



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

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DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 2170. 20 November 1974.

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

No. 94 of 1974: Second General Law Amendment Act, 1974.

No. 2170. 20 November 1974.

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

No. 94 van 1974: Tweede Algemene Regswysigingswet, 1974.

Wet No. 94, 1974

TWEEDE ALGEMENE REGSWYSIGINGSWET, 1974.

WET

Om 'n verbod in te stel op die veroorsaking, aanmoediging of aanstoking van vyandiggesindheid tussen verskillende bevolkingsgroepe; om 'n verbod in te stel, onder sekere omstandighede, op die verstrekking van inligting betreffende sake wat in of buite die Republiek gedryf word; die tenuitvoerlegging van doodvonnisse wat deur sekere howe opgelê is, verder te reël; te bepaal dat die herroepe bepalings van sekere wette van krag bly ten opsigte van sekere nywerheid- en verbeteringskole; regskrag aan sekere bepalings van die Wet op Bystand aan Kleurlingboere, 1973 (Wet 1 van 1973), van die Verteenwoordigende Kleurlingraad van die Republiek van Suid-Afrika te verleen; en die bestryding van uitgawes aangegaan in verband met sekere geboue en toerusting te Onderstepoort te reël; tot wysiging van die volgende Wette, naamlik die Drankwet, 1928, ten einde die verstrekking en verkoop van drank en die aanwesigheid van vrouspersone en sekere ander persone in beperkte gedeeltes van gelisensieerde geboue verder te reël; die Toelating van Prokureurs, Notarisse en Transportbesorgers Wet, 1934, ten einde die aangeleenthede waarvoor werk nie gewerf mag word nie, uit te brei; die Nywerheid-ontwikkingswet, 1940, ten einde die Minister van Ekonomiese Sake die bevoegdheid te verleen om die Nywerheid-ontwikkelskorporasie van Suid-Afrika, Beperk, en 'n filiaal daarvan teen sekere verliese te vrywaar; die Wet op Landdroshowe, 1944, ten einde te bepaal dat landdroste terselfdertyd in meer as een distrik diens mag doen; voorsiening te maak vir die hou van 'n hof van 'n distrik vir die verhoor van siviele aangeleenthede deur 'n landdros van 'n streekafdeling; verdere voorsiening te maak vir die betekening van prosesstukke in strafsake; die siviele jurisdiksie en boetejurisdiksie van landdroshowe te verhoog; en die strafjurisdiksie van landdroshowe in sekere strafsake te verhoog; die Verdedigingswet, 1957, ten einde die vrystelling van sekere klubs, menasies, inrigtings en fondse van sekere lisensiegelde, belastings, regte en gelde verder te reël; die Poswet, 1958, ten einde sekere beperkings op die sluiting van see-posooreenkomste op te hef; die Wet op die Hooggeregshof, 1959, ten einde die beslegting van teenstrydige uitsprake in siviele sake deur die appèlafdeling van die Hooggeregshof van Suid-Afrika verder te reël; die Wet op die Kleurling-ontwikkelskorporasie, 1962, ten einde die betekenis van die uitdrukking „Kleurlingmaatskappy” uit te brei; die Wet op Getuienis vir Buitelandse Howe, 1962, ten einde 'n verbod te plaas op die uitreiking, onder sekere omstandighede, van bevels met betrekking tot inligting betreffende sake wat in of buite die Republiek gedryf word; die Wet op Onderwys vir Kleurlinge, 1963, ten einde die bevoegdheid om regulasies in verband met die beheer oor sekere geld uit te vaardig, uit te brei; die Wet op die Verteenwoordigende Kleurlingraad, 1964, ten einde voorsiening te maak vir die ontbinding van die Verteenwoordigende Kleurlingraad van die Republiek van Suid-Afrika deur die Staatspresident; die Wet op Gemeenskapsontwikkeling, 1966, ten einde die tydperk waarin geen waardevermeerderings-

ACT

To prohibit the causing, encouragement or fomenting of feelings of hostility between different population groups; to prohibit, in certain circumstances, the furnishing of information as to businesses carried on in or outside the Republic; to further regulate the execution of sentences of death passed by certain courts; to provide that the repealed provisions of certain laws shall remain of force and effect in respect of certain schools of industries and reform schools; to validate certain provisions of the Coloured Farmers Assistance Law, 1973 (Law 1 of 1973), of the Coloured Persons Representative Council of the Republic of South Africa; and to regulate the defrayal of expenses incurred in connection with certain buildings and equipment at Onderstepoort; to amend the following Acts, namely the Liquor Act, 1928, so as to further regulate the supply and sale of liquor and the presence of women and certain other persons in restricted portions of licensed premises; the Attorneys, Notaries and Conveyancers Admission Act, 1934, so as to extend the matters for which work may not be canvassed; the Industrial Development Act, 1940, so as to empower the Minister of Economic Affairs to indemnify the Industrial Development Corporation of South Africa, Limited, and a subsidiary thereof against certain losses; the Magistrates' Courts Act, 1944, so as to provide that magistrates may simultaneously do duty in more than one district; to provide for the holding of a court of a district for the hearing of civil matters by a magistrate of a regional division; to further provide for the service of process in criminal cases; to increase the civil jurisdiction and jurisdiction relating to fines of magistrates' courts; and to increase the punitive jurisdiction of magistrates' courts in certain criminal cases; the Defence Act, 1957, so as to further regulate the exemption of certain clubs, messes, institutions and funds from certain licence moneys, taxes, duties and fees; the Post Office Act, 1958, so as to abolish certain limitations on the conclusion of ocean mail contracts; the Supreme Court Act, 1959, so as to further regulate the settlement of conflicting decisions in civil proceedings by the appellate division of the Supreme Court of South Africa; the Coloured Development Corporation Act, 1962, so as to extend the meaning of the expression "Coloured company"; the Foreign Courts Evidence Act, 1962, so as to prohibit the granting, in certain circumstances, of orders with reference to information as to businesses carried on in or outside the Republic; the Coloured Persons Education Act, 1963, so as to extend the power to make regulations in connection with the control of certain moneys; the Coloured Persons Representative Council Act, 1964, so as to provide for the dissolution of the Coloured Persons Representative Council of the Republic of South Africa by the State President; the Community Development Act, 1966, so as to extend the period during which no appre-

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kontribusie betaalbaar is nie, te verleng; die Wet op die Suid-Afrikaanse Indiërraad, 1968, ten einde te verbied dat die voorsitter van die Suid-Afrikaanse Indiërraad 'n lid van die uitvoerende komitee daarvan is; die Wet op Wapens en Ammunisie, 1969, ten einde verdere voorsiening te maak vir die oorhandiging van wapens en ammunisie wat in stryd met dié Wet besit word; die Wet op Deeltitels, 1971, ten einde die uitdrukking „Administrateur” te omskryf; en die Wet op Verpligte Motorvoertuigversekering, 1972, ten einde sekere bevoegdhede betreffende eise wat verjaar het, aan 'n hof te verleen; om sekere wette betreffende werkgewers en werknemers te herroep; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 11 November 1974.)

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

Verbod op veroorsaking, aanmoediging of aanstoking van vyandigheidsindheid tussen verskillende bevolkingsgroepe.

1. Iemand wat iets sê of iets anders doen met die opset om vyandigheidsindheid tussen verskillende bevolkingsgroepe van die Republiek te veroorsaak, aan te moedig of aan te stook, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweeduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met daardie boete sowel as daardie gevangenisstraf.

Verbod op verstrekking van inligting betreffende saak wat in of buite die Republiek gedryf word, ingevolge 'n bevel, opdrag of versoekbrief buite die Republiek uitgereik of van buite die Republiek afkomstig.

2. (1) Ondanks andersluidende bepalings van 'n wet of regsreël, en behalwe met die toestemming van die Minister van Ekonomiese Sake, mag niemand ingevolge 'n bevel, opdrag of versoekbrief wat buite die Republiek uitgereik of van buite die Republiek afkomstig is, enige inligting verstrek nie betreffende enige saak, hetsy dit in of buite die Republiek gedryf word.

(2) Die toestemming in subartikel (1) bedoel, kan—

- (a) verleen word of by kennisgewing in die *Staatskoerant* of by skriftelike magtiging aan 'n bepaalde persoon gerig;
- (b) verleen word onderworpe aan die voorwaardes wat genoemde Minister goedvind;
- (c) betrekking hê slegs op bepaalde goedere of sake of op bevel, opdragte of versoekbriewe in 'n bepaalde land uitgereik;
- (d) indien dit by kennisgewing in die *Staatskoerant* verleen word, slegs op bepaalde persone of klasse persone betrekking hê.

(3) Iemand wat die bepalings van subartikel (1) oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweeduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met daardie boete sowel as daardie gevangenisstraf.

Tenuitvoerlegging van doodvonnisse deur sekere houe opgelê.

3. Die bevoegdheid wat by artikel 332 (3) van die Strafrechtsprosedeswet, 1955 (Wet No. 56 van 1955), aan die Minister van Justisie verleen word, sluit die bevoegdheid in om te gelas dat 'n doodvonnis wat opgelê is deur 'n Hoër Hof ingestel ingevolge artikel 50 van die Transkeise Grondwet, 1963 (Wet No. 48 van 1963), of artikel 17I van die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet No. 54 van 1968), of artikel 34 van die Grondwet van die Bantoe-tuislande, 1971 (Wet No. 21 van 1971), ten uitvoer gelê word op 'n aangewese plek wat volgens wet vir die tenuitvoerlegging van doodvonnisse aangewys is, en wat geleë is buite die regsgebied van daardie Hof maar binne die regsgebied van 'n provinsiale afdeling van die Hooggeregshof van Suid-Afrika.

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ciation contribution is payable; the South African Indian Council Act, 1968, so as to prohibit the chairman of the South African Indian Council from being a member of the executive committee thereof; the Arms and Ammunition Act, 1969, so as to make further provision for the surrender of arms and ammunition held contrary to that Act; the Sectional Titles Act, 1971, so as to define the meaning of the expression "Administrator"; and the Compulsory Motor Vehicle Insurance Act, 1972, so as to grant a court certain powers relative to claims which have become prescribed; to repeal certain laws relative to employers and employees; and to provide for matters connected therewith.

*(English text signed by the State President.)
(Assented to 11 November 1974.)*

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

1. Any person who utters words or performs any other act with intent to cause, encourage or foment feelings of hostility between different population groups of the Republic, 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 two years, or to both such fine and such imprisonment.

Prohibition of causing, encouragement or fomenting of feelings of hostility between different population groups.

2. (1) Notwithstanding anything to the contrary contained in any law or legal rule, and except with the permission of the Minister of Economic Affairs, no person shall in compliance with any order, direction or letters of request issued or emanating from outside the Republic, furnish any information as to any business, whether carried on in or outside the Republic.

Prohibition of furnishing of information as to business carried on in or outside the Republic, in compliance with order, direction or letters of request issued or emanating from outside the Republic.

(2) The permission contemplated in subsection (1) may—

- (a) be granted either by notice in the *Gazette* or by written authority addressed to a particular person;
- (b) be granted subject to such conditions as the said Minister may deem fit;
- (c) relate only to specified goods or businesses or classes of goods or businesses or to orders, directions or letters of request issued in a specified country;
- (d) if it is granted by notice in the *Gazette*, relate only to specified persons or classes of persons.

(3) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and on conviction liable to a fine not exceeding two thousand rand or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

3. The power conferred on the Minister of Justice by section 332 (3) of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), shall include the power to direct that a sentence of death passed by a High Court established in terms of section 50 of the Transkei Constitution Act, 1963 (Act No. 48 of 1963), or section 171 of the Development of Self-government for Native Nations in South-West Africa Act, 1968 (Act No. 54 of 1968), or section 34 of the Bantu Homelands Constitution Act, 1971 (Act No. 21 of 1971), shall be carried out at a designated place appointed in accordance with law for the carrying out of sentences of death, which is situate outside the area of jurisdiction of such Court but within the area of jurisdiction of a provincial division of the Supreme Court of South Africa.

Carrying out of death sentences passed by certain courts.

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Toepassing van herroepe artikel 41 van Wet 33 van 1960 en sekere regulasies op sekere nywerheid- en verbeteringskole.

4. Ondanks die herroeping van artikel 41 van die Kinderwet, 1960 (Wet No. 33 van 1960), word die bepalings van daardie artikel en van regulasies wat kragtens artikel 92 (1) (i) van daardie Wet uitgevaardig is en by dié herroeping van krag was, geag van toepassing te gebly het ten opsigte van nywerheid- en verbeteringskole soos in artikel 1 van die Wet op Onderwys vir Kleurlinge, 1963 (Wet No. 47 van 1963), omskrywe en bly dit aldus van toepassing totdat regulasies betreffende beheer oor geld wat ingesamel word vir of ontvang word deur bedoelde nywerheid- en verbeteringskole en kragtens artikel 34 (1) (g) van laasgenoemde Wet uitgevaardig, in werking tree.

Regskrag van sekere wetsbepalings.

5. (1) Ondanks die bepalings van artikel 25 (1) van die Wet op die Verteenwoordigende Kleurlingraad, 1964 (Wet No. 49 van 1964), het 'n bepaling van die Wet op Bystand aan Kleurlingboere, 1973 (Wet 1 van 1973), van die Verteenwoordigende Kleurlingraad van die Republiek van Suid-Afrika wat nie geldig is nie bloot op grond daarvan dat dit in stryd is met die een of ander Wet van die Parlement, regskrag, met ingang van die inwerkingtreding van hierdie artikel, tot tyd en wyl 'n Wet van die Parlement anders bepaal.

(2) Hierdie artikel tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Bestryding van uitgawes aangegaan in verband met sekere geboue en toerusting vir opleidingsgeriewe te Onderstepoort.

6. Ondanks die bepalings van artikel 5 van die Wet op Universitêre Opleiding (Landbou- en Veeartsenyaangeleenthede), 1973 (Wet No. 5 van 1973), word die koste van—

(a) die oprigting van 'n gebou wat bedoel is om bykomende opleidingsgeriewe by die Fakulteit van Veeartsenykunde, Onderstepoort, te voorsien, en oor die oprigting waarvan 'n Staatsdepartement voor die datum van inwerkingtreding van genoemde artikel besluit het, maar—

(i) wat op daardie datum nog nie in aanbou was nie; of

(ii) ten opsigte waarvan geen tender voor daardie datum aanvaar is nie; en

(b) die toerusting wat uitsluitend vir gebruik in verband met die opleidingsgeriewe bedoel in paragraaf (a) bestem is en wat die Minister van Nasionale Opvoeding in oorleg met die Minister van Finansies bepaal,

bestry uit geld wat die Parlement vir daardie doel bewillig.

Wysiging van artikel 6 van Wet 30 van 1928, soos gewysig deur artikel 3 van Wet 41 van 1934, artikel 1 van Wet 39 van 1937, artikel 2 van Wet 72 van 1961, artikel 1 van Wet 89 van 1962, artikel 2 van Wet 88 van 1963, artikel 1 van Wet 85 van 1964, artikel 1 van Wet 98 van 1965, artikel 1 van Wet 62 van 1966, artikel 2 van Wet 23 van 1969, artikel 1 van Wet 17 van 1970, artikel 10 van Wet 80 van 1971 en artikel 1 van Wet 102 van 1972.

7. Artikel 6 van die Drankwet, 1928, word hierby gewysig—

(a) deur in paragraaf (d) van subartikel (1) al die woorde wat die voorbehoudsbepaling voorafgaan, deur die volgende woorde te vervang:

„iemand wat op gesag van die Minister en behoudens die voorwaardes of beperkings deur hom opgelê, drank verkoop in 'n hotel wat opgerig is en in stand gehou word deur 'n Staatsdepartement, met inbegrip van die Spoorweg- en Hawe-administrasie, enige Provinsiale Administrasie, en enige liggaam ingestel by of kragtens die bepalings van 'n ordonnansie aangeneem deur 'n provinsiale raad vir die beheer, bestuur, ontwikkeling of instandhouding van 'n openbare oord, nasionale park of 'n wild- of natuurtuin.”;

(b) deur na genoemde paragraaf (d) die volgende paragraaf in te voeg:

„(dA) iemand wat namens 'n Provinsiale Administrasie of enige liggaam bedoel in paragraaf (d), drank in of by 'n openbare oord, 'n nasionale park of 'n wild- of natuurtuin verkoop kragtens magtiging deur die Minister aan genoemde Administrasie of

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4. Notwithstanding the repeal of section 41 of the Children's Act, 1960 (Act No. 33 of 1960), the provisions of that section and of any regulations made under section 92 (1) (f) of that Act and in force at such repeal, shall be deemed to have continued to apply in respect of schools of industries and reform schools, as defined in section 1 of the Coloured Persons Education Act, 1963 (Act No. 47 of 1963), and shall continue so to apply until regulations as to the control of moneys collected for or received by such schools of industries and reform schools, and made under section 34 (1) (g) of the latter Act, come into operation.

Application of repealed section 41 of Act 33 of 1960 and certain regulations to certain schools of industries and reform schools.

5. (1) Notwithstanding the provisions of section 25 (1) of the Coloured Persons Representative Council Act, 1964 (Act No. 49 of 1964), any provision of the Coloured Farmers Assistance Law, 1973 (Law 1 of 1973), of the Coloured Persons Representative Council of the Republic of South Africa which is not valid for the sole reason that it is repugnant to any Act of Parliament, shall have the force of law with effect from the commencement of this section, until an Act of Parliament otherwise provides.

Validity of certain enactments.

(2) This section shall come into operation on a date to be determined by the State President by proclamation in the Gazette.

6. Notwithstanding the provisions of section 5 of the University Education (Agricultural and Veterinary Science Affairs) Act, 1973 (Act No. 5 of 1973), the cost of—

Defrayal of expenses incurred in connection with certain buildings and equipment for training facilities at Onderstepoort.

(a) the construction of a building intended to provide additional training facilities at the Faculty of Veterinary Science, Onderstepoort, and on the construction of which a department of State decided before the date of commencement of the said section but—

- (i) which was not yet under construction on that date; or
- (ii) in respect of which no tender was accepted prior to that date; and

(b) such equipment as is exclusively intended for use in connection with the training facilities referred to in paragraph (a) and as the Minister of National Education may determine in consultation with the Minister of Finance,

shall be defrayed out of moneys appropriated by Parliament for that purpose.

7. Section 6 of the Liquor Act, 1928, is hereby amended—

Amendment of section 6 of Act 30 of 1928, as amended by section 3 of Act 41 of 1934, section 1 of Act 39 of 1937, section 2 of Act 72 of 1961, section 1 of Act 89 of 1962, section 2 of Act 88 of 1963, section 1 of Act 85 of 1964, section 1 of Act 98 of 1965, section 1 of Act 62 of 1966, section 2 of Act 23 of 1969, section 1 of Act 17 of 1970, section 10 of Act 80 of 1971 and section 1 of Act 102 of 1972.

(a) by the substitution in paragraph (d) of subsection (1) for all the words preceding the proviso of the following words:

“any person selling liquor in any hotel established and maintained by any department of State, including the Railways and Harbours Administration, any Provincial Administration and any body established by or under the provisions of an ordinance passed by a provincial council for the control, management, development or maintenance of a public resort, national park, game reserve or nature reserve, under the authority of the Minister and subject to such conditions or restrictions as he may impose.”;

(b) by the insertion after the said paragraph (d) of the following paragraph:

“(dA) any person who on behalf of a Provincial Administration or any body referred to in paragraph (d), sells any liquor in or at any public resort, national park, game reserve or nature reserve under authority granted by the Minister

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liggaam verleen, en onderworpe aan die voorwaardes of beperkings wat die Minister oplaë;"; en

- (c) deur na paragraaf (d) *quin* van genoemde subartikel (1) die volgende paragraaf in te voeg:

„(d) *sex* iemand wat op gesag van die Minister en behoudens die voorwaardes of beperkings deur hom oplaë, drank in 'n restaurant wat in 'n gebou is wat deur die Suid-Afrikaanse Uitsaaikorporasie, ingestel by die Uitsaaiwet, 1936 (Wet No. 22 van 1936), beheer en in stand gehou word, vir gebruik in bedoelde restaurant verkoop;”.

Wysiging van artikel 6A van Wet 30 van 1928, soos ingevoeg deur artikel 3 van Wet 23 van 1969.

8. Artikel 6A van die Drankwet, 1928, word hierby gewysig—

- (a) deur subparagraaf (ii) van paragraaf (a) van subartikel (2) deur die volgende subparagraaf te vervang:

„(ii) Die bepalinge van subparagraaf (i) is nie van toepassing nie op die verkoop, aflewering of vandiehandsit van wyn—

(aa) deur 'n koöperatiewe vereniging, soos omskryf in artikel 1 van die Wet op Beheer oor Wyn en Spiritus, 1970 (Wet No. 47 van 1970), aan enige van sy lede ingevolge 'n kragtens subartikel (4) verleende magtiging;

(bb) aan 'n *bona fide*-besoeker aan 'n in subartikel (4) (a) bedoelde gebou, indien dit 'n verkoop, aflewering of vandiehandsit van 'n hoeveelheid van nie minder nie as een pint is, en daardie wyn vervat is in een of meer bottels of ander houers met 'n inhoudsvermoë van nie minder nie as een pint, wat dig gekurk of geprop is.”; en

- (b) deur na paragraaf (b) van subartikel (4) die volgende paragraaf in te voeg:

„(bA) Ondanks die bepalinge van paragraaf (a), mag wyn of ander gegiste drank deur 'n *bona fide*-besoeker aan 'n gebou bedoel in genoemde paragraaf verbruik word, en wel in 'n vertrek of ander plek in bedoelde gebou wat die Minister goedkeur, mits daardie wyn of ander gegiste drank aan daardie besoeker 'n redelike hoeveelheid en kosteloos verstrekk word, en vir die uitsluitlike doel om te proe en onderworpe aan die voorwaardes en beperkings wat die Minister na goeddunke oplaë.”.

Wysiging van artikel 8 van Wet 30 van 1928, soos gewysig deur artikel 3 van Wet 88 van 1963.

9. Artikel 8 van die Drankwet, 1928, word hierby gewysig deur die volgende subparagraaf by paragraaf (b) van subartikel (1) te voeg:

„(x) wynhuis-lisensies.”.

Vervanging van artikel 55*bis* van Wet 30 van 1928, soos ingevoeg deur artikel 38 van Wet 88 van 1963.

10. Artikel 55*bis* van die Drankwet, 1928, word hierby deur die volgende artikel vervang:

„Omsetting van sekere groothandelaars-dranklisensies.

55A. (1) Behoudens die bepalinge van artikel 47 (1) en (2), mag enige persoon, maatskappy, vereniging, vennootskap of ander assosiasie van persone wat op 1 Junie 1974 die houer van 'n groothandelaars-dranklisensie was, indien daardie lisensie op sy naam by die jaarlikse vergadering van 1974

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to such Administration or body and subject to such conditions or restrictions as the Minister may impose;"; and

- (c) by the insertion after paragraph (d) *quin* of the said subsection (1) of the following paragraph:

"(d) *sex* any person who, under the authority of the Minister and subject to such conditions or restrictions as he may impose, sells liquor in a restaurant which is on premises controlled and maintained by the South African Broadcasting Corporation established by the Broadcasting Act, 1936 (Act No. 22 of 1936), for consumption in such restaurant;".

8. Section 6A of the Liquor Act, 1928, is hereby amended—

Amendment of section 6A of Act 30 of 1928, as inserted by section 3 of Act 23 of 1969.

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

"(ii) The provisions of subparagraph (i) shall not apply to the sale, delivery or disposal of wine—

(aa) by a co-operative society as defined in section 1 of the Wine and Spirit Control Act, 1970 (Act No. 47 of 1970), to any of its members under an authority granted under subsection (4);

(bb) to a *bona fide* visitor to any premises referred to in subsection (4) (a) if it is a sale, delivery or disposal of a quantity of not less than one pint and such wine is contained in one or more bottles or other receptacles of a capacity of not less than one pint, securely corked or stoppered."; and

- (b) by the insertion after paragraph (b) of subsection (4) of the following paragraph:

"(bA) Notwithstanding the provisions of paragraph (a), wine or other fermented beverage may be consumed by a *bona fide* visitor to any premises referred to in the said paragraph, in such room or other place on such premises as the Minister may approve, provided such wine or other fermented beverage is supplied to such visitor in reasonable quantities and free of charge and for the exclusive purpose of tasting and subject to such conditions and restrictions as the Minister may deem fit to impose.".

9. Section 8 of the Liquor Act, 1928, is hereby amended by the addition to paragraph (b) of subsection (1) of the following subparagraph:

Amendment of section 8 of Act 30 of 1928, as amended by section 3 of Act 88 of 1963.

"(x) wine house licences.".

10. The following section is hereby substituted for section 55bis of the Liquor Act, 1928:

Substitution of section 55bis of Act 30 of 1928, as inserted by section 38 of Act 88 of 1963.

"Conversion of certain wholesale liquor licences.

55A. (1) Subject to the provisions of section 47 (1) and (2), any person who, or any company, society, partnership or other association of persons which was the holder of a wholesale liquor licence on 1 June 1974 may, if that licence is renewed in his

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vernuwe word, binne 'n tydperk van vier maande daarná by die Minister aanvraag doen om die omsetting van die betrokke lisensie in 'n bottel-dranklisensie.

(2) Die Minister mag op aanbeveling van die Nasionale Drankraad, en nieteenstaande die bepalings van artikels 54 en 63, na goeddunke die omsetting van daardie groothandelaars-dranklisensie in 'n bottel-dranklisensie magtig, onderworpe aan die voorwaardes en beperkings wat hy na goeddunke oplê: Met dien verstande dat geen magtiging ingevolge hierdie artikel verleen mag word nie ten opsigte van 'n besigheid ingevolge 'n groothandelaars-dranklisensie gedryf op dieselfde perseel as, of tesame met, 'n besigheid wat op 1 Junie 1974 ingevolge 'n hotel-dranklisensie of 'n wyn- en bierlisensie waaraan 'n reg van buiteverbruik-verkoop verbonde is of 'n bottel-dranklisensie gedryf is.

(3) Die ontvanger van inkomste moet by voorlegging aan hom van 'n sertifikaat onderteken deur die Minister of iemand wat op sy gesag handel en waarin die besonderhede uiteengesit word wat die lisensie ingevolge artikel 10 (2) moet bevat, en by betaling van die som vasgestel in 'n in artikel 12 (4) bedoelde toepaslike proklamasie, benewens die fooie wat volgens die Derde Bylae by hierdie Wet verskuldig is by uitreiking van 'n nuwe bottel-dranklisensie, 'n bottel-dranklisensie uitreik aan bedoelde houër of, in die geval van 'n maatskappy, vereniging, vennootskap of ander assosiasie van persone, aan iemand in diens van daardie maatskappy, vereniging, vennootskap of ander assosiasie van persone, en moet daarop die betrokke groothandelaars-dranklisensie kanselleer."

Wysiging van artikel 64bis van Wet 30 van 1928, soos ingevoeg deur artikel 45 van Wet 88 van 1963.

11. Artikel 64bis van die Drankwet, 1928, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Al die bepalings van hierdie Wet wat betrekking het op verkope kragtens 'n bottel-dranklisensie, met inbegrip van die ure en dae van verkoop en die hoeveelheid drank wat verkoop mag word, en al die verpligtings en onbevoegdhede van die houers van bottel-dranklisensies en al die strawwe waaraan hulle onderhewig is, is van toepassing met betrekking tot die kragtens artikel 64, 64ter of 71bis gemagtigde verkoop van drank vir gebruik buite die gelisensieerde gebou en met betrekking tot die lisensiehouer van daardie gebou, en die Minister of die lisensieraad, na gelang van die geval, mag, met betrekking tot bedoelde verkope en daardie lisensiehouer, al die bevoegdhede uitoefen wat hy met betrekking tot 'n bottel-dranklisensie mag uitoefen."

Invoeging van artikel 64ter in Wet 30 van 1928.

12. Die volgende artikel word hierby in die Drankwet, 1928, na artikel 64bis ingevoeg:

„Voorreg van buiteverbruik-verkoop ten opsigte van wynhuis-lisensie.

64ter. (1) Die Minister mag op 'n aanbeveling gedoen deur die Nasionale Drankraad, die houër van 'n wynhuis-lisensie magtig om, behoudens die voorwaardes of beperkings wat die Minister na goeddunke oplê, sodanige wyn as wat hy ingevolge artikel 86A mag verkoop, kragtens daardie lisensie in 'n plek in die gelisensieerde gebou wat vir daardie doel afgesonder is, vir verbruik buite die gelisensieerde gebou te verkoop.

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or its name at the annual meeting for 1974, within a period of four months thereafter apply to the Minister for the conversion of the licence concerned into a bottle liquor licence.

(2) The Minister may upon the recommendation of the National Liquor Board and notwithstanding the provisions of sections 54 and 63, in his discretion, authorize the conversion of such wholesale liquor licence into a bottle liquor licence, subject to such conditions and restrictions as he may deem fit to impose: Provided that no authority under this section shall be granted in respect of a business conducted under a wholesale liquor licence on the same premises as or together with a business conducted on 1 June 1974 under an hotel liquor licence or a wine and malt liquor licence to which a right of off-sale is attached or a bottle liquor licence.

(3) The receiver of revenue shall, upon production to him of a certificate signed by the Minister or any person acting under his directions and setting forth the particulars required to be contained in the licence in terms of section 10 (2) and upon payment of the sum specified in any relevant proclamation referred to in section 12 (4), in addition to the fees payable in terms of the Third Schedule to this Act on the issue of a new bottle liquor licence, issue a bottle liquor licence to such a holder or, in the case of a company, society, partnership or other association of persons, to a person in the employ of such company, society, partnership or other association of persons, and shall thereupon cancel the wholesale liquor licence concerned."

11. Section 64*bis* of the Liquor Act, 1928, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 64*bis* of Act 30 of 1928, as inserted by section 45 of Act 88 of 1963.

"(1) All the provisions of this Act relating to sales under a bottle liquor licence, including the hours and days of sale and the quantity of liquor which may be sold, and all the obligations and disabilities of and penalties upon the holders of bottle liquor licences, shall apply in respect of sales of liquor for consumption off the licensed premises authorized under section 64, 64*ter* or 71*bis* and in respect of the licensee of such premises, and the Minister or the licensing board, as the case may be, may, in respect of such sales and such licensee, exercise all such powers as he or it may exercise in respect of a bottle liquor licence."

12. The following section is hereby inserted in the Liquor Act, 1928, after section 64*bis*:

Insertion of section 64*ter* in Act 30 of 1928.

"Off-sale privilege in respect of wine house licence.

64*ter*. (1) The Minister may, upon a recommendation made by the National Liquor Board, authorize the holder of a wine house licence to sell, subject to such conditions or restrictions as the Minister may deem fit to impose, such wine as may be sold by him in terms of section 86A, under that licence in a place upon the licensed premises set apart for such purposes, for consumption off the licensed premises.

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(2) Enige magtiging ingevolge subartikel (1) verleen—

(a) word deur die voorsitter van die betrokke lisensieraad aangeteken op die lisensie wat die betrokke persoon hou;

(b) kan te eniger tyd ingetrek word deur die Minister wie se besluit om dit te doen afdoende is.

(3) 'n Magtiging wat ingevolge subartikel (1) verleen is, is nie van krag nie tensy 'n bedrag gelyk aan die helfte van die bedrag wat ten opsigte van 'n vernuwing van die betrokke lisensie betaalbaar is, aan die betrokke ontvanger van inkomste ten opsigte van sodanige magtiging betaal is: Met dien verstande dat wanneer so 'n magtiging na 31 Januarie van enige jaar verleen word, die bedrag wat aldus ten opsigte daarvan betaalbaar is, verminder word met 'n twaalfde vir elke voltooide kalendermaand wat verloop het tussen die voorafgaande 31 Desember en die dag waarop sodanige magtiging ingevolge subartikel (2) (a) op die betrokke lisensie aangeteken is."

Invoeging van
artikel 70ter in
Wet 30 van 1928.

13. Die volgende artikel word hierby in die Drankwet, 1928, na artikel 70bis ingevoeg:

„Vir watter
gebou wyn-
huis-lisensie
verleen mag
word.

70ter. Geen wynhuis-lisensie mag verleen of vernuwe word nie, tensy die Minister of die betrokke lisensieraad, na gelang van die geval, oortuig is dat die aanvrager in die gebou in verband waarmee die aanvraag gedoen word, 'n *bona fide*-wynhuis hou of voornemens is om 'n *bona fide*-wynhuis daarin te hou waar gewone maaltye gereeld aan gaste verstrekt sal word, en dat die gebou redelike akkommodasie bied vir mense wat maaltye in daardie wynhuis nuttig."

Wysiging van
artikel 75 van
Wet 30 van 1928,
soos vervang deur
artikel 58 van
Wet 88 van 1963
en gewysig deur
artikel 10 van
Wet 85 van 1964,
artikel 4 van
Wet 70 van 1968,
artikel 21 van
Wet 23 van 1969
en artikel 2 van
Wet 17 van 1970.

14. Artikel 75 van die Drankwet, 1944, word hierby gewysig deur na paragraaf (f) van subartikel (2) die volgende paragraaf in te voeg:

„(fA) mag die houer van 'n wynhuis-lisensie, ondanks andersluidende wetsbepalings, drank op alle dae, met inbegrip van geslote dae, verkoop, maar slegs gedurende die ure wat die gesag wat die lisensie verleen of vernuwe, bepaal, watter ure nie vroeër as tienuur in die môre of later as half-twaalfuur in die aand mag wees nie: Met dien verstande dat geen drank op Sondag, Kersdag, Goeie Vrydag, Hemelvaartdag of Geloftedag verkoop mag word nie behalwe tussen twaalfuur middag en half-drie-uur in die namiddag en tussen sesuur en negenuur in die aand, en dan slegs aan iemand wat *bona fide* in die gelisensieerde gebou 'n gewone, daarin gekoopte maaltyd nuttig, of op die punt staan om dit daarin aldus te nuttig, en wel om by of onmiddellik voor of na die maaltyd gebruik te word;"

Wysiging van
artikel 76 van
Wet 30 van 1928,
soos gewysig deur
artikel 59 van
Wet 88 van 1963,
artikel 11 van
Wet 85 van 1964,
artikel 22 van
Wet 23 van 1969,
artikel 3 van

15. Artikel 76 van die Drankwet, 1928, word hierby gewysig deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

„(a) Die hoeveelheid drank wat die houer van 'n groot-handelaars-dranklisensie ineens aan één klant, behalwe 'n lisensiehouer of houer van 'n magtiging kragtens artikel 100bis of 100sex of 'n persoon wat drank verkoop kragtens 'n in artikel 6 (1) (a), (b), (c), (cA),

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- (2) Any authority granted under subsection (1)—
- (a) shall be endorsed by the chairman of the licensing board concerned on the licence held by the person in question;
 - (b) may at any time be revoked by the Minister whose decision to do so shall be final.

(3) An authority granted under subsection (1) shall be of no force and effect unless there has been paid to the receiver of revenue concerned in respect thereof an amount equal to one half of the amount payable in respect of a renewal of the licence concerned: Provided that whenever any such authority is granted after 31 January in any year, the amount so payable in respect thereof shall be reduced by one-twelfth in respect of each completed calendar month which has passed from the preceding 31 December to the date upon which such authority has been endorsed under subsection (2) (a) on the licence concerned.”.

13. The following section is hereby inserted in the Liquor Act, 1928, after section 70*bis*:

Insertion of section 70*ter* in Act 30 of 1928.

“Premises in respect of which wine house licence may be granted.

70*ter*. No wine house licence shall be granted or renewed unless the Minister or the licensing board concerned, as the case may be, is satisfied that the applicant keeps or proposes to keep upon the premises in respect of which the application is made, a *bona fide* wine house at which ordinary meals will regularly be provided for guests, and that the premises afford reasonable accommodation for persons taking meals in such wine house.”.

14. Section 75 of the Liquor Act, 1928, is hereby amended by the insertion after paragraph (f) of subsection (2) of the following paragraph:

Amendment of section 75 of Act 30 of 1928, as substituted by section 58 of Act 88 of 1963 and amended by section 10 of Act 85 of 1964, section 4 of Act 70 of 1968, section 21 of Act 23 of 1969 and section 2 of Act 17 of 1970.

“(fA) the holder of a wine house licence may, notwithstanding anything in any other law contained, sell liquor on all days, including closed days, but only during such hours as may be determined by the authority granting or renewing the licence, which hours shall not be earlier than ten o'clock in the morning or later than half-past eleven o'clock at night: Provided that no liquor shall be sold on any Sunday, Christmas Day, Good Friday, Ascension Day or the Day of the Covenant except between twelve o'clock midday and half-past two o'clock in the afternoon and between six o'clock and nine o'clock in the evening, and then only to a person *bona fide* taking or about to take, on the licensed premises, an ordinary meal which has been purchased thereat, and for consumption with or immediately before or after such meal;”.

15. Section 76 of the Liquor Act, 1928, is hereby amended by the substitution for paragraph (a) of subsection (2) of the following paragraph:

Amendment of section 76 of Act 30 of 1928, as amended by section 59 of Act 88 of 1963, section 11 of Act 85 of 1964, section 22 of Act 23 of 1969, section 3 of

“(a) The quantity of liquor to be sold or delivered by the holder of a wholesale liquor licence to any one customer, other than a licensee or holder of an authority under section 100*bis* or 100*sex* or a person selling liquor under an authority referred to in section 6 (1) (a),

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Wet 17 van 1970
en artikel 2 van
Wet 102 van 1972.

(dA), (d)bis, (d)ter, (d)quat, (d)quin of (d)sex bedoelde magtiging mag verkoop of aflewer, mag nie minder bedra nie dan twee gallon (waarvan minstens een gallon van dieselfde soort, beskrywing en merk drank, behalwe bier, moet wees), of ineens aan één lisensiehouer of houer van 'n magtiging kragtens artikel 100bis of 100sex of 'n persoon wat drank verkoop kragtens 'n in artikel 6 (1) (a), (b), (c), (cA), (dA), (d)bis, (d)ter, (d)quat, (d)quin of (d)sex bedoelde magtiging, mag verkoop of aflewer, mag nie minder bedra nie dan een kwart, in 'n houer of houers wat behoorlik en dig gekurk of geprop moet wees: Met dien verstande dat indien die hoeveelheid drank wat aldus aan een klant verkoop of afgelewer word nie minder nie dan een gallon tafelwyn insluit wat uitsluitend die produk is van die alkoholiese gisting van die sap van vars druiwe en wat nie meer alkohol bevat nie dan 14 persent van sy volume, daardie tafelwyn nie van dieselfde beskrywing of merk hoof te wees nie."

Wysiging van
artikel 79ter van
Wet 30 van 1928,
soos ingevoeg deur
artikel 5 van
Wet 35 van 1956
en gewysig deur
artikel 63 van
Wet 88 van 1963,
artikel 12 van
Wet 85 van 1964,
artikel 26 van
Wet 23 van 1969,
artikel 4 van
Wet 17 van 1970
en artikel 3 van
Wet 102 van 1972.

16. Artikel 79ter van die Drankwet, 1928, word hierby gewysig deur die tweede voorbehoudsbepaling by subartikel (2) deur die volgende voorbehoudsbepaling te vervang:

„Met dien verstande voorts dat die houer van 'n groot-handelaars-dranklisensie geen drank by of vanuit daardie plek mag verkoop of aflewer nie aan iemand wat nie die gesagvoerder van 'n skip of sy verteenwoordiger is nie of wat nie 'n lisensie vir die verkoop van drank ingevolge hierdie Wet of 'n in artikel 100bis of 100sex bedoelde magtiging hou nie of wat nie iemand is wat drank kragtens 'n in artikel 6 (1) (a), (b), (c), (cA), (dA), (d)bis, (d)ter, (d)quat, (d)quin of (d)sex bedoelde magtiging verkoop nie."

Invoeging van
artikel 86A in
Wet 30 van 1928.

17. Die volgende artikel word hierby in die Drankwet, 1928, na artikel 86 ingevoeg:

„Watter
drank
kragtens
wynhuis-
lisensie
verkoop
mag word.

86A. 'n Wynhuis-lisensie is onderworpe aan die voorwaarde dat daarkragtens geen ander drank verkoop mag word nie as wyn soos omskryf in artikel 6A en wat geproduseer of vervaardig is deur die houer van 'n in daardie artikel bedoelde skriftelike magtiging."

Invoeging van
artikel 102A in
Wet 30 van 1928.

18. Die volgende artikel word hierby in die Drankwet, 1928, na artikel 102 ingevoeg:

„Indiens-
stelling van
vroue in
bepaalde
beperkte
gedeeltes
van sekere
gelisen-
sieerde
geboue.

102A. (1) Die Minister mag, na oorweging van 'n skriftelike aanvraag op die voorgeskrewe wyse gedoen en op aanbeveling van die Nasionale Drankraad, die houer van 'n klub-dranklisensie, 'n restaurant-dranklisensie, 'n teater-dranklisensie, 'n kantien-lisensie of 'n wyn- en bier-lisensie magtig om, onderworpe aan die voorwaardes of beperkings wat die Minister na goeddunke opla, by of in verband met die verkoop van drank in 'n in artikel 103A bedoelde bepaalde beperkte gedeelte van sy gebou, vrouspersone van die ouderdom van agtien jaar of ouer in diens te hê.

(2) Enige magtiging ingevolge subartikel (1) verleen en enige voorwaarde of beperking daaraan geheg uit hoofde van die bepalings van genoemde subartikel, word deur die voorsitter van die betrokke lisensieraad aangeteken op die lisensie deur die betrokke persoon gehou."

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(b), (c), (cA), (d)bis, (d)ter, (d)quat, (d)quin or (d)sex, at any one time shall not be less than two gallons (of which not less than one gallon shall be of the same kind, description and brand of liquor other than malt liquor), or to any one licensee or holder of an authority under section 100bis or 100sex or a person selling liquor under an authority referred to in section 6 (1) (a), (b), (c), (cA), (dA), (d)bis, (d)ter, (d)quat, (d)quin or (d)sex at any one time shall not be less than one quart, in a receptacle or receptacles properly and securely corked or stoppered: Provided that if the quantity of liquor so sold or delivered to any one customer includes not less than one gallon of table wine which is the product solely of the alcoholic fermentation of the juice of fresh grapes and containing no more than 14 per cent of alcohol by volume, such table wine need not be of the same description or brand.”.

Act 17 of 1970
and section 2 of
Act 102 of 1972.

16. Section 79ter of the Liquor Act, 1928, is hereby amended by the substitution for the second proviso to subsection (2) of the following proviso:

Amendment of
section 79ter of
Act 30 of 1928,
as inserted by
section 5 of
Act 35 of 1956
and amended by
section 63 of
Act 88 of 1963,
section 12 of
Act 85 of 1964,
section 26 of
Act 23 of 1969,
section 4 of
Act 17 of 1970
and section 3 of
Act 102 of 1972.

“Provided further that the holder of a wholesale liquor licence shall not sell or deliver any liquor at or from such place to any person who is not the master of a ship or his agent or who does not hold a licence for the sale of liquor under this Act or an authority referred to in section 100bis or 100sex or who is not a person selling liquor under an authority referred to in section 6 (1) (a), (b), (c), (cA), (dA), (d)bis, (d)ter, (d)quat, (d)quin or (d)sex:”.

17. The following section is hereby inserted in the Liquor Act, 1928, after section 86:

Insertion of
section 86A in
Act 30 of 1928.

“What
liquor to be
sold under
wine house
licence.

86A. It shall be a condition of a wine house licence that no liquor other than wine as defined in section 6A and which is produced or manufactured by the holder of a written authority referred to in that section shall be sold thereunder.”.

18. The following section is hereby inserted in the Liquor Act, 1928, after section 102:

Insertion of
section 102A in
Act 30 of 1928.

“Employ-
ment of
women in
specified
restricted
portions of
certain
licensed
premises.

102A. (1) The Minister may, after consideration of a written application made in the prescribed manner and upon the recommendation of the National Liquor Board, authorize the holder of a club liquor licence, a restaurant liquor licence, a theatre liquor licence, a bar licence or a wine and malt liquor licence to employ, subject to such conditions or restrictions as the Minister may deem fit to impose, in or in connection with the sale of liquor in any specified restricted portion of his premises referred to in section 103A, females of the age of eighteen years or more.

(2) Any authority granted under subsection (1) and any condition or restriction attached thereto by virtue of the provisions of the said subsection, shall be endorsed by the chairman of the licensing board concerned on the licence held by the person concerned.”.

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Vervanging van artikel 103A van Wet 30 van 1928, soos ingevoeg deur artikel 36 van Wet 23 van 1969.

19. Artikel 103A van die Drankwet, 1928, word hierby deur die volgende artikel vervang:

„Teenwoordigheid van vrouspersone en kinders in sekere beperkte gedeeltes van gelisensieerde geboue van klubs, restourante, teaters, kantiene en wyn- en bierinrigtings.

103A. (1) Die Minister mag, na oorweging van 'n skriftelike aanvraag op die voorgeskrewe wyse gedoen en op aanbeveling van die Nasionale Drankraad, die houer van 'n klub-dranklisensie, restourant-dranklisensie, 'n teater-dranklisensie, 'n kantienlisensie of 'n wyn- en bier-lisensie magtig om, onderworpe aan die voorwaardes of beperkings wat hy goedvind om op te lê, vrouspersone van die ouderdom van agtien jaar of ouer of sodanige vrouspersone sowel as persone onder die ouderdom van agtien jaar toe te laat om in enige bepaalde beperkte gedeelte van die gelisensieerde gebou te wees.

(2) Enige magtiging ingevolge subartikel (1) verleen en enige voorwaarde of beperking daaraan geheg uit hoofde van die bepalinge van genoemde subartikel (1), word deur die voorsitter van die betrokke lisensieraad op die lisensie deur die betrokke persoon gehou, aangeteken.”.

Vervanging van Derde Bylae by Wet 30 van 1928, soos vervang deur artikel 114 van Wet 88 van 1963 en gewysig deur artikel 56 van Wet 23 van 1969.

20. Die Derde Bylae by die Drankwet, 1928, word hierby deur die volgende Bylae vervang:

„Derde Bylae

FOOIE WAT BY UITREIKING VAN LISENSIES VERSKULDIG IS, ONDERHEWIG AAN DIE KORTINGS VASGESTEL IN ARTIKEL 12

Soort van lisensie	Verskuldigde fooi by uitreiking van nuwe lisensie			Verskuldigde fooi by vernuwing van lisensie			Verskuldigde fooi by magtiging tot oordrag van lisensie aan iemand anders			Verskuldigde fooi by magtiging tot verplasing van lisensie na ander gebou		
	£	s	d	£	s	d	£	s	d	£	s	d
Groothandelaars . . .	500	0	0	250	0	0	125	0	0	125	0	0
Buitelandse	100	0	0	50	0	0	25	0	0	25	0	0
Bierbrouer	500	0	0	250	0	0	125	0	0	125	0	0
Bottel	300	0	0	150	0	0	75	0	0	75	0	0
Kruidenier	25	0	0	12	10	0	7	10	0	7	10	0
Wynboer	1	0	0	0	10	0	0	10	0	0	10	0
Restourant	50	0	0	25	0	0	12	10	0	12	10	0
Hotel	100	0	0	50	0	0	25	0	0	25	0	0
Kantien	—	—	—	150	0	0	75	0	0	75	0	0
Klub	100	0	0	50	0	0	25	0	0	25	0	0
Teater of Sportgronde .	100	0	0	50	0	0	25	0	0	25	0	0
Wyn-en-bier	20	0	0	10	0	0	5	0	0	5	0	0
Wynhuis	20	0	0	10	0	0	5	0	0	5	0	0
Maaltyd	12	0	0	6	0	0	3	0	0	3	0	0
Tydlike	5	0	0	per dag vir elke kantien wat kragtens die lisensie gehou word, maar nie meer nie as £15 ten opsigte van alle kantiene kragtens een enkele tydelike dranklisensie gehou.								
Nagtelijke geleentheids .	2	0	0	vir elke uur of gedeelte van 'n uur waarvoor die lisensie verleen word.								

- (a) Wanneer ingevolge artikel 64, 64ter of 71bis aan die houer van 'n binneverbruiklisensie magtiging verleen word om drank te verkoop vir gebruik buite die gelisensieerde gebou, word die bedrag wat vir 'n vernuwing van daardie lisensie verskuldig is, met een helfte vermeerder.
- (b) In die geval van 'n oordrag van 'n lisensie van 'n dienaar van 'n maatskappy, vereniging, vennootskap of ander assosiasie van persone aan 'n ander dienaar

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19. The following section is hereby substituted for section 103A of the Liquor Act, 1928:

Substitution of section 103A of Act 30 of 1928, as inserted by section 36 of Act 23 of 1969.

"Presence of women and children in certain restricted portions of licensed premises of clubs, restaurants, theatres, bars, and wine and malt establishments.

103A. (1) The Minister may, after consideration of a written application made in the prescribed manner and upon the recommendation of the National Liquor Board, authorize the holder of a club liquor licence, a restaurant liquor licence, a theatre liquor licence, a bar licence or a wine and malt liquor licence, subject to such conditions or restrictions as he may deem fit to impose, to permit females of the age of eighteen years or more or such females as well as persons under the age of eighteen years to be in any specified restricted portion of the licensed premises.

(2) Any authority granted under subsection (1) and any condition or restriction attached thereto by virtue of the provisions of the said subsection (1), shall be endorsed by the chairman of the licensing board concerned on the licence held by the person concerned."

20. The following Schedule is hereby substituted for the Third Schedule to the Liquor Act, 1928:

Substitution of the Third Schedule to Act 30 of 1928, as substituted by section 114 of Act 88 of 1963 and amended by section 56 of Act 23 of 1969.

"Third Schedule

FEES TO BE PAID ON ISSUE OF LICENCES SUBJECT TO REDUCTIONS PROVIDED FOR IN SECTION 12

Description of liquor licence	Fee payable on issue of new licence			Fee payable on renewal of licence			Fee payable on issue of authority for transfer of licence to another person			Fee payable on issue of authority for removal of licence to other premises		
	£	s	d	£	s	d	£	s	d	£	s	d
Wholesale	500	0	0	250	0	0	125	0	0	125	0	0
Foreign	100	0	0	50	0	0	25	0	0	25	0	0
Brewer	500	0	0	250	0	0	125	0	0	125	0	0
Bottle	300	0	0	150	0	0	75	0	0	75	0	0
Grocer	25	0	0	12	10	0	7	10	0	7	10	0
Wine Farmer	1	0	0	0	10	0	0	10	0	0	10	0
Restaurant	50	0	0	25	0	0	12	10	0	12	10	0
Hotel	100	0	0	50	0	0	25	0	0	25	0	0
Bar	—	—	—	150	0	0	75	0	0	75	0	0
Club	100	0	0	50	0	0	25	0	0	25	0	0
Theatre or sports ground	100	0	0	50	0	0	25	0	0	25	0	0
Wine and malt	20	0	0	10	0	0	5	0	0	5	0	0
Wine House	20	0	0	10	0	0	5	0	0	5	0	0
Meal time	12	0	0	6	0	0	3	0	0	3	0	0
Temporary	5	0	0	per day in respect of each bar kept under the licence, but not exceeding £15 in respect of all bars kept under any temporary liquor licence.								
Late hours occasional	2	0	0	in respect of each hour or portion of an hour for which the licence is granted.								

- (a) Whenever in terms of section 64, 64ter or 71bis the holder of an on-consumption licence is granted authority to sell liquor for consumption off the licensed premises, the amount payable for a renewal of such licence shall be increased by one half.
- (b) In the case of a transfer of a licence from an employee of a company, society, partnership or other association of persons to another employee of that company,

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van daardie maatskappy, vereniging, vennootskap of ander assosiasie van persone, word die bedrag wat vir die oordrag van daardie lisensie betaalbaar is, met 80 persent verminder.”.

Wysiging van artikel 32 van Wet 23 van 1934, soos gewysig deur artikel 3 van Wet 19 van 1941, artikel 5 van Wet 81 van 1962, artikel 16 van Wet 63 van 1964, artikel 17 van Wet 70 van 1968, artikel 12 van Wet 93 van 1970 en artikel 6 van Wet 102 van 1972.

21. Artikel 32 van die Toelating van Prokureurs, Notarisse en Transportbesorgers Wet, 1934, word hierby gewysig—

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

„(1)*bis* In verband met die opstel van ’n testament of ander testamentêre stuk, of die administrasie of likwidasie of distribusie van die boedel van ’n oorlede of insolvente persoon, kranksinnige, of persoon aan ’n ander regsonbevoegdheid onderhewig, mag geen persoon mondelings of deur middel van ’n geskrif of drukwerk of op enige ander wyse hoegenaamd, direk of indirek, hetsy vir homself of vir enige ander persoon, werk werf, daarvoor adverteer of smous, of sy gereedheid of dié van sodanige ander persoon om werk hetsy vir of sonder besoldiging, te onderneem, bekend maak nie.”; en

(b) deur subparagraaf (i) van paragraaf (a) van die voorbehoudsbepaling by subartikel (5) deur die volgende subparagraaf te vervang:

„(i) in sy naam of titel woorde het wat aandui dat sy oogmerke of funksies werk insluit in verband met ’n aangeleentheid in subartikel (1)*bis* genoem; of”.

Wysiging van artikel 5*bis* van Wet 22 van 1940, soos ingevoeg deur artikel 1 van Wet 40 van 1951 en vervang deur artikel 1 van Wet 89 van 1965.

22. Artikel 5*bis* van die Nywerheid-ontwikkelingswet, 1940, word hierby gewysig—

(a) deur die woord „of” aan die end van paragraaf (a) van subartikel (1) te skrap; en

(b) deur die volgende paragraaf by genoemde subartikel (1) by te voeg:

„(c) die korporasie of ’n volfiliaal (soos bedoel in artikel 1 (5) van die Maatskappywet, 1973) van die korporasie vrywaar teen verliese wat hy mag ly of sedert 17 Desember 1970 mag gely het ten opsigte van huisvesting vir die personeel van nyweraars of fabrieksgeboue.”.

Wysiging van artikel 1 van Wet 32 van 1944, soos vervang deur artikel 1 van Wet 53 van 1970.

23. Artikel 1 van die Wet op Landdroshowe, 1944, word hierby gewysig deur die omskrywing van „Minister” deur die volgende omskrywing te vervang:

„Minister”, in artikel 15 (2) en (4) en in artikel 113, die Minister van Justisie; in elke ander bepaling van hierdie Wet beteken „Minister”, met betrekking tot ’n aangeleentheid waarmee handel moet word in ’n streekafdeling, distrik of subdistrik wat onder beheer van die Minister van Justisie geadministreer word, en met betrekking tot die instelling of afskaffing van so ’n streekafdeling, distrik of subdistrik, daardie Minister of enige ander Staatsminister wat namens hom optree, en met betrekking tot ’n aangeleentheid waarmee handel moet word in ’n streekafdeling, distrik of subdistrik wat onder beheer van die Minister van Bantoe-administrasie en -ontwikkeling geadministreer word, en met betrekking tot die instelling of afskaffing van so ’n laasbedoelde streekafdeling, distrik of subdistrik, beteken dit laasgenoemde Minister of enige ander Staatsminister wat namens hom optree”.

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society, partnership or other association of persons, the amount payable for the transfer of that licence shall be reduced by eighty per cent.”.

21. Section 32 of the Attorneys, Notaries and Conveyancers Admission Act, 1934, is hereby amended—

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

“(1)*bis* No person shall orally or by means of any written or printed matter or in any other manner whatsoever, directly or indirectly, either for himself or for any other person, canvass, advertise or tout for, or make known his preparedness or that of such other person to undertake, any work, whether for or without remuneration, in connection with the drawing up of a will or other testamentary instrument, or the administration or liquidation or distribution of the estate of any deceased or insolvent person, lunatic, or person under other disability.”; and

- (b) by the substitution for subparagraph (i) of paragraph (a) of the proviso to subsection (5) of the following subparagraph:

“(i) has in its name or title words indicating that its objects or functions include work in connection with a matter mentioned in subsection (1)*bis*; or”.

Amendment of section 32 of Act 23 of 1934, as amended by section 3 of Act 19 of 1941, section 5 of Act 81 of 1962, section 16 of Act 63 of 1964, section 17 of Act 70 of 1968, section 12 of Act 93 of 1970 and section 6 of Act 102 of 1972.

22. Section 5*bis* of the Industrial Development Act, 1940, is hereby amended—

- (a) by the deletion of the word “or” at the end of paragraph (a) of subsection (1); and

- (b) by the addition of the following paragraph to the said subsection (1):

“(c) indemnify the corporation or a wholly owned subsidiary (as contemplated in section 1 (5) of the Companies Act, 1973) of the corporation against any losses it may incur or may have incurred since 17 December 1970 in respect of housing for the staff of industrialists or factory buildings.”.

Amendment of section 5*bis* of Act 22 of 1940, as inserted by section 1 of Act 40 of 1951 and substituted by section 1 of Act 89 of 1965.

23. Section 1 of the Magistrates' Courts Act, 1944, is hereby amended by the substitution for the definition of “Minister” of the following definition:

“‘Minister’ in section 15 (2) and (4) and in section 113 means the Minister of Justice; in any other provision of this Act, ‘Minister’ in relation to any matter to be dealt with in a regional division, district or subdistrict administered under the control of the Minister of Justice, and in relation to the creation or abolition of any such regional division, district or subdistrict, means that Minister or any other Minister of State acting on his behalf, and in relation to any matter to be dealt with in a regional division, district or subdistrict administered under the control of the Minister of Bantu Administration and Development, and in relation to the creation or abolition of any such last-mentioned regional division, district or subdistrict, means the latter Minister or any other Minister of State acting on his behalf;”.

Amendment of section 1 of Act 32 of 1944, as substituted by section 1 of Act 53 of 1970.

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Wysiging van artikel 9 van Wet 32 van 1944, soos vervang deur artikel 2 van Wet 8 van 1967 en gewysig deur artikel 4 van Wet 53 van 1970, artikel 8 van Wet 102 van 1972 en artikel 11 van Wet 29 van 1974.

24. (1) Artikel 9 van die Wet op Landdroshowe, 1944, word hierby gewysig—

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

„(c) 'n Magistraat van 'n streekafdeling kan ook die magistraat van 'n distrik wees en word vir die doeleindes van artikel 12 (5) geag behoorlik aangestel te wees as 'n addisionele magistraat vir elke distrik, behalwe die distrik waarvan hy die magistraat is, wat geheel of gedeeltelik binne die streekafdeling val waarvan hy 'n magistraat is.”; en

(b) deur die volgende paragraaf by genoemde subartikel (1) te voeg:

„(d) 'n Magistraat, addisionele magistraat of assistent-magistraat van 'n distrik of subdistrik kan terselfdertyd ook 'n magistraat, addisionele magistraat of assistent-magistraat van 'n ander distrik wees.”.

(2) Subartikel (1) (b) word geag op 1 Mei 1973 in werking te getree het.

Wysiging van artikel 12 van Wet 32 van 1944, soos gewysig deur artikel 9 van Wet 40 van 1952.

25. Artikel 12 van die Wet op Landdroshowe, 1944, word hierby gewysig deur die volgende subartikel by te voeg:

„(5) 'n Magistraat van 'n streekafdeling kan, in sy hoedanigheid van addisionele magistraat van 'n distrik ingevolge artikel 9 (1) (c), 'n hofsitting van daardie distrik hou vir die verhoor van 'n siviele aangeleentheid binne die jurisdiksie van bedoelde hof.”.

Wysiging van artikel 15 van Wet 32 van 1944, soos gewysig deur artikel 11 van Wet 40 van 1952, artikel 2 van Wet 19 van 1963 en artikel 29 van Wet 70 van 1968.

26. Artikel 15 van die Wet op Landdroshowe, 1944, word hierby gewysig deur die volgende subartikel by te voeg:

„(4) 'n Beampte of werknemer in diens van die Staat wat behoort tot 'n kategorie deur die Minister by kennisgewing in die *Staatskoerant* omskryf, is bevoeg om 'n prosesstuk of 'n ander stuk in 'n saak waarin 'n vervolging plaasvind weens 'n misdryf ingevolge 'n wetsbepaling deur die Minister in bedoelde kennisgewing vermeld, te beteken asof hy as 'n adjunk-geregsbode aangestel is.”.

Vervanging van artikel 29 van Wet 32 van 1944, soos gewysig deur artikel 13 van Wet 40 van 1952, artikel 39 van Wet 68 van 1957, artikel 3 van Wet 19 van 1963 en artikel 10 van Wet 53 van 1970.

27. Artikel 29 van die Wet op Landdroshowe, 1944, word hierby deur die volgende artikel vervang:

„Jurisdiksie ten aansien van skuld-oorsaak.

29. (1) Behoudens die bepalings van hierdie Wet het die hof, ten aansien van skuldoorsaak, jurisdiksie in—

(a) aksies tot lewering of oordrag van roerende of onroerende goed waarvan die waarde hoogstens duisend vyfhonderd rand is;

(b) aksies tot uitsetting teen die okkupeerder van 'n perseel of grond binne die distrik geleë: Met dien verstande dat, waar die reg tot okupasie van die perseel of grond tussen die partye in geskil is, die suiwer waarde van daardie reg vir die okkupeerder hoogstens duisend vyfhonderd rand is;

(c) aksies vir die vasstelling van 'n reg van weg, ondanks die bepalings van artikel 46;

(d) aksies gebaseer op of wat ontstaan uit 'n likwiede dokument of 'n verband waar die vordering hoogstens drieduisend rand is;

(e) aksies gebaseer op of wat ontstaan uit 'n kontrak soos omskryf in artikel 1 (1) van die Wet op Huurkoop, 1942 (Wet No. 36 van 1942),

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24. (1) Section 9 of the Magistrates' Courts Act, 1944, is hereby amended—

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

“(c) A magistrate of a regional division may also be the magistrate of a district and shall for the purposes of section 12 (5) be deemed to have been duly appointed as an additional magistrate for each district, except the district of which he is the magistrate, falling wholly or partly within the regional division of which he is a magistrate.”; and

- (b) by the addition of the following paragraph to the said subsection (1):

“(d) A magistrate, an additional magistrate or an assistant magistrate of a district or subdistrict may at the same time also be a magistrate, an additional magistrate or an assistant magistrate of another district.”.

(2) Subsection (1) (b) shall be deemed to have come into operation on 1 May 1973.

25. Section 12 of the Magistrates' Courts Act, 1944, is hereby amended by the addition of the following subsection:

“(5) A magistrate of a regional division may, in his capacity as additional magistrate for a district in terms of section 9 (1) (c), hold a court of that district for the hearing of any civil matter within the jurisdiction of such court.”.

26. Section 15 of the Magistrates' Courts Act, 1944, is hereby amended by the addition of the following subsection:

“(4) An officer or employee in the service of the State of a class defined by the Minister by notice in the *Gazette*, shall be competent to serve any process of the court or any other document in a case in which a prosecution takes place for an offence in terms of a provision of any law specified by the Minister in such notice, as if he had been appointed as a deputy messenger of the court.”.

27. The following section is hereby substituted for section 29 of the Magistrates' Courts Act, 1944:

“Jurisdiction in respect of causes of action.

29. (1) Subject to the provisions of this Act, the court, in respect of causes of action, shall have jurisdiction in—

- (a) actions in which is claimed the delivery or transfer of any property, movable or immovable, not exceeding one thousand five hundred rand in value;
- (b) actions of ejectment against the occupier of any premises or land within the district: Provided that, where the right of occupation of any such premises or land is in dispute between the parties, such right does not exceed one thousand five hundred rand in clear value to the occupier;
- (c) actions for the determination of a right of way, notwithstanding the provisions of section 46;
- (d) actions on or arising out of a liquid document or a mortgage bond, where the claim does not exceed three thousand rand;
- (e) actions on or arising out of any agreement as defined in section 1 (1) of the Hire-Purchase Act, 1942 (Act No. 36 of 1942), where the

Amendment of section 9 of Act 32 of 1944, as substituted by section 2 of Act 8 of 1967 and amended by section 4 of Act 53 of 1970, section 8 of Act 102 of 1972 and section 11 of Act 29 of 1974.

Amendment of section 12 of Act 32 of 1944, as amended by section 9 of Act 40 of 1952.

Amendment of section 15 of Act 32 of 1944, as amended by section 11 of Act 40 of 1952, section 2 of Act 19 of 1963 and section 29 of Act 70 of 1968.

Substitution of section 29 of Act 32 of 1944, as amended by section 13 of Act 40 of 1952, section 39 of Act 68 of 1957, section 3 of Act 19 of 1963 and section 10 of Act 53 of 1970.

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waar die vordering of die waarde van die goed in geskil hoogstens drieduisend rand is;

(f) ander aksies as dié wat reeds in hierdie subartikel vermeld is, waar die vordering of waarde van die onderwerp in geskil hoogstens duisend vyfhonderd rand is.

(2) Die woord „aksie” in subartikel (1) omvat ook ’n vordering in rekonvensie.”.

Wysiging van artikel 46 van Wet 32 van 1944, soos gewysig deur artikel 5 van Wet 19 van 1963.

28. Artikel 46 van die Wet op Landdroshowe, 1944, word hierby gewysig deur paragraaf (c) van subartikel (2) deur die volgende paragraaf te vervang:

„(c) waarin daadwerklike vervulling sonder ’n alternatiewe eis om betaling van skadevergoeding gevorder word, behalwe in—

(i) die verstrekking van ’n rekening ten opsigte waarvan die vordering nie duisend vyfhonderd rand te bowe gaan nie;

(ii) die lewering of oordrag van roerende of onroerende goed ter waarde van hoogstens duisend vyfhonderd rand; en

(iii) die lewering of oordrag van roerende of onroerende goed ter waarde van meer as duisend vyfhonderd rand, in gevalle waar die toestemming van die partye ooreenkomstig artikel 45 verkry is;”.

Wysiging van artikel 74 van Wet 32 van 1944, soos gewysig deur artikel 19 van Wet 40 van 1952, artikel 2 van Wet 14 van 1954, artikel 27 van Wet 93 van 1962 en artikel 12 van Wet 19 van 1963.

29. Artikel 74 van die Wet op Landdroshowe, 1944, word hierby gewysig deur die laaste sin van subartikel (1) deur die volgende sin te vervang:

„Die hof is bevoeg om so ’n bevel te verleen al is enige van of al die skuldeisers buite die jurisdiksie van die hof of al gaan die skulde van die skuldenaar die bedrag van duisend vyfhonderd rand te bowe, mits die skulde van die skuldenaar nie die bedrag van tweeduisend rand te bowe gaan nie.”.

Vervanging van artikel 92 van Wet 32 van 1944, soos vervang deur artikel 1 van Wet 16 van 1959 en gewysig deur artikel 14 van Wet 19 van 1963.

30. Artikel 92 van die Wet op Landdroshowe, 1944, word hierby deur die volgende artikel vervang:

„Perke van jurisdiksie ten aansien van strawwe. 92. (1) Behoudens andersluidende uitdruklike bepalings in hierdie Wet of in ’n ander wet, kan die hof, wanneer die hof ’n persoon weens ’n misdryf kan straf—

(a) met gevangenisstraf, gevangenisstraf vir ’n tydperk van hoogstens ses maande oplê, waar die hof nie die hof van ’n streekafdeling is nie, of van hoogstens drie jaar, waar die hof die hof van ’n streekafdeling is;

(b) met boete, ’n boete van hoogstens vyfhonderd rand oplê, waar die hof nie die hof van ’n streekafdeling is nie, of van hoogstens duisend vyfhonderd rand, waar die hof die hof van ’n streekafdeling is;

(c) met lyfstraf, slegs lyfstraf met ’n rottang oplê.

(2) (a) Die hof het regsbevoegdheid om ’n straf op te lê wat voorgeskryf is ten opsigte van ’n misdryf ingevolge ’n ordonnansie van ’n provinsie of die gebied wat betrekking het op voertuie en die reëling van verkeer op openbare paaie, niesteenstaande dat sodanige straf die in subartikel (1) bedoelde jurisdiksie te bowe gaan.

(b) Waar iemand skuldig bevind word aan strafbare manslag wat ontstaan uit die bestuur van ’n voertuig soos omskryf in ’n in paragraaf (a)

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claim or the value of the property in dispute does not exceed three thousand rand;

- (f) actions other than those already mentioned in this section, where the claim or the value of the matter in dispute does not exceed one thousand five hundred rand.

(2) In subsection (1) 'action' includes a claim in reconvention."

28. Section 46 of the Magistrates' Courts Act, 1944, is hereby amended by the substitution for paragraph (c) of subsection (2) of the following paragraph:

Amendment of section 46 of Act 32 of 1944, as amended by section 5 of Act 19 of 1963.

"(c) in which is sought specific performance without an alternative of payment of damages, except in—

- (i) the rendering of an account in respect of which the claim does not exceed one thousand five hundred rand;
- (ii) the delivery or transfer of property, movable or immovable, not exceeding one thousand five hundred rand in value; and
- (iii) the delivery or transfer of property, movable or immovable, exceeding one thousand five hundred rand in value where the consent of parties has been obtained in terms of section 45;"

29. Section 74 of the Magistrates' Courts Act, 1944, is hereby amended by the substitution for the last sentence of subsection (1) of the following sentence:

Amendment of section 74 of Act 32 of 1944, as amended by section 19 of Act 40 of 1952, section 2 of Act 14 of 1954, section 27 of Act 93 of 1962 and section 12 of Act 19 of 1963.

"The court shall have jurisdiction to make such an order notwithstanding that any or all of the creditors are outside the jurisdiction of the court or that the debts of the debtor exceed the sum of one thousand five hundred rand, provided the debts of the debtor do not exceed the sum of two thousand rand."

30. The following section is hereby substituted for section 92 of the Magistrates' Courts Act, 1944:

Substitution of section 92 of Act 32 of 1944, as substituted by section 1 of Act 16 of 1959 and amended by section 14 of Act 19 of 1963.

"Limits of jurisdiction in the matter of punishments.

92. (1) Save as otherwise in this Act or in any other law specially provided, the court, whenever it may punish a person for an offence—

- (a) by imprisonment, may impose a sentence of imprisonment for a period not exceeding six months, where the court is not the court of a regional division, or not exceeding three years, where the court is the court of a regional division;

- (b) by fine, may impose a fine not exceeding five hundred rand, where the court is not the court of a regional division, or not exceeding one thousand five hundred rand, where the court is the court of a regional division;

- (c) by whipping, may impose a sentence of whipping with a cane only.

- (2) (a) The court shall have jurisdiction to impose any punishment prescribed in respect of an offence under an ordinance of a province or the territory which relates to vehicles and the regulation of traffic on public roads, notwithstanding that such punishment exceeds the jurisdiction referred to in subsection (1).

- (b) Where a person is convicted of culpable homicide arising out of the driving of a vehicle as defined in any applicable ordinance referred to

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bedoelde ordonnansie wat toepaslik is, het die hof regsbevoegdheid om 'n straf op te lê wat die hof ingevolge daardie paragraaf kan opleë ten opsigte van die misdryf van roekelose bestuur van 'n voertuig op 'n openbare pad."

Wysiging van artikel 95 van Wet 32 van 1944, soos gewysig deur artikel 24 van Wet 40 van 1952 en artikel 15 van Wet 19 van 1963.

31. Artikel 95 van die Wet op Landdroshowe, 1944, word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:

„(a) die maksimum-boete is duisend rand; die maksimum-tydperk van gevangenisstraf is een jaar;"

Vervanging van artikel 96 van Wet 32 van 1944, soos gewysig deur artikel 25 van Wet 40 van 1952, artikel 25 van Wet 62 van 1955, artikel 4 van Wet 16 van 1959, artikel 16 van Wet 19 van 1963 en artikel 4 van Wet 17 van 1969.

32. Artikel 96 van die Wet op Landdroshowe, 1944, word hierby deur die volgende artikel vervang:

„Watter vonnisse aan outomatiese hersiening onderhewig is.

96. (1) Alle vonnisse in strafsake (behalwe vonnisse opgelê deur howe van streekafdelings) waarin die opgelegde straf gevangenisstraf (met inbegrip van aanhouding in 'n verbeteringshuis, nywerheidsskool, dronkaardsasiel, boerderykolonie, werkkolonie, toevlug, reddingshuis of ander dergelyke inrigting) vir 'n tydperk van meer as drie maande of 'n boete van meer as tweehonderd-en-veertig rand of lyfstraf is (uitgesonderd die geval waar 'n persoon kragtens artikel 345 van die Strafproseswet, 1955 (Wet No. 56 van 1955), gevonnisd is), is in die gewone loop van sake onderhewig aan hersiening deur die hof van appel of een van die regters daarvan; onverminderd die reg van appel teen sodanige vonnis hetsy vóór of na bekragtiging van die vonnis deur die regter of hof wat die vonnis in hersiening neem.

(2) Vir die doeleindes van hierdie artikel word elke vonnis ten opsigte van 'n afsonderlike aanklag as 'n afsonderlike vonnis beskou, en die feit dat die gesamentlike vonnisse wat die beskuldigde opgelê word ten opsigte van meer as een aanklag in dieselfde beskuldiging drie maande of tweehonderd-en-veertig rand oorskry, maak daardie vonnisse nie vir outomatiese hersiening vatbaar nie."

Herroeping van artikel 113 van Wet 32 van 1944.

33. Artikel 113 van die Wet op Landdroshowe, 1944, word hierby herroep.

Wysiging van artikel 149 van Wet 44 van 1957, soos vervang deur artikel 12 van Wet 66 van 1972.

34. Artikel 149 van die Verdedigingswet, 1957, word hierby gewysig—

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

„(1) Geen lisensiegelde, belasting, reg of geld (behalwe docane-, aksyns- of verkoopregte waar dit kragtens wet hefbaar is, maar met inbegrip van belasting op of ten opsigte van eiendom hetsy roerend of onroerend) ingevolge enige wetsbepaling is deur of ten opsigte van 'n kragtens artikel 148 gestigte klub, menasie of handelsinrigting in of in verband met 'n basis, kamp, stasie of skip vir enige deel van die Suid-Afrikaanse Weermag in die Republiek of ten opsigte van enige artikel wat by so 'n klub, menasie of inrigting te koop is, of deur of ten opsigte van 'n fonds of nie-handeldrywende inrigting gestig volgens voorskrif van regulasies kragtens artikel 87 (1) (dA) uitgevaardig, betaalbaar nie;"

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in paragraph (a), the court shall have jurisdiction to impose any punishment which the court may impose under that paragraph in respect of the offence of driving a vehicle recklessly on a public road.”.

31. Section 95 of the Magistrates' Courts Act, 1944, is hereby amended by the substitution for paragraph (a) of the following paragraph:

Amendment of section 95 of Act 32 of 1944, as amended by section 24 of Act 40 of 1952 and section 15 of Act 19 of 1963.

“(a) the maximum amount of fine shall be one thousand rand; the maximum period of imprisonment shall be one year;”.

32. The following section is hereby substituted for section 96 of the Magistrates' Courts Act, 1944:

Substitution of section 96 of Act 32 of 1944, as amended by section 25 of Act 40 of 1952, section 25 of Act 62 of 1955, section 4 of Act 16 of 1959, section 16 of Act 19 of 1963 and section 4 of Act 17 of 1969.

“What sentences subject to automatic review.

96. (1) All sentences in criminal cases (other than sentences imposed by courts of regional divisions) in which the punishment awarded is imprisonment (including detention in a reformatory, industrial school, inebriate reformatory, farm colony, work colony, refuge, rescue home or other similar institution) for a period exceeding three months or a fine exceeding two hundred and fifty rand or whipping (save in a case in which a person has been sentenced under section 345 of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), shall be subject in the ordinary course to review by the court of appeal or one of the judges thereof; without prejudice to the right of appeal against such sentence whether before or after confirmation of the sentence by the judge or court reviewing the same.

(2) For the purposes of this section each sentence on a separate count shall be regarded as a separate sentence, and the fact that the aggregate of sentences imposed on an accused person in respect of more than one count in the same charge sheet exceeds three months or two hundred and fifty rand, shall not render those sentences liable to automatic review.”.

33. Section 113 of the Magistrates' Courts Act, 1944, is hereby repealed.

Repeal of section 113 of Act 32 of 1944.

34. Section 149 of the Defence Act, 1957, is hereby amended—

Amendment of section 149 of Act 44 of 1957, as substituted by section 12 of Act 66 of 1972.

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

“(1) No licence moneys, tax, duty or fee (other than customs, excise or sales duty where leviable by law, but including any tax on or in respect of property, whether movable or immovable) under any law shall be payable by or in respect of any club, mess or trading institution established under section 148 in or in connection with any base, camp, station or ship for any portion of the South African Defence Force in the Republic, or in respect of any article on sale at such a club, mess or institution, or by or in connection with a fund or non-trading institution established in accordance with regulations made under section 87 (1) (dA).”;

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- (b) deur na daardie subartikel die volgende subartikel in te voeg:

„(1A) By die toepassing van subartikel (1) word 'n fonds of nie-handeldrywende inrigting wat op 1 November 1958 bestaan het en waarvan die doelstellings of sommige van die doelstellings waarvan die verkryging en besit is van eiendom vir die verskaffing van ontspanningsfasiliteite binne die Republiek vir die voordeel van lede en oudlede van die Suid-Afrikaanse Weermag of enige diens, korps of eenheid daarin of deel daarvan en hul afhanklikes, geag gestig te gewees het volgens voorskrif van regulasies kragtens artikel 87 (1) (dA) uitgevaardig, hetsy sodanige regulasies te eniger relevante tyd bestaan of bestaan het, of nie.”; en

- (c) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) 'n Sertifikaat onder die handtekening van die Minister of van 'n persoon deur die Minister gemagtig, waarin verklaar word—

- (a) dat 'n klub, menasie of handelsinrigting daarin vermeld, kragtens artikel 148 ingestel is in of in verband met 'n basis, kamp, stasie of skip vir enige deel van die Suid-Afrikaanse Weermag in die Republiek; of

- (b) dat 'n fonds of nie-handeldrywende inrigting daarin vermeld, volgens voorskrif van regulasies kragtens artikel 87 (1) (dA) uitgevaardig, gestig is; of

- (c) dat 'n fonds of nie-handeldrywende inrigting daarin vermeld op 1 November 1958 bestaan het en dat die doelstellings of sommige van die doelstellings daarvan die verkryging en besit is van eiendom vir die verskaffing van ontspanningsfasiliteite binne die Republiek vir die voordeel van lede en oudlede van die Suid-Afrikaanse Weermag of enige diens, korps of eenheid daarin of deel daarvan en hul afhanklikes,

is by die oorlegging daarvan deur enige persoon in verrigtinge in enige geregshof, afdoende bewys van die juistheid van die verklarings daarin vervat.”.

Wysiging van artikel 5 van Wet 44 van 1958.

35. Artikel 5 van die Poswet, 1958, word hierby gewysig deur subartikels (2), (3) en (4) te skrap.

Invoeging van artikel 23 in Wet 59 van 1959.

36. Die volgende artikel word hierby in die Wet op die Hoogeregshof, 1959, na artikel 22 ingevoeg:

„Beslegting van teenstrydige uitsprake in siviele sake.

23. Wanneer 'n beslissing in 'n siviele geding op 'n regspraak gegee word deur 'n provinsiale of plaaslike afdeling wat strydig is met 'n beslissing in 'n siviele geding op 'n regspraak wat gegee is deur 'n ander sodanige afdeling, kan die Minister, na oorlegpleging met die Suid-Afrikaanse Regskommissie, daardie strydige beslissings aan die appèlafdeling voorlê en die aangeleentheid voor daardie afdeling laat beredeneer sodat dit genoemde regspraak vir die toekomstige leiding van alle howe kan beslis.”.

Wysiging van artikel 1 van Wet 4 van 1962, soos gewysig deur artikel 1 van Wet 12 van 1963.

37. Artikel 1 van die Wet op die Kleurlingontwikkelingskorporasie, 1962, word hierby gewysig deur in subartikel (1) die omskrywing van „Kleurlingmaatskappy” deur die volgende omskrywing te vervang:

„„Kleurlingmaatskappy” 'n maatskappy waarvan die meerderheid van die aandele gehou word deur Kleurlinge of die Korporasie of deur Kleurlinge en die Korporasie, en ook 'n vereniging van persone waarvan die meerderheid van die lede Kleurlinge of Kleurlinge en die Korporasie is;”.

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- (b) by the insertion after that subsection of the following subsection:

“(1A) For the purpose of subsection (1) any fund or non-trading institution which existed on 1 November 1958 and the aims or some of the aims of which are the acquisition and possession of property for the provision of recreational facilities within the Republic for the benefit of members and ex-members of the South African Defence Force or any service, corps or unit therein or any portion thereof and their dependants, shall be deemed to have been established in accordance with regulations made under section 87 (1) (dA), whether or not such regulations exist or existed at any relevant time.”; and

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

“(2) A certificate under the hand of the Minister or of a person authorized by the Minister, stating—

- (a) that a club, mess or trading institution specified therein has been established under section 148 in or in connection with any base, camp, station or ship for any portion of the South African Defence Force in the Republic; or
- (b) that a fund or non-trading institution specified therein has been established in accordance with regulations made under section 87 (1) (dA); or
- (c) that a fund or non-trading institution specified therein existed on 1 November 1958 and that its aims or some of its aims are the acquisition and possession of property for the provision of recreational facilities within the Republic for the benefit of members and ex-members of the South African Defence Force or any service, corps or unit therein or any portion thereof and their dependants,

shall on its production by any person in any proceedings in any court of law be conclusive proof of the correctness of the statements contained therein.”.

35. Section 5 of the Post Office Act, 1958, is hereby amended by the deletion of subsections (2), (3) and (4).

Amendment of section 5 of Act 44 of 1958.

36. The following section is hereby inserted in the Supreme Court Act, 1959, after section 22:

Insertion of section 23 in Act 59 of 1959.

“Settlement of conflicting decisions in civil cases.

23. Whenever a decision in civil proceedings on a question of law is given by a provincial or local division which is in conflict with a decision in civil proceedings on a question of law given by any other such division, the Minister may, after consultation with the South African Law Commission, submit such conflicting decisions to the appellate division and cause the matter to be argued before that division, in order that it may determine the said question of law for the future guidance of all courts.”.

37. Section 1 of the Coloured Development Corporation Act, 1962, is hereby amended by the substitution in subsection (1) for the definition of “Coloured company” of the following definition:

Amendment of section 1 of Act 4 of 1962, as amended by section 1 of Act 12 of 1963.

“‘Coloured company’ means any company of the shares of which the majority is held by Coloureds or the Corporation or by Coloureds and the Corporation, and includes any association of persons of which the majority of the members are Coloureds or Coloureds and the Corporation;”.

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Wysiging van
artikel 2 van
Wet 80 van 1962.

38. Artikel 2 van die Wet op Getuienis vir Buitelandse Howe, 1962, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

„(2) So 'n bevel word nie toegestaan nie indien dit die hof of regter blyk dat die getuienis wat verlang word die verstrekking van inligting in stryd met die bepalings van artikel 2 van die Tweede Algemene Regswysigingswet, 1974, is, of met 'n strafgeding van 'n politieke aard in verband staan of dat die getuie 'n beskuldigde in die betrokke geding is.”.

Wysiging van
artikel 34 van
Wet 47 van 1963,
soos gewysig deur
artikel 4 van
Wet 76 van 1967
en artikel 4 van
Wet 53 van 1973.

39. Artikel 34 van die Wet op Onderwys vir Kleurlinge, 1963, word hierby gewysig deur paragraaf (q) van subartikel (1) deur die volgende paragraaf te vervang:

„(q) betreffende beheer oor geld wat ingesamel word vir of ontvang word deur 'n Staat-, nywerheid- of verbeteringskool of 'n Staatsondersteunde skool;”.

Wysiging van
artikel 1A van
Wet 49 van 1964,
soos ingevoeg deur
artikel 1 van
Wet 99 van 1972.

40. Artikel 1A van die Wet op die Verteenwoordigende Kleurlingraad, 1964, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Elke Raad kragtens hierdie Wet saamgestel duur vyf jaar gereken van die datum van sy eerste vergadering en nie langer nie, maar kan te eniger tyd deur die Staatspresident by proklamasie in die *Staatskoerant* ontbind word.”.

Wysiging van
artikel 12 van
Wet 49 van 1964,
soos gewysig deur
artikel 3 van
Wet 99 van 1972.

41. Artikel 12 van die Wet op die Verteenwoordigende Kleurlingraad, 1964, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Behoudens die bepalings van artikel 13 beklee 'n lid van die Raad sy setel vanaf die datum waarop hy verkies of benoem word tot die datum waarop die Raad waarvan hy lid is, deur tydsverloop of andersins ontbind word, en vir dié doel word 'n verkose lid geag verkies te wees op die stembag ten opsigte van die betrokke kiesafdeling vasgestel, hetsy 'n stemming plaasgevind het al dan nie.”.

Wysiging van
artikel 12A van
Wet 49 van 1964,
soos ingevoeg deur
artikel 4 van
Wet 99 van 1972.

42. Artikel 12A van die Wet op die Verteenwoordigende Kleurlingraad, 1964, word hierby gewysig deur die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

„12A. Ondanks 'n ontbinding van die Raad deur tydsverloop of andersins—”.

Wysiging van
artikel 34 van
Wet 3 van 1966,
soos gewysig deur
artikel 7 van
Wet 42 van 1967
en artikel 1 van
Wet 68 van 1971.

43. Artikel 34 van die Wet op Gemeenskapsontwikkeling, 1966, word hierby gewysig—

- (a) deur in paragraaf (a) van subartikel (4) die woord „ses-en-negentig” deur die woord „honderd-twee-entertig” en die woord „eenhonderd-en-agt”, oral waar dit voorkom, deur die woord „honderd-vier-entertig” te vervang; en
- (b) deur in subartikels (6) en (7) die woord „ses-en-negentig” deur die woord „honderd-twee-en-dertig” te vervang.

Wysiging van
artikel 35 van
Wet 3 van 1966,
soos gewysig deur
artikel 8 van
Wet 42 van 1967
en artikel 2 van
Wet 68 van 1971.

44. Artikel 35 van die Wet op Gemeenskapsontwikkeling, 1966, word hierby gewysig deur in subparagraaf (i) van paragraaf (a) van subartikel (1) die woord „ses-en-negentig” deur die woord „honderd-twee-en-dertig” en die woord „eenhonderd-en-agt”, oral waar dit voorkom, deur die woord „honderd-vier-en-veertig” te vervang.

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38. Section 2 of the Foreign Courts Evidence Act, 1962, is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of section 2 of Act 80 of 1962.

“(2) Such an order shall not be granted if it appears to the court or judge that the evidence required is the furnishing of information in contravention of the provisions of section 2 of the Second General Law Amendment Act, 1974, or is in connection with criminal proceedings of a political character or that the witness is an accused person in the proceedings concerned.”.

39. Section 34 of the Coloured Persons Education Act, 1963, is hereby amended by the substitution for paragraph (q) of subsection (1) of the following paragraph:

Amendment of section 34 of Act 47 of 1963, as amended by section 4 of Act 76 of 1967 and section 4 of Act 53 of 1973.

“(q) as to the control of moneys collected for or received by any State school, school of industries, reform school or State-aided school;”.

40. Section 1A of the Coloured Persons Representative Council Act, 1964, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 1A of Act 49 of 1964, as inserted by section 1 of Act 99 of 1972.

“(1) Every Council constituted under this Act shall continue for five years from the date of its first meeting, and no longer, but may at any time be dissolved by the State President by proclamation in the *Gazette*.”.

41. Section 12 of the Coloured Persons Representative Council Act, 1964, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 12 of Act 49 of 1964, as amended by section 3 of Act 99 of 1972.

“(1) A member of the Council shall, subject to the provisions of section 13, hold his seat from the date on which he is elected or nominated to the date on which the Council of which he is a member, is dissolved by effluxion of time or otherwise, and for that purpose an elected member shall be deemed to have been elected on the polling day fixed in respect of the electoral division concerned, whether or not a ballot has taken place.”.

42. Section 12A of the Coloured Persons Representative Council Act, 1964, is hereby amended by the substitution for the words preceding paragraph (a) of the following words:

Amendment of section 12A of Act 49 of 1964, as inserted by section 4 of Act 99 of 1972.

“12A. Notwithstanding a dissolution of the Council by effluxion of time or otherwise—”.

43. Section 34 of the Community Development Act, 1966, is hereby amended—

Amendment of section 34 of Act 3 of 1966, as amended by section 7 of Act 42 of 1967 and section 1 of Act 68 of 1971.

- (a) by the substitution, in paragraph (a) of subsection (4), for the word “ninety-six” of the expression “one hundred and thirty-two” and for the expression “one hundred and eight”, wherever it appears, of the expression “one hundred and forty-four”; and
- (b) by the substitution in subsections (6) and (7) for the word “ninety-six” of the expression “one hundred and thirty-two”.

44. Section 35 of the Community Development Act, 1966, is hereby amended by the substitution in subparagraph (i) of paragraph (a) of subsection (1) for the word “ninety-six” of the expression “one hundred and thirty-two” and for the expression “one hundred and eight”, wherever it appears, of the expression “one hundred and forty-four”.

Amendment of section 35 of Act 3 of 1966, as amended by section 8 of Act 42 of 1967 and section 2 of Act 68 of 1971.

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Wysiging van artikel 37 van Wet 3 van 1966, soos gewysig deur artikel 9 van Wet 42 van 1967 en artikel 3 van Wet 68 van 1971.

45. Artikel 37 van die Wet op Gemeenskapsontwikkeling, 1966, word hierby gewysig—

- (a) deur in paragraaf (a) van subartikel (1) die woord „ses-en-negentig” deur die woord „honderd-twee-en-dertig” te vervang; en
- (b) deur in subartikel (2) die woord „ses-en-negentig” deur die woord „honderd-twee-en-dertig” te vervang.

Wysiging van artikel 38 van Wet 3 van 1966, soos gewysig deur artikel 10 van Wet 42 van 1967, artikel 8 van Wet 74 van 1970 en artikel 4 van Wet 68 van 1971.

46. Artikel 38 van die Wet op Gemeenskapsontwikkeling, 1966, word hierby gewysig deur in paragrawe (a) en (b) van subartikel (2) die woord „ses-en-negentig” deur die woord „honderd-twee-en-dertig” en die woord „eenhonderd-en-agt”, oral waar dit voorkom, deur die woord „honderd-vier-en-veertig” te vervang.

Wysiging van artikel 10 van Wet 31 van 1968.

47. Artikel 10 van die Wet op die Suid-Afrikaanse Indiërraad, 1968, word hierby gewysig deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

- „(b) Die voorsitter van die Raad kan nie ’n lid van die uitvoerende komitee wees nie.”

Invoeging van artikel 10A in Wet 75 van 1969.

48. Die volgende artikel word hierby in die Wet op Wapens en Ammunisie, 1969, na artikel 10 ingevoeg:

„Minister kan tydperke bepaal vir die oorhandiging van wapens of ammunisie wat in stryd met Wet besit word.

10 (A). Die Minister kan van tyd tot tyd by kennisgewing in die *Staatskoerant* bepaal dat indien iemand wat ’n wapen of ammunisie in stryd met die bepalings van artikel 2 of 36 in sy besit het, daardie wapen of ammunisie by ’n plek of aan iemand en binne ’n tydperk in die kennisgewing vermeld, oorhandig, die bepalings van artikel 4 (4), (5) en (7) *mutatis mutandis* op hom en daardie wapen of ammunisie van toepassing is.”

Wysiging van artikel 1 van Wet 66 van 1971.

49. Artikel 1 van die Wet op Deeltitels, 1971, word hierby gewysig deur die volgende omskrywing voor die omskrywing van „argitek” in te voeg:

- „„Administrateur” ’n Administrateur handelende op die advies en met die toestemming van die Uitvoerende Komitee waarvan hy lid is;”

Wysiging van artikel 24 van Wet 56 van 1972.

50. (1) Artikel 24 van die Wet op Verpligte Motorvoertuigversekering, 1972, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

„(2) (a) Indien ’n derde party se eis om skadevergoeding ingevolge subartikel (1) van hierdie artikel verjaar het en ’n hof wat met betrekking tot daardie eis bevoeg is, op aansoek deur die betrokke derde party oortuig is—

- (i) waar die eis verjaar het voordat die derde party aan die bepalings van artikel 25 (1) voldoen het, dat daar op grond van spesiale omstandighede nie redelikerwys van hom verwag kon word om voor die datum waarop die eis verjaar het, aan genoemde bepalings te voldoen nie; of

- (ii) waar die eis verjaar het nadat hy aan genoemde bepalings voldoen het, dat daar op grond van spesiale omstandighede nie redelikerwys van hom verwag kon word om prosesstukke waardeur die loop van die verjaring gestuit kon word, voor daardie datum aan die bevoegde versekeraar te beteken nie; en

- (iii) dat die bevoegde versekeraar nie bereid is om van sy reg om hom op die verjaring te beroep, afstand te doen nie,

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45. Section 37 of the Community Development Act, 1966, is hereby amended—

- (a) by the substitution in paragraph (a) of subsection (1) for the word "ninety-six" of the expression "one hundred and thirty-two"; and
- (b) by the substitution in subsection (2) for the word "ninety-six" of the expression "one hundred and thirty-two".

Amendment of section 37 of Act 3 of 1966, as amended by section 9 of Act 42 of 1967 and section 3 of Act 68 of 1971.

46. Section 38 of the Community Development Act, 1966, is hereby amended by the substitution in paragraphs (a) and (b) of subsection (2) for the word "ninety-six" of the expression "one hundred and thirty-two" and for the expression "one hundred and eight", wherever it appears, of the expression "one hundred and forty-four".

Amendment of section 38 of Act 3 of 1966, as amended by section 10 of Act 42 of 1967, section 8 of Act 74 of 1970 and section 4 of Act 68 of 1971.

47. Section 10 of the South African Indian Council Act, 1968, is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

Amendment of section 10 of Act 31 of 1968.

- "(b) The chairman of the Council shall not be competent to be a member of the executive committee."

48. The following section is hereby inserted in the Arms and Ammunition Act, 1969, after section 10:

Insertion of section 10A in Act 75 of 1969.

"Minister may determine periods for surrender of arms or ammunition held contrary to Act. 10A. The Minister may from time to time by notice in the *Gazette* provide that if any person who is in possession of any arm or ammunition contrary to the provisions of section 2 or 36, surrenders such arm or ammunition at any place or to any person and within a period mentioned in such notice, the provisions of section 4 (4), (5) and (7) shall *mutatis mutandis* apply to him and to such arm or ammunition."

49. Section 1 of the Sectional Titles Act, 1971, is hereby amended by the insertion of the following definition before the definition of "architect":

Amendment of section 1 of Act 66 of 1971.

- "'Administrator' means an Administrator acting on the advice and with the consent of the Executive Committee of which he is a member;"

50. (1) Section 24 of the Compulsory Motor Vehicle Insurance Act, 1972, is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of section 24 of Act 56 of 1972.

- "(2) (a) If a third party's claim for compensation has become prescribed under subsection (1) of this section and a court having jurisdiction in respect of such claim is satisfied, upon application by the third party concerned—

- (i) where the claim became prescribed before compliance by the third party with the provisions of section 25 (1), that by reason of special circumstances he could not reasonably have been expected to comply with the said provisions before the date on which the claim became prescribed; or
- (ii) where the claim became prescribed after compliance by him with the said provisions, that by reason of special circumstances he could not reasonably have been expected to serve any process, by which the running of prescription could have been interrupted, on the authorized insurer before that date; and
- (iii) that the authorized insurer is not prepared to waive its right to invoke the prescription,

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kan die hof aan die derde party verlof verleen om voor 'n datum deur die hof bepaal aan genoemde bepalings te voldoen en prosesstukke in 'n geding om die eis af te dwing, ooreenkomstig die bepalings van artikel 25 (2) aan die bevoegde versekeraar te beteken, of, na gelang van die geval, om sodanige prosesstukke voor 'n aldus bepaalde datum aan die bevoegde versekeraar te beteken.

(b) Die hof staan nie 'n aansoek in paragraaf (a) bedoel toe nie tensy—

(i) die aansoek binne 'n tydperk van negentig dae na die datum waarop die eis verjaar het, gedoen word; en

(ii) die derde party ten genoeë van die hof sekerheid gestel het vir die koste van die bevoegde versekeraar in verband met die aansoek.

(c) 'n Pleit van verjaring ingevolge subartikel (1) word nie in 'n geding gehandhaaf waarin die tersaaklike prosesstukke uit hoofde van verlof kragtens hierdie subartikel verleen, aan 'n bevoegde versekeraar beteken is nie."

(2) 'n Sertifikaat wat voor die inwerkingtreding van hierdie artikel deur die Minister kragtens subartikel (2) van genoemde artikel 24 verskaf is, bly van krag asof hierdie artikel nie in werking getree het nie.

Herroeping van wette.

51. Die Wette in die Bylae vermeld, word hierby herroep vir sover in die vierde kolom van daardie Bylae aangedui.

Kort titel en inwerkingtreding.

52. (1) Hierdie Wet heet die Tweede Algemene Regswysigingswet, 1974.

(2) Artikels 24 (1) (a), 25, 27, 28 en 29 tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Bylae

WETTE HERROEP

Provinsie	Nommer en jaar van Wet	Titel	Omvang van Herroeping
Kaap die Goeie Hoop	Wet 15 van 1856	„Masters and Servants Law Act, 1856"	Die geheel
Kaap die Goeie Hoop	Wet 18 van 1873	„Masters and Servants Law Amendment Act, 1873"	Die geheel
Kaap die Goeie Hoop	Wet 28 van 1874	„Masters and Servants Law Amalgamation Act, 1874"	Die geheel
Kaap die Goeie Hoop	Wet 7 van 1875	„Master and Servants' Act, 1875"	Die geheel
Kaap die Goeie Hoop	Wet 30 van 1889	„Master and Servants Act, 1889"	Die geheel
Kaap die Goeie Hoop	Wet 20 van 1892	„Griqualand West Proclamation No. 14 of 1872 Partial Repeal Act, 1892"	Die geheel
Natal	Ordonnansie 2 van 1850	„Ordinance for regulating the relative rights and duties of Masters, Servants and Apprentices"	Die geheel

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the court may grant leave to the third party to comply with the said provisions and serve process in any action for enforcement of the claim on the authorized insurer in accordance with the provisions of section 25 (2) before a date determined by the court, or, as the case may be, to serve such process on the authorized insurer before a date so determined.

(b) The court shall not grant an application referred to in paragraph (a) unless—

(i) the application is made within a period of ninety days after the date on which the claim became prescribed; and

(ii) the third party has given security to the satisfaction of the court for the costs of the authorized insurer in connection with the application.

(c) A plea of prescription in terms of subsection (1) shall not be upheld in any action in which the relevant process was served on an authorized insurer by virtue of leave granted under this subsection.”.

(2) Any certificate furnished by the Minister under subsection (2) of the said section 24 before the commencement of this section shall remain of force and effect as if this section had not come into operation.

51. The laws mentioned in the Schedule are hereby repealed to the extent set out in the fourth column of that Schedule. Repeal of laws.

52. (1) This Act shall be called the Second General Law Amendment Act, 1974. Short title and commencement.

(2) Sections 24 (1) (a), 25, 27, 28 and 29 shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

Schedule

LAWS REPEALED

Province	Number and year of law	Title	Extent of Repeal
Cape of Good Hope	Act 15 of 1856	Masters and Servants Law Act, 1856	The whole
Cape of Good Hope	Act 18 of 1873	Masters and Servants Law Amendment Act, 1873	The whole
Cape of Good Hope	Act 28 of 1874	Masters and Servants Law Amalgamation Act, 1874	The whole
Cape of Good Hope	Act 7 of 1875	Master and Servants' Act, 1875	The whole
Cape of Good Hope	Act 30 of 1889	Master and Servants Act, 1889	The whole
Cape of Good Hope	Act 20 of 1892	Griqualand West Proclamation No. 14 of 1872 Partial Repeal Act, 1892	The whole
Natal	Ordinance 2 of 1850	Ordinance for regulating the relative rights and duties of Masters, Servants and Apprentices	The whole

Wet No. 94, 1974

TWEEDE ALGEMENE REGSWYSIGINGSWET, 1974.

WETTE HERROEP

Provinsie	Nommer en jaar van Wet	Titel	Omvang van Herroeping
Natal	Ordonnansie 13 van 1852	„Ordinance for amending the Ordinance No. 2, 1850”	Die geheel
Natal	Wet 18 van 1862	„Law to declare the Law in respect to Ordinance No. 2, 1850”	Die geheel
Natal	Wet 23 van 1865	„Law to facilitate the Determination of Complaints between Masters and Servants”	Die geheel
Natal	Wet 17 van 1882	„To amend the Ordinance No. 2, 1850, entitled ‘Ordinance for regulating the relative rights and duties of Masters, Servants and Apprentices’”	Die geheel
Natal	Wet 12 van 1885	„To amend and alter the Ordinance No. 2, 1850, entitled ‘Ordinance for regulating the relative rights and duties of Masters, Servants and Apprentices’”	Die geheel
Natal	Wet 3 van 1891	„To amend Ordinance No. 2, 1850, entitled ‘Ordinance for regulating the relative rights and duties of Masters, Servants and Apprentices’”	Die geheel
Natal	Wet 40 van 1894	„To regulate the relative rights of Masters and Native Servants, and to provide protection for such Servants”	Die geheel
Natal	Wet 13 van 1896	„To amend Ordinance No. 2, 1850”	Die geheel
Natal	Wet 13 van 1898	„To amend the law relative to Masters and Servants”	Die geheel
Natal	Wet 21 van 1907	„Act to amend the Masters and Servants’ Ordinance No. 2, 1850”	Die geheel
Natal	Wet 12 van 1908	„Act to regulate the hospital fees payable by masters on account of their servants”	Die geheel
Oranje-Vrystaat	Ordonnansie 7 van 1904	„The Masters and Servants Ordinance, 1904”	Die geheel
Transvaal	Wet 13 van 1880	„Wet voor Meesters en Dienstboden, 1880”	Die geheel
Transvaal	Wet 27 van 1909	„Master and Servant Law Amendment Act 1909”	Die geheel
	Wet 26 van 1926	Here en Diensbodes Wet (Transvaal en Natal) Wysigings Wet, 1926	Die geheel
	Wet 23 van 1952	Wysigingswet op die Kaapse Here en Diensbodewet, 1952	Die geheel
	Wet 67 van 1964	Wet op Bantoe-arbeid, 1964	Artikel 13 (6) (b), (d) en (7); Artikel 14 (d); Artikel 15; Artikel 18 (1) (c), (2) en (3); Artikel 19 en Artikel 22 (6) (b) (iii)

SECOND GENERAL LAW AMENDMENT ACT, 1974.

Act No. 94, 1974

LAWS REPEALED

Province	Number and year of law	Title	Extent of Repeal
Natal	Ordinance 13 of 1852	Ordinance for amending the Ordinance No. 2, 1850	The whole
Natal	Law 18 of 1862	Law to declare the Law in respect to Ordinance No. 2, 1850	The whole
Natal	Law 23 of 1865	Law to facilitate the Determination of Complaints between Masters and Servants	The whole
Natal	Law 17 of 1882	To amend the Ordinance No. 2, 1850, entitled "Ordinance for regulating the relative rights and duties of Masters, Servants and Apprentices"	The whole
Natal	Law 12 of 1885	To amend and alter the Ordinance No. 2, 1850, entitled "Ordinance for regulating the relative rights and duties of Masters, Servants and Apprentices"	The whole
Natal	Law 3 of 1891	To amend Ordinance No. 2, 1850, entitled "Ordinance for regulating the relative rights and duties of Masters, Servants and Apprentices"	The whole
Natal	Act 40 of 1894	To regulate the relative rights of Masters and Native Servants, and to provide protection for such Servants	The whole
Natal	Act 13 of 1896	To amend Ordinance No. 2, 1850	The whole
Natal	Law 13 of 1898	To amend the law relative to Masters and Servants	The whole
Natal	Act 21 of 1907	Act to amend the Masters and Servants' Ordinance No. 2, 1850	The whole
Natal	Act 12 of 1908	Act to regulate the hospital fees payable by masters on account of their servants	The whole
Orange Free State	Ordinance 7 of 1904	The Masters and Servants Ordinance, 1904	The whole
Transvaal	Law 13 of 1880	"Wet voor Meesters en Dienstboden, 1880"	The whole
Transvaal	Act 27 of 1909	Master and Servant Law Amendment Act 1909	The whole
	Act 26 of 1926	Masters and Servants Law (Transvaal and Natal) Amendment Act, 1926	The whole
	Act 23 of 1952	Cape Masters and Servants Act Amendment Act, 1952	The whole
	Act 67 of 1964	Bantu Labour Act, 1964	Section 13 (6) (b), (d) and (7); Section 14 (d); Section 15; Section 18 (1) (c), (2) and (3); Section 19 and Section 22 (6) (b) (iii)

