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DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 783.]

[3 Junie 1960.

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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DEPARTMENT OF THE PRIME MINISTER.

No. 783.]

[3rd June, 1960.

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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No. 52, 1960.]

WET

Om voorsiening te maak vir 'n volkstemming ten einde te bepaal of die blanke kiesers in die Unie en Suidwes-Afrika ten gunste van of teen 'n republiek vir die Unie is.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 25 Mei 1960.)

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

Woordom-
skrywing.

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

- (i) „Hoofwet” die Wet tot Konsolidasie van die Kieswette, 1946; (ii)
- (ii) „hulpagent” ’n hulpagent kragtens sub-artikel (4) of (7) van artikel vyf aangestel; (v)
- (iii) „Minister” die Minister van Binnelandse Sake; (i)
- (iv) „Unie”, behalwe waar dit die tweede maal in artikel twee voorkom, en waar dit in die Bylae voorkom, ook die gebied Suidwes-Afrika; (vi)
- (v) „volkstemming” die stemming in artikel twee bedoel; (iii)
- (vi) „volkstemmingsagent” ’n volkstemmingsagent kragtens sub-artikel (1) van artikel vyf aangestel. (iv)

(2) Enige uitdrukking waaraan in hierdie Wet ’n betekenis toegeskryf is, en wat gebesig word in ’n bepaling van die Hoofwet ten opsigte waarvan ’n gewysigde teks in artikel vier van hierdie Wet vir die toepassing daarvan in verband met die volkstemming voorgeskryf word, het in bedoelde gewysigde teks die betekenis in hierdie Wet daaraan toegeskryf.

Bepaling van
datum vir
hou van
volkstemming.

2. Die Goewerneur-generaal bepaal by proklamasie in die Staatskoerant ’n datum waarop ’n stemming van blanke kiesers in die Unie gehou word om vas te stel of daardie kiesers ten gunste is van ’n republiek vir die Unie al dan nie.

Toepassing
van sekere
bepalings van
Wet 46 van 1946
in verband met
volkstemming.

3. (1) Die bepalinge van die Hoofwet en die daarkragtens uitgevaardigde regulasies is, behoudens andersluidende bepalinge van hierdie Wet, vir sover bedoelde bepalinge daarby aanpas en toegepas kan word, *mutatis mutandis* van toepassing met betrekking tot die volkstemming asof dit ’n algemene verkiesing is wat ingevolge die ontbinding van die Volksraad ooreenkomstig een of ander bepaling van die „Zuid-Afrika Wet, 1909” plaasvind.

(2) By die toepassing van die bepalinge van die Hoofwet en die daarkragtens uitgevaardigde regulasies volgens voorskrif van sub-artikel (1)—

- (a) word enige registrasie van ’n kieser vir die doeleindes van bedoelde Wet, hetsy voor of na die inwerking-treding van hierdie Wet, geag ook ’n registrasie van daardie kieser vir die doeleindes van die volkstemming te wees, en word enige kieserslys wat op die tweede dag van Januarie 1960 in werking was, of wat na daardie dag, maar voor die inwerking-treding van hierdie Wet, in werking gekom het, geag ’n kieserslys te wees wat ingevolge bedoelde Wet soos by sub-artikel (1) toegepas, vir die doeleindes van die volkstemming in werking is;
- (b) word ’n verwysing in bedoelde Wet na ’n verkiesing as ’n verwysing na die volkstemming uitgelê;
- (c) word enige persoon wat op die datum ingevolge artikel twee bepaal, uit hoofde van ’n aanstelling kragtens bedoelde Wet een of ander amp beklee, geag ook ingevolge daardie Wet, soos by sub-artikel (1) toegepas, vir die doeleindes van die volkstemming in daardie amp aangestel te wees;
- (d) word ’n verwysing in bedoelde Wet of regulasies na ’n kandidaat by ’n verkiesing daarkragtens of na ’n verkiesingsagent van so ’n kandidaat, uitgelê as ’n verwysing na ’n volkstemmingsagent kragtens sub-artikel (1) van artikel vyf van hierdie Wet aangestel;

No. 52, 1960.]

ACT

To provide for a referendum for the purpose of determining whether the white voters in the Union and South-West Africa are in favour of or against a republic for the Union.

*(English text signed by the Governor-General.)
(Assented to 25th May, 1960.)*

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:—

1. (1) In this Act, unless the context otherwise indicates— **Definitions.**

- (i) "Minister" means the Minister of the Interior; (iii)
- (ii) "principal Act" means the Electoral Consolidation Act, 1946; (i)
- (iii) "referendum" means the referendum referred to in section *two*; (v)
- (iv) "referendum agent" means a referendum agent appointed under sub-section (1) of section *five*; (vi)
- (v) "sub-agent" means a sub-agent appointed under sub-section (4) or (7) of section *five*; (ii)
- (vi) "Union", except where it occurs for the second time in section *two*, and where it occurs in the Schedule, includes the territory of South-West Africa. (iv)

(2) Any expression to which a meaning has been assigned in this Act, and which is used in any provision of the principal Act in respect of which a modified version is prescribed in section *four* of this Act for the purpose of the application thereof in connection with the referendum, shall in the said modified version bear the meaning assigned thereto in this Act.

2. The Governor-General shall by proclamation in the **Determination**
Gazette determine a date on which a referendum of the white of date for
voters in the Union shall be held for the purpose of ascertaining holding of
whether or not those voters are in favour of a republic for the referendum.
Union.

3. (1) The provisions of the principal Act and the regulations **Application of**
made thereunder shall, save as is otherwise provided in this Act, certain
in so far as those provisions are appropriate and can be applied, provisions of
mutatis mutandis apply with reference to the referendum as if Act 46 of 1946
it were a general election held in pursuance of the dissolution in connection
of the House of Assembly under any provision of the South with referendum.
Africa Act, 1909.

(2) In the application of the provisions of the principal Act and the regulations made thereunder as provided in sub-section (1)—

- (a) any registration of a voter for the purposes of the said Act, whether before or after the commencement of this Act, shall be deemed to be a registration of that voter also for the purposes of the referendum, and any voters' list which was in operation on the second day of January, 1960, or which came into operation after that date, but before the commencement of this Act, shall be deemed to be a voters' list which is in operation in terms of the said Act as applied by sub-section (1), for the purposes of the referendum;
- (b) any reference in the said Act to an election shall be construed as a reference to the referendum;
- (c) any person who on the date determined under section *two*, holds any office by virtue of an appointment under the said Act, shall be deemed also to have been appointed in that office under the said Act as applied by sub-section (1) for the purposes of the referendum;
- (d) any reference in the said Act or regulations to a candidate at an election thereunder or to an election agent of such a candidate, shall be construed as a reference to a referendum agent appointed under sub-section (1) of section *five* of this Act;

- (e) word 'n verwysing in bedoelde Wet of regulasies na 'n hulpagent, stemagent, klerk of bode uitgelê as 'n verwysing na 'n hulpagent, stemagent, klerk of bode kragtens sub-artikel (4), (7) of (9) van artikel vyf van hierdie Wet aangestel;
- (f) word 'n verwysing in bedoelde Wet of regulasies na die naam en adres van 'n kandidaat op 'n stem-briefie by 'n verkiesing ingevolge daardie Wet uitgelê as 'n verwysing na die voorsiening vir 'n positiewe of negatiewe antwoord op die vraag in die stem-briefie in die Bylae by hierdie Wet uiteengesit;
- (g) word 'n verwysing in bedoelde Wet of regulasies na 'n stem of stemming vir 'n kandidaat by 'n verkiesing ingevolge daardie Wet uitgelê as 'n verwysing na 'n stem of stemming waardeur 'n keuse ten gunste van of teen 'n republiek te kenne gegee word;
- (h) word 'n verwysing in bedoelde Wet of regulasies na optrede met die doel om die verkiesing van 'n kandidaat te bevorder of te weeg te bring, uitgelê as 'n verwysing na optrede met die doel om die uitslag van die volkstemming te beïnvloed;
- (i) word 'n verwysing in bedoelde Wet of regulasies na verkiesingstof of verkiesingstukke uitgelê as 'n verwysing na stof of stukke in verband met die volkstemming;
- (j) word enige proklamasie uitgevaardig of enigiets gedoen voor die inwerkingtreding van hierdie Wet kragtens artikel *veertig* van bedoelde Wet, geag kragtens daardie artikel soos deur hierdie Wet toegepas, uitgevaardig of gedoen te wees;
- (k) word die bepalings van bedoelde Wet waarna in artikel *vier* van hierdie Wet verwys word, uitgelê onderworpe aan die aanpassings in daardie artikel uiteengesit.

Sekere bepalings van Wet 46 van 1946 word onderworpe aan aanpassings uitgelê.

4. Die volgende bepalings van die Hoofwet word by die toepassing daarvan in verband met die volkstemming, uitgelê asof bedoelde bepalings gewysig is soos hieronder aangedui, te wete—

- (a) in die geval van artikel *agt*, deur in paragraaf (b) van sub-artikel (5) die woorde „Mei, September of Januarie” deur die woorde „April, Augustus of Desember” te vervang en in sub-artikel (6) na die woorde „aangestel is” die woorde „en elke volkstemmingsagent ten opsigte van 'n kiesafdeling in daardie gebied aangestel” in te voeg;
- (b) in die geval van artikel *dertien*, deur sub-artikel (6) deur die volgende sub-artikel te vervang:
„(6) Niemand is bloot op grond dat hy ingevolge hierdie artikel onbevoeg is om in 'n bepaalde kiesafdeling geregistreer te word, onbevoeg om in daardie kiesafdeling sy stem uit te bring as sy naam in die kieserslys vir daardie afdeling opgeneem is nie.”;
- (c) in die geval van artikel *agtien*—
 - (i) deur na sub-artikel (1) die volgende sub-artikel in te voeg:
„(1)*bis* Geen kieserslys wat op die tweede dag van Januarie 1960 in werking was, word gewysig deur die naam van enige persoon te verwyder nie, tensy—
 - (a) daardie persoon volgens 'n opgawe of kennisgewing in artikel *sewentien* bedoel, oorlede is of onbevoeg is om geregistreer te bly; of
 - (b) daardie persoon se naam meer as een maal in dieselfde kieserslys of in kieserslyste van meer as een afdeling voorkom; of
 - (c) bedoelde naam die naam van 'n denkbeeldige persoon is; of
 - (d) daardie persoon ingevolge artikel *ses* onbevoeg is om geregistreer te word of te bly of om in enige afdeling te stem; of
 - (e) daardie persoon die Unie verlaat het met die doel om nie daarheen terug te keer nie; of
 - (f) daardie persoon nie 'n Suid-Afrikaanse burger is nie; of
 - (g) daardie persoon nie 'n blanke is nie.”; en

- (e) any reference in the said Act or regulations to a sub-agent, polling agent, clerk or messenger shall be construed as a reference to a sub-agent, polling agent, clerk or messenger appointed under sub-section (4), (7) or (9) of section *five* of this Act;
- (f) any reference in the said Act or regulations to the name and address of a candidate on a ballot paper at an election under that Act, shall be construed as a reference to the provision for a positive or negative reply to the question on the ballot paper set forth in the Schedule to this Act;
- (g) any reference in the said Act or regulations to a vote or voting for a candidate at an election under that Act, shall be construed as a reference to a vote or voting whereby a preference in favour of or against a republic is signified;
- (h) any reference in the said Act or regulations to action with a view to promoting or bringing about the election of a candidate, shall be construed as a reference to action with a view to influencing the result of the referendum;
- (i) any reference in the said Act or regulations to electoral matter or election documents shall be construed as a reference to matter or documents in connection with the referendum;
- (j) any proclamation issued or anything done in terms of section *forty* of that Act prior to the commencement of this Act, shall be deemed to have been issued or done in terms of that section as applied by this Act;
- (k) the provisions of the said Act referred to in section *four* of this Act shall be construed subject to the modifications set out in that section.

4. The following provisions of the principal Act shall in the application thereof in connection with the referendum be construed as if those provisions were amended as specified below, namely—

Certain provisions of Act 46 of 1946 to be construed subject to modifications.

- (a) in the case of section *eight*, by the substitution in paragraph (b) of sub-section (5) for the words "May, September or January" of the words "April, August or December", and the insertion in sub-section (6) after the word "appointed" of the words "and every referendum agent appointed in respect of any electoral division in that area";
- (b) in the case of section *thirteen*, by the substitution for sub-section (6) of the following sub-section:
 "(6) No person shall merely by reason of his not being qualified to be registered in any particular electoral division in terms of this section, be disqualified from recording his vote in that electoral division if his name is included in the voters' list for that division.";
- (c) in the case of section *eighteen*—
 - (i) by the insertion after sub-section (1) of the following sub-section:
 "(1)*bis* No voters' list which was in operation on the second day of January, 1960, shall be amended by removing the name of any person, unless—
 - (a) that person is, according to a return or notice referred to in section *seventeen*, dead or disqualified for continuance of registration; or
 - (b) that person's name appears more than once in the same voters' list or in voters' lists of more than one division; or
 - (c) such name is the name of a non-existent person; or
 - (d) that person is in terms of section *six* disqualified for registration or continuance of registration or from voting in any division; or
 - (e) that person has left the Union with the intention of not returning thereto; or
 - (f) that person is not a South African citizen; or
 - (g) that person is not a white person.";

- (ii) deur sub-artikel (2) deur die volgende sub-artikel te vervang:
„(2) 'n Verkiesingsbeampte wysig nie 'n kieserslys na die sewende dag voor die stemburg nie.”;
- (d) in die geval van artikel *twintig*, deur die woorde „en een afskrif aan elke volkstemmingsagent kragtens artikel vyf van die Wet op die Volkstemming, 1960, ten opsigte van 'n kiesafdeling binne daardie gebied aangestel” by te voeg;
- (e) in die geval van artikel *vyf-en-twintig*, deur al die woorde na die woord „gedruk” deur die woorde „op die tyt wat die hoofverkiesingsbeampte nodig ag of wat die Minister gelas” te vervang;
- (f) in die geval van artikel *twee-en-dertig*, deur in sub-artikel (2) die woorde „elke gewone sitting van die Parlement” deur die woorde „die sitting van die Parlement eersvolgende op die volkstemming” te vervang;
- (g) in die geval van artikel *vyf-en-dertig*, deur sub-artikel (1) deur die volgende sub-artikel te vervang:
„(1) So spoedig doenlik na die datum waarop die in artikel *twee* van die Wet op die Volkstemming, 1960, bedoelde proklamasie afgekondig word, word 'n proklamasie uitgevaardig waarby een kiesbeampte in elke afdeling van die Unie aangestel word.”;
- (h) in die geval van artikel *agt-en-dertig*, deur die woorde tot en met die woord „sluit” deur die woorde „So spoedig doenlik na sy aanstelling vaardig die kiesbeampte” te vervang;
- (i) in die geval van artikel *twee-en-veertig*, deur aan die end van paragraaf (c) die woord „of” by te voeg en na daardie paragraaf die volgende paragraaf in te voeg:
„(d) dat hy uit hoofde van die aard van sy werk in verband met vervoerdienste moontlik nie in staat sal wees om 'n stemburg te besoek nie.”;
- (j) in die geval van artikel *drie-en-veertig*—
 - (i) deur aan die end van paragraaf (c) van sub-artikel (1) die woord „of” by te voeg en na daardie paragraaf die volgende paragraaf in te voeg:
„(d) dat hy uit hoofde van die aard van sy werk in verband met vervoerdienste moontlik nie in staat sal wees om 'n stemburg te besoek nie.”;
 - (ii) deur die uitdrukking „(b) of (c)” in daardie sub-artikel deur die uitdrukking „(b), (c) of (d)” te vervang; en
 - (iii) deur in sub-artikel (5) die woord „vyfde” deur die woord „tweede” te vervang;
- (k) in die geval van artikel *ses-en-veertig*—
 - (i) deur in paragraaf (a) van sub-artikel (1) die woord „vyfde” deur die woord „tweede” te vervang;
 - (ii) deur in paragraaf (c) van daardie sub-artikel die woord „jongste” deur die woord „vroegste” en die woord „laaste” deur die woord „eerste” te vervang; en
 - (iii) deur in sub-artikel (2) die woord „vyfde” deur die woord „tweede” te vervang;
- (l) in die geval van artikel *nege-en-veertig*, deur in sub-artikel (1) die woord „vyfde” deur die woord „tweede” te vervang;
- (m) in die geval van artikel *twee-en-sewentig*, deur die woord „agtuur” deur die woord „nege-uur” te vervang;
- (n) in die geval van artikel *ses-en-sewentig*, deur in paragraaf (1) die woorde „Eerste Bylae” deur die woorde „Bylae by die Wet op die Volkstemming, 1960” te vervang;
- (o) in die geval van artikel *twee-en-tagtig*, deur sub-artikel (14) te skrap;
- (p) in die geval van artikel *drie-en-tagtig*, deur paragraaf (c) te skrap en die volgende sub-artikel by te voeg, terwyl die bestaande artikel sub-artikel (1) word:
„(2) Die kiesbeampte verwerp nie maar tel enige stembrief met 'n ander merk of skrif daarop as die handtekening van die kieser, waardeur 'n kieser op 'n ander wyse dan by wyse van 'n kruisie sy keuse duidelik aangedui het.”;
- (q) in die geval van artikel *ses-en-tagtig*, deur daardie artikel deur die volgende artikel te vervang:

- (ii) by the substitution for sub-section (2) of the following sub-section:
“(2) An electoral officer shall not amend a voters’ list after the seventh day preceding the polling day.”;
- (d) in the case of section *twenty*, by the addition of the words “and one copy to every referendum agent appointed under section *five* of the Referendum Act, 1960, in respect of an electoral division within the said area”;
- (e) in the case of section *twenty-five*, by the substitution for all the words following the word “printed” of the words “at such times as the chief electoral officer may consider necessary or as the Minister may direct”;
- (f) in the case of section *thirty-two*, by the substitution in sub-section (2) for the words “every ordinary session of Parliament” of the words “the first session of Parliament following the referendum”;
- (g) in the case of section *thirty-five*, by the substitution for sub-section (1) of the following sub-section:
“(1) As soon as practicable after the date of publication of the proclamation referred to in section *two* of the Referendum Act, 1960, a proclamation shall be issued appointing one returning officer in every division in the Union.”;
- (h) in the case of section *thirty-eight*, by the substitution for the words up to and including the word “closed” of the words “The returning officer shall as soon as practicable after his appointment”;
- (i) in the case of section *forty-two*, by the addition at the end of paragraph (c) of the word “or” and the insertion after that paragraph of the following paragraph:
“(d) that by reason of the nature of his work in connection with transport services he will possibly not be able to attend at a polling station,”;
- (j) in the case of section *forty-three*—
 - (i) by the addition at the end of paragraph (c) of sub-section (1) of the word “or” and the insertion after that paragraph of the following paragraph:
“(d) that by reason of the nature of his work in connection with transport services he will possibly not be able to attend at a polling station,”;
 - (ii) by the substitution in that sub-section for the expression “(b) or (c)” of the expression “(b), (c) or (d)”;
 - (iii) by the substitution in sub-section (5) for the word “fifth” of the word “second”;
- (k) in the case of section *forty-six*—
 - (i) by the substitution in paragraph (a) of sub-section (1) for the word “fifth” of the word “second”;
 - (ii) by the substitution in paragraph (c) of that sub-section for the word “latest” of the word “earliest” and for the word “last” of the word “first”;
 - (iii) by the substitution in sub-section (2) for the word “fifth” of the word “second”;
- (l) in the case of section *forty-nine*, by the substitution in sub-section (1) for the word “fifth” of the word “second”;
- (m) in the case of section *seventy-two*, by the substitution for the word “eight” of the word “nine”;
- (n) in the case of section *seventy-six*, by the substitution in paragraph (1) for the words “First Schedule” of the words “Schedule to the Referendum Act, 1960”;
- (o) in the case of section *eighty-two*, by the deletion of sub-section (14);
- (p) in the case of section *eighty-three*, by the deletion of paragraph (c) and the addition of the following sub-section, the existing section becoming sub-section (1):
“(2) The returning officer shall not reject but shall count any ballot paper on which there is a mark or writing, other than the signature of the voter, by means of which a voter has clearly indicated his choice otherwise than by means of a cross.”;
- (q) in the case of section *eighty-six*, by the substitution for that section of the following section:

„Kiesbe-
ampte
stuur
uitslag
van stem-
ming aan
hoofver-
kiesings-
beampte.

86. Sodra 'n kiesbeampte die uitslag van die volkstemming aangekondig het, stuur hy sonder versuim aan die hoofverkiesingsbeampte 'n opgawe op die voorgeskrewe vorm wat deur daardie kiesbeampte onderteken is en waarin die aantal stemme onderskeidelik ten gunste van en teen 'n republiek uitgebring, die aantal aangebode stembriewe ontvang, en die aantal stembriewe wat daardie kiesbeampte verwerp het, aangegee word.”;

- (r) in die geval van artikel *sewe-en-tagtig*, deur daardie artikel deur die volgende artikel te vervang:

„Publi-
kasie
van
uitslag
van volk-
stemming.

87. Sodra die hoofverkiesingsbeampte die in artikel *ses-en-tagtig* vermelde opgawes ontvang het, publiseer hy in die *Staatskoerant* die aantal stemme onderskeidelik ten gunste van en teen 'n republiek uitgebring en die aantal aangebode stembriewe wat ontvang is en die aantal stembriewe wat verwerp is deur kiesbeamp-tes in elke afdeling en in die Unie.”;

- (s) in die geval van artikel *sewe-en-negentig*, deur in para-
graaf (g) van sub-artikel (1) die woord „vier” deur die woord „agt” te vervang en deur sub-artikel (2) te skrap;

- (t) in die geval van artikel *honderd-en-vier*, deur daardie artikel te herroep;

- (u) in die geval van artikel *honderd-en-elf*, deur daardie artikel deur die volgende artikel te vervang:

„Wanneer
volkstem-
ming
begin.

111. By die toepassing van hierdie Hoofstuk word die volkstemming geag te begin het op die datum waarop die in artikel *twee* van die Wet op die Volkstemming, 1960, bedoelde proklamasie afgekondig word.”.

Aanstelling
van volk-
stemmingsagente,
hulpagente, ens.

5. (1) (a) Nie later nie dan drie dae na die dag waarop die kiesbeampte aangestel is, kan hy, onderworpe aan die bepalings van paragraaf (b) en met goedkeuring van die hoofverkiesingsbeampte, een persoon aanstel om by die volkstemming in die kiesafdeling as volkstemmingsagent vir persone wat ten gunste van 'n republiek is, te dien, en een persoon om aldaar as volkstemmingsagent vir persone wat teen 'n republiek is, te dien.
- (b) Geen volkstemmingsagent word kragtens paragraaf (a) ten opsigte van persone wat ten gunste van of teen 'n republiek is, aangestel nie, dan alleen waar een of ander organisasie die betrokke kiesbeampte versoek het om 'n deur daardie organisasie aangewese persoon as so 'n agent ten opsigte van die betrokke persone aan te stel, en onderneem het om enige in sub-artikel (10) bedoelde besoldiging en onkoste wat in verband met die uitoefening deur so 'n agent van sy bevoegdhede of die verrigting deur hom van sy werksaamhede ontstaan, te betaal.
- (c) Die kiesbeampte maak die naam en adres publiek bekend van elke volkstemmingsagent wat hy aanstel.
- (2) Die aanstelling van 'n volkstemmingsagent moet deur die hoofverkiesingsbeampte beëindig word by ontvangs van 'n skriftelike versoek deur die organisasie op wie se versoek hy aangestel is.
- (3) Enige vakature wat ten opsigte van volkstemmingsagente ontstaan, word gevul op die wyse in sub-artikel (1) bepaal.
- (4) Elke volkstemmingsagent kan hoogstens agt hulpagente aanstel om in die afdeling op te tree.
- (5) 'n Volkstemmingsagent kan deur 'n hulpagent optree, en enigiets wat vir die doeleindes van die volkstemming deur of aan 'n hulpagent gedoen word, word geag deur of aan die volkstemmingsagent gedoen te wees, en elke handeling of versuim van 'n hulpagent wat 'n korrupte of onwettige bedrywigheid of ander misdryf ingevolge hierdie Wet, of ingevolge die Hoofwet soos deur hierdie Wet toegepas, sou wees as hy die volkstemmingsagent was, is 'n korrupte of onwettige bedrywigheid of ander misdryf ingevolge hierdie Wet, of ingevolge die Hoofwet soos aldus toegepas, deur die hulpagent begaan, waarvoor die hulpagent dienoreenkomstig strafbaar is.
- (6) Minstens drie volle dae voor die stembag word die volle naam en adres van elke hulpagent deur die volkstemmings-

"Returning officer to transmit result of ballot to chief electoral officer."

86. As soon as a returning officer has announced the result of the referendum, he shall without delay transmit to the chief electoral officer a return in the prescribed form signed by such returning officer and reflecting the respective numbers of votes recorded in favour of and against a republic, the number of tendered ballot papers received, and the number of ballot papers rejected by such returning officer."

- (r) in the case of section *eighty-seven*, by the substitution for that section of the following section:

"Publication of result of referendum."

87. As soon as the chief electoral officer has received the returns mentioned in section *eighty-six*, he shall make known in the *Gazette* the respective numbers of votes recorded in favour of and against a republic and the number of tendered ballot papers received and the number of ballot papers rejected by returning officers in each division and in the Union."

- (s) in the case of section *ninety-seven*, by the substitution in paragraph (g) of sub-section (1) for the word "four" of the word "eight", and by the deletion of sub-section (2);

- (t) in the case of section *one hundred and four*, by the repeal of that section;

- (u) in the case of section *one hundred and eleven*, by the substitution for that section of the following section:

"When referendum commences."

111. For the purposes of this Chapter the referendum shall be deemed to have commenced on the date of publication of the proclamation referred to in section *two* of the Referendum Act, 1960."

5. (1) (a) Not later than three days after the date on which he is appointed, the returning officer may, subject to the provisions of paragraph (b) and with the approval of the chief electoral officer, appoint one person to serve at the referendum in the electoral division as referendum agent for persons who are in favour of a republic, and one person to serve thereat as referendum agent for persons who are against a republic.

Appointment of referendum agents, sub-agents, etc.

- (b) No referendum agent shall be appointed under paragraph (a) in respect of persons who are in favour of or against a republic unless some organization or other has requested the returning officer concerned to appoint a person designated by that organization as such an agent in respect of the persons in question, and has undertaken to pay any remuneration and expenses referred to in sub-section (10) arising out of the exercise of his powers and the performance of his functions by such agent.

- (c) The returning officer shall give public notice of the name and address of every referendum agent appointed by him.

(2) The appointment of a referendum agent shall be terminated by the chief electoral officer upon receipt of a request in writing by the organization at whose request he was appointed.

(3) Any vacancy arising in respect of referendum agents shall be filled in the manner prescribed in sub-section (1).

(4) Every referendum agent may appoint not more than eight sub-agents to act in the division.

(5) A referendum agent may act by a sub-agent, and anything done for the purposes of the referendum by or to a sub-agent shall be deemed to be done by or to the referendum agent, and any act or default of a sub-agent which, if he were the referendum agent, would be a corrupt or illegal practice or other offence under this Act, or under the principal Act as applied by this Act, shall be a corrupt or illegal practice or other offence under this Act, or under the principal Act as so applied, committed by the sub-agent for which the sub-agent shall be liable to punishment accordingly.

(6) Not less than three clear days before the polling day the referendum agent shall advise the returning officer in writing of the full name and address of every sub-agent, and the returning

agent skriftelik aan die kiesbeampde opgegee, en die kiesbeampde maak onverwyld die naam en adres van elke hulpagent wat aldus opgegee is, publiek bekend.

(7) Die aanstelling van 'n hulpagent verval nie ter oorsake daarvan dat die volkstemmingsagent wat hom benoem het, ophou om volkstemmingsagent te wees nie, maar kan te eniger tyd herroep word deur iemand wat dan as volkstemmingsagent dien, en in geval van so 'n herroeping of die oorlye van 'n hulpagent kan 'n ander hulpagent aangestel word.

(8) Die herroeping van die aanstelling van 'n hulpagent en die aanstelling in sy plek van 'n ander hulpagent, en die volle naam en adres van laasbedoelde hulpagent, word onverwyld skriftelik aan die kiesbeampde opgegee, en hy maak dit onverwyld publiek bekend.

(9) 'n Volkstemmingsagent handelende in eie persoon of deur sy hulpagent, benoem iedere stemagent, klerk en bode wat by die volkstemming in belang van die persone ten opsigte van wie hy aangestel is, in diens geneem word, en huur elke komiteekamer wat in belang van daardie persone gehuur word: Met dien verstande dat indien die aantal kiesers wat ten opsigte van 'n stembedstrik geregistreer is, nie meer dan tweeduisend is nie, daar nie meer dan twee stemagente vir daardie stembedstrik benoem word nie, en indien die aantal kiesers wat ten opsigte van 'n stembedstrik geregistreer is, meer dan tweeduisend is, een addisionele stemagent benoem kan word vir elke duisend kiesers wat ten opsigte van daardie stembedstrik bo tweeduisend geregistreer is.

(10) Geen besoldiging word uit Staatsgelde aan enige volkstemmingsagent of ander kragtens hierdie artikel aangestelde persoon ten opsigte van sy dienste betaal nie, en geen onkoste in verband met die volkstemming deur so 'n agent of persoon aangegaan ingevolge hierdie Wet, of ingevolge die Hoofwet soos deur hierdie Wet toegepas, word uit Staatsgelde betaal of vergoed nie.

**Toepassing van
Wet op
Suidwes-Afrika.**

6. Hierdie Wet en die bepalings van die Hoofwet en die daarkragtens uitgevaardigde regulasies, soos deur hierdie Wet met betrekking tot die volkstemming toegepas, is ook van toepassing in die gebied Suidwes-Afrika, en vir dié doel word 'n verwysing in hierdie Wet na die Hoofwet uitgelê as 'n verwysing na die Hoofwet soos met betrekking tot daardie gebied toegepas by artikel vier-en-dertig van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1949.

Regulasies.

7. (1) Die Goewerneur-generaal kan regulasies uitvaardig wat hy vir die behoorlike werking van hierdie Wet, en van die Hoofwet en daarkragtens uitgevaardigde regulasies soos deur hierdie Wet toegepas, nodig ag.

(2) Regulasies kragtens sub-artikel (1) uitgevaardig, kan voorsiening maak vir die herroeping of wysiging van enige bepaling van die Hoofwet of 'n daarkragtens uitgevaardigde regulasie, of die byvoeging daarby van enige addisionele bepalings, soos volgens die oordeel van die Goewerneur-generaal noodsaaklik mag wees ten einde die volkstemming doeltreffend te kan reël.

Kort titel.

8. Hierdie Wet heet die Wet op die Volkstemming, 1960.

officer shall forthwith give public notice of the name and address of every sub-agent in respect of whom he has been so advised.

(7) The appointment of a sub-agent shall not lapse by reason of the referendum agent who appointed him ceasing to be a referendum agent, but may at any time be revoked by any person for the time being serving as referendum agent and in the event of such revocation or of the death of a sub-agent, another sub-agent may be appointed.

(8) The revocation of the appointment of a sub-agent and the appointment of another sub-agent in his stead and the full name and address of such latter sub-agent shall forthwith be notified in writing to the returning officer, who shall forthwith give public notice thereof.

(9) A referendum agent, by himself or his sub-agent, shall appoint every polling agent, clerk and messenger employed at the referendum in the interest of the persons in respect of whom he has been appointed and hire every committee room hired in the interest of such persons: Provided that if the number of voters registered in respect of any polling district does not exceed two thousand, not more than two polling agents shall be appointed for that polling district, and if the number of voters registered in respect of any polling district exceeds two thousand, one additional polling agent may be appointed for every thousand voters registered in respect of that polling district in excess of two thousand.

(10) No remuneration shall be paid out of public funds to any referendum agent or any other person appointed under this section, in respect of his services, and no expenditure incurred by any such agent or person in connection with the referendum in terms of this Act or in terms of the principal Act as applied by this Act, shall be paid or reimbursed out of public funds.

6. This Act, and the provisions of the principal Act and the regulations made thereunder, as applied with reference to the referendum by this Act, shall apply also in the territory of South-West Africa, and for that purpose any reference in this Act to the principal Act shall be construed as a reference to the principal Act as applied to the said territory by section *thirty-four* of the South-West Africa Affairs Amendment Act, 1949.

Application
of Act to
South-West
Africa.

7. (1) The Governor-General may make such regulations as he may consider necessary for the effective operation of this Act and of the principal Act and the regulations made thereunder as applied by this Act.

Regulations.

(2) Any regulations made under sub-section (1) may provide for the repeal or amendment of any provision of the principal Act or any regulation made thereunder, or the addition thereto of additional provisions, as may in the opinion of the Governor-General be essential in order to permit of the effective organisation of the referendum.

8. This Act shall be called the Referendum Act, 1960.

Short title.

Bylae.

Vorm van Voorkant van Stembriefie.

COUNTERFOIL**TEENBLAD**

No.

Referendum
VolkstemmingElectoral Division
of
Kiesafdeling

Date:

Datum:

Registered
No. of VoterGeregistreeerde
No. van Kieser

IS U TEN GUNSTE VAN 'N REPUBLIEK VIR DIE UNIE?
ARE YOU IN FAVOUR OF A REPUBLIC FOR THE UNION?

YES/JA

NEE/NO

Stem slegs vir
een Keuse

Stem deur 'n X
te maak in die
vierkant teen-
oor die keuse
wat u wil doen.

Vote for one
Choice only

Record your
vote by a X in
the square
opposite your
choice.

Schedule.

Form of front of Ballot Paper.

COUNTERFOIL TEENBLAD No. Referendum Volkstemming	IS U TEN GUNSTE VAN 'N REPUBLIEK VIR DIE UNIE? ARE YOU IN FAVOUR OF A REPUBLIC FOR THE UNION? YES/JA NEE/NO	Stem slegs vir een Keuse Stem deur 'n X te maak in die vierkant teen- oor die keuse wat u wil doen.
Electoral Division of Kiesafdeling Date: Datum: Registered No. of Voter Geregistreeerde No. van Kieser		Vote for one Choice only Record your vote by a X in the square opposite your choice.

Vorm van Agterkant van Stembriefie.

No.

VOLKSTEMMING REFERENDUM

IN DIE KIESAFDELING
IN THE ELECTORAL DIVISION OF

Datum:
Date:

Offisiële Merk

Official Mark

Form of back of Ballot Paper.

No.

VOLKSTEMMING REFERENDUM

IN DIE KIESAFDELING
IN THE ELECTORAL DIVISION OF

Datum :
Date :

Offisiële Merk

Official Mark

No. 53, 1960.]

WET

Tot wysiging van die „Zuid-Afrika Wet, 1909”, die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1949, en die Senaatwet, 1955.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 25 Mei 1960.)

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

Wysiging van artikel 52 van „Zuid-Afrika Wet, 1909”, soos gewysig deur artikel 1 van Wet 3 van 1959.

1. Artikel *twee-en-vyftig* van die „Zuid-Afrika Wet, 1909”, word hierby gewysig—

- (a) deur die woorde „verkozen te worden of” te skrap; en
- (b) deur die volgende sub-artikel by te voeg, terwyl die bestaande artikel sub-artikel (1) word:

„(2) Een lid van een Huis van Parlement dat als lid van 't ander Huis verkozen wordt, houdt op lid van 't eerstbedoeld Huis te zijn met ingang van de datum waarop hij lid van dat ander Huis wordt.”.

Wysiging van artikel 30 van Wet 23 van 1949, soos gewysig deur artikel 10 van Wet 53 van 1955.

2. Artikel *dertig* van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1949, word hierby gewysig—

- (a) deur paragrafe (b), (c) en (d) van sub-artikel (4) deur die volgende paragrafe te vervang:

„(b) Die verkiesing van bedoelde senatore geskied volgens die beginsel van proporsionele verteenwoordiging waarby elke kieser een oordraagbare stem het.

(c) Die Goewerneur-generaal kan regulasies uitvaardig wat die wyse van stemming en van oordrag en telling van stemme en die pligte van kiesbeambptes in verband met so 'n verkiesing voorskryf.”;
- (b) deur in paragraaf (a) van sub-artikel (6) die uitdrukking „die „Zuid-Afrika Wet, 1909”, en die Naturelle-Verteenwoordigings-Wet, 1936” deur die uitdrukking „die Wet op Afsonderlike Verteenwoordiging van Kiesers, 1951, en die Senaatwet, 1955” te vervang; en
- (c) deur in paragraaf (b) van daardie sub-artikel die uitdrukking „die „Zuid-Afrika Wet, 1909”” deur die uitdrukking „die Senaatwet, 1955” te vervang.

Wysiging van artikel 2 van Wet 53 van 1955.

3. Artikel *twee* van die Senaatwet, 1955 (hieronder die Hoofwet genoem), word hierby gewysig—

- (a) deur in sub-artikel (1) die uitdrukking „die Naturelle-Verteenwoordigings-Wet, 1936, en van” te skrap en na die uitdrukking „1949” die uitdrukking „en die Wet op Afsonderlike Verteenwoordiging van Kiesers, 1951” in te voeg;
- (b) deur paragraaf (a) van daardie sub-artikel te skrap en deur die volgende paragraaf te vervang:

„(a) agt senatore deur die Goewerneur-generaal benoem, van wie twee uit elke provinsie van die Unie benoem word; en”;
- (c) deur in paragraaf (b) van daardie sub-artikel die uitdrukking „(tot die naaste syfer)” te skrap, en die woord „een-vyfde” deur die woord „een-tiende” te vervang;
- (d) deur na sub-artikel (1) die volgende sub-artikel in te voeg:

„(1)*bis* Waar in die geval van enige provinsie die syfer wat deur tien gedeel moet word ten einde die aantal senatore te bepaal wat ingevolge paragraaf (b) van sub-artikel (1) ten opsigte van daardie provinsie gekies moet word, nie 'n veelvoud van tien is nie, word daardie syfer vir gemelde doel veronderstel die laagste veelvoud van tien bo bedoelde syfer te wees.”;
- (e) deur in sub-artikel (2) die uitdrukking „Naturelle-Verteenwoordigings-Wet, 1936” deur die uitdrukking „Wet op Afsonderlike Verteenwoordiging van Kiesers, 1951” te vervang.

No. 53, 1960.]

ACT

To amend the South Africa Act, 1909, the South-West Africa Affairs Amendment Act, 1949, and the Senate Act, 1955.



(Afrikaans text signed by the Governor-General.)
(Assented to 25th May, 1960.)

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:—

1. Section *fifty-two* of the South Africa Act, 1909, is hereby amended—

Amendment of section 52 of South Africa Act, 1909, as amended by section 1 of Act 3 of 1959.

- (a) by the deletion of the words "being chosen or of"; and
- (b) by the addition of the following sub-section, the existing section becoming sub-section (1):

"(2) A member of either House of Parliament who is chosen as a member of the other House, shall cease to be a member of such first-mentioned House with effect from the date upon which he becomes a member of such other House."

2. Section *thirty* of the South-West Africa Affairs Amendment Act, 1949, is hereby amended—

Amendment of section 30 of Act 23 of 1949, as amended by section 10 of Act 53 of 1955.

- (a) by the substitution for paragraphs (b), (c) and (d) of sub-section (4) of the following paragraphs:

"(b) The election of such senators shall take place according to the principle of proportional representation, each voter having one transferable vote.

(c) The Governor-General may make regulations prescribing the method of voting and of transferring and counting votes, and the duties of returning officers in connection with any such election."

- (b) by the substitution in paragraph (a) of sub-section (6) for the expression "the South Africa Act, 1909, and the Representation of Natives Act, 1936" of the expression "the Separate Representation of Voters Act, 1951, and the Senate Act, 1955"; and

- (c) by the substitution in paragraph (b) of that sub-section for the expression "the South Africa Act, 1909" of the expression "the Senate Act, 1955".

3. Section *two* of the Senate Act, 1955 (hereinafter referred to as the principal Act), is hereby amended—

Amendment of section 2 of Act 53 of 1955.

- (a) by the deletion in sub-section (1) of the expression "the Representation of Natives Act, 1936, and of", and the insertion after the expression "1949" of the expression "and the Separate Representation of Voters Act, 1951";

- (b) by the deletion of paragraph (a) of that sub-section and the substitution therefor of the following paragraph:

"(a) eight senators nominated by the Governor-General, of whom two shall be nominated from each province of the Union; and";

- (c) by the deletion in paragraph (b) of that sub-section of the expression "(to the nearest figure)", and the substitution in that paragraph for the word "one-fifth" of the word "one-tenth";

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

"(1)*bis* Where in the case of any province the figure to be divided by ten for the purpose of determining the number of senators to be elected in respect of that province in terms of paragraph (b) of sub-section (1) is not a multiple of ten, that figure shall for the said purpose be assumed to be the lowest multiple of ten above the said figure."; and

- (e) by the substitution in sub-section (2) for the expression "Representation of Natives Act, 1936" of the expression "Separate Representation of Voters Act, 1951".

Wysiging van
artikel 3 van
Wet 53 van 1955.

4. Artikel *drie* van die Hoofwet word hierby gewysig deur sub-artikel (2) deur die volgende sub-artikel te vervang:

- „(2) (a) Die Goewerneur-generaal moet by die benoeming van senatore rekening hou met die wenslikheid om te verseker dat die Senaat sover doenlik bestaan uit persone wat kennis het van sake rakende die verskillende belange van die inwoners van die Unie.
- (b) By die benoeming van senatore moet die Goewerneur-generaal verder daarmee rekening hou dat minstens een van die twee senatore uit elke provinsie benoem kragtens hierdie artikel, grondige kennis moet hê, uit hoofde van amptelike ondervinding of andersins, van die belange van die kleurlingbevolking in die betrokke provinsie waarvoor gemelde senator benoem word, en dat gemelde senator onder andere moet kan dien as die kanaal waardeur die belange van bedoelde kleurlingbevolking in die betrokke provinsie bevorder kan word.
- (c) Vir die doeleindes van hierdie sub-artikel word die kleurlingbevolking van enige provinsie geag te bestaan uit persone wat lede is van die Kaapse Kleurlinggroep, die Maleiergroep, die Griekwagroup of die Groep Ander Gekleurdes soos omskryf in paragraaf (d).
- (d) Vir die doeleindes van hierdie sub-artikel word ingesluit by die—
- (i) Kaapse Kleurlinggroep enigiemand wat inderdaad 'n lid is van die ras of klas wat as die Kaapse Kleurlinge bekend staan of wat gewoonlik daarvoor deurgaen;
- (ii) Maleiergroep enigiemand wat inderdaad 'n lid is van die ras of klas wat as die Kaapse Maleiers bekend staan of wat gewoonlik daarvoor deurgaen;
- (iii) Griekwagroup enigiemand wat inderdaad 'n lid is van die ras of klas wat as die Griekwas bekend staan of wat gewoonlik daarvoor deurgaen; en
- (iv) Groep Ander Gekleurdes enigiemand wat nie by die Kaapse Kleurlinggroep, die Maleiergroep of die Griekwagroup, en ook nie by die Sjiniese Groep, die Indiërgroup of die Groep Ander Asiate, soos omskryf in Proklamasie No. 46 van 1959 uitgevaardig ingevolge die bepalings van sub-artikel (2) van artikel vyf van die Bevolkings-registrasiewet, 1950 (Wet No. 30 van 1950), ingesluit is nie en wat nie 'n blanke of 'n naturel, soos omskryf in artikel *een* van daardie Wet, is nie.”.

Wysiging van
artikel 4 van
Wet 53 van 1955.

5. Artikel *vier* van die Hoofwet word hierby gewysig—

- (a) deur in sub-artikel (2) die uitdrukking „Naturelle-Verteenwoordigings-Wet, 1936” deur die uitdrukking „Wet op Afsonderlike Verteenwoordiging van Kiesers, 1951” te vervang; en
- (b) deur sub-artikels (3), (4) en (5) deur die volgende sub-artikels te vervang:
- „(3) Die verkiesing van senatore geskied volgens die beginsel van proporsionele verteenwoordiging waarby elke kieser een oordraagbare stem het.
- (4) Die Goewerneur-generaal kan regulasies uitvaardig wat die wyse van stemming en van oordrag en telling van stemme en die pligte van kiesbeamptes in verband met so 'n verkiesing voorskryf.”.

Staande Komitees.

6. Die Senaat kan van tyd tot tyd staande komitees vir verskillende aangeleenthede instel soos hy goedvind, en 'n Staatsminister of plaasvervanger van 'n Staatsminister kan te eniger tyd, met inagneming van die reglement van die Senaat, 'n voorstel indien dat enige aangeleentheid vir ondersoek en verslag na so 'n komitee verwys word.

Aankondiging
van wetgewing
bestem vir
indiening in
Senaat.

7. Die Eerste Minister of 'n Staatsminister wat namens hom optree, kondig by die aanvang van elke sessie aan en kan van tyd tot tyd na vereiste van omstandighede in die loop van enige sessie van die Parlement aankondig watter wetsontwerpe gedurende daardie sessie in die Senaat ingedien staan te word.

Oorgangsbepalings.

8. (1) Iemand wat by die inwerkingtreding van hierdie Wet die amp van senator bekleed, bly daardie amp bekleed asof hierdie Wet nie aangeneem was nie.

4. Section *three* of the principal Act is hereby amended by the substitution for sub-section (2) of the following sub-section: Amendment of section 3 of Act 53 of 1955.

- “(2) (a) The Governor-General shall when nominating senators have regard to the desirability of ensuring that the Senate will as far as practicable consist of persons having knowledge of matters affecting the various interests of the inhabitants of the Union.
- (b) When nominating senators, the Governor-General shall have regard further to the requirement that at least one of the two senators nominated from each province under this section shall be thoroughly acquainted, by reason of official experience or otherwise, with the interests of the coloured population in the province concerned for which the said senator is nominated, and that the said senator should be capable *inter alia* of serving as the channel through which the interests of the said coloured population in the province concerned may be promoted.
- (c) For the purposes of this sub-section, the coloured population of any province shall be deemed to consist of persons who are members of the Cape Coloured Group, the Malay Group, the Griqua Group or the Other Coloured Group as defined in paragraph (d).
- (d) For the purposes of this sub-section the—
- (i) Cape Coloured Group includes any person who in fact is, or is generally accepted as a member of the race or class known as the Cape Coloureds;
 - (ii) Malay Group includes any person who in fact is, or is generally accepted as a member of the race or class known as the Cape Malays;
 - (iii) Griqua Group includes any person who in fact is, or is generally accepted as a member of the race or class known as the Grikwas; and
 - (iv) Other Coloured Group includes any person who is not included in the Cape Coloured Group, the Malay Group or the Griqua Group, nor in the Chinese Group, the Indian Group or the Other Asiatic Group as defined in Proclamation No. 46 of 1959 issued under the provisions of sub-section (2) of section *five* of the Population Registration Act, 1950 (Act No. 30 of 1950), and who is not a white person or a native as defined in section *one* of that Act.”.

5. Section *four* of the principal Act is hereby amended— Amendment of section 4 of Act 53 of 1955.

- (a) by the substitution in sub-section (2) for the expression “Representation of Natives Act, 1936” of the expression “Separate Representation of Voters Act, 1951”; and
- (b) by the substitution for sub-sections (3), (4) and (5) of the following sub-sections:
- “(3) The election of senators shall take place according to the principle of proportional representation, each voter having one transferable vote.
- (4) The Governor-General may make regulations prescribing the method of voting and of transferring and counting votes and the duties of returning officers in connection with any such election.”.

6. The Senate may from time to time establish standing committees for various matters as it may deem fit, and any Minister of State or deputy of a Minister of State may at any time with due regard to the rules of the Senate, move that any matter be referred to such a committee for investigation and report. Standing committees.

7. The Prime Minister or any Minister of State acting on his behalf shall at the commencement of each session and may from time to time during the course of any session of Parliament as circumstances may require, make known what bills are to be introduced in the Senate during that session. Announcing of legislation intended to be introduced in Senate.

8. (1) Any person holding office as a senator at the commencement of this Act, shall continue to hold such office as if this Act had not been passed. Transition provisions.

(2) 'n Vakature in die Senaat soos onmiddellik voor die inwerkingtreding van hierdie Wet saamgestel, hetsy die vakature voor bedoelde inwerkingtreding ontstaan het of daarna ontstaan, word nie gevul nie.

(3) Die ampstermyn van 'n senator wat na die inwerkingtreding van hierdie Wet, maar voor die vyf-en-twintigste dag van November 1960 in die geval van 'n verkose senator, of die sesde dag van Desember 1960 in die geval van 'n benoemde senator, ingevolge die Hoofwet, soos deur hierdie Wet gewysig, of ingevolge artikel *dertig* van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1949, soos aldus gewysig, verkies of benoem word, neem 'n aanvang—

(a) in die geval van 'n verkose senator, op die vyf-en-twintigste dag van November 1960; en

(b) in die geval van 'n benoemde senator, op die sesde dag van Desember 1960.

Kort titel.

9. Hierdie Wet heet die Senaatwet, 1960.

(2) A vacancy in the Senate as constituted immediately prior to the commencement of this Act, shall not be filled, irrespective of whether such vacancy occurred before the said commencement or occurs thereafter.

(3) The period of office of any senator elected or nominated in terms of the principal Act, as amended by this Act, or in terms of section *thirty* of the South-West Africa Affairs Amendment Act, 1949, as so amended, after the commencement of this Act, but prior to the twenty-fifth day of November, 1960, in the case of an elected senator, or the sixth day of December, 1960, in the case of a nominated senator, shall commence—

(a) in the case of an elected senator, on the twenty-fifth day of November, 1960; and

(b) in the case of a nominated senator, on the sixth day of December, 1960.

9. This Act shall be called the Senate Act, 1960.

Short title.

No. 59, 1960.]

WET

Tot wysiging van die Marico-Bosveld Besproeiingskema Wet, 1932.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 25 Mei 1960.)

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

Invoeëing van
artikel 9bis
in Wet 10 van
1932.

1. Die Marico-Bosveld Besproeiingskema Wet, 1932, word hierby gewysig deur na artikel *nege* die volgende artikel in te voeg:

„Oordrag
van Minister
se bevoegd-
hede.

9bis. Die Minister kan by kennisgewing in die *Staatskoerant* enige van die bevoegdhede by hierdie Wet of regulasies daarkragtens uitgevaardig, aan hom verleen, aan die Direkteur of 'n ander amptenaar in die departement oordra.”.

Kort titel.

2. Hierdie Wet heet die Wysigingswet op die Besproeiingskema Marico-Bosveld, 1960.

No. 59, 1960.]

ACT

To amend the Marico-Bosveld Irrigation Scheme Act, 1932.

(Afrikaans text signed by the Governor-General.)
(Assented to 25th May, 1960.)

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:—

1. The Marico-Bosveld Irrigation Scheme Act, 1932, is hereby amended by the insertion after section *nine* of the following section: Insertion of section 9bis in Act 10 of 1932.

"Delegation of Minister's powers. 9bis. The Minister may by notice in the *Gazette* delegate to the Director or any other officer in the department any of the powers conferred upon him by this Act or any regulations made thereunder."

2. This Act shall be called the Marico-Bosveld Irrigation Short title. Scheme Amendment Act, 1960.

No. 60, 1960.]

WET

Om voorsiening te maak vir die instelling van 'n Tabaknavorsing-rekening en 'n Wynnavorsingrekening, vir die beheer oor en aanwending van gelde waarmee daardie rekenings gekrediteer is en vir ander aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 25 Mei 1960.)

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

- | | |
|--|--|
| Woordomskrywing | 1. In hierdie Wet, tensy dit uit die samehang anders blyk, beteken—
„Minister” die Minister van Landbou-tegniese Dienste;
„Sekretaris” die Sekretaris van Landbou-tegniese Dienste. |
| Instelling van Tabaknavorsing-rekening en Wynnavorsing-rekening. | 2. (1) Hierby word 'n rekening met die naam Tabaknavorsingrekening en 'n rekening met die naam Wynnavorsingrekening ingestel, wat gekrediteer word met—
(a) gelde deur die Parlement vir die betrokke rekening bewillig;
(b) rente verkry uit die belegging van gelde waarmee daardie rekening gekrediteer is;
(c) gelde wat daardie rekening uit enige ander bron toeval.
(2) Die rekenings staan onder die beheer van die Sekretaris wat van alle gelde ontvang of bestee, behoorlik moet laat boekhou. |
| Betelings uit die Tabaknavorsing-rekening. | 3. Die gelde in die Tabaknavorsingrekening word aangewend om navorsing ten opsigte van die verbouing of produksie van tabak of tabakprodukte, of ten opsigte van aangeleenthede wat daarmee in verband staan, te bevorder of te onderneem, of om reklame in die Unie of elders in verband met die bemarking van Suid-Afrikaanse tabak te steun. |
| Betelings uit die Wynnavorsing-rekening. | 4. Die gelde in die Wynnavorsingrekening word aangewend om navorsing ten opsigte van die verbouing van druiwestokke van wyndruifvariëteite, met inbegrip van moederstokke by die verbouing van sodanige druiwestokke gebruik, ten opsigte van die produksie van wyn, ander gegiste druiweprodukte of druiwesap, of ten opsigte van aangeleenthede wat daarmee in verband staan, te bevorder of te onderneem, of om reklame in die Unie of elders in verband met die bemarking van Suid-Afrikaanse wyn, ander gegiste druiweprodukte of druiwesap te steun. |
| Onbestede saldo's in rekenings. | 5. (1) Gelde waarmee die rekenings gekrediteer is en wat nie vir onmiddellike gebruik of as 'n redelike bedryfsaldo benodig word nie, word by die Staatskuldkommissarisse belê.
(2) Gelde waarmee die rekenings by die sluiting van 'n boekjaar gekrediteer is, word as krediete in die rekenings na die daaropvolgende boekjaar oorgedra. |
| Ramings van inkomste en uitgawes ten opsigte van rekenings. | 6. (1) Die Sekretaris, in oorleg met die Sekretaris van Landbou-ekonomie en -bemarking en die Tesourie, moet op die tye wat die Minister gelas, ramings of aanvullende ramings van die inkomste en uitgawes ten opsigte van elkeen van die rekenings gedurende 'n boekjaar, aan die Minister vir sy goedkeuring voorlê.
(2) Geen uitgawes word gedurende 'n boekjaar aangegaan nie behalwe volgens ramings wat kragtens sub-artikel (1) ten opsigte van daardie boekjaar deur die Minister goedgekeur is. |
| Regulasies. | 7. Die Minister kan in oorleg met die Minister van Finansies regulasies met betrekking tot enige aangeleentheid uitvaardig wat hy nodig of dienstig ag om voor te skryf ten einde die oogmerke van hierdie Wet te verwesenlik. |
| Kort titel. | 8. Hierdie Wet heet die Wet op die Tabak- en Wynnavorsingrekenings, 1960. |

No. 60, 1960.]

ACT

To provide for the establishment of a Tobacco Research Account and a Wine Research Account, for the control and utilization of moneys standing to the credit of such accounts and for other incidental matters.

(English text signed by the Governor-General.)
(Assented to 25th May, 1960.)

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:—

1. In this Act, unless the context otherwise indicates—
 "Minister" means the Minister of Agricultural Technical Services;
 "Secretary" means the Secretary for Agricultural Technical Services. Definitions.
2. (1) There is hereby established an account to be known as the Tobacco Research Account and an account to be known as the Wine Research Account which shall be credited with—
 (a) moneys appropriated by Parliament for the account concerned;
 (b) interest derived from the investment of moneys standing to the credit of such account;
 (c) moneys accruing to such account from any other source.
 (2) The accounts shall be under the control of the Secretary, who shall cause proper records to be kept of all moneys received or expended. Establishment of Tobacco Research Account and Wine Research Account.
3. The moneys in the Tobacco Research Account shall be used for promoting or undertaking research in the cultivation or production of tobacco or tobacco products, or in matters incidental thereto, or for aiding publicity in the Union or elsewhere in connection with the marketing of South African tobacco. Payments from the Tobacco Research Account.
4. The moneys in the Wine Research Account shall be used for promoting or undertaking research in the cultivation of vines of wine-grape varieties, including rootstocks used in the cultivation of such vines, in the production of wine, other fermented products of the grape or grape juice, or in matters incidental thereto, or for aiding publicity in the Union or elsewhere in connection with the marketing of South African wine, other fermented products of the grape or grape juice. Payments from Wine Research Account.
5. (1) Any moneys standing to the credit of the accounts which are not required for immediate use or as a reasonable working balance, shall be invested with the Public Debt Commissioners. Unexpended balances in accounts.
 (2) Any moneys standing to the credit of the accounts at the close of any financial year shall be carried forward to the next succeeding financial year as credits in the accounts.
6. (1) The Secretary, in consultation with the Secretary for Agricultural Economics and Marketing and the Treasury, shall, at such times as the Minister may direct, submit to the Minister for his approval, estimates or supplementary estimates of the income and expenditure in respect of each of the accounts during any financial year. Estimates of income and expenditure in respect of accounts.
 (2) No expenditure shall be incurred in any financial year, except as provided in estimates approved by the Minister under sub-section (1) for such financial year.
7. The Minister may, in consultation with the Minister of Finance, make regulations with regard to any matter which he considers it necessary or expedient to prescribe in order to achieve the objects of this Act. Regulations.
8. This Act shall be called the Tobacco and Wine Research Accounts Act 1960. Short title.

No. 62, 1960.]

WET

Om die Wet op Oordrag van die Universiteitskollege Fort Hare,
1959, te wysig.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 25 Mei 1960.)

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

Wysiging van
artikel 21 van
Wet 64 van 1959.

1. Artikel *een-en-twintig* van die Wet op Oordrag van die Universiteitskollege Fort Hare, 1959, word hierby gewysig deur in sub-artikel (2) die woorde „aldus ingeskryf was vir die akademiese jaar wat daardie datum onmiddellik voorafgegaan het” deur die woorde „voor die bepaalde datum aldus ingeskryf was” te vervang.

Wysiging van
artikel 22 van
Wet 64 van 1959.

2. Artikel *twee-en-twintig* van die Wet op Oordrag van die Universiteitskollege Fort Hare, 1959, word hierby gewysig deur die woorde „vir die akademiese jaar wat bedoelde datum voorafgegaan het” deur die woorde „voor die bepaalde datum” te vervang.

Kort titel.

3. Hierdie Wet heet die Wysigingswet op Oordrag van die Universiteitskollege Fort Hare, 1960.

No. 62, 1960.]

ACT

To amend the University College of Fort Hare Transfer Act,
1959.

(English text signed by the Governor-General.)
(Assented to 25th May, 1960.)

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:—

1. Section *twenty-one* of the University College of Fort Hare Transfer Act, 1959, is hereby amended by the substitution in sub-section (2) for the words "for the academic year which immediately preceded that date" of the words "before the specified date".

Amendment of
section 21 of
Act 64 of 1959.

2. Section *twenty-two* of the University College of Fort Hare Transfer Act, 1959, is hereby amended by the substitution for the words "for the academic year which preceded the said date" of the words "before the specified date".

Amendment of
section 22 of
Act 64 of
1959.

3. This Act shall be called the University College of Fort Hare Transfer Amendment Act, 1960.

Short title.

No. 63, 1960.]

WET

Tot wysiging van die Werkloosheidversekeringswet, 1946.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 25 Mei 1960.)

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

Wysiging van artikel 39^{ter} van Wet 53 van 1946, soos ingevoeg by artikel 7 van Wet 9 van 1957.

1. (1) Artikel *nege-en-dertig ter* van die Werkloosheidversekeringswet, 1946, word hierby gewysig deur paragraaf (a) van sub-artikel (2) deur die volgende paragraaf te vervang:

„(a) tensy aansoek daarom gedoen word binne 'n tydperk van drie jaar vanaf die datum van dood van die betrokke bydraer;”.

(2) Die wysiging deur sub-artikel (1) aangebring, word geag op die eerste dag van April 1957 in werking te getree het: Met dien verstande dat waar die dood van die betrokke bydraer geskied het op of na die eerste dag van April 1957 maar nie later nie as twee jaar en nege maande voor die datum van afkondiging van hierdie Wet, 'n aansoek om betaling ingevolge sub-artikel (1) gedoen kan word binne negentig dae vanaf die datum van bedoelde afkondiging.

Kort titel.

2. Hierdie Wet heet die Wysigingswet op Werkloosheidversekering, 1960.

No. 63, 1960.]

ACT

To amend the Unemployment Insurance Act, 1946.

(Afrikaans text signed by the Governor-General.)
(Assented to 25th May, 1960.)

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:—

1. (1) Section *thirty-nine ter* of the Unemployment Insurance Act, 1946, is hereby amended by the substitution for paragraph (a) of sub-section (2) of the following paragraph:

“(a) unless application therefor is made within a period of three years from the date of death of the contributor concerned;”.

Amendment of section 39*ter* of Act 53 of 1946, as inserted by section 7 of Act 9 of 1957.

(2) The amendment effected by sub-section (1) shall be deemed to have come into operation on the first day of April, 1957: Provided that where the death of the contributor concerned occurred on or after the first day of April, 1957, but not later than two years and nine months before the date of promulgation of this Act, an application for payment under sub-section (1) may be made within ninety days from the date of the said promulgation.

2. This Act shall be called the Unemployment Insurance Short title Amendment Act, 1960.

No. 69, 1960.]

WET

Om voorsiening te maak vir die instelling van 'n spesiale rekening waarin sekere gelde geskenk deur maatskappye ter bevordering van tegnologiese opleiding aan universiteite gestort word, en vir die beskikking daaroor.

*(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 25 Mei 1960.)*

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

Woordbepaling.

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

- (i) „Minister” die Minister van Onderwys, Kuns en Wetenskap;
- (ii) „Sekretaris” die Sekretaris van Onderwys, Kuns en Wetenskap;
- (iii) „tegnologiese opleiding” nagraadse opleiding en navorsing in suiwer en toegepaste wetenskap en ook die oprigting van geboue, die verkryging van vaste eiendom, laboratoriumtoerusting en tegniese leesstof, die aanstelling van navorsingspersoneel, en die voorsiening van enige ander diens wat die Minister goedkeur, vir bedoelde opleiding en navorsing;
- (iv) „universiteit” die instituut bekend as die Kerninstituut van die Suidelike Universiteite, 'n by Parlements wet ingestelde universiteit, die Universiteitskollege van Fort Hare en 'n universiteitskollege kragtens die Wet op Uitbreiding van Universiteitsopleiding, 1959 (Wet No. 45 van 1959), ingestel.

Instelling van spesiale rekening vir sekere gelde geskenk vir tegnologiese opleiding aan universiteite en die beskikking oor daardie gelde.

2. (1) Daar word hierby 'n spesiale rekening ingestel waarin enige skenking gestort word wat deur 'n maatskappy gemaak word soos in paragraaf (j) *quat* van sub-artikel (2) van artikel elf van die Inkomstebelastingwet, 1941 (Wet No. 31 van 1941), beoog.

(2) Enige gelde in bedoelde spesiale rekening gestort, word aangewend slegs vir tegnologiese opleiding aan 'n universiteit soos deur die Minister bepaal op advies van die Adviserende Universiteitskomitee kragtens artikel twee van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), aangestel: Met dien verstande dat waar die betrokke maatskappy 'n universiteit aanwys as die universiteit ten behoeve waarvan die skenking aangewend moet word, drie vierdes van bedoelde skenking aan daardie universiteit betaal moet word om aangewend te word ter bevordering van sodanige vertakking van tegnologiese opleiding as wat die maatskappy bepaal of, by gebrek daaraan, soos deur die betrokke universiteit in oorleg met die Minister bepaal.

(3) Bedoelde spesiale rekening is onder beheer van die Sekretaris, wat behoorlike aantekeninge laat hou van alle gelde wat ontvang of uitgegee word.

Kort titel.

3. Hierdie Wet heet die Wet ter Bevordering van Tegnologiese Opleiding, 1960.

No. 69, 1960.]

ACT

To provide for the establishment of a special account into which certain moneys donated by companies for the advancement of technological training at universities are to be paid, and for the disposal thereof.

(English text signed by the Governor-General.)
(Assented to 25th May, 1960.)

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:—

1. In this Act, unless the context otherwise indicates—

Definitions.

- (i) "Minister" means the Minister of Education, Arts and Science;
- (ii) "Secretary" means the Secretary for Education, Arts and Science;
- (iii) "technological training" means post-graduate training and research in pure and applied science and includes the erection of buildings, the acquisition of fixed property, laboratory equipment and technical literature, the appointment of research staff, and the provision of any other service approved by the Minister, for such training and research;
- (iv) "university" means the institute known as the Southern Universities' Nuclear Institute, a university established by an Act of Parliament, the University College of Fort Hare and a university college established under the Extension of University Education Act, 1959 (Act No. 45 of 1959).

2. (1) There is hereby established a special account into which shall be paid any donation made by a company as contemplated in paragraph (j) *quat* of sub-section (2) of section eleven of the Income Tax Act, 1941 (Act No. 31 of 1941).

Establishment of special account for certain moneys donated for technological training at universities and the disposal of such moneys.

(2) Any moneys paid into the said special account shall be used only for technological training at a university as determined by the Minister on the advice of the University Advisory Committee appointed under section two of the Universities Act, 1955 (Act No. 61 of 1955): Provided that where the company concerned designates a university as the university for the benefit of which the donation is to be used, three-fourths of the said donation shall be paid to that university to be used for the advancement of such branch of technological training as determined by the company or, failing that, as determined by the university concerned in consultation with the Minister.

(3) The said special account shall be under the control of the Secretary, who shall cause proper records to be kept of all moneys received or expended.

3. This Act shall be called the Technological Training Short title. Advancement Act, 1960.