



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 928.

2nd June, 1972.

No. 928.

2 Junie 1972.

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

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

No. 59 of 1972: Admission of Persons to the Republic Regulation Act, 1972.

No. 59 van 1972: Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972.

WET

Tot samevatting van die wette met betrekking tot verbode persone; die reëling van die toelating van persone tot die Republiek of 'n provinsie; die verwydering uit die Republiek of 'n provinsie van ongewenste en sekere ander persone; persone wat deur die Republiek reis; en aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 23 Mei 1972.)

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ADMISSION OF PERSONS TO THE
REPUBLIC REGULATION ACT, 1972.

Act No. 59, 1972

ACT

To consolidate the laws relating to prohibited persons; the regulation of the admission of persons to the Republic or any province; the removal from the Republic or any province of undesirable and certain other persons; persons travelling through the Republic; and matters incidental thereto.

(Afrikaans text signed by the State President.)
(Assented to 23rd May, 1972.)

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Wet No. 59, 1972

WET OP DIE REËLING VAN DIE TOELATING VAN
PERSONE TOT DIE REPUBLIEK, 1972.

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

HOOFSTUK I.

WOORDOMSKRYWING; VERVOERMIDDELS TEN OPSIGTE WAARVAN
WET VAN TOEPASSING IS.

Woordomskrywing.

1. (1) In hierdie Wet, tensy uit die sinsverband anders blyk, beteken—

- (i) „departement” die Departement van Binnelandse Sake; (ii)
- (ii) „domisilie”, behoudens die bepalinge van subartikels (2), (3) en (4), die plek waar iemand sy huidige vaste tuiste of sy huidige vaste woonplek het of waarheen hy as sy huidige vaste verblyfplek terugkeer, en nie slegs vir ’n besondere of tydelike doel nie; (iii)
- (iii) „eienaar”, met betrekking tot ’n skip, benewens die werklike eienaar, ook die bevrachter van die skip of ’n verteenwoordiger in die Republiek van die eienaar of bevrachter; (vii)
- (iv) „gesagvoerder”, met betrekking tot ’n skip, die persoon (uitgesonderd ’n loods) wat te eniger tyd gesag of bevel oor daardie skip voer; (v)
- (v) „hawe” of „toegangspoort”—
 - (a) ’n plek aan die kus van die Republiek; of
 - (b) ’n spoorwegstasie of plek in die Republiek op of naby een van die grense daarvan; of
 - (c) ’n lughawe of vliegveld, waar ’n paspoortbeheerbeampte gestasioneer is; (xi)
- (vi) „hierdie Wet” ook ’n lasgewing, bevel of regulasie daarkragtens uitgereik of uitgevaardig of ’n lasgewing of voorskrif wat geag word daarkragtens uitgereik te wees; (xvi)
- (vii) „landdros” ’n landdros, addisionele landdros of assistent-landdros; (iv)
- (viii) „Minister” die Minister van Binnelandse Sake; (vi)
- (ix) „paspoortbeheerbeampte” ’n paspoortbeheerbeampte kragtens artikel 4 aangestel; (ix)
- (x) „passasier”, by die toepassing van artikel 25, ook ’n verstekeling; (viii)
- (xi) „polisiebeampte” ’n „lid van die Mag” soos omskryf in artikel 1 van die Polisiewet, 1958 (Wet No. 7 van 1958); (x)
- (xii) „raad” ’n raad kragtens artikel 3 ingestel en, met betrekking tot ’n hawe, gebied of aangeleentheid, die raad wat jurisdiksie het ten opsigte van daardie hawe, gebied of aangeleentheid; (i)
- (xiii) „regulasie” ’n regulasie wat kragtens hierdie Wet uitgevaardig of van krag is; (xiii)
- (xiv) „Republiek” ook die gebied Suidwes-Afrika, en ’n verwysing na ’n provinsie word geag ’n verwysing na daardie gebied in te sluit; (xiv)
- (xv) „skip” ook ’n vaartuig of boot, van enige soort, wat in navigasie gebruik word, ongeag of dit voortbeweeg word deur middel van seile, stoomkrag of ander meganiese krag of ’n sleptou of roeispane of op ’n ander wyse; (xv)
- (xvi) „voorgeskrif” of „voorgeskrewe” by regulasie voorgeskryf. (xii)

(2) By die toepassing van hierdie Wet word iemand nie geag ’n domisilie in die Republiek of ’n provinsie (na gelang van die geval) te hê nie, tensy hy vir ’n ononderbroke tydperk van drie jaar wettig sy verblyf daarin gehad het andersins as uit hoofde van ’n voorwaardelike of tydelike verblyf wat deur hierdie Wet of ’n ander wet veroorloof word, of as iemand wat in ’n gevangenis, tronk, verbeteringsgestig of hospitaal vir sielsiektes aangehou is.

ADMISSION OF PERSONS TO THE
REPUBLIC REGULATION ACT, 1972.

Act No. 59, 1972

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

CHAPTER 1.

DEFINITIONS; CONVEYANCES IN RESPECT OF WHICH ACT APPLIES.

Definitions.

1. (1) In this Act, unless the context otherwise indicates—

- (i) "board" means a board appointed under section 3 and, in relation to any port, area or matter, means the board having jurisdiction in respect of that port, area or matter; (xii)
- (ii) "department" means the Department of the Interior; (i)
- (iii) "domicile", subject to the provisions of subsections (2), (3) and (4), means the place where a person has his present permanent home or present permanent residence or to which he returns as his present permanent abode, and not merely for a special or temporary purpose; (ii)
- (iv) "magistrate" means any magistrate, additional magistrate or assistant-magistrate; (vii)
- (v) "master", in relation to a ship, means any person (other than a pilot) for the time being in charge or command of that ship; (iv)
- (vi) "Minister" means the Minister of the Interior; (viii)
- (vii) "owner", in relation to a ship, in addition to the actual owner, includes the charterer of the ship or any agent within the Republic of the owner or charterer; (iii)
- (viii) "passenger", for the purposes of section 25, includes a stowaway; (x)
- (ix) "passport control officer" means any passport control officer appointed under section 4; (ix)
- (x) "police officer" means any "member of the Force" as defined in section 1 of the Police Act, 1958 (Act No. 7 of 1958); (xi)
- (xi) "port" or "port of entry" means—
 - (a) any place on the coast of the Republic; or
 - (b) any railway station or place within the Republic at or near any border thereof; or
 - (c) any airport or aerodrome, where a passport control officer is stationed; (v)
- (xii) "prescribed" means prescribed by regulation; (xvi)
- (xiii) "regulation" means any regulation made or in force under this Act; (xiii)
- (xiv) "Republic" includes the territory of South-West Africa and any reference to a province shall be deemed to include a reference to that territory; (xiv)
- (xv) "ship" includes any vessel or boat, of any kind, used in navigation, whether propelled by means of sails, steampower or other mechanical means or towing or oars or in any other manner; (xv)
- (xvi) "this Act" includes any order, direction or regulation issued or made or any order or direction deemed to have been issued under this Act; (vi)

(2) For the purposes of this Act a person shall not be deemed to have a domicile within the Republic or any province (as the case may be) unless he has lawfully resided therein for a continuous period of three years otherwise than in terms of conditional or temporary residence permitted by this Act or any other law, or as a person detained in a prison, gaol, reformatory or mental hospital.

Wet No. 59, 1972

WET OP DIE REËLING VAN DIE TOELATING VAN
PERSONE TOT DIE REPUBLIEK, 1972.

(3) By die toepassing van hierdie Wet word iemand geag sy domisilie in die Republiek te verloor het, in die geval van iemand wat 'n Suid-Afrikaanse burger was of is, op die dag waarop hy opgehou het of ophou om 'n Suid-Afrikaanse burger te wees of, in die geval van iemand wat 'n Unie-staatsburger was kragtens 'n deur die Wet op Suid-Afrikaanse Burgerskap, 1949 (Wet No. 44 van 1949), herroepe wetsbepaling, op die dag waarop hy opgehou het om sodanige Unie-staatsburger te wees om 'n ander rede as dat hy 'n Suid-Afrikaanse burger ingevolge daardie Wet geword het of, indien hy uit die Republiek gaan en die Republiek nie weer binnekom nie binne drie jaar vanaf die datum van vertrek daaruit of vanaf die datum van inwerking-treding van die Immigrasie en Indiërs Verligting (Verdere Voorsienings) Wet, 1927 (Wet No. 37 van 1927), watter datum ookal die jongste is, ongeag of hy in besit is al dan nie van 'n registrasiesertifikaat of domisilie-sertifikaat, of 'n ander dokument kragtens 'n vorige wet uitgereik wat sy toegang tot of verblyf in die Republiek of 'n provinsie veroorloof of wat sy domisilie in die Republiek of 'n provinsie erken: Met dien verstande dat in 'n geval waar iemand vir 'n besondere of tydelike doel na die buiteland gaan, die Minister die uitreiking van 'n identiteitsertifikaat kragtens die bepalings van artikel 19 (5) kan magtig, wat daardie persoon veroorloof om binne die tydperk in die identiteitsertifikaat bepaal, of 'n verlenging daarvan, maar in die geheel hoogstens tien jaar, na die betrokke provinsie terug te keer en sy verblyf daarin te hervat.

(4) 'n Vrou wie se huwelik gedurende haar afwesigheid uit die Republiek op 'n ander wyse as deur die dood van haar eggenoot ontbind word, verloor daardeur haar domisilie in die Republiek.

Toepassing van
Wet op ander
vervoermiddels
as skepe.

2. Die bepalings van hierdie Wet is ook van toepassing, in soverre dit toegepas kan word, ten opsigte van alle vervoermiddels anders as skepe, en ten opsigte van persone wat die Republiek deur middel van sodanige vervoermiddels binnekom of probeer binnekom.

HOOFSTUK 2.

UITVOERING.

*Rade: Aanstelling, Samestelling, Jurisdiksie en Bevoegdhede.
Paspoortbeheerbeamptes: Aanstelling, Bevoegdhede en Pligte.*

Instelling,
samestelling,
jurisdiksie en
bevoegdhede van
rade.

3. (1) Die Staatspresident stel die aantal rade in wat hy wenslik ag vir die summiere beslissing van appëlle deur persone wat, toe hulle gepoog het om die Republiek of 'n provinsie binne te kom of toe hulle daarin gevind is, as verbode persone aangehou, beperk of gearresteer is.

(2) 'n Raad het jurisdiksie ten opsigte van die toegangspoort of toegangspoorte en die gebiede in die Republiek wat deur die Staatspresident bepaal word.

(3) 'n Raad bestaan uit drie of meer lede en 'n lid van 'n raad bekleë sy amp vir die tydperk, maar hoogstens twee jaar, wat by aanstelling bepaal word.

(4) 'n Lid van 'n raad kan weer aangestel word.

(5) Aan 'n lid van 'n raad wat nie 'n beampte in die Staatsdiens is nie, word vergoeding betaal teen die skale wat van tyd tot tyd deur die Staatspresident vasgestel word.

(6) (a) Die voorsitter van 'n raad word deur die Staatspresident aangestel en hy moet 'n landdros wees.

(b) In die afwesigheid van die voorsitter tree die landdros wat in sy plek waarneem, as voorsitter op.

(7) Behoudens die bepalings van artikel 11 het 'n raad uitsluitende jurisdiksie, by die toegangspoort of toegangspoorte en binne die gebied wat aan hom toegewys is, om 'n appël aange-teken deur 'n persoon wat as 'n verbode persoon aangehou, beperk of gearresteer is, te verhoor en daaroor te beslis.

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(3) For the purposes of this Act a person shall be deemed to have lost his domicile within the Republic, in the case of any person who was or is a South African citizen, on the day on which he ceased or ceases to be a South African citizen or, in the case of any person who was a Union national under any law repealed by the South African Citizenship Act, 1949 (Act No. 44 of 1949), on the day he ceased to be such a Union national otherwise than by reason of his having become a South African citizen in terms of that Act, or if he absents himself from the Republic and does not re-enter the Republic within three years from the date of departure therefrom or from the date of commencement of the Immigration and Indian Relief (Further Provision) Act, 1927 (Act No. 37 of 1927), whichever may be the later date, whether or not he is in possession of a registration certificate or a certificate of domicile or any other document issued under any prior law permitting his entrance to or residence in or recognizing his domicile in the Republic or any province: Provided that in a case where a person proceeds abroad for a special or temporary purpose the Minister may authorize the issue of a certificate of identity under the provisions of section 19 (5) allowing that person to return to and resume his residence in the province concerned within the period specified in such certificate or any extension thereof, but not exceeding ten years in all.

(4) Domicile in the Republic shall be lost by any woman whose marriage has been dissolved otherwise than by the death of her husband during her absence from the Republic.

2. The provisions of this Act shall also apply, in so far as they can be applied, to all conveyances other than ships, and persons entering or seeking to enter the Republic by means of such conveyances.

Application of
Act to other
conveyances
than ships.

CHAPTER 2.

ADMINISTRATION.

*Boards: Appointment, Constitution, Jurisdiction and Powers.
Passport Control Officers: Appointment, Powers and Duties.*

3. (1) The State President shall appoint so many boards as he may deem desirable for the summary determination of appeals by persons who, seeking to enter or being found within the Republic or any province, have been detained, restricted or arrested as prohibited persons.

Appointment,
constitution,
jurisdiction and
powers of boards.

(2) A board shall have jurisdiction in respect of such port or ports of entry and such areas in the Republic as may be determined by the State President.

(3) A board shall consist of three or more members and a member of a board shall hold office for such period, not exceeding two years, as may be determined on appointment.

(4) A member of a board shall be eligible for reappointment.

(5) A member of a board who is not an officer in the public service shall be paid remuneration at such rates as may be fixed by the State President from time to time.

(6) (a) The chairman of a board shall be designated by the State President and he shall be a magistrate.

(b) In the absence of the chairman the magistrate acting in his place shall act as chairman.

(7) Subject to the provisions of section 11, a board shall have exclusive jurisdiction at the port or ports of entry and within the area assigned to it, to hear and determine any appeal made by any person detained, restricted or arrested as a prohibited person.

Wet No. 59, 1972

WET OP DIE REËLING VAN DIE TOELATING VAN
PERSONE TOT DIE REPUBLIEK, 1972.Aanstelling,
bevoegdheid en
pligte van
paspoortbe-
heerbeamptes.

4. Die Minister kan—

- (a) 'n beampte in die Staatsdiens of 'n lid van 'n kategorie beamptes in die Staatsdiens as 'n paspoortbeheerbeampte aanstel; en
- (b) aan 'n paspoortbeheerbeampte of 'n kategorie paspoortbeheerbeamptes die bevoegdheid of pligte met betrekking tot die uitvoering van die Wet, uitgesonderd die bevoegdheid aan 'n raad verleen of opgelê, wat hy nodig ag, verleen of opelê.

HOOFSTUK 3.

APPËLLE, VOORBEHOUD VAN REGSVRAE, EN AANVERWANTE
AANGELEENTHEDE.Kennisgewing van
weiering van ver-
lof tot binne-
koms, ens., en
gronde daarvoor,
word aan be-
trokke persoon
verstrekk.

5. Wanneer verlof om die Republiek of 'n bepaalde provinsie binne te kom deur 'n paspoortbeheerbeampte of 'n polisie-beampte geweier word, of wanneer iemand as 'n verbode persoon aangehou, beperk of gearrester word, moet sodanige paspoort-beheerbeampte of polisiebeampte kennis van dié feit asook die gronde vir die weiering, aanhouding, beperking of arrestasie skriftelik aan bedoelde persoon gee en, indien bedoelde persoon by sy aankoms oor see beperk is, ook aan die gesagvoerder van die skip waarop hy aangekom het.

Sekere persone
kan na rade
appelleer.

6. (1) 'n Persoon in artikel 5 bedoel, uitgesonderd 'n persoon wat kragtens artikel 40 'n verbode persoon is, of met wie kragtens die Wet op Vreemdelinge, 1937 (Wet No. 1 van 1937), of 'n ander wet, as 'n verbode persoon kragtens hierdie Wet gehandel kan word, kan na die raad wat kragtens artikel 3 jurisdiksie het, appelleer.

(2) By die toepassing van subartikel (1) beteken „persoon” ook 'n vreemdeling.

(3) Geen appèl word deur 'n raad verhoor nie tensy kennisgewing daarvan in die voorgeskrewe vorm aan die paspoort-beheerbeampte binne drie dae na die weiering, aanhouding, beperking of arrestasie deur of ten behoeve van die betrokke persoon gegee word: Met dien verstande dat indien die appellan oor see aangekom het en die skip waarop hy aangekom het, op die punt staan om te vertrek, sodanige kennisgewing dadelik gegee moet word.

(4) In elke appèl word 'n bedrag gestort wat deur die paspoortbeheerbeampte vasgestel word, maar hoogstens duisend rand, tot dekking van—

- (a) die koste van aanhouding van die betrokke persoon;
- (b) indien bedoelde persoon persoonlik wil verskyn, die koste om hom voor 'n raad te bring en om hom na die plek waar hy beperk is, terug te neem;
- (c) die koste wat in verband met die verhoor van die appèl opgeloop word en wat die raad gelas; en
- (d) die koste van die verwydering van bedoelde persoon na 'n plek buite die Republiek, waarheen hy wettiglik verwyder kan word.

Tyd van verhoor
van appèl, teen-
woordigheid en
verteenvoerdi-
ging van appellan.

7. (1) 'n Appèl kragtens artikel 6 word so gou doenlik nadat kennis daarvan gegee is deur die betrokke raad verhoor.

(2) 'n Appèl word in die teenwoordigheid van die appellan verhoor indien hy verkies om teenwoordig te wees.

(3) Die appellan het die reg om by die verhoor van die appèl deur 'n advokaat, prokureur of ingeskrewe wetsagent verteenwoordig te word.

Getuies en
getuienis.

8. (1) 'n Raad kan op die voorgeskrewe wyse getuies dagvaar om getuienis af te lê of dokumente oor te lê en kan, deur bemiddeling van die voorsitter of 'n ander persoon wat wettig tydelik as voorsitter optree, 'n getuie 'n eed opelê.

(2) Getuienis wat voor 'n raad afgelê word, word skriftelik afgeneem.

ADMISSION OF PERSONS TO THE
REPUBLIC REGULATION ACT, 1972.

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4. The Minister may—

- (a) appoint any officer in the public service or any member of a category of officers in the public service as a passport control officer; and
- (b) confer upon or assign to any passport control officer or any category of passport control officers such powers or duties as to the carrying out of this Act, other than powers or duties conferred upon or assigned to a board, as he may deem necessary.

Appointment,
powers and
duties of passport
control officers.

CHAPTER 3.

APPEALS, RESERVATION OF QUESTIONS OF LAW, AND RELATED
MATTERS.

5. When leave to enter the Republic or any particular province is refused by a passport control officer or police officer, or when any person is detained, restricted or arrested as a prohibited person, such passport control officer or police officer shall give notice of that fact and the grounds for the refusal, detention, restriction, or arrest to such person in writing, and if such person has been restricted on arrival by sea, also to the master of the ship on which he has arrived.

Notice of refusal
of leave of entry,
etc., and grounds
therefor, to be
given to person
concerned.

6. (1) Any person referred to in section 5, except a person who is a prohibited person under section 40, or who may, in terms of the Aliens Act, 1937 (Act No. 1 of 1937), or any other law, be dealt with as a prohibited person under this Act, may appeal to the board having jurisdiction under section 3.

Certain persons
may appeal to
boards.

(2) For the purposes of subsection (1) "person" includes an alien.

(3) No appeal shall be heard by a board unless notice thereof in the prescribed form has been given to the passport control officer by or on behalf of the person concerned within three days after the refusal, detention, restriction or arrest: Provided that if the appellant arrived by sea, and the ship on which he arrived is about to depart, such notice shall be given forthwith.

(4) In every appeal a deposit shall be made of an amount fixed by the passport control officer, not exceeding one thousand rand, to cover—

- (a) the cost of detention of the person in question;
- (b) if such person desires to appear personally, the costs of bringing him before a board and of returning him to the place where he was restricted;
- (c) such cost incurred in connection with the hearing of the appeal as the board may direct; and
- (d) the cost of the removal of such person to any place outside the Republic to which he may lawfully be removed.

7. (1) An appeal under section 6 shall be heard by the board concerned as soon as possible after notice thereof was given.

Time of hearing
of appeal, presence
and representation
of appellant.

(2) An appeal shall be heard in the presence of the appellant if he desires to be present.

(3) The appellant shall have the right to be represented at the appeal by counsel, an attorney or an enrolled law agent.

8. (1) A board may, in the prescribed manner, summon witnesses to give evidence or produce documents and may, through the chairman or any other person for the time being lawfully acting as such, administer an oath to any witness.

Witnesses and
evidence.

(2) Evidence adduced before a board shall be taken down in writing.

Wet No. 59, 1972

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(3) Iemand wat gedagvaar is om getuienis af te lê of dokumente oor te lê en wat sonder 'n gegronde rede versuim om aan die bepalings van die dagvaarding te voldoen of wat, ongeag of hy gedagvaar is al dan nie, terwyl hy ondervra word, weier om na sy beste wete en oortuiging alle vrae te beantwoord wat aan hom deur of met die instemming van die raad gestel word, of wat opsetlik die verrigtinge van die raad onderbreek, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens honderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens drie maande: Met dien verstande dat 'n getuie dieselfde privilege met betrekking tot die beantwoording van vrae of die oorlegging van dokumente het as wat hy sou gehad het indien die vrae aan hom gestel was of die dokumente deur hom voorgelê moes word in 'n hoër hof.

(4) Indien iemand wat 'n eed kragtens subartikel (3) opgelê is, wetens valse getuienis aflê wat van wesentlike belang is by die vraag wat deur die raad oorweeg word, is hy aan 'n misdryf skuldig en by skuldigbevinding strafbaar met die strawwe wat deur die reg ten opsigte van meened voorgeskryf word.

Beslissings van raad, en verandering en wysiging daarvan deur Minister.

9. Behoudens die bepalings van artikel 11, is die beslissing van 'n meerderheid van die raad oor 'n appèl afdoende: Met dien verstande dat die Minister in besondere gevalle 'n beslissing wat die verwydering van die appellant uit die Republiek of 'n provinsie tot gevolg sou hê, kan verander of wysig.

Sekere stappe kan gedoen word indien raad beslis dat appellant verbode persoon is, behalwe in sekere omstandighede.

10. Indien 'n raad besluit dat 'n appellant 'n verbode persoon ten opsigte van die Republiek of 'n provinsie is, of indien die appellant sy appèl nie voortsit nie, kan die paspoortbeheerbeampte, behoudens die bepalings van artikel 9, onverwyld die stappe ten opsigte van bedoelde appellant doen wat gedoen sou kon word indien die appèl nie aangeteken was nie: Met dien verstande dat indien die appèl voortgesit word en 'n regsvraag kragtens artikel 12 voorbehou word, geen sodanige stappe gedoen word nie, tensy die hof beslis dat die appellant so 'n verbode persoon is: Met dien verstande voorts dat 'n verdere bedrag van hoogstens tweehonderd rand wat deur die paspoortbeheerbeampte vasgestel word, tot dekking van die koste van die aanhouding van die appellant totdat die uitspraak van die hof gegee word, gestort moet word.

Beperking van bevoegdheid van geregshof met betrekking tot beperking, aanhouding of verwydering van persone met wie as verbode persone gehandel word.

11. Uitgesonderd waar 'n regsvraag kragtens artikel 12 deur 'n raad voorbehou word, is geen geregshof bevoeg om verrigtinge, 'n handeling, lasgewing of lasbrief van die Minister, 'n raad, paspoortbeheerbeampte of gesagvoerder van 'n skip, kragtens hierdie Wet gevoer, verrig of uitgereik en wat betrekking het op die beperking of aanhouding, of die verwydering uit die Republiek of 'n provinsie, van 'n persoon met wie as 'n verbode persoon gehandel word, te hersien, ter syde te stel, by wyse van interdik te belet of hom op 'n ander wyse daarmee in te meng nie.

Voorbehoud van regsvraag vir beslissing van hoër hof.

12. (1) 'n Raad kan, uit eie beweging, en moet, op die versoek van die appellant of 'n paspoortbeheerbeampte, 'n regsvraag wat ontstaan oor 'n appèl wat deur daardie raad kragtens hierdie Hoofstuk verhoor word, vir die beslissing van 'n bevoegde hoër hof voorbehou.

(2) Die raad in subartikel (1) bedoel, stel bedoelde regsvraag in die vorm van 'n casusposisie vir die beslissing van die hof in daardie subartikel bedoel, deur sodanige casusposisie aan die griffier van daardie hof te stuur.

(3) Indien bedoelde casusposisie op die versoek van die appellant gestel word, moet hy by die griffier sekerheid stel vir die bedrag wat die griffier bepaal ten opsigte van die koste wat die hof bedoelde appellant gelas om te betaal.

(4) (a) 'n Regsvraag wat kragtens subartikel (1) voorbehou is, kan voor die in subartikel (2) bedoelde hof berede-

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(3) Any person who, when summoned to give evidence or produce documents, fails, without reasonable excuse, to comply with the terms of the summons or who, whether summoned or not, refuses, while under examination, to answer to the best of his knowledge or belief, all questions put to him by or with the concurrence of the board or who wilfully interrupts the proceedings thereof, shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred rand or, in default of payment, to imprisonment for a period not exceeding three months: Provided that any witness shall have the same privileges in respect of answering any question or producing any document as he would have if he were asked such question or such document had to be produced by him before a superior court.

(4) If any person to whom an oath has been administered under subsection (3), knowingly gives false evidence material to the question which is being considered by the board, he shall be guilty of an offence and liable on conviction to the penalties prescribed by the law for perjury.

9. Subject to the provisions of section 11, the decision of a majority of a board upon an appeal shall be final: Provided that the Minister may, in special cases, vary or modify any decision which would have the effect of causing the removal of the appellant from the Republic or any province.

Decisions of board, and variation and modification thereof by Minister.

10. If a board decides that an appellant is a prohibited person in respect of the Republic or any province, or if the appellant does not prosecute his appeal, a passport control officer may, subject to the provisions of section 9, forthwith take such steps in respect of such appellant as could have been taken if the appeal had not been lodged: Provided that if the appeal is prosecuted and a question of law is reserved under section 12, no such steps shall be taken unless the court decides that the appellant is such a prohibited person: Provided further that a further deposit shall be made of an amount fixed by the passport control officer, not exceeding two hundred rand, to cover the cost of the appellant's detention until the of decision the court is given.

Certain steps may be taken if board decides that appellant is a prohibited person, except in certain circumstances.

11. No court of law shall, except upon a question of law reserved by a board under section 12, have any jurisdiction to review, quash, reverse, interdict or otherwise interfere with any proceeding, act, order or warrant of the Minister, a board, a passport control officer or master of a ship, had, done, or issued under this Act, and which relates to the restriction or detention, or the removal from the Republic or any province, of a person who is being dealt with as a prohibited person.

Restriction of jurisdiction of courts of law in respect of restriction, detention or removal of persons being dealt with as prohibited persons.

12. (1) A board may, of its own motion, and shall, at the request of the appellant or of a passport control officer, reserve for the decision of a superior court having jurisdiction, any question of law which arises upon an appeal heard before that board under this Chapter.

Reservation of question of law for decision of superior court.

(2) The board referred to in subsection (1), shall state such question of law in the form of a special case for the decision of the court referred to in that subsection by transmitting such special case to the registrar of that court.

(3) If such special case is stated at the request of the appellant, he shall lodge with the registrar security to such an amount as the registrar may determine, in respect of any such costs as the court may order such appellant to pay.

(4) (a) A question of law reserved under subsection (1) may be argued before the court referred to in subsection (1)

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neer word en bedoelde hof kan die verdere inligting wat hy nodig ag, wat deur die raad verstrekk moet word, aanvra.

- (b) Die hof in subartikel (1) bedoel, kan die uitspraak ten opsigte van die casusposisie, aangevul deur bedoelde verdere inligting (as daar is), en die bevel betreffende die koste van die verrigtinge, uitreik wat hy goedvind.

(5) Die appellant of die paspoortbeheerbeampste het 'n reg van appèl na die appèlafdeling van die Hooggeregshof teen 'n uitspraak in subartikel 4 (b) bedoel.

(6) In die geval van 'n appèl na die appèlafdeling moet die appellant by die griffier sekerheid stel vir die verdere bedrag wat die griffier bepaal ten opsigte van koste wat die appèlafdeling bedoelde appellant gelas om te betaal.

(7) By die toepassing van hierdie artikel beteken—

„appellant” nie ook 'n vreemdeling nie;

„bevoegde hoër hof” die provinsiale afdeling van die Hooggeregshof wat regsbevoegdheid het waar die betrokke raad sitting gehou het, of 'n regter van bedoelde provinsiale afdeling;

„regsvraag” ook 'n vraag aangaande domisilie.

HOOFSTUK 4.

DEEL I: VERBODE PERSONE EN PERSONE WAT NIE VERBODE
PERSONE IS NIE; BEVOEGDHEDE VAN MINISTER; PLIGTE VAN
PASPOORTBEHEERBEAMPTES.

Verbode persone.

13. (1) 'n Persoon in hierdie subartikel vermeld wat die Republiek binnekom of binnegekom het of wat, hoewel hy wettig in een provinsie woonagtig is, 'n ander provinsie waarin hy nie wettig woonagtig is nie binnekom of binnegekom het, is 'n verbode persoon ten opsigte van die Republiek of bedoelde ander provinsie, na gelang van die geval, naamlik—

(a) 'n persoon of kategorie persone wat om ekonomiese redes of weens hul lewenstandaard of -gewoontes deur die Minister geag word nie te voldoen aan die vereistes van die Republiek of 'n bepaalde provinsie nie;

(b) iemand wat weens gebrekkige opvoeding nie in staat is om 'n Europese taal ten genoeg van 'n paspoortbeheerbeampste of, in die geval van 'n appèl, ten genoeg van die raad, te lees en te skryf nie; en by die toepassing van hierdie paragraaf word Jiddisj as 'n Europese taal beskou;

(c) iemand wat waarskynlik 'n openbare las sal word weens liggaam- of geesteswakheid, of omdat hy nie oor voldoende middele beskik om homself en sy afhanklikes wat hy saam met hom in die Republiek inbring of inbring het, te onderhou nie;

(d) iemand wat, op grond van inligting langs amptelike of diplomatieke weg van 'n regering ontvang, deur die Minister geag word 'n ongewenste inwoner van of besoeker aan die Republiek te wees;

(e) 'n prostituut of iemand, man of vrou, wat op die opbrengs van prostitusie leef of geleef het, of willens en wetens 'n deel van die opbrengs van prostitusie ontvang of ontvang het, of vrouspersone vir onsedelike doeleindes verkry of verkry het;

(f) iemand wat (hetsy voor of na die inwerkingtreding van hierdie Wet) in enige land skuldig bevind is aan 'n misdryf in Bylae 1 vermeld (tensy hy algehele grasië ten opsigte daarvan ontvang het) en deur die Minister of 'n paspoortbeheerbeampste, handelende kragtens voorskrifte uitgereik deur die Minister, geag word 'n ongewenste inwoner van of besoeker aan die Republiek te wees;

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and such court may call for such further information, to be supplied by the board concerned, as the court may deem necessary.

- (b) The court referred to in subsection (1) may give such decision in respect of the special case, as supplemented by such further information (if any), and may make such order as to the costs of the proceedings, as it may deem fit.

(5) The appellant or the passport control officer shall have a right of appeal to the appellate division of the Supreme Court against a decision referred to in subsection (4) (b).

(6) In the case of an appeal to the appellate division, the appellant shall lodge with the registrar security to such further amount as may be determined by the registrar in respect of such costs as the appellate division may order such appellant to pay.

(7) For the purposes of this section—

“appellant” does not include any alien;

“a superior court having jurisdiction” means the provincial division of the Supreme Court which has jurisdiction where the board concerned was sitting, or any judge of such provincial division;

“question of law” includes a question of domicile.

CHAPTER 4.

PART I: PROHIBITED PERSONS AND PERSONS WHO ARE NOT PROHIBITED PERSONS; POWERS OF MINISTER; DUTIES OF PASSPORT CONTROL OFFICERS.

13. (1) Any person referred to in this subsection who enters or has entered the Republic or who, though lawfully resident in one province, enters or has entered another province in which he is not lawfully resident, shall be a prohibited person in respect of the Republic or such other province (as the case may be), namely—

Prohibited persons.

- (a) any person or category of persons deemed by the Minister on economic grounds or on account of standard or habits of life to be unsuited to the requirements of the Republic or any particular province thereof;
- (b) any person who is unable, by reason of deficient education, to read and write any European language to the satisfaction of a passport control officer or, in case of an appeal, to the satisfaction of the board; and for the purpose of this paragraph Yiddish shall be regarded as an European language;
- (c) any person who is likely to become a public charge by reason of infirmity of mind or body, or because he is not in possession of sufficient means to support himself and such of his dependants as he may bring or has brought with him into the Republic;
- (d) any person who, from information received from any government through official or diplomatic channels, is deemed by the Minister to be an undesirable inhabitant of or visitor to the Republic;
- (e) any prostitute, or any person, male or female, who lives or has lived on or knowingly receives or has received any part of the earnings of prostitution or who procures or has procured women for immoral purposes;
- (f) any person who has (whether before or after the commencement of this Act) been convicted in any country of any offence referred to in Schedule 1 (unless he has received a free pardon in respect thereof) and is deemed by the Minister or a passport control officer, acting upon directions issued by the Minister, to be an undesirable inhabitant of or visitor to the Republic;

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- (g) 'n idioot of lyer aan vallende siekte, of iemand wat kranksinnig of swaksinnig is, of iemand wat doof en stom, of doof en blind, of stom en blind is of ander liggaamsgebreke het, tensy in sodanige geval die betrokke persoon of die persoon wat hom vergesel of 'n ander persoon ten genoeë van die Minister sekerheid stel vir sy permanente onderhoud in die Republiek of sy verwydering daaruit wanneer die Minister dit vereis;
- (h) iemand wat aan melaatsheid of aan 'n besmetlike, aansteeklike, walglike of ander siekte (uitgesonderd tuberkulose) wat by regulasie omskryf word, ly; en iemand wat aan tuberkulose ly, tensy hy in besit is van 'n permit om die Republiek binne te kom wat uitgereik is op voorwaardes wat voorgeskryf word;
- (i) iemand wat uit die Republiek verwyder is uit hoofde van 'n lasbrief wat kragtens 'n wet uitgereik is, tensy bedoelde persoon in besit is van 'n geldige magtiging om na die Republiek terug te keer;
- (j) iemand wat in die Republiek aan 'n misdryf skuldig bevind is en weens die omstandighede van bedoelde misdryf deur die Minister geag word 'n ongewenste inwoner van of besoeker aan die Republiek te wees.

(2) Die bepalings van subartikel (1) (a) word nie so uitgelê nie dat dit magtiging daarvoor verleen dat iemand wat in 'n provinsie gedomisilieer is, as 'n verbode persoon in die provinsie die Kaap die Goeie Hoop of Natal beskou word indien hy, as hy by die aanvang van die eerste dag van Augustus 1913 geregtig was om in 'n provinsie verblyf te hou, bewys of bewys het dat hy in staat is om te voldoen aan die vereistes bedoel in artikel 3 (a) van Wet No. 30 van 1906 van die Kaap die Goeie Hoop, of in artikel 5 (a) van Wet No. 30 van 1903 van Natal.

(3) Die houer van 'n registrasie-sertifikaat of domisilie-sertifikaat of 'n ander dokument wat te eniger tyd kragtens 'n wet uitgereik is (uitgesonderd 'n geldige identiteitsertifikaat kragtens artikel 19 (5) uitgereik) en wat bedoelde houer veroorloof om die Republiek of 'n provinsie binne te kom of daarin verblyf te hou, is nie uit hoofde van bedoelde sertifikaat of ander dokument geregtig om die Republiek of 'n provinsie binne te kom of daarin verblyf te hou nie.

Persone wat nie
verbode persone
is nie.

14. (1) Die volgende persone of kategorieë persone is nie by die toepassing van artikel 13 verbode persone nie, naamlik—

- (a) 'n lid van 'n leërmag van 'n land waaraan die Regering toestemming verleen het om die Republiek binne te kom;
- (b) die offisiere en bemanning van 'n publieke skip van 'n vreemde staat, terwyl bedoelde skip in 'n hawe is;
- (c) 'n diplomatieke agent soos omskryf in artikel 1 van die Wet op Diplomatieke Voorregte, 1951 (Wet No. 71 van 1951), of iemand wat by die Staatspresident geakkrediteer is as konsul-generaal, konsul of vise-konsul vir 'n vreemde staat, of iemand in diens by die gesantskap, kanselary of kantoor van bedoelde diplomatieke agent, konsul-generaal, konsul of vise-konsul, of 'n lid van die huisgesin van 'n persoon in hierdie paragraaf bedoel of 'n bediende van bedoelde persoon: Met dien verstande dat die tydperk waarin 'n persoon in die Republiek woonagtig was (hetsy voor of na die aanvang van die eerste dag van Augustus 1913), terwyl hy iemand was wat in hierdie paragraaf bedoel word, nie in aanmerking geneem word wanneer bepaal word of bedoelde persoon 'n domisilie in die Republiek of 'n provinsie verkry het al dan nie;
- (d) iemand wat ten einde in diens te tree die Republiek binnekom—
 - (i) op die voorwaardes wat van tyd tot tyd ooreenkomstig 'n wet voorgeskryf is; of

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- (g) any idiot or epileptic, or any person who is insane or mentally deficient, or any person who is deaf and dumb, or deaf and blind, or dumb and blind, or is otherwise physically afflicted, unless in any such case the person concerned or the person accompanying him or another person gives security, to the satisfaction of the Minister, for his permanent support in the Republic or for his removal therefrom when required by the Minister;
 - (h) any person who is afflicted with leprosy or with any such infectious, contagious, loathsome or other disease (other than tuberculosis) as is defined by regulation; and any person who is afflicted with tuberculosis unless he is in possession of a permit to enter the Republic, issued upon such conditions as may be prescribed;
 - (i) any person who has been removed from the Republic by warrant issued under any law unless such person is in possession of a valid authority to return to the Republic;
 - (j) any person who has been convicted in the Republic of any offence and by reason of the circumstances of such offence is deemed by the Minister to be an undesirable inhabitant of or visitor to the Republic.
- (2) The provisions of subsection (1) (a) shall not be construed as enabling any person domiciled in any province to be deemed a prohibited person in the province of the Cape of Good Hope or Natal if, being at the commencement of the first day of August, 1913, entitled to reside in any province, he shows or has shown that he is able to comply with the requirements referred to in section 3 (a) of Act No. 30 of 1906 of the Cape of Good Hope or in section 5 (a) of Act No. 30 of 1903 of Natal.
- (3) The holder of a certificate of registration or certificate of domicile or any other document (other than a valid certificate of identity issued under section 19 (5)) issued at any time under any law permitting such holder to enter into or reside in the Republic or any province, shall not by virtue of such certificate or other document be entitled to enter or reside in the Republic or any province.

14. (1) The following persons or categories of persons shall not be prohibited persons for the purposes of section 13, namely—

Persons who are not prohibited persons.

- (a) any member of a military force of any country which has been granted consent by the Government to enter the Republic;
- (b) the officers and crew of a public ship of any foreign state while such ship is in port;
- (c) any diplomatic agent as defined in section 1 of the Diplomatic Privileges Act, 1951 (Act No. 71 of 1951), or any person accredited to the State President as consul-general, consul or vice-consul for any foreign state, or any person employed in the legation, chancery or office of such diplomatic agent, consul-general, consul or vice-consul, or any member of the household of any person referred to in this paragraph, or a servant of such person: Provided that the period during which any person resided in the Republic (whether before or after the first day of August, 1913) while he was such a person as is referred to in this paragraph, shall not be taken into account in determining whether such person has or has not acquired a domicile in the Republic or in any province;
- (d) any person who for the purpose of employment enters the Republic—
 - (i) under such conditions as may have been prescribed from time to time in accordance with any law; or

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- (ii) kragtens 'n verdrag met die regering van 'n naburige gebied of staat; of
- (iii) ooreenkomstig 'n werwings- en repatriasie-skema wat deur die Minister goedgekeur is, en wat nie 'n persoon bedoel in paragraaf (c), (d), (e), (f), (g), (h), (i) of (j) van artikel 13 (1) is nie: Met dien verstande dat die tydperk waartydens 'n persoon in die Republiek woonagtig was nadat hy die Republiek binnegekom het ooreenkomstig 'n bepaling van hierdie paragraaf, nie in aanmerking geneem word nie wanneer bepaal word of hy 'n domisilie in die Republiek of 'n provinsie verkry het al dan nie: Met dien verstande voorts dat die vrystelling deur hierdie artikel van 'n persoon in hierdie paragraaf bedoel, van 'n bepaling van hierdie Wet, by die beëindiging van die diens vir die doeleindes waarvan bedoelde persoon die Republiek soos voormeld binnegekom het, verval.
- (e) iemand wat voor die eerste dag van Augustus 1913 gebore is in 'n deel van Suid-Afrika wat in die Republiek opgeneem is en wie se ouers wettiglik verblyf daarin gehou het en nie op daardie tydstip deur 'n wet wat toe gegeld het, beperk was tot voorwaardelike of tydelike verblyf nie, en iemand wat op enige plek op of na daardie datum gebore is en wie se ouers ten tyde van sy geboorte gedomisilieer was in 'n deel van Suid-Afrika wat in die Republiek opgeneem is, mits bedoelde persoon, indien hy buite die Republiek gebore is, die Republiek binnegekom het of binnekom of die Republiek binnegebring is of binnegebring word voor die eerste dag van Junie, 1937, of binne drie jaar vanaf die datum van sy geboorte;
- (f) iemand wat in 'n provinsie gedomisilieer is en nie 'n in paragraaf (e), (f) of (i) van artikel 13 (1) bedoelde persoon is nie;
- (g) iemand wat ten genoë van 'n paspoortbeheerbeampte, of in die geval van 'n appèl, ten genoë van die raad, bewys word die eggenote, of die kind onder die ouderdom van sestien jaar, van 'n deur paragraaf (f) van hierdie artikel vrygestelde persoon te wees, mits bedoelde eggenote of kind (na gelang van die geval) nie 'n in paragraaf (d), (e), (f), (g) of (h) van artikel 13 (1) bedoelde persoon is nie: Met dien verstande dat geen kind wat nie deur sy moeder vergesel word nie, toegelaat word nie tensy sy moeder reeds in die Republiek verblyf hou of oorlede is of die Minister in 'n besondere geval die toelating van bedoelde kind magtig.

(2) Die bepalings van subartikel (1) word nie so uitgelê nie dat dit aan iemand op wie die bepalings van paragraaf (a) van subartikel 13 (1) van toepassing is, die reg verleen om 'n provinsie waarin hy nie wettiglik verblyf gehou het voor die eerste dag van Augustus 1913 nie, binne te kom en verblyf daarin te hou.

(3) Die bepalings van subartikel (1) (e) word nie so uitgelê nie dat dit van die werking van artikel 13 (1) (a) uitsluit—

- (a) iemand wat buite die Republiek gebore is uit 'n huwelik of verbintenis wat na die tiende dag van Februarie 1953 aangegaan is; of
- (b) iemand wat buite die Republiek gebore is na die tiende dag van Februarie 1954; of
- (c) iemand, uitgesonderd 'n persoon in paragraaf (a) bedoel, wat op of voor die tiende dag van Februarie 1954 buite die Republiek gebore is en wat die Republiek nie ooreenkomstig die bepalings van subartikel (1) (e) voor die tiende dag van Februarie 1956 binnegekom het of binnegebring is nie,

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- (ii) under any convention with the government of a neighbouring territory or state; or
- (iii) in accordance with any scheme of recruitment and repatriation approved by the Minister,

and who is a person not referred to in paragraph (c), (d), (e), (f), (g), (h), (i) or (j) of section 13 (1): Provided that the period during which a person resided in the Republic after having entered the Republic in accordance with any provision of this paragraph shall not be taken into account in determining whether he has or has not acquired a domicile in the Republic or in any province: Provided further that the exemption by this section of any person referred to in this paragraph from any provision of this Act shall cease on the termination of the employment for the purpose of which such person entered the Republic as aforesaid;

- (e) any person born before the first day of August, 1913, in any part of South Africa included in the Republic whose parents were lawfully resident therein and were not at that time restricted to conditional or temporary residence by any law then in force, and any person born in any place on or after that date whose parents were at the time of his birth domiciled in any part of South Africa included in the Republic, provided such person, if he was born outside the Republic, entered or enters or was or is brought into the Republic before the first day of June, 1937, or within three years from the date of his birth;
- (f) any person domiciled in any province who is not a person referred to in paragraph (e), (f) or (i) of section 13 (1);
- (g) any person who is proved to the satisfaction of a passport control officer or in case of an appeal, to the satisfaction of the board, to be the wife or the child under the age of sixteen years of any person exempted by paragraph (f) of this section, provided such wife or child (as the case may be) is not a person referred to in paragraph (d), (e), (f), (g) or (h) of section 13 (1): Provided that no child who is not accompanied by its mother shall be admitted unless its mother is already resident in the Republic or is deceased, or the Minister in any special case authorizes the admission of such child.

(2) The provisions of subsection (1) shall not be construed as entitling a person to whom the provisions of paragraph (a) of section 13 (1) apply, to enter and reside in a province in which he was not lawfully resident before the first day of August, 1913.

(3) The provisions of subsection (1) (e) shall not be construed so as to exclude from the operation of section 13 (1) (a)—

- (a) any person born outside the Republic out of any marriage or union entered into after the tenth day of February, 1953; or
- (b) any person born outside the Republic after the tenth day of February, 1954; or
- (c) any person, other than a person referred to in paragraph (a), born outside the Republic on or before the tenth day of February, 1954, who did not enter or was not brought into the Republic in accordance with the provisions of subsection (1) (e) before the tenth day of February, 1956,

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tensy die Minister, of 'n paspoortbeheerbeampte handelende kragtens voorskrifte deur die Minister uitgereik, bedoelde persoon magtig om die Republiek binne te kom ooreenkomstig die bepalings van subartikel (1) (e).

(4) Die bepalings van subartikel (1) (g) word nie so uitgelê nie dat dit van die werking van artikel 13 (1) (a) uitsluit—

- (a) die eggenote van iemand by 'n huwelik of verbintenis wat na die tiende dag van Februarie 1953 aangegaan is, of 'n kind wat buite die Republiek uit so 'n huwelik of verbintenis gebore is, of
- (b) 'n kind wat buite die Republiek gebore is na die tiende dag van Februarie 1954; of
- (c) vanaf die tiende dag van Februarie 1956, die eggenote van iemand by 'n huwelik of verbintenis wat op of voor die tiende dag van Februarie 1953 aangegaan is, of 'n kind, uitgesonderd 'n kind in paragraaf (a) bedoel, wat op of voor die tiende dag van Februarie 1954 buite die Republiek gebore is,

tensy die Minister, of 'n paspoortbeheerbeampte handelende kragtens voorskrifte deur die Minister uitgereik, sodanige eggenote, persoon of kind magtig om die Republiek binne te kom ooreenkomstig die bepalings van subartikel (1) (g).

(5) Die bepalings van subartikel (1) (e) of (f) word nie so uitgelê nie dat dit iemand wat voorheen 'n Suid-Afrikaanse burger of Unie-staatsburger was en wat nie 'n Suid-Afrikaanse burger is nie, van die werking van artikel 13 uitsluit.

(6) By die toepassing van subartikel (1) (g) beteken—

- (a) „kind” 'n kind wat verwek is deur die vrygestelde persoon by sy eggenote (soos in paragraaf (b) omskryf), of by 'n oorlede vrou wat, indien sy geleef het, as sy eggenote (soos aldus omskryf) erken sou kon word of wie se verbintenis met die vrygestelde persoon as 'n huwelik kragtens artikel 2 van die „Indiërs Verlichting Wet, 1914” (Wet No. 22 van 1914), geregistreer sou kon word;
- (b) „eggenote” ook 'n bepaalde vrou tussen wie en die betrokke vrygestelde persoon 'n verbintenis bestaan wat volgens die leerstellings van 'n Indiese godsdienst as 'n huwelik erken word, selfs al sou 'n gelyktydige verbintenis van daardie vrygestelde persoon met 'n ander vrou ook as 'n huwelik volgens die leerstellings van daardie godsdienst erken word: Met dien verstande dat geen vrou geag word die eggenote van die vrygestelde persoon te wees nie—
 - (i) indien hy 'n huwelik of so 'n voormelde verbintenis aangegaan het met 'n ander vrou wat nog leef en in 'n provinsie woonagtig is of geregtig is om daarin woonagtig te wees of wat deur 'n paspoortbeheerbeampte kragtens gemelde paragraaf (g) as sy eggenote erken is; of
 - (ii) indien hy by 'n vrou wat nog leef 'n kind verwek het wat in 'n provinsie woon of geregtig is om daarin te woon.

Kennisgewing deur
Minister van
uitoefening van
sekere bevoegd-
hede.

15. Wanneer die Minister 'n bevoegdheid uitoefen wat deur artikel 13 (1) aan hom verleen is, stuur hy 'n skriftelike kennisgewing van dié feit aan die betrokke paspoortbeheerbeampte en elke raad.

Verwydering van
verbode persone
uit Republiek of
provinsie.

16. Behoudens die bepalings van artikels 5 tot en met 12, moet 'n paspoortbeheerbeampte 'n persoon wat 'n verbode persoon ten opsigte van die Republiek of 'n provinsie is en die Republiek of daardie provinsie binnekom of daarin gevind word, daaruit laat verwyder.

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unless the Minister or a passport control officer acting upon directions issued by the Minister, authorizes any such person to enter the Republic in accordance with the provisions of subsection (1) (e).

(4) The provisions of subsection (1) (g) shall not be construed so as to exclude from the operation of section 13 (1) (a)—

- (a) the wife of any person by a marriage or union entered into after the tenth day of February, 1953, or any child born outside the Republic out of any such marriage or union; or
- (b) any child born outside the Republic after the tenth day of February, 1954; or
- (c) as from the tenth day of February, 1956, the wife of any person by a marriage or union entered into on or before the tenth day of February, 1953, or any child, other than a child referred to in paragraph (a) born outside the Republic on or before the tenth day of February, 1954,

unless the Minister or a passport control officer acting upon directions issued by the Minister, authorizes any such wife, person or child to enter the Republic in accordance with the provisions of subsection (1) (g).

(5) The provisions of subsection (1) (e) or (f) shall not be construed so as to exclude from the operation of section 13 any person who has previously been a South African citizen or a Union national and is not a South African citizen.

(6) For the purposes of subsection (1) (g)—

- (a) "child" means the off-spring of the exempted person by his wife (as defined in paragraph (b)) or by a deceased woman who, had she been alive, could have been recognized as his wife (as so defined) or whose union with the exempted person could have been registered as a marriage under section 2 of the Indians Relief Act, 1914 (Act No. 22 of 1914);
- (b) "wife" includes any one woman between whom and the exempted person in question there exists a union recognized as a marriage under the tenets of any Indian religion, even though a simultaneous union of that exempted person with another woman would also be recognized as a marriage under the tenets of that religion: Provided that no woman shall be deemed to be the wife of that exempted person—
 - (i) if he entered into a marriage or such a union as aforesaid with any other woman who is still living and who resides or is entitled to reside in any province or whom a passport control officer has recognized as his wife under the said paragraph (g); or
 - (ii) if he has, by any woman who is still living, off-spring residing or entitled to reside in any province.

15. Whenever the Minister exercises any power conferred upon him by section 13 (1), he shall transmit a written notice of that fact to the passport control officer concerned and every board.

Notice by
Minister of
exercise of certain
powers.

16. Subject to the provisions of sections 5 to 12, inclusive, a passport control officer shall cause any person who is a prohibited person in respect of the Republic or any province and enters or is found within the Republic or that province, to be removed therefrom.

Removal of
prohibited persons
from Republic or
province.

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Voorbehoud ten opsigte van persone bedoel in Hoofstuk XXXIII van Wetboek van Oranje-Vrystaat.

17. 'n Persoon in Hoofstuk XXXIII van die Wetboek van die Oranje-Vrystaat bedoel, bly, niesteenstaande die feit dat hy wettig in 'n bepaalde provinsie woonagtig is of dat hy toegelaat is om die Republiek binne te kom, in alle opsigte onderworpe aan die bepalings van artikels 7 en 8 van bedoelde Hoofstuk XXXIII, en indien sodanige persoon in stryd met sodanige bepalings handel, kan met hom kragtens hierdie Wet as 'n verbode persoon ten opsigte van die Oranje-Vrystaat gehandel word.

DEEL II: DIVERSE BEPALINGS MET BETREKKING TOT VERBODE
PERSONE EN SEKERE ANDER PERSONE.

Minister kan toegangspoorte vir die binnekoms of terugkeer van sekere kategorieë persone bepaal.

18. Die Minister kan van tyd tot tyd by kennisgewing in die *Staatskoerant* verklaar dat persone wat behoort tot die kategorieë in artikel 13 (1) (a) bedoel, wanneer hulle kragtens hierdie Wet toegelaat word om die Republiek of 'n provinsie binne te kom of daarheen terug te keer, deur 'n toegangspoort of toegangspoorte wat in die kennisgewing bepaal word, en geen ander toegangspoort nie, moet binnekom of terugkeer en daarna is dit vir enige sodanige persoon onwettig om deur 'n ander toegangspoort binne te kom of terug te keer.

Permitte en sertifikate.

19. (1) Ondanks andersluidende bepalings van hierdie Wet, kan die Minister na goeë dunnke en in die voorgeskrewe vorm iemand van die bepalings van paragrawe (a), (b), (c) of (d) van artikel 13 (1) vrystel betreffende sy binnekoms of verblyf in die Republiek of 'n bepaalde provinsie of kan hy, behoudens die bepalings van artikel 16, aan 'n verbode persoon 'n tydelike permit laat uitreik om die Republiek of 'n provinsie, of 'n bepaalde deel van 'n provinsie, binne te kom en verblyf daarin te hou, onderworpe aan die voorwaardes wat by regulasie opgelê word.

(2) 'n Vrystelling verleen kragtens subartikel (1) verval, in die geval waar die persoon wat vrystel is 'n domisilie in die Republiek verkry het, wanneer hy sy domisilie in die Republiek verloor en, in die geval waar die persoon wat vrystel is geen domisilie in die Republiek verkry het nie, wanneer hy uit die Republiek vertrek.

(3) Iemand wat in een provinsie gedomisilieer is of wettiglik daarin woonagtig is en wat 'n ander provinsie binnekom en daarin woon uit hoofde van 'n vrystelling, uitgereik kragtens subartikel (1) van hierdie artikel, waardeur sodanige persoon vrystel is van die bepalings van artikel 13 (1) (a) —

(a) word geag afstand te gedoen het, vanaf die datum waarop bedoelde vrystelling uitgereik is, van 'n reg om die provinsie waarin bedoelde persoon aldus gedomisilieer is of woonagtig is, binne te kom of op verblyf of domisilie daarin, en van enige reg wat daarmee in verband staan, en is ten opsigte van die provinsie waarin hy aldus gedomisilieer of wettiglik woonagtig is, 'n verbode persoon; en

(b) word geag 'n ooreenstemmende reg om bedoelde ander provinsie binne te kom of op verblyf of domisilie daarin, en enige reg wat daarmee in verband staan, vanaf bedoelde datum te verkry het.

(4) Die voorwaardes opgelê ten opsigte van 'n tydelike permit in subartikel (1) bedoel en wat uitgereik word aan 'n persoon wat 'n Bantoe binne die bedoeling van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950) is, kan verskil van die voorwaardes aldus opgelê ten opsigte van bedoelde permit wat uitgereik word aan iemand wat nie 'n Bantoe binne die bedoeling van daardie Wet is nie.

(5) Die Minister kan na goeë dunnke die uitreiking magtig van 'n identiteitsertifikaat aan iemand wat wettiglik in die Republiek woonagtig is en wat voornemens is om die Republiek tydelik te verlaat maar om die een of ander rede in

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17. Any person referred to in Chapter XXXIII of the Orange Free State Law Book shall, notwithstanding the fact that he is lawfully resident in a particular province or that he has been permitted to enter the Republic, continue to be subject in all respects to the provisions of sections 7 and 8 of the said Chapter XXXIII, and if such person acts in contravention of those provisions, he may be dealt with under this Act as a prohibited person in respect of the Orange Free State.

Saving as to persons referred to in Chapter XXXIII of the Orange Free State Law Book.

PART II: MISCELLANEOUS PROVISIONS RELATING TO PROHIBITED
PERSONS AND CERTAIN OTHER PERSONS.

18. The Minister may from time to time, by notice in the *Gazette*, declare that persons belonging to categories referred to in section 13 (1) (a) when permitted under this Act to enter or return to the Republic or any province, shall enter or return at a port or ports specified in such notice and not at any other port, and thereupon it shall be unlawful for any such person to enter or return at any other port.

Minister may specify ports of entry for the entry or return of certain categories of persons.

19. (1) Notwithstanding anything to the contrary in this Act contained, the Minister may, in his discretion and in the prescribed form, exempt any person from the provisions of paragraph (a), (b), (c) or (d) of section 13 (1) in respect of his entry into or residence in the Republic or any particular province or, subject to the provisions of section 16, may cause to be issued to any prohibited person a temporary permit to enter and reside in the Republic or any particular province or a particular portion of a province, subject to such conditions as may be imposed by regulation.

Permits and certificates.

(2) Any exemption under subsection (1) shall lapse, in the case where the person exempted has acquired a domicile in the Republic, when he loses his domicile in the Republic and, in the case where the person exempted has not acquired a domicile in the Republic, when he departs from the Republic.

(3) Any person domiciled or lawfully resident in any province and who enters and resides in any other province by virtue of an exemption, issued under subsection (1) of this section, whereby such person is exempted from the provisions of section 13 (1) (a)—

(a) shall be deemed to have abandoned, as from the date on which such exemption was issued, any right of entry, residence or domicile in the province in which such person is so domiciled or resident, and any right incidental thereto, and shall be a prohibited person in respect of the province in which such person is so domiciled or lawfully resident; and

(b) shall be deemed to have acquired, as from such date, a corresponding right of entry, residence or domicile in such other province and any right incidental thereto.

(4) The conditions imposed in respect of a temporary permit referred to in subsection (1), and which may be issued to a person who is a Bantu within the meaning of the Population Registration Act, 1950 (Act No. 30 of 1950), may differ from the conditions so imposed in respect of such a permit which may be issued to a person who is not a Bantu within the meaning of that Act.

(5) The Minister may in his discretion authorize the issue of a certificate of identity to any person who is lawfully resident in the Republic and who desires to leave the Republic temporarily

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twyfel verkeer of hy by sy terugkeer in staat sal wees om te bewys dat hy nie 'n verbode persoon is nie.

(6) Die Minister kan persone buite die Republiek magtig om aan 'n voornemende immigrant 'n sertifikaat uit te reik dat hy vrygestel is van die bepalings van artikel 13 (1) (a), maar geen sodanige sertifikaat word in die Republiek erken nie tensy die houer daarvan aan die paspoortbeheerbeampte die voorgeskrewe bewys voorlê dat hy die persoon is aan wie bedoelde sertifikaat uitgereik is.

Verbode persoon
nie van be-
palings van Wet
onthef nie indien hy
weens 'n vergis-
sing, ens., toe-
gelaat is om
binne te kom.

20. (1) Geen verbode persoon is van die bepalings van hierdie Wet onthef nie of word toegelaat om in die Republiek of 'n provinsie, waarin sy verblyf onwettig is, verblyf te hou nie, of word geag 'n domisilie daarin te verkry het nie, op grond daarvan alleen dat hy nie meegedeel is dat hy nie die Republiek of daardie provinsie (na gelang van die geval) mag binnekom of daarin verblyf mag hou nie of dat hy deur 'n vergissing, wanvoorstelling of weens die feit dat dit nie bekend was dat hy so 'n verbode persoon was nie, toegelaat is om die Republiek of daardie provinsie binne te kom of daarin te bly nie.

(2) Met 'n persoon in subartikel (1) bedoel, word ooreenkomstig die bepalings van artikel 34 gehandel.

(3) Indien 'n persoon in subartikel (1) bedoel, in besit is van 'n registrasiesertifikaat of 'n domisiliesertifikaat of 'n ander dokument wat hom toelaat om die Republiek of 'n provinsie binne te kom of om daarin verblyf te hou of te vertoef, kan 'n raad waarna hy appelleer, indien dit aan die raad bewys word dat bedoelde sertifikaat of ander dokument verkry is deur middel van bedrieglike voorstellings, gedoen deur of ten behoeve van bedoelde persoon, gelas dat bedoelde sertifikaat of ander dokument gerojear moet word en dat daar met bedoelde persoon ooreenkomstig die bepalings van hierdie Wet gehandel word: Met dien verstande dat indien bedoelde persoon nie na 'n raad appelleer nie, die betrokke hoofpaspoortbeheerbeampte, onderworpe aan die goedkeuring van die Minister, bedoelde sertifikaat of ander dokument moet rojear.

Verbode persone
nie bevoeg om
sekere lisensies te
verkry nie.

21. (1) Niemand wat 'n verbode persoon ten opsigte van die Republiek of 'n provinsie is en wat nie wettiglik tot die Republiek of daardie provinsie (na gelang van die geval) vir verblyf daarin toegelaat is nie, kan 'n lisensie of ander magtiging vir die dryf van handel of die uitoefening van 'n professie of beroep in die Republiek of daardie provinsie (na gelang van die geval) verkry nie.

(2) 'n Lisensie of ander magtiging, deur 'n verbode persoon in stryd met die bepalings van subartikel (1) verkry, is nietig.

Straf op verbode
persone met wie
voorheen as ver-
bode persone
gehandel is.

22. (1) Indien iemand nadat hy, hetsy voor of na die inwerkingtreding van hierdie Wet, toestemming geweier is om die Republiek of 'n provinsie, waarin hy 'n verbode persoon is, binne te kom, of daaruit verwyder is of beveel is om dit te verlaat, in die Republiek of daardie provinsie gevind word, is hy aan 'n misdryf skuldig en kan hy by skuldigbevinding—

(a) gestraf word met gevangenisstraf vir 'n tydperk van hoogstens drie maande sonder die keuse van 'n boete; en

(b) te eniger tyd kragtens 'n lasbrief kragtens hierdie Wet uitgereik uit die Republiek of daardie provinsie, na gelang van die geval, verwyder word.

(2) Gevangenisstraf kragtens subartikel (1) opgelê, eindig sodra die verbode persoon in daardie subartikel bedoel, uit die Republiek of bedoelde provinsie, na gelang van die geval, verwyder word.

(3) 'n Beampte aan die hoof van die betrokke gevangenis moet, indien 'n lasbrief vir die verwydering van 'n persoon in hierdie subartikel bedoel, deur 'n paspoortbeheerbeampte of polisiebeampte aan hom getoon word, bedoelde persoon aan daardie paspoortbeheerbeampte of polisiebeampte oorhandig en bedoelde persoon word geag in wettige bewaring te wees

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but is for any reason in doubt whether he will be able to prove on his return that he is not a prohibited person.

(6) The Minister may authorize persons outside the Republic to issue to any intending immigrant a certificate that he is exempt from the provisions of section 13 (1) (a), but no such certificate shall be recognized in the Republic unless the holder thereof furnishes to the passport control officer the prescribed proof that he is the person to whom the certificate was issued.

20. (1) No prohibited person shall be exempt from the provisions of this Act or be allowed to remain in the Republic, or in any province wherein his residence is unlawful, or be deemed to have acquired a domicile therein, on the grounds only that he had not been informed that he could not enter or remain in the Republic or (as the case may be) in that province, or that he had been allowed to enter or remain in the Republic or that province through oversight, misrepresentation, or owing to the fact having been undiscovered that he was such a prohibited person.

Prohibited person not exempt from provisions of Act if he was allowed to enter through oversight, etc.

(2) A person referred to in subsection (1) shall be dealt with in accordance with the provisions of section 34.

(3) If any person referred to in subsection (1), is in possession of a certificate of registration or a certificate of domicile, or any other document authorizing him to enter, reside or remain in the Republic or any province, any board to which he may appeal, may if it is proved to the board that such certificate or other document was obtained by fraudulent representations made by him or on behalf of such person, to order that such certificate or other document be cancelled and that such person be dealt with in terms of this Act: Provided that if such person does not appeal to a board, the principal passport control officer concerned shall, subject to the approval of the Minister, cancel such certificate or other document.

21. (1) No person who is a prohibited person in respect of the Republic or any province and who has not been lawfully admitted to the Republic or that province, as the case may be, for residence therein, shall be capable of acquiring any licence or other authority under any law for the purpose of carrying on any trade, profession or occupation in the Republic or that province, as the case may be.

Prohibited persons not capable of acquiring certain licences.

(2) Any licence or other authority acquired by a prohibited person in contravention of the provisions of subsection (1), shall be void.

22. (1) If any person after having been refused permission to enter, removed from, or ordered to leave the Republic, or any province in which he is a prohibited person (whether before or after the commencement of this Act) is found within the Republic or that province, he shall be guilty of an offence and liable on conviction—

Punishment of prohibited persons previously dealt with as prohibited persons.

- (a) to imprisonment for a period not exceeding three months without the option of a fine; and
- (b) to be removed at any time from the Republic or from such province, as the case may be, under a warrant issued under this Act.

(2) Imprisonment imposed under subsection (1) shall terminate as soon as the prohibited person referred to in that subsection is removed from the Republic or such province (as the case may be).

(3) An officer in charge of the prison concerned shall, if a warrant for the removal of a person referred to in this section is produced to him by a passport control officer or police officer, deliver such person to that passport control officer or police officer and such person shall be deemed to be in lawful custody

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terwyl hy in die bewaring is van daardie paspoortbeheerbeampte of polisiebeampte of van 'n paspoortbeheerbeampte of polisiebeampte wat te eniger tyd in besit van daardie lasbrief is.

Tertafellegging
van lys van
verbode persone.

23. (1) 'n Lys van alle persone wat kragtens hierdie Wet tot verbode persone ten opsigte van die Republiek of 'n provinsie verklaar is, en wat daaruit verwyder is of wie se toelating tot die Republiek of 'n provinsie beperk is, word deur die Minister in die Senaat en die Volksraad ter Tafel gelê binne veertien dae na die aanvang van elke sessie daarvan.

(2) Die in subartikel (1) bedoelde lys word opgestel ten opsigte van 'n tydperk wat een maand voor die aanvang van die betrokke sessie ten einde loop en moet die naam, geslag en nasionaliteit van elke persoon in subartikel (1) bedoel, en die rede vir sy verwydering of beperking bevat.

HOOFSTUK 5.

SKEPE IN HAWENS; PLIGTE VAN GESAGVOERDERS VAN
SKEPE; PLIGTE EN BEVOEGDHEDE VAN PASPOORTBEHEERBEAMPTES;
VERWYDERING UIT REPUBLIEK VAN SEKERE PERSONE.

Paspoortbeheer-
beampte kan aan
boord van skepe
gaan en verkeer
tussen skepe en
land verbied of
reël.

24. (1) 'n Paspoortbeheerbeampte kan, na goedgekeurde, aan boord gaan van 'n skip wat 'n hawe binnekom of binnegekom het.

(2) Vir die beter uitvoering van die oogmerke en doelstellings van hierdie Wet kan 'n paspoortbeheerbeampte kommunikasie met of ontskeping uit 'n skip waarop bedoelde paspoortbeheerbeampte met die ondervraging van persone besig is of waarop 'n verbode persoon is of vermoed word te wees, verbied of reël, en kan hy die stappe doen om aan bedoelde verbod of reëling gevolg te gee wat die Minister goedkeur.

(3) Vir die beter uitvoering van die oogmerke en doelstellings van hierdie Wet kan 'n hawekaptein of hawemeester, op die versoek van 'n paspoortbeheerbeampte, die gesagvoerder van 'n skip beveel om bedoelde skip in die hawe vas te meer of te anker op die afstand van die kus of landingsplek of in die posisie wat die hawekaptein of hawemeester beveel.

Gesagvoerder
moet op aan-
vraag sekere
lyste en opgawes
aan paspoortbe-
heerbeampte oor-
handig.

25. Die gesagvoerder van 'n skip wat 'n hawe binnekom moet aan 'n paspoortbeheerbeampte op aanvraag oorhandig—

(a) 'n lys wat die volgende vermeld—

- (i) alle passasiers aan boord van die skip, ingedeel volgens hul onderskeie bestemmingshawens;
- (ii) die klas waarin elke sodanige passasier gereis het;
- (iii) die ander besonderhede wat voorgeskryf word;

(b) 'n lys van verstekeling, indien enige gevind is;

(c) 'n lys van die bemanning en alle persone (uitgesonderd passasiers of verstekeling) wat in enige hoedanigheid op die skip in diens is of vervoer word deur of ten behoeve van die eienaar;

(d) 'n opgawe, onderteken deur die mediese beampte van daardie skip of, indien daar nie 'n mediese beampte is nie, deur homself, waarin vermeld word—

- (i) bekende gevalle van siekte, hetsy aansteeklik of andersins, wat op die reis voorgekom het;
- (ii) bekende gevalle van liggaam- of geesteswakheid of ongesteldheid;
- (iii) die name van die persone wat aan bedoelde siekte, swaakheid of ongesteldheid gely het of ly; en
- (iv) in elke geval, die aard van die siekte, swaakheid of ongesteldheid;

Met dien verstande dat in die geval waar 'n skip in 'n hawe in die Republiek aankom en vir 'n ander hawe of hawens in die Republiek bestem is, die Minister die gesagvoerder van bedoelde skip kan vrystel, onderworpe aan die reëls wat hy ter voorligting van die gesagvoerder neerlê, van die verpligting

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while he is in the custody of that passport control officer or police officer or any passport control officer or police officer for the time being in possession of that warrant.

23. (1) A list of all persons who have been declared under this Act to be prohibited persons in respect of the Republic or any province, and who have been removed therefrom or whose entry into the Republic or any province has been restricted, shall be laid by the Minister upon the Table in the Senate and the House of Assembly within fourteen days after the commencement of each session thereof.

Tabling of list
of prohibited
persons.

(2) The list referred to in subsection (1) shall be framed in respect of a period which ends one month before the commencement of the session in question and shall contain the name, sex and nationality of each person referred to in subsection (1), and the reason for his removal or restriction.

CHAPTER 5.

SHIPS IN HARBOURS: DUTIES OF MASTERS OF SHIPS; DUTIES AND
POWERS OF PASSPORT CONTROL OFFICERS; REMOVAL FROM
REPUBLIC OF CERTAIN PERSONS.

24. (1) Any passport control officer may, if he deems it fit, board any ship which is entering or has entered any port.

Passport control
officer may board
ships and prohibit
or regulate inter-
course of ships
with the shore.

(2) Any passport control officer may, for the better carrying out of the objects and purposes of this Act, prohibit or regulate any communication with, or the landing on the shore from, any ship on which the passport control officer is proceeding with the examination of persons or which has on board or is suspected of having on board any prohibited person, and the passport control officer may take such steps to carry out any such prohibition or regulation as the Minister may approve.

(3) For the better carrying out of the objects and purposes of this Act any port captain or harbour master may, at the request of a passport control officer, order the master of any ship to moor or anchor such ship in the harbour at such distance from the shore or landing place or in such position as the port captain or harbour master may direct.

25. The master of any ship which enters any port shall deliver to a passport control officer upon demand—

Master of ship
to furnish certain
lists and returns
to passport control
officer on demand.

- (a) a list stating the following—
 - (i) all passengers on board the ship, classified according to their respective ports of destination;
 - (ii) the class by which each such passenger has travelled;
 - (iii) such other details as may be prescribed;
- (b) a list of stowaways, if any have been found;
- (c) a list of the crew and all persons (other than passengers or stowaways) employed or carried on the ship in any capacity by or on behalf of the owner;
- (d) a return, under the hand of the medical officer of that ship or, if there is no medical officer, under his own hand, stating—
 - (i) any known cases of disease, whether infectious or otherwise, which have occurred upon the voyage;
 - (ii) any known cases of physical or mental infirmity or ailments;
 - (iii) the names of the persons who have suffered or are suffering from such disease, infirmity or ailment; and
 - (iv) in each case, the nature of the disease, infirmity or ailment:

Provided that in the case of a ship arriving at one port in the Republic and destined for any other port or ports in the Republic, the Minister may exempt the master of such ship, subject to such rules as he may make for the guidance of such

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om bedoelde lyste, of een of meer daarvan, of bedoelde op-
gawe te oorhandig, uitgesonderd in die hawe van die Republiek
waar die skip eerste aankom.

Aanhouding en
verwydering van
sekere persone
wat oor see by
toegangspoort
aankom.

26. (1) 'n Persoon wat oor see by 'n toegangspoort aankom
en wat persoonlik deur 'n paspoortbeheerbeampte in kennis
gestel is dat hy 'n verbode persoon is en ten opsigte van wie
bedoelde paspoortbeheerbeampte aan die gesagvoerder van die
skip waarop bedoelde persoon aldus aangekom het, 'n ver-
klaring gedoen het dat bedoelde persoon 'n verbode persoon is,
moet deur bedoelde gesagvoerder op daardie skip aangehou
word en bedoelde gesagvoerder moet, tensy hy amptelik in ken-
nis gestel word dat bedoelde persoon bevind is nie 'n verbode
persoon te wees nie, daardie persoon uit die Republiek verwyder:
Met dien verstande dat indien dit vir 'n paspoortbeheerbeampte
voorkom (hetsy op grond van vertoë van bedoelde gesagvoerder
of andersins) dat iemand ten opsigte van wie bedoelde verklaring
gemaak is, vir die beter uitvoering van die oogmerke en doel-
stellings van hierdie Wet, elders as op bedoelde skip aangehou
behoort te word, bedoelde paspoortbeheerbeampte daardie per-
soon in aanhouding van sodanige skip kan laat verwyder en in 'n
ander plek, hetsy op see of op die land, wat deur die Minister vir
die aanhouding van verbode persone aangewys word, kan laat
aanhou.

(2) 'n Persoon in subartikel (1) bedoel, word, terwyl hy in
afwagting van sy verwydering aangehou word op die skip in daar-
die subartikel bedoel, geag in die bewaring van die gesag-
voerder van bedoelde skip, en nie van die paspoortbeheer-
beampte, die Minister of die Regering te wees nie, en bedoelde
gesagvoerder is aanspreeklik vir die koste van die aanhouding,
onderhoud en beheer van bedoelde persoon terwyl hy aldus
aangehou word.

(3) Indien die gesagvoerder van die skip in subartikel (1)
bedoel, versuim om aan die bepalings van daardie subartikel
te voldoen, of om die koste vermeld in subartikel (2) te betaal,
verbeur bedoelde gesagvoerder of die eienaar van bedoelde
skip 'n bedrag van hoogstens duisend rand wat deur die pas-
poortbeheerbeampte vasgestel word, ten opsigte van elke
sodanige persoon.

(4) Die paspoortbeheerbeampte kan, voordat 'n persoon
kragtens subartikel (1) van 'n skip verwyder word, van die
gesagvoerder of eienaar van bedoelde skip vereis om 'n bedrag
te stort wat voldoende is om die koste wat deur die departement
aangegaan word in verband met die verwydering, aanhouding,
onderhoud en bewaring van bedoelde persoon te dek.

(5) (a) Indien 'n persoon in subartikel (1) bedoel, om die een
of ander rede nie uit die Republiek verwyder word in
die skip waarin bedoelde persoon na die Republiek
vervoer is nie, (behalwe omdat bevind is dat bedoelde
persoon nie 'n verbode persoon is nie) moet die eienaar
van daardie skip daardie persoon op versoek van die
paspoortbeheerbeampte, sonder koste vir die Regering,
na 'n plek buite die Republiek vervoer.

(b) Indien die eienaar in paragraaf (a) bedoel, versuim
om aan die bepalings van daardie paragraaf te voldoen,
verbeur bedoelde eienaar ten opsigte van elke persoon
in daardie paragraaf bedoel, 'n bedrag, hoogstens
duisend rand, wat deur die paspoortbeheerbeampte
vasgestel word.

(6) Iemand wat, terwyl daar met hom kragtens hierdie artikel
gehandel word, uit bewaring ontsnap of probeer ontsnap, pleeg
'n misdryf en kan sonder 'n lasbrief in hegtenis geneem word.

Aanspreeklikheid
van gesagvoerder
en eienaar van
skip ten opsigte
van passasiers
in transito.

27. Indien 'n skip in 'n hawe in die Republiek aankom
met 'n passasier aan boord vir 'n bestemming buite die Re-
publiek, en, alhoewel daardie passasier nie deur die paspoort-
beheerbeampte toegelaat is om te land nie, hy nie aan boord is
wanneer die skip vertrek nie, verbeur die gesagvoerder of eienaar

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master, from the duty to deliver all or any such lists or such return except at the port of the Republic where the ship first arrives.

26. (1) Any person arriving by sea at a port of entry who has been personally notified by a passport control officer that he is a prohibited person and in respect of whom such passport control officer has made a declaration to the master of the ship in which such person has so arrived that such person is a prohibited person, shall be detained by such master on that ship and, unless such master is officially informed that such person has been found not to be a prohibited person, such master shall remove that person from the Republic: Provided that if it appears to a passport control officer (whether upon representations of such master or otherwise) that any person in respect of whom such declaration was made ought, for the better carrying out of the objects and purposes of this Act, to be detained elsewhere than on such ship, such passport control officer may cause that person to be removed in custody from such ship and be detained in any other place, whether afloat or on shore, which may be designated by the Minister for the detention of prohibited persons.

Detention and removal of certain persons arriving by sea at port of entry.

(2) Any person referred to in subsection (1) shall, while detained, pending removal, on board the ship referred to in that subsection, be deemed to be in the custody of the master of such ship and not of the passport control officer, the Minister or the Government, and such master shall be liable to pay the costs of the detention, maintenance and control of such person while so detained.

(3) If the master of the ship referred to in subsection (1), fails to comply with the provisions of that subsection, or to pay the cost mentioned in subsection (2), such master or the owner of such ship shall forfeit a sum to be fixed by the passport control officer, not exceeding one thousand rand, in respect of every such person.

(4) The passport control officer may, before any person is removed from a ship under subsection (1), require the master or the owner of such ship to deposit a sum sufficient to cover any expenses that may be incurred by the department in connection with the removal, detention, maintenance and custody of such person.

(5) (a) If any person referred to in subsection (1), is for any reason not removed from the Republic in the ship in which such person was conveyed to the Republic (except by reason of the fact that such person was found not to be a prohibited person) the owner of that ship shall at the request of the passport control officer, convey that person free of charge to the Government, to a place outside the Republic.

(b) If the owner referred to in paragraph (a), fails to comply with the provisions of that paragraph, such owner shall forfeit in respect of each person referred to in that paragraph an amount to be fixed by the passport control officer, not exceeding one thousand rand.

(6) Any person who escapes or attempts to escape from detention, while being dealt with under this section, shall be guilty of an offence and may be arrested without warrant.

27. If a ship arrives at any port in the Republic with a passenger on board bound for a destination outside the Republic and although that passenger has not been permitted by a passport control officer to land he is not on board when the ship sails, the master or the owner of that ship shall forfeit a sum to

Responsibility of owner and master of ship in respect of passengers.

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van daardie skip 'n bedrag, maar hoogstens duisend rand, wat deur die paspoortbeheerbeampte ten opsigte van daardie passasier vasgestel word.

Aanspreeklikheid van gesagvoerder en eienaar ten opsigte van bemanning.

28. (1) 'n Paspoortbeheerbeampte kan die gesagvoerder van 'n skip versoek om die bemanning van bedoelde skip te monster, by of na die aankoms van bedoelde skip in 'n hawe en weer voordat dit uit bedoelde hawe vertrek.

(2) Indien iemand wie se naam op die in artikel 25 (c) bedoelde lys verskyn, nie aan boord is wanneer die skip gereed is om te vertrek nie, kan van die gesagvoerder of eienaar vereis word om, voordat die skip vertrek, ten opsigte van daardie persoon by die paspoortbeheerbeampte 'n bedrag te stort, maar hoogstens duisend rand, tensy ten genoeë van die paspoortbeheerbeampte bewys word dat bedoelde persoon nie 'n in artikel 13 (1) bedoelde persoon is nie.

(3) Die bedrag in subartikel (2) bedoel, word aan die Staat verbeur tensy die gesagvoerder of eienaar binne ses maande nadat bedoelde bedrag gestort is ten genoeë van die paspoortbeheerbeampte bewys dat die persoon ten opsigte van wie die bedrag gestort is, nie meer in die Republiek is nie.

Verhaal van bedrae wat kragtens artikel 26 of 27 verbeur is of wat kragtens artikel 28 gestort moet word.

29. (1) Geen uitklaringsbewys word aan die eienaar of gesagvoerder van die betrokke skip gegee nie totdat 'n bedrag wat kragtens artikel 26 of 27 verbeur is, betaal is, of totdat 'n bedrag wat kragtens artikel 28 gestort moet word, gestort is.

(2) Bedoelde skip kan by bevel van 'n hoër hof uitwinningsvatbaar verklaar word vir die verhaal van 'n bedrag wat kragtens artikel 26 of 27 verbeur is of kragtens artikel 28 gestort moet word.

Uitklaringsbewys kan geweier word.

30. Die bevoegde doeanebeampte by 'n hawe kan weier om aan die gesagvoerder van 'n skip 'n uitklaringsbewys om daardie hawe te verlaat, te gee totdat bedoelde gesagvoerder aan die bepalinge van hierdie Wet voldoen het en 'n sertifikaat van 'n paspoortbeheerbeampte toon dat bedoelde gesagvoerder aan daardie bepalinge voldoen het.

Minister kan met eienaars van skepe ooreenkomste aangaan betreffende nakoming van sekere artikels.

31. (1) Ten einde die uitklaring van skepe te vergemaklik wat gereeld by die onderskeie hawens aandoen, kan die Minister na goedgevonden met die eienaar van skepe 'n ooreenkoms aangaan (met of sonder die stel van sekerheid) waardeur sodanige eienaar onderneem dat hy of die gesagvoerders van skepe wat aan hom behoort en gereeld by hawens aandoen, die bepalinge van artikels 26, 27 en 28 wat op bedoelde eienaar of gesagvoerder betrekking het, sal nakom.

(2) Die bepalinge van 'n ooreenkoms kragtens subartikel (1) aangegaan, tree in die plek van die bepalinge van artikels 26, 27 en 28 vir sover bedoelde bepalinge betrekking het op die betaling of storting van gelde deur bedoelde eienaar of gesagvoerder van 'n skip.

HOOFSTUK 6.

PLIGTE VAN PERSONE WAT REPUBLIEK BINNEKOM; PLIGTE EN BEVOEGDHEDE VAN PASPOORTBEHEERBEAMPTES TEN OPSIGTE VAN SODANIGE PERSONE EN VERBODE PERSONE; VERWYDERING UIT REPUBLIEK OF 'N PROVINSIE VAN SEKERE PERSONE; PASPOORTE.

Persone moet Republiek by toegangspoorte binnekom, uitgesonderd in sekere gevalle.

32. (1) Niemand mag die Republiek by 'n ander plek as 'n toegangspoort binnekom nie, tensy—

(a) op sy paspoort of ander identifikasiebewys van 'n klas wat deur die Minister erken word, 'n endossement voorkom, of

(b) hy in besit is van 'n dokument aan hom uitgereik deur 'n persoon deur die Minister daartoe gemagtig, ten effekte dat magtiging aan hom deur die Minister of 'n paspoortbeheerbeampte verleen is om die Republiek by daardie plek binne te kom en om in die Republiek of 'n bepaalde deel

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be fixed by the passport control officer, but not exceeding one thousand rand in respect of such passenger.

28. (1) A passport control officer may require the master of a ship to muster the crew of such ship on or after the arrival of such ship in any harbour and again before such ship departs from such harbour.

Responsibility of master and owner of ship in respect of crew.

(2) If any person whose name appears on the list referred to in section 25 (c) is not on board when the ship is ready to sail, the master or the owner of the ship may be required before the ship sails to deposit with the passport control officer an amount not exceeding one thousand rand in respect of such person, unless it is proved to the satisfaction of the passport control officer that such person is not a person referred to in section 13 (1).

(3) The amount referred to in subsection (2) shall be forfeited to the State, unless the master or owner proves to the satisfaction of the passport control officer, within six months after such amount was deposited that the person in respect of whom such amount was deposited, is no longer in the Republic.

29. (1) Until any sum which has been forfeited under section 26 or 27 has been paid, or any sum which is to be deposited under section 28 has been lodged, no clearance papers shall be given to the master or owner of the ship in question.

Recovery of sums forfeited under section 26 or 27 or to be deposited under section 28.

(2) Such ship may be declared executable by order of a superior court for the recovery of any amount forfeited under section 26 or 27 or required to be deposited under section 28.

30. The proper officer of customs at any harbour may refuse to give to the master of any ship clearance papers to leave that harbour until such master has complied with the provisions of this Act and produced a certificate of a passport control officer that such master has complied with such provisions.

Power to refuse clearance papers.

31. (1) In order to facilitate the clearance of ships habitually calling at the various ports, the Minister may in his discretion enter into an agreement (with or without the giving of security) with the owner of such ships whereby such owner undertakes that he or the masters of ships belonging to him and calling habitually at ports will carry out so much of the provisions of sections 26, 27 and 28 as relate to such owner or master.

Minister may enter into agreements with shipowners relating to the carrying out of provisions of certain sections.

(2) The terms of an agreement entered into under subsection (1), shall be substituted for the provisions of section 26, 27 or 28 in so far as those provisions relate to the payment or deposit of moneys by such owner or master of a ship.

CHAPTER 6.

DUTIES OF PERSONS ENTERING THE REPUBLIC; DUTIES AND POWERS OF PASSPORT CONTROL OFFICERS IN RESPECT OF SUCH PERSONS AND PROHIBITED PERSONS; REMOVAL FROM REPUBLIC OR ANY PROVINCE OF CERTAIN PERSONS; PASSPORTS.

32. (1) No person shall enter the Republic at any place other than a port of entry unless—

Persons to enter Republic at ports of entry, except in certain cases.

- (a) his passport or other document of identity of a class recognized by the Minister bears an endorsement; or
- (b) he is in possession of a document issued to him by a person authorized thereto by the Minister,

to the effect that authority has been granted to him by the Minister or a passport control officer to enter the Republic at that place and to be in the Republic or a particular portion

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van die Republiek te wees vir die doeleindes en gedurende die tydperk en onderworpe aan die voorwaardes wat in daardie endossement of dokument vermeld word.

(2) 'n Paspootbeheerbeampste moet, indien die Minister aldus gelas, en kan, na goeëdunke, en onderworpe aan hersiening deur die Minister op versoek van die betrokke persoon, 'n in subartikel (1) bedoelde magtiging intrek.

Persone wat by toegangspoort aankom, moet voor paspoortbeheerbeampste verskyn.

33. Iemand wat by 'n toegangspoort aankom, moet, voordat hy die Republiek binnekom, voor 'n paspoortbeheerbeampste verskyn en daardie paspoortbeheerbeampste oortuig dat hy nie 'n verbode persoon ten opsigte van die Republiek is nie of dat sy binnekoms of aanwesigheid in een of meer provinsies nie onwettig is nie.

Paspootbeheerbeampste kan sekere stappe ten opsigte van sekere persone doen.

34. (1) 'n Paspootbeheerbeampste kan van 'n in artikel 33 bedoelde persoon, of 'n ander persoon wat na die oordeel van sodanige paspoortbeheerbeampste nie geregtig is om in die Republiek of 'n bepaalde provinsie te wees nie, vereis—

- (i) om 'n verklaring in die voorgeskrewe vorm af te lê en te onderteken;
- (ii) om skriftelike of ander bewyse voor te lê betreffende sy aanspraak om die Republiek binne te kom of daarin te wees of dat sy binnekoms in of aanwesigheid in een of meer provinsies nie onwettig is nie;
- (iii) om hom te onderwerp aan 'n ondersoek of toets waaraan hy kragtens hierdie Wet onderwerp kan word; en
- (iv) indien daar vermoed word dat bedoelde persoon aan 'n siekte of liggaamsgebrek ly wat hom ingevolge hierdie Wet 'n verbode persoon sou maak, om hom te onderwerp aan 'n ondersoek deur 'n geneesheer aangewys deur die Minister.

(2) Ondanks andersluidende bepalings van 'n wet met betrekking tot seëlreg, is 'n verklaring deur 'n persoon kragtens subartikel (1) afgelê, vrygestel van die seëlreg wat gewoonlik by wet ten opsigte van beëdigde, plegtige of geattesteerde verklarings vereis word.

Verwydering uit Republiek van persone wat sekere bepalings of voorwaardes of vereistes oortree of versuim om daaraan te voldoen.

35. (1) Iemand wat 'n bepaling van artikel 32 of 33, of 'n voorwaarde onderworpe waaraan magtiging aan hom kragtens artikel 32 verleen is, oortree of versuim om daaraan te voldoen, of wat versuim om aan die vereiste van 'n paspoortbeheerbeampste kragtens artikel 34 te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met gevangenisstraf vir 'n tydperk van minstens drie maande en hoogstens twee jaar, sonder die keuse van 'n boete en, ongeag of sodanige persoon aan sodanige misdryf skuldig bevind is al dan nie, kan 'n paspoortbeheerbeampste sodanige persoon, indien hy nie in hegtenis is nie, sonder 'n lasbrief arresteer of laat arresteer en hom uit die Republiek verwyder of laat verwyder en kan hom, in afwagting van sy verwydering, op die voorgeskrewe wyse aanhou of laat aanhou.

(2) Wanneer iemand kragtens subartikel (1) gevonnissen is, kan hy voor die verstryking van sy vonnis uit die Republiek of die betrokke provinsie op die in daardie subartikel vermelde wyse verwyder word, en die bepalings van subartikels (2) en (3) van artikel 22 is *mutatis mutandis* ten opsigte van die verwydering van sodanige persoon van toepassing.

Paspootbeheerbeampste moet sekere persone toelaat om Republiek of bepaalde provinsie binne te kom.

36. 'n Paspootbeheerbeampste moet 'n persoon wat volgens sy oortuiging nie, of wat klaarblyklik nie, 'n verbode persoon ten opsigte van die Republiek is nie, of wat volgens sy oortuiging, of klaarblyklik, geregtig is om een of meer provinsies binne te kom of daarin te wees, toelaat om onverwyld aan wal te gaan en om die Republiek of sodanige provinsie, na gelang van die geval, binne te kom en hom daarin op te hou en moet bedoelde verlop op die paspoort of ander identifikasiebewys wat in artikel 32 vermeld word en wat beskikbaar is, aanteken.

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of the Republic for such purposes and during such period and subject to such conditions as may be mentioned in that endorsement or document.

(2) A passport control officer shall, if the Minister so orders, and may, in his discretion, and subject to revision by the Minister at the request of the person concerned, withdraw any authority referred to in subsection (1).

33. Any person arriving at any port of entry shall before entering the Republic appear before a passport control officer and satisfy such officer that he is not a prohibited person in respect of the Republic or that his entry into or presence within one or more provinces is not unlawful.

Persons arriving at port of entry to appear before passport control officer.

34. (1) A passport control officer may require any person referred to in section 33, or any other person who in the opinion of such officer is not entitled to be in the Republic or any particular province—

Passport control officer may take certain steps in respect of certain persons.

- (i) to make and sign a declaration in the prescribed form;
- (ii) to produce documentary or other evidence relative to his claim to enter or be in the Republic or that his entry into or his presence within one or more provinces is not unlawful;
- (iii) to submit to any examination or test to which he may be subjected under this Act; and
- (iv) if it is suspected that such person is afflicted with any disease or physical infirmity which under this Act would render him a prohibited person, to submit to an examination by a medical practitioner designated by the Minister.

(2) Any declaration made by any person under subsection (1) shall, notwithstanding anything to the contrary contained in any law relating to stamp duty, be exempt from such stamp duty as is ordinarily imposed by law in respect of affidavits and solemn or attested declarations.

35. (1) Any person who contravenes or fails to comply with any provision of section 32 or 33, or any condition subject to which any authority referred to in section 32 has been issued to him, or who fails to comply with a requirement of a passport control officer under section 34, shall be guilty of an offence and liable on conviction to imprisonment without the option of a fine for a period of not less than three months and not exceeding two years, and whether such person has or has not been convicted of that offence, a passport control officer may, if such person is not in custody, arrest him or cause him to be arrested without a warrant, and may remove him or cause him to be removed from the Republic under a warrant, and pending such removal, may detain him or cause him to be detained in the prescribed manner.

Removal from Republic of persons who fail to comply with or contravene certain provisions, conditions or requirements.

(2) If a person has been sentenced under subsection (1), he may be removed from the Republic or the province concerned in the manner provided for that subsection before the expiration of his sentence and the provisions of subsections (2) and (3) of section 22 shall *mutatis mutandis* apply in respect of the removal of such person.

36. A passport control officer shall permit any person who he is satisfied is not, or who obviously is not, a prohibited person in respect of the Republic or who is to his satisfaction or is obviously entitled to enter or be within one or more provinces, forthwith to land and enter or remain in the Republic or such province, as the case may be, and endorse that permission in or on such passport or other document of identity as is referred to in section 32 and which is available.

Passport control officer shall permit certain persons to enter Republic or particular province.

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Sekere persone
word tot ver-
bode persone
ten opsigte van
Republiek ver-
klaar en word
van reg van
appël in kennis
gestel.

37. Indien 'n persoon versuim om aan die bepalings van artikel 32, 33 of 34 te voldoen of, nadat hy aan sodanige bepalings voldoen het, nie in staat is om die paspoortbeheerbeampte te oortuig dat hy nie 'n verbode persoon ten opsigte van die Republiek is nie of dat hy geregtig is om een of meer provinsies binne te kom of hom daarin op te hou nie—

- (a) moet bedoelde paspoortbeheerbeampte daardie persoon tot 'n verbode persoon ten opsigte van die Republiek verklaar, en word sodanige persoon nie toegelaat om aan wal te gaan en die Republiek of sodanige provinsie, na gelang van die geval, binne te kom of hom daarin op te hou nie; en
- (b) moet bedoelde paspoortbeheerbeampte daardie persoon skriftelik meedeel—
 - (i) dat hy na 'n raad kan appelleer kragtens die bepalings van artikel 6; en
 - (ii) indien daardie persoon per skip aangekom het wat op die punt staan om te vertrek en nie by 'n ander hawe in die Republiek gaan aandoen nie, dat bedoelde appël onverwyld aangeteken moet word; of
 - (iii) in 'n ander geval as dié in subparagraaf (ii) bedoel, dat bedoelde appël binne drie dae nadat bedoelde persoon deur die paspoortbeheerbeampte tot 'n verbode persoon verklaar is, aangeteken moet word.

Tydlike permitte
kan aan sekere
persone uit-
gereik word.

38. (1) Indien 'n persoon in artikel 37 bedoel, nie in staat was om die paspoortbeheerbeampte te oortuig dat hy nie 'n verbode persoon is nie, kan die paspoortbeheerbeampte aan bedoelde persoon 'n tydelike permit uitreik wat geldig is vir die tydperk, maar hoogstens twee jaar, en onderworpe is aan die voorwaardes, wat in bedoelde permit vermeld word.

(2) Die paspoortbeheerbeampte kan, voordat hy kragtens subartikel (1) 'n permit aan iemand uitreik, van bedoelde persoon vereis om die bedrag, maar hoogstens duisend rand, wat deur die paspoortbeheerbeampte vasgestel word, by die paspoortbeheerbeampte te stort.

(3) 'n Persoon aan wie 'n in subartikel (1) bedoelde permit uitgereik is, kan die Republiek of die betrokke provinsie binnekom en kan vir die duur van die permit daarin bly.

(4) 'n Bedrag kragtens subartikel (1) gestort, word aan die Staat verbeur indien die persoon aan wie die permit uitgereik is, versuim om 'n voorwaarde van bedoelde permit na te kom.

(5) Voor die verstryking van 'n permit kragtens subartikel (1) uitgereik, moet die paspoortbeheerbeampte, nadat hy die navrae gedoen het wat hy nodig geag het, besluit of die persoon aan wie die permit uitgereik is 'n verbode persoon is al dan nie, en indien hy besluit dat bedoelde persoon 'n verbode persoon is, moet hy bedoelde persoon van daardie feit en van die feit dat hy kragtens die bepalings van artikel 6 na 'n raad kan appelleer, skriftelik in kennis stel.

(6) Indien die paspoortbeheerbeampte of, in die geval van 'n appël na die raad teen die beslissing van die paspoortbeheerbeampte, die raad, besluit dat die persoon aan wie 'n permit kragtens subartikel (1) uitgereik is, nie 'n verbode persoon is nie, word die verblyf van bedoelde persoon in die Republiek of die betrokke provinsie gedurende die tydperk waarvoor die permit uitgereik is by die bepaling van die vraag of bedoelde persoon 'n domisilie in die Republiek of die betrokke provinsie verkry het al dan nie, nie as tydelike of voorwaardelike verblyf beskou nie bloot op grond daarvan dat sodanige permit aan bedoelde persoon uitgereik is.

Verwydering van
sekere persone
uit sekere
provinsies.

39. (1) Indien iemand wat nie geregtig is om 'n bepaalde provinsie binne te kom nie, daardie provinsie binnekom of daarin aanwesig is, sonder dat hy voor sy binnekoms 'n permit of ander dokument verkry het wat aan hom die reg verleen om daardie provinsie binne te kom of daarin te vertoef of te bly,

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37. If any person fails to comply with the provisions of section 32, 33 or 34 or, having complied with such provisions, fails to satisfy the passport control officer that he is not a prohibited person in respect of the Republic or that he is entitled to enter or remain within one or more provinces—

Certain persons shall be declared prohibited persons in respect of Republic, and shall be notified of right of appeal.

- (a) such passport control officer shall declare that person to be a prohibited person in respect of the Republic, and such person shall not be permitted to land and enter or remain in the Republic or such province, as the case may be; and
- (b) such passport control officer shall notify such person in writing—
 - (i) that he may appeal to a board under the provisions of section 6; and
 - (ii) if such person arrived by a ship which is about to depart without calling at any other port in the Republic, that such appeal shall be noted forthwith; or
 - (iii) in a case other than that referred to in subparagraph (ii), that such appeal shall be noted within three days after such person has been declared to be a prohibited person by the passport control officer.

38. (1) If any person referred to in section 37, has failed to satisfy the passport control officer that he is not a prohibited person, the passport control officer may issue to such person a provisional permit which shall be valid for such a period, not exceeding two years, and be subject to such conditions as may be stated in such permit.

Temporary permits may be issued to certain persons.

(2) Before issuing a permit to any person under subsection (1), the passport control officer may require such person to deposit with the passport control officer such an amount, not exceeding one thousand rand, as may be determined by the passport control officer.

(3) Any person to whom a permit referred to in subsection (1) has been issued, may enter the Republic or the province concerned and may remain therein for the duration of the permit.

(4) An amount deposited under subsection (1), shall be forfeited to the State if the person to whom the permit was issued fails to comply with any condition of such permit.

(5) Before the expiration of a permit issued under subsection (1), the passport control officer shall, after having made such investigations as he may have deemed necessary, decide whether the person to whom the permit was issued is or is not a prohibited person, and if he decides that such person is a prohibited person, he shall notify such person in writing of that fact and of the fact that he may appeal to a board under the provisions of section 6.

(6) If the passport control officer or, in the case of an appeal to the board against the decision of the passport control officer, the board decides that the person to whom a permit was issued under subsection (1) is not a prohibited person, the residence of such person in the Republic or the province concerned during the period for which the permit was issued shall, for the purpose of determining whether or not such person has acquired a domicile in the Republic or the province concerned, not be regarded as temporary or conditional residence, merely because such permit was issued to such person.

39. (1) If a person who is not entitled to enter any particular province, enters or is present in that province, without having obtained, prior to entry, a permit or other document authorizing him to enter and sojourn or remain in that province, or if any such person, having entered a particular province without

Removal of certain persons from certain provinces.

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of indien so iemand nadat hy sonder magtiging 'n bepaalde provinsie binnegekom het, versuim om so gou doenlik na sy binnekoms voor 'n paspoortbeheerbeampte te verskyn, of indien iemand wat 'n permit verkry het om 'n provinsie binne te kom of daarin te vertoef of te bly, versuim om daardie provinsie op of voor die vervalldag van die permit te verlaat, is hy aan 'n misdryf skuldig en by skuldigbevinding strafbaar met gevangenisstraf vir 'n tydperk van hoogstens drie maande, en, ongeag of bedoelde persoon aan daardie misdryf skuldig bevind is al dan nie, kan 'n paspoortbeheerbeampte bedoelde persoon, indien hy nie in hegtenis is nie, sonder 'n lasbrief in hegtenis neem of laat neem en kragtens 'n lasbrief uit bedoelde provinsie verwyder of laat verwyder en, in afwagting van sy verwydering, op die voorgeskrewe wyse aanhou of laat aanhou.

(2) Die bepalings van artikels 34 en 38 is *mutatis mutandis* van toepassing ten opsigte van iemand op wie subartikel (1) betrekking het.

(3) Indien 'n persoon 'n vonnis kragtens hierdie artikel opgelê is, kan bedoelde persoon voor die verstryking van bedoelde vonnis uit die Republiek of die betrokke provinsie verwyder word op die wyse in subartikel (1) van hierdie artikel bedoel en die bepalings van subartikels (2) en (3) van artikel 22 is *mutatis mutandis* ten opsigte van die verwydering van bedoelde persoon van toepassing.

Paspoorte.

40. (1) Iemand wat die Republiek binnekom en wat versuim om aan 'n paspoortbeheerbeampte op sy versoek 'n onverstreke paspoort of ander identifikasiebewys van 'n klas te toon wat deur die Minister erken word—

(a) wat aan hom uitgereik is namens die Regering van die Republiek of namens 'n ander regering wat deur die Regering van die Republiek erken word; en

(b) wat 'n persoonlike beskrywing van hom en die naam van die land waarin en die dag waarop hy gebore is, bevat, en waaraan 'n foto van hom geheg is waarop sy gelaatstrekke duidelik en korrek afgebeeld is; en

(c) waarop 'n geldige visum of 'n endossement voorkom deur 'n persoon deur die Regering van die Republiek daartoe gemagtig ten effekte dat magtiging om na die Republiek te gaan om ingevolge hierdie Wet ondersoek te word, aan hom verleen is deur die Minister of iemand wat op sy gesag handel, of wat vergesel gaan van 'n dokument wat 'n verklaring te dien effekte, tesame met besonderhede van sodanige paspoort of identifikasiebewys, bevat,

is 'n verbode persoon, tensy bewys word dat hy 'n Suid-Afrikaanse burger deur geboorte of afkoms is.

(2) (a) Die Minister kan na goeddunke 'n persoon of kategorie persone van die bepalings van paragraaf (c) van subartikel (1) vrystel vir 'n bepaalde of onbepaalde tydperk en of onvoorwaardelik of onderworpe aan die voorwaardes wat die Minister opla.

(b) Die Minister kan van 'n vrystelling wat aan 'n kategorie persone verleen is, 'n persoon wat tot daardie kategorie behoort, uitsluit.

(c) Die Minister kan na goeddunke—

(i) 'n vrystelling kragtens paragraaf (a) verleen aan 'n kategorie persone of aan 'n persoon, hetsy as individu hetsy as lid van 'n kategorie persone, intrek; of

(ii) 'n visum, endossement of dokument in paragraaf (c) van subartikel (1) bedoel, roeër en nietig verklaar.

(3) 'n Persoon onder die ouderdom van sestien jaar word by binnekoms in die Republiek geag in besit te wees van 'n geldige paspoort of ander identifikasiebewys indien hy vergesel word van 'n ouer wat in besit is van sodanige paspoort of identifi-

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authority, fails to appear, as soon as practicable after his entry, before a passport control officer, or if any person, having been granted a permit to enter, sojourn or remain in any province, fails to leave that province on or before the date of expiry of such permit, he shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding three months, and whether such person has or has not been convicted of that offence, a passport control officer may, if such person is not in custody, arrest him or cause him to be arrested without a warrant, and may remove him or cause him to be removed from the said province under a warrant, and pending his removal, may detain him or cause him to be detained in the prescribed manner.

(2) The provisions of sections 34 and 38 shall apply *mutatis mutandis* in respect of a person to whom subsection (1) relates.

(3) If a sentence has under this section been imposed on any person, such person may before the expiry of such sentence be removed from the Republic or the province in question in the manner provided for in subsection (1) of this section and the provisions of subsections (2) and (3) of section 22 shall apply *mutatis mutandis* in respect of the removal of such person.

40. (1) Any person entering the Republic who fails on Passports. demand by a passport control officer to produce to him an unexpired passport or other document of identity of a class recognized by the Minister—

- (a) which was issued to him on behalf of the Government of the Republic or on behalf of another government recognized by the Government of the Republic; and
- (b) which contains a personal description of him, the name of the country in which he was born and the date of his birth, and to which is attached a photograph of him, wherein his features are clearly and correctly depicted; and
- (c) which bears a valid visa or an endorsement by a person authorized thereto by the Government of the Republic to the effect that authority to proceed to the Republic for the purpose of being examined under this Act has been granted by the Minister or a person acting under his authority, or is accompanied by a document containing a statement to that effect together with particulars of such passport or other document of identity,

shall be a prohibited person, unless he is proved to be a South African citizen by birth or descent.

- (2) (a) The Minister may in his discretion exempt any person or category of persons from the provisions of paragraph (c) of subsection (1) for a specified or unspecified period and either unconditionally or subject to such conditions as the Minister may impose.
- (b) The Minister may exclude from any exemption granted to a category of persons under paragraph (a) any person belonging to that category.
- (c) The Minister may in his discretion—
 - (i) withdraw any exemption granted under paragraph (a) to any category of persons or to any person, whether as an individual or as a member of a category of persons; or
 - (ii) cancel and declare null and void any visa or endorsement or document referred to in paragraph (c) of subsection (1).

(3) Any person under the age of sixteen years shall on entering the Republic be deemed to be in possession of a valid passport or other document of identity if he is accompanied by a parent in possession of such a passport or document of

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kasiebewys waarin die naam van sodanige persoon namens die Regering van die Republiek, of 'n regering wat deur die Regering van die Republiek erken word, ingeskryf is.

(4) Iemand wat die Republiek binnegekom het sonder dat hy in besit was van 'n onverstreke paspoort of ander identifikasiebewys wat deur subartikel (1) vereis word, is 'n verbode persoon, tensy bewys word dat bedoelde persoon 'n Suid-Afrikaanse burger deur geboorte of afkoms is.

(5) Iemand wat kragtens hierdie artikel 'n verbode persoon is, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met gevangenisstraf vir 'n tydperk van hoogstens ses maande en, ongeag of hy aan daardie misdryf skuldig bevind is al dan nie, kan 'n paspoortbeheerbeampte bedoelde persoon, indien hy nie reeds in hegtenis is nie, sonder 'n lasbrief arresteer of laat arresteer en hom uit die Republiek verwyder of laat verwyder kragtens 'n lasbrief wat kragtens hierdie Wet uitgereik is en kan hom, in afwagting van sy verwydering, in die voorgeskrewe bewaring aanhou of laat aanhou.

(6) Indien iemand kragtens subartikel (5) skuldig bevind is, kan bedoelde persoon voor die verstryking van sy vonnis uit die Republiek verwyder word op die wyse in daardie subartikel beoog, en die bepalinge van subartikels (2) en (3) van artikel 22 is *mutatis mutandis* ten opsigte van sy verwydering van toepassing.

(7) 'n Beampte in die departement, met 'n rang wat nie laer is as dié van adjunk-sekretaris nie en wat deur die Minister daartoe gemagtig is, kan, onderworpe aan die beheer en voorskrifte van die Minister, 'n vrystelling kragtens subartikel (2) (a) verleen aan 'n persoon, hetsy as 'n individu of as 'n lid van 'n kategorie persone, intrek.

Aanspreeklikheid
van gesagvoerder
of eienaar van
skip vir die
verwydering uit
die Republiek
van sekere
persone.

41. (1) Indien iemand wat nie 'n Suid-Afrikaanse burger deur geboorte of afkoms is of nie in die Republiek gedomisileer is nie—

- (a) versuim om op die voorgeskrewe vorm te verklaar dat hy aan tuberkulose ly; of
- (b) nie by sy aankoms deur die gesagvoerder of die geneesheer van die skip waarin sodanige persoon na die Republiek vervoer is by die paspoortbeheerbeampte aangemeld word as iemand wat aan tuberkulose ly nie; en
- (c) binne ses maande vanaf die datum waarop hy in 'n hawe in die Republiek geland het, bevind word aan tuberkulose te ly,

is die gesagvoerder, eienaar of verteenwoordiger van sodanige skip, tensy ten genoë van die Sekretaris van Gesondheid bewys word dat bedoelde persoon nie aan tuberkulose gely het toe hy in die Republiek geland het nie, verantwoordelik vir die verwydering van sodanige persoon uit die Republiek, sonder koste vir die Regering, en is bedoelde gesagvoerder, eienaar of verteenwoordiger aanspreeklik vir die onderhoudskoste van sodanige persoon in die Republiek en vir die ander uitgawe deur die Regering ten opsigte van sodanige persoon aangegaan, tot 'n bedrag wat deur die paspoortbeheerbeampte vasgestel word, maar hoogstens duisend rand, betaalbaar op aanvraag van bedoelde paspoortbeheerbeampte: Met dien verstande dat indien die geneesheer of gesagvoerder van sodanige skip twyfel of sodanige persoon aan tuberkulose ly al dan nie, en die feit skriftelik aan die paspoortbeheerbeampte meedeel, en indien die paspoortbeheerbeampte daarna sodanige persoon toelaat om te land, die gesagvoerder, eienaar of verteenwoordiger van die skip nie kragtens hierdie artikel aanspreeklik is nie.

(2) By die toepassing van hierdie artikel beteken die uitdrukking „aan tuberkulose ly” deur tuberkulose aangetas in 'n klinies-waarneembare vorm, afgesien van 'n reaksie op die tuberkulose-toets.

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identity in which the name of that person was inserted on behalf of the Government of the Republic or on behalf of any government recognized by the Government of the Republic.

(4) Any person who entered the Republic without being in possession of an unexpired passport or other document of identity required by subsection (1) shall, unless it is proved that such person is a South African citizen by birth or descent, be a prohibited person.

(5) Any person who is a prohibited person under this section shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding six months, and whether he has or has not been convicted of that offence, a passport control officer may, if such person is not in custody, arrest him or cause him to be arrested without a warrant, and may remove him or cause him to be removed from the Republic under a warrant issued in terms of this Act and may, pending his removal detain him or cause him to be detained in the prescribed manner.

(6) If a person has been sentenced under subsection (5), such person may be removed from the Republic in the manner contemplated in the said subsection, before the expiration of his sentence, and the provisions of subsections (2) and (3) of section 22 shall *mutatis mutandis* apply in respect of the removal.

(7) An officer in the department with a rank not below that of a deputy secretary, and who has been authorized thereto by the Minister, may, subject to the control and directions of the Minister, withdraw any exemption granted under subsection (2) (a) to any person, whether as an individual or as a member of a category of persons.

41. (1) If any person who is not a South African citizen by birth or descent or is not domiciled in the Republic—

Liability of
master or owner
of ship for removal
of certain persons
from Republic.

- (a) fails to declare on the prescribed form that he is suffering from tuberculosis; or
- (b) is not reported on arrival to the passport control officer by the master or surgeon of the ship in which such person was conveyed to the Republic to be suffering from tuberculosis; and
- (c) is found, within six months from the date of his landing at any port in the Republic, to be suffering from tuberculosis,

the master, owner or agent of such ship shall, unless it is shown to the satisfaction of the Secretary for Health that such person was not suffering from tuberculosis when he landed in the Republic, be responsible for the removal of such person from the Republic without expense to the Government, and such master, owner or agent shall be liable for the cost of maintenance of such person in the Republic and for such other expenditure incurred by the Government in respect of such person, to an amount to be fixed by a passport control officer, not exceeding one thousand rand, to be paid on demand of the said officer: Provided that if the surgeon or master of such ship is in doubt as to whether any such person is or is not suffering from tuberculosis and notifies the fact in writing to the passport control officer, and if thereafter the passport control officer allows such person to land the master, owner or agent shall not be liable under this section.

(2) For the purposes of this section the expression "suffering from tuberculosis" means affected with tuberculosis in a clinically recognizable form, apart from reaction to the tuberculin test.

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HOOFSTUK 7.

VERWYDERING UIT REPUBLIEK OF 'N PROVINSIE VAN
ONGEWENSTE EN SEKERE ANDER PERSONE.

Verwydering van
sekere kategorieë
persone uit Re-
publiek of 'n
provinsie.

42. Iemand (uitgesonderd 'n Suid-Afrikaanse burger deur geboorte of afkoms) wat—

- (a) nadat hy deur 'n Regering uit die Republiek of 'n deel van Suid-Afrika wat in die Republiek opgeneem is, verwyder is, of terwyl 'n bevel, kragtens 'n wet uitgereik, om die Republiek of 'n deel van Suid-Afrika wat in die Republiek opgeneem is, te verlaat, op hom van toepassing is, sonder wettige magtiging daarheen terugkeer of versuim om aan bedoelde bevel te voldoen; of
- (b) nadat aan hom, hetsy voor of na die inwerkingtreding van hierdie Wet, toestemming om die Republiek of 'n provinsie binne te kom, geweier is, die Republiek of bedoelde provinsie of 'n ander provinsie ten opsigte waarvan hy 'n verbode persoon is, binnegekom het, kan, indien hy nie reeds in hegtenis is nie, sonder 'n lasbrief in hegtenis geneem word en kragtens 'n lasbrief uit die Republiek of bedoelde provinsie (na gelang van die geval) verwyder word en kan, in afwagting van sy verwydering, op die voorgeskrewe wyse aangehou word.

Verwydering uit
Republiek van
persone
weens sekere
oortredings tot
gevangenisstraf
gevonnis.

43. (1) Iemand (uitgesonderd 'n Suid-Afrikaanse burger deur geboorte of afkoms) wat, hetsy voor of na die inwerkingtreding van hierdie Wet, tot gevangenisstraf gevonnis is—

- (a) weens 'n misdryf in Bylae I vermeld; of
- (b) weens 'n misdryf gepleeg deur die verkoop, verstreking of lewering van sterk drank aan iemand wat nie 'n Blanke is nie in stryd met 'n wet; of
- (c) weens 'n misdryf gepleeg deur die verkoop of lewering van, handeldryf in of in besit te wees van 'n gewoontevormende medisyne in stryd met 'n wet; of
- (d) weens 'n misdryf gepleeg deur die verkoop van, handeldryf in of in besit te wees van onbewerkte edele metaal of ruwe of ongeslypte edelstene in stryd met 'n wet; of
- (e) weens 'n misdryf in artikel 52 vermeld; of
- (f) weens 'n misdryf kragtens die Ontugwet, 1957 (Wet No. 23 van 1957),

en wat weens die omstandighede van sodanige misdryf deur die Minister geag word 'n ongewenste inwoner van die Republiek te wees, kan kragtens 'n lasbrief uit die Republiek verwyder word en, in afwagting van sy verwydering, op die voorgeskrewe wyse aangehou word.

Verwydering van
sekere persone
aan sekere oor-
tredings skuldig
bevind en deur die
Minister geag onge-
wenste inwoners
van die Republiek
te wees.

44. Iemand (uitgesonderd 'n Suid-Afrikaanse burger deur geboorte of afkoms) wat skuldig bevind word aan 'n misdryf deur hom in die Republiek gepleeg nadat hy tot die Republiek toegelaat is en voordat hy 'n domisilie daarin verkry het en wat weens die omstandighede van sodanige misdryf deur die Minister geag word 'n ongewenste inwoner van die Republiek te wees, kan, ondanks andersluidende bepalings van hierdie Wet, kragtens 'n lasbrief uit die Republiek verwyder word en in afwagting van sy verwydering, op die voorgeskrewe wyse aangehou word.

Verwydering uit
Republiek van
sekere persone
indien Minister
dit in openbare
belang ag.

45. (1) Ondanks die bepalings van hierdie Wet of die Wet op Vreemdelinge, 1937 (Wet No. 1 van 1937), of 'n ander wet, kan die Minister, indien hy dit in die openbare belang ag, kragtens 'n lasbrief deur hom onderteken, die verwydering uit die Republiek van iemand wat nie 'n Suid-Afrikaanse burger is nie beveel, en daarna kan bedoelde persoon, in afwagting van sy verwydering, op die voorgeskrewe wyse aangehou word.

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CHAPTER 7.

REMOVAL FROM REPUBLIC OR ANY PROVINCE OF UNDESIRABLE
AND CERTAIN OTHER PERSONS.

42. Any person (other than a South African citizen by birth or descent) who—

Removal from Republic or any province of certain categories of persons.

- (a) having been removed by any Government from the Republic or any part of South Africa which has been included in the Republic, or while being subject to an order issued under any law to leave the Republic or any part of South Africa which has been included in the Republic, returns thereto without lawful authority or fails to comply with such order; or
- (b) having been refused permission to enter the Republic or any province, whether before or after the commencement of this Act, has entered the Republic or such province or any other province in respect of which he is a prohibited person,

may, if not already under detention, be arrested without warrant and removed under a warrant from the Republic or from such province, (as the case may be) and, pending his removal, may be detained in the prescribed manner.

43. Any person (other than a South African citizen by birth or descent) who, whether before or after the commencement of this Act, has been sentenced to imprisonment—

Removal from Republic of persons sentenced to imprisonment for certain offences.

- (a) for any offence mentioned in Schedule 1; or
- (b) for any offence committed by the sale, supply or delivery of any intoxicating liquor to a person who is not a European, in contravention of any law; or
- (c) for any offence committed by the sale or supply of or dealing in, or being in possession of any habit-forming drug in contravention of any law; or
- (d) for any offence committed by the sale of, dealing in or being in possession of unwrought precious metal or rough or uncut precious stones in contravention of any law; or
- (e) for any offence referred to section 52; or
- (f) for any offence under the Immorality Act, 1957 (Act No. 23 of 1957),

and who by reason of the circumstances of such offence is deemed by the Minister to be an undesirable inhabitant of the Republic may be removed from the Republic under a warrant and pending removal, may be detained in the prescribed manner.

44. Any person (other than a South African citizen by birth or descent) who is convicted of any offence committed by him in the Republic after he has been admitted to the Republic and before he has acquired a domicile therein, and who by reason of the circumstances of such offence is deemed by the Minister to be an undesirable inhabitant of the Republic may, notwithstanding anything to the contrary in this Act contained, be removed from the Republic under a warrant and may, pending removal, be detained in the prescribed manner.

Removal from Republic of certain persons convicted of certain offences and deemed by Minister to be undesirable inhabitants of Republic.

45. (1) Notwithstanding anything contained in this Act or the Aliens Act, 1937 (Act No. 1 of 1937), or any other law, the Minister may, if he considers it to be in the public interest, by warrant under his hand, order the removal from the Republic of any person who is not a South African citizen, and thereupon such person may, pending his removal, be detained in the prescribed manner.

Removal from Republic of certain persons if Minister deems it to be in public interest.

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(2) Die beslissing van die Minister aangaande die vraag of die verwydering van 'n persoon in subartikel (1) bedoel, in die openbare belang is al dan nie, is nie vatbaar vir appèl na, of onderhewig aan hersiening deur, 'n geregshof nie en niemand is geregtig op die verstrekking aan hom van redes vir bedoelde beslissing nie.

Sekere afhanklike lede van gesinne van sekere persone kan uit Republiek verwyder word.

46. (1) Indien 'n lasbrief kragtens 'n bepaling van artikel 43, 44 of 45 uitgereik word vir die verwydering uit die Republiek van iemand wat die hoof van 'n gesin is, kan 'n afhanklike lid van bedoelde gesin, wat nie 'n Suid-Afrikaanse burger is nie, by sodanige lasbrief inbegryp word en kragtens bedoelde lasbrief uit die Republiek verwyder word.

(2) By die toepassing van subartikel (1) beteken—

- (i) „gesin” die vader en moeder en 'n kind wat weens sy ouderdom of ongeskiktheid na die oordeel van die Minister vir sy onderhoud hoofsaaklik van die hoof van die gesin afhanklik is;
- (ii) „hoof van die gesin” die persoon in die gesin van wie die ander lede van die gesin hoofsaaklik vir onderhoud afhanklik is.

Opskorting van tenuitvoerlegging van sekere lasbriewe deur Minister.

47. Die Minister kan die tenuitvoerlegging van 'n lasbrief uitgereik kragtens artikel 43, 44 of 45 opskort op die voorwaardes wat hy bepaal.

HOOFSTUK 8.

PERSONE WAT DEUR REPUBLIEK REIS.

Sekere persone wat deur Republiek reis moet in besit van deurgangswisums wees.

48. (1) Niemand (uitgesonderd 'n Suid-Afrikaanse burger) wat van 'n plek buite die Republiek onderweg is na 'n bestemming buite die Republiek, mag deur die Republiek reis nie, tensy hy in besit is van 'n deurgangswisum kragtens subartikel (2) vir dié doel uitgereik.

(2) Die Minister, of 'n deur hom daartoe gemagtigde beampte in die Staatsdiens, kan na goeë dunnke, en op die voorwaardes wat die Minister of bedoelde beampte na goeë vinde opla, die uitreiking van 'n deurgangswisum aan iemand magtig.

(3) Iemand wat die bepalings van subartikel (1) oortree, of wat versuim om op aanvraag deur 'n paspoortbeheerbeampte 'n kragtens subartikel (2) aan hom uitgereikte deurgangswisum te toon, en 'n houer van so 'n deurgangswisum wat 'n voorwaarde van bedoelde visum oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met gevangenisstraf, sonder die keuse van 'n boete, vir 'n tydperk van minstens drie maande en hoogstens twee jaar en, ongeag of hy aan daardie misdryf skuldig bevind is al dan nie, kan daar met hom as 'n verbode persoon gehandel word.

Minister kan sekere persone of kategorieë persone van die bepalings van artikel 48 vrystel.

49. Die Minister of 'n beampte in die Staatsdiens deur die Minister daartoe gemagtig, kan na goeë dunnke—

- (a) 'n persoon of kategorie persone van al die bepalings van artikel 48 of een of meer daarvan vrystel;
- (b) 'n persoon wat tot 'n kategorie persone behoort, uitsluit van 'n vrystelling kragtens paragraaf (a) aan daardie kategorie persone verleen; en
- (c) 'n vrystelling kragtens paragraaf (a) verleen aan 'n kategorie persone of aan 'n persoon, hetsy as 'n individu of as 'n lid van 'n kategorie persone, intrek.

Inwerkingtreding van bepalings van Hoofstuk 8.

50. Die bepalings van Hoofstuk 8 tree in werking op 'n datum wat deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal word.

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(2) The decision of the Minister in regard to the question whether the removal from the Republic of a person referred to in subsection (1) is or is not in the public interest, shall not be subject to appeal to or review by any court of law and no person shall be entitled to be furnished with any reasons for such decision.

46. (1) If a warrant is issued under any provision of section 43, 44 or 45 for the removal from the Republic of a person who is the head of a family, any dependent member of such family who is not a South African citizen, may be included in such warrant and removed from the Republic under such warrant.

Certain dependent members of families of certain persons may be removed from Republic.

(2) For the purposes of subsection (1)—

- (i) "family" means the father and mother and any child who by reason of age or disability is, in the opinion of the Minister, mainly dependent upon the head of the family for support;
- (ii) "head of the family" means the person in the family upon whom the other members of the family are mainly dependent for support.

47. The Minister may suspend the execution of any warrant issued under section 43, 44 or 45 on such conditions as he may determine.

Suspension of execution of certain warrants by Minister.

CHAPTER 8.

PERSONS TRAVELLING THROUGH REPUBLIC.

48. (1) No person (other than a South African citizen) who is proceeding from a place outside the Republic to a destination outside the Republic shall travel through the Republic, unless he is in possession of a transit visa issued for the purpose in terms of subsection (2).

Certain persons travelling through Republic to be in possession of a transit visa.

(2) The Minister, or any officer in the public service authorized thereto by the Minister, may in his discretion authorize the issue to any person of a transit visa on such conditions as the Minister or such officer may deem fit to impose.

(3) Any person who contravenes the provisions of subsection (1), or who fails on demand by a passport control officer to produce to such officer a transit visa issued to him under subsection (2), and any holder of any such transit visa who contravenes any condition of such visa, shall be guilty of an offence and liable on conviction to imprisonment, without the option of a fine, for a period of not less than three months and not exceeding two years, and whether he has or has not been convicted of that offence, he may be dealt with as a prohibited person.

49. The Minister or any officer in the public service authorized thereto by the Minister, may in his discretion—

Minister may exempt certain persons or categories of persons from provisions of section 48.

- (a) exempt any person or category of persons from all or any of the provisions of section 48;
- (b) exclude from any exemption granted to a category of persons under paragraph (a), any person belonging to that category; and
- (c) withdraw any exemption granted under paragraph (a) to any category of persons or to any person, whether as an individual or as a member of a category of persons.

50. The provisions of Chapter 8 shall come into operation on a date to be fixed by the State President by proclamation in the Gazette.

Commencement of provisions of Chapter 8.

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HOOFSTUK 9.

MISDRYWE, STRAWWE EN BEWYSELEWERING.

Verbod op hulpver-
lening aan sekere
persone, pleging
van sekere bedrieg-
like handelinge
en doen van
sekere wanvoor-
stellings.

51. Iemand wat—

- (a) 'n persoon bystaan of help om die Republiek of 'n provinsie in stryd met hierdie Wet binne te kom of daarin te bly, wetende dat daardie persoon die Republiek of daardie provinsie nie mag binnekom of nie daarin mag bly nie;
 - (b) 'n persoon wat nie in besit is nie van 'n onverstreke paspoort of ander identifikasiebewys wat deur artikel 40 (1) vereis word en nie 'n Suid-Afrikaanse burger deur geboorte of afkoms is nie, in die Republiek inbring of laat inbring;
 - (c) 'n persoon wie se verwydering uit die Republiek of 'n provinsie na sy wete beveel is, bystaan of help om die bevel te ontduik of bedoelde persoon herberg; of
 - (d) ten einde die Republiek of 'n provinsie waarin hy 'n verbode persoon is, binne te kom, of die binnekoms van homself of 'n ander persoon in stryd met hierdie Wet te vergemaklik of te bevorder, 'n bedrieglike handeling pleeg of deur sy gedrag, 'n verklaring of andersins, 'n wanvoorstelling doen,
- is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweeduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens twaalf maande.

Algemene oor-
tredings en
strawwe.

52. Iemand wat—

- (a) ten einde die Republiek of 'n bepaalde provinsie in stryd met hierdie Wet of 'n ander wet binne te kom of daarin te bly of ten einde 'n ander persoon behulpzaam te wees om aldus binne te kom of aldus te bly, 'n permit, sertifikaat of ander dokument namaak of vervals, of 'n permit, sertifikaat of ander dokument, wat nie deur 'n bevoegde gesag uitgereik is nie, of wat, ofskoon dit deur 'n bevoegde gesag uitgereik is, hy nie geregtig is om te gebruik nie, of 'n vervalste permit, sertifikaat of ander dokument uitgee, gebruik of poog te gebruik, wetende dat dit nagmaak of vervals is; of
 - (b) die voorwaardes onderworpe waaraan 'n permit, sertifikaat of ander dokument kragtens hierdie Wet aan hom uitgereik is, oortree of versuim om daaraan te voldoen; of
 - (c) 'n paspoortbeheerbeampte of polisiebeampte in die uitvoering van sy pligte kragtens hierdie Wet, belemmer, hinder of teëgaan; of
 - (d) 'n bepaling van hierdie Wet, vir die oortreding waarvan of die versuim om daaraan te voldoen geen straf uitdruklik bepaal is nie, oortree of versuim om daaraan te voldoen,
- is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande en, in die geval van 'n oortreding van paragraaf (a) van hierdie artikel, met sodanige gevangenisstraf sonder die keuse van 'n boete.

Bewyselewing.

53. (1) Indien in 'n geding die vraag ontstaan of, of daar beweer word dat, iemand die Republiek of 'n provinsie in stryd met die bepalinge van hierdie Wet binnegekom het of daarin gebly het, word vermoed dat sodanige persoon die Republiek of sodanige provinsie aldus binnegekom het of daarin gebly het, totdat die teendeel bewys word.
- (2) 'n Bevel, lasbrief, permit, sertifikaat of ander dokument wat kragtens hierdie Wet uitgereik kan word, is regsgeldig indien dit onderteken is deur 'n amptenaar of lid van 'n kategorie

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CHAPTER 9.

OFFENCES, PENALTIES AND EVIDENCE.

51. Any person who—

Aiding and abetting
of certain persons,
commission of
certain fraudulent
acts and making
of certain
misrepresentations,
prohibited.

- (a) aids or abets any person in entering or remaining in the Republic or any province in contravention of this Act, knowing that such person is prohibited from entering or remaining in the Republic or such province;
- (b) conveys or causes to be conveyed into the Republic any person who is not in possession of an unexpired passport or other document of identity required by section 40 (1) and who is not a South African citizen by birth or descent;
- (c) aids or abets a person ordered to be removed from the Republic or any province in evading the order, or harbours any such person knowing him to be the subject of any such order; or
- (d) for the purpose of entering the Republic, or any province in which he is a prohibited person, or of facilitating or assisting the entrance of himself or any other person in contravention of this Act, commits any fraudulent act or makes any false representation by conduct, statement, or otherwise,

shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand rand or to imprisonment for a period not exceeding twelve months.

52. Any person who—

General offences
and penalties.

- (a) for the purpose of entering the Republic or any particular province, or of remaining therein in contravention of this Act or any other law, or of assisting any other person so to enter or so to remain, fabricates or falsifies any permit, certificate or other document, or utters, uses, or attempts to use any permit, certificate, or other document which has not been issued by lawful authority, or which though issued by lawful authority, he is not entitled to use, or any fabricated or falsified permit, certificate or other document, knowing it to have been fabricated or falsified; or
- (b) fails to comply with or contravenes the conditions subject to which any permit, certificate, or other document has been issued to him under this Act; or
- (c) obstructs, hinders, or opposes a passport control officer or police officer in the execution of his duty under this Act; or
- (d) contravenes or fails to comply with any provision of this Act, for the contravention of which or failure to comply therewith no penalty is specially provided,

shall be guilty of an offence liable on conviction to a fine not exceeding two hundred rand, or, in default of payment, to imprisonment for a period not exceeding six months and, in the case of a contravention of paragraph (a) of this section, to such imprisonment without the option of a fine.

53. (1) If in any proceedings the question arises whether, or it is alleged that, any person entered or remained in the Republic or any province in contravention of the provisions of this Act, such person shall be presumed to have so entered or remained in the Republic or such province until the contrary is proved. Evidence.

(2) Any order, warrant, permit, certificate or other document which may under this Act be issued shall be good and effectual if signed by any officer or member of a category of officers in the

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amptenare in die staatsdiens wat deur die Minister by kennisgewing in die *Staatskoerant* gemagtig word om sodanige bevel, lasbrief, permit, sertifikaat of ander dokument te onderteken, en indien aldus onderteken, geld dit in alle geregshowe en vir ander doeleindes as bewys dat dit kragtens die bepalings van hierdie Wet uitgereik is.

(3) 'n Sertifikaat onderteken deur 'n paspoortbeheerbeampte of die voorsitter van 'n raad is in 'n geding kragtens hierdie Wet *prima facie*-bewys van die feite wat daarin vermeld word en dit is nie nodig om mondelinge getuienis ten opsigte van sodanige feite voor te lê nie, tensy die hof of die raad waarin of waarvoor sodanige geding gevoer word dit uitdruklik gelas, in welke geval 'n uitstel toegestaan word ten einde die paspoortbeheerbeampte of voorsitter wie se teenwoordigheid vereis word, in staat te stel om teenwoordig te wees.

HOOFSTUK 10.

ALGEMENE EN AANVULLENDE BEPALINGS.

Regulasies.

54. (1) Die Staatspresident kan regulasies uitvaardig aangaande—

- (a) die bevoegdhede en pligte van paspoortbeheerbeamptes en rade;
- (b) die stappe wat gedoen moet word ten einde die binnekoms van verbode persone in die Republiek, of die binnekoms van persone in 'n provinsie waarin hul verblyf onwettig is, te voorkom;
- (c) die prosedure wat die binnekoms van persone in die Republiek by 'n toegangspoort reël;
- (d) die tye, plekke en wyse van die ondersoek of ondervraging, geneeskundig of andersins, van persone wat die Republiek of 'n provinsie binnekom of wil binnekom of wat, wanneer hulle in die Republiek of 'n provinsie gevind word, vermoed word verbode persone te wees of onwettig daarin woonagtig te wees;
- (e) die prosedure en die wyse van aanhouding van verbode persone en onwettige inwoners, in afwagting van hul verwydering uit die Republiek of 'n provinsie, en die prosedure vereis vir, en die wyse van, bedoelde verwydering;
- (f) die prosedure wat gevolg moet word by of in verband met vergaderings van en verrigtinge voor rade en die wyse waarop bywoning van getuies by sodanige verrigtinge verkry kan word;
- (g) die besmetlike, aansteeklike, walglike of ander siektes (uitgesonderd tuberkulose) wat van 'n persoon wat daardeur aangetas is, 'n verbode persoon maak; en die voorwaardes wat die uitreiking van 'n permit om die Republiek binne te kom aan iemand wat aan tuberkulose ly, beheer;
- (h) die ander permitte en sertifikate wat kragtens hierdie Wet uitgereik kan word, die voorwaardes onderworpe waaraan bedoelde permitte en sertifikate uitgereik kan word, die omstandighede waaronder bedoelde permitte of sertifikate gerojear of ingetrek kan word, en die gelde wat ten opsigte van bedoelde permitte of sertifikate gevorder kan word; en die bedrag en aard van die sekerheid wat gestel moet word vir die nakoming van die voorwaardes waarop 'n permit om vir 'n bepaalde tydperk binne te kom of te bly, aan 'n verbode persoon uitgereik kan word;
- (i) die voorwaardes waarop verbode persone deur die Republiek mag gaan terwyl hul reis of vervoer word na plekke buite die Republiek of van een provinsie na 'n ander provinsie binne die Republiek;
- (j) die vorms van lasbriewe, permitte, sertifikate of ander dokumente wat uitgereik of gebruik moet word, of

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public service authorized by the Minister by notice in the *Gazette* to sign such an order, warrant, permit, certificate or other document, and when so signed shall be evidence in all courts of law and for other purposes that it was issued in accordance with the provisions of this Act.

(3) A certificate under the hand of a passport control officer or of the chairman of a board shall in any proceedings under this Act be *prima facie* proof of the facts stated therein and it shall not be necessary to tender oral evidence in respect of such facts, unless the court or board before which such proceedings are held, specially so directs, in which case a postponement shall be granted to enable the passport control officer or chairman whose presence is required, to attend.

CHAPTER 10.

GENERAL AND SUPPLEMENTARY PROVISIONS.

54. (1) The State President may make regulations relating Regulations.
to—

- (a) the powers and duties of passport control officers and boards;
- (b) the steps to be taken to prevent the entry of prohibited persons into the Republic or the entry of persons into any province in which their residence is unlawful;
- (c) the procedure regulating the entry of persons into the Republic at a port of entry;
- (d) the times, places and conduct of the enquiry or examination, medical or otherwise, of persons entering or desiring to enter the Republic or any province or who, being found in the Republic or any province, are suspected of being prohibited persons or unlawfully resident therein;
- (e) the procedure for, and the manner of the detention of prohibited persons and unlawful residents, pending their removal from the Republic or any province, and the procedure necessary for and the manner of any such removal;
- (f) the procedure to be followed at or in connection with meetings of, and proceedings before, boards and the mode of securing the attendance of witnesses at such proceedings;
- (g) the contagious, infectious, loathsome or other diseases (other than tuberculosis) the affliction with which will render a person a prohibited person; and the conditions governing the issue to any person infected with tuberculosis of a permit to enter the Republic;
- (h) the other permits and the certificates which may be issued under this Act, the conditions subject to which such permits or certificates may be issued, the circumstances under which such permits or certificates may be cancelled or withdrawn, and the fees which may be charged in respect of such permits or certificates; and the amount and nature of the security to be found for the carrying out of the conditions upon which a permit to enter and reside for a specified period may be issued to a prohibited person;
- (i) the conditions upon which prohibited persons may be allowed to pass through the Republic while journeying or being conveyed to a place outside the Republic or from one province to another within the Republic;
- (j) the forms of warrants, permits, certificates, or other documents to be issued or used, or of the declarations

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van verklarings wat afgelê moet word, of van boeke wat gehou moet word vir die doeleindes van hierdie Wet en die besonderhede wat in sodanige dokument, verklaring of boek ingeskryf moet word, en oor die algemeen vir die doeltreffender uitvoering van die doelstellings en oogmerke van die Wet.

(2) Verskillende regulasies kan kragtens paragraaf (c) van subartikel (1) ten opsigte van verskillende toegangspoorte uitgevaardig word.

(3) Regulasies wat kragtens subartikel (1) uitgevaardig word, kan vir 'n oortreding daarvan of 'n versuim om daaraan te voldoen strawwe voorskryf wat nie die strawwe wat in artikel 52 vermeld word, te bowe gaan nie.

Paspoortbeheer-
beampte of
polisiebeampte
kan voorlegging
van sekere bewyse
van sekere
persone vereis.

55. Wanneer 'n polisiebeampte of 'n persoon of lid van 'n kategorie persone wat skriftelik daartoe deur die Minister gemagtig is, op redelike gronde vermoed dat 'n persoon nie 'n Suid-Afrikaanse burger is nie, kan hy van daardie persoon vereis om aan hom bewyse voor te lê dat hy geregtig is om in die Republiek te wees en indien bedoelde persoon nie in staat is om bedoelde polisiebeampte, persoon of lid te oortuig dat hy aldus geregtig is nie, kan bedoelde polisiebeampte, persoon of lid hom sonder 'n lasbrief in hegtenis neem en hom so gou doenlik voor 'n paspoortbeheerbeampte bring sodat daar kragtens artikel 34 met hom handel kan word.

Toepassing van
Wet op Suidwes-
Afrika.

56. Hierdie Wet en 'n wysiging daarvan is ook in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel, van toepassing.

Herroeping van
wette en voorbe-
houd.

57. (1) Behoudens die bepalings van subartikel (2), word die wette in Bylae 2 vermeld hierby herroep in die mate in die derde kolom van bedoelde Bylae uiteengesit.

(2) Iets wat gedoen is kragtens 'n bepaling van 'n wet wat deur subartikel (1) herroep is, word geag kragtens die ooreenstemmende bepaling van hierdie Wet gedoen te wees.

Kort titel.

58. Hierdie Wet heet die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972.

Bylae 1.

MISDRYWE WAARNA IN ARTIKELS 13 EN 43 VERWYS WORD.

Hoogverraad.
Sedisie.
Openbare geweld.
Moord.
Aanranding met die opset om ernstig te beseer.
Roof.
Diefstal.
Ontvangs van gesteelde goed wetende dat dit gesteel is.
Huisbraak met die opset om 'n misdryf te pleeg.
Afpersing of die verkryging van goed deur middel van 'n dreigement.
Bedrog.
Brandstigting.
Opsetlike saakbeskadiging.
Muntvervalsing of die uitgifte van vervalste munt wetende dat dit vervals is.
Vervalsing of die uitgifte van 'n vervalsing.
Omkopery.
Crimen injuria.
Verkragting.
Onsedelike aanranding.
Onwettige geslagtelike gemeenskap of die pleging van 'n onbehoorlike of onsedelike daad met 'n meisie onder die voorgeskrewe ouderdom of met 'n vroulike idioot of imbesiel of die uitlokking of aanlokking van so 'n meisie of idioot of imbesiel tot die pleging van so 'n daad.
Onsedelike blootstelling.
Bloedskande.
Sodomie.
'n Poging of aanstigting om so 'n misdryf te pleeg.

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to be made, or of the books to be kept, for the purposes of this Act, and the particulars to be inserted on or in any such document, declaration, or book, and generally for the better carrying out of the objects and purposes of this Act.

(2) Different regulations may be made under paragraph (c) of subsection (1) in respect of different ports of entry.

(3) Regulations issued under subsection (1) may prescribe penalties for a contravention thereof of a failure to comply therewith not exceeding the penalties mentioned in section 52.

55. Whenever any police officer or person or member of a class of persons authorized thereto in writing by the Minister suspects on reasonable grounds that a person is not a South African citizen, he may require such person to produce to him proof that he is entitled to be in the Republic and if such person fails to satisfy such officer, person or member that he is so entitled, such officer, person or member may take him into custody without a warrant and shall as soon as possible bring him before a passport control officer to be dealt with under section 34.

Passport control officer or police officer may require the production of certain documents by certain persons and may take certain steps.

56. This Act, and any amendment thereof, shall apply also in the territory of South-West Africa including the Eastern Caprivi Zipfel.

Application of Act to South-West Africa.

57. (1) Subject to the provisions of subsection (2), the laws specified in Schedule 2 are hereby repealed to the extent set out in the third column of such Schedule.

Repeal of laws.

(2) Anything done under a provision of any law repealed by subsection (1), shall be deemed to have been done under the corresponding provisions of this Act.

58. This Act shall be called the Admission of Persons to the Republic Regulation Act, 1972.

Schedule 1.

OFFENCES REFERRED TO IN SECTIONS 13 AND 43.

High treason.
Sedition.
Public violence.
Murder.
Assault with intent to do grievous bodily harm.
Robbery.
Theft.
Receiving stolen property knowing it to be stolen.
Housebreaking with intent to commit an offence.
Extortion or the obtaining of property by means of a threat.
Fraud.
Arson.
Malicious injury to property.
Counterfeiting coin or the uttering of counterfeit coin knowing it to be counterfeit.
Forgery or the uttering of a forged document knowing it to be forged.
Bribery.
Crimen injuria.
Rape.
Indecent assault.
Unlawful carnal intercourse, or the commission of any immoral or indecent act, with a girl under the prescribed age or with a female idiot or imbecile or soliciting or enticing any such girl or idiot or imbecile to the commission of any such act.
Indecent exposure.
Incest.
Sodomy.
Any attempt or incitement to commit any such offence.

Wet No. 59, 1972

WET OP DIE REËLING VAN DIE TOELATING VAN
PERSONE TOT DIE REPUBLIEK, 1972.

Bylae 2.

WETTE HERROEP.

No. en jaar van wet	Kort titel.	In hoeverre herroep.
Wet No. 22 van 1913.	Wet tot Regeling van de Toelating van Personen tot de Unie, 1913.	Die geheel.
Wet No. 37 van 1927.	Immigrasie en Indiërs Verlichting (Verdere Voorzienings) Wet, 1927.	Artikels 1 en 2 en artikels 4 tot en met 10.
Wet No. 15 van 1931.	Immigrasie-Wysigingswet, 1931	Artikels 1 tot en met 4.
Wet No. 19 van 1933.	Immigrasie-Wysigingswet, 1933	Artikel 3.
Wet No. 27 van 1937.	Immigrasie-Wysigingswet, 1937	Die geheel.
Wet No. 43 van 1953.	Wysigingswet tot Reëling van Immigrasie, 1953 . . .	Die geheel.
Wet No. 52 van 1956.	Wysigingswet op Immigrasie, 1956	Die geheel.
Wet No. 8 van 1960.	Wysigingswet op Immigrasie, 1960	Die geheel.
Wet No. 60 van 1961.	Wysigingswet op Reëling van die Toelating van Persone tot die Unie, 1961.	Artikel 1 en artikels 3 tot en met 7.
Wet No. 69 van 1962.	Wet op Statebondsbetrekkings, 1962.	Artikels 1 en 2.
Wet No. 30 van 1963.	Wet op die Beheer van Vreemdelinge, 1963. . . .	Artikel 1.
Wet No. 68 van 1963.	Wysigingswet op Indiërwetgewing, 1963	In soverre dit op die Wet tot Regeling van de Toelating van Personen tot de Unie, 1913, betrekking het.
Wet No. 23 van 1964.	Wet tot Reëling van Verblyf in die Republiek, 1964 . .	Artikel 1.
Wet No. 61 van 1967.	Wet op Grensbeheer, 1967.	Artikels 1 tot en met 4, artikel 13, en die woorde „binnekoms in of” in artikel 14.
Wet No. 38 van 1969.	Wysigingswet op Reëling van die Toelating van Persone tot en Vertrek uit die Republiek, 1969.	Artikels 1 tot en met 6.
Wet No. 55 van 1971.	Wysigingswet op Reëling van die Toelating van Persone tot die Republiek, 1971.	Die geheel.

ADMISSION OF PERSONS TO THE
REPUBLIC REGULATION ACT, 1972.

Act No. 59, 1972

Schedule 2.

LAWS REPEALED.

No. and Year.	Short title.	Extent of repeal.
Act No. 22 of 1913.	Admission of Persons to the Union Regulation Act, 1913.	The whole.
Act No. 37 of 1927.	Immigration and Indian Relief (Further Provision) Act, 1927.	Sections 1 and 2 and sections 4 to 10, inclusive.
Act No. 15 of 1931.	Immigration (Amendment) Act, 1931	Sections 1 to 4, inclusive.
Act No. 19 of 1933.	Immigration (Amendment) Act, 1933	Section 3.
Act No. 27 of 1937.	Immigration Amendment Act, 1937	The whole.
Act No. 43 of 1953.	Immigrants Regulation Amendment Act, 1953.	The whole.
Act No. 52 of 1956.	Immigration Amendment Act, 1956	The whole.
Act No. 8 of 1960.	Immigration Amendment Act, 1960	The whole.
Act No. 60 of 1961.	Admission of Persons to the Union Regulation Amendment Act, 1961.	Section 1 and sections 3 to 7, inclusive.
Act No. 69 of 1962.	Commonwealth Relations Act, 1962	Sections 1 and 2.
Act No. 30 of 1963.	Aliens Control Act, 1963	Section 1.
Act No. 68 of 1963.	Indian Laws Amendment Act, 1963	In so far as it applies to the Admission of Persons to the Union Regulation Act, 1913.
Act No. 23 of 1964.	Residence in the Republic Regulation Act, 1964	Section 1.
Act No. 61 of 1967.	Border Control Act, 1967	Sections 1 to 4, inclusive, section 13 and the words "entering or" in section 14.
Act No. 38 of 1969.	Admission of Persons to and Departure from the Republic Regulation Amendment Act, 1969.	Sections 1 to 6, inclusive.
Act No. 55 of 1971.	Admission of Persons to the Republic Regulation Amendment Act, 1971.	The whole.

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