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GOVERNMENT GAZETTE

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[No. 3865.

DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 648.

18th April, 1973.

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

No. 36 of 1973: Population Registration and Identity Documents Amendment Act, 1973.

No. 648.

18 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. 36 van 1973: Wysigingswet op Bevolkingsregistrasie en Identeitsdokumente, 1973.

Act No. 36, 1973

POPULATION REGISTRATION AND IDENTITY DOCUMENTS
AMENDMENT ACT, 1973.

ACT

To amend the Population Registration Act, 1950, so as to extend the meanings of the words "Secretary" and "identity document"; to further regulate notification of change of address; to further regulate the disposal of identity documents where more than one such document has been issued to a person; and to create a certain presumption relating to notification of the classification of a person as a Bantu; to amend the Identity Documents in South-West Africa Act, 1970, so as to further regulate notification of change of address; and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 11th April, 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 1 of
Act 30 of 1950,
as amended by
section 1 of
Act 30 of 1960,
section 1 of
Act 61 of 1962,
section 1 of
Act 64 of 1967,
section 1 of
Act 106 of 1969
and section 1 of
Act 29 of 1970.

1. Section 1 of the Population Registration Act, 1950 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution in subsection (1) for the definition of "identity document" of the following definition:

"identity document" means an identity document referred to in section 13, and includes—

(a) except for the purposes of the said section 13 and, after a date fixed by the State President by proclamation in the *Gazette*, section 14, an identity card referred to in the said section 13 as the said section existed prior to the substitution thereof by section 9 of the Population Registration Amendment Act, 1970 (Act No. 29 of 1970); and

(b) in the application of section 15 with reference to a Bantu, a reference book issued to a Bantu under the Bantu (Abolition of Passes and Co-ordination of Documents) Act, 1952 (Act No. 67 of 1952); and

(b) by the substitution in the said subsection for the definition of "Secretary" of the following definition:

"Secretary" means the Secretary for the Interior and includes any person employed by the State or the holder of a post in the public service acting under a delegation from or under the control or direction of—

(a) the Secretary for the Interior; or

(b) any person acting under a delegation from or under the direction of the Secretary for the Interior;"

WET

Tot wysiging van die Bevolkingsregistrasiewet, 1950, ten einde die betekenisse van die woorde „Sekretaris” en „identiteitsdokument” uit te brei; kennisgewing van adresverandering verder te reël; beskikking oor identiteitsdokumente verder te reël waar aan iemand meer as een so ’n dokument uitgereik is; en ’n sekere vermoede betreffende kennisgewing van die klassifikasie van iemand as ’n Bantoe te skep; tot wysiging van die Wet op Identiteitsdokumente in Suidwes-Afrika, 1970, ten einde kennisgewing van adresverandering verder te reël; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 11 April 1973.)

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

1. Artikel 1 van die Bevolkingsregistrasiewet, 1950 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur in subartikel (1) die omskrywing van „identiteitsdokument” deur die volgende omskrywing te vervang:

„identiteitsdokument” ’n identiteitsdokument bedoel in artikel 13, en—

(a) behalwe by die toepassing van genoemde artikel 13 en, na ’n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal, artikel 14, ook ’n persoonskaart bedoel in genoemde artikel 13 soos genoemde artikel bestaan het voor die vervanging daarvan deur artikel 9 van die Wysigingswet op Bevolkingsregistrasie, 1970 (Wet No. 29 van 1970); en

(b) by die toepassing van artikel 15 met betrekking tot ’n Bantoe, ook ’n bewysboek wat kragtens die Bantoes (Afskaffing van Passe en Koördinering van Dokumente) Wet, 1952 (Wet No. 67 van 1952), aan ’n Bantoe uitgereik is; en

(b) deur in genoemde subartikel die omskrywing van „Sekretaris” deur die volgende omskrywing te vervang: „Sekretaris” die Sekretaris van Binnelandse Sake en ook iemand in diens van die Staat of die bekleër van ’n pos in die Staatsdiens wat optree kragtens delegasie deur of onder beheer of op las van—

(a) die Sekretaris van Binnelandse Sake; of

(b) iemand wat optree kragtens delegasie deur of op las van die Sekretaris van Binnelandse Sake;”.

Wysiging van artikel 1 van Wet 30 van 1950, soos gewysig deur artikel 1 van Wet 30 van 1960, artikel 1 van Wet 61 van 1962, artikel 1 van Wet 64 van 1967, artikel 1 van Wet 106 van 1969 en artikel 1 van Wet 29 van 1970.

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AMENDMENT ACT, 1973.

Amendment of
section 10 of
Act 30 of 1950,
as substituted
by section 7 of
Act 29 of 1970.

2. Section 10 of the principal Act is hereby amended—

- (a) by the substitution for subsection (2) of the following subsection:

“(2) If any person to whom an identity document has been issued takes up permanent residence on any premises belonging to any other person the person who consented to such residence shall, within fourteen days after the taking up of such residence, furnish the Secretary with the prescribed particulars in respect of the first-mentioned person or after the expiry of fourteen days after the taking up of such residence, take the prescribed steps to ascertain whether the Secretary has in terms of subsection (1) been notified that such premises is the place of residence of the first-mentioned person.”; and

- (b) by the substitution for subsection (3) of the following subsection:

“(3) If any person taking such steps does not ascertain that the Secretary has been so notified, he shall within twenty-eight days after the taking up of such residence notify the Secretary in writing that the premises concerned is the place of residence of the person concerned and furnish in that notice the full name and identity number of such person.”.

Amendment of
section 15 of
Act 30 of 1950,
as substituted by
section 11 of
Act 29 of 1970.

3. Section 15 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (2) of the following paragraph:

- “(a) Whenever it comes to the notice of a Bantu Affairs Commissioner or the Secretary that any person to whom an identity document on which such person's race is reflected as native or Bantu has been issued, is in possession of an identity document on which such person's race is not reflected as native or Bantu, such Bantu Affairs Commissioner or the Secretary, as the case may be, shall forthwith seize the identity document on which the race of the person in question is not reflected as native or Bantu, and transmit, in the case of the Bantu Affairs Commissioner, such identity document together with the relevant particulars to the Secretary.”.

Amendment of
section 19 of
Act 30 of 1950,
as substituted by
section 6 of
Act 64 of 1967
and amended by
section 7 of
Act 106 of 1969
and section 15 of
Act 29 of 1970.

4. Section 19 of the principal Act is hereby amended by the insertion after subsection (1C) of the following subsection:

“(1D) If a reference book has under the Bantu (Abolition of Passes and Co-ordination of Documents) Act, 1952 (Act No. 67 of 1952), been issued to any person, such person shall for the purposes of this Act be deemed to have been notified, on the date on which such reference book was so issued to him, that he has been classified as a member of the ethnic group indicated in such reference book.”.

Amendment of
section 7 of
Act 37 of 1970.

5. Section 7 of the Identity Documents in South-West Africa Act, 1970, is hereby amended—

- (a) by the substitution for subsection (2) of the following subsection:

“(2) If any person to whom an identity document has been so issued takes up permanent residence on any premises belonging to any other person, the person who consented to such residence shall, within fourteen days after the taking up of such residence, furnish the Secretary with the prescribed particulars in respect of the first-mentioned person or, after the expiry of four-

WYSIGINGSWET OP BEVOLKINGSREGISTRASIE EN
IDENTITEITSDOKUMENTE, 1973.

Wet No. 36, 1973

2. Artikel 10 van die Hoofwet word hierby gewysig—
- (a) deur subartikel (2) deur die volgende subartikel te vervang:
- „(2) Indien iemand aan wie 'n identiteitsdokument uitgereik is, blywende intrek geneem het op 'n perseel wat aan iemand anders behoort, moet die persoon wat toestemming tot sodanige intrek verleen het, binne veertien dae na die neem van sodanige intrek die voorgeskrewe besonderhede ten opsigte van eersgenoemde persoon aan die Sekretaris verstrek, of na verloop van veertien dae na die neem van sodanige intrek die voorgeskrewe stappe doen om vas te stel of die Sekretaris ingevolge subartikel (1) in kennis gestel is dat daardie perseel die verblyfplek van eersgenoemde persoon is.”; en
- (b) deur subartikel (3) deur die volgende subartikel te vervang:
- „(3) Indien iemand wat sodanige stappe doen, nie vasstel dat die Sekretaris aldus in kennis gestel is nie, moet hy die Sekretaris binne agt-en-twintig dae na die neem van sodanige intrek skriftelik in kennis stel dat die betrokke perseel die verblyfplek van die betrokke persoon is, en in bedoelde kennisgewing die volle naam en identiteitsnommer van dié persoon verstrek.”.
3. Artikel 15 van die Hoofwet word hierby gewysig deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:
- „(a) Wanneer dit onder die aandag van 'n Bantoesake-kommissaris of die Sekretaris kom dat iemand aan wie 'n identiteitsdokument uitgereik is waarop so iemand se ras as naturel of Bantoe aangedui word, in besit is van 'n identiteitsdokument waarop so iemand se ras nie as naturel of Bantoe aangedui word nie, lê daardie Bantoesakekommissaris of die Sekretaris, na gelang van die geval, onverwyld beslag op die identiteitsdokument waarop die betrokke persoon se ras nie as naturel of Bantoe aangedui word nie en versend hy, in die geval van die Bantoesakekommissaris, daardie identiteitsdokument tesame met die ter sake dienende besonderhede aan die Sekretaris.”.
4. Artikel 19 van die Hoofwet word hierby gewysig deur na subartikel (1C) die volgende subartikel in te voeg:
- „(1D) Indien aan iemand 'n bewysboek kragtens die Bantoes (Afskaffing van Passe en Koördinerende Dokumenten) Wet, 1952 (Wet No. 67 van 1952), uitgereik is, word so iemand by die toepassing van hierdie Wet geag in kennis gestel te gewees het dat hy geklassifiseer is as 'n lid van die etniese groep wat in dié bewysboek aangedui word, en wel op die datum waarop dié bewysboek aldus aan hom uitgereik is.”.
5. Artikel 7 van die Wet op Identiteitsdokumente in Suidwes-Afrika, 1970, word hierby gewysig—
- (a) deur subartikel (2) deur die volgende subartikel te vervang:
- „(2) Indien iemand aan wie 'n identiteitsdokument aldus uitgereik is, blywende intrek geneem het op 'n perseel wat aan iemand anders behoort, moet die persoon wat toestemming tot sodanige intrek verleen het, binne veertien dae na die neem van sodanige intrek, die voorgeskrewe besonderhede ten opsigte van eersgenoemde persoon aan die Sekretaris verstrek, of

Wysiging van artikel 10 van Wet 30 van 1950, soos vervang deur artikel 7 van Wet 29 van 1970.

Wysiging van artikel 15 van Wet 30 van 1950, soos vervang deur artikel 11 van Wet 29 van 1970.

Wysiging van artikel 19 van Wet 30 van 1950, soos vervang deur artikel 6 van Wet 64 van 1967 en gewysig deur artikel 7 van Wet 106 van 1969 en artikel 15 van Wet 29 van 1970.

Wysiging van artikel 7 van Wet 37 van 1970.

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teen days after the taking up of such residence, take the prescribed steps to ascertain whether the Secretary has in terms of subsection (1) been notified that such premises is the place of residence of the first-mentioned person.”; and

- (b) by the substitution for subsection (3) of the following subsection:

“(3) If any person taking such steps does not ascertain that the Secretary has been so notified, he shall, within twenty-eight days after the taking up of such residence, notify the Secretary in writing that the premises concerned is the place of residence of the person concerned and furnish in that notice the full name and identity number of such person.”.

Short title and
commencement.

6. (1) This Act shall be called the Population Registration and Identity Documents Amendment Act, 1973.

(2) Section 1 shall be deemed to have come into operation on 2 July 1953, sections 2 and 5 shall come into operation on a date fixed by the State President by proclamation in the *Gazette*, and section 4 shall be deemed to have come into operation on 22 June 1956.

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- na verloop van veertien dae na die neem van sodanige intrek die voorgeskrewe stappe doen om vas te stel of die Sekretaris ingevolge subartikel (1) in kennis gestel is dat daardie perseel die verblyfplek van eersgenoemde persoon is.”; en
- (b) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Indien iemand wat sodanige stappe doen, nie vasstel dat die Sekretaris aldus in kennis gestel is nie, moet hy die Sekretaris binne agt-en-twintig dae na die neem van sodanige intrek skriftelik in kennis stel dat die betrokke perseel die verblyfplek van die betrokke persoon is, en in bedoelde kennisgewing die volle naam en identiteitsnommer van dié persoon verstrek.”.

6. (1) Hierdie Wet heet die Wysigingswet op Bevolkingsregistrasie en Identiteitsdokumente, 1973. Kort titel en inwerkingtreding.
- (2) Artikel 1 word geag op 2 Julie 1953 in werking te getree het, artikels 2 en 5 tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal, en artikel 4 word geag op 22 Junie 1956 in werking te getree het.

