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[No. 1162.]

DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 956.]

[25th June, 1965.]

It is hereby notified that the State President has assented to the following Acts which are hereby published for general information:-

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No. 956.]

[25 Junie 1965.]

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wette wat hierby ter algemene inligting gepubliseer word:-

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No. 77, 1965.]

ACT

To provide for the registration of the Klipfontein Organic Products Corporation as a company under the Companies Act, 1926, for the transfer of the shares held by the State President in that Corporation to the persons subscribing their names to the memorandum and articles of association of such company, and for other incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 18th June, 1965.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Conversion of Corporation established by Act 40 of 1950 into a company, and transfer of shares to certain persons.

1. (1) Notwithstanding anything to the contrary contained in the Klipfontein Organic Products Corporation Act, 1950 (hereinafter referred to as the principal Act)—

- (a) any number of persons capable of forming a company under the Companies Act, 1926 (Act No. 46 of 1926), may agree with the board of directors of the Klipfontein Organic Products Corporation (hereinafter referred to as the corporation) to form a company limited by shares subscribed for by such persons in terms of that Act, and to apply for the registration of the corporation as a company in accordance with a memorandum and articles of association so agreed upon;
- (b) the State President may agree to sell to each of the said persons, on such terms and such conditions as he may deem fit, so many of the shares taken up by him under section *thirteen* of the principal Act as are subscribed for by that person in the said company, subject to the condition that such memorandum and articles of association shall be approved by the Registrar of Companies and that the rights acquired in the shares so sold shall vest in such persons upon registration of the corporation as a company on the date to be fixed in terms of sub-section (3);
- (c) upon such registration the said memorandum and articles of association shall become the memorandum and articles of association of the corporation, and the nominees of the subscribers who shall be named in the articles of association shall become the directors of the corporation.

(2) The registration of the corporation as a company in accordance with the said memorandum and articles of association shall be effected by the addition at the end of the name of the corporation as entered in the register of companies of the word "Limited", and thereupon the corporation shall, subject to the provisions of this Act, be deemed to be and at all times since its establishment to have been a company registered under the Companies Act, 1926, in accordance with the said memorandum and articles of association under the name of the Klipfontein Organic Products Corporation, Limited: Provided that no provision of any law or of the said memorandum and articles of association, which immediately prior to the date fixed in terms of sub-section (3) did not apply to the corporation, shall thereafter by reason of its registration be deemed to have so applied.

(3) Any agreement entered into in terms of paragraph (b) of sub-section (1) shall come into operation, and the registration of the corporation as a company in terms of sub-section (2) shall be effected upon a date to be fixed by the State President by proclamation in the *Gazette*.

No. 77, 1965.]

WET

Om voorsiening te maak vir die registrasie van die Klipfonteinse Organiese Produkte-korporasie as 'n maatskappy ingevolge die Maatskappywet, 1926, vir die oordrag van die aandele wat die Staatspresident in daardie Korporasie besit, aan die persone wat die akte van oprigting en statute van dié maatskappy onderteken, en vir ander aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 18 Junie 1965.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. (1) Ondanks andersluidende bepalings van die Wet op die Klipfonteinse Organiese Produkte-korporasie, 1950 (hieronder die Hoofwet genoem)—

Omskepping van Korporasie by Wet 40 van 1950 ingestel, in 'n maatskappy en oordrag van aandele aan sekere persone.

- (a) kan enige aantal persone wat ingevolge die Maatskappywet, 1926 (Wet No. 46 van 1926), 'n maatskappy kan oprig, met die raad van direkteure van die Klipfonteinse Organiese Produkte-korporasie (hieronder die korporasie genoem) ooreenkom om 'n maatskappy, beperk deur aandele waarvoor daardie persone ingeskryf het, ingevolge daardie Wet op te rig en om aansoek te doen om die registrasie van die korporasie as 'n maatskappy ooreenkomstig 'n akte van oprigting en statute waarop aldus ooreengekom is;
- (b) kan die Staatspresident instem om op die bedinge en voorwaardes wat hy goetvind, aan elk van bedoelde persone soveel van die aandele ingevolge artikel dertien van die Hoofwet deur hom opgeneem, te verkoop as waarvoor dié persoon in bedoelde maatskappy ingeskryf het, onderworpe aan die voorwaarde dat dié akte van oprigting en statute deur die Registrateur van Maatskappye goedgekeur moet word en dat die regte verkry in die aldus verkoopte aandele op bedoelde persone oorgaan by registrasie van die korporasie as 'n maatskappy op die datum ingevolge sub-artikel (3) bepaal;
- (c) word bedoelde akte van oprigting en statute by sodanige registrasie die akte van oprigting en statute van die korporasie en word die benoemdes van die ondertekenaars, wat in die statute genoem moet word, die direkteure van die korporasie.

(2) Die registrasie van die korporasie as 'n maatskappy ooreenkomstig bedoelde akte van oprigting en statute word bewerkstellig deur aan die end van die naam van die korporasie soos in die register van maatskappye ingeskryf die woord „Beperk” by te voeg, en daarop word die korporasie, behoudens die bepalings van hierdie Wet, geag 'n maatskappy te wees wat ingevolge die Maatskappywet, 1926, ooreenkomstig bedoelde akte van oprigting en statute geregistreer is onder die naam van die Klipfonteinse Organiese Produkte-korporasie, Beperk, en dit te alle tye sedert sy instelling te gewees het: Met dien verstande dat geen bepaling van enige wet of van bedoelde akte van oprigting en statute wat onmiddellik voor die ingevolge sub-artikel (3) bepaalde datum nie op die korporasie van toepassing was nie, daarna op grond van sy registrasie geag word aldus van toepassing te gewees het nie.

(3) Enige ooreenkoms ingevolge paragraaf (b) van sub-artikel (1) aangegaan, word van krag, en die registrasie van die korporasie as 'n maatskappy ooreenkomstig sub-artikel (2) vind plaas, op 'n datum wat die Staatspresident by proklamasie in die Staatskoerant bepaal.

No stamp duties or other fees or charges payable in connection with registration.

2. No stamp duties, registration fees, licence duties or other costs or office charges shall be payable in connection with the registration of the corporation as a company under this Act.

References to corporation in laws and documents.

3. Any reference in any law or document to the corporation shall as from the date fixed under sub-section (3) of section *one* be construed as a reference to the corporation under the name of the Klipfontein Organic Products Corporation, Limited.

Withdrawal of certain guarantee in respect of debentures of corporation.

4. The guarantee furnished by the Minister of Economic Affairs on behalf of the State President under section *fourteen* of the principal Act on the twentieth day of July, 1959, in pursuance of resolution No. 6 passed on the twenty-fifth day of June, 1959, by the Senate and by the House of Assembly, in respect of 5½ per cent debentures for the amount of one million five hundred thousand rand issued by the corporation in terms of the said section, is hereby withdrawn with effect from the date fixed under sub-section (3) of section *one*, but without prejudice to the liability of the corporation in respect of such debentures.

Disposal of proceeds of sale of shares.

5. Any moneys paid to the State President in respect of the sale of the shares referred to in paragraph (b) of sub-section (1) of section *one* shall be paid into the Consolidated Revenue Fund.

Repeal of Act 40 of 1950.

6. The principal Act is hereby repealed with effect from the date fixed under sub-section (3) of section *one*.

Short title.

7. This Act shall be called the Klipfontein Organic Products Corporation Transfer Act, 1965.

2. Geen seëlregte, registrasiegelde, lisensiegelde of ander koste of kantoorgelde is in verband met die registrasie van die korporasie as 'n maatskappy ingevolge hierdie Wet betaalbaar nie.

Geen seëlregte of ander gelde in verband met registrasie betaalbaar nie.

3. 'n Verwysing in enige wet of dokument na die korporasie word vanaf die datum ingevolge sub-artikel (3) van artikel *een* bepaal, as 'n verwysing na die korporasie onder die naam van die Klipfonteinse Organiese Produkte-korporasie, Beperk, uitgelê.

Verwysings na korporasie in wette en dokumente.

4. Die waarborg op die twintigste dag van Julie 1959 ingevolge artikel *veertien* van die Hoofwet deur die Minister van Ekonomiese Sake namens die Staatspresident verstrek ooreenkomstig besluit No. 6 deur die Senaat en deur die Volksraad op die vyf-en-twintigste dag van Junie 1959 aangeneem, ten opsigte van 5½-persent obligasies vir die bedrag van eenmiljoen vyfhonderdduisend rand kragtens gemelde artikel deur die korporasie uitgegee, word hierby ingetrek met ingang van die datum ingevolge sub-artikel (3) van artikel *een* bepaal, maar sonder afbreuk aan die aanspreeklikheid van die korporasie ten opsigte van bedoelde obligasies.

Intrekking van sekere waarborg ten opsigte van obligasies van korporasie.

5. Enige gelde ten opsigte van die verkoop van die aandele in paragraaf (b) van sub-artikel (1) van artikel *een* bedoel, aan die Staatspresident betaal, word in die Gekonsolideerde Inkomstefonds gestort.

Beskikking oor opbrings van verkoop van aandele.

6. Die Hoofwet word hierby herroep met ingang van die datum ingevolge sub-artikel (3) van artikel *een* bepaal.

Herroeping van Wet 40 van 1950.

7. Hierdie Wet heet die Wet op Oordrag van die Klipfonteinse Organiese Produkte-korporasie, 1965.

Kort-titel.

No. 78, 1965.]

ACT

To amend the Marketing Act, 1937, the Wool Act, 1946, and the Wool Commission and Wool Amendment Act, 1960.

(English text signed by the State President.)
(Assented to 18th June, 1965.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Insertion of section 26bis in Act 26 of 1937.

1. The following section is hereby inserted in the Marketing Act, 1937, after section *twenty-six*:

“Regulatory board may arrange for provision of insurance cover for members of the board and of an advisory committee of the board. 26bis. (1) A regulatory board may, with the approval of the Minister, arrange with any insurer for the provision of insurance cover for a member of such board, including an advisory member of the board, and for a member of any committee established in terms of a provision contained in the relevant scheme by virtue of paragraph (c) of sub-section (1) of section *nineteen*, in respect of bodily injury, disablement or death resulting solely and directly from an accident occurring in the course of the performance by such member of his duties.

(2) The moneys in a fund, referred to in paragraph (d) of sub-section (1) of section *eighteen*, of the regulatory board in question may be utilized for the payment of any premium payable in respect of any insurance cover arranged in terms of sub-section (1).”.

Insertion of section 25bis in Act 19 of 1946.

2. The following section is hereby inserted in the Wool Act, 1946, after section *twenty-five*:

“Board may arrange for provision of insurance cover for members of the board and of any committee of the board. 25bis. (1) The board may, with the approval of the Minister, arrange with any insurer for the provision of insurance cover for a member of the board, including an advisory member of the board, and for a member of any committee established in terms of sub-section (1) of section *thirty-three*, in respect of bodily injury, disablement or death resulting solely and directly from an accident occurring in the course of the performance by such member of his duties.

(2) The moneys in the fund referred to in section *thirty-five* may be utilized for the payment of any premium payable in respect of any insurance cover arranged in terms of sub-section (1).”.

Insertion of section 4bis in Act 35 of 1960.

3. The following section is hereby inserted in the Wool Commission and Wool Amendment Act, 1960, after section *four*:

“Commis-sion may arrange for provision of insurance cover for members of the commis-sion and of any commit-tee of the commis-sion. 4bis. (1) The commission may, with the approval of the Minister, arrange with any insurer for the provision of insurance cover for a member of the commission, including an advisory member of the commission, and for a member of any committee established in terms of sub-section (1) of section *nine*, in respect of bodily injury, disablement or death resulting solely and directly from an accident occurring in the course of the performance by such member of his duties.

No. 78, 1965.]

WET

Tot wysiging van die Bemarkingswet, 1937, die Wolwet, 1946, en die Wolkommissie- en Wolwysigingswet, 1960.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 18 Junie 1965.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Die volgende artikel word hierby na artikel *ses-en-twintig* in die Bemarkingswet, 1937, ingevoeg: Invoeging van artikel 26bis in Wet 26 van 1937.

„Beherende raad kan reël vir voorsiening, by wyse van versekering, van dekking vir lede van die raad en van 'n adviserende komitee van die raad. 26bis. (1) 'n Beherende raad kan, met die goedkeuring van die Minister, met 'n versekeraar reël vir voorsiening, by wyse van versekering, van dekking vir 'n lid van die raad, met inbegrip van 'n adviserende lid van die raad, en vir 'n lid van enige komitee ingestel kragtens 'n bepaling vervat in die betrokke skema uit hoofde van paragraaf (c) van sub-artikel (1) van artikel *negentien*, ten opsigte van liggaamlike besering, ongeskiktheid of dood wat uitsluitlik en regstreeks die gevolg is van 'n ongeluk wat plaasvind in die loop van die verrigting deur so 'n lid van sy pligte.

(2) Die gelde in 'n in paragraaf (d) van sub-artikel (1) van artikel *agtien* bedoelde fonds van die betrokke beherende raad kan aangewend word ter betaling van 'n premie wat ten opsigte van 'n versekeringsdekking ingevolge sub-artikel (1) gereël, betaalbaar is.”.

2. Die volgende artikel word hierby na artikel *vyf-en-twintig* in die Wolwet, 1946, ingevoeg: Invoeging van artikel 25bis in Wet 19 van 1946.

„Raad kan reël vir voorsiening, by wyse van versekering, van dekking vir lede van die raad en van 'n komitee van die raad. 25bis. (1) Die raad kan, met die goedkeuring van die Minister, met 'n versekeraar reël vir voorsiening, by wyse van versekering, van dekking vir 'n lid van die raad, met inbegrip van 'n adviserende lid van die raad, en vir 'n lid van enige komitee ingestel kragtens sub-artikel (1) van artikel *drie-en-dertig*, ten opsigte van liggaamlike besering, ongeskiktheid of dood wat uitsluitlik en regstreeks die gevolg is van 'n ongeluk wat plaasvind in die loop van die verrigting deur so 'n lid van sy pligte.

(2) Die gelde in die in artikel *vyf-en-dertig* bedoelde fonds kan aangewend word ter betaling van 'n premie wat ten opsigte van 'n versekeringsdekking ingevolge sub-artikel (1) gereël, betaalbaar is.”.

3. Die volgende artikel word hierby na artikel *vier* in die Wolkommissie- en Wolwysigingswet, 1960, ingevoeg: Invoeging van artikel 4bis in Wet 35 van 1960.

„Kommissie kan reël vir voorsiening, by wyse van versekering, van dekking vir lede van die kommissie en van 'n komitee van die kommissie. 4bis. (1) Die kommissie kan, met die goedkeuring van die Minister, met 'n versekeraar reël vir voorsiening, by wyse van versekering, van dekking vir 'n lid van die kommissie, met inbegrip van 'n adviserende lid van die kommissie, en vir 'n lid van 'n komitee ingestel kragtens sub-artikel (1) van artikel *nege*, ten opsigte van liggaamlike besering, ongeskiktheid of dood wat uitsluitlik en regstreeks die gevolg is van 'n ongeluk wat plaasvind in die loop van die verrigting deur so 'n lid van sy pligte.

(2) The moneys in the fund referred to in section *thirteen* may be utilized for the payment of any premium payable in respect of any insurance cover arranged in terms of sub-section (1).".

Amendment of section 11 of Act 35 of 1960, as amended by section 3 of Act 23 of 1962.

4. (1) Section *eleven* of the Wool Commission and Wool Amendment Act, 1960, is hereby amended by the substitution for paragraph (b) of sub-section (1) of the following paragraph:

"(b) The commission may with the approval of the Minister—

- (i) remit the whole or any portion of such levy payable by persons belonging to any class or group of persons in respect of wool which has been purchased or sold or processed in the Union or imported into or exported from the Union during any period by or on behalf of such persons;
- (ii) refund to such persons the whole or any portion of such levy paid in respect of any such wool."

(2) The amendment effected by sub-section (1) shall be deemed to have come into operation on the first day of July, 1963.

Short title.

5. This Act shall be called the Marketing, Wool and Wool Commission Amendment Act, 1965.

(2) Die gelde in die in artikel *dertien* bedoelde fonds kan aangewend word ter betaling van 'n premie wat ten opsigte van 'n versekeringsdekking ingevolge sub-artikel (1) gereël, betaalbaar is."

4. (1) Artikel *elf* van die Wolkommissie- en Wolwysigingswet, 1960, word hierby gewysig deur paragraaf (b) van sub-artikel (1) deur die volgende paragraaf te vervang:

Wysiging van artikel 11 van Wet 35 van 1960, soos gewysig deur artikel 3 van Wet 23 van 1962.

„(b) Die kommissie kan met die goedkeuring van die Minister—

(i) betaling van so 'n heffing verskuldig deur persone wat tot enige kategorie of groep persone behoort ten opsigte van wol wat deur of ten behoeve van sodanige persone gedurende enige tydperk in die Unie gekoop of verkoop of bewerk of ingevoer is of uit die Unie uitgevoer is, geheel of ten dele kwytskel;

(ii) so 'n heffing wat ten opsigte van sodanige wol betaal is, aan sodanige persone geheel of ten dele terugbetaal."

(2) Die wysiging deur sub-artikel (1) aangebring, word geag op die eerste dag van Julie 1963 in werking te getree het.

5. Hierdie Wet heet die Wysigingswet op Bemaking, Wol Kort titel. en die Wolkommissie, 1965.

No. 83, 1965.]

ACT

To amend sections *forty*, *forty-two* and *forty-three* of the Republic of South Africa Constitution Act, 1961.

(Afrikaans text signed by the State President.)
(Assented to 18th June, 1965.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of
section 40 of
Act 32 of 1961.

1. Section *forty* of the Republic of South Africa Constitution Act, 1961 (hereinafter referred to as the principal Act), is hereby amended by the substitution for paragraph (a) of the following paragraph:

“(a) one hundred and sixty members, each of whom shall be directly elected by the persons entitled to vote at an election of such a member in an electoral division delimited as provided in section *forty-three*;”.

Substitution of
section 42 of
Act 32 of 1961.

2. The following section is hereby substituted for section *forty-two* of the principal Act:

“Delimita-
tion of
electoral
divisions.

42. (1) At intervals of not less than five years and not more than ten years commencing from the last delimitation of electoral divisions under the South Africa Act, 1909, the State President shall appoint a delimitation commission consisting of three judges of the Supreme Court of South Africa, which shall divide the Republic into one hundred and sixty electoral divisions in such a manner that no electoral division is situated partly in one province and partly in another province.

(2) No judge shall be appointed under sub-section (1) as a member of a delimitation commission unless he has served as a judge either in a permanent or temporary capacity, for a total period of not less than five years.

(3) In dividing the Republic into electoral divisions in terms of sub-section (1) the said commission shall act in accordance with the provisions of section *forty-three*.”.

Substitution of
section 43 of
Act 32 of 1961.

3. The following section is hereby substituted for section *forty-three* of the principal Act:

“Method
of dividing
Republic
into elec-
toral divi-
sions.

43. (1) For the purposes of any division of the Republic into electoral divisions, the quota of the Republic shall be obtained by dividing the number of white voters in the Republic, in terms of the current voters' lists, duly corrected up to the latest possible date, by one hundred and sixty.

(2) The Republic shall be divided into electoral divisions in such a manner that each such division shall, subject to the provisions of sub-section (3), contain a number of voters as nearly as may be equal to the quota of the Republic.

(3) The delimitation commission shall give due consideration to—

- (a) community or diversity of interests;
- (b) means of communication;
- (c) physical features;
- (d) boundaries of existing electoral divisions;

No. 83, 1965.]

WET

Tot wysiging van artikels *veertig*, *twee-en-veertig* en *drie-en-veertig* van die Grondwet van die Republiek van Suid-Afrika, 1961.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 18 Junie 1965.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel *veertig* van die Grondwet van die Republiek van Suid-Afrika, 1961 (hieronder die Hoofwet genoem), word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:

Wysiging van artikel 40 van Wet 32 van 1961.

„(a) honderd-en-sestig lede wat elkeen regstreeks verkies word deur die stemgeregtigdes by 'n verkiesing van so 'n lid in 'n kiesafdeling wat volgens voorskrif van artikel *drie-en-veertig* afgebaken is;”

2. Artikel *twee-en-veertig* van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 42 van Wet 32 van 1961.

„Afbakening van kiesafdelings.

42. (1) Met tussenpose van minstens vyf jaar en hoogstens tien jaar gereken van die jongste afbakening van kiesafdelings ingevolge die Zuid-Afrika Wet, 1909, stel die Staatspresident 'n afbakening-kommissie aan, bestaande uit drie regters van die Hooggeregshof van Suid-Afrika, wat die Republiek in honderd-en-sestig kiesafdelings verdeel op so 'n wyse dat geen kiesafdeling gedeeltelik in een provinsie en gedeeltelik in 'n ander provinsie geleë is nie.

(2) Geen regter word ingevolge sub-artikel (1) as lid van 'n afbakening-kommissie aangestel nie tensy hy vir 'n totale tydperk van minstens vyf jaar, hetsy in 'n permanente of tydelike hoedanigheid, as regter gedien het.

(3) By die verdeling van die Republiek in kiesafdelings volgens sub-artikel (1), moet genoemde kommissie ooreenkomstig die bepalinge van artikel *drie-en-veertig* handel.”

3. Artikel *drie-en-veertig* van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 43 van Wet 32 van 1961.

„Metode van verdeling van die Republiek in kiesafdelings.

43. (1) Vir die doeleindes van die verdeling van die Republiek in kiesafdelings, word die kwota van die Republiek verkry deur die getal blanke kiesers in die Republiek volgens die geldende kieserslyste, behoorlik verbeter tot die jongste moontlike datum, te deel deur honderd-en-sestig.

(2) Die Republiek word op so 'n wyse in kiesafdelings verdeel dat elke sodanige kiesafdeling, behoudens die bepalinge van sub-artikel (3), 'n getal kiesers bevat wat so na as moontlik met die kwota van die Republiek gelykstaan.

(3) Die afbakening-kommissie moet behoorlike oorweging skenk aan—

- (a) gemeenskaplikheid of verskeidenheid van belange;
- (b) verkeersmiddele;
- (c) natuurlike kenmerke;
- (d) grense van bestaande kiesafdelings;

- (e) sparsity or density of population;
- (f) probability of increase or decrease of population;
- (g) local authority and magisterial district boundaries,

in such manner that, while taking the quota of voters as the basis of division, the commission may depart therefrom whenever it is deemed necessary, but in no case to any greater extent than fifteen per cent more or fifteen per cent less than the quota: Provided that in the case of an electoral division with an area of ten thousand square miles or more, the commission may reduce the number of voters to eight thousand or a number equal to seventy per cent of the quota, whichever is the greater.”.

Short title.

4. This Act shall be called the Constitution Amendment Act, 1965.

(e) dunheid of digtheid van bevolking;

(f) waarskynlikheid van toename of afname in die bevolking;

(g) plaaslike bestuurs- en landdrosdistriksgrense, op so 'n wyse dat, alhoewel die kwota kiesers die grondslag van verdeling uitmaak, die kommissie, wanneer hy dit nodig ag, daarvan mag afwyk, maar in geen geval in 'n groter mate as vyftien persent meer of vyftien persent minder as die kwota nie: Met dien verstande dat in die geval van 'n kiesafdeling met 'n oppervlakte van tienduisend vierkante myl of meer, die kommissie die getal kiesers mag verminder tot agtduisend of 'n getal gelyk aan sewentig persent van die kwota, watter ook al die meeste is."

4. Hierdie Wet heet die Wysigingswet op die Grondwet, 1965. Kort titel.

No. 96, 1965.]

ACT

To amend the Criminal Procedure Act, 1955.

(English text signed by the State President.)
(Assented to 18th June, 1965.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of
section 27 of
Act 56 of 1955.

1. Section *twenty-seven* of the Criminal Procedure Act, 1955 (hereinafter referred to as the principal Act), is hereby amended by the substitution for sub-section (1) of the following sub-section:

“(1) Any person arrested without warrant shall, as soon as possible, be brought to a police station or charge office and detained until a warrant is obtained for his further detention upon a charge of any offence or until he is released by reason that no charge is to be brought against him; and unless so released he shall as soon as possible be brought before a judicial officer upon a charge of any offence: Provided that a person so arrested without warrant shall not be so detained for a period longer than forty-eight hours unless a warrant for his further detention is obtained: Provided further that if the said period of forty-eight hours expires at a certain time on a Saturday, Sunday or public holiday, it shall be deemed to expire at that time on the next day, not being a Saturday, Sunday or public holiday.”.

Amendment of
section 39 of
Act 56 of 1955.

2. Section *thirty-nine* of the principal Act is hereby amended—

(a) by the substitution in sub-section (1) for the expression “*twenty-seven* of the Prisons and Reformatories Act, 1911 (Act No. 13 of 1911)” of the expression “*forty-eight* of the Prisons Act, 1959 (Act No. 8 of 1959)”;

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

“(2) Any person who rescues or attempts to rescue from lawful custody any other person who has been arrested but is not yet lodged in any prison, police-cell or lock-up, or who aids such other person to escape, or in an attempt to escape, from such custody, or who harbours or conceals or assists in harbouring or concealing him, knowing him to have so escaped, shall be guilty of an offence and liable on conviction to the penalties prescribed in section *forty-three* of the Prisons Act, 1959 (Act No. 8 of 1959).”;

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

“(3) Notwithstanding anything to the contrary in any law contained, a magistrate shall have jurisdiction to try any offence under this section and to impose any penalty prescribed by this section.”.

No. 96, 1965.]

WET

Tot wysiging van die Strafproseswet, 1955.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 18 Junie 1965.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel *sewe-en-twintig* van die Strafproseswet, 1955 (hieronder die Hoofwet genoem), word hierby gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang: Wysiging van artikel 27 van Wet 56 van 1955.

„(1) Iemand wat sonder lasbrief in hegtenis geneem word, moet so spoedig moontlik na 'n polisie-stasie of aanklagkantoor gebring en aangehou word totdat 'n lasbrief vir sy verdere aanhouding weens 'n aanklag van 'n misdryf verkry word of totdat hy vrygelaat word omdat geen aanklag teen hom ingedien staan te word nie; en tensy hy aldus vrygelaat word, moet hy so spoedig moontlik voor 'n regterlike amptenaar op aanklag van 'n misdryf gebring word: Met dien verstande dat iemand wat aldus sonder lasbrief in hegtenis geneem word nie vir 'n tydperk van meer dan agt-en-veertig uur aldus aangehou mag word nie tensy 'n lasbrief vir sy verdere aanhouding verkry word: Met dien verstande voorts dat indien genoemde tydperk van agt-en-veertig uur op 'n bepaalde tyd op 'n Saterdag, Sondag of openbare vakansiedag verstryk, dit geag word op daardie tyd op die eersvolgende dag te verstryk wat nie 'n Saterdag, Sondag of openbare vakansiedag is nie.”

2. Artikel *nege-en-dertig* van die Hoofwet word hierby gewysig— Wysiging van artikel 39 van Wet 56 van 1955.

(a) deur in sub-artikel (1) die uitdrukking „sewe-en-twintig van die Wet op Gevangenis en Verbetergestichten, 1911” (Wet No. 13 van 1911)” deur die uitdrukking „agt-en-veertig van die Wet op Gevangenis, 1959 (Wet No. 8 van 1959)” te vervang;

(b) deur sub-artikel (2) deur die volgende sub-artikel te vervang:

„(2) Iemand wat 'n ander persoon wat in hegtenis geneem is maar nog nie in 'n gevangenis, polisie-sel of opsluitplek geplaas is nie, uit wettige hegtenis bevry of 'n poging aanwend om hom daaruit te bevry, of wat so 'n ander persoon help om uit sodanige hegtenis te ontsnap of by 'n poging om daaruit te ontsnap, of wat so 'n ander persoon herberg of aan hom skuiling verleen of daarmee behulpsaam is terwyl hy weet dat daardie persoon aldus ontsnap het, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met die strawwe wat in artikel *drie-en-veertig* van die Wet op Gevangenis, 1959 (Wet No. 8 van 1959), voorgeskryf word.”;

(c) deur die volgende sub-artikel daarby te voeg:

„(3) Ondanks andersluidende wetsbepalings, is 'n magistraat bevoeg om enige misdryf ingevolge hierdie artikel te verhoor en enige by hierdie artikel voorgeskrewe straf op te lê.”

Amendment of
section 74 of
Act 56 of 1955.

3. Section *seventy-four* of the principal Act is hereby amended by the substitution for sub-section (4) of the following sub-section:

“(4) Nothing in this section contained shall be construed as modifying the provisions of section *twenty-nine* of the Prisons Act, 1959 (Act No. 8 of 1959).”.

Substitution of
section 83 of
Act 56 of 1955.

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

“Power of
magistrate
to take
evidence as
to alleged
offence.

83. (1) A magistrate may, at any time upon the request of the public prosecutor, require the attendance before him for examination by the public prosecutor of any person who is likely to give material evidence as to any alleged offence, whether or not it be known or suspected who the person is by whom the offence has been committed.

(2) The provisions of sections *two hundred and six, two hundred and seven, two hundred and nine, two hundred and eleven, two hundred and twelve, two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen and two hundred and fifty-four* shall apply in respect of an examination under this section as if it were criminal proceedings and the magistrate a court: Provided that the examination of such persons may be conducted in private at any place appointed by the magistrate for that purpose.”.

Amendment of
section 108 of
Act 56 of 1955,
as amended by
section 102 of
Act 33 of 1960
and section 8
of Act 92
of 1963.

5. Section *one hundred and eight* of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

“(1) If any person under the age of eighteen years is charged with an offence, any court which or any magistrate or policeman who may under any provision of this Chapter release such person on bail, may, instead of releasing him on bail, or instead of detaining him, place him in a place of safety as defined in section *one* of the Children's Act, 1960 (Act No. 33 of 1960), pending his appearance or further appearance before a court or magistrate, or until he is otherwise dealt with according to law or, unless he is charged with treason, murder, contravention of any provision of the Suppression of Communism Act, 1950 (Act No. 44 of 1950), or that Act as applied by any other law, in respect of which a minimum or compulsory punishment applies, or contravention of section *twenty-one* of the General Law Amendment Act, 1962 (Act No. 76 of 1962)—

(a) release him without bail and warn him to appear before a court or magistrate at a time and on a date then fixed by the court, magistrate or policeman; or

(b) release him without bail to the care of the person in whose custody he is and warn that person to bring him or cause him to be brought before a court or magistrate at a time and on a date then fixed as aforesaid.”.

Amendment of
section 108bis
of Act 56
of 1955, as
inserted by
section 4 of
Act 39 of 1961
and amended by
section 17 of
Act 76 of 1962,
section 9 of
Act 37 of 1963
and section 23
of Act 80 of 1964.

6. Section *one hundred and eight bis* of the principal Act is hereby amended—

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

“(1) Whenever any person has been arrested on a charge of having committed any offence referred to in Part IIBis of the Second Schedule, the attorney-general may, if he considers it necessary in the interest of the safety of the public or the maintenance of public order, issue an order that such person shall not be released on bail or otherwise before sentence has been passed or he has been discharged: Provided that if no evidence has been led against such person, at a preparatory examination or trial, within a period of ninety days after his arrest, he may at any time after that period on notice to the attorney-general apply to a judge of the Supreme Court to be released on bail,

3. Artikel *vier-en-sewentig* van die Hoofwet word hierby gewysig deur sub-artikel (4) deur die volgende sub-artikel te vervang:

Wysiging van artikel 74 van Wet 56 van 1955.

„(4) Geen bepaling van hierdie artikel word so uitgelê dat dit die bepalings van artikel *nege-en-twintig* van die Wet op Gevangenis, 1959 (Wet No. 8 van 1959), wysig nie.”.

4. Artikel *drie-en-tagtig* van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 83 van Wet 56 van 1955.

„Bevoegdheid van magistraat om getuienis oor beweerde misdryf af te neem. 83. (1) 'n Magistraat kan te eniger tyd op versoek van die staatsaanklaer enige persoon wat waarskynlik ter sake dienende getuienis oor 'n beweerde misdryf kan aflê, hetsy dit bekend is of vermoed word al dan nie wie die persoon is deur wie die misdryf gepleeg is, aansê om voor hom te verskyn vir ondervraging deur die staatsaanklaer.

(2) Die bepalings van artikels *tweehonderd-en-ses*, *tweehonderd-en-sewe*, *tweehonderd-en-nege*, *tweehonderd-en-elf*, *tweehonderd-en-twaalf*, *tweehonderd-en-sestien*, *tweehonderd-en-sewentien*, *tweehonderd-en-agtien*, *tweehonderd-en-negentien* en *tweehonderd vier-en-vyftig* is ten opsigte van 'n ondervraging kragtens hierdie artikel van toepassing asof dit 'n strafsak en die magistraat 'n hof is: Met dien verstande dat die ondervraging van sulke persone in afsondering kan geskied op enige plek deur die magistraat vir daardie doel aangewys.”.

5. Artikel *honderd-en-agt* van die Hoofwet word hierby gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang:

Wysiging van artikel 108 van Wet 56 van 1955, soos gewysig deur artikel 102 van Wet 33 van 1960 en artikel 8 van Wet 92 van 1963.

„(1) Indien iemand onder die ouderdom van agtien jaar weens 'n misdryf aangekla word, kan 'n hof, magistraat of polisiebeampte wat ingevolge 'n bepaling van hierdie Hoofstuk so iemand op borgtog kan vrylaat, in plaas van hom op borgtog vry te laat, of in plaas van hom aan te hou hom, in afwagting van sy verskyning of verdere verskyning voor 'n hof of magistraat, of totdat andersins regtens met hom gehandel word, in 'n veiligheidsplek soos in artikel *een* van die Kinderwet, 1960 (Wet No. 33 van 1960), omskryf, plaas of, tensy hy weens hoogverraad, moord, oortreding van 'n bepaling van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), of daardie Wet soos deur enige ander Wet toegepas, ten opsigte waarvan 'n minimum- of verpligte straf van toepassing is, of oortreding van artikel *een-en-twintig* van die Algemene Regswysigingswet, 1962 (Wet No. 76 van 1962), aangekla word—

(a) hom sonder borgtog vrylaat en hom waarsku om voor 'n hof of magistraat op die uur en dag wat dan deur die hof, magistraat of polisie beampte vasgestel word, te verskyn; of

(b) hom sonder borgtog onder die sorg van die persoon in wie se bewaring hy is, vrylaat en daardie persoon waarsku om hom voor 'n hof of magistraat te bring of te laat bring op die uur en dag wat dan soos voormeld vasgestel word.”.

6. Artikel *honderd-en-agt bis* van die Hoofwet word hierby gewysig—

Wysiging van artikel 108bis van Wet 56 van 1955, soos ingevoeg deur artikel 4 van Wet 39 van 1961 en gewysig deur artikel 17 van Wet 76 van 1962, artikel 9 van Wet 37 van 1963 en artikel 23 van Wet 80 van 1964.

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

„(1) Wanneer iemand in hegtenis geneem is op 'n aanklag dat hy 'n in Deel II *Bis* van die Tweede Bylae bedoelde misdryf gepleeg het, kan die prokureur-generaal, indien hy dit in belang van die veiligheid van die publiek of die handhawing van die openbare orde nodig ag, 'n bevel uitreik dat so iemand nie voordat vonnis gevel of hy ontslaan word op borgtog of andersins vrygelaat mag word nie: Met dien verstande dat, indien geen getuienis teen sodanige persoon by 'n voorondersoek of verhoor binne 'n tydperk van negentig dae na sy inhegtenisneming aangevoer is nie, hy te eniger tyd na dié tydperk by kennisgewing aan die prokureur-generaal by 'n regter van die Hooggeregshof aansoek kan doen om op borgtog vrygelaat

and the judge sitting in Chambers may on the merits of the application order the release of such person on bail on such terms and conditions as he may direct, or he may dismiss the application or otherwise deal with it as he deems fit.”;

(h) by the deletion of sub-sections (5) and (6).”.

Insertion of
section 215bis
in Act 56
of 1955.

7. The following section is hereby inserted after section *two hundred and fifteen* of the principal Act:

“Detention
of witnesses
under
warrant
issued by
attorney-
general.

215bis. (1) Whenever in the opinion of the attorney-general there is any danger of tampering with or intimidation of any person likely to give material evidence for the State in any criminal proceedings in respect of an offence referred to in Part II*Bis* of the Second Schedule or that any such person may abscond, or whenever he deems it to be in the interests of such person or of the administration of justice, he may issue a warrant for the arrest and detention of such person.

(2) Notwithstanding anything in sub-section (3) of section *twenty-nine* contained, any person arrested by virtue of a warrant under sub-section (1) of this section shall, as soon as may be, be taken to the place mentioned in the warrant and detained there or at any other place determined by the attorney-general from time to time, in accordance with regulations which the Minister is hereby authorized to make.

(3) Unless the attorney-general orders that a person detained under sub-section (1) be released earlier, such person shall be detained for the period terminating on the day on which the criminal proceedings concerned are concluded or for a period of six months after his arrest, whichever may be the shorter period.

(4) No person, other than an officer in the service of the State acting in the performance of his official duties, shall have access to a person detained under sub-section (1), except with the consent of and subject to the conditions determined by the attorney-general or an officer in the service of the State delegated by him.

(5) Any person detained under sub-section (1) shall be visited in private not less than once during each week by the magistrate or an additional or assistant magistrate of the district in which he is detained.

(6) For the purposes of section *two hundred and eighteen* any person detained under sub-section (1) shall be deemed to have attended the criminal proceedings in question as a witness for the State during the whole of the period of his detention.

(7) No court shall have jurisdiction to order the release from custody of any person detained under sub-section (1) or to pronounce upon the validity of any regulation made under sub-section (2) or the refusal of the consent required under sub-section (4) or any condition referred to in sub-section (4).”.

Amendment of
section 239 of
Act 56 of 1955,
as amended by
section 21 of
Act 92 of 1963.

8. Section *two hundred and thirty-nine* of the principal Act is hereby amended—

(a) by the substitution in sub-section (4) for all the words preceding the proviso of the following words:

“Whenever any fact ascertained by any examination or process requiring any skill in bacteriology, biology, chemistry, physics, astronomy, geography, anatomy,

te word, en die regter op kamerhof kan op die meriete van die aansoek gelas dat sodanige persoon op borgtog vrygelaat word op die bedinge en voorwaardes wat hy gelas, of hy kan die aansoek van die hand wys of andersins daarmee handel soos hy goedvind.”;

(b) deur sub-artikels (5) en (6) te skrap.”.

7. Die volgende artikel word hierby na artikel *tweehonderd-en-vyftien* van die Hoofwet ingevoeg:

Invoeging van artikel 215bis in Wet 56 van 1955.

„Aanhouding van getuies kragtens lasbrief deur prokureur-generaal uitgereik.

215bis. (1) Wanneer na die oordeel van die prokureur-generaal daar gevaar bestaan dat daar met 'n persoon wat waarskynlik vir die Staat getuie van wesenlike belang in 'n strafsak ten opsigte van 'n in Deel II *Bis* van die Tweede Bylae bedoelde misdryf kan aflê, gepeuter sal word of dat so 'n persoon geïntimideer sal word of sal vlug, of wanneer hy dit in die belang van so 'n persoon of van die regspleging ag, kan hy 'n lasbrief vir die inhegtenisneming en aanhouding van bedoelde persoon uitreik.

(2) Ondanks die bepalings van sub-artikel (3) van artikel *nege-en-twintig*, word 'n persoon wat uit hoofde van 'n lasbrief ingevolge sub-artikel (1) van hierdie artikel in hegtenis geneem word, so spoedig moontlik na die in die lasbrief vermelde plek geneem en aldaar of op enige ander plek wat die prokureur-generaal van tyd tot tyd bepaal, in hegtenis gehou ooreenkomstig regulasies wat die Minister hierby gemagtig word om uit te vaardig.

(3) Tensy die prokureur-generaal gelas dat 'n ingevolge sub-artikel (1) aangehoudene eerder vrygelaat word, word hy aangehou vir die tydperk wat verstryk op die dag waarop die verhoor van die betrokke strafsak afgehandel word of vir 'n tydperk van ses maande na sy inhegtenisneming, watter tydperk ook al die kortste is.

(4) Niemand, behalwe 'n beampte in diens van die Staat wat by die verrigting van sy ampspligte optree, het tot 'n ingevolge sub-artikel (1) aangehoudene toegang nie behalwe met toestemming van en op die voorwaardes bepaal deur die prokureur-generaal of 'n beampte in diens van die Staat deur hom daartoe gedelegeer.

(5) 'n Ingevolge sub-artikel (1) aangehoudene moet minstens een keer per week deur die magistraat of 'n addisionele of assistent-magistraat van die distrik waarin hy aangehou word, in afsondering besoek word.

(6) By die toepassing van artikel *tweehonderd-en-agtien* word 'n ingevolge sub-artikel (1) aangehoudene geag die betrokke strafsak as getuie vir die Staat by te gewoon het gedurende die hele tydperk van sy aanhouding.

(7) Geen hof is bevoeg om die vrylating uit hegtenis van 'n ingevolge sub-artikel (1) aangehoudene te beveel of uitspraak te doen oor die geldigheid van 'n kragtens sub-artikel (2) uitgevaardigde regulasie of die weiering van die ingevolge sub-artikel (4) vereiste toestemming of 'n in sub-artikel (4) bedoelde voorwaarde nie.”.

8. Artikel *tweehonderd nege-en-dertig* van die Hoofwet word hierby gewysig—

Wysiging van artikel 239 van Wet 56 van 1955, soos gewysig deur artikel 21 van Wet 92 van 1963.

(a) deur in sub-artikel (4) al die woorde voor die voorbehoudsbepaling deur die volgende woorde te vervang:

„Wanneer 'n feit wat ontdek is deur 'n ondersoek of proses wat bedrewenheid in bakteriologie, biologie, skeikunde, natuurkunde, sterrekunde, aard-

pathology, toxicology, or the identification of finger or palm prints is or may become relevant to the issue in any criminal proceedings, a document purporting to be an affidavit made by a person who in that affidavit alleges that he is in the service of the Republic or of a province or in the service of, or attached to, the South African Institute for Medical Research or any University in the Republic or any other institution designated by the State President for the purposes of this section by proclamation in the *Gazette*, and that he has ascertained any such fact by means of any such examination or process, shall on its mere production in those proceedings by any person, but subject to the provisions of sub-section (6), be admissible to prove that fact:";

- (b) by the insertion after sub-section (4)*bis* of the following sub-sections:

"(4)*ter* In any criminal proceedings in which the finding of or action taken in connection with particular finger or palm prints is relevant to the issue, a document purporting to be an affidavit made by a person who in that affidavit alleges that he is or was an officer in the service of the State and that in the performance of his official duties he found such finger or palm prints on, at or in the place, article, position or circumstances stated in the affidavit, or that he dealt with such finger or palm prints in the manner so stated, shall on its mere production in those proceedings by any person, but subject to the provisions of sub-section (6), be *prima facie* proof of the facts so alleged.

(4)*quat* In any criminal proceedings in which the physical condition or identity of a deceased person or dead body while such person or dead body was in or at a hospital, nursing home, ambulance or mortuary, is relevant to the issue, a document purporting to be an affidavit made by a person who in that affidavit alleges that he is or was employed at or in connection with the hospital, nursing home, ambulance or mortuary and that in the performance of his official duties there or in connection therewith he observed the physical characteristics of the deceased person or dead body described in the affidavit, or that while the deceased person or dead body was under his care, such person or dead body sustained the injuries or wounds described in the affidavit or sustained no injuries or wounds, or that he pointed out or handed over the deceased person or dead body to another person or left the deceased person or dead body in the care of another person, or that the deceased person or dead body was pointed out or handed over to him or left in his care by another person, shall on its mere production in those proceedings by any person, but subject to the provisions of sub-section (6), be *prima facie* proof of the facts so alleged."

Amendment of
section 276 of
Act 56 of 1955.

9. Section *two hundred and seventy-six* of the principal Act is hereby amended by the substitution for sub-section (3) of the following sub-section:

"(3) If at any trial referred to in sub-section (1) it is proved that the accused received from a person under the age of eighteen years stolen goods or property or anything obtained by means of an offence, he shall be presumed to have known at the time when he received those goods or that property or thing, that they or it were or was stolen or had been obtained by means of an offence, unless it is proved that at that time he was under the age of twenty-one years or had good reason, other than the mere statement of the person from whom he received the goods, property or thing, to believe, and that he did believe, that the said person had the right to dispose of those goods or of that property or thing."

Amendment of
section 330 of
Act 56 of 1955,
as amended by
section 25 of
Act 16 of 1959.

10. Section *three hundred and thirty* of the principal Act is hereby amended by the substitution in sub-section (1) for all the words preceding the proviso of the following words:

rykskunde, anatomie, patologie, toksikologie of identifisering van vinger- of palmafdrucke vereis, in 'n strafsak ter sake dienend is of mag word, is 'n geskrif wat 'n beëdigde verklaring heet te wees van 'n persoon wat in daardie beëdigde verklaring beweer dat hy in diens is van die Republiek of van 'n provinsie of in diens is van of verbonde is aan die Suid-Afrikaanse Instituut vir Mediese Navorsing of 'n Universiteit in die Republiek of 'n ander inrigting deur die Staatspresident vir die doeleindes van hierdie artikel by proklamasie in die *Staatskoerant* aangewys, en dat hy so 'n feit deur middel van so 'n ondersoek of proses ontdek het, by blote voorlegging in bedoelde saak deur enige persoon, behoudens die bepalings van sub-artikel (6), toelaatbaar as bewys van daardie feit.”;

(b) deur na sub-artikel (4)*bis* die volgende sub-artikels in te voeg:

„(4)*ter* In 'n strafsak waarin die vind van of optrede in verband met bepaalde vinger- of palmafdrucke ter sake dienend is, is 'n geskrif wat 'n beëdigde verklaring heet te wees van 'n persoon wat in daardie beëdigde verklaring beweer dat hy 'n amptenaar in diens van die Staat is of was en dat hy by die verrigting van sy ampspligte bedoelde vinger- of palmafdrucke gevind het op of in die plek, voorwerp, posisie of omstandighede in die beëdigde verklaring vermeld, of dat hy op die wyse aldus vermeld daarmee gehandel het, by blote voorlegging in bedoelde saak deur enige persoon, behoudens die bepalings van sub-artikel (6), *prima facie*-bewys van die feite wat aldus beweer word.

(4)*quat* In 'n strafsak waarin die fisiese toestand of identiteit van 'n oorlede persoon of 'n lyk tydens die aanwesigheid van daardie persoon of lyk in of by 'n hospitaal, verpleeginrigting, ambulans of dodehuis ter sake dienend is, is 'n geskrif wat 'n beëdigde verklaring heet te wees van 'n persoon wat in daardie beëdigde verklaring beweer dat hy by of in verband met die hospitaal, verpleeginrigting, ambulans of dodehuis in diens is of was en dat hy by die verrigting van sy ampspligte aldaar of in verband daarmee die oorlede persoon of die lyk se fisiese eienskappe wat in die beëdigde verklaring beskryf word, opgemerk het, of dat terwyl die oorlede persoon of die lyk onder sy sorg was, daardie persoon of lyk die beserings of letsels wat in die beëdigde verklaring beskryf word, opgedoen het of geen beserings of letsels opgedoen het nie, of dat hy die oorlede persoon of die lyk aan 'n ander persoon uitgewys of oorhandig het of onder die sorg van 'n ander persoon gelaat het, of dat die oorlede persoon of die lyk deur 'n ander persoon aan hom uitgewys of oorhandig is of onder sy sorg gelaat is, by blote voorlegging in bedoelde saak deur enige persoon, behoudens die bepalings van sub-artikel (6), *prima facie*-bewys van die feite wat aldus beweer word.”.

9. Artikel tweehonderd ses-en-sewentig van die Hoofwet word hierby gewysig deur sub-artikel (3) deur die volgende sub-artikel te vervang:

Wysiging van artikel 276 van Wet 56 van 1955.

„(3) Indien dit by 'n in sub-artikel (1) bedoelde verhoor bewys word dat die beskuldigde gesteelde goed of eiendom of enigiets wat deur middel van 'n misdryf verkry is, van 'n persoon onder die ouderdom van agtien jaar ontvang het, word dit vermoed dat hy toe hy bedoelde goed of eiendom of so iets ontvang het, geweet het dat dit gesteel of deur middel van 'n misdryf verkry was, tensy dit bewys word dat hy op daardie tydstip onder die ouderdom van een-en-twintig jaar was of ander gegronde redes as die blote verklaring van die persoon van wie hy die goed of eiendom of so iets ontvang het, gehad het om aan te neem en wel aangeneem het dat bedoelde persoon die reg gehad het om oor daardie goed of eiendom of so iets te beskik.”.

10. Artikel driehonderd-en-dertig van die Hoofwet word hierby gewysig deur al die woorde wat die voorbehoudsbepaling by sub-artikel (1) voorafgaan deur die volgende woorde te vervang:

Wysiging van artikel 330 van Wet 56 van 1955, soos gewysig deur artikel 25 van Wet 16 van 1959.

"Sentence of death may be passed by a superior court only and shall be passed by such a court upon a person convicted before or by it of murder, and may be passed by such a court upon a person convicted before or by it of treason, kidnapping, childstealing or rape or robbery (including an attempt to commit robbery) if aggravating circumstances are found to have been present, or any offence, either at common law or under any statute, of housebreaking or attempted housebreaking with intent to commit an offence, if aggravating circumstances are found to have been present:".

Substitution of section 344*bis* of Act 56 of 1955, as inserted by section 34 of Act 16 of 1959.

11. The following section is hereby substituted for section *three hundred and forty-four bis* of the principal Act:

"Sentence of whipping may be imposed by inferior courts in certain cases only.

344*bis*. (1) Subject to the provisions of sub-section (2), whipping may be imposed by an inferior court only in the case of a conviction for—

- (a) robbery or rape, or assault of an aggravated or indecent nature or with intent to do grievous bodily harm or with intent to commit any other offence;
- (b) culpable homicide, bestiality or an act of gross indecency committed by one male person with another or any attempt to commit any such offence;
- (c) breaking or entering or any attempt to break or enter any premises with intent to commit an offence, either under the common law or under any statutory provision, or theft of a motor vehicle (except where the accused obtained possession of the motor vehicle with the consent of the owner thereof), or theft or an attempted theft of goods from a motor vehicle or part thereof where the said motor vehicle or the said part thereof was properly locked, or receiving stolen property well knowing the same to have been stolen; or
- (d) any statutory offence for which whipping may be imposed as a punishment.

(2) No person shall be sentenced to whipping under this section for any offence if it is proved that he was sentenced to a whipping other than whipping referred to in section *three hundred and forty-five* within a period of three years before the date on which he is convicted of the said offence."

Repeal of section 344*ter* of Act 56 of 1955, as inserted by section 34 of Act 16 of 1959.

12. Section *three hundred and forty-four ter* of the principal Act is hereby repealed.

Amendment of section 352 of Act 56 of 1955, as amended by section 38 of Act 16 of 1959, section 100 of Act 33 of 1960 and section 40 of Act 92 of 1963.

13. Section *three hundred and fifty-two* of the principal Act is hereby amended—

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

"(a) postpone for a period not exceeding three years the passing of sentence and release the person convicted on one or more conditions (whether as to compensation, the rendering to the person aggrieved of some specific benefit or service in lieu of compensation for damage or pecuniary loss, submission to instruction or treatment or to the supervision or control (including control over the earnings or other income of the person convicted) of a probation officer as defined in the Children's Act, 1960 (Act No. 33 of 1960), compulsory attendance at some specified centre for a specified purpose, good conduct or otherwise) which the court may order to be inserted in recognizances to appear at the expiration of that period; or";

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

„Die doodvonnis kan slegs deur 'n hoër hof opgelê word en moet deur so 'n hof iemand opgelê word wat voor of deur dié hof aan moord skuldig bevind word, en kan deur so 'n hof iemand opgelê word wat voor of deur dié hof skuldig bevind word weens hoogverraad, menseroof, kinderdiefstal of verkragting of roof (met inbegrip van 'n poging tot roof) indien dit bevind word dat verswarende omstandighede aanwesig was of 'n misdryf, hetsy kragtens die gemenerereg of 'n wetsbepaling, van huisbraak met die doel om 'n misdryf te pleeg of 'n poging daartoe, indien dit bevind word dat verswarende omstandighede aanwesig was:”.

11. Artikel *driehonderd vier-en-veertig bis* van die Hoofwet word hierby deur die volgende artikel vervang:

„Lyfstraf kan deur laerhove slegs in sekere gevalle opgelê word.

- 344bis. (1) Behoudens die bepalings van sub-artikel (2), kan lyfstraf deur 'n laer hof opgelê word slegs in die geval van 'n skuldigbevinding weens—
- (a) roof of verkragting, of aanranding onder verswarende omstandighede of van 'n onsedelike aard of met die opset om ernstig te beseer of met die opset om 'n ander misdryf te pleeg;
 - (b) strafbare manslag, bestialiteit of 'n growwe onsedelike daad deur 'n manskanspersoon met 'n ander gepleeg of 'n poging om so 'n misdryf te pleeg;
 - (c) die oopbreek of betreding van 'n perseel of 'n poging daartoe, met die opset om 'n misdryf te pleeg, hetsy ingevolge die gemenerereg of ingevolge 'n wetterereglike bepaling, of diefstal van 'n motorvoertuig (behalwe waar die beskuldigde met toestemming van die eienaar daarvan besit van die motorvoertuig verkry het), of diefstal of 'n poging tot diefstal van goed uit 'n motorvoertuig of deel daarvan, waar bedoelde motorvoertuig of bedoelde deel daarvan behoorlik gesluit was, of ontvangs van gesteelde goed wel wetende dat dit gesteel is; of
 - (d) 'n wetterereglike misdryf waarvoor lyfstraf as straf opgelê kan word.

(2) Geen persoon word kragtens hierdie artikel weens 'n misdryf tot lyfstraf veroordeel nie indien bewys word dat hy binne 'n tydperk van drie jaar voor die datum waarop hy aan bedoelde misdryf skuldig bevind word, tot ander lyfstraf as lyfstraf in artikel *driehonderd vyf-en-veertig* verneld, veroordeel is.”.

Vervanging van artikel 344bis van Wet 56 van 1955, soos ingevoeg deur artikel 34 van Wet 16 van 1959.

12. Artikel *driehonderd vier-en-veertig ter* van die Hoofwet word hierby herroep.

Herroeping van artikel 344ter van Wet 56 van 1955, soos ingevoeg deur artikel 34 van Wet 16 van 1959.

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

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

„(a) die oplegging van die vonnis vir 'n tydperk van hoogstens drie jaar uitstel en die veroordeelde persoon vrystel op een of meer voorwaardes (hetsy met betrekking tot skadeloosstelling, die verskaffing aan die benadeelde persoon van een of ander bepaalde voordeel of diens in plaas van skadeloosstelling vir skade of geldelike verlies, onderwerping aan opleiding of behandeling of aan die toesig of beheer (met inbegrip van beheer oor die verdienste of ander inkomste van die veroordeelde persoon) van 'n proefbeampte soos omskryf in die Kinderwet, 1960 (Wet No. 33 van 1960), verpligte bywoning van een of ander bepaalde sentrum vir 'n bepaalde doel, goeie gedrag of andersins) wat op bevel van die hof opgeneem moet word in 'n borgakke om by verstryking van bedoelde tydperk te verskyn; of”;

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

Wysiging van artikel 352 van Wet 56 van 1955, soos gewysig deur artikel 38 van Wet 16 van 1959, artikel 100 van Wet 33 van 1960 en artikel 40 van Wet 92 van 1963.

“(8) Any court which has under this section postponed the passing of sentence or suspended the operation of any sentence on condition that the person convicted shall submit himself to instruction or treatment or to the supervision or control of a probation officer, or shall attend at some specified centre for a specified purpose, may for good cause at any time during the period of postponement or suspension amend such condition.”.

Amendment of section 356 of Act 56 of 1955, as amended by section 42 of Act 16 of 1959, section 101 of Act 33 of 1960 and section 42 of Act 92 of 1963.

14. Section *three hundred and fifty-six* of the principal Act is hereby amended by the substitution for paragraph (b) of the following paragraph:

“(b) the powers and duties of probation officers referred to in section *three hundred and fifty-two*, in relation to the supervision or control of persons whose sentences of imprisonment are suspended under the said section, or in respect of whom the passing of sentence is postponed under the said section, the conditions which shall be observed by such persons while on probation, the varying of such conditions and the compulsory payment by employers to the said probation officers of wages payable or to become payable by the employers to any such persons while on probation.”.

Amendment of section 357 of Act 56 of 1955, as amended by section 43 of Act 92 of 1963.

15. Section *three hundred and fifty-seven* of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

“(1) When any person is convicted by a superior court the court of a regional division or an inferior court with jurisdiction in civil cases, of an offence which has caused damage to or loss of property belonging to some other person, the court trying the case may, after recording the conviction and upon the application of the injured party or of the person conducting the prosecution acting on the instructions of such party, forthwith award him compensation for such damage or loss: Provided that—

- (a) the court of a regional division shall not make any such award unless the compensation claimed does not exceed one thousand pounds;
- (b) an inferior court with civil jurisdiction shall not make any such award unless the compensation claimed does not exceed five hundred pounds.”.

Amendment of Second Schedule to Act 56 of 1955, as amended by section 15 of Act 93 of 1963 and Proclamation 207 of 1955.

16. The Second Schedule to the principal Act is hereby amended by the insertion of the following Part after Part II:

“PART IIBIS.

OFFENCES IN RESPECT OF WHICH THE ATTORNEY-GENERAL MAY UNDER SECTION *ONE HUNDRED AND EIGHT BIS* ORDER THAT THE ACCUSED SHALL NOT BE RELEASED ON BAIL OR UNDER SECTION *TWO HUNDRED AND FIFTEEN BIS* ISSUE A WARRANT FOR THE ARREST AND DETENTION OF A WITNESS.

Sedition.

Murder.

Arson.

Kidnapping.

Childstealing.

Contravention of the provisions of paragraph (a), (b), (b)*bis*, (b)*ter*, (c), (d), (d)*bis* or (d)*ter* of section *eleven* of the Suppression of Communism Act, 1950 (Act No. 44 of 1950), or that Act as applied by any other law.

Contravention of section *twenty-one* of the General Law Amendment Act, 1962 (Act No. 76 of 1962).

Any conspiracy, incitement or attempt to commit any of the above-mentioned offences.

Treason.

Robbery (including an attempt to commit robbery), where the attorney-general is satisfied that aggravating circumstances were present.

Any offence, either at common law or under any statute, of housebreaking or attempted housebreaking with intent to commit an offence, where the attorney-general is satisfied that aggravating circumstances were present.”.

„(8) 'n Hof wat die oplegging of tenuitvoerlegging van 'n vonnis kragtens hierdie artikel uitgestel of opgeskort het op voorwaarde dat die veroordeelde persoon hom aan opleiding of behandeling of aan die toesig of beheer van 'n proefbeampte onderwerp, of een of ander bepaalde sentrum vir 'n bepaalde doel bywoon, kan, te eniger tyd gedurende die tydperk van uitstel of opskorting daardie voorwaarde om gegronde redes wysig.”.

14. Artikel *driehonderd ses-en-vyftig* van die Hoofwet word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

„(b) die bevoegdheid en pligte van die in artikel *driehonderd twee-en-vyftig* bedoelde proefbeamptes met betrekking tot die toesig of beheer van persone wie se vonnisse tot gevangenisstraf kragtens bedoelde artikel opgeskort word of ten opsigte van wie die oplegging van vonnis kragtens bedoelde artikel uitgestel word, die voorwaardes wat sodanige persone gedurende hul proeftyd moet nakom, die wysiging van sodanige voorwaardes en die verpligte betaling deur werkgewers aan bedoelde proefbeamptes van loon wat deur die werkgewers aan sodanige persone gedurende hul proeftyd betaalbaar is of sal word.”.

Wysiging van artikel 356 van Wet 56 van 1955, soos gewysig deur artikel 42 van Wet 16 van 1959, artikel 101 van Wet 33 van 1960 en artikel 42 van Wet 92 van 1963.

15. Artikel *driehonderd sewe-en-vyftig* van die Hoofwet word hierby gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang:

„(1) Wanneer iemand deur 'n hoërhof, die hof van 'n streekafdeling of 'n laerhof met regsbevoegdheid in siviele sake, skuldig bevind word aan 'n misdryf waardeur skade aan of verlies van eiendom behorende aan 'n ander persoon veroorsaak is, kan die hof wat die saak verhoor, na aantekening van die skuldigbevinding en op aansoek van die benadeelde party of van die persoon belas met die vervolging handelende in opdrag van bedoelde party, onverwyld skadevergoeding vir sodanige skade of verlies aan hom toeken: Met dien verstande dat—

- (a) die hof van 'n streekafdeling so 'n toekenning nie doen nie tensy die geëiste skadevergoeding duisend pond nie te bowe gaan nie;
- (b) 'n laerhof met regsbevoegdheid in siviele sake so 'n toekenning nie doen nie tensy die geëiste skadevergoeding vyfhonderd pond nie te bowe gaan nie.”.

Wysiging van artikel 357 van Wet 56 van 1955, soos gewysig deur artikel 43 van Wet 92 van 1963.

16. Die Tweede Bylae by die Hoofwet word hierby gewysig deur die volgende Deel na Deel II in te voeg:

„DEEL IIBIS.

MISDRYWE TEN OPSIGTE WAARVAN DIE PROKUREUR-GENERAAL Kragtens ARTIKEL *HONDERD-EN-AGT BIS* KAN GELAS DAT DIE BESKULDIGDE NIE OP BORTOG VRYGELAAT MAG WORD NIE OF Kragtens ARTIKEL *TWEEHONDERD-EN-VYFTIEN BIS* 'N LASBRIEF VIR DIE INHEGTENISNEMING EN AANHOUDING VAN 'N GETUIE KAN UITREIK.

Oproer.
Moord.
Brandstigting.
Menseroof.
Kinderdiefstal.

Oortreding van die bepalings van paragraaf (a), (b), (b)bis, (b)ter, (c), (d), (d)bis of (d)ter van artikel *elf* van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), of daardie Wet soos deur enige ander wet toegepas.

Oortreding van artikel *een-en-twintig* van die Algemene Regswysigingswet, 1962 (Wet No. 76 van 1962).

Enige sameswering, uitlokking of poging om enigeen van bogenoemde misdrywe te pleeg.

Hoogverraad.

Roof (met inbegrip van 'n poging tot roof), waar die prokureur-generaal oortuig is dat verswarende omstandighede aanwesig was.

'n Misdryf, hetsy kragtens die gemenereg of 'n wetsbepaling, van huisbraak met die doel om 'n misdryf te pleeg of 'n poging daartoe, waar die prokureur-generaal oortuig is dat verswarende omstandighede aanwesig was.”.

Wysiging van die Tweede Bylae by Wet 56 van 1955, soos gewysig deur artikel 15 van Wet 93 van 1963 en Proklamasie 207 van 1955.

Amendment of
Third Schedule
to Act 56 of 1955,
as amended by
section 31 of
Act 50 of 1956,
section 6 of
Act 9 of 1958
and section 47 of
Act 16 of 1959.

17. The Third Schedule to the principal Act is hereby amended by the substitution for the heading to Part II of the following heading:

“OFFENCES ON CONVICTION WHEREOF THE OFFENDER’S
MOVEMENTS MAY BE RESTRICTED UNDER SECTION
THREE HUNDRED AND FIFTY-FIVE BIS.”.

Short title.

18. This Act shall be called the Criminal Procedure Amendment Act, 1965.

17. Die Derde Bylae by die Hoofwet word hierby gewysig deur die opskrif by Deel II deur die volgende opskrif te vervang:

„MISDRYWE BY SKULDIGBEVINDING WAARAAN DIE OORTREDER SE BEWEGINGS KRAGTENS ARTIKEL DRIEHONDERD VYF-EN-VYFTIG BIS BEPERK KAN WORD.”.

Wysiging van die Derde Bylae by Wet 56 van 1955, soos gewysig deur artikel 31 van Wet 50 van 1956, artikel 6 van Wet 9 van 1958 en artikel 47 van Wet 16 van 1959.

18. Hierdie Wet heet die Strafproseswysigingswet, 1965.

Kort titel.

No. 98, 1965.]

ACT

To amend sections *six, thirty-two bis, sixty-nine, eighty-four, one hundred sex, one hundred and fourteen ter, one hundred and forty-five and one hundred and sixty-six*, and to substitute sections *one hundred quin and one hundred and thirty-nine* of Act No. 30 of 1928, to amend section *three bis* of Act No. 53 of 1934, to insert a new section *twenty-one bis* in, and to amend section *thirty-three* of Act No. 43 of 1950, to substitute section *four* of Act No. 37 of 1958, to insert a new section *twenty-six bis* in Act No. 4 of 1962, to amend sections *twelve and seventeen* and repeal section *thirteen* of Act No. 42 of 1962, to amend section *sixteen* of Act No. 63 of 1962, and to provide for certain matters in regard to punishment and proof in the case of theft of certain goods.

(English text signed by the State President.)
(Assented to 18th June, 1965.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 6 of Act 30 of 1928, as amended by section 3 of Act 41 of 1934, section 1 of Act 39 of 1937, section 2 of Act 72 of 1961, section 1 of Act 89 of 1962, section 2 of Act 88 of 1963 and section 1 of Act 85 of 1964.

Amendment of section 32*bis* of Act 30 of 1928, as inserted by section 17 of Act 88 of 1963.

1. Section *six* of the Liquor Act, 1928 (hereinafter referred to as the Liquor Act), is hereby amended by the insertion after paragraph (d)*bis* of sub-section (1) of the following paragraph:

“(d)*ter* any person who on behalf of the National Parks Board of Trustees referred to in section *five* of the National Parks Act, 1962 (Act No. 42 of 1962), and in a park as defined in section *one* of the said Act, sells any liquor under authority granted by the Minister to the said Board, and subject to such conditions and restrictions as the Minister may impose;”.

2. Section *thirty-two bis* of the Liquor Act is hereby amended—

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

“(2) Every such application shall be in the prescribed form, shall be accompanied by the prescribed documents and information and shall be lodged with the magistrate concerned.”;

(b) by the substitution for sub-section (3) of the following sub-section:

“(3) The magistrate shall during the month of December of each year on such date as may be determined by him, consider and determine applications lodged with him in terms of sub-section (2) during the immediately preceding month of October, and if any application for the grant of a licence referred to in sub-section (1) is lodged with the magistrate concerned in any other month, he may in his discretion, if he is satisfied that there are good and sufficient reasons for such application not having been lodged with him during the immediately preceding month of October

No. 98, 1965.]

WET

Om artikels *ses*, *twee-en-dertig bis*, *nege-en-sestig*, *vier-en-tagtig*, *honderd ses*, *honderd-en-veertien ter*, *honderd vyf-en-veertig* en *honderd ses-en-sestig* van Wet No. 30 van 1928 te wysig, om artikels *honderd quin* en *honderd nege-en-dertig* van laasgenoemde Wet te vervang, om artikel *drie bis* van Wet No. 53 van 1934 te wysig, om 'n nuwe artikel *een-en-twintig bis* in Wet No. 43 van 1950 in te voeg en artikel *drie-en-dertig* van laasgenoemde Wet te wysig, om artikel *vier* van Wet No. 37 van 1958 te vervang, om 'n nuwe artikel *ses-en-twintig bis* in Wet No. 4 van 1962 in te voeg, om artikels *twaalf* en *sewentien* van Wet No. 42 van 1962 te wysig en artikel *dertien* van laasgenoemde Wet te herroep, om artikel *sestien* van Wet No. 63 van 1962 te wysig, en om voorsiening te maak vir sekere aangeleenthede betreffende straf en bewys in die geval van diefstal van sekere goed.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 18 Junie 1965.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel *ses* van die Drankwet, 1928 (hieronder die Drankwet genoem), word hierby gewysig deur na paragraaf (d) *bis* van sub-artikel (1) die volgende paragraaf in te voeg:

„(d) *ter* iemand wat namens die Raad van Kuratore vir Nasionale Parke vermeld in artikel *vyf* van die Wet op Nasionale Parke, 1962 (Wet No. 42 van 1962), in 'n park soos in artikel *een* van genoemde Wet omskryf, drank verkoop kragtens magtiging deur die Minister aan genoemde Raad verleen, en onderworpe aan die voorwaardes en beperkings wat die Minister oplê;”.

Wysiging van artikel 6 van Wet 30 van 1928, soos gewysig deur artikel 3 van Wet 41 van 1934, artikel 1 van Wet 39 van 1937, artikel 2 van Wet 72 van 1961, artikel 1 van Wet 89 van 1962, artikel 2 van Wet 88 van 1963 en artikel 1 van Wet 85 van 1964.

2. Artikel *twee-en-dertig bis* van die Drankwet word hierby gewysig—

(a) deur sub-artikel (2) deur die volgende sub-artikel te vervang:

„(2) Elke sodanige aanvraag moet in die voorgeskrewe vorm wees, moet vergesel wees van die voorgeskrewe dokumente en inligting en moet by die betrokke magistraat ingedien word.”;

(b) deur sub-artikel (3) deur die volgende sub-artikel te vervang:

„(3) Die magistraat moet gedurende die maand Desember van elke jaar en op die datum deur hom bepaal, aanvrae oorweeg en beslis wat ingevolge sub-artikel (2) by hom ingedien is gedurende die onmiddellik voorafgaande maand Oktober, en indien 'n aanvraag om die verlening van 'n lisensie vermeld in sub-artikel (1) by die betrokke magistraat in enige ander maand ingedien word, kan hy na goeddunke, indien hy oortuig is dat daar goeie en voldoende redes is waarom sodanige aanvraag nie gedurende die onmiddellik voorafgaande maand Oktober by hom ingedien is nie en dat uitstel van die doen van die aanvraag tot die eersvolgende maand Oktober

Wysiging van artikel 32 *bis* van Wet 30 van 1928, soos ingevoeg deur artikel 17 van Wet 88 van 1963.

and that postponement of the making of the application until the immediately succeeding month of October would cause undue hardship, and shall, if the Minister so directs, consider and determine such application during the second month following upon the month during which such application was so lodged with him, and on such date as he may determine: Provided that a magistrate shall not determine more than one date for the consideration of applications by him in any particular month.”;

- (c) by the addition to sub-section (4) of the following proviso:

“Provided that no condition or restriction imposed by the Minister in granting any application for a wine farmer’s licence or for the renewal of such a licence under sub-section (7), shall, without his consent, be amended or deleted by any magistrate thereafter granting an application for the renewal of such licence.”; and

- (d) by the addition of the following sub-sections:

“(5) Any person aggrieved by the refusal of a magistrate to grant any application for a wine farmer’s licence or for the renewal of such a licence may, by notice delivered to such magistrate within a period of fourteen days of the date of such refusal, appeal to the Minister against such refusal.

(6) The magistrate shall, within seven days after the receipt by him of such notice, transmit the notice to the Minister, together with the application to which it relates, all relevant documents, information, objections, police reports and representations submitted to him under this Act in connection with such application and his reasons for refusing to grant the application.

(7) The Minister may in his discretion, after having obtained the recommendation of the National Liquor Board made after consideration of the application, all relevant documents, information, objections, police reports, representations and the reasons of the magistrate transmitted to the Minister in terms of sub-section (6), confirm, uphold or set aside the refusal by the magistrate to grant the application and, in the event of the refusal by the magistrate being set aside, grant the application for the licence or for the renewal of the licence, as the case may be, subject to such conditions and restrictions as he may deem fit to impose.

(8) The decision of the Minister on any application referred to in sub-section (7) shall be final.”.

Amendment of section 69 of Act 30 of 1928, as amended by section 49 of Act 88 of 1963 and section 7 of Act 85 of 1964.

3. Section *sixty-nine* of the Liquor Act is hereby amended by the substitution for paragraph (c) of sub-section (1) of the following paragraph:

“(c) a brewer’s licence may be granted or renewed in respect of premises in which the licensee lawfully carries on the business of brewing any malt liquor, irrespective of whether or not he also brews therein any beer containing less than two per cent by volume of alcohol, provided it is done lawfully;”.

Amendment of section 84 of Act 30 of 1928, as amended by section 66 of Act 88 of 1963.

4. Section *eighty-four* of the Liquor Act is hereby amended by the deletion of sub-section (4).

Substitution of section 100quin of Act 30 of 1928, as inserted by section 8 of Act 72 of 1961 and amended by section 4 of Act 89 of 1962 and section 77 of Act 88 of 1963.

5. The following section is hereby substituted for section *one hundred quin* of the Liquor Act:

100quin. (1) The State President may, by proclamation in the *Gazette*, declare that within any area defined in such proclamation, no liquor or no liquor of a specified kind or no liquor other than liquor of a specified kind shall be sold or supplied to any member of any specified class of persons by the holder of an off-consumption licence or a licensee who has been granted a special right to off-sale in terms of section *sixty-four* or *seventy-one bis*.

(2) Notwithstanding the provisions of sub-section (1), the Minister may, after considering a police

buitensporige ontbering sal veroorsaak, en moet hy, indien die Minister dit gelas, sodanige aanvraag oorweeg en beslis gedurende die tweede maand wat volg op die maand waarin sodanige aanvraag by hom ingedien is, en wel op die datum wat hy bepaal: Met dien verstande dat 'n magistraat nie meer as een datum vir die oorweging van aanvrage deur hom in 'n bepaalde maand bepaal nie.”;

- (c) deur die volgende voorbehoudbepaling by sub-artikel (4) te voeg:

„Met dien verstande dat geen voorwaarde of beperking wat by die toestaan van 'n aanvraag om 'n wynboer-lisensie of om die vernuwing van so 'n lisensie kragtens sub-artikel (7) deur die Minister opgelê is, sonder sy toestemming deur 'n magistraat wat daarna 'n aanvraag om die vernuwing van daardie lisensie toestaan, gewysig of geskrap mag word nie.”; en

- (d) deur die volgende sub-artikels by te voeg:

„(5) Iemand wat homself veronreg voel deur die weiering van 'n magistraat om 'n aanvraag om 'n wynboer-lisensie of om die vernuwing van so 'n lisensie toe te staan, kan, by kennisgewing aan daardie magistraat gelewer binne 'n tydperk van veertien dae vanaf die datum van sodanige weiering, by die Minister teen sodanige weiering appelleer.

(6) Die magistraat moet, binne sewe dae nadat hy sodanige kennisgewing ontvang het, die kennisgewing aan die Minister stuur, tesame met die aanvraag waarop dit betrekking het, alle relevante dokumente, inligting, besware, polisierapporte en vertoë wat in verband met daardie aanvraag kragtens hierdie Wet aan hom voorgelê is en sy redes waarom hy geweier het om die aanvraag toe te staan.

(7) Die Minister kan na goëddunke, nadat hy die aanbeveling verkry het van die Nasionale Drankraad, gedoen na oorweging van die aanvraag, alle relevante dokumente, inligting, besware, polisierapporte, vertoë en die magistraat se redes wat ingevolge sub-artikel (6) aan die Minister gestuur is, die magistraat se weiering om die aanvraag toe te staan, bekragtig, handhaaf of tersyde stel en, ingeval die weiering van die magistraat tersyde gestel word, die aanvraag om die lisensie of om die vernuwing van die lisensie, na gelang van die geval, toestaan, onderworpe aan die voorwaardes en beperkings wat hy goëdvind om op te lê.

(8) Die besluit van die Minister oor enige in sub-artikel (7) bedoelde aanvraag is afdoende.”.

3. Artikel *nege-en-sestig* van die Drankwet word hierby gewysig deur paragraaf (c) van sub-artikel (1) deur die volgende paragraaf te vervang:

„(c) mag 'n brouerslisensie verleen of vernuwe word in verband met 'n gebou waarin die lisensiehouer wettig as 'n besigheid enige soort bier brou, ongeag of hy daarin ook bier brou wat minder alkohol as twee persent van sy volume bevat, mits dit wettiglik gedoen word.”.

Wysiging van artikel 69 van Wet 30 van 1928, soos gewysig deur artikel 49 van Wet 88 van 1963 en artikel 7 van Wet 85 van 1964.

4. Artikel *vier-en-tagtig* van die Drankwet word hierby gewysig deur sub-artikel (4) te skrap.

Wysiging van artikel 84 van Wet 30 van 1928, soos gewysig deur artikel 66 van Wet 88 van 1963.

5. Artikel *honderd quin* van die Drankwet word hierby deur die volgende artikel vervang:

Verbod of beperking op verkoop of verstrekking van drank in sekere gebiede of deur sekere lisensie-houers 100quin. (1) Die Staatspresident mag, by proklamasie in die *Staatskoerant*, verklaar dat binne 'n gebied in daardie proklamasie omskryf, geen drank of geen drank van 'n vermelde soort of geen drank behalwe drank van 'n vermelde soort verkoop of verstrekk mag word nie aan enige lid van 'n vermelde klas van persone deur die houer van 'n buiteverbruik-lisensie of 'n lisensiehouer aan wie 'n spesiale reg van buiteverkoop ingevolge artikel *vier-en-sestig* of *een-en-sewentig bis* verleen is.

(2) Ondanks die bepalinge van sub-artikel (1), mag die Minister, na oorweging van 'n polisie-

Vervanging van artikel 100quin van Wet 30 van 1928, soos ingevoeg deur artikel 8 van Wet 72 van 1961 en gewysig deur artikel 4 van Wet 89 van 1962 en artikel 77 van Wet 88 van 1963.

report and such other evidence, whether verbal or in writing, as may be presented to him or any person appointed by him for the purpose, and after he has afforded the licensee concerned or his principal, if any, an opportunity to make representations to him within such period as he may determine, in writing prohibit any holder of an off-consumption licence or any holder of a licence who has been authorized under section *sixty-four* or *seventy-one bis* to sell liquor for consumption off the licensed premises, from selling any liquor, or any liquor of a specified kind, or any liquor other than liquor of a specified kind, or any liquor of any kind in excess of any specified quantity, to any member of any specified class of persons during such period, not exceeding twelve months at any time, as the Minister may determine, for consumption off the licensed premises.

(3) A decision of the Minister under sub-section (2), shall not be subject to appeal or review."

Amendment of section 100*sex* of Act 30 of 1928, as inserted by section 5 of Act 89 of 1962.

6. (1) Section *one hundred sex* of the Liquor Act is hereby amended—

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

"(1) The Minister or any person acting under his directions may, subject to such conditions or restrictions whatsoever as he may deem fit to impose, grant written authority to the nominee of any association of coloured or Asiatic persons having not less than twenty shareholders or members, to sell liquor, or such kinds of liquor as he may determine, for consumption on or off such premises as may be described in such authority: Provided that no authority for the sale of liquor for consumption off the premises shall be granted unless such nominee is also the holder of an authority to sell liquor for consumption on the same premises."; and

(b) by the substitution for sub-paragraph (i) of paragraph (b) of sub-section (9) of the following sub-paragraph:

"(i) holds more than twenty per cent. of the issued shares in such company or contributed more than twenty per cent. of the capital of such other association;".

(2) The provisions of section *one hundred sex* of the Liquor Act, as they existed immediately before the commencement of sub-section (1) of this section, shall continue to apply in respect of any authority granted or renewed under the first-mentioned section before such commencement, or deemed to be an authority granted or renewed thereunder, in all respects as if the said sub-section had not been passed.

Amendment of section 114*ter* of Act 30 of 1928, as inserted by section 35 of Act 61 of 1956 and amended by section 7 of Act 58 of 1957 and section 88 of Act 88 of 1963.

7. (1) Section *one hundred and fourteen ter* of the Liquor Act is hereby amended by the substitution for the proviso to paragraph (a) of sub-section (1) of the following proviso:

"Provided that nothing contained in this paragraph shall be construed as prohibiting a licensing board or the chairman thereof from authorizing the transfer of any licence—

- (i) to a person who was on the fourth day of May, 1956, the lessor of the premises in respect of which the licence was then held and is on the date of the transfer the lessor of the premises in respect of which the licence is then held, or to the agent or nominee of such a person;
- (ii) from one agent or nominee of any person to another agent or nominee of the same person;
- (iii) to a producer or a manufacturer as defined in section *one hundred and fourteen bis*, or a brewer, or a person having a controlling interest (as so defined) in a company which is such a producer or manufacturer or a brewer, who has, with the consent of the Minister given under paragraph (v) of section *one hundred and sixty-six*, directly or indirectly acquired any financial interest in the business in respect of which the licence in question has been issued, or to the agent or nominee of any such producer, manufacturer, brewer or person; or

rapport en die ander getuienis, hetsy mondeling of skriftelik, wat aan hom of 'n persoon deur hom vir dié doel aangestel, voorgelê word, en nadat hy die betrokke lisensiehouer of sy prinsipaal, indien enige, 'n geleentheid gegee het om binne die tydperk wat hy bepaal, vertoë tot hom te rig, enige houër van 'n buiteverbruik-lisensie of enige lisensiehouer wat kragtens artikel vier-en-sestig of een-en-sewentig *bis* gemagtig is om drank vir gebruik buite die gelisensieerde gebou te verkoop, skriftelik verbied om gedurende die tydperk, nie twaalf maande op 'n keer te bowe gaande nie, wat die Minister bepaal, enige drank, of enige drank van 'n vermelde soort, of enige drank behalwe drank van 'n vermelde soort, of 'n groter hoeveelheid van enige soort drank as 'n vermelde hoeveelheid, aan enige lid van 'n vermelde klas van persone vir gebruik buite die gelisensieerde gebou te verkoop.

(3) 'n Besluit van die Minister kragtens sub-artikel (2) is nie aan appèl of hersiening onderhewig nie."

6. (1) Artikel honderd sex van die Drankwet word hierby gewysig—

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

„(1) Die Minister of iemand wat op sy gesag handel, mag, onderworpe aan watter voorwaardes of beperkings ook wat hy wenslik ag om op te lê, skriftelik magtiging verleen aan die benoemde van 'n assosiasie van kleurlinge of Asiate wat minstens twintig aandeelhouders of lede het, om drank of die soorte drank wat hy bepaal, te verkoop vir gebruik binne of buite die gebou wat in daardie magtiging beskryf word: Met dien verstande dat geen magtiging vir die verkoop van drank vir gebruik buite die gebou verleen word nie tensy die benoemde ook die houër is van 'n magtiging om drank te verkoop vir gebruik binne dieselfde gebou.”; en

(b) deur sub-paragraaf (i) van paragraaf (b) van sub-artikel (9) deur die volgende sub-paragraaf te vervang:

„(i) meer as twintig persent van die uitgereikte aandele in daardie maatskappy hou of meer as twintig persent van die kapitaal van daardie ander assosiasie bygedra het nie;”.

(2) Die bepaling van artikel honderd sex van die Drankwet, soos hulle bestaan het onmiddellik voor die inwerkingtreding van sub-artikel (1) van hierdie artikel, bly van toepassing ten opsigte van enige magtiging wat kragtens eersgenoemde artikel verleen of vernuwe is voor daardie inwerkingtreding, of wat geag word 'n magtiging te wees wat daarkragtens verleen of vernuwe is, in alle opsigte asof bedoelde sub-artikel nie aangeneem was nie.

7. (1) Artikel honderd-en-veertien ter van die Drankwet word hierby gewysig deur die voorbehoudsbepaling by paragraaf (a) van sub-artikel (1) deur die volgende voorbehoudsbepaling te vervang:

„Met dien verstande dat geen bepaling van hierdie paragraaf so uitgelê word nie dat dit 'n lisensieraad of die voorsitter daarvan verbied om die oordrag van 'n lisensie te magtig—

(i) aan 'n persoon wat op die vierde dag van Mei 1956 die verhuurder was van die persele ten opsigte waarvan die lisensie destyds gehou was en op die datum van die oordrag die huurder is van die persele ten opsigte waarvan die lisensie dan gehou word, of aan die agent of genomineerde van bedoelde persoon;

(ii) van een agent of genomineerde van 'n persoon aan 'n ander agent of genomineerde van dieselfde persoon;

(iii) aan 'n produsent of 'n vervaardiger soos in artikel honderd-en-veertien *bis* omskryf, of 'n bierbrouer, of 'n persoon wat 'n beheersende belang (soos aldus omskryf) besit in 'n maatskappy wat so 'n produsent of vervaardiger of 'n bierbrouer is, wat, met die toestemming van die Minister ingevolge paragraaf (v) van artikel honderd-ses-en-sestig gegee, regstreeks of onregstreeks, 'n geldelike belang verkry het in die besigheid ten opsigte waarvan die betrokke lisensie uitgereik is, of aan die agent of genomineerde van so 'n produsent, vervaardiger, bierbrouer of persoon; of

Wysiging van artikel 100^{sex} van Wet 30 van 1928, soos ingevoeg deur artikel 5 van Wet 89 van 1962.

Wysiging van artikel 114^{ter} van Wet 30 van 1928, soos ingevoeg deur artikel 35 van Wet 61 van 1956, en gewysig deur artikel 7 van Wet 58 van 1957 en artikel 88 van Wet 88 van 1963.

- (iv) to a person (other than a producer or manufacturer as defined in section *one hundred and fourteen bis*, or a brewer, or a person having a controlling interest, as so defined, in a company which is a producer or manufacturer, as so defined, or a brewer) who has, with the consent of the Minister given under paragraph (w) of section *one hundred and sixty-six*, directly or indirectly acquired any financial interest in the business or undertaking in respect of which the licence in question has been issued, or to the agent or nominee of such person."

(2) Sub-section (1) shall be deemed to have come into operation on the sixteenth day of August, 1957.

Substitution of section 139 of Act 30 of 1928.

8. The following section is hereby substituted for section *one hundred and thirty-nine* of the Liquor Act:

"Rights of police in regard to search and seizure.

139. (1) Any member of the police holding a rank or post designated by the Minister from time to time by notice in the *Gazette*, may, in any area so designated, without any warrant—

(a) during the hours when any premises licensed under this Act are open for the sale of liquor, enter and inspect every room or any other part of such premises and may take stock of all liquor found in or upon such premises;

(b) at all times enter and search any premises, room or place, whether licensed under this Act or not, or any vehicle, or search any person or any receptacle of whatever nature, whether found in or upon such premises, room, place or vehicle or not, if—

(i) there are reasonable grounds to suspect that any contravention of a provision of this Act is taking place in or upon such premises, room, place or vehicle or is being committed by such person or by means of such vehicle or receptacle;

(ii) there are reasonable grounds to suspect that such person has in his possession any liquor or thing or that any liquor or thing is kept in or upon such premises, room, place, vehicle or receptacle in contravention of any provision of this Act; or

(iii) there are reasonable grounds to believe that such person has in his possession or that there is in or upon such premises, room, place, vehicle or receptacle any liquor or thing intended to be used for the purpose of committing any offence under this Act;

(c) enter any premises upon which liquor is being sold or supplied and demand the production of the licence authorizing such sale or supply.

(2) Any member of the police holding a rank or post so designated shall seize and remove anything in the possession of the person so searched or in or upon the premises, room, place, vehicle or receptacle so entered or searched if, in his opinion, the possession thereof by such person or the keeping or possession thereof in or upon such premises, room, place, vehicle or receptacle is unlawful or if he suspects that any offence has been committed in respect thereof, or if he has reason to believe that such thing is intended to be used for the purpose of committing any offence under this Act."

Amendment of section 145 of Act 30 of 1928.

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

(a) by the addition at the end of paragraph (c) of the word "or"; and

(b) by the insertion after the said paragraph of the following new paragraph:

"(d) bought or acquired more liquor than was reasonably required for consumption by himself, his household and persons *bona fide* employed by him,".

- (iv) aan 'n persoon (behalwe 'n produsent of vervaardiger soos in artikel *honderd-en-veertien* *bis* omskryf, of 'n bierbrouer, of iemand wat 'n beheersende belang, soos aldus omskryf, besit in 'n maatskappy wat 'n produsent of vervaardiger, soos aldus omskryf, of 'n bierbrouer is) wat, met die toestemming van die Minister ingevolge paragraaf (w) van artikel *honderd-ses-en-sestig* gegee, regstreeks of onregstreeks 'n geldelike belang verkry het in die besigheid of onderneming ten opsigte waarvan die betrokke lisensie uitgereik is, of aan die agent of genomineerde van so 'n persoon."

(2) Sub-artikel (1) word geag op die sestiende dag van Augustus 1957 in werking te getree het.

8. Artikel *honderd nege-en-dertig* van die Drankwet word hierby deur die volgende artikel vervang:

„Bevoegd-
hede van
polisie
met betrek-
king tot
visentering
en beslag-
legging.

139. (1) Enige lid van die polisiemag wat 'n rang of pos beklee deur die Minister van tyd tot tyd by kennisgewing in die *Staatkoerant* aangewys, kan, in 'n aldus aangewese gebied, sonder 'n las-brief—

Vervanging van
artikel 139
van Wet 30
van 1928.

(a) gedurende die ure wanneer 'n gebou, ingevolge hierdie Wet gelisensieer, vir die verkoop van drank oop is, elke kamer of enige ander deel van daardie gebou binnegaan en besigtig en kan voorraad neem van al die drank wat in of by sodanige gebou gevind word;

(b) teeniger tyd enige gebou, kamer of plek, hetsy ingevolge hierdie Wet gelisensieer al dan nie, of enige voertuig binnegaan en visenteer of enig-iemand of enige houer van watter aard ook al, hetsy in of by so 'n gebou, kamer, plek of voertuig gevind al dan nie, visenteer, indien—

(i) daar gegronde redes bestaan om te vermoed dat 'n oortreding van 'n bepaling van hierdie Wet in of by so 'n gebou, kamer, plek of voertuig plaasvind of deur so 'n persoon of deur middel van so 'n voertuig of houer gepleeg word;

(ii) daar gegronde redes bestaan om te vermoed dat so 'n persoon enige drank of voorwerp in sy besit het, of dat enige drank of voorwerp in of by so 'n gebou, kamer, plek, voertuig of houer gehou word in stryd met 'n bepaling van hierdie Wet; of

(iii) daar redelike gronde bestaan om te dink dat so 'n persoon enige drank of voorwerp in sy besit het, of dat in of by so 'n gebou, kamer, plek, voertuig of houer enige drank of voorwerp is, wat bestem is om vir die doel van die pleeg van 'n misdryf ingevolge hierdie Wet gebruik te word;

(c) enige gebou waar drank verkoop of verstrekk word, binnegaan en die vertoning van die lisensie wat sodanige verkoop of verstrekking magtig, verlang.

(2) 'n Lid van die polisiemag wat 'n aldus aangewese rang of pos beklee, moet enigiets wat in besit is van die persoon wat aldus gevisenteer word, of wat in of by die gebou, kamer, plek, voertuig of houer is wat aldus binnegegaan of gevisenteer word, in beslag neem en verwyder indien, na sy oordeel, die besit daarvan deur dié persoon of die hou of besit daarvan in of by sodanige gebou, kamer, plek, voertuig of houer onwettig is, of indien hy vermoed dat 'n misdryf ingevolge hierdie Wet ten opsigte daarvan gepleeg is, of indien hy rede het om te dink dat so iets bestem is om vir die doel van die pleeg van 'n misdryf ingevolge hierdie Wet gebruik te word."

9. Artikel *honderd vyf-en-veertig* van die Drankwet word hierby gewysig—

(a) deur aan die end van paragraaf (c) die woord „of” by te voeg; en

(b) deur na genoemde paragraaf die volgende nuwe paragraaf in te voeg:

„(d) meer drank gekoop of verkry het as wat redelijkerwys vir gebruik deur homself, sy huisgesin en persone wat *bona fide* by hom in diens was, nodig was.”

Wysiging van
artikel 145
van Wet 30 van
1928.

Amendment of section 166 of Act 30 of 1928, as amended by section 33 of Act 41 of 1934, section 42 of Act 61 of 1956, section 10 of Act 58 of 1957, section 17 of Act 72 of 1961, section 20 of Act 63 of 1962, section 10 of Act 89 of 1962, section 106 of Act 88 of 1963 and section 18 of Act 85 of 1964.

10. (1) Section *one hundred and sixty-six* of the Liquor Act is hereby amended—

- (a) by the addition at the end of paragraph (ii) of the proviso to paragraph (v) of the word “or”; and
- (b) by the addition to the said proviso of the following paragraph:

“(iii) the acquisition or owning by a producer or manufacturer as defined in section *one hundred and fourteen bis*, other than a wholesale trader within the meaning of the said section, of any such financial interest in a business conducted under a wholesale liquor licence by a company, provided such financial interest comprises at least a controlling interest as so defined in such company.”.

(2) Sub-section (1) shall be deemed to have come into operation on the sixteenth day of August, 1957.

Amendment of section 3*bis* of Act 53 of 1934, as inserted by section 3 of Act 55 of 1963 and amended by section 1 of Act 80 of 1964.

11. Section *three bis* of the Slums Act, 1934, is hereby amended by the substitution for sub-section (5) of the following sub-section:

“(5) The Minister or, if authorized thereto by the Minister, the Secretary or any other officer in the Department of Community Development may, subject to the laws governing the public service, designate an officer in the said Department to act as the secretary of a slum clearance court.”.

Insertion of section 21*bis* in Act 43 of 1950.

12. The following section is hereby inserted in the Rents Act, 1950, after section *twenty-one*:

“Restriction on rights of lessor of uncontrolled dwelling in certain circumstances.

21*bis*. (1) A rent board or the Secretary for Community Development having decided to investigate whether a report in connection with a particular dwelling or particular dwellings should be submitted to the Minister for the purposes of sub-section (1)*bis* of section *thirty-three*, may in writing, by registered post, notify any lessor and lessee in question of the proposed investigation: Provided that the period of investigation shall not exceed three months from the date of such notice to the lessor and lessee.

(2) If a lessor and a lessee have been so notified the provisions of sections *twenty-one* and *twenty-four* shall *mutatis mutandis* apply in connection with the dwelling in question: Provided that if a lessor is convicted of an offence under this section, he shall be liable to a fine of not less than two hundred but not exceeding one thousand rand.

(3) The provisions of sub-section (2) shall cease to apply in connection with a dwelling—

(a) after the expiration of a period of three months after the lessor and lessee thereof were notified by the rent board or the said Secretary, as the case may be, that after investigation by it or him no action in terms of sub-section (1)*bis* of section *thirty-three* relating to the dwelling in question was being contemplated for the time being; or

(b) on the issue of a relevant proclamation under the said sub-section (1)*bis*:

Provided that the fact that such provisions cease so to apply, shall not exempt the lessor in question from any liability to which he would have been subject by reason of any notice given by him to the lessee to vacate the dwelling, if such provisions had continued to apply in connection therewith.

(4) The provisions of this section shall also apply to dwellings situate in an area for which no rent board has been constituted, and in such application to dwellings situate in such an area, any reference in this Act to the secretary or chairman of a rent board shall be construed as a reference to the Secretary for Community Development.”.

10. (1) Artikel *honderd ses-en-sestig* van die Drankwet word hierby gewysig—

- (a) deur aan die end van paragraaf (ii) van die voorbehoudsbepaling by paragraaf (v) die woord „of” by te voeg; en
- (b) deur die volgende paragraaf by genoemde voorbehoudsbepaling te voeg:

„(iii) die verkryging of besit deur ’n produsent of vervaardiger soos in artikel *honderd-en-veertien bis* omskryf, uitgesonderd ’n groothandelaar binne die bedoeling van bedoelde artikel, van so ’n geldelike belang in ’n besigheid wat deur ’n maatskappy ingevolge ’n groothandelaars-drank-lisensie gedryf word, mits sodanige geldelike belang minstens ’n aldus omskrewe beheersende belang in dié maatskappy behels.”

Wysiging van artikel 166 van Wet 30 van 1928, soos gewysig deur artikel 33 van Wet 41 van 1934, artikel 42 van Wet 61 van 1956, artikel 10 van Wet 58 van 1957, artikel 17 van Wet 72 van 1961, artikel 20 van Wet 63 van 1962, artikel 10 van Wet 89 van 1962, artikel 106 van Wet 88 van 1963 en artikel 18 van Wet 85 van 1964.

(2) Sub-artikel (1) word geag op die sestiende dag van Augustus 1957 in werking te getree het.

11. Artikel *drie bis* van die Slumswet, 1934, word hierby gewysig deur sub-artikel (5) deur die volgende sub-artikel te vervang:

„(5) Die Minister of, indien deur die Minister daartoe gemagtig, die Sekretaris of ’n ander beampte in die Departement van Gemeenskapsbou kan met inagneming van die wetsbepalings op die Staatsdiens ’n beampte in genoemde Departement aanwys om as sekretaris van ’n slumopruimingshof op te tree.”

Wysiging van artikel 3*bis* van Wet 53 van 1934, soos ingevoeg deur artikel 3 van Wet 55 van 1963 en gewysig deur artikel 1 van Wet 80 van 1964.

12. Die volgende artikel word hierby in die Wet op Huurgelde, 1950, na artikel *een-en-twintig* ingevoeg:

„Beperking op regte van verhuurder van ongekontroleerde woning onder sekere omstandighede.

21*bis*. (1) Indien ’n huurraad of die Sekretaris van Gemeenskapsbou besluit het om ondersoek in te stel of hy ’n verslag aan die Minister vir die doeleindes van sub-artikel (1)*bis* van artikel *drie-en-dertig* in verband met ’n bepaalde woning of bepaalde wonings moet voorlê, kan hy enige betrokke verhuurder en huurder skriftelik per aangetekende pos van die voorgenome ondersoek in kennis stel: Met dien verstande dat die tydperk van ondersoek nie drie maande, vanaf die datum van sodanige kennisgewing aan die verhuurder en huurder, te bowe gaan nie.

(2) Wanneer ’n verhuurder en ’n huurder aldus in kennis gestel is, geld die bepalinge van artikels *een-en-twintig* en *vier-en-twintig mutatis mutandis* in verband met die betrokke woning: Met dien verstande dat indien ’n verhuurder kragtens hierdie artikel aan ’n misdryf skuldig bevind word, hy strafbaar is met ’n boete van minstens tweehonderd maar hoogstens duisend rand.

(3) Die bepalinge van sub-artikel (2) hou op om in verband met ’n woning te geld—

- (a) na verstryking van ’n tydperk van drie maande nadat die verhuurder en huurder daarvan deur die huurraad of genoemde Sekretaris, na gelang van die geval, in kennis gestel is dat na ondersoek deur hom geen optrede ingevolge sub-artikel (1)*bis* van artikel *drie-en-dertig* wat op die betrokke woning betrekking het, vir tyd en wyl beoog word nie; of
- (b) by uitvaardiging van ’n toepaslike proklamasie kragtens genoemde sub-artikel (1)*bis*:

Met dien verstande dat die feit dat sodanige bepalinge ophou om aldus te geld, nie die betrokke verhuurder onthef nie van enige aanspreeklikheid waaraan hy onderhewig sou gewees het op grond van enige kennis om die woning te ontruim wat hy die huurder gegee het, indien sodanige bepalinge in verband daarmee bly geld het.

(4) Die bepalinge van hierdie artikel is ook van toepassing op wonings geleë in ’n gebied waarvoor geen huurraad ingestel is nie, en by sodanige toepassing op wonings geleë in so ’n gebied word ’n verwysing in hierdie Wet na die sekretaris of voorsitter van ’n huurraad, as ’n verwysing na die Sekretaris van Gemeenskapsbou uitgelê.”

Invoeging van artikel 21*bis* in Wet 43 van 1950.

Amendment of section 33 of Act 43 of 1950, as amended by section 6 of Act 53 of 1951 and section 7 of Act 47 of 1964.

13. Section *thirty-three* of the Rents Act, 1950, is hereby amended by the substitution for paragraph (f) of sub-section (1) of the following paragraph:

“(f) to any dwelling or business premises not occupied, or to any garage or parking space not used as such, before the twenty-first day of October, 1949;”.

Substitution of section 4 of Act 37 of 1958.

14. (1) The following section is hereby substituted for section *four* of the Finance Act, 1958:

“Pension benefits for officers of Parliament and their widows and dependants.

4. The pension or gratuity to which an officer of Parliament or the widow or dependant of an officer of Parliament becomes entitled, as calculated under the provisions of any pension scheme for officers of Parliament adopted from time to time by the appropriate Committees of the Senate and the House of Assembly, shall be paid to the beneficiary out of moneys appropriated by Parliament for the purpose, and a certificate duly signed by the President of the Senate or the Speaker of the House of Assembly, as the case may be, stating that such an officer or his widow or dependant, as the case may be, has become entitled to be paid benefits under the relevant provisions of such scheme and containing particulars of such benefits and of the terms and conditions (if any) subject to which they are payable, shall constitute the requisite authority for the payment of such benefits.”.

(2) Sub-section (1) shall be deemed to have come into operation on the first day of April, 1965.

Insertion of section 26*bis* in Act 4 of 1962.

15. The following section is hereby inserted in the Coloured Development Corporation Act, 1962, after section *twenty-six*:

“Powers of Corporation in South-West Africa.

26*bis*. The Corporation may in the territory of South-West Africa exercise such powers as may be conferred upon it by ordinance of the Legislative Assembly of that territory: Provided that funds acquired by the Corporation by virtue of its powers in the Republic shall not be used in connection with the exercise of its powers in the said territory.”.

Amendment of section 12 of Act 42 of 1962.

16. Section *twelve* of the National Parks Act, 1962, is hereby amended by the substitution for paragraph (f) of sub-section (1) of the following paragraph:

“(f) carry on any business or trade for the convenience of visitors to the park;”.

Repeal of section 13 of Act 42 of 1962.

17. Section *thirteen* of the National Parks Act, 1962, is hereby repealed.

Amendment of section 17 of Act 42 of 1962.

18. Section *seventeen* of the National Parks Act, 1962, is hereby amended by the substitution for sub-section (3) of the following sub-section:

“(3) The board shall be exempt from the duty to obtain any licence in respect of the carrying on by it of any activity contemplated in Part I of the Second Schedule to the Licences Act, 1962 (Act No. 44 of 1962), and from the payment of any licence duty or fee in respect of the carrying on by it of any such activity.”.

Amendment of section 16 of Act 63 of 1962, as amended by section 93 of Act 42 of 1964.

19. Section *sixteen* of the Bantu Beer Act, 1962, is hereby amended—

(a) by the insertion after paragraph (g) of the following paragraph:

“(g)*bis* subject to the provisions of sub-section (2), consumes Bantu beer in any street, road, lane or other public thoroughfare or in a public park, or on any vacant land adjoining any street, road, lane or other public thoroughfare or a public park, in any urban area (except where such Bantu beer has been sold or supplied on such land in terms of this Act);” and

(b) by the addition of the following sub-section, the existing section becoming sub-section(1):

“(2) The provisions of paragraph (g)*bis* of sub-section (1) shall not apply in relation to any entertainment provided on any vacant land referred to

13. Artikel *drie-en-dertig* van die Wet op Huurgelde, 1950, word hierby gewysig deur paragraaf (f) van sub-artikel (1) deur die volgende paragraaf te vervang:

„(f) op 'n woning of besigheidsperseel wat nie geokkupeer, of op 'n motorhuis of motorstaanplek wat nie as sodanig gebruik is voor die een-en-twintigste dag van Oktober 1949 nie;”.

Wysiging van artikel 33 van Wet 43 van 1950, soos gewysig deur artikel 6 van Wet 53 van 1951 en artikel 7 van Wet 47 van 1964.

14. (1) Artikel *vier* van die Finansiewet, 1958, word hierby deur die volgende artikel vervang:

„Pensioen-voordele aan amptenare van die Parlement en hul weduwees en afhanklikes.

4. Die pensioen of gratifikasie waarop 'n amptenaar van die Parlement of die weduwee of afhanklike van 'n amptenaar van die Parlement geregtig word, soos bereken volgens die bepalings van 'n pensioenskema vir amptenare van die Parlement soos van tyd tot tyd deur die betrokke Komitees van die Senaat en die Volksraad aangeneem, word aan die bevoordeelde betaal uit geld wat die Parlement vir dié doel bewillig, en 'n sertifikaat, behoorlik onderteken deur die President van die Senaat of die Speaker van die Volksraad, na gelang van die geval, waarin verklaar word dat so 'n amptenaar of sy weduwee of afhanklike, na gelang van die geval, geregtig geword het op die betaling van voordele ingevolge die toepaslike bepalings van so 'n skema en waarin besonderhede aangegee word van sodanige voordele en van die bedinge en voorwaardes (as daar is) waaraan die betaling daarvan onderhewig is, maak die vereiste magtiging vir die betaling van sodanige voordele uit.”.

Vervanging van artikel 4 van Wet 37 van 1958.

(2) Sub-artikel (1) word geag op die eerste dag van April 1965 in werking te getree het.

15. Die volgende artikel word hierby in die Wet op die Kleurlingontwikkelingskorporasie, 1962, na artikel *ses-en-twintig* ingevoeg:

„Bevoegdhede van Korporasie in Suidwes-Afrika.

26bis. Die korporasie kan in die gebied Suidwes-Afrika die bevoegdhede uitoefen wat by ordonnansie van die Wetgewende Vergadering van daardie gebied aan hom verleen word. Met dien verstande dat fondse wat die Korporasie verkry uit hoofde van sy bevoegdhede in die Republiek, nie in verband met die uitoefening van sy bevoegdhede in genoemde gebied aangewend mag word nie.”.

Invoeging van artikel 26bis in Wet 4 van 1962.

16. Artikel *twaalf* van die Wet op Nasionale Parke, 1962, word hierby gewysig deur paragraaf (f) van sub-artikel (1) deur die volgende paragraaf te vervang:

„(f) besigheid of handel dryf vir die gerief van besoekers aan die park;”.

Wysiging van artikel 12 van Wet 42 van 1962.

17. Artikel *dertien* van die Wet op Nasionale Parke, 1962, word hierby herroep.

Herroeping van artikel 13 van Wet 42 van 1962.

18. Artikel *sewentien* van die Wet op Nasionale Parke, 1962, word hierby gewysig deur sub-artikel (3) deur die volgende sub-artikel te vervang:

„(3) Die raad is vrygestel van die verpligting om 'n lisensie te verkry ten opsigte van die voortsetting deur die raad van 'n bedrywigheid beoog in Deel I van die Tweede Bylae van die Wet op Lisensies, 1962 (Wet No. 44 van 1962), en van die betaling van enige lisensiereg of -geld ten opsigte van die voortsetting deur hom van so 'n bedrywigheid.”.

Wysiging van artikel 17 van Wet 42 van 1962.

19. Artikel *sestien* van die Wet op Bantoebier, 1962, word hierby gewysig—

(a) deur na paragraaf (g) die volgende paragraaf in te voeg:

„(g)bis behoudens die bepalings van sub-artikel (2), Bantoebier gebruik in 'n straat, pad, steeg of ander publieke deurgang of in 'n publieke park, of op oop grond wat grens aan 'n straat, pad, steeg of ander publieke deurgang of 'n publieke park, in 'n stadsgebied (behalwe waar daardie Bantoebier op sodanige grond ingevolge hierdie Wet verkoop of verskaf is);” en

(b) deur die volgende sub-artikel by te voeg terwyl die bestaande artikel sub-artikel (1) word:

„(2) Die bepalings van paragraaf (g)bis van sub-artikel (1) is nie van toepassing nie met betrekking tot 'n onthaal wat op oop grond bedoel in genoemde para-

Wysiging van artikel 16 van Wet 63 van 1962, soos gewysig deur artikel 93 van Wet 42 van 1964.

in the said paragraph by any person who owns or lawfully occupies such land, or to the use of such land by such person in the ordinary course of his occupation thereof.”.

Jurisdiction of magistrate's court if accused is convicted of theft of a life-line, and presumption in regard to possession of certain life-lines.

20. (1) If any person is convicted in a magistrate's court of the theft of a line and it has been proved that such line was placed on or near the sea-shore for the purposes of being used for saving lives, such court may, notwithstanding anything to the contrary contained in any law, sentence such person to a fine not exceeding one thousand rand or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

(2) If in any prosecution for the theft of a line which was placed on or near the sea-shore for the purposes of being used for saving lives, it is proved that the accused was found in possession of a line of a kind defined by the Minister by notice in the *Gazette*, it shall be presumed, until the contrary has been proved, that such line is the line mentioned in the indictment, summons or charge.

Short title and commencement.

21. This Act shall be called the General Law Amendment Act, 1965, and sections *one* to *six*, inclusive, and sections *eight* and *nine* shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*, and different dates may be so fixed in respect of each of those sections or the different provisions thereof.

graaf aangebied word deur iemand aan wie daardie grond behoort of wat dit wettiglik okkupeer, of met betrekking tot die gebruik van sodanige grond deur so iemand in die gewone loop van sy okkupasie daarvan.”.

20. (1) Indien iemand in 'n landdroshof aan die diefstal van 'n tou skuldig bevind word en bewys is dat daardie tou op of naby die seestrand vir die doeleindes van gebruik vir die redding van menselewens geplaas is, kan daardie hof, ondanks andersluidende bepalings van enige wet, so iemand vonnis tot 'n boete van hoogstens duisend rand of tot gevangenisstraf vir 'n tydperk van hoogstens een jaar of tot sodanige boete sowel as sodanige gevangenisstraf.

Jurisdiksie van landdroshof indien beskuldigde skuldig bevind word aan diefstal van reddingstou, en vermoede betreffende besit van sekere reddingstoue.

(2) Indien by 'n vervolging weens die diefstal van 'n tou wat op of naby die seestrand vir die doeleindes van gebruik vir die redding van menselewens geplaas is, bewys word dat die beskuldigde in besit gevind is van 'n tou van 'n soort deur die Minister by kennisgewing in die *Staatskoerant* omskryf, word vermoed, totdat die teendeel bewys is, dat daardie tou die tou is wat in die akte van beskuldiging, dagvaarding of klagskrif vermeld word.

21. Hierdie Wet heet die Algemene Regswysigingswet, 1965, en artikels een tot en met ses en artikels agt en nege tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* vasstel, en verskillende datums kan ten opsigte van elk van daardie artikels of verskillende bepalings daarvan aldus vasgestel word.

Kort titel en inwerkingtreding.

No. 103, 1965.]

ACT

To apply a sum not exceeding one thousand five hundred and eighty-five million four hundred and thirty-six thousand rand towards the service of the Republic, for the financial year ending on the thirty-first day of March, 1966.

(Afrikaans text signed by the State President.)
(Assented to 21st June, 1965.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Consolidated
Revenue Fund
charged with sum
not exceeding
R1,101,246,000 on
Revenue Account.

1. The Consolidated Revenue Fund of the Republic is hereby charged with such sums of money as may be required for the service of the Republic for the financial year ending on the thirty-first day of March, 1966, not exceeding in the aggregate one thousand one hundred and one million two hundred and forty-six thousand rand on the Revenue Account as shown in column 1 of the First Schedule.

Consolidated
Revenue Fund
charged with sum
not exceeding
R23,400,000 on
Bantu Education
Account.

2. The Consolidated Revenue Fund of the Republic is further charged with such sums of money as may be required for the service of the Republic for the financial year ending on the thirty-first day of March, 1966, not exceeding in the aggregate twenty-three million four hundred thousand rand on the Bantu Education Account as shown in column 1 of the Second Schedule.

Consolidated
Revenue Fund
charged with sum
not exceeding
R460,790,000 on
Loan Account.

3. The Consolidated Revenue Fund of the Republic is further charged with such sums of money as may be required for the service of the Republic for the financial year ending on the thirty-first day of March, 1966, not exceeding in the aggregate four hundred and sixty million seven hundred and ninety thousand rand on the Loan Account as shown in column 1 of the Third Schedule.

How money to
be applied.

4. The money appropriated by this Act shall be applied to the services detailed in the Schedules, and more particularly specified in the Estimates of Expenditure from Revenue Account [R.P. 1—1965 and R.P. 38—1965], the Estimates of Expenditure from Bantu Education Account [R.P. 9—1965] and the Estimates of Expenditure from Loan Account [R.P. 8—1965 and R.P. 38—1965], as approved by Parliament, and to no other purpose: Provided that in the case of the sum of one hundred and twenty million rand for capital expenditure on railways and harbours, shown under Loan Vote "A" in the Third Schedule, the authority granted by this Act shall be deemed to apply only to the transfer of that sum from the Consolidated Revenue Fund to the Railway and Harbour Fund, and the expenditure of the said sum shall be in accordance with any appropriation made by Parliament in that behalf.

The 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 Schedules 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 Schedules.

Short title.

6. This Act shall be called the Appropriation Act, 1965.

No. 103, 1965.]

WET

Tot aanwending van 'n som van hoogstens eenduisend vyfhonderd vyf-en-tagtigmiljoen vierhonderd ses-en-dertigduisend rand vir die diens van die Republiek vir die boekjaar wat op die een-en-dertigste dag van Maart 1966 eindig.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 21 Junie 1965.)*

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Die Gekonsolideerde Inkomstefonds van die Republiek word hierby belas met die somme geld wat nodig is vir die diens van die Republiek vir die boekjaar wat op die een-en-dertigste dag van Maart 1966 eindig, maar gesamentlik hoogstens eenduisend eenhonderd-en-eenmiljoen tweehonderd ses-en-veertigduisend rand op die Inkomsterekening, soos uiteengesit in kolom 1 van die Eerste Bylae.

Gekonsolideerde Inkomstefonds belas met som van hoogstens R1,101,246,000 op Inkomsterekening.

2. Die Gekonsolideerde Inkomstefonds van die Republiek word verder belas met die somme geld wat nodig is vir die diens van die Republiek vir die boekjaar wat op die een-en-dertigste dag van Maart 1966 eindig, maar gesamentlik hoogstens drie-en-twintigmiljoen vierhonderdduisend rand op die Bantoe-onderwysrekening, soos uiteengesit in kolom 1 van die Tweede Bylae.

Gekonsolideerde Inkomstefonds belas met som van hoogstens R23,400,000 op Bantoe-onderwysrekening.

3. Die Gekonsolideerde Inkomstefonds van die Republiek word verder belas met die somme geld wat nodig is vir die diens van die Republiek vir die boekjaar wat op die een-en-dertigste dag van Maart 1966 eindig, maar gesamentlik hoogstens vierhonderd-en-sestigmiljoen sewehonderd-en-neëntig duisend rand op die Leningsrekening, soos uiteengesit in kolom 1 van die Derde Bylae.

Gekonsolideerde Inkomstefonds belas met som van hoogstens R460,790,000 op Leningsrekening.

4. Die geld wat deur hierdie Wet beskikbaar gestel word, moet aangewend word vir die dienste in besonderhede in die Bylaes vermeld en meer omstandig uiteengesit in die Begrotings van Uitgawes uit Inkomsterekening [R.P. 1—1965 en R.P. 38—1965], die Begroting van Uitgawes uit Bantoe-onderwysrekening [R.P. 9—1965] en die Begrotings van Uitgawes uit Leningsrekening [R.P. 8—1965 en R.P. 38—1965], soos deur die Parlement goedgekeur, en vir geen ander doel nie; Met dien verstande dat, in die geval van die som van eenhonderd-en-twintigmiljoen rand aan kapitaaluitgawe aan spoorweë en hawens, wat voorkom onder Leningsbegrotingspos „A” in die Derde Bylae, die magtiging by hierdie Wet verleen, geag word van toepassing te wees slegs op die oordrag van daardie som van die Gekonsolideerde Inkomstefonds na die Spoorweg- en Hawefonds, en die besteding van gemelde som plaas moet vind ooreenkomstig 'n beskikbaarstelling van die Parlement wat daarop betrekking het.

Hoe die geld bestee moet word.

5. Met die goedkeuring van die Minister van Finansies kan 'n besparing onder die een sub-hoof van 'n begrotingspos aangewend word tot dekking van uitgawes bo die gemagtigde bedrag onder 'n ander sub-hoof, of van uitgawes onder 'n nuwe sub-hoof van dieselfde begrotingspos: Met dien verstande dat die somme wat in kolom 2 van die Bylaes 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 gemelde Bylaes aangedui.

Die Minister kan afwyking goedkeur.

6. Hierdie Wet heet die Begrotingswet, 1965.

Kort titel.

First Schedule.
(CHARGEABLE TO REVENUE ACCOUNT.)

No.	Vote. Title.	Column 1.	Column 2.
		R	R
1.	State President	87,000	
2.	Senate	322,000	
	Including—		
	Expense and entertainment allow- ance		1,000
	Official entertainment		200
3.	House of Assembly	883,000	
	Including—		
	Expense and entertainment allow- ance		1,000
	Official entertainment		200
4.	Prime Minister	128,000	
	Including—		
	Official entertainment		600
5.	Treasury	2,297,000	
	Including—		
	Official entertainment		600
6.	Public Debt	69,111,000	
7.	Provincial Administrations	161,902,000	
8.	South Africa House, London: Admini- strative Services	869,000	
9.	South African Mint	1,130,000	
	Including—		
	Official entertainment		120
10.	Inland Revenue	4,930,000	
	Including—		
	Official entertainment		200
11.	Customs and Excise	8,199,000	
	Including—		
	Official entertainment		200
12.	Audit	1,172,000	
	Including—		
	Official entertainment		200
13.	Transport	23,800,000	
	Including—		
	Official entertainment		200
	Purchase of motor vehicles		4,011,000
	Navigational aid equipment		464,400
	Contribution to Level Crossing Elimination Fund		500,000
	Grants-in-aid:		
	S.A. Road Safety Council		250,000
	Scott Polar Research Institute		600
14.	Social Welfare and Pensions	94,355,000	
	Including—		
	Official entertainment		200
	Child Welfare:		
	Special grants-in-aid		33,000
	Rescue Home, Bloemfontein		400
	Subsidies to social centres		30,000
	Grant-in-aid to Salvation Army		2,200
	Special grants to Welfare Organi- zations		300,000
15.	Interior	1,993,000	
	Including—		
	Official entertainment		200
16.	Public Service Commission	1,226,000	
	Including—		
	Official entertainment		800
17.	Printing and Stationery	5,054,000	
	Including—		
	Official entertainment		100
18.	Education, Arts and Science	35,722,000	
	Including—		
	Official entertainment		200
	Grants-in-aid:		
	School funds		40
	National Council for Social Re- search		250,000
	International Africa Institute		800
	School broadcasting service		1,500
	Overseas study		2,000
	Natural and Historical Monu- ments Commission		19,000
	Simon van der Stel Foundation		4,000
	Abbé Breuil Trust		1,000
	Africa Institute		74,000
	South African War Graves Board		70,000
	South African Institute, Amster- dam		3,200
	State-aided and kindred Insti- tutions		811,500
	Advancement of Physical educa- tion, Adult education, Art, etc.		678,090
19.	Schools of Industries and Reform Schools	2,045,000	
	Including—		
	Grants-in-aid to school funds:		
	Schools of Industries		1,950
	Reform Schools		160

Eerste Bylae.

(TEN LASTE VAN INKOMSTEREKENING.)

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Titel.	R	R
1.	Staatspresident	87,000	
2.	Senaat	322,000	
	Met inbegrip van—		
	Uitgawe- en onthaaltoelae ..		1,000
	Amptelike onthaal		200
3.	Volksraad	883,000	
	Met inbegrip van—		
	Uitgawe- en onthaaltoelae ..		1,000
	Amptelike onthaal		200
4.	Eerste Minister	128,000	
	Met inbegrip van—		
	Amptelike onthaal		600
5.	Tesourie	2,297,000	
	Met inbegrip van—		
	Amptelike onthaal		600
6.	Staatskuld	69,111,000	
7.	Provinsiale Administrasies ..	161,902,000	
8.	Suid-Afrikahuis, Londen: Administra- tiewe Dienste	869,000	
9.	Suid-Afrikaanse Munt	1,130,000	
	Met inbegrip van—		
	Amptelike onthaal		120
10.	Binnelandse Inkomste	4,930,000	
	Met inbegrip van—		
	Amptelike onthaal		200
11.	Doeane en Aksyns	8,199,000	
	Met inbegrip van—		
	Amptelike onthaal		200
12.	Oudit	1,172,000	
	Met inbegrip van—		
	Amptelike onthaal		200
13.	Vervoer	23,800,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Aankoop van motorvoertuie ..		4,011,000
	Lugnavigasiehulpuitrusting ..		464,400
	Bydrae tot Fonds ter Uitskakeling van Spoorroorgange		500,000
	Hulptoelae:		
	S.A. Padveiligheidsraad		250,000
	Scott Poolnavorsingsinstituut ..		600
14.	Volkswelsyn en Pensioene	94,355,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Kindersorg:		
	Spesiale hulptoelae		33,000
	Reddingshuis, Bloemfontein ..		400
	Subsidies aan maatskaplike sen- trums		30,000
	Hulptoelae aan Heilsleër		2,200
	Spesiale toekennings aan welsyn- organisasies		300,000
15.	Binnelandse Sake	1,993,000	
	Met inbegrip van—		
	Amptelike onthaal		200
16.	Staatsdienskommissie	1,226,000	
	Met inbegrip van—		
	Amptelike onthaal		800
17.	Drukwerk en Skryfbehoeftes ..	5,054,000	
	Met inbegrip van—		
	Amptelike onthaal		100
18.	Onderwys, Kuns en Wetenskap ..	35,722,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelae:		
	Skoolfondse		40
	Nasionale Raad vir Sosiale Na- vorsing		250,000
	Internasionale Afrika-instituut ..		800
	Uitsaaidiens vir skole		1,500
	Buitelandse studie		2,000
	Kommissie vir Natuurlike en Historiese Monumente		19,000
	Stigting Simon van der Stel		4,000
	Abbé Breuil-trust		1,000
	Afrika-instituut		74,000
	Raad vir Suid-Afrikaanse Oor- logsgrafte		70,000
	Suid-Afrikaanse Instituut, Am- sterdam		3,200
	Staatsondersteunde en aanver- wante inrigtings		811,500
	Bevordering van Liggaamlike opvoeding, Volwassene-op- voeding, Kuns, ens.		678,090
19.	Nywerheid- en Verbeteringskole ..	2,045,000	
	Met inbegrip van—		
	Hulptoelae aan skoolfondse: ..		
	Nywerheidskole		1,950
	Verbeteringskole		160

No.	Vote. Title.	Column 1.	Column 2.
		R	R
20.	Bantu Administration and Development Including— Official entertainment Secret services Subsidies to social centres Grant-in-aid to the South African Bantu Trust Fund Payment to the Transkeian Government	29,970,000	200 500 1,600 5,545,000 2,920,000
21.	Agricultural Technical Services: Administration and National Services Including— Official entertainment Grants-in-aid to Agricultural Societies Subsidy to the National Veld Trust	11,615,000	200 12,600 10,000
22.	Agricultural Technical Services: Regional Services and Education Including— Grant-in-aid to Central Land Service Fund Agricultural scholarships and bursaries	12,080,000	400 5,000
23.	Water Affairs Including— Official entertainment Welfare and recreational grants	8,400,000	200 10,000
24.	Forestry Including— Official entertainment Grants-in-aid: Wattle Research Institute, University of Natal University of Stellenbosch—research South African Wood Promotion Council	1,656,000	200 35,000 80,000 35,000
25.	Bantu Education: Special Education	200,000	
26.	Indian Affairs Including— Official entertainment Donations to community centres, societies and institutions and grants-in-aid to educational and sports organizations Child Welfare: Special grants-in-aid	4,624,000	200 10,000 2,500
27.	Commerce and Industries Including— Official entertainment Grant-in-aid to the National Development and Management Foundation of S.A. Contribution to the S.A. Bureau of Standards	7,059,000	600 4,000 1,815,000
28.	Posts, Telegraphs, Telephones and Radio Services Including— Purchase of motor vehicles Official entertainment Grants-in-aid: S.A. Institute of Electrical Engineers Postal Services Sports Association	80,435,000	580,000 200 50 5,000
29.	Health Including— Official entertainment Grant-in-aid to the National Council for Mental Health Financial assistance to MacVicar Hospital, Lovedale Grant-in-aid to Cape Province Tuberculosis Council Grant-in-aid to the Council for combating Venereal Diseases (Cape Town) Grants-in-aid in terms of section 135 of Act No. 36 of 1919: S.A. Institute for Medical Research Poliomyelitis Research Foundation University of Pretoria: Leprosy research Mothercraft Training Centres: Whites: Lady Buxton Home, Cape Town Coloureds: Athlone, Cape Town South African National Council for Maternal and Family Welfare Training of sanitary inspectors: Whites Non-Whites	26,440,000	200 35,000 5,400 600 200 15,000 20,000 3,000 9,000 8,600 40,000 8,000 2,400

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Titel.		
		R	R
20.	Bantoe-administrasie en -ontwikkeling	29,970,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Geheime dienste		500
	Subsidies aan maatskaplike sentrums		1,600
	Hulptoelae aan die Suid-Afrikaanse Bantoe-trustfonds		5,545,000
	Betaling aan die Transkeise Regering		2,920,000
21.	Landbou-tegniese Dienste: Administrasie en Nasionale Dienste	11,615,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelae aan Landbouverenigings		12,600
	Subsidie aan die Nasionale Veld-trust		10,000
22.	Landbou-tegniese Dienste: Streekdienste en Onderwys	12,080,000	
	Met inbegrip van—		
	Hulptoelae aan Sentrale Landdiensfonds		400
	Landboustudiebeurse en -hulpbeurse		5,000
23.	Waterwese	8,400,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Welsyns- en ontspanningstoekenings		10,000
24.	Bosbou	1,656,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelae:		
	Wattelnavorsingsinstituut, Universiteit van Natal		35,000
	Universiteit van Stellenbosch —navorsing		80,000
	Suid-Afrikaanse Raad vir Houtbevoordering		35,000
25.	Bantoe-onderwys: Buitengewone Onderwys	200,000	
26.	Indiërsake	4,624,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Skenkings aan gemeenskapsentrums, verenigings en inrigtings, en hulptoelae aan opvoedkundige en sportorganisasies		10,000
	Kindersorg: Spesiale hulptoelae		2,500
27.	Handel en Nywerheid	7,059,000	
	Met inbegrip van—		
	Amptelike onthaal		600
	Hulptoelae aan die Nasionale Ontwikkelings- en Bestuurgenootskap van S.A.		4,000
	Bydrae aan die S.A. Buro vir Standaard		1,815,000
28.	Pos-, Telegraaf-, Telefoon- en Radiodienste	80,435,000	
	Met inbegrip van—		
	Aankoop van motorvoertuie		580,000
	Amptelike onthaal		200
	Hulptoelae:		
	S.A. Instituut van Elektrotegniese Ingenieurs		50
	Posdienssportvereniging		5,000
29.	Gesondheid	26,440,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelae aan die Nasionale Raad vir Geestesgesondheid		35,000
	Finansiële hulp aan MacVicar-hospitaal, Lovedale		5,400
	Hulptoelae aan die Teringraad van die Kaapprovinsie		600
	Hulptoelae aan die Raad vir die bestryding van Veneriese Siektes (Kaapstad)		200
	Hulptoelae kragtens artikel 135 van Wet No. 36 van 1919:		
	S.A. Instituut vir Mediese Navorsing		15,000
	Poliomiëlitis-navorsingstigting		20,000
	Universiteit van Pretoria: Leprose-navorsing		3,000
	Moederkunde-olpeidingsentra:		
	Blankes: Lady Buxton Home, Kaapstad		9,000
	Kleurlinge: Athlone, Kaapstad		8,600
	Suid-Afrikaanse Nasionale Raad vir Moeder- en Gesinswelsyn		40,000
	Opleiding van gesondheidsinspekteurs:		
	Blankes		8,000
	Nie-Blankes		2,400

No.	Vote. Title.	Column 1.	Column 2.
		R	R
	S.A. Noodhulpliga, South African Red Cross Society and St. John Ambulance Brigade		3,900
	South African Nursing Association: Training of health visitors: Whites		10,400
	Non-Whites		5,000
	Training of Bantu health assistants		1,500
	Dental clinics and voluntary out-patient services		80,000
	National Cancer Association of S.A.		200
	Transvaal Society for the Care of Non-White Blind		800
	Financial assistance in terms of section 50 (1) (f) of Act No. 36 of 1919: Capital expenditure ..		50,000
30.	Health: Hospitals and Institutions ..	12,999,000	
31.	Agricultural Economics and Marketing: Administration	1,877,000	
	Including—		
	Official entertainment		200
32.	Agricultural Economics and Marketing: General	46,904,000	
33.	Lands	2,060,000	
	Including—		
	Official entertainment		200
	Grant-in-aid to National Parks Board		250,000
34.	Deeds Offices	867,000	
35.	Surveys	2,350,000	
36.	State Advances Recoveries Office ..	490,000	
	Including—		
	Official entertainment		100
37.	Defence	229,400,000	
	Including—		
	Official entertainment		200
	Military intelligence service ..		367,000
	Grants-in-aid:		
	S.A.D.F. Recreation Fund		6,000
	S.A. Red Cross Society, St. John Ambulance Brigade and S.A. Noodhulpliga		9,000
	International Committee of the Red Cross		6,000
	S.A. National Bisley meeting ..		2,030
38.	Labour	6,985,000	
	Including—		
	Official entertainment		640
39.	Immigration	6,212,000	
	Including—		
	Official entertainment		200
	Grants-in-aid:		
	Maatskappy vir Europese Immigrasie		36,000
	1820 Memorial Settlers' Association of Southern Africa ..		36,000
	Southern Africa League		36,000
40.	Community Development	6,600,000	
	Including—		
	Official entertainment		400
41.	Public Works	27,436,000	
	Including—		
	Official entertainment		200
	Financial assistance:		
	Simonstown Municipality		92,000
	Board of Control, Huguenot Monument		2,200
	Grant-in-aid to Board of Control, Voortrekker Monument ..		45,800
42.	Coloured Affairs	41,635,000	
	Including—		
	Official entertainment		200
	Child Welfare:		
	Special grants-in-aid		25,000
	Subsidies to social centres		14,000
	Grants-in-aid to school funds:		
	Schools of Industries		540
	Reform Schools		770
	Grants-in-aid:		
	Transhaven Seaside School, Durban		2,400
	Educational and sports organizations		21,750
43.	Justice	12,263,000	
	Including—		
	Official entertainment		200
44.	Prisons	14,440,000	
	Including—		
	Official entertainment		200

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Titel.	R	R
	S.A. Noodhulpliga, Suid-Afrikaanse Rooikruisvereniging en St. John Ambulansbrigade ..		3,900
	Suid-Afrikaanse Verpleegstersvereniging: Opleiding van gesondheidsbesoeksters:		
	Blankes		10,400
	Nie-Blankes		5,000
	Opleiding van Bantoe-gesondheidsassistentes ..		1,500
	Tandheelkundige klinieke en vrywillige buite-pasiëntdienste ..		80,000
	Nasionale Kankervereniging van S.A.		200
	Transvaalse Vereniging vir die Versorging van Nie-Blanke Blindes		800
	Finansiële hulp kragtens artikel 50 (1) (f) van Wet No. 36 van 1919: Kapitaaluitgawes ..		50,000
30.	Gesondheid: Hospitale en Inrigtings ..	12,999,000	
31.	Landbou-ekonomie en -bemarking:		
	Administrasie	1,877,000	
	Met inbegrip van—		
	Amptelike onthaal		200
32.	Landbou-ekonomie en -bemarking:		
	Algemeen	46,904,000	
33.	Lande	2,060,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelae aan Nasionale Parke-raad		250,000
34.	Aktekantore	867,000	
35.	Opmetings	2,350,000	
36.	Kantoor tot Invordering van Staatsvoorskotte	490,000	
	Met inbegrip van—		
	Amptelike onthaal		100
37.	Verdediging	229,400,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Militêre inligtingsdiens		367,000
	Hulptoelae:		
	S.A.W.-ontspanningsfonds ..		6,000
	S.A. Rooikruisvereniging, St. John-ambulansbrigade en S.A. Noodhulpliga		9,000
	Internasionale Komitee van die Rooikruis		6,000
	S.A. Nasionale Skietvereniging ..		2,030
38.	Arbeid	6,985,000	
	Met inbegrip van—		
	Amptelike onthaal		640
39.	Immigrasie	6,212,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelae:		
	Maatskappy vir Europese Immigrasie		36,000
	1820 Memorial Settlers' Association of Southern Africa ..		36,000
	Southern Africa League		36,000
40.	Gemeenskapsbou	6,600,000	
	Met inbegrip van—		
	Amptelike onthaal		400
41.	Openbare Werke	27,436,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Finansiële hulp:		
	Munisipaliteit van Simonstad ..		92,000
	Raad van Beheer, Hugenotemonument		2,200
	Hulptoelae aan Raad van Beheer, Voortrekkermonument ..		45,800
42.	Kleurlingsake	41,635,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Kindersorg:		
	Spesiale hulptoelae		25,000
	Subsidies aan maatskaplike sentrums		14,000
	Hulptoelae aan skoolfondse:		
	Nywerheidskole		540
	Verbeteringskole		770
	Hulptoelae:		
	Transhaven Strandskool, Durban		2,400
	Opvoedkundige en sportorganisasies		21,750
43.	Justisie	12,263,000	
	Met inbegrip van—		
	Amptelike onthaal		200
44.	Gevangenisne	14,440,000	
	Met inbegrip van—		
	Amptelike onthaal		200

No.	Vote. Title.	Column 1.	Column 2.
		R	R
45.	Police Including— Purchase of motor vehicles .. Grant-in-aid to Recreation and Benevolent Fund Official entertainment Secret services Purchase of material	56,358,000	2,982,000 10,000 200 312,000 30,000
46.	Information Including— Official entertainment Secret services	3,185,000	200 500
47.	Tourism Including— Official entertainment Grant-in-aid to the S.A. Tourist Corporation	1,262,000	200 1,100,000
48.	Foreign Affairs Including— Secret services	4,885,000	500,000
49.	Mines Including— Official entertainment Miscellaneous disbursements by the General Manager, State Alluvial Diggings Grants-in-aid: Chamber of Mines (Springkell) Sanatorium Recreation Association—State Alluvial Diggings	11,260,000	200 300 10,000 2,300
50.	Planning Including— Official entertainment Contribution to the S.A. Council for Scientific and Industrial Research	12,974,000	400 12,257,000
51.	Bureau of Statistics Including— Official entertainment	1,100,000	150
	Total	R 1,101,246,000	

Second Schedule.

(CHARGEABLE TO BANTU EDUCATION ACCOUNT.)

No.	Vote. Title.	Column 1.	Column 2.
		R	R
	Bantu Education Including— Official entertainment	23,400,000	200

Third Schedule.

(CHARGEABLE TO LOAN ACCOUNT.)

No.	Vote. Title.	Column 1.	Column 2.
		R	R
A.	Miscellaneous Loans and Services .. Including— Transfer of moneys to the Railway and Harbour Fund	194,310,000	120,000,000
B.	Public Works	25,022,000	
C.	Telegraphs, Telephones and Radio Services	29,000,000	
D.	Lands and Settlements	18,300,000	
E.	Water Affairs	42,453,000	
F.	Forestry	11,650,000	
G.	Agricultural Technical Services ..	860,000	
H.	State Advances Recoveries Office ..	6,000,000	
J.	Commerce and Industries	17,500,000	
K.	Community Development	49,000,000	
L.	Transport	1,880,000	
M.	Education, Arts and Science	4,667,000	
N.	Bantu Administration and Develop- ment Including— Grant-in-aid to the South African Bantu Trust Fund	44,302,000	43,500,000
O.	Agricultural Economics and Marketing ..	1,000,000	
P.	Coloured Affairs	8,100,000	
Q.	Bantu Education	1,416,000	
R.	Mines	4,500,000	
S.	Planning	830,000	
	Total	R 460,790,000	

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Titel.		
		R	R
45.	Polisie	56,358,000	
	Met inbegrip van—		
	Aankoop van motorvoertuie ..		2,982,000
	Hulptoelae aan Ontspannings- en		
	Weldadigheidsfonds		10,000
	Amptelike onthaal		200
	Geheime dienste		312,000
	Aankoop van materiaal		30,000
46.	Inligting	3,185,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Geheime dienste		500
47.	Toerisme	1,262,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelae aan die S.A. Toeriste-		
	korporasie		1,100,000
48.	Buitelandse Sake	4,885,000	
	Met inbegrip van—		
	Geheime dienste		500,000
49.	Mynwese	11,260,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Diverse uitbetalings deur die Alge-		
	mene Bestuurder, Alluviale		
	Staatsdelwerye		300
	Hulptoelae:		
	Sanatorium van die Kamer		
	van Mynwese (Springkell) ..		10,000
	Ontspanningsklub — Alluviale		
	Staatsdelwerye		2,300
50.	Beplanning	12,974,000	
	Met inbegrip van—		
	Amptelike onthaal		400
	Bydrae tot die S.A. Wetenskaplike		
	en Nywerheidsnavorsingsraad ..		12,257,000
51.	Buro vir Statistiek	1,100,000	
	Met inbegrip van—		
	Amptelike onthaal		150
	Totaal	R 1,101,246,000	

Tweede Bylae.

(TEN LASTE VAN BANTOE-ONDERWYSREKENING.)

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Titel.		
		R	R
	Bantoe-onderwys	23,400,000	
	Met inbegrip van—		
	Amptelike onthaal		200

Derde Bylae.

(TEN LASTE VAN LENINGSREKENING.)

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Titel.		
		R	R
A.	Diverse Lenings en Dienste	194,310,000	
	Met inbegrip van—		
	Oordrag van gelde na die Spoor-		
	weg- en Hawefonds		120,000,000
B.	Openbare Werke	25,022,000	
C.	Telegraaf-, Telefoon- en Radiodienste	29,000,000	
D.	Lande en Nedersettings	18,300,000	
E.	Waterwese	42,453,000	
F.	Bosbou	11,650,000	
G.	Landbou-tegniese Dienste	860,000	
H.	Kantoor tot Invordering van Staats-		
	voorskotte	6,000,000	
J.	Handel en Nywerheid	17,500,000	
K.	Gemeenskapsbou	49,000,000	
L.	Vervoer	1,880,000	
M.	Onderwys, Kuns en Wetenskap ..	4,667,000	
N.	Bantoe-administrasie en -ontwikkeling	44,302,000	
	Met inbegrip van—		
	Hulptoelae aan die Suid-Afrikaan-		
	se Bantoe-trustfonds		43,500,000
O.	Landbou-ekonomie en -bemarking ..	1,000,000	
P.	Kleurlingsake	8,100,000	
Q.	Bantoe-onderwys	1,416,000	
R.	Mynwese	4,500,000	
S.	Beplanning	830,000	
	Totaal	R 460,790,000	

SUMMARY.

Amount chargeable to Revenue Account	R1,101,246,000
Amount chargeable to Bantu Education Account	23,400,000
Amount chargeable to Loan Account	460,790,000
Total	<u>R1,585,436,000</u>

SAMEVATTING.

Bedrag ten laste van Inkomsterekening ..	..	R1,101,246,000
Bedrag ten laste van Bantoe-onderwysrekening ..	..	23,400,000
Bedrag ten laste van Leningsrekening ..	..	460,790,000
Totaal ..	..	<u>R1,585,436,000</u>