



OFFICIAL GAZETTE

OF THE
HIGH COMMISSIONER FOR SOUTH AFRICA.

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PRETORIA, FRIDAY, 16TH MARCH, 1934.

[No. 1708.]

No. 7 of 1934.]

PROCLAMATION

By HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to amend the Bechuanaland Protectorate Special Court Proclamation 1912 (No. 40 of 1912):

Now therefore under and by virtue of the powers in me vested I do hereby declare, proclaim and make known as follows:—

1. Section one of the Bechuanaland Protectorate Special Court Proclamation 1912 shall be and is hereby amended by the insertion after the words "any such Court" of the words "or any person who shall have been admitted as a barrister in England or Northern Ireland or as an advocate in the Court of Session of Scotland".

2. This Proclamation shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Sixth day of March One thousand Nine hundred and Thirty-four.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency the
High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

No. 8 of 1934.]

PROCLAMATION

By HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient further to amend section fifteen of the Swaziland Administration Proclamation 1907 (hereinafter referred to as the principal law) as amended by section four of the Swaziland Superior Courts Amendment Proclamation 1912, and by section one of the Swaziland Superior Courts Amendment Proclamation 1933:

Now therefore under and by virtue of the powers, authorities and jurisdiction conferred upon and committed to me by His Majesty under the Swaziland Order-in-Council 1903 as amended by the Swaziland Order-in-Council 1906 and the Swaziland Order-in-Council 1909, I do hereby declare, proclaim and make known as follows:—

1. Sub-section (2) of section fifteen of the principal law shall be and is hereby repealed and the following sub-section substituted therefor:—

"(2) The said Court shall consist of a President, who shall be appointed by the High Commissioner and shall be a Barrister admitted to practise in England or Northern Ireland or an Advocate of the Court of Session of Scotland or an Advocate admitted to practise in any of the Provincial Divisions of the Supreme Court of South Africa, and the following members: The Resident Commissioner, Deputy Resident Commissioner, and all Assistant Commissioners and Deputy Assistant Commissioners appointed to areas defined under section eleven."

2. This Proclamation may be cited for all purposes as the Swaziland Superior Courts Amendment Proclamation, 1934.

and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Sixth day of March One thousand Nine hundred and Thirty-four.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency the
High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

No. 9 of 1934.]

PROCLAMATION

By HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is desirable further to amend the Swaziland Poll Tax Proclamation 1921 (No. 32 of 1921) as amended by the Swaziland Poll Tax Amendment Proclamation 1922 (No. 31 of 1922) and by the Swaziland Poll Tax Further Amendment Proclamation 1923 (No. 5 of 1923) and by the Swaziland Poll Tax Further Amendment Proclamation 1924 (No. 4 of 1924) and by the Swaziland Poll Tax Further Amendment Proclamation 1931 (No. 3 of 1931) hereinafter referred to as the principal law;

Now therefore under and by virtue of the powers, authorities and jurisdiction conferred upon and committed to me by His Majesty under the Swaziland Order-in-Council 1903 as amended by the Swaziland Order-in-Council 1906 and the Swaziland Order-in-Council 1909, I do hereby declare, proclaim and make known as follows:—

1. Section two of the principal law as amended shall be and is hereby repealed, and the following section substituted therefor:—

"2. Any person liable to pay poll tax under the preceding section who is certified by the Assistant Commissioner of the district in which such person resides to be indigent shall be exempted by the Resident Commissioner from the payment of poll tax for the duration of such period of indigency: provided that the Resident Commissioner may from time to time instruct Assistant Commissioners as to the principles to be followed in determining when such person may be considered to be indigent."

2. This Proclamation shall be read as one with the principal law as amended and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Tenth day of March One thousand Nine hundred and Thirty-four.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency the
High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 25 of 1934.

It is hereby notified for general information that, under and by virtue of the powers in him vested by section six (1) of the Bechuanaland Protectorate Mines and Minerals Proclamation, 1932 (No. 33 of 1932), His Excellency the High Commissioner has been pleased to specify the Batawana Reserve as an area within the Protectorate to which the said Proclamation shall apply, with effect from the date of the publication of this Notice in the *Gazette*.

By Command of His Excellency the
High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

High Commissioner's Office,
Capetown, 5th March, 1934.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 26 of 1934.

BASUTOLAND.

ADMISSION DUTY FREE OF ARTICLES AND MATERIALS FOR INDUSTRIAL PURPOSES.

It is hereby notified for general information that, in terms of section two of the Customs Tariff and Excise Duties Amendment Proclamation, 1925, His Excellency the High Commissioner has prescribed the following conditions and regulations, subject to which the goods enumerated in Class XV of the First Schedule to the Proclamation may be admitted free of Customs Duty.

By Command of His Excellency the
High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

High Commissioner's Office,
Capetown, 6th March, 1934.

REGULATIONS.

1. Every person desirous of importing free of duty any of the articles or substances specified in Class XV of the Customs Tariff shall first make application to the Director of Customs to be registered as a manufacturer under rebate, and in so doing shall state—

- the name under which he trades;
- the industry in which he is engaged, and if any other business is carried on in the same premises, the nature of such business;
- the locality of his factory or works, and the number of operatives employed;
- the class of goods he desires to import under rebate of duty, and the estimated value of such importations per annum.

2. The applicant, if approved, shall enter into a bond with sufficient surety and to an amount not less than one hundred pounds, to be determined by the Director of Customs, the conditions of the bond being that all goods imported by him, taken out of bonded warehouse or received from another manufacturer under rebate for use in the industry to be named in the bond, will be used solely for the purpose specified in the respective tariff item, and if any portion of a consignment so imported or received be sold, used, removed from his factory or store, or disposed of for any other purpose, without the written consent of the proper officer of customs, duty at the full rate otherwise leviable shall be paid on the whole consignment.

3. The applicant shall thereupon be registered as a manufacturer under rebate, and permitted to receive, under these regulations and subject to the withdrawal of the permission at any time by the Resident Commissioner, the goods enumerated in the appropriate items of Class XV of the Customs Tariff, and such goods shall be conveyed to and stored only in the premises referred to in regulation one, which shall also be registered.

4. The manufacturer, or his clearing agent specially authorized by power of attorney to act for him in that behalf, shall on first importation or on clearance from a bonded warehouse declare on the customs bill of entry that such goods are to be used solely for the purposes specified in the respective tariff items, and shall furnish the proper officer of customs at the port of entry with an additional copy of such bill of entry.

5. The goods enumerated in Class XV of the Customs Tariff may be cleared from a bonded warehouse free of duty for a registered manufacturer, provided that in addition to the customs bill of entry *ex* bond a declaration on transfer, in the form appended, be furnished in duplicate to the proper officer of customs. The bill of entry shall specify the name and address of the manufacturer and the industry for which the goods are intended.

6. A registered manufacturer may, subject to permission previously obtained from the proper officer of customs, transfer to another registered manufacturer goods imported under Class XV of the Customs Tariff, provided a declaration on transfer in the form appended be furnished in duplicate to the aforesaid officer.

7. The declaration on transfer referred to in regulations five and six must be completed with a receipt from the manufacturer to whom the goods are transferred and failing the return of such receipt to the proper officer of customs within fourteen days, the person transferring the goods shall remain liable for the duty otherwise leviable and shall pay the same forthwith on demand.

8. The manufacturer shall keep a stock-book in the form approved by the Director of Customs, showing full particulars of all receipts and disposals, and in such manner that the goods entered for industrial purposes can readily be accounted for to the satisfaction of the proper officer of customs.

9. The manufacturer shall, if required by the proper officer of customs, provide a properly secured store for such goods, and shall provide at his own expense such necessary fastenings as will permit the store being locked with a customs lock.

10. The books and premises of the manufacturer shall be open for inspection at any time during working hours by a duly authorized officer of customs; and should it be deemed necessary at any time to retain an officer on the premises for any period for supervision, the usual charge for special attendance of a customs officer shall be paid by the manufacturer.

11. A registered manufacturer of clothing, shirts, collars, and pyjama suits shall, in addition to conforming to the above-mentioned condition, give twenty-four hours' clear notice to the nearest officer of customs of his intention to dispatch from his factory any articles made from materials imported free of duty, and any removal thereof without such notice having been given shall be regarded as disposal of the materials for purposes other than those authorized by these regulations. Cutting of materials for purposes of manufacture into shirts, collars and pyjamas shall, when required by the Director of Customs, be carried out only under the supervision of a customs officer, and at such times as the Director of Customs shall lay down.

12. For the purposes of these regulations, "manufacturer" shall be held to include persons engaged in the printing, tanning and wool-washing industries.

13. Any person who fails to comply with the provisions of this notice shall, in terms of section fifty-nine of the Basutoland Customs Management Proclamation No. 82 of 1914, be liable to a fine of three hundred pounds and forfeiture of the goods.

14. High Commissioner's Notices Nos. 16 of 1926 and 82 of 1927 are hereby cancelled, but notwithstanding such cancellation the obligations of importers and manufacturers in respect of goods imported under the conditions and regulations prescribed under the said notices shall remain in force and effect as if the said notices had not been cancelled.

ANNEXURE.

CUSTOMS.

BASUTOLAND.

DECLARATION ON TRANSFER REBATE/OF BOND STOCKS TO A MANUFACTURER UNDER REBATE.

To the Director of Customs,

I/We certify that the undermentioned goods entered per Bill of Entry No..... date..... under Class XV *ex* Bond have been transferred to Messrs..... Address.....

Signature of Importer.

Date.....

Received in full the above described goods, which I hereby declare are to be used solely for the purpose specified in Item..... of the Customs Tariff.

Signature of Manufacturer.

Address.....

Date.....

NOTE.—Should these goods or any portion thereof be sold or otherwise disposed of so as to come into the possession of any parties not entitled to import free of duty, full duty will be levied on the whole consignment.

This form to be completed in duplicate and returned to the Director of Customs within fourteen days from the date of the transfer.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 27 of 1934.

BECHUANALAND PROTECTORATE.

ADMISSION DUTY FREE OF ARTICLES AND MATERIALS FOR INDUSTRIAL PURPOSES.

It is hereby notified for general information that, in terms of section two of the Customs Tariff and Excise Duties Amendment Proclamation, 1925, His Excellency the High

Commissioner has prescribed the following conditions and regulations, subject to which the goods enumerated in Class XV of the First Schedule to that Proclamation may be admitted free of Customs Duty.

By Command of His Excellency the
High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

High Commissioner's Office,
Capetown, 6th March, 1934.

REGULATIONS.

1. Every person desirous of importing free of duty any of the articles or substances specified in Class XV of the Customs Tariff shall first make application to the Director of Customs to be registered as a manufacturer under rebate, and in so doing shall state—

- the name under which he trades;
- the industry in which he is engaged, and if any other business is carried on in the same premises, the nature of such business;
- the locality of his factory or works, and the number of operatives employed;
- the class of goods he desires to import under rebate of duty, and the estimated value of such importations per annum.

2. The applicant, if approved, shall enter into a bond with sufficient surety and to an amount not less than *one hundred pounds*, to be determined by the Director of Customs, the conditions of the bond being that all goods imported by him, taken out of bonded warehouse or received from another manufacturer under rebate for use in the industry to be named in the bond, will be used solely for the purpose specified in the respective tariff item, and if any portion of a consignment so imported or received be sold, used, removed from his factory or store, or disposed of for any other purpose, without the written consent of the proper officer of customs, duty at the full rate otherwise leviable shall be paid on the whole consignment.

3. The applicant shall thereupon be registered as a manufacturer under rebate, and permitted to receive, under these regulations and subject to the withdrawal of the permission at any time by the Resident Commissioner, the goods enumerated in the appropriate items of Class XV of the Customs Tariff, and such goods shall be conveyed to and stored only in the premises referred to in regulation one, which shall also be registered.

4. The manufacturer, or his clearing agent specially authorized by power of attorney to act for him in that behalf, shall on first importation or on clearance from a bonded warehouse declare on the customs bill of entry that such goods are to be used solely for the purpose specified in the respective tariff items, and shall furnish the proper officer of customs at the port of entry with an additional copy of such bill of entry.

5. The goods enumerated in Class XV of the Customs Tariff may be cleared from a bonded warehouse free of duty for a registered manufacturer, provided that in addition to the customs bill of entry *ex bond* a declaration on transfer, in the form appended, be furnished in duplicate to the proper officer of customs. The bill of entry shall specify the name and address of the manufacturer and the industry for which the goods are intended.

6. A registered manufacturer may, subject to permission previously obtained from the proper officer of customs, transfer to another registered manufacturer goods imported under Class XV of the Customs Tariff, provided a declaration on transfer in the form appended be furnished in duplicate to the aforesaid officer.

7. The declaration on transfer referred to in regulations five and six must be completed with a receipt from the manufacturer to whom the goods are transferred and failing the return of such receipt to the proper officer of customs within *fourteen* days, the person transferring the goods shall remain liable for the duty otherwise leviable and shall pay the same forthwith on demand.

8. The manufacturer shall keep a stock-book in the form approved by the Director of Customs, showing full particulars of all receipts and disposals, and in such manner that the goods entered for industrial purposes can readily be accounted for to the satisfaction of the proper officer of customs.

9. The manufacturer shall, if required by the proper officer of customs, provide a properly secured store for such goods, and shall provide at his own expense such necessary fastenings as will permit the store being locked with a customs lock.

10. The books and premises of the manufacturer shall be open for inspection at any time during working hours by a duly authorized officer of customs; and should it be deemed necessary at any time to retain an officer on the premises for any period for supervision, the usual charge for special attendance of a customs officer shall be paid by the manufacturer.

11. A registered manufacturer of clothing, shirts, collars, and pyjama suits shall, in addition to conforming to the above-mentioned condition, give *twenty-four* hours' clear notice to the nearest officer of customs of his intention to dispatch from his factory any articles made from materials imported free of duty, and any removal thereof without such notice having been given shall be regarded as disposal of the materials for purposes other than those authorized by these regulations. Cutting of materials for purposes of

manufacture into shirts, collars and pyjamas shall, when required by the Director of Customs, be carried out only under the supervision of a customs officer, and at such time as the Director of Customs shall lay down.

12. Salt entered under item 376 of the Customs Tariff shall be used only by a person in premises licensed under the Dairies and Dairy Produce (Bechuanaland Protectorate) Proclamation, 1929.

13. For the purposes of these regulations, "manufacturer" shall be held to include persons engaged in mining, printing, tanning and wool-washing industries.

14. If any person, registered as a manufacturer under the conditions and regulations subject to which the goods enumerated in Clause XV of the First Schedule to the Customs Tariff and Excise Duties Amendment Proclamation, 1925, Proclamation No. 20 of 1925, as amended, may be admitted free of customs duty, is reported to the Resident Commissioner by the police as maintaining unsatisfactory labour conditions, and if not less than six weeks and not more than six months after he has been notified of such report he is reported to the Resident Commissioner by the police as having taken no adequate steps to maintain satisfactory labour conditions, his registration may be cancelled by the Resident Commissioner, and he shall thereafter be not permitted to import or receive free of customs duty any of the goods enumerated in Class XV of the aforementioned Schedule.

15. Any person who fails to comply with the provisions of this notice shall, in terms of section *fifty-nine* of the Bechuanaland Protectorate Customs Management Proclamation No. 84 of 1914, be liable to a fine of *three hundred pounds* and forfeiture of the goods.

High Commissioner's Notices Nos. 26 of 1926 and 84 of 1927 are hereby cancelled, but notwithstanding such cancellation the obligations of importers and manufacturers in respect of goods imported under the conditions and regulations prescribed under the said notices shall remain in force and effect as if the said notices had not been cancelled.

ANNEXURE.

CUSTOMS.

BECHUANALAND PROTECTORATE.

DECLARATION ON TRANSFER REBATE/OF BOND STOCKS TO A MANUFACTURER UNDER REBATE.

To the Director of Customs,

I/We certify that the undermentioned goods entered per Bill of Entry No. date under Class XV/*ex Bond* have been duly transferred to Messrs. Address

Signature of Importer.

Date

Received in full the above described goods, which I hereby declare are to be used solely for the purpose specified in Item of the Customs Tariff.

Signature of Manufacturer.

Address

NOTE.—Should these goods or any portion thereof be sold or otherwise disposed of so as to come into the possession of any parties not entitled to import free of duty, full duty will be levied on the whole consignment.

This form to be completed in duplicate and returned to the Director of Customs within *fourteen* days from the date of the transfer.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 28 of 1934.

SWAZILAND.

ADMISSION DUTY FREE OF ARTICLES AND MATERIALS FOR INDUSTRIAL PURPOSES.

It is hereby notified for general information that, in terms of section *two* of the Customs Tariff and Excise Duties Amendment Proclamation, 1925, His Excellency the High Commissioner has prescribed the following conditions and regulations, subject to which goods enumerated in Class XV of the First Schedule to that Proclamation may be admitted free of Customs Duty.

By Command of His Excellency the
High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

High Commissioner's Office,
Capetown, 6th March, 1934.

REGULATIONS.

1. Every person desirous of importing free of duty any of the articles or substances specified in Class XV of the Customs

Tariff shall first make application to the Director of Customs to be registered as a manufacturer under rebate, and in so doing shall state—

- (a) the name under which he trades;
- (b) the industry in which he is engaged, and if any other business is carried on in the same premises, the nature of such business;
- (c) the locality of his factory or works, and the number of operatives employed;
- (d) the class of goods he desires to import under rebate of duty, and the estimated value of such importations per annum.

2. The applicant, if approved, shall enter into a bond with sufficient surety and to an amount not less than one hundred pounds, to be determined by the Director of Customs, the conditions of the bond being that all goods imported by him, taken out of bonded warehouse or received from another manufacturer under rebate for use in the industry to be named in the bond, will be used solely for the purpose specified in the respective tariff item, and if any portion of a consignment so imported or received be sold, used, removed from his factory or store, or disposed of for any other purpose, without the written consent of the proper officer of customs, duty at the full rate otherwise leviable shall be paid on the whole consignment.

3. The applicant shall thereupon be registered as a manufacturer under rebate, and permitted to receive, under these regulations and subject to withdrawal of the permission at any time by the Resident Commissioner, the goods enumerated in the appropriate items of Class XV of the Customs Tariff, and such goods shall be conveyed to and stored only in the premises referred to in regulation one, which shall also be registered.

4. The manufacturer, or his clearing agent specially authorized by power of attorney to act for him in that behalf, shall on first importation or on clearance from a bonded warehouse declare on the customs bill of entry that such goods are to be used solely for the purposes specified in the respective tariff items, and shall furnish the proper officer of customs at the port of entry with an additional copy of such bill of entry.

5. The goods enumerated in Class XV of the Customs Tariff may be cleared from a bonded warehouse free of duty for a registered manufacturer, provided that in addition to the customs bill of entry *ex* bond a declaration on transfer, in the form appended, be furnished in duplicate to the proper officer of customs. The bill of entry shall specify the name and address of the manufacturer and the industry for which the goods are intended.

6. A registered manufacturer may, subject to permission previously obtained from the proper officer of customs, transfer to another registered manufacturer goods imported under Class XV of the Customs Tariff, provided a declaration on transfer in the form appended be furnished in duplicate to the aforesaid officer.

7. The declaration on transfer referred to in regulations Nos. five and six must be completed with a receipt from the manufacturer to whom the goods are transferred and failing the return of such receipt to the proper officer of customs within fourteen days, the person transferring the goods shall remain liable for the duty otherwise leviable and shall pay the same forthwith on demand.

8. The manufacturer shall keep a stock-book in the form approved by the Director of Customs, showing full particulars of all receipts and disposals, and in such manner that the goods entered for industrial purposes can readily be accounted for to the satisfaction of the proper officer of customs.

9. The manufacturer shall, if required by the proper officer of customs, provide a properly secured store for such goods, and shall provide at his own expense such necessary fastenings as will permit the store being locked with a customs lock.

10. The books and premises of the manufacturer shall be open for inspection at any time during working hours by a duly authorized officer of customs; and should it be deemed necessary at any time to retain an officer on the premises for any period for supervision, the usual charge for special attendance of a customs officer shall be paid by the manufacturer.

11. A registered manufacturer of clothing, shirts, collars, and pyjama suits shall, in addition to conforming to the above-mentioned condition, give twenty-four hours' clear notice to the nearest officer of customs of his intention to dispatch from his factory any articles made from materials imported free of duty, and any removal thereof without such notice having been given shall be regarded as disposal of the materials for purposes other than those authorized by these regulations. Cutting of materials for purposes of manufacture into shirts, collars and pyjamas shall, when required by the Director, be carried out only under the supervision of a customs officer, and at such times as the Director shall lay down.

12. For the purposes of these regulations, "manufacturer" shall be held to include persons engaged in the mining and printing industries.

13. Any person who fails to comply with the provisions of this notice shall, in terms of section fifty-nine of the Swaziland Customs Management Proclamation No. 86 of 1914, be liable to a fine not exceeding three hundred pounds and forfeiture of the goods.

ANNEXURE.

CUSTOMS.

SWAZILAND.

DECLARATION ON TRANSFER REBATE/OF BOND STOCKS TO A MANUFACTURER UNDER REBATE.

To the Director of Customs,

I/We certify that the undermentioned goods entered per Bill of Entry No. date..... under Class XV *ex* Bond have been duly transferred to Messrs. Address.....

Signature of Importer.

Date.....

Received in full the above described goods, which I hereby declare are to be used solely for the purpose specified in Item..... of the Customs Tariff.

Signature of Manufacturer.

Address.....

Date.....

NOTE.—Should these goods or any portion thereof be sold or otherwise disposed of so as to come into the possession of any parties not entitled to import free of duty, full duty will be levied on the whole consignment.

This form is to be completed in duplicate and returned to the Director of Customs within fourteen days from date of the transfer.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 29 of 1934.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint Captain Gerald Enraght Nettelton, Resident Magistrate of the Ngwato District, Bechuanaland Protectorate, to act as Resident Magistrate of the Tuli Block District in addition to his other duties with effect from the 16th February, 1934.

By Command of His Excellency the High Commissioner.

SHIRLEY EALES,

High Commissioner's Office, Administrative Secretary.
Capetown, 8th March, 1934.

HIGH COMMISSIONER'S NOTICE No. 30 of 1934.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint Claude Campbell McLaren, Esquire, to act as Registrar of the undermentioned Courts during the absence on leave of H. H. Price, Esquire.

- (1) The Court of the Resident Commissioner for the Bechuanaland Protectorate.
- (2) The Special Court of the Bechuanaland Protectorate established under the provisions of the Bechuanaland Protectorate Special Court Proclamation, 1912.

By Command of His Excellency the High Commissioner.

SHIRLEY EALES,

High Commissioner's Office, Administrative Secretary.
Capetown, 12th March, 1934.

POUND SALE.

The following will be sold by public auction in front of the Government Buildings, Bremersdorp, on Wednesday, 21st March, 1934, at 1 p.m., if not previously claimed:—

- Graded heifer, red, about 3 years.
- Red bull, white face, about 2 years.
- Swazi cow, brown, about 8 years, white belly and udder, with brown heifer calf.
- Swazi ox, brown, white patch between front legs.
- Swazi ox, black, white belly, large slit right and small slit left ear.

J. S. SWANEPOEL,
for Poundmaster, Bremersdorp.

Notice is hereby given, in terms of section four, sub-section (1) of the Registration of Businesses (Swaziland) Proclamation, 1933, that the business registered at the Office of the Assistant Commissioner, Mbabane, on the 16th January, 1934, under the business name of JAMES INSKIP, and carried on at Junction Farm, in the Northern District, Swaziland, will be transferred to LIZA INSKIP, as and from the 1st day of April, 1934.

A. MILLIN,
Executor Testamentary Estate of the late James Inskip.
Mbabane, Swaziland, 24th February, 1934. 2-9-16

STAATS- KOERANT

VAN DIE

Unie van Suid-Afrika.

(Verskyn elke Vrydag.)

INTEKENGELD.

Die intekengeld vir die *Unie-Staatskoerant* (insluitende die *Offisiële Koerant van die Hoë Kommissaris, Buitengewone Staatskoerante en Supplemente*, met Kwartaal-indeks) is as volg:—

£1 per ses maande (posvry).

£2 per twaalf maande (posvry).

Prys per los eksemplaar, 6d.

Intekengelde moet vooruitbetaal word aan die Staatsdrukker, Pretoria, en mag begin vanaf die 1ste van enige maand, maar kan nie aangeneem word vir 'n korter tydperk as ses maande nie.

ADVERTENSIES.

Die advertensietarief is as volg:—

5s. per duim, enkele kolom; herhalings 3s.

10s. per duim, dubbele kolom; herhalings 6s.

15s. per duim, driedubbele kolom; herhalings 9s.

Om die ruimte wat 'n advertensie sal beslaan, by benadering te bereken, moet adverteerders die woorde in die advertensie tel en reken:—

Vir enkele kolom, 6 woorde per reël;

Vir dubbele kolom, 14 woorde per reël;

Vir driedubbele kolom, 21 woorde per reël;
en 8 reëls per duim.

In elke geval moet 'n ekstra half-duim aan die bo- en onderkant bereken word vir die titel en ondertekening respektiewelik. Gedeeltes van 'n duim moet as een volle duim gereken word.

Kennisgewings aan Krediteure en Debiteure in die Boedels van Oorlede Persone en Kennisgewings van Eksekuteurs betreffende Likwidasierekenings wat ter insae lê, word gepubliseer in skedulevorm teen 8s. per Boedel.

'n Vaste bedrag van 12s. per Boedel word bereken vir die publikasie in skedulevorm van kennisgewings voorgeskrewe deur die Regulasies opgestel volgens die Insolvensiewet, 1916.

In die geval van vorms 3 en 4, moet adverteerders die woorde in die advertensies tel en reken: 12s. vir die eerste 36 woorde (of gedeelte daarvan) en 2s. vir elke addisionele 12 woorde (of gedeelte daarvan).

Kennisgewings van aanneming van volledige spesifikasies met betrekking tot aansoek om Oktrooibriewe word vir 10s. in drie agtereenvolgende uitgawes geplaas.

Aansoek om Naturalisasie word vir 13s. geplaas, watter bedrag 'n eksemplaar van die *Staatskoerant* insluit.

Alleen wetlike advertensies word vir publikasie in die *Staatskoerant* aangeneem en is onderworpe aan die goedkeuring van die Staatsdrukker, wat kan weier om advertensies aan te neem of verder te publiseer.

Die Staatsdrukker behou hom die reg voor om kopie te redigeer.

Geen verantwoordelikheid kan aanvaar word vir verliese wat deur uitlatings of tipografiese of ander foute ontstaan nie.

Die manuskrip van advertensies moet alleen op een sy van die papier geskrywe word, en alle eiename moet duidelik geskrywe word; ingeval enige naam verkeerd gedruk word ten gevolge van onduidelike skrif, kan die advertensie alleen weer gepubliseer word teen betaling van die koste van 'n tweede plasing.

Geen advertensie kan geplaas word nie tensy dit vooruitbetaal is.

Alle tjeks, bankwissels, posorders of poswissels moet uitgemaak word op naam van die Staatsdrukker, Pretoria, en gekruis wees „Suid-Afrikaanse Reserwebank”. Alleen tjeks wat deur die Bank geparafeer is, sal aangeneem word.

J. J. KRUGER,
Staatsdrukker.

GOVERNMENT GAZETTE

OF THE

Union of South Africa.

(Published on Fridays.)

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J. J. KRUGER,
Government Printer.

Vol. XCV.]

PRICE 6d.

CAPE TOWN, 17th MARCH, 1934.
KAAPSTAD, 17 MAART 1934.

PRYS 6d.

[No. 2179.]

House of Assembly,
16th March, 1934.

The following Bills, having been introduced into the House of Assembly, are published in accordance with Standing Order No. 160.

DANL. H. VISSER,
Clerk of the House of Assembly.

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DEPARTMENT OF MINES.

No. 347. 16th March, 1934.

The following Bill, which the Minister of Mines intends to introduce during the present Session of Parliament, is hereby published for general information.

L. P. van ZYL HAM,
Secretary for Mines.

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Volksraad,
16 Maart 1934.

Die volgende Wetsontwerpe, ingedien in die Volksraad, word gepubliseer ingevolge Art. 160 van die Reglement van Orde.

DANL. H. VISSER,
Klerk van die Volksraad.

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DEPARTEMENT VAN MYNWESE.

No. 347. 16 Maart 1934.

Die volgende Wetsontwerp, wat deur die Minister van Mynwese gedurende die huidige sitting van die Volksraad ingedien sal word, word hierby vir algemene kennisname gepubliseer.

L. P. van ZYL HAM,
Sekretaris vir Mynwese.

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BILL

To provide for the registration, designation and control of accountants and auditors and for the matters incidental thereto.

(Introduced by DR. H. REITZ, M.P.)

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

Amendment of
Ordinance No.
III (Private)
Transvaal.

1. Ordinance No. III (Private) of 1904 (Transvaal) is hereby amended by the insertion—

- (a) after the word "Ordinance" in section *one* where that word occurs for the second time of the words "or under the Accountants Act, 1934";
- (b) after the word "Ordinance" in section *two* of the words "or under the Accountants Act, 1934".

Amendment of
Act No. 35 of
1909 (Natal).

2. Act No. 35 of 1909 (Natal), is hereby amended by the insertion—

- (a) after the word "Act" in section *one* where that word occurs for the first time of the words "or under the Accountants Act, 1934";
- (b) after the word "Act" in section *two* of the words "or under the Accountants Act, 1934";

Definition of
terms.

3. In this Act and the regulations made hereunder if not inconsistent with the context—

"practising accountant" means a person whose principal business or occupation is the performance of the functions of a professional or public accountant or auditor and who for the purpose of such business holds himself out as such, maintains an office and places his services there at the disposal of any member of the public for reward, or a person who is a member of either the Transvaal Society of Accountants or the Natal Society of Accountants: Provided that an accountant whose time or services are substantially at the command of any one individual person, firm, corporation, Government or public body shall not be deemed to be a practising accountant for the purposes of this Act;

"licence" means a licence issued under the provisions of Act No. 32 of 1925, and enabling the holder thereof to practise as an accountant;

"accountant" means a person registered under the provisions of this Act;

"auditor" means a person registered under the provisions of this Act;

"the register" means the register established under this Act;

"the Minister" means the Minister of Finance or any other Minister to whom the Governor-General may from time to time assign the functions of the Minister under this Act;

"The Council" means the Council referred to in section *seven*.

Use of title of
accountant and
auditor.

4. After the expiration of six months from the commencement of this Act, no person, unless he is registered in terms of this Act or of Ordinance No. III (Private) of 1904, (Transvaal), or of Act No. 35 of 1909 (Natal), shall describe or hold himself out either as an accountant or as an auditor, or by advertisement, description, document or any other means whatsoever use any such name, title, addition, description or letter as to indicate that he is an accountant or an auditor: Provided that nothing in this section contained shall prevent any person employed at a salary on accounts and not carrying on business on his own account from describing himself as an accountant in respect of or in relation to his occupation.

Penalty for
contravening
section 4.

5. Any person contravening any of the provisions of section *four* shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds for each offence.

Issue of
licences
restricted.

6. No licence to carry on business as an accountant or as an auditor shall be issued to any person unless he is duly registered in terms of Ordinance No. III (Private) of 1904 (Transvaal) or Act No. 35 of 1909 (Natal) or of this Act.

WETSONTWERP

Om voorsiening te maak vir die registrasie en benaming van en kontrole oor rekenmeesters en auditeurs en vir verbandhoudende sake.

(Ingedien deur Dr. H. REITZ, L.V.)

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

1. Ordonnansie No. III (Privaat) van 1904 (Transvaal) word Wysiging van Ordonnansie No. III (Privaat) Transvaal.
 5 hierby gewysig deur die invoeging—
 - (a) na die woord „Ordinance” in artikel *een* waar daardie woord vir die tweede maal voorkom, van die woorde „or under the Accountants Act, 1934”;
 - (b) na die woord „Ordinance” in artikel *twee* van die woorde „or under the Accountants Act, 1934”.
- 10 2. Wet No. 35 van 1909 (Natal) word hierby gewysig deur Wysiging van Wet No. 35 van 1909 (Natal).
 die invoeging—
 - (a) na die woord „Act” in artikel *een* waar daardie woord vir die eerste maal voorkom van die woorde „or under the Accountants Act, 1934”.
 - (c) na die woord „Act” in artikel *twee* van die woorde „or under the Accountants Act, 1934”.
- 15 3. In hierdie Wet en die regulasies daaronder gemaak, indien Woord-omskrywing.
 nie onbestaanbaar met die samehang nie, beteken—
 - 20 „praktiserende rekenmeester”, ’n persoon wie se ver-
 naamste besigheid of beroep bestaan uit die verrigting
 van die werksaamhede van ’n professionele of publieke
 rekenmeester of auditeur en wat hom vir die doel
 van sodanige besigheid as sulks uitgee, ’n kantoor
 25 hou en daar sy dienste ter beskikking stel van enige
 lid van die publiek vir beloning, of ’n persoon wat
 lid is hetsy van die Transvaalse Genootskap van
 Rekenmeesters of die Natalse Genootskap van Reken-
 30 meesters: Met die verstande dat ’n rekenmeester
 oor wie se tyd of dienste hoofsaaklik beskik kan word
 deur een individuele persoon, firma, korporasie,
 Regering of openbare liggaam, nie geag word ’n
 praktiserende rekenmeester vir die toepassing van
 hierdie Wet te wees nie;
 - 35 „lisensie”, ’n lisensie uitgereik onder die bepalings van
 Wet No. 32 van 1925, en die houer daarvan in staat
 stellende om as rekenmeester te praktiseer;
 - „rekenmeester”, ’n persoon geregistreer ingevolge die
 bepalings van hierdie Wet;
 - 40 „auditeur”, ’n persoon geregistreer ingevolge die bepalings
 van hierdie Wet;
 - „die register”, die register ingevolge hierdie Wet ingestel;
 - „die Minister”, die Minister van Finansies of enige ander
 Minister aan wie die Goewerneur-generaal van tyd
 45 tot tyd die werksaamhede van die Minister ingevolge
 hierdie Wet mag opdra;
 - „die Raad”, die Raad vermeld in artikel *sewe*.
4. Na verloop van ses maande vanaf die inwerkingtreding Gebruik van titel van rekenmeester en auditeur.
 50 van hierdie Wet mag niemand, tensy hy geregistreer is ooreen-
 komstig hierdie Wet of Ordonnansie No. III (Privaat) van
 1904 (Transvaal), of Wet No. 35 van 1909 (Natal), homself be-
 skrywe of uitgee as rekenmeester of auditeur, of deur middel van
 advertensie, beskrywing, dokument of op enige ander wyse
 hoegenaamd sodanige naam, titel, toevoeging, beskrywing
 55 of letter gebruik om aan te wys dat hy ’n rekenmeester of
 auditeur is: Met die verstande dat die bepalings van hierdie
 artikel niemand belet wat teen ’n salaris met rekenings werk
 en geen besigheid vir eie rekening dryf nie om homself ten
 opsigte van of in verband met sy beroep as ’n rekenmeester
 60 te beskrywe nie.
5. Elkeen wat een van die bepalings van artikel *vier* oortree Straf vir oortreding van artikel 4.
 is skuldig aan ’n misdryf en by veroordeling straffbaar met
 ’n boete van hoogstens honderd pond vir elke misdryf.
6. Geen lisensie om besigheid as rekenmeester of as auditeur Uitreiking van lisensies beperk.
 65 te dryf word aan engeen uitgereik nie tensy hy behoorlik
 geregistreer is ooreenkomstig Ordonnansie No. III (Privaat)
 van 1904 (Transvaal) of Wet No. 35 van 1909 (Natal) of van
 hierdie Wet.

[A.B. 40—’34.]

The Council.	7. The Administration of this Act shall be vested in a Council consisting of such a number of members as may be prescribed by regulation.	
Provisional Council.	8. (1) At the commencement of this Act the Minister shall appoint a Provisional Council the members of which shall not be less than seven nor more than twelve persons who are holders of an accountant's licence for at least five years: Provided that the Minister may at any time dissolve the said Provisional Council and appoint a new Provisional Council. (2) The Provisional Council shall function until the Council shall come into office and shall fill any casual vacancies in their number subject to the approval of the Minister.	5 10
First meeting of Provisional Council.	9. (1) The said Provisional Council shall hold its first meeting at such place and on such date as the Minister shall determine and at its first meeting shall elect a chairman. (2) In the absence of the chairman at any meeting, the members of the Provisional Council present shall elect one of their number to preside. (3) At any meeting of the Provisional Council five persons personally present shall constitute a quorum and the decision of the majority of members present at any meeting of the Council shall be the decision of the Council: Provided that in the case of an equality of votes the person presiding at any meeting shall have a deliberative as well as a casting vote.	15 20
Persons entitled to registration.	10. The Provisional Council shall open a register in which the following persons on application thereto shall be registered— (a) any member of the Institute of Accountants of South Africa, Limited; (b) any member of the Cape Society of Accountants and Auditors; (c) any member of the Society of Accountants and Auditors in the Orange Free State; (d) any member of the Transvaal Society of Accountants; (e) any member of the Natal Society of Accountants; (f) any member of any other similar society in the Union approved of by the Minister; (g) any person who applies within six months after the commencement of this Act and satisfies the Provisional Council that he is— (1) a person of good character and prior to the first day of February, 1934, was <i>bona fide</i> performing the work of a practising accountant in the Province of the Cape of Good Hope or the Orange Free State; and (2) in possession of an accountant's licence for the years 1933 and 1934.	25 30 35 40 45
Six months after Act how admitted to register.	11. After the expiration of six months from the commencement of this Act, no person shall be entitled to be registered under this Act unless he produces a certificate that he has passed the examinations from time to time prescribed by regulations made under this Act and satisfies the Council that he has had such practical experience in the business of a practising accountant as under such regulations renders him admissible for registration.	50 5
Registration fee.	12. No person shall be placed upon the register until he has paid such registration fees as the regulations may provide.	
Regulations.	13. The Provisional Council or the Council may make, subject to the approval of the Minister, regulations not inconsistent with this Act— (a) providing for the number, mode of election or appointment of the members of the Council and the appointment and duties of the officers thereof; (b) prescribing the procedure, powers and duties of the Council and the conduct of its business; (c) as to what in an accountant or auditor shall constitute unprofessional conduct; (d) determining the mode of enquiry into and method of dealing with unprofessional conduct on the part of any auditor or accountant and the penalties to be imposed in respect of such conduct; (e) governing the fees chargeable by accountants and auditors in the absence of special agreement. (f) as to the fees to be paid in respect of registration and as to subscriptions to be paid to the Provisional Council or the Council by persons registered under this Act and as to professional education and benevolence;	60 65 70 75

7. Die uitvoering van hierdie Wet berus by 'n Raad bestaande Die Raad.
uit so 'n getal lede as by regulasie mag voorgeskryf word.

8. (1) By die inwerkingtreding van hierdie Wet benoem Provisionele
die Minister 'n Provisionele Raad die lede waarvan nie minder Raad.

5 as sewe nog meer as twaalf persone sal wees nie en wat minstens
vyf jaar 'n rekenmeesterslisensie besit het: Met die verstande
dat die Minister te eniger tyd die genoemde Provisionele
Raad kan ontbind en 'n nuwe Provisionele Raad kan benoem.

(2) Die Provisionele Raad bly in funksie totdat die Raad
10 in werking tree en vul alle toevallige vakatures in sy midde
aan onderworpe aan die goedkeuring van die Minister.

9. (1) Die genoemde Provisionele Raad hou sy eerste verga- Eerste vergadering
dering op 'n deur die Minister te bepale plek en datum en kies van Provisionele
by sy eerste vergadering 'n voorsitter. Raad.

15 (2) By afwesigheid van die voorsitter op 'n vergadering
kies die aanwesige lede van die Provisionele Raad een uit hulle
midde om voor te sit.

(3) In 'n vergadering van die Provisionele Raad vorm vyf
persone wat persoonlik aanwesig is 'n kworum en die beslissing
20 van die meerderheid van lede op enige vergadering van die
Raad aanwesig is die beslissing van die Raad: Met die verstande
dat in die geval van 'n staking van stemme die voorsittende
persoon op enige vergadering 'n beraadslagende sowel as 'n
beslissende stem het.

25 10. Die Provisionele Raad open 'n register waarin die volgende
persone na aansoek daarom geregistreer word: Persone geregtig
op registrasie.

(a) 'n lid van die Instituut van Rekenmeesters van Suid-
Afrika, Beperk;

30 (b) 'n lid van die Kaapse Genootskap van Rekenmeesters
en Ouditeurs;

(c) 'n lid van die Genootskap van Rekenmeesters en
Ouditeurs in die Oranje-Vrystaat;

(d) 'n lid van die Transvaalse Genootskap van Reken-
meesters;

35 (e) 'n lid van die Natalse Genootskap van Rekenmeesters;

(f) 'n lid van enige ander dergelike genootskap in die
Unie deur die Minister goedgekeur;

(g) enigeen wat binne ses maande na die inwerkingtre-
ding van hierdie Wet aansoek doen en die Provisionele
40 Raad oortuig dat hy—

(1) 'n persoon van goeie karakter is en voor die
eerste dag van Februarie 1934 *bona fide* die werk
verrig het van 'n praktiserende rekenmeester in
die Provinsie Kaap die Goeie Hoop of die Oranje-
45 Vrystaat; en

(2) in besit van 'n rekenmeesterslisensie is vir die
jare 1933 en 1934.

11. Na verloop van ses maande vanaf die inwerkingtreding Toelating tot
van hierdie Wet is niemand geregtig om kragtens hierdie register na ses
50 Wet geregistreer te word nie tensy hy 'n sertifikaat oorleë
maande.
dat hy in die eksamens van tyd tot tyd deur die regulasies
kragtens hierdie Wet voorgeskryf geslaag het en die Raad
oortuig dat hy sulke praktiese ondervinding in die besigheid
van 'n praktiserende rekenmeester het as wat hom ingevolge
55 genoemde regulasies reg gee op registrasie.

12. Niemand word in die register ingeskryf voordat hy Registrasieloon.
sulke registrasieloon betaal het as die regulasies mag bepaal.

13. Die Provisionele Raad of die Raad kan, behoudens Regulasies.
goedkeuring van die Minister, regulasies uitvaardig wat nie
60 onbestaanbaar met hierdie Wet is nie—

(a) voorsiening makende vir die getal, wyse van verkiesing
of benoeming van die lede van die Raad en die aan-
stelling en werksaamhede van die amptenare daarvan;

65 (b) voorskrywende die prosedure, bevoegdhede en amps-
pligte van die Raad en die verrigting van sy
werksaamhede;

(c) bepalende wat verstaan word onder onprofessionele
gedrag van 'n rekenmeester of ouditeur;

70 (d) die wyse van ondersoek na en die metode van behande-
ling van onprofessionele gedrag vasstellende ten
opsigte van 'n rekenmeester of ouditeur en die
strawwe gestel te word ten aansien van daardie
gedrag;

75 (e) reëlende die lone wat deur rekenmeesters en ouditeurs
berekende kan word by gebreke van besondere ooreen-
koms;

80 (f) omtrent die lone betaalbaar by registrasie en omtrent
subskripsiegelde aan die Provisionele Raad of die
Raad betaalbaar deur persone geregistreer kragtens
hierdie Wet en omtrent professionele opleiding en
weldadigheid;

- (g) enabling agreements to be entered into with other countries on a reciprocal basis as to the registration of accountants and auditors ;
- (h) prescribing the examinations and the mode of conducting the same and the practical experience necessary for registration referred to in section ten. 5
- Amendment of regulations. 14. (1) All regulations and any amendments thereof shall be published in the *Gazette* and copies thereof shall be laid by the Minister upon the Table of both Houses of Parliament, within fourteen days after such publication in the *Gazette*, if Parliament is then in session or if Parliament is not then in session, within fourteen days after the commencement of its next ensuing session. 10
- (2) After the lapse of one month after the said copies have been laid before Parliament the said regulations and any amendments thereof shall have the force of law unless within such month the Minister publishes in the *Gazette* a notice annulling same. 15
- Registration and changes in register to be notified to Minister. 15. (1) The Provisional Council or the Council shall within fourteen days after the registration of any person under this Act, transmit to the Minister a duplicate of such entry in the register. 20
- (2) Every change affecting the register shall be noted therein and notified to the Minister.
- Application to Court allowed. 16. Whenever the Provisional Council or the Council refuses to register the name of any person applying to be registered such person may apply on notice of motion to the provincial or local division of the Supreme Court within whose area of jurisdiction such applicant is ordinarily resident for a review of such decision and such provincial or local division may thereupon make such order as it may deem fit. 25
- Suspension by Court. 17. (1) Provided that the Council or a committee thereof has enquired into the alleged misconduct or unprofessional conduct of any member in such manner as may be prescribed by regulation the Council may suspend such a member or remove his name from the register. 35
- (2) Any member whose name shall have been removed as aforesaid shall have the right to appeal on motion to the provincial or local division of the Supreme Court within whose area of jurisdiction such member is ordinarily resident, and such provincial or local division shall have the right to make such an order as it may deem fit. 40
- Designation. 18. Every person whose name appears upon the register shall be entitled to style himself Statutory Accountant (S.A.).
- Short title and commencement. 19. This Act may be cited as the Accountants Act, 1934, and shall come into operation on a date to be fixed by the Minister by proclamation in the *Gazette*. 45

- (g) ten einde ooreenkomste aan te gaan met ander lande op 'n wedersydse basis aangaande die registrasie van rekenmeesters en ouditeurs;
- (h) voorskrywende die eksamens en die wyse waarop hulle gehou word en die praktiese ondervinding vereis vir registrasie vermeld in artikel *tien*.
- 5
14. (1) Alle regulasies en wysigings daarvan word in die *Staatskoerant* gepubliseer en afskrifte daarvan word deur die Minister ter Tafel van albei Huise van die Parlement gelê, binne veertien dae na daardie publikasie in die *Staatskoerant* wanneer die Parlement dan sit of wanneer die Parlement dan nie sit nie binne veertien dae na die aanvang van sy eersvolgende sessie. Wysiging van regulasies.
- 10
- (2) Na verloop van een maand nadat bedoelde afskrifte voor die Parlement gelê is kry genoemde regulasies en enige wysigings daarvan krag van wet tensy binne daardie maand die Minister 'n kennisgewing in die *Staatskoerant* publiseer wat dieselwe vernietig.
- 15
15. (1) Die Provisionele Raad of die Raad moet binne veertien dae na die registrasie van enige persoon kragtens hierdie Wet aan die Minister 'n duplikaat van die inskrywing in die register stuur. Registrasie en veranderings in register aan Minister mee te deel.
- 20
- (2) Elke verandering wat die register raak moet daarin aangeteken word en aan die Minister bekend gemaak word.
- 25
16. Wanneer die Provisionele Raad of die Raad weier om die naam van enige persoon wat aansoek doen om registrasie te registreer kan sodanige persoon na kennisgewing van mosie aan die provinsiale of plaaslike afdeling van die Hooggeregshof binne wie se regsgebied sodanige aansoeker gewoonlik verblyf hou aansoek doen om hersiening van sodanige beslissing en sodanige provinsiale of plaaslike afdeling kan daarna sodanige bevel uitvaardig as hy goeddink. Aansoek aan hof toegestaan.
- 30
17. (1) Mits dat die Raad of 'n komitee daarvan ondersoek gedoen het na die beweerde wangedrag of onprofessionele gedrag van 'n lid op sodanige wyse as by regulasie voorgeskryf mag word kan die Raad sodanige lid skors of sy naam uit die register skrap. Skorsing deur hof.
- 35
- (2) 'n Lid wie se naam soos voormeld geskrap is het die reg van beroep, na mosie, na die provinsiale of plaaslike afdeling van die Hooggeregshof binne wie se regsgebied sodanige lid gewoonlik verblyf hou en sodanige provinsiale of plaaslike afdeling is geregtig om sodanige bevel uit te vaardig as hy mag goeddink.
- 40
18. Elke persoon wie se naam op die register voorkom is geregtig om homself Wetlike Rekenmeester (S.A.) te noem. Benaming.
- 45
19. Hierdie Wet kan aangehaal word as die Rekenmeesters Kort titel en Wet, 1934, en tree in werking op 'n datum deur die Minister inwerkingtreding by proklamasie in die *Staatskoerant* vas te stel.

BILL

To amend the laws relating to prisons and reformatories and to certified hostels and industrial schools.

(Introduced by the MINISTER OF JUSTICE.)

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

Interpretation of terms.

1. In this Act the expression "principal Act" means the Prisons and Reformatories Act, 1911, as amended and added to from time to time.

Amendment of section 2 of Act 13 of 1911.

2. Section two of the principal Act is hereby amended—

- (a) by the addition of the following proviso at the end of the definition of "Director";
"Provided that in relation to juvenile reformatories and juvenile adult reformatories and to juveniles and juvenile adults, 'Director' shall mean the Secretary for Education or any person lawfully acting in that capacity";
- (b) by the deletion of the definition of "Government industrial school";
- (c) by the substitution of the following definition for the definition of "juvenile";
" 'juvenile' shall mean any person under the age of sixteen years ";
- (d) by the substitution of the following definition for the definition of "juvenile adult":
" 'juvenile adult' shall mean any person who is of or above the age of sixteen years and under the age of twenty-one years ";
- (e) by the deletion of the words "gaol or" from the definition of "juvenile adult reformatory";
- (f) by the addition of the following proviso at the end of the definition of "Minister":
" Provided that in relation to juvenile reformatories, juvenile adult reformatories and certified hostels and to juveniles and juvenile adults, 'Minister' shall mean the Minister of Education or any other Minister of State acting in his stead "; and
- (g) by the addition of the following paragraph at the end thereof:
" Any reference to the 'Prisons Department', in relation to juvenile reformatories and juvenile adult reformatories, shall be deemed to be a reference to the Department of Education."

Amendment of section 4 of Act 13 of 1911.

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

- (a) by the insertion in sub-section (2) of the word "inebriate" before the word "reformatory"; and
- (b) by the deletion of the words "Government industrial school" from the said sub-section.

Amendment of section 57 of Act 13 of 1911.

4. Section fifty-seven of the principal Act is hereby amended by the substitution for the words "The Minister may", where they occur in the first sentence, of the words "The Minister of Justice may, after consultation with the Minister of Education", and where they occur in the last sentence, of the words "The Minister of Education may, after consultation with the Minister of Justice,".

Amendment of section 60 of Act 13 of 1911.

5. Section sixty of the principal Act is hereby amended by the deletion of the words "the inspectors and deputy-inspectors of prisons, the members of the board of visitors of any convict prison or goal,".

Amendment of section 67 of Act 13 of 1911.

6. Section sixty-seven of the principal Act is hereby amended by the substitution of the word "twenty-five" for the word "twenty-one" wherever it occurs.

Amendment of section 9 of Act 46 of 1920.

7. Section nine of the Prisons and Reformatories Act Amendment Act, 1920, is hereby amended by the deletion of paragraph (b) of sub-section (1), and the substitution therefor of the following paragraph:

[A.B. 43—'34.]

WETSONTWERP

Tot wysiging van d'e wette op gevangnisse en verbetergestigte en op gesertifiseerde tehuise en nywerheidskole.

(Ingedien deur die MINISTER VAN JUSTISIE.)

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

1. In hierdie Wet beteken die uitdrukking „Hoofwet” die Woordomskrywing.
5 „Wet op Gevangnisse en Verbetergestichten, 1911”, soos van tyd tot tyd gewysig en aangevul.
2. Artikel twee van die Hoofwet word hiermee gewysig— Wysiging van artikel 2 van Wet 13 van 1911.
 - (a) deur die volgende voorbehoudsbepaling aan die end van die omskrywing van „Direkteur” by te voeg:
10 „Met dien verstande dat met betrekking tot verbetergestichten voor jeugdigen en verbetergestichten voor jonge volwassene en tot jeugdigen en jonge volwassene, onder „Direkteur” verstaan word de Sekretaris voor Onderwijs of zijn wettige plaatsvervanger.”;
 - (b) deur die omskrywing van „Staatsnijverheidsschool” te skrap;
 - (c) deur die omskrywing van „jeugdige” te vervang deur die volgende omskrywing:
15 „jeugdige”, iemand die minder dan zestien jaar oud is”;
 - (d) deur die omskrywing van „jonge volwassene” te vervang deur die volgende omskrywing:
20 „jonge volwassene”, iemand die zestien jaar oud of ouder en onder een en twintig jaar oud is”;
 - (e) deur die woorde „tronk of” uit die omskrywing van „verbetergesticht voor jonge volwassene” te skrap;
 - (f) deur die volgende voorbehoudsbepaling aan die end van die omskrywing van „Minister” by te voeg:
25 „Met dien verstande dat met betrekking tot verbetergestichten voor jeugdigen, verbetergestichten voor jonge volwassene en gecertificeerde tehuizen en tot jeugdigen en jonge volwassene, onder „Minister” verstaan word, de Minister van Onderwijs of een andere Minister van Staat die namens hem optreedt”;
 - (g) deur die volgende paragraaf aan die end daarvan by te voeg:
30 „Met betrekking tot verbetergestichten voor jeugdigen en verbetergestichten voor jonge volwassene, word onder „Departement van Gevangnisse” verstaan het Departement van Onderwijs.”
3. Artikel vier van die Hoofwet word hiermee gewysig— Wysiging van artikel 4 van Wet 13 van 1911.
 - (a) deur in sub-artikel (2) die woord „verbetergesticht” te
35 vervang deur die woord „dronkaardsyiel”; en
 - (b) deur die woord „Staatsnijverheidsschool” uit bedoelde sub-artikel te skrap.
4. Artikel sewen-en-vyftig van die Hoofwet word hiermee gewysig deur die woorde „De Minister kan” te vervang, waar
40 hul in die eerste sinsnede voorkom, deur die woorde „De Minister van Justitie kan, in overleg met de Minister van Onderwijs”, en waar hul in die laaste sinsnede voorkom, deur die woorde „De Minister van Onderwijs kan, in overleg met de Minister van Justitie.”
5. Artikel sestig van die Hoofwet word hiermee gewysig deur
45 die woorde „inspekteurs en adjunkt-inspekteurs van gevangnisse, de leden van de raad van toezicht van een bandietetrunk of tronk” te skrap.
6. Artikel sewen-en-sestig van die Hoofwet word hiermee gewysig deur die woorde „een en twintigste” telkens waar hul
50 voorkom te vervang deur die woorde „vijf en twintigste”, en die woorde „een en twintig” te vervang deur die woorde „vijf en twintig”.
7. Artikel nege van die „Wet tot Wijziging van de Wet op
55 Gevangnisse en Verbetergestichten, 1920,” word hiermee gewysig deur paragraaf (b) van sub-artikel (1) te skrap en te vervang deur die volgende paragraaf:
60 [A.B. 43—’34.] Wysiging van artikel 60 van Wet 13 van 1911. Wysiging van artikel 67 van Wet 13 van 1911. Wysiging van artikel 9 van Wet 46 van 1920.

“(b) order the transfer to a Government industrial school as defined in section *two* of the Children’s Protection Act, 1913 (Act No. 25 of 1913), or to an institution certified under section *thirty-eight* of that Act, from a certified hostel, of any person detained therein who is under the age of sixteen years; and”.

Amendment of section 43 of Act 25 of 1913.

8. Paragraph (b) of sub-section (3) of section *forty-three* of the Children’s Protection Act, 1913, as amended by section *thirteen* of the Children’s Protection Act Amendment Act, 1921, is hereby further amended by the deletion of the words “after the Minister has consulted with the Minister of Justice,”

Short title and commencement.

9. This Act shall be known as the Reformatories Amendment Act, 1934 and shall come into operation on a date to be fixed by the Governor-General by proclamation in the *Gazette*.

- 5 „(b) bevelen om een in een gecertificeerd tehuis aangehouden persoon, die beneden de leeftijd van zestien jaar is, van daar naar een Staatsniverheidschool (zoals omschreven in artikel *twee* van de Wet ter Bescherming van Kinderen, 1913 (Wet No. 25 van 1913), of naar een ingevolge artikel *acht en dertig* van die Wet gecertificeerde inrichting over te plaatsen ; en”.

8. Paragraaf (b) van sub-artikel (3) van artikel *drie-en-veertig* van die „Wet ter Bescherming van Kinderen, 1913”, artikel 43 van Wet 25 van 1913.
10 soos gewysig deur artikel *dertien* van die „Kinderen Beschermings Wet Wijzigings Wet, 1921”, word hiermee verder gewysig deur die woorde „na gepleegd overleg met de Minister van Justitie,” te skrap.

9. Hierdie Wet heet die Wysigingswet op Verbetergestigte, Kort titel en in-
15 1934, en tree in werking op 'n dag deur die Goewerneur-generaal werkingtreding.
by proklamasie in die *Staatskoerant* vas te stel.

BILL

To amend the law relating to Miners' Phthisis.

(To be introduced by the MINISTER OF MINES.)

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

Definitions.

1. In this Act the expression "Consolidation Act" means the Miners' Phthisis Consolidation Act, 1925 (Act No. 35 of 1925), as amended by the Miners' Phthisis Acts Further Amendment Act, 1930 (Act No. 38 of 1930).

Amendment of section 6 of Act 35 of 1925.

2. Section six of the Consolidation Act is hereby amended—

(a) by the insertion in sub-section (1) after the word "Board" where it occurs for the second time, of the words—

"or the bureau or the Medical Board of Appeal";

(b) by the addition at the end of sub-section (1) of the words—

"or the bureau or the Medical Board of Appeal, as the case may be";

(c) by the substitution of the following sub-section for sub-section (3):—

"(3) Any person, whether summoned as a witness or not, who refuses to take an oath as a witness or who, while under examination as a witness, refuses to answer to the best of his knowledge and belief any questions lawfully put to him by or with the concurrence of the board or a committee thereof, or the bureau or the Medical Board of Appeal, or who wilfully insults the board or a committee thereof or the bureau or the Medical Board of Appeal or any member thereof, or who wilfully interrupts its proceedings, shall be guilty of an offence and liable on conviction to a fine not exceeding ten pounds.";

(d) by the insertion, in sub-section (4), after the words "as aforesaid", of the words "or the bureau or the Medical Board of Appeal".

Amendment of section 10 of Act 35 of 1925.

3. Section ten of the Consolidation Act is hereby amended by the insertion of the words "or the Medical Board of Appeal" after the word "bureau" where it occurs for the first time in sub-section (3) and wherever it occurs in sub-sections (4) and (6).

Amendment of section 11 of Act 35 of 1925.

4. Section eleven of the Consolidation Act is hereby amended—

(a) by the substitution for sub-section (3) of the following sub-section:

"(3) Whenever any dependent of a miner is dissatisfied with the decision of the bureau as to the cause of such miner's death or as to whether such miner did or did not have silicosis or tuberculosis or both these diseases at the time of his death, he may appeal from that decision to the Medical Board of Appeal, whose decision shall be final: Provided that, if the board paid to or on behalf of the appellant a greater amount by way of a benefit than it could lawfully have paid if the facts established by the last-mentioned decision had been established at the time of the said payment, that payment shall nevertheless be deemed to have been lawfully made";

(b) by the substitution for the word "bureau" in sub-section (4) of the words "Medical Board of Appeal";

(c) by the substitution for sub-section (7) of the following sub-section:

"(7) The Medical Board of Appeal shall meet as often as is necessary, but not less frequently than once a month. Every such meeting shall be held in the office of the Medical Board of Appeal and shall be convened by its secretary on the instructions of its chairman or acting chairman";

WETSONTWERP

Tot wysiging van die wette op myntering.

(Ingedien deur die MINISTER VAN MYNWESE.)

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

1. In hierdie Wet beteken die uitdrukking „Konsolidasie- Woordoms kry-
5 wet” die „Mijnteringwetten-Konsolidatiewet, 1925” (Wet wing.
No. 35 van 1925) soos gewysig deur die Mynteringwette
Verdere Wysigingswet, 1930 (Wet No. 38 van 1930).

2. Artikel ses van die Konsolidasiewet word hiermee ge- Wysiging van
wysig— artikel 6 van Wet
35 van 1925.

10 (a) deur in sub-artikel (1) na die woord „komitee” die
woorde „of het bureau of de Mediese Raad van Appèl”
in te voeg;

(b) deur die laaste sinsnede van sub-artikel (1) deur die
volgende sinsnede te vervang—

15 „Zulk een dagvaarding word getekend door de
voorzitter of sekretaris van de raad of van het bureau
of van die Mediese Raad van Appèl, naar gelang van
het geval”;

20 (c) deur sub-artikel (3) te vervang deur die volgende sub-
artikel;

„(3) Hij die, hetzij al dan niet als getuige gedag-
vaard, weigert een eed als getuige af te leggen of terwijl
hij als getuige ondervraagd wordt, weigert om iedere
hem door of met toestemming van de raad of een
25 komitee ervan of het bureau of de Mediese Raad van
Appèl gestelde vraag zo goed hij kan volgens wat
hij weet en gelooft, te beantwoorden, of die opzettelik
de raad of een komitee ervan of het bureau of de
Mediese Raad van Appèl of een lid ervan beledigt
30 of, die opzettelik zijn verrichtingen stoort, maakt
zich aan een overtreding schuldig en wordt bij ver-
oordeeling gestraft met een boete van ten hoogste
tien pond”;

35 (d) deur in sub-artikel (4) na die woord „voorzegd” die
woorde „of het bureau of de Mediese Raad van Appèl”
in te voeg.

3. Artikel tien van die Konsolidasiewet word hiermee gewysig Wysiging van
deur die woorde „of de Mediese Raad van Appèl” in te voeg artikel 10 van Wet
na die woord „bureau” waar dit vir die eerste keer in sub- 35 van 1925.
artikel (3) voorkom en orals waar dit in sub-artikels (4) en
(6) voorkom.

4. Artikel elf van die Konsolidasiewet word hiermee ge- Wysiging van
wysig— artikel 11 van Wet
35 van 1925.

45 (a) deur sub-artikel (3) te vervang deur die volgende
sub-artikel:

„(3) Wanneer een afhankelike van een mijnwerker
ontevreden is met die beslissing van het bureau aan-
gaande de oorzaak van het overlijden van die mijn-
werker of aangaande de vraag of die mijnwerker ten
50 tijde van zijn overlijden al dan niet silikosis of tuber-
kulositis of beide die ziekten had, dan kan hij van die
beslissing appelleren naar de Mediese Raad van Appèl,
wiens beslissing afdoende is: Met dien verstande
dat indien de raad aan of ten behoeve van de appel-
lant een groter voordeel ingevolge deze Wet uitbe-
taald heeft, dan hij wettig had kunnen uitbetalen
als de feiten die door de laatstbedoelde beslissing
vastgesteld worden, reeds vastgesteld waren geweest
ten tijde van bedoelde uitbetaling, die uitbetaling
60 desniettemin geacht wordt wettig te zijn geschied”;

(b) deur die woorde „het bureau” in sub-artikel (4) te
vervang deur die woorde „de Mediese Raad van
Appèl”;

65 (c) deur sub-artikel (7) te vervang deur die volgende
sub-artikel:

„(7) De Mediese Raad van Appèl vergadert zo
dikwels als nodig is, doch niet minder vaak dan eens
in de maand. Iedere zodanige vergadering wordt
gehouden in het kantoor van de Mediese Raad van
Appèl en wordt belegd door diens sekretaris op last
70 van diens voorzitter of waarnemende voorzitter”;

(d) by the substitution for sub-section (8) of the following sub-section :—

“(8) The members of the Medical Board of Appeal shall be entitled to such remuneration as the Minister has determined, and that remuneration and the remuneration of the members of the staff of the Medical Board of Appeal and all the expenses incurred in the performance of its functions shall be paid out of the Consolidated Revenue Fund.”

Substitution of section 17 of Act 35 of 1925.

5. Section *seventeen* of the Consolidation Act is hereby repealed and the following section substituted therefor :

“Conditions precedent to grant of benefits to miners. 17. (1) A miner shall be entitled to benefits under this Act, as hereinafter provided, if he submits the prescribed claim therefor and satisfies the board in the prescribed manner that he has silicosis or tuberculosis or both these diseases.

(2) Subject to the provisions of section *twenty-three* of this Act any miner who is not a beneficiary and who is certified under this Act to have tuberculosis without silicosis shall be entitled to the benefits prescribed for such a miner if he satisfies the board that he has during a period or periods amounting in the aggregate to at least two years been employed underground at any mine scheduled at any time for the purposes of this Act or the previous Act or the principal Act or the prior law.

(3) Subject to the provisions of this Act any miner who is not a beneficiary and who is certified under this Act to have silicosis with or without tuberculosis shall be entitled to the benefits prescribed for such a miner if he

(a) submits the prescribed claim for benefits within five years from the date on which he last worked underground at any mine scheduled at any time for the purposes of this Act or the previous Act or the principal Act or the prior law ;

(b) satisfies the board that he has after the first day of August, 1908, worked underground at any such mine ; and

(c) satisfies the board that he has worked underground at any such mine or mines for a period or periods amounting in the aggregate to at least five years ;

Provided that the preceding provisions of this sub-section shall have no application to any miner who has from the date on which he last worked underground on such a mine to the date of the first certificate of the bureau that he has silicosis, been resident in the Union, Bechuanaland, Basutoland, Swaziland or the Mandated Territory of South West Africa and in regard to whom the board is satisfied that he contracted such silicosis during or in consequence of underground work at any such mine : Provided, further, that paragraphs (a) and (c) of this sub-section shall have no application to any miner who was not so resident if the board is satisfied that he contracted such silicosis during or in consequence of underground work at any such mine and that he has not worked in any occupation (other than on a scheduled mine) which in its opinion is likely to have caused silicosis or aggravated existing silicosis ”.

Amendment of section 22 of Act 35 of 1925.

6. (1) Section *twenty-two* of the Consolidation Act is hereby amended—

(a) by the insertion of the words “ or under section *twenty-three* of this Act ” after the words “ section *twenty-six* of the principal Act ” wherever they occur in sub-section (1) ;

(b) by the insertion of the words “ (or in such instalments as the board may in its discretion determine) ” after the words “ one sum ” wherever they occur in paragraphs (a) and (b) of sub-section (1) ;

(c) by the insertion of the words “ save as regards the benefits provided by paragraph (c) of this sub-section ” after the words “ provided that ” in the proviso to sub-section (1) ;

(d) deur sub-artikel (8) te vervang deur die volgende sub-artikel:

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„(8) De leden van de Mediese Raad van Appèl zijn gerechtigd tot de door de Minister vastgestelde bezoldiging, en die bezoldiging alsmede de bezoldiging van het personeel van de Mediese Raad van Appèl en alle bij de verrichting van diens werkzaamheden gedane uitgaven worden uit het Gekonsolideerde Inkomstefonds betaald”.

10 5. Artikel *sewentien* van die Konsolidasiewet word hiermee herroep en deur die volgende artikel vervang:

Vervanging van artikel 17 van Wet 35 van 1925.

„Voorwaar-
den van
toekenning
van voor-
delen aan
mijnwerkers

17. (1) Een mijnwerker is gerechtigd tot voordelen ingevolge deze Wet, zoals hieronder bepaald, indien hij de voorgeschreven aanspraak erop indient en de raad op de voorgeschreven wijze overtuigt dat hij silikosis of tuberkulosis of beide deze ziekten heeft.

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(2) Behoudens de bepalingen van artikel *drie en twintig* van deze Wet, is een mijnwerker, die geen bevoordeelde is en die luidens een ingevolge deze Wet uitgevaardigd certificaat tuberkulosis zonder silikosis heeft, gerechtigd tot de voor hem voorgeschreven voordelen indien hij de raad overtuigt dat hij gedurende een of meer tijdperken van gezamenlik ten minste twee jaar ondergronds werkzaam was in een mijn die te eniger tijd voor de toepassing van deze Wet of de vorige wet of de Hoofdwet of de vroegere wetten ingelijst werd.

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(3) Behoudens de bepalingen van deze Wet, is een mijnwerker die niet een bevoordeelde is en die luidens een ingevolge deze Wet uitgevaardigd certificaat silikosis met of zonder tuberkulosis heeft, gerechtigd tot de voor hem voorgeschreven voordelen indien hij—

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(a) de voorgeschreven aanspraak of voordelen indient binnen vijf jaar vanaf de dag waarop hij voor de laatste keer werkte in een mijn die te eniger tijd voor de toepassing van deze Wet, of de vorige wet of de Hoofdwet of de vroegere wetten ingelijst werd;

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(b) de raad overtuigt dat hij na de eerste dag van Augustus 1908 in zulk een mijn ondergronds gewerkt heeft; en

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(c) de raad overtuigt dat hij in zulk een mijn of zulke mijnen ondergronds gewerkt heeft gedurende een of meer tijdperken van gezamenlik ten minste vijf jaar:

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Met dien verstande dat de voorgaande bepalingen van dit sub-artikel niet toepasselik zijn op een mijnwerker die vanaf de dag waarop hij voor de laatste keer ondergronds werkte, tot de dag van het eerste certificaat van het bureau dat hij silikosis heeft, woonachtig was in de Unie, Betsjoeanaland, Basoetoland, Swasieland of het mandaatgebied Zuidwest-Afrika, en van wie de raad overtuigd is dat hij bedoelde silikosis opgelopen heeft gedurende of als gevolg van werk ondergronds in zulk een mijn: Met dien verstande voorts, dat paragrafen (a) en (c) van dit sub-artikel niet toepasselik zijn op een mijnwerker die niet als voormeld woonachtig was, indien de raad overtuigd is dat hij bedoelde silikosis gedurende of ten gevolge van werk ondergronds in zulk een mijn opgelopen heeft en dat hij niet elders dan in een ingelijste mijn werkzaam was in een beroep die naar het oordeel van de raad silikosis had kunnen veroorzaken of bestaande silikosis had kunnen erger maken”.

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6. (1) Artikel *twee-en-twintig* van die Konsolidasiewet word hiermee gewysig—

Wysiging van artikel 22 van Wet 35 van 1925.

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(a) deur die woorde „of ingevolge artikel *drie en twintig* van deze Wet” in te voeg na die woorde „artikel *zes en twintig* van de Hoofdwet”, orals waar hulle in sub-artikel (1) voorkom;

75

(b) deur die woorde „(of in zulke paalementen als de raad volgens zijn diskretie mocht bepalen)” in te voeg na die woorde „*één som*”, orals waar hulle in paragrafe (a) en (b) van sub-artikel (1) voorkom;

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(c) deur die woorde „behalwe wat betreft de voordeleu voorzien in paragraaf (c) van dit sub-artikel” in te voeg na die woorde „Met dien verstande dat” in die voorbehoudsbepaling tot sub-artikel (1);

(d) by the substitution for the words "three months" in the proviso to sub-section (1) of the words "six months";

(e) by the substitution for sub-section (2) of the following sub-section :

"(2) Any miner who has been granted a one-sum benefit may leave the whole or any part thereof in the hands of the board, and the amount so left and any balance of any benefit awarded to any person in one sum but payable in instalments shall, if it stands to the credit of the beneficiary in the books of the board for a period exceeding thirty days, bear interest calculated in the manner set out in the Second Schedule to this Act".

(2) The extension (by paragraph (d) of sub-section (1)) of the period of three months to a period of six months in the proviso to sub-section (1) of section *twenty-two* of the Consolidation Act shall not apply in connection with any miner who, before the commencement of this Act, received the notification referred to in that proviso.

(3) If, before the commencement of this Act, the Miners' Phthisis Board paid to any miner from the Compensation Fund referred to in section *thirty-nine* of the Consolidation Act any sum which the said Board was not authorized by sub-section (1) of section *twenty-two* of the said Act to pay to such miner, but which it could lawfully have paid to such miner under the said sub-section if this Act had been in force at the time of the payment, then that payment shall be deemed to have been lawfully made.

Amendment of section 23 of Act 35 of 1925.

7. Section *twenty-three* of the Consolidation Act is hereby amended by the insertion therein after the words "previous Act" of the words "or for primary silicosis under the said paragraph (b)".

Amendment of section 24 of Act 35 of 1925.

8. Section *twenty-four* of the Consolidation Act is hereby amended by the insertion of the word "dependent" before the word "widow" in paragraphs (b) and (c) of sub-section (1).

Amendment of section 25 of Act 35 of 1925.

9. Section *twenty-five* of the Consolidation Act is hereby amended by the deletion of the words "(otherwise than under sub-section *twenty-two* of this Act)" from paragraph (a).

Amendment of section 26 of Act 35 of 1925.

10. (1) The following further proviso is hereby added to sub-section (1) of section *twenty-six* of the Consolidation Act :

"Provided, further, that if any such miner was not so resident he shall satisfy the board that he has been since the first day of August, 1932, or since the date on which he was so certified (whichever is the earlier) resident in the Union, Bechuanaland, Basutoland, Swaziland or the Mandated Territory of South West Africa.

Any monthly allowance granted to a miner referred to in the second proviso to this sub-section shall cease and determine immediately if the beneficiary miner leaves the Union and the territories referred to in that proviso without the written permission of the board granted for temporary purposes only or if he outstays the period of such permission."

(2) If, before the commencement of this Act, the Miners' Phthisis Board paid to any miner from the Compensation Fund referred to in section *thirty-nine* of the Consolidation Act any sum which the said board was not authorized by sub-section (1) of section *twenty-six* of the said Act to pay to such miner, but which it could lawfully have paid to such miner under the said sub-section if this Act had been in force at the time of the payment, then that payment shall be deemed to have been lawfully made.

Amendment of section 32 of Act 35 of 1925.

11. Section *thirty-two* of the Consolidation Act is hereby amended by the addition at the end thereof of the following further proviso :

"Provided further that if any such miner or dependent returned to the Union, Bechuanaland, Basutoland, Swaziland or the Mandated Territory of South West Africa before the first day of August, 1933, payment of such monthly allowance shall be continued after the said amount of seven hundred and fifty pounds has been paid but shall cease and determine finally if any such miner or dependent after the said date left or leaves the Union and the said

- (d) deur die woorde „drie maanden” in die voorbehoudsbepaling tot sub-artikel (1) te vervang deur die woorde „zes maanden”;
- (e) deur sub-artikel (2) te vervang deur die volgende sub-artikel:
- „(2) Een mijnwerker aan wie een voordeel in één som toegekend werd, kan de hele som of een deel ervan in handen van de raad laten, zullende het aldus gelaten bedrag en het saldo van een aan iemand in één som toegekend doch in paaiementen uit te betalen voordeel, rente dragen, berekend op de wijze bepaald in de Tweede Bijlage tot deze Wet, mits het in de boeken van de raad gedurende een tijdperk van langer dan dertig dagen ten krediete van de bevoordeelde staat”.
- (2) Die verlenging (deur paragraaf (d) van sub-artikel (1)) van die tydperk van drie maande tot 'n tydperk van ses maande in die voorbehoudsbepaling tot sub-artikel (1) van artikel *twee-en-twintig* van die Konsolidasiewet is nie van toepassing nie in verband met 'n mynwerker wat voor die inwerkingtreding van hierdie Wet die kennisgewing bedoel in daardie voorbehoudsbepaling, ontvang het.
- (3) As die Mynteringraad voor die inwerkingtreding van hierdie Wet uit die kompensasiefonds bedoel in artikel *negen-en-dertig* van die Konsolidasiewet aan 'n mynwerker 'n som uitbetaal het wat daardie raad nie kragtens sub-artikel (1) van artikel *twee-en-twintig* van daardie wet aan daardie mynwerker kon uitbetaal nie, maar wat hy wettig ingevolge daardie sub-artikel aan bedoelde mynwerker sou kan uitbetaal het as hierdie Wet op die tydstip van uitbetaling in werking gewees was, dan word daardie uitbetaling as wettig beskou.
7. Artikel *drie-en-twintig* van die Konsolidasiewet word hiermee gewysig deur die woorde „of voor primaire silikosis ingevolge voormelde paragraaf (b)” na die woorde „vorige wet” in te voeg. Wysiging van artikel 23 van Wet 35 van 1925.
8. Artikel *vier-en-twintig* van die Konsolidasiewet word hiermee gewysig deur die woord „afhankelike” voor die woord „weduwe” in te voeg in paragrafe (b) en (c) van sub-artikel (1). Wysiging van artikel 24 van Wet 35 van 1925.
9. Artikel *vyf-en-twintig* van die Konsolidasiewet word hiermee gewysig deur die woorde „(anderzins dan ingevolge sub-artikel (2) van artikel *twee en twintig* van deze Wet)” uit paragraaf (a) te skrap. Wysiging van artikel 25 van Wet 35 van 1925.
10. (1) Die volgende verdere voorbehoudsbepaling word hiermee aan sub-artikel (1) van artikel *ses-en-twintig* van die Konsolidasiewet toegevoeg: Wysiging van artikel 26 van Wet 35 van 1925.
- „Met dien verstande voorts, dat indien zulk een mijnwerker niet aldus woonachtig is geweest, hij de raad moet overtuigen dat hij sedert de eerste dag van Augustus 1932 of sedert de dag waarop hij zoals voormeld gecertificeerd werd (welke van de twee de laatste is) woonachtig is geweest in de Unie, Betsjoeanaland, Basoetoland, Swasieland of het mandaatgebied Zuidwest-Afrika.
- Iedere maandelikse toelage, toegekend aan een in de tweede voorbehoudsbepaling tot dit sub-artikel vermelde mijnwerker, houdt onmiddellik op en word beëindigd indien de bevoordeelde mijnwerker de Unie en de in die voorbehoudsbepaling genoemde gewesten verlaat zonder schriftelike vergunning van de raad, slechts voor een tijdelik doel verleend, of indien hij langer dan het vergunde tijdperk wegblijft”.
- (2) As die Mynteringraad voor die inwerkingtreding van hierdie Wet uit die kompensasiefonds bedoel in artikel *negen-en-dertig* van die Konsolidasiewet aan 'n mynwerker 'n som uitbetaal het wat daardie raad nie kragtens sub-artikel (1) van artikel *ses-en-twintig* van daardie Wet aan daardie mynwerker kon uitbetaal nie, maar wat hy wettig ingevolge daardie sub-artikel aan daardie mynwerker sou kan uitbetaal het as hierdie Wet op die tydstip van uitbetaling in werking gewees was, dan word daardie uitbetaling as wettig beskou.
11. Artikel *twee-en-dertig* van die Konsolidasiewet word hiermee gewysig deur die volgende verdere voorbehoudsbepaling aan die end by te voeg: Wysiging van artikel 32 van Wet 35 van 1925.
- „Met dien verstande voorts, dat indien zulk een mijnwerker of afhankelike vóór de eerste dag van Augustus 1933 teruggekeerd is naar de Unie, Betsjoeanaland, Basoetoland, Swasieland of het mandaatgebied Zuidwest-Afrika, uitkering van bedoelde maandelikse toelage voortgezet wordt nadat voormeld bedrag van zeven honderd en vijftig pond uitbetaald is geworden, doch finaal gestaakt wordt indien zulk een mijnwerker of afhankelike na voormelde datum de Unie en genoemde

territories without the written permission of the board granted for temporary purposes only, or outstays the period of such permission: Provided also that if the board paid to or for the benefit of any such miner or dependent any sum in terms of sub-section (2) of section *thirty-three* of the principal Act or of sub-section (2) of section *sixty-two* of this Act, the board may in its discretion deduct that sum or a part thereof in such instalments it thinks fit, from any monthly allowance to be paid as aforesaid to such miner or dependent in excess of the said amount of seven hundred and fifty pounds".

Amendment of section 33 of Act 35 of 1925.

12. Section *thirty-three* of the Consolidation Act is hereby amended by the addition at the end of sub-section (3) of the words "or the amount which would otherwise be payable by virtue of paragraph (g) of the Third Schedule to this Act".

Amendment of section 35 of Act 35 of 1925.

13. Section *thirty-five* of the Consolidation Act is hereby amended—

(a) by the insertion of the following new sub-section after sub-section (2):—

"(2)*bis*. Where a native labourer who has not received benefits under this Act, the previous Act, the principal Act or the prior law dies of a cause other than that referred to in sub-section (2) and was at the time of his death qualified to receive any such benefits and had at that time any dependent referred to in sub-section (2), those benefits shall be paid to the Director for the benefit of that dependent."

(b) by the substitution of the following sub-section for sub-section (3):

"(3) Whenever any native labourer, after having worked underground for a period of not less than thirty days, whether continuously or otherwise for any one employer, ceases to work underground, he shall be stethoscopically examined by the bureau or by a medical practitioner nominated (either generally or specially) by the bureau. If he is at such examination, or at any other medical examination held within six months from the date upon which he ceased to work underground, as aforesaid, found by the bureau or by a medical practitioner nominated as aforesaid, to be suffering from tuberculosis without silicosis, he shall be entitled to the benefits referred to in paragraph (b) of sub-section (1)".

Amendment of section 41 of Act 35 of 1925.

14. Section *forty-one* of the Consolidation Act is hereby amended—

(a) by the substitution for the words "by such employer" in paragraph (a) of sub-section (2) of the words "at such scheduled mine";

(b) by the substitution for the words "on a scheduled mine by each employer" in sub-section (3) of the words "at each employer's scheduled mine".

Amendment of section 43 of Act 35 of 1925.

15. Section *forty-three* of the Consolidation Act is hereby amended by the substitution for the words "by him in the scheduled mine" in sub-sections (1) and (2) of the words "at his scheduled mine".

Amendment of section 52 of Act 35 of 1925.

16. Section *fifty-two* of the Consolidation Act is hereby amended—

(a) by the substitution for the word "such" in paragraphs (b) and (c) of the word "medical";

(b) by the addition thereto of the following new sub-section (2), the existing section becoming sub-section (1):
 "(2) The bureau or the Medical Board of Appeal (as the case may be) may cancel or amend any medical certificate which has, in its opinion, been obtained from it by fraud or by any incorrect statement".

Substitution of section 60 of Act 35 of 1925.

17. Section *sixty* of the Consolidation Act is hereby repealed and the following new section substituted therefor:

"Manner of payment of benefits. 60. Whenever any benefit of whatever description is due under this Act, the previous Act, the principal Act or the prior law, to any person other than a native labourer, the board may pay out such benefit in such instalments or in such other manner as it from time to time considers most advantageous to the beneficiary concerned or to

- gewesten verlaat of verlaten heeft zonder schriftelijk vergunning van de raad, slechts voor een tijdelijk doel verleend, of langer dan het vergunde tijdperk wegblijft: Met dien verstande ook, dat indien de raad aan of ten bate van zulk een mijnwerker of afhankelijke een som gelds
- 5 ingevolge sub-artikel (2) van artikel *drie-en-dertig* van de Hoofdwet ingevolge sub-artikel (2) van artikel *twee en zestig* van deze Wet uitbetaald heeft, de raad volgens zijn diskretie die som of een deel ervan in zodanige paaie-
- 10 ment als hij wenselijk acht, kan aftrekken van de maandelijke toelage die zoals voormeld aan die mijnwerker of afhankelijke uit te betalen is boven het bedoelde bedrag van zeven honderd en vijftig pond."
12. Artikel *drie-en-dertig* van die Konsolidasiewet word hiermee gewysig deur aan die end van sub-artikel (3) die volgende woorde by te voeg: „of het bedrag dat anders betaal-
- 15 baar zou zijn krachtens paragraaf (g) van de Derde Bijlage tot deze Wet". Wysiging van artikel 33 van Wet 35 van 1925.
13. Artikel *vyf-en-dertig* van die Konsolidasiewet word hiermee gewysig— Wysiging van artikel 35 van Wet 35 van 1925.
- (a) deur invoeging van die volgende nuwe sub-artikel na sub-artikel (2):
- „(2)*bis*. Wanneer een naturelle-arbeider, die geen voordelen ingevolge deze Wet, de vorige wet, de
- 25 Hoofdwet of de vroegere wetten ontvangen heeft, aan een andere oorzaak dan de in sub-artikel (2) vermelde, overleden is en ten tijde van zijn dood bevoegd was om zodanige voordelen te ontvangen en hij op dat tijdstip een in sub-artikel (2) vermelde afhankelijke had, dan worden die voordelen aan de
- 30 Direkteur ten bate van de afhankelijke uitbetaald";
- (b) deur sub-artikel (3) te vervang deur die volgende sub-artikel:
- „(3) Wanneer een naturelle-arbeider, nadat hij gedurende een tijdvak van niet minder dan dertig
- 35 dagen al dan niet onafgebroken voor een werkgever ondergronds gewerkt heeft, ophoudt om ondergronds te werken, moet hij stethoskopies onderzocht worden door het bureau of door een hetzij in het algemeen of speciaal door het bureau be-
- 40 noemde mediese praktizijn. Indien hij bij dat onderzoek of bij een ander medies onderzoek, binnen zes maanden na de dag waarop hij ophield om ondergronds te werken, gehouden door het bureau of door
- 45 een zoals voormeld benoemde mediese praktizijn, bevonden wordt aan tuberkulosis zonder silikosis te lijden, dan is hij gerechtigd tot de voordelen vermeld in paragraaf (b) van sub-artikel (1)".
14. Artikel *een-en-veertig* van die Konsolidasiewet word hiermee gewysig— Wysiging van artikel 41 van Wet 35 van 1925.
- (a) deur die woorde „bij zulke werkgever" in paragraaf (a) van sub-artikel (2) te vervang deur die woorde: „op die ingelijste mijn";
- (b) deur die woorde „bij elke werkgever op een ingelijste mijn" in sub-artikel (2) te vervang deur die woorde „op de ingelijste mijn van iedere werkgever".
- 55 15. Artikel *drie-en-veertig* van die Konsolidasiewet word hiermee gewysig deur die woorde „door hem geëmployeerd op de ingelijste mijn" in sub-artikels (1) en (2) te vervang deur
- 60 die woorde „op zijn ingelijste mijn in dienst". Wysiging van artikel 43 van Wet 35 van 1925.
16. Artikel *twee-en-vyftig* van die Konsolidasiewet word hiermee gewysig— Wysiging van artikel 52 van Wet 35 van 1925.
- (a) deur die woorde „zulk een" in paragraaf (b) en (c) te vervang deur die woorde „een medies";
- 65 (b) deur die volgende nuwe sub-artikel (2) daaraan toe te voeg, waardeur die bestaande artikel sub-artikel (1) word:
- „(2) Naar gelang van het geval kan het bureau of de Mediese Raad van Appèl een medies certifikaat
- 70 dat volgens zijn oordeel door bedrog of door een onjuiste bewering van hem verkregen werd, intrekken of wijzigen".
17. Artikel *sestig* van die Konsolidasiewet word hiermee herroep en deur die volgende artikel vervang:
- 75 „Wijze van betaling van voordelen. 60. Wanneer een voordeel van welke aard ook ingevolge deze Wet, de vorige wet, die Hoofdwet of de vroegere wetten aan iemand anders dan een naturelle-arbeider toekomt, kan de raad dat voordeel uitbetalen in zulke paaielementen of op zulk een
- 80 andere wijze als hij van tijd tot tijd het voordeligst acht voor de betrokken bevoordeelde of voor zijn

his dependents and it may make any such payment to the beneficiary himself or wholly or partly to a dependent of the beneficiary or to any other person for the benefit of the beneficiary or his dependents if it is satisfied that such payment will be to the advantage of the beneficiary or his dependents".

Substitution of section 64 of Act 35 of 1925.

18. Section *sixty-four* of the Consolidation Act is hereby repealed and the following section substituted therefor:

"Contribu- 64. (1) Upon the death of a miner who had been 10
tion towards awarded any benefits under this Act, the previous
medical and Act or the prior law or who was at the time of his
burial ex- death qualified to receive any benefits under this
penses. Act, the board may, in its discretion, contribute
out of any fund from which the said benefits 15
were paid or payable, a sum not exceeding twenty-
five pounds towards the reasonable expenses of
his burial and of the medical attendance upon him
during his last illness and towards any other
reasonable expenses in connection with such 20
illness.

(2) If the said benefits were paid or payable both from the Gazetted Mines Fund and from the Compensation Fund, the bureau shall apportion the said contribution in terms of sub-section (9) of 25
section *seventy-five* as if it were a liability for compensation.

Insertion of new section 64bis in Act 35 of 1925.

19. The following new section is hereby inserted in the Consolidation Act after section *sixty-four*:

"Provisions 64bis. (1) If upon the death of any miner or 30
in the case any dependent of a deceased miner there is in the
of the death hands of the board any balance of any benefit
of a benefi- awarded to such a miner or dependent, such balance
ciary. shall be paid in such instalments as the board may
decide to the dependents of the miner and if there 35
are no such dependents such balance or portion
thereof may at the discretion of the board be paid
to any heir or legatee of the deceased. If not so
paid the balance or remainder shall lapse to the
Compensation Fund or Gazetted Mines Fund 40
referred to in sub-section (10) of section *seventy-five*
(as the case may be).

(2) The board may in its discretion pay to any dependent of the deceased referred to in sub-section (1) or to any person who is in the opinion 45
of the board a creditor of the deceased, any moneys which had accrued to the deceased at the time of his death, by way of a monthly allowance or other monthly payment."

Amendment of section 70 of Act 35 of 1925.

20. Section *seventy* of the Consolidation Act is hereby 50
amended—

(a) by the addition to sub-section (1) of the following further proviso:

"Provided, further, that this sub-section shall have no application to a beneficiary miner who is 55
the holder of a valid certificate issued by the bureau in the prescribed form for the purposes of this sub-section, (hereinafter referred to as a "special authorization") and who works underground at a scheduled mine in any locality defined in writing by 60
the Minister for each particular mine for the purpose of this sub-section, and any such beneficiary miner shall for the purposes of sections *forty-one*, *forty-three* and *seventy-six* of this Act be deemed not to be working underground or as a miner at a scheduled 65
mine";

(b) by the insertion of the following new sub-sections after sub-section (1):

"(1)bis. With a view to obtaining a special authorization, a beneficiary miner who, when last 70
examined by the bureau, was found to have neither silicosis in the secondary state nor tuberculosis (with or without silicosis) may, with the written permission of the board, submit himself to a prescribed medical examination by the bureau and after such 75

afhankeliken, en hij kan zulk een uitbetaling doen aan de bevoordeelde zelf of geheel of gedeeltelijk aan een afhankelijke van de bevoordeelde of aan iemand anders ten bate van de bevoordeelde of van zijn afhankeliken, indien hij overtuigd is dat die uitbetaling in het belang van de bevoordeelde of van zijn afhankeliken is".

18. Artikel *vier-en-sestig* van die Konsolidasiewet word hiermee herroep en deur die volgende artikel vervang :

Vervanging van artikel 64 van Wet 35 van 1925.

10 „Bijdrage tot mediese en begrafenis-kosten. 64. (1) Na het overlijden van een mijnwerker aan wie als mijnwerker voordelen toegekend werden ingevolge deze Wet, de vorige wet, de Hoofdwet of de vroegere wetten of die ten tijde van zijn dood bevoegd was om voordelen ingevolge deze Wet te ontvangen, kan de raad, volgens zijn diskretie uit een fonds waaruit die voordelen betaald worden of betaalbaar waren, een som van ten hoogste vijf en twintig pond bijdragen tot de redelijke kosten van zijn begrafenis en van de mediese behandeling gedurende zijn laatste ziekte en tot alle andere redelijke onkosten in verband met die ziekte.

20 (2) Indien voormelde voordelen betaald werden of betaalbaar waren beide uit het Gepubliceerde Mijnen Fonds en uit het Kompensatiefonds, dan wijst de raad de aansprakelijkheid voor bedoelde bijdrage toe volgens sub-artikel (9) van artikel *viij en zeventig* alsof dezelve een aansprakelijkheid voor kompensatie was".

30 19. Die volgende nuwe artikel word hiermee na artikel *vier-en-sestig* in die Konsolidasiewet ingevoeg :

Invoeging van nuwe artikel 64bis in Wet 35 van 1925.

35 „Bepalingen bij dood van bevoordeelde. 64bis. (1) Wanneer bij het overlijden van een mijnwerker of van een afhankelijke van een overleden mijnwerker de raad een saldo van een aan de mijnwerker of afhankelijke toegekend voordeel in handen heeft, moet dat saldo in zodanige paaiementen als de raad mocht bepalen, aan de afhankeliken van de mijnwerker uitbetaald worden en indien ergeen zodanige afhankeliken zijn, kan dat saldo of een deel ervan volgens de diskretie van de raad aan een erfgenaam of legataris van de overledene uitbetaald worden. Indien niet aldus uitbetaald, vervalt het saldo of overschot na gelang van het geval aan het Kompensatiefonds of aan het Gepubliceerde Mijnen Fonds vermeld in sub-artikel (10) van artikel *viij en zeventig*.

45 (2) De raad kan volgens zijn diskretie aan een afhankelijke van een in sub-artikel (1) vermelde overledene of aan iemand die volgens het oordeel van de raad een schuldeiser van de overledene is, de gelden uitbetalen, die ten tijde van het overlijden van de overledene aan hem als een maandelijke toelage of een andere maandelikse uitkering toekwamen".

55 20. Artikel *sewentig* van die Konsolidasiewet word hiermee gewysig—

Wysiging van artikel 70 van Wet 35 van 1925.

(a) deur die volgende verdere voorbehoudsbepaling aan sub-artikel (1) toe te voeg :

60 „Met dien verstande voorts, dat dit sub-artikel niet toepasselijk is op een bevoordeelde mijnwerker die in bezit is van een door het bureau in de voorgescreven vorm voor de toepassing van dit sub-artikel uitgereikt geldig certifikaat (hieronder een „speciale vergunning" genoemd) en die op een ingelijste mijn ondergronds werkt in een lokaliteit, die de Minister voor iedere biezondere mijn voor de toepassing van dit sub-artikel schriftelik bepaald heeft, zullende zulk een bevoordeelde mijnwerker voor de toepassing van artikels *een en veertig*, *drie en veertig* en *zes en zeventig* van deze Wet geacht worden niet als een mijnwerker ondergronds op een ingelijste mijn te werken";

70 (b) deur invoeging van die volgende nuwe sub-artikels na sub-artikel (1) :

75 „(1)bis. Ten einde een speciale vergunning te bekomen, kan een bevoordeelde mijnwerker die, toen hij de laatste keer door het bureau onderzocht werd, bevonden werd noch silikosis in het beweerde stadium, noch tuberkulosis (met of zonder silikosis) te hebben, met schriftelik verlof van de raad zich aan een voorgeschreven medies onderzoek door het bureau

medical examination the bureau shall transmit to him either a special authorization stating that he has neither silicosis in the secondary stage nor tuberculosis (with or without silicosis) and that he is suitable for underground work at a scheduled mine in a locality defined by the Minister under the second proviso to sub-section (1) and in an occupation specified in that special authorization, or a notification that the bureau is unable to grant him such special authorization.

(1)ter. Such special authorization shall be valid for a period of six months and the provisions of sections *forty-four*, *forty-seven* and *fifty-two* of this Act shall *mutatis mutandis* apply to any special authorization and to any beneficiary miner who has obtained a special authorization.

(1)quater. If the holder of a special authorization is at any medical examination by the bureau found to have silicosis in the secondary stage or tuberculosis (with or without silicosis) or to be no longer suitable for such underground work, his special authorization shall lapse and he shall forthwith be discharged from underground employment (if so employed) at a scheduled mine and thereafter he shall not again be so employed at any scheduled mine.

Amendment of section 76 of Act 35 of 1925.

21. Paragraph (b) of sub-section (4) of section *seventy-six* of the Consolidation Act is hereby amended—

(a) by the insertion after sub-paragraph (v) before the words “and the board” of the “if such dependent has not contracted a marriage after the death of such person”; and

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

“Provided that if any benefit has been awarded to a dependent under this paragraph of a deceased person and thereafter any dependent under paragraph (a) of the same deceased person, establishes a right to any benefit as such dependent, the award to such first mentioned dependent shall be cancelled but any payment made under the award prior to its cancellation shall be valid and be deemed to have been made to such last mentioned dependent”.

Amendment of section 77 of Act 35 of 1925.

22. Sub-section (8) of section *seventy-seven* of the Consolidation Act is hereby deleted.

Substitution of Second Schedule to Act 35 of 1925.

23. The Schedule to this Act is hereby substituted for the Second Schedule to the Consolidation Act.

Amendment of Third Schedule to Act 35 of 1925.

24. The following new sub-paragraphs are hereby added at the end of paragraph (c) of the Third Schedule to the Consolidation Act:

“(iv) an allowance granted to a child who has attained the age of sixteen years and who is, in the opinion of the bureau, unable to earn a living, may in the discretion of the board be increased up to an amount not exceeding double the allowance prescribed for such child before it attained such age, but this sub-paragraph shall not apply to more than one child of any miner;

(v) a monthly allowance granted to a legitimate or adopted child who has not attained the age of sixteen years and who has no parent or adopting parent or step-parent alive, may in the discretion of the board be increased up to an amount not exceeding double the allowance prescribed for such child, and when such a child (if not a child to whom sub-paragraph (iv) of this paragraph applies) has attained the age of sixteen years, payment of such allowance may be continued by the board for such period as is mentioned in paragraph (g) of this Schedule, but this sub-paragraph shall not apply to more than two children of any deceased miner”.

Provision as to monthly allowances not retrospective.

25. No monthly allowance shall be paid by virtue of any provision of this Act, in respect of any period prior to the commencement of this Act.

5 onderwerpen, zullende het bureau na dat medies
 onderzoek aan hem zenden of een speciale vergunning,
 waarin verklaard wordt dat hij noch silikosis in het
 tweede stadium, noch tuberkulosis (met of zonder
 10 silikosis) heeft en dat hy geschikt is voor werk onder-
 gronds op een ingelijste mijn in een lokaliteit die de
 Minister ingevolge de tweede voorbehoudsbepaling
 tot sub-artikel (1) bepaald heeft en wel in een in die
 speciale vergunning vermeld beroep, of een kennis-
 15 geving dat het bureau niet in staat is om hem een
 speciale vergunning te verlenen.

(1)ter. Zulk een speciale vergunning is zes maanden
 lang geldig en de bepalingen van artikels vier en veertig,
 20 zeven en veertig en twee en vijftig van deze Wet zijn
mutatis mutandis van toepassing op een speciale
 vergunning en op een bevoordeelde mijnwerker die
 een speciale vergunning verkregen heeft.

(1)quater. Indien de bezitter van een speciale vergun-
 ning bij welk medies onderzoek ook al door het bureau
 25 bevonden wordt silikosis in het tweede stadium
 of tuberkulosis (met of zonder silikosis) te hebben
 of niet meer geschikt te zijn voor zodanig werk
 ondergronds, dan vervalt zijn speciale vergunning
 en moet hij onverwijld uit zijn dienst ondergronds
 30 (indien hij aldus in dienst is) op een ingelijste mijn
 ontslagen worden en daarna kan hij niet weer aldus
 op een ingelijste mijn in dienst gesteld worden”.

21. Paragraaf (b) van sub-artikel (4) van artikel ses-en-
 30 *sewentig* van die Konsolidasiewet word hiermee gewysig—

Wysiging van
 artikel 76 van
 Wet 35 van 1925.

(a) deur in sub-paragraaf (v) na die woorde „zullende de
 raad” die volgende woorde in te voeg: „indien die
 afhankelike niet na het overlijden van bedoelde
 persoon een huwelik gesloten heeft”; en

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

„Met dien verstande dat indien een voordeel
 toegekend werd aan een in deze paragraaf bedoelde
 afhankelike van een overledene en een in paragraaf
 40 (a) bedoelde afhankelike van dezelfde overledene
 daarna zijn recht bewijst tot een voordeel als zulk
 een afhankelike, de toekenning aan eerstbedoelde
 afhankelike ingetrokken wordt, doch een krachtens
 die toekenning vóór die intrekking gedane uitbe-
 45 taling geldig is en geacht wordt aan laatstbedoelde
 afhankelike gedaan te zijn.”

22. Sub-artikel (8) van artikel *sewen-en-sewentig* van die
 Konsolidasiewet word hiermee geskrap.

Wysiging van
 artikel 77 van
 Wet 35 van 1925.

23. Die Tweede Bylae tot die Konsolidasiewet word hier-
 mee vervang deur die Bylae tot hierdie Wet.

Vervanging van
 Tweede Bylae tot
 Wet 35 van 1925.

50 24. Die volgende nuwe sub-paragraawe word hiermee by-
 gevoeg aan die end van paragraaf (c) van die Derde Bylae
 tot die Konsolidasiewet:

Wysiging van
 Derde Bylae tot
 Wet 35 van 1925.

„(iv) een toelage verleend aan een kind dat de ouderdom
 55 van zestien jaar bereikt heeft en dat volgens het
 oordeel van het bureau niet in staat is om een levens-
 onderhoud te verdienen, volgens de diskretie van de
 raad verhoogd kan worden tot een bedrag van ten
 hoogste het dubbelde van de voor dat kind voor-
 geschreven toelage voordat het bedoelde ouderdom
 60 bereikte, zullende deze sub-paragraaf echter niet
 van toepassing zijn op meer dan een kind van een
 mijnwerker;

(v) een maandelikse toelage verleend aan een wettig
 65 of aangenomen kind dat nog niet de ouderdom
 van zestien jaar bereikt heeft en dat geen levende
 ouder of adoptant of stiefouder heeft, volgens de
 diskretie van de raad verhoogd kan worden tot
 een bedrag van ten hoogste het dubbelde van de
 70 voor dat kind voorgeschreven toelage en zullende
 de raad nadat voormelde kind (indien het niet een
 kind is waarop sub-paragraaf (iv) van toepassing
 is) de ouderdom van zestien jaar bereikt heeft, de
 betaling van die toelage kunnen voortzetten voor
 75 zolang als bepaald in paragraaf (g) van deze Bijlage.
 Deze sub-paragraaf is echter niet van toepassing op
 meer dan twee kinderen van een overleden mijn-
 werker.”

25. Geen maandelikse toelae word kragtens 'n bepaling van
 hierdie Wet uitbetaal nie vir 'n tydperk voor die inwerking-
 80 treding van hierdie Wet.

Bepalings omtrent
 maandelikse toe-
 laes nie terugwer-
 kend nie.

Short title and
commencement.

26. This Act shall be known as the Miners' Phthisis Amendment Act, 1934, and shall come into operation on the first day of August, 1934.

Schedule.

(To be substituted for Second Schedule to the Consolidation Act.)

"SECOND SCHEDULE."

Interest at 4 per cent. per annum shall be calculated (fractions of a penny being disregarded) on the amount standing to the credit of a beneficiary in the books of the board from time to time and such interest, if not paid out to or in favour of the beneficiary, shall be added to the principal on the last day of March and on the last day of September of each year."

26. Hierdie Wet heet die Myntering-Wysigingswet, 1934, Kort titel en in-
en tree op die eerste dag van Augustus 1934 in werking. werkingtreding.

Bylae.

(Tot vervanging van die „Tweede Bijlage” tot die Konsolidasiewet.)

„TWEDE BIJLAGE.

Op het bedrag waarmee een bevoordeelde van tijd tot tijd in de boeken van de raad gekrediteerd staat, wordt rente tegen 4 per cent in het jaar berekend (met veronachtzaming van breukdelen van een penny) en die rente wordt, indien niet aan of ten bate van de bevoordeelde uitbetaald, op de laatste dag van Maart en op de laatste dag van September in ieder jaar bij de hoofdsom gevoegd”.