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[No. 1931.

GOVERNMENT NOTICE.

DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT.

No. R. 1931.] [29 December 1967.

BANTU APPEAL COURTS.—RULES.

The Acting State President has been pleased, under and by virtue of the powers vested in him by section 13 (5) of the Bantu Administration Act, 1927 (Act No. 38 of 1927), to make the rules contained in the Schedule hereto in respect of Bantu Appeal Courts, to take effect from 1st January 1968, from which date the rules contained in Government Notice No. 2887 of 1951, as amended by Government Notices Nos. 627 of 1953 and 55 of 1961, shall be repealed.

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GOEWERMENSKENNISGEWING.

DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING.

No. R. 1931.] [29 Desember 1967.

BANTOE-APPËLHOWE.—REËLS.

Dit het die Waarnemende Staatspresident behaag om, kragtens die bevoegdheid hom verleen by artikel 13 (5) van die Bantoe-administrasie Wet, 1927 (Wet No. 38 van 1927), die reëls vir Bantoe-appëlhowe, vervat in bygaande Bylae, uit te vaardig om op 1 Januarie 1968 in werking te tree vanaf welke datum die reëls afgekondig by Goewermenskennisgewing No. 2887 van 1951, soos gewysig by Goewermenskennisgewings Nos. 627 van 1953 en 55 van 1961 herroep word.

BYLAE.

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Appointment of Registrar.

1. (1) The Minister shall appoint officers to perform the duties of registrars of the Bantu Appeal Courts: Provided that the president of any such court may in case of necessity appoint any person to act temporarily as such registrar.

(2) A refusal by the registrar to do any act which he is required or empowered by these rules to do shall be subject to review by the president of the Bantu Appeal Court on application, either *ex parte* or on notice, as the circumstances may require.

Written Judgment.

2. (1) Upon a request in writing by any party to any civil proceedings in a court of Bantu Affairs Commissioner within seven days after judgment and before noting appeal and upon payment by such party of a fee of one rand, the officer who delivered such judgment shall, within ten days, deliver to the clerk of such court a written judgment which shall become part of the record, showing—

- the facts the court found to be proved; and
- the reasons for the judgment of the court.

(2) Any party requiring notice of the date on which any written judgment referred to in subrule (1) is lodged with the clerk of the court shall in writing state at what place and in what manner, whether by formal process of court or by registered post he requires such notice to be

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Aanstelling van griffier.

1. (1) Die Minister stel amptenare aan om die pligte van griffiers van die Bantoe-appèlhowe te vervul: Met dien verstande dat die voorsitter van 'n Bantoe-appèlhof, as dit nodig is, iemand kan aanstel om tydelik as sodanige griffier op te tree.

(2) Indien die griffier weier om iets te doen wat ingevolge hierdie reëls van hom vereis word of watter hy ingevolge hierdie reëls gemagtig word, is sy weiering onderworpe aan hersiening deur die voorsitter van die Bantoe-appèlhof by applikasie daarom, hetsy *ex parte* of by kennisgewing, na gelang van die omstandighede.

Skriftelike uitspraak.

2. (1) Op die skriftelike versoek deur 'n party by 'n siviele geding in 'n Bantoesakekommissarishof binne sewe dae nadat uitspraak gegee is en voordat appèl aangeteken word, en ná betaling van een rand deur die party, besorg die amptenaar wat dié uitspraak gegee het, binne tien dae aan die klerk van sodanige hof 'n skriftelike uitspraak wat deel van die oorkonde van die hof uitmaak en waarin die volgende aangegee word—

- die feite wat, na bevinding van die hof, bewys is en
- die redes vir die hof se uitspraak.

(2) Enige party wat kennisgewing verlang van di datum waarop enige skriftelike uitspraak in subreël (1) genoem, aan die klerk van die hof besorg word, moe skriftelik verklaar op watter plek en wyse, hetsy b formele geregtelike prosesstukke of by geregistreerde po

served on him; and shall deposit with the clerk of the court concerned such amount as may be determined by the said clerk of the court to cover the costs of service of such formal notice by the messenger of the Bantu Affairs Commissioner's court, or supply such clerk of the court with a duly stamped and addressed envelope for service of such notice by registered post, as the case may be.

No Peremption of Appeal by Satisfaction of Judgment.

3. A party to any civil proceedings in a court of Bantu Affairs Commissioner shall not lose the right to appeal through satisfying or offering to satisfy the judgment in respect of which he appeals, or any part thereof, or by accepting any benefit from such judgment or from any rule or order in such proceedings.

Noting of Appeal, Security for Respondent's Costs of Appeal.

4. An appeal from any judgment of a court of Bantu Affairs Commissioner shall be noted within twenty-one days after the date of such judgment or within fourteen days after the delivery to the clerk of the said court by the officer who delivered the judgment of a written judgment in terms of rule 2 (1) whichever period shall be the longer, but the court of appeal may in any case at the hearing of the appeal extend such period on application and upon just cause being shown.

5. (1) An appeal from any judgment of a court of Bantu Affairs Commissioner shall be noted by the delivery to the clerk of such court of a notice complying with the requirements of rule 7.

(2) The respondent to any such appeal may within eight days after the service upon him of the notice of appeal in terms of rule 6 in like manner note a cross-appeal.

(3) The party noting an appeal or cross-appeal shall when delivering the notice of appeal give security to the satisfaction of the clerk of the Bantu Affairs Commissioner's court in the sum of R15 for the payment of the costs of the other party.

6. (1) Immediately before or after the noting of an appeal or cross-appeal a copy of the notice of appeal or cross-appeal shall forthwith be served on the opposite party.

(2) Such copy may be served, free of charge, by the party who noted the appeal or cross-appeal, in person, by delivering it to the other party personally in the presence of a witness, or, at the request of the party noting the appeal or cross-appeal, such copy shall be served by the messenger of the Bantu Affairs Commissioner's court concerned upon prepayment by such party of the messenger's fee for service.

(3) If such service is effected by the party who noted the appeal or cross-appeal, in person, as aforesaid, such party shall forthwith notify the clerk of the Bantu Affairs Commissioner's court with whom the appeal or cross-appeal was noted of the date, place and manner of such service, and such service shall have no force or effect until the clerk of the court has been so notified.

(4) Notwithstanding anything contained in subrule (2) where the respondent or cross-respondent, as the case may be, is legally represented it shall be sufficient compliance with subrule (1) to serve a copy of the notice of appeal or cross-appeal upon such legal representative either by handing it to him personally or sending it to him by registered post.

(5) Service on the legal representative referred to in subrule (4) may also, at the option of the party noting the appeal or cross-appeal, be effected through the messenger of the Bantu Affairs Commissioner's court concerned upon prepayment by such party of the messenger's fees for service.

hy die bestelling van sodanige kennisgewing op hom verlang en moet hy by die betrokke klerk van die hof sodanige bedrag deponeer as wat deur sodanige klerk van die hof bepaal mag word om die koste van betekening van sodanige formele kennisgewing deur die bode van die Bantoesakekommissarishof te dek, of sodanige klerk van die hof voorsien van 'n gefrankeerde koever vir betekening van sodanige kennisgewing per geregisteerde pos, na gelang van die geval.

Reg van appèl word nie deur voldoening aan uitspraak verbeur nie.

3. 'n Party by 'n siviele geding in 'n Bantoesakekommissarishof verbeur nie die reg om appèl aan te teken deur aan die uitspraak ten opsigte waarvan hy appelleer, of aan 'n deel daarvan, te voldoen of aan te bied om daaraan te voldoen nie, of deur 'n voordeel uit so 'n uitspraak of ingevolge 'n bevel of order in so 'n geding, te aanvaar nie.

Aantekening van appèl, sekerheidstelling vir respondent se koste van appèl.

4. 'n Appèl teen 'n uitspraak van 'n Bantoesakekommissarishof word aangeteken binne een-en-twintig dae na die datum van dié uitspraak of binne veertien dae nadat die amptenaar wat die uitspraak gegee het, 'n skriftelike uitspraak ingevolge reël 2 (1) aan die klerk van genoemde hof besorg het, na gelang van watter tydperk die langste is, maar die appèlhof kan op aansoek en by verstreking van 'n billike rede dié tydperk in elke geval by die verhoor van die appèl verleng.

5. (1) 'n Appèl teen 'n uitspraak van 'n Bantoesakekommissarishof word aangeteken deur aan die klerk van sodanige hof 'n kennisgewing te bestel wat aan die vereistes van reël 7 voldoen.

(2) Die respondent by so 'n appèl kan binne agt dae nadat 'n kennisgewing van appèl ingevolge reël 6 aan hom beteken is, op dieselfde wyse teenappèl aanteken.

(3) Die party wat appèl of teenappèl aanteken, gee by inlewering van die kennisgewing van appèl ten bedrae van R15 sekerheid tot tevredenheid van die klerk van die Bantoesakekommissarishof vir die betaling van die ander party se koste.

6. (1) Onmiddellik voor of na die aantekening van appèl of teenappèl word 'n afskrif van die kennisgewing van appèl of teenappèl onverwyld aan die teenparty beteken.

(2) Sodanige afskrif kan kosteloos beteken word deur die party wat appèl of teenappèl aangeteken het, deur dit persoonlik aan die ander party in die teenwoordigheid van 'n getuie te oorhandig, of, op versoek van die party wat appèl of teenappèl aanteken, moet die afskrif beteken word deur die geregsbode van die betrokke Bantoesakekommissarishof nadat sodanige party vooraf die geregsbode se geld vir betekening betaal het.

(3) Indien dié betekening deur die persoon wat appèl of teenappèl aanteken, self gedoen word, soos reeds gemeld, stel so 'n party onverwyld die klerk van die Bantoesakekommissarishof by wie appèl of teenappèl aangeteken is, in kennis van die datum, plek en wyse van dié betekening, en dié betekening is van nul en gener waarde nie totdat die klerk van die hof aldus in kennis gestel is.

(4) Nieteenstaande strydige bepalings in subreël (2) vervat, word subreël (1), indien die respondent of die teenrespondent, na gelang van die geval, 'n regsverteenvoordiger het, in voldoende mate nagekom deur 'n afskrif van die kennisgewing van appèl of teenappèl aan die regsverteenvoordiger te beteken, of by wyse van oorhandiging aan hom persoonlik of versending aan hom per geregisteerde pos.

(5) Die betekening aan die regsverteenvoordiger, genoem in subreël (4), kan ook, na gelang die party wat appèl of teenappèl aanteken, verkies, deur die geregsbode van die betrokke Bantoesakekommissarishof gedoen word by vooruitbetaling van die geregsbode se geld vir betekening deur so 'n party.

(6) Where service is effected in terms of subrule (4) it shall be the duty of the party serving the copy of the notice of appeal or cross-appeal to obtain from such legal representative a written acknowledgement of the receipt of such copy and to lodge it forthwith with the clerk of the Bantu Affairs Commissioner's court with whom the appeal or cross-appeal was noted. Such service shall be of no force or effect until the said written acknowledgement has been so lodged.

7. A notice of appeal or cross-appeal shall state—

- (a) whether the whole or part only of the judgment or order is appealed against, and if part only, then what part; and
- (b) the grounds of appeal clearly and specifically.

8. The noting of an appeal or cross-appeal and the date thereof shall be recorded by the clerk of the Bantu Affairs Commissioner's court in the "remarks" column of the civil record book.

Written Statement by Bantu Affairs Commissioner.

9. (1) Upon the delivery of a notice of appeal the officer who delivered the judgment against which the appeal is brought shall within ten days deliver to the clerk of his court a statement, in writing, showing (as far as may be necessary having regard to any written judgment already delivered by him)—

- (a) the facts he found to be proved;
- (b) the grounds upon which he arrived at such finding;
- (c) his reasons for any ruling of law or for the admission or rejection of any evidence specified in the notice of appeal as appealed against.

(2) Such statement shall become part of the record.

(3) The provisions of this rule shall also, *mutatis mutandis*, apply to a cross-appeal.

Procedure after Noting of Appeal.

10. Within fourteen days of receiving notice of appeal the clerk of the Bantu Affairs Commissioner's court shall transmit to the registrar of the Bantu Appeal Court concerned the record in the action duly certified by the officer who tried such action.

11. Upon an appeal being noted the clerk of the Bantu Affairs Commissioner's court shall—

- (a) immediately notify the registrar of the fact apart from compliance with the requirements of rule 10;
- (b) enquire from the appellant and respondent whether either wishes a copy of the record to be supplied to him at the prescribed fee;
- (c) inform the registrar of the results of his enquiry;
- (d) require the appellant or his legal adviser to state at what place and in what manner, whether by formal process of the court or by written notice from the clerk of the Bantu Affairs Commissioner's court, he will accept notice of hearing. The respondent or his legal adviser shall likewise be asked if he will accept notice of hearing from the clerk of the Bantu Affairs Commissioner's court without formal process of court. In the event of informal notice of hearing not being arranged the appellant shall be required to deposit with the clerk of the Bantu Affairs Commissioner's court such sum of money as is sufficient to cover the cost of service of formal notices.

Notice of Hearing.

12. The registrar shall set down the appeal for hearing at a session of the Bantu Appeal Court.

(6) Indien betekening ingevolge die bepalings van subreël (4) gedoen word, moet die party wat die afskrif van die kennisgewing van appèl of teenappèl beteken, van sodanige regsvertegenwoordiger 'n skriftelike erkenning van die ontvangs van so 'n afskrif verkry en dit onverwyld by die klerk van die Bantoesakekommissarishof by wie die appèl of teenappèl aangeteken is, indien. Sodanige erkenning is van nul en gener waarde totdat gemelde skriftelike erkenning aldus ingedien is.

7. 'n Kennisgewing van appèl of teenappèl moet vermeld—

- (a) of daar teen die hele uitspraak of bevel of slegs teen 'n deel daarvan geappelleer word, en, indien dit slegs teen 'n deel daarvan is, watter deel; en
- (b) die redes waarop die appèl gegrond word, duidelik en spesifiek uiteengesit.

8. Die aantekening van 'n appèl of teenappèl en die datum daarvan word deur die klerk van die Bantoesakekommissarishof in die kolom vir „opmerkings” in die siviele sakeboek ingeskryf.

Skriftelike verklaring deur Bantoesakekommissaris.

9. (1) Na die lewering van 'n kennisgewing van appèl, moet die amptenaar wat die uitspraak gegee het waarteen geappelleer word, binne tien dae aan die klerk van sy hof 'n skriftelike verklaring lewer waarin (vir sover dit nodig is en met inagneming van 'n skriftelike uitspraak wat reeds deur hom gegee is) onderstaande opgegee word—

- (a) die feite wat na sy bevinding bewys is;
- (b) die redes waarop hy sodanige bevinding gegrond het;
- (c) sy redes vir enige regsbeslissings of vir die toelating of verwerping van enige getuienis wat gespesifiseer is in die kennisgewing van appèl, naamlik dié waarteen geappelleer word.

(2) So 'n verklaring word deel van die oorkonde.

(3) Die bepalings van hierdie reël is ook *mutatis mutandis* op 'n teenappèl van toepassing.

Prosedure ná aantekening van appèl.

10. Binne veertien dae nadat die klerk van die Bantoesakekommissarishof kennisgewing van appèl ontvang het, stuur hy die oorkonde van die geding, behoorlik gesertifiseer deur die beampte wat dié saak verhoor het, aan die griffier van die betrokke Bantoe-appèlhof.

11. Nadat appèl aangeteken is, moet die klerk van die Bantoesakekommissarishof—

- (a) afgesien van sy nakoming van die bepalings van reël 10, die griffier onmiddellik van die aantekening van appèl in kennis stel;
- (b) die appellant en die respondent vra of hulle elk 'n afskrif van die oorkonde wil hê, wat teen die voorgeskrewe geld aan hulle verskaf moet word;
- (c) die griffier van die uitslag van sy navraag in kennis stel;
- (d) vereis dat die appellant of sy regsadviseur verklaar op watter plek en wyse, hetsy by formele geregtelike prosesstukke of by skriftelike kennisgewing van die klerk van die Bantoesakekommissarishof, hy kennis van die verhoor sal ontvang. Die respondent of sy regsadviseur word op dieselfde wyse gevra of hy kennis van die verhoor van die klerk van die Bantoesakekommissarishof sal aanneem sonder dat daar formele geregtelike prosesstukke aan hom gelewer word. Ingeval geen informele kennisgewing van verhoor gereël word nie, moet daar van die appellant geëis word om by die klerk van die Bantoesakekommissarishof dié bedrag geld te deponeer wat voldoende is om die koste van die betekening van formele kennisgewing te dek.

Kennisgewing van verhoor.

12. Die griffier moet die appèl op die rol plaas vir verhoor op 'n sitting van die Bantoe-appèlhof.

13. (1) Upon notification by the registrar of the date of hearing of the appeal the clerk of the Bantu Affairs Commissioner's court concerned shall immediately issue the notices of hearing referred to in rule 11.

(2) The clerk of the Bantu Affairs Commissioner's court shall, without delay, transmit to the registrar a copy of each notice of hearing issued under this rule duly signed by the parties or their legal representatives. If any notice of hearing has been served by the messenger of the Bantu Affairs Commissioner's court he shall endorse his return on the original notice and lodge it with the clerk of the court who shall transmit it to the registrar. The return of the messenger shall be *prima facie* evidence of the matters stated therein.

Objections, Exceptions and Applications.

14. Written particulars of any objection or exception or of any application in connection with an appeal shall be filed in quadruplicate with the registrar (or, in his absence, with the clerk of the Bantu Affairs Commissioner's court at the centre where the session of the Bantu Appeal Court is to be held) not less than twenty-four hours prior to the commencement of such session and a copy of such objection, exception or application shall be served on the other party.

Prosecution of Appeal.

15. The party noting an appeal or cross-appeal shall prosecute such appeal at the session of the Bantu Appeal Court for which the registrar has set the appeal down for hearing and in default of such prosecution the appeal or cross-appeal shall be deemed to have lapsed provided that the court of appeal may on application made before or after the appeal has lapsed and upon good cause being shown permit such appeal or cross-appeal to be prosecuted at any subsequent session of the court.

Limitation of Grounds of Appeal.

16. In the hearing of an appeal the parties shall be limited to the grounds stated in the notice of an appeal and to such additional grounds as may be approved by the court on application.

Abandonment or Withdrawal of Appeal.

17. (1) Subject to the provisions of subrules (2) and (3) hereof, a respondent desiring to abandon the whole or any part of a judgment appealed against may do so by the delivery of a notice in writing stating whether he abandons the whole, or if part only what part, of such judgment and may in such notice consent to judgment being entered in favour of the appellant for the whole or any part of the latter's claim.

(2) Where the appellant was the plaintiff in the Bantu Affairs Commissioner's court and the judgment appealed against was one of absolution from the instance granted at the close of plaintiff's case the respondent may abandon such judgment by delivery of a notice in writing and thereupon either party may by delivery of notice of re-instatement set down the action, application or matter for further hearing on a day generally or specially fixed by the clerk of the Bantu Affairs Commissioner's court not earlier than fourteen days after delivery of such notice.

(3) Where the judgment appealed against was one for the defendant the latter may abandon such judgment and consent to it being altered to one of absolution from the instance.

(4) In the notice of abandonment the respondent may include a consent to pay the appellant's costs of appeal up to the date of abandonment whereupon the Bantu Affairs Commissioner shall enter judgment accordingly: Provided

13. (1) Wanneer die griffier hom in kennis stel van die datum van die verhoor van die appèl, moet die klerk van die betrokke Bantoesakekommissarishof die kennisgewings van verhoor, genoem in reël 11, onmiddellik uitreik.

(2) Die klerk van die Bantoesakekommissarishof moet sonder versuim aan die griffier 'n afskrif stuur van elke kennisgewing van verhoor wat ingevolge hierdie reël uitgereik en behoorlik deur die partye of hul regsverteenoordigers onderteken is. Indien 'n kennisgewing van verhoor deur die geregsbode van die Bantoesakekommissarishof beteken is, teken die geregsbode sy relaas op die oorspronklike kennisgewing aan en dien hy dit by die klerk van die hof in, wat dit aan die griffier moet stuur. Die relaas van die geregsbode is *prima facie*-bewys van wat daarin gemeld word.

Objeksies, eksepsies en applikasies.

14. Skriftelike besonderhede van 'n objeksie of 'n eksepsie of van 'n applikasie in verband met 'n appèl word in viervoud by die griffier (of by sy afwesigheid, by die klerk van die Bantoesakekommissarishof in die sentrum waar die Bantoe-appèl hof gaan sitting hou) minstens vier-entwintig uur voor die aanvang van sodanige sitting ingelewer en 'n afskrif van so 'n objeksie, eksepsie of applikasie word aan die ander party beteken.

Voortsetting van appèl.

15. Die party wat appèl of teenappèl aanteken, moet die appèl voortsit by die sitting van die Bantoe-appèlhof waarvoor die griffier die appèl vir verhoor op die rol geplaas het, en by nie-voortsetting van die appèl of teenappèl, word dit geag te verval het: Met dien verstande dat die appèlhof, op aansoek wat gedoen is voor of na die appèl verval het, en as goeie redes aangevoer word, kan toelaat dat dié appèl of teenappèl by 'n daaropvolgende sitting van die hof voortgesit kan word.

Beperking van gronde vir appèl.

16. By die verhoor van 'n appèl word die partye beperk tot die gronde in die kennisgewing van appèl gemeld en tot sodanige addisionele gronde as wat die hof op aansoek mag goedkeur.

Afstanddoening of intrekking van appèl.

17. (1) Behoudens die bepalinge van subreëls (2) en (3) hiervan kan 'n respondent wat van die geheel of 'n gedeelte van 'n uitspraak waarteen geappelleer word, afstand wil doen, dit by wyse van die lewering van 'n skriftelike kennisgewing doen waarin verklaar word of hy die geheel of indien 'n gedeelte, van watter gedeelte van die uitspraak hy afstand doen en kan hy in dié kennisgewing toestem dat uitspraak ten gunste van die appellant aangeteken word ten opsigte van laasgenoemde se hele eis of enige gedeelte daarvan.

(2) As die appellant die eiser was in die Bantoesakekommissarishof en die uitspraak waarteen geappelleer is, 'n uitspraak was van absolusie van die instansie wat by die sluiting van die eiser se saak toegestaan is, kan die respondent by wyse van die lewering van 'n skriftelike kennisgewing afstand van die uitspraak doen en daarna kan enigeen van die twee partye by wyse van die lewering van 'n kennisgewing van herstel, die aksie, applikasie of vraag op die rol plaas vir verdere verhoor op 'n dag wat in die algemeen of spesifiek deur die klerk van die Bantoesakekommissarishof vir nie vroeër nie as veertien dae ná die lewering van dié kennisgewing bepaal word.

(3) As die uitspraak waarteen geappelleer word ten gunste van die verweerder was, kan hy afstand daarvan doen en toestem dat dit in een van absolusie van die instansie verander word.

(4) Die respondent kan in sy kennisgewing van afstanddoening sy toestemming om die appellant se appèlkoste te betaal tot die datum van die afstanddoening, insluit, en die Bantoesakekommissaris teken die uitspraak dan dien-ooreenkomstig aan: Met dien verstande dat indien geen toestemming om die appellant se appèlkoste tot op die

that if no consent to pay appellant's costs of appeal up to the date of abandonment is included in such notice the Bantu Affairs Commissioner may on application enter judgment for such costs.

(5) Upon delivery of any notice of abandonment under the provisions of any of the foregoing subrules (which notice shall form part of the record) the Bantu Affairs Commissioner of the court concerned shall forthwith amend or alter the judgment appealed against in accordance with the terms of such notice.

18. (1) An appeal or application may be withdrawn at any time by the delivery of a notice of withdrawal in writing to the respondent or his legal representative and the registrar. In the notice of withdrawal the appellant or applicant shall include a consent to pay respondent's costs up to the date of withdrawal.

(2) An appeal or application which has been withdrawn as in subrule (1) provided shall be deemed to have lapsed.

Reserved Judgment.

19. The Bantu Appeal Court may reserve judgment and the president may deliver the judgment of the court either at a later stage of the session during which the appeal is heard, or at any later date and at some other place fixed by the president of such court.

Recording of Judgment.

20. (1) The registrar shall cause the judgment of the Bantu Appeal Court to be entered upon the original record. Such judgment shall be signed by the president and other members of the court and such original record shall thereupon be returned to the court of Bantu Affairs Commissioner from which the appeal was made.

(2) The judgment of the Bantu Appeal Court shall be recorded by the clerk of the Bantu Affairs Commissioner's court from which the appeal emanated in the "remarks" column of the civil record book and such judgment may be enforced as if it had been given in such last-mentioned court.

Bantu Assessors.

21. (1) The registrar shall arrange, through Bantu Affairs Commissioners, for the attendance of such Bantu assessors as may be required during any session of the court.

(2) Bantu assessors attending any such session shall be paid allowances in accordance with the scale prescribed in Table C of the Annexure to these rules.

(3) The costs of attendance of such Bantu assessors at such session shall be a charge against public funds.

Review of Proceedings of Bantu Affairs Commissioner's Court.

22. (1) Any party desiring to bring the proceedings of a Bantu Affairs Commissioner's court on review before the Bantu Appeal Court on the ground of grave irregularity or illegality occurring during the course of such proceedings shall do so by way of notice in writing directed to the officer who tried the case, supported by an affidavit or affidavits fully setting out the grounds on which the applicant bases his application. Such notice shall be given within fourteen days after the irregularity or illegality complained of has come to the notice of the applicant.

(2) A copy of the application and supporting affidavit or affidavits shall be served forthwith upon the opposite party in the manner provided for serving a notice of appeal.

(3) The officer who tried the case shall within ten days after the service upon him of the notice and affidavit or affidavits referred to in subrule (1) forward them to the registrar of the Bantu Appeal Court concerned together with his own replying statement and any supporting affidavits he may desire to submit.

datum van afstanddoening te betaal, in sodanige kennisgewing ingesluit word nie, die Bantoesakekommissaris, op aansoek, uitspraak vir die betaling van sodanige koste kan aanteken.

(5) Nadat 'n kennisgewing van afstanddoening (en hierdie kennisgewing moet deel van die oorkonde uitmaak), ingevolge die bepalings van een van die voorgaande subreëls gelewer is, moet die Bantoesakekommissaris van die betrokke hof onverwyld die uitspraak waarteen geappelleer word, wysig of verander ooreenkomstig die bepalings van dié kennisgewing.

18. (1) 'n Appèl of applikasie kan te eniger tyd teruggetrek word deur 'n skriftelike kennisgewing van terugtrekking aan die respondent of sy regsvertegenwoordiger en die griffier te bestel. Die appellant of applikant moet in die kennisgewing van terugtrekking 'n toestemming om die respondent se koste tot op die datum van terugtrekking te betaal, insluit.

(2) 'n Appèl of aansoek wat teruggetrek is soos by subreël (1) bepaal, word geag te verval het.

Voorbehoue uitspraak.

19. Die Bantoe-appèlhof kan uitspraak voorbehou en die voorsitter kan die uitspraak van die hof of in 'n later stadium van die sitting waarby die appèl verhoor word, of op 'n later datum en op 'n ander plek wat deur die voorsitter van dié hof bepaal word, gee.

Aantekening van uitspraak.

20. (1) Die griffier moet die uitspraak van die Bantoe-appèlhof in die oorspronklike oorkonde laat inskryf. So 'n uitspraak moet deur die voorsitter en die ander lede van die hof onderteken wees, en sodanige oorspronklike oorkonde word daarna teruggestuur na die Bantoesakekommissarishof waar die appèl aangeteken is.

(2) Die uitspraak van die Bantoe-appèlhof word deur die klerk van die Bantoesakekommissarishof waar die appèl ontstaan het, in die kolom vir „opmerkings” in die register van siviele sake opgeteken, en dié uitspraak kan afgedwing word asof dit in sodanige Bantoesakekommissarishof gegee is.

Bantoe-assessore.

21. (1) Die griffier reël deur bemiddeling van Bantoesakekommissarisse dat dié Bantoe-assessore wat vir 'n sitting van die hof nodig is, dit bywoon.

(2) Aan Bantoe-assessore wat so 'n sitting bywoon, word toelaes betaal ooreenkomstig die skaal in Tabel C van die Aanhangsel van hierdie reëls voorgeskryf.

(3) Die koste wat as gevolg van die Bantoe-assessore se bywoning van die sitting aangegaan word, word teen openbare fondse in rekening gebring.

Hersiening van verrigtinge van Bantoesakekommissarishof.

22. (1) 'n Party wat die verrigtinge van 'n Bantoesakekommissarishof deur die Bantoe-appèlhof wil laat hersien op grond van ernstige onreëlmatigheid of onwettigheid wat gedurende die loop van sodanige verrigtinge gebeur, moet dit doen by wyse van skriftelike kennisgewing aan die beamppte wat die saak verhoor het, gestaaf deur 'n beëdigde verklaring of verklarings waarin die redes waarop die applikant sy applikasie grond, volledig uiteengesit word. Sodanige kennisgewing moet geskied binne veertien dae nadat die onreëlmatigheid of onwettigheid waaroor gekla word, onder die aandag van die applikant gekom het.

(2) 'n Afskrif van die applikasie en van die stawende beëdigde verklaring of verklarings word onverwyld aan die teenparty beteken op die wyse wat vir die betekening van 'n kennisgewing van appèl bepaal is.

(3) Die beamppte wat die saak verhoor het, stuur die kennisgewing en beëdigde verklaring of verklarings, genoem in subreël (1), binne tien dae nadat dit aan hom beteken is aan die griffier van die betrokke Bantoe-appèlhof, tesame met sy eie verklaring in antwoord en enige stawende beëdigde verklarings wat hy wil voorlê.

(4) On receipt of the documents referred to in subrule (3) the registrar shall set down the application for hearing by the Bantu Appeal Court in the manner provided in rule 12.

(5) At the hearing of the application if the Bantu Appeal Court is unable to decide the matter on the documents before it the court may remit the proceedings to the Bantu Affairs Commissioner's court concerned with instructions in regard to the taking of such evidence or the setting out of such information as may be necessary to arrive at a decision.

(6) The officer presiding over such further proceedings shall at the completion thereof return the record to the registrar with such findings on questions of fact and with such further information as the Bantu Appeal Court may have directed him to find or furnish and thereupon the Bantu Appeal Court shall give such judgment, ruling or order as it may deem fit after having heard the parties in argument.

(7) The provisions of rule 20 shall *mutatis mutandis* apply to any judgment, ruling or order delivered by the Bantu Appeal Court in terms of this rule.

Attorneys' and Advocates' Fees.

23. The fees which may be charged by attorneys and advocates as between party and party are the fees laid down in Table B of the Annexure to these rules.

Taxation of Costs.

24. (1) Where costs and expenses are awarded to any party by the Bantu Appeal Court, the party to whom such costs and expenses have been awarded, shall deliver a bill of such costs or expenses and give reasonable notice of taxation for an hour to be fixed (generally or specifically) by the registrar and he may include in such bill all such payments as have been necessarily and properly made by him.

(2) The registrar shall at the time fixed tax the bill and allow the costs and expenses so awarded.

Review of Taxation.

25. (1) Any party having an interest may, within three days after he has obtained knowledge of the taxing of a bill of costs, give notice to the registrar and to the opposing party of his intention to bring the bill of costs under review by the president of the Bantu Appeal Court and shall specify the grounds for such review.

(2) Upon receipt of notification as in subrule (1) provided, the registrar shall give not less than twenty-one days' notice to the parties of the time when and the place at which the bill of costs will be reviewed and the bill of costs shall thereafter be reviewed accordingly free of charge.

(3) Notwithstanding anything contained in subrules (1) and (2), should a bill of costs have been taxed at the centre at which the court was held, either party may at the time of taxation give summary verbal notice to the registrar of his intention to bring it under review. Thereupon the registrar shall endorse on the bill of costs a note of the request and of the time when taxation will be reviewed. Such note shall be signed by the registrar and each of the parties and the bill of costs shall thereafter be reviewed accordingly.

Fees for Registrar or Clerk of the Court.

26. The fees to be taken by the registrar or by the clerk of the Bantu Affairs Commissioner's court, as the case may be, shall be as prescribed in Table A of the Annexure to these rules.

Non-Compliance with Rules.

27. Where any provision of these rules has not been fully complied with the Bantu Appeal Court may on application order compliance within a stated time.

(4) By ontvangs van die stukke genoem in subreël (3), plaas die griffier die applikasie op die rol vir verhoor deur die Bantoe-appèlhof op die wyse wat by reël 12 bepaal word.

(5) As die Bantoe-appèlhof by die verhoor van die applikasie nie in staat is om die kwessie op grond van die stukke voor hom te beslis nie, kan hy die geding na die betrokke Bantoesakekommissarishof terugverwys met die opdrag om dié getuïenis af te neem of dié inligting uiteen te sit wat nodig is om tot 'n beslissing te geraak.

(6) Die beampte wat by die verdere verrigtinge voorsit, stuur ná die beëindiging daarvan die oorkonde terug aan die griffier, tesame met die bevindings oor feitelike vrae en dié verdere inligting wat hy ingevolge die opdrag van die Bantoe-appèlhof moes vind en verstrek. Vervolgens gee die Bantoe-appèlhof dié uitspraak, beslissing of bevel wat hy geskik ag, nadat hy die partye in betoog gehoor het.

(7) Die bepalings van reël 20 is *mutatis mutandis* van toepassing op 'n uitspraak, beslissing of bevel wat die Bantoe-appèlhof ingevolge hierdie reël gee.

Gelde van prokureurs en advokate.

23. Die gelde wat prokureurs en advokate tussen party en party kan vra, is in Tabel B van die Aanhangsel van hierdie reëls vasgestel.

Taksasie van koste.

24. (1) As koste en uitgawe deur die Bantoe-appèlhof aan 'n party toegeken word, moet die party aan wie dié koste en uitgawe toegeken is, 'n rekening van dié koste of uitgawe lewer en redelike kennis van taksasie gee vir 'n uur wat (in die algemeen of spesifiek) deur die griffier vasgestel moet word, en kan hy alle betalings wat hy noodsaaklikerwys en behoorlik gedoen het, by dié rekening insluit.

(2) Die griffier moet op die vasgestelde tyd die rekening takseer en die koste en uitgawes aldus toegeken, toelaat.

Hersiening van taksasie.

25. (1) 'n Belanghebbende party kan binne drie dae nadat hy kennis gekry het van die taksasie van 'n kosterekening, aan die griffier en die teenparty kennis gee van sy voorneme om die kosterekening deur die voorsitter van die Bantoe-appèlhof te laat hersien en moet die gronde vir dié hersiening spesifiseer.

(2) By ontvangs van kennisgewing soos by subreël (1) bepaal, moet die griffier aan die partye minstens een-en-twintig dae kennis gee van die tyd wanneer en die plek waar die kosterekening hersien sal word, waarna die kosterekening dienooreenkomstig kosteloos hersien sal word.

(3) As 'n kosterekening by die sentrum waar die hof sitting gehou het, getakseer is, kan die een of die ander van die twee partye, ondanks enigiets in subreëls (1) en (2) vervat, ten tyde van die taksasie summier mondelinge kennis aan die griffier gee van sy voorneme om dit te laat hersien. Daarna moet die griffier op die kosterekening 'n aantekening maak van die versoek, en die tyd wanneer taksasie hersien sal word. Dié aantekening moet deur die griffier en elkeen van die partye geteken word en daarna moet die kosterekening dienooreenkomstig hersien word.

Gelde van griffier of klerk van die hof.

26. Die gelde wat die griffier of die klerk van die Bantoesakekommissarishof, na gelang van die geval, vra, word in Tabel A van die Aanhangsel van hierdie reëls voorgeskryf.

Nie-nakoming van reëls.

27. Indien 'n bepaling van hierdie reëls nie geheel en al nagekom word nie, kan die Bantoe-appèlhof by applikasie daarom die nakoming van die betrokke bepaling binne 'n bepaalde tyd gelas.

Offences.

28. If any person wilfully insults any member of the Bantu Appeal Court during the sitting of the court or the registrar or other officer during his attendance at such sitting or wilfully interrupts the proceedings of such court or disturbs the peace or order thereof or otherwise misbehaves himself in the place where such court is held the court may order him to be removed and detained in custody until the rising of the court and in addition may summarily impose upon him a fine not exceeding one hundred rand or, in default of payment, imprisonment for a period not exceeding one hundred days or sentence him to such imprisonment without the option of a fine.

29. Any person wilfully disobeying or neglecting to comply with any order of the Bantu Appeal Court shall be guilty of contempt of court and shall be liable, upon conviction, to a fine not exceeding one hundred rand or, in default of payment, to be imprisoned for a period not exceeding one hundred days or to such imprisonment without the option of a fine.

Representation of Parties.

30. (1) In any case in a Bantu Appeal Court a party may appear on his own behalf or be represented by a legal practitioner or by any person who was permitted by the Bantu Affairs Commissioner to appear in the Bantu Affairs Commissioner's court.

(2) No person other than a legal practitioner acting under subrule (1) shall be entitled to recover therefor any costs other than necessary disbursements.

31. Whenever in the opinion of a Bantu Appeal Court a practitioner has been guilty of misconduct or dishonourable practice, that court may refer the matter—

- (a) in the case of an advocate to the Branch of the Society of Advocates or Bar Council at the centre at which such advocate practices; and
- (b) in the case of an attorney to the Law Society concerned.

Interpretation of Terms.

32. (1) In these rules, unless inconsistent with the context—

“copy” means a true and correct copy;

“court of appeal” and “Bantu Appeal Court” means a Bantu Appeal Court established by proclamation promulgated under section 13 of the Bantu Administration Act, 1927;

“deliver,” except in rules 2 (1), 4, 6 (2), 18 and 24 (1), means to file with the clerk of the Bantu Affairs Commissioner's court and “serve a copy on the opposite party”, and “delivery” have a corresponding meaning;

“legal practitioner” means an advocate or attorney;

“party” means any person who is a party to the proceedings or his representative as provided in the rules;

“registrar” means the officer appointed under rule 1 as registrar of the Bantu Appeal Court having jurisdiction;

“respondent” and “appellant” include the attorney or counsel or person appearing for a respondent or appellant.

(2) Where anything is required by these rules to be done within a particular number of days, a Sunday or public holiday shall not be reckoned as part of such period.

Saving of Pending Proceedings.

33. (1) Nothing in these rules shall affect proceedings pending at the date of commencement of these rules and such proceedings shall be continued and concluded in every respect as if these rules had not been promulgated.

Oortredings.

28. Indien iemand 'n lid van die Bantoe-appèlhof gedurende die sitting van die hof, of die griffier of 'n ander beamppte tydens sy bywoning van die sitting, opsetlik beledig of die verrigtinge van die hof opsetlik onderbreek of die orde daarvan versteur of hom andersins aan wangedrag skuldig maak in die plek waar die hof sitting hou, kan die hof gelas dat hy verwyder en in hegtenis gehou moet word totdat die hof verdaag, en hom daarby summier 'n boete van hoogstens een honderd rand of, by wanbetaling, gevangenisstraf vir 'n tydperk van hoogstens een honderd dae, ople, of hom sonder die keuse van 'n boete tot sodanige gevangenisstraf vonnis.

29. Iemand wat opsetlik 'n bevel van die Bantoe-appèlhof nie gehoorsaam nie of versuim om dit uit te voer, maak hom skuldig aan minagting van die hof en kan by skuldigbevinding 'n boete van hoogstens een honderd rand of, by wanbetaling, gevangenisstraf van hoogstens een honderd dae, of sodanige gevangenisstraf, sonder die keuse van 'n boete, opgelê word.

Verteenwoordiging van partye.

30. (1) 'n Party kan in 'n saak in 'n Bantoe-appèlhof namens homself verskyn of deur 'n regspraktisyn verteenwoordig word of deur iemand wat deur die Bantoesake-kommissaris toegelaat is om in die Bantoesake-kommissarishof te verskyn.

(2) Niemand anders as 'n regspraktisyn wat kragtens subreël (1) optree, is geregtig om enige ander koste as nodige uitgawes vir sy optrede te verhaal nie.

31. Elke keer as 'n regspraktisyn na die mening van 'n Bantoe-appèlhof hom aan wangedrag of eerlose praktyk skuldig gemaak het, kan die hof die aangeleentheid verwys—

- (a) in die geval van 'n advokaat, na die tak van die Vereniging van Advokate of die Balieraad in die sentrum waar so 'n advokaat praktiseer;
- (b) in die geval van 'n prokureur, na die betrokke wetsgenootskap.

Woordskrywing.

32. (1) In hierdie reëls, tensy onbestaanbaar met die sinsverband beteken—

„afskrif” 'n ware en juiste afskrif;

„appèlhof” en „Bantoe-appèlhof” 'n Bantoe-appèlhof wat ingestel is by proklamasie wat ingevolge artikel 13 van die Bantoe-administrasie Wet, 1927, uitgevaardig is;

„griffier” die amptenaar wat ingevolge reël 1 as griffier van die bevoegde Bantoe-appèlhof aangestel is;

„lewer”, behalwe in reëls 2 (1), 4, 6 (2), 18 en 24 (1), inlewering by die klerk van die Bantoe-sake-kommissarishof om geliasseer te word en het „beteekening van 'n afskrif aan die teenparty” en „lewering” 'n ooreenstemmende betekenis;

„party” iemand wat 'n party by 'n regsgeding is of sy verteenwoordiger soos in die reëls bepaal;

„regspraktisyn” 'n advokaat of prokureur;

„respondent” en „appellant” ook die prokureur of advokaat of persoon wat ten behoeve van 'n respondent of appellant verskyn.

(2) Waar hierdie reëls vereis dat iets binne 'n bepaalde getal dae gedoen moet word, word 'n Sondag of 'n openbare vakansiedag nie as deel van dié tydperk ingereken nie.

Hangende verrigtinge word nie geraak nie.

33. (1) Geen bepaling in hierdie reëls raak gedinge wat hangende is op die datum waarop hierdie reëls in werking tree nie, en sulke gedinge word in alle opsigte voortgesit en afgehandel asof hierdie reëls nie afgekondig is nie.

(2) Proceedings shall, for the purposes of this rule, be deemed to be pending if, at the date of commencement of these rules, notice of appeal had been lodged and shall be deemed to be concluded when judgment on the appeal has been given.

(3) At the expiration of one year from the date of commencement of these rules subrule (1) shall cease to have effect and any proceedings pending at the date of commencement of these rules and not concluded within one year thereafter shall become subject to the provisions of these rules.

ANNEXURE.

TABLE A.

FEES OF REGISTRAR OR CLERK OF THE COURT.

Fees of office to be paid by means of revenue stamps affixed to the document and cancelled by the registrar or clerk of the court, as the case may be—

ITEM.	R
1 Bill of costs. (The fee for this item shall be reduced by half if drawn up by the party or his agent).....	0.20
2 Taxation of bill of costs: On each R2.00 or part of R2.00 allowed in taxation.....	0.05
3 (a) Request for a copy of a record, provided it is made within fourteen days of the notice of appeal, for each folio or portion thereof.....	0.10
(b) If the request is not made within fourteen days of the notice of appeal then for each folio or portion thereof	0.20
4 Any application.....	0.10

NOTE.—Item 3: For the purposes of this Table, folio means one foolscap page.

TABLE B.

ATTORNEYS' AND ADVOCATES' FEES.

ITEM.	R
1 Taking instructions to note or defend appeal or bring or oppose review proceedings; drawing and completing power of attorney where necessary; instructing counsel or attorney to act on appeal or review and all other matters necessary and incidental thereto.....	4.20
2 Drawing and filing notice and grounds for appeal or review, including drawing and filing security bond or cash deposit and all matters incidental thereto.....	3.00
3 For copying the record for every folio or portion thereof	0.20

Where an official copy of the record is obtained from the registrar only the amount actually paid will be allowed.

ADVOCATE OR ATTORNEY CONDUCTING APPEAL.

ITEM.	R
4 Perusing record and preparing to conduct appeal or review proceedings under rule 22.....	6.30
5 Conducting appeal or review proceedings under rule 22..	6.30
6 Drawing bill of costs and attending taxation.....	1.00
7 Notice of review of taxation and service.....	0.50
8 Attending on review of taxation.....	1.00

NOTES.

Item 1.—This fee will not be allowed where the attorney who conducts the appeal, either himself or through a member of his firm, appeared in the court below.

Item 3.—For the purposes of this Table, folio means one foolscap page.

Item 4.—Where the appeal is withdrawn or the whole of the judgment appealed against is abandoned at least ten days before the commencement of the session this fee will be disallowed and in any case it will only be allowed if the legal practitioner has actually and in fact perused the record and prepared for conducting the appeal.

Item 5.—Where the appeal is withdrawn or the whole of the judgment appealed against is abandoned at any time before the day of commencement of the session this fee will be disallowed.

Items 4 and 5.—These fees include all work done in connection with and incidental to the services specified. The Bantu Appeal Court may increase either or both of these items to an amount not exceeding R12.60 each where it is of opinion that the length of the record or the importance of the legal issues or the amount involved would justify an increase.

(2) Gedinge word, vir die toepassing van hierdie reël, geag hangende te wees indien, op die datum van inwerking-treding van hierdie reëls, kennisgewing van appèl ingelewer is, en word geag afgehandel te wees wanneer uitspraak ten opsigte van die appèl gegee is.

(3) Na verloop van een jaar ná die datum waarop hierdie reëls in werking tree, is subreël (1) nie meer van krag nie, en alle gedinge wat by die inwerking-treding van hierdie reëls hangende is en nie binne een jaar daarna afgehandel is nie, word aan die bepalings van hierdie reëls onderworpe.

AANHANGSEL.

TABEL A.

GELDE VAN GRIFFIER OF KLERK VAN DIE HOF.

Leges wat by wyse van inkomsteseëls betaal moet word wat op die stukke geplak en deur die griffier of die klerk van die hof, na gelang van die geval, gerojear moet word:—

ITEM.	R
1 Kosterekening. (Die geld hiervoor word met die helfte verminder as die rekening deur die party of sy agent opgestel is).....	0.20
2 Taksasie van kosterekening: Vir elke R2 of deel van R2 wat by taksasie toegelaat word.....	0.05
3 (a) Versoek om 'n afskrif van 'n stuk, mits dit binne veertien dae ná kennisgewing van appèl gedoen word, vir elke folio of gedeelte daarvan.....	0.10
(b) As die versoek nie binne veertien dae ná kennisgewing van appèl gerig word nie, vir elke folio of gedeelte daarvan.....	0.20
4 Enige applikasie.....	0.10

OPMERKING.—Item 3: Vir die doeleindes van hierdie tabel beteken folio een bladsy van folio grootte.

TABEL B.

GELDE VAN PROKUREURS EN ADVOKATE.

ITEM.	R
1 Opdrag ontvang om appèl aan te teken of te verdedig of hersieningsverrigtinge in te stel of te bestry; prokurasie opstel en voltooi indien nodig; opdrag aan advokaat of prokureur gee om by appèl of hersiening op te tree, en alle ander noodsaaklike en bybehorende aangeleenthede.....	4.20
2 Opstel en indiening van kennisgewing van appèl of hersiening en redes waarop dit gegron is, met inbegrip van opstel en indiening van borgakke of van deponering van kontantbedrag, en alle bybehorende sake.....	3.00
3 Afskrif van oorkonde, vir elke folio of gedeelte daarvan	0.20

As 'n amptelike afskrif van die oorkonde van die griffier verkry word, word slegs die bedrag wat werklik betaal is, toegelaat.

ADVOKAAT OF PROKUREUR WAT APPÈL VOER.

ITEM.	R
4 Lees van oorkonde, en voorbereiding om appèl te voer of verrigtinge volgens reël 22 te hersien.....	6.30
5 Appèl voer of hersiening van verrigtinge volgens reël 22..	6.30
6 Kosterekening opstel en taksering bywoon.....	1.00
7 Kennisgewing van hersiening van taksasie en betekening daarvan.....	0.50
8 Bywoning van hersiening van taksasie.....	1.00

OPMERKINGS.

Item 1.—Hierdie geld word nie toegelaat as die prokureur wat die appèl voer, of 'n lid van sy firma, in die laer hof verskyn het nie.

Item 3.—Vir die doeleindes van hierdie tabel beteken folio een bladsy van folio grootte.

Item 4.—Waar minstens tien dae voor die begin van die sitting die appèl teruggetrek word of van die hele uitspraak waarteen geappelleer word, afstand gedoen word, word hierdie geld nie toegelaat nie, en in alle geval word dit slegs toegelaat indien die regspraktisyn werklik die oorkonde van die hof gelees het en hom voorberei het om die appèl te voer.

Item 5.—Waar die appèl op enige tydstip voor die dag van die begin van die sitting teruggetrek word of van die uitspraak waarteen geappelleer word in die geheel afstand gedoen word, word hierdie geld nie toegelaat nie.

Items 4 en 5.—Hierdie gelde dek alle werk wat verband het of gepaard gaan met genoemde dienste. Die Bantoe-appèlhof kan die geld vir een of vir albei hierdie items tot hoogstens R12.60 per item verhoog as hy van mening is dat die lengte van die oorkonde of die belangrikheid van die regsgeskilpunte of die bedrag wat by die saak betrokke is, 'n verhoging regverdig.

TABLE C.

FEES PAYABLE TO BANTU ASSESSORS.

	R
1. For the time occupied in proceeding to, detention at and returning from the centre at which the Bantu assessor is required to attend for each day or portion of a day.....	3.00
2. <i>Travelling Allowance</i> .—For each completed mile of the combined journey necessarily travelled by the shortest route to the court from the usual place of residence of the assessor and return thereto (per mile).....	0.10

NOTE.

The allowance under Item 2 will not be payable for that portion of the journey which the assessor has travelled by rail or rail motor bus and for which he has been provided with a warrant.

TABEL C.

GELDE AAN BANTOE-ASSESSORE BETAALBAAR.

	R
1. Vir tyd in beslag geneem deur reis na, verblyf by en terugreis van sentrum waar die Bantoe-assessor die hof moet bywoon, vir elke dag of gedeelte van 'n dag.....	3.00
2. <i>Reistoelae</i> .—Vir elke voltooië myl van die heen- en terugreis wat noodwendig langs die kortste roete van assessor se gewone verblyfplek na hof en terug afgelê is (per myl).....	0.10

OPMERKING.

Die toelae ingevolge Item 2 is nie betaalbaar ten opsigte van die deel van die reis wat die assessor per spoor of spoorwegbus afgelê en waarvoor hy van 'n spoorwegorder voorsien was nie.

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