dat sodanige persoon of sy gade, vennoot of sakegenoot 'n direkteur, aandeelhouer, effektehouer, werknemer of agent van sodanige maatskappy is nie, tensy sodanige maatskappy 'n private maatskappy is, of sodanige persoon of alleen in besit is van, of tesame met sy gade of minderjarige kinders of albei beheer het oor meer as die helfte van die aandele of effekte van so 'n maatskappy;
 - (ii) die aankoop van enigiets wat deur die bestuursraad per openbare konkurrensie verkoop word nie;
 - (iii) die aankoop deur die bestuursraad van enigiets op 'n vendusie nie; of
 - (iv) die lewering van goedere of dienste wat gewoonlik deur die bestuursraad aan die publiek verskaf of gelewer word teen 'n bedrag wat by wet of besluit van die bestuursraad vasgestel is nie.

(2) Die Sekretaris kan op aansoek van 'n bestuursraad 'n raadslid vrystel van die bepalings van paragraaf (j) of (k) van subregulasie (1) as hy daarvan oortuig is dat die toestaan van so 'n vrystelling in die openbare belang wenslik is.

TENURE OF OFFICE OF MEMBERS OF A BOARD OF MANAGEMENT.

7. (1) In the case of an existing Board of Management where the annual election of members is being held for the first time in terms of these regulations, the two members who have had the longest term of office without re-election and who would have retired at the annual election had these regulations not come into operation, shall go out of office.

(2) In the event of a Board of Management being constituted for the first time in terms of sub-section (3) of section four *ter* or sub-section (1) *bis* of section five of the Act, in which case six members are to be elected at the same time, two of such members shall go out of office at each subsequent annual election, in the order of the number of votes obtained by each at his first election, commencing with the lowest number and proceeding upwards. Thereafter members shall go out of office by rotation as provided for in sub-regulation (3). Should there be any doubt as to which members ought to go out of office by reason of an equal number of votes having been given to more than two members at their election or in case such members shall have been elected without a poll, the two members to go out of office shall be determined by lot.

(3) At the annual election in each year subsequent to the election referred to in sub-regulation (1), and by rotation, the two members shall go out of office who had been the longest time in office without re-election.

(4) Subject to the provisions of regulation 6 the term of office of members elected in terms of—

- (a) sub-regulations (1) and (3) shall be for a period of three years; and
- (b) sub-regulation (1) of regulation 5 shall be for the unexpired period of office of the member in whose place he has been elected.

(5) The term of office of a member appointed by the Minister in terms of sub-section (2) of section five of the Act shall be for such period as would have been the case had such member been elected in accordance with these regulations.

CONSTITUTION OF BOARDS OF MANAGEMENT AND PROCEDURE OF MEETINGS, ALLOWANCES AND OTHER MATTERS.

8. Should the chairman be not available at any meeting, the Board of Management shall elect its own chairman for that meeting.

9. Should any member of the Board of Management be absent, five members of the Board with or without the chairman shall form a quorum.

10. The Board of Management shall meet once a month during the first half of the month on a day fixed by the Board at its meeting during the first month of the year (and the next day if necessary, unless circumstances justify another date). Should the Board for good cause wish to change the date of its monthly meetings, it shall first adopt an unanimous resolution in regard to the matter, thereupon obtain the consent of the Department, and then post a notice for 40 days at the office of the Board whereupon the Board may hold a meeting on the altered date.

11. In addition to the monthly meeting, the chairman may at any time for good and sufficient cause convene a special meeting giving previous notice of seven days: Provided that the chairman may at any time convene a meeting for the purpose of taking action in terms of regulations 39 and 40, and the chairman together with two members of the Board shall form a quorum at such meeting.

12. A member of the Board shall address the chair standing unless he shall have obtained the chairman's consent to remain seated.

13. No member of the Board shall, in his capacity as member, attend a meeting of the Board or a committee of the Board or partake in proceedings thereof during the discussion of any matter in which he by himself or through his spouse, partner or business associate has a direct or indirect pecuniary interest.

AMPSTYD VAN RAADSLEDE.

7. (1) In die geval van 'n bestaande bestuursraad waar die jaarlikse verkiesing van raadslede vir die eerste maal ingevolge hierdie regulasies gehou word, tree die twee lede af wat die langste dienstyd sonder herverkiesing het en wat by die jaarlikse verkiesing sou afgetree het as hierdie regulasie nie in werking getree het nie.

(2) Waar 'n bestuursraad vir die eerste maal ingevolge subartikel (3) van artikel vier *ter* of subartikel (1) *bis* van artikel vyf van die Wet saamgestel word, in watter geval ses raadslede gelyktydig verkies moet word, tree by elke daaropvolgende jaarlikse verkiesing twee van hierdie raadslede af in die volgorde van die getal stemme wat elkeen by sy eerste verkiesing gekry het, beginnende by die laagste getal en opgaande. Daarna tree lede om die beurt af soos bepaal in subregulasie (3). As daar twyfel bestaan oor watter lede moet aftree omdat op meer as twee 'n gelyke aantal stemme by hulle verkiesing uitgebring is of omdat die lede sonder stemming verkies is, word deur die lot beslis watter twee lede moet aftree.

(3) By die jaarlikse verkiesing in elke jaar na die verkiesing vermeld in subregulasie (1) en in gereelde beurtorde, tree die twee lede af wat die langste dienstyd sonder herverkiesing het.

(4) Behoudens die bepalings van regulasie 6 is die dienstyd van lede verkies ingevolge—

- (a) subregulasie (1) en (3) vir 'n tydperk van drie jaar; en
- (b) subregulasie (1) van regulasie 5 vir die onverstreke dienstyd van die lid in wie se plek hy verkies is.

(5) Die dienstyd van 'n lid wat ingevolge subartikel (2) van artikel vyf van die Wet deur die Minister aangestel is, is vir die tydperk wat dit sou gewees het as so 'n lid ooreenkomstig hierdie regulasies verkies was.

SAMESTELLING VAN BESTUURSRAD EN PROSEDURE VAN VERGADERINGS, TOELAES EN ANDER AANGELEENTHEDE.

8. As die voorsitter by enige vergadering nie beskikbaar is nie, kies die bestuursraad sy eie voorsitter vir die vergadering.

9. Vyf lede van die bestuursraad, met of sonder die voorsitter, vorm 'n kworum, indien daar lede van die bestuursraad afwesig is.

10. Die bestuursraad vergader een keer per maand gedurende die eerste helfte van die maand en wel op 'n dag (en die volgende dag indien nodig, tensy omstandighede 'n ander datum regverdig) wat deur die bestuursraad tydens sy sitting gedurende die eerste maand van die jaar bepaal word. Wanneer die bestuursraad die datum van sy maandelikse vergaderings gedurende die jaar om 'n grondige rede wil verlé, moet hy eers 'n eenstemmige besluit oor die saak neem, daarna die toestemming van die Departement oor die saak verkry en dan 'n kennisgewing vir 40 dae by die bestuursraads-kantoor opplak, waarna die bestuursraad 'n vergadering op die veranderde datum kan hou.

11. Die voorsitter kan behalwe die maandelikse vergadering enige tyd met voorafgaande kennisgewing van sewe dae 'n spesiale vergadering om grondige en genoegsame rede belê; met dien verstande dat die voorsitter vir die doel om stappe te doen ingevolge regulasies 39 en 40, te eniger tyd 'n vergadering kan belê, en die voorsitter tesame met twee lede van die bestuursraad vorm 'n kworum vir so 'n vergadering.

12. 'n Lid van die bestuursraad moet die voorsitter staande aanspreek, tensy hy verlof van die voorsitter het om dit sittende te doen.

13. 'n Lid van die bestuursraad mag nie in sy hoedanigheid van raadslid 'n vergadering van die bestuursraad of 'n komitee daarvan bywoon of aan die verrigtinge daarvan deelneem gedurende die bespreking van 'n saak waarby hy self of deur sy gade, vennoot of sakegenoot regstreeks of onregstreeks enige geldelike belang het nie.

14. No member of a Board of Management shall directly or indirectly exact or accept or agree to accept or attempt to obtain for himself or for any other person any gift, reward or other consideration whatsoever (other than allowances to which he is entitled in terms of any regulation) or on account of his services as a member of the Board or his doing or refraining from doing or having done or refrained from doing anything in his capacity as a member of the Board.

15. The proceedings and resolutions of the Board of Management shall be entered in a proper minute book which shall be kept for that purpose.

16. The cash book, showing the balance on hand, shall be submitted at each meeting, and every member, as well as the secretary, shall have the right to inspect such cash book as well as the minute book should he so desire.

17. Any registered occupier or any other person who has obtained permission from the chairman, may attend a meeting of the Board, but may not take any part in the proceedings. Should insufficient room be available or should the Board of Management wish to hold a discussion *in camera* or should there be disorderly behaviour on the part of any registered occupier or any other person in the council chamber or in the immediate vicinity thereof, the chairman shall have the right to call upon any registered occupier or other person to leave the council chamber and/or the immediate vicinity of the council chamber.

Any registered occupier or any other person thus called upon by the chairman shall leave the council chamber and/or the immediate vicinity of the council chamber.

18. A resolution adopted by the Board of Management shall be reversed only on the motion of a member of the Board of Management and provided two-thirds of the members vote for the reversal of such resolution.

19. A copy of the minutes of each meeting of a Board of Management, certified as correct, shall be forwarded to the Department within 21 days of such meeting.

20. Should any member of the Board of Management be absent from his home in the performance of his duty as member of the Board, he may be reimbursed as follows for necessary expenses incurred by him:—

(a) For each mile after the first three miles covered on the forward or return journey, a sum not exceeding sixpence per mile; provided that not more than £2 shall be paid to any member in terms of this paragraph in respect of a single attendance at any meeting or conference.

(b) A further sum not exceeding 7s. 6d. per day, or 3s. 9d. per half day. For the purpose of this paragraph any period of twenty-four hours shall be regarded as a day, and any period of less than twenty-four hours but more than six hours shall be regarded as half a day; provided that should any member be able to prove to the satisfaction of the Board of Management that the necessary expenses incurred by him in the performance of his duty as member exceed the sum to which he is entitled in terms of paragraphs (a) and (b), such member may, upon the approval of the Secretary, be reimbursed the full sum of the necessary expenses incurred by him.

21. A Board of Management may appoint standing committees from its members who may meet at any time to discuss matters entrusted to them. Such committees shall submit their proposals at the monthly meeting of the Board of Management, and such proposals shall not become operative before they shall have been adopted by resolution of the Board of Management. No member of such committee shall be entitled to subsistence and travelling allowance in respect of any meeting of such committee.

14. 'n Raadslid mag nie 'n geskenk, beloning of ander teenprestaties wat ook al (uitgesonderd die toelaes waarop hy ingevolge 'n regulasie geregtig is) regstreeks of onregstreeks eis of aanneem of toestem om dit aan te neem of probeer om dit vir homself of vir iemand anders, of ten opsigte van sy dienste as raadslid of omdat hy iets doen of nalaat of iets gedoen of nagelaat het in sy hoedanigheid van raadslid te verkry nie.

15. Die verrigtinge en besluite van die bestuursraad word opgeteken in 'n behoorlike notuleboek wat vir die doel gehou word.

16. Die kasboek aantonende die balans voorhande, word met elke vergadering voorgelê, en elke lid sowel as die Sekretaris het reg van insae daarin sowel as in die notuleboek wanneer hy dit verlang.

17. 'n Geregistreeerde okkupeerder of 'n ander persoon wat verlof van die voorsitter verkry het, kan 'n vergadering van die bestuursraad bywoon, maar mag nie aan die verrigtings deelneem nie. As daar te min ruimte beskikbaar is of as die bestuursraad 'n saak *in camera* wil bespreek of as 'n geregistreeerde okkupeerder of ander persoon hom in die raadsaal of in die onmiddellike omgewing daarvan wanordelik gedra, het die voorsitter die reg om sodanige geregistreeerde okkupeerder of ander persoon te versoek om die raadsaal en/of die onmiddellike omgewing van die raadsaal te verlaat.

'n Geregistreeerde okkupeerder of enige ander persoon aldus deur die voorsitter versoek, is verplig om die raadsaal en/of die onmiddellike omgewing van die raadsaal te verlaat.

18. 'n Besluit wat deur die bestuursraad geneem is, mag alleen op voorstel van 'n lid van die bestuursraad herroep word mits tweederdes van die lede stem vir die herroeping van die besluit.

19. 'n Afskrif van die notule van elke vergadering van 'n bestuursraad moet binne 21 dae na so 'n vergadering aan die Departement gestuur word, gesertifiseer dat die afskrif juis is.

20. Wanneer 'n lid van die bestuursraad van sy huis afwesig is in die uitoefening van sy pligte as lid, kan die volgende vergoeding vir noodsaaklike onkoste aan hom betaal word:—

(a) Vir elke myl na die eerste drie myl wat afgelê word op die heenreis of die terugreis, hoogstens ses pennies per myl; met dien verstande dat hoogstens £2 aan 'n lid ingevolge hierdie paragraaf betaal word in geval van 'n enkele bywoning van 'n vergadering of konferensie.

(b) 'n Verdere bedrag van hoogstens 7s. 6d. per dag, of 3s. 9d. per halfdag. Vir die toepassing van hierdie paragraaf word enige tydperk van vier-en-twintig uur as 'n dag beskou en enige tydperk van minder as vier-en-twintig uur maar meer as ses uur as 'n halfdag; met dien verstande dat, as 'n lid tot tevredenheid van die bestuursraad bewys dat die noodsaaklike onkoste deur hom aangegaan in die uitoefening van sy pligte as lid, meer is as die bedrag waartoe hy ingevolge paragrafe (a) en (b) geregtig is, die volle bedrag van die noodsaaklike onkoste deur hom aangegaan, met goedkeuring van die Sekretaris aan so 'n lid vergoed kan word.

21. 'n Bestuursraad mag staande komitees uit sy midde benoem, wat op enige tyd mag vergader om sake wat aan hulle opgedra is, te bespreek. Sulke komitees moet hulle voorstelle by die maandelikse bestuursraadsvergadering voorlê, en eers wanneer sulke voorstelle deur 'n bestuursraadsbesluit aangeneem is, sal hulle geldig wees. Geen lid van so 'n komitee is geregtig op reis- en verblyftoelae ten opsigte van so 'n komitee-vergadering nie.

22. The meetings of an Advisory Board, with the chairman and two members forming a quorum, shall be held as often as the chairman may deem it necessary; provided that at least one meeting shall be held every quarter, and the provisions of regulations 12, 15, 16, 17, 19 and 20 shall, *mutatis mutandis*, and in so far as applicable, apply in respect of the Advisory Board, its meetings and its members.

RIGHTS, POWERS AND DUTIES OF BOARDS OF MANAGEMENT IN TERMS OF THE ACT.

23. The Board of Management may require any registered occupier within its area to eradicate such noxious weeds on the allotment or allotments of such registered occupier, or along the portion of the lead furrow belonging to such registered occupier, as have been declared noxious weeds by resolution of the Board of Management.

24. The Board of Management may, with the consent of the Secretary and subject to such conditions as he may deem fit—

- (a) hire land for farming purposes which may be occupied and used by the registered occupiers residing within its area;
- (b) erect or hire buildings as may be required by the Board for the exercise of its duties; and
- (c) let land and buildings.

25. A Board of Management may, with the consent of the Secretary, set apart such piece of ground for the erection of a school, church, Board of Management store, welfare centre, clinic, government office or superintendent's residence, as is required for the purpose.

26. The Board may, with the consent of the Minister, purchase land for farming purposes for occupation by and use of registered occupiers residing within its area of jurisdiction. Such land shall be registered in the name of the Minister in his capacity as representative of the Union Government, and the Minister shall hold such land in trust for the proper Board of Management in its capacity as representative of the community concerned, and such land shall be under the control of such Board of Management which shall follow the provisions of the Act and regulations for this purpose.

27. A Board of Management may, with the consent of the Minister, mortgage fixed property purchased by the Board of Management.

28. A Board of Management may, with the consent of the Secretary contribute out of its revenue towards a public purpose or public health purpose within its area.

29. A Board of Management may, by resolution and with the consent of the Secretary, from time to time contribute out of its funds towards educational purposes within its area.

30. A Board of Management may, with the consent of the Secretary, erect school buildings out of its funds should the Provincial Administration not be obliged by law or not be prepared to do so.

31. Subject to the approval of the Secretary, the Board of Management may, upon adopting a resolution to the effect, from time to time contribute out of its funds towards charitable purposes.

32. Subject to the provision that the Board of Management has the necessary funds at its disposal and upon the approval of the Secretary having been obtained for such undertaking, and for such period as he may please, the Board of Management may, out of its funds, order supplies of seed, fertilizers, implements and/or parts of implements and building materials, and sell such supplies to registered occupiers at such profit as to cover only all expenses incurred in respect thereof: Provided that the Board of Management shall not keep supplies for each of the five items, seed, fertilizers, implements and/or parts of implements and building materials to the value of more than £100 (one hundred pounds) at a given date.

33. A Board of Management may in its discretion, and against repayment in such instalments as may be decided upon, advance sums not exceeding £30 per registered occupier to registered occupiers for purchasing farm equipment, seed, fertilizers, building material and livestock.

22. Die vergaderings van 'n adviserende raad, met die voorsitter en twee lede as kworum, word gehou so dikwels as wat die voorsitter dit mag nodig ag; met dien verstande dat minstens een vergadering elke kwartaal gehou word, en regulasies 12, 15, 16, 17, 19 en 20 geld *mutatis mutandis* en vir sover toepaslik ten opsigte van die adviserende raad, sy vergaderings en sy lede.

REGTE, BEVOEGDHEID EN PLIGTE VAN BESTUURSRADEN Kragtens die Wet.

23. Die bestuursraad kan eis dat enige geregistreerde okkupeerder binne sy regsgebied alle onkruid op die perseel of persele van die geregistreerde okkupeerder of langs die deel van die leivoor behorende aan die geregistreerde okkupeerder uitroei vir sover die onkruid by bestuursraadsbesluit as skadelike onkruid verklaar is.

24. Die bestuursraad het die bevoegdheid om met goedkeuring van die Sekretaris en op die voorwaardes wat hy dienstig mag ag—

- (a) grond vir boerdery te huur wat deur die geregistreerde okkupeerders wat binne sy gebied woon, geokkupeer en gebruik mag word;
- (b) geboue op te rig of te huur wat by die uitoefening van die bestuursraad se pligte nodig is; en
- (c) grond en geboue te verhuur.

25. 'n Bestuursraad kan met die toestemming van die Sekretaris 'n stuk grond wat vir die doel nodig is afsonder vir die oprigting van 'n skool, kerk, bestuursraadsmagasyn, welsynsentrum, kliniek, goewermentskantoor of superintendentshuis.

26. Die bestuursraad kan met goedkeuring van die Minister grond aankoop vir boerdery, wat deur geregistreerde okkupeerders wat binne sy regsgebied woon, geokkupeer en gebruik kan word. Hierdie grond moet geregistreer word op naam van die Minister in sy hoedanigheid van verteenwoordiger van die Regering van die Unie, en die Minister moet die grond in trust hou vir die betrokke bestuursraad as verteenwoordiger van die betrokke gemeenskap, en die grond is onder beheer van die bestuursraad, wat vir hierdie doel die bepalings van die Wet en die regulasies moet nakom.

27. 'n Bestuursraad kan met die toestemming van die Minister 'n verband opneem op vaste eiendom wat die bestuursraad aangekoop het.

28. 'n Bestuursraad kan met die toestemming van die Sekretaris uit sy inkomste bydrae tot die koste van 'n openbare saak of 'n openbare gesondheidsaak binne sy gebied.

29. 'n Bestuursraad kan by besluit en met die toestemming van die Sekretaris van tyd tot tyd bedrae uit sy fondse bestee ten behoeve van die onderwys in sy gebied.

30. 'n Bestuursraad kan uit sy fondse met die toestemming van die Sekretaris skoolgeboue oprig as die provinsiale owerheid by wet nie verplig is of nie bereid is om dit te doen nie.

31. Behoudens die goedkeuring van die Sekretaris kan die bestuursraad by besluit van tyd tot tyd bedrae uit sy fondse bestee vir liefdadigheid.

32. Behoudens die voorwaarde dat die bestuursraad die nodige fondse ter beskikking het en nadat die Sekretaris se goedkeuring vir so 'n onderneming verkry is en vir solank dit hom behaag, kan 'n bestuursraad uit sy fondse voorrade saad, misstowwe, werktuie en/of onderdele van werktuie en boumateriaal bestel en sulke voorrade aan geregistreerde okkupeerders verkoop met slegs genoeg wins om alle koste daaraan verbonde te dek; met dien verstande dat die bestuursraad nie meer as £100 (eenhonderd pond) se voorrade van elkeen van die vyf items saad, misstowwe, werktuie en/of onderdele van werktuie en boumateriaal op 'n gegewe datum mag aanhou nie.

33. 'n Bestuursraad kan na goeddunke en teen terugbetaling in die paalemente waartoe hy besluit, aan geregistreerde okkupeerders bedrae van hoogstens £30 per geregistreerde okkupeerder voorskiet vir die aankoop van plaasuitrusting, saad, misstowwe, boumateriaal en lewende hawe.

34. Subject to the approval of the Secretary and to such conditions as he may deem fit, the Board of Management may against repayment in such instalments as may be decided upon by it, advance sums not exceeding one hundred pounds (£100) per registered occupier to registered occupiers for the purpose of defraying the cost of erecting houses within the area of the Board.

35. (1) A Board of Management may with the consent of the Secretary, undertake any work involving a cost of £50 or over.

(2) A Board of Management may, with the consent of the Secretary, borrow money to perform the works referred to in sub-regulation (1) and for any other purpose approved by the Secretary.

TRADING.

36. A Board of Management may, with the consent of the Secretary, lease for trading purposes sites in its area of management for periods of not more than five years at such rentals as the Board of Management may approve; Provided that—

- (1) (a) the lessee shall not sublet or transfer rights granted to him without the sanction of the Board of Management;
- (b) the lessee shall not be entitled to any compensation for improvements effected by him on the land; but the lessee may remove everything erected by him on the land during his stay within one month after the termination of his lease without damage to the land, unless he and the Board of Management shall have agreed otherwise;
- (c) the lease may be terminated by the Board of Management with the consent of the Secretary if the purposes for which the lease was granted are no longer carried out;
- (d) the proceeds of such lease shall be placed to the general revenue fund of the Board of Management;
- (e) the form of agreement contained in Schedule A shall be submitted to the Department in quadruplicate with the necessary stamps affixed thereto;
- (2) persons or companies to whom prospecting licences have been granted or who are carrying out mining operations in areas under the jurisdiction of the Board of Management may trade at the same time, but shall then comply with all the provisions to which an ordinary trader is subject under these regulations;
- (3) should registered occupiers desire to carry on a trading business on premises registered in their names in the register of registered occupiers, such registered occupiers shall make application to the Board of Management, who shall forward their applications, together with the Board's recommendations, to the licensing board; provided that the Board of Management may determine that no trading shall be carried on except on premises set apart for that purpose by the Board and leased in terms of this regulation.

ADMISSION OF PERSONS AND THEIR RIGHTS.

37. The following persons with their spouses and unmarried children shall be entitled to reside in the area under control of the Board of Management—

- (a) a person approved of as a registered occupier in accordance with these regulations by the Secretary in consultation with the Board of Management;
- (b) a person entering into a trading agreement in terms of regulation 36;
- (c) a person, other than a registered occupier, admitted in terms of the provisions of any proclamation under section twenty-seven of the Act;
- (d) a person in Government employ residing there for the execution of his duties; and
- (e) any other person having obtained written consent from the Board of Management to reside there.

34. Behoudens die goedkeuring van die Sekretaris en op die voorwaardes wat hy dienstig mag ag, kan die bestuursraad aan geregistreerde okkupeerders bedrae van hoogstens eenhonderd pond (£100) per geregistreerde okkupeerder voorskiet ter bestryding van die oprigtings-koste van woonhuise binne die raad se gebied, en sodanige bedrae moet terugbetaal word in die paaicemente wat die raad mag bepaal.

35. (1) 'n Bestuursraad kan met die toestemming van die Sekretaris enige werk onderneem waarvan die koste £50 of meer sal beloop.

(2) 'n Bestuursraad kan met die toestemming van die Sekretaris geld leen om die werke, genoem in subregulasie (1), te verrig, asook vir enige ander doel deur die Sekretaris goedgekeur.

HANDEL.

36. 'n Bestuursraad kan met die toestemming van die Sekretaris terreine verhuur vir handelsdoeleindes in sy bestuursgebied vir tydperke nie vyf jaar te bowe gaande nie teen die huurgeld wat die bestuursraad mag goedkeur; met dien verstande dat—

- (1) (a) die huurder die verkreeë regte nie mag onderverhuur of oordra sonder die toestemming van die bestuursraad nie;
- (b) die huurder nie geregtig is op vergoeding vir verbeteringe wat deur hom op die grond aangebring is nie, maar die huurder mag alles wat hy opgerig het tydens sy verblyf op die grond sonder beskadiging van die grond verwyder binne een maand na die beëindiging van sy huurooreenkoms, tensy hy en die bestuursraad anders ooreengekom het;
- (c) die huurooreenkoms met die toestemming van die Sekretaris deur die bestuursraad opgesê mag word as die doel waarvoor die ooreenkoms aangegaan is, nie meer nagekom word nie;
- (d) die opbrengs van die huur gestort word in die algemene inkomstefonds van die bestuursraad;
- (e) die ooreenkomsvorm wat in Bylae A vervat is, in viervoud ingestuur word na die Departement met die nodige seëls daarop;
- (2) persone of maatskappe wat lisensies verkry het om te prospekter of met mynery besig is in gebiede onder die jurisdiksie van die bestuursraad, terselfdertyd mag handel drywe, maar dan verplig is om te voldoen aan al die bepalings waaraan 'n gewone handelaar kragtens hierdie regulasies moet voldoen;
- (3) as geregistreerde okkupeerders handel wil drywe op persele wat in hulle name geregistreer is in die register van geregistreerde okkupeerders, sodanige geregistreerde okkupeerders daarom aansoek moet doen by die bestuursraad, wat hulle aansoeke met die raad se aanbevelings na die lisensieraad moet stuur; met dien verstande dat die bestuursraad kan bepaal dat geen handel gedryf mag word nie behalwe op persele vir dié doel deur die bestuursraad afgesonder en verhuur ingevolge hierdie regulasie.

TOELATING VAN PERSONE EN HULLE REGTE.

37. Die volgende persone met hulle eggenotes en ongetroude kinders is geregtig om op die gebied onder beheer van die bestuursraad te woon:—

- (a) 'n Persoon wat volgens hierdie regulasies deur die Sekretaris in oorleg met die bestuursraad as geregistreerde okkupeerder goedgekeur is;
- (b) 'n persoon wat 'n handelsooreenkoms ingevolge regulasie 36 aangegaan het;
- (c) 'n persoon, behalwe 'n geregistreerde okkupeerder, wat kragtens die bepalings van 'n proklamasie ingevolge artikel sewe-en-twintig van die Wet toegelaat is;
- (d) 'n persoon in goewermentsdiens wat vir die uitoefening van sy pligte daar woon; en
- (e) enige ander persoon wat die skriftelike toestemming van die bestuursraad verkry het om daar te woon.

38. No person permitted to reside on land under the control of the Board of Management, shall, with or without his household, take up his abode with any other person and his household or shall allow any other person with or without his household, to reside with him on the same premises unless the one or the other shall have obtained prior written consent from the Board of Management, which consent the Board may issue subject to such conditions as the Board may approve of.

39. Any person, other than a person entitled to such residence or admitted in accordance with regulation 37 and section *thirteen* bis of the Act, found within the area under the control of the Board of Management, shall upon the written request of the Board of Management remove himself from the area within such period as the Board of Management may determine.

40. Should the Board of Management, after granting the consent referred to in regulation 37 (e) for good and sufficient reason decide to cancel such consent on account of undermining of the Board's authority, misbehaviour, theft, or other offence committed by such person who had been allowed to reside within the area of the Board, such person shall upon receiving written notice from the Board, remove himself from the area within twenty-four hours after receiving such notice.

41. No person residing within the area of the Board of Management, shall accommodate, retain in his employ, take into employ, prevent from leaving or instigate not to leave the area under the control of the Board of Management, any such person to whom the Board has issued a notice, in terms of regulation 39 or 40, requiring his removal from the area.

42. Every person whose name at the commencement of these regulations appeared in the records of the Board of Management as a registered occupier, and to whom no certificate of occupation had been issued by the Board in terms of any regulation repealed by these regulations, and every person who was residing within the area and to whom no written consent had previously been issued by the Board, shall not later than 12 months from the commencement of these regulations apply in writing to the Board for a certificate of occupation or a written consent to reside in such area, as the case may be.

43. The Board of Management shall submit every application for a certificate of occupation received in terms of regulation 42, together with its comments, within one month, for consideration to the Secretary, and in the case of an application for written consent to reside in its area, in terms of the above-mentioned regulation, it shall issue to such person, free of charge, a written consent, contained in Schedule C, unless the Board for good reasons considers that the person applying therefor should not be allowed to reside within its area.

44. The Board of Management shall issue a certificate of occupation, free of charge, in accordance with regulation 52, to each person whose application has been approved by the Secretary, and further comply with the provisions of regulations 52 and 53.

45. The Board of Management shall notify in writing each person whose application for a certificate of occupation or for the Board's written consent to reside within its area, has been refused.

46. Notwithstanding any contrary provision in these regulations, any person desiring to reside in the area under the control of the Board of Management as a registered occupier or with the Board's written consent or any person desiring to obtain additional rights or to take over the rights of a registered occupier, shall apply in writing to the Board of Management and the Board of Management is hereby authorised, in the case of an application for its written consent, to reside within its area, to grant such application for any period the Board may approve or to refuse it at its next meeting.

47. Any application for admission as a registered occupier, or for the obtaining of additional rights or for taking over the rights of a registered occupier, shall be made known by the Board of Management by posting a notice at its office for a period of 14 days.

38. Niemand wat toegelaat is om op grond onder beheer van die bestuursraad te woon, mag met of sonder sy huisgesin by 'n ander persoon en sy huisgesin aldaar inwoon nie of toelaat dat 'n ander persoon met of sonder sy huisgesin by hom op dieselfde perseel inwoon nie, tensy die een of die ander vooraf skriftelike toestemming van die bestuursraad verkry het wat die bestuursraad mag uitreik op die voorwaardes wat die bestuursraad mag goeddink.

39. Enige persoon wat hom op die gebied onder beheer van die bestuursraad bevind en nie ingevolge regulasie 37 en artikel *dertien bis* van die Wet geregtig is om daar te woon of toegelaat is nie, moet op die skriftelike versoek van die bestuursraad binne die tydperk wat die bestuursraad mag goeddink, die gebied verlaat.

40. Indien 'n bestuursraad, nadat toestemming ingevolge regulasie 37 (e) verleen is om goeie en genoegsame rede besluit om so 'n reeds verleende toestemming in te trek weens ondermyning van die gesag van die bestuursraad, swak gedrag, diefstal of ander misdryf gepleeg deur so 'n persoon aan wie toestemming verleen is om binne die bestuursraad se gebied te woon, moet so 'n persoon, na ontvangs van skriftelike kennisgewing van die bestuursraad, binne 24 uur vanaf die ontvangs van so 'n kennisgewing die gebied verlaat.

41. Niemand wat binne die gebied van die bestuursraad woon, mag 'n persoon, aan wie die bestuursraad ingevolge regulasie 39 of 40 kennis gegee het om die gebied te verlaat, huisves, in diens hou, in diens neem, verhinder om die gebied van die raad te verlaat of aanhits om nie die gebied te verlaat nie.

42. Iedereen wie se naam by die inwerkingtreding van hierdie regulasies as 'n geregistreerde okkupeerder in die rekords van die bestuursraad voorkom en aan wie nie 'n toekenningsbrief deur die bestuursraad kragtens 'n deur hierdie regulasies herroepe regulasie uitgereik is nie en iedereen wat reeds daar gewoon het en wat nog nie 'n skriftelike toestemming van die bestuursraad voorheen verkry het nie, moet nie later as 12 maande na die inwerkingtreding van hierdie regulasies 'n skriftelike aansoek by die bestuursraad doen om of 'n toekenningsbrief of 'n skriftelike toestemming om daar te woon, na gelang van sy geval.

43. Die bestuursraad moet elke aansoek om 'n toekenningsbrief wat hy ingevolge regulasie 42 ontvang, tesame met sy opmerkings binne een maand vir oorweging aan die Sekretaris voorlê, en in die geval van 'n aansoek om skriftelike toestemming om in die raad se gebied te woon ingevolge bogenoemde regulasie, moet die raad aan so iemand 'n skriftelike toestemming soos vervat in Bylae C, kosteloos uitreik, tensy die raad om goeie redes meen dat die aansoeker nie toegelaat behoort te word om binne sy gebied te woon nie.

44. Die bestuursraad moet aan elke persoon wie se aansoek om 'n toekenningsbrief deur die Sekretaris goedgekeur is, 'n toekenningsbrief ooreenkomstig regulasie 52 kosteloos uitreik en verder die bepalings van regulasies 52 en 53 nakom.

45. Die bestuursraad moet elke persoon wie se aansoek om 'n toekenningsbrief of om die skriftelike toestemming van die bestuursraad om in sy gebied te woon, geweier is, skriftelik daarvan in kennis stel.

46. Ondanks andersluidende bepalings in hierdie regulasies moet enige persoon wat in die gebied van die bestuursraad wil woon as 'n geregistreerde okkupeerder of met die skriftelike toestemming van die bestuursraad, of enige persoon wat bykomende regte verlang of wat die regte van 'n geregistreerde okkupeerder wil oorneem, skriftelik daarom by die bestuursraad aansoek doen, en die bestuursraad is gemagtig om op sy volgende vergadering in die geval van 'n aansoek om sy skriftelike toestemming om binne sy gebied te woon, sodanige aansoek goed te keur vir enige tydperk wat die raad goeddink of om dit te weier.

47. Enige aansoek om as geregistreerde okkupeerder toegelaat te word, of om bykomende regte te verkry of om die regte van 'n geregistreerde okkupeerder oor te neem, moet by wyse van 'n kennisgewing wat die bestuursraad by sy kantoor opplak, vir 'n tydperk van 14 dae bekendgemaak word.

48. The applications referred to in regulation 47 shall be dealt with as soon as may be and after the expiry of the period of 14 days, such applications together with any objections received and the Board's comment on both the applications and objections, shall be submitted for consideration to the Secretary, and no transfer of rights shall be effected unless the rates of the parties concerned have been paid.

49. Should the Secretary approve an application submitted to him in terms of regulation 48, the Board of Management shall issue a certificate of occupation to the applicant. Should the Secretary refuse such an application, the Board shall notify the applicant accordingly.

50. Should the Board of Management approve an application for a written consent to reside within its area, the Board shall issue a written consent to the applicant. Should the Board refuse an application, it shall inform the applicant of same.

51. Any person referred to in paragraphs (b), (c), (d) and (e) of regulation 37, and any unmarried son (after reaching the age of 21 years) of any person referred to in regulation 37, residing within the area of the Board of Management and who is not a registered occupier, shall register himself with the Board on or before the 31st January in each year and the Board shall issue a certificate of registration to such person as proof of registration.

52. A certificate of occupation, in the form contained in Schedule B, shall be prepared by the Board of Management in triplicate for each separate allotment and on approval of the application therefor by the Secretary the original shall be issued to the registered occupier.

53. The duplicate and triplicate of the certificate of occupation shall be arranged in alphabetical order of surnames and bound by the Secretary and the Board of Management, respectively, into a register which shall be known as the register of registered occupiers.

54. No person shall be approved of as a registered occupier unless—

- (a) he has reached the age of 18 years; and
- (b) a building allotment with or without one or more of the following rights defined in regulation 55, has been allotted to him—
 - (i) a dry garden allotment;
 - (ii) an irrigable garden allotment; and
 - (iii) a dry land allotment:

Provided that the Secretary on the recommendation of the Board and subject to such conditions as he may deem fit, may approve of a person as a registered occupier without a building allotment being allotted to such person.

55. For the purpose of the Act each of the following allotments, the size and situation of which shall be determined by the Secretary in consultation with the Board of Management, shall be regarded as a separate allotment, except in the case of abutment of two or more, when it shall be regarded as one allotment unless otherwise determined by the Secretary:—

- (a) Allotments on which buildings may be erected, called building allotments;
- (b) allotments consisting of dry gardens, called dry garden allotments;
- (c) allotments consisting of gardens under irrigation, called irrigable garden allotments;
- (d) allotments consisting of dry lands not under irrigation, called dry land allotments.

56. As from the date of commencement of these regulations no new allotment shall be allotted or assigned to a registered occupier by the Board of Management unless such allotment is situate within an area demarcated for that particular purpose in terms of paragraph (7) of section four of the Act.

57. The Board of Management or a person authorised by the Board shall indicate to a person approved of as a registered occupier, his right or rights, defined in the certificate of occupation, and the registered occupier shall erect such beacons as will distinguish his right or rights from those of other persons.

48. Die aansoeke vermeld in regulasie 47, moet so spoedig moontlik behandel word, en na verstryking van die tydperk van 14 dae moet sodanige aansoeke tesame met alle besware wat ontvang is en die bestuursraad se opmerkings oor sowel die aansoeke as die besware aan die Sekretaris vir oorweging voorgelê word, en geen oordrag van regte mag geskied tensy die belastinge van die betrokke partye betaal is nie.

49. Indien die Sekretaris 'n aansoek wat ingevolge regulasie 48 aan hom voorgelê is, goedkeur, reik die bestuursraad 'n toekenningsbrief aan die applikant uit. Indien die Sekretaris so 'n aansoek weier, stel die bestuursraad die applikant daarvan in kennis.

50. Indien die bestuursraad 'n aansoek om 'n skriftelike toestemming om in sy gebied te woon, goedkeur, reik die bestuursraad 'n skriftelike toestemming aan die applikant uit. Indien die raad sodanige aansoek weier, stel hy die applikant daarvan in kennis.

51. 'n Persoon gemeld in paragrawe (b), (c), (d) en (e) van regulasie 37 en 'n mondigte ongetroude seun van enige persoon genoem in regulasie 37 wat in die gebied van die bestuursraad woon en wat nie 'n geregistreerde okkupeerder is nie, moet hom voor of op 31 Januarie van elke jaar by die bestuursraad laat registreer, en die bestuursraad moet aan die persoon by registrasie 'n sertifikaat as bewys daarvan uitreik.

52. 'n Toekenningsbrief in die vorm soos in Bylae B, moet in drievoud vir elke aparte perseel deur die bestuursraad opgestel word, en na goedkeuring van 'n aansoek daarom deur die Sekretaris moet die oorspronklike aan die geregistreerde okkupeerder uitgereik word.

53. Die duplikaat en die tripliokaat van die toekenningsbrief moet deur die Sekretaris en die bestuursraad onderskeidelik in alfabetiese volgorde van familienaam in 'n register ingebind word wat as die register van geregistreerde okkupeerders bekend sal wees.

54. Niemand mag as 'n geregistreerde okkupeerder goedgekeur word nie, tensy—

- (a) hy die ouderdom van 18 jaar bereik het; en
- (b) 'n bouverseel met of sonder een of meer van die volgende regte soos omskryf in regulasie 55 aan hom toegeken is—
 - (i) 'n droë tuin;
 - (ii) 'n watertuinperseel; en
 - (iii) 'n droëlandperseel:

Met dien verstande dat die Sekretaris op aanbeveling van die raad en op voorwaardes wat hy dienstig ag, 'n persoon as geregistreerde okkupeerder kan goedkeur sonder dat 'n bouverseel aan daardie persoon toegeken is.

55. Vir die toepassing van die Wet word elkeen van die volgende persele, waarvan die grootte en ligging deur die Sekretaris in oorleg met die bestuursraad vasgestel word, as 'n aparte perseel beskou, tensy twee of meer aanliggend is, in watter geval dit as een perseel beskou word, tensy die Sekretaris anders beslis:—

- (a) Perseel waarop geboue opgerig mag word, genoem bouregperseel;
- (b) perseel wat bestaan uit tuine sonder besproeiing, genoem droë tuine;
- (c) perseel wat bestaan uit tuine onder besproeiing, genoem watertuinperseel; en
- (d) perseel wat bestaan uit landerye nie onder besproeiing nie, genoem droëlandperseel.

56. Vanaf die datum van inwerkingtreding van hierdie regulasies mag geen nuwe perseel aan enige geregistreerde okkupeerder deur die bestuursraad toegeken of aangewys word nie, tensy sodanige perseel geleë is binne 'n gebied wat ingevolge paragraaf (7) van artikel vier van die Wet vir die besondere doel afgebaken is.

57. Die bestuursraad of iemand gemagtig deur die bestuursraad moet aan 'n persoon wat as geregistreerde okkupeerder goedgekeur is, sy reg of regte, soos omskrywe in die toekenningsbrief, aanwys, en die geregistreerde okkupeerder moet die bakens aanbring wat sy reg of regte van dié van ander persone sal onderskei.

58. Should a common landmark or beacon be necessary between two adjoining allotments, the two registered occupiers concerned shall be jointly and severally responsible for the erection and maintenance of such common beacons or landmarks.

59. No person shall, without the written consent of the Board of Management, shift or remove a beacon or suffer it to be shifted or removed.

60. The Board of Management is hereby authorised to order any registered occupier to enclose the allotments allotted to him in the manner determined by the Board and each registered occupier shall comply with such order.

61. Subject to such compensation to the registered occupier as the Secretary may approve, the Board of Management may, after consultation with the registered occupier, in the interest of the community or another adjacent registered occupier, construct a road or a lead furrow or drainage canal across any allotment allotted to any registered occupier.

62. The Board of Management shall through its members, employees or advisers have access to or over any allotment allotted to a registered occupier, by the shortest and most practicable route reasonable in the circumstances, for the purpose of doing anything authorised or required to be done by the Board of Management under the Act or any regulation or to investigate or enforce compliance with any provision of the Act or regulations: Provided that any registered occupier suffering damage as a result of the exercise of such right of access shall except where the Board is authorised to execute on such allotment any work and recover the cost thereof from the registered occupier concerned, have the right to claim compensation in such amount as may be mutually agreed upon or approved by the Secretary.

63. Any person who threatens, resists, hinders or obstructs, or uses foul, abusive or insulting language towards a member, employee or adviser of the Board of Management in the exercise of his powers or execution of his duties shall be guilty of an offence.

64. Any registered occupier who intends to be absent from the mission station or reserve for a period exceeding three consecutive months shall notify the Board of Management, stating the period of his intended absence, the reason for his absence, and the name of the person who will be left in charge of his allotment.

65. It shall be lawful for the Board of Management to lease with the consent of the Secretary any unallotted portion of the commonage not required by the community to any registered occupier or registered occupiers on such conditions as the Board of Management may, by resolutions entered in the minutes, determine from time to time.

66. The Board of Management may allot a special outspan to the public, irrespective of such outspans to which the farm may be subject in terms of title deeds. Travellers and visitors shall be entitled to outspan free of charge for twenty-four hours on such outspans, and, after expiry of twenty-four hours, travellers and visitors may apply to the secretary of the Board of Management for a longer stay against payment of 3d. per animal per day.

FINANCE AND RATES.

67. Every Board of Management shall open a banking account with the nearest commercial bank.

68. For all revenues received by the Board of Management receipt shall be issued and entered into the cash book.

69. All revenues received by the Board of Management shall from time to time be paid into the banking account as soon as may be after receipt thereof.

70. Subject to the approval of the Secretary and on such conditions as he may deem expedient, the Board of Management may obtain an advance from its bank by way of overdraft on the current account, or from any other bank or person.

58. As 'n gemeenskaplike baken of teken nodig is tussen twee aanliggende persele, is die twee betrokke geregistreerde okkupeerders gesamentlik en afsonderlik verantwoordelik vir die oprigting en instandhouding van sodanige gemeenskaplike bakens of tekens.

59. Niemand mag sonder die skriftelike toestemming van die bestuursraad 'n baken verskuif of verwyder of toelaat dat dit verskuif of verwyder word nie.

60. Aan die bestuursraad word hierby die bevoegdheid verleen om enige geregistreerde okkupeerder te beveel om die persele wat aan hom toegeken is, te omhein op die wyse wat die bestuursraad bepaal, en iedere geregistreerde okkupeerder is verplig om so 'n bevel uit te voer.

61. Behoudens die vergoeding aan die geregistreerde okkupeerder wat die Sekretaris mag goedkeur, kan die bestuursraad, in oorleg met die geregistreerde okkupeerder, in die belang van die gemeenskap of 'n ander aanwonende geregistreerde okkupeerder, oor enige perseel van enige geregistreerde okkupeerder 'n pad aanlê of 'n waterleivoor of dreineringskanaal aanbring.

62. Dié bestuursraad het in die persoon van sy raadslede, werknemers of raadgevers toegang tot of oor enige perseel wat aan 'n geregistreerde okkupeerder toegeken is langs die kortste en doenlikste roete wat onder die omstandighede redelik is, ten einde enigiets te doen wat kragtens die Wet of enige regulasie deur die bestuursraad gemagtig of in opdrag van die bestuursraad gedoen moet word, of ten einde die nakoming van enige voorskrif van die Wet of regulasies te ondersoek of af te dwing; met dien verstande dat enige geregistreerde okkupeerder wat skade ly ten gevolge van die uitoefening van sodanige reg van toegang, uitgesonderd waar die bestuursraad gemagtig is om werk op sodanige perseel uit te voer en die koste daarvan op die betrokke geregistreerde okkupeerder te verhaal, die reg besit om as vergoeding 'n bedrag te eis waartoe onderling ooreengekom word of wat deur die Sekretaris goedgekeur word.

63. Enige persoon wat 'n raadslid, werknemer of raadgever van die bestuursraad by die uitoefening van sy bevoegdheid of die uitvoering van sy pligte, dreig, weerstaan, hinder of belemmer, of vuil, kweitsende of beledigende taal teenoor hom besig, pleeg 'n misdryf.

64. Enige geregistreerde okkupeerder wat meen om vir langer as drie maande aaneen van die sendingstasie of reservaat afwesig te wees, moet die bestuursraad daarvan in kennis stel met opgawe van hoe lank hy meen om afwesig te wees, om watter rede en wie sy perseel sal oppas.

65. Die bestuursraad kan met goedkeuring van die sekretaris enige onuitgegewe grond van die meent wat die gemeenskap nie nodig het nie, verhuur aan enige geregistreerde okkupeerder of geregistreerde okkupeerders op die voorwaardes wat die bestuursraad van tyd tot tyd by genotuleerde besluit mag bepaal.

66. Die bestuursraad kan 'n spesiale uitspanning aanwys waar die publiek kan uitspan, afgesien van die uitspannings waaraan die plaas volgens transportaktes onderhewig mag wees. Reisigers en besoekers is geregtig om op sulke spesiale uitspannings vier-en-twintig uur gratis uit te span, en na verloop van vier-en-twintig uur kan reisigers en besoekers by die sekretaris van die bestuursraad aansoek doen om langer te vertoef teen betaling van 3d. per dier per dag.

FINANSIES EN BELASTINGS.

67. Die bestuursraad moet 'n bankrekening by die naaste handelsbank open.

68. Alle inkomste deur die bestuursraad ontvang, moet erken word deur die uitreiking van 'n kwitansie en in 'n kasboek opgeteken word.

69. Alle inkomste deur die bestuursraad ontvang, moet van tyd tot tyd so spoedig moontlik na ontvangs in die bankrekening gestort word.

70. Behoudens die goedkeuring van die sekretaris en op die voorwaardes wat hy dienstig ag, kan die bestuursraad 'n voorskot van sy bank by wyse van oortrekking op die lopende rekening, of van enige ander bank of iemand anders verkry.

71. As soon as the credit balance in the current banking account of the Board of Management shall exceed its average monthly expenditure over the preceding financial year, and such credit be not required for disbursement within thirty days, the Board of Management shall open a savings account with the nearest post office or commercial bank and any such money shall be deposited into such account by cheque. No money shall be withdrawn from such savings account unless the Board has adopted a resolution to that effect.

72. All expenses exceeding the sum of 5s. shall be paid by cheque.

73. No payment whatsoever, including petty cash payments, shall be made by the Board of Management or a member of the Board of Management or the secretary of the Board of Management or the chairman, unless the person claiming the money submits a written claim properly signed and dated, stating the reason for the claim, and the claimant shall give a receipt of the amount received or endorse the claim to the effect that the amount has been received, in which case the claim shall be regarded as a receipt, which claim and receipt shall be kept and the amount with particulars of the transaction brought into account by the secretary of the Board.

74. Two members of the Board of Management appointed from time to time by the Board shall jointly sign the cheques and operate on the savings account on behalf of the Board. Should one of or both these persons be absent, the Board may appoint one or two other persons to sign the cheques or to operate on the savings account.

75. The secretary of the Board of Management shall balance the books before each monthly meeting.

76. The books and financial statements of the Board shall be inspected by the Board of Management each year in July and December.

77. Immediately following upon the inspection in December, the Board of Management shall cause the financial statements to be audited by a qualified auditor and shall cause a statement of revenue and expenditure and a balance sheet to be drawn up, a copy of which shall be forwarded to the Department before the end of March each year. The Board shall appoint and remunerate its own auditor for this purpose. The auditor who audits the financial statements shall certify the balance sheet to be correct statements of income and expenditure of the Board and the balance to be in agreement with the bank balance. He shall further indicate the number of registered occupiers or inhabitants in arrears with their rates and the amounts.

78. By resolution of the Board of Management a sum of exactly £5 may be handed to the secretary of the Board in the form of a cheque, signed as prescribed in regulation 74, for petty cash purposes, and expenditure herefrom shall be made in accordance with the procedure prescribed in regulation 73.

79. The Board of Management shall call for tenders for the performance of all work which will entail an expense of more than £20.

80. Subject to the provisions of regulation 81 the Board of Management may take its own decisions in respect of expenses not exceeding £50.

81. In each year before the 31st of August the Board of Management shall prepare and submit to the Secretary under suitable headings, estimates of all income and expenditure for the calendar year next ensuing. Upon the Secretary's approval of such estimates, the Board may cause the work to be performed and may pay the expenses in connection therewith. No expenditure in respect of any new service or work shall be added or any expenditure exceeding the amount approved under any heading or in respect of any single or separate service or work exceeding the amount of £50, shall be incurred without prior sanction of the Commissioner.

82. (1) The Board of Management shall levy the rates for the following year, payable in accordance with subsection (3) of section six of the Act, not later than at its monthly meeting held in August.

(2) Such rates shall be due and payable on the 2nd January of the next ensuing year and, unless the Board fixes an earlier date, the 30th April shall be the last day on which such rates may be paid.

71. Sodra die bestuursraad se kreditalans op sy lopende bankrekening meer is as sy gemiddelde maandelikse uitgawe gedurende die voorafgaande boekjaar en dit nie vir uitbetaling binne dertig dae nodig is nie, moet die bestuursraad 'n spaarrekening by die naaste poskantoor of handelsbank open, en sodanige geld moet per tjek daarin gestort word. Geen geld word uit sodanige spaarrekening getrek tensy die bestuursraad so besluit nie.

72. Alle uitgawes van meer as 5s. moet per tjek geskied.

73. Geen betaling van enige aard, selfs kleinkasbetalings, mag gemaak word deur die bestuursraad of 'n lid van die bestuursraad of die sekretaris van die bestuursraad of die voorsitter nie, tensy die persoon wat die geld eis, sy eis skriftelik voorlê en behoorlik onderteken en dateer, met vermelding van die rede vir die eis; en die eiser moet 'n kwitansie gee vir die bedrag ontvang of op die eis teken dat die bedrag ontvang is, in watter geval die eis as kwitansie sal geld, en die sekretaris van die bestuursraad moet die eis en die kwitansie bewaar en die bedrag met besonderhede van die transaksie in rekening bring.

74. Twee lede van die bestuursraad wat van tyd tot tyd deur die bestuursraad aangewys word, moet die tjeks gesamentlik teken en namens die bestuursraad die spaarrekeningtransaksies behartig. As een of albei van hierdie persone afwesig is, kan die bestuursraad een of twee ander persone aanwys om die tjeks te teken en die spaarrekeningtransaksies te behartig.

75. Die sekretaris van die bestuursraad moet voor elke maandelikse vergadering balans opmaak.

76. Die bestuursraad moet in Julie en Desember van elke kalenderjaar die boeke en finansiële state van die bestuursraad inspekteer.

77. Onmiddellik na die inspeksie in Desember moet die bestuursraad sy finansiële state laat ouditeer deur 'n bevoegde ouditeur en 'n staat van inkomste en uitgawes en 'n balansstaat laat opstel, waarvan 'n afskrif na die departement gestuur moet word voor die einde van Maart elke jaar. Die bestuursraad benoem en besoldig vir dié doel sy eie ouditeur. Die ouditeur wat die finansiële stukke ouditeer, moet sertifiseer dat die balansstaat 'n juiste opgawe van die inkomste en uitgawe van die bestuursraad is en dat die balans klop met die bankbalans. Verder moet hy aantoon hoeveel geregistreerde okkuperders of inwoners met hulle belasting agterstallig is en wat die bedrae is.

78. Van tyd tot tyd kan by besluit van die bestuursraad 'n bedrag van presies £5 aan die sekretaris van die bestuursraad oorhandig word deur middel van 'n tjek geteken op die wyse soos voorgeskryf by regulasie 74 vir kleinkasdoeleindes, en uitgawes hieruit moet geskied ooreenkomstig die prosedure voorgeskrywe in regulasie 73.

79. Die bestuursraad moet alle werk wat hy wil laat verrig waarvan die koste meer as twintig pond sal bedra, deur die inroep van tenders vir die verrigting van die diens laat geskied.

80. Behoudens die bepalinge van artikel 81 is 'n bestuursraad bevoeg om self oor uitgawes van hoogstens £50 te besluit.

81. Voor 31 Augustus in elke jaar moet die bestuursraad 'n beraming van alle verwagte inkomste en uitgawes vir die volgende kalenderjaar onder gepaste hoofde opstel en vir goedkeuring aan die sekretaris voorlê. Nadat die sekretaris die beraming goedgekeur het, kan die bestuursraad die dienste laat verrig en die uitgawes daaraan verbonde betaal. Geen uitgawe vir nuwe dienste of werke mag bygevoeg of enige uitgawe bo die bedrag onder enige hoof goedgekeur of ten opsigte van 'n enkele of afsonderlike diens of werk wat £50 te bowe gaan, mag sonder voorafgaande goedkeuring van die Kommissaris aangegaan word nie.

82. (1) Die bestuursraad moet die belastinge vir die volgende jaar, wat ingevolge subartikel (3) van artikel ses van die Wet, betaalbaar is, nie later hef as by sy maandelikse vergadering wat in Augustus gehou word nie.

(2) Sodanige belasting is verskuldig en betaalbaar op 2 Januarie van die eersvolgende jaar en, tensy die bestuursraad 'n vroeër datum bepaal, is 30 April die laaste dag waarop dit betaal mag word.

(3) Each year, at least three months before the rates become due, the Board of Management shall post a notice showing the last day on which the rates may be paid.

83. Notwithstanding the provisions of regulation 82, a Board of Management levying rates under the Act and these regulations for the first time, may levy such rates at any meeting: Provided that such rates shall not be due and payable before the expiration of 30 days and a notice to that effect shall be posted at the office of the Board or other convenient place within the area of the Board.

84. Registered occupiers and others liable to pay rates may with the consent of the Board of Management, pay the rates in instalments of at least 2s. 6d. provided the rates shall be paid in full during the year in respect of which it became payable.

85. After the expiration of six months from the date on which such rates became payable, but in any case not later than the first day of November of the year in respect of which such rates were payable, the Board of Management shall institute proceedings in accordance with section *nineteen* of the Act for the recovery of such rates which have not been paid, unless the Secretary on request of the Board, approves the deferment for such a period as he may determine the institution of such proceedings generally or in particular cases: Provided further that no such proceedings shall be instituted against a person who is permitted by the Board to pay a rate in instalments and who is regularly paying such instalments.

86. Any rates which have been in arrears for at least three years and which are irrecoverable may, with the Secretary's approval be written off by the Board of Management.

87. The Board of Management shall keep its accounts in such a manner and such books and registers and render such reports as the Secretary may from time to time require.

88. (1) Any person who, without the approval in writing of the Secretary for Coloured Affairs—

- (a) holds, presides at or addresses any meeting, gathering or assembly in the area to which the provisions of the Act apply at which more than five persons are present at any one time; or
- (b) permits any such meeting, gathering or assembly to be held in his house or on other premises or land under his control,

shall be guilty of an offence.

(2) Subregulation (1) shall not apply to any meeting, gathering or assembly—

- (a) held for the purpose of a funeral;
- (b) held for the purpose of a bona fide religious service—
 - (i) by the society; or
 - (ii) by a church to which a portion of the commonage has been sold in terms of section *twelve* of the Act; or
 - (iii) if approved by the Secretary for Coloured Affairs after consultation with the society and the church mentioned in paragraph (ii); or
 - (iv) if the Board of Management has passed a resolution in favour thereof and such resolution shall have been approved by not less than two-thirds of the total number of registered occupiers who qualify as voters in terms of these regulations, at a meeting called for the purpose by a notice issued by the Board of Management setting out the terms of the resolution and the date fixed for the meeting and posted at the office of the Board or any other convenient place within the area of the Board for a period of not less than six weeks;
- (c) held in connection with the regulation of the domestic affairs of any household;
- (d) of the members of a statutory body of persons, held exclusively for the purpose of transacting any business of that body;
- (e) held for the purpose of instruction imparted under any law;

(3) Die bestuursraad moet jaarliks minstens drie maande voordat sodanige belasting betaalbaar is, 'n kennisgewing opplak waarin die laaste dag waarop die belasting betaal mag word, aangetoon word.

83. Ondanks die bepalings van artikel 82 kan 'n bestuursraad wat vir die eerste maal 'n belasting ingevolge die Wet en hierdie regulasies hef, sodanige belasting by enige vergadering hef; met dien verstande dat sodanige belasting nie verskuldig en betaalbaar is voor na verloop van dertig dae nie, en 'n kennisgewing te dien effekte moet by die kantoor van die bestuursraad of 'n ander gerieflike plek binne die gebied van die bestuursraad opgeplak word.

84. Geregistreerde okkupeerders en ander belastingpligtiges kan met toestemming van die bestuursraad die belasting betaal in paaiemente van minstens 2s. 6d., mits volle betaling daarvan geskied binne die jaar waarvoor dit betaalbaar is.

85. Na verloop van ses maande na die dag waarop sodanige belasting betaalbaar geword het, maar in elk geval nie later nie as die eerste dag van November van die jaar ten opsigte waarvan die belasting betaalbaar is, moet die bestuursraad stappe ingevolge artikel *negenien* van die Wet doen om enige belasting wat nie betaal is nie, in te vorder, tensy die sekretaris op versoek van die bestuursraad goedkeur dat stappe in die algemeen of in bepaalde gevalle uitgestel word en wel vir 'n tydperk wat die Kommissaris bepaal; voorts met dien verstande dat geen stappe gedoen word teen iemand wat deur die bestuursraad toegelaat is om die belasting paaiementsgewys te betaal en wat die paaiemente gereeld betaal nie.

86. Belastinge wat vir 'n tydperk van minstens drie jaar agterstallig en oninbaar is, kan met goedkeuring van die sekretaris deur die bestuursraad afgeskryf word.

87. Die bestuursraad moet sy rekenings op die wyse en die boeke en registers hou en die verslae verstrek wat die Sekretaris van tyd tot tyd mag vereis.

88. (1) Iedereen wat sonder die skriftelike goedkeuring van die Sekretaris van Kleurlingsake—

- (a) 'n vergadering, byeenkoms of samekoms waarby meer as vyf persone op enige besondere tydstip aanwesig is, in die gebied waarop die bepalings van die Wet van toepassing is, hou, daarop voor- sit of dit toespreek; of
- (b) toelaat dat so 'n vergadering, byeenkoms of samekoms in sy huis of op 'n ander perseel of grond onder sy beheer, gehou word,

pleeg 'n misdryf.

(2) Subregulasie (1) is nie van toepassing nie op 'n vergadering, byeenkoms of samekoms—

- (a) gehou vir die doel van 'n begrafnis;
- (b) gehou vir die doel van 'n bona fide-kerkdien-
 - (i) deur die Genootskap; of
 - (ii) deur 'n klerk waaraan 'n gedeelte van die meent ingevolge artikel *twaalf* van die Wet verkoop is; of
 - (iii) indien goedkeuring verleen is deur die Sekretaris van Kleurlingsake na oorlegpleging met die Genootskap en die kerk in paragraaf (ii) genoem; of
 - (iv) indien die bestuursraad 'n besluit ten gunste daarvan geneem het en sodanige besluit bekragtig is deur nie minder nie as twee-derdes van die totale aantal geregistreerde okkupeerders wat ingevol hierdie regulasies as kiesers kwalifiseer, op 'n vergadering wat vir die doel deur die bestuursraad belê is by kennisgewing waarin die besluit uiteengesit en die datum van die vergadering vasgestel is en wat vir 'n tydperk van nie minder nie as ses weke by die kantoor van die bestuursraad of enige ander geskikte plek binne die gebied van die bestuursraad opgeplak is;
- (c) gehou in verband met die reëling van die huishoudelike sake van 'n huishouding;
- (d) van die lede van 'n statutêre liggaam van persone wat uitsluitlik vir die verrigting van sake van daardie liggaam gehou word;
- (e) gehou vir die doel van onderrig wat ingevolge 'n wet gegee word;

- (f) being a bona fide sports gathering, concert or entertainment;
- (g) held in connection with a wedding;
- (h) held by any senator, member of parliament or member of a provincial council; or
- (i) held for official administrative purposes.

89. Any regulation or regulations framed by a Board of Management or any standard regulation or standard regulations the Board wishes to have promulgated to have the force of law in the area under the control of the Board, shall first be adopted by minuted resolution of such Board, and such regulation or regulations or standard regulation or standard regulations shall only have the force of law after the Minister shall have approved such resolution regarding the adoption thereof and from the day of the publication thereof in the *Government Gazette*.

90. Any person contravening a provision of regulation 4 (3) (c), 12, 13, 14, 17, 23, 36 (2) and (3), 38, 39, 40, 41, 42, 46, 51, 57, 58, 59, 60, 63, 64 or 88 or failing to fulfil an obligation thereunder shall be guilty of an offence and shall be liable on conviction in the case of—

- (a) regulation 4 (3) (c), 12, 17, 36 (2) and (3), 38, 42, 46, 51, 57, 58, 60 or 64 to a fine not exceeding ten pounds or in default of payment to imprisonment for a period not exceeding 15 days;
- (b) regulation 13, 14, 23, 39, 40, 41, 59 or 63 to a fine not exceeding fifteen pounds or in default of payment to imprisonment for a period not exceeding 20 days; and
- (c) regulation 88 to a fine not exceeding twenty-five pounds or in default of payment to imprisonment for a period not exceeding 30 days.

91. These regulations shall apply to all mission stations and communal reserves where the Act has been applied, with the exception of the mission stations Shiloh in the District of Queenstown and Goschen in the District of Cathcart.

SCHEDULE A.

TRADING AGREEMENT.

MEMORANDUM OF AN AGREEMENT ENTERED INTO BETWEEN THE BOARD OF..... REPRESENTED BY..... IN HIS CAPACITY AS CHAIRMAN OF THE SAID BOARD, HEREINAFTER CALLED THE LESSOR AND..... OF..... HEREINAFTER CALLED THE LESSEE.

Whereas the Lessee has applied for trading rights as..... at..... in the..... reserved area, which application has been approved by Board Resolution No..... at a meeting of the above Board on the.....

Now therefore these presents witness:—

1. The agreement is entered into for a period of..... years as from..... to.....
2. The Lessee shall have the following rights for the purpose of trading at.....:—
 - (a) The use of the allotment, in extent..... situate.....
 - (b) The use of the buildings on the said allotment, if any.
3. In respect of the rights referred to in paragraph 2 above the Lessee shall each year pay the Board the sum of £..... (.....), which amount shall be payable in advance*..... in instalments of.....

(* *Specify*.—Every year, every six months or every three months.)

- (f) wat 'n bona fide-sportbyeenkoms, konsert of vermaaklikheid is;
- (g) gehou in verband met 'n bruilof;
- (h) wat deur 'n senator, volksraadslid of 'n lid van 'n provinsiale raad gehou word; of
- (i) gehou vir amptelike administratiewe doeleindes.

89. Enige regulasie of regulasies deur 'n bestuursraad opgestel of standaardregulasie of standaardregulasies wat 'n bestuursraad wil laat uitvaardig om krag van Wet te hê in die gebied onder beheer van die bestuursraad, moet eers by genotuleerde besluit van so 'n bestuursraad aangeneem word, en eers nadat die Minister so 'n genotuleerde besluit insake die aanname van so 'n regulasie of regulasies of standaardregulasie of standaardregulasies goedgekeur het en vanaf die dag dat so 'n regulasie of regulasies in die *Staatskoerant* geplaas is, het dit krag van wet.

90. Iedereen wat 'n bepaling van regulasie 4 (3) (c), 12, 13, 14, 17, 23, 36 (2) en (3), 38, 39, 40, 41, 42, 46, 51, 57, 58, 59, 60, 63, 64 of 88 oortree of versuim om 'n verpligting wat daarin opgelê word na te kom, pleeg 'n misdryf en is by skuldigbevinding strafbaar in die geval van—

- (a) regulasie 4 (3) (c), 12, 17, 36 (2) en (3), 38, 42, 46, 51, 57, 58, 60 of 64 met 'n boete van hoogstens tien pond of by wanbetaling met gevangenisstraf van hoogstens 15 dae;
- (b) regulasie 13, 14, 23, 39, 40, 41, 59 of 63 met 'n boete van hoogstens vyftien pond of by wanbetaling met gevangenisstraf van hoogstens 20 dae; en
- (c) regulasie 88 met 'n boete van hoogstens vyf-en-twintig pond of by wanbetaling met gevangenisstraf van hoogstens 30 dae.

91. Hierdie regulasies is van toepassing op alle sendingstasies en meentreservate waar die Wet toegepas is, met uitsondering van die sendingstasies Shiloh in die distrik Queenstown en Goschen in die distrik Cathcart.

BYLAE A.

HANDELSOOREENKOMS.

MEMORANDUM VAN 'N OOREENKOMS AANGEHAAN DEUR EN TUSSEN DIE BESTUURSRAAD VAN..... VERTEENWOORDIG DEUR.....

IN SY HOEDANIGHEID VAN VOORSITTER VAN GENOEMDE BESTUURSRAAD, HIERONDER GENOEM DIE VERHUURDER, EN..... VAN..... HIERONDER GENOEM DIE HUURDER.

Aangesien die Huurder aansoek gedoen het om handelsregte as..... te..... in die..... gereserveerde gebied en die aansoek by Raadsbesluit No..... goedgekeur is op 'n vergadering van bogenoemde Bestuursraad op die.....

So is dit dat hierby as volg getuig word:—

1. Die ooreenkoms word aangegaan vir 'n tydperk van..... jaar wat begin op..... en eindig op.....
2. Die Huurder sal die volgende regte hê met die doel om handel te drywe te.....
 - (a) Die gebruik van die perseel groot..... geleë.....
 - (b) Die gebruik van die geboue op die genoemde perseel, as daar is.
3. Vir die regte in paragraaf 2 hierbo genoem, moet die Huurder jaarliks die som van £..... (.....) aan die Bestuursraad betaal, en hierdie bedrag is *..... vooruit betaalbaar in paaiemente van.....

(* *Spesifiseer*.—Jaarliks, halfjaarliks of kwartaalliks.)

4. The Lessee shall not be entitled to compensation for any improvements effected by him on the land but he shall be entitled to remove any buildings or other structures erected by him within one month after the termination of this agreement, provided that such removal shall be effected without injury to the land. All buildings and structures not removed within such period shall become the property of the Lessor without payment of any compensation ("land" = "allotment" in paragraph 2, Schedule A).
 5. The Lessor reserves the right of a commensurate increase in rental if, during the term of this agreement, it should become necessary, to restore, repair, alter or clean any building or structure belonging to the Lessor.
 6. The Lessee shall not be entitled to sublet, cede or transfer his trading rights or any privileges acquired under this agreement to a third party, or to sell, transfer or in any way dispose of any buildings or structures erected by him without the written sanction of the Lessor and the Secretary for Coloured Affairs.
 7. Except with the written consent of the Lessor, the Lessee shall not allow any person other than himself, his family and his bona fide employees and the families of his employees to reside on the premises granted to him for trading purposes or in any other buildings.
 8. Prior to employing a manager or assistant manager in his trading business, the Lessee shall submit the name or names of such person or persons to the Lessor for his written consent. No person shall be so employed without such written consent, provided that, should any manager or assistant manager, after the Board has approved of his employment, prove to be a person of undesirable character in the opinion of the Lessor, the Lessee shall summarily dismiss him upon receiving written representations from the Board signed by its chairman. The same shall apply to any other employee of the Lessee.
 9. The Lessee shall be entitled to free water for domestic purposes, but not to free firewood.
 10. The Lessee shall, when trading with any inhabitant of the reserved area, make payment in full cash for any produce or other article purchased.
 11. Should the Lessee or any person employed by him in his business at any time during the terms of this agreement be found guilty of illegal trading or selling any intoxicating liquor as defined in Act No. 30 of 1928, the Lessor shall be entitled forthwith to cancel the agreement.
 12. All articles sold by the Lessee shall be of the correct weight and shall correspond to the description given thereto by the Lessee, and failure to comply with these conditions shall be regarded as a violation of this agreement.
 13. *(1) The Lessee shall not—
 - * (a) sell any poisonous medicines;
 - * (b) stock, sell or supply to any person intoxicating patent medicines including Eau-de-Cologne and other lavender waters;
 - * (c) sell any patent medicines to any person residing in the reserved area in quantities exceeding one-ounce bottles;
 - * (d) sell any non-intoxicating patent medicines unless sold by himself or his manager or assistant manager personally.
 - * (2) The Lessee may stock and sell patent medicines but shall in no circumstances sell any such medicines to any person residing in the
4. Die Huurder is nie geregtig op vergoeding vir verbeterings wat hy op die grond aangebring het nie, maar hy mag geboue of ander bouwerke wat hy opgerig het, verwyder binne een maand na verstryking van hierdie ooreenkoms, mits die sloping geskied sonder beskadiging van die grond. Alle geboue en bouwerke wat nie binne sodanige tydperk verwyder is nie, word die eiendom van die Verhuurder sonder betaling van enige vergoeding („grond” = „perseel”, in para. 2 Bylae A).
 5. Die Verhuurder behou hom die reg voor om, indien ’n gebou of bouwerk wat aan die Verhuurder behoort, gedurende die tydperk van hierdie ooreenkoms herstel, gerepareer, verander of skoongemaak moet word, die huur ooreenstemmend te verhoog.
 6. Die Huurder is nie geregtig om sy handelsregte of voorregte verkry ingevolge hierdie ooreenkoms onder te verhuur, te sedeer of oor te dra aan ’n derde of om geboue of bouwerk wat deur hom opgerig is, te verkoop, oor te dra of op enige wyse van die hand te sit sonder die geskrewe toestemming van die Verhuurder en die Sekretaris van Kleurlingsake nie.
 7. Die Huurder mag niemand anders as homself, sy huisgesin en sy bona fide werknemers en die huisgesinne van sy werknemers toelaat om te woon op die perseel aan hom toegestaan vir handeldryf of in ander geboue, behalwe met die geskrewe toestemming van die Verhuurder nie.
 8. Alvorens die Huurder ’n bestuurder of ’n assistentbestuurder in sy handelsbesigheid in diens neem, moet hy die naam of name van die persoon of persone voorlê vir die skriftelike toestemming van die Verhuurder. Niemand mag aldus in diens geneem word sonder sodanige skriftelike toestemming nie; met dien verstande dat, indien ’n bestuurder of assistentbestuurder, nadat die bestuur goedkeuring vir sy indiensneming gegee het, blyk ’n persoon van ongewenste karakter te wees volgens die mening van die Verhuurder, dan moet die Huurder hom onmiddellik ontslaan, nadat skriftelik verhoë aan hom gerig is deur die bestuursraad onder handtekening van die voorsitter daarvan. Dieselfde is van toepassing op enige ander werknemer van die Huurder.
 9. Die Huurder is geregtig op vry water vir huishoudelike doeleindes maar nie op vry vuurmaakhout nie.
 10. Die Huurder moet, wanneer hy handel drywe met enige inwoner van die gereserveerde gebied, ten volle kontant betaal vir alle gekoopte produkte of ander ware.
 11. Indien die Huurder of enige persoon deur hom in diens geneem in sy besigheid, te eniger tyd gedurende die termyn van hierdie ooreenkoms skuldig bevind word aan onwettig handeldrywe of die verkoop van sterk drank soos in Wet No. 30 van 1928 omskrywe, kan die ooreenkoms onmiddellik opgesê word deur die Verhuurder.
 12. Alle artikels wat deur die Huurder verkoop word, moet die korrekte gewig hê en in ooreenstemming wees met die beskrywing daarvan gegee deur die Huurder, en indien hy nie aan hierdie voorwaardes voldoen nie, word dit beskou as ’n verbreking van hierdie ooreenkoms.
 13. *(1) Die Huurder mag nie—
 - * (a) giftige medisyne verkoop nie;
 - * (b) bedwelvende patentmedisyne, insluitende Eau-de-Cologne en ander Laven-telwaters aanhou of aan enige persoon verkoop of verskaf nie;
 - * (c) patentmedisyne in groter hoeveelhede as eenonsbottels aan enige inwoner van die gereserveerde gebied verkoop nie;
 - * (d) nie-bedwelvende patentmedisyne verkoop nie, tensy hyself of sy bestuurder of assistentbestuurder dit persoonlik doen.
 - * (2) Die Huurder mag patentmedisyne aanhou en verkoop, maar mag sodanige medisyne onder geen omstandighede in groter hoeveelhede as eenonsbottels aan enige inwoner van die

* Delete that which is not applicable.

* Haal deur wat nie van toepassing is nie.

reserved area in quantities exceeding one-ounce bottles, and shall keep a register of the following patent medicines:—

Buchu Essence, Coleman's Wincarnis, Kraam Druppels, Witte Dulsies, Kramp Druppels, Pick-me-up, Pain Killer, Coco Wine, Hoffman's Druppels, Maag Bitters, Pynstillende Druppels, Orsmond's S.H. Remedy, Dulsies or Sweet Spirits of Nitre, Red Lavender or Roode Lavental, Gember Essence or Jamaica Essence, Versterk Druppels, Wood's Great Peppermint Cure,

and such register shall show—

- (a) quantity and date of importation;
- (b) quantity sold;
- (c) date of sale and to whom sold.

This register shall at all times be open to inspection by the magistrate, the chairman of the Board or any policeman.

14. The Lessee undertakes not to interfere with or take any direct or indirect interest in the administration of the reserved area, as well as to comply with the requirements of the Board as regards his relations with the inhabitants of the reserve, except in so far as business matters are concerned.
15. Should any term or conditions contained in this agreement be violated, the Lessor, with the consent of the Secretary for Coloured Affairs, shall be entitled to cancel this agreement.
16. This agreement shall not become operative or binding before the Secretary for Coloured Affairs has given his consent thereto.

Signed at this day of, 19....., in the presence of the undermentioned witnesses.

.....
Lessor.

.....
Lessee,

Witness 1.

Witness 2.

SCHEDULE B.

No.....
(No. of letter of approval of
Coloured Affairs Head Office.)

CERTIFICATE OF OCCUPATION.

Mr./Mrs./Miss.....

Dear Sir/Madam,

You are hereby informed that the Secretary for Coloured Affairs in consultation with the Board of Management has approved of you as a registered occupier of the reserved area.....* mission station/communal reserve.

Your rights shall be as follows:—

1. Building allotment No.....
- * 2. Dry garden allotment No.....
- * 3. Irrigable garden allotment No.....
- * 4. Dry lands allotment No.....
5. Free grazing as from time to time prescribed by regulation.

* Delete that which is not applicable.

gereserveerde gebied verkoop nie en is verplig om 'n register van die volgende patent-medisyne aan te hou:—

Buchu Essens, Coleman's Wincarnis, Kraam Druppels, Witte Dulsies, Kramp Druppels, Pick-me-up, Pain Killer, Coco Wine, Hoffman's Druppels, Maagbitters, Pynstillende Druppels, Orsmond's S.H. Remedy, Dulsies of Sweet Spirits of Nitre, Red Lavender of Roode Lavendel, Gember Essens of Jamaica Essens, Versterk Druppels, Wood's Great Peppermint Cure, en in die register moet die volgende aangetoon word:—

- (a) Hoeveelheid en datum van invoer;
- (b) hoeveelheid verkoop;
- (c) datum van verkoop en aan wie verkoop.

Hierdie register moet te alle tye oop wees vir ondersoek deur die landdros, die voorsitter van die bestuursraad of enige polisiebeampte.

14. Die Huurder onderneem dat hy hom op geen wyse direk of indirek sal bemoei met of interesseer in die administrasie van die gereserveerde gebied nie en dat hy sal voldoen aan die vereistes van die bestuursraad insake sy verhouding met die bewoners van die gereserveerde gebied, behalwe vir sover dit besigheidsaangeleenthede betref.
15. Hierdie ooreenkoms kan met toestemming van die Sekretaris van Kleurlingsake deur die Verhuurder opgesê word as een van die bepalings of voorwaardes vervat in hierdie ooreenkoms verbreek word.
16. Hierdie ooreenkoms is nie van krag of bindend voordat die Sekretaris van Kleurlingsake sy toestemming daaraan geheg het nie.

Geteken te.....
op hede die.....
dag van.....19.....
in teenwoordigheid van ondergenoemde getuies.

.....
Verhuurder.

.....
Huurder.

Getuie 1.....

Getuie 2.....

BYLAE B.

No.....
(Nommer van goedkeurings-
brief van Kleurlingsakehoof-
kantoor.)

TOEKENNINGSBRIEF.

Mnr./mev./mej.....

Geagte mnr./mev./mej.,

Hiermee word u in kennis gestel dat die Sekretaris van Kleurlingsake in oorleg met die bestuursraad u goedgekeur het as geregistreerde okkupeerder van die gereserveerde gebied.....
* sendingstasie/meentreservaat.

U regte is as volg:—

1. Bouregperseel No.....
- * 2. Droë Tuinperseel No.....
- * 3. Watertuinperseel No.....
- * 4. Droëlandperseel No.....
5. Gratis weiding soos van tyd tot tyd by regulasie bepaal.

* Haal-deur wat nie van toepassing is nie.

Your duties shall be as follows:—

1. Prompt payment of your rates.
2. Payment of grazing-fees in respect of cattle in excess of your quota, if any.
3. Subjection to the provisions of the Act and of the various regulations, as amended from time to time, which apply in respect of the reserved area.

A copy of the regulations is obtainable at the office of the Board.

.....
Chairman of Board of Management.

.....
Secretary of Board of Management.

.....
Board's Stamp.

SCHEDULE C.

WRITTEN CONSENT TO RESIDE.

Issued to.....
of.....
in terms of resolution No....., dated.....
of the Board of Management of the reserved area.....

* reserve/mission station to reside in the area of the Board of Management, subject to the provisions of Act No. 29 of 1909, as amended, and regulations promulgated thereunder, till.....

.....
Secretary, Board of Management.

Date.....

.....
Board's Stamp.

* Delete that which is not applicable.

U pligte is as volg:—

1. Die stiptelike betaling van u belastinge.
2. Die betaling van weigeld ten opsigte van vee bo u kwota.
3. Onderwerping aan die bepalings van die Wet en van die onderskeie regulasies, soos van tyd tot tyd gewysig, wat op die gereserveerde gebied van toepassing is.

'n Eksemplaar van die regulasies is verkrygbaar by die kantoor van die Raad.

.....
Voorsitter van Bestuursraad.

.....
Sekretaris van Bestuursraad.

.....
Stempel van Bestuursraad.

BYLAE C.

SKRIFTELIKE TOESTEMMING OM TE WOON.

Uitgereik aan.....
van.....
kragtens Besluit No.....van.....
van die bestuursraad van die gereserveerde gebied.....
.....*reservaat/sendingstasie
om in die gebied van die bestuursraad te woon, onderworpe aan die bepalings van Wet No. 29 van 1909, soos gewysig, en regulasies daarkragtens uitgevaardig, tot.....

.....
Sekretaris van Bestuursraad.

Datum.....

.....
Stempel van Bestuursraad.

* Haal deur wat nie van toepassing is nie.

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