

HAAR

BUITENGEWONE



EXTRAORDINARY

Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

THE UNION OF SOUTH AFRICA

Government Gazette

[Geregistreer by die Hoofposkantoor as 'n Nuusblad.]

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

VOL. CXVII.]

PRYS 6d.

PRETORIA, 14 SEPTEMBER 1939

PRICE 6d.

[No. 2679.]

*Alle Proklamasies, Goewernments- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linker-bohoek met 'n * gemerk.*

*All Proclamations, Government and General Notices, published for the first time, are indicated by a * in the left-hand upper corner.*

PROKLAMASIE

VAN SY EKSELLENSIE DIE HOOGEDELAGBARE SIR PATRICK DUNCAN, LID VAN DIE MEES EERVOLLE GEHEIME RAAD VAN SY MAJESTEIT, GROOTKRUISRIDDER VAN DIE MEES ONDER-SKEIE ORDE VAN SINT MICHIËL EN SINT JORIS, EEN VAN SY MAJESTEIT SE ADVOKATE BELESE IN DIE REG, DOKTOR IN DIE REGTE, GOEWERNEUR-GENERAAL VAN DIE UNIE VAN SUID-AFRIKA.

PROCLAMATION

BY HIS EXCELLENCY THE RIGHT HONOURABLE SIR PATRICK DUNCAN, A MEMBER OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL, KNIGHT GRAND CROSS OF THE MOST DISTINGUISHED ORDER OF SAINT MICHAEL AND SAINT GEORGE, ONE OF HIS MAJESTY'S COUNSEL LEARNED IN THE LAW, DOCTOR OF LAWS, GOVERNOR-GENERAL OF THE UNION OF SOUTH AFRICA.

* No. 201, 1939.]

Nademaal daar, as gevolg van die oorlog waarby die Unie van Suid-Afrika teenswoordig betrokke is, in genoemde Unie en in die mandaatgebied Suidwes-Afrika 'n landsnoodtoestand ontstaan het wat die welsyn van die inwoners van genoemde gebiede ernstig bedreig en wat die veiligheid van die Staat in gevaar sou kan bring;

En nademaal die gewone landswette onvoldoende is om die Regering in staat te stel om sy plig na te kom en in voormelde noodstoestand die welsyn van voormelde inwoners te beskerm en vir die veiligheid van die Staat te sorg;

Derhalwe proklameer ek hiermee dat die regulasies wat in die Aanhangsel tot hierdie Proklamasie vervat is, hiermee in die ganse Unie van Suid-Afrika en in die mandaatgebied Suidwes-Afrika in werking gestel word as buitengewone maatreëls wat noodsaaklik is ten einde die Regering in staat te stel om sy voormelde plig na te kom.

GOD BEHOEDE DIE KONING.

Uitgevaardig onder my Handtekening en die Grootseël van die Unie van Suid-Afrika te Pretoria, op hede die Veertiende dag van September Eenduisend Nege-en-dertig.

PATRICK DUNCAN,
Goewerneur-generaal.

Op las van Sy Eksellensie die
Goewerneur-generaal-in-rade.

J. C. SMUTS.

* No. 201, 1939.]

Whereas by reason of the war in which the Union of South Africa is presently involved, there has arisen in the said Union and in the Mandated Territory of South West Africa a state of national emergency which seriously threatens the welfare of the inhabitants of the said territories and which may endanger the security of the State;

And whereas the ordinary law of the land is inadequate to enable the Government to fulfil its duty in safeguarding the welfare of the said inhabitants and in ensuring the security of the State in the said emergency;

Now therefore I do hereby proclaim that the regulations set forth in the Annexure to this Proclamation are hereby brought into operation throughout the Union of South Africa and the Mandated Territory of South West Africa as extraordinary measures which are necessary in order to enable the Government to fulfil its aforesaid duty.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Pretoria this Fourteenth day of September One thousand Nine hundred and Thirty-nine.

PATRICK DUNCAN,
Governor-General.

By Command of his Excellency the
Governor-General-in-Council.

J. C. SMUTS.

AANHANGSEL.

LANDSNOODTOESTAND-REGULASIES.

Woordoms krywing.

1 Tensy uit die samehang anders blyk, beteken in hierdie regulasies—

- „Raad”, die Raad van Beheer van Landsvoorrade, vermeld in regulasie 2;
- „hoofbestuursbeampste”, of „bestuursbeampste”, respektieflik die hoof-bestuursbeampste of ’n bestuursbeampste wat kragtens regulasie 9 aangestel is;
- „noodtoestandshof”, ’n hof vermeld in regulasie 19;
- „staatsmag”, die Unie-verdedigingsmag, die Suid-Afrikaanse Polisie (met inbegrip van spesiale konstabels), die Spoorwegpolisie en ander persone wat op gesag van die Regering vir militêre doeleindes of vir die voorkoming of onderdrukking van onluste of vir die uitvoering van hierdie regulasies diens doen;
- „Unie”, ook die mandaatgebied Suidwes-Afrika.

Raad van Beheer van Landsvoorrade.

2. (1) Die Minister van Handel en Nywerheid moet ’n raad instel, wat die Raad van Beheer van Landsvoorrade heet en wat bestaan uit—

- (a) die voorsitter van die Raad van Handel en Nywerheid of sy verteenwoordiger;
- (b) die Sekretaris van Handel en Nywerheid of sy verteenwoordiger;
- (c) die Voorsitter van die Unie-raad vir Tenders en Leweransies of sy verteenwoordiger;
- (d) die Sekretaris van Verdediging of sy verteenwoordiger;
- (e) die Sekretaris van Landbou en Bosbou of sy verteenwoordiger;
- (f) enige ander persoon wat voormelde Minister as lid van die Raad mag aangestel het.

(2) Voormelde Minister stel een lid van die Raad aan as sy voorsitter wat vergaderings van die Raad belê en daarby voorsit, met dien verstande dat by sy ontstentenis die lede van die Raad wat op ’n raadsvergadering aanwesig is, ’n voorsitter kies.

(3) Vier lede van die Raad maak op ’n raadsvergadering ’n kworum uit en ’n besluit van die meerderheid van die raadslede of ’n besluit van die meerderheid van die raadslede wat op ’n raadsvergadering aanwesig is, word as ’n besluit van die Raad aangemerkt; met dien verstande dat by ’n staking van stemme op ’n raadsvergadering, die raadslid wat by die vergadering voorsit, ’n beslissende stem het.

(4) Voormelde Minister kan twee of meer persone aanstel om tydelik op te tree as ’n komitee onder die beheer van die Raad, ten einde die Raad te help om sy werksaamhede te verrig.

(5) Die Raad kan enigeen wat goedere vervaardig of daarin handel dryf of wat in die loop van sy besigheid of bedryf goedere hanteer, beveel om aan die Raad van tyd tot tyd enige inligting hoegenaamd te verstrek waarvoor hy beskik omtrent sodanige goedere as wat hy of sy dienaar of verteenwoordiger in sy besit of bewaring het of gehad het of waarvoor hy enige beheer het of gehad het of wat hy kan vervaardig.

(6) So iemand as voormeld moet, op versoek van iemand wat hieronder ’n inspekteur genoem word, en wat ’n geskrif vertoon wat deur of namens die Raad heet uitgereik te wees en wat hom magtig om namens die Raad op te tree, aan die inspekteur enige boek of geskrif waarvoor hy beskik, wat op sodanige goedere as voormeld betrekking het, vertoon en aan die inspekteur vergun om ’n afskrif daarvan of ’n uittreksel daaruit te maak en moet aan die inspekteur alle ander gegewens omtrent daardie goedere verstrek (hetsy skriftelik of mondeling) wat die inspekteur van hom eis.

(7) Iemand wat, nadat hy ’n bevel bedoel in sub-regulasie (5) ontvang het, in gebreke bly om binne ’n redelike tyd daaraan te voldoen of wat in gebreke bly om te voldoen aan ’n versoek of eis bedoel in sub-regulasie (6) of wat wetens aan die Raad of aan ’n inspekteur onjuiste gegewens verstrek of wat ’n inspekteur by die verrigting van sy werksaamhede hinder, is aan ’n misdryf skuldig.

Reëling van Handel in Sekere Goedere.

3. (1) Die Minister van Handel en Nywerheid kan op aanbeveling van die Raad, deur middel van ’n kennisgewing uitgevaardig of bekendgemaak op ’n wyse wat hy die geskikste ag om diegene vir wie die kennisgewing bestem is, in te lig, hetsy in die hele Unie of in ’n omskrewe gebied of in die hele Unie met uitsondering van ’n omskrewe gebied—

- (a) die hoogste prys vasstel waarvoor sekere aangegewe goedere verkoop mag word (en daarby kan hy verskillende hoogste verkoopspryse vir sodanige goedere in verskillende gebiede vasstel);
- (b) die koop, verkoop of ruil van sekere aangegewe goedere verbied, tensy die persoon wat daardie goedere verkry, deur ’n permit, uitgereik deur iemand in daardie kennisgewing vermeld, gemagtig is om daardie goedere te verkry.
- (c) verbied dat gedurende ’n vasgestelde tydperk aan een enkele persoon of vir die gebruik of ten bate van een enkele persoon meer as ’n vasgestelde hoeveelheid of getal bepaalde goedere verstrek word;

ANNEXURE.

NATIONAL EMERGENCY REGULATIONS.

Definitions.

1. In these regulations, unless inconsistent with the context—

- “Board” means the National Supplies Control Board mentioned in regulation 2;
- “chief control officer” or “control officer” means respectively the chief control officer or a control officer appointed under regulation 9;
- “emergency court” means a court mentioned in regulation 19;
- “forces” means the Union Defence Forces, the South African Police (including special constables), the Railway Police and other persons engaged under the authority of the Government for military purposes or for the prevention or suppression of disorders or for the enforcement of these regulations;
- “Union” includes the mandated territory of South West Africa.

National Supplies Control Board.

2. (1) The Minister of Commerce and Industries shall establish a board to be known as the National Supplies Control Board, which shall consist of—

- (a) the chairman of the Board of Trade and Industries or his deputy;
- (b) the Secretary for Commerce and Industries or his deputy;
- (c) the chairman of the Union Tender and Supplies Board or his deputy;
- (d) the Secretary for Defence or his deputy;
- (e) the Secretary for Agriculture and Forestry or his deputy;
- (f) any other person whom the said Minister may have appointed as member of the Board.

(2) The said Minister shall appoint one member of the Board as chairman thereof who shall convene and preside at meetings of the Board; provided that in his absence the members of the Board who are present at any meeting thereof, shall elect a chairman.

(3) Four members of the Board shall form a quorum at a meeting of the Board and a decision of a majority of the members of the Board or a decision of the majority of the members of the Board who are present at a meeting thereof, shall be deemed to be a decision of the Board; provided that in the event of an equality of votes at a meeting of the Board, the member of the Board who presides at that meeting, shall have a casting vote.

(4) The said Minister may appoint two or more persons to act temporarily as a committee under the control of the Board, for the purpose of assisting the Board in the performance of its functions.

(5) The Board may order any person who manufactures or deals in any goods or handles any goods in the course of his business or trade, to furnish the Board from time to time with any information whatsoever available to him relating to any such goods which he or his servant or agent has or had in his possession or custody or over which he has or had any control or which he is capable of manufacturing.

(6) Any such person as aforesaid shall, at the request of any person (hereinafter referred to as an inspector) who produces a document which purports to have been issued by or on behalf of the Board and which authorizes him to act on behalf of the Board, produce to the inspector any book or document at his disposal which relates to any such goods as aforesaid and permit the inspector to make a copy thereof or to take an extract therefrom, and shall furnish the inspector with such other information (whether written or oral) relating to such goods as the inspector may demand from him.

(7) Any person who, having received an order mentioned in sub-regulation (5) fails to comply therewith within a reasonable time or fails to comply with a request or demand mentioned in sub-regulation (6) or who knowingly furnishes the Board or an inspector with any incorrect information or who hinders an inspector in the performance of his duties shall be guilty of an offence.

Regulation of Dealings in Certain Goods.

3. (1) The Minister of Commerce and Industries may on the recommendation of the Board by means of a notice published or conveyed in any manner which he deems most suitable to inform those for whom the notice is intended, either throughout the Union or in any defined area or throughout the Union with the exception of any defined area—

- (a) fix the maximum price at which certain specified goods may be sold (and in doing so he may fix different maximum sale prices for such goods in different areas);
- (b) prohibit the purchase, sale or exchange of certain specified goods, unless the person acquiring those goods is authorised by a permit issued by a person mentioned in that notice, to acquire those goods;
- (c) prohibit the supply, during any specified period, to any one person or for the use or benefit of any one person, of any specified goods in excess of a stated quantity or number;

- (d) verbied dat een enkele persoon gedurende 'n vasgestelde tydperk meer as 'n vasgestelde hoeveelheid of getal bepaalde goedere verkry;
- (e) die invoer of uitvoer van bepaalde goedere verbied, tensy 'n permit, uitgereik deur die Raad of 'n persoon of gesag in die kennisgewing vermeld, dit veroorloof;
- (f) die lewering aan die publiek of toevoer na 'n bepaalde plek of gebied, van goedere wat in die kennisgewing vermeld word, op so 'n wyse beheer en reël as wat hy in die openbare belang nodig ag.

(2) Iemand wat goedere verkoop of te koop aanbied teen 'n hoër prys as die prys wat soas voormeld vir daardie goedere vasgestel is of wat 'n verbod ingevolge paragraaf (b), (c), (d) of (e) van sub-regulasie (1) oortree of wat in stryd handel met maatreëls wat voormelde Minister getref het kragtens paragraaf (f) van sub-regulasie (1), is aan 'n misdryf skuldig.

Voorkoming van Opgaring van Goedere.

4. (1) As 'n inspekteur bedoel in sub-regulasie (6) van regulasie 2 gegronde vermoedens het dat iemand meer goedere verkry het as wat hy sou verkry het as geen landsoordtoestand ontstaan het nie, dan kan die inspekteur die betrokke persoon gelas om aan hom te verstrek alle inligtinge omtrent daardie goedere waarvoor hy beskik en hy kan enige plek betree waar sodanige goedere gebêre word of waar hulle redelikerwys vermoed word gebêre te word.

(2) As iemand wat ingevolge sub-regulasie (1) gelas is om inligting te verstrek, in gebreke bly om daardie inligting te verstrek of wetens onjuiste inligting verstrek of 'n inspekteur hinder by die uitoefening van sy bevoegdhede ingevolge sub-regulasie (1), dan is hy aan 'n misdryf skuldig.

(3) Op aanbeveling van die Raad kan die Minister van Handel en Nywerheid iemand wat meer goedere besit as wat hy volgens voormelde Minister se mening vir sy eie gebruik of in verband met sy besigheid gedurende 'n redelike tydperk nodig sal hê, beveel om 'n aangegewe hoeveelheid of getal van daardie goedere aan iemand wat in die bevel genoem word, te lewer teen betaling van die bedrag wat eersbedoelde persoon, volgens bewys deur hom gelewer, vir daardie goedere betaal het.

(4) As iemand wat 'n bevel ingevolge sub-regulasie (3) ontvang het, in gebreke bly om daaraan te voldoen, dan is hy aan 'n misdryf skuldig en voormelde Minister kan alle goedere wat in die bevel vermeld word, in beslag laat neem en aan iemand anders laat lewer, teen betaling van 'n som wat eersbedoelde persoon volgens die Raad se mening daarvoor betaal het, na aftrekking daarvan van 'n som wat die Raad vasgestel het, tot dekking van die koste van die inbeslagneming en van die verwydering van die goedere.

(5) Iemand wat 'n ander by die inbeslagneming of verwydering van goedere ingevolge sub-regulasie (4) hinder, is aan 'n misdryf skuldig.

Woekerwins.

5. (1) By die toepassing van hierdie regulasie—

- (a) word beskou dat iemand goedere verkoop of verkoop het as hy hulle teen geldswaardige vergoeding vervreemd of vervreemd het;
- (b) word behoudens teëbewys vermoed dat iemand wat goedere verkoop het, dit in die loop van sy besigheid of bedryf gedoen het.

(2) As iemand na die 31ste dag van Augustus 1939 op een of ander plek goedere verkoop het teen 'n prys wat meer bedra as die hoogste markprys van soortgelyke goedere op daardie plek te eniger tyd gedurende die maand Augustus 1939, dan word daardie meerdere bedrag by die toepassing van hierdie regulasies beskou as woekerwins, tensy bedoelde persoon bewys dat hy voormelde goedere (of die materiaal waaruit hulle hoofsaaklik gemaak is) na voormelde dag verkry het en dat die wins wat hy uit bedoelde verkoop gemaak het, in vergelyking met wat bedoelde goedere hom gekos het, nie meer bedra nie as die wins, in vergelyking met die koste, wat gewoonlik inbegrepe was in die hoogste markprys van soortgelyke goedere, wat op voormelde plek gedurende voormelde maand geheers het.

(3) 'n Verklaring wat heet deur of namens die Raad uitgereik te wees, dat 'n aangegewe prys die hoogste markprys was van aangegewe goedere op 'n aangegewe plek in die maand Augustus 1939, word by die toepassing van hierdie regulasie beskou as bewys *prima facie* van die beweringe wat in die verklaring voorkom.

(4) Iemand wat na die afkondiging van hierdie regulasies, goedere met woekerwins verkoop, is aan 'n misdryf skuldig en strafbaar met 'n boete van hoogstens vyf honderd pond of met gevangenisstraf van hoogstens twee jaar of met beide daardie boete en daardie gevangenisstraf.

(5) Wanneer iemand die koopprys ontvang het van goedere wat hy, hetsy voor of na die afkondiging van hierdie regulasies, met woekerwins verkoop het, dan moet hy, afgesien van wat kragtens subregulasie (4) gedaan is, aan die koper, as hy dit eis, 'n som dubbeld so groot as die woekerwins vergoed en as hy in gebreke bly om aan daardie eis te voldoen is hy aan 'n misdryf skuldig en word hy in gevangenis gehou totdat aan die eis voldoen is.

(d) prohibit any one person from acquiring, during a specified period, any specified goods in excess of a stated quantity or number;

(e) prohibit the importation or export of any specified goods except on a permit issued by the Board or any person or authority mentioned in the notice;

(f) control and regulate, in such a manner as he may think necessary in the interests of the public, the supply to the public or to any particular place or area, of any goods mentioned in the notice.

(2) Any person who sells or offers for sale any goods at a price in excess of the price fixed as aforesaid for those goods or who contravenes a prohibition under paragraph (b), (c), (d) or (e) of sub-regulation (1) or who acts contrary to any measures taken by the said Minister under paragraph (f) of sub-regulation (1) shall be guilty of an offence.

Prevention of Hoarding of Goods.

4. (1) If an inspector mentioned in sub-regulation (6) of regulation 2 has reason to believe that any person has acquired more goods than he would have acquired if no state of national emergency had arisen, the inspector may call upon the person in question to furnish him with all particulars at his disposal relating to those goods and may enter any place where such goods are or are suspected, upon reasonable grounds, to be kept.

(2) If any person who has under sub-regulation (1) been called upon to furnish any information fails to furnish that information or knowingly furnishes incorrect information or hinders an inspector in the exercise of his powers under sub-regulation (1), he shall be guilty of an offence.

(3) Upon the recommendation of the Board the Minister of Commerce and Industries may order any person who has in his possession more goods than he will, in the opinion of the said Minister, need for his own use or in connection of his business during a reasonable period, to deliver a stated quantity or number of such goods to a person mentioned in the order, upon payment of the amount which the first-mentioned person proves to have paid for those goods.

(4) If a person who has received an order under sub-regulation (3) fails to comply therewith he shall be guilty of an offence and the said Minister may cause any goods mentioned in the order to be attached and delivered to any other person, on payment of a sum which in the opinion of the Board, the first-mentioned person paid therefor, after deduction therefrom of a sum fixed by the Board, to cover the cost of the attachment and removal of the goods.

(5) Any person who hinders any person attaching or removing goods under sub-regulation (4) shall be guilty of an offence.

Profiteering.

5. (1) For the purposes of this regulation:—

(a) a person shall be deemed to sell or to have sold any goods if he disposes or disposed of them for any valuable consideration;

(b) a person who sold any goods shall be deemed to have done so in the course of his business or trade, unless he proves the contrary.

(2) If a person sold any goods after the 31st day of August, 1939, at any place at a price in excess of the highest market price of like goods at that place at any time during the month of August, 1939, that excess shall for the purposes of these regulations be deemed to constitute an unjust profit, unless he proves that he acquired the said goods (or the material from which they were mainly made) after the said date and that the profit which accrued to him from the said sale, in proportion to the cost, to him, of the said goods, did not exceed the profit, in proportion to cost, which was ordinarily included in the highest market price of like goods which prevailed at that place during the said month.

(3) A statement purporting to have been issued by or on behalf of the Board, that a specified price was the highest market price of any specified goods at a specified place in the month of August, 1939, shall for the purposes of this regulation be deemed to constitute *prima facie* proof of the averments made in that statement.

(4) Any person who, after the promulgation of these regulations, sells any goods at an unjust profit shall be guilty of an offence and liable to a fine not exceeding five hundred pounds or to imprisonment for a period not exceeding two years or to both such fine and imprisonment.

(5) Whenever a person has received the purchase price of any goods which he sold (whether before or after the promulgation of these regulations) at an unjust profit, he shall, irrespective of any action which may have been taken under sub-regulation (4), refund to the purchaser on the latter's demand, a sum equal to twice the amount of the unjust profit, and if he fails to satisfy that demand, he shall be guilty of an offence and shall be imprisoned until the demand has been satisfied.

(6) Die voorgaande bepalings van hierdie regulasie is nie van toepassing nie in verband met—

(a) 'n verkoop van goedere—

(i) waarvoor, op die tydstip van die verkoop, 'n prys vasgestel was ingevolge regulasie 3; of

(ii) wat in die Unie voortgebring is en wat geheel bestaan het uit materiaal wat in die Unie voortgebring is; of

(b) 'n verkoop wat nie in die loop van die verkoper se besigheid of bedryf plaasgevind het nie; of

(c) 'n verkoop van handelspapier wat gewoonlik deur tussenkoms van 'n effektemakelaar verkoop word.

Kommandeer van Grond of Goedere wat vir Publieke Doeleindes Benodig is.

6. (1) As iemand goedere of grond wat in die publieke belang benodig is, in sy besit of onder sy beheer het en die eienaar, weier om dit aan die Regering te verkoop of te verhuur teen 'n prys of huur wat die Raad billik ag en geen ander geskikte goedere of grond kon maklik teen 'n billike prys of huur gekoop of gehuur word nie, dan kan die staatsminister in wie se departement daardie goedere of grond benodig is, 'n beamppte onder hom magtig om namens die Staat daardie goedere te vat en toe te eien of te gebruik of daardie grond te vat en te okkupeer, teen betaling, aan die eienaar van die goedere, van 'n billike koopprys of huur of aan die eienaar of huurder van die grond, van 'n billike huur, wat deur die Raad vasgestel moet word; met dien verstande dat geen vaartuig wat op 'n plek buite die Unie geregistreer is kräftens hierdie regulasie gevat mag word nie; en met dien verstande, voorts, dat as goedere wat soas voormeld gevat en toegeëien is, verpand is, die bedrag van die skuld daarop van die koopprys afgetrek en aan die skuldeiser betaal moet word en dat slegs wat oor mag skiet, aan die eienaar uitbetaal moet word.

(2) Die eienaar van goedere wat soas voormeld gevat is, is geregtig op vergoeding weens alle beskadiging, hoe ookal veroorsaak, van die goedere terwyl hulle in die gebruik van die Regering was, en die eienaar van grond wat, soas voormeld, gevat is, is geregtig op vergoeding weens beskadiging van daardie grond deur iemand in diens van die Staat of wat deur redelike voorsorg verhoed kon geword het, terwyl die Regering die grond geokkupeer het.

(3) Iemand wat 'n beamppte hinder wanneer hy goedere of grond ingevolge sub-regulasie (1) vat, of wat goedere, wat 'n beamppte aldus wil vat of wat hy aldus gevat het, vernietig of beskadig, is aan 'n misdryf skuldig.

Vervaardiging van Goedere wat vir Publieke Doeleindes Benodig is.

7. (1) As iemand in staat is om goedere wat in die publieke belang vir gebruik in een of ander staatsdepartement benodig is, te vervaardig, te bewerk of te behandel, dan kan die Minister wat aan die hoof van daardie departement staan, daardie persoon beveel om 'n aangegewe hoeveelheid of aantal sodanige goedere te vervaardig, te bewerk of te behandel en om hulle binne 'n vasgestelde tydperk op 'n aangegewe plek te lewer, teen betaling van 'n prys wat deur die Raad vasgestel is of vasgestel sal word.

(2) Iemand wat 'n bevel ingevolge sub-regulasie (1) ontvang het en wat versuim om op bevredigende wyse daaraan te voldoen, is aan 'n misdryf skuldig tensy hy bewys dat hy deur beoefening van redelike ywer of voorsorg nie die versuim kon vermy het nie.

(3) By die toepassing van sub-regulasies (1) en (2) word iemand wat 'n bevel vermeld in sub-regulasie (1) ontvang het, geag in staat te wees om die bevelde handeling te verrig tensy hy bewys dat hy nie daartoe in staat is.

Handel met die Vyand en Vergelyking van Sekere Skulde en Eise.

8. (1) Iemand wat, sonder behoorlike magtiging direk of indirek geld of goedere stuur aan iemand in 'n land waarmee die Unie in oorlog is of wat enige handelstransaksies met so iemand aangaan, is aan 'n misdryf skuldig.

(2) As iemand wat in die Unie woonagtig is, te eniger tyd gedurende die geldigheid van hierdie regulasies geld skuld aan iemand in 'n land waarmee die Unie in oorlog is of aan een of ander gesag of inrigting in so'n land, of as iemand in die Unie namens iemand in so'n land of namens so'n land of namens so'n voormelde gesag of inrigting geld in sy besit of onder sy beheer het, dan moet hy onverwylig aan die Sekretaris van Finansies in Pretoria skriftelik kennis gee dat hy daardie geld soas voormeld skuld of in sy besit of onder sy bewaring het.

(3) Die Minister van Finansies kan so iemand as voormeld bevel om hom verdere inligting te verstrek omtrent voormelde skuld of geld en kan bedoelde persoon beveel om 'n som gelyk aan die bedrag van die skuld of bedoelde geld op naam van die Tesourie te stort op 'n plek in die bevel vermeld en kan daardie geld gebruik om een of ander vordering te betaal wat iemand wat in die Unie woonagtig is, het teen iemand in 'n land met wie die Unie in oorlog is.

(4) As 'n skuld bedoel in sub-regulasie (2) in 'n vreemde betaalmiddel aangegaan is, dan moet die bedrag van die skuld ingevolge sub-regulasie (3) gestort word in die betaalmiddel van die Unie teen die wisselkoers wat geheers het op die vervaldag van die skuld.

(6) The preceding provisions of this regulation shall not apply in connection with—

(a) any sale of any goods—

(i) for which, at the time of the sale, a price had been fixed under regulation 3; or

(ii) which were produced in the Union and which consisted wholly of material produced in the Union; or

(b) any sale otherwise than in the course of the business or trade of the seller; or

(c) any sale of any security which is ordinarily sold through the medium of a stock broker.

Requisitioning of Goods or Land needed for Public Purposes.

6. (1) If any person has in his possession or under his control any goods which are or any land which is needed for use in the public interest and the owner refuses to sell or let such goods or land to the Government at a price or rental which the Board considers reasonable, and no other suitable goods or land can be conveniently bought or hired at a reasonable purchase price or rental, any Minister of State in whose department such goods are or such land is needed may authorize any officer under his control to take and appropriate or use such goods or take and occupy such land on behalf of the State, on payment to the owner of the goods of a reasonable purchase price or rental or to the owner or lessee of the land, of a reasonable rental, to be determined by the Board; provided that no vessel which is registered at a place outside the Union shall be taken under this regulation; and provided, further, that if any goods taken and appropriated as aforesaid are hypothecated, the amount of the debt due thereon shall be deducted from the purchase price and paid to the creditor concerned and only the balance (if any) shall be paid to the owner.

(2) The owner of any goods which have been taken as aforesaid, shall be entitled to compensation for any damage which has been caused in any manner whatsoever to such goods while in the use of the Government; and the owner of any land which has been taken as aforesaid, shall be entitled to compensation for any damage caused to that land by any person in the service of the State or which could have been prevented by reasonable precaution, while the land was in the Government's occupation.

(3) Any person who hinders any officer in taking any goods or land under sub-regulation (1) or who destroys or damages any goods which an officer desires so to take or which he has so taken, shall be guilty of an offence.

Manufacture of Goods needed for Public Purposes.

7. (1) If any person is capable of manufacturing, processing or treating any goods which are needed in the public interest for use in any department of State, the Minister at the head of that department may order that person to manufacture, process or treat a specified quantity or number of such goods and to deliver them within a specified period at a specified place on payment of a price fixed or to be fixed by the Board.

(2) Any person who has received an order under sub-regulation (1) and who fails to comply therewith in a satisfactory manner, shall be guilty of an offence unless he proves that he could not, by the exercise of reasonable diligence or foresight, have avoided such failure.

(3) For the purposes of sub-regulations (1) and (2) any person who has received an order mentioned in sub-regulation (1) shall be deemed to be capable of performing the act which he is ordered to perform, unless he proves that he is not so capable.

Trading with the Enemy and Setting Off certain Debts against certain Claims.

8. (1) Any person who, without proper authority, sends, directly or indirectly, any money or goods to any person in a country with which the Union is at war, or carries on any business transactions with such a person, shall be guilty of an offence.

(2) If a person resident in the Union at any time while these regulations are in force, owes any money to any person in a country with which the Union is at war or to any authority or institution in such a country, or if a person has in his possession or under his control in the Union any money on behalf of any person in such a country or on behalf of any such authority or institution as aforesaid, he shall forthwith give notice in writing to the Secretary for Finance at Pretoria, that he owes such money or has such money in his possession or control as aforesaid.

(3) The Minister of Finance may order any such person as aforesaid to furnish him with further information in regard to the aforesaid debt or money, and may order the said person to deposit a sum equal to the amount of the debt or the said money to the credit of the Treasury at such place as may be specified in the order, and may use any such money to pay any claim which any person resident in the Union has against any person in a country with which the Union is at war.

(4) If a debt mentioned in sub-regulation (2) was contracted in a foreign currency the amount of the debt shall be deposited in terms of sub-regulation (3) in the currency of the Union at the rate of exchange which applied on the date when the debt became due.

(5) Wanneer iemand volgens sub-regulasie (3) geld gestort het, word beskou dat hy sy skuld teenoor die persoon aan wie die geld verskuldig was, gedeltig het asof hy dit aan daardie persoon betaal het.

(6) Iemand bedoel in sub-regulasie (2) wat in gebreke bly om aan die voorskrifte van daardie sub-regulasie te voldoen en iemand wat 'n bevel ingevolge sub-regulasie (3) ontvang het en wat in gebreke bly om aan daardie bevel te voldoen, is aan 'n misdryf skuldig.

Bestuursbeampies.

9. (1) Vir die doeleindes van hierdie regulasies kan die Minister van Verdediging op sodanige diensvoorwaardes as wat hy wenslik ag, aanstel—

- (a) 'n Hoofbestuursbeampte vir die Unie; en
- (b) 'n bestuursbeampte vir een of ander omskrewe gebied.

(2) As 'n aldus aangestelde persoon nie reeds in diens van die Staat is nie, dan is hy geregtig op die besoldiging uit staatsgelde wat voormelde Minister mag bepaal.

(3) 'n Bestuursbeampte is as sodanig bevoeg slegs in die gebied waarvoor hy aangestel is en hy staan onder toesig van die Hoofbestuursbeampte.

(4) Die Hoofbestuursbeampies en elke bestuursbeampte staan onder toesig van voormelde Minister.

Verbod op Sekere Byeenkomste of Optogte.

10. (1) Die Hoofbestuursbeampte of die bestuursbeampte vir een of ander gebied, kan deur middel van 'n kennisgewing wat uitgevaardig of bekendgemaak is op 'n wyse wat die Hoofbestuursbeampte of die betrokke bestuursbeampies die geskikste ag om die publiek vir daardie gebied in te lig, in daardie gebied een of ander bepaalde byeenkomste of optog van meer as twintig persone of alle byeenkomste of optogte van meer as twintig persone verbied (behalwe byeenkomste of optogte wat die betrokke bestuursbeampies spesiaal mag veroorloof het); met dien verstande dat die voorgaande bepalinge van hierdie subregulasie nie van toepassing is nie in verband met—

- (a) 'n byeenkomste wat gehou word uitsluitend vir 'n godsdiensdoel in 'n gebou wat gewoonlik vir godsdiensdoel gebruik word, of vir onderrig wat ingevolge 'n wet gegee word; of
 - (b) 'n begrafenis of 'n lykverbranding; of
 - (c) 'n byeenkomste van die lede van 'n by wet ingestelde liggaam van persone, wat uitsluitend vir die verrigting van besigheid van daardie liggaam gehou word; of
 - (d) 'n byeenkomste wat gehou word uitsluitend vir 'n openbare veiling of 'n spel of van 'n wedren of 'n atletiese wedstryd of 'n toneelopvoering of 'n kinematografiese vertooning of 'n konsert; of
 - (e) 'n byeenkomste wat gehou word uitsluitend vir 'n bruilof.
- (2) Iemand wat aanwesig is op 'n byeenkomste of wat deelneem aan 'n optog wat volgens sub-regulasie (1) verbode is, is aan 'n misdryf skuldig, tensy bewys word dat hy nie geweet het en dat nie redelikerwyse verwag kon word dat hy sou geweet het dat die byeenkomste verbode was nie, of dat hy nie vrywillig aan bedoelde byeenkomste of optog deelgeneem het nie.

Beperking van Verkoop van Sterke Drink.

11. (1) Die Hoofbestuursbeampte of die bestuursbeampies van een of ander gebied kan deur middel van 'n kennisgewing wat uitgevaardig of bekendgemaak is op 'n wyse wat die Hoofbestuursbeampte of die betrokke bestuursbeampies die geskikste ag tot inligting van diegene vir wie die kennisgewing bestem is, verbied dat enige bedwelmende drank of 'n bepaalde soort bedwelmende drank in 'n omskrewe gebied of op sekere bepaalde persele of soort persele aan enigeen of aan 'n bepaalde kategorie van persone verkoop of verstrekkend word gedurende 'n vasgestelde tydperk of gedurende 'n vasgestelde deel van elke dag van vier-en-twintig uur.

(2) Iemand wat 'n verbod ingevolge sub-regulasie (1) oortree, is aan 'n misdryf skuldig.

Aanhitsing tot Verset teen Wettige Gesag of tot Rusverstoring.

12. (1) Niemand mag 'n verklaring wat bereken is om—

- (a) die gesag van die Regering of van die wetgewende mag omver te werp; of
- (b) die publiek of 'n deel van die publiek of 'n persoon of 'n kategorie van persone aan te hits tot weerstand of verset teen die Regering of 'n Minister, beampte, of lid van die Staatsmag in verband met een of ander maatregel wat ingevolge hierdie regulasies geneem is of met enige ander maatregel wat betrekking het op die noodtoestand wat tot hierdie regulasies aanleiding gegee het; of
- (c) vyandige gevoelens by die publiek of 'n deel van die publiek of 'n persoon of kategorie van persone teenoor 'n ander deel van die publiek of 'n persoon of 'n kategorie van persone in die Unie, te veroorsaak of te vererger; of
- (d) paniek of skrik onder die publiek of 'n deel van die publiek te veroorsaak; met dien verstande dat hierdie paragraaf nie die publikasie van 'n verhaal van 'n gebeurtenis wat in alle opsigte waar en volledig is, verbied nie.

(2) Iemand wat 'n bepaling van sub-regulasie (1) oortree is aan 'n misdryf skuldig.

(5) When any person has deposited any money in terms of sub-regulation (3) he shall be deemed to have discharged his liability towards the person to whom the money was due, as if he had paid it to that person.

(6) Any person mentioned in sub-regulation (2) who fails to comply with the requirements of that sub-regulation and any person who has received an order under sub-regulation (3) who fails to comply with that order, shall be guilty of an offence.

Control Officers.

9. (1) For the purposes of these regulations, the Minister of Defence may appoint, on such conditions of service as he may think fit to impose—

- (a) a Chief Control Officer for the Union; and
- (b) a control officer for any defined area.

(2) If a person so appointed is not already in the service of the State, he shall be entitled to such remuneration from public funds as the said Minister may determine.

(3) A control officer shall, as such control officer, have jurisdiction only in the area for which he was appointed and be subject to the direction of the Chief Control Officer.

(4) The Chief Control Officer and every control officer shall be subject to the direction of the said Minister.

Prohibition of Certain Gatherings or Processions.

10. (1) The Chief Control Officer or the control officer for any area may by means of a notice published or conveyed in any manner which the Chief Control Officer or the control officer concerned deems most suitable to inform the public in that area, prohibit the holding, in that area, of any particular gathering or procession of more than twenty persons, or all gatherings or processions of more than twenty persons (except such gatherings or processions as the control officer concerned may have specially authorised); provided that the preceding provisions of this sub-regulation shall not apply in connection with—

- (a) a gathering held exclusively for the purpose of divine worship in a building ordinarily used for such worship, or for the purpose of instruction imparted under any law; or
- (b) a funeral or the cremation of the body of a deceased person; or
- (c) a meeting of the members of a statutory body of persons, held exclusively for the purpose of transacting any business of that body; or
- (d) a gathering held exclusively for the purpose of a public auction sale or a game or a race or an athletic competition or a theatrical or cinematographic entertainment or a concert; or
- (e) a gathering held exclusively for the purpose of a wedding.

(2) Any person who is present at a gathering or who takes part in a procession which has been prohibited under sub-regulation (1) shall be guilty of an offence, unless it is proved that he did not know and could not reasonably be expected to know that the gathering or procession was prohibited, or that he did not voluntarily take part in the said gathering or procession.

Restriction of Sale of Liquor.

11. (1) The Chief Control Officer or the control officer for any area may by means of a notice published or conveyed in a manner which the Chief Control Officer or the control officer concerned deems most suitable to inform those for whom the notice is intended, prohibit the sale or supply of any intoxicating liquor or any specified kind of intoxicating liquor in a defined area or in certain defined premises or class of premises to any person or to any specified class of persons during any specified period or during a specified period in every day of twenty-four hours.

(2) Any person who contravenes any prohibition under sub-regulation (1) shall be guilty of an offence.

Incitement to Resist Lawful Authority or to Disturb the Peace.

12. (1) No person shall publish in print or make, at a gathering held at any place to which the public has access or at any gathering at which more than twenty persons are present, any statement which is calculated—

- (a) to subvert the authority of the Government or of the legislature; or
- (b) to incite the public or any section of the public or any person or class of persons to resist or oppose the Government or any Minister, official, or member of the forces in connection with any measure adopted in pursuance of these regulations or with any other measure relating to the state of emergency which gave rise to these regulations; or
- (c) to engender or aggravate feelings of hostility in the public or any section of the public or any person or class of persons towards any other section of the public or any person or class of persons in the Union; or
- (d) to cause panic or alarm among the public or a section of the public; provided that this paragraph shall not prohibit the publication of any narrative which is proved to be true and complete in every respect.

(2) Any person who contravenes any provision of sub-regulation (1) shall be guilty of an offence.

Verbode Gebiede.

13. (1) Die Minister van Verdediging of die Hoofbestuurs-beampte of 'n bestuursbeampte kan deur middel van 'n kennisgewing wat op 'n in die oog lopende wyse vertoon is by 'n ingang tot, op of naby 'n gebied in daardie kennisgewing omskryf, alle ongemagtigde persone verbied om daardie gebied te betree.

(2) 'n Ongemagtigde persoon wat so 'n gebied betree wetende dat die betreding daarvan soos voormeld verbode is, is aan 'n misdryf skuldig.

Toesig op Persone wat die Unie wil Verlaat.

14. (1) Die Minister van Verdediging kan deur middel van 'n kennisgewing gepubliseer op 'n wyse wat hy die geskikste ag tot inligting van diegenes vir wie die kennisgewing bestem is, enigeen hoegenaamd of iemand wat behoort tot 'n bepaalde kategorie van persone verbied om die Unie te verlaat (behalwe vir offisiële besigheid) tensy voormelde Minister of iemand wat in die kennisgewing vermeld word, hom daartoe vergunning verleen het.

(2) Iemand wat 'n verbod ingevolge sub-regulasie (1) oortree is aan 'n misdryf skuldig.

Arres en Aanhouding van Gevaarlike Persone.

15. (1) Die Minister van Verdediging of die Hoofbestuurs-beampte of 'n bestuursbeampte of 'n offisier in die Staatsmag kan iemand wie se aanhouding na die oordeel van voormelde Minister of van die Hoofbestuursbeampte of van die betrokke bestuursbeampte of offisier in staatsbelang of in belang van daardie persoon self wenslik is, laat arresteer of self arresteer, met of sonder lasbrief of ander arrestasiebevel.

(2) Die persoon wat iemand kragtens sub-regulasie (1) gearresteer het, moet die gearresteerde so spoedig doenlik na 'n kragtens sub-regulasie (3) aangewese aanhoudingsplek bring.

(3) Voormelde Minister of die Hoofbestuursbeampte kan enige plek aanwys as 'n plek waar persone wat kragtens sub-regulasie (1) gearresteer is, aangehou moet word, en kan iemand wat aldus gearresteer is op so 'n plek laat aanhou gedurende die tydperk wat voormelde Minister of die Hoofbestuursbeampte mag bepaal, en kan hom te eniger tyd vrylaat, hetsy onvoorwaardelik, hetsy op een of ander voorwaarde wat voormelde Minister of die Hoofbestuursbeampte wenslik ag.

(4) Voormelde Minister of die Hoofbestuursbeampte kan reglemente uitvaardig vir die administrasie en behoorlike bestuur van 'n kragtens sub-regulasie (3) aangewese plek in vir die handhawing van orde daarin.

(5) Sulke reglemente kan strafbepalings bevat tot handhawing van daardie reglemente, by wyse van oplegging van die verpligting om sekere bepaalde werk in genoemde aanhoudingsplek en in verband daarmee te verrig gedurende 'n bepaalde tydperk van hoogstens veertien dae, of by wyse van 'n boete van hoogstens tien pond of by wanbetaling van die boete, opsluiting in 'n bepaalde kamer, gebou of plek vir 'n tydperk van hoogstens tien dae; of opsluiting in so 'n kamer, gebou of plek in geselskap van ander of afgesonder van enige ander persoon, vir 'n tydperk van hoogstens een-en-twintig dae.

Beskerming van Werknemers wat Vrywillig Militêre Diens verrig.

16. (1) As iemand wat ingevolge artikel een van die Zuid-Afrika-Verdedigingswet, 1912, dienspligtig is, in 'n diensbetrekking is, en hom vrywillig aangemeld het en deur die bevoegde gesag aangeneem is vir militêre diens in een van die verdedigingsmagte, dan moet die werkgever van daardie lid hom verlof verleen vir die duur van daardie militêre diens en moet hom in sy diens terugneem op dieselfde voorwaardes asof hy nie uit sy werk afwesig was nie.

(2) As 'n werkgever wie se werknemer volgens sub-regulasie (1) militêre diens verrig het, in gebreke bly om aan die voorskrifte van daardie sub-regulasie te voldoen, dan is hy aan 'n misdryf skuldig.

Misdrywe en Strafbepalings.

17. (1) Iemand wat—

- (a) 'n kennisgewing of ander geskrif wat kragtens hierdie regulasies uitgevaardig is of wat hul uitgevaardig, vervals, of sonder behoorlike magtiging so 'n kennisgewing vernietig, verwyder, uitwis of verander; of
- (b) 'n bestuursbeampte of 'n lid van die Staatsmag in die vervulling van sy plig belemmer of hinder,

is skuldig aan 'n misdryf volgens hierdie regulasies.

(2) Iemand wat skuldig bevind is aan 'n ander misdryf volgens hierdie regulasies as 'n misdryf bedoel in sub-regulasie (4) van regulasie 5, is strafbaar met 'n boete van hoogstens tweehonderd pond of met gevangenisstraf van hoogstens een jaar of met beide daardie boete en daardie gevangenisstraf.

Arres van Oortreders.

18. (1) Die Hoofbestuursbeampte of 'n bestuursbeampte of 'n offisier in die Staatsmag kan iemand wat 'n misdryf volgens hierdie regulasies begaan het of wat om gegronde redes daarvan verdenk word dat hy so 'n misdryf begaan het, laat arresteer of self arresteer.

(2) As enige lid van die Staatsmag sien of gesien het dat iemand 'n misdryf volgens hierdie regulasies pleeg, dan kan hy daardie persoon arresteer.

Prohibited Areas.

13. (1) The Minister of Defence or the Chief Control Officer or a control officer may by means of a notice displayed in a conspicuous manner at any entrance to, on or near any area defined in that notice, prohibit any unauthorised person from entering upon that area.

(2) Any unauthorised person who enters upon any such area, knowing that entry thereupon has been prohibited as aforesaid, shall be guilty of an offence.

Control of Persons Leaving Union.

14. (1) The Minister of Defence may by means of a notice published in a manner which he deems most suitable to inform those for whom the notice is intended, prohibit any person whatsoever or any person belonging to a specified class from leaving the Union (except on official business) unless he has been authorized to do so by the said Minister or by a person mentioned in the notice.

(2) Any person who contravenes a prohibition under sub-regulation (1) shall be guilty of an offence.

Arrest and Detention of Dangerous Persons.

15. (1) The Minister of Defence or the Chief Control Officer or a control officer or a commissioned officer in one of the forces may cause to be arrested or himself arrest with or without warrant or other order of arrest any person whose detention is, in the opinion of the said Minister or the Chief Control Officer or of the control officer or commissioned officer concerned, desirable in the interest of the State or in that person's own interest.

(2) The person who has arrested a person under sub-regulation (1) shall as soon as may be bring the arrested person to a place of detention designated under sub-regulation (3).

(3) The said Minister or the Chief Control Officer may designate any place as a place where persons arrested under sub-regulation (1) shall be detained and may cause any person arrested as aforesaid to be detained at such place during such period as the said Minister or the Chief Control Officer may determine, and may release him at any time either unconditionally or upon any condition which the said Minister or the Chief Control Officer may think fit to impose.

(4) The said Minister or the Chief Control Officer may make rules for the administration, good government of, and maintenance of order at any place designated under sub-regulation (3).

(5) Such rules may provide for sanctions for the enforcement of such rules, by way of the imposition of the duty to perform certain specified work in the said place of detention and in connection therewith during a specified period not exceeding fourteen days, or by way of a fine not exceeding ten pounds or in default of payment of such fine, confinement in a specified room, building or locality for a period not exceeding ten days, or confinement in such a room, building or locality in company with others or apart from any other person for a period not exceeding twenty-one days.

Safeguarding of Employees who volunteer for Military Service.

16. (1) If any person, liable to render service under section one of the South Africa Defence Act, 1912, who is in any employment, has volunteered and has been accepted by the competent authority for military service in any one of the Defence Forces, the employer of that member shall grant him leave of absence during the period of such military service and shall take him back into his service on the same conditions as if he had not been absent from his employment.

(2) If an employer whose employee has performed any military service in terms of sub-regulation (1) fails to comply with the requirements of that sub-regulation, he shall be guilty of an offence.

Offences and Penalties.

17. (1) Any person who—

- (a) falsifies any notice or other document which was issued or which purports to have been issued under these regulations, or without proper authority destroys, removes, obliterates, or alters such a notice; or
- (b) obstructs or hinders a control officer or any member of the forces in the performance of his duty;

shall be guilty of an offence under these regulations.

(2) Any person convicted of an offence under these regulations [other than an offence mentioned in sub-regulation (4) of regulation 5] shall be liable to a fine not exceeding two hundred pounds or to imprisonment during a period not exceeding one year or to both such fine and imprisonment.

Arrest of Offenders.

18. (1) The Chief Control Officer or a control officer or a commissioned officer in any one of the forces may cause to be arrested or himself arrest any person who has committed an offence under these regulations or who is suspected, upon reasonable grounds, of having committed such an offence.

(2) Any member of any one of the forces may arrest any person whom he sees or has seen committing any offence under these regulations.

Deursoekingsreg.

19. Die Hoofbestuursbeampte of 'n bestuursbeampte of 'n offisier in die Staatsmag kan iemand wat kragtiens hierdie regulasies gearrester is, of iemand wat om gegronde redes daarvan verdink word dat hy in besit is van 'n voorwerp wat as bewys kan dien dat 'n misdryf volgens hierdie regulasies begaan is, laat deursoek of self deursoek, of 'n plek of houer waar of waarin so'n voorwerp om gegronde redes vermoed word te wees, laat deursoek of self deursoek. Iemand wat so'n voorwerp vind, moet dit oorhandig aan die bevoegde vervolger vermeld in sub-regulasie (3) van regulasie 20.

Noodtoestandshoue.

20 (1) 'n Misdryf volgens hierdie regulasies wat in een of ander magistratdistrik begaan is, is in daardie distrik bergbaar deur 'n magistraat, addisionele magistraat of assistent magistraat wat bevoeg is om by gewone strafgedinge in daardie distrik voor te sit, met dien verstande dat wanneer 'n magistraat, addisionele magistraat of assistent magistraat met 'n geding ingevolge hierdie regulasies handel, hy geag word 'n landsnoodtoestandshof uit te maak.

(2) In 'n geding voor 'n noodtoestandshof is die reëls van procedure en bewyslewering wat betrekking het op strafsake in magistratshoue en die gewone reëls van wetsuitlegging van toepassing, met dien verstande dat 'n noodtoestandshof bevoeg is om die hoogste strawwe wat hierdie regulasies voorskryf, op te lê.

(3) Die Minister van Verdediging kan in oorleg met die Minister van Justisie 'n vervolger of twee of meer vervolgers vir 'n noodtoestandshof aanstel, om in verband met enige saak wat deur daardie hof beregbaar is, soortgelyke werksaamhede te verrig as die werksaamhede van 'n publieke aanklaer in verband met 'n saak wat deur 'n magistratshof beregbaar is.

(4) Die regsreëls betreffende minagting van die hof is in verband met noodtoestandshoue van toepassing asof daardie houe magistratshoue was, en so'n minagting is deur 'n noodtoestandshof strafbaar.

Uitshuiving van Gewone Houe.

21. Geen gereghof is bevoeg om hom op welke wyse ook in te laat met 'n handeling ingevolge hierdie regulasies verrig of om van so'n handeling kennis te neem.

Vonnisse van Noodtoestandshoue ten Uitvoer Gelê soos Gewone Vonnisse.

22. Iemand wat ingevolge hierdie regulasies skuldig bevind is word behandel asof hy deur 'n gereghof skuldig bevind was, en alle beamptes wat verplig is om gevolg te gee aan 'n uitspraak, vonnis of bevel van 'n gereghof moet gevolg gee aan 'n uitspraak, vonnis of bevel van 'n noodtoestandshof.

Revisie.

23. (1) Die Minister van Verdediging kan in oorleg met die Minister van Justisie vir een of ander gebied 'n persoon of twee of meer persone aanstel wat minstens tien jaar voor die aanstelling toegelaat is as 'n advokaat of as advokate in 'n hof in 'n gebied wat deel uitmaak van die Unie, om die verrigtings van noodtoestandshoue te hersien. 'n Aldus aangestelde persoon word 'n revisiebeampte genoem.

(2) Wanneer iemand in 'n gebied waarvoor 'n revisiebeampte aangestel is, deur 'n noodtoestandshof skuldig bevind is en veroordeel is tot gevangenisstraf of tot 'n boete van meer as dertig pond, moet die beampte wat die straf opgelê het so spoedig doenlik na die strafoplegging, die notule van die verrigtings of 'n gewaarmerkte afskrif daarvan aan die revisiebeampte voorlê, en die revisiebeampte kan die skuldigbevinding bekragtig, wysig of nietig verklaar, of die straf deur die noodtoestandshof opgelê bekragtig, verminder of nietig verklaar (en as die aangeklaagde skuldig bevind is op een van twee of meer alternatiewe aanklagte, kan die revisiebeampte, wanneer hy daardie skuldigbevinding nietig verklaar, die aangeklaagde skuldig vind op die ander alternatiewe aanklag of op een of ander van die ander alternatiewe aanklagte) of hy kan die verrigtinge van die noodtoestandshof nietig verklaar of verbeter of in die algemeen die uitspraak doen of die straf oplê of die bevel gee wat die noodtoestandshof in enige aangeleentheid wat by die verhoor van die betrokke saak voor hom was, behoort te gedoen, op te gelê of te gegee het, of hy kan die saak na die noodtoestandshof terugverwys met opdrag om in so'n aangeleentheid op die wyse te handel as wat die revisiebeampte wenslik ag, en hy kan na goeë dunde die tenuitvoerlegging van 'n straf wat die veroordeelde opgelê is, opskort of hom in afwagting van die beëindiging van die saak, op borgtog uitlaat.

Powers of Search.

19. The Chief Control Officer or a control officer or a commissioned officer in any one of the forces may cause to be searched or himself search any person arrested under these regulations or any person who is suspected, upon reasonable grounds, of being in possession of any object which may afford evidence of the commission of any offence under these regulations, or cause to be searched or himself search any place or receptacle whereat or wherein any such object is believed, upon reasonable grounds, to be. Any person who finds any such object shall submit it to the competent prosecutor mentioned in sub-regulation (3) of regulation 20.

Emergency Courts.

20. (1) Any offence under these regulations which was committed in any magisterial district, shall be triable in that district by any magistrate, additional magistrate or assistant magistrate who has authority to preside over ordinary criminal proceedings in that district; provided that when a magistrate, additional magistrate or assistant magistrate deals with any proceedings under these regulations, he shall be deemed to constitute a national emergency court.

(2) In any proceedings before an emergency court the rules of procedure and evidence relating to criminal trials in magistrates' courts and the ordinary rules of interpreting laws shall apply; provided that an emergency court shall have jurisdiction to impose the maximum penalties prescribed in these regulations.

(3) The Minister of Defence may in consultation with the Minister of Justice appoint, to an emergency court, a prosecutor or two or more prosecutors who shall, in connection with any case triable by that court, perform functions similar to the functions of a public prosecutor in connection with a case triable by a magistrate's court.

(4) In connection with emergency courts the law relating to contempt of court shall apply as if those courts were magistrates' courts and any such contempt shall be punishable by an emergency court.

Ousting of Ordinary Courts.

21. No court of law shall have power to interfere in any way with any action taken under these regulations or take cognisance of any such action.

Judgments of Emergency Courts carried out like Ordinary Judgments.

22. A person convicted under these regulations shall be dealt with as if he had been convicted by a court of law and all officers whose duty it is to give effect to any judgment, sentence or order of a court of law shall give effect to a judgment, sentence or order of an emergency court.

Review.

23. (1) The Minister of Defence may, in consultation with the Minister of Justice appoint, for any area, a person who was, or two or more persons who were, not less than ten years before the appointment, admitted as an advocate or as advocates in any court in any territory which forms part of the Union, to review the proceedings of emergency courts. A person so appointed shall be styled a reviewing officer.

(2) When in any area for which a reviewing officer has been appointed, a person has been convicted by a national emergency court and has been sentenced to imprisonment, or to a fine exceeding thirty pounds, the officer who imposed the sentence shall, as soon as practicable after the imposition of the sentence, submit the record of the proceedings or a certified copy thereof to the reviewing officer, who may affirm, alter or quash the conviction or affirm, reduce, alter or set aside the sentence imposed by the emergency court (and if the accused person was convicted on one of two or more alternative counts, the reviewing officer may, when quashing that conviction, convict the accused on the other alternative count or on one or other of the other alternative counts) or he may set aside or correct the proceedings of the emergency court or generally give such judgment or impose such sentence or make such order as the national emergency court ought to have given, imposed or made on any matter which was before it at the trial of the case in question, or he may remit the case to the emergency court with instructions to deal with any such matter in such manner as he may think fit, and he may, if he think fit, suspend the execution of any sentence imposed upon the convicted person or admit him to bail pending the termination of the case.

Staatskoerant

VAN DIE

UNIE VAN SUID-AFRIKA

(Verskyn elke Vrydag.)

ADVERTENSJETARIEWE.

WETLIKE KENNISGEWINGS, Verlore Aktes, Sortifikate, Polisse, ens., Kennisgewings van Geregebodes, en in verband met Handelsmerke, Orders van die Hof, Boedel-oorgawes, Tenders en Verkopings, Maatskappye, ens.

Die advertensjetarief 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.

KENNISGEWING IN SAKE UITGESTORWE BOEDEL.

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.

KENNISGEWINGS IN SAKE DIE INSOLVENSIEWET.

'n Vaste bedrag van 12s. per boedel word bereken vir die publikasie in skedulevorm van kennisgewings voorgeskrewe deur die regulasies opgestel ingevolge die Insolvensiewet, 1916 en 1936.

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

KENNISGEWINGS IN SAKE PATENTE.

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

KENNISGEWINGS IN SAKE NATURALISASIE.

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

SLUITINGSUUR.

Adverteerders dien daarop te let dat die sluitingsuur vir die aanneming van kopie vir die Unie-Staatskoerant 4 uur n.m. op Woensdag van elke week voor verskyning is. Wanneer openbare feesdae verskyning raak, sal daar 'n spesiale kennisgewing in die Staatskoerant geplaas word wat eventuele veranderinge van die sluitingsuur aankondig.

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 aanspreeklikheid kan aanvaar word vir verliese wat deur uitlatinge of tipografiese of ander foute ontstaan nie.

Die manuskrip van advertensies moet slegs op een kant van die papier geskrywe word en nie op die begeleidende brief nie. **Alle eiename moet duidelik geskrywe word;** ingeval naam verkeerd gedruk word tengevolge van onduidelike skrif, kan die advertensie alleen na betaling van die koste van 'n tweede plasing weer gepubliseer word.

Geen advertensie kan geplaas word nie, tensy dit vooruitbetaal is.

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

INTEKENGELD.

Die intekengeld vir die Unie-Staatskoerant (insluitende die Offisiële Koerant van die Hoë Kommissaris, Buitengewone Staatskoerante en Byvoegsels, 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 kan ingaan van die 1ste van enige maand, maar kan nie vir 'n korter tydperk as ses maande aangeneem word nie.

J. J. KRUGER,
Staatsdrukker.

Government Gazette

OF THE

UNION OF SOUTH AFRICA

(Published on Fridays.)

ADVERTISEMENT RATES.

LEGAL NOTICES, Lost Deeds, Certificates, Policies, etc., Messengers' Notices, Trade Marks, Orders of Court, Surrenders, Tenders and Sales, Company Notices, etc.

Rates of advertising are as follows:—

- 5s. per inch single column; repeats 3s.
- 10s. per inch double column; repeats 6s.
- 15s. per inch treble column; repeats 9s.

In order to arrive at the approximate space which an advertisement will occupy, advertisers should count the words in the body of the advertisement, and reckon—

- For single column, 6 words to the line;
- For double column, 14 words to the line;
- For treble column, 21 words to the line;
- and 8 lines to the inch.

In each case an additional half-inch at top and bottom should be allowed for heading and signature respectively. Fractions of an inch to be reckoned an inch.

DECEASED ESTATE NOTICES.

Notices to Creditors and Debtors in the Estates of Deceased Persons and Notices by Executors concerning Liquidation Accounts lying for inspection are published in schedule form at 8s. per Estate.

INSOLVENCY ACT NOTICES.

A fixed charge of 12s. per Estate is made for publishing notices in the schedule forms prescribed in the Regulations made under the Insolvency Act, 1916 and 1936.

N.B.—In the case of forms 3 and 4, advertisers should count the words in the advertisement and reckon: 12s. for the first 36 words (or portion thereof) and 2s. for every additional 12 words (or portion thereof).

PATENT NOTICES.

Notices of acceptance of complete specifications in respect of Applications for Letters Patent are inserted in three consecutive issues for 10s.

NATURALIZATION NOTICES.

Applications for Naturalization are inserted for 13s. (which includes a copy of the Gazette).

CLOSING HOUR.

Advertisers should observe that the closing hour for the acceptance of "copy" for the Union Gazette is 4 p.m. on Wednesday of each week preceding publication. When Public Holidays affect publication, a special notice will appear in the Gazette notifying any change in the closing hour.

Only Legal Advertisements are accepted for publication in the Gazette, and are subject to the approval of the Government Printer, who can refuse to accept or decline further publication of any advertisement.

The Government Printer reserves to himself the right to edit "copy".

No responsibility can be accepted for losses arising from omissions or typographical errors.

Manuscript of advertisements should be written on one side of the paper only and not as part of the covering letter. **All proper names must be plainly inscribed;** in the event of any name being incorrectly printed as a result of indistinct writing, the advertisement can be republished only on payment of the cost of another insertion.

No Advertisement can be inserted unless it is Prepaid.

All cheques, bank drafts, postal orders, or money orders must be made payable to the Government Printer, Pretoria, and crossed "South African Reserve Bank". **Cheques will only be accepted when initialed by the Bank.**

SUBSCRIPTION RATES.

The subscription rates to the Union Gazette (including Official Gazette of the High Commissioner, Gazettes Extraordinary, and Supplements, with Quarterly Index) are as follows:—

- £1 for six months (post free).
- £2 for twelve months (post free).
- Price per single copy, 6d.

Subscriptions are payable in advance to the Government Printer, Pretoria, and may commence from the 1st of any month, but cannot be accepted for a shorter period than six months.

J. J. KRUGER,
Government Printer.

Page 1065, No. 1401.
1069.

Customs Tariff Guide -
Amendments & Additions.

" 1069, No. 1408.

3 $\frac{1}{2}$ % Local Registered Stock 1953/58.
Declaration of Dividend.

" 1081, No. 1390.
1088.

Publication of Report of Inspector
of Mining Leases -

- (a) Nigel Gold Mining Co. Ltd.
- (b) Vlakfontein Gold Mining Co.
- (c) Palmietkuil G.M. Co. Ltd.

" XXVIII.

Rand Selection Corporation, Ltd.
Interest Payment on 5% Registered
and Bearer Convertible Notes.

CHECKED BY	
REEL	☒
AGW	☒
JB	☐
JEL	☐
EAR	☐
HOK	☒
	☐
	☐

Department of Mines.
Notice of Application for Right-of-way.
S.A. Pulp & Paper Industries.