

EXTRAORDINARY



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KAAPSTAD, 24 MEI 1957.

OFFICE OF THE PRIME MINISTER.

The following Government Notice is published for general information:—

No. 771.] [24th May, 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:—

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KANTOOR VAN DIE EERSTE MINISTER.

Onderstaande Goewermementskennisgewing word ter algemene inligting gepubliseer:—

No. 771.] [24 Mei 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:—

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No. 29, 1957.]

ACT

To amend the Simon's Bay Dockyard Port Regulations Statutes, 1898-1912.

*(English text signed by the Governor-General.)**(Assented to 16th May, 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 25 of 1898 (Cape), as amended by section 122 of Act 13 of 1912.

1. Section *one* of the Simon's Bay Dockyard Port Regulations Statutes, 1898-1912, of the Cape of Good Hope (hereinafter referred to as the principal Act), is hereby amended by the deletion of the words "with the concurrence of the Admiralty".

Amendment of section 3 of Act 25 of 1898 (Cape).

2. Section *three* of the principal Act is hereby amended by the deletion of the definition of the expression "The Admiralty".

Amendment of section 4 of Act 25 of 1898 (Cape), as amended by section 122 of Act 13 of 1912.

3. Section *four* of the principal Act is hereby amended—
- (a) by the substitution for the words "Her Majesty's vessels" where they occur for the first time of the words "vessels of the South African Navy";
 - (b) by the insertion before the paragraph commencing with the words "And for such other purposes" of the following paragraph:
 "To provide for the search by persons specified in such regulations, of any person, vessel, vehicle or thing entering or leaving or being within the area of the Dockyard Port, for the arrest, pursuant to any such search, by the person by whom the search is effected, of any person who is on reasonable grounds suspected of having committed any offence, and for the manner of dealing with any person so arrested,";
 and
 - (c) by the substitution for the words "Her Majesty's vessels or property" of the words "vessels or property of the South African Navy" and for the words "Her Majesty's Naval Service" of the words "the said Navy".

Amendment of section 5 of Act 25 of 1898 (Cape).

4. Section *five* of the principal Act is hereby amended by the substitution for the word "ten" of the words "a fine of fifty" and for the word "three" of the word "six".

Substitution of section 6 of Act 25 of 1898 (Cape), as substituted by section 122 of Act 13 of 1912.

5. The following section is hereby substituted for section *six* of the principal Act:

"Rules as to lights and signals and prevention of collisions.

6. The Governor-General may make rules concerning the lights or signals to be carried or used, and the steps to be taken to avoid collisions, by vessels of the South African Navy and other vessels navigating the waters of the Dockyard Port or of the approaches thereto, and may prescribe penalties, not exceeding a fine of fifty pounds, for contraventions of any such rule."

Amendment of section 8 of Act 25 of 1898 (Cape), as amended by section 122 of Act 13 of 1912.

6. Section *eight* of the principal Act is hereby amended by the substitution for the words "Her Majesty's vessels" of the words "the South African Navy".

Repeal of sections 15, 16 and 17 of Act 25 of 1898 (Cape).

7. Sections *fifteen*, *sixteen* and *seventeen* of the principal Act are hereby repealed.

Amendment of long title of Act 25 of 1898 (Cape).

8. The long title of the principal Act is hereby amended by the deletion of the words "and to authorize the construction of docks there by the Admiralty".

Short title and commencement.

9. This Act shall be called the Simon's Bay Dockyard Port Regulations Amendment Act, 1957, and shall be deemed to have come into operation on the first day of April, 1957.

No. 29, 1957.]

WET

Tot wysiging van die „Simon's Bay Dockyard Port Regulations Statutes, 1898-1912”.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 16 Mei 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 „Simon's Bay Dockyard Port Regulations Statutes, 1898-1912”, van die Kaap die Goeie Hoop (hieronder die Hoofwet genoem), word hierby gewysig deur die woorde „with the concurrence of the Admiralty” te skrap. Wysiging van artikel 1 van Wet 25 van 1898 (Kaap), soos gewysig deur artikel 122 van Wet 13 van 1912.
2. Artikel *drie* van die Hoofwet word hierby gewysig deur die omskrywing van die uitdrukking „The Admiralty” te skrap. Wysiging van artikel 3 van Wet 25 van 1898 (Kaap).
3. Artikel *vier* van die Hoofwet word hierby gewysig—
 - (a) deur die woorde „Her Majesty's vessels” waar hulle die eerste maal voorkom deur die woorde „vessels of the South African Navy” te vervang;
 - (b) deur voor die paragraaf wat begin met die woorde „And for such other purposes” die volgende paragraaf in te voeg:

„To provide for the search by persons specified in such regulations, of any person, vessel, vehicle or thing entering or leaving or being within the area of the Dockyard Port, for the arrest, pursuant to any such search, by the person by whom the search is effected, of any person who is on reasonable grounds suspected of having committed any offence, and for the manner of dealing with any person so arrested;”;

en
 - (c) deur die woorde „Her Majesty's vessels or property” deur die woorde „vessels or property of the South African Navy” en die woorde „Her Majesty's Naval Service” deur die woorde „the said Navy” te vervang.Wysiging van artikel 4 van Wet 25 van 1898 (Kaap), soos gewysig deur artikel 122 van Wet 13 van 1912.
4. Artikel *vyf* van die Hoofwet word hierby gewysig deur die woord „ten” deur die woorde „a fine of fifty” en die woord „three” deur die woord „six” te vervang. Wysiging van artikel 5 van Wet 25 van 1898 (Kaap).
5. Artikel *ses* van die Hoofwet word hierby deur die volgende artikel vervang:

„Rules as to lights and signals and prevention of collisions.

 6. The Governor-General may make rules concerning the lights or signals to be carried or used, and the steps to be taken to avoid collisions, by vessels of the South African Navy and other vessels navigating the waters of the Dockyard Port or of the approaches thereto, and may prescribe penalties, not exceeding a fine of fifty pounds, for contraventions of any such rule.”.Vervanging van artikel 6 van Wet 25 van 1898 (Kaap), soos vervang deur artikel 122 van Wet 13 van 1912.
6. Artikel *agt* van die Hoofwet word hierby gewysig deur die woorde „Her Majesty's vessels” deur die woorde „the South African Navy” te vervang. Wysiging van artikel 8 van Wet 25 van 1898 (Kaap), soos gewysig deur artikel 122 van Wet 13 van 1912.
7. Artikels *vyftien*, *sestien* en *sewentien* van die Hoofwet word hierby herroep. Herroeping van artikels 15, 16 en 17 van Wet 25 van 1898 (Kaap).
8. Die lang titel van die Hoofwet word hierby gewysig deur die woorde „and to authorize the construction of docks there by the Admiralty” te skrap. Wysiging van lang titel van Wet 25 van 1898 (Kaap).
9. Hierdie Wet heet die Wysigingswet op die Simonsbaai-dokhaweregulasies, 1957, en word geag op die eerste dag van April 1957 in werking te getree het. Kort titel en inwerkingtreding.

No. 30, 1957.]

PRIVATE ACT

To amend the University of Pretoria (Private) Act, Act No. 13 of 1930.

*(Afrikaans text signed by the Governor-General.)
(Assented to 16th May, 1957.)*

Preamble.

WHEREAS the University of Pretoria was incorporated by Act No. 13 of 1930:

AND WHEREAS it is desirable to amend section *seven* of Act No. 13 of 1930—

- (a) so as to increase the number of members of the Council of the University elected by the Senate; and
- (b) so as to provide that members of the said Council appointed by the Municipal Council of Pretoria shall be members of the Municipal Council:

AND WHEREAS it is desirable to amend section *eight* of Act No. 13 of 1930 by the omission of redundant words:

AND WHEREAS it is desirable to amend section *nine* of Act No. 13 of 1930 so as to provide that the Registrar instead of the Rector shall frame and keep the convocation roll:

AND WHEREAS it is desirable to amend section *ten* of Act No. 13 of 1930 by designating the existing faculties and so as to provide for the subdivision of faculties into departments and for the constitution of boards of faculties and to provide that the establishment of faculties shall be approved by the Minister instead of by the Governor-General:

AND WHEREAS it is deemed desirable to amend sub-section (2) of section *eleven* of Act No. 13 of 1930 so as to bring it into conformity with the provisions of section *thirteen* of Act No. 61 of 1955:

BE IT THEREFORE 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 7 of Act
No. 13 of 1930.

1. Section *seven* of the University of Pretoria (Private) Act, 1930 (Act No. 13 of 1930, hereinafter called the principal Act), is hereby amended—

- (a) by the substitution in paragraph (d) of sub-section (1) for the word "three" of the word "four";
- (b) by the substitution in paragraph (f) of sub-section (1) for the word "persons" of the words "members of the Municipal Council" and in the Afrikaans version, for the word "stadsraad" of the word "Stadsraad".

Amendment of
section 8 of Act
No. 13 of 1930.

2. Section *eight* of the principal Act is hereby amended by the deletion in sub-section (2) of the word "several", and in sub-section (3) in the Afrikaans version, of the word "ook".

Amendment of
section 9 of Act
No. 13 of 1930.

3. Section *nine* of the principal Act is hereby amended by the substitution in sub-section (1) for the word "Rector" of the word "Registrar".

Amendment of
section 10 of Act
No. 13 of 1930.

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

- (a) by the insertion after the word "theology" in paragraph (a) of the words "medicine, dentistry and engineering", and by the substitution for the word "Governor-General" in paragraph (b) of the word "Minister";
- (b) by the addition of the following new sub-sections, the existing section becoming sub-section (1):
 - "(2) The faculties shall be subdivided into departments as provided for in the statutes.
 - (3) The constitution of the Board of any faculty shall be laid down by the statutes."

No. 30, 1957.]

PRIVATE WET

Tot wysiging van die Private Wet op die Universiteit van Pretoria,
Wet No. 13 van 1930.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 16 Mei, 1957.)

NADEMAAL die Universiteit van Pretoria deur Wet No. 13 Aanhef.
van 1930 as regs persoon erken is:

EN NADEMAAL dit wenslik is dat artikel *sewe* van Wet No. 13
van 1930 gewysig word—

- (a) ten einde die getal lede van die Raad van die Universiteit wat deur die Senaat gekies word te vermeerder; en
- (b) ten einde te bepaal dat lede van die genoemde Raad wat deur die Stadsraad van Pretoria benoem word lede van die Stadsraad moet wees:

EN NADEMAAL dit wenslik is om die bewoording van artikel *agt* van Wet No. 13 van 1930 te wysig deur die weglating van oorbodige woorde:

EN NADEMAAL dit wenslik is dat artikel *nege* van Wet No. 13 van 1930 gewysig word ten einde te bepaal dat die Registrateur in plaas van die Rektor die konvokasielys opstel en byhou:

EN NADEMAAL dit wenslik is om artikel *tien* van Wet No. 13 van 1930 te wysig deur die bestaande fakulteite aan te dui en om vir die onderverdeling van fakulteite in departemente en die samestelling van fakulteitsrade voorsiening te maak en om te bepaal dat die Minister in plaas van die Goewerneur-generaal die instelling van fakulteite goedkeur:

EN NADEMAAL dit wenslik geag is om sub-artikel (2) van artikel *elf* van Wet No. 13 van 1930 te wysig om dit in ooreenstemming met die bepalinge van artikel *dertien* van Wet No. 61 van 1955 te bring:

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

1. Artikel *sewe* van die Private Wet op die Universiteit van Pretoria, 1930 (Wet No. 13 van 1930, hierna die Hoofwet genoem), word hierby gewysig deur— Wysiging van artikel 7 van Wet No. 13 van 1930.

- (a) die woord „drie” in paragraaf (d) van sub-artikel (1) deur die woord „vier” te vervang;
- (b) die woord „persone” in paragraaf (f) van sub-artikel (1) deur die woorde „lede van die Stadsraad” en die woord „stadsraad” deur die woord „Stadsraad” te vervang.

2. Artikel *agt* van die Hoofwet word hierby gewysig deur die woord „verskeie” in sub-artikel (2) en die woord „ook” in sub-artikel (3) te skrap. Wysiging van artikel 8 van Wet No. 13 van 1930.

3. Artikel *nege* van die Hoofwet word hierby gewysig deur die woord „Rektor” in sub-artikel (1) deur die woord „Registrateur” te vervang. Wysiging van artikel 9 van Wet No. 13 van 1930.

4. Artikel *tien* van die Hoofwet word hierby gewysig— Wysiging van artikel 10 van Wet No. 13 van 1930.

- (a) deur na die woord „teologie” in paragraaf (a) die woorde „geneeskunde, tandheelkunde en ingenieurswese” in te voeg, en deur die woord „Goewerneur-generaal” in paragraaf (b) deur die woord „Minister” te vervang;
- (b) deur die volgende nuwe sub-artikels by te voeg, terwyl die bestaande artikel sub-artikel (1) word:
 - „(2) Die fakulteite word onderverdeel in departemente soos in die statute bepaal.
 - (3) Die samestelling van die Raad van ’n fakulteit word deur die statute gereël.”

No. 33, 1957.]

ACT

To consolidate the laws relating to the interpretation and the shortening of the language of statutes.

(English text signed by the Governor-General.)
(Assented to 16th May, 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:—

PART I.

GENERAL.

Application of Act.

1. The provisions of this Act shall apply to the interpretation of every law (as in this Act defined) in force, at or after the commencement of this Act, in the Union or in any portion thereof, and to the interpretation of all by-laws, rules, regulations or orders made under the authority of any such law, unless there is something in the language or context of the law, by-law, rule, regulation or order repugnant to such provisions or unless the contrary intention appears therein.

Definitions.

2. The following words and expressions shall, unless the context otherwise requires or unless in the case of any law it is otherwise provided therein, have the meanings hereby assigned to them respectively, namely—

- (i) "Administrator", in any law passed since the establishment of the Union, means the Administrator of the province for or in respect of which that law was enacted; (i)
- (ii) "christian name" means any name prefixed to the surname, whether received at Christian baptism or not; (xii)
- (iii) "district" means the area subject to the jurisdiction of the court of any magistrate; (iii)
- (iv) "Gazette"—
 - (a) in the case of laws, proclamations, regulations, notices or other documents published prior to the thirty-first day of May, 1910, and required under a law in force prior to that day to be published in the *Gazette*, means the *Government Gazette* of the Colony wherein that law was in force; and
 - (b) in the case of laws, proclamations, regulations, notices or other documents published after the thirty-first day of May, 1910, and required under any law to be published in the *Gazette*, means the *Government Gazette* of the Union or, if the matter is one entrusted to a provincial council under the South Africa Act, 1909, means the *Official Gazette* of the province concerned; (xi)
- (v) "Governor-General" means the officer for the time being administering the government of the Union, acting by and with the advice of the Executive Council thereof; (v)
- (vi) "law" means any law, proclamation, ordinance, Act of Parliament or other enactment having the force of law; (xiii)
- (vii) "month" means a calendar month; (vi)
- (viii) "oath" and "affidavit", in the case of persons allowed by law to affirm or declare instead of swearing, include affirmation and declaration, and "swear", in such case, includes "affirm" and "declare"; (iv)
- (ix) "Parliament" means the Parliament of the Union; (vii)
- (x) "person" includes—
 - (a) any divisional council, municipal council, village management board, or like authority;
 - (b) any company incorporated or registered as such under any law;

No. 33, 1957.]

WET

Tot samevatting van die wetsbepalings betreffende die uitleg en die verkorting van die taal van wette.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 16 Mei, 1957.)

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

DEEL I.

ALGEMENE BEPALINGS

1. Die bepalinge van hierdie Wet is van toepassing op die uitleg van elke wet (soos in hierdie Wet omskryf) wat by of na die inwerkingtreding van hierdie Wet in die Unie of in enige deel daarvan van krag is, en op die uitleg van alle verordeninge, reëls, regulasies of voorskrifte wat kragtens enige sodanige wet uitgevaardig is, tensy daar iets in die taal of samehang van die wet, verordening, reël, regulasie of voorskrif is wat strydig is met sodanige bepalinge of tensy 'n ander bedoeling daaruit blyk.

2. Die volgende woorde en uitdrukkings het, tensy uit die samehang anders blyk of tensy in die geval van een of ander wet anders daarin bepaal word, die onderskeie betekenisse wat hierby daaraan toegewys word, naamlik—

- (i) „Administrateur” beteken, in enige wet sedert die totstandkoming van die Unie aangeneem, die Administrateur van die provinsie waarvoor of ten opsigte waarvan daardie wet aangeneem is; (i)
- (ii) „die Unie” beteken die gebied van die Unie van Suid-Afrika soos van tyd tot tyd daargestel ooreenkomstig die „Zuid-Afrika Wet, 1909” of enige wysiging daarvan; (xiii)
- (iii) „distrik” beteken die gebied waarvoor 'n magistrats-hof regsbevoegdheid besit; (iii)
- (iv) „eed” en „beëdigde verklaring” omvat in die geval van persone wat volgens wet toegelaat word om 'n bevestiging of verklaring in plaas van 'n eed af te lê, ook bevestiging en verklaring, en „sweer” omvat, in so 'n geval, ook „bevestig” en „verklaar”; (viii)
- (v) „Goewerneur-generaal” beteken die amptenaar wat, handelende op en met die advies van die Uitvoerende Raad van die Unie, van tyd tot tyd die regering van die Unie administreer; (v)
- (vi) „maand” beteken 'n kalendermaand; (vii)
- (vii) „Parlement” beteken die Parlement van die Unie; (ix)
- (viii) „persoon” omvat ook—
 - (a) 'n afdelingsraad, munisipale raad, dorpsbestuur of dergelike gesag;
 - (b) 'n maatskappy as sodanig met regspersoonlikheid bekleed of geregistreer kragtens enige wet;
 - (c) enige liggaam van persone, hetsy met regspersoonlikheid bekleed al dan nie; (x)
- (ix) „provinsiale raad” beteken die raad van 'n provinsie soos saamgestel kragtens die „Zuid-Afrika Wet, 1909” of enige wysiging daarvan; (xii)
- (x) „provinsie” beteken 'n provinsie van die Unie; (xi)
- (xi) „Staatskoerant” beteken—
 - (a) in die geval van wette, proklamasies, regulasies, kennisgewings of ander dokumente voor die een-en-dertigste dag van Mei 1910 gepubliseer, wat kragtens 'n wet wat voor daardie datum van krag was in die *Staatskoerant* gepubliseer moes word, die *Staatskoerant* van die Kolonie waarin daardie wet van krag was; en
 - (b) in die geval van wette, proklamasies, regulasies, kennisgewings of ander dokumente na die een-en-dertigste dag van Mei 1910 gepubliseer, wat kragtens enige wet in die *Staatskoerant* gepubliseer

	(c) any body of persons corporate or unincorporate; (viii) (xi) "province" means a province of the Union; (x) (xii) "provincial council" means the council of a province as constituted under the South Africa Act, 1909, or any amendment thereof; (ix) (xiii) "the Union" means the territorial limits of the Union of South Africa as constituted for the time being in accordance with the South Africa Act, 1909, or any amendment thereof; (ii)
Interpretation of expressions relating to writing.	3. In every law expressions relating to writing shall, unless the contrary intention appears, be construed as including also references to typewriting, lithography, photography and all other modes of representing or reproducing words in visible form.
Reckoning of number of days.	4. When any particular number of days is prescribed for the doing of any act, or for any other purpose, the same shall be reckoned exclusively of the first and inclusively of the last day, unless the last day happens to fall on a Sunday or on any public holiday, in which case the time shall be reckoned exclusively of the first day and exclusively also of every such Sunday or public holiday.
Measurement of distance.	5. In the measurement of any distance for the purpose of any law, that distance shall, unless the contrary intention appears, be measured in a straight line on a horizontal plane.
Gender and number.	6. In every law, unless the contrary intention appears— (a) words importing the masculine gender include females; and (b) words in the singular number include the plural, and words in the plural number include the singular.
Meaning of service by post.	7. Where any law authorizes or requires any document to be served by post, whether the expression "serve", or "give", or "send", or any other expression is used, then, unless the contrary intention appears, the service shall be deemed to be effected by properly addressing, prepaying, and posting a registered letter containing the document, and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.
Meaning of rules of court.	8. (1) In every law, unless the contrary intention appears, the expression "rules of court", when used in relation to any court, means rules made by the authority having for the time being power to make rules or orders regulating the practice and procedure of that court. (2) The powers of the said authority to make rules of court, as defined in sub-section (1), shall include a power to make rules of court for the purpose of any law directing or authorizing anything to be done by rules of court.
References to reigning Sovereign.	9. In every law, references to the Sovereign reigning at the time of the passing of the law shall, unless the contrary intention appears, be construed as references to the Sovereign for the time being.
Construction of provisions as to exercise of powers and performance of duties.	10. (1) When a law confers a power or imposes a duty then, unless the contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion requires. (2) Where a law confers a power, jurisdiction or right, or imposes a duty on the holder of an office as such, then, unless the contrary intention appears, the power, jurisdiction or right may be exercised and the duty shall be performed from time to time by the holder for the time being of the office or by the person lawfully acting in the capacity of such holder. (3) Where a law confers a power to make rules, regulations or by-laws, the power shall, unless the contrary intention appears, be construed as including a power exercisable in like manner and subject to the like consent and conditions (if any) to rescind, revoke, amend or vary the rules, regulations or by-laws. (4) Where any provision in any law confers a power or imposes a duty or entrusts a function to any Minister of State, that power may be exercised and that duty shall and that function may be performed by any other Minister of State to whom the administration of that provision may be assigned by the Governor-General, either specifically or by way of a general

moet word, die *Staatskoerant* van die Unie of, indien die aangeleentheid een is wat kragtens die „Zuid-Afrika Wet, 1909” aan ’n provinsiale raad toevertrou is, die *Offisiële Koerant* van die betrokke provinsie; (iv)

- (xii) „voornaam” beteken enige naam, hetsy dit ’n doopnaam is al dan nie, wat die van voorafgaan; (ii)
- (xiii) „wet” beteken enige wet, proklamasie, ordonnansie, Wet van die Parlement of ander maatregel wat die krag van wet het. (vi)

3. In elke wet word uitdrukkings wat verwys na iets in geskryf, tensy ’n ander bedoeling blyk, uitgelê asof dit ook verwysings na tikskrif, litografie, fotografie en alle ander metodes waarvolgens woorde in sigbare vorm voorgestel of weergegee kan word, insluit.

Uitleg van uitdrukkings wat verwys na iets in geskryf.

4. Wanneer ’n bepaalde aantal dae vir die verrigting van ’n handeling of vir enige ander doel voorgeskryf word, geskied die berekening daarvan met uitsluiting van die eerste en met insluiting van die laaste dag, tensy die laaste dag op ’n Sondag of op ’n openbare feesdag val, in watter geval die tydperk bereken word met uitsluiting van die eerste dag en met uitsluiting ook van elke sodanige Sondag of openbare feesdag.

Berekening van aantal dae.

5. Wanneer ’n afstand vir die doeleindes van enige wet gemeet moet word, word daardie afstand, tensy ’n ander bedoeling blyk, in ’n reguit lyn op ’n horisontale vlak gemeet.

Meet van afstande.

6. In elke wet, tensy ’n ander bedoeling blyk—

(a) sluit woorde wat die manlike geslag aandui ook vroue in; en

(b) sluit woorde in die enkelvoud ook die meervoud, en woorde in die meervoud ook die enkelvoud in.

Geslag en getal.

7. Wanneer ’n wet magtiging verleen om ’n dokument deur die pos te bestel, of dit vereis, word, hetsy die uitdrukking „bestel” of „gee” of „stuur” of enige ander uitdrukking gebruik word, en tensy ’n ander bedoeling blyk, die bestelling geag uitgevoer te wees as ’n aangetekende brief wat die dokument bevat en wat behoorlik geadresseer en waarop die posgeld vooruit betaal is, op die pos gedoen is, en word die dokument, tensy die teendeel bewys word, geag bestel te gewees het op die tyd waarop die brief in die gewone loop van die posdiens afgelewer sou gewees het.

Betekenis van bestelling per pos.

8. (1) In elke wet, tensy ’n ander bedoeling blyk, beteken die uitdrukking „hofreëls”, wanneer dit met betrekking tot ’n hof gebesig word, die reëls wat deur die gesag uitgevaardig is wat van tyd tot tyd bevoeg is om reëls of bevels uit te vaardig wat die praktyk en prosedure van daardie hof beheer.

Betekenis van hofreëls.

(2) Die bevoegdheid van bedoelde gesag om hofreëls, soos in sub-artikel (1) omskryf, uit te vaardig, sluit ’n bevoegdheid in om hofreëls uit te vaardig vir die doeleindes van enige wet waarby gelas word of magtiging verleen word om iets deur middel van hofreëls te doen.

9. In elke wet word verwysings na die Soewerein wat tydens die aanname van die wet regeer, tensy ’n ander bedoeling blyk, as verwysings na die heersende Soewerein uitgelê.

Verwysings na heersende soewerein.

10. (1) Wanneer ’n wet ’n bevoegdheid verleen of ’n plig opleë, dan kan die bevoegdheid en moet die plig van tyd tot tyd, na vereiste van omstandighede uitgeoefen of uitgevoer word, tensy ’n ander bedoeling blyk.

Uitleg van bepalinge betreffende uitoefening van bevoegdheid en uitvoering van pligte.

(2) Wanneer ’n wet ’n bevoegdheid, regsbevoegdheid of reg verleen of ’n plig opleë aan die bekleër van ’n amp as sodanig, dan kan die bevoegdheid, regsbevoegdheid of reg en moet die plig van tyd tot tyd uitgeoefen of uitgevoer word deur die dienende bekleër van die amp of deur die persoon wat wettiglik as sy plaasvervanger optree, tensy ’n ander bedoeling blyk.

(3) Wanneer ’n wet ’n bevoegdheid verleen om reëls, regulasies of verordeninge uit te vaardig, word daardie bevoegdheid, tensy ’n ander bedoeling blyk, uitgelê asof dit ’n bevoegdheid insluit om die reëls, regulasies of verordeninge op dieselfde wyse en onderhewig aan dieselfde toestemming en voorwaardes (as daar is) te herroep, in te trek, te wysig of te verander.

(4) Wanneer ’n bepaling in ’n wet aan ’n Staatsminister ’n bevoegdheid verleen of ’n plig opleë of ’n funksie toevertrou, kan daardie bevoegdheid uitgeoefen word en moet daardie plig en kan daardie funksie uitgevoer word deur enige ander Staatsminister aan wie die Goewerneur-generaal die uitvoering van

dit nodig is om die wet by die niwerkingreding daarvan in werking te stel: Met dien verstande dat enige stuk, voorskrif, lasbrief, skema, patentbrief, reëls, regulasies of verordeninge kragtens sodanige bevoegdheid gemaak, uitgereik of uitgevaardig, nie in werking tree nie totdat die wet in werking tree, tensy ’n ander bedoeling uit die wet blyk of die teendeel nodig is om die wet in werking te stel.

15. Wanneer enige wet die verrigting van ’n handeling of die doen van enigiets deur die Goewerneur-generaal, of deur ’n Minister, of deur ’n publieke amptenaar, gelas of magtig, kan die bekendmaking dat sodanige handeling verrig is of dat so iets gedoen is, by kennisgewing in die *Staatskoerant* geskied, tensy ’n bepaalde middel of metode vir die kennisgewing deur daardie wet voorgeskryf word.

Bekendmaking in *Staatskoerant* van amptelike handelinge kragtens wet.

16. Wanneer ’n verordening, regulasie, reël of voorskrif volgens enige wet deur die Goewerneur-generaal, ’n Administrateur of ’n Minister of deur enige plaaslike bestuur, publieke liggaam of persoon met goedkeuring van die Goewerneur-generaal, ’n Administrateur of ’n Minister, uitgevaardig kan word.

Sekere wetsvoorskrifte moet in *Staatskoerant* gepubliseer word.

assignment of the administration of any law or of all laws conferring powers, imposing duties or entrusting functions to such first mentioned Minister, or by any other Minister of State acting on behalf of any such Minister.

Repeal and substitution.

11. When a law repeals wholly or partially any former law and substitutes provisions for the law so repealed, the repealed law shall remain in force until the substituted provisions come into operation.

Effect of repeal of a law.

12. (1) Where a law repeals and re-enacts with or without modifications, any provision of a former law, references in any other law to the provision so repealed shall, unless the contrary intention appears, be construed as references to the provision so re-enacted.

(2) Where a law repeals any other law, then unless the con-

trator or a Minister, such by-law, regulation, rule or order shall, subject to the provisions relative to the force and effect thereof in any law, be published in the *Gazette*.

Certain statutory rules and regulations to be laid before Parliament.

17. When the Governor-General or a Minister is by any law authorized to make rules or regulations for any purpose in such law stated, copies of such rules and regulations shall be laid upon the Tables of both Houses of Parliament within fourteen days after the publication of the rules or regulations in the *Gazette*, if Parliament is then in session, or if Parliament is not then in session, within fourteen days after the commencement of its next ensuing session.

PART II.

SPECIAL PROVISIONS APPLICABLE ONLY TO THE PROVINCE OF THE CAPE OF GOOD HOPE.

Meaning of certain expressions in laws of colony of Cape of Good Hope.

18. In the interpretation of any Act of Parliament, government notice, government advertisement, ordinance, placat, proclamation, regulation or by-law made under the authority of any law, rule of court, or any enactment having the force of law, which came into operation in the colony of the Cape of Good Hope prior to the establishment of the Union, the following expressions shall, unless the context otherwise requires and subject to the provisions of the South Africa Act, 1909, have the meanings hereby assigned to them respectively, namely—

“Charter of Justice” means the Royal Letters Patent of His Majesty King William the Fourth, dated the fourth day of May, 1832, for the better and more effectual administration of justice;

“Constitution Ordinance” means the ordinance enacted on the third day of April, 1852, by His Excellency the Governor of the Cape of Good Hope with the advice and consent of the Legislative Council thereof, for constituting a Parliament for the said colony;

“division” or “fiscal division” means the area under the administration of a civil commissioner within the meaning of the relevant act, notice, advertisement, ordinance, placat, proclamation, regulation, by-law, rule of court or enactment;

“Governor” includes the officer who for the time being administered the Government of the colony of the Cape of Good Hope acting by and with the advice of the Executive Council thereof;

“Order-in-Council” means any order made by the Governor (as in this section defined) with the advice of the Executive Council;

“solemn declaration” means a declaration made under and by virtue of the provisions of the Oaths and Declarations Act, 1891, of the colony of the Cape of Good Hope.

PART III.

SPECIAL PROVISIONS APPLICABLE ONLY TO THE PROVINCE OF THE TRANSVAAL.

Meaning of certain expressions in laws of the South African Republic.

19. In the interpretation of any law or resolution of the Volksraad of the late South African Republic the following expressions shall, unless otherwise expressly provided and subject to the provisions of the South Africa Act, 1909, or of any other law, have the meanings hereby assigned to them respectively, namely—

“landdrost” means magistrate;

“Publieke Aanklager” means the Attorney-General of the Transvaal or any person appointed to prosecute for or on behalf of the Crown;

“Staats Courant” means the *Gazette*;

“Staats President” or any expression denoting the Head of the late South African Republic means the Governor-General of the Union;

“Staats Procureur” means the Attorney-General of the Transvaal;

“Staats Sekretaris” means the Minister of the Interior;

“Zuid Afrikaansche Republiek”, “Republiek”, “Staat” or any like expression means the Transvaal,

and when any act is required or authorized to be done by any such law or resolution or whenever any process is required

word, moet sodanige verordening, regulasie, reël of voorskrif, behoudens die bepalings met betrekking tot die krag en uitwerking daarvan in enige wet, in die *Staatskoerant* gepubliseer word.

17. Wanneer die Goewerneur-generaal of 'n Minister deur enige wet gemagtig word om reëls of regulasies uit te vaardig vir 'n in daardie wet vermelde doel, moet afskrifte van bedoelde reëls en regulasies in beide Huise van die Parlement ter Tafel gelê word binne veertien dae nadat die reëls of regulasies in die *Staatskoerant* gepubliseer is, indien die Parlement dan byeen is, of, indien die Parlement dan nie byeen is nie, binne veertien dae na die aanvang van sy eersvolgende sessie.

Sekere statutêre reëls en regulasies moet aan die Parlement voorgelê word.

DEEL II.

BESONDERE BEPALINGS ALLEEN OP DIE PROVINSIE DIE KAAP DIE GOEIE HOOP VAN TOEPASSING.

18. By die uitleg van enige Parlements-wet, regeringskennis-gewing, regeringsadvertensie, ordonnansie, plakkaat, proklamasie, regulasie of verordening kragtens 'n wet uitgevaardig, hofreël, of enige maatreël wat die krag van wet het, wat voor die totstandkoming van die Unie in die kolonie die Kaap die Goeie Hoop in werking getree het, het die volgende uitdrukkings, tensy uit die samehang anders blyk, en onderworpe aan die bepalings van die „Zuid-Afrika” Wet, 1909”, die onderskeie betekenisse wat hierby daaraan toegewys word, naamlik—

Betekenis van sekere uitdrukkings in wette van die kolonie die Kaap die Goeie Hoop.

- „Charter of Justice” beteken die Koninklike Patentbrief van sy Majesteit Koning Willem die Vierde, gedagteken die vierde dag van Mei 1832, vir beter en meer doeltreffende regspleging;
- „Constitution Ordinance” beteken die ordonnansie tot instelling van 'n Parlement vir die kolonie die Kaap die Goeie Hoop, wat op die derde dag van April 1852, deur Sy Eksellensie die Goewerneur van die Kaap die Goeie Hoop met die advies en toestemming van die Wetgewende Raad daarvan, uitgevaardig is;
- „division” of „fiscal division” beteken die gebied onder die beheer van 'n siviele kommissaris binne die bedoeling van die toepaslike wet, kennisgewing, advertensie, ordonnansie, plakkaat, proklamasie, regulasie, verordening, hofreël, of maatreël;
- „Governor” omvat ook die amptenaar wat, handelende op en met die advies van die Uitvoerende Raad van die kolonie die Kaap die Goeie Hoop, van tyd tot tyd die regering van die kolonie die Kaap die Goeie Hoop geadministreer het;
- „Order-in-Council” beteken enige voorskrif wat met die advies van die Uitvoerende Raad deur die „Governor” (soos in hierdie artikel omskryf) uitgevaardig is;
- „solemn declaration” beteken 'n verklaring gemaak kragtens en uit hoofde van die bepalings van die „Oaths and Declarations Act, 1891”, van die kolonie die Kaap die Goeie Hoop.

DEEL III.

BESONDERE BEPALINGS ALLEEN OP DIE PROVINSIE TRANSVAAL VAN TOEPASSING.

19. By die uitleg van enige wet of besluit van die Volksraad van die voormalige Suid-Afrikaanse Republiek, het die volgende uitdrukkings, tensy uitdruklik anders bepaal, en onderworpe aan die bepalings van die „Zuid-Afrika Wet, 1909” of van enige ander wet, die onderskeie betekenisse wat hierby daaraan toegewys word, naamlik—

Betekenis van sekere uitdrukkings in wette van die Suid-Afrikaanse Republiek.

- „landdrost” beteken magistraat;
- „Publieke Aanklager” beteken die Prokureur-generaal van Transvaal of enige persoon wat aangestel is om vir of namens die Kroon te vervolg;
- „Staats Courant” beteken die *Staatskoerant*;
- „Staats President” of enige uitdrukking wat die Hoof van die voormalige Suid-Afrikaanse Republiek aandui, beteken die Goewerneur-generaal van die Unie;
- „Staats Procureur” beteken die Prokureur-generaal van Transvaal;
- „Staats Sekretaris” beteken die Minister van Binnelandse Sake;
- „Zuid-Afrikaanse Republiek”, „Republiek”, „Staat” of 'n dergelike uitdrukking, beteken die Transvaal, en wanneer so 'n wet of besluit vereis dat 'n handeling verrig word of die verrigting daarvan magtig, of vereis dat 'n proses-

to be taken out in the name and on behalf of the people of the South African Republic it shall be deemed to be required or authorized to be done or taken out in the name and on behalf of the Queen.

Meaning of expression Governor or Lieutenant-Governor in laws of the colony of Transvaal.

20. In the interpretation of any law which came into operation in the colony of the Transvaal prior to the establishment of the Union, the expression "Governor" or "Lieutenant-Governor" includes the officer who for the time being administered the government of the said colony, acting (when by law required) by and with the advice of the Executive Council thereof.

PART IV.

SPECIAL PROVISIONS APPLICABLE ONLY TO THE PROVINCE OF THE ORANGE FREE STATE.

Meaning of certain expressions in laws of the Orange Free State.

21. Where, in any law of the late Orange Free State, the following expressions occur they shall, unless otherwise expressly provided and subject to the provisions of the South Africa Act, 1909, or of any other law, have the meanings hereby assigned to them respectively, namely—

"Goevernements Sekretaris" means the Minister of the Interior;

"landdrost" means magistrate;

"Oranje Vrystaat" or "Staat" means the province of the Orange Free State;

"President" or "Staatspresident" means the Governor-General;

"Raad" or "Volksraad" means Parliament;

"Staatsprocureur" means the Attorney-General of the Orange Free State;

"Thesaurier-generaal" means the Minister of Finance;

"Weesheer" means the Master of the Supreme Court (Orange Free State Provincial Division);

"Wet boek" means the Law Book of the Orange Free State of 1891;

"Zuid Afrikaansche Republiek" means the Transvaal.

Meaning of expression Governor or Lieutenant-Governor in laws of Orange River Colony.

22. In the interpretation of any law which came into operation in the Orange River Colony prior to the establishment of the Union, the expression "Governor" or "Lieutenant-Governor" includes the officer who for the time being administered the government of the said colony, acting (when by law required) by and with the advice of the Executive Council thereof.

PART V.

SPECIAL PROVISIONS APPLICABLE ONLY TO THE PROVINCE OF NATAL.

Meaning of expression Governor or Lieutenant-Governor in laws of Natal.

23. In the interpretation of any law which came into operation in the Colony of Natal prior to the establishment of the Union, the expression "Governor" or "Lieutenant-Governor" includes the officer who for the time being administered the government of the said colony, acting (when by law required) by and with the advice of the Executive Council thereof.

PART VI.

SUPPLEMENTARY.

Application to State.

24. This Act shall bind the State.

Repeal of Act 5 of 1910 and Act 5 of 1944.

25. (1) Subject to the provisions of sub-section (2), the Interpretation Act, 1910, and the Interpretation Amendment Act, 1944, are hereby repealed.

(2) Any action taken under any provision of a law repealed by sub-section (1) shall be deemed to have been taken under the corresponding provision of this Act.

Short title.

26. This Act shall be called the Interpretation Act, 1957.

stuk uitgereik word, in die naam en ten behoeve van die volk van die Suid-Afrikaanse Republiek, word dit geag te vereis of magtiging te verleen om dit in die naam en ten behoeve van die Koningin te verrig of uit te reik.

20. By die uitleg van enige wet wat voor die totstandkoming van die Unie in die kolonie Transvaal in werking getree het, omvat die uitdrukking „Gouverneur” of „Luitenant-gouverneur” ook die amptenaar wat, handelende (wanneer deur die wet vereis) op en met die advies van die Uitvoerende Raad van bedoelde kolonie, van tyd tot tyd die regering van die kolonie geadministreer het.

Betekenis van uitdrukking „Gouverneur” of „Luitenant-gouverneur” in wette van die kolonie Transvaal.

DEEL IV.

BESONDERE BEPALINGS ALLEEN OP DIE PROVINSIE ORANJE-VRYSTAAT VAN TOEPASSING.

21. Wanneer die volgende uitdrukkings in enige wet van die voormalige Oranje-Vrystaat voorkom, het hulle, tensy uitdruklik anders bepaal, en onderworpe aan die bepalinge van die „Zuid-Afrika Wet, 1909”, of van enige ander wet, die onderskeie betekenisse wat hierby daaraan toegewys word, naamlik—

Betekenis van sekere uitdrukkings in wette van die Oranje-Vrystaat.

- „Gouvernements Sekretaris” beteken die Minister van Binnelandse Sake;
- „landdrost” beteken magistraat;
- „Oranje Vrijstaat” of „Staat” beteken die provinsie Oranje-Vrystaat;
- „President” of „Staatspresident” beteken die Goewerneur-generaal;
- „Raad” of „Volksraad” beteken die Parlement;
- „Staatsprocureur” beteken die Prokureur-generaal van die Oranje-Vrystaat;
- „Thesaurier-generaal” beteken die Minister van Finansies;
- „Weesheer” beteken die Meester van die Hooggeregshof (Provinsiale Afdeling Oranje-Vrystaat);
- „Wet boek” beteken die Wetboek van die Oranje-Vrystaat van 1891;
- „Zuid-Afrikaansche Republiek” beteken die Transvaal.

22. By die uitleg van enige wet wat voor die totstandkoming van die Unie in die kolonie Oranje-rivier in werking getree het, omvat die uitdrukking „Gouverneur” of „Luitenant-gouverneur” ook die amptenaar wat, handelende (wanneer deur die wet vereis) op en met die advies van die Uitvoerende Raad van bedoelde kolonie, van tyd tot tyd die regering van die kolonie geadministreer het.

Betekenis van uitdrukking „Gouverneur” of „Luitenant-gouverneur” in wette van die kolonie Oranje-rivier.

DEEL V.

BESONDERE BEPALINGS ALLEEN OP DIE PROVINSIE NATAL VAN TOEPASSING.

23. By die uitleg van enige wet wat voor die totstandkoming van die Unie in die kolonie Natal in werking getree het, omvat die uitdrukking „Governor” of „Lieutenant-Governor” ook die amptenaar wat, handelende (wanneer deur die wet vereis) op en met die advies van die Uitvoerende Raad van bedoelde kolonie, van tyd tot tyd die regering van die kolonie geadministreer het.

Betekenis van uitdrukking „Governor” of „Lieutenant-Governor” in wette van Natal.

DEEL VI.

AANVULLENDE BEPALINGS.

24. Hierdie Wet bind die Staat.

Toepassing op Staat.

25. (1) Behoudens die bepalinge van sub-artikel (2), word die „Interpretasie Wet, 1910”, en die Wysigingswet op Interpretasie, 1944, hierby herroep.

Herroeping van Wet 5 van 1910 en Wet 5 van 1944.

(2) Enige handeling verrig kragtens ’n bepaling van ’n by sub-artikel (1) herroepde wet, word geag kragtens die ooreenstemmende bepaling van hierdie Wet verrig te gewees het.

26. Hierdie Wet heet die Interpretasiewet, 1957.

Kort titel.