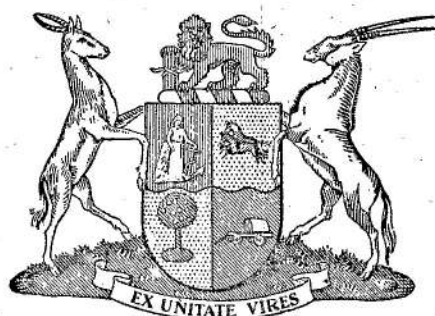




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(REGULASIEKOERANT No. 268)

VOL. X.]

PRETORIA, 20 DECEMBER 1963.
20 DESEMBER

[No. 676.

PROCLAMATIONS

BY THE STATE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA.

No. R. 348, 1963.]

SCHEME IN TERMS OF THE MARKETING ACT,
1937, AS AMENDED, FOR REGULATING THE
MARKETING OF PEACHES INTENDED FOR
CANNING, AND FOR MATTERS INCIDENTAL
THERETO.

Whereas the Minister of Agricultural Economics and
Marketing has, in terms of paragraph (c) of sub-section (3)
of section *seventeen* of the Marketing Act, 1937 (Act No.
26 of 1937), as amended, accepted the scheme appearing
in the Schedule hereto, and has, in terms of paragraph
(b) of sub-section (1) of section *twenty-one* of the said
Act recommended the approval of the said Scheme;

Now, therefore, under the powers vested in me by para-
graph (a) of sub-section (1) of section *twenty-two* of the
said Act, I do hereby declare that the said Scheme shall
come into operation on the date of publication hereof.

Given under my Hand and the Seal of the Republic of
South Africa at Brandfort on this Eleventh day of
December, One thousand Nine hundred and Sixty-three.

C. R. SWART,

State President.

By Order of the State President-in-Council.

D. C. H. UYS.

SCHEDULE.

SCHEME IN TERMS OF THE MARKETING ACT,
1937, AS AMENDED, FOR THE REGULATION
OF THE MARKETING OF PEACHES
INTENDED FOR CANNING, AND FOR
MATTERS INCIDENTAL THERETO.

NAME AND SCOPE OF SCHEME.

1. (1) This scheme shall be known as the Peach Scheme
and shall relate to peaches intended for canning, produced
in the production area as defined in section 2.

(2) The provisions of this scheme shall apply in the
Republic of South Africa to the classes of persons herein-
after mentioned who are concerned in the production of
such peaches or who deal in the course of trade with such
peaches.

A-4727103

PROKLAMASIES

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN
SUID-AFRIKA.

No. R. 348, 1963.]

SKEMA KRAGTENS DIE BEMARKINGSWET, 1937,
SOOS GEWYSIG, VIR DIE REËLING VAN DIE
BEMARKING VAN PERSKES VIR INMAAK
BESTEM, EN AANGELEENTHEDE WAT
DAARMEE IN VERBAND STAAN.

Nademaal die Minister van Landbou-ekonomie en
-bemarking, kragtens paragraaf (c) van subartikel (3) van
artikel *sewentien* van die Bemarkingswet, 1937 (Wet No.
26 van 1937), soos gewysig, die skema wat in die Bylae
hiervan verskyn, aangeneem het, en kragtens paragraaf
(b) van subartikel (1) van artikel *een-en-twintig* van
genoemde Wet goedkeuring van genoemde skema aanbe-
veel het;

So is dit dat ek, kragtens die bevoegdheid my verleen
by paragraaf (a) van subartikel (1) van artikel *twee-en-
twintig* van genoemde Wet, hierby verklaar dat genoemde
skema op die datum van publikasie hiervan in werking
tree.

Gegee onder my Hand en die Seël van die Republiek
van Suid-Afrika te Brandfort, op hierdie Elfde dag van
Desember Eenduisend Negehoenderd Drie-en-sestig.

C. R. SWART,

Staatspresident.

Op las van die Staatspresident-in-rade.

D. C. H. UYS.

BYLAE.

SKEMA KRAGTENS DIE BEMARKINGSWET, 1937,
SOOS GEWYSIG, VIR DIE REËLING VAN DIE
BEMARKING VAN PERSKES VIR INMAAK
BESTEM EN AANGELEENTHEDE WAT
DAARMEE IN VERBAND STAAN.

NAAM EN OMVANG VAN SKEMA.

1. (1) Hierdie skema heet die Perskeskema en het
betrekking op perskes wat in die produksiegebied soos in
artikel 2 omskryf, geproduseer is en wat bestem is vir
inmaak.

(2) Die bepalings van hierdie skema is in die Republiek
van Suid-Afrika van toepassing op die klasse persone
hierna genoem wat betrokke is by die produksie van
sodanige perskes of wat met sodanige perskes as 'n besig-
heid handel.

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DEFINITIONS.

2. In this scheme, the expression "the Act" means the Marketing Act, 1937, as amended, and the regulations made thereunder, and any expression to which in that Act a meaning has been assigned, bears, when used in this scheme, the same meaning; further, unless inconsistent with the context—

- (i) "Board", means the Peach Board as constituted in terms of section 3; (v)
- (ii) "canner", means a person who as a business cans peaches in any form, or a person who as a business handles peaches for canning purposes; (i)
- (iii) "peaches", means peaches produced in the production area and intended for canning; (ii)
- (iv) "producer", in relation to—
 - (i) peaches, means the person by whom or on whose behalf such peaches are produced;
 - (ii) any quantity of peaches which has been acquired from any person as a consideration for the right to use land on which that person has produced a quantity of peaches, or as remuneration for services rendered to a producer of peaches, means the person who so acquired that quantity; (iv)
- (v) "production area", the following Magisterial Districts in the Cape Province:—

Bellville, Caledon, Calitzdorp, Ceres, Clanwilliam, George, Heidelberg, Ladismith, Laingsburg, Malmesbury, Montagu, Mossel Bay, Oudtshoorn, Paarl, Piketberg, Prince Albert, Riversdale, Robertson, Somerset West, Stellenbosch, Swellendam, Tulbagh, Wellington and Worcester.

(iii)

ADMINISTRATION OF SCHEME AND CONSTITUTION OF BOARD.

3. (1) This scheme shall be administered by the Peach Board which for that purpose shall consist of eleven members, to be appointed by the State President and of whom—

- (a) six shall be representatives of producers of peaches and shall be nominated by an organisation or organisations (after mutual consultation) which, in the opinion of the Minister, is/are representative of such producers; Provided that members of the Board appointed in terms of this paragraph shall be producers of peaches;
- (b) four shall be representatives of canners and shall be nominated by an organisation or organisations (after mutual consultation) which, in the opinion of the Minister is/are representative of canners: Provided that at least one of the said representatives shall be nominated to represent canners who are a co-operative company or a co-operative society;
- (c) one shall be an officer of the Department of Agricultural Economics and Marketing or the Department of Agricultural Technical Services and shall be nominated by the Minister.

(2) The Board may co-opt not more than two persons as advisory members of the Board.

NOTICES TO NOMINATE MEMBERS.

4. Whenever a nomination in terms of paragraph (a) or (b) of sub-section (1) of section 3 becomes necessary, the Minister shall call upon the bodies concerned or cause them to be called upon, by notice in writing, to nominate within a period fixed by such notice, the person or persons whom it is entitled to nominate for appointment to the Board.

THE MINISTER MAY NOMINATE IF NO SUITABLE PERSON IS NOMINATED.

5. (1) If any person nominated as aforesaid is, in the opinion of the Minister, not suitable for appointment as a member of the Board, or not qualified to be a member of the Board, the Minister may refer that nomination back to the body concerned and call upon that body to nominate some other person for appointment to the Board, and if

WOORDBEPALING.

2. In hierdie skema beteken die uitdrukking „die Wet” die Bemarkingswet, 1937, soos gewysig, en die regulasies daarkragtens uitgevaardig, en het elke uitdrukking waaraan daar in genoemde Wet ’n betekenis gegee is, dieselfde betekenis wanneer dit in hierdie skema gebruik word; voorts, tensy dit in stryd is met die samehang, beteken—

- (i) „inmaker”, ’n persoon wat as ’n besigheid perskes in enige vorm inmaak, of ’n persoon wat as ’n besigheid perskes hanteer vir inmaakdoeleindes; (ii)
- (ii) „perskes”, perskes in die produksiegebied geproduseer en bestem vir inmaak; (iii)
- (iii) „produksiegebied”, die volgende landdrosdistrikte in die Kaapprovinsie:—

Bellville, Caledon, Calitzdorp, Ceres, Clanwilliam, George, Heidelberg, Ladismith, Laingsburg, Malmesbury, Montagu, Mosselbaai, Oudtshoorn, Paarl, Piketberg, Prince Albert, Riversdal, Robertson, Somerset-Wes, Stellenbosch, Swellendam, Tulbagh, Wellington en Worcester; (v)

- (iv) „produsent”, met betrekking tot—

- (i) perskes, die persoon deur of namens wie die perskes geproduseer word;
- (ii) ’n hoeveelheid perskes wat verkry is van ’n persoon as vergoeding vir die reg om grond waarop daardie persoon ’n hoeveelheid perskes geproduseer het, te gebruik, of as beloning vir dienste aan ’n produsent van perskes gelewer, die persoon wat daardie hoeveelheid aldus verkry het; (iv)

- (v) „Raad”, die Perskeraad soos saamgestel ooreenkomstig artikel 3. (i)

UITVOERING VAN SKEMA EN SAMESTELLING VAN RAAD.

3. (1) Hierdie skema word uitgevoer deur die Perskeraad wat vir dié doel uit elf lede bestaan wat deur die Staatspresident aangestel word en van wie—

- (a) ses verteenwoordigers moet wees van produsente van perskes en genomineer moet word deur ’n organisasie of organisasies (na onderlinge raadpleging) wat, volgens oordeel van die Minister verteenwoordigend is van sodanige produsente: Met dien verstande dat lede van die Raad kragtens hierdie paragraaf aangestel, produsente van perskes moet wees;
- (b) vier verteenwoordigers moet wees van inmakers en genomineer moet word deur ’n organisasie of organisasies (na onderlinge raadpleging), wat, volgens oordeel van die Minister, verteenwoordigend van inmakers is: Met dien verstande dat minstens een van genoemde verteenwoordigers genomineer moet word om inmakers wat ’n koöperatiewe vereniging of ’n koöperatiewe maatskappy is, te verteenwoordig;
- (c) een ’n amptenaar van die Departement van Landbou-ekonomie en -bemarking of die Departement van Landbou-tegniese Dienste moet wees en deur die Minister genomineer moet word.

(2) Die Raad kan hoogstens twee persone as adviserende lede van die Raad koöpteer.

KENNISGEWING VIR DIE NOMINASIE VAN LEDE.

4. Wanneer ’n nominasie ingevolge paragraaf (a) of (b) van subartikel (1) van artikel 3 nodig word, moet die Minister die betrokke liggame by skriftelike kennisgewing aansê of laat aansê om binne ’n tydperk in die kennisgewing vasgestel, die persoon of persone te nomineer wat dit geregtig is om vir aanstelling in die Raad te nomineer.

MINISTER KAN NOMINEER AS GEEN GESKIKTE PERSOON GENOMINEER IS NIE.

5. (1) Indien iemand wat soos voormeld genomineer is, volgens die oordeel van die Minister, nie geskik is om as lid van die Raad aangestel te word nie, of onbevoeg is om lid van die Raad te wees, kan die Minister daardie nominasie terugverwys na die betrokke liggaam en daardie liggaam aansê om iemand anders vir aanstelling in die

that body thereupon again nominates a person who is, in the opinion of the Minister, not suitable or not qualified, as aforesaid, or whenever that body fails to nominate any person, the Minister may himself nominate any person whom he considers fit to be a member of the Board to represent the interests concerned.

(2) If a body such as is referred to in paragraph (a) or (b) of sub-section (1) of section 3 is not in existence, the Minister may himself nominate a person or persons for appointment to the Board to represent the interests concerned.

TENURE OF OFFICE OF MEMBERS OF THE BOARD.

6. (1) Subject to the provisions of sub-section (2), the members of the Board shall be appointed for a period of two years: Provided that the member referred to in paragraph (c) of sub-section (1) of section 3 shall hold office during the State President's pleasure.

(2) After the expiration of one year with effect from the first appointment of members to the Board, three of the members appointed in terms of paragraph (a) and two of the members appointed in terms of paragraph (b) of sub-section (1) of section 3 shall retire and the vacancies so arising shall be filled.

(3) Which of the members of the Board shall retire in accordance with sub-section (2) shall be decided by lot.

(4) Upon the expiration of the period for which members were appointed, they shall continue to be members of the Board until their successors have been appointed, but in no case for a further period of more than three months.

(5) Retiring members shall be eligible for re-appointment.

(6) Whenever for any reason the office of any member of the Board becomes vacant before the expiration of the period for which he was appointed, the Minister may appoint any other person whom he considers suitable to fill the vacancy until the expiration of the period for which the vacating member was appointed.

(7) Whenever the Minister is satisfied that any member of the Board is prevented by illness, absence or any other cause from performing the duties of his office, the Minister may appoint any other person whom he considers suitable to act as the deputy of that member while he is so prevented.

(8) Whenever a member of the Board was, without its leave, absent from three consecutive meetings of the Board, and no one has been appointed to act as his deputy in terms of sub-section (7), he shall cease to be a member of the Board.

ELECTION AND TENURE OF OFFICE OF CHAIRMAN AND VICE-CHAIRMAN.

7. (1) The Board shall at its first meeting and thereafter as occasion arises, elect from amongst its members a chairman who shall hold that office for a period of one year or until the expiration of the period for which he was appointed as member of the Board, whichever is the shorter period, and thereafter he may be re-elected.

(2) Whenever necessary the Board may elect from amongst its members a vice-chairman who shall hold that office for a period of one year or until the expiration of the period for which he was appointed as a member of the Board, whichever is the shorter period, and thereafter he may be re-elected.

(3) Whenever for any reason the chairman is unable to perform his duties, the vice-chairman, if one was elected, shall deputise for him, and in the event of both the chairman and the vice-chairman not being able to attend to their duties, the Board shall elect another of its members to act as chairman.

MEETINGS OF THE BOARD.

8. (1) The first meeting of the Board shall be held at a time and place determined by the Minister.

(2) All subsequent meetings of the Board shall be held at such times and places as the Board, or the chairman, if authorised thereto by the Board, may from time to time determine.

Raad te nomineer, en indien daardie liggaam weer iemand nomineer wat, volgens die Minister se oordeel, ongeskik of onbevoeg is, soos voormeld, of wanneer die liggaam in gebreke bly om iemand te nomineer, kan die Minister self iemand nomineer wat hy geskik ag om lid van die Raad te wees om die betrokke belange te verteenwoordig.

(2) Indien 'n liggaam soos genoem in paragraaf (a) of (b) van subartikel (1) van artikel 3 nie bestaan nie, kan die Minister self 'n persoon of persone nomineer vir aanstelling in die Raad om die betrokke belange te verteenwoordig.

AMPSTERMYN VAN LEDE VAN DIE RAAD.

6. (1) Behoudens die bepalings van subartikel (2) word lede van die Raad vir 'n tydperk van twee jaar aangestel: Met dien verstande dat die lid genoem in paragraaf (c) van subartikel (1) van artikel 3 sy amp beklee solank dit die Staatspresident behaag.

(2) Na verloop van een jaar met ingang van die eerste aanstelling van lede van die Raad, tree drie van die lede aangestel ingevolge paragraaf (a) en twee van die lede aangestel ingevolge paragraaf (b) van subartikel (1) van artikel 3 af en die vakatures wat aldus ontstaan, word aangevul.

(3) Daar word deur die lot beslis watter lede van die Raad ooreenkomstig subartikel (2) moet aftree.

(4) By verstryking van die tydperk waarvoor lede aangestel is, bly hulle aan as lede van die Raad totdat hul opvolgers aangestel is, maar in geen geval vir 'n verdere tydperk van meer as drie maande nie.

(5) Aftredende lede kan weer aangestel word.

(6) Wanneer die setel van 'n lid van die Raad om een of ander rede vakant word voor verstryking van die tydperk waarvoor hy aangestel is, kan die Minister iemand anders wat hy geskik ag, aanstel om die vakature te vul totdat die tydperk waarvoor die uittredende lid aangestel is, verstryk het.

(7) Wanneer die Minister daarvan oortuig is dat 'n lid van die Raad weens siekte, afwesigheid of 'n ander oorsaak verhinder word om sy ampspligte te verrig, kan die Minister iemand anders wat hy geskik ag, aanstel om as plaasvervanger van daardie lid op te tree solank hy aldus verhinder word.

(8) Wanneer 'n lid van die Raad sonder die Raad se verlof van drie agtereenvolgende raadsvergaderings afwesig was en niemand ingevolge subartikel (7) aangestel is om as sy plaasvervanger op te tree nie, hou hy op om lid van die Raad te wees.

VERKIESING EN AMPSTERMYN VAN VOORSITTER EN VISE-VOORSITTER.

7. (1) Die Raad moet op sy eerste vergadering en daarna, na gelang dit nodig mag wees, uit sy lede 'n voorsitter kies wat daardie amp beklee vir 'n tydperk van een jaar of tot verstryking van die tydperk waarvoor hy as lid van die Raad aangestel is, watter tydperk ookal die kortste is, en daarna kan hy herkies word.

(2) Die Raad kan, wanneer nodig, uit sy lede 'n vise-voorsitter kies wat daardie amp beklee vir 'n tydperk van een jaar of tot verstryking van die tydperk waarvoor hy as lid van die Raad aangestel is, watter tydperk ookal die kortste is, en daarna kan hy herkies word.

(3) Wanneer die voorsitter, om watter rede ookal, nie sy pligte kan vervul nie, moet die vise-voorsitter, indien een gekies is, in sy plek optree, en ingeval die voorsitter sowel as die vise-voorsitter nie hul pligte kan vervul nie, moet die Raad een van sy ander lede kies om as voorsitter op te tree.

VERGADERINGS VAN DIE RAAD.

8. (1) Die eerste vergadering van die Raad word gehou op 'n tyd en plek deur die Minister bepaal.

(2) Alle daaropvolgende vergaderings van die Raad moet gehou word op die tye en plekke wat die Raad of die voorsitter, indien deur die Raad daartoe gemagtig, van tyd tot tyd bepaal.

(3) The chairman of the Board may himself at any time call a special meeting of the Board to be held at a time and place determined by him.

(4) At the written request of not less than three members of the Board, the chairman shall call a special meeting of the Board to be held within fourteen days from the date of receipt of such written request at a time and place to be determined by him.

(5) The meetings of the Board shall be convened by notice given by or by direction of the chairman or any official of the Board authorised thereto by the Board.

QUORUM AND PROCEDURE AT MEETINGS.

9. (1) A majority of the members of the Board appointed in terms of sub-section (1) of section 3 and sub-sections (6) and (7) of section 6 shall form a quorum at any meeting of the Board.

(2) The decision of a majority of the members of the Board, appointed as aforesaid, present at any meeting of the Board, shall constitute the decision of the Board: Provided that in the event of an equality of votes, the chairman shall have a casting vote in addition to his deliberative vote.

COMMITTEES OF THE BOARD.

10. (1) The Board may, with the consent of the Minister and subject to such conditions as the Board may impose, appoint one or more committees from its members and invest any such committee with such of its powers as it may deem fit: Provided that the Board shall not be divested of any power with which it may invest any such committee.

(2) Whenever any committee is appointed in terms of sub-section (1), the Board shall designate one of the members of that committee to act as chairman thereof, and the chairman so designated may at any time, with the approval of the chairman of the Board, convene a meeting of that committee to be held at a time and place determined by him.

(3) The chairman of the Board shall *ex officio* be a member of every committee appointed by the Board in terms of sub-section (1) and may at any time convene a meeting of such a committee to be held at a time and place determined by him.

(4) The decision of the majority of all the members of a committee appointed in terms of sub-section (1), shall constitute a decision of such a committee.

SPECIAL COMMITTEES OF THE BOARD.

11. (1) There is hereby established a price committee, constituted as hereinafter specified, to advise the Board in connection with the minimum prices to be paid by canners to producers for peaches.

(2) There is hereby established a grading committee, constituted as hereinafter specified, to advise the Board in connection with the grading of peaches.

(3) To each of the said committees the Board may, on such conditions as the Minister may approve, assign such of its powers under this scheme as it may, with the approval of the Minister, determine.

(4) Each of the said committees shall consist of seven members, to be appointed by the Minister after consultation with the Board, of whom—

- (a) three shall be representatives of producers of peaches;
- (b) three shall be representatives of canners: Provided that not more than one of such members shall be connected with the same concern and at least one shall represent canners which are a co-operative society or a co-operative company; and
- (c) one shall be an officer of the Department of Agricultural Economics and Marketing and who shall be chairman of the committee: Provided that he shall only have a deliberative vote at a meeting of the committee.

(3) Die voorsitter van die Raad kan self te eniger tyd 'n spesiale vergadering van die Raad belê wat op 'n tyd en plek deur hom bepaal, gehou moet word.

(4) Die voorsitter moet op die skriftelike versoek van minstens drie lede van die Raad 'n spesiale vergadering van die Raad belê wat binne veertien dae na die datum van ontvangs van so 'n skriftelike versoek en op 'n tyd en plek wat hy moet bepaal, gehou moet word.

(5) Die vergaderings van die Raad moet belê word by kennisgewing deur of op las van die voorsitter of 'n beamppte van die Raad wat die Raad daartoe gemagtig het.

KWORUM EN PROSEDURE BY VERGADERINGS.

9. (1) 'n Meerderheid van die lede van die Raad wat ooreenkomstig subartikel (1) van artikel 3 en subartikels (6) en (7) van artikel 6 aangestel is, maak 'n kworum uit op 'n vergadering van die Raad.

(2) Die besluit van die meerderheid van die raadslede wat, soos voormeld aangestel is, en wat op 'n vergadering van die Raad teenwoordig is, maak 'n beslissing van die Raad uit: Met dien verstande dat die voorsitter by 'n staking van stemme benewens sy beraadslagende stem ook 'n beslissende stem het.

KOMITEES VAN DIE RAAD.

10. (1) Die Raad kan, met die goedkeuring van die Minister en onderworpe aan die voorwaardes wat die Raad mag ople, een of meer komitees uit sy lede aanstel en so 'n komitee met sodanige van sy bevoegdhede beklee as wat hy dienstig ag: Met dien verstande dat die Raad nie afstand doen van 'n bevoegdheid waarmee hy so 'n komitee beklee nie.

(2) Wanneer 'n komitee aangestel word kragtens subartikel (1), moet die Raad een van die lede van daardie komitee aanwys om as voorsitter daarvan op te tree en die voorsitter wat aldus aangewys is, kan te eniger tyd, met die goedkeuring van die voorsitter van die Raad, 'n vergadering van daardie komitee belê wat gehou moet word op 'n tyd en plek wat hy bepaal.

(3) Die voorsitter van die Raad is ampshalwe lid van elke komitee wat deur die Raad aangestel word ingevolge subartikel (1), en kan te eniger tyd 'n vergadering van so 'n komitee belê wat gehou moet word op 'n tyd en plek deur hom bepaal.

(4) Die besluit van die meerderheid van al die lede van 'n komitee ingestel kragtens subartikel (1) maak 'n besluit van so 'n komitee uit.

SPESIALE KOMITEES VAN DIE RAAD.

11. (1) Daar word hierby ingestel 'n prysekomitee, saamgestel soos hierna bepaal, om die Raad te adviseer aangaande die minimumpryse wat inmakers aan produsente vir perskes moet betaal.

(2) Daar word hierby ingestel 'n graderingskomitee, saamgestel soos hierna bepaal, om die Raad te adviseer aangaande die gradering van perskes.

(3) Aan elk van genoemde komitees kan die Raad, op die voorwaardes wat die Minister goedkeur, sodanige van sy bevoegdhede onder hierdie skema oordra as wat hy met die goedkeuring van die Minister bepaal.

(4) Elk van genoemde komitees moet uit sewe lede bestaan, aangestel te word deur die Minister na oorlegpleging met die Raad, van wie—

- (a) drie verteenwoordigers moet wees van produsente van perskes;
- (b) drie verteenwoordigers moet wees van inmakers: Met dien verstande dat nie meer as een van die lede aan dieselfde onderneming verbonde moet wees nie en minstens een 'n verteenwoordiger moet wees van inmakers wat 'n koöperatiewe vereniging of 'n koöperatiewe maatskappy is; en
- (c) een 'n beamppte van die Departement van Landbou-ekonomie en -bemarking moet wees en wat die voorsitter van die komitee moet wees: Met dien verstande dat hy slegs 'n beraadslagende stem by 'n vergadering van die komitee sal hê.

(5) For each of the said committees the Board shall lay down such rules in connection with the calling of meetings, procedure at meetings, tenure of office of members and the filling of vacancies, as it may, with the approval of the Minister, determine.

(6) A decision of the majority of all the members of a committee established in terms of this section shall be a decision of such a committee.

FINANCIAL YEAR.

12. The financial year under this scheme shall be the period from the first day of July in each year to the last day of June in the following year.

AUDITING.

13. Subject to the provisions of Chapter IV of the Treasury and Audit Act, 1956 (Act No. 23 of 1956), as amended, the accounts and balance sheet of the Board shall be audited annually by the Controller and Auditor-General.

POWERS OF THE BOARD.

14. In addition to powers vested in the Board under other sections of this scheme, the Board shall have power—

- (a) to appoint such servants and to acquire or hire such property as it may consider necessary for the proper performance of its functions and for the attainment of the objects of this scheme: Provided that no immovable property shall be acquired except with the consent of the Minister and on such conditions as he may approve;
- (b) with the approval of the Minister to determine the allowances payable out of the funds of the Board to its members or advisory members or members of a committee appointed in terms of section 11;
- (c) with the approval of the Minister, to borrow money to be used for the purpose of attaining the objects of this scheme and to use any money derived from any levy imposed in terms of section 15 for any object which in the opinion of the Board will be to the advantage of persons interested in the production and marketing of peaches;
- (d) to accept money or property given to the Board by way of donation, grant or otherwise and to utilise such money or property in such manner as the Minister may approve;
- (e) to establish an information service in order to advise producers from time to time about marketing conditions in general or about the condition of any particular market;
- (f) to co-operate with any person in doing any act which the Board may perform, and to do on behalf of any other similar board any act which that board may perform;
- (g) to assist, by grant or loan or otherwise, any concern for the canning of peaches and any research work relating to the improvement, production, canning and marketing of peaches;
- (h) to require every person concerned in the production, marketing or canning of peaches to furnish the Board with such information relating to such peaches as may be available to such person and as the Board may specify;
- (i) with the approval of the Minister, to prescribe the records to be kept, the period for which any such records shall be retained, and the returns to be rendered to the Board by any person or class or group of persons producing or dealing in the course of trade with peaches and the times at which and form and manner in which such returns shall be so rendered; and

(5) Die Raad moet vir elk van genoemde komitees sodanige reëls neerlê in verband met die byeenroeping van vergaderings, prosedure op vergaderings, ampstermyn van lede en die aanvulling van vakatures, as wat hy met die goedkeuring van die Minister, mag bepaal.

(6) 'n Besluit van die meerderheid van al die lede van 'n komitee kragtens hierdie artikel ingestel, is 'n besluit van so 'n komitee.

BOEKJAAR.

12. Die boekjaar onder hierdie skema is die tydperk van die eerste dag van Julie elke jaar tot die laaste dag van Junie in die volgende jaar.

ODUIT.

13. Behoudens die bepalings van Hoofstuk IV van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), soos gewysig, word die rekenings en balansstaat van die Raad jaarliks geouditeer deur die Kontroleur en Ouditeur-generaal.

BEVOEGDHEDE VAN DIE RAAD.

14. Benewens bevoegdheede kragtens ander artikels van hierdie skema aan die Raad verleen, het die Raad die bevoegdheid om—

- (a) die beamptes aan te stel en die eiendom aan te skaf of te huur wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie skema: Met dien verstande dat geen vaste eiendom aangeskaf word nie behalwe met die toestemming van die Minister en op die voorwaardes wat hy mag goedkeur;
- (b) met die Minister se toestemming die toelaes wat te stel wat uit die Raad se fondse aan sy lede of adviserende lede of lede van 'n komitee aangestel ingevolge artikel 11, betaal moet word;
- (c) met die Minister se goedkeuring, geld te leen wat vir die verwesenliking van die oogmerke van die skema aangewend moet word en om geld verkry uit 'n heffing wat ooreenkomstig artikel 15 opgelê is, aan te wend vir enige doel wat na die Raad se mening tot voordeel sal strek van persone wat by die produksie en bemarking van perskes belang het;
- (d) geld of eiendom aan te neem wat by wyse van skenking, toekenning of andersins aan die Raad gegee word en om sodanige geld of eiendom te gebruik op 'n manier wat die Minister mag goedkeur;
- (e) 'n inligtingsdiens in te stel ten einde produsente van tyd tot tyd in te lig omtrent bemarkingstoestande oor die algemeen of omtrent die toestand ten opsigte van 'n besondere mark;
- (f) met enigeen saam te werk in 'n handeling wat die Raad kan verrig en om namens 'n ander soortgelyke raad alle handelings te verrig wat daardie raad kan verrig;
- (g) deur middel van 'n toekenning of lening of op 'n ander wyse hulp te verleen aan enige onderneming vir die inmaak van perskes en in verband met navorsingswerk betreffende die verbetering, produksie, inmaak en bemarking van perskes;
- (h) van elkeen wat by produksie, bemarking of inmaak van perskes betrokke is, te vereis om aan die Raad die inligting in verband met die perskes waaroor so 'n persoon mag beskik en wat die Raad spesifiseer, te verstrek;
- (i) met die Minister se goedkeuring, die rekords wat gehou moet word, die tydperk waarvoor enige sodanige rekord bewaar moet word en die opgawes wat aan die Raad verstrekk moet word deur enige persoon of klas of groep persone wat perskes produseer of daarmee as 'n besigheid handel, voor te skryf, asook die tye waarop, die vorm waarin en die wyse waarop sodanige opgawes aldus verstrekk moet word; en

- (j) to advise the Minister as to the conditions regarding grades, standards of quality, methods of packing and marking of any receptacle or cover containing peaches, subject to which peaches may be sold.

LEVY OF PEACHES.

15. (1) The Board may, with the approval of the Minister and on such basis as the Board may determine, impose a levy on peaches sold by a producer or canned for sale by the producer thereof, and such levy—

- (a) may be in the form of a fixed amount on or of a percentage or portion of the selling price of every unit or quantity of such peaches purchased or sold;
- (b) may in respect of any particular kind, variety, grade or standard of quality of such peaches, differ from any such levy in respect of any other kind, variety, grade or standard of quality of such peaches;
- (c) shall not exceed—

- (i) fifty cents per short ton, where the levy is imposed as a fixed amount on any unit or quantity of peaches purchased or sold;

- (ii) one percent of such selling prices, where the levy is imposed as a percentage or portion of the selling price of every unit or quantity of peaches purchased or sold.

(2) Any levy imposed in terms of sub-section (1) shall be paid to the Board at such times and in such a manner as may be prescribed by regulation under the Act, and such levy shall be payable by—

- (a) the buyer, where peaches are sold by a producer direct to a person who deals with peaches in the course of trade;
- (b) the producer, in all other cases not provided for in paragraph (a).

SPECIAL LEVY ON PEACHES.

16. The Board may, with the approval of the Minister and on such basis as the Board may determine, impose a special levy on peaches sold by a producer or peaches canned for sale by the producer thereof, and for the purposes of such special levy the provisions of paragraphs (a) and (b) of sub-section (1) and of sub-section (2) of section 15, shall *mutatis mutandis* apply.

ESTABLISHMENT OF FUNDS.

17. (1) Subject to the provisions of sub-sections (2) and (3) the Board shall establish a fund to be known as the Peach Levy Fund, to be administered and controlled by the Board and into which shall be paid all amounts derived from any levies imposed in terms of section 15, and all other moneys which may accrue to the Board, and from which all payments by the Board shall be made.

(2) The Board shall establish a special peach levy fund into which the proceeds of any special levy imposed under section 16 and such other amounts at the Board's disposal as may be approved by the Minister, and the Board may deal with any moneys in this fund in such a manner as may be approved by the Minister.

(3) The Board shall establish a peach reserve fund into which shall be paid such amounts at the disposal of the Board as may from time to time be approved by the Minister, or as may after consultation with the Board be determined by him after the end of any financial year under this scheme, and the Board may deal with any moneys in this fund in such manner as may be approved by the Minister.

- (j) die Minister van advies te dien aangaande die voorwaardes betreffende grade, kwaliteitstandaarde, verpakkingsmetodes en die merk van 'n houer of omhulsel wat perskes bevat, waarop perskes verkoop mag word.

HEFFING OP PERSKES.

15. (1) Die Raad kan met die goedkeuring van die Minister en op so 'n basis as wat die Raad mag bepaal, 'n heffing op lê op perskes wat deur 'n produsent verkoop word of deur die produsent daarvan vir verkoop ingemaak word, en sodanige heffing—

- (a) kan in die vorm wees van 'n vasgestelde bedrag op of van 'n persentasie of gedeelte van die verkoopprijs van elke eenheid of hoeveelheid van sodanige perskes wat gekoop of verkoop is;
- (b) kan ten opsigte van 'n besondere soort, variëteit, graad of kwaliteitstandaard van sodanige perskes verskil van so 'n heffing ten opsigte van enige ander soort, variëteit, graad of kwaliteitstandaard van sodanige perskes;

(c) mag nie hoër wees nie as—

- (i) vyftig sent per kort ton, waar die heffing in die vorm van 'n vasgestelde bedrag op enige eenheid of hoeveelheid perskes gekoop of verkoop, opgelê word;

- (ii) een persent van die verkoopprijs, waar die heffing in die vorm van 'n persentasie of gedeelte van die verkoopprijs van enige eenheid of hoeveelheid perskes gekoop of verkoop, opgelê word.

(2) Enige heffing opgelê kragtens subartikel (1) moet aan die Raad betaal word op sodanige tye en sodanige wyse as wat by regulasie kragtens die Wet voorgeskryf mag word en sodanige heffing is betaalbaar deur—

- (a) die koper, waar perskes deur 'n produsent verkoop word direk aan 'n persoon wat met perskes as 'n besigheid handel;
- (b) die produsent, in alle ander gevalle waarvoor nie in paragraaf (a) voorsiening gemaak is nie.

SPESIALE HEFFING OP PERSKES.

16. Die Raad kan, met die goedkeuring van die Minister en op so 'n basis as wat die Raad mag bepaal, 'n spesiale heffing op lê op perskes wat deur 'n produsent verkoop word of deur die produsent daarvan vir verkoop ingemaak word, en vir die doeleindes van sodanige spesiale heffing is die bepalings van paragrafe (a) en (b) van subartikel (1) en van subartikel (2) van artikel 15, *mutatis mutandis* van toepassing.

INSTELLING VAN FONDSE.

17. (1) Behoudens die bepalings van subartikels (2) en (3), moet die Raad 'n fonds instel wat moet bekendstaan as die Perskeheffingsfonds, wat deur die Raad bestuur en beheer moet word en waarin alle bedrae verkry uit heffings wat kragtens artikel 15 opgelê is, en alle ander bedrae wat aan die Raad mag toeval, gestort moet word, en waaruit alle betalings deur die Raad gedoen moet word.

(2) Die Raad moet 'n spesiale perskeheffingsfonds instel, waarin die opbrengs van 'n spesiale heffing wat kragtens artikel 16 opgelê is en sodanige ander bedrae tot beskikking van die Raad as wat deur die Minister goedgekeur mag word, gestort moet word en die Raad kan met die gelde in hierdie fonds handel op die wyse wat die Minister goedkeur.

(3) Die Raad moet 'n perskereserwefonds instel waarin sodanige bedrae tot die beskikking van die Raad gestort moet word as wat die Minister van tyd tot tyd mag goedkeur, of wat hy na afloop van 'n boekjaar onder die skema en na oorlegpleging met die Raad mag bepaal, en die Raad kan oor enige gelde in hierdie fonds beskik op sodanige wyse as wat die Minister mag goedkeur.

FIXATION OF MINIMUM PRICES FOR PEACHES.

18. (1) With the approval of the Minister, the Board may from time to time prohibit any person or any person belonging to any class or group of persons or any person other than a person belonging to any class or group of persons, from acquiring, selling or disposing of any quantity of peaches or of any class or grade thereof at a price below a price fixed by the Board, or calculated in accordance with a basis determined by the Board, for such peaches or for such quantity, class or grade thereof.

(2) When exercising its powers under sub-section (1), the Board may, with the approval of the Minister—

- (a) determine the charges or costs to be included in, added to or deducted from any price referred to in the said sub-section or the weight to be allowed, in relation to any quantity therein referred to, for any container of such peaches; and
- (b) fix in respect of peaches or of any grade or class thereof, different minimum prices in respect of different quantities or in respect of different times of the year.

SPECIAL POWERS OF THE BOARD WITH REGARD TO SEASONAL CONTRACTS.

19. The Board may, with the approval of the Minister, prohibit any person or any person belonging to any class or group of persons, from selling during a period to be determined by the Board any quantity of peaches to any canner or prohibit any canner from purchasing any quantity of peaches from any person or any person belonging to any class or group of persons during any such period, otherwise than in accordance with a written agreement entered into on or before a date fixed by the Board or such later date as the Board may in special circumstances allow, of which a certified copy has been submitted to the Board on or before that date and in terms whereof provision is made for the purchase and sale of such peaches at prices determined in accordance with the grade thereof.

20. The Board may with the approval of the Minister, from time to time prohibit any producer from selling peaches which he has produced, except such class, grade, quantity or percentage thereof as the Board has determined or except for such purposes as the Board has defined.

REGISTRATION OF PRODUCERS AND OF CERTAIN PERSONS DEALING WITH PEACHES IN THE COURSE OF TRADE.

21. (1) No producer shall sell peaches unless he is registered with the Board.

(2) No person shall can peaches for sale, or can peaches on behalf of the owner thereof, unless he is registered with the Board.

(3) No person shall be so registered unless he has complied with such requirements as may be prescribed by regulation under the Act.

(4) The Board may grant any such registration for such period as it may determine and may cancel any such registration if the person registered has contravened or failed to comply with any requirement referred to in sub-section (3).

(5) Any person who is dissatisfied with any decision of the Board in connection with any matter relating to his registration by the Board in terms of this section, may appeal to the Minister against such decision.

DIFFERENTIATION BETWEEN AREAS AND KINDS OR CLASSES OF PEACHES.

22. Any requirement or prohibition imposed or decision taken by the Board which relates to any portion of the Republic of South Africa or to any class of peaches, may differ from any such requirement or prohibition or decision which relates to any other portion of the Republic of South Africa or any other class of peaches, or may apply only to specified portions of the Republic of South Africa or relate only to a specified class of peaches.

VASSTELLING VAN MINIMUMPRYSE VIR PERSKES.

18. (1) Met die Minister se goedkeuring kan die Raad van tyd tot tyd enigiemand, of iemand wat tot 'n klas of groep persone behoort, of iemand anders as iemand wat tot 'n klas of groep persone behoort, verbied om 'n hoeveelheid perskes of 'n klas of graad daarvan te verkry, te verkoop of van die hand te sit teen 'n laer prys as 'n prys deur die Raad vasgestel of bereken ooreenkomstig 'n basis deur die Raad bepaal vir sodanige perskes of vir sodanige hoeveelheid, klas of graad daarvan.

(2) By die uitoefening van sy bevoegdhede kragtens sub-artikel (1) kan die Raad, met die Minister se goedkeuring—

- (a) die gelde of koste bepaal wat ingesluit of bygevoeg moet word by of afgetrek moet word van enige prys in genoemde subartikel vermeld of die gewig bepaal wat, met betrekking tot enige hoeveelheid daarin genoem, toegelaat moet word vir enige houder van die perskes; en
- (b) ten opsigte van perskes of van 'n graad of klas daarvan, verskillende minimumpryse ten opsigte van verskillende hoeveelhede of ten opsigte van verskillende tye van die jaar vasstel.

SPESIALE BEVOEGDHEDE VAN DIE RAAD MET BETREKKING TOT SEISOENSOOREENKOMSTE.

19. Die Raad kan, met die goedkeuring van die Minister, enigiemand of iemand wat tot 'n klas of groep persone behoort, verbied om gedurende 'n tydperk deur die Raad bepaal te word 'n hoeveelheid perskes aan 'n inmaker te verkoop, of 'n inmaker verbied om gedurende so 'n tydperk van enigiemand of iemand wat tot 'n klas of groep persone behoort 'n hoeveelheid perskes te koop, behalwe ooreenkomstig 'n skriftelike ooreenkoms aangegaan voor of op 'n datum wat die Raad bepaal of so 'n later datum as wat die Raad onder spesiale omstandighede mag toelaat, waarvan 'n gewaarmerkte afskrif voor of op daardie datum aan die Raad voorgelê is en waarvolgens voorsiening gemaak word vir die koop en verkoop van sodanige perskes teen pryse volgens die graad daarvan bereken.

20. Met die goedkeuring van die Minister, kan die Raad 'n produsent van tyd tot tyd belet om perskes wat hy geproduseer het, behalwe 'n klas, graad, hoeveelheid of persentasie daarvan wat die Raad vasgestel het, of behalwe vir 'n doel wat die Raad bepaal het, te verkoop.

REGISTRASIE VAN PRODUSENTE EN VAN SEKERE PERSONE WAT MET PERSKES AS 'N BESIGHEID HANDEL.

21. (1) Geen produsent mag perskes verkoop nie, tensy hy by die Raad geregistreer is.

(2) Niemand mag perskes vir verkoop inmaak, of perskes ten behoeve van die eienaar daarvan inmaak nie, tensy hy by die Raad geregistreer is.

(3) Niemand word aldus geregistreer nie tensy hy voldoen het aan die vereistes wat by regulasie kragtens die Wet voorgeskryf mag word.

(4) Die Raad kan enige sodanige registrasie verleen vir sodanige tydperk as wat die Raad mag bepaal en kan enige sodanige registrasie intrek indien die geregistreerde persoon enige vereiste genoem in subartikel (3) oortree het of versuim het om daaraan te voldoen.

(5) Iemand wat ontevrede is met 'n besluit van die Raad in verband met enige aangeleentheid betreffende sy registrasie deur die Raad ingevolge hierdie artikel, kan teen sodanige besluit na die Minister appelleer.

ONDERSKEIDING TUSSEN GEBIEDE EN KLASSE VAN PERSKES.

22. 'n Voorskrif van of verbod opgelê of besluit geneem deur die Raad met betrekking tot 'n deel van die Republiek van Suid-Afrika of 'n klas perskes, kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot 'n ander deel van die Republiek van Suid-Afrika of 'n ander klas perskes, of kan alleen op gespesifiseerde gedeeltes van die Republiek van Suid-Afrika van toepassing wees of alleen op 'n gespesifiseerde klas perskes betrekking hê.

INSPECTION POWERS.

23. The Board shall have power, for the purpose of the enforcement of the provisions of this scheme, to empower any person generally or in any particular case, at all reasonable hours—

- (a) to enter any place occupied by any person who is, or is suspected to be, a producer of or a person dealing in the course of trade with peaches, or any place or vehicle in or upon which there is kept, or is suspected to be kept, any quantity of peaches by any person for any purpose other than consumption by the owner of such peaches or by the members of his household;
- (b) to inspect any such peaches and to examine all books and documents at any such place or in or upon any such vehicle which are believed, upon reasonable grounds, to relate to such peaches and to make copies of or take extracts from such books and documents;
- (c) to demand from the owner or custodian of such peaches any information concerning such peaches;
- (d) to demand from the owner or custodian of any such book or document an explanation of any entry therein;
- (e) to seize any books, documents, or articles which may afford evidence of the commission of an offence under the Act of this scheme or any regulation made under the Act, or any quantity of peaches in respect of which any such offence is suspected to have been committed, and to remove from the place or vehicle in question or to leave at such place or on such vehicle any books, documents, articles or any quantity of peaches which has been so seized, and if he deems fit to place on any such book, document, article or peaches, or on the container thereof, any identification mark which he may consider necessary; and
- (f) to take samples of any such peaches, including any quantity of such peaches which has been seized in terms of paragraph (e) and to examine or grade such samples or cause them to be examined or graded.

OFFENCES AND PENALTIES.

24. Any person who—

- (a) contravenes or fails to comply with—
 - (i) any provision of this scheme or any prohibition, requirement, direction, decision or determination imposed, prescribed, given, taken or made thereunder; or
 - (ii) any condition prescribed in connection with any such provision, prohibition, requirement, direction, decision or determination; or
 - (iii) any condition subject to which he has in pursuance of any such provision, prohibition, requirement, direction, decision or determination been authorised to do any act; or
- (b) fails to keep, issue or render any record, invoice, account, statement or return which he is required to keep, issue or render in terms of this scheme or a requirement prescribed under this scheme or in terms of a condition referred to in sub-paragraph (ii) or (iii) of paragraph (a); or
- (c) fails to retain any record for the period for which he is required to retain it in terms of a requirement prescribed under this scheme; or
- (d) in any record, invoice, account, statement or return referred to in paragraph (b) furnishes any information which is incorrect or calculated to mislead,

shall be guilty of an offence and on conviction liable to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

INSPEKSIEBEVOEGDHEDE.

23. Die Raad het die bevoegdheid om, vir die toepassing van die bepalings van hierdie skema, aan enige persoon in die algemeen of in enige besondere geval, die bevoegdheid te verleen om op alle redelike tye—

- (a) 'n plek te betree wat geokkupeer word deur 'n persoon wat 'n produsent van perskes is of ten opsigte van wie daar vermoed word dat hy so 'n produsent is, of 'n persoon wat as 'n besigheid handel of vermoed word as 'n besigheid te handel met perskes, of 'n plek of voertuig waarin of waarop daar 'n hoeveelheid perskes deur iemand gehou word of na vermoede ge'ou word vir 'n ander doel as vir verbruik deur die eienaar van die perskes of deur lede van sy huisgesin;
- (b) enige sodanige perskes te inspekteer en alle boeke en stukke op so 'n plek of in of op so 'n voertuig ten opsigte waarvan daar redelike grond bestaan om te vermoed dat dit met sodanige perskes in verband staan, te ondersoek en afskrifte van of uit-treksels uit sulke boeke en stukke, te maak;
- (c) van die eienaar van die perskes of van iemand wat dit in sy bewaring het, inligting in verband daarmee te eis;
- (d) van die eienaar van so 'n boek of stuk of van iemand wat dit in sy bewaring het, 'n verduideliking van 'n inskrywing daarin te eis;
- (e) beslag te lê op alle boeke, stukke of artikels wat bewys kan lewer van 'n misdryf ingevolge die Wet of hierdie skema of 'n regulasie uitgevaardig kragtens die Wet gepleeg, of op enige hoeveelheid perskes ten opsigte waarvan enige sodanige misdryf vermoedelik gepleeg is, en om enige boeke, stukke of artikels of enige hoeveelheid perskes waarop aldus beslag gelê is, van die betrokke plek of voertuig te verwyder, of dit op die betrokke plek of voertuig te laat en na goe'ddunke op sodanige boek, stuk, artikel, perskes, of die houer daarvan, enige identifikasiemerk wat hy nodig mag ag, aan te bring; en
- (f) van enige perskes, met inbegrip van 'n hoeveelheid perskes waarop ingevolge paragraaf (e) beslag gelê is, monsters te neem en sodanige monsters te ondersoek of te gradeer of te laat ondersoek of gradeer.

MISDRYWE EN STRAFBEPALINGS.

24. Iedereen wat—

- (a) 'n oortreding begaan van of versuim om te voldoen aan—
 - (i) enige bepaling van hierdie skema of enige verbod, vereiste, voorskrif, besluit of vasstelling ingevolge daarvan opgelê, voorgeskryf, uitgereik, geneem of gemaak; of
 - (ii) enige voorwaarde voorgeskryf in verband met sodanige bepaling, verbod, vereiste, voorskrif, besluit of vasstelling; of
 - (iii) enige voorwaarde onderworpe waaraan hy ooreenkomstig sodanige bepaling, verbod, vereiste, voorskrif, besluit of vasstelling gemagtig is om enige daad te verrig; of
- (b) versuim om enige rekord, faktuur, rekening, staat of opgawe te hou, uit te reik of te verstrek wat hy ingevolge hierdie skema of 'n vereiste voorgeskryf kragtens hierdie skema of ingevolge 'n voorwaarde genoem in sub-paragraaf (ii) of (iii) van paragraaf (a) moet hou, uitreik of verstrek; of
- (c) versuim om enige rekord te bewaar vir die tydperk wat hy dit ingevolge 'n vereiste kragtens hierdie skema voorgeskryf, moet bewaar; of
- (d) in enige rekord, faktuur, rekening, staat of opgawe genoem in paragraaf (b) enige inligting verstrek wat onjuis is of daarop bereken is om te mislei;

is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en gevangenisstraf.

DISCONTINUANCE OF SCHEME.

25. In the event of the discontinuance of this scheme—

- (a) all the assets of the Board after all its debts have been paid, shall be handed over to the Minister and the assets so handed over shall be utilised by the Minister in his discretion for the advancement of the interests of producers of peaches;
- (b) any deficit that may exist after all the assets of the Board have been realised, shall be borne by all producers to whom this scheme applies, *pro rata* to the quantity of peaches sold by or on behalf of such producers during the period of two years immediately preceding the date on which this scheme is discontinued or during the period this scheme was in operation, whichever is the shorter period.

No. R. 349, 1963.]

DATE OF COMING INTO OPERATION OF THE SLUMS AMENDMENT ACT, 1963 (ACT No. 55 OF 1963).

Under the powers vested in me by section *twenty-four* of the Slums Amendment Act, 1963 (Act No. 55 of 1963), I hereby declare that the provisions of the said Act shall come into operation on the first day of January, 1964.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Twenty-second day of November, One thousand Nine hundred and Sixty-three.

C. R. SWART,
State President.

By Order of the State President-in-Council.

P. W. BOTHA.

No. R. 350, 1963.]

CHANGE OF THE DESIGNATION OF THE HEAD OF THE DEPARTMENT OF PRISONS.

Under the powers vested in me by section *twenty-seven* of the Public Service Act, 1957 (Act No. 54 of 1957), as amended, I hereby amend, in accordance with the recommendation of the Public Service Commission, the First Schedule to the said Act with effect from the 23rd December, 1963, by the substitution for the words "Director of Prisons" where they appear in column II of the said Schedule, of the words "Commissioner of Prisons".

Given under my Hand and the Seal of the Republic of South Africa at Brandfort on this Fourth day of December, One thousand Nine hundred and Sixty-three.

C. R. SWART,
State President.

By Order of the State President-in-Council.

J. DE KLERK.

No. R. 351, 1963.]

LICENSING AND CONTROL OF DOGS IN BANTU AREAS IN THE PROVINCE OF THE CAPE OF GOOD HOPE.

Under and by virtue of the powers vested in me by section *twenty-five* of the Native Administration Act, 1927 (Act No. 38 of 1927), as amended, I hereby declare that the laws contained in the Schedule hereto shall, with effect from the 1st January, 1964, have the force of law in the Bantu areas in the Province of the Cape of Good Hope (excluding the Transkeian Territories) referred to in section *twenty-five* of the said Native Administration Act, 1927, and in sub-section (1) of section *twenty-one* of the Native Trust and Land Act, 1936 (Act No. 18 of 1936), as amended.

OPHEFFING VAN SKEMA.

25. Ingeval hierdie skema opgehef word—

- (a) word alle bates van die Raad, nadat al sy skulde betaal is, aan die Minister oorhandig en die bates aldus oorhandig, word deur die Minister na goeddunke vir die bevordering van die belange van produsente van perskes aangewend;
- (b) word enige tekort wat mag bestaan nadat al die bates van die Raad tot geld gemaak is, gedra deur alle produsente op wie hierdie skema van toepassing is, *pro rata* tot die hoeveelheid perskes deur of ten behoeve van sodanige produsente verkoop gedurende die tydperk van twee jaar onmiddellik voor die datum waarop hierdie skema opgehef word, of gedurende die tydperk wat hierdie skema in werking was, watter tydperk ookal die kortste is.

No. R. 349, 1963.]

DATUM VAN INWERKINGTREDING VAN DIE SLUMSWYSIGINGSWET, 1963 (WET No. 55 VAN 1963).

Kragtens die bevoegdheid my verleen by artikel *vier-en-twintig* van die Slumswysigingswet, 1963 (Wet No. 55 van 1963), verklaar ek hierby dat die bepalings van genoemde Wet No. 55 van 1963 op die eerste dag van Januarie 1964 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Twee-en-twintigste dag van November Eenduisend Negehoonderd Drie-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

P. W. BOTHA.

No. R. 350, 1963.]

VERANDERING VAN BENAMING VAN DIE HOOF VAN DIE DEPARTEMENT VAN GEVANGENISSE.

Kragtens die bevoegdheid my verleen by artikel *sewe-en-twintig* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), soos gewysig, wysig ek hierby, ooreenkomstig die aanbeveling van die Staatsdienskommissie, die Eerste Bylae van genoemde Wet met ingang van 23 Desember 1963 deur die woorde „Direkteur van Gevangenisse” waar hulle in kolom II van genoemde Bylae voorkom deur die woorde „Kommissaris van Gevangenisse” te vervang.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Brandfort, op hede die Vierde dag van Desember Eenduisend Negehoonderd Drie-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

J. DE KLERK.

No. R. 351, 1963.]

LISENSIERING VAN EN BEHEER OOR HONDE IN BANTOEGBIEDE IN DIE PROVINSIE DIE KAAP DIE GOEIE HOOP.

Kragtens die bevoegdheid my verleen by artikel *vyf-en-twintig* van die Naturelle-administrasie Wet, 1927 (Wet No. 38 van 1927), soos gewysig, verklaar ek hierby dat die wetgewing wat in bygaande Bylae vervat is, met ingang van 1 Januarie 1964 die krag van wet het in die Bantoegebiede in die Provinsie die Kaap die Goeie Hoop (uitgesonderd die Transkeise Gebiede) waarna verwys word in artikel *vyf-en-twintig* van genoemde Naturelle-administrasie Wet, 1927, en in subartikel (1) van artikel *een-en-twintig* van die Naturelletrust en -grond Wet, 1936 (Wet No. 18 van 1936), soos gewysig.

Given under my Hand and the Seal of the Republic of South Africa at Brandfort on this Ninth day of December, One thousand Nine hundred and Sixty-three.

C. R. SWART,

State President.

By Order of the State President-in-Council.

N. DIEDERICH.

SCHEDULE.

1. (1) In this Proclamation, unless inconsistent with the context—

“authorised officer” means a Bantu Affairs Commissioner appointed under section *two* of the Native Administration Act, 1927 (Act No. 38 of 1927), as amended, any person appointed by him in writing as an authorised officer, any commissioned or non-commissioned officer of the South African Police and a receiver of dog tax;

“Bantu” means a Native as defined in section *thirty-five* of the Native Administration Act, 1927 (Act No. 38 of 1927), as amended;

“Minister” means the Minister of Bantu Administration and Development;

“owner” in relation to a dog includes any person having the dog in his possession, in his charge, under his control or in his custody or harbouring the dog and “owned” has a corresponding meaning;

“receiver of dog tax” means a Bantu Affairs Commissioner and any person appointed by him in writing to issue licences and badges in terms of this Proclamation.

2. (1) Every Bantu owner of a dog which is of the age of three months or over shall, subject to the provisions of this section and of section *three* of this Proclamation, licence such dog and take out in respect thereof such licence or badge or both such licence and badge as may be required.

(2) The particulars prescribed in the Annexure hereto shall appear on such licence and badge, which shall be valid until the thirty-first day of December of the year in which it was issued and which shall be issued by a receiver of dog tax of the area in which the person required to take it out resides.

(3) If a badge is lost or destroyed the licence holder may obtain from the receiver of dog tax a duplicate badge on payment of a fee of ten cents.

(4) The licence fee shall become due on the first day of January in each year in respect of every dog which is then of the age of three months or over, and shall be payable on or before the thirtieth day of June next succeeding.

(5) In any case in which the provisions of sub-section (4) do not apply the licence fee shall become due immediately any dog reaches the age of three months or a Bantu becomes the owner of, or introduces into the areas in which the provisions of this Proclamation apply, any dog which is three months of age or over, and shall be payable within one month thereafter: Provided that no licence fee shall be payable in terms of this sub-section before the thirtieth day of June in any year.

(6) For the purposes of this Proclamation it shall be presumed, unless the contrary is proved, that every dog is of the age of three months or over and that the owner of a dog was the owner thereof on the first day of January in any year.

3. (1) For every licence and badge shall be paid—

(a) in respect of every dog, whether a male dog or a bitch, which, in the opinion of the receiver of dog tax is a dog of the greyhound strain or a similar type of hunting dog, a sum of ten rand;

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Brandfort op hede die Negende dag van Desember Eenduisend Negehonderd Drie-en-sestig.

C. R. SWART,

Staatspresident.

Op las van die Staatspresident-in-rade.

N. DIEDERICH.

BYLAE.

1. (1) In hierdie Proklamasie, tensy onbestaanbaar met die samehang, beteken—

„gemagtigde beampte” ’n Bantoesakekommissaris aangestel kragtens artikel *twee* van die Naturelle-administrasie Wet, 1927 (Wet No. 38 van 1927), soos gewysig, enige persoon skriftelik deur hom aangestel as ’n gemagtigde beampte, enige offisier of onder-offisier van die Suid-Afrikaanse Polisie en ’n ontvanger van hondebelaasting;

„Bantoe” ’n Naturel soos omskryf in artikel *vyf-entertig* van die Naturelle-administrasie Wet, 1927 (Wet No. 38 van 1927), soos gewysig;

„Minister” die Minister van Bantoe-administrasie en -ontwikkeling;

„eienaar”, met betrekking tot ’n hond, enige persoon wat ’n hond in sy besit, onder sy toesig, onder sy beheer of onder sy sorg of bewaring het en „besit” het ’n ooreenstemmende betekenis;

„ontvanger van hondebelaasting” ’n Bantoesakekommissaris en enige persoon skriftelik deur hom aangestel om lisensies en plaatjies kragtens hierdie Proklamasie uit te reik.

2. (1) Elke Bantoe-eienaar van ’n hond wat drie maande oud of ouer is moet, onderworpe aan die bepalings van hierdie artikel en van artikel *drie* van hierdie Proklamasie, sodanige hond lisensieer en sodanige lisensie of plaatjie of beide sodanige lisensie of plaatjie as wat vereis mag word, ten opsigte daarvan uitneem.

(2) Die besonderhede soos voorgeskryf in die Aanhangel hiervan moet op sodanige lisensie en plaatjie verskyn, wat geldig bly tot die een-en-dertigste dag van Desember van die jaar waarin dit uitgereik is en moet uitgereik word deur ’n ontvanger van hondebelaasting van die gebied waarin die persoon van wie vereis word om dit uit te neem, woon.

(3) Indien ’n plaatjie verloor of vernietig word, kan die lisensiehouer ’n duplikaatplaatjie teen betaling van ’n bedrag van tien sent van die ontvanger van hondebelaasting verkry.

(4) Lisensiegeld word verskuldig op die eerste dag van Januarie in elke jaar ten opsigte van elke hond wat dan drie maande oud of ouer is en is betaalbaar voor of op die dertigste dag van die eersvolgende Junie.

(5) In enige geval waar die bepalings van subartikel (4) nie van toepassing is nie, word die lisensiegeld verskuldig sodra enige hond die ouderdom van drie maande bereik of sodra ’n Bantoe die eienaar word van ’n hond wat drie maande oud of ouer is, of enige hond wat drie maande oud of ouer is, inbring in die gebiede waarin die bepalings van hierdie Proklamasie van toepassing is en is binne een maand daarna betaalbaar: Met dien verstande dat geen lisensiegeld kragtens hierdie subartikel betaalbaar is voor die dertigste dag van Junie in enige jaar nie.

(6) Vir die doeleindes van hierdie Proklamasie word aangeneem, tensy die tendeel bewys word, dat elke hond drie maande oud of ouer is en dat die eienaar van ’n hond die eienaar daarvan op die eerste dag van Januarie in enige jaar was.

3. (1) Vir elke lisensie en plaatjie moet die volgende betaal word:—

(a) Ten opsigte van elke hond, hetsy ’n reün of ’n teef wat, na die mening van die ontvanger van hondebelaasting, ’n hond van die windhondras of dergelyke soort jaghond is, ’n bedrag van tien rand;

- (b) in respect of a bitch to which the provisions of paragraph (a) do not apply, an amount of two rand: Provided that if a veterinary surgeon certifies that a bitch to which the provisions of paragraph (a) do not apply has been speyed, the amount payable in respect of that bitch shall be one rand;
- (c) in respect of a male dog to which the provisions of paragraph (a) do not apply, an amount of one rand.

(2) Not more than one dog may be kept per Bantu kraal: Provided that one additional dog may be kept by the Bantu kraal head if the written authority of the Bantu Affairs Commissioner has been obtained.

(3) Notwithstanding the provisions of this section, the Bantu Affairs Commissioner may grant exemption from the payment of licence fees in respect of one dog used by a blind person as a lead dog and upon such exemption being granted there shall be issued a badge free of charge.

4. Every Bantu owner of a dog in respect of which a licence is necessary under this Proclamation shall, if requested by any authorised officer and within fourteen days after such request, produce or cause to be produced for inspection a valid licence or exemption from the payment of licence fees and the dog in respect of which such licence or exemption was issued.

5. If a badge or duplicate badge has been issued in terms of section two, the owner of the dog in respect of which such badge was issued, shall cause the badge to be worn by such dog at all times during the validity of the badge.

6. Any dog may be destroyed forthwith—

- (a) by, or on the order of, the owner, lessee or occupier of a farm, portion of a farm or allotment if found trespassing thereon;
- (b) by, or on the order of, any authorised officer if found without a badge required in respect of it under this Proclamation.

7. (1) Any authorised officer may for any purpose connected with the carrying out of the provisions of this Proclamation at all reasonable times and without previous notice enter upon any land or enter any premises whatsoever, take with him onto any such land or premises an interpreter or other assistant and make such examination and inquiry as he may deem necessary. For the purposes of this section any such interpreter or assistant shall, while acting under the lawful direction of the authorised officer he accompanies, be deemed to be an authorised officer.

(2) Any authorised officer may, while he is on such land or premises or at any other time and place, question either alone or in the presence of any other person, as he thinks fit, any person who, in the opinion of such authorised officer, may be able to furnish any information desired by him for any purpose aforesaid.

(3) Any person who occupies land or premises and any employee of any such person shall upon the request of an authorised officer furnish to the authorised officer such facilities as are required by him for entering upon the land or for entering the premises or in the exercise on such land or premises of his powers under sub-sections (1) and (2).

(4) Any person who—

- (a) makes a false statement to an authorised officer knowing such statement to be false; or
- (b) refuses or fails to answer to the best of his ability any question which an authorised officer has put to him in the execution of his powers or duties under this Proclamation; or
- (c) refuses or fails to comply to the best of his ability with any requirement of an authorised officer in the execution of his said powers or duties; or

- (b) ten opsigte van 'n teef waarop die bepalings van paragraaf (a) nie van toepassing is nie, 'n bedrag van twee rand: Met dien verstande dat as 'n veearts sertifiseer dat die eierstokke verwyder is van 'n teef, waarop die bepalings van paragraaf (a) nie van toepassing is nie die bedrag betaalbaar ten opsigte van daardie teef, een rand is;
- (c) ten opsigte van 'n reu waarop die bepalings van paragraaf (a) nie van toepassing is nie, 'n bedrag van een rand.

(2) Daar mag nie meer as een hond per Bantokraal aangehou word nie: Met dien verstande dat een addisionele hond deur die Bantokraalhoof aangehou mag word mits die skriftelike toestemming van die Bantoesakekommissaris daartoe verkry is.

(3) Nieteenstaande die bepalings van hierdie artikel mag die Bantoesakekommissaris vrystelling verleen van die betaling van lisensiegelde ten opsigte van een hond wat deur 'n blinde persoon as 'n gidshond gebruik word en by die verlening van sodanige vrystelling moet daar 'n plaatjie kosteloos uitgereik word.

4. Elke Bantoe-eienaar van 'n hond ten opsigte waarvan 'n lisensie kragtens hierdie Proklamasie nodig is, moet wanneer deur enige gemagtigde beampte daartoe versoek en binne veertien dae na sodanige versoek, 'n geldige lisensie of 'n vrystelling van die betaling van lisensiegelde en die hond ten opsigte waarvan sodanige lisensie of vrystelling uitgereik is, vir inspeksie toon of laat toon.

5. As 'n plaatjie of 'n duplikaatplaatjie kragtens artikel twee uitgereik is, moet die eienaar van die hond ten opsigte waarvan sodanige plaatjie uitgereik is, die hond op alle tye, gedurende die geldigheidsduur van die plaatjie, sodanige plaatjie laat dra.

6. Enige hond kan onverwyld van kant gemaak word—

- (a) deur of op las van die eienaar, huurder of bewoner van 'n plaas, gedeelte van 'n plaas of perseel, as dit daarop oortree;
- (b) deur of op las van 'n gemagtigde beampte as dit gevind word sonder 'n plaatjie wat ingevolge hierdie Proklamasie ten opsigte daarvan vereis word.

7. (1) 'n Gemagtigde beampte kan vir enige doel in verband met die uitvoering van die bepalings van hierdie Proklamasie, op alle redelike tye en sonder kennisgewing vooraf, enige grond of enige perseel, van watter aard ook al betree, met hom op sodanige grond of perseel 'n tolk of ander assistent saamneem en sodanige ondersoek instel en navraag doen as wat hy nodig mag ag. Vir die doeleindes van hierdie artikel word enige sodanige tolk of assistent, terwyl hy optree in wettige opdrag van die gemagtigde beampte wat hy vergesel, as 'n gemagtigde beampte beskou.

(2) Enige gemagtigde beampte kan, terwyl hy op sodanige grond of perseel is of op enige ander plek en tyd 'n persoon wat na die mening van sodanige gemagtigde beampte in staat is om inligting te verstrek wat hy vir voornoemde doel verlang, hetsy alleen of in die teenwoordigheid van enige ander persoon, na sy goëddunke ondervra.

(3) Enige persoon wat grond of 'n perseel okkupeer en enige werknemer van enige sodanige persoon moet, op versoek van 'n gemagtigde beampte, aan die gemagtigde beampte sodanige fasiliteite verskaf as wat deur hom vereis word ten einde die grond of die perseel te betree, of in die uitoefening op sodanige grond of perseel van sy bevoegdhede kragtens subartikels (1) en (2).

(4) Enige persoon wat—

- (a) 'n valse verklaring, wetende dat dit vals is, aan 'n gemagtigde beampte doen; of
- (b) weier of in gebreke bly om na sy beste vermoë enige vraag te beantwoord wat 'n gemagtigde beampte, in die uitoefening van sy bevoegdhede of vervulling van sy pligte kragtens hierdie Proklamasie aan hom gestel het; of
- (c) weier of in gebreke bly om na sy beste vermoë te voldoen aan enige vereiste gestel deur 'n gemagtigde beampte in die uitoefening van sy genoemde bevoegdhede of pligte; of

- (d) resists or hinders or obstructs any authorised officer in the execution of any of the powers conferred upon or duties entrusted to him by this Proclamation; or
- (e) falsely hold himself out to be an authorised officer; or
- (f) contravenes or fails to comply with any of the provisions of sub-section (3);

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred rand or, in default of payment, to imprisonment for a period not exceeding six months.

8. (1) Any Bantu who, in terms of this Proclamation, is required to have a dog licensed and who fails or neglects to obtain such licence within the period prescribed by section two or who fails or neglects to produce such licence or the dog in respect of which it was issued when required to do so in accordance with the provisions of section four, shall be guilty of an offence and liable on conviction to a fine not exceeding fifteen rand or, in default of payment, to imprisonment for a period not exceeding one month.

(2) Any Bantu being the owner of a dog in respect of which the wearing of a badge is compulsory which is not wearing a current badge as required by this Proclamation shall be guilty of an offence and liable on conviction to a fine not exceeding five rand or, in default of payment, to imprisonment for a period not exceeding one week.

(3) Any person who—

- (a) fabricates any document or piece of metal or other substance with intent that such document shall be used as a licence or such piece of metal or other substance shall be used as a badge or duplicate badge issued under this Proclamation; or
- (b) uses or utters any fabricated document or piece of metal or other substance knowing the same to have been fabricated with the intent aforesaid; or
- (c) steals or is found in possession, without being able to account satisfactorily for such possession, of a licence or badge or duplicate badge issued under this Proclamation to another person;

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred rand or, in default of payment, to imprisonment for a period not exceeding six months.

9. Whenever a dog is not wearing a current badge as required by section five it shall, in any prosecution against any person under section two read with sub-section (1) of section eight, be deemed that a licence has not been obtained in respect of that dog for the period in question, unless the contrary is proved.

10. (1) The owner of a dog which commits a trespass shall, if such dog causes damage whilst thus trespassing, be guilty of an offence and liable on conviction to a fine not exceeding fifty rand or, in default of payment, to imprisonment for a period not exceeding three months, and the court may order the destruction of such dog.

(2) In any prosecution under sub-section (1) it shall be presumed that the person in whose custody and under whose control the dog which trespassed actually was at the time of such trespass is the owner of such dog, unless the contrary is proved.

11. The Bantu owner of a dog duly licensed in terms of the provisions of the Dog Tax Ordinance, 1946 (Ordinance No. 22 of 1946) (Cape), in an area in the Province of the Cape of Good Hope other than an area to which the provisions of this Proclamation applies, shall upon the introduction of such dog into an area in which the provisions of this Proclamation apply, be exempt during the currency of such licence from the payment of licence

(d) hom verset teen 'n gemagtigde beampte of sodanige beampte hinder of belemmer in die uitvoering van enige van die bevoegdhede of pligte wat aan hom verleen of opgedra is kragtens hierdie Proklamasie; of

- (e) valslik voorgee dat hy 'n gemagtigde beampte is; of
- (f) enige van die bepalings van subartikel (3) oortree of in gebreke bly om daaraan te voldoen,

begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens eenhonderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

8. (1) Enige Bantoe wat ingevolge hierdie Proklamasie 'n hond moet laat lisensieer en wat versuim of nalaat om die lisensie binne die tydperk in artikel twee voorgeskryf, te verkry, of wat versuim of nalaat om die lisensie of die hond ten opsigte waarvan dit uitgereik is op versoek ooreenkomstig artikel vier te toon, begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens vyftien rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens een maand.

(2) Enige Bantoe wat die eienaar van 'n hond is ten opsigte waarvan die dra van 'n plaatjie verpligtend is, begaan, indien die hond nie 'n geldige plaatjie dra soos by hierdie Proklamasie vereis nie, 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens vyf rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens een week.

(3) Enige persoon wat—

- (a) 'n dokument of stuk metaal of ander stof namaak met die doel om sodanige dokument as 'n lisensie of sodanige stuk metaal of ander stof as 'n plaatjie of 'n duplikaatplaatjie wat kragtens hierdie Proklamasie uitgereik is, te gebruik; of
- (b) 'n nagmaakte dokument of stuk metaal of ander stof gebruik of uitgee, wetende dat dit met voor-noemde doel nagmaak is; of
- (c) 'n lisensie of plaatjie of 'n duplikaatplaatjie, aan 'n ander persoon uitgereik kragtens hierdie Proklamasie, steel of in besit daarvan gevind word sonder dat hy op 'n bevredigende wyse van die besit daarvan rekenskap kan gee,

begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens eenhonderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

9. Wanneer 'n hond nie 'n geldige plaatjie soos vereis by artikel vyf dra nie, word daar, tensy die teendeel bewys word, in enige vervolging teen enige persoon ingevolge artikel twee, gelees met subartikel (1) van artikel agt, geag dat 'n lisensie nie ten opsigte van daardie hond vir die betrokke tydperk verkry is nie.

10. (1) Die eienaar van 'n hond wat oortree, begaan, indien sodanige hond skade aanrig terwyl hy sodanig oortree, 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens vyftig rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens drie maande en die hof kan gelas dat sodanige hond van kant gemaak word.

(2) In 'n vervolging kragtens subartikel (1) word daar vermoed dat die persoon onder wie se toesig en beheer die hond wat oortree het werklik was toe die oortreding plaasgevind het, die eienaar van die hond is tensy die teendeel bewys word.

11. Die Bantoe-eienaar van 'n hond wat behoorlik gelisensieer is kragtens die bepalings van die Ordonnansie op Hondebelaasting, 1946 (Ordonnansie No. 22 van 1946) (Kaap), in 'n gebied in die Provinsie die Kaap die Goeie Hoop, uitgesonderd 'n gebied waarop die bepalings van hierdie Proklamasie van toepassing is, is, by die inbring van sodanige hond in 'n gebied waarin die bepalings van hierdie Proklamasie van toepassing is, vrygestel vir die tydperk van geldigheid van sodanige lisensie van die betaling van lisensiegelde betaalbaar ingevolge die bepalings van hierdie Proklamasie en enige lisensie en plaatjie

fees payable in terms of this Proclamation and any licence and badge issued to such owner in respect of such dog shall during its currency be deemed to have been issued to such owner in terms of this Proclamation.

12. All money collected in terms of this Proclamation shall be disposed of as follows:—

- (1) Amounts collected in an area in respect of which a Bantu regional authority has been established under section two of the Bantu Authorities Act, 1951 (Act No. 68 of 1951), shall accrue and be paid to the credit of such authority;
- (2) amounts collected in an area in respect of which no such Bantu regional authority has been established shall be paid into such trust account as the Minister may direct to be used for such purposes as the Minister may deem fit.

13. Nothing in this Proclamation contained shall be deemed to affect or impair the operation of the Dog Tax Ordinance, 1946 (Ordinance No. 22 of 1946) (Cape), in so far as it relates to the licensing of a dog owned by any person not being a Bantu.

ANNEXURE.

1. The following particulars shall appear on a licence:—

- (1) The period of validity;
- (2) the amount paid and the signature of the receiver of dog tax;
- (3) the name and address of the owner of the dog; and
- (4) a description of the dog as follows:—
 - (a) Type;
 - (b) sex; and
 - (c) colour; and
- (5) the number of the badge issued.

2. On the badge the following shall be clearly impressed:—

- (a) Kaapprovinsie/Cape Province;
- (b) Hond/Dog;
- (c) the number of the badge; and
- (d) the year of the validity of the badge.

GOVERNMENT NOTICES.

DEPARTMENT OF TRANSPORT.

No. R. 1961.] [20 December 1963.

NATIVE TRANSPORT SERVICES REGULATIONS, 1963.

The Minister of Transport has, under the provisions of section ten of the Native Transport Services Act, 1957 (Act No. 53 of 1957), repealed the Native Transport Services Regulations, 1957, and has, in terms of the said section, made the regulations contained in the Schedule hereto.

SCHEDULE.

SHORT TITLE AND SAVINGS.

1. (1) These regulations may be cited as the Native Transport Services Regulations, 1963.

(2) Anything done or deemed to have been done in terms of or by virtue of any provision of the Native Transport Services Regulations, 1957, shall be deemed to have been done in terms of or by virtue of the corresponding provisions of these regulations.

uitgereik aan sodanige eienaar ten opsigte van sodanige hond word gedurende die geldigheidsduur daarvan geag uitgereik te gewees het aan sodanige eienaar kragtens die bepalings van hierdie Proklamasie.

12. Oor alle gelde kragtens hierdie Proklamasie ingevorder moet soos volg beskik word:—

- (1) Bedrae ingevorder in 'n gebied ten opsigte waarvan 'n Bantootreestreeksoverheid kragtens artikel twee van die Wet op Bantootreestreeksoverhede, 1951 (Wet No. 68 van 1951), ingestel is, val sodanige owerheid toe en word in sy krediet betaal.
- (2) Bedrae ingevorder in 'n gebied ten opsigte waarvan daar nog geen sodanige Bantootreestreeksoverheid ingestel is nie, word gestort in sodanige trustrekening as wat die Minister mag gelas om gebruik te word vir sodanige doeleindes as wat die Minister goedvind.

13. Niks in hierdie Proklamasie vervat, word geag die werking van die Ordonnansie op Hondebelasting, 1946 (Ordonnansie No. 22 van 1946) (Kaap), te raak of afbreuk daaraan te doen nie vir sover dit betrekking het op die lisensiering van 'n hond wat deur enige persoon, uitgesonderd 'n Bantootreestreeksoverheid, besit word.

AANHANGSEL.

1. Die volgende besonderhede moet op 'n lisensie verskyn:—

- (1) Die tydperk van geldigheid;
- (2) die bedrag betaal en die handtekening van die ontvanger van hondebelasting;
- (3) die naam en adres van die eienaar van die hond;
- (4) die volgende bekrywing van die hond:—
 - (a) Tipe;
 - (b) geslag;
 - (c) kleur; en
- (5) die nommer van die plaatjie wat uitgereik is.

2. Die volgende moet duidelik op die plaatjie afgedruk word:—

- (a) Kaapprovinsie/Cape Province;
- (b) hond/dog;
- (c) die nommer van die plaatjie; en
- (d) die jaar van die geldigheidsduur van die plaatjie.

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN VERVOER.

No. R. 1961.] [20 Desember 1963.

REGULASIES OP VERVOERDIENSTE VIR NATURELLE, 1963.

Die Minister van Vervoer het, kragtens die bepalings van artikel tien van die Wet op Vervoerdienste vir Naturelle, 1957 (Wet No. 53 van 1957), die Regulasies op Vervoerdienste vir Naturelle, 1957, herroep en kragtens die bepalings van genoemde artikel die regulasies in bygaande Bylae vervat, gemaak.

BYLAE.

KORT TITEL EN VOORBEHOUD.

1. (1) Hierdie regulasies kan as die Regulasies op Vervoerdienste vir Naturelle, 1963, aangehaal word.

(2) Enigiets wat gedoen is of geag word gedoen te wees ingevolge of uit hoofde van 'n bepaling van die Regulasies op Vervoerdienste vir Naturelle, 1957, word geag ingevolge of uit hoofde van die ooreenstemmende bepaling van hierdie regulasies gedoen te wees.

INTERPRETATION OF TERMS.

2. In these regulations the expression "the Act" means the Native Transport Services Act, 1957 (Act No. 53 of 1957), and unless the context otherwise indicates, any expression used in these regulations to which a meaning has been assigned in the Act, bears the meaning so assigned.

DUTIES OF EMPLOYER.

3. An employer who is liable to make contributions shall—

- (a) within seven days of the coming into operation of these regulations, or of becoming such an employer and within seven days of any change of his address transmit by hand or by registered post to each urban local authority within whose area of jurisdiction he employs Natives in respect of whom contributions are payable, information in the form set out in Annex A;
- (b) in the case of a person who is not resident in the Republic, or in the case of a body which is not registered in the Republic under the law relating to companies, notify each local authority concerned of the address of his or its chief office and of the name of his or its chief officer in the Republic, and such officer shall be deemed to be an employer for the purposes of the Act and these regulations;
- (c) unless he maintains the records prescribed in terms of one or other of the statutes referred to in Annex A, maintain in respect of each declared area in which he is such an employer, a separate register in duplicate containing the information set out in Annex B regarding Natives in respect of whom contributions are payable by him to the urban local authority having jurisdiction in each such declared area;
- (d) within the first ten days of each month transmit to the urban local authority concerned the amount of contributions payable by him to such local authority in respect of the previous month together with—
 - (i) in the case of an employer who maintains records referred to in Annex A, information in the form set out in Annex C; and
 - (ii) in the case of an employer who does not maintain such records, the original register containing the information set out in Annex B and maintained in terms of paragraph (c).

DEFAULT BY EMPLOYER.

4. If an employer who is liable to make contributions fails to maintain proper records in terms of one or other of the statutes referred to in Annex A or in terms of paragraph (c) of regulation 3, as the case may be, or fails to comply with the terms of paragraph (d) of that regulation, the amount of contributions payable by him shall be determined by the urban local authority by referring to any records maintained by it, or by an investigation of the books and records of the employer or otherwise by an inspector, and the amount of contributions thus determined shall be deemed to be due and payable: Provided that if it is subsequently ascertained that the amount thus determined is incorrect the contribution shall be adjusted by a supplementary payment by the employer or a refund by the urban local authority as the case may be.

LETTER OF APPOINTMENT AS INSPECTOR.

5. An inspector shall be furnished with a letter of appointment by the urban local authority, which letter of appointment he shall produce on demand to any person referred to in regulation 6.

WOORDOMSKRYWING.

2. In hierdie regulasies beteken die uitdrukking „die Wet” die Wet op Vervoerdienste vir Naturelle, 1957 (Wet No. 53 van 1957), en, tensy uit die samehang anders blyk, het enige uitdrukking waaraan daar in die Wet ’n betekenis toegeken is, wanneer dit in hierdie regulasies gebruik word, die aldus toegekende betekenis.

PLIGTE VAN WERKGEWER.

3. ’n Werkgewer wat vir bydraes aanspreeklik is—

- (a) besorg binne sewe dae na die inwerkingtreding van hierdie regulasies, of na hy so ’n werkgewer word en binne sewe dae na enige verandering van sy adres, per hand of per aangetekende pos aan elke stedelike plaaslike bestuur binne die regsgebied waarvan hy Naturelle in diens het ten opsigte van wie bydraes betaalbaar is, inligting in die vorm soos in Aanhangsel A uiteengesit;
- (b) in die geval van ’n persoon wat nie in die Republiek woonagtig is nie of in die geval van ’n liggaam wat nie in die Republiek kragtens die Wet op Maatskappye geregistreer is nie, stel elke betrokke stedelike plaaslike bestuur in kennis van die adres van sy hoofkantoor en van die naam van hy hoof-beampte in die Republiek, en sodanige beampte word vir die doeleindes van die Wet en hierdie regulasies as ’n werkgewer beskou;
- (c) hou, tensy hy die registers hou wat voorgeskryf is in die een of ander van die wette waarvan in Aanhangsel A melding gemaak word, ten opsigte van elke verklaarde gebied waarin hy so ’n werkgewer is, ’n aparte register in tweevoud wat die inligting soos uiteengesit in Aanhangsel B bevat aangaande Naturelle ten opsigte van wie bydraes deur hom betaalbaar is aan die stedelike plaaslike bestuur wat regsbevoegdheid in elk sodanige verklaarde gebied het;
- (b) besorg binne die eerste tien dae van elke maand die bedrag aan bydraes deur hom ten opsigte van die vorige maand betaalbaar aan die betrokke stedelike plaaslike bestuur tesame met—
 - (i) in die geval van ’n werkgewer wat die registers hou waarvan in Aanhangsel A melding gemaak word, inligting in die vorm soos in Aanhangsel C uiteengesit; en
 - (ii) in die geval van ’n werkgewer wat nie sodanige registers hou nie, die oorspronklike register, wat die inligting soos in Aanhangsel B uiteengesit bevat en wat ingevolge paragraaf (c) gehou word.

VERSUIM DEUR WERKGEWER.

4. Indien ’n werkgewer deur wie bydraes betaalbaar is, versuim om behoorlike registers ingevolge die een of ander van die wette waarvan in Aanhangsel A melding gemaak word, of ingevolge paragraaf (c) van regulasie 3, na gelang van die geval, te hou, of versuim om aan die bepalings van paragraaf (d) van daardie regulasie te voldoen word die bedrag aan bydraes, deur hom betaalbaar, deur die stedelike plaaslike bestuur vasgestel deur referte na enige registers deur hom gehou of deur ’n ondersoek van die boeke en registers van die werkgewer of andersins deur ’n inspekteur en die bedrag aan bydraes aldus vasgestel, word as verskuldig en betaalbaar beskou: Met dien verstande dat indien daar later gevind word dat die bedrag aldus vasgestel, onjuis is, die bydrae aangepas word deur ’n bykomende betaling deur die werkgewer of ’n terugbetaling deur die stedelike plaaslike bestuur, na gelang van die geval.

BRIEF VAN AANSTELLING AS INSPEKTEUR.

5. ’n Inspekteur word deur die stedelike plaaslike bestuur van ’n aanstellingsbrief voorsien, wat hy op aanvraag aan enige persoon in regulasie 6 genoem, moet toon.

POWERS, FUNCTIONS AND DUTIES OF INSPECTOR.

6. An inspector may, in connection with the payment of contributions to the urban local authority by which he is appointed at all reasonable times—

- (a) enter upon any premises upon or in which adult male Natives are or are suspected to be employed or accommodated and question any Native found there in regard to any matter related to such Native's contract of service and place of residence;
- (b) inspect the books and other records of any person relating in any way to the employment and accommodation by him of Natives and may impound or make extracts from such books and records;
- (c) call upon any person to furnish any information relating to the employment and accommodation of Natives by such person or any other person.

INTERPRETER OR OTHER ASSISTANT FOR INSPECTOR.

7. (1) An inspector may be accompanied by an interpreter or other assistant in the performance of his functions under paragraph (a), (b) or (c) of regulation 6.

(2) An interpreter shall, while acting under the lawful directions of the inspector whom he accompanies, be deemed to be an inspector and any question put through, reply made to, requirement made by or hindering of an interpreter while so acting, shall be deemed to be a question put by, reply made to, requirement made by or hindering of an inspector.

MAGTE, WERKSAAMHEDE EN PLIGTE VAN INSPEKTEUR.

6. 'n Inspekteur kan, in verband met die betaling van bydraes aan die stedelike plaaslike bestuur deur wie hy aangestel is, op alle redelike tye—

- (a) enige perseel waar volwasse manlike Naturelle werk of gehuisves is of vermoedelik werk of gehuisves is, binnegaan, en enige Naturel wat hy daar vind, ondervra in verband met enige aangeleentheid wat op sodanige Naturel se dienskontrak en plek van huisvesting betrekking het;
- (b) die boeke en ander registers van enige persoon wat op enige wyse betrekking het op sy werkgewing aan en behuising van Naturelle nasien en kan sodanige boeke en registers in beslag neem of uittreksels daaruit maak;
- (c) enige persoon gelas om inligting te verskaf aangaande die werkgewing aan en behuising van Naturelle deur sodanige persoon of enige ander persoon.

TOLK OF ANDER ASSISTENT VIR INSPEKTEUR.

7. (1) 'n Inspekteur kan deur 'n tolk of ander assistent in die nakoming van sy pligte ingevolge paragraaf (a), (b) of (c) van regulasie 6 vergesel word.

(2) 'n Tolk, terwyl hy in wettige opdrag optree van die inspekteur wat hy vergesel, word as 'n inspekteur beskou en enige vrae gestel deur bemiddeling van, antwoord gegee aan, vereiste gestel deur of die verhoeding van 'n tolk in sodanige optrede word as 'n vraag gestel deur, antwoord gegee aan, vereiste gestel deur, of verhoeding van 'n inspekteur beskou.

ANNEX A.

INFORMATION REGARDING PLACE OF BUSINESS AND RECORDS MAINTAINED.

Name of business _____
 Business address _____
 Postal address _____
 Date of commencement of business _____

I maintain the records prescribed in terms of the following statutes in respect of Natives employed by me:—

- * Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941).
- * Industrial Conciliation Act, 1956 (Act No. 28 of 1956).
- * Wage Act, 1937 (Act No. 44 of 1937).
- * Workmen's Compensation Act, 1941 (Act No. 30 of 1941).

Date _____ Signature of Employer. _____

* Delete whichever is inapplicable.

AANHANGSEL A.

INLIGTING AANGAANDE BESIGHEIDSPLEK EN REGISTERS GEHOU.

Naam van besigheid _____
 Besigheidsadres _____
 Posadres _____
 Datum van aanvang van besigheid _____

Ek hou die registers voorgeskryf ooreenkomstig die volgende wette, ten opsigte van Naturelle in my diens:—

- * Wet op Fabriek, Masjinerie en Bouwerk, 1941 (Wet No. 22 van 1941).
- * Nywerheid-versoeningswet, 1956 (Wet No. 28 van 1956).
- * Loonwet, 1937 (Wet No. 44 van 1937).
- * Ongevallewet, 1941 (Wet No. 30 van 1941).

Datum _____ Handtekening van Werkgewer. _____

* Skrap wat nie van toepassing is nie.

Name of employer _____ Address of employer _____ Month _____ 19____

[illegible]

(1) On a five-day week basis.....

(2) On a six-day week basis.....

(3) On a seven-day week basis.....

Amount payable R.

I hereby certify that the above is a true statement of the male adults in my employ in respect of whom I am liable to make contributions and of the number of days worked by them during the month of _____ 19____.

Date _____

Signature of Employer.

¹ Dates on which worked to be marked "X". Dates on which not worked to be left blank.
² Date of termination of service to be shown opposite name of Native after last date worked.
³ The figures shown under items (1), (2) and (3) are divided by 5, 6 and 7, respectively, and the quotients are added together.

ANNEX C.

PARTICULARS OF ADULT MALE NATIVE EMPLOYEES.

1. Name of employer _____ Month _____
2. Address of employer _____
3. Number of Natives in respect of whom contributions are payable _____
4. Number of days worked by such Natives in the declared area:—
 - (1) On a five-day week basis _____
 - (2) On a six-day week basis _____
 - (3) On a seven-day week basis _____
5. Number of contributions calculated in terms of Section 3 (4) of the Act—(see note) _____
6. Amount payable _____

I hereby certify that the above is a true statement of the number of adult male Natives in my employ in respect of whom I am liable to pay contributions and of the number of days worked by them during the month of _____ 19____.

Date _____

Signature of Employer. _____

NOTE.—The figures shown under items (1), (2) and (3) of paragraph 4 above are divided by 5, 6 and 7 respectively, and the quotients added together in order to arrive at the figure to be shown in paragraph 6.

AANHANGSEL C.

BESONDERHEDE VAN VOLWASSE MANLIKE NATURELLEWERKNEMERS.

1. Naam van werkgewer _____ Maand _____
2. Adres van werkgewer _____
3. Getal Naturelle ten opsigte van wie bydraes betaalbaar is _____
4. Getal dae deur sodanige Naturelle in die verklaarde gebied gewerk:—
 - (1) Op grondslag van 'n week van vyf dae _____
 - (2) Op grondslag van 'n week van ses dae _____
 - (3) Op grondslag van 'n week van sewe dae _____
5. Getal bydraes bereken ooreenkomstig artikel 3 (4) van die Wet—(sien opmerking) _____
6. Bedrag betaalbaar _____

Ek sertifiseer hierby dat bostaande 'n juiste opgawe is van die getal volwasse manlike Naturelle in my diens ten opsigte van wie ek aanspreeklik is om bydraes te betaal en van die getal dae gedurende die maand _____ 19____ deur hulle gewerk.

Datum _____

Handtekening van Werkgewer. _____

OPMERKING.—Die syfers in items (1), (2) en (3) van paragraaf 4 aangetoon, word deur onderskeidelik 5, 6 en 7 verdeel, en die kwosiënte bymekaar getel om die syfer wat in paragraaf 6 aangetoon moet word, te verkry.

DEPARTMENT OF RAILWAYS, HARBOURS
AND AIRWAYS.

No. R. 1971.] [20 December 1963.
CORRECTION NOTICE.

Government Notice No. R. 290 embodying the Regulations for the Harbours of the Republic of South Africa and of South West Africa, published in *Government Gazette Extraordinary* No. 190 of 2nd March, 1962, is hereby corrected by the substitution for the word "two", where it appears in the first line of regulation 170 (8), of the word "the".

No. R. 1972.] [20 December 1963.

The State President has, in terms of section thirty-two of the Railways and Harbours Service Act, 1960 (Act No. 22 of 1960), been pleased to approve of the South African Railways and Harbours Staff Regulations, published in Government Notice No. R. 1045 of 15th July, 1960, as amended, being further amended as follows:—

SOUTH AFRICAN RAILWAYS.

STAFF REGULATIONS.

SCHEDULE OF AMENDMENT.

(Operative from 1st March, 1963.)

Regulation No. 93.

Substitute the following for paragraph (2):—

"(2) If an officer, other than a policeman, is required to work on any public holiday, he is to be paid for the time worked on such basis as may be laid down by the General Manager from time to time."

DEPARTEMENT VAN SPOORWEE, HAWENS
EN LUGDIENS.

No. R. 1971.] [20 Desember 1963.
KENNISGEWING INSAKE WYSIGING.

Goewermenskennisgewing No. R. 290 wat die Regulasies Vir die Hawens van die Republiek van Suid-Afrika en van Suidwes-Afrika bevat en wat gepubliseer is 'n *Buitengewone Staatskoerant* No. 190 van 2 Maart 1962, word hierby gewysig deur die vervanging van die woord "two", waar dit in die eerste reël van die Engelse lesing van regulasie 170 (8) voorkom, deur "the".

No. R. 1972.] [20 Desember 1963.

Dit het die Staatspresident behaag om kragtens artikel twee-en-dertig van die Wet op Spoorweg- en Hawediens, 1960 (Wet no. 22 van 1960), goedkeuring daaraan te verleen dat die Personeelregulasies van die Suid-Afrikaanse Spoorweë en Hawens, soos gewysig, wat in Goewermenskennisgewing no. R. 1045 van 15 Julie 1960 gepubliseer is, soos volg verder gewysig word:

SUID-AFRIKAANSE SPOORWEE.

PERSONEELREGULASIES.

WYSIGINGSLSYS.

(Van krag van 1 Maart 1963.)

Regulasie no. 93.

Vervang paragraaf (2) deur die volgende:

"(2) As 'n amptenaar, behalwe 'n polisiebeampte, op enige openbare vakansiedag moet werk, word hy vir die tyd wat hy werk, op sodanige grondslag betaal as wat die Hoofbestuurder van tyd tot tyd mag bepaal."

No. R. 1973.]

[20 December 1963.]

The State President has, in terms of section *thirty-two* of the Railways and Harbours Service Act, 1960 (Act No. 22 of 1960), been pleased to approve of the South African Railways and Harbours Staff Regulations, published in Government Notice No. R. 1045 of 15th July, 1960, as amended, being further amended as follows:—

SOUTH AFRICAN RAILWAYS.

STAFF REGULATIONS.

SCHEDULE OF AMENDMENT.

(Operative from 6th December, 1963.)

Regulation No. 1.

In paragraph (2) under the definition of the term "sub-head of department" insert the following after "the Superintendent (Staff) in the Airways Department":—

"a Superintendent (Staff) in the Mechanical Engineering Department."

Regulation No. 2.

In sub-paragraph (e) of paragraph (2) under the heading "in the Mechanical Engineering Department" substitute "the Superintendent (Staff)" for "the Superintendent (Administrative)".

In sub-paragraph (g) of paragraph (2) under the heading "in the Mechanical Engineering Department" substitute "the Assistant Superintendent (Staff)" for "the Assistant Superintendent (Administrative)".

Regulation No. 155.

In paragraph (1) under the heading "Mechanical Engineering Department" substitute "the Assistant Superintendent (Staff)" and "the Superintendent (Staff)" for "the Assistant Superintendent (Administrative)" and "the Superintendent (Administrative)" respectively.

Regulation No. 179.

In paragraph (1) under the heading "Officer whose Decision Appealed against" and within the bracket opposite "the Chief Mechanical Engineer" substitute "the Assistant Superintendent (Staff)" and "the Superintendent (Staff)" for "the Assistant Superintendent (Administrative)" and "the Superintendent (Administrative)" respectively.

DEPARTMENT OF SOCIAL WELFARE AND PENSIONS.

No. R. 1962.]

[20 December 1963.]

REGULATIONS FRAMED UNDER SECTION TWENTY-TWO (1) OF THE OLD AGE PEN- SIONS ACT, 1962 (ACT No. 38 OF 1962).

Under and by virtue of the powers vested in me by section *twenty-two* (1) of the Old Age Pensions Act, 1962 (Act No. 38 of 1962), I, JAN JONATHAN SERFONTEIN, Minister of Social Welfare and Pensions, in so far as the administration of the provisions of the said Act has been assigned to me, hereby—

- repeal the regulations published under Government Notice No. 770 of the 24th May, 1957; and
- substitute therefor the regulations set out in the accompanying Schedule.

J. J. SERFONTEIN,
Minister of Social Welfare and Pensions.

No. R. 1973.]

[20 Desember 1963.]

Dit het die Staatspresident behaag om kragtens artikel *twee-en-dertig* van die Wet op Spoorweg- en Hawediens, 1960 (Wet no. 22 van 1960), goedkeuring daaraan te verleen dat die Personeelregulasies van die Suid-Afrikaanse Spoorweë en Hawens, soos gewysig, wat in Goewermmentskennisgewing no. R. 1045 van 15 Julie 1960, gepubliseer is, soos volg verder gewysig word:

SUID-AFRIKAANSE SPOORWEE.

PERSONEELREGULASIES.

WYSIGINGSILYS.

(Van krag van 6 Desember 1963.)

Regulasie no. 1.

Voeg die volgende in na „die Superintendent (personeel) in die Lugdiensdepartement" in paragraaf (2) onder die woordomskrywing „departementsonderhoof":

„n superintendent (personeel) in die Departement Werktuigkundige Ingenieurswese."

Regulasie no. 2.

Vervang „die Superintendent (administratief)" deur „die Superintendent (personeel)" in subparagraaf (e) van paragraaf (2) onder die opskrif „in die Departement Werktuigkundige Ingenieurswese".

Vervang „die Assistent-superintendent (administratief)" deur „die Assistent-superintendent (personeel)" in subparagraaf (g) van paragraaf (2) onder die opskrif „in die Departement Werktuigkundige Ingenieurswese".

Regulasie no. 155.

Vervang „die Assistent-superintendent (administratief)" en „die Superintendent (administratief)" onderskeidelik deur „die Assistent-superintendent (personeel)" en „die Superintendent (personeel)" in paragraaf (1) onder die opskrif „die Departement Werktuigkundige Ingenieurswese".

Regulasie no. 179.

Vervang „Die Assistent-superintendent (administratief)" en „die Superintendent (administratief)" onderskeidelik deur „Die Assistent-superintendent (personeel)" en „die Superintendent (personeel)" in paragraaf (1) onder die hoof „Amptenaar teen wie se beslissing daar geappelleer word" binne die hakie teenoor „die Werktuigkundige Hoofingenieur".

DEPARTEMENT VAN VOLKSWELSYN EN PENSIOENE.

No. R. 1962.]

[20 Desember 1963.]

REGULASIES OPGESTEL Kragtens ARTIKEL TWEEN-EN-TWINTIG (1) VAN DIE OUDERDOMS- PENSIOENWET, 1962 (WET No. 38 VAN 1962).

Ek, JAN JONATHAN SERFONTEIN, Minister van Volkswel- syn en Pensioene, handelende kragtens die bevoegdheid my verleen by artikel *twee-en-twintig* (1) van die Ouderdomspensioenwet, 1962 (Wet No. 38 van 1962), vir sover die uitvoering van die bepaling van genoemde Wet aan my opgedra is—

- herroep hierby die regulasies uitgevaardig by Goewermmentskennisgewing No. 770 van 24 Mei 1957; en
- vaardig in die plek daarvan die regulasies in die bygaande Bylae uiteengesit uit.

J. J. SERFONTEIN,
Minister van Volkswel- syn en Pensioene.

SCHEDULE.

REGULATIONS FRAMED UNDER SECTION TWENTY-TWO (1) OF THE OLD AGE PENSIONS ACT, 1962 (ACT No. 38 OF 1962).

DEFINITIONS.

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Act, shall bear, when used in these regulations, the same meaning, and—

“letter of authority” shall mean the pensioner’s authority to receive payment of pension from the commissioner;

“Minister” shall mean the Minister of Social Welfare and Pensions;

“the Act” shall mean the Old Age Pensions Act, 1962 (Act No. 38 of 1962), as amended.

APPLICATION FOR PENSION.

2. (1) Application for an old age pension shall be in a form as may be approved by the commissioner and such form shall be signed in the presence of a postmaster, or post office assistant, or a member of the Police Force, or a clerk in the district pension office or the district pension officer, hereinafter referred to as the attesting officer, (a) by the applicant, or (b) in case the applicant is physically incapable of signing such form, by some person authorised to act on his behalf: Provided that an application in the form prescribed under the regulations in force on the day immediately preceding the day on which these regulations are published in the *Government Gazette*, may, at the discretion of the commissioner, be accepted as an application for an old age pension.

(2) When applying for an old age pension, the applicant shall furnish a full and true statement, in such manner as the commissioner may require, of all his/her own and his/her spouse’s income (means), assets and liabilities, duly declared and sworn to before a commissioner of oaths.

(3) When the application form has been completed, the attesting officer shall lodge it with the district pension officer for the district in which the applicant permanently resides and it shall be accompanied by the statement of income (means), assets and liabilities.

(4) Separate application forms shall be completed and separate statements of income (means), assets and liabilities shall be furnished in the case where husband and wife apply.

PERSONS ENTITLED TO OLD AGE PENSION.

3. Applications shall be supported by evidence and information as to:—

(a) *Age*.—Evidence in regard to age shall be in the form of either a birth or baptismal certificate. If the commissioner is satisfied that neither a birth nor baptismal certificate is obtainable, he may accept such other evidence as may satisfy him.

(b) *Nationality*.—A person who claims to have become a South African citizen by registration or naturalization, shall produce a certificate of registration or naturalization (as the case may be) or, if unable to produce such certificate, he shall furnish information as to the date and place of registration or naturalization. A person who claims to have become a South African citizen otherwise than by registration or naturalization, may be called upon to produce such evidence of such citizenship as will satisfy the commissioner.

(c) *Residence*.—Proof of residence may be required in such form as will satisfy the commissioner.

BYLAE.

REGULASIES OPGESTEL KRAGTENS ARTIKEL TWEE-EN-TWINTIG (1) VAN DIE OUDERDOMSPENSIOENWET, 1962 (WET No. 38 VAN 1962).

WOORDOMSKRYWING.

1. In hierdie regulasies, tensy uit die samehang anders blyk, het ’n uitdrukking waaraan ’n betekenis in die Wet geheg is, wanneer dit in hierdie regulasies gebesig word, dieselfde betekenis, en beteken—

„die Wet” die Ouderdomspensioenwet, 1962 (Wet No. 38 van 1962), soos gewysig;

„magtigingsbrief” die pensioentrekker se magtiging om betaling van die pensioen van die kommissaris te ontvang;

„Minister” die Minister van Volkswelsyn en Pensioene.

AANSOEK OM PENSIOEN.

2. (1) Aansoek om ouderdomspensioen moet gedoen word in ’n vorm soos deur die kommissaris goedgekeur en sodanige vorm moet in die teenwoordigheid van ’n posmeester, of posbeampte, of lid van die Polisiemag, of ’n klerk van die distrikspensioenkantoor, of die distrikspensioenbeampte, hieronder genoem die attesterende beampte, onderteken word deur (a) die applikant, of (b) ’n persoon wat gemagtig is om namens hom op te tree indien die applikant fisies nie in staat is om sodanige vorm te onderteken nie: Met dien verstande dat ’n aansoek in die vorm wat voorgeskryf is by die regulasies wat van krag is op die dag wat die dag van afkondiging van hierdie regulasies in die *Staatskoerant* onmiddellik voorafgaan, na goeëddunke van die kommissaris aangeneem kan word as ’n aansoek om ouderdomspensioen.

(2) Wanneer ’n applikant om ouderdomspensioen aansoek doen, moet hy/sy op die wyse wat die kommissaris vereis, ’n volledige en ware opgawe van al sy/haar inkomste (middele), bates en laste en dié van sy/haar eggenote/eggenoot verstrek, behoorlik verklaar en beëdig voor ’n kommissaris van ede.

(3) Wanneer die aansoekvorm ingevul is, moet die attesterende beampte dit indien by die distrikspensioenbeampte vir die distrik waar die applikant permanent woonagtig is en die aansoek moet vergesel gaan van die opgawe van inkomste (middele), bates en laste.

(4) Afsonderlike aansoekvorms moet ingevul word en afsonderlike opgawes van inkomste (middele), bates en laste moet verstrek word in die geval waar man en vrou aansoek doen.

PERSONE GERECHTIG OP ’N OUDERDOMSPENSIOEN.

3. Aansoeke moet gestaaf word deur getuienis en inligting aangaande:—

(a) *Ouderdom*.—Bewys van ouderdom moet in die vorm van of ’n geboortesertifikaat of ’n doopseel wees. Indien die kommissaris daarvan oortuig is dat nóg ’n geboortesertifikaat nóg ’n doopseel verkrygbaar is, kan hy ander bewyse wat vir hom oortuigend is, aanneem.

(b) *Nasionaliteit*.—’n Persoon wat daarop aanspraak maak dat hy ’n Suid-Afrikaanse burger deur registrasie of naturalisasie geword het, moet ’n registrasie- of naturalisasiesertifikaat (na gelang van die geval) toon, of indien hy nie in staat is om sodanige sertifikaat te toon nie, moet hy inligting verstrek aangaande die datum en plek van registrasie of naturalisasie.

’n Persoon wat daarop aanspraak maak dat hy ’n Suid-Afrikaanse burger op ’n ander wyse as deur registrasie of naturalisasie geword het, kan aangesê word om die bewyse van sodanige burgerskap te toon wat vir die kommissaris oortuigend is.

(c) *Verblyf*.—Bewys van verblyf kan vereis word in die vorm wat vir die kommissaris oortuigend is.

DUTIES OF DISTRICT PENSION OFFICERS.

4. (1) Every district pension officer shall keep a record of all applications for pension received by him.

(2) A district pension officer who receives an application form in respect of an applicant residing outside his district shall, after recording the application, forward it by registered post to the district pension officer in whose district the applicant permanently resides.

(3) Every district pension officer, on receipt of an application form in respect of any person resident in his district, shall verify the correctness of the information disclosed in the form as well as the information disclosed in the statement of income (means), assets and liabilities and submit it together with all available evidence relative to the application to the commissioner.

POWERS OF THE COMMISSIONER AND OF DISTRICT PENSION OFFICERS.

5. (1) Every person who has signed an application form shall, when so requested, attend personally before the district pension officer to give evidence and furnish information relative to his claim, but if by reason of physical disability or other sufficient cause such person is unable to attend personally and the district pension officer is satisfied that the claim can be established by documentary evidence, he shall not require the attendance of the applicant or the person authorised to act on his behalf.

(2) The commissioner or district pension officer, or any other officer authorised by either of them, may call upon the applicant or any other person by letter to produce any evidence in any form relative to an application for old age pension.

(3) The commissioner or the district pension officer may, at his discretion, accept as testimony for or against the claim—

- (a) an affidavit or sworn or attested declaration made by a person who therein declares to what he knows of his own knowledge to be true;
- (b) any other documentary evidence.

DETERMINATION OF PENSION.

6. As soon as possible after the commissioner has in accordance with section six of the Act determined whether or not the applicant is entitled to a pension, he shall notify the applicant of his decision in writing, and if the application has been granted, he shall determine the amount thereof and notify the applicant.

DATE OF APPLICATION FOR PENSION.

7. The date on which the application form is signed by the applicant before the attesting officer shall be deemed to be the date of application.

APPEAL TO MINISTER.

8. Any applicant or pensioner dissatisfied with the decision or action of the commissioner may appeal in writing, through the commissioner, to the Minister, within ninety days of the date of the letter in which the commissioner informed him of the decision or action appealed against.

PAYMENT OF PENSIONS.

9. (1) Pensions shall be paid monthly in arrear by the commissioner in such manner as he may deem advisable and on such days as may be determined by him.

(2) When a pensioner is too ill to attend at a post office to receive payment of his pension, he may forward his letter of authority, together with an application in writing duly witnessed, to the postmaster for the payment to be made to the person named in his application, and the postmaster on obtaining the signature of the duly authorised person to the receipt and his certificate that the pensioner is alive shall, unless he sees any reason for doubt in the matter, make payment of the pension to such person and shall forward the application to the commissioner.

PLIGTE VAN DISTRIKSPENSIOENBEAMPTES.

4. (1) Elke distrikspensioenbeampte moet 'n rekord hou van al die aansoeke om pensioen deur hom ontvang.

(2) 'n Distrikspensioenbeampte wat 'n aansoekvorm ontvang ten opsigte van 'n applikant wat nie in sy distrik woonagtig is nie, moet nadat hy die aansoek aangeteken het, dit per geregistreerde pos stuur aan die distrikspensioenbeampte in wie se distrik die applikant permanent woonagtig is.

(3) Elke distrikspensioenbeampte moet na ontvangs van 'n aansoekvorm ten opsigte van enige persoon wat in sy distrik woonagtig is, die juistheid van die inligting verstrek in die vorm asook dié in die opgawe van inkomste (middele), bates en laste verifieer en dit, tesame met alle beskikbare getuienis in verband met die aansoek, aan die kommissaris stuur.

BEVOEGDHEDE VAN DIE KOMMISSARIS EN VAN DISTRIKSPENSIOENBEAMPTES.

5. (1) Elke persoon wat 'n aansoekvorm onderteken het, moet, wanneer hy versoek word om dit te doen, persoonlik voor die distrikspensioenbeampte verskyn om getuienis af te lê en inligting te verstrek in verband met sy eis; maar indien sodanige persoon weens liggaamlike ongeskiktheid of 'n ander gegronde rede nie in staat is om persoonlik te verskyn nie en die distrikspensioenbeampte daarvan oortuig is dat die eis deur dokumentêre bewys gestaaf kan word, moet hy nie eis dat die applikant of die persoon wat gemagtig is om namens hom op te tree, verskyn nie.

(2) Die kommissaris of distrikspensioenbeampte, of enige ander beampte wat deur enigeen van hulle gemagtig is, kan die applikant of enige ander persoon per brief aansê om enige getuienis in enige vorm in verband met 'n aansoek om ouderdomspensioen te toon.

(3) Die kommissaris of die distrikspensioenbeampte kan, na goedgekeurde, as getuienis vir of teen 'n eis die volgende aanneem—

- (a) 'n Beëdigde of geattesteerde verklaring afgelê deur deur 'n persoon wat daarin verklaar wat na sy eie kennis waar is;
- (b) enige ander dokumentêre bewys.

BEPALING VAN PENSIOEN.

6. So gou doenlik nadat die kommissaris ooreenkomstig artikel ses van die Wet bepaal het of die applikant op 'n pensioen geregtig is al dan nie, moet hy die applikant skriftelik in kennis stel van sy beslissing en indien die aansoek toegestaan is, moet hy die bedrag daarvan bepaal en die applikant in kennis stel.

DATUM VAN AANSOEK OM PENSIOEN.

7. Die datum waarop die aansoekvorm deur die applikant voor die attesterende beampte onderteken is, word geag die datum van aansoek te wees.

APPEL BY MINISTER.

8. Enige applikant of pensioentrekker wat ontevrede is met die beslissing of optrede van die kommissaris, kan skriftelik, deur bemiddeling van die kommissaris, appelleer by die Minister binne negentig dae na die datum van die brief waarin die kommissaris hom in kennis gestel het van die beslissing of optrede waarteen geappelleer word.

BETALING VAN PENSIOENE.

9. (1) Pensioene word maandeliks agterna deur die kommissaris betaal op die wyse wat hy wenslik ag en op die dae wat hy bepaal.

(2) Wanneer 'n pensioentrekker te siek is om na 'n poskantoor te gaan om betaling van sy pensioen te ontvang, kan hy sy magtigingsbrief, tesame met 'n skriftelike aansoek behoorlik voor getuies onderteken, aan die posmeester stuur sodat betaling gedoen kan word aan die persoon genoem in sy aansoek, en die posmeester moet, tensy hy enige twyfel oor die saak het, na verkryging van die handtekening van die behoorlik gemagtigde persoon op die kwitansie en sy sertifikaat dat die pensioentrekker nog lewende, betaling van die pensioen aan sodanige persoon doen en die aansoek aan die kommissaris stuur.

No. R. 1963.]

[20 December 1963.]

REGULATIONS FRAMED UNDER SECTION SIXTEEN (1) OF THE BLIND PERSONS ACT, 1962 (ACT No. 39 OF 1962).

Under and by virtue of the powers vested in me by section *sixteen* (1) of the Blind Persons Act, 1962 (Act No. 39 of 1962), I, JAN JONATHAN SERFONTEIN, Minister of Social Welfare and Pensions, in so far as the administration of the provisions of the said Act has been assigned to me, hereby—

- (a) repeal the regulations published under Government Notice No. 1486 of 2nd October, 1936, as amended; and
- (b) substitute therefor the regulations set out in the accompanying Schedule.

J. J. SERFONTEIN,
Minister of Social Welfare and Pensions.

SCHEDULE.

REGULATIONS FRAMED UNDER SECTION SIXTEEN (1) OF THE BLIND PERSONS ACT, 1962 (ACT No. 39 OF 1962).

DEFINITIONS.

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Act, shall bear, when used in these regulations, the same meaning, and—

- “district pension officer” shall mean the district pension officer for the district in which the applicant ordinarily resides;
- “letter of authority” shall mean the pensioner’s authority to receive payment of pension from the commissioner;
- “Minister” shall mean the Minister of Social Welfare and Pensions;
- “registered association” shall mean an association registered in terms of section *twelve* of the Act;
- “Secretary” shall mean the Secretary for Social Welfare and Pensions;
- “the Act” shall mean the Blind Persons Act, 1962 (Act No. 39 of 1962), as amended.

REGISTRATION OF BLIND PERSONS.

2. (1) Every person who desires to be registered as a blind person under section *three* of the Act, shall make application therefor in such form as may be approved by the commissioner.

(2) The commissioner shall record in the register of blind persons the following particulars concerning every person who submits an application in terms of sub-regulation (1) of this regulation and in respect of whom the medical practitioner selected by the commissioner under the said section has issued a certificate to the effect that such person is blind according to the criteria prescribed in regulation 3:—

- (a) Full name.
- (b) Address.
- (c) Race.
- (d) Sex.
- (e) Date of birth.

(3) Every person whose name is recorded in the register shall be notified by the commissioner of his registration.

CRITERIA OF BLINDNESS.

3. (1) A person shall, for the purpose of registration as a blind person under section *three* of the Act, be regarded as blind if his acuity of vision is so restricted that he is unable by reason of such restriction to perform any work for which eyesight is essential.

(2) The principal condition to be considered in determining whether a person is blind shall be the visual acuity (i.e. the best direct vision obtainable with each eye separately or both together, where both are present, as tested by Snellen’s test and with focus properly corrected) but regard shall also be had to the other conditions set out in his regulation.

No. R. 1963.]

[20 Desember 1963.]

REGULASIES OPGESTEL KRAGTENS ARTIKEL SESTIEN (1) VAN DIE WET OP BLINDES, 1962 (WET No. 39 VAN 1962).

Ek, JAN JONATHAN SERFONTEIN, Minister van Volkswelsyn en Pensioene, handelende kragtens die bevoegdheid my verleen by artikel *sestien* (1) van die Wet op Blindes, 1962 (Wet No. 39 van 1962), vir sover die uitvoering van die bepalings van genoemde Wet aan my opgedra is—

- (a) herroep hierby die regulasies uitgevaardig by Goewermentskennisgewing No. 1486 van 2 Oktober 1936, soos gewysig; en
- (b) vaardig in die plek daarvan die regulasies in bygaande Bylae uiteengesit, uit.

J. J. SERFONTEIN,
Minister van Volkswelsyn en Pensioene.

BYLAE.

REGULASIES OPGESTEL KRAGTENS ARTIKEL SESTIEN (1) VAN DIE WET OP BLINDES, 1962 (WET No. 39 VAN 1962).

WOORDOMSKRYWING.

1. In hierdie regulasies, tensy uit die samehang anders blyk, het ’n uitdrukking waaraan ’n betekenis in die Wet geheg is, wanneer dit in hierdie regulasies gebesig word, dieselfde betekenis, en beteken—

- „die Wet” die Wet op Blindes, 1962 (Wet No. 39 van 1962), soos gewysig;
- „distrikspensioenbeampte” die distrikspensioenbeampte vir die distrik waarin die applikant gewoonlik woon;
- „geregistreerde vereniging” ’n vereniging wat kragtens artikel *twaalf* van die Wet geregistreer is;
- „magtigingsbrief” die pensioentrekker se magtiging om betaling van die pensioen van die kommissaris te ontvang;
- „Minister” die Minister van Volkswelsyn en Pensioene;
- „Sekretaris” die Sekretaris van Volkswelsyn en Pensioene.

REGISTRASIE VAN BLINDES.

2. (1) ’n Persoon wat verlang om kragtens artikel *drie* van die Wet as ’n blinde geregistreer te word, moet in ’n vorm soos deur die kommissaris goedgekeur, aansoek daarom doen.

(2) Die kommissaris moet in die register van blindes ondervermelde besonderhede aanteken aangaande elke persoon wat ’n aansoek kragtens subregulasie (1) van hierdie regulasie indien en ten opsigte van wie die geneesheer wat die kommissaris kragtens genoemde artikel gekies het, ’n sertifikaat uitgereik het wat verklaar dat sodanige persoon blind is volgens die maatstawwe wat in regulasie 3 voorgeskryf is:—

- (a) Volle naam.
- (b) Adres.
- (c) Ras.
- (d) Geslag.
- (e) Geboortedatum.

(3) Elke persoon wie se naam in die register aangeteken is, moet deur die kommissaris van sy registrasie in kennis gestel word.

MAATSTAWWE VAN BLINDHEID.

3. (1) Vir doeleindes van registrasie as ’n blinde kragtens artikel *drie* van die Wet, word ’n persoon as blind beskou as sy gesigskerpte so beperk is dat hy as gevolg van daardie beperking nie in staat is om enige werk te verrig waarby gesig ’n vereiste is nie.

(2) Die vernaamste toestand wat oorweeg moet word ten einde te bepaal of ’n persoon blind is, moet sy gesigskerpte wees (d.i. die beste regstreekse gesig wat met elke oog afsonderlik of albei oë tesame, as albei nog aanwesig is, verkrygbaar is, getoets volgens Snellen se toets en met fokus behoorlik gekorrigeer), maar die ander toestand wat in hierdie regulasie uiteengesit word, moet ook in ag geneem word.

(3) The medical practitioner shall, for the purpose of determining whether a person is blind, ascertain whether such person falls within any of the following groups:—

Group 1.—Persons with an Acuity of Vision Below 3/60 Snellen.

In general a person with visual acuity below 3/60 Snellen may be regarded as blind.

Group 2.—Persons with an Acuity of Vision of 3/60 but Below 6/60 Snellen.

A person with visual acuity of 3/60 but less than 6/60 Snellen—

- (a) may be regarded as blind if the field of vision is reduced to fifty per cent of the normal field of vision, with the central portion of the field of vision unimpaired, but
- (b) should not be regarded as blind if the visual defect is of long standing and is unaccompanied by any material contraction of the field of vision, for example, in cases of congenital nystagmus, albinism, myopia, etc.

Group 3.—Persons with an Acuity of Vision of 6/60 Snellen or Above.

A person with visual acuity of 6/60 Snellen or above shall ordinarily not be regarded as blind, but may be regarded as blind if the field of vision is contracted to twenty-five per cent of the normal field of vision and if the lower part of the field of vision has been contracted to fifty per cent of its normal dimensions; but a person suffering from homonymous or bi-temporal hemianopia retaining central visual acuity of 6/18 Snellen or above shall not be regarded as blind.

(4) The degree of illumination of test types shall be approximately, but not less than, ten foot-candles.

(5) The Snellen test shall be the test to be applied, but in case of doubt further tests shall be applied including testing by the ophthalmoscope and the testing of reflex actions.

MEDICAL EXAMINATION AND MEDICAL OR OPERATIVE TREATMENT.

4. The commissioner may authorise the payment out of State funds of any necessary expenses in connection with the transportation of an applicant for registration as a blind person or for a pension, or of a pensioner, together with an attendant, if necessary, from the centre in which he resides to another centre for the purpose of medical examination, or medical or operative treatment, and of a subsistence allowance for such applicant and his attendant for the period during which they are absent from their residences in connection with such examination or treatment.

APPLICATION FOR PENSION.

5. (1) Application for a blind person's pension shall be made in such form as may be approved by the commissioner and such form shall be signed in the presence of a postmaster, or post office assistant, or a member of the Police Force, or a clerk in the district pension office or the district pension officer, hereinafter referred to as the attesting officer, (a) by the applicant, or (b) in case the applicant is physically incapable of signing such form, by some person authorised to act on his behalf: Provided that an application in the form prescribed under the regulations in force on the day immediately preceding the day on which these regulations are published in the *Government Gazette*, may, at the discretion of the commissioner be accepted as an application for a blind person's pension.

(2) When applying for a blind person's pension, the applicant shall furnish a full and true statement, in such manner as the commissioner may require, of all his/her own and his/her spouse's income (means), assets and liabilities, duly declared and sworn to before a commissioner of oaths.

(3) Ten einde te bepaal of 'n persoon blind is, moet die geneesheer vasstel of sodanige persoon binne enigteen van ondervermelde groepe val:—

Groep 1.—Persone met 'n gesigskerpte onder 3/60 Snellen.

Oor die algemeen kan 'n persoon wie se gesigskerpte minder as 3/60 Snellen is, as blind beskou word.

Groep 2.—Persone met 'n gesigskerpte van 3/60 maar onder 6/60 Snellen.

'n Persoon met 'n gesigskerpte van 3/60 maar onder 6/60 Snellen—

- (a) kan as blind beskou word as die gesigsveld verminder is tot vyftig persent van die normale gesigsveld, met die sentrale deel van die gesigsveld onaangetas, maar
- (b) behoort nie as blind beskou te word nie as die gesigsgebrek al baie oud is en nie met enige aansienlike inkrimping van die gesigsveld gepaard gaan nie, byvoorbeeld in gevalle van aangebore nistagmus, albinisme, bysiendheid, ens.

Groep 3.—Persone met 'n gesigskerpte van 6/60 Snellen of meer.

'n Persoon met 'n gesigskerpte van 6/60 Snellen of meer moet gewoonlik nie as blind beskou word nie, maar kan as blind beskou word as die gesigsveld ingekrimp het tot vyf-en-twintig persent van die normale gesigsveld en as die onderste deel van die gesigsveld ingekrimp het tot vyftig persent van sy normale grootte, maar 'n persoon wat ly aan homonieme of bitemporale hemianopsie met behoud van sentrale gesigskerpte van 6/18 Snellen of hoër, moet nie as blind beskou word nie.

(4) Die graad van lig van toetstipes moet ongeveer, maar minstens, tien voet-kerse wees.

(5) Die Snellen-toets moet die toets wees wat toegepas word maar in gevalle van twyfel moet verdere toetse toegepas word, insluitende toetse deur die oogspieël en toetse van reflekswerkings.

GENEESKUNDIGE ONDERSOEK EN GENEESKUNDIGE OF HEELKUNDIGE BEHANDELING.

4. Die kommissaris kan die betaling uit staatsfondse magtig van noodsaaklike onkoste in verband met die vervoer van 'n persoon wat aansoek om registrasie as 'n blinde of om 'n pensioen gedoen het, of van 'n pensioentrekker, tesame met 'n oppasser, indien nodig, vanaf die plek waar hy woonagtig is na 'n ander plek vir die doel van 'n geneeskundige ondersoek, of geneeskundige of heelkundige behandeling, en van 'n onderhoudstoelae vir sodanige applikant en sy oppasser vir die tydperk van hulle afwesigheid van hul woonplek in verband met daardie ondersoek of behandeling.

AANSOEK OM PENSIEN.

5. (1) Aansoek om 'n pensioen vir blindes moet in 'n vorm soos deur die kommissaris goedgekeur, gedoen word en sodanige vorm moet in die teenwoordigheid van 'n posmeester, of posbeampte, of lid van die Polisiemag, of 'n klerk van 'n distrikspensioenkantoor, of die distrikspensioenbeampte, hieronder die attesterende beampte genoem, onderteken word deur (a) die applikant, of (b) 'n persoon wat gemagtig is om namens hom op te tree indien die applikant fisies nie in staat is om sodanige vorm te onderteken nie: Met dien verstande dat 'n aansoek in die vorm wat voorgeskryf is by die regulasies wat van krag is op die dag wat die dag van afkondiging van hierdie regulasies in die *Staatskoerant* onmiddellik voorafgaan, na goeëddunke van die kommissaris aangeneem kan word as 'n aansoek om 'n pensioen vir blindes.

(2) Iemand wat aansoek om 'n pensioen vir blindes doen, moet op die wyse wat die kommissaris vereis, 'n volledige en ware opgawe van sy inkomste (middele), bates en laste, asook dié van sy/haar eggenote/eggenoot verstrek, behoorlik verklaar en beëdig voor 'n kommissaris van ede.

(3) When the application form has been completed, the attesting officer shall lodge it with the district pension officer for the district in which the applicant permanently resides, and it shall be accompanied by the statement of income (means), assets and liabilities.

(4) Separate application forms shall be completed and separate statements of income (means), assets and liabilities shall be furnished in the case where husband and wife apply.

PERSONS ENTITLED TO A BLIND PERSON'S PENSION.

6. Applications shall be supported by evidence and information as to:—

- (a) *Age*.—Evidence in regard to age shall be in the form of either a birth or baptismal certificate. If the commissioner is satisfied that neither a birth nor a baptismal certificate is obtainable he may accept such other evidence as may satisfy him.
- (b) *Nationality*.—A person who claims to have become a South African citizen by registration or naturalization shall produce a certificate of registration or naturalization (as the case may be) or, if unable to produce such certificate, he shall furnish information as to the date and place of registration or naturalization. A person who claims to have become a South African citizen otherwise than by registration or naturalization, may be called upon to produce such evidence of such citizenship as will satisfy the commissioner.
- (c) *Residence*.—Proof of residence may be required in such form as will satisfy the commissioner.

DUTIES OF DISTRICT PENSION OFFICERS.

7. (1) Every district pension officer shall keep a record of all applications for pension received by him.

(2) A district pension officer who receives an application form in respect of an applicant residing outside his district shall, after recording the application, forward it by registered post to the district pension officer in whose district the applicant permanently resides.

(3) Every district pension officer, on receipt of an application form in respect of any person resident in his district, shall verify the correctness of the information disclosed in the form as well as the information disclosed in the statement of income (means), assets and liabilities and submit it together with all available evidence relative to the application to the commissioner.

(4) A district pension officer shall consult any registered association functioning in his district in regard to any application for a pension lodged with him.

POWERS OF COMMISSIONER AND DISTRICT PENSION OFFICERS.

8. (1) Every person who has signed an application form shall, when so requested, attend personally before the district pension officer to give evidence and furnish information relative to his claim, but if by reason of physical disability or other sufficient cause such person is unable to attend personally and the district pension officer is satisfied that the claim can be established by documentary evidence, he shall not require the attendance of the applicant or the person authorised to act on his behalf.

(2) The commissioner or district pension officer, or any other officer authorised by either of them, may call upon the applicant or any other person by letter to produce any evidence in any form relative to an application for a blind person's pension.

(3) The commissioner or district pension officer may, at his discretion, accept as testimony for or against the claim—

- (a) an affidavit or sworn or attested declaration made by a person who therein declares to what he knows of his own knowledge to be true;
- (b) any other documentary evidence.

(3) Wanneer die aansoekvorm ingevul is, moet die attesterende beampte dit indien by die distrikspensioen-beampte vir die distrik waarin die applikant permanent woonagtig is en die aansoek moet vergesel gaan van die opgawe van inkomste (middele), bates en laste.

(4) Afsonderlike aansoekvorms moet ingevul word en afsonderlike opgawes van inkomste (middele), bates en laste moet verstrekk word, waar 'n man en sy vrou aansoek doen.

PERSONE GERECHTIG OP 'N PENSIOEN VIR BLINDES.

6. Aansoeke moet gestaaf word deur getuienis en inligting aangaande:—

- (a) *Ouderdom*.—Bewys van ouderdom moet in die vorm van of 'n geboortesertifikaat of 'n doopseel wees. Indien die kommissaris daarvan oortuig is dat nog 'n geboortesertifikaat of 'n doopseel verkrygbaar is, kan hy ander bewyse wat vir hom oortuigend is, aanneem.
- (b) *Nasionaliteit*.—'n Persoon wat daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur registrasie of naturalisasie is, moet 'n registrasie- of naturalisasiesertifikaat (na gelang van die geval) toon of indien hy nie in staat is om sodanige sertifikaat te toon nie, moet hy inligting verstrekk aangaande die datum en plek van registrasie of naturalisasie.
'n Persoon wat daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger op 'n ander wyse as deur registrasie of naturalisasie geword het, kan aangesê word om die bewyse van sodanige burgerskap te toon wat vir die kommissaris oortuigend is.
- (c) *Verblyf*.—Bewys van verblyf kan vereis word in die vorm wat vir die kommissaris oortuigend is.

PLIGTE VAN DISTRIKSPENSIOENBEAMPTES.

7. (1) Elke distrikspensioenbeampte moet 'n rekord hou van al die aansoeke om pensioen deur hom ontvang.

(2) 'n Distrikspensioenbeampte wat 'n aansoekvorm ontvang ten opsigte van 'n applikant wat nie in sy distrik woonagtig is nie, moet nadat hy die aansoek aangeteken het, dit per geregistreerde pos stuur aan die distrikspensioenbeampte in wie se distrik die applikant permanent woonagtig is.

(3) Elke distrikspensioenbeampte moet na ontvangs van 'n aansoekvorm ten opsigte van enige persoon wat in sy distrik woonagtig is, die juistheid van die inligting verstrekk in die vorm asook dié in die opgawe van inkomste (middele), bates en laste verifieer en dit, tesame met alle beskikbare getuienis in verband met die aansoek, aan die kommissaris stuur.

(4) 'n Distrikspensioenbeampte moet enige geregistreerde vereniging wat in sy distrik fungeer, raadpleeg in verband met enige aansoek om 'n pensioen wat by hom ingedien is.

BEVOEGDHEDE VAN KOMMISSARIS EN DISTRIKSPENSIOENBEAMPTES.

8. (1) Elke persoon wat 'n aansoekvorm onderteken het, moet, wanneer hy versoek word om dit te doen, persoonlik voor die distrikspensioenbeampte verskyn om getuienis af te lê en inligting te verstrekk in verband met sy eis, maar indien sodanige persoon weens liggaamlike ongeskiktheid of 'n ander gegronde rede nie in staat is om persoonlik te verskyn nie en die distrikspensioenbeampte daarvan oortuig is dat die eis deur dokumentêre bewys gestaaf kan word, moet hy nie eis dat die applikant of die persoon wat gemagtig is om namens hom op te tree, verskyn nie.

(2) Die kommissaris of distrikspensioenbeampte, of enige ander beampte wat deur enigeen van hulle gemagtig is, kan die applikant of enige ander persoon per brief aansê om enige getuienis in enige vorm in verband met 'n aansoek om 'n pensioen vir blindes te toon.

(3) Die kommissaris of die distrikspensioenbeampte kan, na goeie dinge, as getuienis vir of teen 'n eis die volgende aanneem:—

- (a) 'n Beëdigde of geattesteerde verklaring afgelê deur 'n persoon wat daarin verklaar wat na sy eie kennis waar is;
- (b) enige ander dokumentêre bewys.

DETERMINATION OF PENSION.

9. As soon as possible after the commissioner has in accordance with section six of the Act determined whether or not the applicant is entitled to a pension, he shall notify the applicant of his decision in writing, and if the application has been granted, he shall determine the amount thereof and notify the applicant.

DATE OF APPLICATION FOR PENSION.

10. The date on which the application form is signed by the applicant before the attesting officer shall be deemed to be the date of application.

APPEAL TO MINISTER.

11. Any applicant or pensioner dissatisfied with the decision or action of the commissioner may appeal in writing through the commissioner, to the Minister within ninety days of the date of the letter in which the commissioner informed him of the decision or action appealed against.

PAYMENT OF PENSIONS.

12. (1) Pensions shall be paid monthly in arrear by the commissioner in such manner as he may deem advisable and on such days as may be determined by him.

(2) When a pensioner is too ill to attend at a post office to receive payment of his pension, he may forward his letter of authority, together with an application in writing duly witnessed, to the postmaster for the payment to be made to the person named in his application, and the postmaster on obtaining the signature of the duly authorised person to the receipt and his certificate that the pensioner is alive shall, unless he sees any reason for doubt in the matter, make payment of the pension to such person and shall forward the application to the commissioner.

POWERS AND DUTIES OF THE COUNCIL.

13. (1) The council shall, in the exercise of its powers and duties under this Act, consult with any registered association concerning any matter in which such association may be interested.

(2) The council shall, at the request of the secretary, obtain and transmit the views of such association or of any other body or institution or of any person on any specified matter.

14. The council shall submit to the secretary copies of—

- (a) every report which it may issue concerning its activities; and
- (b) an annual statement of its revenue and expenditure and a balance sheet.

15. (1) Every registered association or approved institution shall furnish to the council not later than the 31st March in each year, in respect of the preceding calendar year—

- (a) a report on every hostel, home or other place for the reception, training, readjustment or rehabilitation of persons, who are totally or partially blind, under its control and on any service rendered by it and in respect of which a grant-in-aid has at any time been made in terms of section eleven of the Act;
- (b) a statement of its revenue and expenditure and a balance sheet; and
- (c) a statement setting out the remuneration paid to every person employed by such association in the conducting of such hostel, home or other place and the capacity in which he is employed.

(2) The council shall forward every such report, statement and balance sheet to the secretary as soon as practicable after the receipt thereof.

BEPALING VAN PENSIOEN.

9. So gou doenlik nadat die kommissaris ooreenkomstig artikel ses van die Wet bepaal het of die applikant op 'n pensioen geregtig is al dan nie, moet hy die applikant skriftelik in kennis stel van sy beslissing en indien die aansoek toegestaan is, moet hy die bedrag daarvan bepaal en die applikant in kennis stel.

DATUM VAN AANSOEK OM PENSIOEN.

10. Die datum waarop die aansoekvorm deur die applikant voor die attesterende beamppte onderteken is, word geag die datum van aansoek te wees.

APPEL BY MINISTER.

11. Enige applikant of pensioentrekker wat ontevrede is met die beslissing of optrede van die kommissaris, kan skriftelik, deur bemiddeling van die kommissaris, appelleer by die Minister binne negentig dae na die datum van die brief waarin die kommissaris hom in kennis gestel het van die beslissing of optrede waarteen geappelleer word.

BETALING VAN PENSIOENE.

12. (1) Pensioene word maandeliks agterna deur die kommissaris betaal op die wyse wat hy wenslik ag en op die dae wat hy bepaal.

(2) Wanneer 'n pensioentrekker te siek is om na 'n poskantoor te gaan om betaling van sy pensioen te ontvang, kan hy sy magtigingsbrief, tesame met 'n skriftelike aansoek behoorlik voor getuies onderteken, aan die posmeester stuur sodat betaling gedoen kan word aan die persoon genoem in sy aansoek, en die posmeester moet, tensy hy enige twyfel oor die saak het, na verkryging van die handtekening van die behoorlik gemagtigde persoon op die kwitansie en sy sertifikaat dat die pensioentrekker nog lewe, betaling van die pensioen aan sodanige persoon doen en die aansoek aan die kommissaris stuur.

BEVOEGDHEDE EN PLIGTE VAN DIE RAAD.

13. (1) Die raad moet by die uitoefening van sy bevoegdhede en pligte kragtens hierdie Wet, enige geregistreerde vereniging raadpleeg aangaande enige aangeleentheid waarin daardie vereniging mag belang stel.

(2) Die raad moet op versoek van die Sekretaris die sienswyse van sodanige vereniging of van enige ander liggaam of inrigting of van enige persoon in verband met enige genoemde aangeleentheid verkry en oordra.

14. Die raad moet aan die Sekretaris afskrifte voorleë van—

- (a) elke verslag wat hy in verband met sy werksaamhede uitgee; en
- (b) 'n jaarlikse staat van sy inkomste en uitgawe en 'n balansstaat.

15. (1) Elke geregistreerde vereniging of goedgekeurde inrigting moet elke jaar, nie later as 31 Maart nie, ten opsigte van die voorafgaande kalenderjaar aan die raad voorleë—

- (a) 'n verslag oor elke koshuis, tehuis, of ander plek vir die opname, opleiding, heraanpassing of rehabilitasie van persone wat geheel en al of gedeeltelik blind is, onder sy beheer en oor enige diens deur hom gelewer en ten opsigte waarvan te eniger tyd kragtens artikel elf van die Wet 'n hulptoelae betaal is;
- (b) 'n staat van sy inkomste en uitgawe en 'n balansstaat; en
- (c) 'n staat, met vermelding van die besoldiging van elke persoon wat by sodanige vereniging in verband met die bestuur van sodanige koshuis, tehuis, of ander plek in diens is en die hoedanigheid waarin hy diens doen.

(2) Die raad moet elke sodanige verslag, staat en balansstaat so gou doenlik na ontvangs daarvan aan die Sekretaris stuur.

(3) The provisions of sub-regulations (1) and (2) of this regulation shall *mutatis mutandis* apply to the council in respect of every hostel, home or other place for the reception, training, readjustment or rehabilitation of persons, who are totally or partially blind, under its control and any service rendered by it.

16. (1) (a) Every statement of revenue and expenditure and every balance sheet required to be submitted in terms of regulations 14 and 15 shall be audited and certified by an accountant approved by the secretary.

(b) Any report by the accountant on the said statement or balance sheet shall also be furnished to the secretary.

(2) The council shall supply the secretary with any further information he may require in connection with any statement, balance sheet or report by an accountant.

17. The council shall interest itself generally in the welfare of all blind persons, either direct or in collaboration with any other association, institution or person, and shall especially—

(a) if requested by the commissioner to do so, arrange for the examination by a medical practitioner of any blind person;

(b) encourage blind persons to work and whenever this appears to be desirable, arrange for their admission to hostels, homes or other places for the reception or training of blind persons;

(c) endeavour to extend the avenues of employment and training facilities (including home-training) for blind persons and report on these matters to the secretary from time to time but not less than once in each calendar year;

(d) make surveys of the conditions under which blind persons are housed or employed whenever requested to do so by the secretary.

PAYMENT OF GRANTS-IN-AID.

18. (1) A registered association or an approved institution which desires a grant-in-aid in terms of section eleven of the Act, shall submit, through the council, an application therefor in which shall be set out the following particulars:—

(a) The purpose for which the grant-in-aid is desired;

(b) the nature of any facilities already provided for the promotion of the welfare of blind persons in the area concerned;

(c) the financial position of the registered association or institution including a statement of its revenue and expenditure during the previous financial year;

(d) the number of blind persons for whom provision is already made and is proposed to be made by such association or institution;

(e) any other information which may be relevant to the application.

(2) The council shall on receipt of an application submitted to it under sub-regulation (1) of this regulation transmit the application to the secretary, together with its comments thereon: Provided that the council may, if it considers additional information to be necessary, refer the application back to the registered association or approved institution concerned for such information before so submitting it.

(3) The provisions of sub-regulation (1) of this regulation shall *mutatis mutandis* apply in respect of any application for a grant-in-aid which the council itself may desire.

GENERAL.

19. The commissioner shall notify the council of particulars of every person whose name is recorded in or removed from the register kept in terms of section three of the Act.

(3) Die bepalings van subregulasies (1) en (2) van hierdie regulasie is *mutatis mutandis* op die raad van toepassing ten opsigte van elke koshuis, tehuis, of ander plek vir die opname, opleiding, heraanpassing of rehabilitasie van persone wat geheel en al of gedeeltelik blind is, onder sy beheer en enige diens deur hom gelewer.

16. (1) (a) Elke staat van inkomste en uitgawe en elke balansstaat wat ingevolge regulasies 14 en 15 voorgelê moet word, moet behoorlik geouditeer en gesertifiseer wees deur 'n rekenmeester wat deur die Sekretaris goedgekeur is.

(b) Enige verslag van die rekenmeester oor genoemde staat of balansstaat moet ook aan die Sekretaris verstrek word.

(2) Die raad moet aan die Sekretaris enige verdere inligting verstrek wat hy mag verlang in verband met enige staat, balansstaat of rekenmeestersverslag.

17. Die raad moet hom in die algemeen beywer vir die welsyn van alle blindes, of regstreeks of in samewerking met enige ander vereniging, inrigting of persoon, en moet in die besonder—

(a) indien deur die kommissaris daartoe versoek, reëlings tref vir die ondersoek van enige blinde deur 'n geneesheer;

(b) blindes aanmoedig om te werk en wanneer dit wenslik blyk, reëlings tref vir hul opname in koshuise, tehuise of ander plekke vir die opname of opleiding van blindes;

(c) pogings aanwend om werkgeleenthede en opleidingsfasiliteite (insluitende tuisopleiding) vir blindes uit te brei en van tyd tot tyd, maar minstens een keer elke kalenderjaar, in verband met hierdie aanleenthede aan die Sekretaris verslag doen;

(d) op versoek van die Sekretaris ondersoek instel na die toestande waaronder blindes gehuisves word of werksaam is.

BETALING VAN HULPTOELAES.

18. (1) 'n Geregistreerde vereniging of goedgekeurde inrigting wat 'n hulptoelae kragtens artikel elf van die Wet verlang, moet deur bemiddeling van die raad 'n aansoek waarin die volgende besonderhede uiteengesit word, daarom indien:—

(a) Die doel waarvoor die hulptoelae verlang word.

(b) Die aard van enige fasiliteite wat alreeds vir die bevordering van die welsyn van blindes in die betrokke gebied verskaf word.

(c) Die finansiële posisie van die geregistreerde vereniging of inrigting, insluitende 'n staat van sy inkomste en uitgawe gedurende die vorige boekjaar.

(d) Die getal blindes vir wie sodanige vereniging of inrigting reeds voorsiening gemaak het en voornemens is om nog voorsiening te maak.

(e) Enige ander inligting wat op die aansoek betrekking mag hê.

(2) Die raad moet by die ontvangs van 'n aansoek wat kragtens subregulasie (1) van hierdie regulasie by hom ingedien word, die aansoek, tesame met sy opmerkings daaroor, aan die Sekretaris stuur: Met dien verstande dat die raad, as hy van mening is dat verdere inligting nodig is, die aansoek na die betrokke geregistreerde vereniging of goedgekeurde inrigting kan terugverwys vir sodanige inligting, voordat dit aldus aangestuur word.

(3) Die bepalings van subregulasie (1) van hierdie regulasie is *mutatis mutandis* van toepassing ten opsigte van enige aansoek om 'n hulptoelae wat die raad self mag verlang.

ALGEMEEN.

19. Die kommissaris moet die raad van besonderhede voorsien van elke persoon wie se naam aangeteken word in of geskrap word van die register wat kragtens artikel drie van die Wet gehou word.

No. R. 1964.]

[20 December 1963.]

REGULATIONS FRAMED UNDER SECTION SEVEN (1) OF THE WAR VETERANS' PENSIONS ACT, 1962 (ACT No. 40 OF 1962).

Under and by virtue of the powers vested in me by section seven (1) of the War Veterans' Pensions Act, 1962 (Act No. 40 of 1962), I, JAN JONATHAN SERFONTEIN, Minister of Social Welfare and Pensions, in so far as the administration of the provisions of the said Act has been assigned to me, hereby—

- (a) repeal the regulations published under Government Notice No. 769 of the 24th May, 1957; and
- (b) substitute therefor the regulations set out in the accompanying Schedule.

J. J. SERFONTEIN,
Minister of Social Welfare and Pensions.

SCHEDULE.

REGULATIONS FRAMED UNDER SECTION SEVEN (1) OF THE WAR VETERANS' PENSIONS ACT, 1962 (ACT No. 40 OF 1962).

DEFINITIONS.

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Act, shall bear, when used in these regulations, the same meaning, and—

- “applicant” shall mean an applicant for a veteran's pension;
- “letter of authority” shall mean the pensioner's authority to receive payment of the veteran's pension from the commissioner;
- “Minister” shall mean the Minister of Social Welfare and Pensions;
- “pensioner” shall mean a person who draws a veteran's pension;
- “the Act” shall mean the War Veterans' Pensions Act, 1962 (Act No. 40 of 1962).

APPLICATION FOR PENSION.

2. (1) Application for a veteran's pension shall be in such form as may be approved by the commissioner and such form shall be signed in the presence of a postmaster, or post office assistant, or a member of the Police Force, or a clerk in the district pension office, or the district pension officer, hereinafter referred to as the attesting officer, (a) by the applicant, or (b) in case the applicant is physically incapable of signing such form, by some person authorised to act on his behalf: Provided that an application in the form prescribed under the regulations in force on the day immediately preceding the day on which these regulations are published in the *Government Gazette*, may at the discretion of the commissioner, be accepted as an application for a veteran's pension.

(2) When applying for a veteran's pension, the applicant shall furnish a full and true statement, in such manner as the commissioner may require, of all his/her own and his/her spouse's income (means), assets and liabilities, duly declared and sworn to before a commissioner of oaths.

(3) When the application form has been completed, the attesting officer shall lodge it with the district pension officer for the district in which the applicant permanently resides and it shall be accompanied by the statement of income (means), assets and liabilities.

(4) Separate application forms shall be completed and separate statements of income (means), assets and liabilities shall be furnished in the case where husband and wife apply.

No. R. 1964.]

[20 Desember 1963.]

REGULASIES OPGESTEL KRAGTENS ARTIKEL SEWE (1) VAN DIE WET OP OUDSTRYDERS-PENSIOENE, 1962 (WET No. 40 VAN 1962).

Ek, JAN JONATHAN SERFONTEIN, Minister van Volkswelsyn en Pensioene, handelende kragtens die bevoegdheid my verleen by artikel sewe (1) van die Wet op Oudstryderspensioene, 1962 (Wet No. 40 van 1962), vir sover die uitvoering van die bepalings van genoemde Wet aan my opgedra is—

- (a) herroep hierby die regulasies uitgevaardig by Goewermentskennisgewing No. 769 van 24 Mei 1957; en
- (b) vaardig in die plek daarvan die regulasies in bygaande Bylae uiteengesit uit.

J. J. SERFONTEIN,
Minister van Volkswelsyn en Pensioene.

BYLAE.

REGULASIES OPGESTEL KRAGTENS ARTIKEL SEWE (1) VAN DIE WET OP OUDSTRYDERS-PENSIOENE, 1962 (WET No. 40 VAN 1962).

WOORDOMSKRYWING.

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan 'n betekenis in die Wet geheg is, wanneer dit in hierdie regulasies gebesig word, dieselfde betekenis, en beteken—

- „applikant” ’n applikant om ’n oudstryderspensioen;
- „die Wet” die Wet op Oudstryderspensioene, 1962 (Wet No. 40 van 1962);
- „magtigingsbrief” die pensioentrekker se magtiging om betaling van die oudstryderspensioen van die kommissaris te ontvang;
- „Minister” die Minister van Volkswelsyn en Pensioene;
- „pensioentrekker” ’n persoon wat ’n oudstryderspensioen ontvang.

AANSOEK OM PENSIOEN.

2. (1) Aansoek om oudstryderspensioen moet gedoen word in 'n vorm soos deur die kommissaris goedgekeur en sodanige vorm moet in die teenwoordigheid van 'n posmeester, of posbeampte, of lid van die Polisiemag, of 'n klerk van die distrikspensioenkantoor, of die distrikspensioenbeampte, hieronder genoem die attesterende beampte, onderteken word deur (a) die applikant, of (b) 'n persoon wat gemagtig is om namens hom op te tree indien die applikant fisies nie in staat is om sodanige vorm te onderteken nie: Met dien verstande dat 'n aansoek in die vorm wat voorgeskryf is by die regulasies wat van krag is op die dag wat die dag van afkondiging van hierdie regulasies in die *Staatskoerant* onmiddellik voorafgaan, na goeddunke van die kommissaris aangeneem kan word as 'n aansoek om 'n oudstryderspensioen.

(2) Wanneer 'n applikant om 'n oudstryderspensioen aansoek doen, moet hy/sy op die wyse wat die kommissaris vereis, 'n volledige en ware opgawe van al sy/haar inkomste (middele), bates en laste en dié van sy/haar eggenote/eggenoot verstrek, behoorlik verklaar en beëdig voor 'n kommissaris van ede.

(3) Wanneer die aansoekvorm ingevul is, moet die attesterende beampte dit indien by die distrikspensioenbeampte vir die distrik waarin die applikant permanent woonagtig is en die aansoek moet vergesel gaan van die opgawe van inkomste (middele), bates en laste.

(4) Afsonderlike aansoekvorms moet ingevul word en afsonderlike opgawes van inkomste (middele), bates en laste moet verstrek word in die geval waar man en vrou aansoek doen.

PERSONS ENTITLED TO VETERAN'S PENSION.

3. Applications shall be supported by evidence and information as to:—

- (a) *Age*.—Evidence in regard to age shall be in the form of either a birth or baptismal certificate. If the commissioner is satisfied that neither a birth nor baptismal certificate is obtainable, he may accept such other evidence as may satisfy him.
- (b) *Nationality*.—A person who claims to have become a South African citizen by registration or naturalization, shall produce a certificate of registration or naturalization (as the case may be) or, if unable to produce such certificate, he shall furnish information as to the date and place of registration or naturalization. A person who claims to have become a South African citizen otherwise than by registration or naturalization, may be called upon to produce such evidence of such citizenship as will satisfy the commissioner.
- (c) *Residence*.—Proof of residence may be required in such form as will satisfy the commissioner.
- (d) *War Service*.—An applicant shall submit evidence to the satisfaction of the commissioner that he is a "war veteran" as defined in section one of the Act.

DUTIES OF DISTRICT PENSION OFFICERS.

4. (1) Every district pension officer shall keep a record of all applications for pension received by him.

(2) A district pension officer who receives an application form in respect of an applicant residing outside his district shall, after recording the application, forward it by registered post to the district pension officer in whose district the applicant permanently resides.

(3) Every district pension officer, on receipt of an application form in respect of any person resident in his district, shall verify the correctness of the information disclosed in the form as well as the information disclosed in the statement of income (means), assets and liabilities and submit it together with all available evidence relative to the application to the commissioner.

POWERS OF THE COMMISSIONER AND OF DISTRICT PENSION OFFICERS.

5. (1) Every person who has signed an application form shall, when so requested, attend personally before the district pension officer to give evidence and furnish information relative to his claim, but if by reason of physical disability or other sufficient cause such person is unable to attend personally and the district pension officer is satisfied that the claim can be established by documentary evidence, he shall not require the attendance of the applicant or the person authorised to act on his behalf.

(2) The commissioner or district pension officer, or any other officer authorised by either of them, may call upon the applicant or any other person by letter to produce any evidence in any form relative to an application for a veteran's pension.

(3) The commissioner or the district pension officer may, at his discretion, accept as testimony for or against the claim:—

- (a) An affidavit or sworn or attested declaration made by a person who therein declares to what he knows of his own knowledge to be true;
- (b) any other documentary evidence.

DETERMINATION OF PENSION.

6. As soon as possible after the commissioner has in accordance with section four of the Act, read with section six of the Old Age Pensions Act, 1962 (Act No. 38 of 1962), determined whether or not the applicant is entitled to a pension, he shall notify the applicant of his decision

PERSONE GERECHTIG OP 'N OUDSTRYDERSPENSIOEN.

3. Aansoek moet gestaaf word deur getuienis en inligting aangaande:—

- (a) *Ouderdom*.—Bewys van ouderdom moet in die vorm van of 'n geboortesertifikaat of 'n doopseël wees. Indien die kommissaris daarvan oortuig is dat nóg 'n geboortesertifikaat nóg 'n doopseël verkrygbaar is, kan hy ander bewyse wat vir hom oortuigend is, aanneem.
- (b) *Nasionaliteit*.—'n Persoon wat daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur registrasie of naturalisasie geword het, moet 'n registrasie- of naturalisasiesertifikaat (na gelang van die geval) toon, of, indien hy nie in staat is om sodanige sertifikaat te toon nie, moet hy inligting verstrek aangaande die datum en plek van registrasie of naturalisasie.
'n Persoon wat daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger op 'n ander wyse as deur registrasie of naturalisasie geword het, kan aangesê word om bewyse van sodanige burgerskap te toon wat vir die kommissaris oortuigend is.
- (c) *Verblyf*.—Bewys van verblyf kan vereis word in die vorm wat vir die kommissaris oortuigend is.
- (d) *Oorlogsdien*.—'n Applikant moet bewys lewer tot tevredenheid van die kommissaris dat hy 'n „oudstryder" is soos omskryf in artikel een van die Wet.

PLIGTE VAN DISTRIKSPENSIOENBEAMPTES.

4. (1) Elke distrikspensioenbeampte moet 'n rekord hou van al die aansoeke om pensioen deur hom ontvang.

(2) 'n Distrikspensioenbeampte wat 'n aansoekvorm ontvang ten opsigte van 'n applikant wat nie in sy distrik woonagtig is nie, moet nadat hy die aansoek aangeteken het, dit per geregisteerde pos stuur aan die distrikspensioenbeampte in wie se distrik die applikant permanent woonagtig is.

(3) Elke distrikspensioenbeampte moet na ontvangs van 'n aansoekvorm ten opsigte van enige persoon wat in sy distrik woonagtig is, die juistheid van die inligting verstrek in die vorm asook dié in die opgawe van inkomste (middele), bates en laste verifieer en dit, tesame met alle beskikbare bewyse in verband met die aansoek, aan die kommissaris stuur.

BEVOEGDHEDE VAN DIE KOMMISSARIS EN VAN DISTRIKSPENSIOENBEAMPTES.

5. (1) Elke persoon wat 'n aansoekvorm onderteken het, moet wanneer hy versoek word om dit te doen, persoonlik voor die distrikspensioenbeampte verskyn om getuienis af te lê en inligting te verstrek in verband met sy eis, maar indien sodanige persoon weens liggaamlike ongeskiktheid of 'n ander gegronde rede nie in staat is om persoonlik te verskyn nie en die distrikspensioenbeampte daarvan oortuig is dat die eis deur dokumentêre bewys gestaaf kan word, moet hy nie eis dat die applikant of die persoon wat gemagtig is om namens hom op te tree, verskyn nie.

(2) Die kommissaris of distrikspensioenbeampte of enige ander beampte wat deur enigeen van hulle gemagtig is, kan die applikant of enige ander persoon per brief aansê om enige getuienis in enige vorm in verband met 'n aansoek om oudstryderspensioen te toon.

(3) Die kommissaris of die distrikspensioenbeampte kan, na goeddunke, as getuienis vir of teen 'n eis die volgende aanneem:—

- (a) 'n Beëdigde verklaring of geattesteerde verklaring afgelê deur 'n persoon wat daarin verklaar wat na sy eie kennis waar is;
- (b) enige ander dokumentêre bewys.

BEPALING VAN PENSIOEN.

6. So gou doenlik nadat die kommissaris ooreenkomstig artikel vier van die Wet, gelees met artikel ses van die Ouderdomspensioenwet, 1962 (Wet No. 38 van 1962), bepaal het of die applikant op 'n pensioen gerechtig is al

in writing, and if the application has been granted, he shall determine the amount thereof and notify the applicant.

DATE OF APPLICATION FOR PENSION.

7. (1) The date on which the application form is signed by the applicant before the attesting officer shall be deemed to be the date of application for pension.

(2) An applicant in receipt of an old age pension need not complete an application form for a veteran's pension. The old age pension in course of payment may, at the request of an applicant, be converted into a veteran's pension as from the first day of the month in which the application is received. Proof of war service shall, however, be submitted.

APPEAL TO MINISTER.

8. Any applicant or pensioner dissatisfied with the decision or action of the commissioner, may appeal in writing, through the commissioner, to the Minister, within ninety days of the date of the letter in which the commissioner informed him of the decision or action appealed against.

PAYMENT OF PENSIONS.

9. (1) Pensions shall be paid monthly in arrear by the commissioner in such manner as he may deem advisable and on such days as may be determined by him.

(2) When a pensioner is too ill to attend at a post office to receive payment of his pension, he may forward his letter of authority, together with an application in writing duly witnessed, to the postmaster for the payment to be made to the person named in his application, and the postmaster on obtaining the signature of the duly authorised person to the receipt and his certificate that the pensioner is alive shall, unless he sees any reason for doubt in the matter, make payment of the pension to such person and shall forward the application to the commissioner.

No. R. 1965.] [20 December 1963.]
REGULATIONS FRAMED UNDER SECTION TWENTY-SIX (1) OF THE DISABILITY GRANTS ACT, 1962 (ACT NO. 41 OF 1962).

Under and by virtue of the powers vested in me by section twenty-six (1) of the Disability Grants Act, 1962 (Act No. 41 of 1962), I, JAN JONATHAN SERFONTEIN, Minister of Social Welfare and Pensions, in so far as the administration of the provisions of the said Act has been assigned to me, hereby—

- (a) repeal the regulations published under Government Notice No. 686 of the 17th May, 1957; and
- (b) substitute therefor the regulations set out in the accompanying Schedule.

J. J. SERFONTEIN,
Minister of Social Welfare and Pensions.

SCHEDULE.

REGULATIONS FRAMED UNDER SECTION TWENTY-SIX (1) OF THE DISABILITY GRANTS ACT, 1962 (ACT NO. 41 OF 1962).

DEFINITIONS.

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Act, shall bear, when used in these regulations, the same meaning, and—

“letter of authority” shall mean the grantee's authority to receive payment of the grant from the commissioner;

dan nie, moet hy die applikant skriftelik in kennis stel van sy beslissing en indien die aansoek toegestaan is, moet hy die bedrag daarvan bepaal en die applikant in kennis stel.

DATUM VAN AANSOEK OM PENSIEN.

7. (1) Die datum waarop die aansoekvorm deur die applikant voor die attesterende beampte onderteken is, word geag die datum van aansoek om pensioen te wees.

(2) 'n Applikant wat in ontvangs van 'n ouderdomspensioen is, hoef nie 'n aansoekvorm vir 'n oudstryderspensioen in te vul nie. Die ouderdomspensioen wat betaal word, kan op versoek van die applikant in 'n oudstryderspensioen omgeskep word met ingang van die eerste dag van die maand waarin die aansoek ontvang is. Bewys van oorlogsdienste moet egter ingedien word.

APPEL BY MINISTER.

8. Enige applikant of pensioentrekker wat ontevrede is met die beslissing of optrede van die kommissaris, kan skriftelik, deur bemiddeling van die kommissaris, appelleer by die Minister binne negentig dae na die datum van die brief waarin die kommissaris hom in kennis gestel het van die beslissing of optrede waarteen geappelleer word.

BETALING VAN PENSIENE.

9. (1) Pensioene word maandeliks agterna deur die kommissaris betaal op die wyse wat hy wenslik ag en op die dae wat hy bepaal.

(2) Wanneer 'n pensioentrekker te siek is om na 'n poskantoor te gaan om betaling van sy pensioen te ontvang, kan hy sy magtigingsbrief, tesame met 'n skriftelike aansoek behoorlik voor getuies onderteken, aan die posmeester stuur sodat betaling gedoen kan word aan die persoon genoem in sy aansoek, en die posmeester moet, tensy hy enige twyfel oor die saak het, na verkryging van die handtekening van die behoorlik gemagtigde persoon op die kwitansie en sy sertifikaat dat die pensioentrekker nog lewe, betaling van die pensioen aan sodanige persoon doen en die aansoek aan die kommissaris stuur.

No. R. 1965.] [20 Desember 1963.]
REGULASIES OPGESTEL KRAGTENS ARTIKEL SES-EN-TWINTIG (1) VAN DIE WET OP ONGESKIKTHEIDSTOELAES, 1962 (WET NO. 41 VAN 1962).

Ek, JAN JONATHAN SERFONTEIN, Minister van Volkswelsyn en Pensioene, handelende kragtens die bevoegdheid my verleen by artikel ses-en-twintig (1) van die Wet op Ongeskiktheidstoelaes, 1962 (Wet No. 41 van 1962), vir sover die uitvoering van die bepalings van genoemde Wet aan my opgedra is—

- (a) herroep hierby die regulasies uitgevaardig by Goewermmentskennisgewing No. 686 van 17 Mei 1957; en
- (b) vaardig in die plek daarvan die regulasies in bygaande Bylae uiteengesit uit.

J. J. SERFONTEIN,
Minister van Volkswelsyn en Pensioene.

BYLAE.

REGULASIES OPGESTEL KRAGTENS ARTIKEL SES-EN-TWINTIG (1) VAN DIE WET OP ONGESKIKTHEIDSTOELAES, 1962 (WET NO. 41 VAN 1962).

WOORDOMSKRYWING.

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan 'n betekenis in die Wet geheg is, wanneer dit in hierdie regulasies gebesig word, dieselfde betekenis, en beteken—

„die Wet” die Wet op Ongeskiktheidstoelaes, 1962 (Wet No. 41 van 1962), soos gewysig; en

"Minister" shall mean the Minister of Social Welfare and Pensions;
 "the Act" shall mean the Disability Grants Act, 1962 (Act No. 41 of 1962), as amended.

APPLICATION FOR GRANT.

2. (1) Application for a disability grant shall be in such form as may be approved by the commissioner and shall be signed in the presence of a postmaster, or post office assistant, or a member of the Police Force, or a clerk in the district pension office or the district pension officer, hereinafter referred to as the attesting officer, (a) by the applicant, or (b) in case the applicant is physically incapable of signing such form, by some person authorised to act on his behalf: Provided that an application in the form prescribed under the regulations in force on the day immediately preceding the day on which these regulations are published in the *Government Gazette*, may, at the discretion of the commissioner, be accepted as an application for a disability grant.

(2) When applying for a disability grant, the applicant shall furnish a full and true statement in such manner as the commissioner may require of all his/her own and his/her spouse's income (means), assets and liabilities, duly declared and sworn to before a commissioner of oaths.

(3) When the application form has been completed, the attesting officer shall lodge it with the district pension officer for the district in which the applicant permanently resides, and it shall be accompanied by the statement of income (means), assets and liabilities as well as a personal report in such form as may be approved by the commissioner.

(4) Separate application forms shall be completed and separate statements of income (means), assets and liabilities shall be furnished in the case where husband and wife apply.

(5) (a) Every district surgeon who examines an applicant for a disability grant at the request of a district pension officer in terms of section eight (1) of the Act, shall complete a medical certificate in such form as may be approved by the commissioner and forward it as soon as possible to the district pension officer concerned.

(b) If the district pension officer considers that any applicant should undergo hospital treatment, the following procedure shall be followed:—

- (i) Such form as may be approved by the commissioner, duly signed by the district pension officer, shall be forwarded to the district surgeon;
- (ii) the latter may, if he considers it necessary, forward such form, duly signed by him, to the superintendent of the hospital to which he considers the applicant should be admitted, for completion of a certificate in such form as may be approved by the commissioner;
- (iii) on receipt of the form referred to in paragraph (b) (i) of this sub-regulation duly signed by the superintendent of the hospital concerned, together with the certificate referred to in paragraph (b) (ii) of this sub-regulation the district surgeon shall return the said form and certificate together with the completed medical certificate referred to in paragraph (a) of this sub-regulation to the district pension officer.

PERSONS ENTITLED TO DISABILITY GRANTS.

3. Applications shall be supported by evidence and information as to:—

- (a) *Age*.—Evidence in regard to age shall be in the form of either a birth or baptismal certificate. If the commissioner is satisfied that neither a birth nor baptismal certificate is obtainable, he may accept such other evidence as may satisfy him.

„magtigingsbrief" die begiftigde se magtiging om betaling van die toelae van die kommissaris te ontvang;

„Minister" die Minister van Volkswelsyn en Pensioene.

AANSOEK OM TOELAE.

2. (1) Aansoek om ongeskiktheidstoelae moet gedoen word in 'n vorm soos deur die kommissaris goedgekeur en sodanige vorm moet in die teenwoordigheid van 'n posmeester, of posbeampte, of lid van die Polisiemag, of 'n klerk van die distrikspensioenkantoor, of die distrikspensioenbeampte, hieronder genoem die attesterende beampte, onderteken word deur (a) die applikant, of (b) 'n persoon wat gemagtig is om namens hom op te tree indien die applikant fisies nie in staat is om sodanige vorm te onderteken nie: Met dien verstande dat 'n aansoek in die vorm wat voorgeskryf is by die regulasies wat van krag is op die dag wat die dag van afkondiging van hierdie regulasies in die *Staatskoerant* onmiddellik voorafgaan, na goeëdunke van die kommissaris aangeneem kan word as 'n aansoek om 'n ongeskiktheidstoelae.

(2) Wanneer 'n applikant om ongeskiktheidstoelae aansoek doen, moet hy/sy op die wyse wat die kommissaris vereis, 'n volledige en ware opgawe van al sy/haar inkomste (middele), bates en laste en dié van sy/haar eggenote/eggenoot verstrek, behoorlik verklaar en beëdig voor 'n kommissaris van ede.

(3) Wanneer die aansoekvorm ingevul is, moet die attesterende beampte dit indien by die distrikspensioenbeampte vir die distrik waarin die applikant permanent woonagtig is en die aansoek moet vergesel gaan van die opgawe van inkomste (middele), bates en laste asook 'n persoonlike verslag in 'n vorm soos deur die kommissaris goedgekeur.

(4) Afsonderlike aansoekvorms moet ingevul word en afsonderlike opgawes van inkomste (middele), bates en laste moet verstrek word in die geval waar man en vrou aansoek doen.

(5) (a) Elke distriksgeneesheer wat 'n applikant om 'n ongeskiktheidstoelae onedersoek op versoek van 'n distrikspensioenbeampte kragtens artikel agt (1) van die Wet moet 'n geneeskundige sertifikaat in 'n vorm soos deur die kommissaris goedgekeur, invul en dit so gou moontlik aan die betrokke distrikspensioenbeampte stuur.

(b) Indien die distrikspensioenbeampte van mening is dat 'n applikant hospitaalbehandeling moet ondergaan, moet die volgende prosedure gevolg word:—

- (i) 'n Vorm soos deur die kommissaris goedgekeur, moet behoorlik deur die distrikspensioenbeampte onderteken en aan die distriksgeneesheer gestuur word;
- (ii) laasgenoemde kan, as hy dit nodig ag, die vorm, behoorlik deur hom onderteken, aan die superintendent van die hospitaal waarin die applikant na sy mening opgeneem moet word, stuur vir invul-lings van 'n sertifikaat in 'n vorm soos deur die kommissaris goedgekeur.
- (iii) na ontvangs van die vorm waarna in paragraaf (b) (i) van hierdie subregulasie verwys is, behoorlik deur die superintendent van die betrokke hospitaal onderteken, tesame met die sertifikaat waarna in paragraaf (b) (ii) van hierdie subregulasie verwys is, moet die distriksgeneesheer genoemde vorm en sertifikaat, tesame met die ingevulde geneeskundige sertifikaat waarna in paragraaf (a) van hierdie subregulasie verwys is, aan die distrikspensioenbeampte teruggestuur.

PERSONE GERECHTIG OP ONGESKIKTHEIDSTOELAE.

3. Aansoeke moet gestaaf word deur getuienis en inligting aangaande:—

- (a) *Ouderdom*.—Bewys van ouderdom moet in die vorm van of 'n geboortesertifikaat of 'n doopseel wees. Indien die kommissaris daarvan oortuig is dat nog 'n geboortesertifikaat of 'n doopseel verkrygbaar is, kan hy ander bewyse wat vir hom oortuigend is, aanneem.

(b) *Nationality*.—A person who claims to have become a South African citizen by registration or naturalization, shall produce a certificate of registration or naturalization (as the case may be) or, if unable to produce such certificate, he shall furnish information as to the date and place of registration or naturalization. A person who claims to have become a South African citizen otherwise than by registration or naturalization, may be called upon to produce such evidence of such citizenship as will satisfy the commissioner.

(c) *Residence*.—Proof of residence may be required in such form as will satisfy the commissioner.

DISTRICT PENSION OFFICERS.

4. (1) Every district pension officer shall keep a record of all applications for grants received by him.

(2) A district pension officer who receives an application form in respect of an applicant residing outside his district, shall, after recording the application, forward it by registered post to the district pension officer in whose district the applicant permanently resides.

(3) Every district pension officer, on receipt of an application form in respect of any person resident in his district, shall verify the correctness of the information disclosed in respect of any person resident in his disclosed in the form as well as the information disclosed in the statement of income (means), assets and liabilities and submit it together with all available evidence relative to the application to the commissioner.

POWERS OF THE COMMISSIONER AND OF DISTRICT PENSION OFFICERS.

5. (1) Every person who has signed an application form shall, when so requested, attend personally before the district pension officer to give evidence and furnish information relative to his claim, but if by reason of physical disability or other sufficient cause such person is unable to attend personally and the district pension officer is satisfied that the claim can be established by documentary evidence, he shall not require the attendance of the applicant or the person authorised to act on his behalf.

(2) The commissioner or district pension officer, or any other officer authorised by either of them, may call upon the applicant or any other person by letter to produce any evidence, in any form relative to an application for a disability grant.

(3) The commissioner or district pension officer, may, at his discretion, accept as testimony for or against the claim—

- (a) an affidavit or sworn or attested declaration made by a person who therein declares to what he knows of his own knowledge to be true;
- (b) any other documentary evidence.

DETERMINATION OF GRANT.

6. As soon as possible after the commissioner has in accordance with section *ten* (2) of the Act determined whether or not the applicant is entitled to a grant, he shall notify the applicant of his decision in writing, and if the application has been granted, he shall determine the amount thereof and notify the applicant.

DATE OF APPLICATION FOR GRANT.

7. The date on which the application form is received by the district pension officer, shall be deemed to be the date of application.

APPEAL TO MINISTER.

8. Any applicant or grantee dissatisfied with the decision or action of the commissioner may appeal in writing, through the commissioner, to the Minister, within ninety days of the date of the letter in which the commissioner informed him of the decision or action appealed against.

(b) *Nasionaliteit*.—'n Persoon wat daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur registrasie of naturalisasie geword het, moet 'n registrasie- of naturalisasiesertifikaat (na gelang van die geval) toon, of indien hy nie in staat is om sodanige sertifikaat te toon nie, moet hy inligting verstrek aangaande die datum en plek van registrasie of naturalisasie. 'n Persoon wat daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger op 'n ander wyse as deur registrasie of naturalisasie geword het, kan aangesê word om die bewyse van sodanige burgerskap te toon wat vir die kommissaris oortuigend is.

(c) *Verblyf*.—Bewys van verblyf kan vereis word in die vorm wat vir die kommissaris oortuigend is.

DISTRIKSPENSIOENBEAMPTES.

4. (1) Elke distrikspensioenbeampte moet 'n rekord hou van al die aansoeke om toelaes deur hom ontvang.

(2) 'n Distrikspensioenbeampte wat 'n aansoekvorm ontvang ten opsigte van 'n applikant wat nie in sy distrik woonagtig is nie moet, nadat hy die aansoek aangeteken het, dit per geregistreerde pos stuur aan die distrikspensioenbeampte in wie se distrik die applikant permanent woonagtig is.

(3) Elke distrikspensioenbeampte moet na ontvangs van 'n aansoekvorm ten opsigte van enige persoon wat in sy distrik woonagtig is, die juistheid van die inligting verstrek in die vorm asook dié in die opgawe van inkomste (middele), bates en laste verifieer en dit, tesame met alle beskikbare getuienis in verband met die aansoek, aan die kommissaris stuur.

BEVOEGDHEDE VAN DIE KOMMISSARIS EN VAN DISTRIKSPENSIOENBEAMPTES.

5. (1) Elke persoon wat 'n aansoekvorm onderteken het, moet, wanneer hy versoek word om dit te doen, persoonlik voor die distrikspensioenbeampte verskyn om getuienis af te lê en inligting te verstrek in verband met sy eis, maar indien sodanige persoon weens liggaamlike ongeskiktheid of 'n ander grondige rede nie in staat is om persoonlik te verskyn nie en die distrikspensioenbeampte daarvan oortuig is dat die eis deur dokumentêre bewys gestaaf kan word, moet hy nie eis dat die applikant of die persoon wat gemagtig is om namens hom op te tree, verskyn nie.

(2) Die kommissaris of distrikspensioenbeampte, of enige ander beampte wat deur enigen van hulle gemagtig is, kan die applikant of enige ander persoon per brief aansê om enige getuienis in enige vorm in verband met 'n aansoek om ongeskiktheidstoelae te toon.

(3) Die kommissaris of die distrikspensioenbeampte kan, na goeddunke, as getuienis vir of teen 'n eis die volgende aanneem:—

- (a) 'n Beëdigde verklaring of geattesteerde verklaring afgelê deur 'n persoon wat daarin verklaar wat na sy eie kennis waar is;
- (b) enige ander dokumentêre bewys.

BEPALING VAN TOELAE.

6. So gou doenlik nadat die kommissaris ooreenkomstig artikel *tien* (2) van die Wet bepaal het of die applikant op 'n toelae geregtig is al dan nie, moet hy die applikant skriftelik in kennis stel van sy beslissing en indien die aansoek toegestaan is, moet hy die bedrag daarvan bepaal en die applikant in kennis stel.

DATUM VAN AANSOEK OM TOELAE.

7. Die datum waarop die aansoekvorm deur die distrikspensioenbeampte ontvang is, word geag die datum van aansoek te wees.

APPÊL BY MINISTER.

8. Enige applikant of begiftigde wat ontevrede is met die beslissing of optrede van die kommissaris kan skriftelik, deur bemiddeling van die kommissaris, appelleer by die Minister binne negentig dae na die datum van die brief waarin die kommissaris hom in kennis gestel het van die beslissing of optrede waarteen geappelleer word.

PAYMENT OF GRANT.

9. (1) Grants shall be paid monthly in arrear by the commissioner in such manner as he may deem advisable and on such days as may be determined by him.

(2) When a grantee is too ill to attend at a post office to receive payment of his grant, he may forward his letter of authority, together with an application in writing duly witnessed, to the postmaster for the payment to be made to the person named in his application, and the postmaster on obtaining the signature of the duly authorised person to the receipt and his certificate that the grantee is alive shall, unless he sees any reason for doubt in the matter, make payment of the grant to such person and shall forward the application to the commissioner.

DEPARTMENT OF LABOUR.

No. R. 1986.] [20 December 1963.

The following Government Notice is republished for general information:—

No. 1527.] [25 September 1959.

INDUSTRIAL CONCILIATION ACT,
1956, AS AMENDED.FRUIT AND VEGETABLE CANNING INDUSTRY,
UNION OF SOUTH AFRICA.

I, JOHANNES DE KLERK, Minister of Labour, acting in terms of paragraph (c) of sub-section (7) of section forty-six of the Industrial Conciliation Act, 1956, as amended, do hereby apply the provisions of section forty-six of the Industrial Conciliation Act, 1956, as amended, to employers and employees engaged or employed in the Fruit and Vegetable Canning Industry in the Union of South Africa as from the date of publication of this notice.

For the purpose of this notice—

“Fruit and Vegetable Canning Industry” means the industry in which employers and employees are associated, in establishments which are registered or liable for registration under the Factories, Machinery and Building Work Act, 1941, for the purpose of manufacturing, packing, concentrating, preserving (by means of any process, including freezing), or canning any one or more of the following commodities:—

- (i) Jam, marmalade, fruit jelly, orange or lemon curd, fruit (including the dehydration and processing of fruit other than sun or kiln drying of deciduous fruit), fruit pulps, squashes, concentrates or juices;
- (ii) mushrooms, vegetables (including the dehydration and processing of vegetables) vegetable concentrates, pulps or juices;
- (iii) tomato sauce;

and includes all operations incidental thereto or consequent thereon, but does not include—

- (a) the packing of fresh fruit or vegetables for marketing as such; or
- (b) any establishment in which fruit or vegetable squashes, concentrates or juices are made other than by processing the actual fruit or vegetables.

J. DE KLERK,
Minister of Labour.

BETALING VAN TOELAE.

9. (1) Toelaes word maandeliks agterna deur die kommissaris betaal op die wyse wat hy wenslik ag en op die dae wat hy bepaal.

(2) Wanneer 'n begiftigde te siek is om na 'n poskantoor te gaan om betaling van sy toelae te ontvang, kan hy sy magtigingsbrief, tesame met 'n skriftelike aansoek behoorlik voor getuies onderteken, aan die posmeester stuur sodat betaling gedoen kan word aan die persoon genoem in sy aansoek, en die posmeester moet, tensy hy enige twyfel oor die saak het, na verkryging van die handtekening van die behoorlik gemagtigde persoon op die kwitansie en sy sertifikaat dat die begiftigde nog lewe, betaling van die toelae aan sodanige persoon doen en die aansoek aan die kommissaris stuur.

DEPARTEMENT VAN ARBEID.

No. R. 1986.] [20 Desember 1963.

Onderstaande Goewermentskennisgewing word vir algemene inligting herpubliseer:—

No. 1527.] [25 September 1959.

WET OP NYWERHEIDSVERSOENING, 1956,
SOOS GEWYSIG.VRUGTE- EN GROENTE-INMAAKNYWERHEID,
UNIE VAN SUID-AFRIKA.

Ek, JOHANNES DE KLERK, Minister van Arbeid, handelende kragtens paragraaf (c) van subartikel (7) van artikel ses-en-veertig van die Wet op Nywerheidsversoening, 1956, soos gewysig, maak hierby vanaf die datum van publikasie van hierdie kennisgewing, die bepalings van artikel ses-en-veertig van die Wet op Nywerheidsversoening, 1956, soos gewysig, van toepassing op werkgewers en werknemers betrokke by of in diens in die Vruchte- en Groente-inmaaknywerheid in die Unie van Suid-Afrika.

Vir die doeleindes van hierdie kennisgewing beteken—

„Vruchte- en Groente-inmaaknywerheid” die nywerheid waarin werkgewers en werknemers in bedryfsinrigtings wat kragtens die Wet op Fabriek, Masjinerie en Bouwerk, 1941, geregistreer of aan registrasie onderworpe is, met mekaar geassosieer is vir die vervaardiging, verpakking, konsentrering, preservering (deur middel van enige proses, insluitende bevriesing) of inmaak van een of meer van die volgende ware:—

- (i) Konfyt, marmelade, vruchtejellie, lemoen- of suurlemoenheuning, vrugte (met inbegrip van die ontwatering en bewerking, volgens 'n bepaalde proses, van vrugte, uitgesonderd die son- of oonddroging van sagtevrugte), vrugtepulpe, -kwasse, -konsentrate of -sappe;
- (ii) sampioene, groente (met inbegrip van die ontwatering en bewerking, volgens 'n bepaalde proses, van groente), groentekonsentrate, -pulpe of -sappe;
- (iii) tamatiesous;

en sluit dit alle werksaamhede in wat daarmee saamgaan of daaruit voortvloei, maar nie die volgende nie:—

- (a) Die verpakking van vars vrugte of groente vir bemarking as sodanig; of
- (b) enige inrigting waarin vrugte- of groentekwasse, -konsentrate of -sappe gemaak word op 'n ander wyse as om die vrugte of groente as sodanig volgens 'n bepaalde proses te bewerk.

J. DE KLERK,
Minister van Arbeid.

DEPARTMENT OF COLOURED AFFAIRS.

No. R. 1967]

[20 December 1963.

ESTABLISHMENT OF SCHOOL REGIONS.

It is hereby notified that the Minister for Coloured Affairs has, by virtue of Regulation D.1 of the regulations published under Government Notice No. R.1898 of 21st November, 1963, divided the provinces of the Cape of Good Hope and Transvaal into the following school regions:—

A.—Cape of Good Hope.

I. Cape Town Region comprising the magisterial districts of Cape Town, Wynberg and Simonstown.

II. Bellville Region comprising the magisterial districts of Bellville, Hopefield, Malmesbury, Paarl, Piketberg, Somerset West, Stellenbosch, Tulbagh, Vredenburg and Wellington.

III. Worcester Region comprising the magisterial districts of Bredasdorp, Caledon, Ceres, Heidelberg, Laingsburg, Montagu, Robertson, Sutherland, Swellendam and Worcester.

IV. Beaufort West Region comprising the magisterial districts of Aberdeen, Beaufort West, Britstown, Carnarvon, De Aar, Fraserburg, Graaff-Reinet, Hanover, Murraysburg, Prince Albert, Richmond, Victoria West and Williston.

V. Kimberley Region comprising the magisterial districts of Barkly West, Hay, Herbert, Hopetown, Kimberley, Kuruman, Mafeking, Phillipstown, Postmasburg, Taung, Vryburg and Warrenton.

VI. Queenstown Region comprising the magisterial districts of Albert, Aliwal North, Barkly East, Cathcart, Colesberg, Cradock, Elliot, Fort Beaufort, Glen Grey, Herschel, Indwe, Keiskammahoek, King William's Town, Komga, Lady Grey, Maclear, Maraisburg, Middelburg, Middelrift, Molteno, Mount Alyff, Mount Currie, Mount Fletcher, East London, Peddie, Queenstown, Sterkstroom, Steynsburg, Stockenström, Stutterheim, Tarkastad, Venterstad, Victoria East, Umzimkulu, Wodehouse and the Transkei Territory.

VII. Springbok Region comprising the magisterial districts of Calvinia, Clanwilliam, Namaqualand, Vanrhynsdorp and Vredendal.

VIII. Upington Region comprising the magisterial districts of Gordonia, Kenhardt and Prieska.

IX. George Region comprising the magisterial districts of Calitzdorp, George, Knysna, Ladismith, Mosselbay, Oudtshoorn, Riversdale, Uniondale and Willowmore.

X. Port Elizabeth Region comprising the magisterial districts of Adelaide, Albany, Alexandria, Bathurst, Bedford, Humansdorp, Jansenville, Kirkwood, Pearston, Port Elizabeth, Somerset East, Steytlerville and Uitenhage.

B.—Transvaal.

Johannesburg Region comprising the whole of the Transvaal.

DEPARTMENT OF JUSTICE.

No. R. 1966.]

[20 December 1963.

PUBLICATION OF PARTICULARS IN TERMS OF SECTION TEN TER OF THE SUPPRESSION OF COMMUNISM ACT, 1950 (ACT No. 44 OF 1950), AS AMENDED.

The Minister of Justice has, by virtue of the powers vested in him by section ten ter of the Suppression of Communism Act, 1950 (Act No. 44 of 1950), as amended, approved the publication in the *Government Gazette* of

DEPARTEMENT VAN KLEURLINGSAKE.

No. R. 1967.]

[20 Desember 1963.

INSTELLING VAN SKOOLSTREKE.

Hierby word bekend gemaak dat die Minister van Kleurlingsake kragtens Regulasie D.1 van die regulasies afgekondig by Goewermentskennisgewing No. R. 1898 van 21 November 1963, die provinsies Kaap die Goeie Hoop en Transvaal in die volgende skoolstreke ingedeel het:—

A.—Kaap die Goeie Hoop.

I. Kaapstad-streek wat bestaan uit die landdrostdistrikte Kaapstad, Simonstad en Wynberg.

II. Bellville-streek wat bestaan uit die landdrostdistrikte Bellville, Hopefield, Malmesbury, Paarl, Piketberg, Somerset-Wes, Stellenbosch, Tulbagh, Vredenburg en Wellington.

III. Worcester-streek wat bestaan uit die landdrostdistrikte Bredasdorp, Caledon, Ceres, Heidelberg, Laingsburg, Montagu, Robertson, Sutherland, Swellendam en Worcester.

IV. Beaufort-Wes-streek wat bestaan uit die landdrostdistrikte Aberdeen, Beaufort-Wes, Britstown, Carnarvon, De Aar, Fraserburg, Graaff-Reinet, Hanover, Murraysburg, Prins Albert, Richmond, Victoria-Wes en Williston.

V. Kimberley-streek wat bestaan uit die landdrostdistrikte Barkley-Wes, Hay, Herbert, Hopetown, Kimberley, Kuruman, Mafeking, Philipstown, Postmasburg, Taung, Vryburg en Warrenton.

VI. Queenstown-streek wat bestaan uit die landdrostdistrikte Albert, Aliwal-Noord, Barkly-Oos, Cathcart, Colesberg, Cradock, Elliot, Fort Beaufort, Glen Grey, Herschel, Indwe, Keiskammahoek, King William's Town, Komga, Lady Grey, Maclear, Maraisburg, Middelburg, Middelrift, Molteno, Mount Alyff, Mount Currie, Mount Fletcher, Oos-Londen, Peddie, Queenstown, Sterkstroom, Steynsburg, Stockenström, Stutterheim, Tarkastad, Venterstad, Victoria-Oos, Umzimkulu, Wodehouse en die Transkeigebied.

VII. Springbok-streek wat bestaan uit die landdrostdistrikte Calvinia, Clanwilliam, Namakwaland, Vanrhynsdorp en Vredendal.

VIII. Upington-streek wat bestaan uit die landdrostdistrikte Gordonia, Kenhardt en Prieska.

IX. George-streek wat bestaan uit die landdrostdistrikte Calitzdorp, George, Knysna, Ladismith, Mosselbaai, Oudtshoorn, Riversdal, Uniondale, Willowmore.

X. Port Elizabeth-streek wat bestaan uit die landdrostdistrikte Adelaide, Albanie, Alexandria, Bethurst, Bedford, Humansdorp, Jansenville, Kirkwood, Pearston, Port Elizabeth, Somerset-Oos, Steytlerville en Uitenhage.

B.—Transvaal.

Johannesburg-streek wat bestaan uit die hele Transvaal.

DEPARTEMENT VAN JUSTISIE.

No. R. 1966.]

[20 Desember 1963.

AFKONDIGING VAN BESONDERHEDE INGEVOLGE ARTIKEL TIEN TER VAN DIE WET OP DIE ONDERDRUKKING VAN KOMMUNISME, 1950 (WET No. 44 VAN 1950), SOOS GEWYSIG.

Die Minister van Justisie het kragtens die bevoegdheid hom verleen by artikel tien ter van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), soos gewysig, sy goedkeuring geheg aan die afkondiging in die *Staatskoerant* van onderstaande beson-

the undermentioned particulars of notices issued in terms of sub-section (1) of section *nine* of the said Act whereby the undermentioned persons were prohibited from attending gatherings:—

derhede van kennisgewings wat ingevolge subartikel (1) van artikel *nege* van genoemde Wet uitgereik is waarby ondergenoemde persone verbied is om byeenkomste by te woon:—

Name/Naam.	Address mentioned in Notice. Adres in kennisgewing vermeld.	Date on which Notice was delivered. Datum waarop kennisgewing oorhandig is.	Date on which Notice expires. Datum waarop kennisgewing verstryk.
Makaringa, July.....	1167c White City, Jabavu, Johannesburg.....	15/11/63	30/11/68
Matsemela, Morris Matsobane.....	917 High Street/-straat, Lady Selborne, Pretoria.....	15/11/63	30/ 9/68
Takalo, Richard and R. M. R. Takalo.....	7094 Dube Native Township/-Bantoeoord, Johannes- burg	16/11/63	30/11/68

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