

BUITENGEWONE



EXTRAORDINARY

Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

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THE UNION OF SOUTH AFRICA

Government Gazette

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KANTOOR VAN DIE EERSTE MINISTER.

Onderstaande Goewermenskennisgewing word ter algemene inligting gepubliseer:—

No. 1462.] [30 Junie 1952.]

Hierby word bekendgemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wette wat hierby ter algemene inligting gepubliseer word:—

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OFFICE OF THE PRIME MINISTER.

The following Government Notice is published for general information:—

No. 1462.] [30th June, 1952.]

It is hereby notified that His Excellency the Governor-General has been pleased to assent to the following Acts which are hereby published for general information:—

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[No. 60, 1952.]

WET

Om voorsiening te maak vir die verdeling van die winste wat in verband met die uitvoering van die afsetplan ingevolge die Wolwet, 1946, aan die Unie-regering toegeval het of sal toeval, en tot wysiging van daardie Wet.

(Afrikaanse teks deur die Goewerneur-generaal-geteken.)
(Goedgekeur op 27 Junie 1952.)

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

Woord-
omskrywing.

1. In hierdie Wet beteken die uitdrukking „die Hoofwet” die Wolwet, 1946 (Wet No. 19 van 1946), en in artikels een tot en met agt tensy uit die samehang anders blyk, het elke uitdrukking waaraan in daardie Wet ’n betekenis toegeskryf is, die betekenis aldus daaraan toegeskryf, en beteken—

- (i) „bruto-opbrings”, met betrekking tot ’n hoeveelheid deelagtige wol, die totale bedrag wat die Regering van die Verenigde Koninkryk ten opsigte van die aankoop van daardie hoeveelheid betaal het; (ii)
- (ii) „deelagtige wol” wol in die Unie, Basoetoland, Swasieland of die Protektoraat van Betsjoeanaland geproduseer en gedurende die tydperk van die eerste dag van Augustus 1940 tot die een-en-dertigste dag van Julie 1946 in die Unie aan die Regering van die Verenigde Koninkryk verkoop; (vi)
- (iii) „handelaar” iemand wat deelagtige wol andersins as in die naam en ten bate van die produsent van daardie wol verkoop het; (i)
- (iv) „Hoë Kommissaris” die Hoë Kommissaris vir Basoetoland, Swasieland en die Protektoraat van Betsjoeanaland; (iii)
- (v) „naturel” iemand wat lid is van ’n inboorlingras of -stam van Afrika, en ook iemand wat onder dieselfde toestande as ’n naturel in ’n afgesonderde natuurlike gebied of oopgestelde gebied, soos in die Naturelle-trust en -grond Wet, 1936 (Wet No. 18 van 1936), omskryf, of op grond waarvan die Suid-Afrikaanse Naturelle-trust die geregistreerde eienaar is, woon, en wanneer daar twyfel ontstaan oor die vraag of enige persoon ’n naturel is, word daardie persoon geag ’n naturel te wees tensy die teendeel bewys word; (iv)
- (vi) „naturelleprodusent”, met betrekking tot deelagtige wol, ’n naturelleprodusent van sodanige wol wat hy nie deur ’n wolmakelaar verkoop het nie; (v)
- (vii) „produsent”, met betrekking tot—
 - (a) deelagtige wol wat deur die Bewaarder van Vyandse eiendom verkoop is, bedoelde Bewaarder;
 - (b) deelagtige wol wat van velle verwyder is, die persoon deur of ten bate van wie dié wol verkoop is;
 - (c) deelagtige wol wat van ’n skaap geskeer is en aan iemand verkoop is voordat dit aldus geskeer is, die persoon deur of ten bate van wie dit aldus verkoop is; en
 - (d) enige ander deelagtige wol, die persoon ten bate van wie daardie wol van die skaap geskeer is, en het „geproduseer” ’n ooreenstemmende betekenis; (vii)
- (viii) „Sekretaris” die Sekretaris van Landbou; (viii)
- (ix) „Unie” ook die gebied van Suidwes-Afrika; (ix)
- (x) „wol” die natuurlike vag van ’n skaap (*genus ovis*); (x)
- (xi) „wolwinste”, die bedrag ingevolge sub-artikel (1) van artikel drie van die Finansiewet, 1951 (Wet No. 56 van 1951), na die Openbare Skuldkommissarisse oorgeplaas, tesame met enige rente uit die belegging daarvan verkry. (xi)

Verdeling van
wolwinste.

2. (1) Die Sekretaris bepaal—

- (a) ten opsigte van elke produsent (behalwe ’n naturelleprodusent) van in die Unie geproduseerde deelagtige wol, die bruto-opbrings van sodanige wol deur daardie produsent geproduseer;
- (b) ten opsigte van—
 - (i) naturelleprodusente van sodanige in die Unie geproduseerde wol; en

[No. 60, 1952.]

ACT

To provide for the distribution of the profits which have accrued or will accrue to the Union Government in the carrying out of the disposals plan in terms of the Wool Act, 1946, and to amend that Act.

(Afrikaans text signed by the Governor-General.)
(Assented to 27th June, 1952.)

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

1. In this Act the expression "the principal Act" means Definitions. the Wool Act, 1946 (Act No. 19 of 1946), and in sections one to eight, inclusive, unless the context otherwise indicates, any expression to which in that Act a meaning has been assigned, bears the meaning so assigned thereto, and—

- (i) "dealer" means any person who sold participating wool otherwise than in the name and for the benefit of the producer of that wool; (iii)
- (ii) "gross proceeds", in relation to any quantity of participating wool, means the total amount paid by the Government of the United Kingdom in respect of the purchase of that quantity; (i)
- (iii) "High Commissioner" means the High Commissioner for Basutoland, Swaziland and the Protectorate of Bechuanaland; (iv)
- (iv) "native" means a person who is a member of any aboriginal race or tribe of Africa, and includes any person residing under the same conditions as a native in a scheduled native area or a released area, as defined in the Native Trust and Land Act, 1936 (Act No. 18 of 1936), or on any land of which the South African Native Trust is the registered owner, and whenever doubt arises as to whether any person is a native, such person shall be deemed to be a native, unless the contrary is proved; (v)
- (v) "native producer", in relation to participating wool, means a native producer of such wool not sold by him through a wool broker; (vi)
- (vi) "participating wool" means wool produced in the Union, Basutoland, Swaziland or the Protectorate of Bechuanaland, and sold in the Union to the Government of the United Kingdom during the period from the first day of August, 1940, to the thirty-first day of July, 1946; (ii)
- (vii) "producer" means, in relation to—
 - (a) participating wool sold by the Custodian of Enemy Property, such Custodian;
 - (b) participating wool removed from skins, the person by whom or for whose benefit such wool was sold;
 - (c) participating wool shorn from a sheep and sold to any person before it was so shorn, the person by whom or for whose benefit it was so sold; and
 - (d) any other participating wool, the person for whose benefit such wool was shorn from the sheep,
 and "produced" has a corresponding meaning; (vii)
- (viii) "Secretary" means the Secretary for Agriculture; (viii)
- (ix) "Union" includes the territory of South-West Africa; (ix)
- (x) "wool" means the natural coat of the sheep (*genus ovis*); (x)
- (xi) "wool profits" means the amount transferred to the Public Debt Commissioners in terms of sub-section (1) of section three of the Finance Act, 1951 (Act No. 56 of 1951), together with any interest derived from the investment thereof. (xi)

2. (1) The Secretary shall determine—

- (a) in respect of every producer (other than a native producer) of participating wool produced in the Union, the gross proceeds of such wool produced by that producer;
- (b) in respect of—
 - (i) native producers of such wool produced in the Union; and

Distribution of
wool profits.

- (ii) produsente van sodanige in Basoetoland, Swasieland of die Protektoraat van Betsjoeanaland geproduseerde wol, die bruto-opbrings van sodanige wol in elke geval deur al die bedoelde produsente geproduseer;
- (c) op grondslag van die onderskeie bedrae aldus bepaal, die aandeel in die wolwinste toegewys te word ten opsigte van wol geproduseer—
 - (i) deur elke produsent in paragraaf (a) bedoel; en
 - (ii) deur produsente onderskeidelik in sub-paragrafe (i) en (ii) van paragraaf (b) bedoel, wat in elke geval bereken word as 'n bedrag wat in dieselfde verhouding staan tot die oorblywende bedrag van die wolwinste, na aftrekking daarvan van die onkoste, soos deur die Sekretaris bepaal, in verband met die verdeling van die wolwinste beloop, as die verhouding waarin die bruto-opbrings van die deelagtige wol deur die betrokke produsent of, al na die geval, deur al die betrokke produsente geproduseer, tot die bruto-opbrings, soos aldus bepaal, van alle deelagtige wol staan.
- (2) Die bedrae kragtens paragraaf (c) van sub-artikel (1) bepaal, word, met inagneming van die bepalinge van sub-artikels (3), (4) en (5), deur die Sekretaris betaal—
 - (a) in die geval van 'n bedrag aldus bepaal ten opsigte van wol geproduseer deur 'n in paragraaf (a) van sub-artikel (1) bedoelde produsent, aan daardie produsent;
 - (b) in die geval van 'n bedrag aldus bepaal ten opsigte van wol geproduseer deur in sub-paragraaf (i) van paragraaf (b) van sub-artikel (1) bedoelde produsente, aan die Sekretaris van Naturellesake en op krediet geplaas van 'n spesiale rekening in die Suid-Afrikaanse Naturelletrustfonds ingestel kragtens artikel 97 van die Naturelletrust en -grondwet, 1936 (Wet No. 18 van 1936), bekend as die Rekening vir die Verdeling van Wolwinste (Naturelleprodusente) om ten voordele van naturelle in die Unie aangewend te word op die wyse wat die Minister van Naturellesake bepaal; en
 - (c) in die geval van 'n bedrag aldus bepaal ten opsigte van wol geproduseer deur in sub-paragraaf (ii) van paragraaf (b) van sub-artikel (1) bedoelde produsente, aan die Hoë Kommissaris.
- (3) Waar—
 - (a) 'n produsent (behalwe 'n naturelleprodusent) van deelagtige wol in die Unie geproduseer, oorlede is of (in die geval van 'n maatskappy of vennootskap) opgehou het om te bestaan voor die datum waarop die aandeel in die wolwinste toegewys ten opsigte van sodanige wol deur daardie produsent geproduseer, uitbetaal is, word daardie aandeel uitbetaal asof dit verskuldig geword het op die dag onmiddellik voor die datum waarop daardie produsent oorlede is of opgehou het om te bestaan;
 - (b) deelagtige wol ten bate van die boedel van enige persoon geproduseer is, word daardie wol geag deur bedoelde persoon geproduseer te gewees het.
- (4) Behalwe wat betref bedrae aan die Sekretaris van Naturellesake of die Hoë Kommissaris betaalbaar, word geen bedrag wat 'n aandeel in die wolwinste verteenwoordig, uitbetaal nie ten opsigte van in sub-artikel (3) bedoelde wol of in die geval van 'n produsent wat 'n minderjarige is of iemand wat deur 'n geregshof onbevoeg verklaar is om sy eie sake te bestuur of wat ingevolge die „Wet op Geestesgebreken, 1916” (Wet No. 38 van 1916), 'n geestelik gekrenkte of gebrekkige persoon verklaar is of as 'n sielsieke aangehou word, behalwe na oorlegpleging met die bevoegde Meester van die Hooggeregshof en ooreenkomstig sy opdrag.
- (5) Wanneer twee of meer persone op betaling van enige aandeel in die wolwinste aanspraak maak, kan die Sekretaris die bedrag wat daardie aandeel verteenwoordig aan enigeen van daardie persone vir die voordeel van al daardie persone betaal of bedoelde bedrag onder daardie persone verdeel op die wyse wat hy billik ag.
- (6) 'n Bepaling ingevolge hierdie artikel deur die Sekretaris gemaak, is afdoende.
- (7) Die gelde benodig om betalings ingevolge hierdie artikel te maak of om onkoste te dek wat in verband met die verdeling van wolwinste aangegaan word (insluitende onkoste in verband met die ouditering van rekenings soos deur die Tesourie na oorlegpleging met die Kontroleur en Ouditeur-generaal bepaal) en om aan sub-artikel (3) van artikel *sewê* gevolg te gee, word van tyd tot tyd op versoek van die Sekretaris deur die

- (ii) producers of such wool produced in Basutoland, Swaziland or the Protectorate of Bechuanaland, the gross proceeds of such wool produced in each case by all such producers;
- (c) on the basis of the respective amounts so determined, the share in the wool profits to be allocated in respect of wool produced—
 - (i) by every producer referred to in paragraph (a); and
 - (ii) by producers referred to in sub-paragraphs (i) and (ii) respectively of paragraph (b), calculated in each case as an amount which bears the same ratio to the amount of the wool profits remaining after deduction therefrom of the expenses, as determined by the Secretary, incurred in connection with the distribution of the wool profits, as the gross proceeds of the participating wool produced by the producer concerned or by all the producers concerned, as the case may be, bears to the gross proceeds of all participating wool as so determined.
- (2) The amounts determined under paragraph (c) of sub-section (1), shall, subject to the provisions of sub-sections (3), (4) and (5), be paid by the Secretary—
 - (a) in the case of any amount so determined in respect of wool produced by a producer referred to in paragraph (a) of sub-section (1), to that producer;
 - (b) in the case of any amount so determined in respect of wool produced by producers referred to in sub-paragraph (i) of paragraph (b) of sub-section (1), to the Secretary for Native Affairs and placed to the credit of a special account in the South African Native Trust Fund established under section eight of the Native Trust and Land Act, 1936 (Act No. 18 of 1936), to be known as the Wool Profits Distribution Account (Native Producers) and to be used for the benefit of natives in the Union in such manner as may be determined by the Minister of Native Affairs; and
 - (c) in the case of any amount so determined in respect of wool produced by producers referred to in sub-paragraph (ii) of paragraph (b) of sub-section (1), to the High Commissioner.
- (3) Where—
 - (a) a producer (other than a native producer) of participating wool produced in the Union has died or (in the case of a company or partnership) ceased to exist before the date on which the share in the wool profits allocated in respect of such wool produced by that producer has been paid out, such share shall be paid out as if it had become due on the day immediately preceding the date on which that producer died or ceased to exist;
 - (b) participating wool has been produced for the benefit of the estate of any person, that wool shall be deemed to have been produced by that person.
- (4) Save as regards amounts payable to the Secretary for Native Affairs or the High Commissioner, no amount representing any share in the wool profits shall be paid out in respect of wool referred to in sub-section (3) or in the case of a producer who is a minor or a person who has been declared by a court of law to be incapable of managing his own affairs or who has been declared to be a mentally defective or disordered person or is being detained as a mental patient under the Mental Disorders Act, 1916 (Act No. 38 of 1916), except after consultation with the Master of the Supreme Court having jurisdiction and in accordance with his directions.
- (5) Whenever payment of any share in the wool profits is claimed by two or more persons, the Secretary may pay the amount representing that share to any one of those persons for the benefit of all such persons or apportion that amount amongst such persons in such manner as he may consider equitable.
- (6) Any determination made under this section by the Secretary shall be final.
- (7) The moneys required for the purpose of making any payment under this section or to meet any expenditure incurred in connection with the distribution of the wool profits (including expenditure in connection with the auditing of accounts, as determined by the Treasury in consultation with the Controller and Auditor-General) and to give effect to sub-section (3) of section seven, shall from time to time at the request of the

Openbare Skuldkommissaris se onttrek uit die bedrae wat ingevolge sub-artikel (3) van artikel drie van die Finansiewet, 1951 (Wet No. 56 van 1951), deur hulle gehou word, en word by die Suid-Afrikaanse Reserwebank op krediet geplaas van 'n fonds bekend as die Fonds vir die Verdeling van Wolwinste wat deur die Sekretaris beheer word.

Verkryging
van inligting
van produsente
en handelaars.

3. (1) Die Sekretaris kan, ten einde inligting te verkry wat hy in verband met die verdeling van die wolwinste nodig het—

- (a) by skriftelike kennisgewing aan enige persoon gerig, daardie persoon aansê om binne 'n tydperk in die kennisgewing vermeld aan hom die inligting te verstrek waarvoor daardie persoon beskik en wat aldus vermeld mag word;
- (b) aan 'n produsent (behalwe 'n natuurleprodusent) van deelagtige wol of 'n handelaar 'n skriftelike kennisgewing stuur of laat stuur, vergesel van 'n opgawe in die vorm wat die Sekretaris bepaal waarin volgens die inligting tot sy beskikking uiteengesit word—
 - (i) in die geval van so 'n produsent, die bruto-opbrings van sodanige wol wat daardie produsent geproduseer het; of
 - (ii) in die geval van so 'n handelaar, die bruto-opbrings van sodanige wol wat daardie handelaar deur wolmakelaars verkoop het;
- (c) in 'n kennisgewing kragtens paragraaf (b), die produsent of handelaar aan wie dit gerig is, aansê om die opgawe wat daardie kennisgewing vergesel binne 'n tydperk in die kennisgewing vermeld, en nadat hy daarop gesertifiseer het dat die besonderhede daarin uiteengesit na sy beste wete en geloof juis is, indien dit die geval is, aan die Sekretaris terug te stuur, of, as bedoelde besonderhede nie juis is nie, binne die aldus vermelde tydperk skriftelike inligting by die Sekretaris in te dien waarin uitvoerig aangedui word in watter opsigte daardie besonderhede onjuis is;
- (d) by skriftelike kennisgewing so 'n handelaar aansê om binne 'n in die kennisgewing vermelde tydperk by hom 'n beëdigde verklaring in te dien waarin, ten opsigte van sodanige wol aldus deur daardie handelaar verkoop, aangedui word, vir sover die nodige inligting aan daardie handelaar beskikbaar is—
 - (i) die name en adresse van die produsente (behalwe natuurleprodusente) van sodanige wol in die Unie geproduseer;
 - (ii) die bruto-opbrings van sodanige wol deur elkeen van daardie produsente geproduseer;
 - (iii) die bruto-opbrings van alle sodanige wol deur natuurleprodusente in die Unie geproduseer; en
 - (iv) die bruto-opbrings van alle sodanige wol in Basoetoland, Swasieland of die Protektoraat van Betsjoeanaland geproduseer.
- (e) by kennisgewing in die *Staatskoerant* of op die ander wyse wat hy goetvind, enige produsent of handelaar aan wie daar nie ingevolge paragraaf (b) 'n opgawe gestuur is nie, uitnooi om op 'n in die kennisgewing vermelde vorm by die Sekretaris besonderhede in te dien—
 - (i) in die geval van so 'n produsent, aangaande deelagtige wol deur daardie produsent geproduseer en die wyse waarop hy daardie wol van die hand gesit het; en
 - (ii) in die geval van so 'n handelaar, aangaande sodanige wol wat hy deur wolmakelaars verkoop het.

(2) Indien binne dertig dae na die versending van 'n opgawe kragtens paragraaf (b) van sub-artikel (1), die persoon aan wie daardie opgawe gestuur is nie soos in paragraaf (c) van daardie sub-artikel bepaal daarop gesertifiseer of dit nie aan die Sekretaris teruggestuur het nie, en nie die Sekretaris in kennis gestel het dat die besonderhede daarin uiteengesit onjuis is nie, kan die Sekretaris daardie besonderhede as juis aanvaar, en waar daar in enige geval twyfel ontstaan, is die Sekretaris se beslissing afdoende: Met dien verstande dat die Sekretaris te eniger tyd enige nodige wysigings in so 'n opgawe kan aanbring.

(3) Die versuim om 'n opgawe soos in sub-artikel (1) bepaal aan 'n produsent van deelagtige wol of 'n handelaar te stuur, raak nie die geldigheid nie van enige bepaling deur die Sekretaris gemaak aangaande die aandeel in die wolwinste wat toegewys moet word ten opsigte van deelagtige wol geproduseer deur enige produsent of kategorie van produsente.

Secretary be withdrawn by the Public Debt Commissioners from the sums held by them in terms of sub-section (3) of section *three* of the Finance Act, 1951 (Act No. 56 of 1951), and deposited with the South African Reserve Bank to the credit of a fund to be known as the Wool Profits Distribution Fund which shall be under the control of the Secretary.

3. (1) The Secretary may, for the purpose of obtaining information required by him in connection with the distribution of the wool profits—

Obtaining of information from producers and dealers.

- (a) by notice in writing addressed to any person, require that person to submit to him, within a period specified in the notice, such information as may be available to that person and as may be so specified;
- (b) send or cause to be sent to any producer (other than a native producer) of participating wool or any dealer a notice in writing accompanied by a statement in such form as the Secretary may determine, specifying, according to the information at his disposal—
 - (i) in the case of any such producer, the gross proceeds of such wool produced by that producer; or
 - (ii) in the case of any such dealer, the gross proceeds of such wool sold by that dealer through wool brokers;
- (c) in any notice under paragraph (b), require the producer or dealer to whom it is addressed to return the statement accompanying that notice to the Secretary within the period specified in that notice after having certified thereon that to the best of his knowledge and belief the particulars set out therein are correct, if such is the case, or, if those particulars are not correct, to lodge with the Secretary within the period so specified written information showing in detail in what respects such particulars are incorrect;
- (d) by notice in writing require any such dealer to lodge with him within a period specified in the notice an affidavit indicating in respect of any such wool so sold by that dealer, in so far as the necessary information is available to such dealer—
 - (i) the names and addresses of the producers (other than native producers) of such wool produced in the Union;
 - (ii) the gross proceeds of such wool produced by each of those producers;
 - (iii) the gross proceeds of all such wool produced in the Union by native producers; and
 - (iv) the gross proceeds of all such wool produced in Basutoland, Swaziland or the Protectorate of Bechuanaland;
- (e) by notice in the *Gazette* or in such other manner as he may deem fit invite any producer or dealer to whom a statement under paragraph (b) has not been sent, to lodge with the Secretary in such form as may be specified in the notice—
 - (i) in the case of any such producer, particulars of participating wool produced by that producer and the manner in which he disposed of that wool; and
 - (ii) in the case of any such dealer, particulars of such wool sold by him through wool brokers.

(2) If within thirty days after the dispatch of any statement under paragraph (b) of sub-section (1), the person to whom that statement was sent has not certified thereon as provided in paragraph (c) of that sub-section, or has not returned it to the Secretary, and has not advised the Secretary that the particulars set out therein are incorrect, the Secretary may regard such particulars as correct, and in the event of doubt arising in any case the decision of the Secretary shall be final: Provided that the Secretary may at any time make any necessary amendments to any such statement.

(3) The failure to send a statement as provided in sub-section (1) to any producer of participating wool or any dealer, shall not affect the validity of any determination made by the Secretary as to the share of the wool profits to be allocated in respect of participating wool produced by any producer or class of producers.

Oordrag van
bevoegdhede.

4. Die Sekretaris kan op die voorwaardes wat hy goedvind van sy bevoegdhede of werksaamhede in verband met die verdeling van die wolwinste aan die raad oordra, maar behoort die reg om enige besluit van die raad by die uitoefening van 'n bevoegdheid of die verrigting van 'n werksaamheid aldus aan hom oorgedra, te hersien.

Ouditering
van rekenings

5. (1) Behoorlike rekenings ten opsigte van die verdeling van die wolwinste moet deur die Sekretaris en (vir sover sodanige verdeling deur die raad uit hoofde van 'n opdrag ingevolge artikel vier onderneem word) die raad gehou word, en sodanige rekenings word jaarliks geouditeer deur die Kontroleur en Ouditeur-generaal wat, vir die doeleindes van so 'n ouditering een of meer persone kan aanstel om hom, onderworpe aan die voorskrifte wat hy goedvind, behulpsaam te wees.

(2) Die bepalinge van artikels *dertien*, *veertien*, *vyftien*, *agtien* en *negentien* van die „Financiewet, 1911” (Wet No. 21 van 1911), is *mutatis mutandis* ten opsigte van so 'n ouditering van toepassing: Met dien verstande dat, vir die doeleindes van hierdie sub-artikel—

(a) die verwysing in artikels *dertien* en *agtien* van genoemde Wet na die Tesourie geag word 'n verwysing te wees na die Minister;

(b) die verwysing in artikels *dertien*, *veertien* en *vyftien* van genoemde Wet na 'n persoon in diens van die Regering van die Unie geag word 'n persoon in diens van die raad in te sluit; en

(c) die verwysings in artikel *negentien* van genoemde Wet na die Minister van Finansies geag word verwysings te wees na die Minister van Landbou.

(3) Die Kontroleur en Ouditeur-generaal stuur so spoedig doenlik na so 'n ouditering 'n verslag ten opsigte daarvan aan die Minister.

(4) Die Minister moet afskrifte van elke verslag ingevolge sub-artikel (3) aan hom voorgelê in albei Huise van die Parlement ter Tafel lê, binne veertien dae na ontvangs daarvan as die Parlement dan in gewone sitting is, of as die Parlement dan nie in gewone sitting is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sitting.

(5) Die Kontroleur en Ouditeur-generaal stel die Minister of die raad, na gelang van die geval, in kennis van enige betaling wat hy kragtens genoemde artikel *vyftien*, soos by sub-artikel (2) van toepassing verklaar, opgelê het, en die Minister moet, onderworpe aan die bepalinge van genoemde artikel *negentien*, soos aldus van toepassing verklaar, die bedrag daarvan op die persoon aan wie die betaling opgelê is, verhaal: Met dien verstande dat, tensy die Minister anders beveel, die bedrag van so 'n betaling wat verskuldig is deur iemand wat by die Regering van die Unie of die raad in diens is, deur aftrekking van gelyke maandelikse paaiemente van sy maandelikse salaris van hoogstens een-vierde van sy maandelikse salaris, verhaal word.

Vrywaring ten
opsigte van
handelings te
goeder trou
en verhaal van
betaling per
abuis gedoen.

6. (1) Geen geding kan teen die Sekretaris of die raad ingestel word nie ten opsigte van 'n handeling of versuim wat te goeder trou by die uitoefening van bevoegdhede of die verrigting van werksaamhede ingevolge hierdie Wet met betrekking tot die verdeling van die wolwinste geskied het nie.

(2) Enige bedrag wat deur onagsaamheid ingevolge hierdie Wet betaal is aan iemand wat nie daarop geregtig was nie, kan deur die Sekretaris deur aksie in 'n bevoegde hof op so iemand verhaal word.

Gelde wat nie
betaalbaar is
of gevorder
word nie.

7. (1) Geen betaling word ingevolge hierdie Wet gemaak ten opsigte van deelagtige wol wat in die Unie geproduseer is deur iemand anders as 'n naturelleprodusent van sodanige wol, indien die aandeel in die wolwinste ten opsigte van daardie wol toegewys, minder as een pond is nie.

(2) Indien daar na betaling van alle bedrae verteenwoordigende aansprake op aandele in die wolwinste wat onder die Sekretaris se aandag gekom het, enige onopgeëiste saldo van daardie winste oorbly, moet die Sekretaris by kennisgewing in die *Staatskoerant* of op die ander wyse wat hy goedvind alle persone wat ten opsigte van enige deelagtige wol waarvoor hulle op sodanige betaling geregtig is, nie betaling ontvang het nie, uitnodig om vorderings vir sodanige betaling tesame met besonderhede tot stawing daarvan, soos in die kennisgewing vermeld, in te dien.

(3) Enige deel van die bedrag van die wolwinste wat nie uitbetaal is nie, en ten opsigte waarvan vorderings nie bewys is nie, na verloop van 'n tydperk van twaalf maande vanaf die datum van publikasie van die kennisgewing in sub-artikel (2)

4. The Secretary may on such conditions as he may deem fit, delegate any of his powers or functions in connection with the distribution of the wool profits to the board, but shall retain the right to review any decision of the board in the exercise of any power or the performance of any function so delegated to it.

Delegation
of powers.

5. (1) Proper accounts in respect of the distribution of the wool profits shall be kept by the Secretary and (in so far as such distribution is undertaken by the board by virtue of any delegation under section *four*) the board and such accounts shall be audited annually by the Controller and Auditor-General, who may, for the purpose of any such audit, appoint one or more persons to assist him, subject to such directions as he may deem fit.

Auditing of
Accounts.

(2) The provisions of sections *thirteen, fourteen, fifteen, eighteen and nineteen* of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), shall *mutatis mutandis* apply in respect of such audit: Provided that, for the purposes of this sub-section—

- (a) the reference in sections *thirteen* and *eighteen* of the said Act to the Treasury, shall be deemed to be a reference to the Minister;
- (b) the reference in sections *thirteen, fourteen and fifteen* of the said Act to a person in the employment of the Union Government shall be deemed to include a person in the employ of the board; and
- (c) the references in section *nineteen* of the said Act to the Minister of Finance shall be deemed to be references to the Minister of Agriculture.

(3) As soon as may be after any such audit the Controller and Auditor-General shall transmit to the Minister a report in respect of such audit.

(4) The Minister shall lay copies of every report submitted to him in terms of sub-section (3) upon the Tables of both Houses of Parliament within fourteen days of receipt thereof if Parliament is then in ordinary session or, if Parliament is not then in ordinary session, within fourteen days of the commencement of its next ensuing ordinary session.

(5) The Controller and Auditor-General shall notify the Minister or the board, as the case may be, of any surcharge which he may have made under the said section *fifteen*, as applied by sub-section (2), and the Minister shall, subject to the provisions of the said section *nineteen*, as so applied, recover the amount thereof from the person against whom the surcharge was made: Provided that, unless the Minister otherwise directs, the amount of any such surcharge which may be due from a person in the employment of the Union Government or the board, shall be recovered in equal monthly instalments by deductions from such person's monthly salary not exceeding one-fourth thereof.

6. (1) No action shall lie against the Secretary or the board in respect of anything done or omitted to be done in good faith in the exercise of any powers or the performance of any functions under this Act relating to the distribution of the wool profits.

Indemnity in
respect of acts
done in good
faith and
recovery of
payments made
in error.

(2) Any amount inadvertently paid under this Act to a person who was not entitled thereto, may be recovered from that person by the Secretary by action in any competent court.

7. (1) No payment shall be made under this Act in respect of participating wool produced in the Union by any person other than a native producer of such wool, if the share in the wool profits allocated in respect of such wool is less than one pound.

Moneys not
payable or
unclaimed.

(2) If after the payment of all amounts representing claims to shares in the wool profits which have come to the notice of the Secretary, there remains any unclaimed balance of those profits, the Secretary shall by notice in the *Gazette* or in such other manner as he may deem fit invite all persons who have not received payment in respect of any participating wool for which they are entitled to such payment, to submit claims for such payment, together with such particulars in support thereof as may be specified in the notice.

(3) Any portion of the amount of the wool profits which has not been paid out and in respect of which claims have not been established after the expiration of a period of twelve months from the date of publication of the notice referred to in sub-

bedoel, tesame met enige bedrae wat uit hoofde van die bepalings van sub-artikel (1) nie uitbetaal is nie, word inbetaal in die Wolheffingsfonds ingestel kragtens artikel *negentien* van die Hoofwet.

Misdrywe en
strawwe.

8. Iemand wat—

- (a) versuim om te voldoen aan 'n kennisgewing kragtens paragraaf (a) van sub-artikel (1) van artikel *drie* aan hom gerig, of na aanleiding van so 'n kennisgewing aan die Sekretaris inligting verstrek wat in 'n wesentlike opsig vals is, met die wete dat dit vals is; of
- (b) 'n opgawe wat kragtens paragraaf (b) van daardie sub-artikel aan hom gestuur is, aan die Sekretaris terugstuur nadat hy daarop gesertifiseer het dat die besonderhede daarin vervat juis is, met die wete dat daardie besonderhede onjuis is; of
- (c) ingevolge paragraaf (c) van daardie sub-artikel aan die Sekretaris inligting verstrek wat in 'n wesentlike opsig vals is, met die wete dat dit vals is; of
- (d) in die geval van 'n handelaar, versuim om aan 'n kennisgewing kragtens paragraaf (c) of (d) van daardie sub-artikel te voldoen, of na aanleiding van 'n kennisgewing ingevolge genoemde paragraaf (d) inligting verstrek wat in 'n wesentlike opsig vals is, met die wete dat dit vals is; of
- (e) na aanleiding van 'n kennisgewing ingevolge paragraaf (e) van daardie sub-artikel of ingevolge sub-artikel (2) van artikel *sewe*, aan die Sekretaris besonderhede verstrek wat in 'n wesentlike opsig vals is, met die wete dat dit vals is; of
- (f) enige bedrag ontvang by wyse van betaling ten opsigte van 'n aandeel in die wolwinste waarop hy na sy wete nie geregtig is nie,

is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens honderd pond of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.

Wysiging van
artikel 1 van
Wet 19 van 1946.

9. (1) Artikel *een* van die Hoofwet word hiermee gewysig—

- (a) deur die woordbepalings van „direksie”, „afsetplan”, „gesamentlike organisasie”, „plaaslike organisasie” en „verkoopswaarde” te skrap;
- (b) deur in die woordbepaling van „heffing” die woord „*agtien*” deur die woorde „*vier-en-dertig bis*” te vervang;
- (c) deur in die woordbepaling van „Minister” die woorde „en Bosbou” te skrap; en
- (d) deur die woordbepaling van „Unie” deur die volgende woordbepaling te vervang:
„Unie” ook die gebied van Suidwes-Afrika;”.

(2) Ondanks die bepalings van sub-artikel (2) van artikel *sewe-en-twintig*, tree paragraaf (d) van sub-artikel (1) nie in werking nie voordat 'n besluit aangeneem is deur die Wetgewende Vergadering van die gebied Suidwes-Afrika wat goedkeuring daaraan verleen en in die *Offisiële Koerant* van daardie gebied afgekondig is.

Wysiging van
artikel 14 van
Wet 19 van 1946.

10. (1) Artikel *veertien* van die Hoofwet word hiermee gewysig deur die woorde „nadat die gelde van die in paragraaf (d) van artikel *twintig* bedoelde reserwefonds daarmee in rekening gebring is” te skrap.

(2) Sub-artikel (1) word geag op die datum van inwerking-trede van die Hoofwet in werking te getree het.

Wysiging van
artikel 20 van
Wet 19 van 1946.

11. (1) Artikel *twintig* van die Hoofwet word hiermee gewysig deur in paragraaf (b) die woorde „drie-twintigstes van 'n pennie” deur die woorde „'n kwartpennie” te vervang.

(2) Sub-artikel (1) word geag op die eerste dag van Julie 1951 in werking te getree het.

Wysiging van
artikel 25 van
Wet 19 van 1946.

12. Artikel *vyf-en-twintig* van die Hoofwet word hiermee gewysig—

- (a) deur na paragraaf (f) die volgende paragraaf in te voeg:
„(g) die Minister van advies dien aangaande—
(i) die voorwaardes, wat betref grade, kwaliteit-standaarde, metodes van verpakking en die merk van wol of 'n houer wat dit bevat, onderworpe waaraan sodanige wol verkoop mag word;
(ii) verbod op of beheer of reëling van die uitvoer van wol; en
(iii) alle aangeleenthede betreffende die bemaking van wol.”; en

section (2), together with any amounts which have not been paid out by virtue of the provisions of sub-section (1), shall be paid into the Wool Levy Fund established under section *nineteen* of the principal Act.

8. Any person who—

Offences and penalties.

- (a) fails to comply with any notice addressed to him under paragraph (a) of sub-section (1) of section *three*, or in pursuance of any such notice furnishes to the Secretary information which is false in any material particular, knowing the same to be false; or
- (b) returns to the Secretary any statement sent to such person under paragraph (b) of that sub-section, after having certified thereon that the particulars set out therein are correct, knowing those particulars to be incorrect; or
- (c) under paragraph (c) of that sub-section furnishes to the Secretary information which is false in a material particular, knowing the same to be false; or
- (d) being a dealer, fails to comply with any notice under paragraph (c) or (d) of that sub-section, or furnishes any information in response to a notice under the said paragraph (d) which is false in a material particular, knowing the same to be false; or
- (e) in response to any notice under paragraph (e) of that sub-section or under sub-section (2) of section *seven*, furnishes to the Secretary any particulars which are false in a material respect, knowing the same to be false; or
- (f) accepts any amount by way of payment in respect of a share in the wool profits to which he knows that he is not entitled,

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

9. (1) Section *one* of the principal Act is hereby amended—

Amendment of section 1 of Act 19 of 1946.

- (a) by the deletion of the definitions of "director", "disposals plan", "joint organization", "local organization" and "sale value";
- (b) by the substitution in the definition of "levy" for the word "*eighteen*" of the words "*thirty-four bis*";
- (c) by the deletion in the definition of "Minister" of the words "and Forestry"; and
- (d) by the substitution for the definition of "Union" of the following definition:

"'Union' includes the Territory of South-West Africa."

(2) Notwithstanding the provisions of sub-section (2) of section *twenty-seven*, paragraph (d) of sub-section (1) shall not come into operation until a resolution approving thereof has been passed by the Legislative Assembly of the territory of South-West Africa and published in the *Official Gazette* of that territory.

10. (1) Section *fourteen* of the principal Act is hereby amended by the deletion of the words "after bringing into account the moneys of the reserve fund referred to in paragraph (d) of section *twenty*".

Amendment of section 14 of Act 19 of 1946.

(2) Sub-section (1) shall be deemed to have come into operation on the date of commencement of the principal Act.

11. (1) Section *twenty* of the principal Act is hereby amended by the substitution in paragraph (b) for the words "three-twentieths of a penny" of the words "one farthing".

Amendment of section 20 of Act 19 of 1946.

(2) Sub-section (1) shall be deemed to have come into operation on the first day of July, 1951.

12. Section *twenty-five* of the principal Act is hereby amended—

Amendment of section 25 of Act 19 of 1946

- (a) by the insertion after paragraph (f) of the following paragraph:

"(g) advise the Minister as to—

- (i) the conditions, regarding grades, standards of quality, methods of packing and the marking of wool or any receptacle containing it, subject to which such wool may be sold;
- (ii) the prohibition, control or regulation of the exportation of wool; and
- (iii) all matters relating to the marketing of wool."; and

- (b) deur aan die end van die artikel die volgende sub-artikels by te voeg, terwyl die bestaande artikel sub-artikel (1) word:

„(2) Die raad moet eenmaal in elke jaar, binne ses maande na die einde van sy boekjaar, 'n verslag oor sy werksaamhede gedurende sy onmiddellik voorafgaande boekjaar aan die Minister voorlê.

(3) Die Minister moet afskrifte van elke verslag ingevolge sub-artikel (2) van hierdie artikel aan hom voorgelê, en van elke verslag ingevolge sub-artikel (3) van artikel *ses-en-dertig* aan hom gestuur, in beide Huise van die Parlement ter Tafel lê binne veertien dae na ontvangs daarvan as die Parlement dan in gewone sitting is, of, as die Parlement dan nie in gewone sitting is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sitting.”

Wysiging van
artikel 26 van
Wet 19 van 1946.

13. Artikel *ses-en-twintig* van die Hoofwet word hiermee gewysig—

- (a) deur in sub-artikel (1) die woord „nege” deur die woord „elf” te vervang;
- (b) deur die woord „en” aan die end van paragraaf (a) van daardie sub-artikel te skrap en aan die end van daardie sub-artikel die volgende paragrawe by te voeg:
- „(c) een persone moet verteenwoordig wat as 'n besigheid in wolprodukte handel en deur die „Associated Chambers of Commerce of South Africa” en die Afrikaanse Handelsinstituut na onderlinge raadpleging benoem word; en
- (d) een die „South African Woollen Manufacturers’ Association” en die „South African Worsted Manufacturers’ Association” moet verteenwoordig en deur daardie verenigings na onderlinge raadpleging benoem word.”; en
- (c) deur sub-artikel (4) te skrap.

Wysiging van
artikel 27 van
Wet 19 van 1946.

14. (1) Artikel *sewe-en-twintig* van die Hoofwet word hiermee gewysig—

- (a) deur in paragraaf (a) die woorde „een 'n wolkweker” deur die woorde „twee wolkwekers” te vervang; en
- (b) deur in paragraaf (f) die woorde „twee wolkwekers” deur die woorde „een 'n wolkweker” te vervang.

(2) By die inwerkingtreding van sub-artikel (1) van hierdie artikel moet een van die lede (deur die lot bepaal te word) wat dan kragtens paragraaf (f) van artikel *sewe-en-twintig* van die Hoofwet dien, sy amp ontruim.

Wysiging van
artikel 28 van
Wet 19 van 1946.

15. Artikel *agt-en-twintig* van die Hoofwet word hiermee gewysig deur aan die end daarvan die volgende sub-artikel by te voeg, terwyl die bestaande artikel sub-artikel (1) word:

- „(2) Die bepalinge van sub-artikel (1) is *mutatis mutandis* van toepassing ten opsigte van 'n benoeming in paragraaf (c) of (d) van artikel *ses-en-twintig* bedoel.”

Wysiging van
artikel 29 van
Wet 19 van 1946.

16. Artikel *nege-en-twintig* van die Hoofwet word hiermee gewysig deur in sub-artikel (7) na die woord „raad” waar dit die eerste maal voorkom die woorde „of van 'n kragtens sub-artikel (1) van artikel *drie-en-dertig* ingestelde komitee” in te voeg.

Wysiging van
artikel 32 van
Wet 19 van 1946.

17. Artikel *twee-en-dertig* van die Hoofwet word hiermee gewysig deur in sub-artikel (1) die woord „vyf” deur die woord „ses” te vervang.

Wysiging van
artikel 33 van
Wet 19 van 1946.

18. Artikel *drie-en-dertig* van die Hoofwet word hiermee gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang:

- „(1) Die raad kan met goedkeuring van die Minister en onderworpe aan die voorwaardes wat die raad mag opelê, een of meer komitees instel, wat saamgestel word op die wyse wat die raad met die Minister se goedkeuring bepaal, om die raad met die verrigting van sy werksaamhede behulpzaam te wees.”

Invoeging van
artikel 34bis in
Wet 19 van 1946.

19. Die volgende artikel word hiermee na artikel *vier-en-dertig* in die Hoofwet ingevoeg:

- „Oplegging van heffing op wol. 34bis. (1) Die raad kan, van tyd tot tyd, met goedkeuring van die Minister, 'n heffing van hoogstens drie-agstes van 'n pennie per pond, wat aan die raad betaalbaar is deur die persone, op die wyse en op die tye wat voorgeskryf mag word, opelê op alle wol wat in die Unie geproduseer, verkoop of bewerk of daaruit uitgevoer word.

- (b) by the addition at the end of the section of the following sub-sections, the existing section becoming sub-section (1):

“(2) The board shall once in every year, within six months after the end of its financial year, submit to the Minister a report on its activities during its immediately preceding financial year.

(3) The Minister shall lay copies of every report submitted to him in terms of sub-section (2) of this section, and of every report transmitted to him under sub-section (3) of section *thirty-six*, upon the Tables of both Houses of Parliament within fourteen days of receipt thereof if Parliament is then in ordinary session, or if Parliament is not then in ordinary session, within fourteen days of the commencement of its next ensuing ordinary session.”.

13. Section *twenty-six* of the principal Act is hereby amended— Amendment of section 26 of Act 19 of 1946.

- (a) by the substitution in sub-section (1) for the word “nine” of the word “eleven”;

- (b) by the deletion of the word “and” at the end of paragraph (a) of that sub-section and the addition at the end of that sub-section of the following paragraphs:

“(c) one shall represent persons dealing in the course of trade with wool products and be nominated after mutual consultation by the Associated Chambers of Commerce of South Africa and ‘Die Afrikaanse Handelsinstituut’; and

(d) one shall represent the South African Woollen Manufacturers’ Association and the South African Worsted Manufacturers’ Association and be nominated after mutual consultation by those associations.”; and

- (c) by the deletion of sub-section (4).

14. (1) Section *twenty-seven* of the principal Act is hereby amended— Amendment of section 27 of Act 19 of 1946.

- (a) by the substitution in paragraph (a) for the words “one shall be a producer” of the words “two shall be producers”; and

- (b) by the substitution in paragraph (f) for the words “two shall be producers” of the words “one shall be a producer”.

(2) Upon the commencement of sub-section (1) of this section, one of the members (to be determined by lot) then holding office under paragraph (f) of section *twenty-seven* of the principal Act, shall vacate his office.

15. Section *twenty-eight* of the principal Act is hereby amended by the addition at the end thereof of the following sub-section, the existing section becoming sub-section (1): Amendment of section 28 of Act 19 of 1946.

“(2) The provisions of sub-section (1) shall *mutatis mutandis* apply in respect of any nomination referred to in paragraph (c) or (d) of section *twenty-six*.”.

16. Section *twenty-nine* of the principal Act is hereby amended by the insertion in sub-section (7) after the word “board” where it occurs for the first time of the words “or of any committee established in terms of sub-section (1) of section *thirty-three*”. Amendment of section 29 of Act 19 of 1946.

17. Section *thirty-two* of the principal Act is hereby amended by the substitution in sub-section (1) for the word “five” of the word “six”. Amendment of section 32 of Act 19 of 1946.

18. Section *thirty-three* of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section: Amendment of section 33 of Act 19 of 1946.

“(1) The board may, with the approval of the Minister, and subject to such conditions as the board may impose, establish one or more committees to be constituted in such manner as the board may, with the approval of the Minister, determine, for the purpose of assisting it in the performance of its functions.”.

19. The following section is hereby inserted in the principal Act after section *thirty-four*: Insertion of section 34bis in Act 19 of 1946.

“Imposition of a levy on wool. 34bis. (1) The board may from time to time, with the approval of the Minister, impose a levy not exceeding three-eighths of a penny per pound, which shall be payable to the board by such persons, in such manner and at such times as may be prescribed, on all wool produced, sold or processed in or exported from the Union.

(2) 'n Heffing kragtens sub-artikel (1) opgelê, word deur die Minister by kennisgewing in die *Staatskoerant* bekendgemaak en word van krag op die datum in daardie kennisgewing vermeld.

(3) Iemand wat so 'n heffing betaal het, en iemand op wie die bedrag van so 'n heffing kragtens die bepalings van paragraaf (a) of (b) van hierdie sub-artikel verhaal is, kan, as hy nie die produsent is van die wol ten opsigte waarvan daardie heffing betaal is nie—

(a) die bedrag van die aldus betaalde heffing verhaal op die persoon van wie hy daardie wol verkry of ten behoeve van wie hy dit verkoop of bewerk het; of

(b) 'n bedrag gelyk aan die bedrag van die aldus betaalde heffing aftrek van enige bedrag wat aan die persoon van wie hy daardie wol verkry of ten behoeve van wie hy dit verkoop het, betaalbaar is of mag word:

Met dien verstande dat geen heffing kragtens paragraaf (a) of (b) verhaal kan word nie op 'n produsent of ander persoon wat op die datum met ingang waarvan 'n heffing ingevolge hierdie artikel vir die eerste maal betaalbaar word, nie meer die eienaar is van die wol ten opsigte waarvan daardie heffing betaalbaar is nie.

(4) Wanneer die heffing ten opsigte van enige wol betaal is, moet die raad of 'n deur hom behoorlik daartoe gemagtigde persoon aan die persoon wat daardie heffing betaal het 'n sertifikaat in die voorgeskrewe vorm te dien effekte uitreik.”

Wysiging van
artikel 35 van
Wet 19 van 1946.

20. Artikel vyf-en-dertig van die Hoofwet word hiermee gewysig deur paragraaf (a) van sub-artikel (1) deur die volgende paragraaf te vervang:

„(a) alle gelde ten opsigte van 'n heffing kragtens artikel vier-en-dertig *bis* opgelê, aan die raad betaal;”.

Vervanging van
artikel 36 van
Wet 19 van 1946.

21. Artikel ses-en-dertig van die Hoofwet word hiermee deur die volgende artikel vervang:

„Ouditering
van
rekenings.

36. (1) Die rekenings en balansstaat van die raad word jaarliks geouditeer deur die Kontroleur en Ouditeur-generaal wat vir die doeleindes van so 'n ouditering een of meer persone kan aanstel om hom, onderworpe aan die voorskrifte wat hy goedvind, behulpzaam te wees.

(2) Die bepalings van artikels *dertien*, *veertien*, *vyftien*, *agtien* en *negentien* van die „Financiewet, 1911” (Wet No. 21 van 1911), is *mutatis mutandis* ten opsigte van so 'n ouditering van toepassing: Met dien verstande dat, vir die doeleindes van hierdie sub-artikel—

(a) die verwysing in artikels *dertien* en *agtien* van genoemde Wet na die Tesourie geag word 'n verwysing te wees na die Minister en die raad, onderskeidelik;

(b) die verwysing in artikels *dertien*, *veertien* en *vyftien* van genoemde Wet na 'n persoon in diens van die Regering van die Unie geag word 'n verwysing te wees na persone in diens by die raad; en

(c) die verwysings in artikel *negentien* van genoemde Wet na die Minister van Finansies geag word verwysings te wees na die Minister van Landbou.

(3) Die Kontroleur en Ouditeur-generaal stuur so spoedig doenlik na so 'n ouditering 'n verslag ten opsigte daarvan aan die Minister en aan die raad.

(4) 'n Bedrag wat deur die Tesourie na raadpleging met die Minister en die Kontroleur en Ouditeur-generaal bepaal word, word deur die raad aan die Tesourie ten opsigte van so 'n ouditering betaal.

(5) Die Kontroleur en Ouditeur-generaal stel die raad in kennis van enige betaling wat hy kragtens artikel *vyftien* van die „Financiewet, 1911” (Wet No. 21 van 1911), soos by sub-artikel (2) van toepassing verklaar, opgelê het, en die raad moet, onderworpe aan die bepalings van artikel *negentien* van genoemde Wet soos aldus van toepassing verklaar, die bedrag daarvan op die persoon aan wie die betaling opgelê is, verhaal: Met dien verstande dat, tensy die Minister anders beveel, die

(2) Any levy imposed in terms of sub-section (1) shall be made known by the Minister by notice in the *Gazette* and shall come into operation on the date specified in that notice.

(3) Any person who has paid any such levy, and any person from whom the amount of any such levy paid has been recovered under the provisions of paragraph (a) or (b) of this sub-section, may, if he is not the producer of the wool in respect of which such levy has been paid—

- (a) recover from the person from whom he acquired or on whose behalf he sold or processed that wool, the amount of the levy so paid; or
- (b) deduct from any amount which is or may become payable to the person from whom he acquired or on whose behalf he sold that wool, an amount equal to the amount of the levy so paid:

Provided that no levy shall be recoverable in terms of paragraph (a) or (b) from a producer or other person who on the date with effect from which a levy under this section becomes payable for the first time, is no longer the owner of the wool in respect of which that levy is payable.

(4) Whenever the levy in respect of any wool has been paid, the board or a person duly authorized thereto by it, shall issue a certificate to that effect in the form prescribed to the person who paid that levy.”

20. Section *thirty-five* of the principal Act is hereby amended by the substitution for paragraph (a) of sub-section (1) of the following paragraph: Amendment of section 35 of Act 19 of 1946.

“(a) all moneys paid to the board in respect of any levy imposed under section *thirty-four bis*;”.

21. The following section is hereby substituted for section *thirty-six* of the principal Act: Substitution of section 36 of Act 19 of 1946.

“Auditing of accounts. 36. (1) The accounts and balance sheet of the board shall be audited annually by the Controller and Auditor-General, who may, for the purposes of any such audit, appoint one or more persons to assist him, subject to such directions as he may deem fit.

(2) The provisions of sections *thirteen, fourteen, fifteen, eighteen* and *nineteen* of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), shall *mutatis mutandis* apply in respect of such audit: Provided that, for the purposes of this sub-section—

- (a) the reference in sections *thirteen* and *eighteen* of the said Act to the Treasury, shall be deemed to be a reference to the Minister and to the board, respectively;
- (b) the reference in sections *thirteen, fourteen* and *fifteen* of the said Act to a person in the employment of the Union Government, shall be deemed to be a reference to any person in the employ of the board; and
- (c) the references in section *nineteen* of the said Act to the Minister of Finance, shall be deemed to be references to the Minister of Agriculture.

(3) As soon as may be after any such audit the Controller and Auditor-General shall transmit to the Minister, and to the board a report in respect of such audit.

(4) An amount which shall be determined by the Treasury after consultation with the Minister and the Controller and Auditor-General, shall be paid by the board to the Treasury in respect of such audit.

(5) The Controller and Auditor-General shall notify the board of any surcharge which he may have made under section *fifteen* of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), as applied by sub-section (2), and the board shall, subject to the provisions of section *nineteen* of the said Act, as so applied, recover the amount thereof from the person against whom the surcharge was made: Provided that, unless the Minister otherwise directs, the

bedrag van so 'n betaling wat verskuldig is deur iemand wat by die raad in diens is, deur aftrekking van gelyke maandelikse paalemente van sy maandelikse salaris van hoogstens een-vierde van sy maandelikse salaris, verhaal word.

Invoeging van artikels 38bis en 38ter in Wet 19 van 1946.

22. Die volgende artikels word hiermee na artikel *agt-en-dertig* in die Hoofwet ingevoeg:

„Bevoegd-hede van persone deur raad gemagtig om ondersoek te doen.

38bis. Ten einde betaling van enige heffing opgelê kragtens artikel *vier-en-dertig bis* af te dwing, kan die raad enige persoon magtig om op alle redelike tye—

- (a) enige plek te betree waar 'n hoeveelheid wol deur iemand gehou of opgeberg word of is of vermoedelik gehou of opgeberg word of is;
- (b) wol wat op so 'n plek gevind word, te inspekteer, te weeg en te merk, en alle boeke en stukke aldaar in te sien wat, na redelikerwys vermoed word, op sodanige wol betrekking het;
- (c) van die eienaar of bewaarder van sodanige wol die naam en adres van die produsent daarvan en enige ander inligting in verband daarmee te eis;
- (d) van die eienaar of bewaarder van so 'n boek of stuk 'n verduideliking van enige inskrywing daarin te eis; en
- (e) beslag te lê op boeke of stukke wat bewys van nie-betaling van die heffing mag oplewer.

Produsente van wol en andere moet aantekeninge hou en aan raad inligting verstrek.

38ter. Iemand wat in die Unie betrokke is by die produksie, bemarking, aankoop, verkoop, uitvoer, invoer of bewerking van wol, moet—

- (a) met betrekking tot wol deur hom geproduseer, bemark, aangekoop, verkoop, uitgevoer, ingevoer of bewerk, die aantekeninge hou wat voorgeskryf mag word;
- (b) op die tye en op die wyse wat voorgeskryf mag word, aan die raad die inligting verstrek met betrekking tot wol deur hom geproduseer, bemark, aangekoop, verkoop, uitgevoer, ingevoer of bewerk, wat voorgeskryf mag word.”.

Wysiging van artikel 39 van Wet 19 van 1946.

23. Artikel *nege-en-dertig* van die Hoofwet word hiermee gewysig—

- (a) deur paragraaf (a) van sub-artikel (1) te skrap;
- (b) deur in paragraaf (b) van daardie sub-artikel die woorde „Sekretaris van Landbou” deur die woord „raad” te vervang;
- (c) deur in paragraaf (d) van daardie sub-artikel die woorde „sub-artikels (5) en (6) van artikel *agtien*” deur die woorde „sub-artikel (4) van artikel *vier-en-dertig bis*” te vervang;
- (d) deur paragraaf (e) van daardie sub-artikel deur die volgende paragraaf te vervang:

„(e) die aantekeninge wat gehou, en die inligting wat aan die raad verstrek moet word deur iemand wat in die Unie betrokke is by die produksie, bemarking, aankoop, verkoop, uitvoer, invoer of bewerk van wol, en die vorm waarin en wyse waarop sodanige aantekeninge gehou, en die tye wanneer en die vorm waarin en wyse waarop sodanige inligting verstrek moet word;”;
- (e) deur in paragraaf (f) van daardie sub-artikel die woorde „vir die doelmatige uitvoering van die afsetplan of” te skrap; en
- (f) deur in sub-artikel (2) die woorde „artikels *sestien* en *twee-en-twintig*” deur die woorde „artikel *agt-en-dertig ter*” te vervang.

Wysiging van artikel 40 van Wet 19 van 1946.

24. Artikel *veertig* van die Hoofwet word hiermee gewysig—

- (a) deur in paragraaf (c) van sub-artikel (1) die woord „*een-en-twintig*” deur die woorde „*agt-en-dertig bis*” te vervang;
- (b) deur in paragraaf (g) van daardie sub-artikel die woorde „artikel *sestien* of artikel *twee-en-twintig*” deur die woorde „artikel *agt-en-dertig ter*” te vervang;
- (c) deur paragraaf (h) van daardie sub-artikel deur die volgende paragraaf te vervang:

„(h) 'n valse verklaring of inskrywing doen in 'n aantekening ingevolge paragraaf (a) van artikel *agt-en-dertig ter* gehou, wetende dat dit vals is;”;
- (d) deur paragraaf (i) van daardie sub-artikel deur die volgende paragraaf te vervang:

amount of any such surcharge which may be due from a person in the employ of the board, shall be recovered in equal monthly instalments by deductions from his monthly salary not exceeding one-fourth of his monthly salary."

22. The following sections are hereby inserted in the principal Act after section *thirty-eight*:

Insertion of sections 38*bis* and 38*ter* in Act 19 of 1946.

"Powers of persons authorized by board to carry out investigations.

38*bis*. (1) For the purpose of enforcing the payment of a levy imposed in terms of section *thirty-four bis*, the board may authorize any person at all reasonable times—

- (a) to enter any place where any quantity of wool is or has been, or is suspected to be or to have been, kept or stored by any person;
- (b) to inspect, weigh and mark any wool found in such place and examine all books and documents thereat which are reasonably believed to relate to such wool;
- (c) to demand from the owner or custodian of such wool the name and address of the producer thereof and any other information relating thereto;
- (d) to demand from the owner or custodian of any such book or document an explanation of any entry therein; and
- (e) to seize any books or documents which may afford evidence of the non-payment of the levy.

Producers of wool and others to keep records and to furnish information to board.

38*ter*. Any person engaged in the Union in the production, marketing, purchase, sale, exportation, importation or processing of wool shall—

- (a) keep such records relating to wool produced, marketed, purchased, sold, exported, imported or processed by him, as may be prescribed;
- (b) at such times and in such manner as may be prescribed, furnish to the board such information relating to wool produced, marketed, purchased, sold, exported, imported or processed by him, as may be prescribed."

23. Section *thirty-nine* of the principal Act is hereby amended—

Amendment of section 39 of Act 19 of 1946.

- (a) by the deletion of paragraph (a) of sub-section (1);
- (b) by the substitution in paragraph (b) of that sub-section for the words "Secretary for Agriculture" of the word "board";
- (c) by the substitution in paragraph (d) of that sub-section for the words "sub-sections (5) and (6) of section *eighteen*" of the words "sub-section (4) of section *thirty-four bis*";
- (d) by the substitution for paragraph (e) of that sub-section of the following paragraph:
 "(e) the records to be kept and the information to be furnished to the board by any person engaged in the Union in the production, marketing, purchase, sale, exportation, importation or processing of wool, and the form and manner in which such records shall be kept and the times at which and the form and manner in which such information shall be furnished;"
- (e) by the deletion in paragraph (f) of that sub-section of the words "for the effective carrying out of the disposals plan or"; and
- (f) by the substitution in sub-section (2) for the words "sections *sixteen* and *twenty-two*" of the words "section *thirty-eight ter*".

24. Section *forty* of the principal Act is hereby amended—

Amendment of section 40 of Act 19 of 1946.

- (a) by the substitution in paragraph (c) of sub-section (1) for the word "*twenty-one*" of the words "*thirty-eight bis*";
- (b) by the substitution in paragraph (g) of that sub-section for the words "section *sixteen* or section *twenty-two*" of the words "section *thirty-eight ter*";
- (c) by the substitution for paragraph (h) of that sub-section of the following paragraph:
 "(h) makes any false statement or entry in any record kept in terms of paragraph (a) of section *thirty-eight ter* knowing the same to be false";
- (d) by the substitution for paragraph (i) of that sub-section of the following paragraph:

„(i) in 'n opgawe ingevolge paragraaf (b) van artikel *agt-en-dertig* ter aan die raad verstrek, 'n valse verklaring maak;”;

(e) deur paragraaf (j) van daardie sub-artikel te skrap; en
(f) deur in sub-artikels (2) en (3) die woorde „Sekretaris van Landbou” deur die woord „raad” te vervang.

Vervanging van lang titel van Wet 19 van 1946.

25. Die lang titel van die Hoofwet word hiermee deur die volgende lang titel vervang:

„Om vir die instelling van 'n Suid-Afrikaanse Wolraad voorsiening te maak, om die oogmerke waarvoor hy ingestel word te omskryf, en om die wyse waarop hy bestuur en beheer moet word voor te skryf; en om vir die oplegging van 'n heffing op wol en ander bykomstige aangeleenthede voorsiening te maak.”.

Herroeping van sekere bepalings van Wet 19 van 1946.

26. Die Aanhef, Dele I en II en die Bylae van die Hoofwet word hiermee herroep: Met dien verstande dat ondanks die herroeping die by artikel *negentien* van daardie Wet ingestelde Wolheffingsfonds bly voortbestaan en die gelde daarin onder die beheer van die Sekretaris van Landbou bly tot tyd en wyl die Parlement die wyse waarop daardie gelde en enige rente uit die belegging daarvan verkry, ten bate van die wolbedryf bestee moet word, bepaal het.

Kort titel en inwerkingtreding.

27. (1) Hierdie Wet heet die Wolwinsteverdelings- en Wolwysigingswet, 1952.

(2) Artikels *nege*, *negentien* en *twintig* en artikels *twee-en-twintig* tot en met *ses-en-twintig* tree nie voor 'n datum deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaal, in werking nie.

"(i) makes any false statement in any return furnished to the board in terms of paragraph (b) of section *thirty-eight ter*;"

- (e) by the deletion of paragraph (j) of that sub-section; and
(f) by the substitution in sub-sections (2) and (3) for the words "Secretary for Agriculture" of the word "board".

25. The following long title is hereby substituted for the long title of the principal Act:

Substitution of long title of Act 19 of 1946.

"To provide for the establishment of a South African Wool Board, to define the objects for which it is established and to prescribe the manner in which it shall be managed and controlled; and to provide for the imposition of a levy on wool and for other incidental matters."

26. The Preamble, Parts I and II of, and the Schedule to the principal Act are hereby repealed: Provided that notwithstanding such repeal the Wool Levy Fund established under section *nineteen* of that Act shall continue to exist and the moneys therein shall remain under the control of the Secretary for Agriculture until such time as Parliament has determined the manner in which such moneys and any interest accrued from the investment thereof shall be applied for the benefit of the wool industry.

Repeal of certain provisions of Act 19 of 1946.

27. (1) This Act shall be called the Wool Profits Distribution and Wool Amendment Act, 1952.

Short title and commencement.

(2) Sections *nine*, *nineteen* and *twenty* and sections *twenty-two* to *twenty-six*, inclusive, shall not come into operation until a date to be fixed by the Governor-General by proclamation in the *Gazette*.

[No. 61, 1952.]

WET

Om pagters van standplase of persele in sekere dorpe in die Myndistrik Johannesburg te magtig om die eiendom van daardie standplase of persele te verkry teen betaling van pryse wat op 'n voorgeskrewe wyse vasgestel is; om die pagters van sekere ander standplase of persele in voornoemde myndistrik te beweeg om transport te neem van die eiendom van daardie standplase of persele en om voorsiening te maak vir sake wat op sodanige verkryging betrekking het.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 27 Junie 1952.)

NADEMAAL tal van persone standplase of persele in sekere dorpe in die Myndistrik Johannesburg op lang termyne in pag het;

EN NADEMAAL daardie pagters, by verstryking van hulle pagtermyne, alle regte op daardie standplase of persele en op die geboue en ander vaste bouwerke wat hulle of hulle pagtervoorgangers daarop opgerig het, kan verloor, tensy hulle, voor bedoelde verstryking, die eiendom van hulle pagpersele verkry;

EN NADEMAAL sekere pagters nie die eiendom van hulle pagpersele teen billike kooppryse kan verkry nie;

EN NADEMAAL voormelde feite sekere pagters ontmoedig om hulle pagpersele te verbeter en die ontwikkeling van die betrokke dorpe derhalwe gestrem word;

EN NADEMAAL dit in die openbare belang wenslik is om daardie pagters in staat te stel om die eiendom van hulle pagpersele te verkry teen betaling van billike kooppryse wat op 'n voorgeskrewe wyse vasgestel is, sodat hulle vryelik daardie persele kan verbeter en daardeur kan bydra tot die ontwikkeling van hulle respektiewe dorpe;

EN NADEMAAL sekere ander pagters van standplase of persele in voornoemde myndistrik, wat geregtig is om, sonder betaling van enige verdere vergoeding, die eiendom van daardie standplase of persele te verkry, versuim het om transport van daardie eiendom te neem; en dit wenslik is om so 'n pagbesit te beëindig en om die eiendom van bedoelde standplase of persele te registreer op naam van die persone wat feitlik eienaars daarvan is: Derhalwe

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

Uitlegging.

1. (1) Tensy uit die samehang anders blyk, beteken in hierdie wet—

- (i) „afwagtende eienaar”, met betrekking tot 'n dorp, die eienaar van die grond wat die pagpersele in die betrokke dorp uitmaak; (xiii)
- (ii) „dag van aankoop”, met betrekking tot 'n pagperseel, die dag waarop die omsettingsprys vir die betrokke perseel (of die garansie vir die betaling daarvan) ingevolge paragraaf (c) (i) van sub-artikel (1) van artikel vyf aan die Registrateur betaal of gelewer is; (iv)
- (iii) „dorp”, 'n dorp waarvan die naam voorkom in die Eerste Bylae tot hierdie Wet: Met dien verstande dat, indien twee of meer dele van 'n dorp aan verskillende afwagtende eienaars behoort, elke sodanige deel by die toepassing van hierdie Wet as 'n afsonderlike dorp beskou word; (xv)
- (iv) „dorpseienaar”, met betrekking tot 'n dorp, die persoon wat voor die eerste dag van Januarie 1909 die reg gehad het om pagbesit te verleen van die standplase of persele in die betrokke dorp, of sy regsopvolger met betrekking tot daardie reg; (xvi)
- (v) „Dorpswet” beteken die „Townships Amendment Act, 1908” (Wet No. 34 van 1908) van Transvaal; (xvii)
- (vi) „gekapitaliseerde standplaaslisensie-opbrings”, met betrekking tot 'n pagperseel, die jaarlikse standplaas-

[No. 61, 1952.]

ACT

To empower leaseholders of stands or lots in certain townships in the Mining District of Johannesburg to acquire the ownership of those stands or lots on payment of prices determined in a prescribed manner; to induce the leaseholders of certain other stands or lots in the said Mining District to take transfer of the ownership of those stands or lots, and to provide for matters incidental to such acquisition.

(English text signed by the Governor-General.)
(Assented to 27th June, 1952.)

WHEREAS many persons hold stands or lots in certain townships in the Mining District of Johannesburg under longterm leasehold title;

AND WHEREAS those leaseholders may, on the expiration of their leasehold title, lose all rights to those stands or lots and to the buildings and other fixtures which they or their predecessors in leasehold title erected thereon, unless they acquire the ownership of their leasehold lots before such expiration;

AND WHEREAS certain leaseholders are unable to acquire the ownership of their leasehold lots at reasonable purchase prices;

AND WHEREAS the said facts are discouraging certain leaseholders from improving their leasehold lots, and the development of the townships in question is therefore hampered;

AND WHEREAS it is desirable in the public interest to enable those leaseholders to acquire the ownership of their leasehold lots on payment of reasonable purchase prices, determined in a prescribed manner, in order that they may freely improve those lots and thus contribute to the development of their respective townships;

AND WHEREAS certain other leaseholders of stands or lots in the said Mining District, who are entitled to obtain the ownership of those stands or lots without paying any further consideration therefor, have failed to take transfer thereof and it is desirable to terminate such tenure and to register the ownership of the said stands or lots in the names of the persons who are virtual owners thereof: Now therefore

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

1. (1) In this Act, unless the context otherwise indicates— Interpretation.

(i) "annual stand licence revenue", in relation to a leasehold lot, means the sum of money which the township owner of the township wherein the lot in question is situate, received or was entitled to receive by way of licence money or rent in respect of the said lot for the period of one year immediately preceding the date of purchase of the lot, after the deduction from that sum of the amounts mentioned hereunder in paragraphs (a), (b) and (c), in so far as any such paragraph is applicable; that is to say—

(a) an amount equal to the last rates or other recurrent impost levied, prior to the said date of purchase, by any authority under any law in respect of a period of one year, on the Township owner's interest in the leasehold lot in question (including his interest therein as reversionary owner of the said Township): Provided that the rate or other recurrent impost levied on the reversionary owner's interest in a leasehold lot shall be the total amount of the rates levied by the said authority for the period of one year prior to the date of purchase in respect of the reversionary owner's interest in the township in which the leasehold lot in question is situate, multiplied by the site value of the leasehold lot in question as appearing in the Valuation Roll, in terms whereof the said rates were levied, and divided by the total of the site values for all the leasehold lots in the Township in question as appearing in the said Valuation Roll at the said date;

lisensie-opbrings wat van die betrokke pagperseel afkomstig is, op die dag van aankoop van die perseel gekapitaliseer teen die vasgestelde rentekoers per jaar, oor die tydperk van die onverstreke deel van die pagbesit van bedoelde perseel, dog met inagneming van die bepalinge van sub-artikel (2); (ii)

(vii) „grondwaarde”, met betrekking tot ’n pagperseel, sy waarde soos vasgestel volgens die bepalinge van artikel drie; (xiv)

(viii) „jaarlikse standplaaslisensie-opbrings”, met betrekking tot ’n pagperseel, die geldsom wat die dorpseienaar van die dorp waarin die betrokke perseel geleë is, ontvang het of waarop hy geregtig was, as lisensiegeld of huurgeld ten opsigte van bedoelde perseel vir die tydperk van een jaar wat aan die dag van aankoop van die perseel onmiddellik voorafgegaan het, na aftrek van daardie som, van die bedrae, hieronder in paragrawe (a), (b) en (c) vermeld, vir sover as wat die een of die ander van hulle toepaslik is, te wete—

(a) ’n bedrag gelyk aan die laaste grondbelasting of ander periodieke belasting wat enige owerheid kragtens enige wet voor bedoelde dag van aankoop ten opsigte van ’n tydperk van een jaar gehef het op die dorpseienaar se belang in die betrokke pagperseel (met inbegrip van sy belang daarin as afwagtende eienaar van bedoelde dorp); Met dien verstande dat die grondbelasting of ander periodieke belasting wat op die afwagtende eienaar se belang in ’n pagperseel gehef word die totale bedrag van die grondbelasting moet wees wat deur bedoelde owerheid gehef word vir die tydperk van een jaar voor die dag van aankoop ten opsigte van die afwagtende eienaar se belang in die dorp waarin die betrokke pagperseel geleë is, vermenigvuldig deur die grondwaarde van die betrokke pagperseel soos aangegee in die Skattingslys waarvolgens bedoelde grondbelasting gehef is, en verdeel deur die totaal van die grondwaardes vir al die pagpersele in die betrokke dorp soos op bedoelde datum in bedoelde Skattingslys aangegee;

(b) indien die dorpseienaar kragtens ’n kontrak met die Staat aangaande die aanleg van die dorp verplig is om periodiek ’n geldsom aan die Staat te betaal, dan is die bedrag wat soos voormeld volgens hierdie paragraaf afgetrek moet word, gelyk aan die kwosient van die deling van die soos voormeld aan die Staat te betale geldsom vir die tydperk van een jaar wat aan die dag van inwerkingtreding van hierdie wet onmiddellik voorafgegaan het, deur die getal van die pagpersele in bedoelde dorp op daardie dag;

(c) indien die dorpseienaar nie die afwagtende eienaar van die betrokke dorp is nie en hy verplig is om aan laasbedoelde periodiek ’n geldsom te betaal as vergoeding vir sy regte as dorpseienaar, dan is die bedrag, wat soos voormeld volgens hierdie paragraaf afgetrek moet word, gelyk aan die kwosient van die deling van die geldsom wat soos voormeld as vergoeding te betaal was vir die tydperk van een jaar wat aan die dag van inwerkingtreding van hierdie Wet onmiddellik voorafgegaan het, deur die getal van die pagpersele in bedoelde dorp waarin hy op daardie dag ’n belang het as dorpseienaar:

Met dien verstande dat, indien die bedrae wat ingevolge paragrawe (a), (b) en (c) afgetrek moet word, meer bedra as die in hierdie woordomskrywing eersvermelde geldsom, ’n grondbelasting of ander periodieke belasting wat gehef is op die afwagtende eienaar se belang in die betrokke pagperseel (afgesien van sy belang daarin as dorpseienaar) uitgesluit moet word van die bedrag wat aldus afgetrek moet word; (i)

(ix) „Minister”, die Minister van Mynwese of ’n ander Minister wat namens hom optree; (ix)

(x) „omsettingsprys”, met betrekking tot ’n pagperseel, die geldsom wat die uitgestelde belang in die betrokke perseel voorstel, plus die gekapitaliseerde standplaaslisensie-opbrings van daardie perseel; (iii)

(xi) „pagbesit”, ’n voorkeurreg vermeld in artikel drie-en-negentig van die Goudwet van 1898 van die Suid-

(b) if the township owner is obliged, under a contract with the State relating to the establishment of the township, to pay periodically a sum of money to the State, the amount to be deducted as aforesaid under this paragraph shall equal the quotient resulting from the division of the sum which was payable as aforesaid to the State in respect of the period of one year immediately preceding the date of commencement of this Act, by the number of the leasehold lots in the said township on the said date;

(c) if the township owner is not the reversionary owner of the township in question and he is obliged to pay to the latter periodically a sum of money as consideration for his rights as township owner, the amount to be deducted as aforesaid under this paragraph shall equal the quotient resulting from the division of the sum which was payable as the said consideration in respect of the period of one year immediately preceding the date of commencement of this Act, by the number of the leasehold lots wherein he has an interest as township owner, which the said township contains on the said date:

Provided that, if the amounts to be deducted under paragraphs (a), (b) and (c) exceed the sum of money first mentioned in this definition, any rate or other recurrent impost levied on the reversionary owner's interest in the leasehold lot in question (as distinct from his interest therein as township owner) shall be excluded from the amount to be so deducted. (viii)

- (ii) "capitalized stand licence revenue", in relation to a leasehold lot, means the annual stand licence revenue derived from the lot in question, capitalized, on the date of purchase of the lot, at the fixed rate of interest per annum, over the period of the unexpired part of the leasehold title to the said lot, but subject to the provisions of sub-section (2); (vi)
- (iii) "conversion price", in relation to a leasehold lot, means a sum of money representing the reversionary interest in the lot in question, plus the capitalized stand licence revenue derived from that lot; (x)
- (iv) "date of purchase", in relation to a leasehold lot, means the date whereon the conversion price for the lot in question (or the guarantee for its payment) was, paid or delivered to the Registrar under paragraph (c) (i) of sub-section (1) of section five; (ii)
- (v) "fixed rate of interest" means the rate of interest determined by sub-section (4) or under sub-section (5); (xvii)
- (vi) "leaseholder", in relation to a leasehold lot, means the holder of leasehold title to the lot in question; (xiii)
- (vii) "leasehold lot" means a stand or lot which is situate in a township and is held under leasehold title; (xii)
- (viii) "leasehold title" means a *voorkeurrecht* mentioned in section *ninety-three* of the Gold Law of 1898 of the South African Republic (Law No. 15 of 1898), or a lease of a stand or lot in a township, which is registered in the office of the Registrar as a *voorkeurrecht* or lease; (xi)
- (ix) "Minister" means the Minister of Mines or any other Minister acting in his stead; (ix)
- (x) "Registrar" means the Rand Townships Registrar mentioned in section *fifty-three* of the Townships Act; (xiv)
- (xi) "regulation" means a regulation made by the Minister under section *fourteen*; (xv)
- (xii) "reversionary interest", in relation to a leasehold lot, means the sum of money representing the site value of the leasehold lot in question, discounted over the period of the unexpired part of the leasehold title to the said lot, reckoned as from the date of purchase thereof, at the rate of interest per annum which is set forth in the second column of the Second Schedule to this Act, opposite the figure in the first column of that Schedule which corresponds with the number of years in the aforesaid period, but subject to the provisions of sub-sections (2) and (3); (xvi)

Afrikaanse Republiek (Wet No. 15 van 1898) of 'n huur van 'n standplaas of perseel in 'n dorp, wat in die kantoor van die Registrateur as 'n voorkeureg of huur geregistreer is; (viii)

(xii) „pagperseel,” 'n standplaas of perseel wat in 'n dorp geleë en in pagbesit is; (vii)

(xiii) „pagter,” met betrekking tot 'n pagperseel, die persoon wat die betrokke perseel in pagbesit het; (vi)

(xiv) „Registrateur,” die „Rand Townships Registrar” vermeld in artikel *drie-en-veertig* van die Dorpswet; (x)

(xv) „regulasie,” 'n deur die Minister kragtens artikel *veertien* uitgevaardigde regulasie; (xi)

(xvi) „uitgestelde belang,” met betrekking tot 'n pagperseel, die geldsom wat die grondwaarde van die betrokke pagperseel voorstel, verdiskonteer oor die tydperk van die onverstreke deel van die pagbesit van bedoelde perseel, bereken vanaf die dag van aankoop daarvan, teen die rentekoers per jaar wat aangegee is in die tweede kolom van die Tweede Bylae van hierdie Wet, teenoor die syfer in die eerste kolom van daardie bylae wat ooreenkom met die getal jare in voormelde tydperk, dog behoudens die bepalinge van sub-artikels (2) en (3); (xii)

(xvii) „vasgestelde rentekoers,” die deur sub-artikel (4) of kragtens sub-artikel (5) bepaalde rentekoers; (v)

(2) By die toepassing van die omskrywing van die uitdrukkings „gekapitaliseerde standplaaslisensie-opbrings” en „omsettingsprys”—

(a) word beskou dat 'n pagbesit wat verleen is vir 'n tydperk van meer as negen-en-negentig jaar, of wat van tyd tot tyd vir altyd vernuwe kan word, vir 'n tydperk van negen-en-negentig jaar verleen is; en

(b) word 'n onvoltooide jaar in die tydperk van die onverstreke deel van 'n pagbesit, bereken as 'n volle jaar.

(3) Indien 'n owerheid 'n grondbelasting of ander periodieke belasting gehef het op die belang wat 'n afwagtende eienaar van 'n dorp het in 'n pagperseel in die betrokke dorp (afgesien van sy belang in die betrokke perseel as dorpseienaar van bedoelde dorp); en

(a) die voorbehoudsbepaling van die omskrywing van die uitdrukking „jaarlikse standplaaslisensie-opbrings” in sub-artikel (1) van toepassing is in verband met bedoelde grondbelasting of ander periodieke belasting; of

(b) die betrokke afwagtende eienaar nie die dorpseienaar van die betrokke dorp is nie:

dan word die uitgestelde belang in die betrokke pagperseel as volg bepaal:

(i) Die som wat voormelde grondbelasting of ander periodieke belasting voorstel ten opsigte van die tydperk van een jaar wat die dag van aankoop van die betrokke pagperseel onmiddellik voorafgegaan het, word gekapitaliseer teen die vasgestelde rentekoers per jaar oor die tydperk van die onverstreke deel van die pagbesit van bedoelde pagperseel, bereken vanaf bedoelde dag van aankoop.

(ii) Die som wat die grondwaarde van bedoelde pagperseel voorstel, word verdiskonteer op die wyse aangedui in die omskrywing van die uitdrukking „uitgestelde belang” in sub-artikel (1).

(iii) Die res van die som wat die berekening ingevolge paragraaf (ii) opgelewer het, na aftrek daarvan van die kapitaalsom wat die berekening ingevolge paragraaf (i) opgelewer het, stel voor die uitgestelde belang in die betrokke pagperseel.

(4) By die toepassing van hierdie Wet bedra die vasgestelde rentekoers vir die tydperk vanaf die inwerkingtreding van hierdie Wet tot die end van die kalenderjaar waarin hierdie Wet in werking getree het, vier-en-'n-half persent per jaar.

(5) In iedere maand November na die inwerkingtreding van hierdie Wet, moet die Minister vir die toepassing van hierdie Wet die rentekoers bepaal wat die vasgestelde rentekoers sal wees vir die daaropvolgende kalenderjaar: Met dien verstande dat indien geen vasgestelde rentekoers aldus vir een of ander jaar bepaal is nie, die laasbepaalde rentekoers (hetsy deur sub-artikel (4) of kragtens hierdie sub-artikel) die vasgestelde rentekoers bly tot die begin van die jaar waarvoor 'n rentekoers volgens voorskrif van hierdie sub-artikel bepaal is.

- (xiii) "reversionary owner", in relation to a township means the owner of the land comprising the leasehold lots in the township in question; (i)
- (xiv) "site value" in relation to a leasehold lot, means its value as determined in accordance with the provisions of section *three*; (vii)
- (xv) "township" means a township whose name appears in the First Schedule to this Act: Provided that, if two or more portions of a township are owned by different reversionary owners, each such portion shall be deemed, for the purpose of this Act, to be a separate township; (iii)
- (xvi) "township owner", in relation to a township, means the person who, prior to the first day of January, 1909, held the right to grant leasehold title to the stands or lots in the township in question, or his successor in title to that right; (iv)
- (xvii) "Townships Act" means the Townships Amendment Act, 1908 (Act No. 34 of 1908), of Transvaal. (v)

(2) For the purposes of the definitions of the expressions "capitalized stand licence revenue" and "reversionary interest"—

- (a) a leasehold title which was granted for a period longer than ninety-nine years or which is renewable from time to time in perpetuity, shall be deemed to have been granted for a period of ninety-nine years; and
- (b) an uncompleted year in the period of the unexpired part of a leasehold title shall be reckoned as a full year.

(3) If any authority has levied any rates or other recurrent impost on the interest which a reversionary owner of a township holds in a leasehold lot in the township in question (as distinct from his interest in the lot in question as township owner of the said township); and

- (a) the proviso to the definition of the expression "annual stand licence revenue" in sub-section (1) is applicable in connection with the said rates or other recurrent impost; or
- (b) the reversionary owner concerned is not the township owner of the township in question:

the reversionary interest in the leasehold lot in question shall be determined as follows:

- (i) The sum representing the aforesaid rates or other recurrent impost in respect of the period of one year immediately preceding the date of purchase of the leasehold lot in question shall be capitalized at the fixed rate of interest per annum over the period of the unexpired part of the leasehold tenure of the said leasehold lot, reckoned as from the said date of purchase.
- (ii) The sum representing the site value of the said leasehold lot shall be discounted in the manner indicated in the definition of the expression "reversionary interest" in sub-section (1).
- (iii) The remainder of the sum resulting from the calculation under paragraph (ii) after the deduction therefrom of the capital sum resulting from the calculation under paragraph (i) shall represent the reversionary interest in the leasehold lot in question.

(4) For the purposes of this Act, the fixed rate of interest, for the period from the commencement of this Act until the end of the calendar year wherein this Act commenced, shall be four and one half per cent. per annum.

(5) In every month of November after the commencement of this Act, the Minister shall determine, for the purposes of this Act, the rate of interest which shall be the fixed rate of interest for the next following calendar year: Provided that, if no fixed rate of interest was so determined for any year, then the fixed rate of interest last determined (whether by sub-section (4) or under this sub-section) shall remain the fixed rate of interest until the beginning of the year for which a fixed rate of interest was determined as prescribed in this sub-section.

(6) By die bepaling van 'n vasgestelde rentekoers, let die Minister op die heersende rentekoers waarteen geld, op die tydstip van sy bepaling, in die Unie teen goeie waarborg geleen kan word.

(7) Wanneer die Minister soos voormeld die vasgestelde rentekoers bepaal het, laat hy so spoedig doenlik 'n kennisgewing daarvan publiseer, en wel eenkeer in die *Staatskoerant* en eenkeer in elke dagblad wat in Engels of Afrikaans in die Myndistrik Johannesburg gedruk word.

(8) By die toepassing van hierdie Wet en met inagneming van die bepalings van artikel sewe—

- (a) word enige erf of perseel in die dorp Newtown wat in *longum tempus* verhuur is, as 'n pagperseel beskou; en
- (b) word die ge-registreerde huurder van so 'n erf of perseel beskou as die pagter daarvan; en
- (c) word die betrokke huur as pagbesit beskou; en
- (d) word die Stadsraad van Johannesburg as die afwagtende eienaar en ook as die dorpseienaar van voornoemde dorp beskou.

Vrywaring van
sekere regte
kragtens
bestaande wet.

2. (1) Geen bepaling van hierdie Wet of van 'n regulasie ontnem aan die pagter van 'n pagperseel enige reg wat hy verkry het kragtens die Dorpswet of kragtens 'n ooreenkoms wat hy ingevolge daardie wet aangegaan het, of belet hom om enige reg ingevolge daardie Wet te verkry, of om so 'n ooreenkoms aan te gaan of om so 'n ooreenkoms of reg te handhaaf, asof hierdie Wet nie aangeneem was nie, dog so 'n ooreenkoms verbind hom nie, tensy hy dit handhaaf. Hy is egter nie geregtig nie op terugbetaling van geld wat hy ingevolge so 'n ooreenkoms betaal het, tensy hy op daardie terugbetaling geregtig sou gewees het, as hierdie Wet nie aangeneem was nie.

(2) Indien 'n pagter ingevolge so 'n ooreenkoms as in sub-artikel (1) vermeld, geld betaal het aan die afwagtende eienaar of aan die dorpseienaar van die dorp waarin die betrokke pagperseel geleë is, as vergoeding vir die omsetting van sy pagbesit in volle eiendom, volgens die Dorpswet, en hy ingevolge hierdie Wet optree om die eiendom van bedoelde perseel te verkry, dan word beskou dat hy bedoelde geld ingevolge paragraaf (c) (i) van sub-artikel (1) van artikel vyf in die loop van die verkryging van daardie eiendom ingevolge hierdie Wet aan die Registrateur betaal het: Met dien verstande dat, as die geld wat hy aldus betaal het, meer bedra as die som wat hy ingevolge voormelde paragraaf (c) (i) moet betaal hy nie geregtig is om die oorskot terug te vorder nie.

Bepaling van
grondwaarde van
pagperseel.

3. (1) Die grondwaarde met betrekking tot 'n pagperseel word bepaal deur ooreenkoms tussen die pagter van die betrokke pagperseel en die afwagtende eienaar van die dorp waarin die betrokke pagperseel geleë is. Enige sodanige bepaling moet in skrif wees in 'n by regulasie voorgeskrewe vorm en moet deur of namens die betrokke pagter en die betrokke afwagtende eienaar onderteken word. 'n Duplikaat-afskrif van die bepaling moet binne 'n tydperk van sewe dae na die dag waarop die bepaling gemaak is deur die afwagtende eienaar by die Registrateur ingedien word.

(2) Wanneer 'n pagter van 'n pagperseel en die afwagtende eienaar van die dorp waarin die betrokke pagperseel geleë is nie ingevolge sub-artikel (1) kan ooreenkom oor die bedrag van die grondwaarde van die betrokke pagperseel nie of wanneer die betrokke pagperseel geleë is in 'n dorp—

- (a) waarvan die afwagtende eienaar nie sy eiendom van die betrokke pagperseel kan vervreem nie; of
- (b) wat aan meer dan twee afwagtende eienaars in onverdeelde aandeel behoort,

kan die pagter van die betrokke pagperseel by die Registrateur aansoek doen om 'n bepaling van die grondwaarde van die betrokke pagperseel: Met dien verstande dat met betrekking tot pagpersele geleë in dorpe waarop paragrafe (a) en (b) nie van toepassing is nie daardie pagter die Registrateur skriftelik in die voorgeskrewe vorm in kennis gestel het dat hy en die afwagtende eienaar nie kan ooreenkom nie en die Registrateur oortuig is dat dié pagter 'n *bona fide* poging aangewend het om 'n ooreenkoms te bereik.

(3) Die Registrateur verwys alle aansoeke wat hy ingevolge sub-artikel (2) ontvang na 'n komitee wat bestaan uit die Registrateur, wat ampshalwe voorsitter van die komitee is, en twee beëdigde taksateurs (wat in die Myndistrik Johannesburg praktiseer) wat van tyd tot tyd soos nodig blyk deur die Registrateur aangestel word.

(4) Vir die doeleindes van die bepaling van die grondwaarde van 'n pagperseel ingevolge hierdie sub-artikel het die komitee

(6) In determining a fixed rate of interest the Minister shall take into consideration the prevailing rates of interest, at the time of his determination, at which money can be borrowed in the Union, against sound security.

(7) When the Minister has determined the fixed rate of interest, as aforesaid, he shall, as soon as may be, cause a notice thereof to be published once in the *Gazette* and once in every daily newspaper printed in English or Afrikaans in the Mining District of Johannesburg.

(8) For the purpose of this Act and subject to the provisions of section seven—

- (a) any erf or lot in the township of Newtown which is leased in *longum tempus*, shall be deemed to be a leasehold lot; and
- (b) the registered lessee of such an erf or lot shall be deemed to be the leaseholder thereof; and
- (c) the lease in question shall be deemed to be leasehold title; and
- (d) the City Council of Johannesburg shall be deemed to be the reversionary owner and also the township owner of the said township.

2. (1) No provision of this Act or of a regulation shall deprive the leaseholder of a leasehold lot of any right which he has acquired under the Townships Act or under an agreement which he entered into by virtue of that Act, or debar him from acquiring any right under that Act, or from entering into such an agreement, or from enforcing such an agreement or right as if this Act had not been passed, but he shall not be bound by such an agreement unless he enforces it. He shall, however, not be entitled to a refund of any money which he paid under such an agreement, unless he would have been entitled to that refund had this Act not been passed.

Safeguarding of certain rights under existing law.

(2) If a leaseholder paid any money under an agreement mentioned in sub-section (1) to the reversionary owner or the township owner of the township wherein the leasehold lot in question is situate, as consideration in respect of the conversion of his leasehold title to freehold title in terms of the Townships Act, and he is taking steps under this Act to acquire the ownership of the said lot, he shall be deemed to have paid the said money to the Registrar under paragraph (c) (i) of sub-section (1) of section five, in the course of acquiring that ownership under this Act: Provided that if the money which he so paid exceeds the amount which he is obliged to pay under the said paragraph (c) (i), he shall not be entitled to recover the excess.

3. (1) The site value in relation to a leasehold lot shall be determined by agreement between the leaseholder of the leasehold lot in question and the reversionary owner of the township wherein the leasehold lot in question is situate. Any such determination shall be in writing in a form prescribed by regulation and shall be signed by or on behalf of the leaseholder and the reversionary owner concerned. A duplicate copy of the determination shall be lodged with the Registrar by the reversionary owner within a period of seven days after the date on which the determination was made.

Determination of site value of leasehold lot.

(2) When a leaseholder of a leasehold lot and the reversionary owner of the township in which the leasehold lot in question is situate, are unable to agree in terms of sub-section (1) upon the amount of the site value of the said leasehold lot, or when the leasehold lot in question is situate in a township—

- (a) whose reversionary owner cannot alienate his ownership of the leasehold lot in question; or
- (b) which belongs to more than two reversionary owners in undivided shares,

the leaseholder of the leasehold lot in question may apply to the Registrar for a determination of the site value of the leasehold lot in question: Provided that in relation to leasehold lots situate in townships to which paragraphs (a) and (b) do not apply such leaseholder has notified the Registrar in writing in the prescribed form that he and the reversionary owner are unable to agree and the Registrar is satisfied that a *bona fide* attempt has been made by such leaseholder to arrive at an agreement.

(3) The Registrar shall refer all applications received by him under sub-section (2) to a committee which shall consist of the registrar, who shall *ex officio* be chairman of the committee, and two sworn appraisers practising in the Mining District of Johannesburg, who shall be appointed by the Registrar from time to time as required.

(4) For the purpose of determining the site value of a leasehold lot in terms of this sub-section the committee shall not be

nie die reg om verhoë van of namens die betrokke pagter of die betrokke afwagende eienaar te ontvang nie.

(5) By die bepaling van die grondwaarde van 'n pagperseel vir die doel van hierdie artikel moet die komitee die billike markwaarde van die betrokke pagperseel takseer met uitsluiting van die waarde van enige verbeterings daarop asof die pagter van die perseel die eiendomsreg daarvan kragtens hierdie Wet verkry het op die toepaslike voorwaardes in artikel *agt* genoem.

(6) Wanneer die komitee die grondwaarde van 'n pagperseel ingevolge sub-artikel (5) bepaal het, is daardie waarde die grondwaarde van die betrokke pagperseel vir die doeleindes van hierdie Wet maar onderworpe aan die bepalings van sub-artikel (7), en die Registrateur rig 'n geregistreerde brief aan die betrokke pagter en die betrokke afwagende eienaar waarin die aldus bepaalde waarde meegedeel word: Met dien verstande dat indien die dorp waarin die betrokke pagperseel geleë is aan meer dan twee afwagende eienaars in onverdeelde aandele behoort, die Registrateur vereis word om geregistreerde briewe te rig alleen aan die betrokke afwagende eienaars wie se adresse hy ken of maklik kan uitvind.

(7) 'n Bepaling van die grondwaarde van 'n pagperseel kragtens hierdie artikel vervel by verstryking van 'n tydperk van honderd-en-twintig dae vanaf die dag waarop die bepaling gemaak is behalwe in verband met die verkryging kragtens hierdie Wet van die eiendom van die betrokke pagperseel uit hoofde van 'n aansoek kragtens sub-artikel (1) van artikel *vyf* wat die betrokke pagter binne voormelde tydperk gedoen het: Met dien verstande dat die betrokke pagter of sy regsopvolger te eniger tyd na die verval van die bepaling van die grondwaarde van die pagperseel soos voormeld weer ingevolge hierdie artikel met betrekking tot dieselfde pagperseel kan optree.

Koste van
taksasie van
grondwaarde.

4. Aan die taksateurs kragtens artikel *drie* aangestel, word die gelde betaal wat voorgeskryf word by regulasie deur die Minister kragtens artikel *veertien* gemaak en voormelde gelde en alle onkoste noodwendig deur voormelde komitee aangegaan, word deur die Staat betaal.

Pagter se
aansoek om
oordrag van
eiendom van
pagperseel aan
homself.

5. (1) Wanneer die grondwaarde van 'n pagperseel ingevolge artikel *drie* bepaal is en die pagter van die betrokke pagperseel—

(a) by die Registrateur aansoek gedoen het om die oordrag, ingevolge hierdie Wet, van die eiendom van bedoelde pagperseel van die afwagende eienaar van die dorp waarin bedoelde perseel geleë is, aan homself; en

(b) die Registrateur oortuig het dat hy redelike gronde het om nie daardie eiendom ingevolge die Dorpswet te wil verkry nie; en

(c) aan die Registrateur betaal of gelewer het—

(i) die omsettingsprys vir bedoelde pagperseel (verminder met die bedrae vir die betaling waarvan bedoelde afwagende eienaar of bedoelde dorps-eienaar van bedoelde dorp aanspreeklik was dog wat die pagter verplig was om te betaal ten einde die oordrag van bedoelde eiendom te verkry) of 'n garansie wat die Registrateur voldoende ag, dat bedoelde omsettingsprys, soos voormeld verminder, na die registrasie van bedoelde oordrag aan die Registrateur betaal sal word; en

(ii) bewys van betaling van die lisensiegeld of huur ten opsigte van bedoelde pagperseel tot op die dag van aankoop daarvan; en

(iii) alle dokumente waarvan die oorhandiging deur 'n regulasie voorgeskryf is (dog behoudens die bepalings van sub-artikel (2)); en

(iv) registrasieleges van tien sjelings;

dan moet die Registrateur van die ontvangs van die aansoek skriftelik kennis gee aan iedereen wat na sy wete deur die aansoek geraak word (en wie se adres hy ken of maklik kan uitvind) en hy moet iedere sodanige persoon uitnoui om binne die in die uitnodiging vasgestelde termyn (wat nie korter mag wees nie as dertig dae vanaf die dag waarop die genoemde die uitnodiging ontvang het) redes aan te voer waarom die eiendom van daardie perseel nie aan die pagter van daardie perseel oorgedra behoort te word nie.

(2) Indien 'n dokument vermeld in sub-paragraaf (iii) van paragraaf (c) van sub-artikel (1) vir die betrokke pagter nie beskikbaar is nie, dan moet die Registrateur dit ingevolge sub-artikel (1) (c) van artikel *twaalf* verkry van die persoon wat in staat is om dit te oorhandig.

Oordrag van
eiendom van
pagperseel aan
pagter.

6. (1) Indien niemand wat ingevolge sub-artikel (1) van artikel *vyf* uitgenoui is, binne die vasgestelde termyn redes aangevoer het waarom die eiendom van die betrokke pagperseel

entitled to receive representations from or on behalf of the leaseholder or the reversionary owner concerned.

(5) In determining the site value of a leasehold lot for the purpose of this section the committee shall assess the fair market value of the leasehold lot in question exclusive of the value of any improvements thereon as if the leaseholder of the lot had acquired the ownership thereof under this Act on the applicable conditions mentioned in section *eight*.

(6) When the committee has determined the site value of a leasehold lot in terms of sub-section (5) that value shall be the site value of the leasehold lot in question for the purposes of this Act, but subject to the provisions of sub-section (7), and the Registrar shall address to the leaseholder and the reversionary owner concerned a registered letter notifying the addressee of the value so determined: Provided that if the township in which the leasehold lot in question is situate belongs to more than two reversionary owners in undivided shares, the Registrar shall only be required to address registered letters to the reversionary owners concerned, whose addresses are known to or readily ascertainable by him.

(7) Any determination of the site value of a leasehold lot under this section shall lapse on the expiration of a period of one hundred and twenty days as from the date when the determination was made, except in connection with the acquisition, under this Act, of the ownership of the leasehold lot in question in pursuance of an application under sub-section (1) of section *five*, made by the leaseholder concerned within the above-mentioned period: Provided that the leaseholder concerned or his successor in title may, at any time after the lapsing of the determination of the site value of the leasehold lot as aforesaid, again take action under this section in regard to the same leasehold lot.

4. There shall be paid to the Appraisers appointed under section *three* such fees as shall be prescribed by regulation made by the Minister under section *fourteen*, and the aforesaid fees and all expenses necessarily incurred by the aforesaid committee, shall be borne by the State.

Cost of
appraisal of
site value.

5. (1) When the site value of a leasehold lot has been determined under section *three* and the leaseholder of the lot in question—

Leaseholder's
application for
transfer of
ownership of
leasehold lot
to himself.

- (a) has applied to the Registrar for the transfer, under this Act, of the ownership of the said leasehold lot from the reversionary owner of the township wherein the said lot is situate, to himself; and
- (b) has satisfied the Registrar that he has reasonable grounds for not wishing to obtain the said ownership under the Townships Act; and
- (c) has paid or delivered to the Registrar—
 - (i) the conversion price for the said leasehold lot (reduced by the amounts, for payment of which the said reversionary owner or the township owner of the said township was liable, but which the leaseholder was obliged to pay in order to obtain transfer of the said ownership) or a guarantee which the Registrar deems sufficient, that the said conversion price, reduced as aforesaid, will be paid to the Registrar on registration of the said transfer; and
 - (ii) proof of payment of the licence money or rent in respect of the said leasehold lot up to the date of purchase thereof; and
 - (iii) all documents whose delivery is prescribed by regulation (but subject to the provisions of sub-section (2)); and
 - (iv) a registration fee of ten shillings;

the Registrar shall give written notice of the receipt of the application to every person who, to his knowledge, is affected by the application (and whose address he knows or is able to readily ascertain) and he shall invite every such person to show cause, within the period stipulated in the invitation (which shall not be shorter than thirty days as from the date whereon the invitee received the invitation) why the ownership of the leasehold lot in question should not be transferred to the leaseholder of that lot.

(2) If a document mentioned in sub-paragraph (iii) of paragraph (c) of sub-section (1) is not available to the leaseholder concerned, the Registrar shall obtain it under sub-section (1) (c) of section *twelve* from the person who is able to deliver it.

6. (1) If no person who was invited under sub-section (1) of section *five* has shown cause, within the stipulated period, why the ownership of the leasehold lot in question should not

Transfer of
ownership of
leasehold lot
to leaseholder.

nie aan die pagter van daardie perseel oorgedra behoort te word nie, en die Registrateur nie andersins weet van iets wat die oordrag belet nie, dan moet hy die eiendom van bedoelde perseel aan die pagter daarvan oordra of laat oordra volgens voorskrif van regulasies (wat nie aan enige bepaling van die Registrasie van Aktes Wet, 1937, onderworpe is nie): Met dien verstande dat die onvermoë van die afwagtende eienaar of van die dorpseienaar van die dorp waarin die betrokke pagperseel geleë is om sy belang in bedoelde perseel van die hand te sit, weens 'n verbod in enige wet of testament of trustakte of titelbewys of kontrak of om enige ander rede, nie die oordrag van die eiendom van bedoelde perseel ingevolge hierdie artikel belet nie.

(2) Indien iemand wat soos voormeld uitgenooi is, wel gegronde redes teen die voorgenome oordrag aangevoer het of indien die Registrateur andersins te wete gekom het van iets wat die oordrag belet, dan moet hy alle betrokke persone daarvan in kennis stel en hy moet aan die betrokke pagter alles teruggee wat laasbedoelde aan hom ingevolge artikel vyf betaal of gelewer het.

(3) Wanneer die oordrag van die eiendom van die betrokke pagperseel voltooi is, moet die Registrateur van die oordrag skriftelik kennis gee aan iedereen wie se regte daardeur geraak is en hy moet volgens die toepaslike volgende bepalings van hierdie artikel handel met die geld wat hy ingevolge paragraaf (c) (i) van sub-artikel (1) van artikel vyf ontvang het, en indien die eiendom van die grond wat die pagpersele uitmaak in die dorp waarin die betrokke pagperseel geleë is, met 'n verband beswaar is, moet die Registrateur op die betreklike dokumente in sy kantoor en op die verbandhouer se eksemplaar van bedoelde verband wanneer dit ingevolge sub-artikel (4) of (5) aan hom voorgelê word, aantekening maak van die feit dat daardie verband nie meer bedoelde pagperseel beswaar nie.

(4) Indien die eiendom van die grond wat die pagpersele uitmaak in die dorp waarin die betrokke perseel geleë is, beswaar is met 'n verband wat bepaal dat die verbandskuld verminder moet word uit die opbrings van die verkoop van die eiendom van 'n pagperseel in bedoelde dorp, dan moet die Registrateur by voorlegging aan hom van die verbandhouer se eksemplaar van bedoelde verband, aan die verbandhouer so veel uitbetaal van die omsettingsprys vir die betrokke pagperseel wat hy ingevolge artikel vyf ontvang het, as wat volgens die verband aan die verband-skuldeiser toekom.

(5) Indien 'n verband soos in sub-artikel (4) bedoel geen sodanige bepaling as voormeld bevat nie, moet die Registrateur, by voorlegging aan hom van die verbandhouer se eksemplaar van die verband, aan die verbandhouer tot vermindering van die verbandskuld 'n som uitbetaal gelyk aan daardie deel van bedoelde omsettingsprys wat bestaan uit die uitgestelde belang in daardie perseel, of so 'n mindere som waaroor die verbandhouer en verbandgewer ooreengekom het en waarvan skriftelike kennis onderteken deur die verbandhouer en die verbandgewer aan die Registrateur oorhandig is.

(6) Indien die afwagtende eienaar van die dorp waarin die betrokke pagperseel geleë is, nie die dorpseienaar van daardie dorp is nie, moet die Registrateur aan die dorpseienaar daardie deel van bedoelde omsettingsprys uitbetaal, wat bestaan uit die gekapitaliseerde standplaaslisensie-opbrings van bedoelde perseel.

(7) Die Registrateur moet aan die afwagtende eienaar van die dorp waarin die betrokke pagperseel geleë is, so veel uitbetaal van die omsettingsprys vir bedoelde perseel wat hy ingevolge artikel vyf ontvang het, as wat hy nie ingevolge sub-artikel (4), (5) of (6) uitbetaal het nie.

Voorwaardelike
uitsondering
van dorpe
wat aan
munisipaliteite
behoort.

7. Die bepalings van artikels vyf en ses is nie van toepassing nie in verband met 'n pagperseel in 'n dorp waarvan die afwagtende eienaar 'n munisipale raad is, tensy die Minister—

(a) oortuig is, na oorweging van verhoë van die betrokke pagter en betrokke raad, dat daar geen gegronde rede bestaan nie waarom bedoelde pagter belet behoort te word om die eiendom van bedoelde perseel te verkry; en

(b) die Registrateur gelas het om aan voormelde bepalings gevolg te gee (vir sover as wat hulle toepaslik is) in verband met bedoelde perseel.

Die Minister moet afskrifte van sy voormelde opdrag aan die Registrateur, laat besorg aan die betrokke pagter en raad.

be transferred to the leaseholder of that lot, and the Registrar is not otherwise aware of a bar to such a transfer, he shall transfer the ownership of the said lot, or cause it to be transferred, to the leaseholder of the said lot, in a manner prescribed by regulation (which shall not be subject to any provision of the Deeds Registries Act, 1937): Provided that the inability of the reversionary owner or of the township owner of the township wherein the leasehold lot in question is situate, to dispose of his interest in the said lot, because of a prohibition in any law or testament or trust deed or title deed or contract or because of any other reason shall not be a bar to the transfer of the ownership of the said lot under this section.

(2) If any person who was invited as aforesaid has shown good cause why the contemplated transfer should not be effected or if the Registrar has otherwise ascertained that there is a bar to such a transfer, he shall notify all persons concerned of that fact and he shall return to the leaseholder concerned whatever the latter paid or delivered to him under section *five*.

(3) When the transfer of the ownership of the leasehold lot in question has been completed, the Registrar shall give written notice of the transfer to every person whose rights have been affected thereby and he shall deal in accordance with the applicable following provisions of this section with the money which he received under paragraph (c) (i) of sub-section (1) of section *five*, and, if the ownership of the land comprising the leasehold lots in the township wherein the leasehold lot in question is situate, is subject to a mortgage bond, the Registrar shall note on the relevant documents in his office and on the mortgagee's copy of the said bond when it is submitted to him under sub-section (4) or (5), the fact that the said leasehold lot has ceased to be subject to the said bond.

(4) If the ownership of the land comprising the leasehold lots in the township wherein the leasehold lot in question is situate, is subject to a mortgage bond which provides for a reduction of the mortgage debt out of the proceeds of a sale of the ownership of a leasehold lot in the said township, the Registrar shall, on submission to him of the mortgagee's copy of the said bond, pay to the holder thereof so much of the conversion price of the leasehold lot in question which he received under section *five*, as is due to the mortgage creditor in terms of the bond.

(5) If a bond mentioned in sub-section (4) contains no such provision as aforesaid, the Registrar shall on submission to him of the mortgagee's copy of the bond, pay to the holder thereof, in reduction of the mortgage debt, a sum equal to that part of the said conversion price which consists of the reversionary interest in that lot, or such lesser sum as the mortgagee and mortgagor shall have agreed on and of which written notice signed by both the mortgagee and mortgagor shall have been delivered to the Registrar.

(6) If the reversionary owner of the township wherein the leasehold lot in question is situate is not the township owner of that township, the Registrar shall pay to the township owner that part of the said conversion price which consists of the capitalized stand licence revenue from the said lot.

(7) The Registrar shall pay to the reversionary owner of the township wherein the leasehold lot in question is situate, so much of the conversion price of the said lot which he received under section *five*, as he has not paid out under sub-section (4), (5) or (6).

7. The provisions of sections *five* and *six* shall not apply in connection with a leasehold lot in a township whose reversionary owner is a municipal council, unless the Minister—

Qualified exemption of townships owned by municipalities.

(a) is satisfied, after having considered representations made by the leaseholder and by the council concerned, that there is no reasonable ground why the said leaseholder should be debarred from acquiring the ownership of the said leasehold lot; and

(b) has directed the Registrar to give effect to the said provisions (in so far as they are applicable) in connection with the said lot.

The Minister shall cause copies of his said direction to the Registrar to be served upon the leaseholder and the council concerned.

Voorwaardes in
eiendomsbewyse.

8. (1) Die bepalinge van artikel *een-en-sestig* van die Dorpswet is *mutatis mutandis* van toepassing in verband met elke oordrag, ingevolge hierdie Wet, van die eiendom van 'n pagperseel aan die pagter daarvan.

(2) Wanneer die Goewerneur-generaal ingevolge sub-artikel (1) (a) van artikel *twee-en-sestig* van die Dorpswet goedgekeur het dat sertifikate van omsetting in volle eiendom, wat ingevolge artikel *sestig* van daardie Wet ten opsigte van pagpersele in 'n bepaalde dorp of deel van 'n dorp uitgereik sal word, aan sekere voorwaardes onderworpe sal wees, dan geld daardie voorwaardes ook vir persele in die betrokke dorp of deel van 'n dorp, waarvan die eiendom ingevolge hierdie Wet oorgedra is, en die Registrateur moet daardie voorwaardes in elke akte, wat daardie oordrag teweegbring, invoeg of laat invoeg.

(3) Indien die Goewerneur-generaal nie aldus voorwaardes vir pagpersele in 'n bepaalde dorp of deel van 'n dorp goedgekeur het nie, dan kan die Minister na beraadslaging met die afwagte eienaar en met die dorpseienaar van die betrokke dorp voorwaardes voorskryf wat sal geld vir elke pagperseel in die betrokke dorp of deel van 'n dorp na die oordrag van sy eiendom aan sy pagter kragtens die Dorpswet of hierdie Wet: Met dien verstande dat die Minister nie aldus voorwaardes mag voorskryf nie, wat meer beswarend is as die voorwaardes waaraan die betrokke pagpersele onderworpe was toe hulle in pagbesit was.

(4) In verband met die omsetting in volle eiendom ingevolge die Dorpswet, van die voorkeurreg of pagbesit van 'n pagperseel in 'n dorp of deel van 'n dorp bedoel in sub-artikel (3), word die voorwaardes wat die Minister soos voormeld voorgeskryf het, beskou as bedinge en voorwaardes wat die Goewerneur-generaal goedgekeur het of wat die betrokke dorpseienaar, met goedkeuring van die Goewerneur-generaal, nodig geag het, volgens paragraaf (a) van sub-artikel (1) van artikel *twee-en-sestig* van die Dorpswet.

(5) Wanneer die eiendom van 'n pagperseel in die betrokke dorp of deel van 'n dorp ingevolge hierdie Wet oorgedra word, moet die Registrateur die soos voormeld deur die Minister voorgeskrewe voorwaardes invoeg of laat invoeg in elke akte waardeur so 'n oordrag teweeggebring word.

Geen leges
verskuldig by
eiendomsoordrag
ingevolge
hierdie Wet.

9. Geen hereregte, seëlreg of leges (behalwe die registrasieleges vermeld in paragraaf (c) (iv) van sub-artikel (1) van artikel *vyf*) is verskuldig in verband met die oordrag van die eiendom van 'n pagperseel ingevolge hierdie Wet nie.

Vermindering
van sekere
somme wat
dorpseienaars
skuld.

10. (1) Indien—

(a) die dorpseienaar van 'n dorp op die dag van die inwerkingtreding van hierdie Wet, ingevolge 'n kontrak wat op die aanleg van die betrokke dorp betrekking het, verplig was om periodiek aan die Staat 'n sekere geldsom te betaal (wat in hierdie sub-artikel 'n „maatstafpaalement” genoem word); en

(b) die eiendom van 'n pagperseel in bedoelde dorp ingevolge die Dorpswet of hierdie Wet aan die pagter van daardie perseel oorgedra is,

dan word elke som wat ingevolge daardie kontrak, na die registrasie van die oordrag van die eiendom van bedoelde perseel, aldus aan die Staat te betaal is, verminder met 'n som gelyk aan die kwosient van die deling van die bedrag van die maatstafpaalement deur die getal van die pagpersele in bedoelde dorp op voormelde dag.

(2) Die bepalinge van sub-artikel (1) is *mutatis mutandis* van toepassing in verband met die huurgelde wat 'n dorpseienaar periodiek moet betaal aan die afwagte eienaar van die betrokke dorp.

Registrasie van
persele waarvoor
geen omsettings-
prys betaalbaar
is nie.

11. Wanneer die „registered holder” (soos omskryf in artikel *agt* van die Dorpswet) van 'n standplaas of perseel wat geregistreer is in die „Rand Townships Registration Office”, vermeld in artikel *drie-en-vyftig* van voormelde wet, ingevolge daardie wet die reg verkry het om die „registered owner” (soos in voormelde artikel *agt* omskryf) van die betrokke standplaas of perseel te word, sonder betaling van enige verdere vergoeding (behalwe die deur sub-artikel (2) van artikel *vier-en-sestig* van voormelde Wet voorgeskrewe registrasieleges) dan kan die Registrateur volgens goeëdunke weier om enige regshandeling met betrekking tot die standplaas of perseel te registreer voordat die betrokke persoon as eienaar van bedoelde standplaas of perseel geregistreer is.

8. (1) The provisions of section *sixty-one* of the Townships Act shall apply *mutatis mutandis* in connection with every transfer, under this Act, of the ownership of a leasehold lot to the leaseholder thereof. Conditions in ownership titles.

(2) When the Governor-General has approved, under sub-section (1) (a) of section *sixty-two* of the Townships Act, that certificates of conversion to freehold title, to be issued under section *sixty* of that Act in respect of leasehold lots in a particular township or part of a township, shall be subject to certain conditions, those conditions shall also attach to lots in the township or part of the township in question, whose ownership has been transferred under this Act, and the Registrar shall insert those conditions (or cause them to be inserted) in every deed whereby such a transfer is effected.

(3) If the Governor-General has not so approved conditions in respect of leasehold lots in a township or part of a township, the Minister may, after consultation with the reversionary owner and with the township owner of the township in question, prescribe conditions which shall attach to every leasehold lot in that township or part of a township on the transfer of its ownership to its leaseholder under the Townships Act or under this Act: Provided that the Minister shall not so prescribe conditions which are more onerous than the conditions to which the leasehold lots in question were subject while they were held under leasehold title.

(4) In connection with the conversion to freehold, under the Townships Act, of *voorkeurrecht* or leasehold title to any leasehold lot in the township or part of a township mentioned in sub-section (3), the conditions prescribed by the Minister as aforesaid, shall be deemed to be terms and conditions approved by the Governor-General or deemed necessary by the township owner concerned, with the approval of the Governor-General, in terms of paragraph (a) of sub-section (1) of section *sixty-two* of the Townships Act.

(5) When the ownership of a leasehold lot in the township or part of a township in question is being transferred under this Act, the Registrar shall insert the conditions prescribed by the Minister, as aforesaid, (or cause them to be inserted) in every deed whereby such a transfer is affected.

9. No transfer duty, stamp duty or fee of office (other than the registration fee mentioned in paragraph (c) (iv) of sub-section (1) of section *five*) shall be payable in connection with the transfer of the ownership of a leasehold lot under this Act. No duty payable in connection with transfer under this Act.

10. (1) If—

- (a) the township owner of a township was, on the date of the commencement of this Act, obliged, under a contract relating to the establishment of the township in question, to pay periodically, to the State, a certain sum of money (in this sub-section called a "basic instalment"); and
- (b) the ownership of a leasehold lot in the said township has been transferred under the Townships Act or under this Act to the leaseholder of that lot,

every sum so payable to the State under the said contract after the registration of the transfer of the said lot shall be reduced by a sum equal to the quotient resulting from the division of the amount of the basic instalment by the number of the leasehold lots in the said township on the said date.

(2) The provisions of sub-section (1) shall apply *mutatis mutandis* in connection with the rent which a township owner is obliged to pay periodically to the reversionary owner of the township in question.

11. When the "registered holder" (as defined in section *eight* of the Townships Act) of a stand or lot which is registered in the Rand Townships Registration Office, mentioned in section *fifty-three* of the said Act, has acquired, under the said Act, the right to become the "registered owner" (as defined in the said section *eight*) of the stand or lot in question, without payment of any further consideration, (other than the registration fee prescribed by sub-section (2) of section *sixty-four* of the said Act) the Registrar may, in his discretion, refuse to register any transaction in respect of the stand or lot in question before the person concerned has been registered as the owner of the said stand or lot. Registration of lots for which no conversion price is payable.

Registrateur kan verstrekking van inligting en dokumente gelas.

12. (1) Indien die Registrateur 'n gegronde vermoede het dat iemand—

- (a) in staat is om aan hom gegewens te verstrek wat hom waarskynlik sal help by die verrigting van sy werksaamhede ingevolge hierdie Wet; of
- (b) 'n boek of dokument, wat sodanige gegewens bevat, in sy bewaring of onder sy beheer het; of
- (c) enige dokument wat nodig is in verband met die oordrag van die eiendom van 'n pagperseel ingevolge hierdie Wet, in sy bewaring of onder sy beheer het, of dit kan verkry,

dan kan hy die betrokke persoon skriftelik gelas om aan hom daardie gegewens te verstrek, en wel in 'n vorm wat in die lasbrief voorgeskryf is, of om aan hom die boek of dokument wat daardie gegewens bevat, voor te lê, of om aan hom so 'n dokument wat soos voormeld nodig is, te oorhandig, en wel in elke sodanige geval binne 'n termyn van nie korter as dertig dae vanaf die dag waarop die betrokke persoon die lasbrief ontvang het wat in die lasbrief vasgestel is.

(2) Die Registrateur kan so iemand as vermeld in sub-artikel (1) (a) ook skriftelik gelas om aan hom periodiek met tussenpose wat in die lasbrief vasgestel is, sodanige gegewens as in daardie sub-artikel vermeld, te verstrek.

(3) Die Registrateur kan eis dat gegewens wat ingevolge sub-artikel (1) of (2) aan hom verstrek word of enige ander verklaring wat aan hom vir die toepassing van hierdie Wet voorgelê word, bevestig word deur 'n beëdigde verklaring of gestaaf word deur sodanige dokumente of ander gegewens as wat hy mag voorskryf.

(4) Indien iemand wat so 'n lasbrief as vermeld in sub-artikel (1) of (2), ontvang het, versuim het om op bevredigende wyse daaraan te voldoen, dan is hy aan 'n misdryf skuldig en strafbaar met 'n boete van hoogstens vyftig pond, tensy bewys word dat hy nie aan die betrokke lasbrief kon voldoen nie.

Bestelling van dokumente.

13. Elke skriftelike meedeling ingevolge hierdie Wet kan bestel word deur aflewering aan die persoon aan wie dit gerig is of aan sy verteenwoordiger, of deur dit te laat op die kantoor of by die woning van bedoelde persoon of van sy verteenwoordiger, of deur dit aan bedoelde persoon of sy verteenwoordiger deur die pos te stuur in 'n aangetekende brief wat geadresseer is na sy gewone of laasbekende posadres of verblyfplek, of op so 'n ander wyse as wat die Registrateur mag gelas het.

Regulasies.

14. Die Minister kan regulasies uitvaardig wat nie met hierdie Wet strydig is nie en wat voorskryf—

- (a) hoe die oordrag van die eiendom van 'n pagperseel of die verpanding van daardie eiendom gelyktydig met sy oordrag ingevolge hierdie wet moet geskied;
- (b) watter dokumente in verband met so 'n oordrag of verpanding aan die Registrateur oorhandig moet word, deur wie daardie dokumente verkry en oorhandig moet word en hoe met daardie dokumente gehandel moet word;
- (c) die vorm van enige in hierdie wet vermelde dokument;
- (d) die leges wat aan ooreenkomstig artikel drie aangestelde beëdigde taksateurs betaal moet word:

Met dien verstande dat die Minister sulke regulasies toepaslik kan maak op alle dorpe of op sekere kategorieë van dorpe of op 'n bepaalde dorp of deel van 'n dorp.

Ontheffing van aanspreeklikheid weens handelinge of versuim in die Registrateur se kantoor.

15. Die bepalinge van artikel *negen-en-negentig* van die Registrasie van Aktes Wet, 1937 (Wet No. 47 van 1937) is *mutatis mutandis* van toepassing in verband met enige handeling of versuim van die Registrateur of van enigeen wat in sy kantoor dien, in die uitvoering van hierdie Wet.

Kort titel.

16. Hierdie Wet heet die Wet op Omsetting van Pagbesit in Eiendom, 1952, en tree op die eerste dag van Julie 1952 in werking.

12. (1) If the Registrar has reason to believe that any person—
 (a) is able to give him any information which is likely to assist him in carrying out any of his functions under this Act; or
 (b) has in his custody or under his control any book or document containing such information; or
 (c) has in his custody or under his control, or is able to obtain, any document needed in connection with the transfer of the ownership of a leasehold lot under this Act,

Registrar may call for information and documents.

he may direct the person concerned in writing to furnish that information to him in a form prescribed in the direction, or to submit to him the book or document containing that information, or to deliver to him any such document needed as aforesaid, in each such case within a period determined in the direction which shall not be shorter than thirty days as from the date whereon the person concerned received the direction.

(2) The Registrar may also direct such a person as is mentioned in sub-section (1) (a) in writing, to furnish him periodically at intervals determined in the direction, with any such information as is mentioned in the said sub-section.

(3) The Registrar may require that information furnished to him under sub-section (1) or (2) or that any other statement submitted to him for the purposes of this Act, be verified by affidavit or be supported by such documents or other information as he may prescribe.

(4) If a person who has received a direction mentioned in sub-section (1) or (2), has failed to comply therewith satisfactorily, he shall be guilty of an offence and liable to a fine not exceeding fifty pounds, unless it is proved that he was unable to comply with the direction in question.

13. Any communication in writing under this Act may be served by delivery to the person for whom it is intended or to his representative, or by leaving it at the office or residence of the said person or of his representative, or by sending it by post in a registered letter addressed to the said person or his representative at his usual or last known postal address or place of abode, or in such other manner as the Registrar may have directed.

Service of documents.

14. The Minister may make regulations which are not in conflict with this Act, prescribing—

- (a) the manner in which the transfer of the ownership of a leasehold lot or the hypothecation of such ownership simultaneously with its transfer under this Act, shall be effected;
 (b) the documents which shall be delivered to the Registrar in connection with such a transfer or hypothecation, by whom those documents shall be obtained and delivered and the manner of dealing with such documents;
 (c) the form of any document mentioned in this Act;
 (d) the fees which shall be paid to sworn appraisers appointed in terms of section three:

Provided that the Minister may make any such regulations applicable to all townships or to certain classes of townships or to an individual township or a part of a township.

15. The provisions of section ninety-nine of the Deeds Registries Act, 1937 (Act No. 47 of 1937), shall apply *mutatis mutandis* in connection with any act or omission of the Registrar or of any person employed in his office in administering this Act.

Exemption from liability or acts or omissions in the Registrar's office.

16. This Act shall be called the Conversion of Leasehold to Freehold Act, 1952 and shall come into operation on the first day of July, 1952.

Short title.

Eerste Bylae.

DORPE WAAROP HIERDIE WET VAN TOEPASSING IS.

(Kyk omskrywing van „dorp” in artikel een.)

Albertville-uitbreiding	Jeppestown
Argyll	Klippoortje-landboupersele
Auckland Park	Lakeview Estate
Bellevue-Oos	La Rochelle
Berea	Lorentzville
Blackheath	Luipaardsvlei
Boksburg-Noord	Malvern
Booysen Estate	Maraisburg
Booysens Reserve	Marshallstown
Brixton	Mayfair
City and Suburban	Nieu-Doornfontein
Claremont	Newlands
Denver	Newtown
Doornfontein	Noord-Doornfontein
Elsburg	Ophirton
Fairview	Parktown
Ferreirastown	Rodepoort
Florida	Rodepoort-Noord
Fordsburg	Rosettenville
Forest Hill	Rosettenville-uitbreiding
Georgetown	Springfield
Germiston	Turffontein
Germiston-Oos	Wanderers View Estate
Germiston-Noord	Wes-Turffontein
Germiston-Wes	Wolhuter
Greymont	Yeoville
Houghton Estate	

Tweede Bylae.

Rentekoers wat toegepas moet word by die berekening van die uitgestelde belang in 'n pagperseel. (Kyk omskrywing van „uitgestelde belang” in artikel een.)

Aantal jare in onverstreke deel van pagbesit van pagperseel.	Rentekoers per honderd per jaar.	Aantal jare in onverstreke deel van pagbesit van pagperseel.	Rentekoers per honderd per jaar.	Aantal jare in onverstreke deel van pagbesit van pagperseel.	Rentekoers per honderd per jaar.
1	4.00	8	5.69	15	6.55
2	4.40	9	5.84	16	6.65
3	4.70	10	5.98	17	6.74
4	4.96	11	6.11	18	6.83
5	5.17	12	6.23	19	6.92
6	5.36	13	6.34	20 of meer	7.00
7	5.53	14	6.45		

First Schedule.**TOWNSHIPS TO WHICH THIS ACT APPLIES.**

(See the definition of "township" in section one.)

Albertville Extension	Jeppetown
Argyll	Klippoortje Agricultural Lots
Auckland Park	Lakeview Estate
Bellevue East	La Rochelle
Berea	Lorentzville
Blackheath	Luipaardsvlei
Boksburg North	Malvern
Booysen Estate	Maraisburg
Booysen Reserve	Marshalltown
Brixton	Mayfair
City and Suburban	New Doornfontein
Claremont	Newlands
Denver	Newtown
Doornfontein	North Doornfontein
Elsburg	Ophirton
Fairview	Parktown
Ferreirastown	Rodepoort
Florida	Rodepoort North
Fordsburg	Rosettenville
Forest Hill	Rosettenville Extension
Georgetown	Springfield
Germiston	Turffontein
Germiston East	Wanderers View Estate
Germiston North	West Turffontein
Germiston West	Wolbuter
Greymont	Yeoville
Houghton Estate	

Second Schedule.

Rate of Interest to be applied in calculating Reversionary Interest in a leasehold lot
(See definition of "reversionary interest" in section one.)

Number of years in unexpired part of leasehold title to a lot.	Rate of interest per cent. per annum.	Number of years in unexpired part of leasehold title to a lot.	Rate of interest per cent. per annum.	Number of years in unexpired part of leasehold title to a lot.	Rate of interest per cent. per annum.
1	4.00	8	5.69	15	6.55
2	4.40	9	5.84	16	6.65
3	4.70	10	5.98	17	6.74
4	4.96	11	6.11	18	6.83
5	5.17	12	6.23	19	6.92
6	5.36	13	6.34	20 or more	7.00
7	5.53	14	6.45		

[No. 62, 1952.]

WET

Tot wysiging van die „Zuid Afrika Verdedigings Wet, 1912”, en die „Zuid-Afrika Verdedigings Wet Wijzigings Wet, 1922”, en om vir daarmee in verband staande aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 27 Junie 1952.)

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

Wysiging van artikel 2 van Wet 13 van 1912 soos gewysig deur artikel 1 van Wet 39 van 1947 en artikel 3 van Wet 43 van 1949.

1. Artikel twee van die „Zuid Afrika Verdedigings Wet, 1912” (hieronder die Hoofwet genoem), word hiermee gewysig deur die tweede paragraaf deur die volgende sub-artikels te vervang terwyl die bestaande eerste paragraaf, sub-artikel (1) word:

„(2) Van ieder burger kan vereist worden de in sub-artikel (1) bedoelde oefening in zijn achttiende jaar aan te vangen: Met dien verstande dat van een burger aan wie ten opzichte van enig jaar vóór zijn vijf en twintigste jaar uitstel verleend is, vereist kan worden die oefening in het volgende jaar aan te vangen.

(3) Een burger kan behoudens het bij artikel vijf en vijftig bepaalde, de in sub-artikel (1) bedoelde oefening vrijwillig aanvangen.

(4) Een burger die de in sub-artikel (1) bedoelde oefening in vreedstijd voltooid heeft, kan veroorloofd worden zijn oefening voor zulk verder tijdperk of zulke verdere tijdperken als voorgeschreven kunnen worden, te verlengen.”.

Wysiging van artikel 4 van Wet 13 van 1912 soos gewysig deur artikels 1 en 4 van Wet 43 van 1949.

2. Artikel vier van die Hoofwet word hiermee gewysig deur in paragraaf (a) die woorde „een en twintigste” waar hulle ookal voorkom, deur die woorde „vijf en twintigste” te vervang.

Wysiging van artikel 17 van Wet 13 van 1912 soos gewysig deur artikel 7 van Wet 43 van 1949 en vervang deur artikel 1 van Wet 44 van 1951.

3. Artikel sewentien van die Hoofwet word hiermee gewysig deur aan die end daarvan die volgende sub-artikel by te voeg terwyl die bestaande artikel, sub-artikel (1) word:

„(2) Een lid van de Reserve van Officieren, de Burgermacht Reserve of de Nationale Reserve die ingevolge artikel vier en twintig, zeven en zeventig of negen en zeventig voor dienst opgeroepen is, kan bij de Aktieve Burgermacht gepost worden en wordt terwijl hij op zulke dienst is geacht een lid van bedoelde macht te zijn.”.

Wysiging van artikel 53 van Wet 13 van 1912.

4. Artikel drie-en-vyftig van die Hoofwet word hiermee gewysig deur in sub-artikel (4) die woorde „van enig militair distrikt” en „en in dat distrikt geregistreerd is” te skrap.

Vervanging van artikel 55 van Wet 13 van 1912 soos gewysig deur artikel 15 van Wet 43 van 1949.

5. Artikel vyf-en-vyftig van die Hoofwet word hiermee deur die volgende artikel vervang:

„Vrijwillige inschrijving voor oefening in vreedstijd.

55. (1) Een burger die onder een voorgeschreven leeftijd is of voorgeschreven kwalifikaties bezit en die niet bij loting voor oefening in vreedstijd gekozen is, kan aanzoek doen om voor zodanige oefening ingeschreven te worden door gedurende de maand Januarije van het jaar waarin hij die oefening wenst aan te vangen, voor de registratie-ambtenaar persoonlijk te verschijnen of bij hem een schriftelijke aanzoek voor te leggen.

(2) Zodanige burger kan veroorloofd worden enige eenheid waarin hij wenst te dienen, op te geven en moet zich voor het voorgeschreven medies onderzoek aanmelden en dat onderzoek ondergaan op een tijd en plek aan hem door de registratie-ambtenaar te worden meegedeeld.

(3) De Minister stelt niet later dan de eerste dag van Maart in ieder jaar vast het grootste aantal burgers die in elk militair distrikt op aanzoek overeenkomstig sub-artikel (1) gedaan, voor oefening in vreedstijd aangenomen mogen worden.

[No. 62, 1952.]

ACT

To amend the South Africa Defence Act, 1912, and the South Africa Defence Act Amendment Act, 1922, and to provide for matters incidental thereto.

(Afrikaans text signed by the Governor-General.)
(Assented to 27th June, 1952.)

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

1. Section *two* of the South Africa Defence Act, 1912 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the second paragraph of the following sub-sections, the existing first paragraph becoming sub-section (1):

Amendment of section 2 of Act 13 of 1912 as amended by section 1 of Act 39 of 1947 and section 3 of Act 43 of 1949.

“(2) Every citizen may be required to commence in his eighteenth year, the training referred to in sub-section (1): Provided that a citizen who in respect of any year before his twenty-fifth year has been granted deferment, may be required to commence such training in the following year.

(3) Any citizen may, subject to the provisions of section *fifty-five*, commence voluntarily the training referred to in sub-section (1).

(4) Any citizen who has completed the peace training referred to in sub-section (1), may be permitted to extend his training for such further period or periods as may be prescribed.”

2. Section *four* of the principal Act is hereby amended by the substitution in paragraph (a) for the word “twenty-first” wherever it occurs, of the word “twenty-fifth”.

Amendment of section 4 of Act 13 of 1912 as amended by sections 1 and 4 of Act 43 of 1949.

3. Section *seventeen* of the principal Act is hereby amended by the addition at the end thereof of the following sub-section, the existing section becoming sub-section (1):

Amendment of section 17 of Act 13 of 1912 as amended by section 7 of Act 43 of 1949 and substituted by section 1 of Act 44 of 1951.

“(2) Any member of the Reserve of Officers, the Citizen Force Reserve or the National Reserve who has been called out under section *twenty-four*, *seventy-seven* or *seventy-nine* for service, may be posted to the Active Citizen Force and whilst on such service shall be deemed to be a member of the said Force.”

4. Section *fifty-three* of the principal Act is hereby amended by the deletion in sub-section (4) of the words “of any military district” and the words “and registered in that district”.

Amendment of section 53 of Act 13 of 1912.

5. The following section is hereby substituted for section *fifty-five* of the principal Act:

Substitution of section 55 of Act 13 of 1912 as amended by section 15 of Act 43 of 1949.

“Voluntary entry for peace training.

55. (1) Any citizen who is under a prescribed age or has prescribed qualifications and who has not been selected by ballot for peace training, may apply to be entered for such training by appearing personally before or submitting a written application to the registering officer during the month of January of the year in which he wishes to commence such training.

(2) Any such citizen may be permitted to name any unit in which he wishes to serve and shall present himself for and undergo the prescribed medical examination at a time and place to be notified to him by the registering officer.

(3) The Minister shall not later than the first day of March in every year, fix the maximum number of citizens who may in each military district be accepted for peace training on application made in terms of sub-section (1).

(4) De naam van elke burger die op aanzoek overeenkomstig sub-artikel (1) gedaan voor oefening in vrede-tijd aangenomen is, wordt niet ingesloten in de voorlopige lotingslijst overeenkomstig artikel zes en vijftig ten opzichte van het magistraatsdistrikt waarin die burger geregistreerd is opgemaakt.”.

Vervanging van artikel 56 van Wet 13 van 1912 soos gewysig deur artikel 16 van Wet 43 van 1949.

6. Artikel *ses-en-vyftig* van die Hoofwet word hiermee deur die volgende artikel vervang:

„Voorlopige lotingslijsten.

56. (1) De registratieambtenaar maakt ieder jaar voor ieder magistraatsdistrikt een voorlopige lotingslijst op waarin aangetekend wordt de naam van iedere in dat distrikt geregistreerde burger die—

- (a) in zijn achttiende jaar is en noch niet voor oefening in vrede-tijd opgenomen is;
- (b) overeenkomstig artikel vijf en vijftig aanzoek gedaan heeft om opgenomen te worden doch niet voor oefening in vrede-tijd aangenomen is; of
- (c) tussen zijn negentiende en vijf en twintigste jaren (beide inbegrepen) is en aan wie in het vorige jaar uitstel verleend is.

(2) Iedere voorlopige lotingslijst wordt niet later dan de vijftiende dag van Maart in ieder jaar aangeplakt bij het kantoor van de registratieambtenaar, het magistraatskantoor en ieder politiestation in het distrikt waarvoor het opgemaakt is.”.

Wysiging van artikel 57 van Wet 13 van 1912 soos gewysig deur artikel 17 van Wet 43 van 1949.

7. Artikel *sewe-en-vyftig* van die Hoofwet word hiermee gewysig—

- (a) deur in sub-artikel (1) die woorde „in ieder militair distrikt of sub-distrikt of in een of meer gedeelten van een militair distrikt” te skrap; en
- (b) deur in sub-artikel (2) die woorde „in een militair distrikt of sub-distrikt of in een of meer gedeelten van een militair distrikt” te skrap.

Wysiging van artikel 58 van Wet 13 van 1912.

8. Artikel *agt-en-vyftig* van die Hoofwet word hiermee gewysig—

- (a) deur sub-artikels (1) en (2) deur die volgende sub-artikels te vervang:

„(1) Zo spoedig moegelik na de uitgifte van de in artikel *zeven en vijftig* bedoelde proklamatie doch niet later dan de vijftiende dag van April van het jaar waarin die proklamatie uitgegeven wordt, stelt de Minister een Vrijstellingsraad (hieronder de Raad genoemd) aan die bestaan uit een voorzitter en drie andere leden van wie twee leden van de Unie Verdedigingsmacht zijn en één een lid van de staatsdienst in een Staatsdepartement behalve het Departement van Verdediging om aanzoeken om uitstel en vrijstelling van loting te horen.

(2) De voorzitter van de Raad is een magistraat of een afgetreden lid van de staatsdienst die vóór zijn aftreding voor een onafgebroken tydperk van niet minder dan vijf jaren een aanstelling als magistraat hield.

(2)*bis*. Aan een lid van de Raad die niet een ambtenaar in de staatsdienst is, wordt ten opzichte van zijn dienste, zulke vergoeding en toelagen betaald als de Minister in overlegpleging met de Thesaurie mocht bepalen.”;

- (b) deur in sub-artikel (3) voor die woord „vrijstellingen” waar dit ookal voorkom, die woorde „uitstellen of” in te voeg en in bedoelde sub-artikel die woord „eindlotingslijst” deur die woord „eindlotingslijste” te vervang;

- (c) deur sub-artikel (4) deur die volgende sub-artikel te vervang:

„(4) Een burger wiens naam op een in artikel *zes en vijftig* bedoelde voorlopige lotingslijst verskijnt, kan niet later dan de vijftiende dag van April in het jaar waarin bedoelde lijst opgemaakt wordt, schriftelik bij de registratieambtenaar aanzoek doen om uitstel of vrijstelling van loting, en de registratieambtenaar legt onverwijld zijn aanzoek aan de Raad voor.”;

(4) The name of every citizen who has on application made in terms of sub-section (1) been accepted for peace training, shall not be included in the provisional ballot list prepared in terms of section *fifty-six* in respect of the magisterial district in which such citizen is registered.”.

6. The following section is hereby substituted for section *fifty-six* of the principal Act:

Substitution of section 56 of Act 13 of 1912 as amended by section 16 of Act 43 of 1949.

“Provisional ballot lists.

56. (1) The registering officer shall every year prepare a provisional ballot list for each magisterial district in which shall be entered the name of every citizen registered in that district who—

- (a) is in his eighteenth year and has not yet been entered for peace training;
- (b) has in terms of section *fifty-five*, applied to be entered but has not been accepted for peace training; or
- (c) is between his nineteenth and twenty-fifth years (both inclusive) and has in the previous year been granted deferment.

(2) Every provisional ballot list shall not later than the fifteenth day of March in every year, be posted at the office of the registering officer, the magistrate's office of and every police station in the district for which it is framed.”.

7. Section *fifty-seven* of the principal Act is hereby amended—

Amendment of section 57 of Act 13 of 1912 as amended by section 17 of Act 43 of 1949.

- (a) by the deletion in sub-section (1) of the words “in each military district or sub-district or in any one or more portions of a military district”; and
- (b) by the deletion in sub-section (2) of the words “in a military district or sub-district or in any one or more portions of a military district”.

8. Section *fifty-eight* of the principal Act is hereby amended—

Amendment of section 58 of Act 13 of 1912.

- (a) by the substitution for sub-sections (1) and (2) of the following sub-sections:

“(1) As soon as possible after the issue of the proclamation referred to in section *fifty-seven* but not later than the fifteenth day of April in the year in which such proclamation is issued, the Minister shall appoint an exemption board (hereinafter referred to as the Board) consisting of a chairman and three other members of whom two shall be members of the Union Defence Forces and one a member of the public service in a Department of State other than the Department of Defence to consider applications for deferment and for exemption from ballot.

(2) The chairman of the Board shall be a magistrate or a retired member of the public service who before his retirement held for a continuous period of not less than five years an appointment as magistrate.

(2)*bis*. Any member of the Board who is not an officer in the public service shall be paid such remuneration and allowances in respect of his services as the Minister may in consultation with the Treasury, determine.”;

- (b) by the insertion in sub-section (3) before the word “exemptions” wherever it occurs, of the words “deferments or”, and the substitution in the said sub-section for the word “List” of the word “Lists”;
- (c) by the substitution for sub-section (4) of the following sub-section:

“(4) Any citizen whose name appears on a provisional ballot list referred to in section *fifty-six* may apply in writing not later than the fifteenth day of April in the year in which the said list is framed, to the registering officer for deferment or exemption from ballot and the registering officer shall forthwith refer his application to the Board.”;

- (d) deur in sub-artikel (6) voor die woord „vrijstelling” waar dit ookal voorkom, die woorde „uitstel of” en voor die woord „vrijstellingen” die woorde „uitstellen of” in te voeg en deur aan die end van bedoelde sub-artikel die volgende voorbehoudsbepaling by te voeg:

„Met dien verstande voorts dat de Raad aan een applikant om vrijstelling van loting een uitstel toestaat indien het aan de Raad blijkt dat door dat te doen zodanige ontbering en ongemak vermijden zouden worden.”;

- (e) deur in sub-artikel (7) die woord „Vrijstellingsraden” deur die woorde „de Raad” te vervang;
- (f) deur in sub-artikel (8) die woord „lotingslijst” deur die woord „lotingslijsten” en die woord „eindlotingslijst” deur die woord „eindlotingslijsten” te vervang, en voor die woord „vrijstelling” die woorde „uitstel of” in te voeg; en
- (g) deur in sub-artikel (9) die woord „lijst” in albei plekke waar dit voorkom, deur die woord „lijsten” te vervang.

Wysiging van artikel 59 van Wet 13 van 1912.

9. Artikel *nege-en-vyftig* van die Hoofwet word hiermee gewysig deur in sub-artikel (1) die woord „eindlotingslijst” waar dit ookal voorkom, deur die woord „eindlotingslijsten” en die woord „lijst” deur die woord „lijsten” te vervang en deur in bedoelde sub-artikel na die woord „worden” waar dit die eerste maal voorkom, die woorde „dat de percentage van namen uit elke lijst getrokken zo na mogelijk dezelfde in het geheel van de Unie zal zijn.”.

Wysiging van artikel 60 van Wet 13 van 1912 soos gewysig deur artikel 18 van Wet 43 van 1949.

10. Artikel *sestig* van die Hoofwet word hiermee gewysig deur in sub-artikel (1) na die woord „dienstvak” die woorde „van de Aktieve Burgermacht” in te voeg.

Wysiging van artikel 63 van Wet 13 van 1912.

11. Artikel *drie-en-sestig* van die Hoofwet word hiermee gewysig deur die woorde „in enig militair distrikt of sub-distrikt” te skrap.

Wysiging van artikel 68 van Wet 13 van 1912 soos gewysig deur artikel 19 van Wet 43 van 1949.

12. Artikel *agt-en-sestig* van die Hoofwet word hiermee gewysig deur in sub-artikel (1) die woorde „een en twintigste” deur die woorde „vijf en twintigste” en die woorde „vijf en twintigste” deur die woorde „negen en twintigste” te vervang.

Wysiging van artikel 69 van Wet 13 van 1912.

13. Artikel *nege-en-sestig* van die Hoofwet word hiermee gewysig deur in sub-artikel (1) die woorde „een en twintigste” deur die woorde „vijf en twintigste” en die woorde „vijf en twintigste” deur die woorde „negen en twintigste” te vervang.

Wysiging van artikel 124 van Wet 13 van 1912 soos gewysig deur artikel 9 van Wet 22 van 1922, artikel 4 van Wet 32 van 1932, artikel 32 van Wet 43 van 1949 en artikel 5 van Wet 44 van 1951.

14. Artikel *honderd vier-en-twintig* van die Hoofwet word hiermee gewysig deur na die omskrywing van „Burger” die volgende omskrywing in te voeg:

„„uitstel” betekenende het uitstellen voor een jaar van de aansprakelijkheid van een burger om overeenkomstig artikels *zes en vijftig* en *negen en vijftig* te loten;”.

Wysiging van artikel 6 van Wet 22 van 1922 soos gewysig deur artikel 35 van Wet 43 van 1949.

15. Artikel *ses* van die „Zuid-Afrika Verdedigings Wet Wijzigings Wet, 1922”, word hiermee gewysig deur sub-artikels (2) en (3) deur die volgende sub-artikels te vervang:

„(2) De oefeningskursus in vreedstijd bestaat, behoudens de bepalingen van artikel *zes bis*, uit vier tijdperken van onafgebroken oefening van ten hoogste negen maanden gezamenlijk: Met dien verstande dat het tijdperk van onafgebroken oefening in enig jaar van oefening, niet meer dan drie maanden is.

(3) Benevens de onafgebroken oefening waarvoor in sub-artikel (2) voorziening gemaakt is, kan van ieder lid van de Aktieve Burgermacht vereist worden gedurende zijn tijdperk van oefening zodanige afgebroken oefening van hoogstens zes en twintig dagen gezamenlijk als voorgeschreven mag worden, te ondergaan.

(4) Oefening van burgers die voor oefening in vreedstijd ingeschreven zijn, geschiedt in de eenheden waartoe zij toegewezen zijn of in opleidingsdepôts of ander militaire inrichtingen of gedeeltelijk in zulke eenheden en gedeeltelijk in zulke depôts of inrichtingen als voorgeschreven mogen worden.”.

- (d) by the insertion in sub-section (6) before the word "exemption" wherever it occurs, of the words "deferment or", and before the word "exemptions" of the words "deferments or" and by the addition at the end of the said sub-section of the following proviso:

"Provided further that the Board shall grant a deferment to an applicant for exemption from ballot if it appears to the Board that by doing so, such hardship and inconvenience would be avoided.";

- (e) by the substitution in sub-section (7) for the words "Exemption Boards" of the words "the Board";
- (f) by the substitution in sub-section (8) for the word "List" wherever it occurs, of the word "Lists" and the insertion after the word "grant" of the words "deferment or"; and
- (g) by the substitution in sub-section (9) for the word "list" where it occurs for the first time, of the word "lists" and for the words "that list" of the words "those lists".

9. Section *fifty-nine* of the principal Act is hereby amended by the substitution in sub-section (1) for the word "List" wherever it occurs, of the word "Lists", and for the words "that list" of the words "those lists" and by the insertion in the said sub-section after the word "singly", of the words "that the percentage of names drawn from each list shall as nearly as possible be the same throughout the Union,".

Amendment of
section 59 of
Act 13 of 1912.

10. Section *sixty* of the principal Act is hereby amended by the insertion in sub-section (1) after the word "service" of the words "of the Active Citizen Force".

Amendment of
section 60 of
Act 13 of 1912
as amended by
section 18 of
Act 43 of 1949.

11. Section *sixty-three* of the principal Act is hereby amended by the deletion of the words "in any military district or sub-district".

Amendment of
section 63 of
Act 13 of 1912.

12. Section *sixty-eight* of the principal Act is hereby amended by the substitution in sub-section (1) for the word "twenty-first" of the word "twenty-fifth" and for the word "twenty-fifth" of the word "twenty-ninth".

Amendment of
section 68 of
Act 13 of 1912
as amended by
section 19 of
Act 43 of 1949.

13. Section *sixty-nine* of the principal Act is hereby amended by the substitution in sub-section (1) for the word "twenty-first" of the word "twenty-fifth" and for the word "twenty-fifth" of the word "twenty-ninth".

Amendment of
section 69 of
Act 13 of 1912.

14. Section *one hundred and twenty-four* of the principal Act is hereby amended by the insertion after the definition of "citizen" of the following definition:

Amendment of
section 124 of
Act 13 of 1912
as amended by
section 9 of Act
22 of 1922,
section 4 of
Act 32 of 1932,
section 32 of
Act 43 of 1949
and section 5 of
Act 44 of 1951.

"'deferment' shall mean the deferment for one year of the liability of any citizen to ballot in terms of sections *fifty-six* and *fifty-nine*;"

15. Section *six* of the South Africa Defence Act Amendment Act, 1922 is hereby amended by the substitution for sub-sections (2) and (3) of the following sub-sections:

Amendment of
section 6 of
Act 22 of 1922
as amended by
section 35 of
Act 43 of 1949.

"(2) The course of peace training shall, subject to the provisions of section *six bis*, consist of four periods of continuous training not exceeding nine months in the aggregate: Provided that the period of continuous training in any one training year shall not exceed three months.

(3) In addition to the continuous training provided for in sub-section (2), every member of the Active Citizen Force may be required to undergo during his period of training such non-continuous training not exceeding twenty-six days in the aggregate, as may be prescribed.

(4) Training of citizens who have been entered for peace training shall take place in the units to which they have been allotted or in training depots or other military establishments or partly in such units and partly in such depots or establishments as may be prescribed."

Lotingslyste
in 1953 opgestel.

16. Die registrasie-amptenaar, indien daartoe deur die Minister gelas, sluit in die voorlopige lotingslyste wat in ooreenstemming met die bepalings van die Hoofwet, in die jaar 1953 opgestel word, die name in van burgers in hulle twintigste en een-en-twintigste jaar wat nie vrywilliglik vir vredestrydse oefening ingeskryf is nie en sulke burgers is aan dieselfde verpligtinge onderworpe en het dieselfde regte ten opsigte van vredestrydse oefening, uitstel of vrystelling van loting as burgers wat in hulle agtiende jaar is.

Voorbehoud.

17. Niks in hierdie Wet onthef enige burger daarvan om vir vredestrydse oefening waaraan hy ingevolge die Hoofwet onderhewig sou gewees het indien hierdie Wet nie aangeneem was nie, in te skryf of dit te ondergaan of voltooi nie.

Kort titel en
datum van
inwerkingtreding.

18. Hierdie Wet heet die Wysigingswet op Verdediging, 1952, en tree op die eerste dag van Julie 1952 in werking.

16. The registering officer shall if so directed by the Minister include in the provisional ballot lists prepared in accordance with the provisions of the principal Act, in the year 1953 the names of citizens in their twentieth and twenty-first years who have not voluntarily been entered for peace training and such citizens shall be subject to the same obligations and have the same rights in respect of peace training, deferment or exemption from ballot as citizens who are in their eighteenth year. Ballot prepared in 1953.

17. Nothing in this Act shall absolve any citizen from entering upon, undergoing or completing any peace training to which he would have been subject under the principal Act if this Act had not been passed. Saving.

18. This Act shall be called the Defence Amendment Act, 1952, and shall come into operation on the first day of July, 1952. Short title and date of commencement.