

EXTRAORDINARY



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Staatskoerant

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PRYS 6d. [No. 6241.

DEPARTMENT OF THE PRIME MINISTER.

No. 942.]

[19th June, 1959.

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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DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 942.]

[19 Junie 1959.

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. 45 van 1959: Wet op Uitbreiding van Universiteitsopleiding, 1959	3
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No. 45, 1959.]

ACT

To provide for the establishment, maintenance, management and control of university colleges for non-white persons; for the admission of students to and their instruction at university colleges; for the limitation of the admission of non-white students to certain university institutions; and for other incidental matters.

(English text signed by the Governor-General.)
(Assented to 11th June, 1959.)

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:—

Interpretation
of terms.

1. In this Act, unless the context otherwise indicates—
 - (i) "advisory council" means the advisory council of a university college referred to in section *seven*; (i)
 - (ii) "advisory senate" means the advisory senate of a university college referred to in section *nine*; (ii)
 - (iii) "Bantu person" means a native as defined in section *one* of the Population Registration Act, 1950 (Act No. 30 of 1950); (iv)
 - (iv) "Bantu Education Account" means the account referred to in section *twenty* of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956); (iii)
 - (v) "council" means the council of a university college referred to in section *five*; (xiii)
 - (vi) "council post" means any post on the establishment of a university college designated by the Minister in terms of sub-section (2) of section *twenty-four* as a council post; (xiv)
 - (vii) "ethnic or other group" means an ethnic or other group as defined in section *one* of the Population Registration Act, 1950 (Act No. 30 of 1950); (vi)
 - (viii) "Medical School" means the Medical School for Non-Europeans of the University of Natal; (viii)
 - (ix) "Minister" means—
 - (a) in any provision of this Act applying to a university college for Bantu persons or to a Bantu person, the Minister of Bantu Education, or the Minister of Bantu Education acting in consultation with another Minister in terms of a proclamation issued under section *thirty-eight*; or
 - (b) in any provision of this Act applying to a university college for non-white persons other than Bantu persons or to a non-white person other than a Bantu person, the Minister to whom or the Minister to whom acting in consultation with another Minister, the administration of that provision has been assigned by proclamation issued under section *thirty-eight*; (ix)
 - (x) "non-white person" means any person who is not a white person; (x)
 - (xi) "pensionable emoluments" means pensionable emoluments as defined in section *one hundred and nine* of the Pensions Act; (xi)
 - (xii) "Pensions Act" means the Government Service Pensions Act, 1955 (Act No. 58 of 1955); (xii)
 - (xiii) "prescribed" means prescribed by regulation; (xxiii)
 - (xiv) "regulation" means any regulation made and in force under this Act; (xv)
 - (xv) "Secretary" means—
 - (a) in any provision of this Act applying to a university college for Bantu persons or to a Bantu person, the Secretary for Bantu Education, and includes an Under-Secretary for Bantu Education, a Director of Bantu Education and a Deputy-Director of Bantu Education; or
 - (b) in any provision of this Act applying to a university college for non-white persons other than Bantu persons or to a non-white person other than a Bantu person, the head of the Department

No. 45, 1959.]

WET

Om voorsiening te maak vir die instelling, instandhouding, bestuur en beheer van universiteitskolleges vir nie-blankes; vir die toelating van studente tot en hul onderrig aan universiteitskolleges; vir die beperking van die toelating van nie-blanke studente tot sekere universiteitsinrigtings; en vir ander aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 11 Junie 1959.)

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

1. In hierdie Wet, tensy uit die samehang anders blyk, Woordbepaling. beteken—

- (i) „adviserende raad” die in artikel *sewe* bedoelde adviserende raad van ’n universiteitskollege; (i)
- (ii) „adviserende senaat” die in artikel *nege* bedoelde adviserende senaat van ’n universiteitskollege; (ii)
- (iii) „Bantoe-onderwysrekening” die in artikel *twintig* van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), bedoelde rekening; (iv)
- (iv) „Bantoepersoon” ’n naturel soos in artikel *een* van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf; (iii)
- (v) „blanke” ’n blanke soos in artikel *een* van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf; (xxiii)
- (vi) „etniese of ander groep” ’n etniese of ander groep soos in artikel *een* van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf; (vii)
- (vii) „hierdie Wet” ook ’n regulasie; (xviii)
- (viii) „Mediese Skool” die Mediese Skool vir nie-blankes van die Universiteit van Natal; (viii)
- (ix) „Minister”—
 - (a) in enige bepaling van hierdie Wet wat van toepassing is op ’n universiteitskollege vir Bantoe-persone of op ’n Bantoepersoon, die Minister van Bantoe-onderwys, of die Minister van Bantoe-onderwys handelende in oorleg met ’n ander Minister ingevolge ’n kragtens artikel *agt-entertig* uitgevaardigde proklamasie; of
 - (b) in enige bepaling van hierdie Wet wat van toepassing is op ’n universiteitskollege vir ander nie-blankes as Bantoe-persone of op ’n ander nie-blanke persoon as ’n Bantoepersoon, die Minister aan wie, of die Minister aan wie handelende in oorleg met ’n ander Minister, die uitvoering van daardie bepaling by ’n kragtens artikel *agt-entertig* uitgevaardigde proklamasie opgedra is; (ix)
- (x) „nie-blanke” iemand wat nie ’n blanke is nie; (x)
- (xi) „pensioengewende verdienste” pensioengewende verdienste soos in artikel *honderd-en-nege* van die Pensioenwet omskryf; (xii)
- (xii) „Pensioenwet” die Regeringsdienspensioenwet, 1955 (Wet No. 58 van 1955); (xi)
- (xiii) „raad” die in artikel *vyf* bedoelde raad van ’n universiteitskollege; (v)
- (xiv) „raadspos” ’n pos op die diensstaat van ’n universiteitskollege wat deur die Minister ingevolge sub-artikel (2) van artikel *vier-en-twintig* as ’n raadspos aangewys is; (vi)
- (xv) „regulasie” enige regulasie uitgevaardig en van krag ingevolge hierdie Wet; (xiv)
- (xvi) „Sekretaris”—
 - (a) in enige bepaling van hierdie Wet wat van toepassing is op ’n universiteitskollege vir Bantoe-persone of op ’n Bantoepersoon, die Sekretaris van Bantoe-onderwys, en ook ’n Ondersekretaris van Bantoe-onderwys, ’n Direkteur van Bantoe-onderwys en ’n Adjunk-direkteur van Bantoe-onderwys; of

administered by the Minister to whom, or the Minister to whom acting in consultation with another Minister, the administration of that provision has been assigned by proclamation issued under section *thirty-eight*; (xvi)

- (xvi) "senate" means the senate of a university college referred to in section *eight*; (xvii)
- (xvii) "State post" means any post on the establishment of a university college other than a council post; (xviii)
- (xviii) "this Act" includes any regulation; (vii)
- (xix) "university college" means any university college established under this Act for the provision of university education; (xix)
- (xx) "university education" means education of a standard equivalent to that provided by universities established by Act of Parliament; (xx)
- (xxi) "University of Natal" means the university established by the University of Natal (Private) Act, 1948 (Act No. 4 of 1948); (xxi)
- (xxii) "University of South Africa" means the university established by the University of South Africa Act, 1916 (Act No. 12 of 1916), and now performing its functions under the University of South Africa Act, 1959 (Act No. 19 of 1959); (xxii)
- (xxiii) "white person" means a white person as defined in section *one* of the Population Registration Act, 1950 (Act No. 30 of 1950). (v).

CHAPTER I.

ESTABLISHMENT OF UNIVERSITY COLLEGES FOR NON-WHITE PERSONS.

Establishment of university colleges for Bantu persons.

2. (1) The Minister may, in consultation with the Minister of Finance, out of moneys appropriated by Parliament out of the Bantu Education Account for the purpose—

- (a) establish;
- (b) maintain and conduct,

university colleges for Bantu persons.

(2) The establishment of any such university college shall be notified by notice in the *Gazette*.

(3) The Minister may, in consultation with the Minister of Finance, out of moneys appropriated by Parliament out of the Bantu Education Account for the purpose, pay to the council of such a university college annually such amounts as are necessary for carrying out such functions as may be entrusted to it by or under this Act and subject to such conditions and on such basis as may be determined by the Minister.

Establishment of university colleges for non-white persons other than Bantu persons.

3. (1) The Minister may, in consultation with the Minister of Finance, out of moneys appropriated by Parliament for the purpose—

- (a) establish;
- (b) maintain and conduct,

university colleges for non-white persons other than Bantu persons.

(2) The establishment of any such university college shall be notified by notice in the *Gazette*.

(3) The Minister may, in consultation with the Minister of Finance, out of moneys appropriated by Parliament for the purpose, pay to the council of such a university college annually such amounts as are necessary for carrying out such functions as may be entrusted to it by or under this Act and subject to such conditions and on such basis as may be determined by the Minister.

Constitution of a university college.

4. A university college shall consist of—

- (a) a council;
- (b) an advisory council;
- (c) a senate;
- (d) an advisory senate;
- (e) such other body or bodies as the Minister, after consultation with the council, may from time to time establish;
- (f) a rector; and
- (g) the professors, lecturers and students of the university college.

- (b) in enige bepaling van hierdie Wet wat van toepassing is op 'n universiteitskollege vir ander nie-blankes as Bantoeperone of op 'n ander nie-blanke persoon as 'n Bantoeperoon, die hoof van die Departement onder beheer van die Minister aan wie, of die Minister aan wie handelende in oorleg met 'n ander Minister, die uitvoering van daardie bepaling by 'n kragtens artikel *agt-enderdig* uitgevaardigde proklamasie opgedra is; (xv)
- (xvii) „senaat” die in artikel *agt* bedoelde senaat van 'n universiteitskollege; (xvi)
- (xviii) „Staatspos” 'n ander pos op die diensstaat van 'n universiteitskollege as 'n raadspos; (xvii)
- (xix) „universiteitskollege” 'n universiteitskollege wat kragtens hierdie Wet ingestel is vir die verskaffing van universiteitsopleiding; (xix)
- (xx) „universiteitsopleiding” opleiding van 'n standaard wat gelykstaan met dié wat verskaf word deur universiteite wat by Parlements wet ingestel is; (xx)
- (xxi) „Universiteit van Natal” die universiteit wat by die Private Wet op die Universiteit van Natal, 1948 (Wet No. 4 van 1948), ingestel is; (xxi)
- (xxii) „Universiteit van Suid-Afrika” die universiteit wat by die „Universiteit van Zuid-Afrika Wet, 1916” (Wet No. 12 van 1916), ingestel is en wat tans sy werksaamhede kragtens die Wet op die Universiteit van Suid-Afrika, 1959 (Wet No. 19 van 1959), verrig; (xxii)
- (xxiii) „voorgeskryf” by regulasie voorgeskryf. (xiii)

HOOFSTUK I.

DIE INSTELLING VAN UNIVERSITEITSKOLLEGES VIR NIE-BLANKES.

2. (1) Die Minister kan, in oorleg met die Minister van Finansies, uit gelde wat deur die Parlement uit die Bantoe-onderwysrekening vir dié doel bewillig word, universiteitskolleges vir Bantoeperone—

Instelling van universiteitskolleges vir Bantoeperone.

- (a) instel;
(b) in stand hou en bestuur.

(2) Die instelling van so 'n universiteitskollege word by kennisgewing in die *Staatskoerant* bekend gemaak.

(3) Die Minister kan, in oorleg met die Minister van Finansies, uit gelde wat deur die Parlement uit die Bantoe-onderwysrekening vir dié doel bewillig word, jaarliks sodanige bedrae aan die raad van so 'n universiteitskollege betaal as wat nodig is vir die uitvoering van sodanige werksaamhede as wat aan die raad deur of kragtens hierdie Wet toevertrou word en onderworpe aan sodanige voorwaardes en op sodanige grondslag as wat deur die Minister bepaal word.

3. (1) Die Minister kan, in oorleg met die Minister van Finansies, uit gelde wat deur die Parlement vir dié doel bewillig word, universiteitskolleges vir ander nie-blankes as Bantoeperone—

Instelling van universiteitskolleges vir nie-blankes behalwe Bantoeperone.

- (a) instel;
(b) in stand hou en bestuur.

(2) Die instelling van so 'n universiteitskollege word by kennisgewing in die *Staatskoerant* bekend gemaak.

(3) Die Minister kan, in oorleg met die Minister van Finansies, uit gelde wat deur die Parlement vir dié doel bewillig word, jaarliks sodanige bedrae aan die raad van so 'n universiteitskollege betaal as wat nodig is vir die uitvoering van sodanige werksaamhede as wat aan die raad deur of kragtens hierdie Wet toevertrou word en onderworpe aan sodanige voorwaardes en op sodanige grondslag as wat deur die Minister bepaal word.

4. 'n Universiteitskollege bestaan uit—

- (a) 'n raad;
(b) 'n adviserende raad;
(c) 'n senaat;
(d) 'n adviserende senaat;
(e) die ander liggaam of liggame wat die Minister na oorlegpleging met die raad van tyd tot tyd instel;
(f) 'n rektor; en
(g) die professore, lektore en studente van die universiteitskollege.

Samestelling van 'n universiteitskollege.

Council.

5. (1) The council of a university college shall consist of—
 (a) the rector of the university college *ex officio*; and
 (b) not less than eight members to be appointed by the Governor-General, at least four of whom shall be appointed on the grounds of their special knowledge of or connection with university affairs.

(2) Subject to the provisions of this Act, the members of the council shall hold office for the period prescribed and shall be eligible for reappointment.

(3) The Governor-General shall designate one of the members of the council as chairman who shall hold office as such for the period prescribed: Provided that if the chairman is not present at any meeting of the council, the members present at such meeting shall elect one of their number to preside at such meeting.

(4) The powers, duties, functions and procedure at meetings of the council and the allowances of members shall be as prescribed by this Act: Provided that any allowance payable to any member who is in the whole-time employment of the State shall be in accordance with the laws governing the conditions of his employment.

(5) If any member of the council dies or for any reason vacates office before the expiry of his period of office, the Governor-General shall appoint another person in his place, and any person so appointed shall hold office as a member of the council for the unexpired portion of the period of office of the member who has died or vacated office.

(6) The council may, in consultation with the Minister, establish committees of the council, and the constitution, powers, functions and duties of such committees shall be as prescribed after consultation with the council.

Corporate status of council.

6. The council of a university college shall be a body corporate with perpetual succession, capable of suing and being sued in its own name and of performing all such acts as are necessary for or incidental to the carrying out or the performance of the powers, duties and functions conferred or imposed upon or entrusted to it by or under this Act or which may in terms of this Act from time to time be delegated to it by the Minister.

Advisory council.

7. (1) The advisory council of a university college shall consist of not less than eight members to be appointed by the Governor-General.

(2) The Governor-General shall designate one of the members of the advisory council as chairman: Provided that if the chairman is not present at any meeting of the advisory council, the members present at such meeting shall elect one of their number to preside at such meeting.

(3) The chairman of the council may, and the rector or his representative shall attend meetings of the advisory council as advisers but shall not be entitled to vote.

(4) The term of office and allowances of members and of the chairman and the powers, duties, functions and procedure at meetings of the advisory council shall be as prescribed after consultation with the council: Provided that any allowance payable to any member who is in the whole-time employment of the State shall be in accordance with the laws governing the conditions of his employment.

Senate.

8. (1) The senate of a university college shall consist of—
 (a) the rector of the university college *ex officio*; and
 (b) such professors and lecturers of the university college as the Minister, after consultation with the council, may from time to time designate for the purpose.

(2) The rector of the university college shall be *ex officio* chairman of the senate: Provided that if the rector is not present at any meeting of the senate, the members present at such meeting shall elect one of their number to preside at such meeting.

(3) The superintendence and regulation of the discipline and instruction of the several departments, lectures and classes of the university college shall be vested in the senate in accordance with the manner prescribed on the recommendation of the council.

- (4) The senate shall from time to time submit to the council—
 (a) reports upon its work;
 (b) such recommendations as may seem expedient to the senate as to any matters of importance affecting the university college; and
 (c) recommendations on any matters referred to it by the council.

5. (1) Die raad van 'n universiteitskollege bestaan uit— Raad.
 (a) die rektor van die universiteitskollege *ex officio*; en
 (b) minstens agt lede wat deur die Goewerneur-generaal aangestel word, van wie minstens vier aangestel word op grond van hulle spesiale kennis van of verband met universiteitsaangeleenthede.
- (2) Behoudens die bepalinge van hierdie Wet, beklee die lede van die raad hul amp vir die tydperk wat voorgeskryf word en kan hulle weer aangestel word.
- (3) Die Goewerneur-generaal wys een van die lede van die raad aan as voorsitter wat sy amp as sodanig vir die voorgeskrewe tydperk beklee: Met dien verstande dat indien die voorsitter van enige raadsvergadering afwesig is, die lede wat by daardie vergadering aanwesig is een uit hul midde moet kies om by daardie vergadering voor te sit.
- (4) Die bevoegdhede, pligte, werksaamhede, en prosedure by vergaderings van die raad, en die toelaes van lede is soos by hierdie Wet voorgeskryf: Met dien verstande dat enige toelaes betaalbaar aan 'n lid wat in die voltydse diens van die Staat is, ooreenkomstig die wetsbepaling wat sy diensvoorwaardes reël, moet wees.
- (5) Indien 'n lid van die raad te sterwe kom of om enige rede sy amp ontruim voor die verstryking van sy ampstermyn, stel die Goewerneur-generaal 'n ander persoon in sy plek aan en 'n aldus aangestelde persoon beklee sy amp as lid van die raad vir die onverstreke deel van die ampstermyn van die lid wat gesterf of sy amp ontruim het.
- (6) 'n Raad kan, in oorleg met die Minister, komitees van die raad instel, en die samestelling, bevoegdhede, werksaamhede en pligte van sodanige komitees is soos, na oorlegpleging met die raad, voorgeskryf.

6. Die raad van 'n universiteitskollege is 'n regspersoon met ewigdurende regsoopvolging en kan in sy eie naam as eiser en as verweerder in regte optree en alle handelinge verrig wat nodig is vir die uitvoering of die verrigting van die bevoegdhede, pligte en werksaamhede wat deur of kragtens hierdie Wet aan hom verleen of opgelê of toevertrou word of wat daarmee in verband staan of wat ingevolge hierdie Wet van tyd tot tyd deur die Minister aan hom gedelegeer word.

Regspersoonlikheid van raad.

7. (1) Die adviserende raad van 'n universiteitskollege bestaan uit minstens agt lede wat deur die Goewerneur-generaal aangestel word.

Adviserende raad.

(2) Die Goewerneur-generaal wys een van die lede van die adviserende raad aan as voorsitter: Met dien verstande dat indien die voorsitter van enige vergadering van die adviserende raad afwesig is, die lede wat by daardie vergadering aanwesig is een uit hul midde moet kies om by daardie vergadering voor te sit.

(3) Die voorsitter van die raad kan, en die rektor of sy verteenwoordiger moet vergaderings van die adviserende raad as raadgevers bywoon, maar is nie geregtig om te stem nie.

(4) Die ampstermyn en toelaes van lede en van die voorsitter en die bevoegdhede, pligte, werksaamhede en prosedure by vergaderings van die adviserende raad is soos, na oorlegpleging met die raad, voorgeskryf: Met dien verstande dat enige toelaes betaalbaar aan 'n lid wat in die voltydse diens van die Staat is, ooreenkomstig die wetsbepalinge wat sy diensvoorwaardes reël, moet wees.

8. (1) Die senaat van 'n universiteitskollege bestaan uit— Senaat.

- (a) die rektor van die universiteitskollege *ex officio*; en
 (b) die professore en lektore van die universiteitskollege wat die Minister, na oorlegpleging met die raad, van tyd tot tyd vir dié doel aanwys.

(2) Die rektor van die universiteitskollege is *ex officio* voorsitter van die senaat: Met dien verstande dat indien die rektor van enige senaatsvergadering afwesig is, die lede wat by daardie vergadering aanwesig is een uit hul midde moet kies om by daardie vergadering voor te sit.

(3) Die toesig oor en die reëling van die tug en onderrig in die onderskeie departemente, voorlesings en klasse van 'n universiteitskollege berus by die senaat ooreenkomstig die wyse op aanbeveling van die raad voorgeskryf.

(4) Die senaat lê van tyd tot tyd aan die raad voor—

- (a) verslae omtrent sy werksaamhede;
 (b) aanbevelings wat die senaat dienstig ag omtrent aangeleenthede van belang wat die universiteitskollege raak; en
 (c) aanbevelings omtrent sake wat die raad na hom verwys.

(5) Subject to the provisions of this Act, the functions of the senate shall include the organization and control of examinations instituted in terms of section *twenty-two*.

(6) The senate may, with the consent of the council, delegate to the advisory senate any of the functions entrusted to it by sub-sections (3), (4) and (5).

(7) Subject to the provisions of sub-sections (3), (4) and (5), the term of office of members, powers, duties, functions and procedure at meetings of the senate shall be as prescribed after consultation with the council.

Advisory senate.

9. (1) The advisory senate of a university college shall consist of such professors and lecturers of the university college as the Minister, after consultation with the council, may from time to time designate for the purpose.

(2) The rector shall, after consultation with the council, designate one of the members of the advisory senate as chairman: Provided that if the chairman is not present at any meeting of the advisory senate, the members present at such meeting shall elect one of their number to preside at such meeting.

(3) The rector of a university college shall attend the meetings of the advisory senate as an adviser but shall not have the right to vote: Provided that if the rector is unable to attend any meeting of the advisory senate, he shall depute another member of the senate to attend that meeting in his stead.

(4) Subject to the provisions of sub-section (6) of section *eight*, the term of office of the chairman and members and the powers, duties, functions and procedure at meetings of the advisory senate shall be as prescribed after consultation with the council.

Appointment of rector.

10. The rector of a university college shall be appointed by the Minister and his powers, privileges, duties and functions shall be as prescribed by this Act.

Power of council to acquire stores and equipment and to exercise control thereover.

11. (1) The council may acquire for the use of the university college such stores and equipment in such a manner and on such conditions as the Minister may determine.

(2) The control to be exercised over such stores and equipment by the council shall be as determined by the Minister.

Faculties and departments.

12. There may be established at a university college such faculties and departments as may from time to time be prescribed after consultation with the council.

Registration as a student.

13. (1) No person shall be registered as a matriculated student of any university college unless—

(a) he has obtained the matriculation certificate issued by the Matriculation Board established under sub-section (1) of section *fifteen* of the Universities Act, 1955 (Act No. 61 of 1955), or has in the opinion of the Matriculation Board satisfied the conditions of exemption from the matriculation examination and has obtained a certificate to that effect: Provided that the Minister may on the recommendation of the council, in addition prescribe as a prerequisite to admission to any particular course at any university college, the attaining of a specified standard in specified subjects at the matriculation examination or at an examination recognized for the purpose by the Matriculation Board; or

(b) he is a graduate of a university or has been admitted by such university to the status of graduate; and

(c) he has complied with such other conditions as may be prescribed.

(2) Every person registered as a student of a university college shall renew his registration annually so long as he continues to be a student thereof and shall in respect of such renewal comply with such conditions as may be prescribed.

(3) A student of a university college who fails to satisfy the minimum requirements of study may be refused permission by the council to renew his registration as a student of the university college.

(4) The Minister may, after consultation with the council, in his discretion limit the number of students who may be permitted to register for any course.

(5) Behoudens die bepalings van hierdie Wet, sluit die werksaamhede van 'n senaat in die organisasie van en beheer oor die eksamens wat ingevolge artikel twee-en-twintig ingestel word.

(6) Die senaat kan, met die toestemming van die raad, enige van die werksaamhede wat by sub-artikels (3), (4) en (5) aan hom opgedra word, aan die adviserende senaat delegeer.

(7) Behoudens die bepalings van sub-artikels (3), (4) en (5) is die ampstermyn van lede, bevoegdhede, pligte, werksaamhede en prosedure by vergaderings van die senaat soos, na oorlegpleging met die raad, voorgeskryf.

9. (1) Die adviserende senaat van 'n universiteitskollege bestaan uit die professore en lektore van die universiteitskollege wat die Minister, na oorlegpleging met die raad, van tyd tot tyd vir dié doel aanwys. Adviserende senaat.

(2) Die rektor wys, na oorlegpleging met die raad, een van die lede van die adviserende senaat aan as voorsitter: Met dien verstande dat indien die voorsitter van enige vergadering van die adviserende senaat afwesig is, die lede wat by daardie vergadering aanwesig is een uit hul midde moet kies om by daardie vergadering voor te sit.

(3) Die rektor van 'n universiteitskollege moet die vergaderings van die adviserende senaat as raadgever bywoon maar is nie geregtig om te stem nie: Met dien verstande dat indien die rektor 'n vergadering van die adviserende senaat nie kan bywoon nie, hy 'n ander lid van die senaat moet magtig om daardie vergadering in sy plek by te woon.

(4) Behoudens die bepalings van sub-artikel (6) van artikel agt, is die ampstermyn van die voorsitter en lede en die bevoegdhede, pligte, werksaamhede en prosedure by vergaderings van die adviserende senaat soos, na oorlegpleging met die raad, voorgeskryf.

10. Die rektor van 'n universiteitskollege word deur die Minister aangestel en sy bevoegdhede, voorregte, pligte en werksaamhede is soos by hierdie Wet voorgeskryf. Aanstelling van rektor.

11. (1) Die raad kan sodanige voorrade en uitrusting vir die gebruik van die universiteitskollege op so 'n wyse en onder sodanige voorwaardes aanskaf as wat die Minister bepaal. Bevoegdheid van raad om voorrade en uitrusting aan te skaf en beheer daarvoor uit te oefen.

(2) Die beheer wat oor bedoelde voorrade en uitrusting deur die raad uitgeoefen moet word, is soos deur die Minister bepaal.

12. Daar kan aan 'n universiteitskollege sodanige fakulteite en departemente ingestel word as wat van tyd tot tyd, na oorlegpleging met die raad, voorgeskryf word. Fakulteite en departemente.

13. (1) Niemand mag as 'n gematrikuleerde student van 'n universiteitskollege ingeskryf word nie, tensy— Inskrywing as student.

(a) hy die matrikulasiesertifikaat uitgereik deur die Matrikulasieraad, ingestel kragtens sub-artikel (1) van artikel vyftien van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), verwerf het, of na die oordeel van die Matrikulasieraad aan die voorwaardes van vrystelling van die matrikulasie-eksamen voldoen het en 'n sertifikaat te dien effekte verkry het: Met dien verstande dat die Minister op aanbeveling van die raad daarbenewens die behaling van 'n vermelde standaard in vermelde vakke by die matrikulasie-eksamen of by 'n eksamen wat deur die Matrikulasieraad vir dié doel erken word, as 'n voorvereiste vir toelating tot enige besondere kursus aan 'n universiteitskollege, kan voorskryf; of

(b) hy 'n gegradueerde van 'n universiteit is of tot die status van 'n gegradueerde deur so 'n universiteit toegelaat is; en

(c) hy voldoen het aan die ander voorwaardes wat voorgeskryf word.

(2) Elke persoon wat as 'n student van 'n universiteitskollege ingeskryf word, moet solank hy 'n student van die universiteitskollege bly, sy inskrywing jaarliks hernuwe en moet ten opsigte van sodanige hernuwing aan die voorgeskrewe voorwaardes voldoen.

(3) Aan 'n student van 'n universiteitskollege wat nie aan die minimum-studievereistes voldoen nie, kan toestemming om sy inskrywing as student van die universiteitskollege te hernuwe, deur die raad geweier word.

(4) Die Minister kan, na oorlegpleging met die raad, die aantal studente wat toegelaat kan word om vir 'n kursus in te skryf, na goëddunke beperk.

(5) The Minister may limit the admission of non-white persons to any university college, to persons of one or more ethnic or other groups: Provided that the Minister may in any such case grant permission—

- (a) in the case of a university college established in terms of section *two*, to any Bantu person of any other group to attend such university college; or
- (b) in the case of a university college established in terms of section *three*, to any non-white person (other than a Bantu person) of any other group to attend such university college.

Refusal of admission as student.

14. The Minister may refuse admittance to any person who applies for admission as a student of a university college if he considers it to be in the interests of the university college concerned to do so.

Discipline.

15. A student of a university college shall be subject to such disciplinary provisions as may be prescribed after consultation with the council.

Power to require students to reside at approved places of residence and to determine the place at which students shall receive instruction.

16. (1) The council may require a student to reside for the periods during which a university college is in session, at a place of residence approved for the purpose by it.

(2) The council may determine at which place under the control of the university college a student shall attend for the purpose of receiving instruction.

Prohibition of admission of white persons as students.

17. No white person shall register with or attend any university college as a student.

Financial and other assistance to Bantu students.

18. (1) The Minister may, out of moneys appropriated by Parliament out of the Bantu Education Account for the purpose and subject to such conditions as may be prescribed in consultation with the Minister of Finance, grant to any Bantu student such financial or other material assistance or both such financial and other material assistance as he may determine.

(2) The Minister may out of moneys appropriated by Parliament for the purpose and subject to such conditions as may be prescribed in consultation with the Minister of Finance, grant to any Bantu student admitted to the Medical School such financial or other material assistance or both such financial and other material assistance as he may determine.

(3) Any moneys recovered in respect of a loan or bursary granted under sub-section (1) shall be paid into the Bantu Education Account.

Financial and other assistance to non-white students other than Bantu students.

19. The Minister may, out of moneys appropriated by Parliament for the purpose and subject to such conditions as may be prescribed in consultation with the Minister of Finance, grant to any non-white student other than a Bantu student such financial or other material assistance or both such financial and other material assistance as he may determine.

Examinations.

20. The examinations of the university colleges for degrees, diplomas and certificates shall, until Parliament otherwise provides by law, be those of the University of South Africa.

Degrees, diplomas and certificates.

21. The degrees, diplomas and certificates for which students at any university college may be prepared, shall, until Parliament otherwise provides by law, be those of the University of South Africa.

Award of diplomas and certificates by a university college.

22. Notwithstanding the provisions of sections *twenty* and *twenty-one*, a university college may, with the approval of the Minister—

- (a) determine the curricula;
- (b) prepare students for examinations;
- (c) conduct examinations; and
- (d) institute and award diplomas and certificates,

in any prescribed subject or course of instruction and training in which the University of South Africa does not issue diplomas or certificates.

CHAPTER II.

PROVISIONS IN RESPECT OF STAFF.

Determination of establishment.

23. The establishment at any university college shall be determined by the Minister and shall make provision for—

(5) Die Minister kan die toelating van nie-blankes tot 'n universiteitskollege beperk tot persone van een of meer etniese of ander groepe: Met dien verstande dat in so 'n geval die Minister toestemming kan verleen—

- (a) in die geval van 'n ingevolge artikel twee ingestelde universiteitskollege, aan enige Bantoe persoon van enige ander groep om die universiteitskollege by te woon; of
- (b) in die geval van 'n ingevolge artikel drie ingestelde universiteitskollege, aan enige nie-blanke (behalwe 'n Bantoe persoon) van enige ander groep om die universiteitskollege by te woon.

14. Die Minister kan die toelating van enige persoon wat aansoek doen om toelating as student van 'n universiteitskollege weier indien hy dit in die belang van die betrokke universiteitskollege beskou om dit te doen. Weiering van toelating as student.

15. 'n Student van 'n universiteitskollege is onderworpe aan sodanige tugbepalings as wat na oorlegpleging met die raad voorgeskryf word. Tug.

16. (1) Die raad kan vereis dat 'n student gedurende die tydperke wanneer 'n universiteitskollege aan die gang is by 'n verblyfplek inwoon wat vir dié doel deur die raad goedgekeur is. Bevoegdheid om te vereis dat studente by goedgekeurde verblyfplekke inwoon en om te bepaal waar die studente onderrig moet ontvang.

(2) Die raad kan bepaal by watter plek onder beheer van die universiteitskollege 'n student onderrig moet ontvang.

17. Geen blanke mag hom by enige universiteitskollege as student laat inskryf of dit as student bywoon nie. Verbod op toelating van blankes as studente.

18. (1) Die Minister kan uit gelde wat deur die Parlement uit die Bantoe-onderwysrekening vir dié doel bewillig word en onderworpe aan die voorwaardes wat in oorleg met die Minister van Finansies voorgeskryf word, aan enige Bantoe student sodanige finansiële of ander materiële hulp of beide sodanige finansiële en ander materiële hulp verleen as wat hy bepaal. Finansiële en ander bystand aan Bantoe-studente.

(2) Die Minister kan uit gelde wat deur die Parlement vir dié doel bewillig word en onderworpe aan die voorwaardes wat in oorleg met die Minister van Finansies voorgeskryf word, aan enige Bantoe student wat toegelaat is tot die Mediese Skool, sodanige finansiële of ander materiële hulp of beide sodanige finansiële en ander materiële hulp verleen as wat hy bepaal.

(3) Gelde wat ingevorder word ten opsigte van 'n lening of beurs wat kragtens sub-artikel (1) toegestaan is, word in die Bantoe-onderwysrekening inbetaal.

19. Die Minister kan uit gelde wat deur die Parlement vir dié doel bewillig word en onderworpe aan die voorwaardes wat in oorleg met die Minister van Finansies voorgeskryf word, aan enige ander nie-blanke student as 'n Bantoe student sodanige finansiële of ander materiële hulp of beide sodanige finansiële en ander materiële hulp verleen as wat hy bepaal. Finansiële en ander bystand aan nie-blanke studente behalwe Bantoe-studente.

20. Totdat die Parlement anders by wet bepaal, is die eksamens van die universiteitskolleges vir grade, diplomas en sertifikate, dié van die Universiteit van Suid-Afrika. Eksamens.

21. Totdat die Parlement anders by wet bepaal, is die grade, diplomas en sertifikate waarvoor studente aan 'n universiteitskollege voorberei kan word, dié van die Universiteit van Suid-Afrika. Grade, diplomas en sertifikate.

22. Ondanks die bepalinge van artikels twintig en een-en-twintig, kan 'n universiteitskollege met die goedkeuring van die Minister— Toekenning van diplomas en sertifikate deur 'n universiteitskollege.

- (a) die leerplanne bepaal;
- (b) studente voorberei vir eksamens;
- (c) eksamens afneem; en
- (d) diplomas en sertifikate instel en toeken,

in enige voorgeskrewe vak of kursus van onderrig en opleiding waarin die Universiteit van Suid-Afrika nie diplomas of sertifikate uitreik nie.

HOOFTUK II.

BEPALINGS TEN OPSIGTE VAN PERSONEEL.

23. Die diensstaat by enige universiteitskollege word deur die Minister bepaal en moet voorsiening maak vir— Bepaling van diensstaat.

- (a) the teaching staff;
- (b) the administrative and clerical staff; and
- (c) such other employees as the Minister may deem necessary.

Classification of posts.

24. (1) Posts on the establishment of a university college shall be classified as—

- (a) posts for the teaching staff;
- (b) posts for the administrative and clerical staff; and
- (c) posts for such other employees as the Minister may deem necessary.

(2) The Minister may after consultation with the council designate any post on the establishment of a university college as a council post, and every post on such establishment not so designated shall be a State post: Provided that the Minister may at any time after consultation with the council convert a State post and designate it as a council post or convert a council post into a State post, subject, in the case of a post for the time being occupied by any person, to the concurrence of the incumbent thereof.

Appointment of staff.

25. (1) The power to appoint, promote or discharge any person employed at a university college in a State post shall be vested in the Minister who may delegate any or all of the said powers in respect of any State post classified under paragraph (b) or (c) of sub-section (1) of section *twenty-four*, to the Secretary: Provided that the appointment, promotion, or discharge of any person employed in a State post classified under paragraph (a) of sub-section (1) of section *twenty-four* shall take place only after consultation with the council: Provided further that in respect of any State post classified under paragraph (b) or (c) of sub-section (1) of section *twenty-four* and designated by the Minister any such appointment, promotion or discharge may be effected by an officer of his Department deputed thereto, either generally or specially in a particular case, by the Minister.

(2) The power to appoint, promote or discharge persons employed at a university college in a council post shall be vested in the council: Provided that every appointment, promotion or discharge by the council shall be subject to the approval of the Minister.

Conditions of service.

26. (1) The conditions of service and leave and other privileges of all persons appointed permanently or temporarily to State posts shall be as prescribed, and their scales of salary and allowances shall be as determined by the Minister after consultation with the Public Service Commission.

(2) The conditions of service, salary, scales of salary, allowances and leave and other privileges of all persons appointed to council posts shall be as determined by the council concerned with the approval of the Minister.

Pension rights and retirement benefits.

27. (1) Any person appointed permanently to a State post shall in respect of pension rights and retirement benefits be dealt with as if he were appointed to a post classified in a division of the public service referred to in sub-paragraph (i) of paragraph (a) of sub-section (1) of section *three* of the Public Service Act, 1957 (Act No. 54 of 1957).

(2) Any person occupying a council post who is employed full-time and whose appointment has been approved by the Minister for the purpose shall become a member of and contribute to the provident fund and pension scheme established under any law for members of the staffs of universities, in the same manner and subject to the same conditions as if he were a member of the teaching or administrative staff of a university as defined in section *one* of the Universities Act, 1955 (Act No. 61 of 1955), and a university college shall for all purposes of the said provident fund and pension scheme be regarded as a university as so defined.

(3) The council of a university college shall for all purposes of the said provident fund and pension scheme be deemed to be a council as defined in section *one* of the Universities Act, 1955 (Act No. 61 of 1955).

(4) Notwithstanding anything contained in the regulations governing the provident fund and pension scheme referred to in sub-section (2), any amount which would in terms of such regulations have been payable from the Consolidated Revenue Fund in respect of the incumbent of a council post at a university

- (a) die doserende personeel;
- (b) die administratiewe en klerklike personeel; en
- (c) die ander werknemers wat die Ministers nodig ag.

24. (1) Poste op die diensstaat van 'n universiteitskollege word ingedeel as— Indeling van poste.

- (a) poste vir die doserende personeel;
- (b) poste vir die administratiewe en klerklike personeel; en
- (c) poste vir die ander werknemers wat die Minister nodig ag.

(2) Die Minister kan enige pos op die diensstaat van 'n universiteitskollege na oorlegpleging met die raad as 'n raadspos aanwys, en enige pos op so 'n diensstaat wat nie aldus aangewys is nie, is 'n Staatspos: Met dien verstande dat die Minister te eniger tyd na oorlegpleging met die raad 'n Staatspos kan omskep en dit as 'n raadspos aanwys of 'n raadspos in 'n Staatspos kan omskep, onderworpe, in die geval van 'n pos wat dan deur iemand bekleë word, aan die instemming van die persoon wat dit bekleë.

25. (1) Die bevoegdheid om 'n persoon wat by 'n universiteitskollege in 'n Staatspos in diens geneem word of is, aan te stel, te bevorder, of te ontslaan, berus by die Minister wat enige van of al die bedoelde bevoegdhede ten opsigte van 'n Staatspos wat onder paragraaf (b) of (c) van sub-artikel (1) van artikel vier-en-twintig ingedeel is, aan die Sekretaris kan deleger: Met dien verstande dat die aanstelling, bevordering of ontslag van 'n persoon wat in diens geneem word of is in 'n Staatspos wat onder paragraaf (a) van sub-artikel (1) van artikel vier-en-twintig ingedeel is, alleen na oorlegpleging met die raad geskied: Met dien verstande voorts dat met betrekking tot enige Staatspos wat onder paragraaf (b) of (c) van sub-artikel (1) van artikel vier-en-twintig ingedeel is en wat deur die Minister aangewys word, so 'n aanstelling, bevordering of ontslag bewerkstellig kan word deur 'n beamppte van sy Departement wat of in die algemeen of spesiaal in 'n besondere geval deur die Minister daartoe gemagtig is. Aanstelling van personeel.

(2) Die bevoegdheid om 'n persoon wat by 'n universiteitskollege in 'n raadspos in diens geneem word of is, aan te stel, te bevorder of te ontslaan, berus by die raad: Met dien verstande dat elke aanstelling, bevordering of ontslag deur die raad aan die Minister se goedkeuring onderworpe is.

26. (1) Die diensvoorwaardes en verlof- en ander voorregte van alle persone wat vas of tydelik in Staatsposte aangestel is, is soos voorgeskryf, en hulle salarisskale en toelaes is soos deur die Minister, na oorlegpleging met die Staatsdienskommissie, bepaal. Diensvoorwaardes.

(2) Die diensvoorwaardes, salaris, salarisskale, toelaes en verlof- en ander voorregte van alle persone wat in raadsposte aangestel is, is soos deur die betrokke raad met die goedkeuring van die Minister bepaal.

27. (1) Met iemand wat in 'n Staatspos vas aangestel is, word ten opsigte van pensioenregte en uitdiens-tredingsvoordele gehandel asof hy aangestel is in 'n pos wat by 'n in sub-paragraaf (i) van paragraaf (a) van sub-artikel (1) van artikel drie van die Staatsdienswet, 1957 (Wet No. 54 van 1957), bedoelde afdeling van die Staatsdiens ingedeel is. Pensioenregte en uitdiens-tredingsvoordele.

(2) Iemand wat 'n raadspos voltyds bekleë en wie se aanstelling vir dié doel deur die Minister goedgekeur is, word lid van en dra by tot die voorsorgsfonds- en pensioenskema kragtens een of ander wet opgerig vir lede van die personeel van universiteite op dieselfde wyse en onderworpe aan dieselfde voorwaardes asof hy lid is van die doserende of administratiewe personeel van 'n universiteit soos in artikel een van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), omskryf, en 'n universiteitskollege word vir alle doeleindes van bedoelde voorsorgsfonds- en pensioenskema beskou as 'n universiteit soos aldus omskryf.

(3) Die raad van 'n universiteitskollege word vir alle doeleindes van bedoelde voorsorgsfonds- en pensioenskema geag 'n raad te wees soos omskryf in artikel een van die Wet op Universiteite, 1955 (Wet No. 61 van 1955).

(4) Ondanks andersluidende bepalinge in die regulasies vervat wat die in sub-artikel (2) bedoelde voorsorgsfonds- en pensioenskema reël, word enige bedrag wat ingevolge daardie regulasies uit die Gekonsolideerde Inkomstefonds betaalbaar sou gewees het ten opsigte van die bekleër van 'n raadspos by 'n

college established in terms of section *two* of this Act, shall be paid from the Bantu Education Account.

(5) Notwithstanding the provisions of sub-sections (1) and (2), the incumbent of a post which is converted in terms of the proviso to sub-section (2) of section *twenty-four* shall in respect of pension rights and retirement benefits be dealt with as if the post occupied by him had not been so converted.

Transfer of certain persons employed at university colleges.

28. Every person employed in a State post may be transferred from such post to any other State post at the same university college or at any other university college, whether or not such transfer is to a State post of a lower grade: Provided that upon transfer such a person shall not suffer any reduction in his pensionable emoluments without his consent, unless the transfer is in consequence of a degradation imposed under the provisions of the Public Service Act 1957 (Act No. 54 of 1957), as applied by sub-section (1) of section *thirty*: Provided further that a person who has been transferred to a State post of a lower grade without reduction of his pensionable emoluments shall be transferred to a State post of a grade to which his salary is appropriate as soon as a suitable vacancy occurs.

Discharge of persons appointed permanently.

29. (1) Subject to the provisions of the first proviso to sub-section (1) of section *twenty-five*, every person appointed permanently to a State post may be discharged by the Minister—

- (a) on account of attaining the pensionable age;
- (b) in the case of a female member of the staff, on account of her marriage;
- (c) on account of continued ill-health;
- (d) owing to the abolition of his post or to any reduction in or re-organization or re-adjustment of the staff of the university college at which he is employed;
- (e) if in the opinion of the Minister his discharge will facilitate improvements in the organization of the university college at which he is employed by which greater efficiency or economy will be effected;
- (f) on account of unfitness or incapacity; or
- (g) on account of misconduct.

(2) Every person appointed permanently to a council post may be discharged by the council, with the approval of the Minister—

- (a) on account of attaining the pensionable age;
- (b) in the case of a female member of the staff, on account of her marriage; or
- (c) in terms of the conditions of service governing his appointment.

(3) For the purposes of this section, "pensionable age" means—

- (a) in the case of a person referred to in sub-section (1), the pensionable age as defined in section *twenty-one* of the Pensions Act; or
- (b) in the case of a person referred to in sub-section (2), the superannuation date as defined in the regulations governing the provident fund and pension scheme referred to in sub-section (2) of section *twenty-seven*.

Misconduct and inefficient employees.

30. (1) The provisions of the Public Service Act, 1957 (Act No. 54 of 1957), relating to misconduct and inefficient officers shall *mutatis mutandis* apply in respect of every person appointed permanently to a State post as if he were an officer in the public service.

(2) In respect of every person appointed permanently to a council post, the procedure to be adopted in the case of a staff member who is alleged to be inefficient or whose conduct is alleged to be unsatisfactory, shall be as provided in the conditions of service as determined by the council concerned with the approval of the Minister.

(3) If in the opinion of the Minister any staff member to whom sub-section (2) applies, has committed any act or omitted to do any act which would make him liable to a charge of misconduct or inefficiency in terms of his conditions of service and the council fails, within a period of one month after having been requested in writing by the Minister to do so, to institute an enquiry into the conduct of the staff member concerned in accordance with the said conditions of service and to take

universiteitskollege ingestel ingevolge artikel twee van hierdie Wet, uit die Bantoe-onderwysrekening betaal.

(5) Ondanks die bepalings van sub-artikels (1) en (2), word met die bekleër van 'n pos wat kragtens die voorbehoudsbepaling by sub-artikel (2) van artikel vier-en-twintig omskep word, ten opsigte van pensioenregte en uitdiensredingsvoorrede gehandel asof die pos wat hy bekleë nie aldus omskep is nie.

28. Elke persoon wat in 'n Staatspos diens doen, kan van daardie pos oorgeplaas word na enige ander Staatspos by dieselfde universiteitskollege of by enige ander universiteitskollege, hetsy die oorplasing na 'n Staatspos van 'n laer graad is al dan nie: Met dien verstande dat by oorplasing so 'n persoon se pensioengewende verdienste nie sonder sy toestemming verminder mag word nie, tensy die oorplasing geskied as gevolg van 'n degradering wat kragtens die bepalings van die Staatsdienswet, 1957 (Wet No. 54 van 1957), soos by sub-artikel (1) van artikel dertig toegepas, opgelê word: Met dien verstande voorts dat iemand wat na 'n Staatspos van 'n laer graad sonder vermindering van pensioengewende verdienste oorgeplaas is, na 'n Staatspos van 'n graad wat by sy salaris pas, oorgeplaas moet word sodra 'n geskikte vakature ontstaan.

Oorplasing van sekere persone by universiteitskolleges in diens.

29. (1) Elke persoon wat in 'n Staatspos vas aangestel is, kan, behoudens die bepalings van die eerste voorbehoudsbepaling by sub-artikel (1) van artikel vyf-en-twintig, deur die Minister ontslaan word—

Ontslag van persone wat vas aangestel is.

- (a) weens bereiking van die pensioenleeftyd;
- (b) in die geval van 'n vroulike lid van die personeel, weens haar huwelik;
- (c) weens aanhoudende swak gesondheid;
- (d) weens die afskaffing van sy pos of enige vermindering in of herorganisasie of heraanpassing van die personeel van die universiteitskollege waar hy in diens is;
- (e) indien sy ontslag na die oordeel van die Minister verbeterings in die organisasie van die universiteitskollege waar hy in diens is, sal vergemaklik waardeur groter doeltreffendheid of besparing bewerkstellig sal word;
- (f) weens ongeskiktheid of onbekwaamheid; of
- (g) weens wangedrag.

(2) Elke persoon wat in 'n raadspas vas aangestel is, kan deur die raad met die goedkeuring van die Minister ontslaan word—

- (a) weens bereiking van die pensioenleeftyd;
- (b) in die geval van 'n vroulike lid van die personeel, weens haar huwelik; of
- (c) ingevolge die diensvoorwaardes wat sy aanstelling reël.

(3) By die toepassing van hierdie artikel beteken „pensioenleeftyd”—

- (a) in die geval van 'n in sub-artikel (1) bedoelde persoon, die pensioenleeftyd soos omskryf in artikel een-en-twintig van die Pensioenwet; of
- (b) in die geval van 'n in sub-artikel (2) bedoelde persoon, die pensioendatum soos omskryf in die regulasies wat die in sub-artikel (2) van artikel sewe-en-twintig bedoelde voorsorgsfonds- en pensioenskema reël.

30. (1) Die bepalings van die Staatsdienswet, 1957 (Wet No. 54 van 1957), met betrekking tot wangedrag en onbekwame beamptes is *mutatis mutandis* van toepassing ten opsigte van elke persoon wat vas in 'n Staatspos aangestel is asof hy 'n beampte in die Staatsdiens is.

Wangedrag en onbekwame personeel.

(2) Ten opsigte van elke persoon wat vas in 'n raadspas aangestel is, is die prosedure wat gevolg moet word in die geval van 'n personeellid wat beweer word onbekwaam te wees of wie se gedrag beweer word onbevredigend te wees, soos bepaal in die diensvoorwaardes soos deur die betrokke raad neergelê met die goedkeuring van die Minister.

(3) Indien volgens die oordeel van die Minister 'n personeellid op wie sub-artikel (2) van toepassing is, 'n handeling verrig het of versuim het om 'n handeling te verrig wat hom ingevolge sy diensvoorwaardes bloot sou stel aan 'n aanklag van wangedrag of onbekwaamheid en die raad versuim om, binne 'n tydperk van een maand nadat die Minister die raad skriftelik versoek het om sulks te doen, ooreenkomstig bedoelde diens-

appropriate steps on the findings of the enquiry, the Minister may direct the council to institute such an enquiry or such further enquiry as he may consider necessary and to submit to him the record of the enquiry and a report on the action contemplated by the council on the findings at such enquiry.

(4) On receipt of the record and report referred to in sub-section (3), the Minister may approve the action contemplated by the council or direct the council to take such other steps as the council may lawfully take against the staff member concerned in terms of the conditions of service governing his appointment; and the council shall thereupon take such steps.

(5) A report of any action which has been taken in terms of sub-section (4) shall be laid by the Minister upon the Tables of both Houses of Parliament within thirty days thereafter if Parliament is then in session, or if Parliament is not then in session, within thirty days after the commencement of its next ensuing session.

CHAPTER III.

GENERAL PROVISIONS.

Interim
limitation on
the registration
or attendance
of non-white
persons as
students of
certain
universities.

31. As from a date to be fixed by the Governor-General by proclamation in the *Gazette* for the purposes of this section, no non-white person who was not registered as a student of a university established by Act of Parliament, other than the University of South Africa, on or before the said date, shall register with or attend any such university as a student without the written consent of the Minister: Provided that this section shall not apply to non-white persons in respect of their registration and attendance as students at the Medical School.

Prohibition of
registration or
attendance of
non-white
persons as
students of
certain
universities.

32. (1) As from a date to be fixed by the Governor-General by proclamation in the *Gazette* for the purposes of this sub-section, no non-white person shall register with or attend any university established by Act of Parliament, other than the University of South Africa, as a student: Provided that the provisions of this sub-section shall not be construed as preventing any non-white person who is registered as a student at a university other than the University of South Africa, on the said date or who was so registered prior to the said date, from completing at that university the course of study or training for the degree, diploma or certificate for which he is or was so registered: Provided further that this sub-section shall not apply to non-white persons in respect of their registration and attendance as students at the Medical School.

(2) Different dates may be fixed under sub-section (1) in respect of—

- (a) different universities;
- (b) separate faculties or departments of a university;
- (c) Bantu persons;
- (d) non-white persons other than Bantu persons; and
- (e) different ethnic or other groups of non-white persons.

Representatives
of a foreign
government not
affected by
provisions of
sections 31 and
32.

33. The provisions of sections *thirty-one* and *thirty-two* shall not apply to a person who is a representative in the Union of a foreign government or to a member of such person's family.

Post-graduate
training.

34. Subject to the provisions of sections *thirty-one* and *thirty-two*, the Minister may in consultation with the Minister of Finance—

- (a) out of moneys appropriated by Parliament out of the Bantu Education Account for the purpose, make financial and other arrangements, including the appointment of temporary or part-time staff, for the post-graduate training of any Bantu student also at a place other than at a university college; and
- (b) out of moneys appropriated by Parliament for the purpose, make financial and other arrangements, including the appointment of temporary or part-time staff, for the post-graduate training of any non-white student other than a Bantu student also at a place other than at a university college.

voorwaardes ondersoek in te stel na die gedrag van die betrokke personeellid en om gepaste stappe ingevolge die bevindinge van die ondersoek te doen, kan die Minister die raad gelas om so 'n ondersoek, of so 'n verdere ondersoek as wat hy nodig ag, in te stel en om die notule van die ondersoek en 'n verslag van die stappe wat die raad ingevolge die bevindinge by die ondersoek van plan is om te doen, aan hom voor te lê.

(4) By ontvangs van die in sub-artikel (3) bedoelde notule en verslag, kan die Minister die voorgenome stappe van die raad goedkeur of die raad gelas om die ander stappe te doen wat die raad regtens teen die betrokke personeellid kan doen ingevolge die diensvoorwaardes wat sy aanstelling reël; en die raad moet daarop bedoelde stappe doen.

(5) 'n Verslag van enige stappe wat ingevolge sub-artikel (4) gedoen is, moet binne dertig dae daarna deur die betrokke Minister in albei Huise van die Parlement ter Tafel gelê word as die Parlement dan sit, of as die Parlement nie dan sit nie, binne dertig dae na die aanvang van sy eersvolgende sitting.

HOOFTUK III.

ALGEMENE BEPALINGS.

31. Vanaf 'n datum deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* vir die doeleindes van hierdie artikel bepaal, mag geen nie-blanke wat nie op of voor bedoelde datum as student van 'n by Parlements wet ingestelde universiteit, behalwe die Universiteit van Suid-Afrika, ingeskryf was nie, hom as student by so 'n universiteit laat inskryf of dit as student bywoon sonder die skriftelike toestemming van die Minister nie: Met dien verstande dat hierdie artikel nie op nie-blankes ten opsigte van hulle inskrywing en bywoning as studente aan die Mediese Skool van toepassing is nie.

Tussentydse beperking op die inskrywing of bywoning van nie-blankes as studente van sekere universiteite.

32. (1) Vanaf 'n datum deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* vir die doeleindes van hierdie sub-artikel bepaal, mag geen nie-blanke hom as student by 'n by Parlements wet ingestelde universiteit, behalwe die Universiteit van Suid-Afrika, laat inskryf of dit as student bywoon nie: Met dien verstande dat die bepalings van hierdie sub-artikel nie so uitgelê word nie dat dit 'n nie-blanke wat op bedoelde datum as student by 'n ander universiteit as die Universiteit van Suid-Afrika ingeskryf is of wat voor bedoelde datum aldus ingeskryf was, verhinder om aan daardie universiteit die studie- of opleidingskursus vir die graad, diploma of sertifikaat waarvoor hy aldus ingeskryf is of was, te voltooi: Met dien verstande voorts dat hierdie sub-artikel nie op nie-blankes ten opsigte van hul inskrywing en bywoning as studente aan die Mediese Skool van toepassing is nie.

Verbod op inskrywing of bywoning van nie-blankes as studente van sekere universiteite.

(2) Verskillende datums kan ingevolge sub-artikel (1) vasgestel word ten opsigte van—

- (a) verskillende universiteite;
- (b) afsonderlike fakulteite of departemente binne 'n universiteit;
- (c) Bantoe persone;
- (d) ander nie-blankes as Bantoe persone; en
- (e) verskillende etniese of ander groepe van nie-blankes.

33. Die bepalings van artikels *een-en-dertig* en *twee-en-dertig* is nie op 'n persoon wat 'n verteenwoordiger in die Unie van 'n vreemde regering is of op 'n lid van so 'n persoon se gesin, van toepassing nie.

Verteenwoordigers van 'n vreemde regering word nie deur bepalings van artikels 31 en 32 geraak nie.

34. Behoudens die bepalings van artikels *een-en-dertig* en *twee-en-dertig*, kan die Minister, in oorleg met die Minister van Finansies—

Na-graadse opleiding.

- (a) uit gelde wat deur die Parlement uit die Bantoe-onderwysrekening vir dié doel bewillig word, finansiële en ander reëlings tref, insluitende die aanstelling van tydelike of deeltydse personeel, vir die na-graadse opleiding van 'n Bantoe student ook op 'n ander plek as by 'n universiteitskollege; en
- (b) uit gelde wat deur die Parlement vir dié doel bewillig word, finansiële en ander reëlings tref, insluitende die aanstelling van tydelike of deeltydse personeel, vir die na-graadse opleiding van 'n ander nie-blanke student as 'n Bantoe student ook op 'n ander plek as by 'n universiteitskollege.

Fees.

35. (1) The fees payable to any university college shall be as prescribed.

(2) The fees paid to any university college under the control of the Minister of Bantu Education shall be paid into the Bantu Education Account.

Regulations.

36. (1) Subject to the provisions of this Act, the Minister may make regulations as to—

- (a) the maintenance, management and control of university colleges;
- (b) the powers, duties and functions of a council, advisory council, senate, advisory senate and committees of a council;
- (c) the constitution of committees of a council;
- (d) the allowances payable to members of a council and advisory council: Provided that such regulations shall be made in consultation with the Minister of Finance;
- (e) the term of office of members and the procedure at meetings of a council, advisory council, senate and advisory senate;
- (f) constitution, term of office and allowances of members, functions, powers, duties and procedure at meetings of a body established under paragraph (e) of section *four*: Provided that the regulations in regard to the allowances shall be made in consultation with the Minister of Finance;
- (g) the conditions for the registration of students, and tuition, boarding and other fees;
- (h) the faculties and departments and the courses of instruction and training at a university college;
- (i) the admission of students to, the control of students at, and the discharge of students from university colleges;
- (j) financial and other material assistance to students;
- (k) the appointment, grading, promotion, transfer, discharge, discipline, conduct, powers, duties, hours of attendance, leave and other privileges, and the conditions of service including the occupation of official quarters, of persons appointed to State posts permanently, temporarily or part-time on the staff of a university college;
- (l) the circumstances in which medical examinations shall be required for the purposes of any particular provision of this Act;
- (m) the institution and award of diplomas and certificates in terms of section *twenty-two*;
- (n) any matter which by this Act is required or permitted to be prescribed;
- (o) generally, all matters which he considers it necessary or expedient to prescribe in order that the purposes of this Act may be achieved, the generality of the power conferred by this paragraph not being limited by the provisions of the preceding paragraphs.

(2) Different regulations may be made in respect of different university colleges and in respect of different persons or groups or classes of persons or races employed thereat.

Delegation of Minister's powers.

37. (1) The Minister may delegate to the Secretary or to any other officer in his Department, any or all of the rights, duties, powers, authorities and functions conferred or imposed upon or entrusted to him by sub-section (4) of section *thirteen*, sections *eighteen*, *nineteen* and *twenty-eight*, and paragraphs (a) and (b) of sub-section (1) of section *twenty-nine*.

(2) The Minister may delegate to the council of a university college any or all of the rights, duties, powers, authorities and functions conferred or imposed upon or entrusted to him by paragraph (b) of sub-section (1) of section *two*, paragraph (b) of sub-section (1) of section *three*, section *ten*, sub-section (4) of section *thirteen* and section *fourteen*.

Administration of Act to be assigned and prescribed by proclamation.

38. (1) Subject to the provisions of section *one*, the Governor-General may by proclamation in the *Gazette* assign the administration of the provisions of this Act to any Minister, or partly to one Minister and partly to another Minister, or any part thereof for certain purposes to one Minister and for other purposes to another Minister; and may in such proclamation prescribe the powers and functions which shall be exercised and performed by the several Ministers; and may further

35. (1) Die gelde betaalbaar aan 'n universiteitskollege is Gelde, soos voorgeskryf.

(2) Die gelde betaal aan enige universiteitskollege onder beheer van die Minister van Bantoe-onderwys, word in die Bantoe-onderwysrekening inbetaal.

36. (1) Behoudens die bepalings van hierdie Wet, kan die Minister regulasies uitvaardig met betrekking tot—

- (a) die instandhouding en bestuur van en beheer oor universiteitskolleges;
- (b) die bevoegdhede, pligte en werksaamhede van 'n raad, adviserende raad, senaat, adviserende senaat en komitees van 'n raad;
- (c) die samestelling van komitees van 'n raad;
- (d) die toelaes betaalbaar aan lede van 'n raad en adviserende raad: Met dien verstande dat sodanige regulasies uitgevaardig word in oorleg met die Minister van Finansies;
- (e) die ampstermyn van lede en die prosedure by vergaderings van 'n raad, adviserende raad, senaat en adviserende senaat;
- (f) die samestelling, ampstermyn en toelaes van lede, werksaamhede, bevoegdhede, pligte en prosedure by vergaderings van 'n liggaam kragtens paragraaf (e) van artikel vier ingestel: Met dien verstande dat die regulasies met betrekking tot die toelaes uitgevaardig word in oorleg met die Minister van Finansies;
- (g) die voorwaardes vir die registrasie van studente, en klas-, losies- en ander gelde;
- (h) die fakulteite en departemente en kursusse van onder- en opleiding aan 'n universiteitskollege;
- (i) die toelating van studente tot, die beheer van studente aan en die ontslag van studente uit universiteitskolleges;
- (j) finansiële en ander materiële hulp aan studente;
- (k) die aanstelling, gradering, bevordering, oorplasing, ontslag, tug, gedrag, bevoegdhede, pligte, diensure, verlof- en ander voorregte, en die diensvoorwaardes met inbegrip van die bewoning van amptelike wonings, van persone wat in Staatsposte vas, tydelik of deelyds in die personeel van 'n universiteitskollege aangestel is;
- (l) die omstandighede waaronder geneeskundige ondersoek vereis word by die toepassing van enige besondere bepaling van hierdie Wet;
- (m) die instelling en toekenning van diplomas en sertifikate ingevolge artikel twee-en-twintig;
- (n) enige aangeleentheid wat kragtens hierdie Wet voorgeskryf moet of kan word;
- (o) oor die algemeen, alle aangeleenthede wat hy nodig of dienstig ag om voor te skryf ten einde die doeleindes van hierdie Wet te verwesenlik. Die algemeenheid van die bevoegdheid wat by hierdie paragraaf verleen word, word nie deur die bepalings van die voorafgaande paragrawe beperk nie.

(2) Verskillende regulasies kan ten opsigte van verskillende universiteitskolleges en ten opsigte van verskillende persone of groepe of klasse persone of rasse aldaar in diens uitgevaardig word.

37. (1) Die Minister kan aan die Sekretaris of aan enige ander beampte in sy Departement enige van of al die regte, pligte, bevoegdhede, magte en werksaamhede kragtens sub-artikel (4) van artikel dertien, artikels agtien, negentien en agt-en-twintig, en paragrawe (a) en (b) van sub-artikel (1) van artikel nege-en-twintig aan hom verleen of opgelê of toevertrou, delegeer.

Delegasie van bevoegdhede van Minister.

(2) Die Minister kan aan die raad van 'n universiteitskollege enige van of al die regte, pligte, bevoegdhede, magte en werksaamhede kragtens paragraaf (b) van sub-artikel (1) van artikel twee, paragraaf (b) van sub-artikel (1) van artikel drie, artikel tien, sub-artikel (4) van artikel dertien en artikel veertien aan hom verleen of opgelê of toevertrou, delegeer.

38. (1) Behoudens die bepalings van artikel een, kan die Goewerneur-generaal by proklamasie in die Staatskoerant die uitvoering van die bepalings van hierdie Wet opdra aan enige Minister of gedeeltelik aan een Minister en gedeeltelik aan 'n ander Minister, of enige deel daarvan vir sekere doeleindes aan een Minister en vir ander doeleindes aan 'n ander Minister; en kan in so 'n proklamasie die bevoegdhede en werksaamhede voorskryf wat uitgeoefen en verrig moet word deur die onder-

Uitvoering van Wet opgedra en voorgeskrywe by proklamasie.

prescribe that any power or duty conferred or imposed by this Act upon a Minister shall be exercised or performed by one Minister acting in consultation with another Minister.

(2) The Governor-General may from time to time vary or amend such proclamation.

Power to expropriate land for university college purposes.

39. The Minister may in consultation with the Minister of Finance expropriate any land required for or in connection with any university college, and the Expropriation of Lands and Arbitration Clauses Proclamation, 1902 (Proclamation No. 5 of 1902), of the Transvaal, shall, *mutatis mutandis*, apply in respect of any such expropriation in any part of the Union.

Penalties.

40. Any person who contravenes any provision of section *seventeen, thirty-one or thirty-two* shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment for a period not exceeding six months.

Repeal and amendment of laws.

41. The laws mentioned in the Schedule to this Act are hereby repealed or amended to the extent set forth in the third column of that Schedule.

Short title.

42. This Act shall be called the Extension of University Education Act, 1959.

Schedule.

(Section 41.)

LAWS AMENDED OR REPEALED.

No. and year of law.	Short title.	Extent of amendment or repeal.
Act No. 38 of 1945.	The Financial Relations Consolidation and Amendment Act, 1945.	In section <i>seventeen</i> , the substitution in paragraph (b) of sub-section (1) for the words "University College of Fort Hare" of the words "university college now known as the University College of Fort Hare and other university colleges established under the Extension of University Education Act, 1959;"
Act No. 23 of 1956.	The Exchequer and Audit Act, 1956.	In section <i>twenty</i> , the insertion in sub-section (2) after the expression "Bantu Education Act, 1953 (Act No. 47 of 1953)" of the expression "and of the Extension of University Education Act, 1959,"

skeie Ministers; en kan verder voorskryf dat 'n bevoegdheid of plig wat by hierdie Wet aan 'n Minister verleen of opgelê word, uitgeoefen of uitgevoer word deur een Minister handelende in oorleg met 'n ander Minister.

(2) Die Goewerneur-generaal kan van tyd tot tyd so 'n proklamasie verander of wysig.

39. Die Minister kan in oorleg met die Minister van Finansies enige grond wat vir of in verband met 'n universiteitskollege benodig word, onteien, en die „Expropriation of Lands and Arbitration Clauses Proclamation, 1902” (Proklamasie No. 5 van 1902) van Transvaal, is *mutatis mutandis* ten opsigte van elke sodanige onteiening in enige deel van die Unie van toepassing.

Bevoegdheid om grond vir doeleindes van universiteitskolleges te onteien.

40. Enige persoon wat enige bepaling van artikel *sewentien*, Strafbepalings. *een-en-dertig* of *twee-en-dertig* oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens honderd pond of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

41. Die wette in die Bylae by hierdie Wet vermeld, word Hierroeping en hierby in die mate in die derde kolom van daardie Bylae aan wysiging van gedui, herroep of gewysig. wette.

42. Hierdie Wet heet die Wet op Uitbreiding van Universiteitsopleiding, 1959. Kort titel.

Bylae.

(Artikel 41.)

WETTE GEWYSIG OF HERROEP.

No. en Jaar.	Kort titel.	Omvang van wysiging of herroeping.
Wet No. 38 van 1945.	Die Konsolidasie- en Wysigingswet op Finansiële Verhoudings, 1945.	In artikel <i>sewentien</i> die vervanging in paragraaf (b) van sub-artikel (1) van die woorde „Universiteitskollege van Fort Hare” deur die woorde „universiteitskollege tans bekend as die Universiteitskollege van Fort Hare en ander universiteitskolleges wat kragtens die Wet op Uitbreiding van Universiteitsopleiding, 1959, ingestel is;”.
Wet No. 23 van 1956.	Die Skatkis- en Ouditwet, 1956.	In artikel <i>twintig</i> , die invoeging in sub-artikel (2) na die uitdrukking „Wet op Bantoe-onderwys, 1953 (Wet No. 47 van 1953)”, van die uitdrukking „en van die Wet op Uitbreiding van Universiteitsopleiding, 1959”.

No. 46, 1959.]

ACT

To provide for the gradual development of self-governing Bantu national units and for direct consultation between the Government of the Union and the said national units in regard to matters affecting the interests of such national units; to amend the Native Administration Act, 1927, the Native Trust and Land Act, 1936, and the Bantu Authorities Act, 1951, and to repeal the Representation of Natives Act, 1936; and to provide for other incidental matters.

*(Afrikaans text signed by the Governor-General.)
(Assented to 17th June, 1959.)*

WHEREAS the Bantu peoples of the Union of South Africa do not constitute a homogeneous people, but form separate national units on the basis of language and culture:

AND WHEREAS it is desirable for the welfare and progress of the said peoples to afford recognition to the various national units and to provide for their gradual development within their own areas to self-governing units on the basis of Bantu systems of government:

AND WHEREAS it is therefore expedient to develop and extend the Bantu system of government for which provision has been made in the Bantu Authorities Act, 1951, with due regard to prevailing requirements, and to assign further powers, functions and duties to regional and territorial authorities:

AND WHEREAS the development of self-government is stimulated by the grant to territorial authorities of control over the land in their areas, and it is therefore expedient to provide for the ultimate assignment to territorial authorities of certain rights and powers conferred on or assigned to the Governor-General or the Minister or the Trustee referred to in the Native Trust and Land Act, 1936, in terms of any law:

AND WHEREAS it is expedient to provide for direct consultation between the various Bantu national units and the Government of the Union:

AND WHEREAS it is expedient to repeal the Representation of Natives Act, 1936:

AND WHEREAS it is expedient to provide for other incidental matters:

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:—

Definitions.

1. Unless the context otherwise indicates, any expression used in this Act to which in the Bantu Authorities Act, 1951 (Act No. 68 of 1951), a meaning has been assigned, bears the meaning so assigned thereto, and—

- (i) "national unit" or "unit" means a national unit referred to in section two; (iii)
- (ii) "principal Act" means the Bantu Authorities Act, 1951 (Act No. 68 of 1951); (ii)
- (iii) "this Act" includes any regulation made thereunder.

(i)

Bantu national units and appointment of commissioners-general.

2. (1) The Bantu population shall for the purpose of this Act consist of the following national units, namely—

- (a) the North-Sotho unit;
- (b) the South-Sotho unit;
- (c) the Swazi unit;
- (d) the Tsonga unit;
- (e) the Tswana unit;
- (f) the Venda unit;
- (g) the Xhosa unit; and
- (h) the Zulu unit.

(2) The Governor-General shall appoint a commissioner-general in respect of—

- (a) the North-Sotho unit;
- (b) the Tswana and South-Sotho units;

No. 46, 1959.]

WET

Om voorsiening te maak vir die geleidelike ontwikkeling van selfbesturende Bantoevolkeenhede en vir regstreekse oorlegpleging tussen die Unieregering en bedoelde volkeenhede in verband met aangeleenthede wat die belange van daardie volkeenhede raak; om die Naturelle-administrasie Wet, 1927, die Naturelletrust en -grond Wet, 1936, en die Wet op Bantoe-owerhede, 1951, te wysig, en die Naturelle-Verteenwoordigings-Wet, 1936, te herroep; en om vir ander bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 17 Junie 1959.)

NADEMAAL die Bantoebevolking van die Unie van Suid-Afrika nie 'n homogene volk is nie, maar op grondslag van taal en kultuur verskillende volkeenhede vorm:

EN NADEMAAL dit wenslik is vir die welvaart en vooruitgang van bedoelde bevolking om die afsonderlike volkeenhede te erken en vir hul geleidelike ontwikkeling binne hul eie gebiede tot selfbesturende eenhede op grondslag van Bantoebestuurstelsels voorsiening te maak:

EN NADEMAAL dit derhalwe wenslik is om die Bantoebestuurstelsel, waarvoor in die Wet op Bantoe-owerhede, 1951, voorsiening gemaak is, ooreenkomstig die eise van die tyd te ontwikkel en uit te bou, en verdere bevoegdhede, werksaamhede en pligte aan streeks- en gebiedsowerhede op te dra:

EN NADEMAAL die ontwikkeling van selfbestuur bevorder word deur aan gebiedsowerhede beheer oor die grond in hul gebiede te verleen, en dit derhalwe wenslik is om voorsiening te maak vir die eventuele oordrag aan gebiedsowerhede van sekere regte en bevoegdhede wat ingevolge een of ander wetsbepaling aan die Goewerneur-generaal of die Minister of dié in die Naturelletrust en -grond Wet, 1936, bedoelde Trustee verleen of opgedra is:

EN NADEMAAL dit wenslik is om vir regstreekse oorlegpleging tussen die afsonderlike Bantoevolkeenhede en die Unieregering voorsiening te maak:

EN NADEMAAL dit wenslik is om die Naturelle-Verteenwoordigings-Wet, 1936, te herroep:

EN NADEMAAL dit wenslik is om vir ander bykomstige aangeleenthede voorsiening te maak:

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

1. Tensy uit die samehang anders blyk, het enige uitdrukking **Woord-** wat in hierdie Wet gebesig word en waaraan in die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951), 'n betekenis toegeskryf is, die betekenis aldus daaraan toegeskryf, en beteken—

- (i) „hierdie Wet” ook enige regulasie daaronder uitgevaardig; (iii)
- (ii) „Hoofwet” die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951); (ii)
- (iii) „volkeenhede” of „eenheid” 'n volkeenhede in artikel twee bedoel. (i)

2. (1) Die Bantoebevolking bestaan vir die doeleindes van hierdie Wet uit die volgende volkeenhede, te wete—

- (a) die Noord-Sotho-eenheid;
- (b) die Suid-Sotho-eenheid;
- (c) die Swazi-eenheid;
- (d) die Tsonga-eenheid;
- (e) die Tswana-eenheid;
- (f) die Venda-eenheid;
- (g) die Xhosa-eenheid; en
- (h) die Zoeloe-eenheid.

Bantoevolkeenhede en aanstelling van kommissaris-generaal.

(2) Die Goewerneur-generaal moet 'n kommissaris-generaal aanstel ten opsigte van—

- (a) die Noord-Sotho-eenheid;
- (b) die Tswana- en Suid-Sotho-eenhede;

- (c) the Venda and Tsonga units;
- (d) the Xhosa unit; and
- (e) the Zulu and Swazi units,

and may at any time whenever he deems it necessary or expedient appoint a separate commissioner-general in respect of each of the units referred to in paragraph (b), (c) or (e).

(3) A commissioner-general shall in relation to the national unit in respect of which he has been appointed exercise the powers and perform the functions and duties conferred or imposed upon a commissioner-general by this Act.

(4) A commissioner-general—

- (a) shall be appointed on such conditions as the Governor-General may determine and shall hold office at the pleasure of the Governor-General, but not for a period exceeding five years: Provided that he may at any time be re-appointed on the expiration of his period of office;
- (b) shall not hold any other office of profit in the service of the State: Provided that a person who is in receipt of a pension from the State shall not be deemed to hold an office of profit in the service of the State for the purposes of this paragraph; and
- (c) shall reside at a place which the Minister considers advisable in order that he may best serve the interests of the national unit concerned.

Powers, functions and duties of commissioner-general.

3. A commissioner-general shall represent the Government with the national unit in respect of which he has been appointed, and shall in relation to that unit—

- (a) furnish guidance and advice in respect of all matters affecting administrative development and the social, educational, economic and general progress of the population;
- (b) promote the development of the administration of justice and of courts of law;
- (c) consult with the Bantu population, in particular with territorial authorities, territorial boards and other bodies established by law which represent Bantu interests, paramount chiefs, chiefs, sub-chiefs, headmen and representatives recognized under sub-section (2) of section *four*, in regard to all matters affecting the interests of the national unit concerned;
- (d) enlighten the population in regard to Government policy and legislation;
- (e) advise the Minister in regard to the needs and wishes of the population; and
- (f) exercise such other powers and perform such other functions and duties, not being powers, functions or duties which in terms of any law are required to be exercised or performed by any officer or person specified therein, as may be assigned to him by the Minister.

Representatives of Bantu in urban areas.

4. (1) A territorial authority (including any territorial authority established under Proclamation No. 180 of 1956) or a regional authority to which the powers, functions and duties of a territorial authority as set out in paragraphs (a), (d) and (e) of sub-section (1) of section *seven* of the principal Act has been assigned, or any territorial board may in consultation with the Minister and with the approval of the Governor-General nominate a Bantu person to represent that authority or board in the areas of one or more urban local authorities, as defined in section *one* of the Natives (Urban Areas) Consolidation Act, 1945 (Act No. 25 of 1945), with that portion of the Bantu community in the said areas, which belongs to the national unit concerned.

(2) Any nominee who has been approved by the Governor-General shall be recognized as the representative of the regional or territorial authority or territorial board concerned in the area in respect of which he has been nominated.

(3) The Governor-General may withdraw the recognition of any such representative at the request of, or after consultation by the Minister with, the authority or board by whom he was nominated.

Powers, functions and duties of representatives.

5. (1) A representative of a regional or territorial authority or territorial board who has been recognized in accordance with sub-section (2) of section *four*—

- (a) shall advise the authority or board concerned in regard to matters affecting the general interests of the national unit concerned in the area in respect of which he has been recognized;

(c) die Venda- en Tsonga-eenhede;

(d) die Xhosa-eenheid; en

(e) die Zoeloe- en Swazi-eenhede,

en kan te eniger tyd wanneer hy dit nodig of raadsaam ag ten opsigte van elk van die eenhede in paragraaf (b), (c) of (e) genoem 'n afsonderlike kommissaris-generaal aanstel.

(3) 'n Kommissaris-generaal oefen met betrekking tot die volkseenheid ten opsigte waarvan hy aangestel is die bevoegdhede uit en verrig met betrekking tot daardie eenheid die werksaamhede en pligte wat deur hierdie Wet aan 'n kommissaris-generaal verleen of opgedra word.

(4) 'n Kommissaris-generaal—

(a) word aangestel op die voorwaardes wat die Goewerneur-generaal bepaal en beklee sy amp solank dit die Goewerneur-generaal behaag, maar vir hoogstens vyf jaar: Met dien verstande dat hy te eniger tyd by verstryking van sy ampstermyn weer aangestel kan word;

(b) mag geen ander winsbetrekking in diens van die Staat beklee nie: Met dien verstande dat iemand wat 'n pensioen van die Staat ontvang, nie by die toepassing van hierdie paragraaf geag word 'n winsbetrekking in diens van die Staat te beklee nie; en

(c) moet woon op 'n plek wat die Minister wenslik ag ten einde die belange van die betrokke volkseenheid die beste te kan dien.

3. 'n Kommissaris-generaal verteenwoordig die Regering by die volkseenheid ten opsigte waarvan hy aangestel is, en moet, met betrekking tot daardie eenheid—

Bevoegdhede, werksaamhede en pligte van kommissaris-generaal.

(a) leiding en advies gee ten opsigte van alle sake rakende bestuursontwikkeling en die maatskaplike, opvoedkundige, ekonomiese en algemene vooruitgang van die bevolking;

(b) die ontwikkeling van die regspraak en van geregshowe bevorder;

(c) oorleg pleeg met die bevolking, in besonder met gebiedsowerhede, gebiedsrade en ander kragtens wet ingestelde liggame wat Bantoe-belange verteenwoordig, hoofkapteins, kapteins, onderkapteins, hoofmanne en verteenwoordigers kragtens sub-artikel (2) van artikel vier erken, oor alle aangeleenthede wat die belange van die betrokke volkseenheid raak;

(d) die bevolking inlig in verband met Regeringsbeleid en wetgewing;

(e) die Minister inlig in verband met die behoeftes en wense van die bevolking; en

(f) sodanige ander bevoegdhede uitoefen en werksaamhede en pligte verrig, uitgesonderd bevoegdhede, werksaamhede of pligte wat ingevolge een of ander wetsbepaling deur 'n daarin vermelde beampte of persoon uitgeoefen of verrig moet word, as wat die Minister aan hom opdra.

4. (1) 'n Gebiedsowerheid (met inbegrip van 'n gebiedsowerheid wat kragtens Proklamasie No. 180 van 1956 ingestel is) of 'n streeksowerheid waaraan die bevoegdhede, werksaamhede of pligte van 'n gebiedsowerheid soos uiteengesit in paragrawe (a), (d) en (e) van sub-artikel (1) van artikel sewe van die Hoofwet toegewys is, of 'n gebiedsraad kan in oorleg met die Minister en onderworpe aan die goedkeuring van die Goewerneur-generaal, 'n Bantoepersoon benoem om daardie owerheid of raad in die gebiede van een of meer stedelike plaaslike besture, soos omskryf in artikel een van die Naturelle (Stadsgebiede) Konsolidasiewet, 1945 (Wet No. 25 van 1945), te verteenwoordig by dié deel van die Bantoe-gemeenskap in bedoelde gebiede wat tot die betrokke volkseenheid behoort.

Verteenwoordigers van Bantoe in stedelike gebiede.

(2) 'n Benoemde wat deur die Goewerneur-generaal goedgekeur is, word as die verteenwoordiger van die betrokke streeks- of gebiedsowerheid of gebiedsraad in die gebied ten opsigte waarvan hy benoem is, erken.

(3) Die Goewerneur-generaal kan die erkenning van so 'n verteenwoordiger intrek op versoek van, of na oorlegpleging deur die Minister met, die owerheid of raad wat hom benoem het.

5. (1) 'n Verteenwoordiger van 'n streeks- of gebiedsowerheid of gebiedsraad wat ooreenkomstig sub-artikel (2) van artikel vier erken is—

Bevoegdhede, werksaamhede en pligte van verteenwoordigers.

(a) moet die betrokke owerheid of raad van advies dien in verband met aangeleenthede wat in die gebied ten opsigte waarvan hy erken is die algemene belange raak van die betrokke volkseenheid;

- (b) shall in consultation with the authority or board by which he has been nominated, and in the manner determined by and subject to the approval of the Minister, constitute a board to assist him in the performance of his functions and duties; and
- (c) shall act as the representative of that authority or board with the national unit concerned and shall on its behalf serve the interests of that unit within the area of the urban local authority concerned.

(2) Any such representative shall for the purposes of sections *twelve* and *twenty* of the Native Administration Act, 1927 (Act No. 38 of 1927), be deemed to be a headman duly appointed as such under sub-section (8) of section *two* of that Act.

Amendment of section 2 of Act 38 of 1927, as substituted by section 2 of Act 21 of 1943, and amended by section 19 of Act 56 of 1949, section 19 of Act 54 of 1952 and section 1 of Act 79 of 1957.

6. Section *two* of the Native Administration Act, 1927, is hereby amended—

- (a) by the insertion in sub-section (7)*bis* after the word “thereafter” of the words “or when any person is or has been recognized or appointed as the chief of a native tribe by a territorial authority by virtue of powers conferred upon it under sub-section (8)*ter*”; and
- (b) by the insertion after sub-section (8) of the following sub-sections:

“(8)*bis* No chief or headman shall be recognized, appointed or deposed under the provisions of sub-section (7) or (8), except after consultation with the appropriate territorial authority established under section *two* of the Bantu Authorities Act, 1951 (Act No. 68 of 1951), or under Proclamation No. 180 of 1956.

(8)*ter* The Governor-General may assign any of the powers vested in him or the Minister in terms of sub-section (7) or (8) to any territorial authority referred to in sub-section (8)*bis*, which shall exercise any such powers in such manner and subject to such conditions and restrictions as the Governor-General may from time to time prescribe by proclamation in the *Gazette*: Provided that the recognition, appointment or deposition of any chief or headman by a territorial authority shall be subject to the approval of the Governor-General or the Minister, as the case may be.”.

Insertion of sections 4*bis* and 4*ter* in Act 18 of 1936.

7. The following sections are hereby inserted in the Native Trust and Land Act, 1936, after section *four*:

“Transfer of land to territorial authorities.

4*bis*. The Governor-General may by proclamation in the *Gazette* provide that any right or obligation of the Trustee in respect of any land which has become vested in or has been acquired by the Trust, and which is situated in an area in respect of which a territorial authority has been established under paragraph (c) of sub-section (1) of section *two* of the Bantu Authorities Act, 1951 (Act No. 68 of 1951), or under Proclamation No. 180 of 1956, shall, subject to the provisions of this Act and the conditions prescribed in such first-mentioned proclamation, vest in that territorial authority.

Exercise of powers and performance of functions or duties by territorial authorities.

4*ter*. (1) The Governor-General may by proclamation in the *Gazette*, assign any power, function or duty vested in him or in the Minister in terms of this Act, which may be exercised or performed in or in respect of an area for which a territorial authority referred to in section *four bis* has been established, to that territorial authority.

(2) The exercise of any power or the performance of any function or duty which has been assigned to a territorial authority under sub-section (1), shall be subject to the conditions prescribed in the relevant proclamation.”.

Legislative powers of Bantu authorities.

8. Any power conferred upon a Bantu authority in terms of the principal Act to make by-laws shall be construed as a power to make enactments, and any reference in that Act to a by-law shall be construed accordingly.

Amendment of section 1 of Act 68 of 1951.

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

- (a) by the insertion before the definition of “chief” of the following definition:

- (b) moet in oorleg met die owerheid of raad wat hom be-
noem het, en op die wyse bepaal deur en onderworpe
aan die goedkeuring van die Minister, 'n raad saamstel
om hom by te staan in die uitvoering van sy werk-
saamhede en pligte; en
 - (c) dien as verteenwoordiger van daardie owerheid of raad
by die betrokke volkseenheid en behartig namens hom
die belange van daardie eenheid binne die gebied van
die betrokke stedelike plaaslike bestuur.
- (2) So 'n verteenwoordiger word vir die doeleindes van
artikels *twaalf* en *twintig* van die Naturelle-administrasie Wet,
1927 (Wet No. 38 van 1927), geag 'n behoorlik kragtens sub-
artikel (8) van artikel *twee* van daardie Wet aangestelde hoofman
te wees.

6. Artikel *twee* van die Naturelle-administrasie Wet, 1927, word hierby gewysig—

- (a) deur in sub-artikel (7)*bis* na die woord „daarna” die
woorde „of wanneer iemand as kaptein van 'n naturelle-
stam erken of aangestel is of word deur 'n gebieds-
owerheid ingevolge bevoegdheid kragtens sub-artikel
(8)*ter* aan hom verleen” in te voeg; en
- (b) deur na sub-artikel (8) die volgende sub-artikels in te
voeg:

Wysiging van
artikel 2 van
Wet 38 van 1927,
soos vervang deur
artikel 2 van
Wet 21 van 1943
en gewysig deur
artikel 19 van
Wet 56 van 1949,
artikel 19 van
Wet 54 van 1952
en artikel 1 van
Wet 79 van 1957.

„(8)*bis* Geen kaptein of hoofman word uit hoofde
van die bepalings van sub-artikel (7) of (8) erken,
aangestel of afgesit nie, dan alleen na oorlegpleging
met die gepaste ingevolge artikel *twee* van die Wet
op Bantoe-owerhede, 1951 (Wet No. 68 van 1951), of
ingevolge Proklamasie No. 180 van 1956 ingestelde
gebiedsowerheid.

(8)*ter* Die Goewerneur-generaal kan enige van die
bevoegdhede wat ingevolge sub-artikel (7) of (8) by
hom of die Minister berus, oordra aan 'n in sub-artikel
(8)*bis* bedoelde gebiedsowerheid wat so 'n bevoegdheid
uitoefen op die wyse en onderworpe aan die voor-
waardes en beperkings wat die Goewerneur-generaal
van tyd tot tyd by proklamasie in die *Staatskoerant*
voorskryf: Met dien verstande dat die erkenning,
aanstelling of afdanking van 'n kaptein of hoofman
deur 'n gebiedsowerheid onderworpe is aan die goed-
keuring van die Goewerneur-generaal of die Minister
na gelang van die geval.”.

7. Die volgende artikels word hierby na artikel *vier* in die
Naturellestuif en -grond Wet, 1936, ingevoeg:

„Oordrag
van grond
aan gebieds-
owerhede.

4*bis*. Die Goewerneur-generaal kan by prokla-
masie in die *Staatskoerant* bepaal dat enige reg of
verpligting van die Trustee ten opsigte van grond
wat oorgegaan het op of verkry is deur die Trust en
wat geleë is in 'n gebied waarvoor ingevolge para-
graaf (c) van sub-artikel (1) van artikel *twee* van
die Wet op Bantoe-owerhede, 1951 (Wet No. 68
van 1951), of ingevolge Proklamasie No. 180 van
1956 'n gebiedsowerheid ingestel is, op daardie
gebiedsowerheid oorgaan, en wel onderworpe aan
die bepalings van hierdie Wet en die voorwaardes
wat in eersbedoelde proklamasie voorgeskryf word.

Invoeging van
artikels 4*bis* en
4*ter* in Wet 18
van 1936.

Uitoefening
van be-
voegdhede
en verrig-
ting van
werksaam-
hede of
pligte deur
gebieds-
owerheid.

4*ter*. (1) Die Goewerneur-generaal kan by prokla-
masie in die *Staatskoerant* enige bevoegdheid, werk-
saamheid of plig wat kragtens hierdie Wet by hom
of die Minister berus en wat uitgeoefen of verrig
kan word in of ten opsigte van 'n gebied waarvoor
'n in artikel *vier bis* bedoelde gebiedsowerheid in-
gestel is, aan daardie gebiedsowerheid toewys.

(2) Die uitoefening van 'n bevoegdheid of die
verrigting van 'n werksaamheid of plig wat in-
gevolge sub-artikel (1) aan 'n gebiedsowerheid
toegewys is, is onderworpe aan die voorwaardes
wat in die toepaslike proklamasie voorgeskryf
word.”.

8. Enige bevoegdheid deur die Hoofwet aan 'n Bantoe-
owerheid verleen om verordeninge uit te vaardig, word uitgelê
as 'n bevoegdheid om maatreëls uit te vaardig, en enige ver-
wysing in daardie Wet na 'n verordening word dienooreen-
komstig uitgelê.

Wetgewende
bevoegdheid van
Bantoe-owerhede.

9. Artikel *een* van die Hoofwet word hierby gewysig—

- (a) deur vóór die omskrywing van „hoofman” die vol-
gende omskrywing in te voeg:

Wysiging van
artikel 1 van
Wet 68 van 1951.

“‘Bantu area’ means any area consisting of land referred to in sub-section (1) of section *twenty-one* of the Native Trust and Land Act, 1936 (Act No. 18 of 1936), or any scheduled native area as defined in that Act;”;

(b) the substitution for the definition of “Minister” of the following definition:

“‘Minister’ means the Minister of Bantu Administration and Development;”;

(c) by the insertion after the definition of “territorial authority” of the following definition:

“‘territorial board’ means a territorial board established under sub-section (1) of section *seven bis*.”.

Amendment of
section 2 of
Act 68 of 1951.

10. Section *two* of the principal Act is hereby amended by the substitution in sub-section (2) for the word “area” where it appears for the first time of the words “Bantu area” and for the words “every area” of the words “every such area”.

Amendment of
section 5 of
Act 68 of 1951.

11. Section *five* of the principal Act is hereby amended—

(a) by the substitution in paragraph (a) of sub-section (1) for the word “Minister” of the word “Government”; and

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

“(7) The Governor-General may by proclamation in the *Gazette* assign any of the powers, functions or duties devolving upon a territorial authority under section *seven*, to a regional authority of an area in respect of which a territorial authority has not been established: Provided that the assignment of such powers, functions or duties shall lapse upon the establishment of a territorial authority for such area, except in so far as the Governor-General otherwise provides in such proclamation or by subsequent proclamation in the *Gazette*.”.

Substitution
of section 7 of
Act 68 of 1951.

12. The following section is hereby substituted for section *seven* of the principal Act:

“Powers,
functions
and duties
of territorial
authorities.

7. (1) A territorial authority—

(a) shall maintain the closest possible contact with the commissioner-general appointed for the national unit in question under the Promotion of Bantu Self-government Act, 1959;

(b) shall assume a leading rôle and where necessary afford assistance to tribal and regional authorities within its area in connection with matters affecting the material, spiritual, moral and social welfare and the educational interests of the native population of that area;

(c) shall endeavour to ensure the effective development of the administration of justice and of courts of law within its area;

(d) shall have power at any time to convene a conference of the population within its area or of any portion or of particular members of such population or of the national unit to which the population of its area belongs, and may invite the Minister or the commissioner-general concerned to attend such conference;

(e) shall be competent to advise and make representations to the Government in regard to all matters affecting the general interests of the Bantu tribes and communities in the area in respect of which it has been established or of the national unit (as defined in the Promotion of Bantu Self-government Act, 1959) to which the said population belongs;

(f) shall have power, subject to the provisions of any applicable law, to provide for—

(i) the establishment of markets and pounds;

(ii) the control of the erection and maintenance of buildings;

(iii) the licensing and allocation of trading and other sites in respect of natives; and

(iv) any matter relating to the exercise of its powers or the performance of its functions or duties for which it considers it expedient to provide, including provision for the

„Bantoegebied” ’n gebied bestaande uit grond in sub-artikel (1) van artikel *een-en-twintig* van die Naturelletrust en -grond Wet, 1936 (Wet No. 18 van 1936), bedoel, of ’n afgesonderde natuurlike gebied soos in daardie Wet omskryf;”;

(b) deur die omskrywing van „Minister” deur die volgende omskrywing te vervang:

„Minister” die Minister van Bantoe-administrasie en -ontwikkeling;” en

(c) deur na die omskrywing van „gebiedsoowerheid” die volgende omskrywing in te voeg:

„gebiedsraad” ’n gebiedsraad kragtens sub-artikel (1) van artikel *sewe bis* ingestel.”.

10. Artikel *twee* van die Hoofwet word hierby gewysig deur Wysiging van artikel 2 van Wet 68 van 1951.

in sub-artikel (2) die woord „gebied” waar dit die eerste maal voorkom deur die woord „Bantoegebied” te vervang, en na die woord „elke” die woord „sodanige” in te voeg.

11. Artikel *vyf* van die Hoofwet word hierby gewysig— Wysiging van artikel 5 van Wet 68 van 1951.

(a) deur in paragraaf (a) van sub-artikel (1) die woord „Minister” deur die woord „Regering” te vervang; en

(b) deur die volgende sub-artikel by te voeg:

„(7) Die Goewerneur-generaal kan by proklamasie in die *Staatskoerant* enige van die bevoegdhede, werksaamhede of pligte wat ingevolge artikel *sewe* by ’n gebiedsoowerheid berus, toewys aan ’n streeksowerheid van ’n gebied ten opsigte waarvan ’n gebiedsoowerheid nie ingestel is nie: Met dien verstande dat die toewysing van sodanige bevoegdhede, werksaamhede of pligte verval wanneer ’n gebiedsoowerheid vir die gebied ingestel word, behalwe vir sover die Goewerneur-generaal in die proklamasie of by latere proklamasie in die *Staatskoerant* anders bepaal.”.

12. Artikel *sewe* van die Hoofwet word hierby deur die Vervanging van artikel 7 van Wet 68 van 1951.

„Bevoegdhede, werksaamhede en pligte van gebiedsoowerhede.

7. (1) ’n Gebiedsoowerheid—

(a) moet ten nouste skakel met die kommissaris-generaal wat vir die betrokke volkseenheid ingevolge die Wet op die Bevordering van Bantoe-selfbestuur, 1959, aangestel is;

(b) moet die leiding neem en waar nodig hulp verleen aan stam- en streeksowerhede binne sy gebied in verband met aangeleenthede rakende die stoflike, geestelike, sedelike en maatskaplike welsyn en die opvoedkundige belange van die natuurlikebevolking van daardie gebied;

(c) moet hom beywer vir die doeltreffende ontwikkeling van die regspraak en geregshoue binne sy gebied;

(d) is bevoeg om te eniger tyd ’n konferensie te belê van die bevolking binne sy gebied of van enige deel of van bepaalde lede van sodanige bevolking of van die volkseenheid waaraan die bevolking in sy gebied behoort, en kan die Minister of die betrokke kommissaris-generaal uitnooi om die konferensie by te woon;

(e) is bevoeg om die Regering van advies te dien en aan hom vertoë te rig in verband met alle aangeleenthede wat die algemene belange raak van die Bantoeestamme en -gemeenskappe binne die gebied ten opsigte waarvan hy ingestel is of van die volkseenheid (soos in die Wet op die Bevordering van Bantoe-selfbestuur, 1959, omskryf) waaraan bedoelde bevolking behoort;

(f) is bevoeg om met inagneming van enige toepaslike wetsbepalings voorsiening te maak vir—

(i) die instelling van markte en skutte;

(ii) die beheer van die bou en instandhouding van geboue;

(iii) die lisensiëring en toewysing van handels- en ander terreine ten opsigte van natuurlike; en

(iv) enige aangeleentheid met betrekking tot die uitoefening van sy bevoegdhede en die verrigting van sy werksaamhede of pligte waarvoor hy dit raadsaam ag om voorsiening te maak, met inbegrip van voorsiening vir die delegering van uitvoerende

delegation of executive powers to a committee of such an authority or any native designated by it; and

- (g) shall have such of the powers, functions and duties which in terms of this Act are vested in a regional authority, as may be assigned to that territorial authority by the Governor-General by proclamation in the *Gazette*, and such other powers, functions and duties relating to the conduct of native affairs as may be specified in that proclamation, and the provisions of this Act which apply in connection with the exercise of such powers or the performance of such functions or duties by regional authorities, shall *mutatis mutandis* apply in connection with the exercise of such powers or the performance of such functions or duties by such a territorial authority.

(2) A territorial authority may make enactments in connection with—

- (a) any matter referred to in paragraph (b), (c), (d), (f) or (g) of sub-section (1);
- (b) any matter in respect of which the Governor-General or the Minister may in terms of any law make regulations or impose any prohibition or prescribe any requirement, and which in the opinion of the Governor-General falls within the scope of territorial administration and which he may assign to such territorial authority; and
- (c) matters which Parliament may from time to time assign to territorial authorities.

(3) Whenever powers, functions or duties have under paragraph (g) of sub-section (1) been assigned to a territorial authority, the regional authority established for the area in respect of which such powers, functions or duties have been so assigned shall be deemed to be divested of such powers, functions and duties, except in so far as the Governor-General otherwise provides by proclamation in the *Gazette*.

(4) The provisions of sub-sections (2) to (6), inclusive, of section five shall *mutatis mutandis* apply with reference to a territorial authority.

(5) The assignment of any matter to a territorial authority under paragraph (b) of sub-section (2) shall not divest the Governor-General or the Minister of any powers in connection therewith, and any such assignment may at any time be withdrawn: Provided any enactment made before the withdrawal shall remain in force until it is repealed by the Governor-General or the Minister, as the circumstances may require.

(6) A territorial authority may, in addition to any rate it may levy by virtue of an assignment under paragraph (g) of sub-section (1)—

- (a) impose a tax—
- (i) on the native inhabitants or any class or group of such inhabitants of the area in respect of which that territorial authority has been established;
- (ii) on the income of such inhabitants or any class or group of such inhabitants; and
- (b) impose any other tax which it is by virtue of an assignment referred to in paragraph (c) of sub-section (2) empowered to impose:

Provided that until the Governor-General otherwise provides in respect of any particular territorial authority by proclamation in the *Gazette*, any tax under this sub-section may be imposed only with his approval.

(7) No tax referred to in sub-section (6) shall become operative until it has been made known by notice in the *Gazette*.

bevoegdhede aan 'n komitee van so 'n owerheid of 'n naturel deur hom aangewys; en

- (g) het sodanige van die bevoegdhede, werksaamhede en pligte wat ingevolge hierdie Wet in 'n streeksowerheid gevestig is, as wat deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* aan daardie gebiedsowerheid toegewys mag word, en sodanige ander bevoegdhede, werksaamhede en pligte met betrekking tot die bestuur van naturelle-aangeleenthede as wat in daardie proklamasie vermeld mag word, en die bepalings van hierdie Wet, wat van toepassing is in verband met die uitoefening van sodanige bevoegdhede of die verrigting van sodanige werksaamhede of pligte deur streeksowerhede, is *mutatis mutandis* van toepassing in verband met die uitoefening van sodanige bevoegdhede of die verrigting van sodanige werksaamhede of pligte deur so 'n gebiedsowerheid.

(2) 'n Gebiedsowerheid kan maatreëls uitvaardig in verband met—

- (a) enige aangeleentheid gemeld in paragraaf (b), (c), (d), (f) of (g) van sub-artikel (1);
 (b) enige aangeleentheid ten opsigte waarvan die Goewerneur-generaal of die Minister ingevolge een of ander wetsbepaling regulasies kan uitvaardig of 'n verbod kan opleë of vereiste kan voorskryf, en wat na die oordeel van die Goewerneur-generaal binne die bestek van gebiedsbestuur val en wat hy aan so 'n gebiedsowerheid toewys; en
 (c) aangeleenthede wat die Parlement van tyd tot tyd aan gebiedsowerhede toewys.

(3) Wanneer bevoegdhede, werksaamhede of pligte kragtens paragraaf (g) van sub-artikel (1) aan 'n gebiedsowerheid toegewys is, word die streeksowerheid ingestel ten opsigte van die gebied ten opsigte waarvan daardie bevoegdhede, werksaamhede of pligte aldus toegewys is, geag van daardie bevoegdhede, werksaamhede en pligte onthef te wees, behalwe vir sover die Goewerneur-generaal by proklamasie in die *Staatskoerant* anders bepaal.

(4) Die bepalings van sub-artikels (2) tot en met (6) van artikel vyf is *mutatis mutandis* van toepassing op 'n gebiedsowerheid.

(5) Die toewysing van 'n aangeleentheid aan 'n gebiedsowerheid ingevolge paragraaf (b) van sub-artikel (2) onthef die Goewerneur-generaal of die Minister nie van enige bevoegdheid in verband daarmee nie, en so 'n toewysing kan te eniger tyd ingetrek word: Met dien verstande dat enige maatreël wat voor die intrekking gemaak is van krag bly totdat dit deur die Goewerneur-generaal of die Minister, na gelang van omstandighede, herroep word.

(6) 'n Gebiedsowerheid kan, benewens enige belasting wat hy uit hoofde van 'n toewysing kragtens paragraaf (g) van sub-artikel (1) kan hef—
 (a) 'n belasting opleë—

- (i) op die naturelle-inwoners of 'n klas of groep van sodanige inwoners van die gebied ten opsigte waarvan daardie gebiedsowerheid ingestel is;
 (ii) op die inkomste van daardie inwoners of 'n klas of groep van daardie inwoners; en
 (b) enige ander belasting opleë wat hy uit hoofde van 'n toewysing in paragraaf (c) van sub-artikel (2) bedoel, bevoeg is om op te lê:

Met dien verstande dat totdat die Goewerneur-generaal ten opsigte van 'n besondere gebiedsowerheid anders bepaal by proklamasie in die *Staatskoerant*, 'n belasting ingevolge hierdie sub-artikel slegs met sy goedkeuring gehef kan word.

(7) 'n Belasting in sub-artikel (6) bedoel word nie van krag voordat dit by kennisgewing in die *Staatskoerant* bekendgemaak is nie.”

Insertion of
section 7bis in
Act 68 of 1951.

13. The following section is hereby inserted in the principal Act after section seven:

“Establishment of territorial boards.

7bis. (1) The Governor-General shall, by proclamation in the *Gazette*, in respect of every Bantu area for which a territorial authority is not in existence, and where the powers, functions and duties of a territorial authority, as set out in paragraphs (a), (d) and (e) of sub-section (1) of section seven, have not been assigned to a regional authority, establish a territorial board for such Bantu tribes or communities or such Bantu tribes and communities jointly and for such area as he may determine.

(2) A territorial board—

- (a) shall be established after consultation with the tribal and regional authorities in the area in question, or, where such authorities have not been established, with the chiefs and headmen of the tribes and communities concerned; and
- (b) shall be constituted in the manner and shall exercise the powers and perform the functions and duties prescribed by the Governor-General in the relevant proclamation.

(3) Whenever a territorial authority is established in respect of the area of a regional authority which is represented on a territorial board, or in respect of a tribe or community which is so represented, or whenever the powers, functions and duties which in terms of paragraphs (a), (d) and (e) of sub-section (1) of section seven vest in a territorial authority, are assigned to a regional authority, that regional authority, tribe or community shall cease to be so represented, and if a territorial authority has been established or such powers, functions and duties have been assigned to a regional authority in respect of the whole area for which a territorial board has been established, that board shall cease to exist.

(4) The Governor-General shall by proclamation in the *Gazette* define the area in respect of which a territorial board has been established and may in like manner from time to time in his discretion vary such area as circumstances may require.”.

Regulations.

14. (1) The Governor-General may make regulations—

- (a) as to the terms of office and remuneration of a commissioner-general;
- (b) providing for the attendance by a commissioner-general of meetings of tribal, regional and territorial authorities and territorial boards;
- (c) generally in regard to any matter which he may consider necessary for the attainment of the objects of this Act, the generality of the powers conferred by this paragraph not being limited by the particular provisions contained in the preceding paragraphs.

(2) Different regulations may be made in respect of different tribal, regional or territorial authorities or different territorial boards, national units or Bantu tribes or communities.

(3) Any regulations made under this section may provide for penalties for a contravention thereof or failure to comply therewith, not exceeding a fine of twenty-five pounds or in default of payment imprisonment for a period of three months.

Repeal of Act
12 of 1936.

15. (1) The Representation of Natives Act, 1936, is hereby repealed, but the repeal shall have no effect in relation to any person duly elected as a senator or member of the House of Assembly or a Provincial Council in terms of that Act and holding office at the commencement of this Act.

(2) Notwithstanding the repeal of the Representation of Natives Act, 1936, no person shall be entitled to have his name included in any list of persons qualified to vote at elections of members of the House of Assembly or of a Provincial Council, in which he would, but for the repeal of the said Act, not have been entitled to have his name included.

13. Die volgende artikel word hierby na artikel *sewe* in die Hoofwet gevoeg:

Invoeging van artikel 7bis in Wet 68 van 1951.

„Instelling van gebiedsrade.

7bis. (1) Die Goewerneur-generaal stel by proklamasie in die *Staatskoerant* ten opsigte van elke Bantoegebied waarvoor 'n gebiedsowerheid nie bestaan nie, en waar die bevoegdhede, werksaamhede en pligte van 'n gebiedsowerheid, soos in paragrawe (a), (d) en (e) van sub-artikel (1) van artikel *sewe* uiteengesit, nie aan 'n streeksowerheid toegewys is nie, 'n gebiedsraad in vir die Bantoe-stamme of -gemeenskappe of sodanige stamme en gemeenskappe gesamentlik en die gebied wat hy bepaal.

(2) 'n Gebiedsraad—

- (a) word ingestel na oorlegpleging met die stam- en streeksowerhede in die betrokke gebied, of waar sodanige owerhede nie ingestel is nie, met die kapteins en hoofmanne van die betrokke stamme en gemeenskappe; en
- (b) word saamgestel op die wyse en oefen die bevoegdhede uit en verrig die werksaamhede en pligte wat die Goewerneur-generaal in die toepaslike proklamasie voorskryf.

(3) Wanneer 'n gebiedsowerheid ingestel word ten opsigte van die gebied van 'n streeksowerheid wat op 'n gebiedsraad verteenwoordig is of ten opsigte van 'n stam of gemeenskap wat aldus verteenwoordig is, of wanneer die bevoegdhede, werksaamhede en pligte wat by 'n gebiedsowerheid berus ingevolge paragrawe (a), (d) en (e) van sub-artikel (1) van artikel *sewe* aan 'n streeksowerheid toegewys word, hou daardie streeksowerheid, stam of gemeenskap op om aldus verteenwoordig te wees, en indien 'n gebiedsowerheid ingestel is of sodanige bevoegdhede, werksaamhede en pligte toegewys is aan 'n streeksowerheid ten opsigte van die hele gebied waarvoor 'n gebiedsraad ingestel is, hou daardie gebiedsraad op om te bestaan.

(4) Die Goewerneur-generaal omskryf die gebied ten opsigte waarvan 'n gebiedsraad ingestel is by proklamasie in die *Staatskoerant* en kan op soortgelyke wyse van tyd tot tyd na vereiste van omstandighede bedoelde gebied verander soos hy goedvind.”.

14. (1) Die Goewerneur-generaal kan regulasies uitvaardig— Regulasies.

- (a) met betrekking tot die ampsvoorwaardes en besoldiging van 'n kommissaris-generaal;
- (b) wat vir die bywoning deur 'n kommissaris-generaal van vergaderings van stam-, streeks- en gebiedsowerhede en gebiedsrade voorsiening maak;
- (c) in die algemeen met betrekking tot enige aangeleentheid wat hy nodig ag vir die bereiking van die oogmerke van hierdie Wet, sonder beperking van die algemene aard van die bevoegdhede by hierdie paragraaf verleen deur die besondere bepalinge in die voorgaande paragrawe vervat.

(2) Verskillende regulasies kan ten opsigte van verskillende stam-, streeks- of gebiedsowerhede of gebiedsrade, volkseenhede of Bantoe-stamme of -gemeenskappe uitgevaardig word.

(3) Regulasies kragtens hierdie artikel uitgevaardig, kan op oortreding daarvan of versuim om daaraan te voldoen strawwe stel wat 'n boete van vyf-en-twintig pond of by wanbetaling gevangenisstraf vir 'n tydperk van drie maande nie te bowe gaan nie.

15. (1) Die Naturelle-Verteenwoordigings-Wet, 1936, word hierby herroep, maar die herroeping het geen uitwerking met betrekking tot 'n behoorlik ingevolge daardie Wet verkose senator, volksraadslid of provinsiale raadslid wat by die inwerkingtreding van hierdie Wet die amp waartoe hy verkies is, beklee nie.

Herroeping van Wet 12 van 1936.

(2) Ondanks die herroeping van die Naturelle-Verteenwoordigings-Wet, 1936, is niemand geregtig om sy naam in 'n lys van persone bevoeg om te stem by 'n verkiesing van volksraadslid of provinsiale raadslid te laat opneem nie, waarin hy nie sy naam sou kon laat opneem indien daardie Wet nie herroep was nie.

(3) Any person whose name is at the commencement of this Act included in the Cape native voters' roll framed under section *seven* of the Representation of Natives Act, 1936, shall retain all the rights and privileges to which he would, but for the repeal of that Act, in terms of any other law have been entitled as a registered parliamentary voter in the province of the Cape of Good Hope.

Short title.

16. This Act shall be called the Promotion of Bantu Self-government Act, 1959.

(3) Iemand wie se naam by die inwerkingtreding van hierdie Wet ingesluit is in die Kaapse naturellekieserslys opgestel ingevolge artikel sewe van die Naturelle-Verteenwoordigings-Wet, 1936, behou alle regte en voorregte waarop hy ingevolge ander wetsbepalings as geregistreerde parlementêre kieser in die Provinsie die Kaap die Goeie Hoop geregtig sou gewees het indien daardie Wet nie herroep was nie.

16. Hierdie Wet heet die Wet op die Bevordering van Bantoe- Kort titel. selfbestuur, 1959.