

13.
EXTRAORDINARY



13.
BUITENGEWONE

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KAAPSTAD, 8 MAART, 1957.

PRYS 6d. [No. 5832.

DEPARTMENT OF THE PRIME MINISTER.

The following Government Notice is published for general information:—

No. 356.] [8th March, 1957.

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:—

	PAGE
No. 6 of 1957: Unauthorized Expenditure (1955-'56), Act, 1957	2
No. 7 of 1957: Part Appropriation Act, 1957	4
No. 9 of 1957: Unemployment Insurance Amendment Act, 1957	6

DEPARTEMENT VAN DIE EERSTE MINISTER.

Onderstaande Goewermentskennisgewing word ter algemene inligting gepubliseer:—

No. 356.] [8 Maart 1957.

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

	BLADSY
No. 6 van 1957: Wet op Ongemagtigde Uitgawes (1955-'56), 1957	3
No. 7 van 1957: Gedeeltelike Begrotingswet, 1957	5
No. 9 van 1957: Wysigingswet op Werkloosheidsversekering, 1957	7

No. 6, 1957.]

ACT

To apply a further sum of money towards the service of the Union for the financial year ended on the thirty-first day of March, 1956, for the purpose of meeting and covering certain unauthorized expenditure.

(Afrikaans text signed by the Governor-General.)
(Assented to 5th March, 1957.)

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:—

Exchequer
Account
charged with
£7,887 11s. 9d.

1. The Exchequer Account of the Union is hereby charged with the sum of seven thousand eight hundred and eighty-seven pounds, eleven shillings and nine pence, to meet certain expenditure over and above the amounts appropriated for the service of the Union for the financial year which ended on the thirty-first day of March, 1956. Such expenditure is set forth in the Schedule to this Act and is more particularly specified on page 13 of the Report (which has been submitted to Parliament) of the Controller and Auditor-General on the accounts for the said financial year and in the First Report of the Select Committee on Public Accounts, 1957.

Short title.

2. This Act shall be known as the Unauthorized Expenditure (1955-56) Act, 1957.

Schedule.

No. of Vote.	Title of Vote.	Amount.
	(On Revenue Account.)	
7	Magistrates and District Administration	£ s. d. 7,887 11 9

No. 6, 1957.]

WET

Tot aanwending van 'n verdere som vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1956 geëindig het, tot bestryding en dekking van sekere ongemagtigde uitgawes.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 5 Maart 1957.)

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

1. Die Skatkisrekening van die Unie word hierby belas met die som van seweduisend agthonderd sewe-en-tagtig pond, elf sjielings en nege pennies tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1956 geëindig het. Hierdie uitgawes word uiteengesit in die Bylae by hierdie Wet en word nader omskryf op bladsy 12 van die (aan die Parlement voorgelegde) Verslag van die Kontroleur en Ouditeur-generaal oor die rekenings vir voormelde boekjaar en in die Eerste Verslag van die Gekose Komitee oor Openbare Rekenings, 1957.

Skatkisrekening
belas met
£7,887 11s. 9d.

2. Hierdie Wet heet die Wet op Ongemagtigde Uitgawes Kort titel. (1955-'56), 1957.

Bylae.

No. van Begrotingspos.	Titel van Begrotingspos.	Bedrag.
	(Op inkomsterekening.)	
7	Magistrate en Distriksadministrasie ..	£ s. d. 7,887 11 9

No. 7, 1957.]

ACT

To apply a sum not exceeding ninety million pounds towards the service of the Union for the financial year ending on the thirty-first day of March, 1958.

(English text signed by the Governor-General.)

(Assented to 5th March, 1957.)

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:—

Exchequer
Account charged
with £69,500,000
on revenue
account,
£2,500,000 on
bantu education
account and
£18,000,000 on
loan account.

1. On and after the first day of April, 1957, there may be issued out of the Exchequer Account such sums of money not exceeding in the aggregate the sum of sixty-nine million five hundred thousand pounds for revenue services, two million five hundred thousand pounds for bantu education and eighteen million pounds for loan services as may from time to time be required for the service of the Union for the financial year ending on the thirty-first day of March, 1958, until such time as provision is made therefor by Parliament in an Appropriation Act.

Sums issued under
this Act to be
advances in
anticipation.

2. All sums issued under the provisions of this Act shall be deemed to be advances on account of grants to be made by Parliament in an Appropriation Act for the financial year ending on the thirty-first day of March, 1958, and upon the commencement of such Appropriation Act, this Act shall cease to have effect and issues already made hereunder shall be deemed to be issues under that Appropriation Act, and shall be accounted for in accordance with the provisions thereof:

Provided that no services upon which expenditure has not been duly authorized under an Appropriation Act during the financial year ending on the thirty-first day of March, 1957, or for which there is no statutory authority, shall be deemed to be authorized under section one of this Act.

Short title.

3. This Act shall be known as the Part Appropriation Act, 1957.

No. 7, 1957.]

WET

Tot aanwending van 'n som van hoogstens negentigmiljoen pond vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1958 eindig.

*(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 5 Maart 1957.)*

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

1. Op en na die eerste dag van April 1957 mag die somme geld gesamentlik ten bedrae van hoogstens nege-en-sestigmiljoen vyfhonderdduisend pond vir inkomstedienste, tweemiljoen vyfhonderdduisend pond vir bantoe-onderwys en agtienmiljoen pond vir leningsdienste wat van tyd tot tyd nodig mag wees vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1958 eindig, uit die Skatkisrekening uitgerek word, totdat die Parlement in 'n Begrotingswet daarvoor voorsiening maak.

Skatkisrekening
belas met
£69,500,000 op
inkomsterekening,
£2,500,000 op
bantoe-onderwys-
rekening en
£18,000,000 op
leningsrekening.

2. Alle somme kragtens die bepalinge van hierdie Wet uitgerek, word beskou as voorskotte op rekening van gelde wat deur die Parlement in 'n Begrotingswet toegestaan sal word vir die boekjaar wat op die een-en-dertigste dag van Maart 1958 eindig, en by die inwerkingtreding van daardie Begrotingswet tree hierdie Wet buite werking en word gelde wat kragtens hierdie Wet reeds uitgerek is, beskou as uitreikings kragtens daardie Begrotingswet en moet sodanige uitreikings ooreenkomstig die bepalinge daarvan verantwoord word:

Somme ingevolge
hierdie Wet
uitgerek word
beskou as
voorlopige
voorskotte.

Met dien verstande dat daar nie beskou word dat dienste waarvoor geen uitgawe gedurende die boekjaar wat op die een-en-dertigste dag van Maart 1957 eindig, behoorlik kragtens 'n Begrotingswet gemagtig is nie, of waarvoor geen wetlike magtiging bestaan nie, deur artikel een van hierdie Wet gemagtig word nie.

3. Hierdie Wet heet die Gedeeltelike Begrotingswet, 1957. Kort titel.

No. 9, 1957.]

ACT

To amend the Unemployment Insurance Act, 1946.

(English text signed by the Governor-General.)
(Assented to 5th March, 1957.)

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 53 of 1946, as amended by section 2 of Act 41 of 1949 and section 2 of Act 48 of 1952.

1. Section *one* of the Unemployment Insurance Act, 1946 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "earnings" of the following definition:

"'earnings' means earnings as defined in section *two bis*;"

Amendment of section 2 of Act 53 of 1946, as amended by section 3 of Act 41 of 1949, section 3 of Act 48 of 1952 and section 1 of Act 10 of 1954.

2. Section *two* of the principal Act is hereby amended by the substitution in paragraph (*d*) of sub-section (2), for the words "seven hundred and fifty" of the words "one thousand two hundred and fifty" and for the words "one hundred and eighty-two" of the words "two hundred and seventy-three".

Insertion of section *2bis* in Act 53 of 1946.

3. The following section is hereby inserted in the principal Act after section *two*:

"Definition of 'earnings'.

2bis. (1) Subject to the provisions of this section and unless the context otherwise indicates 'earnings' in this Act means any payment in money or in kind or both in money and in kind made or owing to any person (including any cost-of-living allowance), which arises in any manner whatsoever out of employment, but does not include the training which a person is entitled to receive under a contract of apprenticeship or learnership, nor any earnings received by way of commission or as a share in takings, nor any remuneration for overtime work, or any other special remuneration: Provided that the Minister may, after consultation with the board, determine that any kind of payment generally or in respect of any contributor or any class of contributor shall not constitute such other special remuneration.

(2) The Minister may, after consultation with the board, withdraw or amend any such determination."

Amendment of section 12 of Act 53 of 1946.

4. Section *twelve* of the principal Act is hereby amended by the substitution in sub-section (1) for the word "eight" of the words "not less than eight and not more than sixteen".

Amendment of section 26 of Act 53 of 1946.

5. Section *twenty-six* of the principal Act is hereby amended by the addition thereto of the following sub-sections:

"(3) The Secretary may designate any officer or employee in his Department to assist a claims officer, and any officer or employee so designated shall exercise such powers and perform such duties as may from time to time be assigned in writing to him by such claims officer.

(4) A claims officer may delegate any power conferred upon him by this Act to any officer or employee designated to assist him in terms of sub-section (3)."

Amendment of section 39 of Act 53 of 1946, as amended by section 9 of Act 41 of 1949, section 1 of Act 57 of 1951, section 8 of Act 48 of 1952, Proclamation 155 of 1952 and section 5 of Act 10 of 1954.

6. (1) Section *thirty-nine* of the principal Act is hereby amended—

(a) by the substitution for the rates specified in sub-section (1) of the following rates:

"Group I ..	22/9	per calendar week or three-quarters of his weekly earnings whichever is the less.
Group II ..	35/-	per calendar week.
Group III ..	45/6	per calendar week.

No. 9, 1957.]

WET

Tot wysiging van die Werkloosheidversekeringswet, 1946.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 5 Maart 1957.)

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 Werkloosheidversekeringswet, 1946 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van „verdienste” deur die volgende omskrywing te vervang:

„verdienste”, verdienste soos in artikel *twee bis* omskryf;”.

Wysiging van artikel 1 van Wet 53 van 1946, soos gewysig deur artikel 2 van Wet 41 van 1949 en artikel 2 van Wet 48 van 1952.

2. Artikel *twee* van die Hoofwet word hierby gewysig deur in paragraaf (d) van sub-artikel (2) die woord „sewehonderden-vyftig” deur die woorde „eenduisend tweehonderden-vyftig” en die woorde „honderd twee-en-tagtig” deur die woorde „tweehonderd drie-en-sewentig” te vervang.

Wysiging van artikel 2 van Wet 53 van 1946, soos gewysig deur artikel 3 van Wet 41 van 1949, artikel 3 van Wet 48 van 1952 en artikel 1 van Wet 10 van 1954.

3. Die volgende artikel word hierby in die Hoofwet, na artikel *twee* ingevoeg:

„Omskrywing van „verdienste”.

2bis. (1) Behoudens die bepalinge van hierdie artikel en tensy uit die samehang anders blyk, beteken „verdienste” in hierdie Wet enige betaling in kontant of in natura of beide in kontant en in natura, gedoen of verskuldig aan enige persoon (met inbegrip van enige lewenskostetoelae), wat op enige wyse hoegenaamd uit diens ontstaan, dog omvat nie die opleiding waarop iemand ingevolge ’n vakleerlingskap- of leerlingskapkontrak geregtig is nie en ook nie enige verdienste wat op ’n kommissiebasis bereken word of uit ’n aandeel in ontvangste bestaan nie, en ook nie enige besoldiging vir oortydwerk of enige ander spesiale besoldiging nie: Met dien verstande dat die Minister, na raadpleging met die raad, kan bepaal dat enige soort betaling in die algemeen of ten opsigte van enige bydraer of enige klas bydraer nie sodanige ander spesiale besoldiging uitmaak nie.

(2) Die Minister kan, na raadpleging met die raad, enige sodanige bepaling intrek of wysig.”.

Invoeging van artikel *2bis* in Wet 53 van 1946.

4. Artikel *twaalf* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woord „agt” deur die woorde „minstens agt en hoogstens sestig” te vervang.

Wysiging van artikel 12 van Wet 53 van 1946.

5. Artikel *ses-en-twintig* van die Hoofwet word hierby gewysig deur die volgende sub-artikels daarby te voeg:

„(3) Die Sekretaris kan enige amptenaar of werknemer in sy Departement aanwys om ’n eisebeampte behulpsaam te wees, en enige amptenaar of werknemer aldus aangewys oefen sodanige bevoegdhede uit en vervul sodanige pligte as wat van tyd tot tyd skriftelik aan hom deur bedoelde eisebeampte toegewys word.

(4) ’n Eisebeampte kan enige bevoegdheid wat deur hierdie Wet aan hom verleen is, aan enige amptenaar of werknemer wat ingevolge sub-artikel (3) aangewys is om hom behulpsaam te wees, delegeer.”.

Wysiging van artikel 26 van Wet 53 van 1946.

6. (1) Artikel *nege-en-dertig* van die Hoofwet word hierby gewysig—

(a) deur die skale in sub-artikel (1) bepaal deur die volgende skale te vervang:

„Groep I ..	22/9 per kalenderweek of driekwart van sy weeklikse verdienste, na gelang van watter bedrag die minste is.
Groep II ...	35/- per kalenderweek.
Groep III ..	45/6 per kalenderweek.

Wysiging van artikel 39 van Wet 53 van 1946, soos gewysig deur artikel 9 van Wet 41 van 1949, artikel 1 van Wet 57 van 1951, artikel 8 van Wet 48 van 1952, Proklamasie 155 van 1952 en artikel 5 van Wet 10 van 1954.

Group IV	..	56/-	per calendar week.
Group V	..	66/6	per calendar week.
Group VI	..	77/-	per calendar week.
Group VII	..	87/6	per calendar week.
Group VIII	..	98/-	per calendar week.
Group IX	..	108/6	per calendar week.
Group X	..	119/-	per calendar week.
Group XI	..	129/6	per calendar week.”;

(b) by the substitution in paragraph (a) of sub-section (10) for the word “four” of the word “three”, and for the words “three years” of the words “thirteen weeks”;

(c) by the substitution in paragraph (b) of sub-section (10) for the word “four” wherever it appears of the word “three”, and for the word “fourth” of the word “third”;

(d) by the addition at the end of paragraph (d) of sub-section (10) of the words “or receives from his employer, whether in cash or in kind, less than one-third of his normal earnings.”;

(e) by the substitution for paragraph (b) of sub-section (11) of the following paragraph:

“(b) A contributor shall not be entitled to receive benefits in terms of paragraph (a) unless she was in employment as a contributor for not less than thirteen weeks during the fifty-two weeks immediately preceding the date upon which application for such benefits is made, but the board may, in its discretion, on application by the contributor in the prescribed form, authorize the payment of such benefits to a contributor who had been in employment, whether as a contributor or otherwise, for a period of not less than thirteen weeks during the two years immediately preceding the date upon which such application for benefits was made.”; and

(f) by the insertion after paragraph (b) of sub-section (11) of the following paragraph:

“(b)bis For the purposes of this sub-section a female contributor shall, notwithstanding the fact that her services have not been terminated, be deemed to be unemployed also if, in respect of any period mentioned in paragraph (a), she is not in receipt of any earnings or receives from her employer, whether in cash or in kind, less than one-third of her normal earnings.”.

(2) Where the rate at which any benefits may become payable to a contributor after the commencement of paragraph (a) of sub-section (1) is lower than the rate at which such benefits would, but for the provisions of this Act, have been payable to him, such benefits shall, for a period of twelve months from the said commencement, be paid to him as if this Act had not been passed.

Insertion of section 39ter in Act 53 of 1946.

7. The following section is hereby inserted in the principal Act after section *thirty-nine bis*:

“Payments to dependants of contributors.

39ter. (1) Subject to the provisions of this section, the Secretary may, on application in the prescribed form, pay from the fund to the dependants of a contributor who dies on or after the date upon which this section comes into operation (hereinafter referred to as the deceased contributor) an amount equal to the sum of the amounts which would, but for the provisions of sub-section (3) of section *thirty-nine* and paragraph (c) of sub-section (1) of section *forty*, have been payable to the deceased contributor had such contributor been capable of and available for work and unemployed for a period of twenty-six weeks from the date of his death.

(2) No payment shall be made in terms of sub-section (1)—

(a) unless application therefor is made within a period of one year from the date of death of the contributor concerned or within such longer period (not exceeding two years from the date of death of the contributor concerned) as the board may allow if it is satisfied that the delay

Groep	IV	..	56/-	per kalenderweek.
Groep	V	..	66/6	per kalenderweek.
Groep	VI	..	77/-	per kalenderweek.
Groep	VII	..	87/6	per kalenderweek.
Groep	VIII	..	98/-	per kalenderweek.
Groep	IX	..	108/6	per kalenderweek.
Groep	X	..	119/-	per kalenderweek.
Groep	XI	..	129/6	per kalenderweek:";

- (b) deur in paragraaf (a) van sub-artikel (10) die woord „vier” deur die woord „drie” en die woorde „drie jaar” deur die woorde „dertien weke” te vervang;
- (c) deur in paragraaf (b) van sub-artikel (10) die woord „vier”, oral waar dit voorkom, deur die woord „drie” en die woord „vierde” deur die woord „derde” te vervang;
- (d) deur aan die end van paragraaf (d) van sub-artikel (10) die woorde „of van sy werkgewer, hetsy in kontant of in natura, minder as een-derde van sy normale verdienste ontvang.” by te voeg;
- (e) deur paragraaf (b) van sub-artikel (11) deur die volgende paragraaf te vervang:

„(b) 'n Bydraer is nie op voordele ingevolge paragraaf (a) geregtig nie tensy sy as 'n bydraer werksaam was vir minstens dertien weke gedurende die twee-en-vyftig weke wat die datum waarop die aansoek om sulke voordele gedoen word onmiddellik voorafgaan, maar die raad kan, na goeëdunke, op aansoek van die bydraer in die voorgeskrewe vorm, die betaling van sulke voordele magtig aan 'n bydraer wat in diens was, hetsy as 'n bydraer of andersins, vir 'n tydperk van minstens dertien weke gedurende die twee jaar wat die datum waarop sodanige aansoek om voordele gedoen is onmiddellik voorafgaan.”; en
- (f) deur na paragraaf (b) van sub-artikel (11) die volgende paragraaf in te voeg:

„(b)bis By die toepassing van hierdie sub-artikel word 'n vroulike bydraer, ondanks die feit dat haar dienste nie beëindig is nie, geag werkloos te wees ook indien sy, ten opsigte van enige in paragraaf (a) vermelde tydperk, geen verdienste ontvang nie of van haar werkgewer, hetsy in kontant of in natura, minder as een-derde van haar normale verdienste ontvang.”.

(2) Ingeval die skaal waarteen enige voordele aan 'n bydraer, na die inwerkingtreding van paragraaf (a) van sub-artikel (1), betaalbaar mag word, laer is as die skaal waarteen sodanige voordele aan hom betaalbaar sou gewees het as dit nie vir die bepalings van hierdie Wet was nie, word sodanige voordele, vir 'n tydperk van twaalf maande vanaf bedoelde inwerkingtreding, aan hom betaal asof hierdie Wet nie aangeneem was nie.

7. Die volgende artikel word hierby in die Hoofwet, na artikel *nege-en-dertig bis* ingevoeg:

Invoeging van artikel 39ter in Wet 53 van 1946.

„Betalings aan afhanklikes van bydraers. 39ter. (1) Behoudens die bepalings van hierdie artikel, kan die Sekretaris, op aansoek in die voorgeskrewe vorm, aan die afhanklikes van 'n bydraer wat op of na die datum waarop hierdie artikel in werking tree, te sterwe kom (hieronder die oorlede bydraer genoem) uit die fonds 'n bedrag betaal wat gelyk is aan die som van die bedrae wat, as dit nie vir die bepalings van sub-artikel (3) van artikel *nege-en-dertig* en paragraaf (c) van sub-artikel (1) van artikel *veertig* was nie, aan die oorlede bydraer betaalbaar sou gewees het indien daardie bydraer vir werk geskik en beskikbaar was en vir 'n tydperk van ses-en-twintig weke vanaf die datum van sy dood werkloos was.

(2) Geen betaling word ingevolge sub-artikel (1) gedoen nie—

(a) tensy aansoek daarom gedoen word binne 'n tydperk van een jaar vanaf die datum van dood van die betrokke bydraer of binne sodanige langer tydperk (nie twee jaar vanaf die datum van dood van die betrokke bydraer te bowegaande nie) as wat die raad mag toestaan indien hy oortuig is dat die vertraging in die doen van

- in making the application was caused by events beyond the control of the applicant;
- (b) unless the deceased contributor was in employment as a contributor for not less than thirteen weeks during the five years immediately preceding the date of his death.
- (3) (a) If there is such a dependant as is referred to in sub-paragraph (i) of paragraph (a) of sub-section (7) when any amount becomes payable in terms of sub-section (1) such amount shall be paid to such dependant.
- (b) If the board is satisfied that there is no such dependant it may, in its discretion, authorize the payment of such amount, or any portion thereof, in instalments or otherwise, to any person or persons, for the benefit of any dependant referred to in sub-paragraph (ii) of paragraph (a) of sub-section (7).
- (c) If the board is satisfied that there are no such dependants as are referred to in sub-paragraph (i) or (ii) of paragraph (a) of sub-section (7) it may, in its discretion, authorize the payment of such amount, or any portion thereof, in instalments or otherwise, to any person or persons, for the benefit of any dependant referred to in sub-paragraph (iii) of paragraph (a) of sub-section (7).
- (4) The Minister may make regulations as to—
- (a) the form of an application for the payment of an amount in terms of sub-section (1);
- (b) the documentary evidence to be furnished by an applicant for such payment;
- (c) the information to be furnished by an employer in regard to an application for the payment of an amount in terms of sub-section (1); and
- (d) generally, any other matter which he considers it necessary or expedient to prescribe in order that the purposes of this section may be achieved.
- (5) The provisions of sections *forty-four* and *forty-five* shall *mutatis mutandis* apply in respect of any amount paid or payable in terms of sub-section (1).
- (6) An amount payable in terms of sub-section (1) shall not form part of the estate of the deceased contributor.
- (7) For the purposes of this section—
- (a) “dependant” means—
- (i) the widow or invalid widower of the deceased contributor;
- (ii) any child (including an adopted child) of the deceased contributor under the age of seventeen years at the date of death of such contributor who was, in the opinion of the board, wholly or mainly dependent upon such contributor for the necessities of life; or
- (iii) any other person who was, in the opinion of the board, wholly or mainly dependent upon such contributor for the necessities of life;
- (b) “widow” or “widower”, in the case of a deceased Asiatic contributor, means the surviving spouse of a marriage recognized as valid in terms of section *one* or *two* of the Indian Relief Act, 1914 (Act No. 22 of 1914), or of any other law in force in the Union; and
- (c) “widow”, in the case of a deceased native contributor, includes any woman who was associated with him in a conjugal relationship according to native law and custom, where neither the man nor the woman was a party to a subsisting marriage.”

die aansoek veroorsaak is deur gebeurtenisse waaroor die applikant geen beheer gehad het nie;

- (b) tensy die oorlede bydraer gedurende die vyf jaar wat die datum van sy dood onmiddellik voorafgegaan het vir minstens dertien weke as 'n bydraer werksaam was.

(3) (a) Indien daar so 'n afhanklike is soos in sub-paragraaf (i) van paragraaf (a) van sub-artikel (7) vermeld word wanneer enige bedrag ingevolge sub-artikel (1) betaalbaar word, word die bedrag aan sodanige afhanklike betaal.

- (b) Indien die raad oortuig is dat daar nie so 'n afhanklike is nie, kan hy, na goeddunke, die betaling magtig van sodanige bedrag, of enige gedeelte daarvan, in paaielemente of andersins, aan enige persoon of persone, vir die voordeel van enige afhanklike wat in sub-paragraaf (ii) van paragraaf (a) van sub-artikel (7) vermeld word.

- (c) Indien die raad oortuig is dat daar nie sulke afhanklikes is nie soos in sub-paragraaf (i) of (ii) van paragraaf (a) van sub-artikel (7) vermeld word, kan hy, na goeddunke, die betaling magtig van sodanige bedrag, of enige gedeelte daarvan, in paaielemente of andersins, aan enige persoon of persone, vir die voordeel van enige afhanklike wat in sub-paragraaf (iii) van paragraaf (a) van sub-artikel (7) vermeld word.

(4) Die Minister kan regulasies uitvaardig betreffende—

- (a) die vorm van 'n aansoek om die betaling van 'n bedrag ingevolge sub-artikel (1);

- (b) die dokumentêre getuienis wat deur 'n applikant om sodanige betaling verstrek moet word;

- (c) die inligting wat deur 'n werkgewer in verband met 'n aansoek om die betaling van 'n bedrag ingevolge sub-artikel (1) verstrek moet word; en

- (d) in die algemeen, enige ander aangeleentheid wat hy nodig of raadsaam ag om voor te skryf ten einde die oogmerke van hierdie artikel te bereik.

(5) Die bepalinge van artikels vier-en-veertig en vyf-en-veertig is *mutatis mutandis* van toepassing ten opsigte van enige bedrag wat ingevolge sub-artikel (1) betaal of betaalbaar is.

(6) 'n Bedrag wat ingevolge sub-artikel (1) betaalbaar is, maak nie deel van die boedel van 'n oorlede bydraer uit nie.

(7) By die toepassing van hierdie artikel beteken—

- (a) „afhanklike”—

(i) die weduwee of sieklike wewenaar van die oorlede bydraer;

(ii) enige kind (met inbegrip van 'n aangenome kind) van die oorlede bydraer wat ten tyde van die dood van sodanige bydraer onder die ouderdom van sewentien jaar is en wat, na die oordeel van die raad, geheel en al of hoofsaaklik van sodanige bydraer afhanklik was vir lewensnoodsaaklikhede; of

(iii) enige ander persoon wat, na die oordeel van die raad, geheel en al of hoofsaaklik van sodanige bydraer afhanklik was vir lewensnoodsaaklikhede;

- (b) „weduwee” of „wewenaar”, in die geval van 'n oorlede Asiatiese bydraer, die oorlewende eggenoot of eggenote van 'n huwelik wat as geldig erken word ingevolge artikel een of twee van die „Indiërs Verlichting Wet, 1914” (Wet No. 22 van 1914), of ingevolge enige ander wet wat in die Unie van krag is; en

- (c) „weduwee”, in die geval van 'n oorlede natuurlike bydraer, ook enige vrou wat met hom in 'n egtelike verhouding ooreenkomstig natuurlike en -gebruik saamgeleef het, waar nóg die man nóg die vrou 'n party by 'n bestaande huwelik was.”.

Amendment of section 40 of Act 53 of 1946, as amended by section 10 of Act 41 of 1949, section 10 of Act 48 of 1952 and section 7 of Act 10 of 1954.

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

- (a) by the deletion in paragraph (d) of sub-section (1) of the words “and if he is not in receipt of any benefits paid in respect of illness from a fund to which the State is a contributor”;
- (b) by the substitution in paragraph (i) of sub-section (1) for the word “if” of the words “for a period of six weeks, or such lesser period as the claims officer concerned may determine, from the date on which”; and
- (c) by the insertion in paragraph (b) of sub-section (2) after the word “work” where it appears for the first time, of the words “which the contributor concerned is, in the opinion of the claims officer, capable of performing and the acceptance of which will not, in the opinion of the claims officer, cause the contributor concerned undue hardship, and which is work”.

Amendment of section 45 of Act 53 of 1946.

9. Section *forty-five* of the principal Act is hereby amended by the addition thereto of the following sub-section, the existing section becoming sub-section (1):

“(2) For the purposes of sub-section (1), ‘debt’ does not include any debt which becomes owing by virtue of the provisions of section *forty-four*.”.

Amendment of section 51 of Act 53 of 1946, as substituted by section 13 of Act 41 of 1949 and amended by section 13 of Act 48 of 1952 and section 8 of Act 10 of 1954.

10. Section *fifty-one* of the principal Act is hereby amended by the substitution for sub-section (2)*bis* of the following sub-section:

“(2)*bis* Notwithstanding the provisions of sub-section (2), the employer of a contributor who is, in terms of paragraph (d) of sub-section (10) or paragraph (b)*bis* of sub-section (11) of section *thirty-nine* deemed to be unemployed, and who has applied for an allowance or benefits, shall, at the request of a claims officer, forthwith forward to that officer the record card of that contributor, together with a statement containing such information and particulars in respect of the contributor as may be prescribed.”.

Amendment of section 55 of Act 53 of 1946, as amended by section 14 of Act 41 of 1949 and section 14 of Act 48 of 1952.

11. Section *fifty-five* of the principal Act is hereby amended by the insertion in paragraph (a) of sub-section (1) after the word “Act” where it appears for the first time, of the words “or in an application for the payment of an amount in terms of section *thirty-nine ter*”.

Substitution of Schedule to Act 53 of 1946, as substituted by section 9 of Act 10 of 1954.

12. The Schedule to this Act is hereby substituted for the Schedule to the principal Act.

Amendment of long title of Act 53 of 1946.

13. The long title of the principal Act is hereby amended by the substitution for the words preceding the words “to repeal” of the words “To provide for the establishment of an Unemployment Insurance Fund, for the payment of benefits to certain persons and for the payment of certain amounts to dependants of certain deceased persons;”.

Short title and date of commencement.

14. (1) This Act shall be called the Unemployment Insurance Amendment Act, 1957, and shall, subject to the provisions of sub-section (2), come into operation on a date to be fixed by the Governor-General by Proclamation in the *Gazette*.

(2) Different dates may in terms of sub-section (1) be fixed in respect of the several provisions of this Act.

8. Artikel *veertig* van die Hoofwet word hierby gewysig—
- (a) deur in paragraaf (d) van sub-artikel (1) die woorde „en indien hy nie in ontvangs is nie van voordele wat ten opsigte van siekte betaal word uit 'n fonds waartoe die Staat 'n bydraer is” te skrap;
 - (b) deur in paragraaf (i) van sub-artikel (1) die woord „indien”, waar dit die eerste maal voorkom, deur die woorde „vir 'n tydperk van ses weke, of sodanige korter tydperk as wat die betrokke eisebeampte mag bepaal, vanaf die datum waarop” en die woord „indien”, waar dit die tweede en derde maal voorkom, deur die woord „waarop” te vervang; en
 - (c) deur in paragraaf (b) van sub-artikel (2) na die woord „werk”, waar dit die eerste maal voorkom, die woorde „wat die betrokke bydraer, na die oordeel van die eisebeampte, geskik is om te doen en die aanname waarvan, na die oordeel van die eisebeampte, die betrokke bydraer nie buitensporige ontbering sal veroorsaak nie en wat werk is” in te voeg.
- Wysiging van artikel 40 van Wet 53 van 1946, soos gewysig deur artikel 10 van Wet 41 van 1949, artikel 10 van Wet 48 van 1952 en artikel 7 van Wet 10 van 1954.
9. Artikel *vyf-en-veertig* van die Hoofwet word hierby gewysig deur die volgende sub-artikel daarby te voeg, terwyl die bestaande artikel sub-artikel (1) word:
- „(2) By die toepassing van sub-artikel (1) omvat „skuld” nie enige skuld wat uit hoofde van die bepalings van artikel *vier-en-veertig* verskuldig is nie.”
- Wysiging van artikel 45 van Wet 53 van 1946.
10. Artikel *een-en-vyftig* van die Hoofwet word hierby gewysig deur sub-artikel (2)*bis* deur die volgende sub-artikel te vervang:
- „(2)*bis* Ondanks die bepalings van sub-artikel (2), moet die werkgewer van 'n bydraer wat ingevolge paragraaf (d) van sub-artikel (10) of paragraaf (b)*bis* van sub-artikel (11) van artikel *nege-en-dertig* geag word werkloos te wees en wat om 'n toelae of voordele aansoek gedoen het, op versoek van 'n eisebeampte die verslagkaart van daardie bydraer tesame met 'n staat bevattende sodanige inligting en besonderhede ten opsigte van die bydraer as wat voorgeskryf mag wees, onverwyld aan daardie beampte aanstuur.”
- Wysiging van artikel 51 van Wet 53 van 1946, soos vervang deur artikel 13 van Wet 41 van 1949 en gewysig deur artikel 13 van Wet 48 van 1952 en artikel 8 van Wet 10 van 1954.
11. Artikel *vyf-en-vyftig* van die Hoofwet word hierby gewysig deur in paragraaf (a) van sub-artikel (1) na die woord „Wet”, waar dit die eerste maal voorkom, die woorde „of in 'n aansoek om die betaling van 'n bedrag ingevolge artikel *nege-en-dertig* ter” in te voeg.
- Wysiging van artikel 55 van Wet 53 van 1946, soos gewysig deur artikel 14 van Wet 41 van 1949 en artikel 14 van Wet 48 van 1952.
12. Die Bylae by die Hoofwet word hierby deur die Bylae by hierdie Wet vervang.
- Vervanging van Bylae by Wet 53 van 1946, soos vervang deur artikel 9 van Wet 10 van 1954.
13. Die lang titel van die Hoofwet word hierby gewysig deur die woorde voor die woorde „om die” deur die woorde „Om voorsiening te maak vir die instelling van 'n Werkloosheidversekeringsfonds, vir die betaling van voordele aan sekere persone en vir die betaling van sekere bedrae aan afhanklikes van sekere oorlede persone;” te vervang.
- Wysiging van lang titel van Wet 53 van 1946.
14. (1) Hierdie Wet heet die Wysigingswet op Werkloosheidversekering, 1957, en tree, behoudens die bepalings van sub-artikel (2), in werking op 'n datum wat die Goewerneur-generaal by proklamasie in die *Staatskoerant* vasstel.
- Kort titel en datum van inwerkingtreding.
- (2) Verskillende datums kan ingevolge sub-artikel (1) ten opsigte van die verskeie bepalings van hierdie Wet vasgestel word.

"Schedule.

RATES OF CONTRIBUTIONS BY EMPLOYERS AND CONTRIBUTORS.

Group according to rate of contributor's annual earnings.	Contributions per week.	
	By the employer in respect of every contributor in his employ.	By every contributor.
I. Up to £117 per annum	Two pence.	Two pence.
II. Exceeding £117 but not exceeding £195 per annum	Three pence.	Three pence.
III. Exceeding £195 but not exceeding £273 per annum	Four pence.	Four pence.
IV. Exceeding £273 but not exceeding £351 per annum	Five pence.	Five pence.
V. Exceeding £351 but not exceeding £429 per annum	Six pence.	Six pence.
VI. Exceeding £429 but not exceeding £507 per annum	Seven pence.	Seven pence.
VII. Exceeding £507 but not exceeding £585 per annum	Eight pence.	Eight pence.
VIII. Exceeding £585 but not exceeding £663 per annum	Nine pence.	Nine pence.
IX. Exceeding £663 but not exceeding £741 per annum	Nine pence.	Ten pence.
X. Exceeding £741 but not exceeding £819 per annum	Nine pence.	Eleven pence.
XI. Exceeding £819 but not exceeding £1,250 per annum	Nine pence.	Twelve pence."

„Bylae.

SKALE VAN BYDRAES DEUR WERKGEWERS EN BYDRAERS.

Groep volgens die skaal van bydraer se jaarlikse verdienste.	Bydraes per week.	
	Deur die werkgewer ten opsigte van elke bydraer in sy diens.	Deur elke bydraer.
I. Tot en met £117 per jaar ..	Twee pennies.	Twee pennies.
II. Meer as £117 maar nie meer as £195 per jaar nie ..	Drie pennies.	Drie pennies.
III. Meer as £195 maar nie meer as £273 per jaar nie ..	Vier pennies.	Vier pennies.
IV. Meer as £273 maar nie meer as £351 per jaar nie ..	Vyf pennies.	Vyf pennies.
V. Meer as £351 maar nie meer as £429 per jaar nie ..	Ses pennies.	Ses pennies.
VI. Meer as £429 maar nie meer as £507 per jaar nie ..	Sewe pennies.	Sewe pennies.
VII. Meer as £507 maar nie meer as £585 per jaar nie ..	Agt pennies.	Agt pennies.
VIII. Meer as £585 maar nie meer as £663 per jaar nie ..	Nege pennies.	Nege pennies.
IX. Meer as £663 maar nie meer as £741 per jaar nie ..	Nege pennies.	Tien pennies.
X. Meer as £741 maar nie meer as £819 per jaar nie ..	Nege pennies.	Elf pennies.
XI. Meer as £819 maar nie meer as £1,250 per jaar nie ..	Nege pennies.	Twaalf pennies.”.