

EXTRAORDINARY



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DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 499.] [24th March, 1961.

No. 499.] [24 Maart 1961.

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:—

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. 12, 1961.]

ACT

To amend the Defence Act, 1957.*(Afrikaans text signed by the Governor-General.)
(Assented to 20th March, 1961.)*

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of
section 1 of
Act 44 of 1957.

1. Section *one* of the Defence Act, 1957 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "prescribed" of the following definition:

" 'prescribed' means—

- (a) in relation to any matter affecting the salaries, pay or allowances of members of the South African Defence Force, the Reserve, the Cadet Corps or any auxiliary, nursing or civilian protective service established under this Act, recommended by the Public Service Commission in terms of section *eighty-two bis*; and
- (b) in relation to any other matter, prescribed by regulation;".

Amendment of
section 21 of
Act 44 of 1957.

2. Section *twenty-one* of the principal Act is hereby amended by the substitution in sub-section (2) for the word "*twenty*" of the word "*nineteen*".

Amendment of
section 35 of
Act 44 of 1957.

3. Section *thirty-five* of the principal Act is hereby amended—

- (a) by the deletion of the words "he proves that"; and
- (b) by the addition of the following sub-section, the existing section becoming sub-section (1):

"(2) Every citizen liable in terms of sub-section (1) to be enrolled as a member of a commando, who has in accordance with the regulations been selected to undergo training in a commando, shall at his own expense attend and submit to medical examination at a time, date and place notified to him in writing by the registering officer referred to in section *sixty-two* or some other prescribed officer, and such examination shall take place at the public expense."

Amendment of
section 53 of
Act 44 of 1957.

4. Section *fifty-three* of the principal Act is hereby amended by the substitution in sub-section (1) for the words "subject to the Military Discipline Code as if they were" of the words "deemed to be".

Amendment of
section 76 of
Act 44 of 1957.

5. Section *seventy-six* of the principal Act is hereby amended by the addition of the following sub-section:

"(3) The Minister may, in consultation with the Minister of Finance, and any person acting under the authority of the Minister may, in consultation with an officer in the Department of Finance deputed thereto by the Minister of Finance, whenever he deems it expedient in the public interest or in case of emergency, authorize—

- (a) the conveyance, on such terms and conditions as the Minister or such person acting in consultation as aforesaid may deem fit of any person other than an officer or employee of the State acting in the execution of his duty as such, or on behalf of any such person of any goods, not being the property of the State, by means of any vehicle, aircraft or vessel which is the property of the State in its Department of Defence;
- (b) the rendering of any service, on such terms and conditions as aforesaid to any person other than an officer or employee of the State acting in the execution of his duty as such; or
- (c) the use, on such terms and conditions as aforesaid of any vehicle, aircraft, vessel, equipment or any other thing, the property of the State in its Department of Defence, by any person other than an officer or employee of the State acting in the execution of his duty as such."

No. 12, 1961.]

WET

Tot wysiging van die Verdedigingswet, 1957.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 20 Maart 1961.)

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

1. Artikel *een* van die Verdedigingswet, 1957 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van „voorgeskryf” deur die volgende omskrywing te vervang: „voorgeskryf”—

Wysiging van artikel 1 van Wet 44 van 1957.

 - (a) met betrekking tot ’n aangeleentheid rakende die salarisse, soldy of toelaes van lede van die Suid-Afrikaanse Weermag, die Reserwe, die Kadetkorps of ’n hulp-, verpleeg- of burgerlike beskermingsdiens kragtens hierdie Wet ingestel, deur die Staatsdienskommissie ingevolge artikel *twee-en-tagtig bis* aanbeveel; en
 - (b) met betrekking tot enige ander aangeleentheid, by regulasie voorgeskryf.”.
2. Artikel *een-en-twintig* van die Hoofwet word hierby gewysig deur in sub-artikel (2) die woord „*twintig*” deur die woord „*negentien*” te vervang.

Wysiging van artikel 21 van Wet 44 van 1957.
3. Artikel *vyf-en-dertig* van die Hoofwet word hierby gewysig—

Wysiging van artikel 35 van Wet 44 van 1957.

 - (a) deur die woorde „hy bewys dat” te skrap; en
 - (b) deur die volgende sub-artikel by te voeg, terwyl die bestaande artikel sub-artikel (1) word:
„(2) Iedere burger wat ingevolge sub-artikel (1) as lid van ’n kommando ingeskryf kan word, en wat ooreenkomstig die regulasies uitgekies is om in ’n kommando opleiding te ondergaan, moet op eie koste op die tyd, datum en plek wat skriftelik deur die in artikel *twee-en-sestig* bedoelde registrasiebeampte of ’n ander voorgeskrewe offisier aan hom meegedeel word, verskyn en hom onderwerp aan geneeskundige ondersoek wat op Staatskoste plaasvind.”.
4. Artikel *drie-en-vyftig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woord „is” waar dit die tweede maal voorkom deur die woord „word”, en die woorde „aan die Reglement van Disipline onderworpe asof hulle lede van die Staande Mag was” deur die woorde „geag lede van die Staande Mag te wees”, te vervang.

Wysiging van artikel 53 van Wet 44 van 1957.
5. Artikel *ses-en-sewentig* van die Hoofwet word hierby gewysig deur die volgende sub-artikel by te voeg:

Wysiging van artikel 76 van Wet 44 van 1957.

 - „(3) Die Minister kan, in oorleg met die Minister van Finansies, en iemand wat op gesag van die Minister handel, kan, in oorleg met ’n beampte in die Departement van Finansies wat die Minister van Finansies daartoe gemagtig het, wanneer hy dit in die openbare belang of in geval van nood dienstig ag, magtiging verleen tot—
 - (a) die vervoer, deur middel van ’n voertuig, vliegtuig of vaartuig wat die eiendom van die Staat in sy Departement van Verdediging is, en op die bedinge en voorwaardes wat die Minister of so iemand handelende in oorleg soos voormeld, goed vind, van iemand wat nie ’n beampte of werknemer van die Staat wat in die uitvoering van sy pligte as sodanig optree, is nie, of ten behoeve van so iemand van goed wat nie Staats-eiendom is nie;
 - (b) die lewering, op bedinge en voorwaardes soos voormeld, van ’n diens aan iemand wat nie ’n beampte of werknemer van die Staat wat in die uitvoering van sy pligte as sodanig optree, is nie; of
 - (c) die gebruik, op bedinge en voorwaardes soos voormeld, deur iemand wat nie ’n beampte of werknemer van die Staat wat in die uitvoering van sy pligte as sodanig optree, is nie, van ’n voertuig, vliegtuig, vaartuig, uitrustung of enigiets anders wat die eiendom van die Staat in sy Departement van Verdediging is.”.

Insertion of
section 82*bis* in
Act 44 of 1957.

6. (1) The following section is hereby inserted in the principal Act after section *eighty-two*:

"Salaries, pay and allowances to be recommended by Public Service Commission. **82*bis*.** Members of the South African Defence Force, the Reserve, the Cadet Corps or any auxiliary, nursing or civilian protective service established under this Act shall receive such salaries, pay or allowances in respect of their service, training or duty in pursuance of this Act as the Public Service Commission may from time to time recommend."

(2) Members of the South African Defence Force, the Reserve, the Cadet Corps or any auxiliary, nursing or civilian protective service established under the principal Act shall continue to receive and remain entitled to the salaries, pay or allowances which they were receiving and to which they were entitled at the commencement of this Act under the principal Act and the regulations made thereunder, as if this Act had not been passed, until such time as the Public Service Commission otherwise recommends.

Amendment of
section 84 of
Act 44 of 1957.

7. Section *eighty-four* of the principal Act is hereby amended by the insertion in sub-section (2) after the word "Force" of the words "or the Reserve and persons who have served as officers in the Reserve and whose service therein terminated on or after the 1st November, 1958,".

Amendment of
section 86 of
Act 44 of 1957.

8. Section *eighty-six* of the principal Act is hereby amended by the deletion in sub-section (2) of the words "and made known by notice in the *Gazette*".

Amendment of
section 87 of
Act 44 of 1957.

9. Section *eighty-seven* of the principal Act is hereby amended by the deletion in sub-section (3) of the words "salary, pay, allowances or".

Amendment of
section 89 of
Act 44 of 1957.

10. Section *eighty-nine* of the principal Act is hereby amended by the addition of the following sub-sections:

"(4) The Minister or any such officer in command may further take or cause to be taken such measures as he considers necessary for the efficient defence or protection of any such camp, barracks, dockyard, installation, premises, land or area, and shall in connection with any measures so taken cause such notices to be published or such warning notices to be erected as he may in each particular case consider necessary.

(5) The Government or any person in the service of the State shall not be liable (except in the case of any negligent or wilful act or omission on the part of any such person) for any loss or damage resulting from any bodily injury, loss of life or loss of or damage to property or livestock caused by or arising out of or in connection with any measures taken or works erected for the defence or protection of or the prohibition or restriction of access to any such camp, barracks, dockyard, installation, premises, land or area."

Amendment of
section 90 of
Act 44 of 1957.

11. Section *ninety* of the principal Act is hereby amended by the insertion after the word "Force" of the words "and the whole or any portion or member of the Citizen Force appointed or engaged for temporary whole-time service in terms of section *twenty*".

Amendment of
section 91 of
Act 44 of 1957.

12. Section *ninety-one* of the principal Act is hereby amended—

(a) by the insertion in sub-section (1) after the word "*Gazette*" of the words "or in such other manner as he may deem expedient", the deletion in that sub-section of the words "and mobilize" and the insertion in that sub-section after the word "commando" of the words "for mobilization"; and

(b) by the substitution in sub-section (2) for the words preceding the words "the Governor-General" where they occur for the first time of the words "If any action is taken under sub-section (1) at a time when Parliament is in session" and for the words "the issue thereof" of the words "such action".

Amendment of
section 92 of
Act 44 of 1957.

13. Section *ninety-two* of the principal Act is hereby amended—

(a) by the insertion in sub-section (1) after the word "*Gazette*" of the words "or in such other manner as he may deem expedient", the deletion in that sub-section of the words "and mobilize" and the insertion in that sub-section after the word "commando" of the words "for mobilization";

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

6. (1) Die volgende artikel word hierby na artikel *twee-en-tagtig* in die Hoofwet ingevoeg:

„Salarisse, soldy en toelaes deur Staatsdienskommissie aanbeveel te word. 82bis. Lede van die Suid-Afrikaanse Weermag, die Reserwe, die Kadetkorps of enige hulp-, verpleeg- of burgerlike beskermingsdiens kragtens hierdie Wet ingestel, ontvang ten opsigte van hul diens of opleiding of die verrigting van hul diensplig uit hoofde van hierdie Wet die salarisse, soldy of toelaes wat die Staatsdienskommissie van tyd tot tyd aanbeveel.”

Invoeging van artikel 82bis in Wet 44 van 1957.

(2) Lede van die Suid-Afrikaanse Weermag, die Reserwe, die Kadetkorps of 'n hulp-, verpleeg- of burgerlike beskermingsdiens kragtens die Hoofwet ingestel, bly in ontvangs van en geregtig op die salarisse, soldy of toelaes wat hulle kragtens die Hoofwet en die regulasies daarkragtens uitgevaardig, ontvang het en waarop hulle geregtig was by die inwerkingtreding van hierdie Wet, asof hierdie Wet nie aangeneem was nie, tot tyd en wyl die Staatsdienskommissie anders aanbeveel.

7. Artikel *vier-en-tagtig* van die Hoofwet word hierby gewysig deur in sub-artikel (2) na die woord „Weermag” die woorde „of die Reserwe en persone wat as offisiere in die Reserwe gedien het en wie se diens daarin op of na 1 November 1958 beëindig is,” in te voeg.

Wysiging van artikel 84 van Wet 44 van 1957.

8. Artikel *ses-en-tagtig* van die Hoofwet word hierby gewysig deur in sub-artikel (2) die woorde „en by kennisgewing in die *Staatskoerant* bekendgemaak” te skrap.

Wysiging van artikel 86 van Wet 44 van 1957.

9. Artikel *sewe-en-tagtig* van die Hoofwet word hierby gewysig deur in sub-artikel (3) die woorde „salaris, soldy, toelaes of” te skrap.

Wysiging van artikel 87 van Wet 44 van 1957.

10. Artikel *nege-en-tagtig* van die Hoofwet word hierby gewysig deur die volgende sub-artikels by te voeg:

Wysiging van artikel 89 van Wet 44 van 1957.

„(4) Die Minister of so 'n offisier in bevel kan bowendien die maatreëls tref of laat tref wat hy nodig ag vir die behoorlike verdediging of beskerming van so 'n kamp, kaserne, skeepswerf, installasie, perseel, grond of gebied, en moet in verband met enige maatreëls aldus getref die kennisgewings laat publiseer of die waarskuwingskennisgewings laat oprig wat hy in elke bepaalde geval nodig ag.

(5) Die Regering of iemand in diens van die Staat is (behalwe in die geval van 'n nalatige of opsetlike handeling of versuim van so iemand) nie vir enige verlies of skade as gevolg van liggaamlike besering, lewensverlies of verlies van of skade aan eiendom of lewende hawe, wat veroorsaak word deur of ontstaan uit of in verband met enige maatreëls getref of werke opgerig vir die verdediging of beskerming van of die verbod op of die beperking van toegang tot so 'n kamp, kaserne, skeepswerf, installasie, perseel, grond of gebied aanspreeklik nie.”

11. Artikel *negentig* van die Hoofwet word hierby gewysig deur na die woord „Mag” die woorde „en die geheel of enige deel of lid van die Burgermag wat ooreenkomstig artikel *twintig* vir tydelike voltydse diens aangestel of aangeneem is” in te voeg.

Wysiging van artikel 90 van Wet 44 van 1957.

12. Artikel *een-en-negentig* van die Hoofwet word hierby gewysig—

Wysiging van artikel 91 van Wet 44 van 1957.

(a) deur in sub-artikel (1) na die woord „*Staatskoerant*” die woorde „of op 'n ander wyse wat hy dienstig ag” in te voeg, en die woorde „oproep en mobiliseer” deur die woorde „vir mobilisering oproep” te vervang; en

(b) deur in sub-artikel (2) die woorde voor die woord „deel” deur die woorde „Indien kragtens sub-artikel (1) opgetree word op 'n tydstip wanneer die Parlement in sitting is,” en die woorde „die uitvaardiging daarvan” deur die woorde „sodanige optrede” te vervang.

13. Artikel *twee-en-negentig* van die Hoofwet word hierby gewysig—

Wysiging van artikel 92 van Wet 44 van 1957.

(a) deur in sub-artikel (1) na die woord „*Staatskoerant*” die woorde „of op 'n ander wyse wat hy dienstig ag” in te voeg, en die woorde „oproep en mobiliseer” deur die woorde „vir mobilisering oproep” te vervang; (b) deur sub-artikel (2) deur die volgende sub-artikel te vervang:

"(2) Where in the opinion of the Minister the urgency of the circumstances requires that the whole or any portion of the said Force or the Reserve or a commando be called out for mobilization for the aforesaid service before action can be taken in terms of sub-section (1), he may, in anticipation of such action, by order under his hand or in such other manner as he may deem expedient, call out for mobilization for such service the whole or that portion of the said Force or the Reserve or that commando, and any action by the Minister under this sub-section shall have the same force and effect as any corresponding action by the Governor-General under sub-section (1), and shall remain in force until the whole or any portion of the said Force or the Reserve or a commando is called out under the lastmentioned sub-section, but not in any case for longer than four days."; and

(c) by the deletion of sub-section (3).

Insertion of
sections 92bis
and 92ter in
Act 44 of 1957.

14. The following sections are hereby inserted in the principal Act after section *ninety-two*:

"Notifica-
tion to
persons
called out.

92bis. (1) Any member of the Citizen Force or the Reserve or a commando who has been called out for mobilization for service under section *ninety-one* or *ninety-two*, may be notified by the Commandant-General of the South African Defence Force, or an officer authorized thereto by him, by radio or telecommunication or through the press or by letter or by word of mouth or by public notice or in any other manner as the Commandant-General or such officer may deem fit, of the time and place at which he is to present himself.

(2) If for reasons beyond his control a person referred to in sub-section (1) is unable to present himself at the time notified as provided in that sub-section, he shall without delay personally or through any Police Station communicate such reasons to his commanding officer or the commanding officer of the nearest military headquarters, and if such commanding officer is satisfied that such person is unable to present himself at the time so notified he may, in accordance with the regulations and any orders and instructions issued under this Act, authorize that person to present himself at such later time as may be determined by such commanding officer either at the place referred to in sub-section (1) or at such other place as may be so determined.

(3) Subject to the provisions of sub-section (2), any person who fails to present himself at the time notified as aforesaid, may be apprehended as a deserter and may be tried and punished under the Military Discipline Code for the offence of desertion committed while on service, and in any proceedings under this sub-section the onus of proof that any notification under sub-section (1) did not come to the notice of the accused, shall, subject to the provisions of section *one hundred and fifty*, be on the accused.

Persons
performing
services or
undergoing
training
may be
employed
in terms of
this
Chapter.

92ter. (1) A member of the Citizen Force or the Reserve or a commando who is at any time performing service or undergoing training in terms of this Act, may, on the authority of the Minister, be employed on service in defence of the Union or in the prevention or suppression of internal disorder in the Union, and any authority given by the Minister under this sub-section shall in relation to any such member have the same force and effect as if such member had been called out in terms of section *ninety-one* or *ninety-two*: Provided that—

(a) no service in defence of the Union under this section shall extend beyond the time which would have been occupied by the service or training the member is performing or undergoing; and

„(2) Waar die omstandighede volgens die Minister se oordeel sodanig is dat dit dringend nodig is om die geheel of 'n deel van bedoelde Mag of die Reserwe of 'n kommando vir mobilisering vir voormelde diens op te roep voordat ingevolge sub-artikel (1) opgetree kan word, kan hy in afwagting van sodanige optrede by bevel onder sy hand of op die ander wyse wat hy dienstig ag, die geheel of bedoelde deel van daardie Mag of die Reserwe of daardie kommando vir mobilisering vir sodanige diens oproep, en enige optrede deur die Minister ingevolge hierdie sub-artikel het dieselfde krag en uitwerking as enige ooreenstemmende optrede deur die Goewerneurgeneraal ingevolge sub-artikel (1), en bly van krag totdat die geheel of 'n deel van bedoelde Mag of die Reserwe of 'n kommando ingevolge laasbedoelde sub-artikel opgeroep word, maar in geen geval vir langer as vier dae nie.”; en

(c) deur sub-artikel (3) te skrap.

14. Die volgende artikels word hierby na artikel twee-en-negentig in die Hoofwet ingevoeg:

Invoeging van artikels 92bis en 92ter in Wet 44 van 1957.

„Aansegging van persone wat opgeroep is. 92bis. (1) 'n Lid van die Burgermag of die Reserwe of 'n kommando wat ingevolge artikel een-en-negentig of twee-en-negentig vir mobilisering vir diens opgeroep is, kan deur die Kommandant-generaal van die Suid-Afrikaanse Weermag of 'n deur hom daartoe gemagtigde offisier, deur middel van die radio of telekommunikasie of die pers of per brief of mondelings of by openbare kennisgewing of op die ander wyse wat die Kommandant-generaal of bedoelde offisier goedvind, van die tyd en plek waar hy hom moet aanmeld in kennis gestel word.

(2) Indien 'n in sub-artikel (1) bedoelde persoon om redes buite sy beheer nie in staat is om hom op die tydstip waarvan hy volgens voorskrif van daardie sub-artikel in kennis gestel is, aan te meld nie, moet hy sonder versuim persoonlik of deur 'n Polisieastase daardie redes aan sy bevelvoerende offisier of die bevelvoerende offisier by die naaste militêre hoofkwartier meedeel, en indien bedoelde bevelvoerende offisier oortuig is dat so 'n persoon nie in staat is om hom op die tyd waarvan hy aldus in kennis gestel is, aan te meld nie, kan hy, ooreenkomstig die regulasies en enige orders of instruksies kragtens hierdie Wet uitgereik, daardie persoon magtig om hom op so'n latere tydstip as wat deur bedoelde bevelvoerende offisier bepaal mag word, aan te meld of op die plek in sub-artikel (1) bedoel of op die ander plek wat aldus bepaal mag word.

(3) Behoudens die bepalings van sub-artikel (2), kan iemand wat versuim om hom op die tydstip waarvan hy soos voormeld in kennis gestel is, aan te meld, as 'n deserteur gevange geneem en kragtens die Reglement van Disipline weens die misdryf van desersie terwyl hy in krygsdiens was, verhoor en gestraf word, en behoudens die bepalings van artikel honderd-en-vyftig, rus by 'n geding ingevolge hierdie sub-artikel die bewyslas op die beskuldigde dat 'n kennisgewing ingevolge sub-artikel (1) nie onder die beskuldigde se aandag gekom het nie.

Persone wat diens doen of opleiding ondergaan kan ingevolge hierdie Hoofstuk in diens gestel word.

92ter. (1) 'n Lid van die Burgermag of die Reserwe of 'n kommando wat te eniger tyd ooreenkomstig hierdie Wet diens verrig of opleiding ondergaan, kan ingevolge magtiging deur die Minister in diens ter verdediging van die Unie of ter voorkoming of onderdrukking van binnelandse onluste in die Unie gestel word, en enige magtiging ingevolge hierdie sub-artikel deur die Minister verleen, het met betrekking tot so 'n lid dieselfde krag en uitwerking asof daardie lid kragtens artikel een-en-negentig of twee-en-negentig opgeroep was: Met dien verstande dat—

(a) geen diens ingevolge hierdie sub-artikel ter verdediging van die Unie voortduur na die verstryking van die tydperk wat die diens of opleiding wat die lid verrig of ondergaan, sou geduur het nie; en

(b) no service under this section in the prevention or suppression of internal disorder in the Union shall extend for a period of more than four days beyond the termination of the time which would have been occupied by the service or training the member is performing or undergoing.

(2) Notwithstanding the provisions of sub-sections (1) and (2) of section *ninety-two*, any member referred to in sub-section (1) of this section shall, on the orders of a prescribed officer, perform service in the preservation of life, health or property or the maintenance of essential services: Provided that such service shall not extend beyond the time which would have been occupied by the said service or training.”.

Amendment of section 93 of Act 44 of 1957.

15. Section *ninety-three* of the principal Act is hereby amended by the deletion of all the words after the word “area”.

Amendment of section 100 of Act 44 of 1957.

16. Section *one hundred* of the principal Act is hereby amended by the substitution in sub-section (1) for the words “internal disorder” of the words “during operations for the prevention or suppression of internal disorder in the Union”.

Amendment of section 102 of Act 44 of 1957.

17. Section *one hundred and two* of the principal Act is hereby amended by the insertion in sub-section (1) and in sub-section (2) after the word “war” of the words “or during operations for the prevention or suppression of internal disorder in the Union”.

Insertion of section 103*bis* in Act 44 of 1957.

18. The following section is hereby inserted in the principal Act after section *one hundred and three*:

“Evacuation or concentration of persons. 103*bis*. In time of war or during operations for the prevention or suppression of internal disorder in the Union the Minister may, for the efficient defence or protection of the Union or the prevention or suppression of such internal disorder, by order made known in such manner as he may deem sufficient in the circumstances, require any person or all persons, or persons of any particular class to evacuate within a time specified in the order or to assemble in any particular building, premises or area, and any such person who fails to comply with such an order which is applicable to him, shall be guilty of an offence: Provided that no order under this section to assemble in any building, premises or area shall remain in force for longer than four days.”.

Amendment of section 104 of Act 44 of 1957.

19. Section *one hundred and four* of the principal Act is hereby amended by the addition to sub-section (5) of the following paragraph:

“(c) to all persons (other than members of a visiting force) lawfully detained by virtue of or serving sentences of detention or imprisonment imposed under the Military Discipline Code.”.

Amendment of section 110 of Act 44 of 1957.

20. Section *one hundred and ten* of the principal Act is hereby amended by the substitution in sub-section (1) for the words “or of” of the words “a commando or”.

Repeal of section 114 of Act 44 of 1957.

21. Section *one hundred and fourteen* of the principal Act is hereby repealed.

Amendment of section 141 of Act 44 of 1957.

22. Section *one hundred and forty-one* of the principal Act is hereby amended by the substitution for the words “motor vehicle as defined in sub-section (4) of section *eighty-seven*” of the words “such vehicle”.

Amendment of section 145 of Act 44 of 1957, as amended by section 18 of Act 80 of 1959.

23. Section *one hundred and forty-five* of the principal Act is hereby amended—

(a) by the substitution for paragraph (a) of sub-section (1) of the following paragraph:

“(a) to a member of—

(i) the South African Defence Force, other than a member of the Permanent Force; or

(ii) the Reserve, other than a member of the Permanent Force Reserve,

(b) geen diens ingevolge hierdie sub-artikel in verband met die voorkoming of onderdrukking van binnelandse onluste in die Unie, langer as vier dae voortduur na die verstryking van die tydperk wat die diens of opleiding wat die lid verrig of ondergaan, sou geduur het nie.

(2) Ondanks die bepalinge van sub-artikels (1) en (2) van artikel *twee-en-negentig*, moet 'n in sub-artikel (1) van hierdie artikel bedoelde lid op bevel van 'n voorgeskrewe offisier diens verrig ter behoud of bewaring van lewens, gesondheid of eiendom of ter instandhouding van noodsaaklike dienste: Met dien verstande dat sodanige diens nie mag voortduur na die verstryking van die tydperk wat deur sodanige diens of opleiding in beslag geneem sou gewees het nie."

15. Artikel *drie-en-negentig* van die Hoofwet word hierby gewysig deur al die woorde na die woord „woon” te skrap. Wysiging van artikel 93 van Wet 44 van 1957.

16. Artikel *honderd* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „tydens binnelandse onluste” deur die woorde „gedurende optrede ter voorkoming of onderdrukking van binnelandse onluste in die Unie” te vervang. Wysiging van artikel 100 van Wet 44 van 1957.

17. Artikel *honderd-en-twee* van die Hoofwet word hierby gewysig deur in sub-artikel (1) en in sub-artikel (2) na die woord „oorlogstyd” die woorde „of gedurende optrede ter voorkoming of onderdrukking van binnelandse onluste in die Unie” in te voeg. Wysiging van artikel 102 van Wet 44 van 1957.

18. Die volgende artikel word hierby na artikel *honderden-drie* in die Hoofwet ingevoeg: Invoeging van artikel 103bis in Wet 44 van 1957.

„Ont-ruiming of sametrekking van persone.

103bis. Die Minister kan in oorlogstyd of gedurende optrede ter voorkoming of onderdrukking van binnelandse onluste in die Unie, vir die doeltreffende verdediging of beskerming van die Unie of die voorkoming of onderdrukking van sodanige binnelandse onluste, by bevel bekendgemaak op die wyse wat hy in die omstandighede genoegsaam ag, gelas dat enige persoon of alle persone, of persone van een of ander kategorie 'n bepaalde gebou, perseel of gebied binne 'n tydperk in die bevel vermeld moet ontruim of aldaar moet saamtrek, en iemand wat versuim om aan so 'n bevel wat op hom betrekking het, te voldoen, is aan 'n misdryf skuldig: Met dien verstande dat geen bevel ingevolge hierdie artikel om in 'n gebou, perseel of gebied saam te trek, langer as vier dae van krag bly nie."

19. Artikel *honderd-en-vier* van die Hoofwet word hierby gewysig deur die volgende paragraaf by sub-artikel (5) te voeg: Wysiging van artikel 104 van Wet 44 van 1957.

„(c) op alle ander persone (behalwe lede van 'n besoekende mag) wat wettiglik aangehou word uit hoofde van, of wat vonnisse van detensie of gevangenisstraf uitdien wat opgelê is kragtens, die Reglement van Dissipline."

20. Artikel *honderd-en-tien* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „of van” deur die woorde „'n kommando of” te vervang. Wysiging van artikel 110 van Wet 44 van 1957.

21. Artikel *honderd-en-veertien* van die Hoofwet word hierby herroep. Herroeping van artikel 114 van Wet 44 van 1957.

22. Artikel *honderd een-en-veertig* van die Hoofwet word hierby gewysig deur die woorde „'n motorvoertuig, soos in sub-artikel (4) van artikel *sewe-en-tagtig* omskryf” deur die woorde „so 'n voertuig” te vervang. Wysiging van artikel 141 van Wet 44 van 1957.

23. Artikel *honderd vyf-en-veertig* van die Hoofwet word hierby gewysig— Wysiging van artikel 145 van Wet 44 van 1957, soos gewysig deur artikel 18 van Wet 80 van 1959.

(a) deur paragraaf (a) van sub-artikel (1) deur die volgende paragraaf te vervang:

„(a) op 'n lid van—

- (i) die Suid-Afrikaanse Weermag wat nie lid van die Staande Mag is nie; of
- (ii) die Reserwe wat nie lid van die Staandemag-reserwe is nie,

who is suffering from disablement caused or aggravated by his military service or training, irrespective of the date on which such disablement arose or was so aggravated, provided such disablement is not due to the member's own serious misconduct; and"; and

- (b) by the insertion in sub-section (3) after the word "Force" of the words "or the Reserve, as the case may be".

Amendment of section 146 of Act 44 of 1957.

24. Section *one hundred and forty-six* of the principal Act is hereby amended by the insertion in sub-section (1) before the words "or the Cadet Corps" of the words "or the Reserve (other than a member of the Permanent Force Reserve)".

Insertion of section 149bis in Act 44 of 1957.

25. The following section is hereby inserted in the principal Act after section *one hundred and forty-nine*:

"Non-liability of Department.

149bis. (1) The Government or any person in the service of the State shall not be liable (except in the case of any wilful act or omission on the part of any such person) to any person referred to in paragraph (a), (b) or (c) of sub-section (3) of section *seventy-six*, or to the spouse, or any parent, child or other dependant of any such person, for any loss or damage resulting from any bodily injury, loss of life or loss of or damage to property caused by or arising out of or in connection with or during the execution of any act referred to in any of the said paragraphs.

(2) Whenever the Government has paid any compensation in respect of a claim by any person for any such loss or damage, the Government may, without having obtained any formal cession of the right of action, recover from the appropriate person referred to in any of the aforementioned paragraphs, the amount paid by way of compensation or so much thereof, if anything, as the Minister in consultation with the Minister of Finance (or any person acting under the Minister's authority in consultation with any officer in the Department of Finance deputed thereto by the Minister of Finance) considers the circumstances justify the Government in claiming."

Amendment of section 153 of Act 44 of 1957

26. Section *one hundred and fifty-three* of the principal Act is hereby amended by the insertion in sub-section (1) after the word "Act" of the words "and any amendment thereof, whenever enacted".

Short title.

27. This Act shall be called the Defence Amendment Act, 1961.

en wat ly aan ongeskiktheid deur sy militêre diens of opleiding veroorsaak of vererger, ongeag die datum waarop die ongeskiktheid ontstaan het of aldus vererger is, mits daardie ongeskiktheid nie aan die lid se eie ernstige wangedrag te wyte is nie; en"; en

- (b) deur in sub-artikel (3) na die woord „Weermag” die woorde „of die Reserwe, na gelang van die geval,” in te voeg.

24. Artikel *honderd ses-en-veertig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) voor die woorde „of die Kadetkorps” die woorde „of die Reserwe (uitgesonderd ’n lid van die Staandemagreserwe)” in te voeg. Wysiging van artikel 146 van Wet 44 van 1957.

25. Die volgende artikel word hierby na artikel *honderd nege-en-veertig* in die Hoofwet ingevoeg: Invoeging van artikel 149bis in Wet 44 van 1957.

„Departement nie aanspreeklik nie.

149bis. (1) Die Regering of iemand in diens van die Staat is nie aanspreeklik nie (behalwe in die geval van ’n opsetlike handeling of versuim aan die kant van so iemand) teenoor iemand in paragraaf (a), (b) of (c) van sub-artikel (3) van artikel *ses-en-sewentig* genoem, of teenoor die eggenoot of ’n ouer, kind of ander afhanklike van so iemand, vir verlies of skade as gevolg van liggaamlike besering, lewensverlies of verlies van of skade aan eiendom wat veroorsaak word deur of voortspruit uit of in verband met of gedurende die uitvoering van ’n handeling in een of ander van daardie paragrawe bedoel.

(2) Wanneer die Regering skadevergoeding ten opsigte van ’n eis deur iemand vir sodanige verlies of skade betaal het, kan die Regering, sonder dat hy ’n formele sessie van die vorderingsreg verkry het, op die gepaste in een of ander van voormelde paragrawe bedoelde persoon die bedrag verhaal wat as skadevergoeding betaal is of soveel daarvan, indien enigiets, as wat die Minister in oorleg met die Minister van Finansies (of iemand wat op gesag van die Minister handel in oorleg met ’n beampte in die Departement van Finansies daartoe gemagtig deur die Minister van Finansies) dit in die omstandighede billik ag vir die Regering om te vorder.”.

26. Artikel *honderd drie-en-vyftig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) na die woord „Wet” die woorde „en enige wysiging daarvan wanneer ook al aangebring” in te voeg. Wysiging van artikel 153 van Wet 44 van 1957.

27. Hierdie Wet heet die Wysigingswet op Verdediging, 1961. Kort titel.

No. 13, 1961.]

ACT

To amend the Unemployment Insurance Act, 1946.

(English text signed by the Governor-General.)
(Assented to 21st March, 1961.)

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:—

Definitions.

1. In this Act "principal Act" means the Unemployment Insurance Act, 1946 (Act No. 53 of 1946), and any expression to which a meaning has been assigned in the principal Act shall, when used in this Act, have the same meaning unless the context otherwise indicates.

Amendment of section 38 of Act 53 of 1946.

2. Section *thirty-eight* of the principal Act is hereby amended by the addition thereto of the following sub-section:

"(5) When any person applies for benefits the claims officer may require him to submit proof to the satisfaction of the claims officer that he is, or has been, actively seeking work."

Amendment of section 39 of Act 53 of 1946, as amended by section 9 of Act 41 of 1949, section 1 of Act 57 of 1951, section 8 of Act 48 of 1952, Proclamation 155 of 1952, section 5 of Act 10 of 1954, section 6 of Act 9 of 1957 and section 6 of Act 76 of 1959.

3. Section *thirty-nine* of the principal Act is hereby amended—
(a) by the substitution for the rates specified in sub-section (1) of the following rates:

"Group I	R2.45 per calendar week or three-quarters of his weekly earnings, whichever is the less;
Group II	R3.50 per calendar week or three-quarters of his weekly earnings, whichever is the less;
Group III	R4.55 per calendar week;
Group IV	R5.60 per calendar week;
Group V	R6.65 per calendar week;
Group VI	R7.70 per calendar week;
Group VII	R8.75 per calendar week;
Group VIII	R9.80 per calendar week;
Group IX	R10.85 per calendar week;
Group X	R11.90 per calendar week;
Group XI	R13.30 per calendar week;
Group XII	R14.00 per calendar week"; and

(b) by the insertion in the proviso to sub-section (1) after the words "contributor is" of the words "or was at any time".

Amendment of section 40 of Act 53 of 1946, as amended by section 10 of Act 41 of 1949, section 10 of Act 48 of 1952, section 7 of Act 10 of 1954 and section 8 of Act 9 of 1957.

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

- (a) by the substitution in paragraph (i) of sub-section (1) for the word "six" of the word "thirteen"; and
(b) by the insertion in paragraph (b) of sub-section (2), after the words "which is", of the words "save where, in the opinion of the claims officer, the contributor is not capable of undertaking the work in which he has been ordinarily employed,".

Substitution of Schedule to Act 53 of 1946, as substituted by section 12 of Act 9 of 1957.

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

Payment of certain amounts on the basis of a coinage system other than that on which the amount payable is or was for the time being based.

6. (1) Where any amount which is payable to the Secretary in terms of sub-section (4) of section *thirty-two* of the principal Act is paid on the basis of a coinage system other than that on which the amount so payable is or was for the time being based the amount so paid shall, if it is considered by the Secretary to be substantially equivalent to the amount payable in terms of that sub-section, be deemed to be the amount so payable.

(2) Sub-section (1) shall be deemed to have come into operation on the fourteenth day of February, 1961.

No. 13, 1961.]

WET

Tot wysiging van die Werkloosheidversekeringswet, 1946.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 21 Maart 1961.)

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 beteken „Hoofwet” die Werkloosheid-versekeringswet, 1946 (Wet No. 53 van 1946), en het enige uitdrukking waaraan ’n betekenis in die Hoofwet toegeskryf is, dieselfde betekenis wanneer dit in hierdie Wet gebesig word, tensy uit die samehang anders blyk. Woordbepaling.
2. Artikel *agt-en-dertig* van die Hoofwet word hierby gewysig deur die volgende sub-artikel daarby te voeg: Wysiging van artikel 38 van Wet 53 van 1946.

„(5) Wanneer iemand om voordele aansoek doen kan die eisebeampte eis dat hy tot bevrediging van die eisebeampte bewys lewer dat hy daadwerklik werk soek of gesoek het.”.
3. Artikel *nege-en-dertig* van die Hoofwet word hierby gewysig— Wysiging van artikel 39 van Wet 53 van 1946, soos gewysig deur artikel 9 van Wet 41 van 1949, artikel 1 van Wet 57 van 1951, artikel 8 van Wet 48 van 1952, Proklamasie 155 van 1952, artikel 5 van Wet 10 van 1954, artikel 6 van Wet 9 van 1957 en artikel 6 van Wet 76 van 1959.

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

„Groep I	R2.45 per kalenderweek of drie-kwart van sy weeklikse verdienste, na gelang van watter bedrag die minste is;
Groep II	R3.50 per kalenderweek of drie-kwart van sy weeklikse verdienste na gelang van watter bedrag die minste is;
Groep III	R4.55 per kalenderweek;
Groep IV	R5.60 per kalenderweek;
Groep V	R6.65 per kalenderweek;
Groep VI	R7.70 per kalenderweek;
Groep VII	R8.75 per kalenderweek;
Groep VIII	R9.80 per kalenderweek;
Groep IX	R10.85 per kalenderweek;
Groep X	R11.90 per kalenderweek;
Groep XI	R13.30 per kalenderweek;
Groep XII	R14.00 per kalenderweek.”; en

(b) deur in die voorbehoudsbepaling by sub-artikel (1) na die woorde „gewoonlik werksaam is” die woorde „of te eniger tyd gewoonlik werksaam was” in te voeg.
4. Artikel *veertig* van die Hoofwet word hierby gewysig— Wysiging van artikel 40 van Wet 53 van 1946, soos gewysig deur artikel 10 van Wet 41 van 1949, artikel 10 van Wet 48 van 1952, artikel 7 van Wet 10 van 1954 en artikel 8 van Wet 9 van 1957.

(a) deur in paragraaf (i) van sub-artikel (1) die woord „ses” deur die woord „dertien” te vervang; en

(b) deur in paragraaf (b) van sub-artikel (2), na die woord „wat”, waar dit die tweede keer voorkom, die woorde „behalwe waar die bydraer na die oordeel van die eisebeampte nie geskik is om die werk wat gewoonlik deur hom verrig word te doen nie,” in te voeg.
5. Die Bylae by die Hoofwet word hierby deur die Bylae by hierdie Wet vervang. Vervanging van Bylae by Wet 53 van 1946, soos vervang deur artikel 12 van Wet 9 van 1957.
6. (1) Waar ’n bedrag wat aan die Sekretaris betaalbaar is ingevolge sub-artikel (4) van artikel *twee-en-dertig* van die Hoofwet betaal word op die basis van ’n ander muntstelsel as dié waarop die bedrag aldus betaalbaar op die betrokke tydstop gebaseer is of was, word die bedrag aldus betaal, indien die Sekretaris dit as wesentlik gelyk aan die bedrag ag wat ingevolge daardie sub-artikel betaalbaar is, geag die bedrag te wees wat aldus betaalbaar is. Betaling van sekere bedrae op die basis van ’n ander muntstelsel as dié waarop die bedrag betaalbaar op die betrokke tydstop gebaseer is of was.

(2) Sub-artikel (1) word geag op die veertiende dag van Februarie 1961, in werking te getree het.

Short title and
commencement.

7. (1) This Act shall be called the Unemployment Insurance Amendment Act, 1961, and shall, subject to the provisions of sub-section (2) of section *six* and of sub-section (2) of this section, come into operation on a date to be fixed by the Governor-General by proclamation in the *Gazette*.

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

“Schedule.

RATES OF CONTRIBUTIONS BY EMPLOYERS AND CONTRIBUTORS.

Group According to Rate of Contributor's Annual Earnings	CONTRIBUTIONS PER WEEK	
	By the Employer in respect of every Contributor in his employ	By every Contributor
I Up to R234 per annum	One cent	One cent
II Exceeding R234 but not exceeding R390 per annum	Two cents	Two cents
III Exceeding R390 but not exceeding R546 per annum	Three cents	Three cents
IV Exceeding R546 but not exceeding R702 per annum	Four cents	Four cents
V Exceeding R702 but not exceeding R858 per annum	Five cents	Five cents
VI Exceeding R858 but not exceeding R1014 per annum	Six cents	Six cents
VII Exceeding R1014 but not exceeding R1170 per annum	Seven cents	Seven cents
VIII Exceeding R1170 but not exceeding R1326 per annum	Eight cents	Eight cents
IX Exceeding R1326 but not exceeding R1482 per annum	Eight cents	Nine cents
X Exceeding R1482 but not exceeding R1638 per annum	Eight cents	Ten cents
XI Exceeding R1638 but not exceeding R1794 per annum	Eight cents	Eleven cents
XII Exceeding R1794 but not exceeding R2500 per annum	Eight cents	Twelve cents.”

7. (1) Hierdie Wet heet die Wysigingswet op Werkloosheids-versekering, 1961, en tree, behoudens die bepalings van sub-artikel (2) van artikel *ses* en van sub-artikel (2) van hierdie artikel, in werking op 'n datum wat die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaal.

(2) Verskillende datums kan ingevolge sub-artikel (1) ten opsigte van die verskeie bepalings van hierdie Wet vasgestel word.

„Bylae.

SKALE VAN BYDRAES DEUR WERKGEWERS EN BYDRAERS.

Groep volgens die skaal van bydraer se jaarlikse verdienste	BYDRAES PER WEEK	
	Deur die werkgewer ten opsigte van elke bydraer in sy diens	Deur elke bydraer
I Tot en met R234 per jaar	Een sent	Een sent
II Meer as R234 maar nie meer as R390 per jaar nie	Twee sent	Twee sent
III Meer as R390 maar nie meer as R546 per jaar nie	Drie sent	Drie sent
IV Meer as R546 maar nie meer as R702 per jaar nie	Vier sent	Vier sent
V Meer as R702 maar nie meer as R858 per jaar nie	Vyf sent	Vyf sent
VI Meer as R858 maar nie meer as R1014 per jaar nie	Ses sent	Ses sent
VII Meer as R1014 maar nie meer as R1170 per jaar nie	Sewe sent	Sewe sent
VIII Meer as R1170 maar nie meer as R1326 per jaar nie	Agt sent	Agt sent
IX Meer as R1326 maar nie meer as R1482 per jaar nie	Agt sent	Nege sent
X Meer as R1482 maar nie meer as R1638 per jaar nie	Agt sent	Tien sent
XI Meer as R1638 maar nie meer as R1794 per jaar nie	Agt sent	Elf sent
XII Meer as R1794 maar nie meer as R2500 per jaar nie	Agt sent	Twaalf sent.”

No. 14, 1961.]

ACT

To amend the Mental Disorders Act, 1916.*(Afrikaans text signed by the Governor-General.)
(Assented to 21st March, 1961.)*

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of superscription to Chapter IV of Act 38 of 1916.

1. The superscription to Chapter IV of the Mental Disorders Act, 1916 (hereinafter referred to as the principal Act), is hereby amended by the addition at the end thereof of the words "AND OUT-PATIENTS".

Insertion of section 44bis in Act 38 of 1916.

2. The following section is hereby inserted in Chapter IV of the principal Act after section *forty-four*:

44bis. The superintendent of an institution (other than a licensed institution) may provide for the treatment thereof of any person—
(a) likely, in the opinion of the superintendent, to benefit from such treatment; and
(b) who is desirous of voluntarily submitting to such treatment; and
(c) who is not detained or lodged in any institution."

Amendment of section 53 of Act 38 of 1916, as amended by section 24 of Act 7 of 1944 and section 3 of Act 37 of 1957.

3. (1) Section *fifty-three* of the principal Act is hereby amended by the substitution for the word "Hygiene", wherever it occurs, of the word "Health".

(2) Anything done before the commencement of this Act by the Commissioner, as defined at that time in the principal Act, shall be deemed to have been done by the Commissioner as defined in the principal Act as amended by this Act.

(3) Any person who immediately prior to such commencement held office as Commissioner as defined at that time in the principal Act, shall be deemed to have been appointed Commissioner as defined in the principal Act as amended by this Act.

Substitution of section 79 of Act 38 of 1916, as substituted by section 4 of Act 37 of 1957.

4. The following section is hereby substituted for section *seventy-nine* of the principal Act:

79. (1) Subject to the provisions of sub-section (2), the maintenance and other expenses necessarily incurred in connection with the detention or treatment of any person in an institution by the Government, shall be defrayed out of monies appropriated by Parliament for the purpose.

(2) In the case of any such detention the said maintenance and other expenses which in terms of any law shall be borne by the Administration of the territory of South-West Africa, may be recovered from the estate of the person detained or from any person liable by law to contribute towards his maintenance."

Amendment of section 87 of Act 38 of 1916, as amended by section 31 of Act 7 of 1944 and section 7 of Act 37 of 1957.

5. Section *eighty-seven* of the principal Act is hereby amended by the substitution in the definition of "Commissioner" for the word "Hygiene" of the word "Health".

Short title.

6. This Act shall be called the Mental Disorders Amendment Act, 1961.

No. 14, 1961.]

WET

Tot wysiging van die „Wet op Geestesgebreken, 1916”.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 21 Maart 1961.)

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

1. Die opskrif by Hoofstuk IV van die „Wet op Geestesgebreken, 1916” (hieronder die Hoofwet genoem), word hierby gewysig deur aan die end daarvan die woorde „EN BUITEN-PATIËNTEN” by te voeg.

Wysiging van opskrif by Hoofstuk IV van Wet 38 van 1916.

2. Die volgende artikel word hierby in Hoofstuk IV van die Hoofwet na artikel vier-en-veertig ingevoeg:

Invoeging van artikel 44bis in Wet 38 van 1916.

„Buiten-patiënten. 44bis. De bestuurder van een inrichting (niet zijnde een gelicentieerde inrichting) kan voorzieningen treffen voor de behandeling aldaar van enige persoon die—

(a) volgens het oordeel van de bestuurder waarschijnlijk uit die behandeling voordeel trekken zal; en

(b) zich vrijwillig aan die behandeling wenst te onderwerpen; en

(c) niet in een inrichting aangehouden of gehuisvest wordt.”.

3. (1) Artikel drie-en-veertig van die Hoofwet word hierby gewysig deur die woord „Geesteshygiëne”, waar dit ook al voorkom, deur die woord „Geestesgezondheid” te vervang.

Wysiging van artikel 53 van Wet 38 van 1916, soos gewysig by artikel 24 van Wet 7 van 1944 en artikel 3 van Wet 37 van 1957.

(2) Enigiets wat voor die inwerkingtreding van hierdie Wet deur die Kommissaris, soos toentertyd in die Hoofwet omskryf, gedoen is, word geag deur die Kommissaris, soos omskryf in die Hoofwet soos gewysig by hierdie Wet, gedoen te gewees het.

(3) Iemand wat onmiddellik voor daardie inwerkingtreding die amp van Kommissaris, soos toentertyd in die Hoofwet omskryf, beklee het, word geag as Kommissaris soos omskryf in die Hoofwet soos gewysig by hierdie Wet, aangestel te gewees het.

4. Artikel nege-en-sewentig van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 79 van Wet 38 van 1916, soos vervang by artikel 4 van Wet 37 van 1957.

„Onkosten in verband met de aanhouding of behandeling van een persoon in een inrichting door de Regering. 79. (1) Behoudens de bepalingen van sub-artikel (2), worden de onderhoudskosten en andere kosten noodzakelijkerwijze aangegaan in verband met de aanhouding of behandeling in een inrichting door de Regering ingevolge de bepalingen van deze Wet, van een persoon, niet zijnde een persoon ten opzichte van wie de bepalingen van artikel drie-en-veertig of tachtig van toepassing zijn, uit door het Parlement daartoe bewilligde geld betaald.

(2) In het geval van een zodanige aanhouding kunnen zodanige onderhoudskosten en andere onkosten die ingevolge enige wet door de Administratie van het gebied Zuidwest-Afrika gedragen worden, op de boedel van de aangehoudene persoon of op een persoon die rechtens aansprakelijk is om tot zijn onderhoud bij te dragen, verhaald worden.”.

5. Artikel sewe-en-tagtig van die Hoofwet word hierby gewysig deur in die omskrywing van „Kommissaris” die woord „Geesteshygiëne” deur die woord „Geestesgezondheid” te vervang.

Wysiging van artikel 87 van Wet 38 van 1916, soos gewysig by artikel 31 van Wet 7 van 1944 en artikel 7 van Wet 37 van 1957.

6. Hierdie Wet heet die Wysigingswet op Geestesgebreke, Kort titel. 1961.

No. 16, 1961.]

ACT

To consolidate certain provisions relating to the raising of loans by the Government of the Union, the terms and conditions applicable to the raising of such loans, the administration and repayment of the moneys so raised, and matters incidental thereto.

(Afrikaans text signed by the Governor-General.)
(Assented to 21st March, 1961.)

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:—

Definitions.

1. In this Act, unless the context otherwise indicates—
 - (i) "consolidated stock" means stock issued in the United Kingdom; (ii)
 - (ii) "foreign currency" means any currency which is not legal tender in the Union; (i)
 - (iii) "local stock" means stock issued in the Union; (iv)
 - (iv) "Minister" means the Minister of Finance; (iii)
 - (v) "security" means any document issued under the authority of the Governor-General as evidence of a loan, and includes, in the case of any security referred to in sub-section (2) of section *five*, any document issued under the authority of the Minister as evidence of a loan, and, in the case of inscribed stock, the entry in the books of the stock; (v)
 - (vi) "Treasury" means any officer of the Department of Finance authorized by the Minister to perform any function assigned to the Treasury in this Act. (vi)

Borrowing of moneys to meet authorized loan expenditure.

2. Whenever any loan expenditure is sanctioned by any Appropriation Act, the Governor-General may borrow such sums as may, in addition to the amount at the credit of or accruing to the loan account, be required to defray such expenditure.

Limited general power to borrow money.

3. (1) The Governor-General may, in addition to any sum which he may borrow under section *two*, from time to time borrow such sums, not exceeding at any one time thirty million rand, as he may deem desirable.
- (2) No expenditure out of any sum borrowed under sub-section (1) shall be incurred unless such expenditure is authorized by an Appropriation Act.

Certain receipts to be credited to the loan account.

4. There shall be placed to the credit of the loan account—
 - (a) moneys received in respect of the sale of State-owned land;
 - (b) moneys received in respect of the repayment of advances or loans made from the loan account;
 - (c) moneys received in respect of the proceeds of the realization of assets originally purchased from the loan account, other than moneys received in respect of the sale of land or buildings pertaining to Government Bantu schools established under the Bantu Education Act, 1953 (Act No. 47 of 1953), which are not applied in reduction of expenditure;
 - (d) moneys accruing to the State under any lease or other contract disposing of a right to mine for precious or base metals;
 - (e) moneys received under the provisions of—
 - (i) section *forty-four* of the Mining of Precious Stones Ordinance, 1904 (Ordinance No. 4 of 1904), of the Orange Free State;
 - (ii) the Precious Stones Amendment Act, 1908 (Act No. 31 of 1908), of the Transvaal;
 - (iii) the Diamond Export Duty Act, 1957 (Act No. 16 of 1957); or
 - (iv) section *thirty-four* of the Precious Stones Act, 1927 (Act No. 44 of 1927);

No. 16, 1961.]

WET

Tot samevatting van sekere bepalinge met betrekking tot die aangaan van lenings deur die Unieregering, die bedinge en voorwaardes wat in verband met die aangaan van sodanige lenings geld, die beheer en terugbetaling van die gelde aldus geleen, en aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 21 Maart 1961.)

DIT WORD 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, beteken in hierdie Wet— Woord-
omskrywing.

- (i) „buitelandse betaalmiddel” enige betaalmiddel wat nie ’n wettige betaalmiddel in die Unie is nie; (ii)
- (ii) „gekonsolideerde effekte” effekte in die Verenigde Koninkryk uitgegee; (i)
- (iii) „Minister” die Minister van Finansies; (iv)
- (iv) „plaaslike effekte” effekte in die Unie uitgegee; (iii)
- (v) „sekuriteit” enige dokument wat op gesag van die Goewerneur-generaal uitgereik is as bewys van ’n lening, en ook, in die geval van sekuriteit in sub-artikel (2) van artikel vyf bedoel, enige dokument wat op gesag van die Minister uitgereik is as bewys van ’n lening, en, in die geval van ingeskrewe effekte, die inskrywing van die effekte in die boeke; (v)
- (vi) „Tesourie” ’n beampste van die Departement van Finansies wat deur die Minister gemagtig is om ’n werksaamheid in hierdie Wet aan die Tesourie opgedra, te verrig. (vi)

2. Wanneer leningsuitgawes deur ’n Begrotingswet gemagtig word, kan die Goewerneur-generaal die geld nodig om daardie uitgawes te bestry, leen vir sover dit die bedrag te bowe gaan wat op krediet van die leningsrekening staan of daaraan toekom. Leen van gelde
om gemagtigde
leningsuitgawes
te dek.

3. (1) Die Goewerneur-generaal kan, bo en behalwe enige som geld wat hy ingevolge artikel twee kan leen, van tyd tot tyd die somme geld leen wat hy wenslik ag, maar nie meer as dertig-miljoen rand op enige bepaalde tydstop nie. Beperkte
algemene
bevoegdheid om
geld te leen.

(2) Geen uitgawe word uit enige som geld wat ingevolge sub-artikel (1) geleen is, aangegaan nie, tensy daardie uitgawe deur ’n Begrotingswet gemagtig word.

4. Daar word op krediet van die leningsrekening geplaas—

- (a) gelde ontvang ten opsigte van die verkoop van Staatsgrond;
 - (b) gelde ontvang ten opsigte van die terugbetaling van voorskotte of lenings uit die leningsrekening verstrekk;
 - (c) gelde ontvang ten opsigte van die opbrengste verkry uit die tegeldemaking van bates oorspronklik uit die leningsrekening aangekoop, behalwe gelde ontvang ten opsigte van die verkoop van grond of geboue verbonde aan Staatsbantoeskole ingevolge die Wet op Bantoe-onderwys, 1953 (Wet No. 47 van 1953), ingestel, en nie tot vermindering van uitgawes aangewend nie;
 - (d) gelde wat aan die Staat toekom ingevolge ’n huur- of ander kontrak waarby oor ’n reg om edele of onedele metale te ontgin, beskik word;
 - (e) gelde ontvang ingevolge die bepalinge van—
 - (i) artikel vier-en-veertig van die „Mining of Precious Stones Ordinance, 1904” (Ordonnansie No. 4 van 1904), van die Oranje-Vrystaat;
 - (ii) die „Precious Stones Amendment Act, 1908” (Wet No. 31 van 1908), van Transvaal;
 - (iii) die Wet op Uitvoerbelasting op Diamante, 1957 (Wet No. 16 van 1957); of
 - (iv) artikel vier-en-dertig van die Wet op Edelgesteentes, 1927 (Wet No. 44 van 1927);
- Sekere ont-
vangste moet
op krediet van
die leningsrekening
geplaas word.

- (f) the amount by which the amount collected, in each period of twelve months ending on the thirty-first day of March, in respect of duty payable under the Death Duties Act, 1922 (Act No. 29 of 1922), or the Estate Duty Act, 1955 (Act No. 45 of 1955), exceeds the sum of three million rand;
- (g) the amount by which the revenue derived from State forests within the meaning of section *two* of the Forest Act, 1941 (Act No. 13 of 1941), including the revenue derived from the sale of forest produce as defined in the said section, in each period of twelve months ending on the thirty-first day of March, exceeds the sum of three million rand; and
- (h) such sums as may be appropriated by Parliament for the purpose.

Method of
raising loans.

5. (1) The Governor-General may in accordance with the conditions hereinafter prescribed, from time to time raise any sum of money which he is by this Act authorized to raise, or provide any security which may be required to be lodged in terms of any agreement entered into under sub-section (2), wholly or partly by means of—

- (a) local stock;
- (b) consolidated stock;
- (c) stock issued outside the Union and the United Kingdom;
- (d) bonds or debentures issued in the Union or elsewhere; or
- (e) Union loan certificates,

and may for the purposes of any such agreement, issue any other security required to be lodged thereunder.

(2) The Minister may, subject to the provisions of sub-sections (3) and (4), enter into an agreement with any Government or any bank or financial institution in a foreign country (including any international bank or institution), providing for a loan to the Union, by way of any foreign currency that he may deem expedient to acquire, against the issue, subject to the conditions hereinafter provided, of any security required to be lodged under such agreement—

- (a) of so much of any sum of money which the Governor-General is in terms of this Act authorized to raise in respect of any financial year of the Union, as the Governor-General may approve; or
- (b) of any amount, whether or not the Governor-General is so authorized to raise it or any part thereof, and whether or not the period during which the Minister is in terms of such agreement entitled to draw the whole or any part thereof (other than a repaid amount referred to in sub-section (5)) falls within more than one financial year.

(3) The Minister shall not under paragraph (b) of sub-section (2) enter into any agreement by which he or any other person on behalf of the Union is bound to draw any amount.

(4) If the Minister enters into any agreement under paragraph (b) of sub-section (2), there shall not under such agreement be drawn in respect of any financial year of the Union, a sum in excess of so much of any amount which the Governor-General is in terms of this Act authorized to raise in respect of that financial year, as the Governor-General may approve: Provided that in determining for the purposes of this sub-section any sum which has been drawn, any repaid amounts referred to in sub-section (5) which have again been drawn shall not be taken into account: Provided further that in determining during any financial year the unexercised borrowing powers for the purposes of section *thirty-two* of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), the Controller and Auditor-General shall, in relation to any loan under any such agreement, take into account only the sum which has for the purposes of that agreement been so approved in respect of that financial year.

(5) An agreement under paragraph (a) or (b) of sub-section (2) may provide that any moneys borrowed in terms thereof may at any time during the currency thereof (and whether or not the currency thereof extends over a period falling within more than one financial year) be repaid either in whole or in part, and that any amount so repaid shall again be available in terms thereof: Provided that the amount owing under the agreement shall at no time exceed, in the case of an agreement entered into under paragraph (a) of the said sub-section, the

- (f) die bedrag waarby die bedrag ingesamel in elke tydperk van twaalf maande eindigende op die een-en-dertigste dag van Maart, ten opsigte van belasting betaalbaar ingevolge die „Sterfrechten Wet, 1922” (Wet No. 29 van 1922), of die Boedelbelastingwet, 1955 (Wet No. 45 van 1955), die som van driemiljoen rand te bowe gaan;
- (g) die bedrag waarby die inkomste verkry uit Staatsbosse binne die bedoeling van artikel twee van die Boswet, 1941 (Wet No. 13 van 1941), met inbegrip van die inkomste verkry uit die verkoop van bosprodukte soos in daardie artikel omskryf, gedurende elke tydperk van twaalf maande eindigende op die een-en-dertigste dag van Maart, die som van driemiljoen rand te bowe gaan; en
- (h) die bedrae wat deur die Parlement vir die doel bewillig word.

5. (1) Die Goewerneur-generaal kan ooreenkomstig die hieronder omskrewe voorwaardes, van tyd tot tyd enige som geld leen wat hy ingevolge hierdie Wet gemagtig is om te leen, of enige sekuriteit verstrek wat ingevolge 'n ooreenkoms kragtens sub-artikel (2) aangegaan, verstrek moet word, geheel of gedeeltelik deur middel van—

Wyse waarop lenings aangegaan kan word.

- (a) plaaslike effekte;
- (b) gekonsolideerde effekte;
- (c) effekte buite die Unie en die Verenigde Koninkryk uitgereik;
- (d) obligasies of skuldbriewe in die Unie of elders uitgereik; of
- (e) Unieleningsertifikate,

en kan vir die doeleindes van so 'n ooreenkoms enige ander sekuriteit uitgee wat uit hoofde daarvan verstrek moet word.

(2) Die Minister kan, behoudens die bepalings van sub-artikels (3) en (4), met 'n regering of 'n bank of finansiële instelling in die buiteland (met inbegrip van 'n internasionale bank of instelling) 'n ooreenkoms aangaan waarby voorsiening gemaak word vir 'n lening aan die Unie, by wyse van buitelandse betaalmiddels wat hy wenslik ag om te verkry, teen die uitgifte onder die hieronder vermelde voorwaardes van enige sekuriteit wat ingevolge bedoelde ooreenkoms verstrek moet word—

- (a) van soveel van 'n som geld wat die Goewerneur-generaal ingevolge hierdie Wet gemagtig is om ten aansien van 'n boekjaar van die Unie op te neem, as wat die Goewerneur-generaal mag goedkeur; of
- (b) van enige bedrag, hetsy die Goewerneur-generaal aldus gemagtig is om dit of enige deel daarvan op te neem al dan nie, en hetsy die tydperk gedurende welke die Minister ingevolge so 'n ooreenkoms geregtig is om die geheel of 'n gedeelte daarvan (behalwe 'n in sub-artikel (5) bedoelde terugbetaalde bedrag) te trek, binne meer as een boekjaar val al dan nie.

(3) Die Minister gaan nie ingevolge paragraaf (b) van sub-artikel (2) 'n ooreenkoms aan waarby hy of 'n ander persoon namens die Unie verplig is om 'n bedrag te trek nie.

(4) Indien die Minister 'n ooreenkoms ingevolge paragraaf (b) van sub-artikel (2) aangaan, word daar nie ingevolge die ooreenkoms ten aansien van 'n boekjaar van die Unie 'n groter som getrek nie as soveel van 'n bedrag wat die Goewerneur-generaal ingevolge hierdie Wet gemagtig is om ten aansien van daardie boekjaar op te neem as wat die Goewerneur-generaal mag goedkeur: Met dien verstande dat by die bepaling, vir die doeleindes van hierdie sub-artikel van 'n som wat getrek is, terugbetaalde bedrae in sub-artikel (5) bedoel wat weer getrek is buite rekening gelaat word: Met dien verstande voorts dat by die bepaling gedurende 'n boekjaar, vir die doeleindes van artikel twee-en-dertig van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), van die leningsbevoegdheid wat nie uitgeoefen is nie, die Kontroleur en Ouditeur-generaal met betrekking tot 'n lening ingevolge so 'n ooreenkoms slegs die som wat vir die doeleindes van daardie ooreenkoms ten opsigte van daardie boekjaar aldus goedgekeur is, in aanmerking neem.

(5) 'n Ooreenkoms ingevolge paragraaf (a) of (b) van sub-artikel (2) aangegaan, kan bepaal dat gelde uit hoofde daarvan geleen te eniger tyd terwyl die ooreenkoms van krag is in die geheel of ten dele terugbetaal kan word, hetsy die ooreenkoms van krag is vir 'n tydperk wat binne meer as een boekjaar val al dan nie, en dat 'n aldus terugbetaalde bedrag weer ingevolge die ooreenkoms beskikbaar is: Met dien verstande dat die bedrag ingevolge die ooreenkoms verskuldig, nie te eniger tyd in die geval van 'n ooreenkoms ingevolge paragraaf (a) van

sum approved by the Governor-General in terms of that paragraph, and in the case of an agreement entered into under paragraph (b) of the said sub-section, the sum or the aggregate of the sums approved in terms of sub-section (4) by the Governor-General.

(6) Any such agreement may be signed by any person authorized thereto in writing by the Minister.

(7) The provisions of section *seventeen* shall apply in relation to all expenses in connection with the making of an agreement entered into under sub-section (2), and all interest and management charges payable under such an agreement shall be paid out of moneys appropriated for the purposes from the Consolidated Revenue Fund: Provided that where the South African Reserve Bank has been appointed as agent under sub-section (1) of section *seven*, the interest and any charge in the nature of a minimum interest payment payable under the relative agreement shall be paid by the said Bank.

(8) In the case of a loan under sub-section (1), the Governor-General may, and in the case of an agreement for a loan under sub-section (2), the Minister may, in anticipation of the raising of the loan or portion thereof or the drawing of any sum against the loan, as the case may be, borrow such sums as may be required, on the security of Treasury bills or by way of advances from a bank or from such other source as may be convenient.

Raising of
moneys from
Public Debt
Commissioners.

6. In addition to any amount which may be raised as provided in section *five*, the Governor-General may raise money from the Public Debt Commissioners by the issue to them of local stock or debentures on such conditions as regards interest thereon and repayment thereof as they may approve.

Appointment of
Reserve Bank
as agent for
purposes of any
loan agreement
entered into by
Minister.

7. (1) The Minister may appoint the South African Reserve Bank as his agent to do any act which he may do or is required to do under an agreement entered into under sub-section (2) of section *five*.

(2) If the said Bank is appointed as agent in terms of sub-section (1)—

(a) it shall pay to the Treasury, in the case of an agreement entered into under paragraph (a) of sub-section (2) of section *five*, the South African equivalent of the total amount of any foreign currency made available under the agreement, and in the case of any agreement entered into under paragraph (b) of the said sub-section, such amounts as the Governor-General may have approved under sub-section (4) of the said section;

(b) the Treasury shall in each case issue to the said Bank local registered stock issued in terms of sub-section (1) of section *five*, for an equivalent amount; and

(c) any foreign currency received under any such agreement shall be made over to the said Bank.

(3) Stock referred to in paragraph (b) of sub-section (2) shall bear interest, including any charge in the nature of a minimum interest payment, at the same rate as that payable to the lender of the foreign currency, and shall be redeemable on the termination of the agreement.

Conditions
of issue.

8. The Governor-General may, subject to the provisions of this Act, at the time of issue of any of the securities mentioned in this Act, prescribe conditions as to all or any of the following matters, namely—

(a) the price of issue of such securities;

(b) the denominations in which the securities will be issued and transferred;

(c) the rate of interest thereon;

(d) the times and places of the repayment of principal and payment of interest respectively;

(e) in the case of any issue of Union loan certificates, the conditions upon which any such certificate may be surrendered prior to the date of maturity thereof;

(f) the exchange of stock into certificates to bearer and the re-exchange as occasion may require of such certificates to bearer into stock;

(g) the exchange of bonds or debentures during the currency thereof, into stock,

and such other conditions as he may deem expedient.

daardie sub-artikel aangegaan, die bedrag deur die Goewerneur-generaal ingevolge daardie paragraaf goedgekeur, en in die geval van 'n ooreenkoms ingevolge paragraaf (b) van daardie sub-artikel aangegaan, die bedrag of gesamentlike bedrae ingevolge sub-artikel (4) deur die Goewerneur-generaal goedgekeur, te bowe mag gaan nie.

(6) So 'n ooreenkoms kan deur 'n persoon wat skriftelik deur die Minister daartoe gemagtig is, onderteken word.

(7) Die bepalings van artikel *sewentien* is van toepassing met betrekking tot alle uitgawes in verband met die aangaan van 'n ooreenkoms ingevolge sub-artikel (2), en alle rente en bestuurskoste wat ingevolge so 'n ooreenkoms betaalbaar word, word uit gelde vir die doel bewillig uit die Gekonsolideerde Inkomstefonds betaal: Met dien verstande dat waar die Suid-Afrikaanse Reserwebank ingevolge sub-artikel (1) van artikel *sewe* as agent aangestel is, die rente en enige bedrag by wyse van 'n minimum rentebetaling ingevolge die betrokke ooreenkoms betaalbaar, deur daardie Bank betaal moet word.

(8) In die geval van 'n lening ingevolge sub-artikel (1) kan die Goewerneur-generaal, en in die geval van 'n ooreenkoms vir 'n lening ingevolge sub-artikel (2) kan die Minister, in afwagting van die aangaan van die lening of 'n deel daarvan, of die trekking van 'n bedrag uit die lening, na gelang van die geval, die bedrae wat nodig mag wees teen sekuriteit van Skatkisbiljetten of by wyse van voorskotte van 'n bank of van 'n ander gerieflike bron leen.

6. Benewens enige bedrag wat volgens voorskrif van artikel *vyf* opgeneem kan word, kan die Goewerneur-generaal van die Openbare Skuldkommissaris geld opneem deur die uitgifte aan hulle van plaaslike effekte of obligasies, en wel op die voorwaardes wat betref rente daarop en terugbetaling daarvan wat hulle goedkeur.

Opneem van
geld van
Openbare Skuld-
kommissaris.

7. (1) Die Minister kan die Suid-Afrikaanse Reserwebank as sy agent aanstel vir die verrigting van enige handeling wat hy ingevolge 'n ooreenkoms kragtens sub-artikel (2) van artikel *vyf* aangegaan, kan of moet verrig.

Aanstelling van
Reserwebank as
agent vir
doeleindes van
leningsooreenkoms
deur Minister
aangegaan.

(2) Indien bedoelde Bank kragtens sub-artikel (1) as agent aangestel word—

(a) moet daardie Bank, waar 'n ooreenkoms ingevolge paragraaf (a) van sub-artikel (2) van artikel *vyf* aangegaan word, aan die Tesourie die ekwivalent in Suid-Afrikaanse betaalmiddels oorbetalen van die totale bedrag van enige buitelandse betaalmiddels wat ingevolge die ooreenkoms beskikbaar gestel word, en waar 'n ooreenkoms ingevolge paragraaf (b) van daardie sub-artikel aangegaan word, die bedrae wat die Goewerneur-generaal ingevolge sub-artikel (4) van bedoelde artikel goedgekeur het;

(b) moet die Tesourie in elke geval aan bedoelde Bank plaaslike geregistreerde effekte wat ingevolge sub-artikel (1) van artikel *vyf* uitgereik is vir 'n gelyke bedrag uitgee; en

(c) moet buitelandse betaalmiddels ingevolge so 'n ooreenkoms ontvang, aan gemelde Bank oorgedra word.

(3) Effekte in paragraaf (b) van sub-artikel (2) bedoel, dra rente, met inbegrip van enige bedrag by wyse van 'n minimum rentebetaling, teen dieselfde koers as dié wat aan die lener van die buitelandse betaalmiddels betaalbaar is, en is by beëindiging van die ooreenkoms aflosbaar.

8. Die Goewerneur-generaal kan, behoudens die bepalings van hierdie Wet, ten tyde van die uitgifte van sekuriteite in hierdie Wet genoem, voorwaardes voorskryf betreffende enige van of al die volgende aangeleenthede, naamlik—

Voorwaardes
van uitgifte.

(a) die prys van uitgifte van bedoelde sekuriteite;

(b) die eenhede waarin sekuriteite uitgegee en oorgedra sal word;

(c) die rentekoers daarop;

(d) die tye en plekke waar onderskeidelik terugbetaling van die hoofsom en betaling van rente moet geskied;

(e) in die geval van uitgifte van Unieleningssertifikate, die voorwaardes waarop so 'n sertifikaat voor die vervaldatum daarvan afgekoop kan word;

(f) die omsetting van effekte in sertifikate aan toonder, en die heromsetting na vereiste van omstandighede, van bedoelde sertifikate aan toonder in effekte;

(g) die omsetting van obligasies of skuldbriewe gedurende die geldigheid daarvan, in effekte,

en die ander voorwaardes wat hy raadsaam ag.

Provisions
applicable to
issues of local
stock.

9. (1) Local stock shall be disposed of either—

- (a) by public tender; or
- (b) by issue to the public at a fixed price on the best and most favourable terms obtainable, and under such other conditions as the Governor-General may, subject to the provisions of this Act, direct.

(2) The Treasury shall keep books relating to local stock and shall enter therein in respect of each issue of such stock—

- (a) the name and address of each owner for the time being of any amount of such stock; and
- (b) the amount of such stock held by each owner and the date or dates at which such stock was credited to such owner.

(3) On payment in full of the amount payable by an owner of such stock in respect of the stock credited to him, the Treasury shall issue to him a certificate of the amount of stock standing to his credit.

Local stock may
be inscribed
or registered.

10. (1) Local stock shall be issued as inscribed stock or as registered stock, as the Governor-General may direct.

(2) Stock issued as inscribed stock shall be transferable by entry in the books of the stock kept by the Treasury, and the said books shall be *prima facie* evidence of the title of any person in respect of stock of which he is entered as the owner.

(3) Stock issued as registered stock shall be transferable by a written instrument of transfer, and the stock certificate issued by the Treasury in respect of any such stock shall be *prima facie* evidence of the title of the holder of the certificate to the stock specified therein.

Provisions
applicable to
consolidated
stock.

11. (1) Consolidated stock shall be issued under the provisions of the Acts of the Parliament of the United Kingdom entitled the Colonial Stock Acts, 1877–1948, or any Acts amending them or substituted therefor, upon the best and most favourable terms obtainable and on such other conditions as the Governor-General may, subject to the provisions of this Act, at the time of issue direct.

(2) The regulations made by a registrar of stock under section *sixteen* of the Colonial Stock Act, 1877, may, notwithstanding anything contained in that Act or the Colonial Stock Act, 1892, provide that consolidated stock to which the regulations relate shall be transferable by instrument in writing in accordance with the regulations and in no other manner.

(3) Sub-section (2) shall apply in respect of stock issued before, as well as in respect of stock issued after the commencement of this Act.

(4) The Treasury may in its discretion at the request of a holder of any consolidated stock convert such stock into local stock.

(5) Any such stock shall be so converted at such value as the Treasury may determine, and shall be subject to such conditions as may be prescribed by the Governor-General under section *eight* at the time of the issue of such stock, except that the principal amount and interest shall be payable at Pretoria.

Provisions
applicable to
bonds and
debentures.

12. Bonds and debentures may be issued in the Union or elsewhere upon the best and most favourable terms obtainable and under such other conditions as the Governor-General may, subject to the provisions of this Act, at the time of issue direct.

Issue, renewal,
retirement and
conversion of
treasury bills.

13. Treasury bills may be issued in the Union or elsewhere, in sums of two hundred rand or any multiple of two hundred rand of a currency of twelve months or less upon the best and most favourable terms obtainable, and any such bills may be renewed or extended from time to time for a period not exceeding twelve months at any one time, and may, if it appears to be in the public interest, at any time before the due date thereof with the concurrence of the holders be retired or converted into debentures or stock.

Provisions
applicable to
Union loan
certificates.

14. (1) A Union loan certificate shall—

- (a) have on its face the amount and date of maturity thereof;
- (b) be issued at a discount;

9. (1) Plaaslike effekte word van die hand gesit of—
- (a) deur openbare tender; of
- (b) deur uitgifte aan die publiek teen 'n vasgestelde prys op die beste en mees voordelig moontlike voorwaardes, en onderworpe aan die ander voorwaardes wat die Goewerneur-generaal met inagneming van die bepalings van hierdie Wet mag bepaal.
- (2) Die Tesourie moet met betrekking tot plaaslike effekte registers hou en ten opsigte van elke uitgifte van sodanige effekte daarin aanteken—
- (a) die naam en adres van elke persoon wat van tyd tot tyd die eienaar van 'n bedrag van sodanige effekte is; en
- (b) die bedrag van sodanige effekte deur elke eienaar gehou en die datum of datums waarop daardie effekte aan bedoelde eienaar gekrediteer is.
- (3) By betaling van die volle bedrag deur 'n eienaar van sodanige effekte verskuldig ten opsigte van die effekte aan hom gekrediteer, reik die Tesourie aan hom 'n sertifikaat uit vir die bedrag van die effekte wat op sy krediet staan.

Bepalings van toepassing op uitgifte van plaaslike effekte.

10. (1) Plaaslike effekte word uitgegee as ingeskrewe effekte of as geregistreerde effekte, al na die Goewerneur-generaal bepaal.
- (2) Effekte wat as ingeskrewe effekte uitgereik is, is oordraagbaar deur inskrywing in die registers wat ten opsigte van die effekte deur die Tesourie gehou word, en bedoelde registers is *prima facie* bewys van die titel van 'n persoon ten opsigte van effekte waarvan hy as eienaar ingeskryf is.
- (3) Effekte wat as geregistreerde effekte uitgegee is, is oordraagbaar deur 'n skriftelike akte van oordrag, en die effekte-sertifikaat wat deur die Tesourie ten opsigte van sodanige effekte uitgereik is, is *prima facie* bewys van die titel van die houer van die sertifikaat op die daarin vermelde effekte.

Plaaslike effekte kan ingeskryf of geregistreer word.

11. (1) Gekonsolideerde effekte word uitgegee ingevolge die bepalings van die Wette van die Parlement van die Verenigde Koninkryk, genoem die „Colonial Stock Acts, 1877-1948”, of wette wat hulle wysig of vervang, op die beste en mees voordelig moontlike voorwaardes, en op die ander voorwaardes wat die Goewerneur-generaal met inagneming van die bepalings van hierdie Wet tydens uitgifte bepaal.
- (2) Die regulasies wat ingevolge artikel *sestien* van die „Colonial Stock Act, 1877”, deur 'n registrateur van effekte uitgevaardig is, kan, ondanks andersluidende bepalings van daardie Wet of die „Colonial Stock Act, 1892” bepaal dat gekonsolideerde effekte waarop die regulasies betrekking het, oordraagbaar is by skriftelike akte ooreenkomstig die regulasies, en op geen ander wyse nie.
- (3) Sub-artikel (2) is van toepassing ten opsigte van effekte uitgegee voor, sowel as ten opsigte van effekte uitgegee na die inwerkingtrekking van hierdie Wet.
- (4) Die Tesourie kan na goeddunke op versoek van 'n houer van gekonsolideerde effekte daardie effekte in plaaslike effekte omskep.
- (5) Sodanige effekte word aldus omskep teen die waarde wat die Tesourie bepaal, en is onderworpe aan die voorwaardes wat ten tyde van die uitgifte daarvan deur die Goewerneur-generaal artikel *agt* voorgeskryf word behalwe dat die hoofsom en rente in Pretoria betaalbaar is.

Bepalings van toepassing op gekonsolideerde effekte.

12. Obligasies en skuldbriewe kan in die Unie of elders uitgegee word op die beste en mees voordelig moontlike voorwaardes, en op die ander voorwaardes wat die Goewerneur-generaal met inagneming van die bepalings van hierdie Wet tydens uitgifte mag bepaal.

Bepalings van toepassing op betrekking tot obligasies en skuldbriewe.

13. Skatkisbiljette kan in bedrae van tweehonderd rand of 'n veelvoud van tweehonderd rand vir 'n tydperk van twaalf maande of minder en op die beste en mees voordelig moontlike voorwaardes in die Unie of elders uitgegee word, en sodanige biljette kan van tyd tot tyd hernuwe of verleng word vir 'n tydperk van hoogstens twaalf maande op 'n keer, en kan, indien dit in die openbare belang blyk te wees, met toestemming van die houters te eniger tyd voor die vervaldatum daarvan onttrek of in skuldbriewe of effekte omgesit word.

Uitgifte, hernuwing, onttrekking en omsetting van skatkisbiljette.

14. (1) 'n Unieleningsertifikaat—
- (a) moet op sy voorkant die bedrag en vervaldatum daarvan aantoon;
- (b) moet teen 'n diskonto uitgegee word;

Bepalings van toepassing op Unielenings-sertifikaat.

(c) be repaid at its face value upon maturity, which shall not be more than ten years from the date of issue; and

(d) in no case be for an amount exceeding two thousand rand.

(2) If a Union loan certificate is issued in favour of a person under twenty-one years of age or a married woman, such certificate may be repaid to the person under twenty-one years after he has attained the age of seven years, as if he were of full age or to the married woman as if she were unmarried.

(3) The Governor-General may prescribe as a condition of any particular issue of Union loan certificates that the interest thereon shall be exempt from income and super taxes, and the interest on the certificates issued with such a condition shall be so exempt.

(4) Notwithstanding anything to the contrary contained in the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), it shall be lawful to set aside annually as a deposit out of the Consolidated Revenue Fund such proportion of the interest payable upon maturity of Union loan certificates, as in the opinion of the Treasury may be required to distribute such interest equally over the period of currency of such certificates.

(5) The control, management, issue and repayment of Union loan certificates shall be vested in and entrusted to the Postmaster-General, subject to the conditions of issue prescribed under this Act.

(6) The proceeds of Union loan certificates shall be paid to the Postmaster-General who shall deal with them as if they were deposits in terms of the Public Debt Commissioners Act, 1911 (Act No. 18 of 1911).

(7) The provisions of section *seventy-one* of the Post Office Act, 1958 (Act No. 44 of 1958), shall *mutatis mutandis* apply in respect of Union loan certificates issued under this section.

Treasury not responsible for the fulfilment of trusts attaching to securities.

15. Neither the Treasury nor any agent appointed in its place under section *sixteen* shall be under any obligation as regards the due fulfilment of any trust, whether expressed, implied or constructive, to which any stock, bond, debenture, Treasury bill or Union loan certificate issued in the Union under this Act or any other law may be subject, notwithstanding that the Treasury or such agent has had notice that the stock, bond, debenture, bill or certificate is held subject to a trust.

Appointment of agents.

16. The Governor-General may appoint any bank or any person as an agent for the issue, management or repayment of any securities issued under this Act, or to do any other act which under this Act may or is required to be done by the Treasury, and may enter into an agreement with any such agent as to the duties to be performed and the remuneration therefor.

Costs of raising loans.

17. (1) The expenses necessarily incurred in connection with the issue of securities having a currency of not less than five years, including discount (if any), commission (if any) and all other expenses incidental to such issue, shall be paid out of the amount raised and the amount authorized to be borrowed shall be increased *pro tanto*.

(2) All such expenses incurred in connection with the issue of securities having a currency of less than five years shall be paid out of the revenue account and the provisions of this subsection shall be deemed to be an appropriation of such expenses.

Repayment of loans upon maturity.

18. (1) The Governor-General may on the maturity thereof repay any of the securities mentioned in this Act, and may raise the money required for such repayment by the issue of any of the said securities, and the further issue of securities for the purpose of repayment of existing securities upon maturity shall be deemed to be within the borrowing power conferred by this Act.

(2) The authority to repay conferred by sub-section (1) shall be deemed to be an appropriation of the moneys required for the repayment.

Loans chargeable upon the revenues and assets of the Union.

19. Any sum borrowed under the authority of this Act and the interest thereon shall, subject to the provisions of section *one hundred and twenty-four* of the South Africa Act, 1909, be chargeable upon and payable out of the revenues and assets of the Union.

- (c) moet teen sy nominale waarde terugbetaal word op die vervaldag daarvan wat nie langer as tien jaar na die datum van uitgifte mag wees nie;
- (d) mag in geen geval meer as tweeduisend rand bedra nie.
- (2) Indien 'n Unieleningsertifikaat ten gunste van 'n persoon onder een-en-twintig jaar of 'n getroude vrou uitgegee is, kan die sertifikaat terugbetaal word aan die persoon onder een-en-twintig jaar nadat hy die ouderdom van sewe jaar bereik het, asof hy meerderjarig was, of aan die getroude vrou asof sy ongetroud was.
- (3) Die Goewerneur-generaal kan as 'n voorwaarde van 'n bepaalde uitgifte van Unieleningsertifikaat voorskryf dat die rente daarop van inkomste- en superbelasting vrygestel sal wees en die rente op die sertifikaat wat met so 'n voorwaarde uitgegee is, is aldus vrygestel.
- (4) Ondanks andersluidende bepalings van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), is dit wettig om jaarliks as 'n deposito uit die Gekonsolideerde Inkomstefonds so 'n gedeelte van die rente wat op die vervaldag van Unieleningsertifikaat betaalbaar is, opsy te sit, as wat volgens die oordeel van die Tesourie nodig mag wees om die rente eweredig oor die geldigheidstydperk van bedoelde sertifikaat te verdeel.
- (5) Die beheer, bestuur, uitgifte en terugbetaling van Unieleningsertifikaat berus by en is opgedra aan die Posmeester-generaal, onderworpe aan die voorwaardes van uitgifte in hierdie Wet voorgeskryf.
- (6) Die opbrengs van Unieleningsertifikaat word betaal aan die Posmeester-generaal wat daarmee handel asof dit deposito's was ingevolge die „Openbare Schuld Kommissarissen Wet, 1911” (Wet No. 18 van 1911).
- (7) Die bepalings van artikel een-en-sewentig van die Poswet, 1958 (Wet No. 44 van 1958), is *mutatis mutandis* van toepassing met betrekking tot Unieleningsertifikaat ingevolge hierdie artikel uitgereik.

15. Nòg die Tesourie nòg enige agent ingevolge artikel *sestien* Tesourie nie in plaas van die Tesourie aangestel, is onder enige verpligting verantwoordelik met betrekking tot die behoorlike nakoming van 'n trust, vir nakoming hetsy uitdruklik, stilswyend of veronderstel, waaraan effekte, van trusts obligasies, skuldbriewe, skatkisbiljette of Unieleningsertifikaat verbonde aan wat ingevolge hierdie Wet of enige ander wetsbepaling in die Tesourie of bedoelde agent in kennis gestel dat die effekte, obligasies, skuldbriewe, biljette of sertifikaat onderhewig aan 'n trust sekuriteite nie gehou word.

16. Die Goewerneur-generaal kan enige bank of persoon as 'n agent aanstel vir die uitgifte, beheer of terugbetaling van sekuriteite wat ingevolge hierdie Wet uitgegee is, of om enige ander handeling te verrig wat ingevolge hierdie Wet deur die Tesourie kan of moet verrig word, en kan met so 'n agent 'n ooreenkoms betreffende die pligte wat vervul moet word en die beloning daarvoor aangaan. Aanstelling van agente.

17. (1) Die noodsaaklike koste aangegaan in verband met die uitgifte van sekuriteite wat nie binne vyf jaar verval nie, met inbegrip van diskonto (as daar is), kommissie (as daar is) en alle ander koste verbonde aan die uitgifte, word uit die geleende bedrag betaal, en die gemagtigde bedrag van die lening word *pro tanto* verhoog. Koste van aangaan van lenings.

(2) Enige sodanige koste aangegaan in verband met die uitgifte van sekuriteite wat binne vyf jaar verval, word uit die inkomsterekening betaal, en die bepalings van hierdie sub-artikel word geag 'n bewilliging van bedoelde uitgawes te wees.

18. (1) Die Goewerneur-generaal kan op die vervaldag daarvan enige van die in hierdie Wet genoemde sekuriteite terugbetaal, en kan die vir so 'n terugbetaling benodigde geld opneem deur die uitgifte van enige van bedoelde sekuriteite, en die verdere uitgifte van sekuriteite vir die terugbetaling van bestaande sekuriteite op die vervaldag daarvan, word geag binne die by hierdie Wet verleende leningsbevoegheid inbegrepe te wees. Terugbetaling van lenings op vervaldag.

(2) Die magtiging tot terugbetaling deur sub-artikel (1) verleen, word geag 'n bewilliging van die gelde benodig vir die terugbetaling te wees.

19. Enige bedrag ingevolge die by hierdie Wet verleende magtiging geleen, en die rente daarop is, behoudens die bepalings van artikel *honderd vier-en-twintig* van die „Zuid-Afrika Wet, 1909”, 'n las teen en betaalbaar uit die inkomste en bates van die Unie. Lenings 'n las teen die inkomste en bates van die Unie.

Regulations.

20. The Governor-General may make regulations prescribing—

- (a) the conditions as to the transfer of and the payment of interest on any securities;
- (b) the procedure which shall be observed and the forms which shall be used in carrying out the provisions of this Act; and
- (c) such fees and charges as to him may appear reasonable for the performance of any services provided for in this Act.

Repeal of laws.

21. (1) Subject to the provisions of sub-section (2), the laws specified in the Schedule to this Act are hereby repealed to the extent set out in the third column of that Schedule: Provided that where any moneys were prior to the commencement of the General Loans Consolidation and Amendment Act, 1917 (Act No. 22 of 1917), borrowed subject to any provision of a law repealed by that Act, that provision shall, save as is specially provided in section *fifteen* of this Act, continue to apply in respect of the borrowing of such moneys.

(2) Any regulation, approval, authority, certificate, document or security made, given, granted or issued and any other action taken under any provision of a law repealed by sub-section (1), shall be deemed to have been made, given, granted, issued or taken under the corresponding provision of this Act.

Short title.

22. This Act shall be called the General Loans Act, 1961.

Schedule.

LAWS REPEALED.

No. and Year of Law.	Title of Law.	Extent of Repeal.
Act No. 22 of 1917	The General Loans Consolidation and Amendment Act, 1917.	The whole.
Act No. 20 of 1919	The General Loans further Amendment Act, 1919.	The whole.
Act No. 38 of 1921	The Financial Adjustments Act, 1921.	Section <i>ten</i> .
Act No. 21 of 1928	The Financial Adjustments Act, 1928.	Section <i>two</i> .
Act No. 29 of 1933	The Financial Adjustments Act, 1933.	Section <i>ten</i> .
Act No. 50 of 1937	The Finance Act, 1937.	Section <i>five</i> .
Act No. 17 of 1938	The Finance Act, 1938.	Section <i>two</i> .
Act No. 43 of 1941	The Finance Act, 1941.	Section <i>eleven</i> .
Act No. 57 of 1946	The Finance Act, 1946.	Section <i>twenty</i> .
Act No. 2 of 1950	The General Loans Amendment Act, 1950.	The whole.
Act No. 36 of 1950	The Finance Act, 1950.	Sections <i>four</i> and <i>sixteen</i> .
Act No. 3 of 1951	The General Loans Amendment Act, 1951.	The whole.
Act No. 50 of 1952	The Finance Act, 1952.	Sections <i>seven</i> and <i>eight</i> .
Act No. 81 of 1957	The Finance Act, 1957.	Section <i>nine</i> .

20. Die Goewerneur-generaal kan regulasies uitvaardig Regulasies. waarby voorgeskryf word—

- (a) die voorwaardes betreffende die oordrag van en die betaling van rente op sekuriteite;
- (b) die prosedure wat by die uitvoering van die bepalings van hierdie Wet gevolg, en die vorms wat daarby gebruik moet word; en
- (c) die gelde en betalings wat hom billik voorkom, vir die verrigting van dienste in hierdie Wet bepaal.

21. (1) Behoudens die bepalings van sub-artikel (2), word die wette in die Bylae by hierdie Wet genoem, hierby herroep vir sover in die derde kolom van daardie Bylae vermeld word: Met dien verstande dat waar voor die inwerkingtreding van die „Algemene Leningen Konsolidatie en Wijzigings Wet, 1917” (Wet No. 22 van 1917), geld onderworpe aan 'n by daardie Wet herroepe wetsbepaling geleen is, daardie wetsbepaling, behalwe vir sover artikel vyftien van hierdie Wet uitdruklik anders bepaal, ten opsigte van die lening van daardie geld van toepassing bly.

Herroeping van Wette.

(2) Enige regulasie, goedkeuring, magtiging, sertifikaat, dokument of sekuriteit uitgevaardig, gegee, verleen of uitgereik en enige ander stappe gedoen kragtens 'n bepaling van 'n by sub-artikel (1) herroepe wet, word geag kragtens die ooreenstemmende bepaling van hierdie Wet uitgevaardig, gegee, verleen, uitgereik of gedoen te gewees het.

22. Hierdie Wet heet die Algemene Leningswet, 1961. Kort titel.

Bylae.

WETTE HERROEP.

No. en jaar van Wet.	Titel van Wet.	Omvang van herroeping.
Wet No. 22 van 1917	„De Algemene Leningen Konsolidatie en Wijzigings Wet, 1917”.	Die geheel.
Wet No. 20 van 1919	„De Algemene Leningen Verdere Wijzigingswet, 1919”.	Die geheel.
Wet No. 38 van 1921	„De Financiële Regelings Wet, 1921”.	Artikel tien.
Wet No. 21 van 1928	Die Financiële Reëlingswet, 1928.	Artikel twee.
Wet No. 29 van 1933	Die Financiële Reëlingswet, 1933.	Artikel tien.
Wet No. 50 van 1937	Die Finansiewet, 1937.	Artikel vyf.
Wet No. 17 van 1938	Die Finansiewet, 1938.	Artikel twee.
Wet No. 43 van 1941	Die Finansiewet, 1941.	Artikel elf.
Wet No. 57 van 1946	Die Finansiewet, 1946.	Artikel twintig.
Wet No. 2 van 1950	Die Wysigingswet op Algemene Lenings, 1950.	Die geheel.
Wet No. 36 van 1950	Die Finansiewet, 1950.	Artikels vier en ses-tien.
Wet No. 3 van 1951	Die Wysigingswet op Algemene Lenings, 1951.	Die geheel.
Wet No. 50 van 1952	Die Finansiewet, 1952.	Artikels sewe en agt.
Wet No. 81 van 1957	Die Finansiewet, 1957.	Artikel nege.

No. 17, 1961.]

ACT

To apply a further sum not exceeding sixteen million eight hundred and fifty-three thousand one hundred and ninety-six rand towards the service of the Union for the financial year ending on the thirty-first day of March, 1961.

(English text signed by the Governor-General.)
(Assented to 21st March, 1961.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Exchequer Account
charged with sum
not exceeding
R14,368,833 on
Revenue Account.

1. The Exchequer Account is hereby charged with such sums of money as may be required for the service of the Union (and chargeable to the Revenue Account) for the financial year ending on the thirty-first day of March, 1961, not exceeding in the aggregate fourteen million three hundred and sixty-eight thousand eight hundred and thirty-three rand, in addition to the sums with which that Account has been charged by the Appropriation Act, 1960 (Act No. 68 of 1960).

Exchequer Account
charged with sum
not exceeding
R7,600 on Bantu
Education
Account.

2. The Exchequer Account is further charged with such sums of money as may be required for the service of the Union (and chargeable to the Bantu Education Account) for the financial year ending on the thirty-first day of March, 1961, not exceeding in the aggregate seven thousand six hundred rand, in addition to the sums with which that Account has been charged by the Appropriation Act, 1960 (Act No. 68 of 1960).

Exchequer Account
charged with sum
not exceeding
R2,476,763 on
Loan Account.

3. The Exchequer Account is further charged with such sums of money as may be required for the service of the Union (and chargeable to the Loan Account) for the financial year ending on the thirty-first day of March, 1961, not exceeding in the aggregate two million four hundred and seventy-six thousand seven hundred and sixty-three rand, in addition to the sums with which that Account has been charged by the Appropriation Act, 1960 (Act No. 68 of 1960).

How money to be
applied.

4. The money appropriated by this Act shall be applied to the services detailed in the Schedule hereto, and more particularly specified in the Estimates of Additional Expenditure [U.G. 2—1961] as approved by Parliament, and to no other purpose.

Minister may
approve variation.

5. With the approval of the Minister of Finance, a saving on any sub-head of a vote may be made available to meet excess expenditure on any other sub-head, or expenditure on a new sub-head of the same vote: Provided that the sums appearing in column 2 of the Schedule shall not be exceeded, nor shall savings thereon be available for any purpose other than that for which the money is hereby granted as indicated in the said Schedule.

Short title.

6. This Act shall be known as the Additional Appropriation Act, 1961.

No. 17, 1961.]

WET

Tot aanwending van 'n verdere som van hoogstens sestienmiljoen agthonderd drie-en-vyftigduisend eenhonderd ses-en-negentig rand vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1961 eindig.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 21 Maart 1961.)

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

1. Die Skatkisrekening word hiermee belas met die somme geld wat nodig mag wees vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1961 eindig, maar gesamentlik hoogstens veertienmiljoen driehonderd agt-en-sestigduisend agthonderd drie-en-dertig rand ten laste van die Inkomsterekening benewens die somme waarmee bedoelde Rekening deur die Begrotingswet, 1960 (Wet No. 68 van 1960), belas is.

Skatkisrekening
belas met som
van hoogstens
R14,368,833 op
Inkomsterekening.

2. Die Skatkisrekening word verder belas met die somme geld wat nodig mag wees vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1961 eindig, maar gesamentlik hoogstens seweduisend seshonderd rand ten laste van die Bantoe-onderwysrekening benewens die somme waarmee bedoelde Rekening deur die Begrotingswet, 1960 (Wet No. 68 van 1960), belas is.

Skatkisrekening
belas met som van
hoogstens
R7,600 op
Bantoe-onderwys-
rekening.

3. Die Skatkisrekening word verder belas met die somme geld wat nodig mag wees vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1961 eindig, maar gesamentlik hoogstens tweemiljoen vierhonderd ses-en-sewentigduisend sewehonderd drie-en-sestig rand ten laste van die Leningsrekening benewens die somme waarmee bedoelde Rekening deur die Begrotingswet, 1960 (Wet No. 68 van 1960), belas is.

Skatkisrekening
belas met som van
hoogstens
R2,476,763 op
Leningsrekening.

4. Die geld wat deur hierdie Wet beskikbaar gestel word, moet aangewend word vir die dienste in besonderhede in die aangehegte Bylae vermeld en meer omstandig uiteengesit in die Begroting van Addisionele Uitgawes [U.G. 2—1961], soos deur die Parlement goedgekeur en vir geen ander doel nie.

Hoe die geld
bestee moet word.

5. Met goedkeuring van die Minister van Finansies kan 'n besparing onder die een subhoof van 'n begrotingspos aangewend word tot dekking van uitgawes bo die gemagtigde bedrag onder 'n ander subhoof, of van uitgawe onder 'n nuwe subhoof van dieselfde begrotingspos: Met dien verstande dat die somme wat in kolom 2 van die Bylae voorkom, nie oorskry mag word nie, en besparings daarop ewemin aangewend mag word vir enige ander doel as dié waarvoor die geld hierby toegestaan word soos in die gemelde Bylae aangedui.

Die Minister kan
'n afwyking goed-
keur.

6. Hierdie Wet heet die Addisionele Begrotingswet, 1961. Kort titel.

Schedule.

No.	Vote		Column 1.	Column 2.
	Designation			
	(Chargeable to Revenue Account.)		R	R
4	Prime Minister	.. .. .	41,600	
5	Lands	.. .. .	1	
9	Public Works	.. .. .	50,000	
	Including—			
	Grants-in-aid to approved Societies for the care of War graves in South Africa			15,000
10	External Affairs	.. .. .	100,000	
11	South African Information Service	.. .. .	139,400	
15	South Africa House, London (Administrative Services)	.. .. .	7,000	
16	South African Mint	.. .. .	237,240	
17	Inland Revenue	.. .. .	41,830	
18	Customs and Excise	.. .. .	568,552	
21	Justice	.. .. .	492,000	
22	Prisons	.. .. .	744,000	
23	Police	.. .. .	654,000	
	Including—			
	Purchase of motor vehicles			202,000
	Secret Services			1,000
25	Interior	.. .. .	685,400	
	Including—			
	Grants-in-Aid:			
	German Settlers Centenary Celebrations Committee			4,000
	South African Immigration Trust			10,000
26	Public Service Commission	.. .. .	8,951	
27	Printing and Stationery	.. .. .	148,000	
28	Coloured Affairs	.. .. .	94,400	
	Including—			
	Child Welfare—Special Grants-in-aid			7,000
29	Education, Arts and Science	.. .. .	202,400	
	Including—			
	State-aided Institutions			2,200
31	Social Welfare and Pensions	.. .. .	1,544,000	
34	Bantu Administration and Development	.. .. .	120,000	
	Including—			
	S.A. Native Trust Fund			120,000
35	Agricultural Technical Services (Administration and National Services)	.. .. .	430,600	
36	Agricultural Technical Services (Regional Services and Education)	.. .. .	110,000	
37	Water Affairs	.. .. .	12,958	
	Including—			
	Combating of Soil Erosion			7,000
	Subsidies and Extra-statutory Subsidies to Boards, Local Authorities and Persons			1,675
38	Commerce and Industries	.. .. .	45,300	
	Including—			
	Official entertainment			100
	S.A. Council for Scientific and Industrial Research			44,000
39	Posts, Telegraphs and Telephones	.. .. .	1	
40	Health (Union)	.. .. .	1,100,000	
41	Health (Union): Hospitals and Institutions	.. .. .	500,000	
44	Agricultural Economics and Marketing (General)	.. .. .	735,800	
45	Defence	.. .. .	5,555,400	
	Total	.. .. .	R 14,368,833	
	(Chargeable to Bantu Education Account.)			
	Bantu Education	.. .. .	R 7,600	
	(Chargeable to Loan Account.)			
A.	Miscellaneous Loans and Services	.. .. .	180,000	
B.	Public Works	.. .. .	301,050	
C.	Telegraphs, Telephones and Radio Services	.. .. .	300,000	
D.	Lands and Settlements	.. .. .	4,001	
	Including—			
	Purchase of Land			4,001
E.	Water Affairs	.. .. .	3,860	
	Including—			
	1. Government Water Schemes			3,858
	4. Loans to Boards, Local Authorities and Persons			2
F.	Forestry	.. .. .	200,000	
L.	Transport	.. .. .	471,600	
M.	Education, Arts and Science	.. .. .	430,005	
N.	Bantu Administration and Development	.. .. .	1	
Q.	Bantu Education	.. .. .	586,246	
	Total	.. .. .	R 2,476,763	

Bylae.

No.	Begrotingspos		Kolom 1.	Kolom 2.
	Benaming			
	(Ten laste van Inkomsterekening.)		R	R
4	Eerste Minister	.. .. .	41,600	
5	Lande .. .. .	.. .. .	1	
9	Publieke Werke	.. .. .	50,000	
	Met inbegrip van—			
	Hulptoelaes aan goedgekeurde			
	Verenigings vir die versorging			
	van Oorlogsgrafte in Suid-			
	Afrika	.. .. .		15,000
10	Buitelandse Sake	.. .. .	100,000	
11	Suid-Afrikaanse Inligtingsdiens	.. .. .	139,400	
15	Suid-Afrika Huis, Londen (Admini- stratiewe Dienste)	.. .. .	7,000	
16	Suid-Afrikaanse Munt	.. .. .	237,240	
17	Binnelandse Inkomste	.. .. .	41,830	
18	Doeane en Aksyns	.. .. .	568,552	
21	Justisie	.. .. .	492,000	
22	Gevangenisne	.. .. .	744,000	
23	Polisie	.. .. .	654,000	
	Met inbegrip van—			
	Aankoop van motorvoertuie	.. .. .		202,000
	Geheime dienste	.. .. .		1,000
25	Binnelandse Sake	.. .. .	685,400	
	Met inbegrip van—			
	Hulptoelaes:			
	Duitse Landverhuiserseuefees-			
	komitee	.. .. .		4,000
	Suid-Afrikaanse Immigrasie-			
	trust	.. .. .		10,000
26	Staatsdienskommissie	.. .. .	8,951	
27	Drukwerk en Skryfbehoeftes	.. .. .	148,000	
28	Kleurlingsake	.. .. .	94,400	
	Met inbegrip van—			
	Kindersorg—Spesiale Hulptoe-			
	laes	.. .. .		7,000
29	Onderwys, Kuns en Wetenskap	.. .. .	202,400	
	Met inbegrip van—			
	Staatsondersteunde Inrigtings	.. .. .		2,200
31	Volkswelsyn en Pensioene	.. .. .	1,544,000	
34	Bantoe-administrasie en -ontwikke- ling	.. .. .	120,000	
	Met inbegrip van—			
	S.A. Naturelletrustfonds	.. .. .		120,000
35	Landbou-tegniese Dienste (Admini- strasie en Nasionale Dienste)	.. .. .	430,600	
36	Landbou-tegniese Dienste (Streek- dienste en Onderwys)	.. .. .	110,000	
37	Waterwese	.. .. .	12,958	
	Met inbegrip van—			
	Bestryding van Grondverspoe- ling	.. .. .		7,000
	Subsidies en Ekstra-statutêre subsidies aan Rade, Plaaslike Besture en Persone	.. .. .		1,675
38	Handel en Nywerheid	.. .. .	45,300	
	Met inbegrip van—			
	Amptelike onthaal	.. .. .		100
	S.A. Wetenskaplike en Nywer- heidnavorsingsraad	.. .. .		44,000
39	Pos-, Telegraaf- en Telefoonwese	.. .. .	1	
40	Gesondheid (Unie)	.. .. .	1,100,000	
41	Gesondheid (Unie): Hospitale en Inrigtings	.. .. .	500,000	
44	Landbou-ekonomie en -bemarking (Algemeen)	.. .. .	735,800	
45	Verdediging	.. .. .	5,555,400	
	Totaal	.. .. .	R 14,368,833	
	(Ten laste van Bantoe-onderwys- rekening.)			
	Bantoe-onderwys	.. .. .	R 7,600	
	(Ten laste van Leningsrekening.)			
A.	Diverse Lenings en Dienste	.. .. .	180,000	
B.	Publieke Werke	.. .. .	301,050	
C.	Telegraaf-, Telefoon- en Radiodienste	.. .. .	300,000	
D.	Lande en Nedersettings	.. .. .	4,001	
	Met inbegrip van—			
	Aankoop van Grond	.. .. .		4,001
E.	Waterwese	.. .. .	3,860	
	Met inbegrip van—			
	1. Staatswaterskemas	.. .. .		3,858
	4. Lenings aan Rade, Plaaslike Besture en Persone	.. .. .		2
F.	Bosbou	.. .. .	200,000	
L.	Vervoer	.. .. .	471,600	
M.	Onderwys, Kuns en Wetenskap	.. .. .	430,005	
N.	Bantoe-administrasie en -ontwikke- ling	.. .. .	1	
Q.	Bantoe-onderwys	.. .. .	586,246	
	Totaal	.. .. .	R 2,476,763	

SUMMARY.

Amount chargeable to Revenue Account ..	.. R14,368,833
Amount chargeable to Bantu Education Account ..	.. 7,600
Amount chargeable to Loan Account ..	.. 2,476,763
Total	.. <u>R16,853,196</u>

No. 15, 1961.]

ACT

To apply a further sum of money towards the service of the Union for the financial year ended on the thirty-first day of March, 1960, for the purpose of meeting and covering certain unauthorized expenditure.

(English text signed by the Governor-General.)
(Assented to 21st March, 1961.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Exchequer
Account
charged with
R70,717.36.

1. The Exchequer Account of the Union is hereby charged with the sum of seventy thousand seven hundred and seventeen rand and thirty-six cents to meet certain expenditure over and above the amounts appropriated for the service of the Union for the financial year which ended on the thirty-first day of March, 1960. Such expenditure is set forth in the Schedule to this Act and is more particularly specified on pages 9 and 10 of the Report (which has been submitted to Parliament) of the Controller and Auditor-General on the accounts for the said financial year and in the First Report of the Select Committee on Public Accounts, 1961.

Short title.

2. This Act shall be known as the Unauthorized Expenditure (1959-'60) Act, 1961.

Schedule.

No. of Vote.	Title of Vote.	Amount.
<i>(On Revenue Account.)</i>		
		R
6	Prisons and Gaols	1,058.00
7	Police	4.00
11	Forestry	7,610.67
24	Defence	1,518.00
30	Education, Arts and Science	302.00
37	Agricultural Technical Services (Regional Services and Education)	76.00
43	Health (Union): Hospitals and Institutions	1,672.00
		<u>12,240.67</u>
<i>(On Loan Account.)</i>		
E	Water Affairs	3,866.55
L	Transport	54,610.14
		<u>58,476.69</u>
	Total	<u>R70,717.36</u>

SAMEVATTING.

Bedrag ten laste van Inkomsterekening	R14,368,833
Bedrag ten laste van Bantoe-onderwysrekening	7,600
Bedrag ten laste van Leningsrekening	2,476,763
Totaal	<u>R16,853,196</u>

No. 15, 1961.]

WET

Tot aanwending van 'n verdere som vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1960 geëindig het, tot bestryding en dekking van sekere ongemagtigde uitgawes.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 21 Maart 1961.)

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

1. Die Skatkisrekening van die Unie word hierby belas met die som van sewentigduisend sewehonderd-en-sewentien rand en ses-en-dertig sent tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die Unie vir die boekjaar wat op die een-en-dertigste dag van Maart 1960 geëindig het. Hierdie uitgawes word uiteengesit in die Bylae by hierdie Wet en word nader omskryf op bladsye 9 en 10 van die (aan die Parlement voorgelegde) Verslag van die Kontroleur en Ouditeur-generaal oor die rekenings vir voormelde boekjaar en in die Eerste Verslag van die Gekose Komitee oor Openbare Rekenings, 1961.

Skatkisrekening
belas met
R70,717.36.

2. Hierdie Wet heet die Wet op Ongemagtigde Uitgawes Kort titel. (1959-'60), 1961.

Bylae.

No. van Begrotingspos.	Titel van Begrotingspos.	Bedrag.
(Op Inkomsterekening.)		
		R
6	Gevangenis en Tronke	1,058.00
7	Polisie	4.00
11	Bosbou	7,610.67
24	Verdediging	1,518.00
30	Onderwys, Kuns en Wetenskap	302.00
37	Landbou-tegniese Dienste (Streekdienste en Onderwys)	76.00
43	Gesondheid (Unie): Hospitale en Inrigtings	1,672.00
		<u>12,240.67</u>
(Op Leningsrekening.)		
E	Waterwese	3,866.55
L	Vervoer	54,610.14
		<u>58,476.69</u>
	Totaal	<u>R70,717.36</u>