

EXTRAORDINARY



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### OFFICE OF THE PRIME MINISTER.

The following Government Notice is published for general information:—

No. 1178.]

[10th June, 1955.]

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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### KANTOOR VAN DIE EERSTE MINISTER.

Onderstaande Goewermentskennisgewing word ter algemene inligting gepubliseer:—

No. 1178.]

[10 Junie 1955.]

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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No. 35, 1955.]

# ACT

## To amend the Mission Stations and Communal Reserves Act, 1909, of the Cape of Good Hope.

(English text signed by the Governor-General.)  
(Assented to 8th June, 1955.)

**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:—

Amendment of section 2 of Act 29 of 1909 (Cape), as amended by section 1 of Act 12 of 1949.

1. Section *two* of the Mission Stations and Communal Reserves Act, 1909, of the Cape of Good Hope (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for the definition of "Officer" of the following definition:

"'Officer', in relation to any mission station or communal reserve, shall mean any person appointed—

(a) under sub-section (1) of section *four bis* to be an additional member of the Advisory Board; or

(b) under sub-section (1) of section *five* to be an additional member of the Board of Management,

of that mission station or communal reserve and to preside at its meetings;"; and

(b) by the insertion after the definition of "Officer" of the following definition:

"'Advisory Board' shall mean the body established under this Act to advise the Minister on and to assist him in, the administration of any mission station or communal reserve;".

Amendment of section 4 of Act 29 of 1909 (Cape), as amended by sections 2 and 13 of Act 12 of 1949.

2. Section *four* of the principal Act is hereby amended by the insertion in paragraph (6) after the words "such register" of the words "to appoint an Advisory Board or to direct".

Insertion of sections *4bis* and *4ter* in Act 29 of 1909 (Cape).

3. The following sections are hereby inserted in the principal Act after section *four*:

"Constitution and duties of Advisory Boards. *4bis.* (1) An Advisory Board shall consist of—  
(a) five ordinary members appointed by the Minister; and  
(b) one additional member, who shall be the Magistrate of the District or such other person as the Minister may from time to time, subject to the laws governing the public service, nominate and appoint for the purpose and who shall, when present, preside as Chairman at its meetings.

(2) The ordinary members of an Advisory Board shall hold office for such period as the Minister may determine at the time of their appointment: Provided that the period of office of such a member may be terminated at any time if in the opinion of the Minister there are good reasons for doing so.

(3) It shall be the duty of an Advisory Board to make recommendations to the Minister on all matters submitted to it for consideration and generally to advise the Minister on and to assist him in, the proper administration of the mission station.

Powers of Minister in respect of a mission station for which an Advisory Board has been constituted.

*4ter.* (1) The Minister shall, in respect of any mission station for which an Advisory Board has been constituted, possess all the rights and powers and perform all the duties which are conferred or imposed upon a Board of Management by this Act: Provided that the Minister shall not be obliged to prepare a voters' list for any mission station in terms of sub-section (2)*bis* of section *five* unless and until steps are taken in terms of sub-section (3) of

No. 35, 1955.]

# WET

Om die „Mission Stations and Communal Reserves Act, 1909”,  
van die Kaap die Goeie Hoop, te wysig.

(Engelse teks deur die Goewerneur-generaal geteken.)  
(Goedgekeur op 8 Junie 1955.)

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

1. Artikel twee van die „Mission Stations and Communal Reserves Act, 1909”, van die Kaap die Goeie Hoop (hieronder die Hoofwet genoem), word hiermee gewysig—

(a) deur die omskrywing van „Officer” deur die volgende omskrywing te vervang:

„‘Officer’, in relation to any mission station or communal reserve, shall mean any person appointed—  
(a) under sub-section (1) of section *four bis* to be an additional member of the Advisory Board; or

(b) under sub-section (1) of section *five* to be an additional member of the Board of Management,

of that mission station or communal reserve and to preside at its meetings;” en

(b) deur na die omskrywing van „Officer” die volgende omskrywing in te voeg:

„‘Advisory Board’ shall mean the body established under this Act to advise the Minister on and to assist him in, the administration of any mission station or communal reserve;”.

Wysiging van artikel 2 van Wet 29 van 1909 (Kaap), soos gewysig deur artikel 1 van Wet 12 van 1949.

2. Artikel vier van die Hoofwet word hiermee gewysig deur in paragraaf (6) na die woorde „such register” die woorde „to appoint an Advisory Board or to direct” in te voeg.

Wysiging van artikel 4 van Wet 29 van 1909 (Kaap), soos gewysig deur artikels 2 en 13 van Wet 12 van 1949.

3. Die volgende artikels word hiermee na artikel vier in die Hoofwet ingevoeg:

„Constitution and duties of Advisory Boards.

4*bis*. (1) An Advisory Board shall consist of—

(a) five ordinary members appointed by the Minister; and

(b) one additional member, who shall be the Magistrate of the District or such other person as the Minister may from time to time, subject to the laws governing the public service, nominate and appoint for the purpose and who shall, when present, preside as Chairman at its meetings.

(2) The ordinary members of an Advisory Board shall hold office for such period as the Minister may determine at the time of their appointment: Provided that the period of office of such a member may be terminated at any time if in the opinion of the Minister there are good reasons for doing so.

(3) It shall be the duty of an Advisory Board to make recommendations to the Minister on all matters submitted to it for consideration and generally to advise the Minister on and to assist him in, the proper administration of the mission station.

Powers of Minister in respect of a mission station for which an Advisory Board has been constituted.

4*ter*. (1) The Minister shall, in respect of any mission station for which an Advisory Board has been constituted, possess all the rights and powers and perform all the duties which are conferred or imposed upon a Board of Management by this Act: Provided that the Minister shall not be obliged to prepare a voters’ list for any mission station in terms of sub-section (2)*bis* of section *five* unless and until steps are taken in terms of sub-section (3) of

Invoeging van artikels 4*bis* en 4*ter* in Wet 29 van 1909 (Kaap).

this section for the constitution of a Board of Management for such mission station.

(2) The Minister may delegate any of his rights, powers or duties under sub-section (1) to any officer in the public service.

(3) If at any time the Minister is of opinion that it is desirable that the administration and control of a mission station for which an Advisory Board has been constituted, should be taken over by a Board of Management, he may take or cause to be taken all such steps as may be necessary for the constitution of such a Board of Management in terms of this Act.

(4) When a Board of Management has been constituted in terms of sub-section (3) for any mission station—

- (a) the Advisory Board concerned and the Minister's rights, powers and duties under sub-section (1) in respect of such mission station shall cease to exist;
- (b) anything done by the Minister in the exercise of his rights or powers or the performance of his duties under sub-section (1), in respect of such mission station, shall be deemed to have been done by such Board of Management; and
- (c) any rights acquired or liabilities incurred by the Minister in respect of such mission station in the exercise of his rights or powers or the performance of his duties under sub-section (1) shall vest in such Board of Management."

Amendment of section 5 of Act 29 of 1909 (Cape), as amended by sections 3 and 13 of Act 12 of 1949.

4. Section five of the principal Act is hereby amended—

- (a) by the substitution in sub-section (1) for the words "by and from amongst the registered occupiers" of the words "as provided in sub-section (1)*bis*";

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

"(1)*bis* At the first election of members of a Board of Management (other than a Board which replaces an Advisory Board) the members to be elected shall be elected by and from amongst the Coloured registered occupiers and at any other election the members to be elected shall be elected by and from amongst the persons enrolled as voters as prescribed.";

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

"(2) If the persons entitled to vote at an election fail to elect any member whom they are entitled to elect or to fill any vacancy which has occurred on the Board of Management and which they are entitled to fill, the Minister may appoint such member or fill such vacancy from amongst the persons qualified to be elected as members of such Board.

(2)*bis* The Board of Management shall as soon as may be after the first day of May in each year prepare in the manner prescribed a list of Coloured registered occupiers who are entitled to vote at elections of such Board."; and

- (d) by the substitution in sub-section (3) for the words "shall be for a period of twelve months" of the words "in terms of sub-section (1) shall be for such period (which shall be not less than twelve months) as the Minister may determine at the time of his appointment" and by the substitution in the said sub-section for the words "would, under the provisions of this section" of the words "or enrolled voters, as the case may be, would".

Amendment of section 6 of Act 29 of 1909 (Cape), as amended by sections 4 and 13 of Act 12 of 1949.

5. Section six of the principal Act is hereby amended by the substitution for sub-section (2) of the following sub-sections:

"(2) Every Board of Management shall under its name be a body corporate, capable of suing and being sued in its corporate name and of performing, subject to the provisions of this Act, all such acts as are necessary for or incidental to the exercise of its rights and powers and the performance of its duties.

(2)*bis* A Board of Management shall have power—

- (a) to make, maintain and keep in repair roads (other than proclaimed roads), streets, paths, side walks, culverts and bridges within the limits of the area under its jurisdiction and to provide for the lighting of streets and roads;

this section for the constitution of a Board of Management for such mission station.

(2) The Minister may delegate any of his rights, powers or duties under sub-section (1) to any officer in the public service.

(3) If at any time the Minister is of opinion that it is desirable that the administration and control of a mission station for which an Advisory Board has been constituted, should be taken over by a Board of Management, he may take or cause to be taken all such steps as may be necessary for the constitution of such a Board of Management in terms of this Act.

(4) When a Board of Management has been constituted in terms of sub-section (3) for any mission station—

- (a) the Advisory Board concerned and the Minister's rights, powers and duties under sub-section (1) in respect of such mission station shall cease to exist;
- (b) anything done by the Minister in the exercise of his rights or powers or the performance of his duties under sub-section (1), in respect of such mission station, shall be deemed to have been done by such Board of Management; and
- (c) any rights acquired or liabilities incurred by the Minister in respect of such mission station in the exercise of his rights or powers or the performance of his duties under sub-section (1) shall vest in such Board of Management."

4. Artikel vyf van die Hoofwet word hiermee gewysig—

(a) deur in sub-artikel (1) die woorde „by and from amongst the registered occupiers" deur die woorde „as provided in sub-section (1)*bis*" te vervang;

(b) deur na sub-artikel (1) die volgende sub-artikel in te voeg:

„(1)*bis* At the first election of members of a Board of Management (other than a Board which replaces an Advisory Board) the members to be elected shall be elected by and from amongst the Coloured registered occupiers and at any other election the members to be elected shall be elected by and from amongst the persons enrolled as voters as prescribed."

(c) deur sub-artikel (2) deur die volgende sub-artikels te vervang:

“(2) If the persons entitled to vote at an election fail to elect any member whom they are entitled to elect or to fill any vacancy which has occurred on the Board of Management and which they are entitled to fill, the Minister may appoint such member or fill such vacancy from amongst the persons qualified to be elected as members of such Board.

(2)*bis* The Board of Management shall as soon as may be after the first day of May in each year prepare in the manner prescribed a list of Coloured registered occupiers who are entitled to vote at elections of such Board.”; en

(d) deur in sub-artikel (3) die woorde „shall be for a period of twelve months" deur die woorde „in terms of sub-section (1) shall be for such period (which shall be not less than twelve months) as the Minister may determine at the time of his appointment" te vervang en deur in genoemde sub-artikel die woorde „would, under the provisions of this section" deur die woorde „or enrolled voters, as the case may be, would" te vervang.

5. Artikel ses van die Hoofwet word hiermee gewysig deur sub-artikel (2) deur die volgende sub-artikels te vervang:

“(2) Every Board of Management shall under its name be a body corporate, capable of suing and being sued in its corporate name and of performing, subject to the provisions of this Act, all such acts as are necessary for or incidental to the exercise of its rights and powers and the performance of its duties.

(2)*bis* A Board of Management shall have power—

- (a) to make, maintain and keep in repair roads (other than proclaimed roads), streets, paths, side walks, culverts and bridges within the limits of the area under its jurisdiction and to provide for the lighting of streets and roads;

Wysiging van artikel 5 van Wet 29 van 1909 (Kaap), soos gewysig deur artikels 3 en 13 van Wet 12 van 1949.

Wysiging van artikel 6 van Wet 29 van 1909 (Kaap), soos gewysig deur artikels 4 en 13 van Wet 12 van 1949.

- (b) to provide and maintain for domestic or other purposes, or for both domestic and other purposes, a sufficient supply of water for the inhabitants of the area under its jurisdiction, and to acquire land and water or other rights for that purpose, and to establish, provide, carry out and maintain all necessary waterworks within or outside the area under its jurisdiction for providing and maintaining and from time to time, as may be necessary, augmenting and improving such supply, and for the said purposes to purchase or take over from any person any existing waterworks and to take over and exercise all or any rights, powers, duties or liabilities, legally exercised or possessed by such person in connection with such waterworks, and to do all things necessary for inquiring into and investigating any proposed source of water supply or any scheme for the supply of water;
  - (c) to undertake, carry out or maintain or contract for the undertaking, carrying out or maintenance of a system for the collection, removal and disposal of night-soil, slopwater or household or other refuse within the area under its jurisdiction;
  - (d) to provide and maintain public wash-houses, wash-places and bleaching and drying greens and grounds;
  - (e) to provide and maintain public sanitary conveniences;
  - (f) to provide and maintain public slaughterhouses either within or outside the area under its jurisdiction;
  - (g) to provide and maintain places to be used for the gutting, curing and packing of fish;
  - (h) to provide and maintain dipping tanks;
  - (i) to appoint on such conditions and at such remuneration as it may determine, such servants as it may consider necessary for the effective exercise of its rights and powers and performance of its duties; and
  - (j) subject to the approval of the Minister, to undertake or carry out any work or undertaking not otherwise provided for.
- (2) *ter* (a) A Board of Management may subject to the approval of the Minister, make regulations in the manner prescribed—
- (i) for the prevention and suppression of all nuisances and for the preservation of the public health;
  - (ii) for compelling owners and occupiers of premises to keep such premises free from offensive or unwholesome matter or things;
  - (iii) for preventing the disposal of night-soil, slopwater and decaying and offensive matter in such a manner as to be a danger or injurious to health;
  - (iv) for the protection from pollution of any water used by the public for drinking purposes, or over which the Board of Management has control;
  - (v) for defining and preventing overcrowding and the unhealthy use of dwellings and buildings;
  - (vi) for preventing the occupation or requiring the demolition of such dwellings or buildings as are unhealthy, insanitary or dangerous to life;
  - (vii) for requiring sanitary conveniences for dwellings, cafés and shops and public buildings and for prescribing and regulating the nature, construction and mode of use of such conveniences, and for prohibiting the occupation of dwellings or use of public buildings not provided as prescribed;
  - (viii) for regulating, restricting or preventing the public washing of clothes and other articles in any river, water course or other place, and for establishing or appointing public washing-places and for regulating the use, and prescribing fees for the use thereof, and for preventing the pollution of any river or water course;
  - (ix) for regulating and restricting the killing of animals, the establishment, locality and supervision of slaughterhouses and the disposal of the waste products of slaughtering, and the inspection of slaughterhouses and animals therein and the fixing of fees to be paid for such inspection, and for prohibiting, restricting or regulating the slaughtering of any diseased animal;
  - (x) for regulating the sale and preparation, manufacture, keeping, storing, depositing, conveying, handling and exposure for sale, of food, and for preventing the sale or preparation, manufacture,

- (b) to provide and maintain for domestic or other purposes, or for both domestic and other purposes, a sufficient supply of water for the inhabitants of the area under its jurisdiction, and to acquire land and water or other rights for that purpose, and to establish, provide, carry out and maintain all necessary waterworks within or outside the area under its jurisdiction for providing and maintaining and from time to time, as may be necessary, augmenting and improving such supply, and for the said purposes to purchase or take over from any person any existing waterworks and to take over and exercise all or any rights, powers, duties or liabilities, legally exercised or possessed by such person in connection with such waterworks, and to do all things necessary for inquiring into and investigating any proposed source of water supply or any scheme for the supply of water;
  - (c) to undertake, carry out or maintain or contract for the undertaking, carrying out or maintenance of a system for the collection, removal and disposal of night-soil, slopwater or household or other refuse within the area under its jurisdiction;
  - (d) to provide and maintain public wash-houses, wash-places and bleaching and drying greens and grounds;
  - (e) to provide and maintain public sanitary conveniences;
  - (f) to provide and maintain public slaughterhouses either within or outside the area under its jurisdiction;
  - (g) to provide and maintain places to be used for the gutting, curing and packing of fish;
  - (h) to provide and maintain dipping tanks;
  - (i) to appoint on such conditions and at such remuneration as it may determine, such servants as it may consider necessary for the effective exercise of its rights and powers and performance of its duties; and
  - (j) subject to the approval of the Minister, to undertake or carry out any work or undertaking not otherwise provided for.
- (2)ter (a) A Board of Management may subject to the approval of the Minister, make regulations in the manner prescribed—
- (i) for the prevention and suppression of all nuisances and for the preservation of the public health;
  - (ii) for compelling owners and occupiers of premises to keep such premises free from offensive or unwholesome matter or things;
  - (iii) for preventing the disposal of night-soil, slopwater and decaying and offensive matter in such a manner as to be a danger or injurious to health;
  - (iv) for the protection from pollution of any water used by the public for drinking purposes, or over which the Board of Management has control;
  - (v) for defining and preventing overcrowding and the unhealthy use of dwellings and buildings;
  - (vi) for preventing the occupation or requiring the demolition of such dwellings or buildings as are unhealthy, insanitary or dangerous to life;
  - (vii) for requiring sanitary conveniences to dwellings, cafés and shops and public buildings and for prescribing and regulating the nature, construction and mode of use of such conveniences, and for prohibiting the occupation of dwellings or use of public buildings not provided as prescribed;
  - (viii) for regulating, restricting or preventing the public washing of clothes and other articles in any river, water course or other place, and for establishing or appointing public washing-places and for regulating the use, and prescribing fees for the use thereof, and for preventing the pollution of any river or water course;
  - (ix) for regulating and restricting the killing of animals, the establishment, locality and supervision of slaughterhouses and the disposal of the waste products of slaughtering, and the inspection of slaughterhouses and animals therein and the fixing of fees to be paid for such inspection, and for prohibiting, restricting or regulating the slaughtering of any diseased animal;
  - (x) for regulating the sale and preparation, manufacture, keeping, storing, depositing, conveying, handling and exposure for sale, of food, and for preventing the sale or preparation, manufacture,

keeping, storing, depositing, conveying or exposure for sale of food that is unsound, unwholesome or diseased and for restricting the use, and regulating and prescribing the cleanliness, lighting, ventilation, water supply, drainage and sanitary conveniences of any premises wherein is sold or prepared, manufactured, stored, kept, deposited or exposed for sale any food, and preventing the use for such purposes of any such premises as are unfit therefor;

- (xi) for regulating, restricting or preventing the carrying on of offensive, unhealthy or dangerous trades, and for safeguarding the public health as affected thereby and the health and safety of those engaged therein;
- (xii) for the destruction and prevention of the breeding of any animals or insects known to harbour or convey the infection of, or cause any disease dangerous to man;
- (xiii) for regulating the supply, distribution and use of water under the control or management of the Board of Management (with power to differentiate in regard to water used for different purposes), including—
  - (aa) the quantity of water to be supplied to any lot or holding;
  - (bb) the manner in which, the persons by whom, and the places where connections may be made;
  - (cc) the charges to be paid for the supply of water and the Board's services in connection therewith;
  - (dd) generally for the protection from injury or injurious use of any waterworks, watermains, leadings and fittings of the Board, whether within or outside the area under its jurisdiction; or
  - (ee) the cutting off of water on account of failure to pay any charges made under this paragraph or on account of the contravention of any regulation relating to waste, misuse or contamination of water;
- (xiv) for compelling owners or occupiers of premises which in the opinion of the Board of Management are not provided with a sufficient supply of good water for drinking, domestic or sanitary purposes to take such supply from any pipe or main belonging to the Board that is within a reasonable distance of such premises;
- (xv) for regulating, prohibiting or providing for the closing of cesspits, and for regulating the collection, removal and disposal of night-soil and other offensive or unhealthy matter, including slopwater and domestic refuse, and for regulating the time and manner of removal thereof;
- (xvi) for prescribing the charges to be paid by the owner or occupier of any premises for the collection, removal and disposal of night-soil, slopwater or refuse;
- (xvii) for regulating the use and fixing charges to be made for the use of any public slaughter-place or washing-place established or maintained by the Board of Management;
- (xviii) for regulating and controlling the erection of new and the alteration of existing buildings, for preventing the erection of insanitary, unhealthy and unsuitably situated buildings and for securing stability, the observance of sanitary precautions, the provision of a sufficiency of air space about buildings, the proper lighting and ventilation of buildings and the prevention of fire;
- (xix) for prohibiting the execution, and providing for the alteration, removal or demolition by the owner or by the Board of Management at the cost of the owner, of work in respect of which plans and specifications have not been approved by the Board in accordance with its regulations or which does not comply with the plans and specifications approved by the Board;
- (xx) providing for the securing, repair, alteration, removal or demolition by the owner or by the

keeping, storing, depositing, conveying or exposure for sale of food that is unsound, unwholesome or diseased and for restricting the use, and regulating and prescribing the cleanliness, lighting, ventilation, water supply, drainage and sanitary conveniences of any premises wherein is sold or prepared, manufactured, stored, kept, deposited or exposed for sale any food, and preventing the use for such purposes of any such premises as are unfit therefor;

- (xi) for regulating, restricting or preventing the carrying on of offensive, unhealthy or dangerous trades, and for safeguarding the public health as affected thereby and the health and safety of those engaged therein;
- (xii) for the destruction and prevention of the breeding of any animals or insects known to harbour or convey the infection of, or cause any disease dangerous to man;
- (xiii) for regulating the supply, distribution and use of water under the control or management of the Board of Management (with power to differentiate in regard to water used for different purposes), including—
  - (aa) the quantity of water to be supplied to any lot or holding;
  - (bb) the manner in which, the persons by whom, and the places where connections may be made;
  - (cc) the charges to be paid for the supply of water and the Board's services in connection therewith;
  - (dd) generally for the protection from injury or injurious use of any waterworks, watermains, leadings and fittings of the Board, whether within or outside the area under its jurisdiction; or
  - (ee) the cutting off of water on account of failure to pay any charges made under this paragraph or on account of the contravention of any regulation relating to waste, misuse or contamination of water;
- (xiv) for compelling owners or occupiers of premises which in the opinion of the Board of Management are not provided with a sufficient supply of good water for drinking, domestic or sanitary purposes to take such supply from any pipe or main belonging to the Board that is within a reasonable distance of such premises;
- (xv) for regulating, prohibiting or providing for the closing of cesspits, and for regulating the collection, removal and disposal of night-soil and other offensive or unhealthy matter, including slopwater and domestic refuse, and for regulating the time and manner of removal thereof;
- (xvi) for prescribing the charges to be paid by the owner or occupier of any premises for the collection, removal and disposal of night-soil, slopwater or refuse;
- (xvii) for regulating the use and fixing charges to be made for the use of any public slaughter-place or washing-place established or maintained by the Board of Management;
- (xviii) for regulating and controlling the erection of new and the alteration of existing buildings, for preventing the erection of insanitary, unhealthy and unsuitably situated buildings and for securing stability, the observance of sanitary precautions, the provision of a sufficiency of air space about buildings, the proper lighting and ventilation of buildings and the prevention of fire;
- (xix) for prohibiting the execution, and providing for the alteration, removal or demolition by the owner or by the Board of Management at the cost of the owner, of work in respect of which plans and specifications have not been approved by the Board in accordance with its regulations or which does not comply with the plans and specifications approved by the Board;
- (xx) providing for the securing, repair, alteration, removal or demolition by the owner or by the

Board of Management at the cost of the owner, of buildings or structures which are, or are showing signs of becoming, dangerous or which have fallen into a ruinous or dilapidated condition, and for prohibiting the occupation or use of such buildings or structures until they have been secured, repaired or altered to the satisfaction of the Board;

- (xxi) for prohibiting the erection of buildings considered by the Board of Management to be objectionable by reason of the nature of the building itself or the use to which it is to be put or the locality where it is to be erected;
- (xxii) for regulating the keeping of horses, asses, mules, cattle, goats, sheep or swine, and for prohibiting the use of any stable, cowshed, pen or sty which in the opinion of the Board of Management is unfit, undesirable or objectionable by reason of its locality, construction or manner of use;
- (xxiii) for regulating fish markets and appointing and regulating places to be used for the landing, gutting, curing and packing of fish, for regulating the disposal of refuse from such markets or places and for prescribing the fees payable for the use of such markets and places;
- (xxiv) for preventing the obstruction of any road, street or other public place;
- (xxv) for preventing vehicles from being kept in any such road, street or other public place for an unreasonable time;
- (xxvi) for preventing any inconvenience to the public from animals being allowed to wander about within the limits of the area under the jurisdiction of the Board of Management;
- (xxvii) for preventing the dangerous and mischievous use of explosives or inflammable materials;
- (xxviii) for preventing the making of any unnecessary noises in any street or other public place;
- (xxix) for regulating, controlling, restricting or prohibiting the keeping of vicious or dangerous animals, including the power to provide for the seizure and destruction of such animals;
- (xxx) providing for the prevention and extinguishing of fires;
- (xxxi) for preventing damage to any property to which the inhabitants of the area under the jurisdiction of the Board of Management have a common right and providing for the recovery of compensation for such damage;
- (xxxii) providing for the granting of licences or permits for the making of bricks, or the digging or getting of clay or gravel, or the quarrying of stone, or the cutting of firewood, brushwood, or grass upon the commonage, and for the payment of reasonable fees or dues for such licences or permits;
- (xxxiii) providing for the management, protection and control of the commonage and the preservation of all vegetation thereon;
- (xxxiv) for conferring special privileges of keeping and depasturing livestock on the commonage on butchers, dairymen and traders and prescribing the fees payable therefor;
- (xxxv) for the granting of temporary grazing rights to travellers or carriers or other persons visiting or passing through the mission station and prescribing the fees payable therefor;
- (xxxvi) providing for the impounding of all animals trespassing on the commonage;
- (xxxvii) providing for the planting and preserving of trees and shrubs and preventing injury thereto;
- (xxxviii) for preventing or restricting bill-posting and advertising and for preventing the disfiguring by advertising and bill-posting of walls, fences, buildings, lands, rocks, trees or other natural features;
- (xxxix) for preventing any person or vehicle from conveying any article, burden or load so as to obstruct or incommode pedestrians or vehicles in or on any street, sidewalk or foot pavement and for preventing the riding or leading of any animal, and the wheeling of wheelbarrows, cycles or

Board of Management at the cost of the owner, of buildings or structures which are, or are showing signs of becoming, dangerous or which have fallen into a ruinous or dilapidated condition, and for prohibiting the occupation or use of such buildings or structures until they have been secured, repaired or altered to the satisfaction of the Board;

- (xxi) for prohibiting the erection of buildings considered by the Board of Management to be objectionable by reason of the nature of the building itself or the use to which it is to be put or the locality where it is to be erected;
- (xxii) for regulating the keeping of horses, asses, mules, cattle, goats, sheep or swine, and for prohibiting the use of any stable, cowshed, pen or sty which in the opinion of the Board of Management is unfit, undesirable or objectionable by reason of its locality, construction or manner of use;
- (xxiii) for regulating fish markets and appointing and regulating places to be used for the landing, gutting, curing and packing of fish, for regulating the disposal of refuse from such markets or places and for prescribing the fees payable for the use of such markets and places;
- (xxiv) for preventing the obstruction of any road, street or other public place;
- (xxv) for preventing vehicles from being kept in any such road, street or other public place for an unreasonable time;
- (xxvi) for preventing any inconvenience to the public from animals being allowed to wander about within the limits of the area under the jurisdiction of the Board of Management;
- (xxvii) for preventing the dangerous and mischievous use of explosives or inflammable materials;
- (xxviii) for preventing the making of any unnecessary noises in any street or other public place;
- (xxix) for regulating, controlling, restricting or prohibiting the keeping of vicious or dangerous animals, including the power to provide for the seizure and destruction of such animals;
- (xxx) providing for the prevention and extinguishing of fires;
- (xxxi) for preventing damage to any property to which the inhabitants of the area under the jurisdiction of the Board of Management have a common right and providing for the recovery of compensation for such damage;
- (xxxii) providing for the granting of licences or permits for the making of bricks, or the digging or getting of clay or gravel, or the quarrying of stone, or the cutting of firewood, brushwood, or grass upon the commonage, and for the payment of reasonable fees or dues for such licences or permits;
- (xxxiii) providing for the management, protection and control of the commonage and the preservation of all vegetation thereon;
- (xxxiv) for conferring special privileges of keeping and depasturing livestock on the commonage on butchers, dairymen and traders and prescribing the fees payable therefor;
- (xxxv) for the granting of temporary grazing rights to travellers or carriers or other persons visiting or passing through the mission station and prescribing the fees payable therefor;
- (xxxvi) providing for the impounding of all animals trespassing on the commonage;
- (xxxvii) providing for the planting and preserving of trees and shrubs and preventing injury thereto;
- (xxxviii) for preventing or restricting bill-posting and advertising and for preventing the disfiguring by advertising and bill-posting of walls, fences, buildings, lands, rocks, trees or other natural features;
- (xxxix) for preventing any person or vehicle from conveying any article, burden or load so as to obstruct or incommode pedestrians or vehicles in or on any street, sidewalk or foot pavement and for preventing the riding or leading of any animal, and the wheeling of wheelbarrows, cycles or

vehicles, other than perambulators or bath chairs, on any sidewalk or foot pavement, except for the purpose of crossing the same to or from any house or building, and for prohibiting the throwing of fruit peelings or other matter likely to be dangerous to pedestrians on to any street, road, footpath, sidewalk, foot pavement or thoroughfare which the public have the right to use;

- (xl) for regulating traffic, processions, performances, singing, dancing and gatherings in streets and other public places, and for the maintenance of order in streets and other public places, and for regulating the temporary closing for the purposes of repairs or festivities or on account of cases of serious illness, of any streets or other public places, or portions thereof;
  - (xli) for regulating the use of dipping tanks provided or maintained by the Board of Management and for prescribing the fees payable for the use thereof;
  - (xlii) in regard to any matter in relation to which the Minister has, in terms of paragraph (3) of section *sixteen*, conferred the power or imposed the duty on such Board of Management to make regulations;
  - (xliii) generally for the maintenance and furtherance of peace, order and good rule and government and for the protection, welfare, convenience, comfort and safety of the inhabitants, and for fixing charges for any service rendered by the Board of Management in connection therewith.
- (b) The Minister may make and publish in the *Gazette* standard regulations on any or all of the matters in regard to which a Board of Management may make regulations.
  - (c) Subject to compliance with any provisions which may be prescribed, standard regulations or, where they are divided into parts, any part thereof may be adopted without variation by a Board of Management as regulations for the area under its jurisdiction: Provided that for the purpose of identifying standard regulations and in promulgating as regulations of the area, standard regulations adopted by the Board thereof, it shall be sufficient to refer to the number and date of the notice under which such standard regulations were published.
  - (d) If any Board of Management fails to make, or if made, to alter or revoke such regulations under paragraph (a) or section *seventeen* as in the opinion of the Minister are, or in such manner as, in his opinion, may be necessary or expedient, the Minister may give notice to the Board of such default and direct it to make, alter or revoke such regulations.
  - (e) If such Board fails to comply with such direction within three months after receipt thereof, the Minister may by notice in the *Gazette* make, alter or revoke such regulations as aforesaid as he may consider necessary.
  - (f) Any regulations made, altered or revoked by the Minister under paragraph (e) shall be deemed to have been made, altered or revoked by the Board concerned."

Amendment of section 11 of Act 29 of 1909 (Cape).

6. Section *eleven* of the principal Act is hereby amended by the substitution in the proviso thereto for the word "two" of the word "four".

Insertion of section 13*bis* in Act 29 of 1909 (Cape).

7. The following section is hereby inserted in the principal Act after section *thirteen*:

"Pro-specting or mining on mission stations.

13*bis*. (1) Notwithstanding anything contained in any other law in regard to prospecting or mining for precious stones or precious or base minerals, no person shall carry on any prospecting or mining operations on any mission station except with the consent of the Minister and on such terms and conditions and subject to such restrictions as he may, after consultation with the Minister of Mines, determine.

(2) Any person who contravenes the provisions of sub-section (1) shall be guilty of an offence and

vehicles, other than perambulators or bath chairs, on any sidewalk or foot pavement, except for the purpose of crossing the same to or from any house or building, and for prohibiting the throwing of fruit peelings or other matter likely to be dangerous to pedestrians on to any street, road, footpath, sidewalk, foot pavement or thoroughfare which the public have the right to use;

- (xl) for regulating traffic, processions, performances, singing, dancing and gatherings in streets and other public places, and for the maintenance of order in streets and other public places, and for regulating the temporary closing for the purposes of repairs or festivities or on account of cases of serious illness, of any streets or other public places, or portions thereof;
  - (xli) for regulating the use of dipping tanks provided or maintained by the Board of Management and for prescribing the fees payable for the use thereof;
  - (xlii) in regard to any matter in relation to which the Minister has, in terms of paragraph (3) of section *sixteen*, conferred the power or imposed the duty on such Board of Management to make regulations;
  - (xliii) generally for the maintenance and furtherance of peace, order and good rule and government and for the protection, welfare, convenience, comfort and safety of the inhabitants, and for fixing charges for any service rendered by the Board of Management in connection therewith.
- (b) The Minister may make and publish in the *Gazette* standard regulations on any or all of the matters in regard to which a Board of Management may make regulations.
- (c) Subject to compliance with any provisions which may be prescribed, standard regulations or, where they are divided into parts, any part thereof may be adopted without variation by a Board of Management as regulations for the area under its jurisdiction: Provided that for the purpose of identifying standard regulations and in promulgating as regulations of the area, standard regulations adopted by the Board thereof, it shall be sufficient to refer to the number and date of the notice under which such standard regulations were published.
- (d) If any Board of Management fails to make, or if made, to alter or revoke such regulations under paragraph (a) or section *seventeen* as in the opinion of the Minister are, or in such manner as, in his opinion, may be necessary or expedient, the Minister may give notice to the Board of such default and direct it to make, alter or revoke such regulations.
- (e) If such Board fails to comply with such direction within three months after receipt thereof, the Minister may by notice in the *Gazette* make, alter or revoke such regulations as aforesaid as he may consider necessary.
- (f) Any regulations made, altered or revoked by the Minister under paragraph (e) shall be deemed to have been made, altered or revoked by the Board concerned."

6. Artikel *elf* van die Hoofwet word hiermee gewysig deur in die voorbehoudsbepaling daarby die woord „two” deur die woord „four” te vervang.

Wysiging van artikel 11 van Wet 29 van 1909 (Kaap).

7. Die volgende artikel word hiermee na artikel *dertien* van die Hoofwet ingevoeg:

„Pro-specting or mining on mission stations.

13*bis*. (1) Notwithstanding anything contained in any other law in regard to prospecting or mining for precious stones or precious or base minerals, no person shall carry on any prospecting or mining operations on any mission station except with the consent of the Minister and on such terms and conditions and subject to such restrictions as he may, after consultation with the Minister of Mines, determine.

(2) Any person who contravenes the provisions of sub-section (1) shall be guilty of an offence and

Invoeging van artikel 13*bis* in Wet 29 van 1909 (Kaap).

liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months.

(3) The provisions of this section shall not, in respect of persons who were lawfully carrying on mining or prospecting operations on any mission station on the twentieth day of May, 1955, come into operation before the twentieth day of May, 1956."

Amendment of section 16 of Act 29 of 1909 (Cape), as amended by sections 8 and 13 of Act 12 of 1949.

8. Section *sixteen* of the principal Act is hereby amended—

(a) by the insertion after paragraph (1) of the following paragraph:

"(1)*bis* For prescribing—

- (a) the qualifications and disqualifications of voters;
- (b) the manner of compilation of voters' lists;
- (c) the method in which and the times at which members of the Board of Management shall be elected;
- (d) the circumstances in which elected members of the Board of Management and members appointed by the Minister in terms of sub-section (2) of section *five* shall vacate their seats;
- (e) the tenure of office of elected members of the Board of Management and members appointed by the Minister in terms of sub-section (2) of section *five* and the method in which vacancies shall be filled;"

(b) by the insertion in paragraph (6) after the word "Management" of the words "or the Advisory Board, as the case may be";

(c) by the insertion after paragraph (9) of the following paragraph:

"(9)*bis* For prescribing the procedure to be followed in connection with the adoption by the Board of Management of any standard regulations;"

(d) by the deletion at the end of paragraph (10) of the word "and"; and

(e) by the insertion after paragraph (10) of the following paragraph:

"(10)*bis* For the prohibition, control or regulation of gatherings or assemblies of persons on the mission station; and"

Amendment of section 17 of Act 29 of 1909 (Cape), as amended by section 13 of Act 12 of 1949.

9. Section *seventeen* of the principal Act is hereby amended by the insertion after the word "commonage" where it occurs for the first time of the words "of the mission station or any part" and by the insertion after the word "commonage" where it occurs for the second time of the words "or any part thereof".

Validation of certain matters.

10. (1) Anything purporting to have been done by the Governor-General, any Minister or the Administrator of the province of the Cape of Good Hope by virtue of the provisions of sub-section (2) of section *five* or of sub-section (2) of section *six* of the principal Act before the date of commencement of this Act, shall be deemed to have been validly done.

(2) Any regulations purporting to have been made under the principal Act and in existence at the date of commencement of this Act shall be deemed to have been made under the principal Act as amended by this Act.

(3) Any Board of Management of a mission station or communal reserve purporting to have been constituted under the principal Act and in existence at the date of commencement of this Act shall be deemed to have been constituted in terms of the principal Act as amended by this Act.

Amendments not to affect certain mission stations.

11. Notwithstanding anything contained in this Act, the provisions of the principal Act shall continue to apply in respect of the mission stations of Shiloh in the district of Queenstown and Goschen in the district of Cathcart as if this Act had not been passed.

Short title.

12. This Act shall be called the Coloured Mission Stations and Reserves Amendment Act, 1955, and shall come into operation on a date to be fixed by the Governor-General by proclamation in the *Gazette*.

liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months.

(3) The provisions of this section shall not, in respect of persons who were lawfully carrying on mining or prospecting operations on any mission station on the twentieth day of May, 1955, come into operation before the twentieth day of May, 1956."

8. Artikel *sestien* van die Hoofwet word hiermee gewysig—
- (a) deur na paragraaf (1) die volgende paragraaf in te voeg:
- „(1)*bis* For prescribing—
- (a) the qualifications and disqualifications of voters;
- (b) the manner of compilation of voters' lists;
- (c) the method in which and the times at which members of the Board of Management shall be elected;
- (d) the circumstances in which elected members of the Board of Management and members appointed by the Minister in terms of sub-section (2) of section *five* shall vacate their seats;
- (e) the tenure of office of elected members of the Board of Management and members appointed by the Minister in terms of sub-section (2) of section *five* and the method in which vacancies shall be filled;”;
- (b) deur in paragraaf (6) na die woord „Management” die woorde „or the Advisory Board, as the case may be” in te voeg;
- (c) deur na paragraaf (9) die volgende paragraaf in te voeg:
- „(9)*bis* For prescribing the procedure to be followed in connection with the adoption by the Board of Management of any standard regulations;”;
- (d) deur aan die end van paragraaf (10) die woord „and” te skrap; en
- (e) deur na paragraaf (10) die volgende paragraaf in te voeg:
- „(10)*bis* For the prohibition, control or regulation of gatherings or assemblies of persons on the mission station; and”.

Wysiging van artikel 16 van Wet 29 van 1909 (Kaap), soos gewysig deur artikels 8 en 13 van Wet 12 van 1949.

9. Artikel *sewentien* van die Hoofwet word hiermee gewysig deur na die woord „commonage” waar dit die eerste keer voorkom die woorde „of the mission station or any part” in te voeg en deur na die woord „commonage” waar dit die tweede keer voorkom die woorde „or any part thereof” in te voeg.

Wysiging van artikel 17 van Wet 29 van 1909 (Kaap), soos gewysig deur artikel 13 van Wet 12 van 1949.

10. (1) Enigiets wat voor die inwerkingtreding van hierdie Wet deur die Goewerneur-generaal, 'n Minister of die Administrateur van die provinsie Kaap die Goeie Hoop uit hoofde van die bepalings van sub-artikel (2) van artikel *vyf* of van sub-artikel (2) van artikel *ses* van die Hoofwet heet gedoen te gewees het, word geag wettiglik gedoen te gewees het.

Bekragtiging van sekere aangeleenthede.

(2) Enige regulasies wat kragtens die Hoofwet heet gemaak te gewees het en wat op die datum van inwerkingtreding van hierdie Wet bestaan, word geag kragtens die Hoofwet, soos gewysig deur hierdie Wet, gemaak te gewees het.

(3) Enige Raad van Beheer van 'n sendingstasie of gemeenskapsreserwe wat kragtens die Hoofwet heet saamgestel te gewees het en wat op die datum van inwerkingtreding van hierdie Wet bestaan, word geag ingevolge die Hoofwet, soos gewysig deur hierdie Wet, saamgestel te gewees het.

11. Ondanks enigiets in hierdie Wet vervat, bly die bepalings van die Hoofwet ten opsigte van die sendingstasies Shiloh in die distrik Queenstown en Goschen in die distrik Cathcart van toepassing asof hierdie Wet nie aangeneem was nie.

Wysigings raak nie sekere sendingstasies nie.

12. Hierdie Wet heet die Wysigingswet op Sendingstasies en Reserwes vir Kleurlinge, 1955, en tree in werking op 'n datum wat die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaal.

Kort titel.

No. 39, 1955.]

# ACT

## To amend the National Finance Corporation Act, 1949.

*(English text signed by the Governor-General.)**(Assented to 8th June, 1955.)*

**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:—

Amendment of  
section 1 of  
Act 33 of 1949.

1. Section *one* of the National Finance Corporation Act, 1949 (hereinafter referred to as the principal Act), is hereby amended by the substitution in the definition of "board" for the word "*ten*" of the word "*nine*".

Amendment of  
section 3 of  
Act 33 of 1949.

2. Section *three* of the principal Act is hereby amended—  
(a) by the deletion at the end of sub-paragraph (ii) of paragraph (c) of the word "*or*";  
(b) by the insertion in sub-paragraph (iii) of paragraph (c) after the word "*undertaking*" of the words "*or financial institution*"; and  
(c) by the addition of the following sub-paragraph to paragraph (c):  
"*(iv) in short-term bills or promissory notes of the Land and Agricultural Bank of South Africa or of the Industrial Development Corporation of South Africa, Limited;*".

Short title.

3. This Act shall be called the National Finance Corporation Amendment Act, 1955.

No. 39, 1955.]

**WET****Tot wysiging van die Wet op die Nasionale Finansiële Korporasie, 1949.***(Engelse teks deur die Goewerneur-generaal geteken.)  
(Goedgekeur op 8 Junie 1955.)***DIT WORD BEPAAL** deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. Artikel *een* van die Wet op die Nasionale Finansiële Korporasie, 1949 (hieronder die Hoofwet genoem), word hiermee gewysig deur in die woordbepaling van „raad” die woord „tien” deur die woord „nege” te vervang. Wysiging van artikel 1 van Wet 33 van 1949.
2. Artikel *drie* van die Hoofwet word hiermee gewysig— Wysiging van artikel 3 van Wet 33 van 1949.
  - (a) deur aan die end van sub-paragraaf (ii) van paragraaf (c) die woord „of” te skrap;
  - (b) deur in sub-paragraaf (iii) van paragraaf (c) na die woord „nywerheidsonderneming” die woorde „of finansiële instelling” in te voeg; en
  - (c) deur die volgende sub-paragraaf by paragraaf (c) te voeg:
 

„(iv) in korttermyn-wissels of -promesses van die Land- en Landboubank van Suid-Afrika of van die Nywerheid-ontwikkelingskorporasie van Suid-Afrika, Beperk;”.
3. Hierdie Wet heet die Wysigingswet op die Nasionale Kort titel. Finansiële Korporasie, 1955.

No. 40, 1955.]

# ACT

To amend the Banking Act, 1942.

(Afrikaans text signed by the Governor-General.)  
(Assented to 8th June, 1955.)

**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:—

Amendment of section 1 of Act 38 of 1942, as amended by section 1 of Act 34 of 1944 and section 22 of Act 33 of 1949.

1. Section *one* of the Banking Act, 1942 (hereinafter referred to as the principal Act) is hereby amended—

(a) by the insertion in paragraph (a) of the definition of "liquid assets" in sub-section (1) after the words "local authorities" of the words "in the Union," and the substitution for paragraph (b) of the said definition of the following paragraph:

"(b) bills of exchange or promissory notes which are eligible for discount by the Reserve Bank; and";

(b) by the substitution in the definition of "loan bank" in sub-section (1) for the words "small loans" of the words "loans whereof a substantial proportion consists of loans secured by surety bonds"; and

(c) by the insertion after sub-section (1) of the following sub-section:

"(1)*bis*. A person shall be deemed to be carrying on the business of accepting deposits of money for the purposes of this Act notwithstanding that such deposits are limited to fixed amounts or that certificates or other instruments are issued in respect of any such amounts providing for the repayment to the holder thereof either conditionally or unconditionally of the amounts of the deposits at specified or unspecified dates or for the payment of interest on the amounts deposited at specified intervals or otherwise, or that such certificates are transferable: Provided that the acceptance of moneys against debentures issued in accordance with the Companies Act, 1926 (Act No. 46 of 1926), or any other law shall not be deemed to be the business of accepting deposits of money for the purposes of this Act."

Amendment of section 4 of Act 38 of 1942, as amended by section 3 of Act 34 of 1944.

2. Section *four* of the principal Act is hereby amended by the addition of the following paragraph to the proviso to sub-section (6):

"(iii) no banking institution any of whose shares are issued in the form of bearer shares shall be registered."

Amendment of section 6 of Act 38 of 1942.

3. Section *six* of the principal Act is hereby amended—

(a) by the insertion in sub-section (2) after the word "sub-sections" of the figure "(2)," and the deletion in paragraph (c) of that sub-section of the words "as a commercial bank"; and

(b) by the addition of the following proviso to sub-section (4):

"Provided that the reference in the said section as so applied, to the date of commencement of this Act, shall be deemed to be a reference to the date on which the banking institution concerned was first registered provisionally."

Amendment of section 13 of Act 38 of 1942, as amended by section 4 of Act 25 of 1947.

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

(a) by the substitution in the Afrikaans text of paragraph (a) of sub-section (1) for the word "hoofboekhouer" of the word "hoofrekenmeester";

(b) by die substitution for paragraph (d) of sub-section (1) of the following paragraph:

"(d) simultaneously with the sending or submission of any periodical statement of its affairs or any notice, report or other document to its shareholders or members, a copy of every such state-

No. 40, 1955.]

# WET

## Tot wysiging van die Bankwet, 1942.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)  
(Goedgekeur op 8 Junie 1955.)

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

1. Artikel *een* van die Bankwet, 1942 (hieronder die Hoofwet genoem), word hiermee gewysig—
  - (a) deur in sub-artikel (1) in paragraaf (a) van die begripsbepaling van „liquide bate” na die woorde „plaaslike besture” die woorde „in die Unie” in te voeg, en paragraaf (b) van bedoelde begripsbepaling deur die volgende paragraaf te vervang:
 

„(b) wissels of promesses wat deur die Reserwebank verdiskonteer kan word; en”;
  - (b) deur in sub-artikel (1) in die begripsbepaling van „leningsbank” die woorde „klein lenings” deur die woorde „lenings waarvan ’n belangrike deel uit lenings wat deur borgaktes gedek word, bestaan,” te vervang; en
  - (c) deur die volgende sub-artikel na sub-artikel (1) in te voeg:
 

„(1)bis. ’n Persoon word geag die aanneem van deposito’s as bedryf uit te oefen vir die doeleindes van hierdie Wet, ten spyte daarvan dat sodanige deposito’s tot vasgestelde bedrae beperk word of dat sertifikate of ander stukke ten opsigte van enige sodanige bedrae uitgereik word wat voorsiening maak vir die terugbetaling aan die houer daarvan, of voorwaardelik of onvoorwaardelik, van die bedrae van die deposito’s op bepaalde of onbepaalde datums of vir die betaling van rente op die gedeponeerde bedrae met bepaalde tussenpose of andersins of dat daardie sertifikate oordraagbaar is: Met dien verstande dat die aanname van geld teen obligasies ooreenkomstig die Maatskappywet, 1926 (Wet No. 46 van 1926), of ’n ander wet uitgereik, nie vir die doeleindes van hierdie Wet die aanneem van deposito’s as bedryf geag word nie.”
2. Artikel *vier* van die Hoofwet word hiermee gewysig deur die volgende paragraaf by die voorbehoudsbepaling by sub-artikel (6) te voeg:
 

„(iii) geen bankinstelling waarvan enige aandele in die vorm van toonderaandele uitgereik word, geregistreer word nie.”
3. Artikel *ses* van die Hoofwet word hiermee gewysig—
  - (a) deur in sub-artikel (2) na die woord „sub-artikels” die syfer „(2),” in te voeg, en in paragraaf (c) van bedoelde sub-artikel die woorde „as ’n handelsbank” te skrap; en
  - (b) deur die volgende voorbehoudsbepaling by sub-artikel (4) te voeg:
 

„Met dien verstande dat die verwysing na die datum van inwerkingtreding van hierdie Wet in bedoelde artikel soos aldus toegepas, geag word ’n verwysing te wees na die datum waarop die betrokke bankinstelling vir die eerste keer voorlopig geregistreer is.”
4. Artikel *dertien* van die Hoofwet word hiermee gewysig—
  - (a) deur in paragraaf (a) van sub-artikel (1) die woord „hoofboekhouer” deur die woord „hoofrekenmeester” te vervang;
  - (b) deur paragraaf (d) van sub-artikel (1) deur die volgende paragraaf te vervang:
 

„(d) gelyktydig met die stuur of voorlegging van enige periodieke staat van sy sake of enige kennisgewing, verslag of ander dokument aan sy aandeelhouders of lede, ’n afskrif van elke sodanige staat,

Wysiging van artikel 1 van Wet 38 van 1942, soos gewysig deur artikel 1 van Wet 34 van 1944 en artikel 22 van Wet 33 van 1949.

Wysiging van artikel 4 van Wet 38 van 1942, soos gewysig deur artikel 3 van Wet 34 van 1944.

Wysiging van artikel 6 van Wet 38 van 1942.

Wysiging van artikel 13 van Wet 38 van 1942, soos gewysig deur artikel 4 van Wet 25 van 1947.

ment, notice, report or other document and of any auditor's report sent or submitted with any such statement, certified in each case as a true copy by the said chief executive officer; and"; and

- (c) by the substitution in paragraph (e) of sub-section (1) for the word "sixty" of the word "thirty".

Amendment of section 14 of Act 38 of 1942, as amended by section 5 of Act 25 of 1947 and section 18 of Act 45 of 1953.

5. Section *fourteen* of the principal Act is hereby amended by the addition of the following sub-section, the existing section becoming sub-section (1):

"(2) A commercial bank shall have and maintain any minimum amount prescribed by sub-section (1), at all times during the period from the date of certification under sub-section (1) of section *thirteen* of the statement or return by reference to which that amount is determined, until the day preceding the date on which the next succeeding such statement or return is so certified."

Amendment of section 15 of Act 38 of 1942, as amended by section 6 of Act 25 of 1947.

6. Section *fifteen* of the principal Act is hereby amended by the substitution in sub-section (1) for paragraph (b) and all the words thereafter preceding the first proviso, of the following paragraph:—

"(b) the amount of its paid-up capital and unimpaired reserve funds which it is obliged to maintain in terms of paragraph (a) of sub-section (1) of section *fourteen*, as shown in the bank's last preceding quarterly statements furnished to the Registrar in terms of paragraphs (b) and (c) of sub-section (1) of section *thirteen*."

Amendment of section 17 of Act 38 of 1942, as amended by section 7 of Act 25 of 1947 and section 22 of Act 33 of 1949.

7. Section *seventeen* of the principal Act is hereby amended by the deletion in sub-section (2) of the expression "of paragraph (b)".

Amendment of section 18 of Act 38 of 1942.

8. Section *eighteen* of the principal Act is hereby amended—

- (a) by the substitution in sub-section (1) for the word "triplicate" of the word "duplicate", for the word "hoofboekhouer" in the Afrikaans text of sub-paragraph (i) of paragraph (a) of the said sub-section of the word "hoofrekenmeester", and for paragraph (c) of the said sub-section of the following paragraph:

"(c) simultaneously with the sending or submission of any periodical statement of its affairs or any notice, report or other document to its shareholders or members, a copy of every such statement, notice, report or other document and of any auditor's report sent or submitted with any such statement, certified in each case as a true copy by the said chief executive officer; and"; and

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

"(2) A people's bank shall display at all times in a conspicuous place in every building or office in which it carries on business, a copy of the last statement referred to in sub-paragraph (i) of paragraph (a) of sub-section (1)."

Amendment of section 19 of Act 38 of 1942.

9. Section *nineteen* of the principal Act is hereby amended—

- (a) by the addition of the following proviso to paragraph (b):

"Provided that for the purposes of this paragraph a people's bank may deduct—

- (aa) from the liabilities referred to in sub-paragraph (ii), the amount outstanding on any loan made by such bank against the security of savings or fixed deposits included under that sub-paragraph, which it holds to the credit of the borrower;
- (bb) from the liabilities referred to in sub-paragraph (iii), the amount outstanding on any loan made by such bank against the security of savings or fixed deposits included under sub-paragraph (iii), which it holds to the credit of the borrower."

- (b) by the deletion of the proviso thereto; and

- (c) by the addition of the following sub-section, the existing section becoming sub-section (1):

kennisgewing, verslag of ander dokument en van enige ouditeursverslag, wat saam met so 'n staat gestuur of voorgelê word, in elke geval deur bedoelde hoofbestuurder as 'n juiste afskrif gesertifiseer; en"; en

- (c) deur in paragraaf (e) van sub-artikel (1) die woord „sestig” deur die woord „dertig” te vervang.

5. Artikel *veertien* van die Hoofwet word hiermee gewysig deur die volgende sub-artikel daarby te voeg, terwyl die bestaande artikel sub-artikel (1) word:

„(2) 'n Handelsbank moet enige minimum bedrag deur sub-artikel (1) voorgeskryf besit en in stand hou te alle tye gedurende die tydperk vanaf die datum van sertifisering ingevolge sub-artikel (1) van artikel *dertien* van die staat of opgawe met verwysing waarna daardie bedrag bepaal word, tot die dag voor die datum waarop die eersvolgende sodanige staat of opgawe aldus gesertifiseer word.”.

Wysiging van artikel 14 van Wet 38 van 1942, soos gewysig deur artikel 5 van Wet 25 van 1947 en artikel 18 van Wet 45 van 1953.

6. Artikel *vyftien* van die Hoofwet word hiermee gewysig deur in sub-artikel (1), paragraaf (b) en al die woorde daarna wat die eerste voorbehoudsbepaling voorafgaan deur die volgende paragraaf te vervang:

„(b) die bedrag van sy gestorte kapitaal en onaangetaste reserwefondse wat hy ingevolge paragraaf (a) van sub-artikel (1) van artikel *veertien* verplig is om in stand te hou, volgens die bank se ingevolge paragrawe (b) en (c) van sub-artikel (1) van artikel *dertien* aan die Registrateur verstrekte jongste kwartaalstate.”.

Wysiging van artikel 15 van Wet 38 van 1942, soos gewysig deur artikel 6 van Wet 25 van 1947.

7. Artikel *sewentien* van die Hoofwet word hiermee gewysig deur in sub-artikel (2) die uitdrukking „van paragraaf (b)” te skrap.

Wysiging van artikel 17 van Wet 38 van 1942, soos gewysig deur artikel 7 van Wet 25 van 1947 en artikel 22 van Wet 33 van 1949.

8. Artikel *agtien* van die Hoofwet word hiermee gewysig—

- (a) deur in sub-artikel (1) die woord „drievoud” deur die woord „tweevoud”, in sub-paragraaf (i) van paragraaf (a) van bedoelde sub-artikel die woord „hoofboekhouer” deur die woord „hoofrekenmeester”, en paragraaf (c) van daardie sub-artikel deur die volgende paragraaf te vervang:

„(c) gelyktydig met die stuur of voorlegging van enige periodieke staat van sy sake of enige kennisgewing, verslag of ander dokument aan sy aandeelhouders of lede, 'n afskrif van elke sodanige staat, kennisgewing, verslag of ander dokument, en van enige ouditeursverslag wat saam met so 'n staat gestuur of voorgelê word, in elke geval deur bedoelde hoofbestuurder as 'n juiste afskrif gesertifiseer; en"; en

- (b) deur sub-artikel (2) deur die volgende sub-artikel te vervang:

„(2) 'n Volksbank moet te alle tye op 'n in die oog lopende plek in elke gebou of kantoor waarin hy sy bedryf uitoefen, 'n afskrif van die jongste staat waarna in sub-paragraaf (i) van paragraaf (a) van sub-artikel (1) verwys word, vertoon.”.

Wysiging van artikel 18 van Wet 38 van 1942.

9. Artikel *negentien* van die Hoofwet word hiermee gewysig—

- (a) deur die volgende voorbehoudsbepaling by paragraaf (b) te voeg:

„Met die verstande dat vir die doeleindes van hierdie paragraaf 'n volksbank—

(aa) van die in sub-paragraaf (ii) bedoelde verpligtings kan aftrek die bedrag uitstaande op 'n lening deur daardie bank verstrekte teen sekerheid van spaar- of vaste deposito's wat by daardie sub-paragraaf ingesluit word, en wat hy ten bate van die lener besit;

(bb) van die in sub-paragraaf (iii) bedoelde verpligtings kan aftrek die bedrag uitstaande op 'n lening deur daardie bank verstrekte teen sekerheid van spaar- of vaste deposito's wat by sub-paragraaf (iii) ingesluit word, en wat hy ten bate van die lener besit.”;

- (b) deur die voorbehoudsbepaling daarby te skrap; en

- (c) deur die volgende sub-artikel daarby te voeg, terwyl die bestaande artikel sub-artikel (1) word:

Wysiging van artikel 19 van Wet 38 van 1942.

"(2) A people's bank shall have and maintain any minimum amount prescribed by sub-section (1), at all times during the period from the date of certification under sub-section (1) of section *eighteen* of the statement by reference to which that amount is determined, until the day preceding the date on which the next succeeding such statement is so certified."

Amendment of section 20 of Act 38 of 1942, as amended by section 8 of Act 25 of 1947.

10. Section *twenty* of the principal Act is hereby amended—  
(a) by the deletion of paragraph (a) of sub-section (1); and  
(b) by the substitution for the table in paragraph (b) of sub-section (1) of the following table:

| "Total liabilities to the public of a people's bank as at the close of its last financial year." |           |    | Maximum savings account credits. | Maximum amounts repayable on fixed deposits to any person in any one month. |
|--------------------------------------------------------------------------------------------------|-----------|----|----------------------------------|-----------------------------------------------------------------------------|
|                                                                                                  | £         |    | £                                | £                                                                           |
| Not exceeding                                                                                    | 100,000   | .. | 100                              | 200                                                                         |
| " "                                                                                              | 200,000   | .. | 200                              | 400                                                                         |
| " "                                                                                              | 400,000   | .. | 300                              | 600                                                                         |
| " "                                                                                              | 600,000   | .. | 400                              | 800                                                                         |
| " "                                                                                              | 1,000,000 | .. | 500                              | 1,000                                                                       |
| " "                                                                                              | 2,000,000 | .. | 1,000                            | 2,000                                                                       |
| " "                                                                                              | 5,000,000 | .. | 2,000                            | 3,000                                                                       |
| Exceeding                                                                                        | 5,000,000 | .. | 3,000                            | 4,000."                                                                     |

Amendment of section 21 of Act 38 of 1942.

11. Section *twenty-one* of the principal Act is hereby amended by the deletion of the words "and it shall not charge or receive any compound interest on any such loan,".

Amendment of section 22 of Act 38 of 1942, as amended by section 9 of Act 25 of 1947.

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

- (a) by the substitution for paragraph (c) of the following paragraph:

"(c) give to any person who pays any money on account of a loan, at the time when payment is made, a written acknowledgement of such payment: Provided that a people's bank shall at the request of such person furnish him as soon as may be thereafter with a plain and complete receipt for the money so paid, wherein are specified the amount applied to the payment of interest and the amount applied to the repayment of the principal sum, and wherein is set forth the unpaid balance of the loan; and"; and

- (b) by the substitution in paragraph (e) for the words "its place of" of the words "every building or office in which it carries on".

Repeal of section 24 of Act 38 of 1942.

13. Section *twenty-four* of the principal Act is hereby repealed.

Amendment of section 25 of Act 38 of 1942.

14. Section *twenty-five* of the principal Act is hereby amended by the insertion after the word "bank" where it occurs for the first time of the words "or a branch or agency of a people's bank" and by the substitution for the words "a people's bank" where they occur for the second time of the words "such a bank, branch or agency".

Substitution of section 26 of Act 38 of 1942.

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

"Applica-  
tion of  
provisions  
of Chapter  
III.

26. The provisions of Chapter III shall apply *mutatis mutandis* in respect of any loan bank: Provided that for the purposes of such application—

- (a) section *nineteen* shall be construed as if—

- (i) the words 'in the Union' had been inserted after the word 'maintain' in sub-section (1) thereof, and after the words 'public' and 'liquid assets', respectively, in paragraph (a) of that sub-section; and

- (ii) the words 'as payable in the Union' had been inserted after the expression "paragraph (a)" in paragraph (b) of sub-section (1) thereof;

- (b) any reference in sections *twenty-one* and *twenty-two* to a loan shall be construed as a reference to a loan secured by a surety bond; and

„(2) 'n Volksbank moet enige minimum bedrag deur sub-artikel (1) voorgeskryf besit en in stand hou te alle tye gedurende die tydperk vanaf die datum van sertifisering ingevolge sub-artikel (1) van artikel *agtien* van die staat met verwysing waarna daardie bedrag bepaal word, tot die dag voor die datum waarop die eersvolgende sodanige staat aldus gesertifiseer word.”

10. Artikel *twintig* van die Hoofwet word hiermee gewysig—  
 (a) deur paragraaf (a) van sub-artikel (1) te skrap; en  
 (b) deur die tabel in paragraaf (b) van sub-artikel (1) deur die volgende tabel te vervang:

Wysiging van artikel 20 van Wet 38 van 1942, soos gewysig deur artikel 8 van Wet 25 van 1947.

| „Totale verpligtings teenoor die publiek, van 'n volksbank op die sluitingsdatum van sy jongste boekjaar. | Maksimum krediet op spaar-rekening. | Maksimum bedrae aan enige persoon in enige enkele maand op vaste deposito's terugbetaalbaar. |
|-----------------------------------------------------------------------------------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------|
| £                                                                                                         | £                                   | £                                                                                            |
| 100,000 nie te bowe gaande nie                                                                            | 100                                 | 200                                                                                          |
| 200,000 „ „ „ „ „                                                                                         | 200                                 | 400                                                                                          |
| 400,000 „ „ „ „ „                                                                                         | 300                                 | 600                                                                                          |
| 600,000 „ „ „ „ „                                                                                         | 400                                 | 800                                                                                          |
| 1,000,000 „ „ „ „ „                                                                                       | 500                                 | 1,000                                                                                        |
| 2,000,000 „ „ „ „ „                                                                                       | 1,000                               | 2,000                                                                                        |
| 5,000,000 „ „ „ „ „                                                                                       | 2,000                               | 3,000                                                                                        |
| 5,000,000 te bowe gaande ..                                                                               | 3,000                               | 4,000.”                                                                                      |

11. Artikel *een-en-twintig* van die Hoofwet word hiermee gewysig deur die woorde „en hy mag nie enige samegestelde rente op so 'n lening beding of ontvang nie,” te skrap.

Wysiging van artikel 21 van Wet 38 van 1942.

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

Wysiging van artikel 22 van Wet 38 van 1942, soos gewysig deur artikel 9 van Wet 25 van 1947.

- (a) deur paragraaf (c) deur die volgende paragraaf te vervang:

„(c) aan enigiemand wat enige geld op 'n lening afbetaal, ten tyde van die afbetaling 'n skriftelike erkenning van daardie afbetaling oorhandig: Met dien verstande dat 'n volksbank op versoek van so iemand so spoeding doenlik daarna 'n duidelike en volledige kwitansie vir die aldus afbetaalde geld aan hom moet verstrek, waarin die bedrag wat ter vereffening van rente en die bedrag wat ter aflossing van die hoofsom dien, aangegee word, en waarin die nie-terugbetaalde saldo van die lening vermeld word; en”;

- (b) deur in paragraaf (e) die woorde „op die plek waar” deur die woorde „in elke gebou of kantoor waarin” te vervang.

13. Artikel *vier-en-twintig* van die Hoofwet word hiermee herroep.

Herroeping van artikel 24 van Wet 38 van 1942.

14. Artikel *vyf-en-twintig* van die Hoofwet word hiermee gewysig deur na die woord „volksbank” waar dit die eerste keer voorkom die woorde „of 'n tak of agentskap van 'n volksbank” in te voeg, en deur die woorde „'n volksbank” waar hulle die tweede keer voorkom deur die woorde „so 'n bank, tak of agentskap” te vervang.

Wysiging van artikel 25 van Wet 38 van 1942.

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

Vervanging van artikel 26 van Wet 38 van 1942.

„Toepassing van bepalinge van Hoofstuk III.

26. Die bepalinge van Hoofstuk III is *mutatis mutandis* op elke leningsbank van toepassing: Met dien verstande dat by sodanige toepassing—

- (a) artikel *negentien* vertolk word asof—

(i) die woorde „in die Unie” na die woord „moet” in sub-artikel (1) daarvan en na die woorde „publiek” en „liquide bate” onderskeidelik in paragraaf (a) van daardie sub-artikel, ingevoeg was; en

(ii) in paragraaf (b) van sub-artikel (1) daarvan, na die woord „kwartaalstaat” die woorde „in die Unie betaalbaar” ingevoeg was;

- (b) 'n verwysing in artikels *een-en-twintig* en *twee-en-twintig* na 'n lening vertolk word as 'n verwysing na 'n lening deur 'n borgakte gedek; en

- (c) any reference in paragraph (e) of section *twenty-two* to interest shall be construed as a reference to interest on loans secured by surety bonds.”

Amendment of section 27 of Act 38 of 1942, as amended by section 11 of Act 25 of 1947.

16. Section *twenty-seven* of the principal Act is hereby amended—

- (a) by the substitution for all the words preceding paragraph (a) of the first proviso thereto of the words: “The provisions of sections *eighteen* and *twenty-five* shall apply *mutatis mutandis* in respect of any deposit-receiving institution: Provided that for the purpose of the application of section *eighteen*—”; and
- (b) by the deletion of all the words after paragraph (b) of the first proviso thereto up to and including the words “carries on business”.

Amendment of section 28 of Act 38 of 1942, as amended by section 12 of Act 25 of 1947.

17. Section *twenty-eight* of the principal Act is hereby amended—

- (a) by the deletion in paragraph (a) of all the words after the first proviso;
- (b) by the substitution for all the words after the word “*twenty-seven*” in paragraph (b) of the following words: “Provided that for the purposes of this paragraph a deposit-receiving institution may deduct—
- (aa) from the deposits referred to in sub-paragraph (ii), the amount outstanding on any loan made by such institution against the security of savings or fixed deposits included under that sub-paragraph, which it holds to the credit of the borrower;
- (bb) from the deposits referred to in sub-paragraph (iii), the amount outstanding on any loan made by such institution against the security of savings or fixed deposits included under sub-paragraph (iii), which it holds to the credit of the borrower.”; and
- (c) by the addition of the following sub-section, the existing section becoming sub-section (1):
- “(2) A deposit-receiving institution shall have and maintain any minimum amount prescribed by sub-section (1), at all times during the period from the date of certification under sub-section (1) of section *eighteen*, as qualified by section *twenty-seven*, of the statement by reference to which that amount is determined, until the day preceding the date on which the next succeeding such statement is so certified.”.

Amendment of section 30 of Act 38 of 1942.

18. Section *thirty* of the principal Act is hereby amended by the substitution for the words “its cost to the institution in question or at” of the words “an amount not exceeding its cost to the institution in question or”.

Amendment of section 37 of Act 38 of 1942.

19. Section *thirty-seven* of the principal Act is hereby amended—

- (a) by the substitution for the figure “(1)” in sub-section (1) of the figure “(2)” and for all the words in that sub-section after the words “whenever the institution” of the words “furnishes particulars to the Registrar of Companies in terms of paragraph (a) of sub-section (7) of the said section, or lodges with him a statement in terms of paragraph (b) of the said sub-section (7), it shall simultaneously furnish the Registrar with two copies of the document containing such particulars or with two copies of such statement.”;
- (b) by the addition of the following paragraph to sub-section (1), the existing sub-section (1) becoming paragraph (a) thereof:
- “(b) Any such banking institution to which the provisions of sub-section (3) of section *twenty-one* of the said Act apply, shall send to the Registrar such lists (in duplicate and certified as correct by the banking institution’s chief executive officer in the Union) of its directors, secretaries and managers, in such form and at such times as it would but for the provisions of that sub-section have been required to send to the Registrar of Companies in terms of that Act.”;

- (c) 'n verwysing in paragraaf (e) van artikel *twee-en-twintig* na rente vertolk word as 'n verwysing na rente op lenings deur borgaktes gedek."

16. Artikel *sewe-en-twintig* van die Hoofwet word hiermee gewysig—

Wysiging van artikel 27 van Wet 38 van 1942, soos gewysig deur artikel 11 van Wet 25 van 1947.

- (a) deur al die woorde voor paragraaf (a) van die eerste voorbehoudsbepaling daarby te vervang deur die woorde: „Die bepalings van artikels *agtien* en *vyf-en-twintig* is *mutatis mutandis* op elke deposito-nemende instelling van toepassing: Met dien verstande dat by die toepassing van artikel *agtien*—”; en
- (b) deur al die woorde na paragraaf (b) van die eerste voorbehoudsbepaling daarby, tot en met die woorde „instelling besigheid dryf” te skrap.

17. Artikel *agt-en-twintig* van die Hoofwet word hiermee gewysig—

Wysiging van artikel 28 van Wet 38 van 1942, soos gewysig deur artikel 12 van Wet 25 van 1947.

- (a) deur in paragraaf (a) al die woorde na die eerste voorbehoudsbepaling te skrap;
- (b) deur al die woorde na die woord „betaalbaar” in paragraaf (b) deur die volgende woorde te vervang:
- „Met dien verstande dat vir die doeleindes van hierdie paragraaf 'n deposito-nemende instelling—
- (aa) van die in sub-paragraaf (ii) bedoelde deposito's kan aftrek die bedrag uitstaande op 'n lening deur daardie instelling verstrekte sekerheid van spaar- of vaste deposito's wat by daardie sub-paragraaf ingesluit word, en wat hy ten bate van die lener besit;
- (bb) van die in sub-paragraaf (iii) bedoelde deposito's kan aftrek die bedrag uitstaande op 'n lening deur daardie instelling verstrekte sekerheid van spaar- of vaste deposito's wat by sub-paragraaf (iii) ingesluit word, en wat hy ten bate van die lener besit.”; en
- (c) deur die volgende sub-artikel daarby te voeg, terwyl die bestaande artikel sub-artikel (1) word:
- “(2) 'n Deposito-nemende instelling moet enige minimum bedrag deur sub-artikel (1) voorgeskryf besit en in stand hou te alle tye gedurende die tydperk vanaf die datum van sertifisering ingevolge sub-artikel (1) van artikel *agtien*, soos deur artikel *sewe-en-twintig* gewysig, van die staat met verwysing waarna daardie bedrag bepaal word, tot die dag voor die datum waarop die eersvolgende sodanige staat aldus gesertifiseer word.”.

18. Artikel *dertig* van die Hoofwet word hiermee gewysig deur die woorde „wat dit die betrokke instelling gekos het of teen” deur die woorde „'n bedrag van hoogstens wat dit die betrokke instelling gekos het of” te vervang.

Wysiging van artikel 30 van Wet 38 van 1942.

19. Artikel *sewe-en-dertig* van die Hoofwet word hiermee gewysig—

Wysiging van artikel 37 van Wet 38 van 1942.

- (a) deur in sub-artikel (1) die syfer „(1)” deur die syfer „(2)” en al die woorde na die woorde „wanneer hy” deur die woorde „ingevolge paragraaf (a) van sub-artikel (7) van bedoelde artikel aan die Registrateur van Maatskappye besonderhede verstreke, of ingevolge paragraaf (b) van bedoelde sub-artikel (7) 'n staat by hom indien, tegelykertyd twee afskrifte van die dokument wat daardie besonderhede bevat of twee afskrifte van daardie staat aan die Registrateur verstreke” te vervang;
- (b) deur die volgende paragraaf by sub-artikel (1) te voeg, terwyl die bestaande sub-artikel (1), paragraaf (a) daarvan word:
- „(b) So 'n bankinstelling waarop die bepalings van sub-artikel (3) van artikel *een-en-twintig* van bedoelde Wet van toepassing is, moet sodanige lyste (in tweevoud en deur die bankinstelling se hoofbestuurder in die Unie as juis gesertifiseer) van sy direkteure, sekretarisse en bestuurders, in sodanige vorm en op sodanige tye aan die Registrateur stuur, soos hy ingevolge daardie Wet aan die Registrateur van Maatskappye sou moes stuur as dit nie vir die bepalings van daardie sub-artikel was nie.”;

- (c) by the addition of the following paragraph to sub-section (2), the existing sub-section (2) becoming paragraph (a) thereof:  
“(b) Any such banking institution shall transmit to the Registrar in duplicate every list or advice relating to its managers and secretaries, which it would have been required to transmit to the Registrar of Co-operative Societies, if the said section *thirty-four* had applied in respect of managers and secretaries in the same manner as in respect of members who are directors.”;
- (d) by the substitution for the figure “(1)” in sub-sections (3) and (4) of the figure “(2)”;
- (e) by the insertion after the words “year of the institution” in sub-section (7) of the words “or as from such other date as the Registrar may in terms of paragraph (a) determine” and after the words “preceding financial year” in paragraph (a) of the said sub-section of the words “or as on such other date as the Registrar may at the request of the banking institution determine,” and by the deletion of the proviso to the said sub-section.

Amendment of  
section 38 of Act  
38 of 1942.

**20. Section *thirty-eight* of the principal Act is hereby amended—**

- (a) by the substitution for sub-sections (1), (2) and (3) of the following sub-sections:  
“(1) (a) The governing body of a banking institution shall within three months of the date of the registration or provisional registration of that banking institution under this Act, appoint an auditor for the period until the conclusion of the first succeeding annual general meeting of that banking institution.  
(b) A banking institution shall at each annual general meeting appoint, for the period from the conclusion of that meeting until the conclusion of the next succeeding annual general meeting, not less than one auditor, and if the total assets of the banking institution as at the close of its last preceding financial year exceeded one million pounds, not less than two auditors who are independent of each other.  
(c) Whenever for any reason, other than that referred to in paragraph (e), an auditor of a banking institution vacates his office prior to the expiration of the period for which he has been appointed, the banking institution or the governing body thereof shall as soon as may be appoint an auditor for the unexpired portion of that period.  
(d) No director or servant of a banking institution, and no firm of which any such director or servant is a member, shall be appointed as an auditor of that banking institution.  
(e) A banking institution may at a general meeting, of which notice in the same manner as to members of the banking institution has been given to any auditor appointed under this sub-section, remove from office such auditor and shall, if any auditor is so removed, appoint in his place, for the unexpired portion of the period for which the auditor so removed has been appointed, an auditor nominated by a member of the banking institution, of whose nomination notice has been given to the members of that banking institution at least fourteen days before the date of that general meeting.  
(f) Any banking institution shall, within thirty days of the date of appointment of any auditor under this sub-section, apply to the Registrar in the form prescribed by regulation, for his approval of the appointment.  
(g) The Registrar may, without assigning any reason therefor, refuse to approve of such appointment and thereupon the auditor concerned shall vacate his office.  
(2) If any banking institution or the governing body thereof fails to appoint any auditor required to be appointed in terms of sub-section (1), the Registrar shall appoint at the remuneration fixed by the Minister, any such auditor, who shall then be deemed to have been appointed by that banking institution or governing body, as the case may be.

- (c) deur die volgende paragraaf by sub-artikel (2) te voeg, terwyl die bestaande sub-artikel (2), paragraaf (a) daarvan word:

„(b) So 'n bankinstelling moet aan die Registrateur elke met sy bestuurders en sekretarisse in verband staande lys of kennisgewing in tweevoud stuur, wat hy aan die Registrateur van Koöperatiewe Verenigings sou moes stuur, as bedoelde artikel vier-en-dertig ten opsigte van bestuurders en sekretarisse op dieselfde wyse van toepassing was as ten opsigte van lede wat direkteure uitmaak.”;

- (d) deur in sub-artikels (3) en (4) die syfer „(1)” deur die syfer „(2)” te vervang; en

- (e) deur in sub-artikel (7) na die woorde „boekjaar van die instelling” die woorde „of vanaf 'n ander datum wat die Registrateur ingevolge paragraaf (a) vasstel” en na die woorde „jongste voorafgaande boekjaar” in paragraaf (a) van bedoelde sub-artikel die woorde „of op 'n ander datum wat die Registrateur op versoek van die bankinstelling bepaal,” in te voeg, en deur die voorbehoudsbepaling by bedoelde sub-artikel te skrap.

**20. Artikel agt-en-dertig van die Hoofwet word hiermee gewysig—**

Wysiging van artikel 38 van Wet 38 van 1942.

- (a) deur sub-artikels (1), (2) en (3) deur die volgende sub-artikels te vervang:

„(1) (a) Die besturende liggaam van 'n bankinstelling benoem binne drie maande vanaf die datum van die registrasie of voorlopige registrasie van daardie bankinstelling ingevolge hierdie Wet, 'n ouditeur vir die tydperk tot die einde van die eersvolgende jaarlikse algemene vergadering van daardie bankinstelling.

- (b) 'n Bankinstelling benoem by elke jaarlikse algemene vergadering, vir die tydperk vanaf die einde van daardie vergadering tot die einde van die volgende jaarlikse algemene vergadering, minstens een ouditeur, en as die totale bates van die bankinstelling aan die einde van sy jongste voorafgaande boekjaar eenmiljoen pond oorskry het, minstens twee ouditeure wat onafhanklik van mekaar is.

- (c) Wanneer om een of ander rede, behalwe dié in sub-paragraaf (e) bedoel, 'n ouditeur van 'n bankinstelling sy amp ontruim voor die verstryking van die tydperk waarvoor hy benoem is, benoem die bankinstelling of die besturende liggaam daarvan so spoedig doenlik 'n ouditeur vir die onverstreke gedeelte van daardie tydperk.

- (d) Geen direkteur of werknemer van 'n bankinstelling, en geen firma waarvan enige sodanige direkteur of werknemer 'n lid is, word tot ouditeur van daardie bankinstelling benoem nie.

- (e) 'n Bankinstelling kan by 'n algemene vergadering waarvan aan 'n ouditeur ingevolge hierdie sub-artikel aangestel, op dieselfde wyse as aan lede van die bankinstelling kennis gegee is, so 'n ouditeur uit sy amp verwyder en moet, as enige sodanige ouditeur aldus verwyder word, in sy plek, vir die onverstreke gedeelte van die tydperk waarvoor die aldus verwyderde ouditeur aangestel is, 'n deur 'n lid van die bankinstelling genomineerde ouditeur benoem, van wie se nominasie aan die lede van daardie bankinstelling minstens veertien dae voor die datum van daardie algemene vergadering kennis gegee is.

- (f) 'n Bankinstelling doen binne dertig dae van die datum van aanstelling ingevolge hierdie sub-artikel van enige ouditeur, by die Registrateur, in die by regulasie voorgeskrewe vorm, aansoek om sy goedkeuring van die aanstelling.

- (g) Die Registrateur kan, sonder om enige rede daarvoor aan te gee, weier om so 'n aanstelling goed te keur en daarop ontruim die betrokke ouditeur sy amp.

(2) As 'n bankinstelling of die besturende liggaam daarvan in gebreke bly om enige ouditeur te benoem wat ingevolge sub-artikel (1) benoem moet word, benoem die Registrateur, teen die besoldiging deur die Minister vasgestel, so 'n ouditeur, wat dan geag word deur daardie bankinstelling of besturende liggaam, na gelang van die geval, benoem te gewees het.

(3) If the banking institution concerned fails to pay the remuneration of any auditor appointed under sub-section (2), the Minister shall pay such remuneration out of public funds and the Registrar shall recover from that banking institution an amount equal to that remuneration.”; and

(b) by the deletion of sub-section (8).

Amendment of  
section 40 of Act  
38 of 1942.

21. Section *forty* of the principal Act is hereby amended by the substitution for sub-sections (1) and (2) of the following sub-sections:

“(1) The provisions of sub-sections (1) and (2) of section *ninety bis*, sub-sections (1), (2) and (4) of section *ninety ter* and sub-sections (1) and (2) of section *ninety-nine* of the Companies Act, 1926 (Act No. 46 of 1926), shall, in so far as they are applicable, apply *mutatis mutandis* to every director, manager, secretary or other officer, or auditor of a banking institution.

(2) In the application of the said section *ninety-nine* sub-section (1) thereof shall be construed as if the following paragraphs had been inserted after paragraph (f):

“(g) Whether the securities and all records of the company are being properly and safely preserved;

(h) Whether the control of the company over its branches and agencies is adequate and whether its instructions to its employees in its branches and agencies have been properly carried out.”

Provided that paragraphs (c) and (h) of the said sub-section as so construed shall not be construed so as to require an auditor of a banking institution to carry out an audit in respect of every branch and agency of such banking institution unless circumstances demand such action.”.

Amendment of  
section 44 of Act  
38 of 1942.

22. Section *forty-four* of the principal Act is hereby amended by the substitution of the following sub-section for sub-section (3):

“(3) When the provisions of section *one hundred and ninety-five* of the last-mentioned Act are applied in connection with any banking institution—

(a) sub-section (4) thereof shall be construed as if the words ‘Registrar of Banks and the’ had been inserted after the words ‘with the’, and the words ‘Registrar of Banks or the’ had been inserted after the words ‘and the’; and

(b) sub-section (5) thereof shall be construed as if the words ‘Registrar of Banks and the’ had been inserted after the words ‘to the’, and the word ‘them’ had been substituted for the word ‘him’.”.

Amendment of  
section 48 of Act  
38 of 1942.

23. Section *forty-eight* of the principal Act is hereby amended by the insertion after the word “person” of the words “approved of by the Registrar.”.

Amendment of  
section 51 of Act  
38 of 1942.

24. Section *fifty-one* of the principal Act is hereby amended—

(a) by the deletion in sub-section (1) of the word “*thirty-six*”; and

(b) by the insertion of the following sub-section after sub-section (2):

“(2)*bis*. The Registrar shall furnish any applicant therefor, on payment of a fee of two shillings and sixpence, with a certified copy of any certificate of registration or provisional registration issued by him.”.

Amendment of  
section 52 of Act  
38 of 1942.

25. Section *fifty-two* of the principal Act is hereby amended—

(a) by the deletion in sub-section (3) of the words “elected or”;

(b) by the substitution for the word “Minister” wherever it occurs in sub-section (5) of the word “Registrar”; and

(c) by the addition of the following sub-section after sub-section (7):

“(8) Any person who fails to submit, transmit or furnish to the Registrar within any period fixed by or under this Act, any statement, report, return or other document, or information required by or under this Act to be so submitted, transmitted or furnished, shall, irrespective of any criminal action that may have

(3) As die betrokke bankinstelling in gebreke bly om die besoldiging van enige ingevolge sub-artikel (2) benoemde ouditeur te betaal, betaal die Minister daardie besoldiging uit staatsgeld en die Registrateur verhaal op daardie bankinstelling 'n bedrag gelykstaande aan daardie besoldiging;"; en

(b) deur sub-artikel (8) te skrap.

21. Artikel *veertig* van die Hoofwet word hiermee gewysig deur sub-artikels (1) en (2) deur die volgende sub-artikels te vervang: Wysiging van artikel 40 van Wet 38 van 1942.

"(1) Die bepalings van sub-artikels (1) en (2) van artikel *negentig bis*, sub-artikels (1), (2) en (4) van artikel *negentig ter* en sub-artikels (1) en (2) van artikel *nege-en-negentig* van die Maatskappywet, 1926 (Wet No. 46 van 1926), is vir sover hulle toegepas kan word, *mutatis mutandis* op elke direkteur, bestuurder, sekretaris of ander amptenaar, of ouditeur van 'n bankinstelling van toepassing.

(2) By die toepassing van bedoelde artikel *nege-en-negentig* word sub-artikel (1) daarvan vertolk asof die volgende paragrafe na paragraaf (f) ingevoeg was:

(g) Of die sekuriteite en al die stukke van die maatskappy behoorlik en veilig bewaar word;

(h) Of die beheer van die maatskappy oor sy takke en agentskappe voldoende is en of sy instruksies aan sy amptenare in sy takke en agentskappe behoorlik uitgevoer is."

Met dien verstande dat paragrafe (c) en (h) van bedoelde sub-artikel soos aldus vertolk, nie so vertolk word dat 'n ouditeur van 'n bankinstelling ten opsigte van elke tak of agentskap van daardie bankinstelling 'n audit moet uitvoer nie, tensy omstandighede sodanige optrede vereis."

22. Artikel *vier-en-veertig* van die Hoofwet word hiermee gewysig deur sub-artikel (3) deur die volgende sub-artikel te vervang: Wysiging van artikel 44 van Wet 38 van 1942.

„(3) By die toepassing van die bepalings van artikel *honderd vyf-en-negentig* van laasgenoemde Wet ten opsigte van 'n bankinstelling—

(a) moet sub-artikel (4) daarvan vertolk word asof na die woorde „genoem word by die" die woorde „Registrateur van Banke en die" en na die woorde „en die" die woorde „Registrateur van Banke of die" ingevoeg was; en

(b) moet sub-artikel (5) daarvan vertolk word asof na die woorde „na die" die woorde „Registrateur van Banke en die" ingevoeg was en die woord „hom" deur die woord „hulle" vervang was."

23. Artikel *agt-en-veertig* van die Hoofwet word hiermee gewysig deur na die woord „persoon" die woorde „deur die Registrateur goedgekeur" in te voeg. Wysiging van artikel 48 van Wet 38 van 1942.

24. Artikel *een-en-vyftig* van die Hoofwet word hiermee gewysig— Wysiging van artikel 51 van Wet 38 van 1942.

(a) deur in sub-artikel (1) die woord „*ses-en-dertig*" te skrap; en

(b) deur die volgende sub-artikel na sub-artikel (2) in te voeg:

„(2)*bis*. Die Registrateur moet aan enigeen op sy versoek, teen betaling van 'n bedrag van twee sjielings en ses pennies, 'n gesertifiseerde afskrif van enige registrasiesertifikaat of voorlopige registrasiesertifikaat deur hom uitgereik, verstrek."

25. Artikel *twee-en-vyftig* van die Hoofwet word hiermee gewysig— Wysiging van artikel 52 van Wet 38 van 1942.

(a) deur in sub-artikel (3) die woorde „gekose of" te skrap;

(b) deur in sub-artikel (5) die woord „Minister" oral waar dit voorkom deur die woord „Registrateur" te vervang; en

(c) deur die volgende sub-artikel na sub-artikel (7) by te voeg:

„(8) Iemand wat in gebreke bly om binne enige tydperk deur of kragtens hierdie Wet vasgestel, aan die Registrateur enige staat, verslag, opgawe of ander dokument, of inligting voor te lê, te stuur of te verstrek, wat volgens of kragtens hierdie Wet aldus voorgelê, gestuur of verstrek moet word, is,

been taken or may be taken against such person under the provisions of this Act, be liable to pay a penalty of ten pounds for every day after the expiration of any such period that he continues so to fail, and the Registrar may by civil action in any competent court of law recover from such person such penalty, or such portion thereof as he in his discretion considers the circumstances justify him in claiming."

Short title.

26. This Act shall be called the Banking Amendment Act, 1955.

afgesien van enige strafregtelike stappe wat kragtens die bepalings van hierdie Wet teen so iemand gedoen is of gedoen kan word, onderhewig aan 'n boete van tien pond vir elke dag na die verstryking van so 'n tydperk wat hy aanhou om aldus in gebreke te bly, en die Registrateur kan deur siviele aksie in enige bevoegde geregshof so 'n boete, of so 'n gedeelte daarvan wat hy na sy oordeel ag dat die omstandighede hom regverdig om te vorder, van so iemand vorder."

26. Hierdie Wet heet die Bank-wysigingswet, 1955.

Kort titel.

No. 41, 1955.]

# ACT

To amend the Old Age Pensions Act, 1928, the War Pensions Act, 1941, the Pension Laws Amendment Act, 1951, and the Pension Laws Amendment Act, 1954; and to provide for the payment of a special bonus to persons in receipt of certain pensions, grants and allowances.

(English text signed by the Governor-General.)  
(Assented to 8th June, 1955.)

**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:—

Amendment of section 1 of Act 22 of 1928, as amended by section 1 of Act 34 of 1931, section 1 of Act 34 of 1937, section 2 of Act 48 of 1944 and section 4 of Act 35 of 1949.

1. Section *one* of the Old Age Pensions Act, 1928 (Act No. 22 of 1928), is hereby amended by the substitution in paragraph (ii) of the proviso thereto for the words "not be deemed to have been interrupted by" of the words "be deemed to include".

Amendment of section 28 of Act 45 of 1941, as amended by section 57 of Act 44 of 1942.

2. Section *twenty-eight* of the War Pensions Act, 1941 (Act No. 45 of 1941), is hereby amended by the addition of the following words at the end of the definition of "war veteran":

"and includes a member of the South African Permanent Force who signed an undertaking to serve in connection with the hostilities in Korea and who during the said hostilities performed any naval, military or air service on or after the date on which he was detailed for duty in connection therewith."

Amendment of section 30 of Act 45 of 1941, as amended by section 58 of Act 44 of 1942, section 10 of Act 48 of 1944, section 2 of Act 43 of 1946, section 5 of Act 41 of 1948, section 9 of Act 35 of 1949 and section 15 of Act 52 of 1954.

3. (1) Section *thirty* of the War Pensions Act, 1941, is hereby amended by the addition at the end of sub-section (1) of the following further proviso:

"Provided further that if a war veteran performed any military or naval service during the Anglo-Boer War, 1899-1902, in any British Force or in any force of the late South African Republic or of the late Republic of the Orange Free State—

- (a) his income (or means) shall not be taken into account in determining the amount of the pension to be granted or paid to him; and
- (b) the provisions of sub-section (2) of section *six* of the Old Age Pensions Act, 1928 (Act No. 22 of 1928), shall not apply in respect of him."

(2) The provisions of sub-section (1) shall be deemed to have come into operation on the first day of April, 1955, and may be applied with retrospective effect in respect of any person—

- (a) who, on the date of promulgation of this Act, is in receipt of a veteran's pension under the provisions of Part II of the War Pensions Act, 1941; or
- (b) to whom, on the said date of promulgation, a payment is being made under the provisions of sub-section (3) of section *fifteen* of the Pension Laws Amendment Act, 1948 (Act No. 41 of 1948); or
- (c) who would have been qualified to receive a veteran's pension in accordance with the provisions of sub-section (1) had that sub-section in fact come into operation on the first day of April, 1955, and who applies for such a pension within sixty days after the date of promulgation of this Act.

Amendment of section 13 of Act 47 of 1951.

4. Section *thirteen* of the Pension Laws Amendment Act, 1951 (Act No. 47 of 1951), is hereby amended—

- (a) by the substitution in sub-section (1)—
  - (i) for the expression "April, 1951" of the expression "July, 1955"; and

No. 41, 1955.]

## WET

Tot wysiging van die Ouderdomspensioenwet, 1928, die Oorlogspensioenwet, 1941, die Wysigingswet op die Pensioenwette, 1951, en die Wysigingswet op die Pensioenwette, 1954; en om voorsiening te maak vir die betaling van 'n spesiale bonus aan persone wat sekere pensioene, toekennings en toelaes ontvang.

(Engelse teks deur die Goewerneur-generaal geteken.)  
(Goedgekeur op 8 Junie 1955.)

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

1. Artikel *een* van die Ouderdomspensioenwet, 1928 (Wet No. 22 van 1928), word hiermee gewysig deur in paragraaf (ii) van die voorbehoudsbepaling daarby die woorde „nie geag word onderbreek te geword het nie deur” deur die woorde „word geag in te sluit” te vervang.

Wysiging van artikel 1 van Wet 22 van 1928, soos gewysig deur artikel 1 van Wet 34 van 1931, artikel 1 van Wet 34 van 1937, artikel 2 van Wet 48 van 1944 en artikel 4 van Wet 35 van 1949.

2. Artikel *agt-en-twintig* van die Oorlogspensioenwet, 1941 (Wet No. 45 van 1941), word hiermee gewysig deur die volgende woorde aan die end van die omskrywing van „oudstryder” by te voeg:

Wysiging van artikel 28 van Wet 45 van 1941, soos gewysig deur deur artikel 57 van Wet 44 van 1942.

„en ook 'n lid van die Suid-Afrikaanse Staande Mag wat 'n onderneming om in verband met die vyandelikhede in Korea diens te doen, onderteken het en wat gedurende bedoelde vyandelikhede op of na die datum waarop hy vir diens in verband daarmee aangesê is, vloot-, militêre of lugdiens verrig het.”

3. (1) Artikel *dertig* van die Oorlogspensioenwet, 1941, word hiermee gewysig deur aan die end van sub-artikel (1) die volgende verdere voorbehoudsbepaling by te voeg:

Wysiging van artikel 30 van Wet 45 van 1941, soos gewysig deur artikel 58 van Wet 44 van 1942, artikel 10 van Wet 48 van 1944, artikel 2 van Wet 43 van 1946, artikel 5 van Wet 41 van 1948, artikel 9 van Wet 35 van 1949 en artikel 15 van Wet 52 van 1954.

„Met dien verstande voorts dat indien 'n oudstryder militêre of vlootdiens verrig het gedurende die Anglo-Boere-oorlog, 1899-1902, in een of ander Britse mag of enige mag van die gewese Suid-Afrikaanse Republiek of van die gewese Republiek van die Oranje-Vrystaat—

(a) sy inkomste (of middele) nie in aanmerking geneem word wanneer die bedrag van die pensioen wat aan hom toegeken of betaal moet word, vasgestel word nie; en

(b) die bepalings van sub-artikel (2) van artikel *ses* van die Ouderdomspensioenwet, 1928 (Wet No. 22 van 1928), nie ten opsigte van hom van toepassing is nie.”

(2) Die bepalings van sub-artikel (1) word geag op die eerste dag van April 1955 in werking te getree het, en kan met terugwerkende krag toegepas word ten opsigte van iemand—

(a) wat op die datum waarop hierdie Wet uitgevaardig word, 'n oudstryderspensioen ingevolge die bepalings van Deel II van die Oorlogspensioenwet, 1941, ontvang; of

(b) aan wie op bedoelde datum van uitvaardiging 'n betaling ingevolge die bepalings van sub-artikel (3) van artikel *vyftien* van die Wysigingswet op die Pensioenwette, 1948 (Wet No. 41 van 1948), gemaak word; of

(c) wat bevoeg sou gewees het om ooreenkomstig die bepalings van sub-artikel (1) 'n oudstryderspensioen te ontvang, indien daardie sub-artikel inderdaad op die eerste dag van April 1955 in werking getree het, en wat binne sestig dae na die datum waarop hierdie Wet uitgevaardig word om so 'n pensioen aansoek doen.

4. Artikel *dertien* van die Wysigingswet op die Pensioenwette, 1951 (Wet No. 47 van 1951), word hiermee gewysig—

Wysiging van artikel 13 van Wet 47 van 1951.

(a) deur in sub-artikel (1)—

(i) die uitdrukking „April 1951” deur die uitdrukking „Julie 1955” te vervang; en

- (ii) for the word "twenty-five" wherever it occurs of the words "thirty-seven and one-half"; and  
 (b) by the deletion of sub-section (3).

Amendment of section 15 of Act 52 of 1954.

5. (1) Section *fifteen* of the Pension Laws Amendment Act, 1954 (Act No. 52 of 1954), is hereby amended by the insertion in sub-section (1) after the word "end" of the expression "of sub-section (1)".

(2) This section shall be deemed to have come into operation on the first day of April, 1954.

Grant of special bonus to persons in receipt of social pensions.

6. (1) Every person to whom a pension has been granted under the Old Age Pensions Act, 1928 (Act No. 22 of 1928), or the Blind Persons Act, 1936 (Act No. 11 of 1936), or Part II of the War Pensions Act, 1941 (Act No. 45 of 1941), or to whom a grant has been made under the Disability Grants Act, 1946 (Act No. 36 of 1946), or in terms of paragraph (c) of sub-section (1) of section *eighty-four* of the Children's Act, 1937 (Act No. 31 of 1937), or to whom payment has been made in terms of sub-section (3) of section *fifteen* of the Pension Laws Amendment Act, 1948 (Act No. 41 of 1948), shall, during the continuance of such pension or grant or so long as such payment is being made to him, but not beyond the thirty-first day of March, 1956, be paid a special bonus at the rate of—

- (a) twelve pounds per annum in the case of a white person;
- (b) three pounds per annum in the case of a coloured person or an Indian; and
- (c) one pound ten shillings per annum in the case of a native.

(2) A bonus paid in terms of this section shall not be regarded as means or income for the purposes of sub-section (1) of section *six* of the Old Age Pensions Act, 1928, or sub-section (1) of section *five* of the Blind Persons Act, 1936, or section *thirty* of the War Pensions Act, 1941, or sub-section (1) of section *nine* of the Disability Grants Act, 1946, or for the purposes of any regulation made under paragraph (k) of section *eighty-six* of the Children's Act, 1937 (Act No. 31 of 1937), in respect of a grant made or to be made towards the maintenance of any person mentioned in paragraph (c) of sub-section (1) of section *eighty-four* of the said Act.

(3) The provisions of sub-sections (1) and (2) shall be deemed to have come into operation on the first day of April, 1955, and may be applied with retrospective effect in respect of any person who was alive on that date and who on or after that date was in receipt of a pension under the Old Age Pensions Act, 1928, or the Blind Persons Act, 1936, or Part II of the War Pensions Act, 1941, or a grant under the Disability Grants Act, 1946, or in terms of paragraph (c) of sub-section (1) of section *eighty-four* of the Children's Act, 1937, or to whom on or after that date a payment was being made in terms of sub-section (3) of section *fifteen* of the Pension Laws Amendment Act, 1948.

Short title.

7. This Act shall be called the Pension Laws Amendment Act, 1955.

- (ii) die woord „vyf-en-twintig” oral waar dit voorkom deur die woorde „sewe-en-dertig en ’n half” te vervang; en  
(b) deur sub-artikel (3) te skrap.

5. (1) Artikel *vyftien* van die Wysigingswet op die Pensioenwette, 1954 (Wet No. 52 van 1954), word hiermee gewysig deur in sub-artikel (1) na die woord „end” die uitdrukking „van sub-artikel (1)” in te voeg.

Wysiging van artikel 15 van Wet 52 van 1954.

(2) Hierdie artikel word geag op die eerste dag van April 1954 in werking te getree het.

6. (1) Aan elke persoon aan wie ’n pensioen kragtens die Ouderdomspensioenwet, 1928 (Wet No. 22 van 1928), of die Wet op Blindes, 1936 (Wet No. 11 van 1936), of Deel II van die Oorlogspensioenwet, 1941 (Wet No. 45 van 1941), toegeken is, of aan wie ’n toelae kragtens die Wet op Ongeskiktheidstoelaes, 1946 (Wet No. 36 van 1946), of ingevolge paragraaf (c) van sub-artikel (1) van artikel *vier-en-tagtig* van die Kinderwet, 1937 (Wet No. 31 van 1937), toegeken is, of aan wie betaling ingevolge sub-artikel (3) van artikel *vyftien* van die Wysigingswet op die Pensioenwette, 1948 (Wet No. 41 van 1948), gemaak is, word solank daardie pensioen of toelae voortduur of daardie betaling aan hom gemaak word, maar nie na die een-en-dertigste dag van Maart 1956 nie, ’n spesiale bonus betaal teen die skaal van—

Toekenning van spesiale bonus aan persone wat maatskaplike pensioene ontvang.

- (a) twaalf pond per jaar in die geval van ’n blanke;  
(b) drie pond per jaar in die geval van ’n kleurling of ’n Indiër; en  
(c) een pond tien sjielings per jaar in die geval van ’n naturel.

(2) By die toepassing van sub-artikel (1) van artikel *ses* van die Ouderdomspensioenwet, 1928, of sub-artikel (1) van artikel *vyf* van die Wet op Blindes, 1936, of artikel *dertig* van die Oorlogspensioenwet, 1941, of sub-artikel (1) van artikel *nege* van die Wet op Ongeskiktheidstoelaes, 1946, of by die toepassing van enige regulasie uitgevaardig kragtens paragraaf (k) van artikel *ses-en-tagtig* van die Kinderwet, 1937 (Wet No. 31 van 1937), ten opsigte van ’n toelae wat betaal is of betaal gaan word vir die onderhoud van iemand bedoel in paragraaf (c) van sub-artikel (1) van artikel *vier-en-tagtig* van bedoelde Wet, word ’n bonus wat ingevolge hierdie artikel betaal word, nie as inkomste of middele beskou nie.

(3) Die bepalinge van sub-artikels (1) en (2) word geag op die eerste dag van April 1955 in werking te getree het, en kan met terugwerkende krag toegepas word ten opsigte van iemand wat op daardie datum in lewe was en wat op of na daardie datum ’n pensioen kragtens die Ouderdomspensioenwet, 1928, of die Wet op Blindes, 1936, of Deel II van die Oorlogspensioenwet, 1941, of ’n toelae kragtens die Wet op Ongeskiktheidstoelaes, 1946, of ingevolge paragraaf (c) van sub-artikel (1) van artikel *vier-en-tagtig* van die Kinderwet, 1937, ontvang het, of aan wie op of na daardie datum ’n betaling ingevolge sub-artikel (3) van artikel *vyftien* van die Wysigingswet op die Pensioenwette, 1948, gemaak is.

7. Hierdie Wet heet die Wysigingswet op die Pensioenwette, Kort titel. 1955.