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OFFICE OF THE PRIME MINISTER.

The following Government Notice is published for general information:—

No. 2172.] [7th October, 1953.

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:—

No. 22 of 1953: Archives Act, 1953 ...
No. 34 of 1953: Income Tax Act, 1953 ...

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KANTOOR VAN DIE EERSTE MINISTER.

Onderstaande Goewermentskennisgewing word ter algemene inligting gepubliseer:—

No. 2172.] [7 Oktober 1953.

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:—

BLADSY

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No. 22, 1953.]

ACT

To consolidate and amend the law relating to the custody and control of the public archives of the Union, to provide for the custody and control of the public archives of South-West Africa, and to provide for other incidental matters.

(Afrikaans text signed by the Governor-General.)
(Assented to 24th September, 1953.)

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:—

Definitions.

1. In this Act, unless the context otherwise indicates—
 - (i) “archives” means any records or documents which have, during the conduct of affairs of any kind, been preserved for reference purposes; (i)
 - (ii) “chief archivist” means the officer appointed as such by the Minister under the laws governing the public service; (iii)
 - (iii) “government office” means any department or office of the Union Government, including the South African Railways and Harbours Administration, or any provincial administration or the administration of the territory; (x)
 - (iv) “Minister” means—
 - (a) in section *two*, paragraphs *(b)* and *(d)* of sub-section (1) of section *three*, paragraph *(b)* of sub-section (1) and paragraph *(c)* of sub-section (2) of section *four*, sections *six*, *eight* and *ten*, sub-section (1) of section *twelve*, section *thirteen* and sub-section (2) of section *fourteen*, in so far as they are applicable to the territory, the Administrator of the territory; and
 - (b) in any other provision of this Act, the Minister of Education, Arts and Science; (iv)
 - (v) “provincial public archives” means archives accumulated in any department or office of a provincial administration, and includes, in relation to any province, the archives accumulated in any department or office under a prior administration of that province; (ix)
 - (vi) “public archives” means archives accumulated in any government office and any records, documents or other material of historical value acquired for or deposited in a public archives depot; (vi)
 - (vii) “public archives depot” means any place in which public archives transferred from their offices of origin, or any other records, documents or material acquired for the public archives, may be kept; (v)
 - (viii) “public archives of the territory” means archives accumulated in any department or office of the Administration of South-West Africa, and includes the archives accumulated in any department or office of the German Administration prior to 1915; (vii)
 - (ix) “territory” means the territory of South-West Africa; (ii)
 - (x) “Union public archives” means archives accumulated in any department or office of the Union government. (viii).

Chief archivist.

2. The chief archivist shall, under the directions of the Minister, be charged with the custody, care, control and administration of the public archives.

Establishment and functions of archives commission.

3. (1) The Minister shall appoint a commission to be known as the archives commission, the functions of which shall be—
 - (a) to authorize the destruction of valueless records, documents or other material in any public archives depot or in any government office;

No. 22, 1953.]

WET

Om die wetsbepalings met betrekking tot die bewaring van en beheer oor die openbare argiewe van die Unie saam te vat en te wysig, om vir die bewaring van en beheer oor die openbare argiewe van Suidwes-Afrika voorsiening te maak, en om vir ander bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 24 September 1953.)

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

1. Tensy uit die samehang anders blyk, beteken in hierdie Woordbepaling. Wet—

- (i) „argiewe” alle stukke of dokumente wat in die loop van die bestuur van sake van enige aard vir naslaandoeleindes bewaar is; (i)
- (ii) „gebied” die gebied Suidwes-Afrika; (ix)
- (iii) „hoofargivaris” die amptenaar as sodanig ingevolge die wetsbepalings op die Staatsdiens deur die Minister aangestel; (ii)
- (iv) „Minister”—
 - (a) in artikel *twee*, paragrawe (b) en (d) van sub-artikel (1) van artikel *drie*, paragraaf (b) van sub-artikel (1) en paragraaf (c) van sub-artikel (2) van artikel *vier*, artikels *ses*, *agt* en *tien*, sub-artikel (1) van artikel *twaalf*, artikel *dertien*, en sub-artikel (2) van artikel *veertien*, vir sover hulle in die gebied van toepassing is, die Administrateur van die gebied; en
 - (b) in enige ander bepaling van hierdie wet, die Minister van Onderwys, Kuns en Wetenskap; (iv)
- (v) „openbare argiefdépôt” enige plek waarin openbare argiewe, wat oorgeplaas is uit die kantore waarin daardie argiewe ontstaan het, of ander stukke, dokumente of materiaal wat vir die openbare argiewe verkry is, gehou mag word; (vii)
- (vi) „openbare argiewe” die argiewe wat in enige regeringskantoor geakkumuleer het en alle stukke, dokumente of ander materiaal van geskiedkundige waarde wat vir 'n openbare argiefdépôt verkry of daarin geplaas is; (vi)
- (vii) „openbare argiewe van die gebied” die argiewe wat in enige departement of kantoor van die Administrasie van Suidwes-Afrika geakkumuleer het, met inbegrip van argiewe wat in enige departement of kantoor van die Duitse Administrasie vóór 1915 geakkumuleer het; (viii)
- (viii) „openbare Unie-argiewe” die argiewe wat in enige departement of kantoor van die Unieregering geakkumuleer het; (x)
- (ix) „provinsiale openbare argiewe” die argiewe wat in enige departement of kantoor van 'n provinsiale administrasie geakkumuleer het, en ook, met betrekking tot enige provinsie, die argiewe wat in 'n departement of kantoor onder 'n vorige bestuur van daardie provinsie geakkumuleer het; (v)
- (x) „regeringskantoor” enige departement of kantoor van die Unieregering, met inbegrip van die Suid-Afrikaanse Spoerweg- en Hawensadministrasie, of 'n provinsiale administrasie of die administrasie van die gebied. (iii)

2. Die hoofargivaris is, onderworpe aan die voorskrifte van Hoofargivaris, die Minister, met die bewaring, versorging, beheer en bestuur van die openbare argiewe belas.

3. (1) Die Minister stel 'n kommissie aan, bekend as die Instelling en werksaamhede van argiekommisie, waarvan die werksaamhede is—

- (a) om magtiging te verleen vir die vernietiging van waardelose stukke, dokumente of ander materiaal in enige openbare argiefdépôt of in enige regeringskantoor;

- (b) to make recommendations to the Minister in regard to—
 - (i) the publication of portions of the public archives;
 - (ii) the publication of such theses or other works based on historical research, as may be offered for publication; and
 - (iii) the acquisition of records, documents and other material of historical value for the public archives;
- (c) to supervise the publication of such portions of the public archives and of such theses or other works as may be published; and
- (d) generally to advise the Minister in regard to all matters affecting the public archives.

(2) The archives commission may appoint committees from amongst its members and may delegate to any committee so appointed such of its powers as it may deem fit: Provided that the commission shall not be divested of any power which it has delegated to any such committee.

(3) The archives commission or any committee appointed under sub-section (2) shall have power to co-opt any person as an assessor member to serve on the commission or on such committee, as the case may be, in an advisory capacity.

(4) The archives commission appointed under section *five* of the Public Archives Act, 1922 (Act No. 9 of 1922), shall be deemed to have been appointed under this section.

Depots for public archives.

4. (1) There shall be—

- (a) a "public archives depot"—
 - (i) for Union public archives at the seat of government of the Union;
 - (ii) for provincial public archives at the seat of the provincial administration of the province concerned;
 - (iii) for the public archives of the territory at the seat of the administration of the territory; and
- (b) such other public archives depots as the Minister may direct.

(2) All public archives of the age of thirty years or more, other than such public archives as are in terms of any law required to be kept in the custody of a particular person, which are no longer required for the purposes of any government office, shall be deposited in the appropriate public archives depot: Provided that the Minister may direct—

- (a) that any Union public archives which have a special bearing on the history of any province or of the territory, be deposited in the public archives depot of that province or of the territory; or
- (b) that any provincial public archives which have a bearing on the history of the Union as a whole, be deposited in the Union public archives depot; or
- (c) that for purposes of convenience any public archives be deposited in a public archives depot established on his directions.

(3) The chief archivist may—

- (a) defer the transfer of any public archives to a public archives depot until such time as in his opinion those archives can conveniently be received at that depot;
- (b) allow the deposit in any public archives depot of public archives which are less than thirty years old;
- (c) transfer any public archives temporarily from any public archives depot to another such depot in order to meet the reasonable needs of persons desiring access thereto.

Acquisition of material for public archives depots.

5. (1) Any records, documents or other material of historical value not forming part of the public archives may be acquired for the public archives by purchase, or may with the consent of the chief archivist be acquired by way of donation or on loan for a temporary period or in perpetuity, either unconditionally or subject to such general or special conditions as he may approve of.

(2) Any records, documents or other material acquired under sub-section (1) shall be deposited in the appropriate public archives depot, or, in case of doubt, in such public archives depot as the chief archivist may designate.

Disposal of unsuitable or redundant archives.

6. (1) The chief archivist may with the approval of the Minister, given after consultation with the archives commission, by way of donation, exchange or otherwise dispose of records,

- (b) om by die Minister aanbevelings te doen aangaande—
 - (i) die publikasie van gedeeltes van die openbare argiewe;
 - (ii) die publikasie van tesisse en ander werke, gebaseer op geskiedkundige navorsing, wat vir publikasie aangebied mag word; en
 - (iii) die verkryging van stukke, dokumente en ander materiaal van geskiedkundige waarde vir die openbare argiewe;
- (c) om oor die publikasie van sodanige gedeeltes van die openbare argiewe en van sodanige tesisse of ander werke as wat gepubliseer mag word, toesig te hou; en
- (d) om die Minister oor die algemeen van advies te dien in verband met alle aangeleenthede rakende die openbare argiewe.

(2) Die argiekommisie kan uit sy midde komitees aanstel en na goeddunke van sy bevoegdhede aan 'n aldus aangestelde komitee opdra: Met dien verstande dat die kommissie nie onthef word van 'n bevoegdheid wat hy aan so 'n komitee opgedra het nie.

(3) Die argiekommisie of 'n komitee kragtens sub-artikel (2) aangestel, is bevoeg om enigiemand as 'n assessorlid te koöpteer om in die kommissie of in sodanige komitee, na gelang van die geval, in adviserende hoedanigheid te dien.

(4) Die argiekommisie wat kragtens artikel vyf van die „Publieke Archieven Wet, 1922” (Wet nr. 9 van 1922), aangestel is, word geag kragtens hierdie artikel aangestel te gewees het.

4. (1) Daar moet—

(a) 'n openbare argiefdépôt wees—

- (i) vir openbare Unie-argiewe by die setel van die Unie-regering;
- (ii) vir provinsiale openbare argiewe by die setel van die provinsiale administrasie van die betrokke provinsie;
- (iii) vir openbare argiewe van die gebied by die setel van die administrasie van die gebied; en

(b) sodanige ander openbare argiefdépôts wees as wat die Minister mag gelas.

(2) Alle openbare argiewe wat dertig jaar oud of ouer is (uitgesonderd openbare argiewe wat volgens een of ander Wet deur 'n besondere persoon in bewaring gehou moet word), en wat nie meer vir doeleindes van die een of ander regeringskantoor nodig is nie, moet in die gepaste openbare argiefdépôt geplaas word: Met dien verstande dat die Minister kan gelas—

- (a) dat enige openbare Unie-argiewe wat veral op die geskiedenis van 'n provinsie of van die gebied betrekking het, in die openbare argiefdépôt van daardie provinsie of van die gebied geplaas word; of
- (b) dat enige provinsiale openbare argiewe wat op die geskiedenis van die Unie in sy geheel betrekking het, in die openbare argiefdépôt vir Unie-argiewe geplaas word; of
- (c) dat enige openbare argiewe gerieflikheidshalwe geplaas word in 'n openbare argiefdépôt wat ingevolge sy opdrag ingestel word.

(3) Die hoofargivaris kan—

- (a) die oorplasing van openbare argiewe na 'n openbare argiefdépôt uitstel tot tyd en wyl daardie argiewe volgens sy oordeel gerieflikerwys by daardie dépôt ontvang kan word;
- (b) toelaat dat openbare argiewe wat minder as dertig jaar oud is in 'n openbare argiefdépôt geplaas word;
- (c) openbare argiewe tydelik van een openbare argiefdépôt na 'n ander sodanige dépôt oorplaas ten einde in die redelike behoeftes van persone wat toegang daartoe verlang, te voorsien.

5. (1) Stukke, dokumente of ander materiaal van geskiedkundige waarde wat nie deel van die openbare argiewe uitmaak nie, kan vir die openbare argiewe deur aankoop verkry word, of kan met instemming van die hoofargivaris by wyse van geskenk of in bruikleen verkry word, hetsy tydelik of permanent, onvoorwaardelik of onderworpe aan die algemene of besondere voorwaardes wat hy mag goedkeur.

(2) Stukke, dokumente of materiaal kragtens sub-artikel (1) verkry, word in die gepaste openbare argiefdépôt geplaas, of, ingeval van twyfel, in die openbare argiefdépôt wat deur die hoofargivaris daarvoor aangewys word.

6. (1) Die hoofargivaris kan met goedkeuring van die Minister, verleen na raadpleging met die argiekommisie, by Beskikking oor ongeskikte of oortollige argiewe.

Dépôts vir
openbare
argiewe.

Verkryging van
materiaal vir
openbare
argiefdépôts.

Beskikking oor
ongeskikte of
oortollige
argiewe.

documents or other material forming part of the public archives which are in excess of or unsuitable to the requirements of any public archives depot, to any library, museum or other body, in so far as such disposal is not contrary to the conditions subject to which such records, documents or material were deposited in a public archives depot.

(2) Any records, documents or other material whereof the destruction has been authorized by the archives commission, may be destroyed in accordance with the regulations.

Functions of chief archivist in respect of public archives not kept in public archives depots.

Care and preservation of public archives.

Functions of chief archivist in respect of archives other than public archives.

Accessibility of public archives to public.

Consultation of public archives.

Annual reports by chief archivist and archives commission.

7. The chief archivist may, in consultation with the officer in charge of any government office in which any records or documents are kept, inspect such records or documents, and may give such advice as to the safe custody and preservation thereof as he may deem necessary.

8. The Minister may make such arrangements as he may deem fit to ensure the safe custody of any public archives, and may cause any records or documents forming part of such archives to be repaired, bound or otherwise dealt with as he may deem necessary for the due preservation thereof.

9. The chief archivist may at the request or with the consent of any body or person who is in possession of archives other than public archives, inspect such archives and furnish advice in connection with the custody and preservation thereof, the rendering available thereof to persons desiring access thereto and any other matters in respect of which his advice may be desired.

10. (1) All public archives dating prior to the thirty-first day of May, 1910, kept in Union or provincial public archives depots, and all public archives dating prior to the *de facto* termination of German rule in the territory in 1915, kept in the public archives depot of the territory, and all public archives which are of the age of fifty years or more, kept in any public archives depot, shall, except in so far as is otherwise provided in any law, be accessible to the public in accordance with the regulations and subject to the conditions, if any, under which any such archives were deposited in a public archives depot: Provided that the Minister may direct the chief archivist to withhold access to particular portions of the public archives on the ground of public policy, and that the chief archivist may refuse to allow access to records, documents or material forming part of the public archives if considered necessary on account of the fragile condition thereof, and may refuse to allow access to records, documents or other material pending the classification, repair or other treatment thereof.

(2) There shall be a right of appeal to the Minister against any decision of the chief archivist under sub-section (1) whereby access to public archives is withheld, and the Minister's decision on any such appeal shall be final.

(3) The Minister may upon application by any person in his discretion authorize that person to have access to public archives other than those which are in terms of sub-section (1) required to be made accessible to the public.

11. Subject to the provisions of section *ten* and the regulations, every *bona fide* searcher shall be entitled free of charge to consult such public archives in any public archives depot as are accessible to the public and to make or cause to be made at his own expense copies of or extracts from any such archives or on payment of such fees as may be prescribed by regulation to obtain from the chief archivist such copies or extracts.

12. (1) The chief archivist shall in each year submit to the Minister a report on his activities during the preceding year and the archives commission shall in each year submit to the Minister a report on its activities during the preceding year.

(2) The Minister shall lay copies of every report received by him under sub-section (1), on the Tables of both Houses of Parliament within fourteen days after receipt thereof if Parliament is then in ordinary session, or, if Parliament is not then in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.

materiaal wat deel van die openbare argiewe uitmaak, maar wat oortollig is of nie vir 'n openbare argiefdépôt geskik is nie, van die hand sit aan enige biblioteek, museum of ander liggaaam, vir sover die van die hand sit daarvan nie in stryd is met die voorwaardes waarop daardie stukke, dokumente of materiaal in 'n openbare argiefdépôt geplaas is nie.

(2) Stukke, dokumente of materiaal waarvan die vernietiging deur die argiekommisie gemagtig is, kan volgens voorskrif van die regulasies vernietig word.

7. Die hoofargivaris kan in oorleg met die amptenaar in Werksaamhede bevel van enige regeringskantoor waarin stukke of dokumente gehou word, daardie stukke of dokumente inspekteer, en kan sodanige advies in verband met die bewaring en beveiliging daarvan verleen as wat hy mag nodig ag.

van hoofargivaris ten opsigte van openbare argiewe wat nie in openbare argiefdépôts gehou word nie.

8. Die Minister kan die reëlings tref wat hy goedvind om die veilige bewaring van openbare argiewe te verseker, en kan stukke of dokumente wat deel van sodanige argiewe uitmaak, laat herstel of inbind of andersins daarmee laat handel al na hy vir die behoorlike beveiliging daarvan nodig ag.

9. Die hoofargivaris kan op versoek of met toestemming van Werksaamhede 'n liggaaam of persoon wat ander argiewe as openbare argiewe in sy besit het, daardie argiewe inspekteer en advies verleen in verband met die bewaring en beveiliging daarvan, die beskikbaarstelling daarvan aan persone wat toegang daartoe verlang en enige ander aangeleentheid ten opsigte waarvan sy advies verlang mag word.

10. (1) Alle openbare argiewe wat dagteken voor die een-en-dertigste dag van Mei 1910, in openbare Unie-argiefdépôts of in provinsiale openbare argiefdépôts gehou, en alle openbare argiewe wat dagteken voor die *de facto* beëindiging van die Duitse bestuur oor die gebied in 1915, in die openbare argiefdépôt van die gebied gehou, en alle openbare argiewe wat vyftig jaar oud of ouer is, in enige openbare argiefdépôt gehou, moet, behalwe vir sover in een of ander wet anders bepaal word, vir die publiek toeganklik gestel word volgens voorskrif van die regulasies en onderworpe aan die voorwaardes, as daar is, waarop enige sodanige argiewe in 'n openbare argiefdépôt geplaas is: Met dien verstande dat die Minister aan die hoofargivaris opdrag kan gee om op grond van openbare beleid toegang tot besondere gedeeltes van die openbare argiewe te weier, en dat die hoofargivaris toegang tot stukke, dokumente of materiaal wat deel van die openbare argiewe uitmaak, kan weier indien dit op grond van die brose toestand daarvan nodig geag word, en dat hy toegang tot stukke, dokumente of ander materiaal kan weier tot tyd en wyl dit geklassifiseer of herstel of andersins behandel is.

(2) Daar is 'n reg van appèl na die Minister teen enige beslissing van die hoofargivaris ingevolge sub-artikel (1) waarby toegang tot openbare argiewe geweier word, en die Minister se beslissing oor so 'n appèl is afdoende.

(3) Die Minister kan op versoek van enige persoon na goed-dunke aan daardie persoon die reg gee om toegang te hê tot ander openbare argiewe as die wat ingevolge sub-artikel (1) vir die publiek toeganklik gestel moet word.

11. Behoudens die bepalings van artikel *tien* en die regulasies, is elke *bona fide* navorser geregtig om sonder betaling sodanige openbare argiewe in enige openbare argiefdépôt as wat vir die publiek toeganklik is, te raadpleeg en op eie koste afskrifte daarvan of uittreksels daaruit te maak of te laat maak, of, teen betaling van die geldie wat by regulasie voorgeskryf is, van die hoofargivaris sodanige afskrifte of uittreksels te verkry.

12. (1) Die hoofargivaris moet elke jaar aan die Minister verslag doen aangaande sy werksaamhede gedurende die voor-aflaande jaar, en die argiekommisie moet elke jaar aan die Minister verslag doen aangaande sy werksaamhede gedurende die voorafgaande jaar.

(2) Die Minister moet afskrifte van elke verslag ingevolge sub-artikel (1) deur hom ontvang, in beide Huise van die Parlement ter Tafel lê binne 14 dae na ontvangs daarvan indien die Parlement dan in gewone sitting is, of, indien die Parlement dan nie in gewone sitting is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sitting.

Regulations.

13. The Minister may make regulations, not inconsistent with this Act, with regard to—

- (a) the admission of the public to public archives depots, the consultation by the public of the public archives, and the tariffs of fees to be paid for copies or extracts of records or of documents supplied to, or research undertaken at the request of, any person and the manner in which payment of any such fee shall be effected;
- (b) the disposal of records, documents or material whereof the destruction has been authorized by the archives commission;
- (c) the transfer of public archives from any government office to a public archives depot;
- (d) the meetings of the archives commission and the travelling and subsistence allowances payable to the members thereof who are not members of the public service in connection with their attendance of such meetings; and
- (e) generally the effective administration of this Act.

Offences and penalties.

14. (1) Any person who wilfully or by negligence damages, or otherwise than in accordance with the provisions of this Act or the regulations, removes or destroys, any record, document or other article of historical value which has been deposited in any public archives depot or is in terms of this Act required in due course to be deposited therein, shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds.

(2) The chief archivist may refuse to allow any person convicted of an offence under sub-section (1) to have access to any public archives depot for such period as he may deem fit, subject to an appeal to the Minister, whose decision shall be final.

Delegation of powers.

15. (1) The Minister may delegate to the Secretary for Education, Arts and Science, any of the powers vested in him by this Act, except the powers referred to in sub-section (1) of section *three*, and may at any time withdraw any such delegation.

(2) The Administrator of the territory may delegate to the Secretary for South-West Africa any of the powers vested in him by this Act.

Repeal of Act 9 of 1922.

16. The Public Archives Act, 1922, is hereby repealed: Provided that any regulations made thereunder and in force at the commencement of this Act shall, in so far as they are not inconsistent with this Act, remain in force until repealed or amended by regulations made under this Act.

Application to South-West Africa.

17. This Act and the regulations mentioned in section *sixteen* shall apply also to the territory.

Short title.

18. This Act shall be called the Archives Act, 1953.

13. Die Minister kan regulasies uitvaardig wat nie met hierdie Regulasies. Wet onbestaanbaar is nie, aangaande—

- (a) die toelating van die publiek tot openbare argiefdépôts, die raadpleging van openbare argiewe deur die publiek, en die tarief van die gelde betaalbaar vir afskrifte van of uittreksels uit stukke of dokumente wat verstrek word aan of vir navorsing wat onderneem word op versoek van enige persoon en die wyse waarop betaling van enige sodanige geld moet geskied;
- (b) die beskikking oor stukke, dokumente of materiaal waarvan die vernietiging deur die argiekommisie gemagtig is;
- (c) die oorplasing van openbare argiewe van enige regerings-kantoor na 'n openbare argiefdépôt;
- (d) die vergaderings van die argiekommisie, en die reisen verbyftoelaes betaalbaar aan lede daarvan wat nie lede van die Staatsdiens is nie in verband met hul bywoning van sodanige vergaderings; en
- (e) oor die algemeen die doeltreffende uitvoering van hierdie Wet.

14. (1) Iemand wat opsetlik of deur nalatigheid 'n stuk, dokument of ander artikel van geskiedkundige waarde, wat in 'n openbare argiefdépôt geplaas is of ingevolge hierdie Wet mettertyd daarin geplaas moet word, beskadig, of dit andersins as ooreenkomsdig die bepalings van hierdie Wet of die regulasies verwyder of vernietig, is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens honderd pond.

Misdrywe en strawwe.

(2) Die hoofargivaris kan, vir die tydperk wat hy goedvind, weier om aan iemand wat weens 'n misdryf kragtens sub-artikel (1) veroordeel is, toegang tot enige openbare argiefdépôt te verleen, onderworpe aan appèl na die Minister wie se beslissing finaal is.

15. (1) Die Minister kan van die bevoegdhede deur hierdie Wet aan hom verleent, uitgesonderd die bevoegdhede in sub-artikel (1) van artikel *drie* genoem, aan die Sekretaris van Onderwys, Kuns en Wetenskap oordra, en kan te eniger tyd so 'n oordrag intrek.

Oordrag van bevoegdhede.

(2) Die Administrateur van die gebied kan van die bevoegdhede deur hierdie Wet aan hom verleent, aan die Sekretaris van Suidwes-Afrika oordra.

16. Die „Publieke Archieven Wet, 1922”, word hierby her-roep: Met dien verstande dat regulasies wat ingevolge daarvan uitgevaardig en by die inwerkingtreding van hierdie Wet van krag is, vir sover dit nie met hierdie Wet onbestaanbaar is nie, van krag bly totdat dit deur regulasies, ingevolge hierdie Wet uitgevaardig, herroep of gewysig word.

Herroeping van Wet 9 van 1922.

17. Hierdie Wet en die regulasies vermeld in artikel *sestien* is ook op die gebied van toepassing.

Toepassing op Suidwes-Afrika.

18. Hierdie Wet heet die Wet op Argiewe, 1953.

Kort titel.

No. 34, 1953.

ACT

To fix the rates of normal and super income tax in respect of the year of assessment ended the thirtieth day of June, 1953; to provide for the repayment of certain portions of the aforesaid taxes to the taxpayers concerned and to amend the law relating to income tax.

(Afrikaans text signed by the Governor-General.)
(Assented to 30th September, 1953.)

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:—

Rates of Normal and Super Tax.

1. (1) In terms of sub-section (2) of section five and sub-section (2) of section twenty-three respectively of the Income Tax Act, 1941 (Act No. 31 of 1941), hereinafter referred to as the principal Act, the rates of normal and super tax to be levied for the year of assessment ended the thirtieth day of June, 1953, shall be as follows:

(A) In so far as normal tax is concerned—

(a) in respect of the taxable income (excluding so much as is derived from mining operations carried on in the Union by any company but including so much as the Commissioner determines to be attributable to the inclusion in the gross income derived from mining in the Union for gold of any amount referred to in paragraph (f) of section seven of the principal Act)—

(i) in the case of all companies, for each pound of the taxable income, five shillings and six pence;

(ii) in the case of persons other than companies, for each pound of the taxable income not exceeding sixteen thousand pounds, eighteen pence increased by one one-thousandth of a penny for each pound of such taxable income in excess of one pound, and for each pound of the taxable income over and above sixteen thousand pounds, fifty pence: Provided that for a married person the rate for each pound of the taxable income not exceeding sixteen thousand pounds shall be fifteen pence increased by one one-thousandth of a penny for each pound of such taxable income in excess of one pound, and for each pound of the taxable income over and above sixteen thousand pounds, forty-seven pence: Provided further that there shall be added to the amount of tax calculated in accordance with the preceding provisions of this item (including the foregoing proviso thereto) a sum equal to thirty per centum of the net amount arrived at after deducting the rebates provided for in section thirteen of the principal Act from the amount of the tax so calculated;

(b) in respect of so much of the taxable income as has been derived by any company from mining in the Union for gold (but with the exclusion of so much of the taxable income as the Commissioner determines to be attributable to the inclusion in the gross income of any amount referred to in paragraph (f) of section seven of the principal Act), on each pound of the taxable income a percentage determined in accordance with the formula:

$$y = 63 - \frac{378}{x}$$

No. 34, 1953.

WET

Om die skale van normale en super-inkomstebelasting vas te stel vir die jaar van aanslag wat op die dertigste dag van Junie 1953 geëindig het; om voorsiening te maak vir die terugbetaling aan die betrokke belastingpligtiges van sekere gedeeltes van bogenoemde belastings en om die wetsbepalings betreffende inkomstebelasting te wysig.

(Afrikaanse teks deur die Goewerneur generaal-geteken.)
(Goedgekeur op 30 September 1953.)

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

1. (1) Ooreenkomstig respektiewelik sub-artikel (2) van Skale van artikel vyf en sub-artikel (2) van artikel *drie-en-twintig* van die normale en Inkomstebelastingwet, 1941 (Wet No. 31 van 1941), hieronder die Hoofwet genoem, is die skale van normale en superbelasting wat gehef word oor die jaar van aanslag wat geëindig het op die dertigste dag van Junie 1953, as volg:

(A) Wat normale belasting betref—

- (a) ten opsigte van die belasbare inkomste (met uitsluiting van soveel as wat uit mynwerksamehede wat in die Unie deur 'n maatskappy voortgesit word, verkry is maar met inbegrip van soveel as wat volgens vasstelling van die Kommissaris toe te skryf is aan die inrekening by bruto-inkomste verkry uit die myn van goud in die Unie van 'n in paragraaf (f) van artikel *sewe* van die Hoofwet bedoelde bedrag)
 - (i) in die geval van alle maatskappye, vyf sjielings en ses pennies op elke pond van die belasbare inkomste;
 - (ii) in die geval van ander persone as maatskappye, agtien pennies op elke pond van die belasbare inkomste wat nie meer dan sestien-duisend pond bedra nie, verhoog met een-duisendste van 'n pannie vir elke pond van die belasbare inkomste vir sover dit meer dan sestien-duisend pond bedra nie vyftien pennies is, verhoog met een-duisendste van 'n pannie vir elke pond van die belasbare inkomste wat een pond te boven gaan, en vyftig pennies op elke pond van die belasbare inkomste vir sover dit meer dan sestien-duisend pond bedra nie: Met dien verstande dat die skaal vir 'n getroude persoon op elke pond van die belasbare inkomste wat nie meer dan sestien-duisend pond bedra nie vyftien pennies is, verhoog met een-duisendste van 'n pannie vir elke pond van die belasbare inkomste wat een pond te boven gaan, en sewe-en-veertig pennies op elke pond van die belasbare inkomste vir sover dit meer dan sestien-duisend pond bedra nie: Met dien verstande voorts dat daar by die bedrag van belasting volgens die voorgaande bepalings van hierdie item (met inbegrip van die voorgaande voorbehoudbepaling daarby) bereken, 'n bedrag gevoeg word gelijk aan dertig persent van die netto bedrag wat verkry word nadat die kortings, waarvoor in artikel *dertien* van die Hoofwet voorsiening gemaak word, afgentrek is van die bedrag van belasting aldus bereken;
 - (b) ten opsigte van soveel van die belasbare inkomste as wat deur 'n maatskappy uit die myn van goud in die Unie verkry is (maar met uitsluiting van soveel van die belasbare inkomste as wat volgens vasstelling van die Kommissaris toe te skryf is aan die inrekening by bruto-inkomste van 'n in paragraaf (f) van artikel *sewe* van die Hoofwet bedoelde bedrag), op elke pond van die belasbare inkomste, 'n persentasie vasgestel ooreenkomstig die formule:

$$y = 63 - \frac{378}{x}$$

in which formula (and in the formulae set out in the proviso hereto) y represents such percentage and x the ratio expressed as a percentage which the taxable income so derived (with the said exclusion) bears to the income so derived (with the said exclusion): Provided that if the taxable income so derived (with the said exclusion) does not exceed twenty thousand pounds, the rate of tax shall not exceed a percentage determined in accordance with the formula:

$$y = 20 \left(1 - \frac{6}{x}\right)$$

and if such taxable income exceeds twenty thousand pounds, the rate of tax shall not exceed a percentage determined in accordance with a formula arrived at by adding to the number 20

in the formula $y = 20 \left(1 - \frac{6}{x}\right)$ one for each

completed amount of twelve hundred and fifty pounds by which the said taxable income exceeds twenty thousand pounds;

- (c) in respect of so much of the taxable income as has been derived by any company from mining in the Union for diamonds, for each pound of the taxable income, nine shillings and six pence;
- (d) in respect of so much of the taxable income as has been derived by any company from mining operations (other than mining for gold or diamonds) carried on by such company in the Union, for each pound of the taxable income, six shillings and six pence;
- (e) in respect of so much of the taxable income of any company, the sole or principal business of which in the Union is mining for gold and the determination of the taxable income of which for the period assessed does not result in an assessed loss, as the Commissioner determines to be attributable to the inclusion in its gross income of any amount referred to in paragraph (f) of section *seven* of the principal Act, for each pound so determined to be attributable to the inclusion of any such amount, the amount by which the average rate of normal tax as determined under paragraph (b) of sub-section (2) exceeds the rate prescribed in item (i) of sub-paragraph (a);
- (f) in respect of every person other than a company whose taxable income exceeds four hundred and five pounds in the case of a married person, or two hundred and seventy-five pounds in the case of a person who is not a married person, six pounds: Provided that from the said amount of six pounds there shall not be deducted any of the rebates provided for in section *thirteen* of the principal Act.

(B) In so far as super tax is concerned, for each pound of the income subject to super tax not exceeding sixteen thousand pounds, two shillings increased by one four-hundredth of a penny for each pound of such income subject to super tax in excess of one pound, and for each pound of the income subject to super tax over and above sixteen thousand pounds, eight shillings and eight pence: Provided that there shall be added to the amount of the tax calculated in accordance with the preceding provisions of this paragraph a sum equal to thirty per centum of the net amount arrived at after deducting the rebate provided for in section *twenty-nine* of the principal Act from the amount of the tax so calculated.

(2) (a) For the purposes of paragraph (A) of sub-section (1) income derived from mining in the Union for gold shall include any income derived from silver, osmiridium, uranium, pyrites or other minerals which may be won in the course of the mining for gold, and any income which, in the opinion of the Commissioner, results directly from mining for gold.

in welke formule (asook in die formules in die voorbehoudsbepaling hiervan uiteengesit) y die bedoelde persentasie voorstel en x die verhouding, in 'n persentasie uitgedruk, waarin die aldus verkreë belasbare inkomste (met genoemde uitsluiting) staan tot die aldus verkreë inkomste (met genoemde uitsluiting): Met dien verstande dat indien die aldus verkreë belasbare inkomste (met genoemde uitsluiting) nie meer as twintigduisend pond bedra nie, die belastingskaal nie hoër is nie as 'n persentasie vasgestel ooreenkomsdig die formule:

$$y = 20 \left(1 - \frac{6}{x}\right)$$

en indien bedoelde belasbare inkomste meer as twintigduisend pond bedra, die belastingskaal nie hoër is nie as 'n persentasie vasgestel ooreenkomsdig 'n formule wat verkry word deur die getal 20 in die formule $y = 20 \left(1 - \frac{6}{x}\right)$ te verhoog met een vir elke volle bedrag van twaalfhonderd-en-vyftig pond wat genoemde belasbare inkomste meer as twintigduisend pond bedra;

- (c) ten opsigte van soveel van die belasbare inkomste as wat deur 'n maatskappy uit die myn van diamante in die Unie verkry is, nege sjielings en ses pennies op elke pond van die belasbare inkomste;
 - (d) ten opsigte van soveel van die belasbare inkomste as wat deur 'n maatskappy verkry is uit ander mynwerksaamhede as die myn van goud en diamante wat deur sodanige maatskappy in die Unie voortgesit word, ses sjielings en ses pennies op elke pond van die belasbare inkomste;
 - (e) ten opsigte van soveel van die belasbare inkomste van 'n maatskappy, wie se enigste of vernaamste besigheid in die Unie die myn van goud is en die vasstelling van die belasbare inkomste waarvan vir die tydperk van aanslag nie op 'n vasgestelde verlies uitloop nie, as wat volgens vasstelling van die Kommissaris toe te skryf is aan die inrekening by sy bruto-inkomste van 'n in paragraaf (f) van artikel *sewe* van die Hoofwet bedoelde bedrag, op elke pond wat volgens die vasstelling toe te skryf is aan die inrekening van so 'n bedrag, die bedrag waarby die gemiddelde skaal van normale belasting vasgestel ooreenkomsdig paragraaf (b) van sub-artikel (2) meer is dan die skaal wat in item (i) van sub-paragraaf (a) voorgeskryf word;
 - (f) ten opsigte van iedere ander persoon as 'n maatskappy wie se belasbare inkomste in die geval van 'n getroude persoon, vierhonderd-en-vyf pond te bowe gaan, of, in die geval van 'n persoon wat nie 'n getroude persoon is nie, tweehonderd vyf-en-sewentig pond te bowe gaan, ses pond: Met dien verstande dat daar van genoemde bedrag van ses pond geen van die kortings waarvoor in artikel *dertien* van die Hoofwet voorsiening gemaak word, afgetrek word nie.
- (B) Wat superbelasting betref, op elke pond van die aan superbelasting onderhewige inkomste wat nie meer dan sestieduisend pond bedra nie, twee sjielings verhoog met een-vierhonderdste van 'n pennie vir elke pond van sodanige aan superbelasting onderhewige inkomste wat een pond te bowe gaan, en agt sjielings en agt pennies op elke pond van die aan superbelasting onderhewige inkomste vir sover dit meer dan sestieduisend pond bedra: Met dien verstande dat daar by die bedrag van die belasting volgens die voorgaande bepalings van hierdie paragraaf bereken, 'n bedrag gevoeg word gelyk aan dertig persent van die netto bedrag wat verkry word nadat die korting, waarvoor in artikel *negen-en-twintig* van die Hoofwet voorsiening gemaak word, afgetrek is van die bedrag van belasting aldus bereken.
- (2) (a) Vir die doeleindeste van paragraaf (A) van sub-artikel (1) sluit inkomste uit die myn van goud in die Unie verkry ook inkomste in wat verkry is van silwer, osmiridium, uraan, piriet of ander mineraal wat in die loop van die myn van goud gewin mag word, en enige inkomste wat volgens die mening van die Kommissaris regstreeks uit die myn van goud voortvloeи.

(b) For the purposes of sub-paragraph (e) of paragraph (A) of sub-section (1), the average rate of normal tax shall be determined by dividing the total normal tax (excluding the tax determined in accordance with the said sub-paragraph for the period assessed) paid by the company concerned in respect of its aggregate taxable income from gold mining for the period from the first day of July, 1916, to the end of the period assessed, by the number of the pounds contained in the said aggregate taxable income.

(c) The tax determined in accordance with any one of the sub-paragraphs (a) to (f) of paragraph (A) of sub-section (1), shall be payable in addition to the tax determined in accordance with any other of the said sub-paragraphs.

(3) For the purposes of assessing any tax imposed by a provincial council in the exercise of its powers under the Financial Relations Consolidation and Amendment Act, 1945 (Act No. 38 of 1945), on the incomes of persons and companies, the amounts of normal tax and super tax payable under the Income Tax Acts of the Union by any taxpayer in respect of the year of assessment ended the thirtieth day of June, 1953, shall be deemed to be equal to the respective amounts which would have been payable as normal tax and super tax if the provisions of sub-paragraph (f) of paragraph (A) of sub-section (1) and the provisions relating to the addition referred to in the second proviso to item (ii) of sub-paragraph (a) of the said paragraph and in the proviso to paragraph (B) of the said sub-section had not been enacted.

**Certain portions
of the normal
and super tax to
be repayable to
the taxpayers
concerned.**

2. (1) Notwithstanding the provisions of sub-section (1) of section *five* and sub-section (1) of section *twenty-three* respectively of the principal Act, the following portions of the normal and super tax determined in accordance with the provisions of section *one* of this Act in respect of any person for the year of assessment ended the thirtieth day of June, 1953 (hereinafter referred to as the loan portions of the normal and super tax), shall be repayable to such person in the manner and at the time hereinafter provided—

(a) one-eleventh of the amount of the tax determined in accordance with item (i) of sub-paragraph (a) of paragraph (A) of sub-section (1) of the said section;

(b) one-third of the amount of the surcharge determined in accordance with the second proviso to item (ii) of the aforesaid sub-paragraph;

(c) one-nineteenth of the amount of the tax determined in accordance with sub-paragraph (c) of the aforesaid paragraph;

(d) one-thirteenth of the amount of the tax determined in accordance with sub-paragraph (d) of the aforesaid paragraph;

(e) the full amount of the tax determined in accordance with sub-paragraph (f) of the aforesaid paragraph; and

(f) one-third of the amount of the surcharge determined in accordance with the proviso to paragraph (B) of the aforesaid sub-section.

(2) In any case in which separate notices of assessment are issued to spouses in terms of sub-section (6) of section *sixty-seven* of the principal Act, the husband shall be liable for the full amount of the loan portion of the normal tax determined in accordance with sub-paragraph (f) of paragraph (A) of sub-section (1) of section *one* of this Act and no portion thereof shall be payable by the wife.

(3) (a) The liability for the payment of any unpaid amount of the loan portions of the normal and super tax due by any person shall cease upon the death, insolvency or liquidation (in the case of a company) of that person, and the estate of a deceased or insolvent person or a company in liquidation shall likewise not be liable for the payment of any of the loan portions of the normal and super tax in respect of any income received by or accrued to or in favour of such estate or such company in liquidation: Provided that nothing in this paragraph contained shall be construed as re-

- (b) Vir die doeleindes van sub-paragraaf (e) van paragraaf (A) van sub-artikel (1) word die gemiddelde skaal van normale belasting vasgestel deur die totale normale belasting (met uitsluiting van die belasting ooreenkomstig genoemde sub-paragraaf vir die tydperk van aanslag vasgestel) wat deur die betrokke maatskappy betaal is ten opsigte van sy totale belasbare inkomste uit die myn van goud vir die tydperk vanaf die eerste dag van Julie 1916 tot die end van die tydperk waarvoor aangeslaan word, te deel deur die getal van die ponde wat genoemde totale belasbare inkomste bevat.
- (c) Die belasting ooreenkomstig enige van die sub-paragrawe (a) tot (f) van paragraaf (A) van sub-artikel (1) vasgestel, is betaalbaar benewens die belasting vasgestel ooreenkomstig enige andere van genoemde sub-paragrawe.
- (3) Vir die aanslag van 'n belasting deur 'n provinsiale raad in die uitoefening van sy bevoegdhede kragtens die Konsolidasie- en Wysigingswet op Finansiële Verhoudings, 1945 (Wet No. 38 van 1945), opgelê op inkomste van persone en maatskappye, word die bedrae van normale en superbelasting deur 'n belastingpligtige kragtens die Inkomstbelastingwette van die Unie verskuldig vir die jaar van aanslag wat op die dertigste dag van Junie 1953 geëindig het, geag gelyk te staan met die onderskeie bedrae wat as normale en superbelasting verskuldig sou gewees het as die bepalings van sub-paragraaf (f) van paragraaf (A) van sub-artikel (1) en die bepalings betreffende die byvoeging bedoel in die tweede voorbehoudsbepaling by item (ii) van sub-paragraaf (a) van genoemde paragraaf en in die voorbehoudsbepaling by paragraaf (B) van genoemde sub-artikel, nie wet geword het nie.

2. (1) Ondanks die bepalings van sub-artikel (1) van artikel *vijf* en sub-artikel (1) van artikel *drie-en-twintig* onderskeidelik van die Hoofwet, is die volgende gedeeltes van die normale en superbelasting wat ooreenkomstig die bepalings van artikel *een* van hierdie Wet ten opsigte van enige persoon vir die jaar van aanslag wat op die dertigste dag van Junie 1953 geëindig het, vasgestel is (hieronder die leningsgedeeltes van die normale en superbelasting genoem), aan sodanige persoon op die hieronder bepaalde wyse en tyd terugbetaalbaar—

- (a) een-elfde van die bedrag van die belasting wat ooreenkomstig item (i) van sub-paragraaf (a) van paragraaf (A) van sub-artikel (1) van genoemde artikel vasgestel is;
- (b) een-derde van die bedrag van die ekstra-belasting wat ooreenkomstig die tweede voorbehoudsbepaling by item (ii) van die voormalde sub-paragraaf vasgestel is;
- (c) een-negentiende van die bedrag van die belasting wat ooreenkomstig sub-paragraaf (c) van die voormalde paragraaf vasgestel is;
- (d) een-dertiende van die bedrag van die belasting wat ooreenkomstig sub-paragraaf (d) van die voormalde paragraaf vasgestel is;
- (e) die volle bedrag van die belasting wat ooreenkomstig sub-paragraaf (f) van die voormalde paragraaf vasgestel is; en
- (f) een-derde van die bedrag van die ekstra-belasting wat ooreenkomstig die voorbehoudsbepaling by paragraaf (B) van die voormalde sub-artikel vasgestel is.

(2) In enige geval waarin afsonderlike kennisgewings van aanslag ooreenkomstig die bepalings van sub-artikel (6) van artikel *sewen-en-sestig* van die Hoofwet aan eggenotes uitgereik word, is die man aanspreeklik vir die volle bedrag van die leningsgedeelte van die normale belasting vasgestel ooreenkomstig sub-paragraaf (f) van paragraaf (A) van sub-artikel (1) van artikel *een* van hierdie Wet en is geen gedeelte daarvan deur die vrou betaalbaar nie.

(3) (a) Die aanspreeklikheid vir die betaling van enige onbetaalde bedrag van die leningsgedeeltes van die normale en superbelasting deur 'n persoon verskuldig, verval by die dood, insolvensie of likwidasie (in die geval van 'n maatskappy) van daardie persoon, en die boedel van 'n oorlede of insolvente persoon of 'n maatskappy wat gelikwideer word, is insgelyks nie aanspreeklik vir die betaling van enige van die leningsgedeeltes van die normale en superbelasting ten opsigte van enige inkomste wat ontvang is deur of aan of ten gunste van sodanige boedel of sodanige maatskappy wat gelikwideer word, toegeval het nie: Met dien verstande dat niks in hierdie paragraaf vervat so uitgelê word dat dit 'n trust wat ingevolge die testa-

lieving any trust created under the will of a deceased person from liability for the payment of any of the loan portions of the normal and super tax in respect of any income received by or accrued to or in favour of such trust.

(b) A person to whom the provisions of section *fifteen* of the principal Act apply and who has no recognized agent in the Union other than the master of the ship or the pilot of the aircraft concerned shall not be liable for the payment of any of the loan portions of the normal and super tax in respect of his taxable income determined in accordance with the said provisions.

(c) The loan portion of the normal tax prescribed in item (i) of sub-paragraph (a) of paragraph (A) of sub-section (1) of section *one* of this Act shall not be payable by any company, the sole or principal business of which in the Union is mining for gold, in respect of so much of its taxable income as the Commissioner determines to be attributable to the inclusion in its gross income of any amount referred to in paragraph (f) of section *seven* of the principal Act and for the purpose of sub-paragraph (e) of paragraph (A) of sub-section (1) of section *one* of this Act the rate of tax prescribed in item (i) of the said sub-paragraph (a) shall be deemed to be five shillings for each pound of the taxable income.

(4) The provisions of section *sixty-five* of the principal Act shall not apply in relation to the loan portions of the normal and super tax.

(5) There shall from time to time be paid to the credit of the loan account referred to in the General Loans Consolidation and Amendment Act, 1917 (Act No. 22 of 1917), amounts equal to the amounts which the Commissioner determines to have been collected in respect of the loan portions of the normal and super tax.

(6) (a) The Commissioner shall, at such time as he may decide but not later than the end of the period referred to in paragraph (c), issue to every person who has paid any of the loan portions of the normal and super tax a certificate for the amount so paid by such person.

(b) If any person has failed to pay the full amount due by him in respect of the normal and super tax or in respect of such tax and any interest payable thereon under sub-section (2) of section *eighty-three* of the principal Act, the Commissioner shall appropriate to those portions of the normal and super tax which are not loan portions and to any interest payable as aforesaid, in such order as he may in any particular case determine, so much of the amount paid by such person as may be necessary to discharge his liability in respect of those portions of the normal and super tax which are not loan portions and of such interest and such person shall be entitled to a certificate under paragraph (a) only in respect of the balance (if any) of the amount paid which has not been so appropriated.

(c) A certificate issued in terms of paragraph (a) shall, save in such special circumstances and on such conditions as the Governor-General may prescribe, not be redeemable or transferable until the expiry of a period of five years from the date of payment of the amount in respect of which such certificate has been issued: Provided that where such amount has been paid in instalments, the date of payment of the last of such instalments shall, for the purpose of this paragraph and of paragraph (e), be deemed to be the date of payment of that amount.

(d) After the expiry of the period referred to in paragraph (c), the relevant certificate shall be transferable and may be redeemed forthwith or within such further period as the Governor-General may prescribe.

(e) Any such certificate shall bear simple interest at the rate of four per centum per annum calculated from the date of payment of the amount in respect of which such certificate has been issued, which interest shall not be payable before the date on which the certificate is redeemed.

ment van 'n oorledene ingestel is, vrystel van die aanspreeklikheid vir die betaling van enige van die leningsgedeeltes van die normale en superbelasting ten opsigte van enige inkomste wat ontvang is deur of aan of ten gunste van sodanige trust toegeval het nie.

- (b) 'n Persoon op wie die bepalings van artikel *yf tien* van die Hoofwet van toepassing is en wat geen erkende agent in die Unie het nie, behalwe die kaptein van die betrokke skip of dieloods van die betrokke vliegtuig, is nie aanspreeklik vir die betaling van enige van die leningsgedeeltes van die normale en superbelasting ten opsigte van sy belasbare inkomste wat ooreenkomsdig genoemde bepalings vasgestel is nie.
- (c) Die leningsgedeelte van die normale belasting wat in item (i) van sub-paragraaf (a) van paragraaf (A) van sub-artikel (1) van artikel *een* van hierdie Wet voorgeskryf word, is nie deur 'n maatskappy, wie se enigste of vernaamste besigheid in die Unie die myn van goud is, ten opsigte van soveel van sy belasbare inkomste as wat volgens vasstelling van die Kommissaris toe te skryf is aan die inrekening by sy brutoinkomste van 'n in paragraaf (f) van artikel *sewe* van die Hoofwet bedoelde bedrag betaalbaar nie, en by die toepassing van sub-paragraaf (e) van paragraaf (A) van sub-artikel (1) van artikel *een* van hierdie Wet word die skaal van belasting wat in item (i) van genoemde sub-paragraaf (a) voorgeskryf word, geag vyf sjelings op elke pond van die belasbare inkomste te wees.

(4) Die bepalings van artikel *yf-en-sestig* van die Hoofwet is nie met betrekking tot die leningsgedeeltes van die normale en superbelasting van toepassing nie.

(5) Van tyd tot tyd word daar op krediet van die in die „Algemene Leningen Konsolidasie en Wijzigings Wet, 1917“ (Wet No. 22 van 1917), bedoelde leningsrekening bedrae inbetaal wat gelykstaan aan die bedrae wat volgens vasstelling van die Kommissaris ten opsigte van die leningsgedeeltes van die normale en superbelasting ingevorder is.

(6) (a) Op 'n deur hom bepaalde tydstip, dog nie later nie dan die einde van die in paragraaf (c) bedoelde tydperk, reik die Kommissaris aan iedere persoon wat enige van die leningsgedeeltes van die normale en superbelasting betaal het, 'n sertifikaat uit vir die bedrag aldus deur so 'n persoon betaal.

(b) Indien 'n persoon versuim het om die volle bedrag wat deur hom ten opsigte van die normale en superbelasting of ten opsigte van bedoelde belasting en enige rente wat ingevolge sub-artikel (2) van artikel *drie-en-tagtig* van die Hoofwet daarop betaalbaar is, te betaal, moet die Kommissaris soveel van die bedrag wat deur sodanige persoon betaal is aan daardie gedeeltes van die normale en superbelasting wat nie leningsgedeeltes uitmaak nie en aan enige aldus betaalbare rente, in die rangorde wat hy in 'n bepaalde geval mag bepaal, toewys as wat nodig mag wees tot delging van sy skuld ten opsigte van daardie gedeeltes van die normale en superbelasting wat nie leningsgedeeltes uitmaak nie en van sodanige rente, en is so 'n persoon slegs ten opsigte van die restant (as daar is) van die betaalde bedrag wat nie aldus toegewys is nie, geregtig op 'n sertifikaat ingevolge paragraaf (a).

(c) 'n Ingevolge paragraaf (a) uitgereikte sertifikaat is, behalwe onder die spesiale omstandighede en op die voorwaardes wat die Goewerneur-generaal mag voorskryf, nie voor die verloop van 'n tydperk van vyf jaar vanaf die datum van betaling van die bedrag ten opsigte waarvan die sertifikaat uitgereik is, aflosbaar of oordraagbaar nie: Met dien verstande dat waar sodanige bedrag in paaiemente betaal is, die datum van betaling van die laaste van sodanige paaiemente by die toepassing van hierdie paragraaf en van paragraaf (e) geag word die datum van betaling van daardie bedrag te wees.

(d) Na verloop van die in paragraaf (c) bedoelde tydperk, is die betrokke sertifikaat oordraagbaar en kan dit onmiddellik of binne die verdere tydperk wat die Goewerneur-generaal mag voorskryf, afgelos word.

(e) So 'n sertifikaat gee enkelvoudige rente teen die koers van vier persent per jaar bereken vanaf die datum van betaling van die bedrag ten opsigte waarvan sodanige sertifikaat uitgereik is, welke rente nie voor die datum waarop die sertifikaat afgelos word, betaalbaar is nie.

(f) The provisions of the General Loans Consolidation and Amendment Act, 1917 (Act No. 22 of 1917), shall in so far as they may be applicable and subject to the provisions of this section, *mutatis mutandis* apply in respect of certificates issued in terms of this sub-section.

(7) The Governor-General may make regulations as to all matters which he considers it necessary or expedient to prescribe in order that the purposes of this section may be achieved, and may in such regulations prescribe penalties for any contravention thereof or failure to comply therewith not exceeding a fine of twenty-five pounds.

(8) The provisions of this section shall be deemed to have come into operation on the first day of July, 1953.

Amendment of section 9 of Act 31 of 1941, as amended by section 3 of Act 26 of 1943, section 4 of Act 39 of 1945, section 5 of Act 55 of 1946 and section 4 of Act 45 of 1949.

Amendment of section 10 of Act 31 of 1941, as amended by section 3 of Act 34 of 1942, section 4 of Act 26 of 1943, section 2 of Act 47 of 1944, section 5 of Act 39 of 1945, section 6 of Act 55 of 1946, section 3 of Act 40 of 1948, section 5 of Act 45 of 1949 and section 4 of Act 56 of 1952.

Amendment of section 11 of Act 31 of 1941, as amended by section 4 of Act 34 of 1942, section 5 of Act 26 of 1943, section 6 of Act 39 of 1945, section 7 of Act 55 of 1946, section 4 of Act 40 of 1948, section 6 of Act 45 of 1949 and section 5 of Act 56 of 1952.

3. Section *nine* of the principal Act is hereby amended by the insertion in paragraph (c) of sub-section (1) after the word "Union" where it occurs for the second time of the words "or the South African Tourist Corporation" and by the substitution in the first proviso to the said paragraph for the words "or authority" of the words "authority or Corporation".

4. Section *ten* of the principal Act is hereby amended—

(a) by the insertion in paragraph (p) of sub-section (1) in the Afrikaans text only after the words "verrig het" of the words "buite die Unie" and by the insertion in the said paragraph after the word "Union" where it occurs for the fourth time of the words "or the South African Tourist Corporation" and by the substitution in the said paragraph for the words "or the provincial administration or local authority concerned" of the words "the provincial administration or local authority concerned or the said Corporation"; and

(b) by the insertion after paragraph (s) of the said sub-section of the following paragraph:

"(t) any gratuity (other than a leave gratuity) received by or accrued to any person from public funds upon his retirement from any office or employment under the Government of the Union (including the Railway Administration) or any provincial administration which the Treasury declares to be free of tax;".

5. Section *eleven* of the principal Act is hereby amended—

(a) by the addition at the end of paragraph (d) of sub-section (2) of the following further proviso:

"Provided further that no allowance shall be made under this paragraph in respect of any ship to which the provisions of paragraph (d)*ter* apply;";

(b) by the insertion after paragraph (d)*bis* of the said sub-section of the following paragraphs:

"(d)*ter* in respect of any ship used for the purposes of his trade during the year of assessment by any person referred to in paragraph (a)*ter* of sub-section (1) of section *nine*, an allowance equal to ten per cent. of the cost to such person of such ship: Provided that—

(i) where an allowance under paragraph (d)*quat* has been made to any person in respect of any ship, no allowance shall be made under this paragraph to such person in respect of that ship for the year of assessment in which the ship is for the first time used by such person for the purposes of his trade; and

(ii) the aggregate of all the allowances made to any person in respect of any ship under this paragraph, paragraph (d) or the corresponding provisions of any previous Income Tax Act, and paragraph (d)*quat* shall not exceed the cost to such person of such ship;

(f) Die bepalings van die „Algemene Leningen Konsolidatie en Wijzigings Wet, 1917” (Wet No. 22 van 1917), is vir sover hul toepaslik mag wees en met ingeneming van die bepalings van hierdie artikel, *mutatis mutandis* van toepassing ten opsigte van sertifikate wat ingevolge die bepalings van hierdie sub-artikel uitgereik word.

(7) Die Goewerneur-generaal kan regulasies uitvaardig betreffende alle aangeleenthede wat hy nodig of dienstig ag om voor te skryf vir die bereiking van die oogmerke van hierdie artikel, en kan in sodanige regulasies vir 'n oortreding daarvan of versuim om daaraan te voldoen strawwe voorskryf van hoogstens 'n boete van vyf-en-twintig pond.

(8) Die bepalings van hierdie artikel word geag op die eerste dag van Julie 1953 in werking te getree het.

3. Artikel *nege* van die Hoofwet word hiermee gewysig deur in paragraaf (c) van sub-artikel (1) na die woord „Unie” waar dit vir die tweede maal voorkom die woorde „of die Suid-Afrikaanse Toeristekorporasie” in te voeg en deur in die eerste voorbehoudsbepaling by genoemde paragraaf die woorde „bestuur” te vervang deur die woorde „bestuur of korporasie”.

Wysiging van artikel 9 van Wet 31 van 1941, soos gewysig deur artikel 3 van Wet 26 van 1943, artikel 4 van Wet 39 van 1945, artikel 5 van Wet 55 van 1946 en artikel 4 van Wet 45 van 1949.

4. Artikel *tien* van die Hoofwet word hiermee gewysig—

- (a) deur in paragraaf (p) van sub-artikel (1) in slegs die Afrikaanse teks na die woorde „verrig het” die woorde „buite die Unie” in te voeg en deur in bedoelde paragraaf na die woorde „Unie” waar dit vir die tweede maal voorkom die woorde „of die Suid-Afrikaanse Toeristekorporasie” in te voeg en deur in genoemde paragraaf die woorde „of die betrokke provinsiale administrasie of plaaslike bestuur” te vervang deur die woorde „die betrokke provinsiale administrasie of plaaslike bestuur of bedoelde korporasie”; en
- (b) deur na paragraaf (s) van genoemde sub-artikel die volgende paragraaf in te voeg:
- ,,(i) 'n gratifikasie (behalwe 'n verlofgratifikasie) ontvang deur of toegeval aan 'n persoon uit openbare fondse by sy aftreding uit 'n amp of diens by die Regering van die Unie (met inbegrip van die Spoorwegadministrasie) of 'n provinsiale administrasie en wat die Tesourie vry van belasting verklaar.”.

Wysiging van artikel 10 van Wet 31 van 1941, soos gewysig deur artikel 3 van Wet 34 van 1942, artikel 4 van Wet 26 van 1943, artikel 2 van Wet 47 van 1944, artikel 5 van Wet 39 van 1945, artikel 6 van Wet 55 van 1946, artikel 3 van Wet 40 van 1948, artikel 5 van Wet 45 van 1949 en artikel 4 van Wet 56 van 1952.

5. Artikel *elf* van die Hoofwet word hiermee gewysig—

- (a) deur aan die end van paragraaf (d) van sub-artikel (2) die volgende verdere voorbehoudsbepaling by te voeg: „Met dien verstande voorts dat geen vermindering ingevolge hierdie paragraaf toegestaan word ten opsigte van 'n skip waarop die bepalings van paragraaf (d)*ter* van toepassing is nie;”;
- (b) deur na paragraaf (d)*bis* van genoemde sub-artikel die volgende paragrafe in te voeg:
- ,,(d)*ter* ten opsigte van 'n skip wat gedurende die jaar van aanslag deur 'n in paragraaf (a)*ter* van sub-artikel (1) van artikel *nege* bedoelde persoon vir die doeleindes van sy bedryf gebruik word, 'n vermindering gelyk aan tien persent van die bedrag wat bedoelde skip sodanige persoon gekos het: Met dien verstande dat—
- (i) waar 'n vermindering ingevolge paragraaf (d)*quat* aan 'n persoon ten opsigte van 'n skip toegestaan is, daar geen vermindering ingevolge hierdie paragraaf aan so 'n persoon ten opsigte van daardie skip vir die jaar van aanslag waarin die skip vir die eerste maal deur bedoelde persoon vir die doeleindes van sy bedryf gebruik word, toegestaan word nie; en
- (ii) die totaal van al die verminderings wat ingevolge hierdie paragraaf, paragraaf (d), of die ooreenstemmende bepalings van 'n vorige Inkomstbelastingwet, en paragraaf (d)*quat* aan 'n persoon ten opsigte van 'n skip toegestaan word, die bedrag wat bedoelde skip sodanige persoon gekos het, nie te bove gaan nie;

(d) *quat* if during any year of assessment any person referred to in paragraph (a)_{ter} of sub-section (1) of section nine incurs any expenditure in the building or acquisition of a new ship, or in the acquisition of any ship which is not new and is proved to the satisfaction of the Commissioner of Customs and Excise at all times since its construction to have been maintained in the highest class applicable to a ship of its type, an allowance in respect of that year of assessment equal to forty per cent. of such expenditure if such person satisfies the Commissioner that the ship in question is or will be registered by him in the Union and is or will be used by him for the purposes of his trade as a foreign-going ship (as defined in section two of the Merchant Shipping Act, 1951 (Act No. 57 of 1951)): Provided that—

(i) the provisions of this paragraph shall not apply to any ship the registration of which in the Union in the name of the taxpayer concerned does not or will not constitute its first registration in the Union; and

(ii) if in respect of any year of assessment the Commissioner is no longer satisfied that a ship, in respect of which an allowance has been made under this paragraph (whether in the current or any previous year of assessment), will be registered in the Union or will be used by the taxpayer as aforesaid, or if in any year of assessment any such ship which has been registered in the Union or has been used by the taxpayer as aforesaid, ceases to be so registered or used, so much of the amount of the said allowance as is not in terms of the provisions of sub-section (4) required to be included in the taxpayer's income, less such an amount as would, if this paragraph had not been enacted, have been allowed to the taxpayer by way of deductions (in addition to those actually allowed) under paragraphs (d)_{ter} or (j), either in the current or any previous year of assessment, shall in terms of this proviso be included in the income of the taxpayer for the current year of assessment;";

(c) by the substitution in paragraph (j) of the said sub-section for the expression "paragraph (d)_{bis}" of the words "paragraphs (d)_{bis}, (d)_{ter} and (d)quat"; and

(d) by the addition at the end of the said sub-section of the following paragraph:

"(n) in respect of any expenditure which any person referred to in paragraph (a)_{ter} of sub-section (1) of section nine satisfies the Commissioner that he is likely to incur within five years from the end of the year of assessment in question on repairs to any ship used by him for the purposes of his trade, such an allowance as, notwithstanding the provisions of paragraph (e) of section twelve, the Commissioner, having regard to the estimated costs of such repairs and the date on which they are likely to be incurred, may make each year: Provided that any such allowance in respect of any year of assessment shall be included in the income of the taxpayer for the following year of assessment.".

Amendment of
section 47 of Act
31 of 1941, as
amended by
section 11 of Act
34 of 1942 and
section 15 of Act
56 of 1952.

6. Section forty-seven of the principal Act is hereby amended by the deletion in sub-section (1) of the expression "or (a)_{bis}".

(d) *quat* indien 'n in paragraaf (a)*ter* van sub-artikel (1) van artikel *nege* bedoelde persoon gedurende 'n jaar van aanslag uitgawes aangaan in verband met die bou of verkryging van 'n nuwe skip, of in verband met die verkryging van 'n skip wat nie nuut is nie en ten opsigte waarvan daar tot genoeë van die Kommissaris van Doeane en Aksyns bewys word dat dit te alle tye vanaf die bou daarvan binne die hoogste klas toepaslik op skepe van sy soort in stand gehou is, 'n vermindering ten opsigte van daardie jaar van aanslag gelyk aan veertig persent van bedoelde uitgawes mits sodanige persoon die Kommissaris daarvan oortuig dat die betrokke skip in die Unie geregistreer is of sal word en deur hom vir die doeleindes van sy bedryf as 'n skip op vreemde vaart (soos in artikel *twee* van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), omskryf) gebruik word of gebruik sal word: Met dien verstande dat—

- (i) die bepalings van hierdie paragraaf nie van toepassing is nie op 'n skip die registrasie waarvan in die Unie op naam van die betrokke belastingpligtige nie sy eerste registrasie in die Unie uitmaak of sal uitmaak nie; en
- (ii) indien die Kommissaris ten opsigte van 'n jaar van aanslag nie meer oortuig is dat 'n skip, ten opsigte waarvan 'n vermindering (ditsy in die lopende of in 'n vorige jaar van aanslag) ingevolge hierdie paragraaf gemaak is, in die Unie geregistreer sal wees of deur die belastingpligtige soos voormeld gebruik sal word nie, of indien in 'n jaar van aanslag so 'n skip wat in die Unie geregistreer is of deur die belastingpligtige soos voormeld gebruik is, ophou om aldus geregistreer te wees of gebruik te word, daar ingevolge hierdie voorbehoudbepaling soveel van die bedrag van bedoelde vermindering as wat nie kragtens die bepalings van sub-artikel (4) by die belastingpligtige se inkomste ingerekken moet word nie, min sodanige bedrag as wat, as hierdie paragraaf nie aangeneem was nie, aan die belastingpligtige by wyse van af-trekking (bo en behalwe dié wat werklik toegestaan is) ingevolge paragrawe (d)*ter* of (j), ditsy in die lopende of 'n vorige jaar van aanslag, toegestaan sou gewees het, by die inkomste van die belastingpligtige vir die lopende jaar van aanslag ingerekken word;";

(c) deur in paragraaf (j) van bedoelde sub-artikel die uitdrukking „paragraaf (d)*bis*“ deur die woorde „paragrawe (d)*bis*, (d)*ter* en (d)*quat*“ te vervang; en

(d) deur aan die end van bedoelde sub-artikel die volgende paragraaf by te voeg:

„(n) ten opsigte van uitgawes waaromtrent 'n in paragraaf (a)*ter* van sub-artikel (1) van artikel *nege* bedoelde persoon die Kommissaris oortuig dat hy dit waarskynlik binne vyf jaar vanaf die einde van die betrokke jaar van aanslag aan herstelwerk aan 'n skip wat deur hom vir die doeleindes van sy bedryf gebruik word, sal aangaan, sodanige vermindering as wat, ondanks die bepalings van paragraaf (e) van artikel *twaalf*, die Kommissaris iedere jaar, met die oog op die geraamde koste van sodanige herstelwerk en die datum waarop dit waarskynlik aangegaan sal word, mag toestaan: Met dien verstande dat so 'n vermindering ten opsigte van 'n jaar van aanslag by die inkomste van die belastingpligtige vir die volgende jaar van aanslag ingesluit word.“.

6. Artikel *sewen-en-veertig* van die Hoofwet word hiermee gewysig deur in sub-artikel (1) die uitdrukking „of (a)*bis*“ te skrap.

Wysiging van artikel 47 van Wet 31 van 1941, soos gewysig deur artikel 11 van Wet 34 van 1942 en artikel 15 van Wet 56 van 1952.

Amendment of
section 66 of Act
31 of 1941.

7. (1) Section *sixty-six* of the principal Act is hereby amended by the addition at the end of sub-section (1) of the following:

"and notwithstanding the provisions of sub-section (7) of section *seventy-seven* and sub-section (17) of section *seventy-nine*: Provided that, save to correct any error of calculation or unless he is satisfied that the order in question was obtained by fraud or non-disclosure of material facts, the Commissioner shall not raise an assessment under this sub-section in respect of any amount if any previous assessment made on the person concerned for the year of assessment in question has, in respect of that amount, been amended or reduced pursuant to an order made by a court for hearing income tax appeals constituted under the provisions of this Act or any previous Income Tax Act of the Union.".

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

Amendment of
section 85 of Act
31 of 1941, as
amended by
section 18 of Act
34 of 1942.

8. Section *eighty-five* of the principal Act is hereby amended—

(a) by the deletion in sub-section (1) of all the words after the word "prescribed";
(b) by the addition to the said sub-section of the following paragraph, the existing sub-section becoming paragraph (a):

"(b) If any person fails to pay any tax when it becomes due or is payable by him, the Commissioner may file with the clerk or registrar of any court of competent jurisdiction a statement certified by him as correct and setting forth the amount of the tax so due or payable by that person and such statement shall thereupon have all the effects of, and any proceedings may be taken thereon as if it were, a civil judgment lawfully given in that court in favour of the Commissioner for a liquid debt of the amount specified in the statement.";

(c) by the substitution in sub-section (2) for the words "any amount whatsoever due and payable under this Act shall be recoverable by action in" of the words "a statement for any amount whatsoever may be filed in terms of paragraph (b) of sub-section (1) with the clerk of".

Substitution of
section 86 of Act
31 of 1941.

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

"Correctness of
assessment
cannot be
questioned.
86. It shall not be competent for any person in any proceedings in connection with any statement filed in terms of paragraph (b) of sub-section (1) of section *eighty-five* to question the correctness of any assessment on which such statement is based, notwithstanding that objection and appeal may have been lodged thereto.".

Commencement
of certain
amendments.

10. The amendments effected by sections *three*, *four* and *five* shall be deemed first to have taken effect in respect of assessments for the year of assessment ended upon the thirtieth day of June, 1953.

Short title.

11. This Act shall be called the Income Tax Act, 1953.

7. (1) Artikel *ses-en-sestig* van die Hoofwet word hiermee Wysiging van gewysig deur aan die end van sub-artikel (1) die volgende by artikel 66 van te voeg: Wet 31 van 1941.

„en nieteenstaande die bepalings van sub-artikel (7) van artikel *sewen-en-sewentig* en sub-artikel (17) van artikel *negen-en-sewentig*: Met dien verstande dat, behalwe om 'n fout in die berekening te verbeter of tensy hy oortuig is dat die betrokke bevel deur bedrog of die verswyging van tersaaklike feite verkry is, die Kommissaris nie 'n aanslag ingevolge hierdie sub-artikel ten opsigte van 'n bedrag doen nie as 'n vorige aanslag, wat op die betrokke persoon ten opsigte van die betrokke jaar van aanslag gemaak is, as gevolg van 'n bevel van 'n hof vir die verhoor van inkomstebelastingappelle ingestel ooreenkomsdig die bepalings van hierdie Wet of 'n vorige Inkomstebelasting-wet van die Unie, ten opsigte van daardie bedrag gewysig of verminder is.”.

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

8. Artikel *vyf-en-tagtig* van die Hoofwet word hiermee Wysiging van gewysig— artikel 85 van Wet 31 van 1941, soos gewysig deur artikel 18 van Wet 34 van 1942.

- (a) deur in sub-artikel (1) al die woorde na die woord „plek” te skrap;
- (b) deur aan genoemde sub-artikel die volgende paragraaf by te voeg terwyl die bestaande sub-artikel paragraaf (a) word:
- „(b) Indien 'n persoon versuim om 'n belasting te betaal wanneer dit verskuldig word of deur hom betaalbaar is, kan die Kommissaris by die klerk of griffler van enige bevoegde hof 'n verklaring indien deur hom as juis gesertifiseer en waarin die bedrag van die belasting wat aldus deur daardie persoon verskuldig of betaalbaar is, uiteengesit word en so 'n verklaring het daarna al die gevolge van, en enige geding kan daarop ingestel word asof dit 'n siviele vonnis is wat regtens in daardie hof ten gunste van die Kommissaris gegee is vir 'n likwiede skuld vir die bedrag wat in die verklaring vermeld word.”;
- (c) deur in sub-artikel (2) die woorde „enige bedrag hoegenaamd wat ingevolge hierdie Wet verskuldig en betaalbaar is, ingevorder word by wyse van aksie in” te vervang deur die woorde „'n verklaring ten opsigte van enige bedrag hoegenaamd ingevolge paragraaf (b) van sub-artikel (1) ingedien word by die klerk van”.

9. Artikel *ses-en-tagtig* van die Hoofwet word hiermee deur Vervanging van die volgende artikel vervang:

„Juistheid van aanslag kan nie in twyfel getrek word nie. 86. Niemand is bevoeg om in 'n geding in verband met 'n verklaring wat ingevolge paragraaf (b) van sub-artikel (1) van artikel *vyf-en-tagtig* ingedien is, die juistheid van 'n aanslag waarop sodanige verklaring gegrond is, in twyfel te trek nie, nieteenstaande dat 'n beswaar en appèl daarteen ingedien is.”.

10. Die wysigings deur artikels *drie*, *vier* en *vyf* aangebring, Inwerkingtreding word geag vir die eerste maal in werking te getree het ten opsigte van sekere van aanslae vir die jaar van aanslag wat op die dertigste dag van Junie 1953 geëindig het.

11. Hierdie Wet heet die Inkomstebelastingwet, 1953.

Kort titel.