



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

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

Vol. 57.]

KAAPSTAD, 6 MAART 1970.

[No. 2657.]

CAPE TOWN, 6TH MARCH, 1970.

DEPARTEMENT VAN DIE EERSTE MINISTER.

DEPARTMENT OF THE PRIME MINISTER.

No. 369.

6 Maart 1970.

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

No. 19 van 1970: Wysigingswet op Bantoewetgewing, 1970.

No. 369.

6th March, 1970.

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

No. 19 of 1970: Bantu Laws Amendment Act, 1970.

Wet No. 19, 1970

WYSIGINGSWET OP BANTOEWETGEWING, 1970.

WET

Tot wysiging van die bepalings van die Bantoetrust en -grond Wet, 1936, met betrekking tot die bevoegdheide van die Suid-Afrikaanse Bantoetrust en die okkupasie van sekere grond deur Bantoes; tot wysiging van die bepalings van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945, met betrekking tot die opruiming, verkleining of afskaffing van lokasies, Bantoedorpe en Bantoetehuse; om voorsiening te maak vir die aanhouding van, en die verrigting van werk deur Bantoes wat kragtens artikel 14 van laasgenoemde Wet verwyder is; met betrekking tot die ontruiming van afgekeurde wonings, die Bantoebierrekening en ten einde die uitwerking van die afskaffing van stedelike plaaslike besture te reël; tot wysiging van die bepalings van die Wet op Bantoe-arbeid, 1964, met betrekking tot die bevoegdheide en pligte van die Direkteur van Bantoe-arbeid; ten einde aan die Minister van Bantoe-administrasie en -ontwikkeling sekere bevoegdheide met betrekking tot die verrigting van werk deur, of die indiënsneming of verdere indiënshouding van Bantoes te verleen; met betrekking tot die bevoegdheide en werksaamhede van sekere beampptes; ten einde te bepaal dat sekere registers *prima facie*-getuienis is van die feite wat daarin opgeteken is; ten einde voorsiening te maak vir die betaling van sekere gelde deur werkgewers van Bantoevroue in voorgeskrewe gebiede; met betrekking tot die bevoegdheid van die Staatspresident om regulasies uit te vaardig; en om vir sake wat daarmee in verband staan, voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 3 Maart 1970.)

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

Wysiging van artikel 9 van Wet 18 van 1936, soos gewysig deur artikel 27 van Wet 17 van 1938, artikel 4 van Wet 17 van 1939, artikel 21 van Wet 46 van 1945, artikel 30 van Wet 56 van 1949, artikel 2 van Wet 41 van 1958, artikel 100 van Wet 42 van 1964 en artikel 30 van Wet 46 van 1968.

Wysiging van artikel 10 van Wet 18 van 1936, soos gewysig deur artikel 5 van Wet 17 van 1939, artikel 11 van Wet 46 van 1962 en artikels 38 en 100 van Wet 42 van 1964.

1. Artikel 9 van die Bantoetrust en -grond Wet, 1936, word hierby gewysig deur na paragraaf (b) van subartikel (1) die volgende paragraaf in te voeg:

„(bA) om kragtens artikel 10 (1A) die belange en verpligtings, daarin bedoel, van 'n plaaslike bestuur oor te neem;”.

2. Artikel 10 van die Bantoetrust en -grond Wet, 1936, word hierby gewysig deur na subartikel (1) die volgende subartikel in te voeg:

„(1A) Behoudens die bepalings van artikel 70A van die Behuisingswet, 1966 (Wet No. 4 van 1966), kan die Trust, vir die doeleindes in subartikel (1) van hierdie artikel bedoel, by ooreenkoms met 'n plaaslike bestuur wat kragtens vermelde Behuisingswet, 1966, 'n goedgekeurde skema vir

BANTU LAWS AMENDMENT ACT, 1970

Act No. 19, 1970

ACT

To amend the provisions of the Bantu Trust and Land Act, 1936, relating to the powers of the South African Bantu Trust and the occupation by Bantu of certain land; to amend the provisions of the Bantu (Urban Areas) Consolidation Act, 1945, relating to the removal, curtailment or abolition of locations, Bantu villages and Bantu hostels; so as to provide for the detention of, and the performance of work by, Bantu removed under section 14 of the last-mentioned Act; relating to the vacation of condemned dwellings, the Bantu beer account and so as to regulate the effect of the disestablishment of urban local authorities; to amend the provisions of the Bantu Labour Act, 1964, relating to the powers and duties of the Director of Bantu Labour; so as to confer on the Minister of Bantu Administration and Development certain powers in relation to the performance of work by or the employment or continued employment of Bantu; relating to the powers and functions of certain officers; so as to provide that certain records shall be *prima facie* evidence of the facts recorded therein; so as to provide for the payment of certain fees by employers of Bantu females in prescribed areas; relating to the power of the State President to make regulations; and to provide for incidental matters.

(Afrikaans text signed by the State President.)

(Assented to 3rd March, 1970.)

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

1. Section 9 of the Bantu Trust and Land Act, 1936, is hereby amended by the insertion after paragraph (b) of subsection (1) of the following paragraph:

“(bA) to take over under section 10 (1A) the interest and liabilities, referred to therein, of a local authority;”.

Amendment of section 9 of Act 18 of 1936, as amended by section 27 of Act 17 of 1938, section 4 of Act 17 of 1939, section 21 of Act 46 of 1945, section 30 of Act 56 of 1949, section 2 of Act 41 of 1958, section 100 of Act 42 of 1964 and section 30 of Act 46 of 1968.
2. Section 10 of the Bantu Trust and Land Act, 1936, is hereby amended by the insertion after subsection (1) of the following subsection:

“(1A) Subject to the provisions of section 70A of the Housing Act, 1966 (Act No. 4 of 1966), the Trust may, for the purposes referred to in subsection (1) of this section, by agreement with any local authority which has carried out or is carrying out under the said Housing Act, 1966,

Amendment of section 10 of Act 18 of 1936, as amended by section 5 of Act 17 of 1939, section 11 of Act 46 of 1962 and sections 38 and 100 of Act 42 of 1964.

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die bou van goedgekeurde wonings vir Bantoes deur middel van gelde uit die Nasionale Behuisingsfonds of deur hom kragtens gemelde Behuisingswet, 1966, van enige ander bron geleen, uitgevoer het of uitvoer, so 'n plaaslike bestuur se belange en verpligtings ten opsigte van sodanige skema oorneem.”.

Vervanging van artikel 26 van Wet 18 van 1936, soos vervang deur artikel 19 van Wet 42 van 1962.

3. Artikel 26 van die Bantoe-trust en -grond Wet, 1936, word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Behalwe met die skriftelike goedkeuring van die Sekretaris (watter goedkeuring te eniger tyd ingetrek kan word) en onderworpe aan die voorwaardes wat hy goedvind en behalwe waar andersins deur hierdie Wet of die regulasies toegelaat word—

(a) mag geen eienaar van grond ten opsigte waarvan die bepalinge van hierdie Hoofstuk van toepassing is, Bantoes toelaat om op daardie grond saam te trek of om op daardie grond te woon nie;

(b) mag Bantoes nie op sodanige grond saamtrek of daarop woon of 'n woning daarop bewoon nie; en

(c) mag geen Bantoe wat wettiglik 'n woning op sodanige grond bewoon, toelaat dat 'n Bantoe wat deur of kragtens enige wet verbied word om op sodanige grond te woon of om 'n woning op sodanige grond te bewoon, sodanige woning bewoon nie.”;

(b) deur in subartikel (2) al die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

„Die verbod vervat in subartikel (1) (a) of (b) is nie van toepassing nie in die geval van 'n Bantoe wat—”;

en

(c) deur subartikel (4) deur die volgende subartikel te vervang:

„(4) In 'n strafsak ingevolge subartikel (3)—

(a) teen die eienaar van grond waarin hom ten laste gelê word dat hy Bantoes wederregtelik toegelaat het om op daardie grond saam te trek of te woon—

(i) word vermoed, tensy die teendeel bewys word, dat bedoelde Bantoes nie gedurende die tydperk in die aanklag vermeld deur of kragtens die bepalinge van subartikel (1) of (2) toegelaat was om op daardie grond saam te trek of te woon nie;

(ii) is dit geen verweer vir bedoelde eienaar om te beweer of aan te voer dat bedoelde Bantoes sonder sy goedkeuring op die grond is nie, tensy hy tot bevrediging van die hof bewys dat hy 'n geding vir die uitsetting van bedoelde Bantoes van die grond ingestel het en dit aktief opvolg;

(b) teen 'n Bantoe omdat hy 'n ander Bantoe toegelaat het om 'n woning te bewoon—

(i) word 'n Bantoe wat in sodanige woning gevind word in omstandighede wat 'n redelike vermoede laat ontstaan dat hy sodanige woning bewoon, geag sodanige woning te bewoon, tensy die teendeel bewys word;

(ii) word 'n Bantoe wat sodanige woning bewoon, geag sodanige woning te bewoon met die toestemming van die Bantoe wat sodanige woning wettiglik bewoon, tensy die teendeel bewys word.”.

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an approved scheme for the construction of approved dwellings for Bantu, by means of moneys from the National Housing Fund or borrowed by it under the said Housing Act, 1966, from any other source, take over the interest and liabilities of such local authority in respect of such scheme.”.

3. Section 26 of the Bantu Trust and Land Act, 1936, is hereby amended—

Substitution
of section 26 of
Act 18 of 1936, as
substituted by
section 19 of
Act 42 of 1962.

(a) by the substitution for subsection (1) of the following subsection:

“(1) Except with the written approval of the Secretary (which approval may at any time be withdrawn) and subject to such conditions as he may deem fit and save where otherwise permitted by this Act or the regulations—

(a) no owner of land in respect of which the provisions of this Chapter apply, shall allow Bantu to congregate upon or to reside upon such land;

(b) no Bantu shall congregate upon or reside upon or occupy any dwelling on such land; and

(c) no Bantu who lawfully occupies a dwelling on such land shall allow any Bantu who is by or under any law prohibited from residing upon such land or occupying any dwelling on such land, to occupy such dwelling.”;

(b) by the substitution in subsection (2) for all the words preceding paragraph (a) of the following words:

“The prohibition contained in subsection (1) (a) or (b) shall not apply in the case of a Bantu who is—”; and

(c) by the substitution for subsection (4) of the following subsection:

“(4) In any criminal proceedings under subsection (3)—

(a) against an owner of land for unlawfully allowing Bantu to congregate upon or to reside upon that land—

(i) it shall be presumed, unless the contrary is proved, that such Bantu were not, during the period covered by the charge, permitted by or under the provisions of subsection (1) or (2) to congregate upon or to reside upon such land;

(ii) it shall be no defence for such owner to allege or aver that such Bantu are on such land without his approval unless he proves to the satisfaction of the court that he has instituted and is actively pursuing an action for the ejectment of such Bantu from the land;

(b) against a Bantu for allowing another Bantu to occupy a dwelling—

(i) a Bantu found in such dwelling under circumstances giving rise to a reasonable suspicion that he occupies such dwelling, shall be deemed to occupy such dwelling, unless the contrary is proved;

(ii) a Bantu who occupies such dwelling shall be deemed to occupy such dwelling with the permission of the Bantu lawfully occupying such dwelling, unless the contrary is proved.”.

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WYSIGINGSWET OP BANTOEWETGEWING, 1970.

Wysiging van
artikel 3 van
Wet 25 van 1945,
soos gewysig deur
artikel 3 van
Wet 16 van 1955,
artikels 41 en
100 van Wet 42
van 1964 en
artikel 2 van
Wet 56 van 1968.

4. Artikel 3 van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945 (hieronder die Stadsgebiedewet genoem) word hierby gewysig deur subartikels (2) en (3) deur die volgende subartikels te vervang:

„(2) Geen lokasie, Bantoedorp of Bantoetehuis mag opgeruim, verklein of afgeskaf word nie behalwe met die toestemming van die Minister, na voorlegging aan die Administrateur, en behalwe op sodanige voorwaardes van vergoeding, as daar is, en op 'n ander wyse as wat die Minister na oorlegpleging met die stedelike plaaslike bestuur bepaal.

(3) Die Minister kan, behoudens die bepalings van subartikel (2)—

- (a) op verhoë van enige stedelike plaaslike bestuur vir die opruiming, verkleining of afskaffing van 'n lokasie, Bantoedorp of Bantoetehuis wat buite die regsgebied van daardie stedelike plaaslike bestuur val; of
- (b) wanneer dit aan hom blyk dat die toestande waarin Bantoes in 'n lokasie, Bantoedorp of Bantoetehuis woon, sodanig is dat, tensy daardie lokasie, Bantoedorp of Bantoetehuis opgeruim, verklein of afgeskaf word, die gesondheid of veiligheid van die publiek oor die algemeen of van enige kategorie of kategorieë persone (met inbegrip van bedoelde Bantoes) in gevaar gestel mag word; of
- (c) wanneer dit aan hom blyk dat die opruiming, verkleining of afskaffing van 'n lokasie, Bantoedorp of Bantoetehuis wenslik is met inagneming van enige dorps- of streeksbeplanning ingevolge of ter bevordering van die oogmerke van enige wet onderneem, na voorlegging aan die Administrateur, en na oorlegpleging met die stedelike plaaslike bestuur binne wie se regsgebied daardie lokasie, Bantoedorp of Bantoetehuis geleë is, by skriftelike kennisgewing die stedelike plaaslike bestuur binne wie se regsgebied daardie lokasie, Bantoedorp of Bantoetehuis geleë is, gelas om die in daardie kennisgewing voorgeskrewe stappe te doen om daardie lokasie, Bantoedorp of Bantoetehuis op te ruim, te verklein of af te skaf.”.

Invoeging van
artikel 3A in
Wet 25 van 1945.

5. Die volgende artikel word hierby in die Stadsgebiedewet na artikel 3 ingevoeg:

- „Opruiming of afskaffing van Bantoe-woongebiede.
- 3A. (1) Wanneer 'n stedelike plaaslike bestuur—
- (a) die Minister se toestemming kragtens artikel 3 (2) ontvang het om 'n lokasie, Bantoedorp of Bantoetehuis op te ruim of af te skaf; of
 - (b) deur die Minister kragtens artikel 3 (3) gelas word om stappe te doen om 'n lokasie, Bantoedorp of Bantoetehuis op te ruim of af te skaf,
- kan enigiemand ten opsigte van wie daar ten genoë van 'n Bantoesakekommissaris deur middel van beëdigde verklarings bewys word dat hy op of na 'n datum deur die Minister by kennisgewing in die *Staatskoerant* vasgestel, en sonder skriftelike verlof van daardie stedelike plaaslike bestuur, daardie lokasie, Bantoedorp of Bantoetehuis binnegegaan of daarbinne aangeby het of daarbinne gevind is, op aansoek van daardie stedelike plaaslike bestuur of die Sekretaris, en kragtens 'n lasbrief uitgereik deur daardie Bantoesakekommissaris en aan 'n polisiebeampte gerig, met sy persoonlike besittings van sodanige lokasie, Bantoedorp of Bantoetehuis verwyder word na 'n ander plek, hetsy binne of

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4. Section 3 of the Bantu (Urban Areas) Consolidation Act, 1945 (hereinafter referred to as the Urban Areas Act), is hereby amended by the substitution for subsections (2) and (3) of the following subsections:

Amendment of section 3 of Act 25 of 1945, as amended by section 3 of Act 16 of 1955, sections 41 and 100 of Act 42 of 1964 and section 2 of Act 56 of 1968.

“(2) No location, Bantu village or Bantu hostel shall be removed, curtailed or abolished without the consent of the Minister, after reference to the Administrator, and except upon such terms and conditions as to compensation, if any, and otherwise as the Minister, after consultation with the urban local authority, may direct.

(3) The Minister may, subject to the provisions of subsection (2)—

- (a) on representations made by an urban local authority for the removal, curtailment or abolition of any location, Bantu village or Bantu hostel situate outside the area of jurisdiction of that urban local authority; or
- (b) whenever it appears to him that the conditions under which Bantu are living in any location, Bantu village or Bantu hostel are such that unless such location, Bantu village or Bantu hostel is removed, curtailed or abolished, the health or safety of the public generally, or of any class or classes of persons (including the said Bantu) may be endangered; or
- (c) whenever it appears to him that the removal, curtailment or abolition of any location, Bantu village or Bantu hostel is desirable having regard to any town or regional planning undertaken under or in furtherance of the objects of any law,

after reference to the Administrator, and after consultation with the urban local authority within whose area of jurisdiction such location, Bantu village or Bantu hostel is situate, by notice in writing require the urban local authority within whose area of jurisdiction such location, Bantu village or Bantu hostel is situate, to take such steps as may be prescribed in that notice for the removal, curtailment or abolition of such location, Bantu village or Bantu hostel.”.

5. The following section is hereby inserted in the Urban Areas Act after section 3:

Insertion of section 3A in Act 25 of 1945.

“Removal or abolition of Bantu residential areas.

- 3A. (1) Whenever an urban local authority—
- (a) has received the consent of the Minister, under section 3 (2), to remove or abolish any location, Bantu village or Bantu hostel; or
 - (b) is required by the Minister under section 3 (3) to take steps for the removal or abolition of any location, Bantu village or Bantu hostel,
- any person who is proved to the satisfaction of a Bantu Affairs Commissioner, by means of affidavits placed before him, to have entered or to have remained in or to have been found, on or after a date fixed by the Minister by notice in the *Gazette*, and without the permission in writing of the urban local authority, within such location, Bantu village or Bantu hostel, may, on the application of such urban local authority or the Secretary, and under a warrant issued by such Bantu Affairs Commissioner and addressed to a member of the South African Police, be removed, with his personal effects, from such location, Bantu village or Bantu hostel to any other place, whether within or outside the

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buite die regsgebied van daardie stedelike plaaslike bestuur, wat na die oordeel van die Sekretaris toereikende huisvesting het, en 'n gebou of struktuur ten opsigte waarvan daar bewys word dat dit deur so iemand in sodanige lokasie, Bantoedorp of Bantoetehuis by of na gemelde datum opgerig is, kan kragtens daardie lasbrief gesloop word.

(2) So 'n stedelike plaaslike bestuur kan, tot die in subartikel (1) vermelde datum, die oprigting of verandering van 'n gebou of struktuur in so 'n lokasie, Bantoedorp of Bantoetehuis verbied, of toelaat maar dan op die voorwaardes wat hy oplê.

(3) Wanneer 'n lokasie, Bantoedorp of Bantoetehuis ingevolge artikel 3 (2) of (3) opgeruim of afgeskaf is en 'n kennisgewing te dien effekte ingevolge artikel 3 (4) gepubliseer is, is enigiemand wat daarna sonder die skriftelike verlof van die betrokke stedelike plaaslike bestuur die grond in daardie kennisgewing genoem, betree of daarop aanbly of daarop gevind word, aan 'n misdryf skuldig en by skuldigbevinding kan die hof, bo en behalwe die oplegging van 'n by artikel 44 voorgeskrewe straf, op aansoek van daardie stedelike plaaslike bestuur of die Sekretaris, 'n polisiebeampte beveel om daardie persoon en sy persoonlike besittings te verwyder na 'n ander plek in subartikel (1) bedoel.

(4) Tensy die Minister anders gelas, is geen vergoeding betaalbaar nie ten opsigte van 'n gebou of struktuur of verbetering daaraan—

- (a) opgerig of aangebring in stryd met 'n in subartikel (2) bedoelde verbod of voorwaarde;
- (b) opgerig of aangebring na die in subartikel (1) bedoelde datum;
- (c) wat kragtens 'n lasbrief in subartikel (1) genoem, gesloop is;
- (d) opgerig of aangebring deur 'n inwoner van 'n lokasie, Bantoedorp of Bantoetehuis wat by ooreenkoms met die betrokke stedelike plaaslike bestuur, afstand gedoen het van 'n eis om vergoeding wat hy sou hê ten opsigte van 'n gebou, struktuur of verbetering omrede van die opruiming of afskaffing, ingevolge artikel 3 (2) of (3), van daardie lokasie, Bantoedorp of Bantoetehuis."

Wysiging van artikel 14 van Wet 25 van 1945, soos vervang deur artikel 51 van Wet 42 van 1964.

6. Artikel 14 van die Stadsgebiedewet word hierby gewysig deur die volgende subartikel na subartikel (1) in te voeg:

„(1A) 'n Bantoe wat kragtens subartikel (1) verwyder word na 'n plattelandse dorp, nedersetting, rehabilitasieskema, inrigting of ander plek deur die Sekretaris aangedui, word daar vir dié tydperk aangehou en verrig daar dié werk wat voorgeskryf word deur die wet waarkragtens sodanige plattelandse dorp, nedersetting, rehabilitasieskema, inrigting of plek gestig is."

Wysiging van artikel 18 van Wet 25 van 1945, soos gewysig deur artikels 54 en 100 van Wet 42 van 1964.

7. Artikel 18 van die Stadsgebiedewet word hierby gewysig deur paragrafe (a) en (b) van subartikel (1) deur die volgende paragrafe te vervang:

- „(a) die ander toereikende huisvesting wat die Minister goedkeur teen die huur en op die ten opsigte daarvan voorgeskrewe voorwaardes moet aanbied in dieselfde of enige ander lokasie of Bantoedorp; of
- (b) die ander toereikende huisvesting in 'n afgesonderde Bantoegebied of oopgestelde gebied, in die Bantoe-trust en -grond Wet, 1936 (Wet No. 18 van 1936), genoem, teen die huur en op die voorwaardes wat die Minister dienstig ag, moet aanbied."

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area of jurisdiction of such urban local authority, having in the opinion of the Secretary adequate housing accommodation, and any building or structure proved to have been erected in such location, Bantu village or Bantu hostel at or after the said date by such person, may, under such warrant, be demolished.

(2) Any such urban local authority may, until the date mentioned in subsection (1), prohibit, or permit but subject to such conditions as it may impose, the construction or alteration of any building or structure in such location, Bantu village or Bantu hostel.

(3) Whenever any location, Bantu village or Bantu hostel has been removed or abolished in terms of section 3 (2) or (3) and a notice to that effect has been published in terms of section 3 (4), any person who thereafter without the permission in writing of the urban local authority concerned, enters or remains on or is found on the land referred to in such notice, shall be guilty of an offence and upon conviction the court may, in addition to imposing any penalty prescribed by section 44, on the application of such urban local authority or the Secretary, order a member of the South African Police to remove such person and his personal effects to such other place as is referred to in subsection (1).

(4) Unless the Minister otherwise directs, no compensation shall be payable in respect of any building or structure or improvement thereto—

- (a) erected or made in contravention of any prohibition or condition referred to in subsection (2);
- (b) erected or made after the date referred to in subsection (1);
- (c) demolished under a warrant referred to in subsection (1);
- (d) erected or made by a resident of a location, Bantu village or Bantu hostel who, by agreement with the urban local authority concerned, has waived any claim to compensation he would have in respect of any building, structure or improvement by reason of the removal or abolition, in terms of section 3 (2) or (3), of such location, Bantu village or Bantu hostel.”.

6. Section 14 of the Urban Areas Act is hereby amended by the insertion after subsection (1) of the following subsection:

“(1A) A Bantu removed under subsection (1) to a rural village, settlement, rehabilitation scheme, institution or other place indicated by the Secretary shall be detained thereat for such period and perform thereat such labour as may be prescribed by the law in terms of which such rural village, settlement, rehabilitation scheme, institution or place was established.”.

Amendment of section 14 of Act 25 of 1945, as substituted by section 51 of Act 42 of 1964.

7. Section 18 of the Urban Areas Act is hereby amended by the substitution for paragraphs (a) and (b) of subsection (1) of the following paragraphs:

- “(a) such other adequate housing accommodation as the Minister may approve at the rent and on the conditions prescribed in respect thereof in the same or any other location or Bantu village; or
- (b) such other adequate housing accommodation in a scheduled Bantu area or released area, referred to in the Bantu Trust and Land Act, 1936 (Act No. 18 of 1936), and at such rent and on such conditions, as the Minister may deem expedient.”.

Amendment of section 18 of Act 25 of 1945, as amended by sections 54 and 100 of Act 42 of 1964.

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Wysiging van artikel 19 van Wet 25 van 1945, soos gewysig deur artikel 1 van Wet 43 van 1945, artikel 34 van Wet 54 van 1952, artikel 10 van Wet 64 van 1952, artikel 8 van Wet 16 van 1955, artikel 35 van Wet 36 van 1957, artikel 11 van Wet 53 van 1957, artikel 11 van Wet 79 van 1961, artikel 20 van Wet 63 van 1962 en artikels 55 en 100 van Wet 42 van 1964.

Invoeging van artikel 46ter in Wet 25 van 1945.

8. Artikel 19 van die Stadsgebiedewet word hierby gewysig deur paragraaf (b) van subartikel (3) deur die volgende paragraaf te vervang:

„(b) elke diens, uitgawe of toekenning waaromtrent die Minister skriftelik sertifiseer dat dit in belang van Bantoes is, ongeag of dit in verband staan met 'n aanleentheid binne die gebied van die betrokke stedelike plaaslike bestuur al dan nie;”.

9. Die volgende artikel word hierby in die Stadsgebiedewet na artikel 46bis ingevoeg:

„Uitwerking van afskaffing van stedelike plaaslike besture.

46ter. (1) Wanneer 'n stedelike plaaslike bestuur ingevolge 'n wet afgeskaf word en die voormalige betrokke stadsgebied die regsgebied of deel van die regsgebied word van 'n instelling of liggaam in artikel 84 (1) (f) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), bedoel, met uitsondering van 'n stedelike plaaslike bestuur, kan die Minister by kennisgewing in die *Staatskoerant* sodanige voormalige stadsgebied 'n stadsgebied verklaar en sodanige instelling of liggaam aanwys as die stedelike plaaslike bestuur vir daardie stadsgebied, vir die doeleindes van hierdie Wet.

(2) 'n Proklamasie, regulasie, kennisgewing, verklaring, bevel, goedkeuring, magtiging, verbod, vereiste, lisensie, permit, sertifikaat of dokument wat ingevolge hierdie Wet of die Wet op Bantoe-arbeid, 1964 (Wet No. 67 van 1964), of 'n regulasie daarkragtens uitgevaardig, ten opsigte van so 'n voormalige stadsgebied, voordat daardie stedelike plaaslike bestuur aldus afgeskaf is, van krag was—

(a) bly daarna met betrekking tot daardie voormalige stadsgebied van toepassing, asof daardie stedelike plaaslike bestuur nie aldus afgeskaf was nie, en daardie aldus aangewese instelling of liggaam het ten opsigte daarvan al die bevoegdhede en werksaamhede wat daardie afgeskafde stedelike plaaslike bestuur, indien dit nie aldus afgeskaf was nie, ten opsigte daarvan sou gehad het; en

(b) word daarna uitgelê asof 'n verwysing daarin na daardie stedelike plaaslike bestuur wat afgeskaf is, 'n verwysing was na daardie instelling of liggaam aldus aangewys as die betrokke stedelike plaaslike bestuur.”.

Wysiging van artikel 2 van Wet 67 van 1964.

10. Artikel 2 van die Wet op Bantoe-arbeid, 1964 (hieronder die Hoofwet genoem), word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:

(a) 'n beamppte aanstel wat die Direkteur van Bantoe-arbeid heet, om, onderworpe aan die voorskrifte van die Sekretaris, die bevoegdhede uit te oefen en die pligte te verrig wat by hierdie Wet en die regulasies aan die Direkteur toegewys word;”.

Invoeging van artikel 20A in Wet 67 van 1964.

11. Die volgende artikel word hierby in die Hoofwet na artikel 20 ingevoeg:

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8. Section 19 of the Urban Areas Act is hereby amended by the substitution for paragraph (b) of subsection (3) of the following paragraph:

“(b) any service, expenditure or grant which may be certified in writing by the Minister as being in the interests of Bantu, irrespective of whether or not it relates to a matter in the area of the urban local authority in question;”.

Amendment of section 19 of Act 25 of 1945, as amended by section 1 of Act 43 of 1945, section 34 of Act 54 of 1952, section 10 of Act 64 of 1952, section 8 of Act 16 of 1955, section 35 of Act 36 of 1957, section 11 of Act 53 of 1957, section 11 of Act 79 of 1961, section 20 of Act 63 of 1962 and sections 55 and 100 of Act 42 of 1964.

9. The following section is hereby inserted in the Urban Areas Act after section 46bis:

Insertion of section 46ter in Act 25 of 1945.

“Effect of dis-establishment of urban local authorities.

46ter. (1) Whenever any urban local authority is disestablished in terms of any law and the former urban area concerned becomes the area of jurisdiction or part of the area of jurisdiction of any institution or body contemplated in section 84 (1) (f) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), other than an urban local authority, the Minister may by notice in the *Gazette* declare such former urban area to be an urban area and designate such other institution or body as the urban local authority for such urban area for the purposes of this Act.

(2) Thereupon any proclamation, regulation, notice, declaration, direction, approval, authority, prohibition, requirement, licence, permit, certificate or document which was in force in terms of this Act or the Bantu Labour Act, 1964 (Act No. 67 of 1964), or any regulation made thereunder, in respect of such former urban area before such urban local authority was so disestablished—

(a) shall continue to apply with reference to such former urban area as if such urban local authority had not been so disestablished, and such institution or body so designated shall have in respect thereof all the powers and functions which such disestablished urban local authority, had it not been so disestablished, would have had in respect thereof; and

(b) shall be construed as if any reference therein to such disestablished urban local authority were a reference to such institution or body so designated as the urban local authority concerned.”.

10. Section 2 of the Bantu Labour Act, 1964 (hereinafter referred to as the principal Act), is hereby amended by the substitution for paragraph (a) of the following paragraph:

Amendment of section 2 of Act 67 of 1964.

“(a) an officer to be styled the Director of Bantu Labour, who shall, subject to the directions of the Secretary, exercise the powers and perform the duties assigned to the Director by this Act and the regulations;”.

11. The following section is hereby inserted in the principal Act after section 20:

Insertion of section 20A in Act 67 of 1964.

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„Bevoegd-
hede van
die Minister
ten opsigte
van die
verrigting
van werk
deur, of die
indiens-
neming of
verdere
indiens-
houding
van
Bantoes.

20A. (1) Ondanks andersluidende bepalings van 'n ander wet, kan die Minister, nadat hy minstens een maand vooraf van sy voorneme in die *Staatskoerant* kennis gegee het en nadat hy die Minister van Arbeid geraadpleeg het, by kennisgewing in die *Staatskoerant*, vanaf 'n datum in sodanige kennisgewing vermeld, die verrigting van werk deur, of die indienseneming of verdere indienshouding van 'n Bantoe—

- (a) in 'n bepaalde gebied;
- (b) in 'n bepaalde soort werk;
- (c) in 'n bepaalde bedryf; of
- (d) in die diens van 'n bepaalde werkgewer of klas werkgewers, verbied.

(2) 'n Verbod in subartikel (1) (b), (c) of (d) bedoel, kan of in 'n bepaalde gebied of algemeen van toepassing gemaak word.

(3) Die Minister kan 'n in subartikel (1) bedoelde verbod by kennisgewing in die *Staatskoerant* intrek of wysig, of vrystelling verleen van so 'n verbod aan 'n bepaalde werkgewer of klas werkgewers.

(4) Iemand wat 'n in subartikel (1) bedoelde verbod oortree, is aan 'n misdryf skuldig.”

Wysiging van
artikel 22 van
Wet 67 van 1964.

12. Artikel 22 van die Hoofwet word hierby gewysig—

- (a) deur aan die end van subparagraaf (vii) van paragraaf (b) van subartikel (6) die woord „of” by te voeg; en
- (b) deur die volgende subparagraawe by gemelde paragraaf te voeg:

„(viii) dat die indienseneming of verdere indienshouding van sodanige Bantoe in stryd is met 'n kennisgewing in artikel 20A bedoel; of

- (ix) dat toereikende huisvesting nie vir sodanige Bantoe beskikbaar is nie;”

Invoeging van
artikel 22A in
Wet 67 van 1964.

13. Die volgende artikel word hierby in die Hoofwet na artikel 22 ingevoeg:

22A. In 'n strafsak is 'n afskrif van 'n register wat gehou word deur 'n munisipale of distriks-arbeidsbeampte of deur 'n beampte in beheer van 'n hulpsentrum, by voorlegging in sodanige strafsak *prima facie*-getuienis van die feite in sodanige register aangeteken soos vereis word deur of ingevolge 'n wet.”

Wysiging van
artikel 24 van
Wet 67 van 1964.

14. Artikel 24 van die Hoofwet word hierby gewysig deur in subartikels (1) en (2) die woord „manlike” te skrap.

Wysiging van
artikel 28 van
Wet 67 van 1964.

15. Artikel 28 van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (f) van subartikel (1) deur die volgende paragraaf te vervang:

„(f) die stigting van werkgewersgroepe vir die werwing of indienseneming van Bantoes; die registrasie van sodanige groepe deur die Direkteur en die intrekking van so 'n registrasie; die toelating van persone as lede van sodanige groepe en hul uitsetting daaruit; die beperking van die aantal persone wat tot sodanige groepe kan behoort en die gebiede ten opsigte waarvan sodanige groepe gestig kan word; die stel van sekerheid deur sodanige groepe vir die nakoming deur hulle lede van die bedinge en voorwaardes van dienskontrakte aangegaan met Bantoes in die diens van bedoelde groepe; en oor die algemeen die bestuur van die sake van sodanige groepe;” en

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"Powers of the Minister in respect of the performance of work by or the employment or continued employment of Bantu.

20A. (1) Notwithstanding anything to the contrary contained in any law, the Minister may, after he has given at least one month's prior notice of his intention in the *Gazette*, and after he has consulted the Minister of Labour, by notice in the *Gazette*, as from a date specified in such notice, prohibit the performance of work by or the employment or continued employment of a Bantu—

- (a) in a specified area;
- (b) in a specified class of employment;
- (c) in a specified trade; or
- (d) in the service of a specified employer or class of employers.

(2) A prohibition referred to in subsection (1) (b), (c) or (d) may be applied either in a specified area or generally.

(3) The Minister may by notice in the *Gazette* amend or withdraw a prohibition referred to in subsection (1), or may grant exemption from such a prohibition to a specified employer or specified class of employers.

(4) A person who contravenes a prohibition referred to in subsection (1), shall be guilty of an offence."

12. Section 22 of the principal Act is hereby amended—

Amendment of section 22 of Act 67 of 1964.

(a) by the addition of the word "or" at the end of subparagraph (vii) of paragraph (b) of subsection (6); and

(b) by the addition of the following subparagraphs to the said paragraph:

"(viii) that the employment or continued employment of such Bantu is in conflict with a notice referred to in section 20A; or

(ix) that adequate housing accommodation is not available to such Bantu;".

13. The following section is hereby inserted in the principal Act after section 22:

Insertion of section 22A in Act 67 of 1964.

"Certain records *prima facie* evidence of facts recorded therein.

22A. In any criminal proceedings a copy of a register kept by a municipal or district labour officer or by an officer in charge of an aid centre, shall upon production in such criminal proceedings be *prima facie* evidence of the facts recorded in such register as required by or under any law."

14. Section 24 of the principal Act is hereby amended by the deletion in subsections (1) and (2) of the word "male".

Amendment of section 24 of Act 67 of 1964.

15. Section 28 of the principal Act is hereby amended—

Amendment of section 28 of Act 67 of 1964.

(a) by the substitution for paragraph (f) of subsection (1) of the following paragraph:

"(f) the formation of groups of employers for the purpose of the recruitment or employment of Bantu; the registration by the Director of such groups and the cancellation of any such registration; the admission of persons to such groups as members and their expulsion therefrom; the limitation of the number of persons who may belong to such groups and the areas in respect of which such groups may be formed; the giving of security by such groups for compliance by their members with the terms and conditions of contracts of service entered into with Bantu employed by such groups; and, generally, the conduct of the affairs of such groups;"; and

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(b) deur die voorbehoudsbepaling by paragraaf (u) van gemelde subartikel te skrap.

**Kort titel en
inwerkingtreding.**

16. (1) Hierdie Wet heet die Wysigingswet op Bantowetgewing, 1970, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

(2) Verskillende datums kan ingevolge subartikel (1) ten opsigte van verskillende bepalings van die Wet aldus bepaal word.

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- (b) by the deletion of the proviso to paragraph (u) of the said subsection.

16. (1) This Act shall be called the Bantu Laws Amendment Act, 1970, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*. **Short title and commencement.**

(2) Different dates may in terms of subsection (1) be so fixed in respect of the several provisions of this Act.

