



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

To provide for the establishment of rehabilitation centres and hostels; the registration of institutions as rehabilitation centres and hostels; the control of certain Coloured persons to and from detention, treatment and training in such rehabilitation centres; the appointment of a Director of Rehabilitation Services for Coloured persons to exercise control over rehabilitation centres and hostels and registered rehabilitation centres and registered hostels and the reception and discharge of the inmates of such hostels and centres.

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[No. 3312.]

KAAPSTAD, 24 NOVEMBER 1971.

DEPARTMENT OF COLOURED RELATIONS AND REHOBOTH AFFAIRS.

No. 2101.

24th November, 1971.

It is hereby notified that the State President has assented to the following Law of the Coloured Persons Representative Council of the Republic of South Africa, which is hereby published for general information:—

No. 1 of 1971: Coloured Persons Rehabilitation Centres Law, 1971.

DEPARTEMENT VAN KLEURLINGBETREK- KINGE EN REHOBOTH-AANGELEENTHEDE.

No. 2101.

24 November 1971.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan onderstaande Wet van die Verteenwoordigende Kleurlingraad van die Republiek van Suid-Afrika, wat hierby ter algemene inligting gepubliseer word:—

No. 1 van 1971: Wet op Rehabilitasiesentrums vir Kleurlinge, 1971.

Law No. 1, 1971 COLOURED PERSONS REHABILITATION CENTRES LAW, 1971.

LAW

To provide for the establishment of rehabilitation centres and hostels; the registration of institutions as rehabilitation centres and hostels; the committal of certain Coloured persons to and their detention, treatment and training in such rehabilitation centres or registered rehabilitation centres; the appointment of a Director of Rehabilitation Services for Coloured persons to exercise control over rehabilitation centres and hostels and registered rehabilitation centres and registered hostels, and the reception and discharge of the inmates of rehabilitation centres and registered rehabilitation centres; the establishment of a National Advisory Board on Rehabilitation Matters for Coloured persons; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 3rd November, 1971.)*

BE IT ENACTED by the Coloured Persons Representative Council of the Republic of South Africa, as follows:

Definition.

1. In this Law, unless the context otherwise indicates—

- (i) "board" means the National Advisory Board on Rehabilitation Matters for Coloured Persons established under section 20; (xviii)
- (ii) "children's home" means a children's home as defined in section 1 of the Children's Act, 1960 (Act No. 33 of 1960), of Parliament; (x)
- (iii) "Coloured person" means any person who is classified under the Population Registration Act, 1950 (Act No. 30 of 1950), of Parliament, as a member of the Cape Coloured, Malay or Griqua group or the Other Coloured group; (xi)
- (iv) "Commissioner" means any person appointed as head of the Administration of Coloured Affairs; (xii)
- (v) "dependence-producing substances" means dependence-producing substances as defined in section 1 of the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971 (Act No. 41 of 1971), of Parliament; (ii)
- (vi) "designated member" means the member designated, in terms of section 17 (6) (b) of the Coloured Persons Representative Council Act, 1964 (Act No. 49 of 1964), of Parliament, to exercise and perform, as provided by that section, the functions and duties incidental to community welfare and pensions in so far as they affect Coloured persons; (i)
- (vii) "Director" means the Director of Rehabilitation Services for Coloured Persons appointed in terms of section 11; (iv)
- (viii) "hostel" means any hostel established under section 8 (xxiii)

WET OP REHABILITASIESENTRUMS VIR KLEURLINGE, 1971.

Wet No. 1, 1971

WET

Om voorsiening te maak vir die stigting van rehabilitasiesentrums en tehuise; die registrasie van inrigtings as rehabilitasiesentrums en tehuise; die verwysing van sekere Kleurlinge na en hulle aanhouding, behandeling en opleiding in sodanige rehabilitasiesentrums of geregistreerde rehabilitasiesentrums; die aanstelling van 'n Direkteur van Rehabilitasiedienste vir Kleurlinge om beheer oor rehabilitasiesentrums en tehuise en geregistreerde rehabilitasiesentrums en geregistreerde tehuise en die toelating en ontslag van die inwoners van rehabilitasiesentrums en geregistreerde rehabilitasiesentrums uit te oefen; die instelling van 'n Nasionale Adviserende Raad oor Rehabilitasieaangeleenthede vir Kleurlinge; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)

(Goedgekeur op 3 November 1971.)

DAAR WORD BEPAAL deur die Verteenwoordigende Kleurlingraad van die Republiek van Suid-Afrika, soos volg:

1. In hierdie Wet, tensy uit die samehang anders blyk, Woordomskrywing. beteken—

- (i) „aangewese lid” die lid wat ingevolge artikel 17 (6) (b) van die Wet op die Verteenwoordigende Kleurlingraad, 1964 (Wet No. 49 van 1964), van die Parlement, aangewys is om soos by daardie artikel bepaal, die bevoegdhede uit te oefen en die werksaamhede en pligte te verrig wat in verband staan met gemeenskaps-welsyn en pensioene, vir sover dit Kleurlinge betref; (vi)
- (ii) „afhanklikheidsvormende stowwe” in artikel 1 van die Wet op die Misbruik van Afhanklikheidsvormende Stowwe en Rehabilitasiesentrums, 1971 (Wet No. 41 van 1971), van die Parlement, omskrewe afhanklikheidsvormende stowwe; (v)
- (iii) „bestuur”, met betrekking tot 'n rehabilitasiesentrum, die hoof maatskaplike werker van die gebied waarin die rehabilitasiesentrum geleë is, wat die voorsitter is, die maatskaplike werker kragtens artikel 12 ten opsigte daarvan aangestel, die geneesheer, psigiater of kliniese sielkundige, as daar is, daaraan verbonde of toegewys en soveel ander lede, maar hoogstens drie, as wat die aangewese lid van tyd tot tyd bepaal en aanstel en, met betrekking tot 'n tehuis, die persoon aan die hoof van daardie tehuis, en, met betrekking tot 'n geregistreerde rehabilitasiesentrum of geregistreerde tehuis, die persone wat met die bestuur en beheer daarvan belas is; (xi)
- (iv) „Direkteur” die ingevolge artikel 11 aangestelde Direkteur van Rehabilitasiedienste vir Kleurlinge; (vii)

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- (ix) "inmate" means any person who under this Law has been committed or admitted or is deemed to have been so committed or admitted to any rehabilitation centre or registered rehabilitation centre, and includes any such person who has been released on licence from any rehabilitation centre or registered rehabilitation centre or who has been granted leave or absence therefrom, or who is still under the control or supervision of the management of any rehabilitation centre or registered rehabilitation centre or who is liable to be brought back thereto; (ix)
- (x) "magistrate" includes an additional magistrate and an assistant magistrate; (xiii)
- (xi) "management" in relation to any rehabilitation centre, means the chief social worker of the area in which that rehabilitation centre is situated, who shall be chairman, the social worker appointed in respect of it under section 12, the medical practitioner, psychiatrist or clinical psychologist, if any, attached or designated to it, and so many other members, not exceeding three, as the designated member may from time to time determine and appoint, and, in relation to any hostel, means the person in charge of such hostel, and, in relation to any registered rehabilitation centre or registered hostel, means the persons who have the management and control thereof; (iii)
- (xii) "medical practitioner" means any person registered as a medical practitioner or intern in terms of the Medical, Dental and Pharmacy Act, 1928 (Act No. 13 of 1928), of Parliament; (v)
- (xiii) "Minister" means the Minister of Coloured Affairs; (xv)
- (xiv) "police officer" means any member of a police force established under any law; (xvii)
- (xv) "prescribed" means prescribed by regulation or rule made or prescribed under this Law; (xxv)
- (xvi) "reform school" means a reform school as defined in section 1 of the Children's Act, 1960 (Act No. 33 of 1960), of Parliament; (xxiv)
- (xvii) "registered hostel" means a hostel registered under section 9; (vii)
- (xviii) "registered rehabilitation centre" means a rehabilitation centre registered under section 6; (vi)
- (xix) "regulation" means any regulation made and in force under this Law; (xx)
- (xx) "rehabilitation centre" means a rehabilitation centre established under section 3 or deemed to be so established; (xxi)
- (xxi) "rule" means any rule prescribed by a management under any power conferred upon it by regulation; (xix)
- (xxii) "school of industries" means a school of industries as defined in section 1 of the Children's Act, 1960 (Act No. 33 of 1960), of Parliament; (xvi)
- (xxiii) "social worker" means an officer who is in the service of the Administration of Coloured Affairs in accordance with the laws governing the public service as a social worker or a social welfare officer as defined in section 1 of the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971 (Act No. 41 of 1971), of Parliament; (xiv)
- (xxiv) "superintendent", in relation to a rehabilitation centre, means the head thereof; (xxii)
- (xxv) "this Law" includes the regulations. (viii)

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- (v) „geneesheer” iemand wat as ’n geneesheer of intern ingevolge die Wet op Geneeshere, Tandartse en Aptekers, 1928 (Wet No. 13 van 1928), van die Parlement, geregistreer is; (xii)
- (vi) „geregistreerde rehabilitasiesentrum” ’n rehabilitasiesentrum wat kragtens artikel 6 geregistreer is; (xviii)
- (vii) „geregistreerde tehuis”, ’n tehuis wat kragtens artikel 9 geregistreer is; (xvii)
- (viii) „hierdie Wet” ook die geulasies; (xxv)
- (ix) „inwoner” ’n persoon wat kragtens hierdie Wet na ’n rehabilitasiesentrum of ’n geregistreerde rehabilitasiesentrum verwys of daarin opgeneem is of geag word aldus verwys of opgeneem te gewees het en ook so ’n persoon wat met vergunning uit ’n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum vrygelaat is of aan wie verlof tot afwesigheid daaruit toegestaan is, of wat nog onder die beheer of toesig van die bestuur van ’n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum staan, of wat daarheen teruggebring kan word; (ix)
- (x) „kinderhuis” ’n in artikel 1 van die Kinderwet, 1960 (Wet No. 33 van 1960), van die Parlement, omskrewe kinderhuis; (ii)
- (xi) „Kleurling” iemand wat kragtens die Bevolkings-registrasiewet, 1950 (Wet No. 30 van 1950), van die Parlement, geklassifiseer is as lid van die Kaapse Kleurling-, Maleier- of Griekwagroep of die groep Ander Gekleurdes; (iii)
- (xii) „Kommissaris” iemand wat aangestel is as hoof van die Administrasie van Kleurlingsake; (iv)
- (xiii) „landdros” ook ’n addisionele landdros en ’n assistent-landdros; (x)
- (xiv) „maatskaplike werker” ’n beamppte wat ooreenkomstig die wetsbepalings op die Staatsdiens, as ’n maatskaplike werker in diens van die Administrasie van Kleurlingsake is of ’n volkswelsynbeamppte soos omskryf in artikel 1 van die Wet op die Misbruik van Afhanklikheids-vormende Stowwe; (xxiii)
- (xv) „Minister” die Minister van Kleurlingsake; (xiii)
- (xvi) „nywerheidskool” ’n in artikel 1 van die Kinderwet, 1960 (Wet No. 33 van 1960), van die Parlement, omskrewe nywerheidskool; (xxii)
- (xvii) „polisiebeamppte” ’n lid van ’n by wet ingestelde polisiemag; (xiv)
- (xviii) „raad” die kragtens artikel 20 ingestelde Nasionale Adviserende Raad oor Rehabilitasieaangeleenthede vir Kleurlinge; (i)
- (xix) „reël” ’n reël deur ’n bestuur kragtens ’n by regulasie aan hom verleende bevoegdheid voorgeskryf; (xxi)
- (xx) „regulasie” ’n regulasie wat kragtens hierdie Wet uitgevaardig en van krag is; (xix)
- (xxi) „rehabilitasiesentrum” ’n rehabilitasiesentrum wat kragtens artikel 3 gestig is of geag word aldus gestig te gewees het; (xx)
- (xxii) „superintendent”, met betrekking tot ’n rehabilitasiesentrum, die persoon wat aan die hoof daarvan staan; (xxiv)
- (xxiii) „tehuis” ’n tehuis wat kragtens artikel 8 gestig is; (viii)
- (xxiv) „verbeteringskool” ’n in artikel 1 van die Kinderwet, 1960 (Wet No. 33 van 1960), van die Parlement, omskrewe verbeteringskool; (xvi)
- (xxv) „voorgeskryf” of „voorgeskrewe”, voorgeskryf by regulasie of reël kragtens hierdie Wet uitgevaardig of voorgeskryf. (xv)

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Application of Law. 2. This Law shall apply with reference to Coloured persons.

Establishment of rehabilitation centres.

3. (1) The designated member may, out of money appropriated for the purpose by the Coloured Persons Representative Council, establish, maintain and conduct rehabilitation centres for the reception, treatment and training of such persons as are referred to in section 14 (1) and of any persons who are transferred or admitted thereto under any provision of this Law.

(2) Every rehabilitation centre for Coloured persons established or deemed to have been established under the Retreats and Rehabilitation Centres Act, 1963 (Act No. 86 of 1963), of Parliament, and which is in existence at the commencement of this Law, shall, as from such commencement, be deemed to be a rehabilitation centre established under subsection (1).

Purposes for which persons are detained in rehabilitation centres.

4. The inmates of a rehabilitation centre shall be detained therein for the purpose of improving their physical and mental condition by—

- (a) developing and improving their physical condition by means of physical training suited to their particular capacities and needs, and, where necessary, by appropriate medical and mental treatment;
- (b) training them in habits of industry and work;
- (c) correcting, under suitable medical, psychiatric, social or psychological supervision, behaviour disabilities, including alcoholism, which impede proper social adjustment;
- (d) the application of any further measures which may be necessary to remove or overcome particular disabilities; and
- (e) generally, training them in habits of social adaptation in the community and of good citizenship.

Abolition of rehabilitation centre.

5. The designated member may at any time abolish a rehabilitation centre.

Registration of certain institutions.

6. (1) No person shall manage any institution or other place of residence maintained mainly for the accommodation and physical care of persons who are dependent on dependence-producing substances or in which such persons receive physical or mental treatment, except a rehabilitation centre maintained in terms of this Law or by any provincial administration unless such institution or place is registered under this section.

(2) Any person who desires to manage an institution or place referred to in subsection (1), shall apply in the prescribed manner to the designated member for the registration thereof.

(3) The designated member may, after consideration of any such application and such other information as he may obtain, and if he is satisfied that such institution or place is so managed and conducted or will probably be so managed and conducted that it is or will be suitable for the reception, accommodation, treatment and training of persons referred to in section 14 (1) and that the powers conferred by or under this Law upon the management of a registered rehabilitation centre, may properly be entrusted to the management of that institution or place and that the institution or place complies with the prescribed requirements, in his discretion grant the application on such conditions as he may deem fit and issue a registration certificate specifying those conditions to the applicant in the prescribed form.

(4) If the designated member is after consideration of such application not so satisfied, he shall refuse the application or, if he is satisfied that such institution or place is managed or conducted or will probably be managed or conducted as

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2. Hierdie Wet is met betrekking tot Kleurlinge van toe- Toepassing van
passing. Wet.

3. (1) Die aangewese lid kan uit geld wat deur die Verteen- Stigting van
woordigende Kleurlingraad vir die doel beskikbaar gestel is, rehabilitasie-
rehabilitasiesentrums stig, in stand hou en bestuur vir die sentrums.
opname, behandeling en opleiding van die persone wat in artikel
14 (1) bedoel word en van enige persone wat kragtens enige
bepaling van hierdie Wet daarheen oorgeplaas of daarin
opgeneem word.

(2) Iedere rehabilitasiesentrum vir Kleurlinge wat kragtens
die Wet op Toevlugte en Rehabilitasiesentrums, 1963 (Wet No.
86 van 1963), van die Parlement, gestig is of geag word daar-
kragtens gestig te gewees het en wat by die inwerkingtreding van
hierdie Wet bestaan, word vanaf sodanige inwerkingtreding,
geag 'n rehabilitasiesentrum te wees wat kragtens subartikel
(1) gestig is.

4. Die inwoners van 'n rehabilitasiesentrum word daarin Doeleindes waar-
aangehou met die doel om hulle liggaamlike en geestelike voor persone in
toestand te verbeter deur— rehabilitasie-
sentrums aangehou
word.

- (a) hul liggaamlike toestand te ontwikkel en te verbeter deur middel van liggaamsontwikkeling wat by hul besondere vermoë en behoeftes pas, asook, indien nodig, deur geskikte geneeskundige en geestes-behandeling;
- (b) hulle te leer om vlytig en arbeidsaam te wees;
- (c) gedragsafwykings, met inbegrip van alkoholisme, wat behoorlike maatskaplike aanpassing verhinder, onder geskikte mediese, psigiatriese, maatskaplike of sielkundige toesig te verbeter;
- (d) die aanwending van enige verdere maatreëls wat nodig is om 'n bepaalde onvermoë te verwyder of te bowe te kom; en
- (e) in die algemeen, hulle te leer om hulle by die gemeenskapslewe aan te pas en om goeie burgers te wees.

5. Die aangewese lid kan te eniger tyd 'n rehabilitasiesentrum Afskaffing van
afskaf. rehabilitasie-
sentrum.

6. (1) Niemand mag 'n inrigting of ander woonplek wat in Registrasie van
stand gehou word hoofsaaklik vir die huisvesting en liggaamlike sekere inrigtings.
versorging van persone wat van afhanklikheidsvormende
stowwe afhanklik is of waarin sodanige persone liggaamlike of
geestelike behandeling ontvang, behalwe 'n rehabilitasiesentrum
in stand gehou ingevolge hierdie Wet of deur 'n provinsiale
administrasie, bestuur nie, tensy sodanige inrigting of woonplek
kragtens hierdie artikel geregistreer is.

(2) Indien iemand 'n inrigting of woonplek in subartikel (1)
bedoel, wil bestuur, moet hy op die voorgeskrewe wyse by die
aangewese lid aansoek om die registrasie daarvan doen.

(3) Die aangewese lid kan na oorweging van so 'n aansoek
en die ander inligting wat hy mag inwin en indien hy oortuig is
dat dié inrigting of woonplek so bestuur en gedryf word of
waarskynlik so bestuur en gedryf sal word dat dit geskik is of
sal wees vir die opname, huisvesting, behandeling en opleiding
van persone in artikel 14 (1) bedoel en dat die bevoegdhede wat
by of kragtens hierdie Wet aan die bestuur van 'n geregistreerde
rehabilitasiesentrum verleen word, gevoeglik aan die bestuur
van dié inrigting of woonplek verleen kan word en dat die
inrigting of woonplek aan die voorgeskrewe vereistes voldoen,
na goeddunke die aansoek toestaan op die voorwaardes wat hy
goedvind en 'n registrasiesertifikaat waarin daardie voorwaardes
vermeld word aan die aansoeker in die voorgeskrewe vorm
uitreik.

(4) Indien die aangewese lid na oorweging van sodanige
aansoek nie aldus oortuig is nie, wys hy die aansoek van die
hand of, indien hy oortuig is dat die inrigting of woonplek
bestuur of gedryf word of waarskynlik bestuur of gedryf sal word

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contemplated in subsection (3), and that the powers referred to in that subsection may properly be entrusted to the management of such institution or place, but that such institution or place does not comply with the prescribed requirements, the designated member may on such conditions as he may deem fit, authorize the applicant to manage such institution or place for such period, but not exceeding eighteen months, as the designated member may determine and may issue to the applicant a temporary registration certificate, specifying those conditions, in the prescribed form for the period so determined and may after expiration of the said period, or after notice by the applicant in the prescribed manner that the conditions so specified have been complied with, whichever may occur earlier, reconsider the application.

(5) The designated member may at any time after having given one month's written notice of his intention to do so, and after consideration of written representations (if any) received by him during such month, amend or cancel a registration certificate or temporary registration certificate issued under subsection (3) or (4).

(6) The amendment or cancellation of any such registration certificate or temporary registration certificate shall be affected by notice in writing to the holder thereof, and shall take effect on a date specified in the notice, not being earlier than three months after the date of the notice, unless the designated member and the holder of the registration certificate or temporary registration certificate have otherwise agreed.

(7) A registration certificate or temporary registration certificate issued under subsection (3) or (4) shall not be transferable.

(8) (a) The holder of a registration certificate or temporary registration certificate issued under subsection (3) or (4) may, after three months' written notice, surrender such registration certificate or temporary registration certificate to the designated member.

(b) Whenever a registration certificate or temporary registration certificate is cancelled under subsection (6), or surrendered under paragraph (a) of this subsection, the powers and duties conferred or imposed by or in terms of this Law on the holder thereof in respect of any inmate concerned shall devolve upon the designated member.

(9) Any person who contravenes or fails to comply with any provision of this section, or any condition imposed thereunder, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Classification of rehabilitation centres and classification and separation of inmates.

7. In order to provide treatment and training suitable to the needs and requirements of particular groups of inmates or rehabilitation centres, the Director may, in consultation with the Commissioner, classify rehabilitation centres under different categories or divisions, and shall provide for the classification and separation of different groups of inmates within a particular rehabilitation centre.

Establishment of hostels.

8. The designated member may, out of money appropriated for the purpose by the Coloured Persons Representative Council, establish, maintain and conduct hostels for inmates who have, under the provisions of this Law, been released on licence from a rehabilitation centre or registered rehabilitation centre or have been granted leave of absence therefrom or who have been discharged from the provisions of this Law, or for persons referred to in section 16 or for persons who are receiving or undergoing or have received or undergone treatment for dependency on dependence-producing substances in any institution approved by the designated member.

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soos in subartikel (3) beoog en dat die in daardie subartikel bedoelde bevoegdhede gevoeglik aan die bestuur van dié inrigting of woonplek verleen kan word, maar dat die inrigting of woonplek nie aan die voorgeskrewe vereistes voldoen nie, kan die aangewese lid op die voorwaardes wat hy goedvind, aan die aansoeker magtiging verleen om die inrigting of woonplek te bestuur vir die tydperk, maar hoogstens agtien maande, wat die aangewese lid bepaal en 'n tydelike registrasiesertifikaat waarin daardie voorwaardes vermeld word aan die aansoeker in die voorgeskrewe vorm vir die aldus bepaalde tydperk uitreik en kan na verloop van dié tydperk, of na kennisgewing deur die aansoeker op die voorgeskrewe wyse dat aan die aldus vermelde voorwaardes voldoen is, watter ook al die eerste geskied, die aansoek heroorweeg.

(5) Die aangewese lid kan te eniger tyd, nadat hy een maand kennis van sy voorneme om dit te doen gegee het, en na oorweging van skriftelike versoë (indien daar is) wat gedurende sodanige maand deur hom ontvang is, 'n kragtens subartikel (3) of (4) uitgereikte registrasiesertifikaat of tydelike registrasiesertifikaat wysig of intrek.

(6) Die wysiging of intrekking van so 'n registrasiesertifikaat of tydelike registrasiesertifikaat geskied deur middel van 'n skriftelike kennisgewing aan die houer daarvan, en tree in werking op 'n datum wat in die kennisgewing vermeld word, wat nie vroeër as drie maande na die datum van die kennisgewing mag wees nie, tensy die aangewese lid en die houer van die registrasiesertifikaat of tydelike registrasiesertifikaat anders ooreengekom het.

(7) 'n Kragtens subartikel (3) of (4) uitgereikte registrasiesertifikaat of tydelike registrasiesertifikaat is nie oordraagbaar nie.

(8) (a) Die houer van 'n kragtens subartikel (3) of (4) uitgereikte registrasiesertifikaat of tydelike registrasiesertifikaat kan bedoelde registrasiesertifikaat of tydelike registrasiesertifikaat na skriftelike kennisgewing van drie maande aan die aangewese lid teruggee.

(b) Wanneer 'n registrasiesertifikaat of tydelike registrasiesertifikaat kragtens subartikel (6) ingetrek of kragtens paragraaf (a) van hierdie subartikel teruggegee word, gaan die bevoegdhede en pligte wat deur of ingevolge hierdie Wet aan die houer daarvan ten aansien van 'n betrokke inwoner verleen of opgelê word, op die aangewese lid oor.

(9) Iemand wat 'n bepaling van hierdie artikel, of 'n voorwaarde daarkragtens opgelê, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as met daardie gevangenisstraf.

7. Ten einde behandeling en opleiding te voorsien wat aan die behoeftes en vereistes van bepaalde groepe inwoners van rehabilitasiesentrums voldoen, kan die Direkteur in oorleg met die Kommissaris rehabilitasiesentrums onder verskillende kategorieë of afdelings indeel, en moet hy vir die klassifisering en skeiding van verskillende groepe inwoners binne 'n bepaalde rehabilitasiesentrum voorsiening maak.

Klassifisering van
rehabilitasie-
sentrums
en klassifisering en
skeiding van
inwoners.

8. Die aangewese lid kan uit geld wat deur die Verteenwoordigende Kleurlingraad vir die doel beskikbaar gestel is tehuise stig, in stand hou en bestuur met die doel om aan inwoners wat kragtens die bepalings van hierdie Wet met vergunning of verlof van afwesigheid uit 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum vrygelaat is of wat van die bepalings van hierdie Wet onthef is of aan persone in artikel 16 bedoel of aan persone wat behandeling vir afhanklikheid van afhanklikheidsvormende stowwe in 'n deur die aangewese lid goedgekeurde inrigting ontvang of ondergaan of ontvang of ondergaan het, tuis te verskaf.

Stigting van tehuise.

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9. (1) No person shall, for any purpose referred to in section 8, manage any institution or other place of residence maintained mainly for the accommodation of persons referred to in section 8, except a hostel maintained in terms of this Law or any provincial administration, unless such institution or place is registered under this section.

(2) The designated member may on application in the prescribed manner by any person desiring to manage any such institution or place, in his discretion register the institution or place concerned on such conditions as may be mentioned in the registration certificate which shall be issued in the prescribed form, or he may refuse the application.

(3) The designated member may after one month's notice of his intention to do so and after consideration of written representations received by him during such month, amend or cancel a registration certificate issued in terms of subsection (2).

(4) The amendment or cancellation of any such registration certificate shall be effected by notice in writing to the holder thereof and shall come into operation on the date specified in the notice, not being earlier than three months after the date of such notice, unless the designated member and the holder of the registration certificate have agreed otherwise.

(5) (a) A registration certificate issued in terms of subsection (2) shall not be transferable.

(b) The holder of any such registration certificate may after three months' written notice surrender such registration certificate to the designated member.

(6) Any person who contravenes any provision of this section or any condition imposed thereunder, shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred rand or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

Inspection of rehabilitation centres, registered rehabilitation centres, hostels, registered hostels and certain institutions and places of residence.

10. (1) The Director may at any time inspect or cause to be inspected by any officer in the service of the State designated by him any rehabilitation centre, registered rehabilitation centre, hostel, registered hostel or any institution or place referred to in section 6 (1) or 9 (1), and he or such officer may to that end interrogate or cause to be interrogated any inmate or person accommodated therein or may cause such inmate or person to be examined by a medical practitioner, psychiatrist or clinical psychologist and the Director or officer conducting the inspection may demand any book or document which is kept in respect of or in connection with the rehabilitation centre, registered rehabilitation centre, hostel or registered hostel concerned or such institution or place or any inmate thereof or any person accommodated or detained or to be detained therein, and may make a copy of any entry therein.

(2) The Director or officer so designated who exercises any power conferred upon him by subsection (1), shall at the request of the superintendent of the rehabilitation centre concerned or head of the hostel concerned or of any member of the management of the registered rehabilitation centre, registered hostel, institution or place concerned, produce a certificate declaring that the powers referred to in subsection (1) have been conferred upon him, which shall, in the case of the Director, be signed by the Commissioner, and, in the case of an officer designated by the Director, be signed by the Director.

(3) Any person who obstructs or hinders the Director or a designated officer referred to in subsection (1) in the exercise of any power conferred under that subsection, or who refuses to give the Director or such officer at his request access to any inmate or person detained or accommodated in any rehabilitation centre, registered rehabilitation centre, hostel, registered hostel or any institution or place referred to in section 6 (1)

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9. (1) Niemand mag 'n inrigting of ander woonplek wat hoofsaaklik vir die huisvesting van die in artikel 8 bedoelde persone in stand gehou word, behalwe 'n tehuis wat ingevolge hierdie Wet of deur 'n provinsiale administrasie in stand gehou word, vir 'n in artikel 8 vermelde doel bestuur nie, tensy sodanige inrigting of woonplek kragtens hierdie artikel geregistreer is.

Geregistreeerde
tehuise.

(2) Die aangewese lid kan op aansoek op die voorgeskrewe wyse deur 'n persoon wat so 'n inrigting of woonplek wil bestuur, na goeddunke, die betrokke inrigting of woonplek registreer op die voorwaardes wat in die registrasiesertifikaat wat in die voorgeskrewe vorm uitgereik word, vermeld word of hy kan die aansoek van die hand wys.

(3) Die aangewese lid kan 'n ingevolge subartikel (2) uitgereikte registrasiesertifikaat na een maand kennisgewing van sy voorneme om dit te doen en na oorweging van enige skriftelike verhoë deur hom gedurende bedoelde maand ontvang, wysig of intrek.

(4) Die wysiging of intrekking van so 'n registrasiesertifikaat geskied deur middel van 'n skriftelike kennisgewing aan die houer daarvan en tree in werking op 'n datum wat in die kennisgewing aangegee word en wat nie vroeër as drie maande na die datum van die kennisgewing mag wees nie, tensy die aangewese lid en die houer van die registrasiesertifikaat anders ooreengekom het.

(5) (a) 'n Ingevolge subartikel (2) uitgereikte registrasiesertifikaat is nie oordraagbaar nie.

(b) Die houer van so 'n registrasiesertifikaat kan bedoelde registrasiesertifikaat na skriftelike kennisgewing van drie maande aan die aangewese lid teruggee.

(6) Iemand wat 'n bepaling van hierdie artikel of 'n voorwaarde daarkragtens opgelê, oortree, is aan 'n misdryf skuldig en by skuldigebevinding strafbaar met 'n boete van hoogstens honderd rand of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met daardie boete sowel as daardie gevangenisstraf.

10. (1) Die Direkteur kan te eniger tyd 'n rahabilitasiesentrum, geregistreeerde rahabilitasiesentrum, tehuis of geregistreeerde tehuis of 'n inrigting of woonplek in artikel 6 (1) of 9 (1) bedoel, inspekteer of deur 'n deur hom daartoe aangewese beampte in die diens van die Staat laat inspekteer en hy of sodanige beampte kan vir dié doel enige inwoner of persoon wat daarin gehuisves word, ondervra of laat ondervra of deur 'n geneesheer, psigiater of kliniese sielkundige laat ondersoek en die Direkteur of beampte wat die inspeksie doen, kan enige boek of dokument wat ten opsigte van of in verband met die betrokke rahabilitasiesentrum, geregistreeerde rahabilitasiesentrum, tehuis of geregistreeerde tehuis, of sodanige inrigting of woonplek of 'n inwoner daarvan of 'n persoon wat daarin gehuisves word of gehou of gehou moet word, opeis en 'n afskrif van enige inskrywing daarin maak.

Inspeksie van
rahabilitasie-
sentrums, geregi-
streeerde rahabilitasie-
sentrums, tehuise, ge-
registreeerde tehuise
en sekere inrigtings
en woonplekke.

(2) Die Direkteur of aldus aangewese beampte wat 'n bevoegdheid uitoefen, kragtens subartikel (1) aan hom verleen, moet op versoek van die superintendent van die betrokke rahabilitasiesentrum of hoof van die betrokke tehuis of van 'n lid van die bestuur van die betrokke geregistreeerde rahabilitasiesentrum, geregistreeerde tehuis, inrigting of woonplek, 'n sertifikaat toon waarin verklaar word dat die bevoegdhede in subartikel (1) bedoel aan hom verleen is en wat, in die geval van die Direkteur, deur die Kommissaris en in die geval van 'n deur die Direkteur aangewese beampte, deur die Direkteur onderteken is.

(3) Iemand wat die Direkteur of 'n in subartikel (1) bedoelde aangewese beampte by die uitoefening van enige bevoegdheid kragtens bedoelde subartikel verleen, belemmer of hinder of wat weier om die Direkteur of bedoelde beampte op sy versoek toegang te verleen tot 'n inwoner of persoon wat in 'n rahabilitasiesentrum, geregistreeerde rahabilitasiesentrum, tehuis, geregistreeerde tehuis, of 'n inrigting of woonplek in artikel 6 (1) of

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or 9 (1) or who refuses or fails to produce to the Director or such officer at his request any book or document in his custody or under his control and which relates to the rehabilitation centre, registered rehabilitation centre, hostel, registered hostel or such institution or place or to any inmate of or person detained or accommodated in a rehabilitation centre, registered rehabilitation centre, hostel, registered hostel or any such institution or place, shall be guilty of an offence and liable on conviction to a fine not exceeding three hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Director of
Rehabilitation
Services for
Coloured Persons.

11. (1) Subject to the laws governing the public service, the Commissioner shall appoint a professional officer of the Administration of Coloured Affairs as Director of Rehabilitation Services for Coloured Persons, who shall exercise the powers and perform the duties which are conferred or imposed upon him by this Law.

(2) The Director shall be subject to the administrative control of the Commissioner.

Staff of
rehabilitation
centres and hostels.

12. (1) (a) The Commissioner may, subject to the laws governing the public service, appoint the staff necessary for the proper conduct and control of rehabilitation centres and hostels and may appoint for every rehabilitation centre a social worker as superintendent.

(b) The functions, powers and duties of persons so appointed shall be as prescribed.

(2) The superintendent of every rehabilitation centre shall be assisted in the treatment and training of inmates and in the determination of the treatment and training which inmates or a particular inmate of the rehabilitation centre shall receive or undergo or the work to be performed by such inmates or inmate, by the social worker attached to the rehabilitation centre and the medical practitioner, psychiatrist or clinical psychologist who may be attached to or designated to the rehabilitation centre.

Financial aid for
certain institutions
and associations of
persons.

13. (1) The designated member may, out of money appropriated for the purpose by the Coloured Persons Representative Council, make grants—

(a) in respect of the establishment, extension, reconstruction, maintenance, conduct and control of any registered rehabilitation centre or registered hostel; and

(b) to any association of persons approved by the designated member which has as its object the prevention or combating of dependency on dependence-producing substances or the treatment of persons referred to in section 14 (1) or the co-ordination of the activities of different associations of persons in that field.

(2) A grant under subsection (1) shall be subject to the prescribed conditions and to the condition that the books, accounts and records of the registered rehabilitation centre, registered hostel, or association of persons concerned, shall at all times be available for inspection and auditing by any officer in the public service and that a report on the activities of the registered rehabilitation centre, registered hostel or association of persons concerned shall once in every calendar year be submitted to the Commissioner.

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9 (1) bedoel, aangehou of gehuisves word, of wat weier of versuim om aan die Direkteur of bedoelde beampte op sy versoek 'n boek of dokument wat in sy bewaring of onder sy beheer is en wat op die rehabilitasiesentrum, geregistreerde rehabilitasiesentrum, tehuis, geregistreerde tehuis, of sodanige inrigting of woonplek of op 'n inwoner van of persoon wat in 'n rehabilitasiesentrum, geregistreerde rehabilitasiesentrum, tehuis, geregistreerde tehuis, of so 'n inrigting of woonplek aangehou of gehuisves word, betrekking het, voor te lê, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens driehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.

11. (1) Die Kommissaris stel met inagneming van die wetsbepalings op die Staatsdiens 'n vakkundige beampte van die Administrasie van Kleurlingsake aan as Direkteur van Rehabilitasiedienste vir Kleurlinge wat die bevoegdhede en werksaamhede wat by hierdie Wet aan hom verleen of toegewys word, uitoefen of verrig.

Direkteur van Rehabilitasiedienste vir Kleurlinge.

(2) Die Direkteur is onderworpe aan die administratiewe beheer van die Kommissaris.

12. (1) (a) Die Kommissaris kan, met inagneming van die wetsbepalings op die Staatsdiens, die personeel wat vir die behoorlike bestuur en beheer van rehabilitasiesentrums en tehuise nodig is, aanstel en kan vir iedere rehabilitasiesentrum 'n maatskaplike werker as superintendent aanstel.

Personeel van rehabilitasiesentrums en tehuise.

(b) Die werksaamhede, bevoegdhede en pligte van aldus aangestelde persone word voorgeskryf.

(2) Die superintendent van iedere rehabilitasiesentrum word by die behandeling en opleiding van inwoners en by die bepaling van die behandeling en opleiding wat die inwoners of 'n bepaalde inwoner van die rehabilitasiesentrum moet ontvang of ondergaan of die werksaamhede wat bedoelde inwoners of inwoner moet verrig deur die maatskaplike werker verbonde aan die rehabilitasiesentrum en die geneesheer, psigiater of kliniese sielkundige wat aan die rehabilitasiesentrum verbonde of toegewys mag wees, bygestaan.

13. (1) Die aangewese lid kan uit geld wat deur die Verteenwoordigende Kleurlingraad vir die doel beskikbaar gestel is, toekennings doen—

Geldelike hulp aan sekere inrigtings en verenigings van persone.

(a) ten opsigte van die oprigting, uitbreiding, herbouing, instandhouding, bestuur en beheer van enige geregistreerde rehabilitasiesentrum of geregistreerde tehuis; en

(b) aan enige vereniging van persone deur die aangewese lid goedgekeur wat hom ten doel stel die voorkoming of bestryding van afhanklikheid van afhanklikheidsvormende stowwe of die behandeling van die in artikel 14 (1) bedoelde persone of die koördinering van die werksaamhede van verskillende verenigings van persone op daardie gebied.

(2) 'n Toekenning kragtens subartikel (1) gedoen, is onderworpe aan die voorgeskrewe voorwaardes en aan die voorwaarde dat die boeke, rekenings en registers van die betrokke geregistreerde rehabilitasiesentrum, geregistreerde tehuis of vereniging van persone te alle tye vir insae en ouditering deur 'n beampte in die Staatsdiens beskikbaar moet wees en dat 'n verslag oor die werksaamhede van die betrokke geregistreerde rehabilitasiesentrum, geregistreerde tehuis of vereniging van persone een maal elke kalenderjaar aan die Kommissaris voorgelê moet word.

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Procedure for bringing persons eligible for admission to a rehabilitation centre or a registered rehabilitation centre before a magistrate.

14. (1) Whenever there is lodged with or made before a public prosecutor a sworn declaration in writing by any person, including any social worker, alleging that any other person who is within the area of jurisdiction of the magistrate's court to which such prosecutor is attached, is a person who—

- (a) because of his own misconduct or default (which shall be taken to include the squandering of his means by betting, gambling or otherwise) habitually fails to provide for his own support or for that of any dependant whom he is legally liable to maintain; or
- (b) is dependent on dependence-producing substances and in consequence thereof squanders his means or injures his health or endangers the peace or in any other manner does harm to his own welfare or the welfare of his family; or
- (c) habitually begs for money or goods or induces others to beg for money or goods on his behalf; or
- (d) has no sufficient honest means of livelihood; or
- (e) leads an idle, dissolute or disorderly life,

the clerk of the court shall, at the request of the public prosecutor, issue and deliver to a police officer a summons to be served on such person calling on him to appear before a magistrate within such area at a time and place stated therein, or if the public prosecutor does not request the issue of such a summons, a magistrate of the court in question may, on the application of the public prosecutor, issue a warrant directing that such person be arrested and as soon thereafter as practicable be brought before a magistrate within such area.

(2) (a) A public prosecutor shall not, in terms of section (1), request a clerk of the court to issue a summons in respect of any person unless he has obtained from a social worker a report as to the social circumstances of the person concerned and any other relevant matter affecting him.

(b) A public prosecutor shall not, except in such cases as in his opinion are very urgent, in terms of subsection (1) apply to a magistrate for the issue of a warrant for the arrest of any person unless he has obtained in respect of such person such a report as is referred to in paragraph (a) of this subsection.

(c) Where such a report was not obtained before the issue of a warrant, the public prosecutor shall obtain it as soon as possible after the issue of the warrant.

(3) All the provisions of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), of Parliament, relating to the form and manner of execution of warrants of arrest, the service of summonses in criminal cases in inferior courts, the arrest, detention, searching and other treatment necessary for the control of persons named in warrants of arrest, the time to be allowed for appearance in the case of any person summoned and the manner in which persons summoned to appear may be dealt with on failure to appear or to remain in attendance as required, shall *mutatis mutandis* apply in respect of warrants of arrest and summonses issued in terms of this section.

(4) For the purposes of paragraph (e) of subsection (1), a person who does not possess sufficient means to provide for his own needs, or for those of any dependant whom he is legally liable to maintain, shall be deemed to be idle if he is not

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14. (1) Wanneer iemand, met inbegrip van 'n maatskaplike werker, 'n skriftelike beëdigde verklaring by 'n staatsaanklaer indien of voor hom aflê en daar in daardie verklaring beweer word dat 'n ander persoon wat hom binne die regsgebied bevind van die landdroshof waaraan daardie aanklaer verbonde is, iemand is wat—

Prosedure waar- volgens persone wat in 'n rehabilitasie-sentrum of geregi-streerde rehabili-tasie sentrum opge-neem kan word, voor 'n landdros gebring kan word.

(a) weens sy eie wangedrag of versuim (waaronder ook verstaan word die verkwisting van sy vermoë deur weddenskappe, dobbelary of andersins), 'n gewoonte daarvan maak om in gebreke te bly om vir sy eie onderhoud of vir dié van 'n afhanklike vir wie se onderhoud hy regtens verantwoordelik is, te sorg; of

(b) van enige afhanklikheidsvormende stowwe afhanklik is en as gevolg daarvan sy vermoë verkwis of sy gesondheid benadeel of die vrede in gevaar bring of op enige ander manier sy eie welsyn of die welsyn van sy gesin benadeel; of

(c) 'n gewoonte daarvan maak om geld of goedere te bedel of andere beweeg om namens hom geld of goedere te bedel; of

(d) geen voldoende middele het om 'n eerlike bestaan te voer nie; of

(e) 'n ledige, losbandige of wanordelike bestaan voer, moet die klerk van die hof, op versoek van die staatsaanklaer, 'n dagvaarding wat aan so iemand bestel moet word en waarby hy aangesê word om op 'n daarin gestelde tyd en plek voor 'n landdros binne sodanige gebied te verskyn, uitreik en aan 'n polisiebeampte afgee, of as die aanklaer nie die uitreiking van so 'n dagvaarding aanvra nie, kan 'n landdros van die betrokke hof, op aansoek van die staatsaanklaer, 'n lasbrief uitreik waarin beveel word dat so iemand in hegtenis geneem en so spoedig doenlik daarna voor 'n landdros binne sodanige gebied gebring word.

(2) (a) 'n Staatsaanklaer mag nie, ingevolge subartikel (1), 'n klerk van die hof versoek om 'n dagvaarding ten opsigte van enigiemand uit te reik nie tensy hy van 'n maatskaplike werker 'n verslag oor die maatskaplike omstandighede van die betrokke persoon en enige ander tersaaklike aangeleentheid met betrekking tot hom, verkry het.

(b) 'n Staatsaanklaer mag nie, behalwe in gevalle wat na sy mening baie dringend is, ingevolge subartikel (1) aansoek doen by 'n landdros om die uitreiking van 'n lasbrief vir die inhegtenisneming van enigiemand nie tensy hy ten opsigte van so iemand 'n verslag soos dié in paragraaf (a) van hierdie subartikel bedoel, verkry het.

(c) Waar so 'n verslag nie voor die uitreiking van 'n lasbrief verkry is nie, moet die staatsaanklaer dit so spoedig moontlik na die uitreiking van die lasbrief verkry.

(3) Al die bepalings van die Strafproseswet, 1955 (Wet No. 56 van 1955), van die Parlement, met betrekking tot die vorm en manier van uitvoering van lasbriewe vir inhegtenisneming, die betekening van dagvaardings in strafsake in laer howe, die inhegtenisneming, aanhouding, deursoeking en ander behandeling wat nodig is om persone genoem in lasbriewe vir inhegtenisneming in bedwang te hou, die tydperk wat aan 'n gedagvaarde persoon toegestaan moet word om te verskyn en die manier waarop met persone wat gedagvaar is om te verskyn, gehandel kan word as hulle versuim om te verskyn of om teenwoordig te bly soos vereis, is *mutatis mutandis* van toepassing ten opsigte van lasbriewe vir inhegtenisneming en dagvaardings ingevolge hierdie artikel uitgereik.

(4) By die toepassing van paragraaf (e) van subartikel (1) word 'n persoon wat nie voldoende middele besit om in sy eie behoeftes of in dié van 'n afhanklike vir wie se onderhoud hy regtens verantwoordelik is, te voorsien nie, geag ledig te wees

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Committal of persons to rehabilitation centre or registered rehabilitation centre after enquiry.

regularly engaged in remunerated work unless he is prevented from working by illness or mental disorder or by any other circumstances beyond his control.

15. (1) (a) Subject to the provisions of this section, a magistrate before whom any person is brought in terms of section 14 (1) shall, in the presence of that person, enquire whether he is such a person as is described in that section.

(b) The magistrate presiding at the enquiry may summon to his assistance a social worker or a social worker and a medical practitioner or psychiatrist or clinical psychologist to sit with him as assessor or assessors at the enquiry.

(c) The provisions of section 93ter of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), of Parliament, shall *mutatis mutandis* apply in respect of an enquiry in terms of this section where the magistrate has summoned an assessor or assessors under paragraph (b) of this subsection.

(d) A public prosecutor, or some other fit and proper person designated by the magistrate concerned, shall appear at the enquiry and such prosecutor or other person may call witnesses and cross-examine witnesses who give evidence at the enquiry.

(e) The person in respect of whom the enquiry is held shall be entitled to be represented by an advocate or attorney and he or his legal representative shall be entitled to cross-examine any witness and to call his own witnesses and he may give evidence himself and he or his legal representative may show cause why an order should not be made under subsection (6) in respect of him.

(2) Save as is otherwise provided in this Law, the laws governing criminal trials in magistrates' courts shall *mutatis mutandis* apply in respect of securing the attendance of witnesses at such enquiry, the examination of witnesses, the recording of evidence, the payment of allowances to witnesses and the production of books, documents and things.

(3) (a) No person whose presence is not necessary, shall be present at the enquiry, except with the consent of the magistrate.

(b) The provisions of section 156 (1) of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), of Parliament, in so far as they relate to the holding of a criminal trial in the absence of an accused person, shall *mutatis mutandis* apply in respect of an enquiry held in terms of this section.

(c) The provisions of section 108 of the said Magistrates' Courts Act, 1944, shall *mutatis mutandis* apply in respect of proceedings in connection with an enquiry held in terms of this section as if those proceedings were proceedings in a court contemplated in the said section 108.

(d) Any person who at such an enquiry gives false evidence knowing it to be false, or not knowing or believing it to be true, shall be guilty of an offence and liable on conviction to the penalties prescribed by law for perjury.

(4) The magistrate holding the enquiry—

(a) shall before he makes any order under subsection (6), direct the public prosecutor or other person appearing at the enquiry in terms of subsection (1) (d), to submit to him the report obtained from a social worker in terms of section 14 (2); and

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as hy nie gereeld betaalde werk verrig nie, tensy hy deur siekte of geestesongesteldheid of deur enige ander omstandigheid buite sy beheer verhinder word om te werk.

15. (1) (a) Behoudens die bepalings van hierdie artikel, moet 'n landdros voor wie iemand ingevolge artikel 14 (1) gebring word, in die aanwesigheid van daardie persoon, ondersoek instel na die vraag of hy so iemand is as wat in daardie artikel bedoel word.
- (b) Die landdros wat by die ondersoek voorsit, kan 'n maatskaplike werker of 'n maatskaplike werker en 'n geneesheer of psigiater of kliniese sielkundige oproep om hom by te staan en om as assessor of assessors saam met hom by die ondersoek sitting te neem.
- (c) Die bepalings van artikel 93ter van die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944), van die Parlement, is *mutatis mutandis* van toepassing ten opsigte van 'n ondersoek ingevolge hierdie artikel in die geval waar die landdros 'n assessor of assessors kragtens paragraaf (b) van hierdie subartikel opgeroep het.
- (d) 'n Staatsaanklaer, of 'n ander geskikte en bevoegde persoon deur die betrokke landdros aangewys, verskyn by die ondersoek en sodanige aanklaer of ander persoon kan getuies oproep en getuies wat by die ondersoek getuienis aflê, onder kruisverhoor neem.
- (e) Die persoon ten opsigte van wie die ondersoek gehou word, is geregtig om deur 'n advokaat of prokureur verteenwoordig te word en hy of sy regsverteenvoerder is geregtig om enige getuie onder kruisverhoor te neem en sy eie getuies op te roep en hy kan self getuienis aflê en hy of sy regsverteenvoerder kan redes aanvoer waarom 'n bevel nie kragtens subartikel (6) ten opsigte van hom uitgereik moet word nie.
- (2) Behoudens andersluidende bepalings van hierdie Wet, is die regsbepalings aangaande strafverhoor in landdroshowe *mutatis mutandis* van toepassing ten opsigte van die verkryging van die aanwesigheid van getuies by bedoelde ondersoek, die ondervraging van getuies, die afneem van getuienis, die betaling van toelaes aan getuies en die oorlegging van boeke, dokumente en sake.
- (3) (a) Geen persoon wie se aanwesigheid nie nodig is, is by bedoelde ondersoek aanwesig nie behalwe met die toestemming van die landdros.
- (b) Die bepalings van artikel 156 (1) van die Strafproseswet, 1955 (Wet No. 56 van 1955), van die Parlement, vir sover hulle betrekking het op die hou van 'n strafverhoor in die afwesigheid van 'n beskuldigde persoon, is *mutatis mutandis* van toepassing ten opsigte van 'n ondersoek wat ingevolge hierdie artikel gehou word.
- (c) Die bepalings van artikel 108 van die genoemde Wet op Landdroshowe, 1944, is *mutatis mutandis* van toepassing ten opsigte van verrigtings in verband met 'n ondersoek wat ingevolge hierdie artikel gehou word asof daardie verrigtings die verrigtings was van 'n hof in bedoelde artikel 108 beoog.
- (d) Iemand wat by so 'n ondersoek valse getuienis aflê, met die wete dat dit vals is of terwyl hy nie weet of glo dat dit juis is nie, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met die strawwe wat regtens vir meened voorgeskryf is.
- (4) Die landdros wat die ondersoek hou—
- (a) moet, voordat hy 'n bevel kragtens subartikel (6) uitreik, die staatsaanklaer of ander persoon wat ingevolge subartikel (1) (d) by die ondersoek verskyn, gelas om aan hom die verslag, wat van 'n maatskaplike werker ingevolge artikel 14 (2) verkry is, voor te lê; en

Verwysing van persone na rehabilitasiesentrum of geregi-streerde rehabilitasiesentrum na ondersoek.

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(b) may direct that the person in respect of whom the enquiry is being held be examined by a district surgeon or by a psychiatrist or clinical psychologist designated by the magistrate and cause all steps (including the use of force) which may be necessary for the carrying out of such examination to be taken and may call upon the district surgeon or the psychiatrist or clinical psychologist to furnish him with a report showing the results of the examination.

(5) The contents of any report submitted or furnished in terms of subsection (4) shall be disclosed to the person concerned and he or his legal representative shall be given an opportunity, if he so desires, of cross-examining the person by whom it was made in relation to any matter arising out of the report and of refuting any allegation contained therein.

(6) If it appears to the magistrate, on consideration of the evidence and of any report submitted or furnished to him in terms of subsection (4)—

(a) that the person concerned is such a person as is described in section 14 (1); and

(b) that he is a type of person who requires and would probably benefit by the treatment and training provided in a rehabilitation centre or registered rehabilitation centre; or

(c) that it would be in his own interest or in the interest of his dependants (if any) or in the interest of the community, that he be detained in a rehabilitation centre or registered rehabilitation centre,

he may, subject to the provisions of section 16, order that the person concerned be detained in a rehabilitation centre or registered rehabilitation centre designated by the Director.

(7) The magistrate may, pending the removal of such person to a rehabilitation centre or registered rehabilitation centre, as the case may be, order that he be detained in custody or released on bail as provided in section 17 (1).

Postponement of order.

16. (1) If it appears to a magistrate at an enquiry in terms of section 15 that the person in respect of whom the enquiry is being held is such a person as is referred to in subsection (6) of that section, the magistrate may in his discretion make an order postponing, for a period not exceeding three years, the making of an order under that subsection and release the person concerned on condition—

(a) that he shall submit himself to supervision by a social worker;

(b) that he shall undergo any prescribed treatment; and

(c) that he shall comply with such prescribed requirements as the magistrate may determine.

(2) Any magistrate may, after consideration of a report by a social worker, at any time unconditionally discharge any person in respect of whom the making of an order has been postponed under this section.

(3) Where the making of an order has been postponed for a period of less than three years, any magistrate may, after consideration of a report by a social worker, at any time before the expiration of such period make an order extending the period of postponement for such further period, not exceeding the difference between three years and the period for which the making of the order has been postponed, as he may deem fit.

(4) If at the end of the period for which the making of an order has been postponed under this section, any magistrate is satisfied that the person concerned has observed all the conditions subject to which he was released, that magistrate shall unconditionally discharge him.

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(b) kan gelas dat die persoon ten opsigte van wie die ondersoek gehou word deur 'n distriksgeneesheer of deur 'n deur die landdros aangewese psigiater of kliniese sielkundige ondersoek word en alle stappe laat doen (met inbegrip van die gebruik van dwang) wat nodig is om sodanige ondersoek uit te voer en kan die distriksgeneesheer of die psigiater of kliniese sielkundige aansê om aan hom 'n verslag te verstrek aangaande die uitslag van die ondersoek.

(5) Die inhoud van 'n verslag ingevolge subartikel (4) voorgelê of verstrek, moet aan die betrokke persoon meegedeel word en, as hy dit verlang, moet hy of sy regsvertegenwoordiger in die geleentheid gestel word om die persoon wat verslag gedoen het onder kruisverhoor te neem met betrekking tot enige aangeleentheid wat uit die verslag voortspruit, en om enige bewering wat daarin voorkom, te weerlê.

(6) As dit, na oorweging van die getuienis en van enige verslag wat ingevolge subartikel (4) aan hom voorgelê of verstrek is, aan die landdros blyk—

(a) dat die betrokke persoon so iemand is as wat in artikel 14 (1) bedoel word; en

(b) dat hy 'n soort persoon is wat die opleiding en behandeling wat in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum voorsien word, nodig het en waarskynlik daarby sal baat; of

(c) dat dit in sy eie belang of in belang van sy afhanklikes (as daar is) of in belang van die gemeenskap sou wees om hom in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum aan te hou,

kan hy, behoudens die bepalinge van artikel 16, beveel dat die betrokke persoon in 'n deur die Direkteur aangewese rehabilitasiesentrum of geregistreerde rehabilitasiesentrum aangehou word.

(7) Die landdros kan, in afwagting van die verwydering van bedoelde persoon na 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum, na gelang van die geval, beveel dat hy in bewaring aangehou of op borgtog vrygelaat word soos in artikel 17 (1) bepaal word.

16. (1) As dit by 'n ondersoek ingevolge artikel 15 aan 'n landdros blyk dat die persoon ten opsigte van wie die ondersoek gehou word so 'n persoon is soos in subartikel (6) van daardie artikel bedoel word, kan die landdros, na goeë dunde, 'n bevel uitreik waarby hy die uitreiking van 'n bevel kragtens daardie subartikel vir 'n tydperk van hoogstens drie jaar uitstel, en die betrokke persoon vrystel op voorwaarde—

(a) dat hy homself aan toesig deur 'n maatskaplike werker moet onderwerp;

(b) dat hy enige voorgeskrewe behandeling moet ondergaan; en

(c) dat hy aan die voorgeskrewe vereistes wat die landdros bepaal, moet voldoen.

(2) Enige landdros kan, na oorweging van 'n verslag van 'n maatskaplike werker, te eniger tyd enige persoon ten opsigte van wie die uitreiking van 'n bevel kragtens hierdie artikel uitgestel is, onvoorwaardelik ontslaan.

(3) Waar die uitreiking van 'n bevel vir 'n tydperk van minder as drie jaar uitgestel is, kan enige landdros na oorweging van 'n verslag deur 'n maatskaplike werker, te eniger tyd voor die verstryking van bedoelde tydperk 'n bevel uitreik waarby die tydperk van uitstel verleng word vir die verdere tydperk wat hy goeëvind, maar nie langer as die verskil tussen drie jaar en die tydperk waarvoor die uitreiking van die bevel uitgestel is.

(4) Indien enige landdros, na afloop van die tydperk waarvoor die uitreiking van 'n bevel kragtens hierdie artikel uitgestel is, oortuig is dat die betrokke persoon al die voorwaardes onderworpe waaraan hy vrygestel is, nagekom het, moet die landdros hom onvoorwaardelik ontslaan.

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- (5) (a) If a person in respect of whom the making of an order has been postponed under this section fails to comply with any of the conditions subject to which he was released, he may, upon the order of any magistrate, be arrested without warrant by any police officer or social worker, and any magistrate may then make an order under section 15 (6) as if the making of such an order had never been postponed.
- (b) Any person arrested in terms of paragraph (a) of this subsection may be detained in custody in any place referred to in paragraph (a) of section 17 (1) until he can be brought before a magistrate.
- (c) The provisions of section 17 (2) shall *mutatis mutandis* apply in respect of any person detained in custody, in a place referred to in the said section, under paragraph (b) of this subsection.

Temporary custody of persons pending enquiry or removal to rehabilitation centre or registered rehabilitation centre.

17. (1) (a) A magistrate holding an enquiry in terms of section 15 may, if he deems it necessary or expedient, postpone or adjourn the enquiry from time to time for periods not exceeding fourteen days at any one time and may, in his discretion, order that, during the postponement or adjournment, the person concerned be detained in custody in a rehabilitation centre, registered rehabilitation centre, prison, police cell or lock-up or other place regarded by the magistrate as suitable, or if the person concerned is under the age of eighteen years, in a place of safety as defined in section 1 of the Children's Act, 1960 (Act No. 33 of 1960), of Parliament, or be released on bail *mutatis mutandis* as if he were a person whose trial on a criminal charge in a magistrate's court had been postponed or adjourned.
- (b) Pending the removal to a rehabilitation centre or registered rehabilitation centre of any person against whom an order has been made under section 15 (6), he may be detained in custody or released on bail as provided in paragraph (a) of this subsection, as if he were such a person as is referred to therein.
- (c) No person shall in terms of this subsection be detained in custody in a police cell or lock-up for a continuous period of longer than twenty-eight days.

(2) The designated member may, out of money appropriated for the purpose by the Coloured Persons Representative Council, contribute towards the maintenance of any person who is in terms of subsection (1), detained in a registered rehabilitation centre, registered hostel, children's home or any other place which is not maintained by the State.

Appeals against and reviews of certain orders.

18. The law relating to appeals and any form of review in criminal cases shall *mutatis mutandis* apply in respect of any order made under section 15, 16 or 17 as if such order were a sentence passed by a magistrate's court in a criminal case.

Detention in rehabilitation centre or registered rehabilitation centre.

19. (1) Any person who has been ordered to be detained in a rehabilitation centre or registered rehabilitation centre under section 15 or who has been transferred or admitted to a rehabilitation centre or registered rehabilitation centre in terms of the provisions of this Law, shall be detained in the rehabilitation centre or registered rehabilitation centre concerned until he is released on licence or discharged therefrom or transferred or returned to any other institution in terms of any provision of this Law.

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(5) (a) Indien 'n persoon ten opsigte van wie die uitreiking van 'n bevel kragtens hierdie artikel uitgestel is, versuim om te voldoen aan enige van die voorwaardes onderworpe waaraan hy vrygestel is, kan hy, op bevel van 'n landdros, sonder lasbrief in hegtenis geneem word deur enige polisiebeampte of maatskaplike werker, en enige landdros kan dan 'n bevel kragtens artikel 15 (6) uitreik asof die uitreiking van so 'n bevel noot uitgestel was nie.

(b) Enigiemand wat ingevolge paragraaf (a) van hierdie subartikel in hegtenis geneem is, kan in bewaring aangehou word in enige in paragraaf (a) van artikel 17 (1) bedoelde plek totdat hy voor 'n landdros gebring kan word.

(c) Die bepalinge van artikel 17 (2) is *mutatis mutandis* van toepassing ten opsigte van iemand wat kragtens paragraaf (b) van hierdie subartikel in 'n in genoemde artikel bedoelde plek in bewaring aangehou word.

17. (1) (a) 'n Landdros wat 'n ondersoek ingevolge artikel 15 hou, kan, indien hy dit nodig of dienstig ag, die ondersoek van tyd tot tyd uitstel of verdaag vir tydperke van hoogstens veertien dae op enige een keer, en kan, na goeë dunks, beveel dat die betrokke persoon, gedurende die uitstel of verdaging, in bewaring aangehou word in 'n rehabilitasiesentrum, geregistreerde rehabilitasiesentrum, gevangenis, polisiecel of -opsluitplek of 'n ander plek wat die landdros geskik ag, of indien die betrokke persoon jonger as agtien jaar oud is, in 'n plek van veiligheid soos omskryf in artikel 1 van die Kinderwet, 1960 (Wet No. 33 van 1960), van die Parlement, of dat hy op borgtog vrygelaat word *mutatis mutandis* asof hy iemand was wie se verhoor op 'n strafregtelike aanklag in 'n landdroshof uitgestel of verdaag is.

Tydlike bewaring van persone hangende ondersoek of verwydering na rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

(b) In afwagting van die verwydering na 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum van enige persoon teen wie 'n bevel kragtens artikel 15 (6) uitgereik is, kan hy in bewaring aangehou word of op borgtog vrygelaat word soos in paragraaf (a) van hierdie subartikel bepaal asof hy so 'n persoon was soos daarin bedoel word.

(c) Niemand mag ingevolge hierdie subartikel vir 'n ononderbroke tydperk van langer as agt-en-twintig dae in 'n polisiecel of -opsluitplek in bewaring aangehou word nie.

(2) Die aangewese lid kan uit geld wat deur die Verteenwoordigende Kleurlingraad vir die doel beskikbaar gestel is, bydra tot die onderhoud van enigiemand wat ingevolge subartikel (1) in 'n geregistreerde rehabilitasiesentrum, geregistreerde tehuis, kinderskool of enige ander plek wat nie deur die Staat in stand gehou word nie, aangehou word.

18. Die wetsbepalinge met betrekking tot appèlle en enige vorm van hersiening in strafsake is *mutatis mutandis* van toepassing ten opsigte van enige kragtens artikel 15, 16 of 17 uitgereikte bevel, asof so 'n bevel 'n vonnis is deur 'n landdroshof in 'n strafsake gevel.

Appèlle teen en hersiening van sekere bevels.

19. (1) Iemand wie se aanhouding in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum kragtens artikel 15 bevel is, of wat ingevolge die bepalinge van hierdie Wet na 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum oorgeplaas of daarin opgeneem is, word in die betrokke rehabilitasiesentrum of geregistreerde rehabilitasiesentrum aangehou totdat hy ingevolge die een of ander bepaling van hierdie Wet daaruit met vergunning vrygelaat of ontslaan is of na 'n ander inrigting oorgeplaas of teruggeplaas is.

Aanhouding in rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

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(2) The superintendent of a rehabilitation centre or the management of a registered rehabilitation centre shall—

- (a) notify the Director when an inmate is released on licence in terms of the provisions of this Law and of the particulars of such release;
- (b) if an inmate has, after the expiration of a period of twelve months after the making of an order under section 15 (6), not yet been discharged or released on licence from the rehabilitation centre or registered rehabilitation centre concerned, fully report to the Director and advance reasons why such inmate should not be so discharged or released and shall, every six months thereafter, if such inmate has not been so discharged or released, advance further reasons why he should not be so discharged or released.

(3) The Director may at any time and shall, if the designated member so directs, discharge an inmate from the provisions of this Law.

(4) The discharge of an inmate from the provisions of this Law shall not preclude the subsequent committal or transfer of the person concerned to a rehabilitation centre or registered rehabilitation centre.

Establishment and functions of National Advisory Board on Rehabilitation Matters for Coloured Persons.

20. (1) The designated member may establish a board to be known as the National Advisory Board on Rehabilitation Matters for Coloured Persons, which may exercise the powers and shall perform the functions conferred on or assigned to it by this Law.

(2) (a) The board shall consist of so many members, not exceeding nine, as the designated member may from time to time determine, and such members shall be appointed by the designated member.

(b) Two of the members of the board shall be officers of the Administration of Coloured Affairs, of whom one shall be the Director, and the other members of the board shall be persons who in the opinion of the designated member have expert or special knowledge of the problem relating to the abuse of dependence-producing substances or who are able to make a substantial contribution to the combating of such problem.

(3) (a) A member of the board shall be appointed for such period not exceeding five years, and upon such conditions, as the designated member may determine at the time of making the appointment: Provided that the period of office of a member may be terminated at any time if in the opinion of the designated member there are good reasons for doing so.

(b) A member of the board shall on the expiration of the period for which he was appointed, be eligible for reappointment.

(4) If the office of any member of the board becomes vacant before the expiration of the period for which he was appointed, the designated member shall, subject to the applicable provisions of subsection (2) (b), appoint another person to hold office as member for the unexpired portion of the period for which his predecessor was appointed.

(5) Any member of the board who is not an officer in the public service, may, while he is engaged upon the business of the board, be paid, out of money appropriated for the purpose by the Coloured Persons Representative Council, such fees or travelling and subsistence allowance as the Minister may in consultation with the chairman of the executive determine.

(6) (a) The designated member shall designate one of the two officers of the Administration of Coloured Affairs appointed as members of the board who is not the Director, as the chairman thereof, and the Director as the vice-chairman thereof.

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(2) Die superintendent van 'n rehabilitasiesentrum of die bestuur van 'n geregistreerde rehabilitasiesentrum moet—

(a) die Direkteur in kennis stel wanneer 'n inwoner ingevolge die bepalings van hierdie Wet met vergunning vrygelaat word en van die besonderhede van sodanige vrylating;

(b) indien 'n inwoner na die verstryking van 'n tydperk van twalf maande na die uitvaardiging van 'n bevel kragtens artikel 15 (6) nog nie uit die betrokke rehabilitasiesentrum of geregistreerde rehabilitasiesentrum ontslaan of met vergunning vrygelaat is nie, volledig verslag aan die Direkteur doen en redes aanvoer waarom sodanige inwoner nie aldus ontslaan of vrygelaat behoort te word nie en moet iedere ses maande daarna, indien sodanige inwoner nog nie aldus ontslaan of vrygelaat is nie, verdere redes aanvoer waarom hy nie aldus ontslaan of vrygelaat behoort te word nie.

(3) Die Direkteur kan te eniger tyd, en moet, indien die aangewese lid aldus gelas, 'n inwoner van die bepalings van hierdie Wet onthef.

(4) Die ontheffing van 'n inwoner van die bepalings van hierdie Wet verhinder nie die latere verwysing of oorplasing van die betrokke persoon na 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum nie.

20. (1) Die aangewese lid kan 'n raad instel, wat die Nasionale Adviserende Raad oor Rehabilitasieaangeleenthede vir Kleurlinge heet en die bevoegdheid kan uitoefen en die werksaamhede moet verrig wat by hierdie Wet aan daardie raad verleen of toegewys word.

Instelling en funksies van Nasionale Adviserende Raad oor Rehabilitasieaangeleenthede vir Kleurlinge.

(2) (a) Die raad bestaan uit soveel lede, maar hoogstens nege, as wat die aangewese lid van tyd tot tyd bepaal, en die lede word deur die aangewese lid aangestel.

(b) Twee van die lede van die raad moet beamptes van die Administrasie van Kleurlingsake wees van wie een die Direkteur is, en die ander lede van die raad moet persone wees wat na die oordeel van die aangewese lid oor deskundige of besondere kennis van die vraagstuk met betrekking tot die misbruik van afhanklikheidsvormende stowwe beskik of in staat is om 'n wesenlike bydrae tot die bestryding van dié vraagstuk te lewer.

(3) (a) 'n Lid van die raad word aangestel vir die tydperk, maar wat hoogstens vyf jaar is, en op die voorwaardes, wat die aangewese lid ten tyde van die aanstelling bepaal: Met dien verstande dat die ampstermyn van 'n lid te enige tyd beëindig kan word indien na die oordeel van die aangewese lid goeie redes daarvoor bestaan.

(b) 'n Lid van die raad kan by verstryking van die tydperk waarvoor hy aangestel is, weer aangestel word.

(4) Indien die amp van 'n lid van die raad vakant raak voor die verstryking van die tydperk waarvoor hy aangestel is, moet die aangewese lid, met inagneming van die toepaslike bepalings van subartikel (2) (b), 'n ander persoon aanstel, wat die amp van lid beklee vir die onverstreke gedeelte van die tydperk waarvoor sy voorganger aangestel was.

(5) Daar kan aan 'n lid van die raad wat nie 'n beampte in die Staatsdiens is nie, terwyl hy sake van die raad verrig, uit geld wat deur die Verteenwoordigende Kleurlingraad vir die doel beskikbaar gestel is, die gelde of reis- en onderhoudstoelae betaal word wat die Minister in oorleg met die voorsitter van die uitvoerende bestuur bepaal.

(6) (a) Die aangewese lid moet een van die twee beamptes van die Administrasie van Kleurlingsake wat as lede van die raad aangestel is en wat nie die Direkteur is nie, as die voorsitter daarvan, en die Direkteur as die onder-voorsitter daarvan, aanwys.

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(b) The vice-chairman shall, when acting in the place of the chairman, in all respects have all the powers and perform all the duties of the chairman.

(7) In the event of both the chairman and the vice-chairman being absent at any meeting of the board, the members present at the meeting shall elect one of their number to preside at such meeting.

(8) The first meeting of the board shall be held at a time and place to be determined by the designated member, and subsequent meetings shall be held at least twice every year and at such times and places as the chairman may determine.

(9) The board shall, as soon as may be practicable after it has been established, frame rules governing its quorum, the procedure at meetings and, generally, the conduct of its business, and may from time to time amend or revoke any such rules.

(10) The Commissioner may designate any officer of the Administration of Coloured Affairs to act as secretary of the board.

(11) (a) The board shall at least twice every five years and whenever requested by the designated member to do so, submit to the designated member a report on its activities.

(b) Any such report shall be submitted to the Coloured Persons Representative Council within fourteen days after receipt by the designated member if the Coloured Persons Representative Council is then in session or, if the Coloured Persons Representative Council is not then in session, within fourteen days after the commencement of its next ensuing session.

Powers and functions of National Advisory Board on Rehabilitation Matters for Coloured Persons.

21. The board—

(a) shall advise the designated member in regard to any matter affecting the abuse of dependence-producing substances which he may refer to it for its advice and may advise the designated member in regard to any matter upon which the board considers it necessary to advise the designated member;

(b) may plan and co-ordinate measures in connection with the combating of the abuse of dependence-producing substances and the treatment of persons dependent on such substances;

(c) may plan and recommend to the designated member research in the field of the abuse of dependence-producing substances and may give guidance to other bodies conducting such research;

(d) may visit and inspect any rehabilitation centre, registered rehabilitation centre, hostel or registered hostel from time to time and may interrogate any person accommodated therein and demand and inspect any book or document relating to such person;

(e) shall report to the designated member its findings in connection with an inspection referred to in paragraph (d), and may recommend to the designated member the discharge of any inmate from a rehabilitation centre or registered rehabilitation centre;

(f) may exercise such powers and shall perform such functions as the designated member may from time to time determine.

Transfer of inmates from and to rehabilitation centres and registered rehabilitation centres.

22. (1) Subject to the provisions of subsection (2), the Director may at any time after consultation with the managements concerned—

(a) transfer an inmate, other than a voluntary inmate, from one rehabilitation centre to another rehabilitation centre; or

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(b) Terwyl die ondervoorsitter in die plek van die voorsitter optree, het hy in alle opsigte al die bevoegdhede en vervul hy al die pligte van die voorsitter.

(7) Ingeval sowel die voorsitter as die ondervoorsitter op 'n vergadering van die raad afwesig is, kies die lede wat by die vergadering aanwesig is een uit hul midde om op die vergadering voor te sit.

(8) Die eerste vergadering van die raad word gehou op 'n tyd plek wat die aangewese lid bepaal, en daaropvolgende vergaderings word, minstens twee keer elke jaar, gehou op die tyd en plekke wat die voorsitter bepaal.

(9) Die raad moet, so spoedig doenlik na sy instelling, reëls opstel ter reëling van sy kworum, die prosedure op vergaderings en, oor die algemeen, die verrigting van sy werksaamhede, en kan van tyd tot tyd sodanige reëls wysig of intrek.

(10) Die Kommissaris kan 'n beamppte van die Administrasie van Kleurlingsake aanwys om as sekretaris van die raad op te tree.

(11) (a) Die raad moet, minstens twee keer elke vyf jaar en wanneer hy deur die aangewese lid versoek word om dit te doen, 'n verslag oor sy werksaamhede aan die aangewese lid voorlê.

(b) Enige sodanige verslag moet aan die Verteenwoordigende Kleurlingraad voorgelê word binne veertien dae na ontvangs daarvan deur die aangewese lid as die Verteenwoordigende Kleurlingraad dan in sitting is, of as die Verteenwoordigende Kleurlingraad nie dan in sitting is nie, binne veertien dae na die aanvang van sy eersvolgende sessie.

21. Die raad—

(a) moet die aangewese lid van advies dien met betrekking tot enige aangeleentheid rakende die misbruik van afhanklikheidsvormende stowwe wat hy na die raad vir sy advies verwys en kan die aangewese lid van advies dien met betrekking tot enige aangeleentheid waarvoor die raad dit nodig ag om die aangewese lid te adviseer;

(b) kan maatreëls met betrekking tot die bestryding van die misbruik van afhanklikheidsvormende stowwe en die behandeling van persone wat van sodanige stowwe afhanklik is, beplan en koördineer;

(c) kan navorsing op die gebied van die misbruik van afhanklikheidsvormende stowwe beplan en by die aangewese lid aanbeveel en aan ander liggame wat sodanige navorsing doen, leiding gee;

(d) kan enige rehabilitasiesentrum, geregistreerde rehabilitasiesentrum, tehuis of geregistreerde tehuis van tyd tot tyd besoek en inspekteer en enige persoon wat daarin gehuisves word, ondervra en enige boek of dokument wat op so 'n persoon betrekking het, opeis en ondersoek;

(e) moet aan die aangewese lid verslag doen oor sy bevindings na aanleiding van 'n in paragraaf (d) bedoelde inspeksie en by die aangewese lid die ontslag van enige inwoner uit 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum aanbeveel;

(f) kan die bevoegdhede uitoefen en moet die werksaamhede verrig wat die aangewese lid van tyd tot tyd bepaal.

Bevoegdhede en werksaamhede van Nasionale Advise-rende Raad oor Rehabilitasieaan-geleenthede vir Kleurlinge.

22. (1) Behoudens die bepalinge van subartikel (2), kan die Direkteur te eniger tyd, na oorlegpleging met die betrokke besture—

(a) 'n ander inwoner as 'n vrywillige inwoner van een rehabilitasiesentrum na 'n ander rehabilitasiesentrum oorplaas; of

Oorplasing van inwoners van en na rehabilitasie-sentrums en geregi-streerde rehabili-tasiesentrums.

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(b) transfer an inmate, other than a voluntary inmate, from a rehabilitation centre to a registered rehabilitation centre and *vice versa*; or

(c) transfer an inmate, other than a voluntary inmate, from one registered rehabilitation centre to another registered rehabilitation centre,

if the inmate concerned will in his opinion benefit or probably benefit by the treatment or training provided at the rehabilitation centre or registered rehabilitation centre to which he is so transferred.

(2) No person admitted to a rehabilitation centre under section 23 shall be transferred under this section to a registered rehabilitation centre.

Admission of persons from prison to rehabilitation centre or registered rehabilitation centre.

23. (1) If—

(a) the Minister of Prisons requests from the Minister the admission to a rehabilitation centre or registered rehabilitation centre of any person who is undergoing a term of imprisonment in any prison within the meaning of the Prisons Act, 1959 (Act No. 8 of 1959), of Parliament; and

(b) in the opinion of the designated member—

(i) it is desirable that such person should, before he is returned to the community, receive treatment or training in a rehabilitation centre or registered rehabilitation centre; and

(ii) such person is a type of person who will or will probably benefit by the particular kind of treatment and training provided in a rehabilitation centre or registered rehabilitation centre,

such person may, with the consent of the designated member, granted with the approval of the Minister, be admitted to a rehabilitation centre or registered rehabilitation centre designated by the Director.

(2) No person shall be admitted to a rehabilitation centre or registered rehabilitation centre under subsection (1) if the period between the date contemplated for his admission and the latest date until which he could, but for the admission, have been detained in prison is less than six months and if he has at the time of such admission served more than six months of the sentence which he is then serving.

(3) If any person admitted to a rehabilitation centre or registered rehabilitation centre under subsection (1) is discharged or deemed to be discharged from the provisions of the said Prisons Act, 1959, he shall become subject, *mutatis mutandis*, to all the provisions of this Law as if he had in the first instance been committed to a rehabilitation centre under this Law.

Readmission of persons from rehabilitation centre or registered rehabilitation centre to prison.

24. (1) If the designated member is of opinion, on representations made to him by the Director, that any person admitted to a rehabilitation centre or registered rehabilitation centre under section 23 has proved to be unsuited to or is not likely to benefit by the kind of treatment and training provided in a rehabilitation centre or registered rehabilitation centre, the designated member may, with the approval of the Minister, consent to such person being discharged from such rehabilitation centre or registered rehabilitation centre for admission to any prison within the meaning of the Prisons Act, 1959 (Act No. 8 of 1959), of Parliament, in accordance with the provisions of that Act.

(2) Any inmate so admitted to a prison, shall be deemed to be discharged from the provisions of this Law.

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(b) 'n ander inwoner as 'n vrywillige inwoner van 'n rehabilitasiesentrum na 'n geregistreerde rehabilitasiesentrum, en andersom, oorplaas; of

(c) 'n ander inwoner as 'n vrywillige inwoner van een geregistreerde rehabilitasiesentrum na 'n ander geregistreerde rehabilitasiesentrum oorplaas,

indien die betrokke inwoner na sy oordeel, by die behandeling of opleiding wat by die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum waarheen hy aldus oorgeplaas word, sal baat of waarskynlik sal baat.

(2) Niemand wat kragtens artikel 23 in 'n rehabilitasiesentrum opgeneem is, word kragtens hierdie artikel na 'n geregistreerde rehabilitasiesentrum oorgeplaas nie.

23. (1) Indien—

(a) die Minister van Gevangenisse die Minister versoek dat iemand wat 'n tydperk van gevangenisstraf in 'n gevangenis binne die bedoeling van die Wet op Gevangenis, 1959 (Wet No. 8 van 1959), van die Parlement, uitdien, in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem word; en

(b) na die oordeel van die aangewese lid—

(i) dit wenslik is dat so iemand behandeling of opleiding in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum moet ontvang of ondergaan voordat hy weer op vrye voet gestel word; en

(ii) so iemand so 'n soort persoon is wat by die besondere soort behandeling en opleiding wat in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum voorsien word, baat sal vind of waarskynlik baat sal vind,

kan so iemand met die toestemming van die aangewese lid, verleen met die goedkeuring van die Minister, opgeneem word in 'n deur die Direkteur aangewese rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

(2) Niemand word kragtens subartikel (1) in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem nie as die tydperk tussen die datum wat vir sy opname beoog word, en die laaste datum tot wanneer hy in die gevangenis aangehou sou kon gewees het, as die opname nie plaasgevind het nie, minder as ses maande is en as hy ten tyde van sodanige opname meer as ses maande van die vonnis wat hy dan uitdien, uitge dien het.

(3) Indien iemand wat kragtens subartikel (1) in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem is, van die bepalings van gemelde Wet op Gevangenis, 1959, onthef word of geag onthef te wees, word hy *mutatis mutandis* aan al die bepalings van hierdie Wet onderworpe gestel asof hy in die eerste instansie kragtens hierdie Wet na 'n rehabilitasiesentrum verwys was.

24. (1) Indien die aangewese lid van mening is op grond van verhoë deur die Direkteur tot hom gerig, dat 'n persoon kragtens artikel 23 in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem geblyk het ongeskik te wees vir die soort opleiding en behandeling wat in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum voorsien word of dat hy waarskynlik nie daarby sal baat nie, kan die aangewese lid met die goedkeuring van die Minister toestem dat so iemand uit sodanige rehabilitasiesentrum of geregistreerde rehabilitasiesentrum ontslaan word vir opname ooreenkomstig die bepalings van die Wet op Gevangenis, 1959 (Wet No. 8 van 1959), van die Parlement, in 'n gevangenis binne die bedoeling van daardie Wet.

(2) 'n Inwoner wat in 'n gevangenis aldus opgeneem is, word geag van die bepalings van hierdie Wet onthef te wees.

Opname van persone uit gevangenis in rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

Heropname van persone uit rehabilitasiesentrum of geregistreerde rehabilitasiesentrum in gevangenis.

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(3) For the purpose of calculating the period for which a person so admitted to a prison shall be detained therein under the sentence passed upon him, the period between the date of his admission to a rehabilitation centre or registered rehabilitation centre and the date of his admission to that prison shall count as part of his sentence.

Admission of persons from children's home, school of industries or reform school to rehabilitation centre or registered rehabilitation centre.

25. (1) If—

(a) the Minister requests from the designated member the admission to a rehabilitation centre or registered rehabilitation centre of any person who is undergoing a period of detention in a children's home, school of industries or reform school; and

(b) in the opinion of the designated member—

(i) it is desirable that such person should, before he is returned to the community, receive treatment or training in a rehabilitation centre or registered rehabilitation centre; and

(ii) such person is a type of person who will or will probably benefit by the particular kind of treatment and training provided in a rehabilitation centre or registered rehabilitation centre, such person may, with the consent of the designated member, be admitted to a rehabilitation centre or registered rehabilitation centre designated by the Director.

(2) No person shall be admitted to a rehabilitation centre or registered rehabilitation centre under subsection (1) if the period between the date contemplated for his admission and the date of expiration of the period for which he is liable to be detained in the children's home, school of industries or reform school, is less than six months.

(3) If any person admitted to a rehabilitation centre or registered rehabilitation centre under subsection (1) is discharged or deemed to be discharged from the provisions of the Children's Act, 1960 (Act No. 33 of 1960), of Parliament, he shall become subject *mutatis mutandis*, to all the provisions of this Law as if he had in the first instance been committed to such rehabilitation centre or registered rehabilitation centre under this Law.

Readmission of persons from rehabilitation centre or registered rehabilitation centre to children's home, school of industries or reform school.

26. (1) If the designated member is of opinion, on representations made to him by the Director, that any person admitted to a rehabilitation centre or registered rehabilitation centre under section 25 has proved to be unsuited to or is not likely to benefit by the kind of treatment and training provided in the rehabilitation centre or registered rehabilitation centre, the designated member may, with the approval of the Minister, grant his consent to such person being discharged from such rehabilitation centre or registered rehabilitation centre for admission to a children's home, school of industries or reform school, in accordance with the provisions of the Children's Act, 1960 (Act No. 33 of 1960), of Parliament.

(2) Any inmate so admitted to a children's home, school of industries or reform school shall be deemed to be discharged from the provisions of this Law.

(3) Any person so admitted to a children's home, school of industries or reform school, shall not be detained in a children's home, school of industries or reform school beyond the expiration of the period for which he could, under the order of the court which authorized his detention, have been detained in a children's home, school of industries or reform school had he not been admitted to a rehabilitation centre or registered rehabilitation centre under section 25.

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(3) By die berekening van die tydperk waarvoor iemand wat aldus in 'n gevangenis opgeneem is, kragtens die oor hom gevelde vonnis daarin aangehou moet word, word die tydperk tussen die datum van sy opname in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum geag deel van sy vonnis uit te maak.

25. (1) Indien—

(a) die Minister die aangewese lid versoek dat iemand wat 'n tydperk van aanhouding in 'n kinderskool, nywerheidskool of verbeteringskool uitdien, in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem word; en

Opname van persone uit kinderskool, nywerheidskool of verbeteringskool in rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

(b) na die oordeel van die aangewese lid—

(i) dit wenslik is dat so iemand behandeling of opleiding in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum moet ontvang voordat hy weer op vrye voet gestel word; en

(ii) so iemand so 'n soort persoon is wat by die besondere soort behandeling en opleiding wat in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum voorsien word, baat sal vind of waarskynlik sal vind,

kan so iemand, met die toestemming van die aangewese lid, opgeneem word in 'n deur die Direkteur aangewese rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

(2) Niemand mag kragtens subartikel (1) in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem word nie as die tydperk tussen die datum wat vir sy opname beoog word, en die verstrykingsdatum van die tydperk waarvoor hy in die kinderskool, nywerheidskool of verbeteringskool aangehou kan word, minder as ses maande is.

(3) Indien iemand wat kragtens subartikel (1) in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem van die bepalinge van die Kinderwet, 1960 (Wet No. 33 van 1960), van die Parlement, onthef word of geag word onthef te wees, word hy *mutatis mutandis* aan al die bepalinge van hierdie Wet onderworpe gestel asof hy in die eerste instansie kragtens hierdie Wet na die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum verwys was.

26. (1) Indien die aangewese lid van mening is op grond van vertoë deur die Direkteur tot hom gerig, dat iemand kragtens artikel 25 in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem, geblyk het ongeskik te wees vir die soort behandeling en opleiding wat in die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum voorsien word of dat hy waarskynlik nie daarby sal baat nie, kan die aangewese lid met die goedkeuring van die Minister toestemming verleen dat so iemand uit sodanige rehabilitasiesentrum of geregistreerde rehabilitasiesentrum ontslaan word vir opname ooreenkomstig die bepalinge van die Kinderwet, 1960 (Wet No. 33 van 1960), van die Parlement, in 'n kinderskool, nywerheidskool of verbeteringskool.

Heropname van persone uit rehabilitasiesentrum of geregistreerde rehabilitasiesentrum in kinderskool, nywerheidskool of verbeteringskool.

(2) 'n Inwoner wat in 'n kinderskool, nywerheidskool of verbeteringskool aldus opgeneem is, word geag van die bepalinge van hierdie Wet onthef te wees.

(3) Iemand wat aldus in 'n kinderskool, nywerheidskool of verbeteringskool opgeneem is, mag nie in 'n kinderskool, nywerheidskool of verbeteringskool aangehou word nie na die verstryking van die tydperk waarvoor hy, ingevolge die bevel van die hof waardeur sy aanhouding gemagtig is, in 'n kinderskool, nywerheidskool of verbeteringskool aangehou kon geword het as hy nie kragtens artikel 25 in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem was nie.

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Leave of absence from rehabilitation centre or registered rehabilitation centre.

27. The management of a rehabilitation centre or registered rehabilitation centre may grant to any inmate leave of absence therefrom for such periods and on such conditions as may be prescribed, and may at any time revoke such leave and direct the inmate to return to the rehabilitation centre or registered rehabilitation centre, as the case may be.

Inmate of rehabilitation centre or registered rehabilitation centre may be released on licence.

28. (1) The management of a rehabilitation centre or registered rehabilitation centre may with the approval of the Director and shall, if the Director so directs, release an inmate on licence therefrom, subject to the provisions of subsection (2) and to any conditions which it may stipulate, and may at any time vary the conditions of such licence.

(2) An inmate who has been released on licence shall, in accordance with the regulations, remain under the supervision of a social worker or of a society or person approved by the Director, until such licence expires or is cancelled under this Law or he is discharged in terms of any provision of this Law: Provided that the Director may discharge an inmate from the provisions of this Law at any time prior to the expiration of the period for which he was released on licence.

Revocation of licence.

29. (1) (a) If an inmate who has been released on licence fails to comply with any condition of his release on licence, or if, in the opinion of the management of the rehabilitation centre or registered rehabilitation centre concerned, he has not proved capable of adjusting himself properly to the normal life of the community, the inmate's licence may be revoked by such management and he may be recalled to the rehabilitation centre or registered rehabilitation centre in question: Provided that where the need for recalling an inmate is so urgent that it ought not to be deferred until the management has dealt with the matter, the superintendent or chairman of the management of the rehabilitation centre or registered rehabilitation centre in question may exercise all the powers of the management under this subsection.

(b) An inmate who has under paragraph (a) been recalled to a rehabilitation centre or registered rehabilitation centre and who does not return thereto without delay, may be arrested without warrant by any police officer, social worker or member of the staff of any rehabilitation centre or registered rehabilitation centre authorized thereto by the Director and be taken back or returned to the rehabilitation centre or registered rehabilitation centre from which he was released on licence.

(c) Any person arrested under paragraph (b) of this subsection may be detained in custody in any place referred to in paragraph (a) of section 17 (1) until he can be taken back or returned to the rehabilitation centre or registered rehabilitation centre in question.

(d) The provisions of section 17 (2) shall *mutatis mutandis* apply in respect of any person detained in custody under paragraph (c) of this subsection in a place referred to in paragraph (a) of section 17 (1).

(2) Any person recalled to a rehabilitation centre or registered rehabilitation centre under subsection (1) who has returned thereto or has been taken back or returned thereto, shall be

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27. Die bestuur van 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum kan aan 'n inwoner afwesigheidsverlof daaruit toestaan vir die tydperke en op die voorwaardes wat voorgeskryf word, en kan sodanige verlof te eniger tyd intrek en die inwoner gelas om na die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum, na gelang van die geval, terug te keer.

Afwesigheidsverlof uit rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

28. (1) Die bestuur van 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum kan, met die goedkeuring van die Direkteur, en moet, indien die Direkteur dit gelas, 'n inwoner met vergunning daaruit vrylaat, onderworpe aan die bepalinge van subartikel (2) en aan die voorwaardes wat bedoelde bestuur stel, en kan te eniger tyd die voorwaardes van sodanige vergunning wysig.

Inwoner van rehabilitasiesentrum of geregistreerde rehabilitasiesentrum kan met vergunning vrygelaat word.

(2) 'n Inwoner wat met vergunning vrygelaat is, bly, ooreenkomstig die regulasies, onder toesig van 'n maatskaplike werker of van 'n deur die Direkteur goedgekeurde vereniging of persoon totdat bedoelde vergunning verstryk of ingevolge hierdie Wet ingetrek word of totdat hy ingevolge die een of ander bepaling van hierdie Wet ontslaan word: Met dien verstande dat die Direkteur 'n inwoner van die bepalinge van hierdie Wet kan onthef te eniger tyd voor die verstryking van die tydperk waarvoor hy met vergunning vrygelaat is.

29. (1) (a) As 'n inwoner wat met vergunning vrygelaat is, versuim om enige voorwaarde van sy vrylating met vergunning na te kom, of as hy, volgens die oordeel van die bestuur van die betrokke rehabilitasiesentrum of geregistreerde rehabilitasiesentrum, nie geblyk het in staat te wees om hom behoorlik by die normale gemeenskapslewe aan te pas nie, kan die inwoner se vergunning deur sodanige bestuur ingetrek word en kan hy na die betrokke rehabilitasiesentrum of geregistreerde rehabilitasiesentrum teruggeroep word: Met dien verstande dat waar die noodsaaklikheid om 'n inwoner terug te roep so dringend is dat dit nie uitgestel behoort te word totdat die bestuur met die aangeleentheid gehandel het nie, die superintendent of die voorsitter van die bestuur van die betrokke rehabilitasiesentrum of geregistreerde rehabilitasiesentrum al die bevoegdhede van die bestuur kragtens hierdie subartikel kan uitoefen.

Intrekking van vergunning.

(b) 'n Inwoner wat kragtens paragraaf (a) na 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum teruggeroep is en wat nie onverwyld daarheen terugkeer nie, kan deur enige polisiebeampte, maatskaplike werker of deur die Direkteur daartoe gemagtigde lid van die personeel van enige rehabilitasiesentrum of geregistreerde rehabilitasiesentrum sonder lasbrief in hegtenis geneem word en teruggeneem of teruggestuur word na die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum waaruit hy met vergunning vrygelaat is.

(c) Iemand wat kragtens paragraaf (b) van hierdie subartikel in hegtenis geneem is, kan in bewaring aangehou word in enige in paragraaf (a) van artikel 17 (1) bedoelde plek totdat hy na die betrokke rehabilitasiesentrum of geregistreerde rehabilitasiesentrum teruggeneem of teruggestuur kan word.

(d) Die bepalinge van artikel 17 (2) is *mutatis mutandis* van toepassing ten opsigte van 'n persoon wat kragtens paragraaf (c) van hierdie subartikel in 'n in paragraaf (a) van artikel 17 (1) bedoelde plek in bewaring aangehou word.

(2) Iemand wat kragtens subartikel (1) na 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum teruggeroep is en daarheen terugkeer het of daarheen teruggeneem of

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Method of dealing with absconders from rehabilitation centre or registered rehabilitation centre.

detained therein until he is discharged or again released on licence in terms of this Law.

30. (1) For the purposes of this section, an inmate who has been granted leave of absence from a rehabilitation centre or registered rehabilitation centre and who on the revocation or expiration of his leave of absence fails to return to the rehabilitation centre or registered rehabilitation centre from which he was granted such leave, and an inmate who without permission absents himself from any hospital to which he may have been admitted at the instance of the superintendent or management of a rehabilitation centre or registered rehabilitation centre, shall be deemed to have absconded from the rehabilitation centre or registered rehabilitation centre from which he was granted leave of absence or from which he was admitted to such hospital.

(2) (a) An inmate who has absconded from a rehabilitation centre, registered rehabilitation centre or hospital may be arrested without warrant by any police officer, social worker or member of the staff of any rehabilitation centre or registered rehabilitation centre authorized thereto by the Director, and shall be brought as soon as may be practicable before a magistrate of the district in which he was arrested.

(b) Any person arrested under paragraph (a) of this subsection may be detained in custody in any place referred to in paragraph (a) of section 17 (1) until he can be brought before the said magistrate.

(3) A magistrate before whom any such inmate is brought shall, after having enquired into the reasons why the inmate absconded, order that the inmate—

(a) be returned to the rehabilitation centre, registered rehabilitation centre or hospital from which he absconded; or

(b) be detained in custody, pending the decision of the Director, in any place referred to in paragraph (a) of section 17 (1) designated by the magistrate, and shall in either case forthwith report to the Director the result of his enquiry, and any order which he made under this subsection.

(4) On consideration of the magistrate's report and after any further enquiry which he may consider necessary, the Director shall, if the magistrate has ordered that the inmate be detained in custody pending the decision of the Director—

(a) direct that the inmate be returned to the rehabilitation centre, registered rehabilitation centre or hospital from which he absconded; or

(b) deal with him under section 22 (1); or

(c) direct that the inmate be released on licence in terms of section 28; or

(d) direct that he be discharged from the provisions of this Law.

(5) The provisions of section 17 (2) shall *mutatis mutandis* apply in respect of any person detained in custody in a place referred to in the said section under subsection 2 (b) of this section or in pursuance of an order made in terms of subsection (3) (b) of this section.

Admission of voluntary inmate to rehabilitation centre or registered rehabilitation centre.

31. (1) Any person may, either himself or through any other person acting on his behalf, and a parent or guardian may on behalf of a minor of which he is the parent or guardian, apply to a social worker in the prescribed manner that he or such minor, as the case may be, be admitted to a rehabilitation centre or registered rehabilitation centre as a voluntary inmate.

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teruggestuur is, word daarin aangehou totdat hy ingevolge hierdie Wet ontslaan of weer met vergunning vrygelaat is.

30. (1) By die toepassing van hierdie artikel word 'n inwoner aan wie afwesighedsverlof uit 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum toegestaan is en wat by die intrekking of verstryking van sy afwesighedsverlof versuim om terug te keer na die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum waaruit sodanige verlof aan hom toegestaan is en 'n inwoner wat hom sonder verlof afwesig hou uit 'n hospitaal waarin hy deur bemiddeling van die superintendent of die bestuur van 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem is, geag weg te geloop het uit die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum waaruit afwesighedsverlof aan hom toegestaan is of waaruit hy in bedoelde hospitaal opgeneem is.

Hoe met weglopers uit rehabilitasiesentrum of geregistreerde rehabilitasiesentrum gehandel word.

(2) (a) 'n Inwoner wat uit 'n rehabilitasiesentrum, geregistreerde rehabilitasiesentrum of hospitaal weggeloopt het, kan deur enige polisiebeampte, maatskaplike werker of 'n deur die Direkteur daartoe gemagtigde lid van die personeel van enige rehabilitasiesentrum of geregistreerde rehabilitasiesentrum sonder lasbrief in hegtenis geneem word, en moet so spoedig doenlik voor 'n landdros van die distrik waarin hy in hegtenis geneem is, gebring word.

(b) Iemand wat kragtens paragraaf (a) van hierdie subartikel in hegtenis geneem is, kan in bewaring aangehou word in enige in paragraaf (a) van artikel 17 (1) bedoelde plek totdat hy voor bedoelde landdros gebring kan word.

(3) 'n Landdros voor wie so 'n inwoner gebring word, moet, nadat hy ondersoek ingestel het na die redes waarom die inwoner weggeloopt het, beveel dat die inwoner—

(a) teruggestuur word na die rehabilitasiesentrum, geregistreerde rehabilitasiesentrum of hospitaal waaruit hy weggeloopt het; of

(b) in bewaring aangehou word in enige in paragraaf (a) van artikel 17 (1) bedoelde plek deur die landdros aangewys, hangende die beslissing van die Direkteur, en moet in elke geval die Direkteur onverwyld in kennis stel van die uitslag van sy ondersoek, en van enige bevel wat hy kragtens hierdie subartikel uitgereik het.

(4) Na oorweging van die landdros se verslag en na enige verdere ondersoek wat hy nodig ag, moet die Direkteur, as die landdros beveel het dat die inwoner in bewaring aangehou word, hangende die Direkteur se beslissing—

(a) gelas dat die inwoner teruggestuur word na die rehabilitasiesentrum, geregistreerde rehabilitasiesentrum, of hospitaal waaruit hy weggeloopt het; of

(b) met hom handel kragtens artikel 22 (1); of

(c) gelas dat die inwoner ingevolge artikel 28 met vergunning vrygelaat word; of

(d) gelas dat hy van die bepaling van hierdie Wet onthef word.

(5) Die bepaling van artikel 17 (2) is *mutatis mutandis* van toepassing ten opsigte van iemand wat in 'n in genoemde artikel bedoelde plek in bewaring aangehou word kragtens subartikel 2 (b) van hierdie artikel of uit hoofde van 'n bevel ingevolge subartikel 3 (b) van hierdie artikel uitgereik.

31. (1) Enigiemand kan of self of deur bemiddeling van iemand anders wat namens hom optree, en 'n ouer of voog kan ten behoeve van 'n minderjarige waarvan hy die ouer of voog is, op die voorgeskrewe wyse by 'n maatskaplike werker aansoek doen dat hyself of bedoelde minderjarige, na gelang van die geval, as 'n vrywillige inwoner in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem word.

Opname van vrywillige inwoner in rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

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(2) (a) The application shall be accompanied by a report by a medical practitioner regarding the applicant's or minor's general state of health and physical condition, and also by any other medical or psychiatric report which the social worker may consider necessary.

(b) If in the opinion of the social worker it would cause undue hardship if the applicant were to be required to pay the expenses in obtaining any report referred to in paragraph (a), he may direct that such expenses be met from money appropriated for the purpose by the Coloured Persons Representative Council.

(3) If the social worker to whom the application is made is, after consideration of the application and the documents accompanying it, of opinion that the person or minor for whose admission to a rehabilitation centre or registered rehabilitation centre application is made (hereinafter in this section referred to as the patient) is probably such a person as is referred to in section 14 (1), he shall ascertain from the management of the rehabilitation centre or registered rehabilitation centre whether such management is prepared to admit the patient to its rehabilitation centre or registered rehabilitation centre and, if such management is so prepared, he shall notify the applicant of the willingness of the management concerned so to admit such patient and shall transmit the application and the said documents and a report referred to in section 14 (2) (a) on the patient to the management concerned and shall transmit copies thereof to the Director.

(4) If the Director is, at any time after the patient has been so admitted to a rehabilitation centre or registered rehabilitation centre and after such enquiry as he may deem fit, satisfied that the patient is not such a person as is referred to in section 14 (1) or that he will probably not benefit by the treatment and training provided in a rehabilitation centre or registered rehabilitation centre or that his admission to the rehabilitation centre or registered rehabilitation centre concerned has been obtained fraudulently, he may discharge the patient from the provisions of this Law and direct that he be discharged from the rehabilitation centre or registered rehabilitation centre in which he is detained.

(5) Any person admitted under subsection (3) to a rehabilitation centre or registered rehabilitation centre, shall be detained therein as an inmate for such period, not exceeding six months, as the management of the rehabilitation centre or registered rehabilitation centre concerned may determine.

(6) Any such person shall, while he remains an inmate, be subject to all the applicable provisions of this Law.

Payment of allowances to inmates of rehabilitation centres.

32. (1) Subject to the provisions of subsection (2), allowances may be paid to inmates of rehabilitation centres in respect of any work performed by them while they are being detained therein or in respect of any period during which they are absent therefrom on leave granted under section 27.

(2) The rates of such allowances, the classes of inmates to whom the allowances are payable, and any other conditions attaching to the payment of such allowances, shall be determined by regulation.

(3) Any regulation in terms of subsection (2) may provide for the apportionment of any inmate who has become too ill to perform any work, or part of the allowance which would but for his illness have been payable to such inmate.

Inmates to have access to management and vice versa.

33. The inmates of a rehabilitation centre or registered rehabilitation centre shall, subject to the prescribed conditions, have the right of personal access to the management, and the management concerned shall likewise have a similar right of access to the inmates.

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(2) (a) Die aansoek moet vergesel gaan van 'n verslag deur 'n geneesheer met betrekking tot die applikant of minderjarige se algemene gesondheids- en liggaamlike toestand, en ook van enige ander geneeskundige of psigiatrisie verslag wat die maatskaplike werker nodig ag.

(b) Indien dit volgens die oordeel van die maatskaplike werker onredelike ontbering sou veroorsaak as die applikant die koste aangegaan by die verkryging van 'n in paragraaf (a) bedoelde verslag moet betaal, kan hy gelas dat sodanige koste uit geld deur die Verteenwoordigende Kleurlingraad vir die doel beskikbaar gestel, betaal moet word.

(3) Indien die maatskaplike werker aan wie die aansoek gerig is, na oorweging van die aansoek en die stukke wat dit vergesel, van oordeel is dat die persoon of minderjarige vir wie se opname in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum aansoek gedoen word (hieronder in hierdie artikel die pasiënt genoem) waarskynlik 'n in artikel 14 (1) bedoelde persoon is, stel hy by die bestuur van 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum vas of bedoelde bestuur bereid is om die pasiënt in sy rehabilitasiesentrum of geregistreerde rehabilitasiesentrum op te neem en, indien bedoelde bestuur aldus bereid is, deel hy die applikant die betrokke bestuur se bereidwilligheid om sodanige pasiënt aldus op te neem, mee, en stuur hy die aansoek en bedoelde stukke en 'n in artikel 14 (2) (a) bedoelde verslag oor die pasiënt aan die betrokke bestuur en stuur hy afskrifte daarvan aan die Direkteur.

(4) Indien die Direkteur, te eniger tyd nadat die pasiënt in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum aldus opgeneem is en na die ondersoek wat hy goetvind, oortuig is dat die pasiënt nie so iemand is as wat in artikel 14 (1) bedoel word nie of dat hy waarskynlik nie sal baat by die behandeling en opleiding wat in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum voorsien word nie of dat sy opname in die betrokke rehabilitasiesentrum of geregistreerde rehabilitasiesentrum deur bedrog verkry is, kan hy die pasiënt van die bepalings van hierdie Wet onthef en gelas dat hy uit die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum waarin hy aangehou word, ontslaan word.

(5) Iemand wat kragtens subartikel (3) in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem is, word as 'n inwoner aangehou vir die tydperk, maar hoogstens ses maande, wat die bestuur van die betrokke rehabilitasiesentrum of geregistreerde rehabilitasiesentrum bepaal.

(6) Terwyl so iemand 'n inwoner bly, is hy aan al die toepaslike bepalings van hierdie Wet onderworpe.

32. (1) Behoudens die bepalings van subartikel (2), kan toelaes aan inwoners in rehabilitasiesentrums betaal word ten opsigte van werk deur hulle verrig terwyl hulle daarin aangehou word of ten opsigte van enige tydperk waarin hulle met verlof kragtens artikel 27 toegestaan, daaruit afwesig is.

Betaling van toelaes aan inwoners van rehabilitasiesentrums.

(2) Die skale van sodanige toelaes, die klasse inwoners aan wie die toelaes betaalbaar is en enige ander voorwaardes verbonde aan die betaling van sodanige toelaes, word by regulasie bepaal.

(3) 'n Regulasie ingevolge subartikel (2) kan voorsiening maak vir die toewysing aan 'n inwoner wat te siek geword het om enige werk te verrig, van 'n gedeelte van die toelae wat, as dit nie vir sy siekte was nie, aan bedoelde inwoner betaalbaar sou gewees het.

33. Onderworpe aan die voorgeskrewe voorwaardes, het die inwoners in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum die reg van persoonlike toegang tot die bestuur, en die betrokke bestuur het op sy beurt 'n dergelike reg van toegang tot die inwoners.

Inwoners moet toegang hê tot bestuur en andersom.

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Maintenance of discipline in rehabilitation centre and registered rehabilitation centres.

34. (1) If an inmate of a rehabilitation centre or registered rehabilitation centre contravenes any regulation or any rule prescribed by the management of such rehabilitation centre or registered rehabilitation centre under the powers conferred upon it by regulation, the superintendent of that rehabilitation centre or a person designated by the management of that registered rehabilitation centre may—

(a) take disciplinary steps against that inmate in accordance with the powers conferred upon him by regulation and the procedure prescribed by regulation, and may impose upon him any punishment prescribed by the regulations for a contravention thereof or of any such rule; or

(b) cause the inmate to be brought before the magistrate's court of the district in which the rehabilitation centre or registered rehabilitation centre is situated, which court shall have jurisdiction to try the inmate for the alleged offence and to sentence him in lieu of or in addition to any penalty provided for in the regulations for the offence in question—

(i) to imprisonment for a period not exceeding six months; or

(ii) to be kept in confinement apart from the other inmates in a place set aside for the purpose at the rehabilitation centre or registered rehabilitation centre for a period not exceeding thirty days, provided the medical practitioner responsible for the medical care of the inmates concerned has certified that such punishment will in his opinion not be harmful to the health of the inmate.

(2) (a) Whenever the superintendent or the person referred to in subsection (1), has imposed upon an inmate any sentence under subsection (1) (a), the record of the trial shall forthwith be transmitted, together with such remarks as he may desire to append to the record, and with any written statements or arguments which the inmate sentenced may desire to have so appended, to the clerk of the magistrate's court of the district in which the rehabilitation centre or registered rehabilitation centre concerned is situated.

(b) The said clerk shall forthwith submit the record, together with such remarks, statements or arguments (if any) to the magistrate of the district for his consideration.

(3) If it appears to the magistrate that the conviction and sentence are in accordance with justice, he shall endorse his certificate to that effect upon the record and forthwith return the record to the superintendent or designated person concerned.

(4) If it appears to the magistrate, on consideration of the papers submitted to him, that the conviction or sentence is not in accordance with justice, he shall set aside or correct the proceedings, and may reduce or vary the sentence, and shall return the record with his instructions thereon to the superintendent or designated person concerned.

(5) If an inmate is sentenced under subsection (1) (b) to a term of imprisonment he shall, after the expiry of that term, be returned to the rehabilitation centre or registered rehabilitation centre of which he was an inmate, or to any other rehabilitation centre or registered rehabilitation centre designated by the Director.

Estimating age of person.

35. (1) (a) Whenever in connection with any proceedings in terms of this Law the age of any person is a relevant fact of which no or insufficient evidence is available, the officer presiding at those proceedings may estimate

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34. (1) As 'n inwoner in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum 'n oortreding begaan van enige regulasie of enige reël deur die bestuur van sodanige rehabilitasiesentrum of geregistreerde rehabilitasiesentrum kragtens die by regulasie aan hom verleende bevoegdhede voorgeskryf, kan die superintendent van daardie rehabilitasiesentrum of 'n deur die bestuur van daardie geregistreerde rehabilitasiesentrum aangewese persoon—

Handhawing van tug in rehabilitasiesentrums en geregistreerde rehabilitasiesentrums.

(a) dissiplinêre stappe teen daardie inwoner doen ooreenkomstig die by regulasie aan hom verleende bevoegdhede en die by regulasie voorgeskrewe procedure, en kan hy die inwoner enige straf wat deur die regulasies vir 'n oortreding daarvan of van enige bedoelde reël voorgeskryf word, oplê; of

(b) die inwoner laat bring voor die landdroshof van die distrik waarin die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum geleë is, welke hof regsag het om die inwoner weens die beweerde misdryf te verhoor en om hom te vonnis, in plaas van of benewens enige straf wat deur die regulasies vir die betrokke misdryf bepaal word—

(i) tot gevangenisstraf vir 'n tydperk van hoogstens ses maande; of

(ii) om apart van die ander inwoners, in 'n plek vir die doel afgesonder by die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgesluit te word vir 'n tydperk van hoogstens dertig dae, mits die geneesheer wat vir die geneeskundige versorging van die betrokke inwoners verantwoordelik is, gesertifiseer het dat bedoelde straf volgens sy oordeel nie vir die gesondheid van die inwoner skadelik sal wees nie.

(2) (a) Wanneer die superintendent of die in subartikel (1) bedoelde persoon, kragtens subartikel (1) (a) 'n inwoner die een of ander straf opgelê het, moet die notule van die verhoor, tesame met sodanige opmerkings as wat hy verlang om aan die notule toe te voeg, en met die skriftelike verklarings of argumente wat die inwoner, wat gestraf is, verlang om aldus daaraan te laat toevoeg, onverwyld deurgestuur word aan die klerk van die landdroshof van die distrik waarin die betrokke rehabilitasiesentrum of geregistreerde rehabilitasiesentrum geleë is.

(b) Genoemde klerk lê die notule tesame met sodanige opmerkings, verklarings of argumente (indien daar is) onverwyld aan die landdros van die distrik ter oorweging voor.

(3) As dit vir die landdros blyk dat daar met die skuldigbevinding en vonnis behoorlik reg geskied het, teken hy sy sertifikaat te dien effekte op die notule aan, en stuur hy die notule onverwyld aan die betrokke superintendent of aangewese persoon terug.

(4) Indien dit, by oorweging van die aan hom voorgelegde stukke, vir die landdros blyk dat daar nie met die skuldigbevinding of vonnis reg geskied het nie, moet hy die verrigtings te niet doen of verbeter, en kan hy die vonnis versag of wysig, en stuur hy die notule met sy opdragte in verband daarmee aan die betrokke superintendent of aangewese persoon terug.

(5) As 'n inwoner kragtens subartikel (1) (b) tot 'n tydperk van gevangenisstraf veroordeel word, word hy na die verstryking van daardie tydperk teruggestuur na die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum waarin hy 'n inwoner was of na enige ander deur die Direkteur aangewese rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

35. (1) (a) Wanneer die ouderdom van die een of ander persoon in verband met enige verrigtings ingevolge hierdie Wet 'n tersaaklike feit is waaromtrent geen of onvoldoende bewys beskikbaar is nie, kan die beampte Skatting van ouderdom van persoon.

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the age of that person by his appearance or from any information which is available, and the age so estimated shall, for the purposes of this Law, be deemed to be the true age of that person.

(b) If it is proved after the conclusion of those proceedings that the age so estimated is not the true age of that person, the error shall not, if it was made in good faith, affect any decision given or order made in the course of those proceedings.

(2) The age of a person estimated as provided in subsection (1) shall be deemed to have been attained on the day when the estimate is made.

Witnesses from rehabilitation centre or registered rehabilitation centre.

36. The provisions of section 216 of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), of Parliament, relating to prisoners shall *mutatis mutandis* apply with reference to an inmate of any rehabilitation centre or registered rehabilitation centre.

Delegation of powers of designated member, Commissioner and Director.

37. (1) The designated member may delegate to the Commissioner or any other senior officer of the Administration of Coloured Affairs any of the powers, conferred upon him by this Law, save the powers referred to in section 3, 5, 8, 20 or 38.

(2) The Commissioner may delegate to any other senior officer of the Administration of Coloured Affairs any of the powers conferred upon him by this Law.

(3) The Director may delegate to any other professional officer of the Administration of Coloured Affairs any of the powers conferred upon him by this Law.

Regulations.

38. (1) The designated member may make regulations relating to—

(a) the form of any application, authority, notice, order, register, process or subpoena, certificate, consent or licence which may or shall be made, granted, given, kept or issued in terms of this Act, and any other form which is required in administering the provisions of this Act;

(b) the books, accounts, registers or records to be kept by the management of a registered rehabilitation centre or registered hostel;

(c) the establishment, maintenance, management and control of rehabilitation centres and hostels, and the abolition of rehabilitation centres and hostels;

(d) the constitution, functions, powers and duties of the management of a rehabilitation centre or hostel, the appointment, resignation and discharge of members of such management who are not officers in the public service and the payment to them of allowances and of reasonable out-of-pocket expenses;

(e) the functions, powers and duties of the members of the staff of rehabilitation centres, hostels, registered rehabilitation centres and registered hostels;

(f) the registration of the institutions or places of residence referred to in section 6 (1) or 9 (1), the constitution, functions, powers and duties of the managements of registered rehabilitation centres and registered hostels, the returns and reports to be furnished by such managements and the withdrawal or surrender of certificates granted in respect of such registered rehabilitation centres or registered hostels;

(g) the conditions subject to which grants may be made to approved associations of persons under section 13, the

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wat by daardie verrigtings voorsit, die ouderdom van daardie persoon volgens sy voorkoms of op grond van enige beskikbare gegewens skat, en die aldus geskatte ouderdom word, by die toepassing van hierdie Wet, geag daardie persoon se ware ouderdom te wees.

(b) Indien daar na afloop van daardie verrigtings bewys word dat die aldus geskatte ouderdom nie daardie persoon se ware ouderdom is nie, raak die dwaling, mits dit te goeder trou begaan is, geen beslissing of bevel wat in die loop van daardie verrigtings gegee of verleen is nie.

(2) 'n Persoon wie se ouderdom volgens voorskrif van subartikel (1) geskat is, word geag daardie ouderdom te bereik het op die dag waarop die skatting plaasvind.

36. Die bepalinge van artikel 216 van die Strafproseswet, 1955 (Wet No. 56 van 1955), van die Parlement, betreffende gevangenes is *mutatis mutandis* van toepassing met betrekking tot 'n inwoner in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

Getuies uit rehabilitasiesentrum of geregistreerde rehabilitasiesentrum.

37. (1) Die aangewese lid kan enige van die bevoegdhede wat hierdie Wet aan hom verleen, behalwe die in artikel 3, 5, 8, 20 of 38 bedoelde bevoegdhede, aan die Kommissaris of enige ander senior beampte van die Administrasie van Kleurlingsake deleger.

Delegering van aangewese lid, Kommissaris en Direkteur se bevoegdhede.

(2) Die Kommissaris kan enige van die bevoegdhede wat hierdie Wet aan hom verleen aan enige ander senior beampte van die Administrasie van Kleurlingsake deleger.

(3) Die Direkteur kan enige van die bevoegdhede wat hierdie Wet aan hom verleen aan enige ander vakkundige beampte van die Administrasie van Kleurlingsake deleger.

38. (1) Die aangewese lid kan regulasies uitvaardig met Regulasies. betrekking tot—

(a) die vorm van 'n aansoek, magtiging, kennisgewing, bevel, register, prosesstuk of subpoena, sertifikaat, toestemming of vergunning wat ingevolge hierdie Wet gedoen, verleen, gegee, gehou of uitgereik moet of kan word, en enige ander vorm wat by die uitvoering van die bepalinge van hierdie Wet nodig is;

(b) die boeke, rekenings, registers of aantekeninge wat gehou moet word deur die bestuur van 'n geregistreerde rehabilitasiesentrum of geregistreerde tehuis;

(c) die stigting, instandhouding, bestuur en beheer van rehabilitasiesentrums en tehuise, en die afskaffing van rehabilitasiesentrums en tehuise;

(d) die samestelling, werksaamhede, bevoegdhede en pligte van die bestuur van 'n rehabilitasiesentrum of tehuis, die aanstelling, bedanking en ontslag van lede van sodanige besture wat nie beamptes in die Staatsdiens is nie en die betaling aan hulle van toelaes en van redelike klein uitgawes;

(e) die werksaamhede, bevoegdhede en pligte van die lede van die personeel van rehabilitasiesentrums, tehuise, geregistreerde rehabilitasiesentrums en geregistreerde tehuise;

(f) die registrasie van die in artikel 6 (1) of 9 (1) bedoelde inrigtings of woonplekke, die samestelling, werksaamhede, bevoegdhede en pligte van die besture van geregistreerde rehabilitasiesentrums en geregistreerde tehuise, die opgawes en verslae wat deur sodanige besture verstrek moet word en die intrekking of teruggewe en sertifikate wat ten opsigte van sodanige geregistreerde rehabilitasiesentrums of geregistreerde tehuise verleen is;

(g) die voorwaardes waarop toekennings aan goedgekeurde verenigings van persone gemaak kan word

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books, accounts and records to be kept by such associations and the returns and reports to be rendered by them;

(h) the classification of rehabilitation centres and the classification and separation of inmates within a rehabilitation centre;

(i) the committal and admission of persons to rehabilitation centres or registered rehabilitation centres;

(j) the conditions subject to which and the periods for which leave of absence may be granted to inmates of rehabilitation centres or registered rehabilitation centres, and the revocation of such leave or absence;

(k) the terms and conditions subject to which inmates may be released on licence, the method of supervision of such inmates and the revocation of such licences;

(l) the transfer, admission and readmission of inmates under section 22, 23, 24, 25 or 26;

(m) the matters with regard to which the management of a rehabilitation centre, hostel, registered rehabilitation centre or registered hostel may from time to time prescribe rules for the proper domestic administration and control thereof;

(n) the maintenance of good order and discipline in rehabilitation centres, hostels, registered rehabilitation centres and registered hostels, and the treatment, training, care and control of the inmates of rehabilitation centres, hostels, registered rehabilitation centres and registered hostels or of persons who are detained temporarily therein in terms of any provision of this Law;

(o) the practising of their religion by inmates and the right of access to them of the ministers of their respective faiths;

(p) the conditions subject to which inmates shall have the right of access to the management, and *vice versa*;

(q) the discharge of inmates of a rehabilitation centre or registered rehabilitation centre from the provisions of this Law;

(r) the work to be performed by the inmates of a rehabilitation centre or registered rehabilitation centre, during their detention therein, and the hours and conditions of such work;

(s) the conditions subject to which voluntary inmates may be admitted to any rehabilitation centre or registered rehabilitation centre, their transport thereto and their transport therefrom to their homes, the fees payable in respect of their transport, maintenance or other services rendered to them and the circumstances in which such inmates may be exempted from the obligation to pay any such fees;

(t) the disposal by sale or otherwise of any property in the possession of the management of any rehabilitation centre or registered rehabilitation centre and belonging to any inmate who has absconded or is in terms of section 30 (1) deemed to have absconded, or who has died or has failed to claim or receive such property and, where the property has been sold, the disposal of the proceeds of the sale;

(u) the requirements referred to in paragraph (c) of section 16 (1);

(v) any matter which, in terms of any provision of this Law, is required to be or may be prescribed by regulation;

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- kragtens artikel 13, die boeke, rekenings en registers wat deur sodanige verenigings gehou moet word en die opgawes en verslae wat deur hulle verstrek moet word;
- (h) die klassifisering van rehabilitasiesentrums en die klassifisering en skeiding van inwoners binne 'n rehabilitasiesentrum;
 - (i) die verwysing van persone na en hul opname in rehabilitasiesentrums of geregistreerde rehabilitasiesentrums;
 - (j) die voorwaardes waarop en die tydperke waarvoor afwesigheidsverlof aan inwoners in rehabilitasiesentrums of geregistreerde rehabilitasiesentrums toegestaan kan word, en die intrekking van sodanige afwesigheidsverlof;
 - (k) die voorwaardes onderworpe waaraan inwoners met vergunning vrygelaat kan word, die manier waarop oor sodanige inwoners toesig gehou word, en die intrekking van sodanige vergunnings;
 - (l) die oorplasing, opname en heropname van inwoners kragtens artikel 22, 23, 24, 25 of 26;
 - (m) die aangeleenthede met betrekking waartoe die bestuur van 'n rehabilitasiesentrum, tehuis, geregistreerde rehabilitasiesentrum of geregistreerde tehuis van tyd tot tyd reëls kan voorskryf vir die behoorlike huis-houdelike administrasie en beheer daarvan;
 - (n) die handhawing van goeie orde en tug in rehabilitasiesentrums, tehuise, geregistreerde rehabilitasiesentrums en geregistreerde tehuise en die behandeling, opleiding, versorging en in bedwang hou van die inwoners van rehabilitasiesentrums, tehuise, geregistreerde rehabilitasiesentrums en geregistreerde tehuise of van persone wat tydelik ingevolge enige bepaling van hierdie Wet daarin aangehou word;
 - (o) die beoefening deur inwoners van hul godsdienste en die reg van toegang tot hulle van die leraars van hul onderskeie gelowe;
 - (p) die voorwaardes waarop inwoners die reg van toegang tot die bestuur het, en andersom;
 - (q) die ontheffing van inwoners van 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum van die bepalings van hierdie Wet;
 - (r) die werk wat verrig moet word deur die inwoners van 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum tydens hul aanhouding daarin, en die ure en voorwaardes van sodanige werk;
 - (s) die voorwaardes waarop vrywillige inwoners in 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum opgeneem kan word, hulle vervoer daarheen en hulle vervoer daarvandaan na hulle tuistes, die gelde wat ten opsigte van hulle vervoer, onderhoud of ander dienste aan hulle gelewer, betaalbaar is en die omstandighede waaronder sodanige inwoners van die verpligting om enige sodanige gelde te betaal, onthef kan word;
 - (t) die beskikking, deur verkoping of andersins, oor enige eiendom wat in besit is van die bestuur van 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum en wat behoort aan 'n inwoner wat weggeloop het of ingevolge artikel 30 (1) geag word weg te geloop het, of wat gesterf het of versuim het om sodanige eiendom op te eis of in ontvangs te neem en, in die geval van die verkoop van die eiendom, die beskikking oor die opbrengs van die verkoping;
 - (u) die in paragraaf (c) van artikel 16 (1) bedoelde vereistes;
 - (v) enige aangeleentheid wat ingevolge een of ander bepaling van hierdie Wet by regulasie voorgeskryf moet of kan word;

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(w) generally, all matters which he considers it necessary or expedient to prescribe in order that the purposes of this Law may be achieved.

(2) Regulations relating to any financial matter or any matter connected therewith, shall be made with the approval of the chairman of the executive.

(3) (a) Regulations made under subsection (1) may prescribe penalties for any contravention thereof or of any rules prescribed by the management of a rehabilitation centre or registered rehabilitation centre under powers conferred upon it by regulation.

(b) Such penalties shall, in so far as they relate to persons who are not inmates, not exceed a fine of one hundred rand, and in so far as they relate to inmates, may take any one or more of the following forms—

(i) forfeiture of one or more specified privileges for a specified period;

(ii) forfeiture of allowances, wholly or in part, for a specified period;

(iii) increase of normal hours of labour by not more than three hours per day for a period not exceeding three days;

(iv) separation from the other inmates in a place set aside for the purpose at the rehabilitation centre or registered rehabilitation centre for a period not exceeding five days.

(c) If any form of punishment mentioned in subparagraph (iii) or (iv) of paragraph (b) is prescribed, the regulations shall specifically provide that no such form of punishment may be imposed unless the medical officer responsible for the medical care of the inmate concerned has certified that such punishment will, in his opinion, not be harmful to the health of that inmate.

(4) Different regulations may be made under subsection (1) in respect of persons of different classes or in respect of different rehabilitation centres, hostels, registered rehabilitation centres or registered hostels or different categories of rehabilitation centres, hostels, registered rehabilitation centres or registered hostels, and the designated member may also in such regulations differentiate in any manner he may deem fit between different groups of inmates in rehabilitation centres, hostels, registered rehabilitation centres or registered hostels generally or in any particular rehabilitation centre, hostel, registered rehabilitation centre or registered hostel.

Short title and
commencement.

39. This Law shall be called the Coloured Persons Rehabilitation Centres Law, 1971, and shall come into operation on a date to be fixed by the designated member by notice in the *Gazette*.

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- (w) oor die algemeen, alle aangeleenthede wat hy nodig of dienstig ag om voor te skryf ten einde die oogmerke van hierdie Wet te verwesenlik.
- (2) Regulasies wat op enige finansiële aangeleentheid of 'n aangeleentheid wat daarmee in verband staan, betrekking het, word met goedkeuring van die voorsitter van die uitvoerende bestuur uitgevaardig.
- (3) (a) Regulasies kragtens subartikel (1) uitgevaardig, kan strawwe voorskryf vir 'n oortreding daarvan of van enige reëls deur die bestuur van 'n rehabilitasiesentrum of geregistreerde rehabilitasiesentrum kragtens die by regulasie aan hom verleende bevoegdhede voorgeskryf.
- (b) Vir sover hulle betrekking het op persone wat nie inwoners is nie, mag sodanige strawwe 'n boete van honderd rand nie te bowe gaan nie, en vir sover hulle op inwoners betrekking het, kan hulle een of meer van die ondervermelde vorms aanneem—
- (i) verbeuring van een of meer bepaalde voorregte vir 'n bepaalde tydperk;
- (ii) verbeuring van toelaes, geheel of ten dele, vir 'n bepaalde tydperk;
- (iii) verlenging van gewone arbeidsure met hoogstens drie uur per dag vir 'n tydperk van hoogstens drie dae;
- (iv) afsondering van die ander inwoners, in 'n plek vir die doel afgesonder by die rehabilitasiesentrum of geregistreerde rehabilitasiesentrum, vir 'n tydperk van hoogstens vyf dae.
- (c) As 'n subparagraaf (iii) of (iv) van paragraaf (b) vermelde vorm van straf voorgeskryf word, moet die regulasies uitdruklik bepaal dat geen sodanige vorm van straf opgelê mag word nie, tensy die geneesheer wat vir die geneeskundige versorging van die betrokke inwoner verantwoordelik is, gesertifiseer het dat bedoelde straf volgens sy mening nie vir die gesondheid van daardie inwoner skadelik sal wees nie.
- (4) Verskillende regulasies kan kragtens subartikel (1) uitgevaardig word ten opsigte van persone van verskillende klasse, of ten opsigte van verskillende rehabilitasiesentrums, tehuise, geregistreerde rehabilitasiesentrums of geregistreerde tehuise of verskillende kategorieë van rehabilitasiesentrums, tehuise, geregistreerde rehabilitasiesentrums of geregistreerde tehuise en die aangewese lid kan ook in sodanige regulasies op enige wyse wat hy goedvind, onderskei tussen verskillende groepe inwoners in rehabilitasiesentrums, tehuise, geregistreerde rehabilitasiesentrums of geregistreerde tehuise in die algemeen of in 'n bepaalde rehabilitasiesentrum, tehuise, geregistreerde rehabilitasiesentrum of geregistreerde tehuise.

39. Hierdie Wet heet die Wet op Rehabilitasiesentrums vir Kort titel en Kleurlinge, 1971, en tree in werking op 'n datum wat die aange-inwerkingtreding. wese lid by kennisgewing in die *Staatskoerant* bepaal.

