



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

REGULASIEKOERANT No. 1164

As 'n Nuusblad by die Poskantoor Geregistreer

PRYS 10c PRICE
OORSEE 15c OVERSEAS
POSVRY — POST FREE

REGULATION GAZETTE No. 1164

Registered at the Post Office as a Newspaper



VOL. 50]

PRETORIA, 8 AUGUSTUS 1969
8 AUGUST

[No. 2502

PROKLAMASIE

van die Staatspresident van die Republiek van Suid-Afrika

No. R. 211, 1969

Kragtens die bevoegdheid my verleen by artikels 6 (2) en 25 (1) van die Bantoe-administrasie Wet, 1927 (Wet 38 van 1927), gelees met artikel 21 van die Bantoe-trust en -grond Wet, 1936 (Wet 18 van 1936), wysig ek hierby Proklamasie R. 293 van 1962 ooreenkomstig bygaande Bylae.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Durban, op hede die Vyf-en-twintigste dag van Julie, Eenduisend Negehonderd Nege-en-sestig.

J. J. FOUCHÉ, Staatspresident.

Op Las van die Staatspresident-in-rade.

M. C. BOTHA.

(Lêer T60/2)

BYLAE

1. Hoofstuk 1 word gewysig deur—

(a) in regulasie 1—

(i) na die woordskrywing van "eienaarsheid" die volgende woordskrywing in te voeg:—

"'gebiedsowerheid' 'n Bantoegebiedsowerheid ingevolge Hoofstuk 10 aangewys";

(ii) na die woordskrywing van "ingenieur" die volgende woordskrywings in te voeg:—

"'kiesbeampte' die Bantoesakekommissaris van die gebied waarin die Bantoe-dorp geleë is of enige persoon deur hom vir die doel benoem";

"'kieser' 'n persoon wat aan die vereistes van regulasie 18 (1) van Hoofstuk 8 voldoen";

(iii) na die woordskrywing van "superintendent" die volgende woordskrywing in te voeg:—

"'tesourie' die tesourie van 'n dorpsraad, ingestel kragtens regulasie 23 (6) van Hoofstuk 8;"

(iv) na die woordskrywing van "woning" die volgende woordskrywing in te voeg:—

"'wyk' 'n onderverdeling van 'n dorp of gedeelte van 'n dorp soos bepaal in regulasie 2 van Hoofstuk 8;"

PROCLAMATION

by the State President of the Republic of South Africa

No. R. 211, 1969

Under and by virtue of the powers vested in me by sections 6 (2) and 25 (1) of the Bantu Administration Act, 1927 (Act 38 of 1927), read with section 21 of the Bantu Trust and Land Act, 1936 (Act 18 of 1936), I hereby amend Proclamation R. 293 of 1962 in accordance with the accompanying Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Durban this Twenty-fifth day of July, One thousand Nine hundred and Sixty-nine.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council.

M. C. BOTHA.

(File T60/1)

SCHEDULE

1. Chapter 1 is amended by—

(a) the insertion in regulation 1—

(i) after the definition of "proper authority" of the following definition:—

"'returning officer' means the Bantu Affairs Commissioner of the area in which the Bantu township is situated or any person appointed by him for the purpose;"

(ii) after the definition of "superintendent" of the definition:—

"'territorial authority' means a Bantu territorial authority designated in terms of Chapter 10;"

(iii) after the definition of "trade" of the following definition:—

"'treasury' the treasury of any township council, established in terms of regulation 23 (6) of Chapter 8;"

(iv) after the definition of "Trust" of the following definitions:—

"'voter' means a person complying with the requirements of regulation 18 (1) of Chapter 8;"

"'ward' means a subdivision of a township or portion of a township as determined in regulation 2 of Chapter 8;"

(b) regulasie 4 deur die volgende regulasie te vervang:—

“4. (1) *Stigting en afskaffing van dorpe.*—Die Minister kan by kennisgewing in die *Staatskoerant*—

(a) een of meer dorpe vir die okkupasie, bewoning en ander redelike behoeftes van Bantoes bepaal en afsonder;

(b) 'n dorp uitbrei, verklein, heromskryf of andersins verander;

(c) 'n dorp of 'n gedeelte van 'n dorp afskaf.

(2) Hierdie regulasies hou op om van toepassing te wees in 'n dorp wat kragtens subregulasie (1) (c) afgeskaf is en die sekretaris kan gelas dat die registrasie van enige grondbrief ten opsigte van grond daarin geleë, ingetrek word.

(3) Die Minister kan gelas dat vergoeding, as daar is, soos deur hom bepaal, aan 'n eienaar van grond of belang in grond in 'n dorp of 'n gedeelte daarvan kragtens subregulasie (1) (c) afgeskaf is, betaal word.

(4) 'n Gebied wat as 'n plattelandse dorp of 'n dorp bepaal is by kennisgewing ingevolge enige van die proklamasies wat by regulasie 2 van hierdie Hoofstuk herroep word, word geag as 'n dorp ingevolge subregulasie (1) bepaal te gewees het en, ondanks die herroeping van voormelde proklamasies, bly sodanige bepaling voortbestaan en word sodanige kennisgewing geag ingevolge subregulasie (1) uitgereik te gewees het.”;

(c) regulasie 12 te skrap.

2. Hoofstuk 2 word gewysig deur—

(a) die woord “aanstel” waar dit voorkom in regulasie 1 (1) deur die woord “aanwys” te vervang;

(b) die volgende na regulasie 1 (3) by te voeg:—

“(4) waar geen bestuurder aangewys is nie kan 'n superintendent deur die Bantoesakekommissaris aangewys die werksaamhede, pligte en bevoegdhede van die bestuurder vervul en uitoefen soos uiteengesit in hierdie regulasies.”;

(c) die volgende na regulasie 9 (5) by te voeg:—

“(6) 'n Koopakte wat kragtens subregulasie (2) aangegaan is, kan deur die sekretaris ingetrek word indien—

(a) nie meer aan die vereistes in subregulasie (2) gestel, voldoen word nie;

(b) die applikant nalaat om enige paaielemente, gelde of ander vorderings wat voortspruit ten opsigte van die perseel in die koopakte vermeld voor of op die sewende dag van elke kalendermaand vanaf die datum van die koopakte of van eerste okkupasie van die perseel deur sodanige applikant, watter ook al die vroegste is, te betaal;

(c) die applikant die perseel in die koopakte vermeld, verlaat of versuim om dit vir bona fide-woon-doeleindes te bewoon vir 'n tydperk van meer as 12 maande na die datum waarop die perseel vir die eerste keer aan sodanige applikant toegeken is, tensy hy vooraf skriftelike toestemming van die bestuurder verkry het om vir langer as daardie tydperk afwesig te wees.

(7) 'n Koopakte word nie kragtens subregulasie (6) ingetrek nie, behalwe wanneer die Minister dit gelas, alvorens die applikant by kennisgewing onder die handtekening van die bestuurder, wat op sy perseel in die dorp aan hom beteken of, in sy afwesigheid, aan 'n deur van sy perseel opgeplak is, gewaarsku is om op 'n datum minstens 14 dae na die datum van

(b) the substitution of the following regulation for regulation 4:—

“4. (1) *Establishment and abolition of townships.*—The Minister may by notice in the *Gazette*—

(a) define and set apart any one or more townships for the occupation, residence and other reasonable requirements of Bantu;

(b) extend, curtail, redefine or otherwise modify any township;

(c) abolish any township or any portion of a township.

(2) These regulations shall cease to apply in any township abolished in terms of subregulation (1) (c) and the Secretary may direct that the registration of any deed of grant in respect of land situate therein be cancelled.

(3) The Minister may direct that compensation, if any, as determined by him be paid to an owner of land or interest in land in any township or any portion thereof which has been abolished in terms of subregulation (1) (c).

(4) Any area defined as a rural village or township by notice under any of the proclamations repealed by regulation 2 of this Chapter, shall be deemed to have been defined as a township under subregulation (1) and notwithstanding the repeal of the aforementioned proclamations such definition shall continue to exist and such notice shall be deemed to have been issued under subregulation (1);”

(c) the deletion of regulation 12.

2. Chapter 2 is amended by—

(a) the substitution in regulation 1 (1) of the word “designate” for the word “appoint”;

(b) the addition after regulation 1 (3) of the following:—

“(4) where no manager has been designated, a superintendent designated by the Bantu Affairs Commissioner may exercise the functions, duties and powers of the manager as set out in these regulations;”

(c) the addition after regulation 9 (5) of the following:—

“(6) A deed of sale entered into under subregulation (2) may be cancelled by the Secretary if—

(a) the requirements laid down in subregulation (2) are no longer complied with;

(b) the applicant fails to pay any instalments, fees, or other charges accrued in respect of the site mentioned in the deed of sale before or on the seventh day of each calendar month from the date of the deed of sale or first occupation of the site by such applicant, whichever is the earlier;

(c) the applicant abandons the site mentioned in the deed of sale or fails to occupy it for bona fide residential purposes for a period in excess of 12 months after the date on which such site was allotted to such applicant for the first time unless he shall have obtained prior written permission from the manager to absent himself in excess of the said period.

(7) A deed of sale shall not be cancelled in terms of subregulation (6), otherwise than by order of the Minister, until the applicant shall have been warned by notice under the hand of the manager served on him on his site in the township or, in his absence, affixed to a door of his site to appear before the Bantu Affairs

sodanige kennisgewing voor die Bantoesakekommissaris te verskyn en redes aan te voer waarom die intrekking nie moet plaasvind nie. Op die dag wat vir die verskyning van sodanige applikant vasgestel is, moet die Bantoesakekommissaris die saak ondersoek en sy aanbeveling by die sekretaris doen.

(8) Wanneer 'n koopakte kragtens subregulasie (6) ingetrek is, is die bepalings van regulasie 23 (5) van hierdie Hoofstuk *mutatis mutandis* van toepassing ten opsigte van enige kapitaal, rente of ander voorskot wat kragtens regulasie 21 van hierdie Hoofstuk aan die applikant toegestaan is.

(9) By die intrekking van 'n koopakte moet die betrokke applikant die superintendent dadelik in ongestoorde besit van die betrokke perseel stel en tesame met die lede van sy gesin onverwyld die dorp verlaat, tensy andersins gemagtig om daarin te bly: Met dien verstande dat sodanige intrekking nie inbreuk maak op die reg wat hierby aan die Trust of die dorpsraad voorbehou word nie om alle paaielemente of ander vorderings in te vorder wat tot die datum van sodanige intrekking verskuldig en bereken is: Voorts met dien verstande dat indien die applikant of enige lid van sy gesin weier of nalaat om die betrokke perseel te verlaat nadat hy skriftelik in kennis gestel is by kennisgewing wat op sy perseel aan hom beteken is of, in sy afwesigheid, aan 'n deur van sy perseel opgeplak is, van die intrekking van die koopakte, kan die Bantoesakekommissaris, nadat bewys gelewer is van van die betekening van sodanige kennisgewing en van versuim om daaraan gehoor te gee, by wyse van 'n lasbrief onder sy handtekening aan enige persoon in sodanige lasbrief vermeld, opdrag gee om sodanige perseel, desnoods met geweld, binne te gaan en sodanige persoon, enige lid van sy gesin of enige persoon wat onregmatig aanhou om sodanige perseel te okkupeer, uit te sit en enige goedere of artikels wat daar gevind word daarvandaan te verwyder.”;

(d) die volgende na regulasie 23 (1) (a) by te voeg:—

“(viii) se gesin nie langer saam met die houer van die sertifikaat in die eenheid genoem in sodanige sertifikaat woon nie.”;

(e) die woorde “op versoek” in regulasie 23 (1) (b) deur die woorde “in opdrag” te vervang;

(f) regulasie 46 (5) deur die volgende te vervang:—

“(5) Die bestuurder kan met die goedkeuring van die Hoofbantoesakekommissaris, ten opsigte van enige bewoner, die geheel of enige gedeelte van enige gelde of vorderings betaalbaar ten opsigte van huur, en beligtings- en water-, sanitêre, gesondheids-, mediese en ander dienste wat deur die Trust of die dorpsraad gelewer word, kwytskeld.”.

3. Hoofstuk 3 word gewysig deur—

(a) regulasie 6 deur die volgende te vervang:—

“6. Geen bepaling van hierdie regulasie verbied of beperk die verkoop en aflewering van vars of afgeroomde melk in die Bantodorp nie: Met dien verstande dat—

(i) hierdie regulasie nie magtiging verleen nie tot die binnekoms van of teenwoordigheid in sodanige Bantodorp van 'n persoon wat nie andersins daartoe gemagtig is nie; en

(ii) enige verkoop of aflewering van sodanige melk onderworpe is aan sodanige ander wetsbepalings as wat daarop van toepassing is.”;

(b) die woorde “behalwe met die doel om vars of afgeroomde melk te verkoop en af te lewer” waar dit in regulasie 19 voorkom te skrap.

Commissioner on a date not less than 14 days after the date of such notice to show cause why cancellation shall not take place. On the day appointed for the appearance of such applicant, the Bantu Affairs Commissioner shall enquire into the matter and make his recommendation to the Secretary.

(8) When any deed of sale is cancelled under subregulation (6), the provisions of regulation 23 (5) of this Chapter shall *mutatis mutandis* apply in respect of any capital, interest or other advance made to the applicant under regulation 21 of this Chapter.

(9) On the cancellation of a deed of sale, the applicant concerned shall give the superintendent immediate quiet possession of the site concerned and, together with the members of his family, immediately leave the township, unless otherwise authorised to remain therein: Provided that such cancellation shall not effect the right hereby reserved to the Trust or the township council to recover all installments or other charges due and calculated to the date of such cancellation: Provided further that if the applicant or any member of his family refuses or fails to leave the site concerned after having been warned in writing by notice served on him on his site or, in his absence, affixed to a door of his site, of the cancellation of the deed of sale, the Bantu Affairs Commissioner, upon proof of service of such notice and of failure to comply therewith, may by warrant under his hand direct any person named in such warrant to enter upon such site, by force if necessary, and to eject such person, any member of his family, or any person unlawfully continuing to occupy such site and to remove therefrom any goods or articles found there.”;

(d) the addition after regulation 23 (1) (a) of the following:—

“(viii) no longer having his family living with him in the unit mentioned in such certificate.”;

(e) the substitution in regulation 23 (1) (b) of the word “instructions” for the word “request”;

(f) the substitution for regulation 46 (5) of the following:—

“(5) The manager may, with the approval of the Chief Bantu Affairs Commissioner, remit in respect of any occupier the whole or any portion of any fees or charges payable in respect of rentals, and lighting, water, sanitary, health, medical and other services rendered by the Trust or the township council.”.

3. Chapter 3 is amended by—

(a) the substitution for regulation 6 of the following:—

“6. Nothing in these regulations contained shall prohibit or restrict the sale and delivery of fresh or skimmed milk in any Bantu township: Provided that—

(i) this regulation shall not convey any authority for the entry into or presence in such Bantu township of any person not otherwise authorised thereto; and

(ii) any sale or delivery of such milk shall be subject to such other laws as may apply thereto.”;

(b) the deletion in regulation 19 of the words “save for the purpose of the sale and delivery of fresh or skimmed milk”.

4. Hoofstuk 5 word gewysig deur na regulasie 5 (4) die volgende by te voeg:—

“(5) Die bestuurder kan in verdienstelike gevalle, met die goedkeuring van die Hoofbantoesakekommissaris, ten opsigte van enige bewoner die geheel of enige gedeelte van enige gelde of vorderings ingevolge hierdie regulasie betaalbaar, kwytsteld.”

5. Hoofstuk 7 word gewysig deur na regulasie 4 (2) die volgende by te voeg:—

“(3) Die bestuurder kan in verdienstelike gevalle, met die goedkeuring van die Hoofbantoesakekommissaris, ten opsigte van enige bewoner die geheel of enige gedeelte van enige gelde of vorderings ingevolge hierdie regulasie betaalbaar, kwytsteld.”

6. Hoofstuk 8 word gewysig deur dit deur die volgende te vervang:—

HOOFSTUK 8

Instelling en Afskaffing van Dorpsrade

1. (1) Die Minister kan by kennisgewing in die *Staatskoerant* 'n dorpsraad vir 'n dorp instel.

(2) 'n Dorpsraad bestaan uit een verkose lid vir elke wyk wat afsonderlik verkies word deur die kiesers van die betrokke wyk en een of meer lede wat deur die gebiedsowerheid aangewys kan word. Met dien verstande dat die totale getal lede deur sodanige gebiedsowerheid aangewys nie meer as die helfte van die totale getal verkose lede mag wees nie.

(3) Die Minister kan wanneer hy dit dienstig ag 'n dorpsraad wat ingestel is kragtens subregulasie (1) afskaf.

(4) 'n Dorpsraad wat kragtens subregulasie (1) ingestel is, is 'n liggaam met regspersoonlikheid en het bevoegdheid om as 'n regspersoon sowel eisend as verwerend in regte op te tree en om, behoudens die bepalings van hierdie regulasies, alles te doen waartoe regspersone regtens bevoeg is.

Verdeling van Dorpe in Wyke

2. (1) Die Bantoesakekommissaris moet binne twee maande na die datum waarop die Minister goedgekeur het dat 'n dorpsraad ingestel word en daarna op die laaste werksdag van Junie van elke jaar waarin 'n algemene verkiesing gehou staan te word, die dorp waar 'n dorpsraad kragtens regulasie 1 (1) van hierdie Hoofstuk ingestel is in minstens ses en hoogstens 20 wyke, na gelang van die getal kiesers in sodanige dorp woonagtig, verdeel op so 'n wyse dat die getal kiesers in elke wyk naasteby ewe veel is.

(2) Besonderhede van die wyksindelings moet ter insae lê op die kantoor van die superintendent.

Kwalifikasies van Verkose Lede

3. Niemand kom vir verkiesing in die dorpsraad in aanmerking nie, wat—

- (a) nie in die dorp woonagtig is nie;
- (b) nie 'n kieser is nie;
- (c) 'n lid is van die gebiedsowerheid;
- (d) enige gelde of vorderings betaalbaar ingevolge hierdie regulasies tot en met die laaste dag van die maand wat die dag waarop nominasie sluit, voorafgaan, verskuldig is;
- (e) binne die tydperk van vyf jaar onmiddellik voor die datum van sy nominasie vir verkiesing skuldig bevind is aan 'n misdryf waarvoor hy tot gevangenisstraf gevonnis is, sonder die keuse van 'n boete, vir 'n tydperk van meer as drie maande, of, met die keuse van 'n boete, vir 'n tydperk van meer as ses maande;

4. Chapter 5 is amended by the addition after regulation 5 (4) of the following:—

“(5) In deserving cases, the manager may, with the approval of the Chief Bantu Affairs Commissioner, in respect of any occupier, remit the whole or any portion of any fees or charges payable in terms of this regulation.”

5. Chapter 7 is amended by the addition after regulation 4 (2) of the following:—

“(3) In deserving cases, the manager may, with the approval of the Chief Bantu Affairs Commissioner, in respect of any occupier, remit the whole or any portion of any fees or charges payable in terms of this regulation.”

6. Chapter 8 is amended by the substitution therefor of the following:—

“CHAPTER 8

Establishment and Abolition of Township Councils

1. (1) The Minister may by notice in the *Gazette* establish a township council for any township.

(2) A township council shall consist of one elected member for each ward who shall be elected separately by the voters of the ward concerned and one or more members who may be designated by the territorial authority: Provided that the total number of members designated by such territorial authority shall not be more than half of the total number of elected members.

(3) The Minister may, whenever he deems it expedient to do so, abolish any township council established in terms of subregulation (1).

(4) Any township council established in terms of subregulation (1) shall be a body corporate capable of suing and being sued and of doing everything, subject to the provisions of these regulations, which a body corporate is competent to do by law.

Division of Townships into Wards

2. (1) The Bantu Affairs Commissioner shall, within two months of the date on which the Minister approved the establishment of a township council and thereafter on the last working day of June of each year in which a general election is to be held, divide the township where a township council is to be established in terms of regulation 1 (1) of this Chapter into not less than six and not more than 20 wards, according to the number of voters resident in such township, in such a way that the number in each ward is approximately equal.

(2) Details of the ward divisions shall be available for inspection at the office of the superintendent.

Qualifications of Elected Members

3. No person shall be eligible for election to the township council who—

- (a) is not resident in the township;
- (b) is not a voter;
- (c) is a member of the territorial authority;

(d) owes any fees or charges payable in terms of these regulations up to and including the last day of the month preceding the day nominations close;

(e) has, within the period of five years immediately preceding the date of his nomination for election, been convicted of any offence in respect of which he has been sentenced to imprisonment without the option of a fine for a period exceeding three months, or with the option of a fine for a period exceeding six months;

(f) onderworpe is aan 'n bevel van die hof wat hom geestelik gekrenk of gebrekkig verklaar, of wat wettiglik kragtens die Wet op Geestesgebreken, 1916 (Wet 38 van 1916), as geestelik gekrenk of gebrekkig aangehou word;

(g) as werknemer 'n winsgewende amp of wins betrekking beklee by die dorpsraad;

(h) kragtens artikel 2 (3) van die Wet op Oproerige Byeenkomste, 1956 (Wet 17 van 1956), verbied is om openbare samekomste by te woon en wie se naam verskyn onder besonderhede van kennisgewings wat in die *Staatskoerant* afgekondig is kragtens artikel 2 (3) *bis* (b) van genoemde Wet;

(i) kragtens artikel 5 (1) (e) of artikel 9 (1) van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet 44 van 1950), verbied is om byeenkomste by te woon en wie se naam verskyn onder besonderhede van kennisgewings wat in die *Staatskoerant* gepubliseer is ingevolge artikel 10 *ter* van genoemde Wet; en

(j) 'n persoon is wie se naam verskyn op 'n lys wat opgestel is ingevolge artikel 4 (10) van die Wet op die Onderdrukking van Kommunisme, 1960 (Wet 44 van 1950), en gepubliseer is in die *Staatskoerant* kragtens artikel 8 (4) van gemelde Wet.

Kieserslyste

4. (1) Die bestuurder moet binne een maand na die datum waarop die Minister kennis kragtens regulasie 1 (1) van hierdie Hoofstuk gegee het dat 'n dorpsraad vir die betrokke dorp ingestel word 'n lys opstel en hou van persone wat ingevolge regulasie 18 (1) van hierdie Hoofstuk bevoeg is om te stem by enige verkiesing genoem in daardie regulasie.

(2) In sodanige lys moet aangetoon word die persoonsnommer en die naam en adres van die kieser wat ingevolge regulasie 18 (1) van hierdie Hoofstuk kwalifiseer om as kieser geregistreer te word en die nommer van die wyk waarin hy woonagtig is.

(3) Indien dit te eniger tyd tot tevredenheid van die bestuurder bewys word dat 'n persoon wat as kieser geregistreer is, onderworpe is aan enige van die diskwalifikasies vermeld in paragrawe (a), (d), (e), (f), (g), (h), (i), of (j) van regulasie (3) van hierdie Hoofstuk, moet hy sodanige persoon se naam onverwyld van die kieserslys verwyder.

(4) Vir doeleindes van enige algemene verkiesing wat ingevolge hierdie regulasies gehou word, is slegs kiesers wat geregistreer is tot en met die laaste werksdag van Junie van die jaar waarin die verkiesing gehou staan te word, geregtig om by daardie verkiesing te stem: Met dien verstande dat in die geval van die eerste algemene verkiesing slegs kiesers wat kwalifiseer om as kieser geregistreer te word op die datum waarop die Minister 'n dorpsraad ingestel het vir die betrokke dorp geregtig is om by sodanige verkiesing te stem.

(5) Vir doeleindes van enige tussenverkiesing wat ingevolge hierdie regulasies gehou staan te word, is slegs kiesers wat geregistreer is tot en met die dag waarop 'n vakature vir 'n verkose lid van die dorpsraad ontstaan het, geregtig om by daardie tussenverkiesing te stem.

(6) Enige kieserslys wat ingevolge hierdie regulasie opgestel is, moet by die kantoor van die bestuurder ter insae van die publiek lê minstens 60 dae lank voordat 'n algemene of tussenverkiesing gehou staan te word: Met dien verstande dat sodanige kieserslys nie later as 14 dae voor die datum vir die verkiesing bepaal, afgesluit word nie.

(f) is subject to an order of court declaring him to be mentally disordered or defective, or is lawfully detained as mentally disordered or defective under the Mental Disordered Act, 1916 (Act 38 of 1916);

(g) holds an office or place of profit under the township council as an employee;

(h) is prohibited in terms of section 2 (3) of the Riotous Assemblies Act, 1956 (Act 17 of 1956), from attending public gatherings, and whose name appears under particulars of notices published in the *Gazette* in terms of section 2 (3) *bis* (b) of the said Act;

(i) is prohibited in terms of section 5 (1) (e) or section 9 (1) of the Suppression of Communism Act, 1950 (Act 44 of 1950), from attending gatherings and whose name appears under particulars of notices published in the *Gazette* in terms of section 10 *ter* of the said Act; and

(j) is a person whose name appears on the list compiled in terms of section 4 (10) of the Suppression of Communism Act, 1950 (Act 44 of 1950), and published in the *Gazette* in terms of section 8 (4) of the said Act.

Voters' Rolls

4. (1) The manager shall within one month of the date on which the Minister gave notice in terms of regulation 1 (1) of this Chapter of the establishment of a township council for the township concerned, compile and maintain a roll of persons qualified in terms of regulation 18 (1) of this Chapter to vote at any election referred to in that regulation.

(2) In such roll shall be reflected the identity number and the name and address of the voter who qualifies in terms of regulation 18 (1) of this Chapter for registration as a voter, and the number of the ward in which he is resident.

(3) If at any time it is proved to the satisfaction of the manager that a person registered as a voter is subject to any of the disqualifications mentioned in paragraph (a), (d), (e), (f), (g), (h), (i) or (j) of regulation 3 of this Chapter, he shall immediately remove the name of such person from the voters' roll.

(4) For the purposes of any general election held in terms of these regulations, only those voters registered up to and including the last working day of June of the year in which the election is to be held shall be entitled to vote in that election: Provided that in the case of the first general election only voters who qualified for registration as voters on the date on which the Minister established a township council for the township concerned, shall be entitled to vote at such election.

(5) For the purposes of any by-election to be held in terms of these regulations, only those voters registered up to and including the day on which a vacancy for an elected member of the township council occurred shall be entitled to vote in that by-election.

(6) Any voters' roll compiled in terms of this regulation shall be available for inspection by the public at the office of the manager at least 60 days before a general election or by-election is due to take place: Provided that such voters' roll shall be closed not later than 14 days prior to the date fixed for the election.

(7) Enige foute wat in 'n kieserslys genoem in hierdie regulasie mag voorkom voordat sodanige kieserslys afgesluit word soos in subregulasie (6) bepaal, moet onmiddellik deur die partye wat enige belang daarby het onder die aandag van die bestuurder gebring word. Geen verandering word in 'n kieserslys aangebring nadat sodanige kieserslys afgesluit is nie.

Nominasie vir Verkiezing

5. (1) Die bestuurder moet binne drie maande na die datum waarop die Minister kennis kragtens regulasie 1 (1) van hierdie Hoofstuk gegee het dat 'n dorpsraad vir 'n dorp ingestel is en daarna nie later nie as die eerste dag van Augustus van elke jaar waarin 'n algemene verkiezing gehou staan te word, in albei amptelike tale en in die taal van die volksgroep in wie se gebied die dorp geleë is, deur middel van kennisgewings wat op 'n opvallende plek by sy kantoor vertoon word, om die nominasie vra van kandidate vir verkiezing tot lede van sodanige dorpsraad.

(2) Die kennisgewing genoem in subregulasie (1) vermeld die plek waar en die datum en tyd waarop die kiesbeampte nominasies ontvang: Met dien verstande dat sodanige datum nie vroeër as 14 dae en nie later as 21 dae na die datum van uitreiking van die kennisgewing waarin om nominasies gevra word, mag wees nie.

(3) Nominasies van kandidate vir verkiezing tot lede van die dorpsraad moet skriftelik ingedien word by die bestuurder op die vorm voorgeskryf in Bylae T en moet gestaaf word deur die handtekening van minstens 10 kiesers wat op die datum vermeld in subregulasie (2) nie meer as een maand agterstallig is ten opsigte van gelde of vorderings ingevolge hierdie regulasies nie. Sodra moontlik, oorhandig die bestuurder alle nominasielyste aan die kiesbeampte.

(4) Niemand ten opsigte van wie 'n nominasievorm ingevolge subregulasie (3) by die bestuurder ingedien is, word geag behoorlik genomineer te wees nie, tensy hy ingevolge hierdie regulasies hom verkiesbaar kan stel en 'n bedrag van 10 rand by die bestuurder gedeponeer het.

(5) Indien enige kandidaat by die verkiezing minder as een-vyfde van die getal stemme ontvang wat die suksesvolle kandidaat ontvang het, verbeur hy die bedrag wat ingevolge subregulasie (4) gedeponeer is en sodanige bedrag word in die tesourie gestort, anders word dit aan hom terugbetaal.

(6) Die kiesbeampte moet, sodra moontlik, en nie later nie as 14 dae na die datum wat vir die ontvangs van nominasie bepaal is, 'n kennisgewing bevattende 'n lys van name van kandidate wat behoorlik genomineer is ingevolge hierdie regulasies, op 'n opvallende plek by die kantore van die bestuurder en superintendent aanplak en moet ook die kandidate wat onbestrede verkies is tot verkose lede van hulle onderskeie wyke verklaar.

(7) Indien daar om watter rede ook al geen geldige nominasies ten opsigte van 'n wyk ontvang is nie, moet die bestuurder so gou doenlik na die sluitingsdatum van die nominasies weer om nominasies, op die wyse voorgeskryf in hierdie regulasie, vir die betrokke wyk vra. Sodanige nominasies moet by die kiesbeampte ingelewer word op 'n datum deur hom bepaal, wat nie vroeër as 14 dae en nie later as 21 dae na die datum van uitreiking van die kennisgewing waarin om nominasies gevra word, mag wees nie.

(7) Any errors which might appear in any voters' roll mentioned in this regulation before such voters' roll has been closed as provided in subregulation (6) shall immediately be brought to the notice of the manager by the interested parties. No alteration shall be made to any voters' roll after such voters' roll has been closed.

Nomination for Election

5. (1) The manager shall, within three months of the date on which the Minister gave notice in terms of regulation 1 (1) of this Chapter of the establishment of a township council for any town, and thereafter not later than the first day of August of each year in which a general election is to be held, call, in both official languages and in the language used by the national unit in whose area the township is situated by means of a notice displayed in a prominent place at his office, for the nomination of candidates for election as members of such township council.

(2) The notice mentioned in subregulation (1) shall specify the place, date and time at which nominations shall be received by the returning officer: Provided that such date shall not be earlier than 14 days after and not later than 21 days after the date of issue of the notice calling for nominations.

(3) Nominations of candidates for election as members of the township council shall be submitted in writing to the manager on the form prescribed in Schedule T and shall be supported by the signatures of at least 10 voters who, on the date mentioned in subregulation (2) were not more than one month in arrears in respect of any fees or charges payable in terms of these regulations. The manager shall hand over all nomination lists to the returning officer as soon as possible.

(4) No person in respect of whom a nomination form has been submitted to the returning officer in terms of subregulation (3) shall be deemed to be duly nominated unless he qualifies to be elected and has deposited with the returning officer the sum of 10 rand.

(5) Should any candidate receive less than one-fifth of the number of votes received by the successful candidate at the election he shall forfeit the sum deposited in terms of subregulation (4) and such amount shall be paid into the treasury, otherwise it shall be returned to him.

(6) The returning officer shall, as soon as practicable, and not later than 14 days after the date fixed for the receipt of nominations, affix in a prominent place at the offices of the manager and superintendent, a notice containing a list of the names of the candidates duly nominated in terms of these regulations and shall also declare those candidates who have been returned unopposed to be elected members for their respective wards.

(7) If for any reason whatsoever no valid nominations are received in respect of any ward, the manager shall as soon as possible after the closing date for nominations again call for nominations for the ward concerned in the manner prescribed in this regulation. Such nominations shall be handed in to the returning officer on the date fixed by him which shall be not earlier than 14 days after and not later than 21 days after the date of issue of the notice calling for nominations.

Verskaffing van Uitrusting en Aanstelling van Assistenten

6. (1) Die kiesbeampte moet by alle verkiesings kompartemente, stembusse en stembriewe verskaf asook instrumente om op stembriewe die offisiële merk aan te bring en moet sodanige assistente aanstel en sodanige ander handelinge verrig en sodanige reëlins tref om die stemopneming te vergemaklik as wat wenslik geag word vir die doeltreffende hou van die verkiesing.

(2) Die koste verbonde aan die eerste verkiesing van 'n dorpsraad word bestry soos deur die Minister bepaal na oorlegpleging met die gebiedsowerheid.

Verklaring van Geheimhouding

7. Die kiesbeampte, sy behoorlik aangestelde assistente en enige agent aangestel deur 'n kandidaat moet voor die aanvang van die stemming 'n verklaring van geheimhouding onder eed aflê. Sodanige verklaring moet deur die kiesbeampte voor 'n vrederegter of 'n kommissaris van ede en deur sy assistente en enige agent voor die kiesbeampte afgelê word.

Stemdag

8. Die kennisgewing uitgereik ingevolge regulasie 5 (6) van hierdie Hoofstuk toon ook die plek aan waar en die dag, uitgesonderd 'n Sondag, Goë Vrydag, Hemelvaartsdag, Kersdag of Geloftedag, waarop en die ure waartydens die verkiesing gehou moet word. Die ure mag nie minder wees as ses uur tussen die ure 8 vm. en 10 nm., nie en moet deur die kiesbeampte vasgestel word met behoorlike inagneming van die gerief van die meerderheid van die kiesers.

Wyse waarop Gestem word.

9. By alle verkiesings gehou kragtens die benalings van hierdie regulasies word die stemme per stembrief uitgebring op die volgende wyse:—

(a) Die kiesbeampte of sy assistent by die stemlokaal vir elke wyk moet hom daarvan vergewis dat die persoon wat kom stem 'n kieser is wat ingeskryf is op die kieserslys vir daardie wyk en nadat vasgestel is dat sodanige persoon aldus ingeskryf is en dat sy persoonsnommer voorkom op sodanige lys, moet hy sy persoonsnommer wat voorkom op die persoonskaart aan hom uitgereik ingevolge die Bevolkingsregistrasiewet, 1950 (Wet 30 van 1950), op die teenblad in die stembriefboek inskryf, en moet dan die stembrief wat by daardie teenblad behoort, uitskeur en dit aan die kieser oorhandig nadat hy dit agterop met 'n geheime merk deur die kiesbeampte bepaal, gemerk het.

(b) Wanneer die kieser die stembrief ontvang het, waarop die name van al die behoorlik genomineerde kandidate vir die betrokke wyk by sodanige verkiesing in alfabetiese volgorde verskyn, moet hy dit neem na die kompartement wat vir die doel verskaf is, en aandui vir wie hy wil stem deur in die geheim 'n kruis teenoor die naam van die kandidaat vir wie hy wil stem te maak. Hy moet die stembrief so vou dat die geheime merk sigbaar is en nadat hy die stembrief so opgehou het dat die kiesbeampte of sy assistent die merk kan herken, laat hy die stembrief val in die stembus wat voor die kiesbeampte of sy assistent staan.

(c) Indien die kieser 'n kruis maak teenoor die naam van meer as een kandidaat, sy naam op die stembrief teken of enige merk maak of enige woord skryf waardeur hy uitgeken sou kan word, word sodanige stembrief as bedorwe beskou en by die tel van stemme buite rekening gelaat.

Provision of Equipment and Appointment of Assistants

6. (1) For all elections the returning officer shall provide compartments, ballot boxes, ballot papers and instruments for marking ballot papers with the official mark, and shall appoint such assistants and do such other acts and make such arrangements to facilitate the taking of the poll as may be deemed advisable for effectually conducting the election.

(2) The expenditure in connection with the first election of a township council shall be met as the Minister may determine after consultation with the territorial authority.

Declaration of Secrecy

7. The returning officer, his duly appointed assistants and any agent appointed by a candidate shall make, before the opening of the poll, a declaration of secrecy on oath. Such declaration shall be made by the returning officer before a justice of the peace or a commissioner of oaths, and by his assistants and any agent before the returning officer.

Polling Day

8. The notice issued under regulation 5 (6) of this Chapter shall also stipulate the place at which, the day, other than a Sunday, Good Friday, Ascension Day, Christmas Day or the Day of the Covenant, on which and the hours during which the election shall be held. The hours shall be not less than six hours between the hours 8 a.m. and 10 p.m. and shall be fixed by the returning officer with due regard to the convenience of the majority of the voters.

Manner of Voting

9. The voting at all elections held under the provisions of these regulations shall be by ballot and shall take place as follows:—

(a) The returning officer or his assistant at the polling station for each ward shall satisfy himself that the person coming to vote is a voter enrolled on the voters' roll for that ward and having ascertained that such person is so enrolled and that his identity number appears on such roll, shall enter his identity number appearing on the identity card issued to him in terms of the Population Registration Act, 1950 (Act 30 of 1950), upon the counterfoil in the ballot-paper book and shall then tear out the ballot paper corresponding to such counterfoil and, having marked it on the back with a secret mark determined by the returning officer, shall hand it to the voter.

(b) When the voter has received the ballot paper, on which shall be printed in alphabetical order the names of all the duly nominated candidates for that particular ward at such election, he shall take it to the compartment provided for the purpose and signify for whom he desires to vote by secretly placing a cross opposite the name of the candidate for whom he wishes to vote. He shall then fold the ballot paper so that the secret mark is visible and having held up the ballot paper so that the returning officer or his assistant can recognise the mark, shall drop the ballot paper in the ballot box placed in front of the returning officer or his assistant.

(c) Should the voter make a cross opposite the name of more than one candidate, sign his name on the ballot paper or make any mark or write any word by which he could be identified, such ballot paper shall be considered spoilt and not be taken into account at the counting of the votes.

Aantekening van Stemme deur Kiesbeampte

10. Die kiesbeampte moet op versoek van enige kieser, in teenwoordigheid van sodanige kieser en die kandidaat of hul agente, die stem van sodanige kieser aanteken op die stembrief wat aan hom uitgereik is teenoor die naam van die kandidaat wat deur sodanige kieser aangedui word en moet die stembrief in teenwoordigheid van sodanige kieser in die stembus plaas.

Bedorwe Stembriewe en Rekords van Stembriewe

11. (1) Indien 'n kieser onopsetlik 'n stembrief bederf, kan hy dit teruggee aan die kiesbeampte of sy assistent wat, as hy oortuig is dat dit onopsetlik gebeur het, aan hom 'n ander stembrief moet gee en die bedorwe stembrief behou wat hy onmiddellik moet kanselleer en endosseer met die woorde "Teruggegee kragtens regulasie 11", en die kansellering moet op die teenblad aangeteken word.

(2) Sodanige bedorwe stembrief moet bewaar word deur die kiesbeampte wat so spoedig moontlik nadat die stemming gesluit is 'n rekord saamstel van die getal stembriewe uitgereik, die getal bedorwe stembriewe en die getal stembriewe wat in die stembusse gevind is met die sluiting van die stemming.

Identifikasie van Kiesers

12. Geen geregistreerde kieser wat op die dag van stemming nie in staat is om sy persoonskaart te toon om sy identiteit te bewys, word toegelaat om te stem nie.

Stemlokaal

13. (1) Niemand, uitgesonderd die kiesbeampte, sy assistente, kandidaat en een agent aangestel deur elke kandidaat en goedgekeur deur die kiesbeampte, en die persone wat hulle stemme uitbring, word in die stemlokaal toegelaat nie.

(2) Die kiesbeampte kan enige persoon aansê om die stemlokaal te verlaat en enige persoon wat weier om die stemlokaal te verlaat wanneer aldus aangesê, begaan 'n misdryf.

Uitslag van Verkiesing

14. (1) Sodra doenlik nadat die stemlokaal gesluit het en nadat die rekord ingevolge regulasie 11 (2) van hierdie Hoofstuk saamgestel is, tref die kiesbeampte sodanige reëlings as wat hy dienstig ag vir die verseëling, veilige bewaring en vervoer van die stembusse, en om te verhinder dat aan die stembusse of stembriewe gepeuter word en bepaal hy die tyd en plek vir die tel van stemme wat op elke kandidaat uitgebring is. Sodra die stemme getel is, moet die kiesbeampte die getal stemme uitgebring, bekend maak en moet hy die kandidaat wat die meeste stemme ontvang het ten opsigte van hul onderskeie wyke tot behoorlik verkose lede van die dorpsraad verklaar.

(2) Slegs die kiesbeampte, sy assistente en die kandidaat mag teenwoordig wees terwyl die stemme getel word.

(3) So gou moontlik na die stemdag moet die kiesbeampte die bestuurder skriftelik in kennis stel van die uitslag van die verkiesing en die getal stemme wat ten opsigte van elke kandidaat uitgebring is, aandui.

Beslissing in Geval van Staking van Stemme

15. Ingeval ewe veel stemme op twee of meer kandidaat vir 'n bepaalde wyk uitgebring word, word suksesvolle kandidaat deur die kiesbeampte in teenwoordigheid van die kandidaat deur loting bepaal.

Recording of Votes by Returning Officer

10. The returning officer shall, at the request of any voter, in the presence of such voter and the candidates or their agents, record the vote of such voter on the ballot paper issued to him against the name of the candidate indicated by such voter, and shall place the ballot paper in the ballot box in the presence of such voter.

Spoilt Ballot Papers and Record of Ballot Papers

11. (1) If a voter inadvertently spoils a ballot paper, he may return it to the returning officer or his assistant who, if he is satisfied of such inadvertence, shall give him another ballot paper and retain the spoilt ballot paper which he shall immediately cancel and endorse with the words "returned under regulation 11" and the fact of such cancellation shall be noted upon the counterfoil.

(2) Such spoilt ballot paper shall be retained by the returning officer who shall, as soon as practicable after the poll has closed, compile a record of the number of ballot papers issued, the number of spoilt ballot papers and the number of ballot papers found in the ballot boxes at the close of the poll.

Identification of Voters

12. No registered voter who, on the day of polling, is unable to produce his identity card to prove his identity, shall be permitted to vote.

Polling Station

13. (1) No person other than the returning officer, his assistants, candidates and one agent appointed by each candidate and approved by the returning officer, and the persons recording their votes shall be admitted into the polling station.

(2) The returning officer may require any person to leave the polling station, and any person who fails to leave the polling station when so required, shall be guilty of an offence.

Result of Election

14. (1) As soon as practicable after the closing of the polling station and after the record in terms of regulation 11 (2) of this Chapter has been compiled, the returning officer shall make such arrangements as he may deem expedient for the sealing, safe custody and transport of the ballot boxes and the prevention of any tampering with the ballot boxes or ballot papers, and shall determine the time and the place for the counting of the votes recorded for each candidate. As soon as the votes have been counted, the returning officer shall make known the number of votes recorded and shall declare the candidates who have received the largest number of votes in respect of their respective wards to be duly elected members of the township council.

(2) Only the returning officer, his assistants and the candidates shall be present while the votes are being counted.

(3) As soon as possible after the polling day the returning officer shall notify the manager, in writing, of the result of the election, indicating the number of votes recorded for each candidate.

Determination in Event of Equal Number of Votes

15. If an equal number of votes is recorded for two or more candidates for election in a particular ward, the successful candidate shall be determined by the returning officer by the casting of lots in the presence of the candidates.

Eerste Algemene Verkiezing en Ampstermyn van Lede Verkie en Aangewys tydens Eerste Algemene Verkiezing

16. (1) Die eerste algemene verkiezing van lede vir 'n dorpsraad word gehou binne ses maande na die datum waarop die Minister kennis kragtens regulasie 1 (1) van hierdie Hoofstuk gegee het dat 'n dorpsraad vir die betrokke dorp ingestel word en die lede wat aldus verkies is, bly aan tot die dertigste dag van September van die derde kalenderjaar nadat sodanige verkiezing gehou is.

(2) Die prosedure by die eerste algemene verkiezing moet *mutatis mutandis* voldoen aan die bepalings van regulasies 4 tot en met 15 van hierdie Hoofstuk.

(3) Die ampstermyn van lede van die dorpsraad, wat deur die gebiedsowerheid aangewys is, verstryk op dieselfde dag as die van lede wat deur die kiesers verkies is.

Vakatures

17. (1) Enige lid van die dorpsraad kan deur 'n skriftelike kennisgewing deur hom onderteken aan die sekretaris van die dorpsraad te oorhandig sy setel bedank wat dan vakant word.

(2) (a) 'n Verkose lid hou op om lid van die dorpsraad te wees indien hy—

(i) ten opsigte van 'n skuldigbevinding weens 'n misdryf gevonnissen word tot gevangenisstraf, sonder die keuse van 'n boete, vir 'n tydperk van meer as een maand of, met die keuse van 'n boete, vir 'n tydperk van meer as ses maande;

(ii) terwyl hy 'n verkose lid is, die dorpsgebied verlaat of daarvan afwesig is sonder die toestemming van die dorpsraad vir 'n ononderbroke tydperk van meer as twee maande;

(iii) sonder die toestemming van die dorpsraad afwesig is van drie agtereenvolgende maandelikse vergaderings van die dorpsraad, of hom sonder die toestemming van die voorsitter aan enige dorpsraadvergadering onttrek;

(iv) onderworpe word aan 'n bevel van die hof wat hom geestelik gekrenk of gebrekkig verklaar, of wetlik kragtens die Wet op Geestesgebreken, 1916 (Wet 38 van 1916), as geestelik gekrenk of gebrekkig aangehou word;

(v) per abuis tot lid van die dorpsraad verkies is en die Bantoesakekommissaris na ondersoek bevind dat sodanige lid nie bevoeg is om kragtens die bepalings van hierdie regulasies tot lid van die dorpsraad verkies te word nie;

(vi) nie langer in die dorp woonagtig is nie;

(vii) nie meer 'n kieser is nie;

(viii) lid word van die gebiedsowerheid;

(ix) meer as een maand agterstallig raak met enige gelde of vorderings wat deur hom betaalbaar is ingevolge hierdie regulasies;

(x) as werknemer 'n winsgewende amp of winsbetrekking beklee by die dorpsraad;

(xi) kragtens artikel 2 (3) van die wet op Oproerige Byeenkomste, 1956 (Wet 17 van 1956), verbied is om openbare samekomste by te woon en wie se naam verskyn onder besonderhede van kennisgewings wat in die *Staatskoerant* afgekondig is kragtens artikel 2 (3) *bis* (b) van genoemde Wet;

(xii) kragtens artikel 5 (1) (e) of artikel 9 (1) van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet 44 van 1950), verbied is om byeenkomste

First General Election and Term of Office of Members Elected and Designated During First General Election

16. (1) The first general election of members for a township council shall be held within six months of the date on which the Minister gave notice in terms of regulation 1 (1) of this Chapter of the establishment of a township council for the township concerned, and the members so elected shall remain in office until the thirtieth day of September of the third calendar year after which the first election was held.

(2) The procedure in the first general election shall, *mutatis mutandis*, conform to the provisions of regulations 4 to 15, inclusive, of this Chapter.

(3) The term of office of members of the township council who were designated by the territorial authority shall expire on the same day as that of members who were elected by the voters.

Vacancies

17. (1) Any member of the township council may, by notice in writing under his hand delivered to the secretary of the township council, resign his seat, which shall then become vacant.

(2) (a) An elected member shall cease to be a member of the township council if he—

(i) is sentenced, in respect of a conviction for any offence, to imprisonment without the option of a fine for a period exceeding one month, or with the option of a fine, for a period exceeding six months;

(ii) being an elected member, leaves or absents himself from the township area without the permission of the township council for a continuous period of more than two months;

(iii) is absent without the permission of the township council from three consecutive monthly meetings of the township council, or withdraws from any meeting of the township council without the permission of the chairman;

(iv) becomes subject to an order of court declaring him to be mentally disordered or defective, or is lawfully detained as mentally disordered or defective under the Mental Disorders Act, 1916 (Act 38 of 1916);

(v) is inadvertently elected as a member of the township council and the Bantu Affairs Commissioner has, after investigation, determined that such member did not qualify for election as a member of the township council in terms of the provisions of these regulations;

(vi) is no longer resident in the township;

(vii) is no longer a voter;

(viii) is a member of the territorial authority;

(ix) is more than one month in arrears with any fees or charges payable by him in terms of these regulations;

(x) holds an office or place of profit under the township council as an employee;

(xi) is prohibited in terms of section 2 (3) of the Riotous Assemblies Act, 1956 (Act 17 of 1956), from attending public gatherings, and whose name appears under particulars of notices published in the *Gazette* in terms of section 2 (3) *bis* (b) of the said Act;

(xii) is prohibited in terms of section 5 (1) (e) or section 9 (1) of the Suppression of Communism Act, 1950 (Act 44 of 1950), from attending gatherings and

by te woon en wie se naam verskyn onder besonderhede van kennisgewings wat in die *Staatskoerant* gepubliseer is ingevolge artikel 10 *ter* van genoemde Wet;

(xiii) 'n persoon is wie se naam verskyn op 'n lys wat opgestel is ingevolge artikel 4 (10) van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet 44 van 1950), en gepubliseer is in die *Staatskoerant* kragtens artikel 8 (4) van genoemde Wet;

(xiv) sterf.

(b) 'n Persoon wat deur die gebiedsowerheid aangewys is om lid te wees van die dorpsraad hou op om lid te wees—

(i) om enige van die redes vermeld in paragraaf (a);

(ii) indien sy aanwysing as lid van die dorpsraad deur die gebiedsowerheid ingetrek word en die sekretaris van die dorpsraad dienooreenkomstig in kennis gestel is.

(3) Indien 'n lid om enige van die redes uiteengesit in subregulasie (2) ophou om lid te wees, moet die sekretaris van die dorpsraad 'n skriftelike kennisgewing by sodanige lid se jongsbekende woonplek laat aflewer, waarin hy meegedeel word dat hy nie meer lid van die dorpsraad is nie. Terselfdertyd moet die sekretaris van die dorpsraad 'n afskrif van die kennisgewing aan die Bantoesakekommissaris en die bestuurder besorg en, in die geval van 'n lid wat deur die gebiedsowerheid aangewys is, aan die sekretaris van die gebiedsowerheid.

(4) (a) (i) By ontvangs van die kennisgewing vermeld in subregulasie (3) dat 'n lid wat deur die kiesers verkies is nie meer lid van die dorpsraad is nie moet die bestuurder onverwyld die kiesbeampte aansê om 'n tussenverkiesing ooreenkomstig hierdie regulasies te hou ten einde die vakature aan te vul: Met dien verstande dat as sodanige vakature ontstaan tussen die eerste dag van April en die dertigste dag van September van die jaar waarin 'n algemene verkiesing gehou moet word, dit onnodig is om 'n tussenverkiesing te hou;

(ii) die prosedure soos uiteengesit in regulasies 5 tot en met 15 van hierdie Hoofstuk is *mutatis mutandis* van toepassing ten opsigte van enige tussenverkiesing gehou ingevolge paragraaf (a) (i);

(iii) by ontvangs van 'n kennisgewing vermeld in subregulasie (3) dat 'n lid wat deur die gebiedsowerheid aangewys is nie meer lid van die dorpsraad is nie kan die gebiedsowerheid 'n ander persoon as lid van die dorpsraad aanwys: Met dien verstande dat as sodanige vakature ontstaan tussen die eerste dag van April en die dertigste dag van September van die jaar waarin 'n algemene verkiesing gehou moet word die gebiedsowerheid nie 'n ander persoon aanwys nie.

(b) Enige lid wat verkies is na aanleiding van 'n tussenverkiesing gehou ingevolge paragraaf (a) (i) of kragtens paragraaf (a) (iii) aangewys is, beklee die amp slegs vir die onverstreke gedeelte van die ampstermyn van die lid in wie se plek hy verkies of aangewys is.

Kwalifikasies vir Kiesers

18. (1) Slegs 'n persoon, maar uitgesonderd 'n besoeker, wat ingevolge hierdie regulasies toegelaat is om in die betrokke dorp te woon en wat—

(a) in die Republiek van Suid-Afrika of die Gebied Suidwes-Afrika gebore is;

(b) op die dag waarop nominasie sluit alle gelde of vorderings verskuldig ingevolge hierdie regulasies tot en met die laaste dag van die maand wat die dag waarop nominasie sluit voorafgaan, betaal het;

whose name appears under particulars of notices published in the *Gazette* in terms of section 10 *ter* of the said Act;

(xiii) is a person whose name appears on a list compiled in terms of section 4 (10) of the Suppression of Communism Act, 1950 (Act 44 of 1950), and published in the *Gazette* in terms of section 8 (4) of the said Act;

(xiv) dies.

(b) Any person designated by the territorial authority as a member of the township council shall cease to be a member—

(i) for any reasons mentioned in paragraph (a);

(ii) if his designation as a member of the township council is cancelled by the territorial authority and the secretary of the township council has been notified accordingly.

(3) If for any of the reasons set out in subregulation (2), a member ceases to be a member, the secretary of the township council shall cause a written notice to be delivered to such member's last-known place of residence advising him that he is no longer a member of the township council. At the same time the secretary of the township council shall deliver a copy of the notice to the Bantu Affairs Commissioner and the manager and, in the case of a member designated by the territorial authority, to the secretary of the territorial authority.

(4) (a) (i) On receipt of the notice mentioned in subregulation (3) that a member elected by the voters is no longer a member of the township council, the manager shall forthwith call upon the returning officer to hold a by-election in terms of these regulations to fill the vacancy: Provided that if the said vacancy occurs between the first day of April and the thirtieth day of September of the year in which a general election is to be held, it shall not be necessary to hold a by-election;

(ii) the procedure set out in regulations 5 to 15, inclusive, of this Chapter shall *mutatis mutandis* apply in respect of any by-election held in terms of paragraph (a) (i);

(iii) On receipt of a notice mentioned in subregulation (3) that a member designated by the territorial authority is no longer a member of the township council, the territorial authority may designate any other person as a member of the township council: Provided that if the said vacancy occurs between the first day of April and the thirtieth day of September of the year in which a general election is to be held, the territorial authority shall not designate any other person.

(b) Any member who in pursuance of a by-election held in terms of paragraph (a) (i) is elected or, in terms of paragraph (a) (iii), is designated, shall hold office only for the unexpired portion of the term of office of the member in whose place he has been elected or designated.

Qualifications of Voters

18. (1) Only a person, but excluding a visitor, who is permitted in terms of these regulations to reside in the township concerned and who—

(a) was born in the Republic of South Africa or the territory of South-West Africa;

(b) has, on the day when nominations close, paid all fees or charges due in terms of these regulations up to and including the last day of the month preceding the day when nominations close;

- (c) 21 jaar of ouer is;
- (d) in besit is van 'n persoonskaart wat sy persoonsnommer aandui; en
- (e) nie onderworpe is nie aan enige van die disqualifikasies vermeld in regulasie 3 (a), (e), (f), (h), (i) of (j) van hierdie Hoofstuk,

is bevoeg om te stem by 'n verkiesing van lede van 'n dorpsraad.

(2) 'n Persoon wie se naam nie op die kieserslys vermeld in regulasie 4 van hierdie Hoofstuk verskyn nie, word nie toegelaat om te stem nie, by 'n verkiesing van lede van 'n dorpsraad nie.

Lede en Ampsdraers

19. (1) 'n Spesiale vergadering van die dorpsraad moet gehou word binne 14 dae na elke algemene verkiesing wat ingevolge hierdie regulasies gehou is en daarna jaarliks gedurende die eerste 14 dae van die maand Oktober, en op elke sodanige vergadering moet die teenwoordige lede een uit hulle eie geledere verkies tot voorsitter en een tot vise-voorsitter wat onverwyld hulle ampte moet aanvaar en daarin moet aanbly tot die datum van die eerste spesiale vergadering wat in Oktober van die volgende jaar gehou word.

(2) Indien die amp van voorsitter of vise-voorsitter vakant raak om 'n ander rede as die verstryking van die tydperk waarvoor die bekleër verkies is, moet 'n opvolger op die gewone maandelikse vergadering nadat die vakature ontstaan het deur die lede uit hulle geledere verkies word.

(3) Indien beide die voorsitter en vise-voorsitter om enige rede versuim om 'n vergadering by te woon, moet die teenwoordige lede enige persoon uit hulle geledere aanstel om as voorsitter op daardie vergadering op te tree.

Ampstermyn van Lede

20. Behoudens die bepalings van regulasie 16 en 17 van hierdie Hoofstuk, beklee elke lid van die dorpsraad sy amp vir 'n tydperk van drie jaar en is herkiesbaar.

Diensvoorwaardes van Lede

21. (1) Geen lid van die dorpsraad mag op watter wyse ook al, behalwe met die goedkeuring van die gebiedsowerheid, 'n aandeel hê nie aan enige samesprekings van die dorpsraad oor of in verband met enige ooreenkoms, transaksie, kontrak of reëling, wat ook al, waarby of waarin hy 'n private belang het, hetsy direk of indirek, wat gesluit of gesluit staan te word of getref staan te word deur of met die dorpsraad.

(2) Geen lid mag enige belofte, geld, omkoopprys of vergoeding, wat ook al, uitgesonderd sy regmatige honorarium of toelaes wat ooreenkomstig hierdie regulasies bepaal is, uit hoofde van sy amp eis, uitlok of aanneem nie.

(3) Enige lid wat subregulasie (1) of (2) oortree, begaan 'n misdryf en is by skuldigbevinding, benewens enige ander straf wat opgelê mag word, vir 'n tydperk van vyf jaar onbevoeg om 'n amp kragtens hierdie regulasies te beklee of om daarin aan te bly.

Toelaes van Lede

22. (1) Aan lede van die dorpsraad word die toelaes betaal wat die Minister bepaal.

(2) Sodanige toelaes word op 'n maandelikse basis bereken en word maandeliks betaal: Met dien verstande dat 'n lid 10 persent (tien *per centum*) van sodanige toelaes verbeur ten opsigte van elke vergadering gedurende die maand waarvoor die toelaes betaalbaar is wat nie deur hom bygewoon word nie, maar verbeur nie enige

- (c) is 21 years of age or older;
- (d) is in possession of an identity card indicating his identity number; and

(e) is not subject to any of the disqualifications mentioned in regulation 3 (a), (e), (f), (h), (i) or (j) of this Chapter,

shall qualify to vote at any election of members of the township council.

(2) A person whose name does not appear on the voter's roll referred to in regulation 4, shall not be allowed to vote at any election of members of a township council.

Members and Office-bearers

19. (1) A special meeting of the township council shall be held within 14 days of every general election held in terms of these regulations and thereafter annually during the first 14 days of the month of October, and at every such meeting the members present shall elect one of their number to be chairman and one member to be vice-chairman who shall forthwith enter upon their offices and remain therein up to the date of the first special meeting held in October of the ensuing year.

(2) If the office of chairman or vice-chairman becomes vacant for any reason other than the expiry of the period for which the incumbent was elected, a successor shall, at the ordinary monthly meeting after the vacancy has occurred, be elected by the members from among their number.

(3) If both the chairman and vice-chairman for any reason fail to attend a meeting, the members present shall appoint any one of their number to act as chairman at that meeting.

Term of Office of Members

20. Subject to the provisions of regulations 16 and 17 of this Chapter, every member of the township council shall hold office for a period of three years and shall be eligible for re-election.

Conditions of Service of Members

21. (1) No member of the township council shall in any way whatsoever, except with the approval of the territorial authority, participate in any discussions of the township council on or in connection with any agreement, transaction, contract or arrangement of any kind whereby or wherein he has a private interest, whether directly or indirectly, made or to be made or concluded or to be concluded by or with the township council.

(2) No member shall demand, invite or accept any promise, fee, bribe or reward whatsoever by virtue of his office other than his proper honorarium or allowances fixed in accordance with these regulations.

(3) Any member contravening subregulation (1) or (2) shall be guilty of an offence and shall on conviction, in addition to any other penalty which may be imposed, be disqualified to hold or remain in any office under these regulations for a period of five years.

Allowances to Members

22. (1) Members of the township council shall be paid such allowances as the Minister may determine.

(2) Such allowances shall be computed on a monthly basis and shall be payable monthly: Provided that a member shall forfeit 10% (ten *per centum*) of such allowance in respect of each meeting which he does not attend during the month for which the allowance is

gedeelte van sy toelae nie as sy afwesigheid van enige vergadering toe te skryf is aan enige oorsaak wat die dorpsraad na oorlegpleging met die Bantoesakekommissaris redelik ag.

(3) 'n Dorpsraad kan in oorleg met die Bantoesakekommissaris aan 'n lid verlof van afwesigheid toestaan vir nie meer as 30 dae gedurende enige jaar nie, en die volle toelae betaalbaar aan enige sodanige lid ingevolge subregulasie (1) is aan hom betaalbaar gedurende sodanige tydperk.

Werksaamhede, Pligte en Bevoegdhe van 'n Dorpsraad

23. (1) Met ingang van die datum waarop 'n dorpsraad kragtens hierdie regulasies ingestel word, hou die Bantoesakekommissaris op om die bevoegdhe, pligte en werksaamhede wat by hierdie regulasies aan hom verleen word en by hom berus uit te oefen en te vervul, en word daardie bevoegdhe, pligte en werksaamhede deur sodanige dorpsraad uitgeoefen en vervul.

(2) 'n Dorpsraad oefen, behoudens die voorwaardes deur die Minister bepaal, die bevoegdhe uit en vervul die werksaamhede en pligte ten opsigte van sodanige van die volgende aangeleenthede as wat die Minister na oorlegpleging met die gebiedsowerheid aan sodanige dorpsraad opdra:—

- (a) Die uitlê van die dorp;
- (b) die huisvesting van Bantoes in sodanige dorp;
- (c) die verwydering van persone wat onwettiglik in die dorp woonagtig is;
- (d) die onwettige okkupasie van grond en geboue;
- (e) die bestuur van en beheer oor die dorp (met inbegrip van die vasstelling van die voorrangorde wat by die toewysing van woongeriewe gevolg moet word) en die handhawing van die goeie orde daarin;
- (f) die oprigting en gebruik van wonings en ander bouwerke, en die verwydering of sloping van ongemagtigde of verlate geboue of bouwerke;
- (g) die toekenning van persele vir kerk-, skool- en besigheidsdoeleindes;
- (h) die verbod op of die reëling van binnekoms of tydelike verblyf in die dorp;
- (i) die verskaffing van sanitêre, gesondheids- en mediese dienste;
- (j) die maatskaplike welsyn van die persone wat in die dorp woon;
- (k) die brou, verkoop en verskaffing van Bantoebier en verskaffing van bedwelkende drank;
- (l) die oprigting van Bantoebiersale en -depots;
- (m) die daarstelling, instandhouding en administrasie van biblioteke, parke, swembaddens en sportterreine;
- (n) die instelling, oprigting, instandhouding, reëling en bestuur van markte;
- (o) die oprigting, instandhouding en beheer van liefdadigheidsinrigtings;
- (p) armesorg;
- (q) die oprigting, instandhouding en bestuur van slagpale,

en daarna moet enige persoon wat bevoegdhe, pligte of werksaamhede ingevolge hierdie Proklamasie moet uitoefen of vervul ophou om sodanige bevoegdhe, pligte of funksies uit te oefen of te vervul.

(3) 'n Dorpsraad kan—

- (a) sodanige werknemers in diens neem as wat hy bepaal om die pligte en werksaamhede aan hom opgedra, te vervul en aan hulle sodanige salarisse, lone en toelaes betaal as wat hy met die goedkeuring van die gebiedsowerheid besluit;

payable, but shall not forfeit any portion of his allowance if his absence from any meeting is due to any cause which the township council, after consultation with the Bantu Affairs Commissioner, considers to be reasonable.

(3) A township council may, in consultation with the Bantu Affairs Commissioner, grant a member not more than 30 days' leave of absence during any year and the full allowance payable to any such member in terms of subregulation (1) shall be payable to him during such period.

Functions, Duties and Powers of Township Council

23. (1) From the date on which a township council is established under these regulations, the Bantu Affairs Commissioner shall cease to exercise the powers, duties and functions vested in him by these regulations, and those powers, duties and functions shall be exercised by such township council.

(2) A township council shall, subject to the conditions determined by the Minister, exercise such powers, functions and duties in respect of such of the following matters as the Minister, after consultation with the territorial authority, may assign to such township council—

- (a) the lay-out of the township;
- (b) the accommodation of Bantu in such township;
- (c) the removal of persons unlawfully resident in such township;
- (d) the unlawful occupation of land and buildings;
- (e) the management and control of the township (including the determination of the order of priority to be observed in the allocation of residential facilities) and the maintenance of good order therein;
- (f) the erection and use of dwellings and other structures, and the removal or destruction of unauthorised or abandoned buildings or structures;
- (g) the allotment of sites for church, school and business purposes;
- (h) the prohibition or the regulation of entry into or sojourn in the township;
- (i) the provision of sanitary, health and medical services;
- (j) the social welfare of persons residing in the township;
- (k) the brewing, sale and supply of Bantu beer and supply of intoxicating liquor;
- (l) the erection of Bantu beerhalls and depots;
- (m) the establishment, maintenance and administration of libraries, parks, swimming-baths and sports fields;
- (n) the establishment, erection, maintenance, regulation and management of markets;
- (o) the erection, maintenance and control of charitable institutions;
- (p) poor relief;
- (q) the erection, maintenance and management of abattoirs,

whereupon any person who has, in terms of this Proclamation, to exercise any powers, duties or functions shall cease to exercise such powers, duties or functions.

(3) A township council may—

- (a) engage such workers as it may determine to perform the duties and functions entrusted to it and pay them such salaries, wages and allowances as it, with the approval of the territorial authority, may decide;

(b) met die goedkeuring van die gebiedsowerheid en behoudens sodanige voorwaardes as wat sodanige owerheid bepaal, gebruik maak van die dienste van beamp-tes in diens van die gebiedsowerheid en aan sodanige beamp-tes salarisse, lone en toelaes betaal as wat die gebiedsowerheid voorskryf.

(4) 'n Dorpsraad moet nie later nie as 'n datum bepaal deur die gebiedsowerheid 'n begroting van die inkomste en uitgawe vir elke boekjaar opmaak en oorweeg, en moet sodanige begroting aan die gebiedsowerheid voorlê vir oorweging en bepalings, indien wel, van 'n bydrae.

(5) Indien uitgawe aangegaan moet word waarvoor geen voorsiening bestaan nie of wat 'n oorskryding van die voorsiening as geheel sal meebring, moet die goedkeuring van die gebiedsowerheid verkry word voordat sodanige uitgawe aangegaan kan word.

(6) 'n Dorpsraad moet 'n tesourie instel waarin alle gelde wat sodanige dorpsraad toekom, inbetaal word en waaruit alle uitgawes bestry word en moet behoorlike boeke verskaf en 'n juiste rekord gereeld daarin hou van alle bedrae ontvang en uitbetaal en van die onderskeie doeleindes waarvoor sodanige bedrae ontvang en uitbetaal is. Die sekretaris kan voorskrifte uitreik in verband met die wyse waarop sodanige boeke en rekords bygehou en geouditeer moet word.

(7) 'n Dorpsraad kan met die goedkeuring van die gebiedsowerheid by 'n geregistreerde handelsbank 'n rekening open waarin alle bedrae ingevorder, gestort moet word. Geen oortrekking van sodanige rekening mag geskied nie tensy deur die sekretaris gemagtig.

(8) Die tenderprosedure wat vir 'n gebiedsowerheid voorgeskryf is, is van toepassing op die uitvoering van enige werk of die verkryging van voorrade en lewering van dienste vir of ten behoeve van 'n dorpsraad.

(9) (a) 'n Dorpsraad kan, by besluit aangeem na kennisgewing daarvan van minstens sewe dae op 'n vergadering waarop minstens twee-derdes van die lede aanwesig is, regulasies uitvaardig betreffende een of meer van die aangeleenthede genoem in subregulasies (1) en (2).

(b) Geen regulasie ingevolge paragraaf (a) opgestel, het regsrag nie totdat dit deur die gebiedsowerheid en deur die Minister wat 'n regulasie sonder terugverwysing na die betrokke dorpsraad, kan wysig of verander, goedgekeur is. 'n Regulasie wat deur 'n dorpsraad kragtens paragraaf (a) uitgevaardig is, word deur die Minister uitgevaardig en in die *Staatskoerant* afgekondig.

(10) (a) Met die goedkeuring van die gebiedsowerheid kan 'n dorpsraad, benewens enige ander gelde betaalbaar ingevolge 'n regulasie, 'n belasting van hoogstens R1 per jaar hef op 'n bevooroordeelde houer, loseerder of 'n applikant met wie 'n koopakte kragtens regulasie 9 (2) van Hoofstuk 2 aangegaan is, ten bate van die tesourie van sodanige dorp, en kan die wyse van betaling en invordering en die oplegging van strawwe by wanbetaling van sodanige belasting voorskryf.

(b) Enige belasting geheg ingevolge paragraaf (a) word deur die Minister in die *Staatskoerant* afgekondig.

(11) 'n Dorpsraad kan voorsiening maak vir enige aangeleentheid met betrekking tot die uitoefening van sy bevoegdhede en die vervulling van sy werksaamhede of pligte, met inbegrip van voorsiening vir die delegering van bevoegdhede aan 'n komitee of komitees van sodanige dorpsraad of 'n Bantoe deur hom aangewys.

(b) with the approval of the territorial authority and subject to such conditions as such authority may determine, make use of the services of officers in the employment of the territorial authority and pay such officers such salaries, wages and allowances as the territorial authority may prescribe.

(4) A township council shall, not later than a date determined by the territorial authority, draw up and consider for each financial year estimates of revenue and expenditure, and such estimates shall be submitted to the territorial authority, for consideration and determination of a contribution, if any.

(5) If expenditure must be incurred for which there is no provision or which will cause the provision as a whole to be exceeded, the approval of the territorial authority shall be obtained before such expenditure may be incurred.

(6) A township council shall establish a treasury in which all moneys accruing to such township council shall be paid and from which all expenditure shall be defrayed, and shall provide proper book and regularly keep therein a proper record of all amounts received and disbursed and of the respective purposes for which such amounts were received and disbursed. The secretary may issue directions in connection with the manner in which such books and records shall be kept up to date and audited.

(7) A township council may, with the approval of the territorial authority, open an account at a registered commercial bank into which all amounts collected shall be paid. No overdrawn of such account shall take place unless authorised by the secretary.

(8) The tender procedure laid down for a territorial authority shall apply to the execution of any work or the procurement of stores and rendering of services for or on behalf of a township council.

(9) (a) A township council may, by resolution passed after at least seven days' notice thereof at a meeting at which not less than two-thirds of the members are present, make regulations regarding one or more of the matters mentioned in subregulations (1) and (2).

(b) No regulation made under paragraph (a) shall have force of law until approved by the territorial authority, and by the Minister who may amend or alter any regulation without referring it back to the township council concerned. Any regulation made by a township council in terms of paragraph (a) shall be made by the Minister and published in the *Gazette*.

(10) (a) With the approval of the territorial authority a township council may, apart from any other fees payable under any regulation, levy a rate not exceeding R1 per year on any grantee, holder, lodger or any applicant with whom a deed of sale has been entered into under regulation 9 (2) of Chapter 2, for the benefit of the Treasury of such township, and may prescribe the manner of payment and collection and the imposition of penalties in default of payment of such rate.

(b) Any rate levied in terms of paragraph (a) shall be published by the Minister in the *Gazette*.

(11) A township council may make provision for any matter with regard to the exercise of its powers, functions or duties, including provision for the delegation of powers to a committee or committees of such township council or a Bantu designated by it.

(12) (a) Indien 'n gebiedsowerheid te eniger tyd daarvan oortuig is dat dit in die openbare belang of die goeie bestuur van 'n dorp ten opsigte waarvan 'n dorpsraad ingestel is, en ten opsigte van die bevoegdhede, werksaamhede en pligte by hierdie regulasies aan 'n dorpsraad opgedra, noodsaaklik is dat sodanige dorpsraad—

- (i) 'n tydelike bevel of voorskrif uitreik;
- (ii) 'n konsepregulasie opstel;
- (iii) 'n belasting hef;
- (iv) 'n handeling verrig om uitvoering aan hierdie regulasies te gee,

kan sodanige gebiedsowerheid met die goedkeuring van die Minister by skriftelike kennisgewing aan sodanige dorpsraad gerig, sodanige dorpsraad aansê om sodanige tydelike bevel of voorskrif uit te reik of sodanige konsepregulasie op te stel of die nodige belasting te hef, of sodanige handeling te verrig om uitvoering aan hierdie regulasies te gee, en as sodanige dorpsraad in gebreke bly om binne 30 dae aan sodanige kennisgewing te voldoen, kan die gebiedsowerheid self sodanige tydelike bevel of voorskrif, konsepregulasie, belasting of handeling uitreik, opstel, hef of verrig, en daarna word sodanige bevel of voorskrif, konsepregulasie, belasting of handeling geag deur daardie dorpsraad uitgereik, opgestel, gehê of verrig te gewees het.

(b) 'n Tydelike bevel of voorskrif is slegs vir een jaar van krag.

(13) Enige persoon wat in gebreke bly om aan 'n tydelike bevel of voorskrif wat ingevolge subregulasie (12) uitgereik is te voldoen, begaan 'n misdryf en enige boete wat betaal word, kom die tescurie toe.

Belê van Vergaderings

24. 'n Dorpsraad moet minstens een vergadering per maand hou op 'n dag, tyd en plek waaroor hy besluit.

Buitengewone Vergaderings

25. (1) Wanneer die voorsitter van 'n dorpsraad van die noodsaaklikheid daarvan oortuig is, kan hy gelas dat 'n buitengewone vergadering van sodanige dorpsraad gehou word. Lede van die dorpsraad moet minstens 24 uur voor sodanige vergadering skriftelik kennis gegee word deur die sekretaris van sodanige dorpsraad van enige sodanige buitengewone vergadering en die doel daarvan.

(2) Geen sake word op enige sodanige vergadering verig of oorweeg nie, uitgesonderd dié waarvoor die vergadering belê is.

Kennisgewing van Vergaderings

26. 'n Kennisgewing van die tyd en plek van elke gewone vergadering van 'n dorpsraad moet minstens 72 uur voor sodanige vergadering aan elke lid en aan die Bantoesakekommissaris besorg word deur die sekretaris van sodanige dorpsraad. In sodanige kennisgewing moet die agenda vir die bepaalde vergadering opgeneem word en 'n kennisgewing aan 'n lid moet persoonlik of per pos geskied, en kennisgewing aan die Bantoesakekommissaris moet persoonlik geskied of deur die kennisgewing by sy kantoor te laat.

Kworum

27. Enige getal lede meer as die helfte van die totale getal lede waaruit 'n dorpsraad bestaan, maak 'n kworum uit.

Beslissende Stem van Voorsitter

28. In geval van 'n staking van stemme het die voorsitter 'n beslissende stem. Die voorsitter kan enige lid na goeëdunke belet om te stem waar hy van oordeel is dat sodanige lid 'n geldelike of private belang by die saak in oorweging het.

(12) (a) If a territorial authority is at any time satisfied that it is in the interest of the public or of the good management of any township in respect of which a township council has been established and that it is necessary in respect of the functions, duties and powers assigned to such township council by these regulations, that such township council—

- (i) give a temporary order or direction;
- (ii) frame any draft regulation;
- (iii) levy any rate;
- (iv) take any action to give effect to these regulations,

such territorial authority may, with the approval of the Minister, by written notice addressed to such township council, call upon such township council to give such temporary order or direction, to frame such draft regulation or to levy the necessary rate or to take any action which will give effect to these regulations, and if such township council fails to comply with such notice within thirty days, the territorial authority may itself give such temporary order or direction, frame such draft regulation, levy such rate or take such action to give effect to these regulations and any such order or direction, draft regulation, rate or action shall thereupon be deemed to have been given, framed, levied or taken by that township council.

(b) Any temporary order or direction shall have effect for only one year.

(13) Any person failing to comply with any temporary order or direction given in terms of subregulation 12 shall be guilty of an offence and any fine paid by him shall be paid to the treasury.

Convening of Meetings

24. A township council shall hold at least one meeting per month on a day and at a time and place to be decided upon by it.

Special Meetings

25. (1) When the chairman of a township council is satisfied of the necessity thereof, he may direct that a special meeting of the township council be held. Members of the township council shall be given notice in writing by the secretary of such council of any such special meeting and the purpose thereof at least 24 hours before such meeting.

(2) No business shall be transacted or considered at any such meeting except that for which the meeting has been convened.

Notice of Meetings

26. Notice of the time and place of every ordinary meeting of a township council shall be served by the secretary of such township council on every member and the Bantu Affairs Commissioner at least 72 hours prior to such meeting. Such notice shall embody the agenda for that particular meeting and notice to a member shall be effected either personally or by post, and notice to the Bantu Affairs Commissioner shall be effected either personally or by leaving the notice at his office.

Quorum

27. Any number of members exceeding one-half of the total number of members comprising a township council shall constitute a quorum.

Casting Vote of Chairman

28. In the event of an equality of votes the chairman shall have a casting vote. The chairman may in his discretion preclude any member from voting if in his opinion such member has a pecuniary or private interest in the matter under consideration.

Notule

29. (1) Die sekretaris van 'n dorpsraad moet notule van die verrigtinge van elke vergadering van sodanige dorpsraad hou en in sodanige notule die name aanteken van elke lid en beampte wat teenwoordig is.

(2) Sodanige notule moet op die daaropvolgende gewone vergadering van die dorpsraad bekragtig word.

(3) Geen bespreking ten opsigte van die notule word toegelaat nie, behalwe wat die juistheid daarvan betref.

Sake van die Dorpsraad Is tot Agenda Beperk

30. Geen sake, uitgesonderd dié op die agenda wat in die kennisgewing van 'n vergadering opgeneem is, mag op sodanige vergadering van 'n dorpsraad bespreek word nie: Met dien verstande dat sodanige vergadering 'n onbestrede mosie van 'n formele aard kan bespreek.

Toespraak van Vergadering

31. Lede moet staan wanneer hul praat en die voorsitter aanspreek en geen lid mag meer as een keer oor enige onderwerp of mosie praat nie, behalwe dat die lid wat 'n mosie ingedien het repliek kan lewer voordat sodanige mosie tot stemming gebring word.

Voorrang van Sprekers

32. As twee lede gelyktydig probeer om die voorsitter aan te spreek en die een nie vir die ander wil terugstaan nie, stel die voorsitter die een aan die woord wat na sy mening op voorrang geregtig is om die voorsitter aan te spreek. Wanneer die voorsitter van mening is dat 'n lid in sy private hoedanigheid in so 'n mate betrokke is of belang het by die onderwerp in bespreking dat dit wenslik is dat hy nie aan die beraadslaging daarvoor deelneem nie, kan hy sodanige lid gelas om hom aan die vergadering te onttrek tot na afhandeling van die betrokke item.

Voorrang van Voorsitter

33. Wanneer die voorsitter praat, moet enige lid wat dan aan die woord is of wil praat, gaan sit en die lede moet swyg sodat die voorsitter sonder onderbreking gehoor kan word.

Mosies Moet Gesekondeer Word

34. Geen mosie of amendement wat deur 'n lid voorgestel is, word bespreek nie tensy dit deur 'n ander lid gesekondeer is en die feit dat sodanige mosie of amendement nie gesekondeer is nie moet in die notule aange-teken word.

Bywoning van Vergaderings

35. (1) Benewens lede is die volgende persone geregtig om vergaderings van 'n dorpsraad by te woon:—

(i) Die sekretaris van die dorpsraad en enige ander beampte van die dorpsraad wie se teenwoordigheid deur die voorsitter nodig geag word of wie se teenwoordigheid deur die dorpsraad verlang word.

(ii) Die Kommissaris-generaal van die betrokke volks-eenheid of sy verteenwoordiger.

(iii) Die Sekretaris en/of sy verteenwoordiger.

(iv) Die Voorsitter en vise-voorsitter van die gebieds-owerheid of hul verteenwoordigers.

(v) Die Hoofbantoesaakekommissaris en/of sy verteenwoordiger.

(vi) Die Bantoesaakekommissaris en/of sy verteenwoordiger.

(vii) Die landdros of sy verteenwoordiger.

(viii) Die senior polisiebeampte van die distrik of sy verteenwoordiger.

(2) Die voorsitter van 'n dorpsraad kan na goeddunke lede van die publiek toelaat om vergaderings van sodanige dorpsraad by te woon: Met dien verstande dat

Minutes

29. (1) The secretary of a township council shall keep minutes of the proceedings of every meeting of such township council and shall record in such minutes the name of every member and officer present.

(2) Such minutes shall be confirmed at the next succeeding ordinary meeting of the township council.

(3) No discussion shall be allowed on the minutes except in regard to the accuracy thereof.

Business of the Township Council Confined to Agenda

30. No business other than that included in the agenda embodied in the notice of a meeting shall be discussed at such meeting of a township council: Provided that such meeting may discuss an unopposed motion of a formal nature.

Addressing Meetings

31. Members shall stand when speaking and address the chair, and no member shall speak more than once on any subject or motion, except that the member who introduced a motion may reply before such motion is put to the vote.

Precedence of Speakers

32. If two members seek to address the chair at the same time and neither shall give way, the chairman shall call upon the one who is, in his opinion, entitled to precedence to address the chair. If in the opinion of the chairman a member is personally concerned with or has an interest in the subject of discussion to such an extent that it is desirable that he does not participate in the deliberations thereon, he may order such member to withdraw from the meeting until the relevant item has been disposed of.

Precedence of Chairman

33. Whenever the chairman speaks, any member then speaking or offering to speak shall sit down and the members shall be silent so that the chairman may be heard without interruption.

Motions to be Seconded

34. No motion or amendment proposed by a member shall be discussed unless it is seconded by some other member and the fact that such motion or amendment was not seconded shall be recorded in the minutes.

Attendance of Meetings

35. (1) In addition to members the following persons shall be entitled to attend meetings of a township council:—

(i) The secretary of the township council and any other officer of the township council whose presence is considered to be necessary by the chairman, or whose presence is requested by the township council.

(ii) The Commissioner-General of the national unit concerned or his representative.

(iii) The Secretary and/or his representative.

(iv) The chairman and vice-chairman of the territorial authority or their representatives.

(v) The Chief Bantu Affairs Commissioner and/or his representative.

(vi) The Bantu Affairs Commissioner and/or his representative.

(vii) The magistrate or his representative.

(viii) The senior police officer of the district or his representative.

(2) The chairman of a township council may in his discretion allow members of the public to attend its meetings: Provided that non-Bantu persons shall also,

nie-Bantoes ook die skriftelike toestemming van die Bantoesakekommissaris, gegee na oorlegpleging met die voorsitter van sodanige dorpsraad, moet verkry alvorens hulle sodanige vergaderings bywoon.

(3) Enige persoon genoem in subregulasie (1) is geregtig om 'n dorpsraad toe te spreek oor enige onderwerp in bespreking, maar het nie die reg om daarvoor te stem nie, en persone genoem in subregulasie (2) is nie geregtig om 'n dorpsraad toe te spreek of deel te neem aan enige bespreking van sodanige dorpsraad nie."

7. Die volgende hoofstuk word na Hoofstuk 9 bygevoeg:—

"HOOFSTUK 10

Minister kan Gebiedsowerheid Aanwys

Die Minister kan ten opsigte van enige dorp of dorpsraad kragtens hierdie regulasies ingestel, 'n gebiedsowerheid ingestel kragtens artikel 2 (1) (c) van die Wet op Bantoeowerhede, 1951 (Wet 68 van 1951), aanwys om die bevoegdhede uit te oefen en die werksaamhede en pligte te vervul wat deur 'n gebiedsowerheid kragtens hierdie regulasies uitgeoefen of vervul kan word: Met dien verstande dat tot tyd en wyl die Minister 'n aanwysing, soos hierin bepaal, gedoen het, die Sekretaris enige van die bevoegdhede kan uitoefen en die werksaamhede en pligte kan vervul wat deur 'n gebiedsowerheid uitgeoefen of vervul kan word."

8. Die volgende Bylae word na Bylae S bygevoeg:—

BYLAE "T"

Die Bantoesakekommissaris,

nominasie van kandidaat vir vakature in Dorpsraad van _____ wyk

Ons, die ondergetekendes, geregistreerde kiesers van _____, wyk

nomineer hierby _____ (naam van kandidaat) ingevolge regulasie 5(3) van Hoofstuk 8 van die regulasies afgekondig by Proklamasie R. 293 van 1962 vir verkiesing in bogenoemde wyk.

Naam (in blokletters)	Persoonsnommer	Adres	Handtekening
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____

AANVAARDING VAN NOMINASIE DEUR KANDIDAAT

Ek, _____
persoonsnommer _____
woonagtig te _____
aanvaar hierby nominasie vir die vakature in die Dorpsraad.

Handtekening van genomineerde

Datum _____

before attending such meetings, obtain the written permission of the Bantu Affairs Commissioner, given after consultation with the chairman of such township council.

(3) Any person referred to in subregulation (1) shall be entitled to address a township council upon any subject under discussion, but shall not have the right to vote thereon, and persons mentioned in subregulation (2) shall not have the right to address or to participate in any discussion of a township council".

7. The following chapter is added after Chapter 9:—

"CHAPTER 10

Minister may designate a Territorial Authority

The Minister may designate, in respect of any township or township council established in terms of these regulations, a territorial authority established in terms of section 2 (1) (c) of the Bantu Authorities Act, 1951 (Act 68 of 1951), to exercise the powers and perform the functions and duties which may be exercised or performed by a territorial authority in terms of these regulations: Provided that until such time as the Minister has made a designation as provided herein, the Secretary may exercise the powers and perform the functions and duties which a territorial authority may exercise or perform."

8. The following Schedule is added after Schedule S:—

SCHEDULE "T"

The Bantu Affairs Commissioner,

nomination of candidate for vacancy on Township Council for _____ ward

We, the undersigned, registered voters of _____ ward

hereby nominate _____ (name of candidate) in terms of regulation 5(3) of Chapter 8 of the regulations published under Government Notice R. 293 of 1962 for election in the abovenamed ward.

Name (In block letters)	Identity number	Address	Signature
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____

ACCEPTANCE OF NOMINATION BY CANDIDATE

I, _____
Identity number _____
residing at _____
hereby accept nomination for the vacancy on the Township Council.

Signature of nominee

Date _____

INHOUD PROKLAMASIE

No.	BLADSY
R. 211. Wysiging van Proklamasie No. R. 293 van 1962	1

CONTENTS PROCLAMATION

No.	PAGE
R. 211. Amendment of Proclamation No. R. 293 of 1962	1