

EXTRAORDINARY

BUITENGEWONE



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[No. 1739]

### DEPARTMENT OF THE PRIME MINISTER.

No. 724.]

[17th May, 1967.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 62 of 1967: Powers and Privileges of Parliament Amendment Act, 1967 .. ..

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### DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 724.]

[17 Mei 1967.

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

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No. 62 van 1967: Wysigingswet op die Bevoegdhedede en Voorregte van die Parlement, 1967 .. .. .. .. ..

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No. 62, 1967.]

# ACT

**To amend the provisions of the Powers and Privileges of Parliament Act, 1963, relative to freedom of speech and debate or proceedings in or before Parliament or any committee, and the protection of members and other persons against certain court proceedings.**

*(English text signed by the State President.)  
(Assented to 8th May, 1967.)*

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

Substitution of  
section 2 of Act  
91 of 1963.

**1.** The following section is hereby substituted for section 2 of the Powers and Privileges of Parliament Act, 1963 (hereinafter referred to as the principal Act):

“Freedom of speech and debate.” **2.** (1) There shall be freedom of speech and debate or proceedings in or before Parliament and any committee, and such freedom shall not be liable to be impeached or questioned in any court or place outside Parliament.

(2) Anything said by any member in or before Parliament or a committee, whether as a member or as a witness, shall be deemed to be a matter of privilege as contemplated in section 5.

(3) The provisions of subsection (1) shall not apply to any person, other than a member, giving evidence before Parliament or any committee.”.

Substitution of  
section 8 of  
Act 91 of 1963.

**2.** The following section is hereby substituted for section 8 of the principal Act:

“Members not liable to proceedings.” **8.** Notwithstanding the provisions of this or any other Act, no member shall be liable to any civil or criminal proceedings, arrest, imprisonment or damages by reason of any matter or thing which he may have brought by petition, bill, resolution, motion or otherwise or may have said before or in Parliament or any committee.”.

Substitution of  
section 23 of  
Act 91 of 1963.

**3.** The following section is hereby substituted for section 23 of the principal Act:

“Stay of proceedings for anything said by witness or anything done by witness and disclosed by his evidence.” **23.** (1) If a witness before Parliament or any committee, in the opinion of the presiding officer, answers fully and faithfully all questions put to him by Parliament or such committee and his replies are relevant to such questions, he shall be entitled on application to receive a certificate under the hand of the presiding officer stating that such witness was upon his examination so required to answer and did so answer all such questions: Provided that in the case of a witness before a committee, such certificate may be signed by the President or the Speaker, as the case may be.

No. 62, 1967.]

# WET

**Tot wysiging van die bepalings van die Wet op die Bevoegdhede en Voorregte van die Parlement, 1963, met betrekking tot vryheid van spraak en debat of verrigtings in of voor die Parlement of 'n komitee, en die beskerming van lede en ander persone teen sekere hofgedinge.**

*(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 8 Mei 1967.)*

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

**1.** Artikel 2 van die Wet op die Bevoegdhede en Voorregte Vervanging van van die Parlement, 1963 (hieronder die Hoofwet genoem), word artikel 2 van hierby deur die volgende artikel vervang:

„Vryheid van spraak en debat. **2.** (1) Daar is vryheid van spraak en debat of verrigtings in of voor die Parlement en 'n komitee, en dié vryheid kan nie in 'n hof of 'n plek buite die Parlement gewraak of in twyfel getrek word nie.

(2) Enigets deur 'n lid in of voor die Parlement of 'n komitee gesê, hetso as 'n lid of as 'n getuie, word geag 'n kwessie van voorreg soos in artikel 5 beoog, te wees.

(3) Die bepalings van subartikel (1) is nie van toepassing op iemand, behalwe 'n lid, wat voor die Parlement of 'n komitee getuienis aflê nie.”

**2.** Artikel 8 van die Hoofwet word hierby deur die volgende artikel vervang:

„Lede nie aan gedinge blootgestel nie. **8.** Ondanks die bepalings van hierdie of 'n ander Wet is 'n lid nie aan 'n siviele of strafgeding, inhegtenisname, gevangesetting of skadevergoeding blootgestel nie op grond van wat hy in of voor die Parlement of 'n komitee gesê het of by wyse van peticie, wetsontwerp, besluit, voorstel of andersins daarin of daarvoor aanhangig gemaak het.”

**3.** Artikel 23 van die Hoofwet word hierby deur die volgende artikel vervang:

„Stuiting van geding weens iets deur getuie gesê of iets deur getuie gedoen en deur sy getuienis geopenbaar. **23.** (1) Indien 'n getuie voor die Parlement of 'n komitee na die oordeel van die voorsittende beampete volledig en getrou op alle vrae antwoord wat deur die Parlement of dié komitee aan hom gestel word, en sy antwoorde op dié vrae ter sake is, is hy op aansoek daarop geregtig om 'n sertifikaat te ontvang wat deur die voorsittende beampete onderteken is en waarin verklaar word dat van dié getuie by sy ondervraging aldus vereis is om op al bedoelde vrae te antwoord en dat hy al die bedoelde vrae aldus beantwoord het: Met dien verstande dat in die geval van 'n getuie voor 'n komitee, bedoelde sertifikaat deur die President of die Speaker, na gelang van die geval, onderteken kan word.

(2) (a) On production of such certificate in any court of law, such court shall stay any civil or criminal proceedings, except for a charge of perjury, against such witness for anything said by him in the course of giving his evidence before Parliament or any committee or for any act or thing done by him before that time and revealed by his evidence, and may in its discretion award to such witness the expenses to which he may have been put in consequence of such civil or criminal proceedings.

(b) Proceedings which have been so stayed shall thereupon be deemed to be finally determined.”.

Short title  
and commence-  
ment.

4. This Act shall be called the Powers and Privileges of Parliament Amendment Act, 1967, and shall be deemed to have come into operation on the 12th July, 1963.

(2) (a) By voorlegging van so 'n sertifikaat aan 'n gereghof, stuit dié hof enige siviele of strafgeding, behalwe op 'n aanklag van meineed, teen dié getuie ingestel weens enigets deur hom gesê in die loop van sy getuenis voor die Parlement of 'n komitee of weens enige handeling of enigets wat voor daardie tydstip deur hom gedoen is en deur sy getuenis aan die lig gebring is, en kan die hof na goeddunke die onkoste aan sodanige getuie toeken wat hy as gevolg van sodanige siviele of strafgeding aangegaan het.

(b) 'n Geding wat aldus gestuit is, word dan as finaal besleg geag.".

4. Hierdie Wet heet die Wysigingswet op die Bevoegdhede Kort titel en Voorregte van die Parlement, 1967, en word geag op 12 Julie 1963 in werking te getree het.

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