

ms 17 General Services
2) Lieut. Col. G.C. Visser



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Price 10c Prys
Overseas 15c Oorsee
POST FREE—POSVRY

CAPE TOWN, 2ND APRIL, 1969.

Vol. 46.]

KAAPSTAD, 2 APRIL 1969.

[No. 2346.]

DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 532. 2nd April, 1969.

No. 532. 2 April 1969.

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

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

No. 32 of 1969: Railways and Harbours Acts Amendment Act, 1969.

No. 32 van 1969: Wysigingswet op Spoorweg- en Hawewette, 1969.

Act No. 32, 1969 RAILWAYS AND HARBOURS ACTS AMENDMENT ACT, 1969.

ACT

To amend sections 13 and 14 of the Railway Expropriation Act, 1955, and sections 2 and 37 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, so as to extend the powers of the Administration to construct, manage and work pipelines, to include also pipelines for the conveyance of solids and gases; to amend section 10 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, so as to amend the excess charge which is levied in instances where a passenger travels in a train without a free pass or ticket, or with an incomplete pass or ticket, or beyond the authorized distance; to amend Schedule 1 to the Railway Construction Act, 1966, so as to alter the route, length and estimated cost of the second line of railway mentioned therein; to validate certain changes in conditions of employment; and to provide for other incidental matters.

*(English text signed by the State President.)
(Assented to 21st March, 1969.)*

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 13 of Act 37 of 1955, as amended by section 3 of Act 39 of 1963.

1. Section 13 of the Railway Expropriation Act, 1955, is hereby amended by the substitution, in subsection (1), for all the words preceding paragraph (a) of the following words:

“For the purpose of constructing, maintaining, altering or repairing any railway, whether authorized before or after the commencement of this Act, or any pipeline for the conveyance of solids, liquids or gases, and any works incidental to such railway or pipeline, the Administration may—”.

Substitution of section 14 of Act 37 of 1955, as amended by section 4 of Act 39 of 1963.

2. The following section is hereby substituted for section 14 of the Railway Expropriation Act, 1955:

“Deviations from existing routes of lines of railway.

14. (1) The Administration may make and maintain any deviation from the existing route of any line of railway, whether authorized before or after the commencement of this Act, or may alter the route of any pipeline for the conveyance of solids, liquids or gases, and for that purpose it may remove all existing works and erect or construct such new works as may be required for the carrying out of such deviation and the closing of the deviated portion of the line, or for the relaying of the pipeline as the case may be.

(2) For the purpose of this section ‘works’ includes rails, stations, bridges, lines of communication, pipes and other appurtenances.”.

WET

Tot wysiging van artikels 13 en 14 van die Spoorwegonteieningswet, 1955, en artikels 2 en 37 van die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957, om die Administrasie se bevoegdheid om pyplyne aan te lê, te bestuur en te eksploiteer, uit te brei om ook pyplyne vir die vervoer van vaste stowwe en gasse in te sluit; tot wysiging van artikel 10 van die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957, om die toeslag wat verhaal word in gevalle waar 'n passasier wat in 'n trein sonder 'n vryreispaas of kaartjie of met 'n onvoldoende reispaas of kaartjie of verder as die geoorloofde afstand reis, te wysig; tot wysiging van Bylae 1 by die Spoorweg-aanlegwet, 1966, om die roete, lengte en geraamde koste van die tweede spoorlyn daarin vermeld, te wysig; om sekere veranderings in diensvoorwaardes geldig te verklaar; en om vir ander aangeleenthede wat daarmee in verband staan, voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 21 Maart 1969.)

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

1. Artikel 13 van die Spoorwegonteieningswet, 1955, word hierby gewysig deur in subartikel (1) al die woorde wat para-graaf (a) voorafgaan deur die volgende woorde te vervang: „Vir die doel van die aanleg, instandhouding, verandering of herstel van 'n spoorweg (hetsy dit voor of na die inwerkingtreding van hierdie Wet gemagtig is) of van 'n pyplyn vir die vervoer van vaste stowwe, vloeistowwe of gasse, en alle werke wat met sodanige spoorweg of pyplyn in verband staan, kan die Administrasie—”. Wysiging van artikel 13 van Wet 37 van 1955, soos gewysig deur artikel 3 van Wet 39 van 1963.

2. Artikel 14 van die Spoorwegonteieningswet, 1955, word hierby deur die volgende artikel vervang: Vervanging van artikel 14 van Wet 37 van 1955, soos gewysig deur artikel 4 van Wet 39 van 1963.

„Verleggings van bestaande roetes van spoorlyne.

14. (1) Die Administrasie kan 'n verlegging van die bestaande roete van enige spoorlyn, hetsy dit vóór of ná die inwerkingtreding van hierdie Wet gemagtig is, aanbring en in stand hou, of die roete van enige pyplyn vir die vervoer van vaste stowwe, vloeistowwe of gasse verander; en te dien einde kan hy alle bestaande werke verwyder en die nuwe werke oprig of aanlê wat nodig is vir die uitvoering van so 'n verlegging en die sluiting van die verlegde gedeelte van die lyn, of vir die herlegging van die pyplyn, na gelang van die geval.

(2) Vir die doeleindes van hierdie artikel beteken „werke” ook spoorstawe, stasies, brugge, verbindingslyne, pype en ander toebehore.”.

Act No. 32, 1969 RAILWAYS AND HARBOURS ACTS AMENDMENT ACT, 1969.

Amendment of section 2 of Act 70 of 1957, as amended by section 1 of Act 4 of 1958, section 3 of Act 7 of 1963, section 5 of Act 39 of 1963, section 2 of Act 54 of 1964, sections 12 and 44 of Act 6 of 1965 and section 1 of Act 60 of 1968.

3. Section 2 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, is hereby amended—

(a) by the substitution for subsection (7)*bis* of the following subsection:

“(7)*bis* to construct or cause to be constructed, manage, work and maintain pipelines for the conveyance of solids, liquids or gases, together with all works and appurtenances incidental thereto, and to determine and alter from time to time the conditions applicable to the use of such pipelines;” and

(b) by the substitution for subsection (12) of the following subsection:

“(12) to fix and alter from time to time the wharf dues, rates, fares, licences and other dues and charges on the railways or at the harbours and airports under the control of the Administration, or for road, air or marine traffic conducted by the Administration or for the conveyance of solids, liquids or gases by means of any pipelines managed and worked by it;”.

Amendment of section 10 of Act 70 of 1957, as amended by section 14 of Act 6 of 1965.

4. Section 10 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, is hereby amended—

(a) by the substitution, in paragraph (a) of subsection (3), for the words “five cents or three cents” of the words “seven cents or five cents”; and

(b) by the substitution, in paragraph (b) of that subsection, for the words “fifty cents or twenty-five cents” of the words “seventy cents or fifty cents”.

Amendment of section 37 of Act 70 of 1957, as amended by section 6 of Act 39 of 1963 and section 26 of Act 6 of 1965.

5. Section 37 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, is hereby amended by the substitution for paragraph (a) of the following paragraph:

“(a) does any act which obstructs or might obstruct the working of a railway or of any pipeline for the conveyance of solids, liquids or gases, or which endangers or might endanger the lives of persons travelling on such railway;”.

Amendment of Schedule 1 to Act 17 of 1966.

6. Schedule 1 to the Railway Construction Act, 1966, is hereby amended by the substitution for the particulars in respect of the second railway line mentioned therein of the following particulars:

Column 1.	Column 2.	Column 3.
Description of line.	Approximate length.	Estimated cost.
	Miles.	R
2. From a junction at Vryheid (Sikame) with the railway line between Ermelo and Glencoe to a terminal point approximately 4½ miles from Empangeni on the new railway line between Empangeni and Richard's Bay (Province of Natal) as authorized by the Railway Construction Act, 1968 (Act No. 38 of 1968).	127	74,759,000

Validation of certain changes in conditions of employment.

7. All changes in conditions of employment for which provision is made in any regulation published under any Government Notice mentioned in the Schedule to this Act, and which were brought into operation with retrospective effect or in respect whereof the amending regulations were not approved by the State President until after the expiration of the period of

WYSIGINGSWET OP SPOORWEG- EN HAWEWETTE, 1969.

Wet No. 32, 1969

3. Artikel 2 van die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957, word hierby gewysig—

(a) deur subartikel (7)*bis* deur die volgende subartikel te vervang:

„(7)*bis* om pyplyne vir die vervoer van vaste stowwe, vloeistowwe of gasse, tesame met alle werke en toebehore wat daarmee in verband staan, aan te lê of op te rig of te laat aanlê of oprig, te bestuur, te eksploiteer en in stand te hou, en om die voorwaardes van toepassing op die gebruik van bedoelde pyplyne vas te stel en van tyd tot tyd te verander;” en

b) deur subartikel (12) deur die volgende subartikel te vervang:

„(12) om die kaaigelde, tariewe, reis- en lisensiegelde en ander koste en betalings op die spoorweë of by die hawens en lughawens onder die beheer van die Administrasie, of vir pad-, lug- of seevervoer wat deur die Administrasie onderneem word of vir die vervoer van vaste stowwe, vloeistowwe of gasse deur middel van pyplyne wat deur hom bestuur en geëksploiteer word, vas te stel en van tyd tot tyd te wysig;”.

Wysiging van artikel 2 van Wet 70 van 1957, soos gewysig deur artikel 1 van Wet 4 van 1958, artikel 3 van Wet 7 van 1963, artikel 5 van Wet 39 van 1963, artikel 2 van Wet 54 van 1964, artikels 12 en 44 van Wet 6 van 1965 en artikel 1 van Wet 60 van 1968.

4. Artikel 10 van die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957, word hierby gewysig—

(a) deur in paragraaf (a) van subartikel (3) die woorde „vyf sent of drie sent” deur die woorde „sewe sent of vyf sent” te vervang; en

(b) deur in paragraaf (b) van daardie subartikel die woorde „vyftig sent of vyf-en-twintig sent” deur die woorde „sewentig sent of vyftig sent” te vervang.

Wysiging van artikel 10 van Wet 70 van 1957 soos gewysig deur artikel 14 van Wet 6 van 1965.

5. Artikel 37 van die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957, word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:

„(a) ’n handelings verrig wat die eksploitasie van ’n spoorweg of ’n pyplyn vir die vervoer van vaste stowwe, vloeistowwe of gasse belemmer of kan belemmer, of die lewens van persone wat op so ’n spoorweg reis in gevaar stel of in gevaar kan stel;”.

Wysiging van artikel 37 van Wet 70 van 1957, soos gewysig deur artikel 6 van Wet 39 van 1963 en artikel 26 van Wet 6 van 1965.

6. Bylae 1 by die Spoorwegaanlegwet, 1966, word hierby gewysig deur die besonderhede ten opsigte van die tweede spoorlyn daarin vermeld deur die volgende besonderhede te vervang:

Wysiging van Bylae 1 by Wet 17 van 1966.

Kolom 1.	Kolom 2.	Kolom 3.
Beskrywing van lyn.	Benaderde lengte.	Geraamde koste.
	Myl.	R
2. Vanaf ’n aansluiting by Vryheid (Sikame) met die spoorlyn tussen Ermelo en Glencoe na ’n eindpunt ongeveer 4½ myl van Empangeni op die nuwe spoorlyn tussen Empangeni en Richardsbaai (Provinsie Natal) soos gemagtig deur die Spoorwegaanlegwet, 1968 (Wet No. 38 van 1968).	127	74,759,000

7. Alle veranderings in diensvoorwaardes waarvoor voorsiening gemaak word in ’n regulasie gepubliseer in een van die Goewermentskennisgewings wat in die Bylae by hierdie Wet genoem word, en wat met terugwerkende krag in werking gestel is, of ten opsigte waarvan die wysigende regulasies nie deur die Staatspresident goedgekeur is nie tot na die verstryking

Geldigverklaring van sekere veranderings in diensvoorwaardes.

Act No. 32, 1969 RAILWAYS AND HARBOURS ACTS AMENDMENT ACT, 1969.

three months mentioned in section 32 (3) of the Railways and Harbours Service Act, 1960 (Act No. 22 of 1960), are hereby validated with effect from the several dates as from which such changes were brought into operation.

Application of
Act to South-
West Africa.

8. This Act, other than section 6, shall apply also to the territory of South-West Africa.

Short title.

9. This Act shall be called the Railways and Harbours Acts Amendment Act, 1969.

Schedule.

Number of Government Notice.	Date of Publication.
R.245	23.2.1968
R.1353	9.8.1968
R.1502	23.8.1968
R.1631	20.9.1968

WYSIGINGSWET OP SPOORWEG- EN HAWEWETTE, 1969

Wet No. 32, 1969

van die tydperk van drie maande vermeld in artikel 32 (3) van die Wet op Spoorweg- en Hawediens, 1960 (Wet No. 22 van 1960), word hierby geldig verklaar met ingang van die onderskeie datums van inwerkingtreding van sodanige veranderinge.

8. Hierdie Wet, met uitsondering van artikel 6, is ook op die gebied Suidwes-Afrika van toepassing.

Toepassing van
Wet op Suidwes-
Afrika.

9. Hierdie Wet heet die Wysigingswet op Spoorweg- en Kort titel.
Hawewette, 1969.

Bylae.

Goewermentskennisgewing no.	Datum van afkondiging.
R.245	23.2.1968
R.1353	9.8.1968
R.1502	23.8.1968
R.1631	20.9.1968

