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KAAPSTAD, 4 APRIL 1973.

[No. 3831.]

DEPARTMENT OF THE PRIME MINISTER.

No. 547.

4th April, 1973.

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

No. 12 of 1973: Marriage Amendment Act, 1973.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 547.

4 April 1973.

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

No. 12 van 1973: Wysigingswet op Huwelike, 1973.

Act No. 12, 1973

MARRIAGE AMENDMENT ACT, 1973.

ACT

To amend the provisions of the Marriage Act, 1961, relating to marriage formulae; to provide that the provisions of certain laws shall, with retrospective effect, cease to apply in respect of Bantu; to repeal Proclamation No. R.298 of 1972; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 21st March, 1973.)

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

Amendment of section 30 of Act 25 of 1961, as substituted by section 10 of Act 51 of 1970 and amended by section 2 of Act 26 of 1972.

1. Section 30 of the Marriage Act, 1961, is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) In solemnizing any marriage any marriage officer designated under section 3 may follow the marriage formula usually observed by his religious denomination or organization if such marriage formula has been approved by the Minister, but if such marriage formula has not been approved by the Minister, or in the case of any other marriage officer, the marriage officer concerned shall put the following questions to each of the parties separately, each of whom shall reply thereto in the affirmative:

‘Do you, A.B., declare that as far as you know there is no lawful impediment to your proposed marriage with C.D. here present, and that you call all here present to witness that you take C.D. as your lawful wife (or husband)?’.

and thereupon the parties shall give each other the right hand and the marriage officer concerned shall declare the marriage solemnized in the following words:

‘I declare that A.B. and C.D. here present have been lawfully married.’”.

Repeal of laws.

2. (1) The provisions of the laws specified in the Schedule shall be deemed to have ceased to apply in respect of Bantu as from 1st November, 1972.

(2) Proclamation No. R.298 of 1972 is hereby repealed.

Short title.

3. This Act shall be called the Marriage Amendment Act, 1973.

WYSIGINGSWET OP HUWELIKE, 1973.

Wet No. 12, 1973

WET

Tot wysiging van die bepalings van die Huwelikswet, 1961, betreffende huweliksformuliere; om voorsiening te maak dat die bepalings van sekere wette, met terugwerkende krag nie langer ten opsigte van Bantoes van toepassing is nie; om Proklamasie No. R.298 van 1972 te herroep; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 21 Maart 1973.)

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

1. Artikel 30 van die Huwelikswet, 1961, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) By die voltrekking van 'n huwelik kan 'n huweliksbevestiger wat kragtens artikel 3 benoem is, die huweliksformulier volg wat gewoonlik deur sy godsdienstige denominasie of organisasie nagekom word indien daar die huweliksformulier deur die Minister goedgekeur is, maar indien bedoelde huweliksformulier nie deur die Minister goedgekeur is nie, of in die geval van 'n ander huweliksbevestiger, moet die betrokke huweliksbevestiger aan elkeen van die partye die volgende vrae afsonderlik stel, waarop elkeen van hulle bevestigend moet antwoord: „Verklaar jy, A.B., dat sover jy weet daar regtens geen beletsel is nie teen jou voorgenome huwelik met C.D. hier teenwoordig, en dat jy almal hier teenwoordig roep om getuie te wees dat jy C.D. tot jou wettige vrou (of man) neem?“, en daarop moet die partye mekaar die regterhand gee, en die betrokke huweliksbevestiger moet die huwelik met die volgende woorde as voltrek verklaar: „Ek verklaar dat A.B. en C.D. hier teenwoordig regtens getroud is.“.”

Wysiging van artikel 30 van Wet 25 van 1961, soos vervang deur artikel 10 van Wet 51 van 1970 en gewysig deur artikel 2 van Wet 26 van 1972.
2. (1) Die bepalings van die wette in die Bylae vermeld, word geag vanaf 1 November 1972 nie langer ten opsigte van Bantoes van toepassing te wees nie.

Herroeping van wette.
- (2) Proklamasie No. R.298 van 1972 word hierby herroep.
3. Hierdie Wet heet die Wysigingswet op Huwelike, 1973.

Kort titel.

Act No. 12, 1973

MARRIAGE AMENDMENT ACT, 1973.

Schedule

Province	No. and year of law	Title or subject matter
Natal	Law No. 46 of 1887 . . .	"To regulate the Marriage of Bantu by Christian Rites".
	Act No. 44 of 1903 . . .	"To amend the Law relating to Marriages of Bantu by Christian Rites".
Transvaal . . .	Law No. 3 of 1897 . . .	"Regelende de Huwelijken van Kleurlingen binnen de Zuid-Afrikaansche Republiek".
	Proclamation No. 6 of 1900 .	Bantu Marriages by Christian Rites.

WYSIGINGSWET OP HUWELIKE, 1973.

Wet No. 12, 1973

Bylae

Provinsie	No. en jaar van wet	Titel of onderwerp
Natal	Wet No. 46 van 1887	„To regulate the Marriage of Bantu by Christian Rites”.
	Wet No. 44 van 1903	„To amend the Law relating to Marriages of Bantu by Christian Rites”.
Transvaal	Wet No. 3 van 1897	„Regelende de Huwelijken van Kleurlingen binnen de Zuid-Afrikaansche Republiek”.
	Proklamasie No. 6 van 1900 . .	„Bantu Marriages by Christian Rites”.

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