



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1351.

30 June 1978.

No. 1351.

30 Junie 1978.

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

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

No. 100 of 1978: National Welfare Act, 1978.

No. 100 van 1978: Nasionale Welsynswet, 1978.

WET

Om voorsiening te maak vir die instelling en samestelling van 'n Suid-Afrikaanse Welsynsraad en van streekwelsynsrade en sekere komitees; en om hulle bevoegdhede en werksaamhede te omskryf; om voorsiening te maak vir welsynsprogramme en vir die registrasie van welsynsorganisasies; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 20 Junie 1978.)

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

Woordomskrywing.

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

- (i) „geregistreeerde tak”, met betrekking tot 'n welsynsorganisasie, 'n geregistreeerde tak soos in artikel 1 van die Wet op Fondsinsameling, 1978, omskryf; (x) 5
- (ii) „hierdie Wet” ook die regulasies; (xvii)
- (iii) „landdrostdistrik” 'n distrik ingevolge artikel 2 van die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944), ingestel; (iii)
- (iv) „maatskaplike welsynsdienste” georganiseerde werksaamhede, maatreëls of programme met betrekking tot— 15
 - (a) maatskaplike werk soos in artikel 1 van die Wet op Maatskaplike en Geassosieerde Werkers, 1978, omskryf;
 - (b) die voorkoming en behandeling van sosiaalpatologiese toestande in die samelewing of by 20 groepe persone of by gesinne of individue;
 - (c) die bevordering, beskerming of bestendiging van die gesins- of die huwelikslawe;
 - (d) die welsyn van bejaardes of liggaamlik of verstandelik gestremde persone; 25
 - (e) die welsyn van kinders;
 - (f) die voorkoming van alkoholisme of afhanklikheid van afhanklikheidsvormende stowwe of die behandeling van persone wat van alkohol of enige ander afhanklikheidsvormende stof afhanklik is; 30
 - (g) die voorsiening van behuising aan behoeftige of noodlydende persone;
 - (h) enige korrektiewe diens;
 - (i) maatskaplike noodleniging; (xv)
- (v) „maatskaplike werker” iemand wat kragtens artikel 17 35 van die Wet op Maatskaplike en Geassosieerde Werkers, 1978, as 'n maatskaplike werker geregistreer is; (xvi)
- (vi) „Minister”, met betrekking tot die bepalings van Hoofstuk 1, die Minister van Volkswelsyn en Pensioene,

ACT

To provide for the establishment and constitution of a South African Welfare Council and of regional welfare boards and certain committees; and to define their powers and functions; to provide for welfare programmes and for the registration of welfare organizations; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 20 June 1978.)*

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

1. In this Act, unless the context otherwise indicates— Definitions.
- 5 (i) "council" means the South African Welfare Council established under section 2; (ix)
 - (ii) "executive committee" means an executive committee appointed under section 11 (4); (xvi)
 - 10 (iii) "magisterial district" means a district created in terms of section 2 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944); (iii)
 - (iv) "Minister", in relation to the provisions of Chapter 1, means the Minister of Social Welfare and Pensions, and, in relation to any other provision of this Act of which
15 the administration has been assigned to a Minister by proclamation under section 22, the Minister to whom the administration of such provision has been assigned; (vi)
 - (v) "national council" means any organization which in
20 terms of its constitution has been established to organize and represent on a national or provincial basis welfare organizations pursuing objects which correspond substantially, and to promote, propagate and co-ordinate the interests, objects and activities of such welfare organizations and to act in an advisory capacity for such
25 organizations; (vii)
 - (vi) "nomination list" means a list prepared in terms of section 10 (1); (viii)
 - (vii) "prescribed" means prescribed by regulation; (xvii)
 - 30 (viii) "region" means a region established under section 5; (xiv)
 - (ix) "regional welfare board", in relation to a region, means the regional welfare board established under section 6 in respect of the region; (xv)
 - 35 (x) "registered branch", in relation to a welfare organization, means a registered branch as defined in section 1 of the Fund-raising Act, 1978; (i)
 - (xi) "registration certificate" means a registration certificate issued under section 13 (1); (x)
 - 40 (xii) "regulation" means a regulation made under this Act; (xi)
 - (xiii) "Republic" does not include a territorial authority area as defined in section 1 of the Bantu Homelands Citizenship Act, 1970 (Act No. 26 of 1970); (xii)

- en, met betrekking tot enige ander bepaling van hierdie Wet waarvan die uitvoering ingevolge 'n proklamasie kragtens artikel 22 aan die Minister opgedra is, die Minister aan wie die uitvoering van bedoelde bepaling opgedra is; (iv) 5
- (vii) „nasionale raad” 'n organisasie wat ingevolge sy konstitusie ingestel is om welsynsorganisasies wat doelstellings nastreef wat wesenlik ooreenstem, op nasionale of provinsiale grondslag te organiseer en te verteenwoordig, en om die belange, doelstellings en werksaamhede van sodanige welsynsorganisasies te bevorder, te propageer en te koördineer en om in 'n adviserende hoedanigheid vir dié organisasies op te tree; (v) 10
- (viii) „nominasielys” 'n lys kragtens artikel 10 (1) opgestel; (vi) 15
- (ix) „raad” die Suid-Afrikaanse Welsynsraad kragtens artikel 2 ingestel; (i)
- (x) „registrasiesertifikaat” 'n registrasiesertifikaat kragtens artikel 13 (1) uitgereik; (xi) 20
- (xi) „regulasie” 'n regulasie kragtens hierdie Wet uitgevaardig; (xii)
- (xii) „Republiek” nie ook 'n gebiedsowerheidsgebied soos in artikel 1 van die Wet op Burgerskap van Bantoetuislande, 1970 (Wet No. 26 van 1970), omskryf nie; (xiii) 25
- (xiii) „Sekretaris”, met betrekking tot 'n bepaling van Hoofstuk 1, die Sekretaris van Volkswelsyn en Pensioene, en, met betrekking tot enige ander bepaling van hierdie Wet waarvan die uitvoering ingevolge 'n proklamasie kragtens artikel 22 aan 'n Minister opgedra is, die hoof van die staatsdepartement onder die beheer van daardie Minister; (xiv) 30
- (xiv) „streek” 'n streek kragtens artikel 5 ingestel; (viii)
- (xv) „streekwelsynsraad”, met betrekking tot 'n streek, die streekwelsynsraad kragtens artikel 6 ten opsigte van dié streek ingestel; (ix) 35
- (xvi) „uitvoerende komitee” 'n uitvoerende komitee kragtens artikel 11 (4) aangestel; (ii)
- (xvii) „voorgeskrif” of „voorgeskrewe” by regulasie voorgeskryf of voorgeskrewe; (vii) 40
- (xviii) „welsynskomitee” 'n welsynskomitee kragtens artikel 11 (5) aangestel; (xviii)
- (xix) „welsynsorganisasie” 'n welsynsorganisasie wat ingevolge artikel 13 (1) geregistreer is of wat ingevolge artikel 13 (4) geag word geregistreer te wees; (xix) 45
- (xx) „welsynsprogram” 'n welsynsprogram in artikel 11 (1) (c) bedoel. (xx).

HOOFSTUK 1

SUID-AFRIKAANSE WELSYNSRAAD

2. (1) Daar word hierby 'n raad ingestel wat die Suid-Afrikaanse Welsynsraad heet en wat die bevoegdhede uitoefen aan hom verleen, en die werksaamhede verrig aan hom opgedra, by of ingevolge hierdie Wet. 50

(2) (a) Die raad bestaan uit die aantal lede, maar hoogstens een-en-twintig, wat die Staatspresident van tyd tot tyd bepaal. 55

(b) Die lede van die raad word deur die Staatspresident aangestel uit persone wat, na sy oordeel, oor deskundige of besondere kennis of ondervinding van maatskaplike vraagstukke beskik en in staat is om 'n wesenlike bydrae tot die bestryding van sodanige vraagstukke te lewer. 60

(3) (a) 'n Lid van die raad word aangestel vir 'n termyn van hoogstens drie jaar op die voorwaardes wat die Staatspresident bepaal.

(b) 'n Lid van die raad wie se ampstermyn verstryk het, kan weer aangestel word. 65

(c) Die ampstermyn van 'n lid van die raad kan te eniger tyd beëindig word indien, na die oordeel van die Staatspresident, goeie redes daarvoor bestaan.

(4) Indien 'n lid van die raad te sterwe kom of sy amp ontruim voor die verstryking van die termyn waarvoor hy aangestel is,

Instelling en samestelling van Suid-Afrikaanse Welsynsraad, vergaderings daarvan en vergoeding van lede.

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- (xiv) "Secretary", in relation to the provisions of Chapter 1, means the Secretary for Social Welfare and Pensions, and, in relation to any other provision of this Act of which the administration has been assigned to a Minister by proclamation under section 22, the head of the department of State under the control of that Minister; (xiii)
- (xv) "social welfare services" means organized activities, measures or programmes in connection with—
- (a) social work as defined in section 1 of the Social and Associated Workers Act, 1978;
- (b) the prevention and treatment of social pathological conditions in the community or in groups of persons or in families or individuals;
- (c) the promotion, protection or stability of family or marital life;
- (d) the welfare of the aged or physically or mentally handicapped persons;
- (e) the welfare of children;
- (f) the prevention of alcoholism or dependence upon dependence-producing substances or the treatment of persons who are dependent upon alcohol or any other dependence-producing substance;
- (g) the provision of housing to indigent persons or persons in need;
- (h) any corrective service;
- (i) social relief; (iv)
- (xvi) "social worker" means any person registered as a social worker under section 17 of the Social and Associated Workers Act, 1978; (v)
- (xvii) "this Act" includes the regulations; (ii)
- (xviii) "welfare committee" means a welfare committee appointed under section 11 (5); (xviii)
- (xix) "welfare organization" means a welfare organization which is registered in terms of section 13 (1) or which is deemed to be registered in terms of section 13 (4); (xix)
- (xx) "welfare programme" means a welfare programme referred to in section 11 (1) (c). (xx)

CHAPTER 1

40 SOUTH AFRICAN WELFARE COUNCIL

2. (1) There is hereby established a council to be known as the South African Welfare Council, which shall exercise such powers as may be conferred, and perform such functions as may be imposed, upon it by or under this Act. Establishment and constitution of South African Welfare Council, meetings thereof and remuneration of members.
- 45 (2) (a) The council shall consist of so many members, but not exceeding twenty-one, as the State President may from time to time determine.
- (b) The members of the council shall be appointed by the State President from persons who, in his opinion, have expert or special knowledge or experience of social problems and who are able to make a substantial contribution to the combating of such problems.
- 50 (3) (a) A member of the council shall be appointed for a period not exceeding three years subject to such conditions as the State President may determine.
- 55 (b) A member of the council whose period of office has expired shall be eligible for reappointment.
- (c) The period of office of a member of the council may be terminated at any time if, in the opinion of the State President, there are good reasons for doing so.
- 60 (4) If a member of the council dies or vacates his office before the termination of the period for which he has been appointed, the

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moet die Staatspresident 'n ander persoon aanstel om die amp te beklee vir die onverstreke gedeelte van die termyn waarvoor so 'n lid aangestel was.

(5) Die Staatspresident wys een van die lede van die raad as president van die raad aan en die lede van die raad verkies een van sy lede as onderpresident.

(6) Die raad kom minstens twee keer per jaar byeen op die tye en plekke wat die president van die raad met die goedkeuring van die Minister bepaal.

(7) Die kworum vir en prosedure by vergaderings van die raad word voorgeskryf.

(8) Daar kan aan 'n lid van die raad wat nie 'n beampte in die staatsdiens is nie, terwyl hy sake van die raad verrig, die gelde en die reis- en onderhoudstoelaes betaal word wat die Minister in oorleg met die Minister van Finansies bepaal.

Wersaamhede van raad.

3. (1) Die werksaamhede van die raad is om die Regering van advies te dien met betrekking tot—

- (a) die beleid wat in die algemeen gevolg behoort te word ten einde die maatskaplike bestendigheid van die inwoners van die Republiek te bevorder en te verseker en maatskaplike agteruitgang te voorkom;
- (b) die maatreëls wat in die algemeen nodig is om maatskaplike vraagstukke te bekamp of te voorkom;
- (c) die maatreëls wat in die besonder nodig is vir die bestendiging, beskerming of bevordering van die gesinslewe of huwelikslewe of die welsyn van bejaardes of kinders of liggaamlik of geestelik gestremde persone of ander groepe van die bevolking;
- (d) die maatreëls wat getref behoort te word ten einde maatskaplike welsynsdienste in die Republiek te verbeter;
- (e) die lewering van maatskaplike welsynsdienste deur welsyns- en ander organisasies en aangeleenthede wat daarmee in verband staan;
- (f) enige navorsing wat in verband met enige maatskaplike vraagstuk onderneem behoort te word;
- (g) enige maatskaplike welsynaangeleentheid wat deur die Minister na die raad verwys word of waaromtrent die raad dit nodig of wenslik ag om die Regering te adviseer,

en om inligting en leiding aan welsynsorganisasies in verband met maatskaplike welsynsdienste te verskaf of te gee.

(2) Die raad kan met die goedkeuring van die Minister konferensies reël in verband met maatskaplike vraagstukke of aangeleenthede wat op sy werksaamhede betrekking het.

(3) Die raad moet minstens twee keer gedurende sy ampstermyn en op die ander tye wat die Minister bepaal, aan die Regering 'n verslag oor die verrigting van die raad se werksaamhede voorlê.

Aanstelling van sekretaris vir raad.

4. (1) Die Sekretaris stel 'n amptenaar in die staatsdiens aan as sekretaris van die raad, wat ook die administratiewe werk van die raad verrig.

(2) Die sekretaris van die raad verrig sy werksaamhede onder die toesig en leiding van die raad en is onderworpe aan die administratiewe beheer van die Sekretaris.

HOOFSTUK 2

INSTELLING VAN STREKE EN STREEKWELSYNSRADE

Instelling van streke.

5. Die Minister kan by kennisgewing in die *Staatskoerant*—

- (a) streke instel, elkeen waarvan uit een of meer landroosdistrikte bestaan, en die naam bepaal waaronder so 'n streek bekend staan;
- (b) die grense van 'n streek uitbrei of inperk of die naam verander waaronder dit bekend staan of 'n streek afskaf of 'n streek by 'n ander streek inlyf;
- (c) 'n kennisgewing ingevolge hierdie artikel by soortgelyke kennisgewing wysig of intrek.

Instelling van streekwelsynsrade.

6. Die Minister stel by kennisgewing in die *Staatskoerant* 'n streekwelsynsraad vir elke streek in.

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State President shall appoint any other person to hold office for the unexpired portion of the period for which such member was appointed.

(5) The State President shall designate one of the members of the council as president of the council and the members of the council shall elect one of its members as deputy-president.

(6) The council shall meet at least twice per annum at such times and places as may be determined by the president of the council with the approval of the Minister.

(7) The quorum for and procedure at meetings of the council shall be as prescribed.

(8) There may be paid to a member of the council who is not an officer in the public service, while he is engaged on work of the council, such fees and such travelling and subsistence allowances as may be determined by the Minister in consultation with the Minister of Finance.

3. (1) The functions of the council shall be to advise the Government in relation to— Functions of council.

(a) the general policy which should be followed to promote and ensure the social stability of the inhabitants of the Republic and to prevent social decline;

(b) the measures generally necessary to combat or prevent social problems;

(c) the measures particularly necessary for stabilizing, protecting or promoting family life or married life or the welfare of the aged or children or physically or mentally handicapped persons or other groups of the population;

(d) the measures which should be taken in order to improve social welfare services in the Republic;

(e) the rendering of social welfare services by welfare and other organizations and matters connected therewith;

(f) any research which should be undertaken in connection with any social problem;

(g) any social welfare matter referred to the council by the Minister or about which the council deems it necessary or desirable to advise the Government,

and to provide information and guidance to welfare organizations in connection with social welfare services.

(2) The council may with the approval of the Minister arrange conferences in connection with social problems or matters relating to its functions.

(3) The council shall, at least twice during its term of office and at such other times as the Minister may determine, submit to the Government a report on the performance of the functions of the council.

4. (1) The Secretary shall appoint an officer in the public service as secretary of the council, who shall also perform the administrative work of the council. Appointment of secretary to council.

(2) The secretary of the council shall perform his functions under the supervision and guidance of the council and shall be subject to the administrative control of the Secretary.

CHAPTER 2

ESTABLISHMENT OF REGIONS AND REGIONAL WELFARE BOARDS

5. The Minister may by notice in the *Gazette*—

(a) establish regions, each of which shall consist of one or more magisterial districts, and determine the name by which such a region shall be known;

(b) increase or decrease the limits of any region or alter the name by which it is known or abolish any region or incorporate any region with any other region;

(c) amend or withdraw any notice under this section by similar notice.

Establishment of regions.

6. The Minister shall by notice in the *Gazette* establish a regional welfare board for each region.

Establishment of regional welfare boards.

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Samestelling van
streekwelsynsrade.

7. (1) 'n Streekwelsynsraad bestaan uit die aantal lede, maar hoogstens vyftien en minstens elf, wat die Minister van tyd tot tyd bepaal.

(2) Die lede van 'n streekwelsynsraad word deur die Minister aangestel en minstens drie-vierdes van dié lede moet persone wees wie se name op die nominasielyst vir die betrokke streek voorkom.

(3) Die Minister wys een van die lede as voorsitter en 'n ander lid as adjunk-voorsitter van die streekwelsynsraad aan.

Ampsduur van lede
van streekwel-
synsrade.

8. (1) 'n Lid van 'n streekwelsynsraad word aangestel vir 'n termyn van drie jaar op die voorwaardes wat die Minister bepaal.

(2) Indien 'n lid van 'n streekwelsynsraad te sterwe kom of sy amp ontruim voor die verstryking van die termyn waarvoor hy aangestel is, stel die Minister, met inagneming van die bepalings van hierdie Wet, 'n ander persoon aan om die amp te beklee vir die onverstreke gedeelte van die termyn waarvoor so 'n lid aangestel was.

(3) 'n Lid van 'n streekwelsynsraad wie se ampstermyn verstryk het, kan weer aangestel word.

(4) Die ampstermyn van 'n lid van 'n streekwelsynsraad kan te eniger tyd deur die Minister beëindig word indien, na die oordeel van die Minister, goeie redes daarvoor bestaan.

Vergaderings, en
kworum vir en
prosedure by
vergaderings, van
streekwelsynsrade
en uitvoerende
komitees.

9. (1) 'n Streekwelsynsraad en sy uitvoerende komitee vergader op die voorgeskrewe tye en plekke.

(2) Die kworum vir en prosedure by vergaderings van 'n streekwelsynsraad en sy uitvoerende komitee is soos voorgeskryf.

(3) Die voorsitter van 'n streekwelsynsraad sit voor op die vergaderings van die raad, en van sy uitvoerende komitee waarop hy aanwesig is, en in die afwesigheid van die voorsitter by 'n vergadering sit die adjunk-voorsitter by die vergadering voor.

Opstel van
nominasielyste.

10. (1) Die Minister stel so spoedig doenlik na die inwerking-treding van hierdie artikel ten opsigte van elke streek 'n lys op van die name van persone in die streek woonagtig of werksaam wat ingevolge subartikel (2) genomineer is om in die streekwelsynsraad vir daardie streek te dien.

(2) By die toepassing van subartikel (1) versoek die Minister, by die openbare kennisgewing wat hy goetvind, die benoemingskollege vir elke streek om aan hom die name van persone voor te lê wat bevoeg en bereid is om in die streekwelsynsraad vir die betrokke streek te dien.

(3) (a) Die benoemingskollege vir 'n streek bestaan uit—

(i) die bestuur van elke welsynsorganisasie, en van elke tak van 'n welsynsorganisasie, wat ten opsigte van die betrokke streek geregistreer is of geag word geregistreer te wees;

(ii) die bestuur van elke nasionale raad;

(iii) die uitvoerende gesag van elke opleidingsinrigting in die betrokke streek;

(iv) die bestuur van elke beroepsvereniging van maatskaplike werkers in die betrokke streek.

(b) Elke bestuur of uitvoerende gesag in paragraaf (a) bedoel, kan die name voorlê van hoogstens vyf persone in subartikel (1) bedoel, en elke naam aldus voorgelê, word geplaas op die nominasielyst vir die streek waarin die betrokke persoon woonagtig of werksaam is, tensy sy naam reeds op die lys voorkom.

(c) 'n Nasionale raad lê nie 'n naam voor ten opsigte van 'n streek met betrekking waartoe dit nie as 'n nasionale raad ingestel is nie.

(4) (a) Nominasielyste word elke twaalf maande vanaf die datum van die kennisgewing in subartikel (2) bedoel deur streekwelsynsrade hersien en so 'n raad kan by sodanige hersiening by die Minister aanbeveel dat die naam van iemand wat nie meer beskikbaar of bevoeg is om in die raad te dien nie, van die lys verwyder word,

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7. (1) A regional welfare board shall consist of so many members, but not exceeding fifteen and not less than eleven, as the Minister may from time to time determine.

Constitution of regional welfare boards.

(2) The members of a regional welfare board shall be appointed by the Minister and at least three-fourths of such members shall be persons whose names appear on the nomination list for the region concerned.

(3) The Minister shall designate one of the members as chairman and another member as deputy chairman of the regional welfare board.

8. (1) A member of a regional welfare board shall be appointed for a period of three years subject to such conditions as the Minister may determine.

Period of office of members of regional welfare boards.

(2) If a member of a regional welfare board dies or vacates his office before the termination of the period for which he has been appointed, the Minister shall, with due regard to the provisions of this Act, appoint any other person to hold office for the unexpired portion of the period for which such member was appointed.

(3) A member of a regional welfare board whose period of office has expired shall be eligible for reappointment.

(4) The period of office of a member of a regional welfare board may be terminated by the Minister at any time if, in the opinion of the Minister, there are good reasons for doing so.

9. (1) A regional welfare board and its executive committee shall meet at such times and places as may be prescribed.

Meetings, and quorum for and procedure at meetings, of regional welfare boards and executive committees.

(2) The quorum for and procedure at meetings of a regional welfare board and its executive committee shall be as prescribed.

(3) The chairman of a regional welfare board shall preside at the meetings of the board, and of its executive committee at which he is present, and in the absence of the chairman at any meeting the deputy chairman shall preside at the meeting.

10. (1) The Minister shall as soon as practicable after the commencement of this section prepare in respect of each region a list of the names of persons resident or employed in the region who have been nominated in terms of subsection (2) to serve on the regional welfare board for that region.

Preparation of nomination lists.

(2) The Minister shall, for the purposes of subsection (1), by such public notice as he may deem fit, request the nomination college of each region to submit to him the names of persons who are competent and willing to serve on the regional welfare board for the region concerned.

(3) (a) The nomination college of any region shall consist of—

(i) the management of each welfare organization, and of each branch of a welfare organization, which is registered or is deemed to be registered in respect of the region concerned;

(ii) the management of each national council;

(iii) the executive authority of each training institution in the region concerned;

(iv) the management of each professional association of social workers in the region concerned.

(b) Each management or executive authority referred to in paragraph (a) may submit the names of not more than five persons referred to in subsection (1), and each name thus submitted shall be placed on the nomination list for the region in which such person is resident or employed, unless his name already appears on the list.

(c) A national council shall not submit any name in respect of a region for which it has not been established as a national council.

(4) (a) Nomination lists shall be revised by regional welfare boards every twelve months as from the date of the notice referred to in subsection (2) and such a board may on such revision recommend to the Minister that the name of any person who is no longer available or competent to serve on the board be removed from the

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en die naam van enige ander persoon ter vervanging van 'n aldus verwyderde naam aan die Minister voorlê.

- (b) 'n Benoemingskollege kan die name van bevoegde persone aan die streekwelsynsraad voorlê om persone te vervang wie se name ingevolge paragraaf (a) 5 verwyder word.

(5) Iemand wat 'n lid is, of wat in diens is, van 'n welsynsorganisasie of 'n tak van so 'n organisasie, of wat die opleiding van persone in maatskaplike werk by 'n opleidingsinrigting behartig, of wat 'n maatskaplike werker is of wat aan die werksaamhede of bedrywighede van 'n welsynsorganisasie deelneem, kan kragtens subartikel (2) genomineer word indien hy woonagtig of werksaam is in die streek ten opsigte waarvan hy genomineer word.

(6) Nominasielyste bly, behoudens die bepalings van subartikel 15 (4), van krag vir 'n tydperk van drie jaar vanaf die datum van die in subartikel (2) bedoelde kennisgewing, of vir so 'n korter tydperk as wat die Minister bepaal, waarna nuwe lyste ooreenkomstig die bepalings van subartikel (1) opgestel word.

(7) By die toepassing van hierdie artikel beteken „opleidingsinrigting” 'n opleidingsinrigting soos bedoel in artikel 15 (4) van die Wet op Maatskaplike en Geassosieerde Werkers, 1978: Met dien verstande dat vir die doeleindes van die opstel van 'n eerste lys ingevolge subartikel (1) enige inrigting vir die opleiding van persone wat onmiddellik voor die inwerkingtreding van hierdie Wet wettig die name van persone kon voorlê vir plasing op 'n nominasielys bedoel in artikel 15 (2) van die Nasionale Welsynswet, 1965 (Wet No. 79 van 1965), geag word 'n opleidingsinrigting te wees.

Bevoegdheid en werksaamhede van streekwelsynsrade en aanstelling van uitvoerende komitees en welsynskomitees.

11. (1) Die bevoegdheid en werksaamhede van 'n streekwelsynsraad is—

- (a) om die maatskaplike vraagstukke wat in sy streek voorkom, te ondersoek en maatreëls vir die oplossing daarvan te oorweeg, te beplan en aan die hand te doen;
- (b) om uit eie beweging of op die versoek van die Sekretaris of andersins, die bestaande of toekomstige welsynsbehoefte van die inwoners van sy streek of van enige gedeelte daarvan te bepaal;
- (c) om, met die oog op die toekomstige ontwikkeling of voorsiening van die maatskaplike welsynsdienste of -geriewe wat waarskynlik nodig sal wees om te voorsien in die welsynsbehoefte in paragraaf (b) bedoel, 'n welsynsprogram te beplan en op te stel en om die voorkeurdorde aan te beveel waarin sodanige dienste of geriewe toegestaan behoort te word;
- (d) om die samewerking van welsynsorganisasies te verkry ten einde doeltreffende en gekoördineerde optrede deur sodanige organisasies tydens noodtoestande te verseker;
- (e) om die lewering van maatskaplike welsynsdienste deur welsynsorganisasies in sy streek aan te moedig, te bevorder en te koördineer en, sonder om die reg tot selfbeskikking van sodanige welsynsorganisasies te beperk, om die ontwikkeling van sodanige dienste aan te spoor op 'n wyse wat bereken is om 'n doeltreffende, doelgerigte en volledig gekoördineerde maatskaplike welsynsdienste vir sy streek te verseker;
- (f) om die registrasie van welsynsorganisasies en aangeleenthede wat daarmee in verband staan, te reël;
- (g) om met ander streekwelsynsrade oorleg te pleeg oor enige aangeleentheid met betrekking tot maatskaplike welsyn of die lewering of voorsiening van maatskaplike welsynsdienste of -geriewe;
- (h) om die Sekretaris van advies te dien oor enige aangeleentheid wat met sy werksaamhede in verband staan;
- (i) om die ander werksaamhede te verrig wat by of ingevolge hierdie Wet of deur die Minister of die Sekretaris aan hom opgelê word.

(2) 'n Streekwelsynsraad kan, met die goedkeuring van die Sekretaris, samesprakings en konferensies reël in verband met enige aangeleentheid wat op sy werksaamhede betrekking het.

(3) 'n Streekwelsynsraad moet jaarliks of ten opsigte van die ander tye wat die Minister bepaal, oor sy werksaamhede aan die Minister verslag doen.

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list, and submit to the Minister the name of any other person in substitution of any name so removed.

- (b) A nomination college may submit to the regional welfare board the names of competent persons to replace persons whose names are removed in terms of paragraph (a).

(5) Any person who is a member, or who is in the service, of a welfare organization or any branch of such an organization, or who is engaged in the training of persons in social work at a training institution, or who is a social worker or who is participating in the functions or activities of a welfare organization, may be nominated under subsection (2) if he is resident or employed in the region in respect of which he is nominated.

(6) Nomination lists shall, subject to the provisions of subsection (4), remain in force for a period of three years as from the date of the notice referred to in subsection (2), or for such shorter period as the Minister may determine, after which fresh lists shall be prepared in accordance with the provisions of subsection (1).

(7) For the purposes of this section, "training institution" shall mean a training institution as referred to in section 15 (4) of the Social Workers and Associated Workers Act, 1978: Provided that for the purposes of preparing a first list in terms of subsection (1), any institution for the training of persons which immediately prior to the commencement of this Act could lawfully submit the names of persons for insertion on a nomination list referred to in section 15 (2) of the National Welfare Act, 1965 (Act No. 79 of 1965), shall be deemed to be a training institution.

11. (1) The powers and functions of a regional welfare board shall be—
- (a) to investigate the social problems which occur in its region, and to consider, plan and propose measures for the solution thereof;
- (b) to determine of its own accord or at the request of the Secretary or otherwise, the existing or future welfare needs of the inhabitants of its region or any part thereof;
- (c) to plan and prepare a welfare programme with a view to the future development or provision of the social welfare services or facilities which are likely to be necessary to satisfy the welfare needs referred to in paragraph (b), and to recommend the order of priority in which such services or facilities should be accorded;
- (d) to obtain the co-operation of welfare organizations in order to ensure efficient and co-ordinated action by such organizations during emergencies;
- (e) to encourage, promote and co-ordinate the rendering of social welfare services by welfare organizations in its region and, without curtailing the right of such welfare organizations to self-determination, to stimulate the development of such services in a manner calculated to ensure an efficient, purposeful and fully co-ordinated social welfare service for its region;
- (f) to regulate the registration of welfare organizations and matters relating thereto;
- (g) to consult with other regional welfare boards on any matter in connection with social welfare or the rendering or provision of social welfare services or facilities;
- (h) to advise the Secretary in regard to any matter relating to its functions;
- (i) to perform such other functions as may be imposed upon it by or in terms of this Act or by the Minister or the Secretary.

(2) A regional welfare board may, with the approval of the Secretary, arrange for discussions and conferences in connection with any matter relating to its functions.

(3) A regional welfare board shall report to the Minister on its activities annually or in respect of such other periods as the Minister may determine.

Powers and functions of regional welfare boards and appointment of executive committees and welfare committees.

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- (4) (a) 'n Streekwelsynsraad kan 'n uitvoerende komitee aanstel wat bestaan uit die voorsitter, die adjunk-voorsitter en drie ander lede van die raad.
- (b) Die uitvoerende komitee verrig die werksaamhede aan hom opgedra deur die streekwelsynsraad wat hom aangestel het.
- (5) (a) Behoudens die bepalings van hierdie Wet, kan 'n streekwelsynsraad, met die goedkeuring van die Sekretaris, vir enige gebied binne sy streek deur bedoelde raad bepaal, welsynskomitees aanstel om daarin die werksaamhede van die raad, behalwe die werksaamhede in subartikel (1) (f) en (g) bedoel, te verrig wat deur die raad aan hom opgedra word, en om die raad van advies oor maatskaplike welsynsdienste en -geriewe vir bedoelde gebied te dien.
- (b) 'n Welsynskomitee bestaan uit hoogstens sewe lede.
- (c) 'n Streekwelsynsraad wys een van die lede van 'n welsynskomitee as die voorsitter daarvan aan.
- (d) Behoudens die bepalings van paragraaf (e), word 'n welsynskomitee aangestel vir die termyn wat die streekwelsynsraad bepaal.
- (e) 'n Lid van 'n welsynskomitee word nie aangestel vir 'n termyn wat die termyn oorskry waarvoor die lede van die betrokke streekwelsynsraad aangestel is nie.
- (f) Die aanstelling van 'n lid van 'n welsynskomitee kan te eniger tyd deur die streekwelsynsraad wat hom aangestel het, om goeie redes beëindig word.
- (g) Die kworum vir en prosedure by vergaderings van 'n welsynskomitee is soos voorgeskryf.
- (6) Die administratiewe werksaamhede van 'n streekwelsynsraad word verrig deur 'n beampte in die staatsdiens deur die Sekretaris aangewys en wat die sekretaris van die betrokke raad heet.

Welsynsprogram.

12. (1) Elke streekwelsynsraad moet so spoedig doenlik na die inwerkingtreding van hierdie artikel, en daarna op die voorgeskrewe tye of wanneer hy dit nodig ag of wanneer deur die Minister of die Sekretaris daartoe versoek—

- (a) die bestaande en toekomstige welsynsbehoefte van die inwoners of 'n bepaalde gedeelte van die inwoners van sy streek of 'n gedeelte daarvan bepaal, en te dien einde enige vertoë in dié verband ontvang, ondersoek en oorweeg;
- (b) die welsynsprogram in artikel 11 (1) (c) bedoel, beplan en op die voorgeskrewe wyse opstel, en die in daardie artikel bedoelde aanbeveling doen, ten einde te sien in die welsynsbehoefte ingevolge paragraaf (a) van hierdie subartikel bepaal.

(2) 'n Streekwelsynsraad moet so gou doenlik aan enige welsynsorganisasie, liggaam of persoon wat na die wete van die raad 'n wesenlike en regstreekse belang het by die lewering of voorsiening van 'n maatskaplike welsynsdienst of -gerief vermeld in 'n welsynsprogram deur die raad opgestel, of van wie enige vertoë in verband met sodanige diens of gerief ontvang is, die besonderhede verstrek wat in sodanige program met betrekking tot sodanige diens of gerief vervat is.

(3) Iedere welsynsprogram deur 'n streekwelsynsraad opgestel, moet op die voorgeskrewe tye, tesame met enige vertoë wat daaromtrent ontvang is en enige kommentaar wat bedoelde streekwelsynsraad daaromtrent wil lewer, aan die Minister vir oorweging en goedkeuring voorgelê word.

(4) 'n Streekwelsynsraad kan 'n welsynsprogram deur hom opgestel te eniger tyd voor sodanige voorlegging wysig.

(5) (a) Die Minister kan 'n welsynsprogram wat aan hom voorgelê is, goedkeur of afwys of gedeeltelik goedkeur en gedeeltelik afwys of dit na die betrokke streekwelsynsraad terugverwys vir verdere ondersoek of oorweging of sodanige ander optrede as wat hy goedvind.

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- (4) (a) A regional welfare board may appoint an executive committee which shall consist of the chairman, the deputy chairman and three other members of the board.
- 5 (b) The executive committee shall perform the functions assigned to it by the regional welfare board which appointed it.
- 10 (5) (a) Subject to the provisions of this Act, any regional welfare board may, with the approval of the Secretary, appoint welfare committees for any area determined by the board within its region, to perform within such area such functions of the board, other than the functions referred to in subsection (1) (f) and (g), as the board may assign to it, and to advise the board on social welfare services and facilities for such area.
- 15 (b) A welfare committee shall consist of not more than seven members.
- (c) A regional welfare board shall designate one of the members of a welfare committee as the chairman thereof.
- 20 (d) Subject to the provisions of paragraph (e), a welfare committee shall be appointed for such period as may be determined by the regional welfare board.
- (e) A member of a welfare committee shall not be appointed for a period which exceeds the period for which the members of the regional welfare board concerned have been appointed.
- 25 (f) The appointment of a member of a welfare committee may for good reasons be terminated by the regional welfare board which appointed it.
- (g) The quorum for and procedure at meetings of a welfare committee shall be as prescribed.
- 30 (6) The administrative functions of a regional welfare board shall be performed by an officer in the public service designated by the Secretary and who shall be known as the secretary of the board concerned.
- 35 **12.** (1) Every regional welfare board shall as soon as practicable after the commencement of this section, and thereafter at the prescribed times or whenever it deems it necessary or is requested thereto by the Minister or the Secretary— Welfare programme.
- 40 (a) determine the existing and future welfare needs of the inhabitants or any particular section of the inhabitants of its region or any part thereof, and for this purpose investigate and consider any representations received in this connection;
- 45 (b) plan and prepare in the prescribed manner a welfare programme, and make the recommendation, referred to in section 11 (1) (c), for the purpose of providing in any welfare needs determined under paragraph (a) of this subsection.
- (2) A regional welfare board shall as soon as possible furnish any welfare organization or body which, or any person who, to the knowledge of the board, has a substantial and direct interest in the rendering or provision of any social welfare service or facility referred to in a welfare programme prepared by the board, or from which or from whom any representations have been received in connection with such service or facility, with the particulars which have been included in such programme with regard to such service or facility.
- (3) Every welfare programme prepared by a regional welfare board shall, together with any representations received in connection therewith and any comment which the regional welfare board may desire to make thereon, be submitted for consideration and approval to the Minister at the prescribed times.
- (4) A regional welfare board may at any time prior to such submission amend any welfare programme prepared by it.
- 65 (5) (a) The Minister may approve or reject, or partly approve and partly reject, any welfare programme submitted to him or refer it back to the regional welfare board concerned for further investigation or consideration or such other action as he may deem fit.

(b) Indien die Minister 'n welsynsprogram goedkeur of gedeeltelik goedkeur, kan hy die voorwaardes oplê met betrekking tot die uitvoering van die program of enige gedeelte daarvan wat hy goedvind.

(6) Indien dit te eniger tyd na die goedkeuring van 'n welsynsprogram na die oordeel van die Minister nodig of wenslik is om die program te wysig of te heroorweeg, kan hy dit na die betrokke streekwelsynsraad vir wysiging of heroorweging terugverwys.

HOOFSTUK 3

10

REGISTRASIE VAN WELSYNSORGANISASIES

Registrasie van
welsynsorganisasies.

13. (1) Behoudens die bepalings van hierdie Wet, kan 'n streekwelsynsraad, op aansoek van 'n fondsinsamelingsorganisasie soos omskryf in artikel 1 van die Wet op Fondsinsameling, 1978, wat beoog om maatskaplike welsynsdienste in die streek te lewer waarvoor bedoelde raad ingestel is, en indien hy oortuig is dat bedoelde maatskaplike welsynsdienste in die welsynsbehoefes van die gemeenskap of 'n bepaalde gedeelte van die gemeenskap van sy streek sal voorsien en dat die organisasie waarskynlik in staat sal wees om te voldoen aan die voorgeskrewe vereistes wat in die geval van 'n welsynsorganisasie geld, die fondsinsamelingsorganisasie, onderworpe aan die voorgeskrewe voorwaardes en enige ander voorwaardes, en met die doelstellings, deur die streekwelsynsraad bepaal, as 'n welsynsorganisasie vir bedoelde streek registreer en 'n registrasiesertifikaat wat die voorgeskrewe besonderhede bevat, aan die fondsinsamelingsorganisasie uitreik.

(2) Die streekwelsynsraad wat die registrasiesertifikaat ingevolge subartikel (1) uitreik, kan te eniger tyd die voorgeskrewe besonderhede van enige geregistreerde tak van die betrokke welsynsorganisasie, wat maatskaplike welsynsdienste in die betrokke streek lewer, op die registrasiesertifikaat aanteken of bedoelde welsynsorganisasie of tak op die voorgeskrewe wyse klassifiseer en die klassifikasie op die registrasiesertifikaat aanteken.

(3) Die streekwelsynsraad by wie 'n aansoek ingevolge subartikel (1) ingedien word, kan die betrokke fondsinsamelingsorganisasie aansê om die verdere inligting met betrekking tot die aansoek wat die raad nodig of dienstig ag, te verstrek, en kan die aansoek laat ondersoek ten einde die verdere inligting in te win wat ten opsigte van die aansoek nodig is.

(4) 'n Organisasie wat by die inwerkingtreding van hierdie artikel maatskaplike welsynsdienste in die Republiek lewer en wat onmiddellik voor sodanige inwerkingtreding ingevolge die Nasionale Welsynswet, 1965 (Wet No. 79 van 1965), as 'n welsynsorganisasie geregistreer was, of wat, by bedoelde inwerkingtreding, die houer is van 'n geldige volmag ingevolge artikel 27 van daardie Wet verleen, word vir 'n tydperk van twee jaar na bedoelde inwerkingtreding geag, anderskeidelik, as 'n welsynsorganisasie of tak van so 'n organisasie ingevolge hierdie Wet geregistreer of aangeteken te wees.

Wysiging,
opskorting of
intrekking van
registrasiesertifikaat.

14. (1) 'n Streekwelsynsraad kan te eniger tyd 'n registrasiesertifikaat wysig ten einde 'n fout wat daarin voorkom te verbeter en kan op versoek van 'n organisasie aan wie 'n registrasiesertifikaat uitgereik is, 'n voorwaarde wat daaraan verbonde is, verander, vervang of intrek of 'n voorwaarde daarby voeg, en kan, na ondersoek op die voorgeskrewe wyse, so 'n registrasiesertifikaat, na goeë dunde, om 'n ander rede as die voormelde redes, wysig of deur 'n nuwe registrasiesertifikaat vervang.

(2) Indien 'n organisasie aan wie 'n registrasiesertifikaat uitgereik is, weier of versuim om op die skriftelike versoek van die sekretaris van die betrokke streekwelsynsraad die registrasiesertifikaat binne 'n tydperk van veertien dae na die versoek aan die streekwelsynsraad terug te stuur vir die wysiging daarvan ingevolge subartikel (1), kan die raad die registrasiesertifikaat sonder verdere kennisgewing intrek.

(3) 'n Streekwelsynsraad kan te eniger tyd op versoek van 'n welsynsorganisasie aan wie 'n registrasiesertifikaat uitgereik is,

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- (b) If the Minister approves or partly approves a welfare programme, he may impose such conditions in connection with the implementation of the programme or any part thereof as he may deem fit.
- 5 (6) If at any time after the approval of a welfare programme it is in the opinion of the Minister necessary or desirable to amend or reconsider the programme, he may refer it back to the regional welfare board concerned for amendment or reconsideration.

CHAPTER 3

10 REGISTRATION OF WELFARE ORGANIZATIONS

13. (1) Subject to the provisions of this Act, a regional welfare board may, on the application of a fund-raising organization as defined in section 1 of the Fund-raising Act, 1978, which is contemplating the rendering of social welfare services in the region for which the said board has been established, and if it is satisfied that such social welfare services will provide in the welfare needs of the community or a specified part of the community of its region and that the organization will probably be capable of complying with the prescribed requirements which apply in the case of a welfare organization, register the fund-raising organization as a welfare organization for the said region subject to the prescribed conditions and any other conditions, and with the objects, specified by the regional welfare board, and issue a registration certificate containing the prescribed particulars to the fund-raising organization.

Registration of welfare organizations.

- (2) The regional welfare board which issues the registration certificate under subsection (1) may at any time record on the registration certificate the prescribed particulars of any registered branch of the welfare organization concerned, which renders social welfare services in the region in question, or classify in the prescribed manner such welfare organization or branch and record the classification on the registration certificate.

- (3) The regional welfare board with which an application under subsection (1) is lodged, may require the fund-raising organization concerned to furnish such further information with reference to the application as the board may consider necessary or expedient, and may cause the application to be investigated in order to obtain such further information relating to the application as may be necessary.

- 40 (4) Any organization which at the commencement of this section is rendering social welfare services in the Republic and which, immediately prior to such commencement, was registered as a welfare organization in terms of the National Welfare Act, 1965 (Act No. 79 of 1965), or which, at such commencement, is the holder of a valid letter of delegation granted under section 27 of that Act, shall, for a period of two years after such commencement, be deemed to be registered or recorded in terms of this Act as a welfare organization or branch of such an organization, respectively.

- 50 14. (1) A regional welfare board may at any time amend any registration certificate in order to correct any error therein and may at the request of any organization to which a registration certificate has been issued, vary, substitute or withdraw any condition attached thereto or add any condition thereto, and may, after enquiry in the prescribed manner, at discretion, amend such registration certificate for any reason other than the aforementioned reasons or substitute therefor a fresh registration certificate.

Amendment, suspension or withdrawal of registration certificate.

- (2) If any organization to which a registration certificate has been issued, refuses or fails, after a written request by the secretary of the regional welfare board concerned, to return the registration certificate, for the amendment thereof in terms of subsection (1), to the board within a period of fourteen days after such request, the board may withdraw the registration certificate without further notice.

- 65 (3) A regional welfare board may at any time at the request of any welfare organization to which a registration certificate has

die registrasiesertifikaat intrek, of kan, na ondersoek op die voorgeskrewe wyse, die registrasiesertifikaat intrek indien hy oortuig is—

- (a) dat bedoelde welsynsorganisasie of 'n tak in sy registrasiesertifikaat vermeld, geweier of versuim het om aan enige bepaling of voorwaarde van die registrasiesertifikaat te voldoen;
- (b) dat bedoelde welsynsorganisasie in of in verband met enige aansoek ingevolge hierdie Wet opsetlik 'n valse of misleidende verklaring gedoen het of valse of misleidende inligting verstrek het;
- (c) dat bedoelde welsynsorganisasie wettig ontbind is of dat dit vir 'n tydperk van 'n jaar nie ter bevordering van sy doelstellings gefunksioneer het nie; of
- (d) dat bedoelde welsynsorganisasie sy doelstellings nie doeltreffend voortsit nie of dat daar nie 'n wesenlike behoefte bestaan aan die maatskaplike welsynsdienste wat hy lewer nie.

(4) 'n Streekwelsynsraad wat 'n ondersoek ingevolge subartikel (3) hou, kan gelas dat die bestuur van die betrokke welsynsorganisasie by sodanige ondersoek moet verskyn, of dat die bestuur van enige ander welsynsorganisasie wat deur bedoelde raad geregistreer is of van enige organisasie wat by bedoelde raad aansoek om registrasie ingevolge hierdie Wet gedoen het en wat maatskaplike welsynsdienste lewer wat wesenlik ooreenstem met die maatskaplike welsynsdienste wat deur eersbedoelde welsynsorganisasie gelewer word of wat doelstellings nastreef wat wesenlik ooreenstem met die doelstellings van eersbedoelde welsynsorganisasie, voor bedoelde raad moet verskyn, om op die vrae te antwoord of om enige aangeleentheid met betrekking tot die onderwerp van bedoelde ondersoek te bespreek wat die raad mag opper.

(5) 'n Streekwelsynsraad kan, in plaas van 'n registrasiesertifikaat in te trek weens 'n rede in subartikel (3) (a), (b) of (c) bedoel, die registrasiesertifikaat, behalwe in die geval van 'n welsynsorganisasie wat wettig ontbind is, opskort vir die tydperk en op die voorwaardes wat hy goedvind.

(6) (a) Behoudens die bepalinge van paragraaf (b), tree die wysiging, opskorting of intrekking van 'n registrasiesertifikaat ingevolge hierdie artikel, in werking op die datum waarop 'n skriftelike kennisgewing van die wysiging, opskorting of intrekking deur die sekretaris van die betrokke streekwelsynsraad op die voorgeskrewe wyse beteken word aan die welsynsorganisasie aan wie die registrasiesertifikaat uitgereik is.

(b) Indien die betekening van die kennisgewing in paragraaf (a) bedoel, na die oordeel van genoemde sekretaris, in 'n bepaalde geval nie prakties uitvoerbaar is nie, kan hy 'n voorgeskrewe kennisgewing van die wysiging, opskorting of intrekking in die *Staatskoerant* laat publiseer, waarop sodanige wysiging, opskorting of intrekking geag word in werking te tree op die datum waarop die kennisgewing aldus gepubliseer word.

Appel teen
beslissing van
streekwelsynsraad.

15. (1) 'n Welsynsorganisasie of ander organisasie wat deur die beslissing van 'n streekwelsynsraad met betrekking tot die afwysing van 'n aansoek ingevolge artikel 13 of die wysiging, opskorting of intrekking van 'n registrasiesertifikaat veronreg voel, kan op die voorgeskrewe wyse teen die beslissing appelleer na 'n appèlkomitee vir dié bepaalde geval deur die Minister saamgestel.

(2) Die inwerkingtreding van 'n wysiging, opskorting of intrekking van 'n registrasiesertifikaat word deur die aantekening van 'n appèl ingevolge subartikel (1) uitgestel tot die datum waarop die appèl teruggetrek of deur die appèlkomitee afgehandel word.

(3) So 'n appèlkomitee bestaan uit—

- (a) 'n landdros met ten minste tien jaar ondervinding as landdros, wat die voorsitter is; en
- (b) twee persone wat nie lede van die betrokke streekwelsynsraad of van 'n komitee van daardie raad is nie en wat, na die oordeel van die Minister, ondervinding en

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been issued, withdraw the registration certificate, or may, after enquiry in the prescribed manner, withdraw the registration certificate if it is satisfied—

- 5 (a) that such welfare organization or any branch mentioned in its registration certificate has refused or failed to comply with any provision or condition of the registration certificate;
- (b) that such welfare organization has wilfully made a false or misleading statement, or furnished false or misleading information, in or in connection with any application in terms of this Act;
- 10 (c) that such welfare organization has been lawfully dissolved or that it has not, for a period of one year, functioned in furtherance of its objects; or
- 15 (d) that such welfare organization does not pursue its objects effectively or that no substantial need exists for the social welfare services rendered by it.

(4) A regional welfare board holding an enquiry in terms of subsection (3) may direct that the management of the welfare organization concerned shall appear at such enquiry, or that the management of any other welfare organization registered by such board or of any organization which has applied to such board for registration in terms of this Act and which is rendering social welfare services that are essentially similar to the social welfare services rendered by such first-mentioned welfare organization or which is pursuing objects essentially similar to the objects of such first-mentioned welfare organization, shall appear before such board, to reply to the questions or to discuss any matter relating to the subject of such enquiry which the board may raise.

30 (5) A regional welfare board may, in lieu of withdrawing any registration certificate for any reason referred to in subsection (3) (a), (b) or (c), suspend, except in the case of a welfare organization which has been lawfully dissolved, the registration certificate for such period and on such conditions as it may deem fit.

(6) (a) Subject to the provisions of paragraph (b), the amendment, suspension or withdrawal of any registration certificate in terms of this section shall come into operation on the date on which a written notice of the amendment, suspension or withdrawal is served in the prescribed manner by the secretary of the regional welfare board concerned on the welfare organization to which the registration certificate was issued.

40 (b) If the service of the notice referred to in paragraph (a) is, in the opinion of the said secretary, not practicable in any particular case, he may cause a prescribed notice of the amendment, suspension or withdrawal to be published in the *Gazette*, whereupon such amendment, suspension or withdrawal shall be deemed to come into operation on the date on which the notice is so published.

15. (1) A welfare organization or other organization which is aggrieved by a decision of a regional welfare board relating to the rejection of an application under section 13 or to the amendment, suspension or withdrawal of a registration certificate, may, in the prescribed manner, appeal against the decision to an appeal committee constituted by the Minister for the particular case.

Appeal against decisions of regional welfare board.

(2) The commencement of an amendment, a suspension or a withdrawal of a registration certificate shall be postponed by the noting of an appeal in terms of subsection (1) until the date on which the appeal is withdrawn or is disposed of by the appeal committee.

(3) Such appeal committee shall consist of—

- 60 (a) a magistrate with at least ten years' experience as magistrate, who shall be the chairman; and
- (b) two persons who are not members of the regional welfare board concerned or of a committee of that board and who, in the opinion of the Minister, have experience

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kennis het van die werksaamhede van welsynsorganisasies en wat nie 'n regstreekse belang by die sake van die appellant het en nie in die diens van die appellant of in die staatsdiens is nie.

(4) Die appellant kan deur 'n lid van sy bestuur of deur 'n advokaat of prokureur voor die appèlkomitee verskyn of kan skriftelike verklarings of betoë ter stawing van sy appèl voorlê. 5

(5) Die prosedure wat gevolg moet word met betrekking tot die aantekening en voortsetting van 'n appèl ingevolge hierdie artikel is soos voorgeskryf. 10

(6) Die appèlkomitee kan die beslissing van die betrokke streekwelsynsraad bekragtig of ter syde stel of die beslissing gee wat bedoelde raad na die oordeel van die appèlkomitee behoort te gegee het, en kan bedoelde raad gelas om alles te doen wat nodig is om aan die beslissing van die appèlkomitee gevolg te gee. 15

(7) Aan iemand wat ingevolge subartikel (3) (b) op die appèlkomitee aangestel word, kan die vergoeding en toelaes betaal word wat die Minister in oorleg met die Minister van Finansies bepaal. 20

Termyn van geldigheid van registrasiesertifikaat.

16. 'n Registrasiesertifikaat kragtens artikel 13 uitgereik, bly van krag totdat dit kragtens hierdie Wet ingetrek of vervang word.

Organisasie waarvan sertifikaat ingetrek is, kan weer geregistreer word.

17. 'n Streekwelsynsraad kan op aansoek van die bestuur van 'n organisasie waarvan die registrasiesertifikaat kragtens hierdie Wet ingetrek is, en na verloop van 'n tydperk wat die raad goedvind, 'n nuwe registrasiesertifikaat ten opsigte van die organisasie uitreik, en die bepalinge van artikel 13 is *mutatis mutandis* met betrekking tot so 'n aansoek van toepassing. 25

HOOFSTUK 4

ALGEMEEN

30

Delegering van bevoegdheid.

18. (1) Die Minister kan aan die Sekretaris of 'n ander beampte van die departement waarvan die Sekretaris die hoof is, 'n bevoegdheid deleger wat by hierdie Wet aan die Minister verleen word, uitgesonderd 'n bevoegdheid in artikel 5, 6, 7 of 21 bedoel.

(2) Die Sekretaris kan met die goedkeuring van die Minister 'n ander beampte van die departement waarvan die Sekretaris die hoof is, magtig om 'n bevoegdheid uit te oefen wat by hierdie Wet aan die Sekretaris verleen word. 35

Toelaes aan lede van, en betaling van koste aangegaan deur, streekwelsynsrade en komitees.

19. (1) Daar kan aan 'n lid van 'n streekwelsynsraad of 'n uitvoerende komitee of 'n welsynskomitee, wat nie in die heeltidse diens van die staat is nie, terwyl hy werk in verband met die sake van so 'n raad of so 'n komitee verrig, die gelde en reis- en onderhoudstoelaes betaal word wat die Minister in oorleg met die Minister van Finansies bepaal. 40

(2) Die uitgawes deur 'n streekwelsynsraad, uitvoerende komitee of welsynskomitee by die verrigting van sy werksaamhede aangegaan, word deur die Minister in oorleg met die Minister van Finansies betaal uit gelde wat die Parlement vir dié doel bewillig. 45

Geldelike hulp aan nasionale rade en welsynsorganisasies.

20. (1) Die Minister kan in oorleg met die Minister van Finansies uit gelde wat deur die Parlement vir dié doel bewillig is, toekennings aan nasionale rade of welsynsorganisasies of takke van sodanige organisasies doen op die voorwaardes wat hy goedvind. 50

(2) 'n Toekenning kragtens subartikel (1) gedoen, is onderworpe aan die voorgeskrewe voorwaardes en die ander voorwaardes wat die Minister bepaal. 55

Regulasies.

21. Die Minister kan regulasies uitvaardig met betrekking tot—

(a) die vorm van enige aansoek, sertifikaat, kennisgewing, register of dagvaarding wat kragtens hierdie Wet gedoen, verleen, gegee, uitgereik of gehou moet of kan word, en 60

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and knowledge of the functions of welfare organizations and who have no direct interest in the affairs of the appellant and are not in the employ of the appellant or in the public service.

5 (4) The appellant may appear before the appeal committee by a member of its management or by counsel or an attorney or may submit written statements or arguments in support of its appeal.

(5) The procedure to be followed in connection with the noting and prosecution of an appeal lodged in terms of this section, shall 10 be as prescribed.

(6) The appeal committee may confirm or set aside the decision of the regional welfare board concerned or give the decision which such board, in the opinion of the appeal committee, should have given, and may direct such board to do everything necessary 15 to give effect to the decision of the appeal committee.

(7) A person who is appointed to an appeal committee in terms of subsection (3) (b), may be paid such remuneration and allowances as the Minister may determine in consultation with the Minister of Finance.

20 16. A registration certificate issued under section 13 shall remain in force until withdrawn or substituted under this Act. Period of validity of registration certificate.

17. A regional welfare board may, upon the application of the management of any organization whose certificate of registration has been withdrawn under this Act, and after the expiry of a 25 period which the board may deem fit, issue a fresh registration certificate in respect of such organization, and the provisions of section 13 shall *mutatis mutandis* apply in relation to such application. Organization whose certificate has been withdrawn may again be registered.

CHAPTER 4

GENERAL

30 18. (1) The Minister may delegate to the Secretary or any other officer of the department of which the Secretary is the head, any power conferred upon the Minister by this Act, except a power referred to in section 5, 6, 7 or 21. Delegation of powers.

35 (2) The Secretary may with the approval of the Minister authorize any other officer of the department of which the Secretary is the head, to exercise any power conferred upon the Secretary by this Act.

40 19. (1) There may be paid to any member of a regional welfare board or an executive committee or a welfare committee, who is not in the full-time service of the state, while he is engaged on work connected with the business of such board or such committee, such fees and travelling and subsistence allowances as may be determined by the Minister in consultation with the 45 Minister of Finance. Allowances to members of, and payment of expenditure incurred by, regional welfare boards and committees.

50 (2) The expenditure incurred by any regional welfare board, executive committee or welfare committee in the performance of its functions shall be paid by the Minister in consultation with the Minister of Finance out of moneys appropriated by Parliament for the purpose.

20. (1) The Minister may in consultation with the Minister of Finance and on such conditions as he may deem fit make grants to national councils or welfare organizations or branches of such organizations out of moneys appropriated by Parliament for the 55 purpose. Financial aid to national councils and welfare organizations.

(2) A grant made in terms of subsection (1) shall be subject to the prescribed conditions and to such other conditions as the Minister may determine.

60 21. (1) The Minister may make regulations with regard to— Regulations.
(a) the form of any application, certificate, notice, register or summons which is required to be, or may be, made, granted, given, issued or kept under this Act, and any

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- enige ander vorm wat by die uitvoering van die bepalings van hierdie Wet nodig is;
- (b) die registrasie van welsynsorganisasies;
- (c) die aantekeninge en registers wat deur streekwelsynsrade, welsynsorganisasies en takke en komitees van sodanige organisasies en welsynskomitees gehou moet word, die wyse waarop en plekke waar die aantekeninge en registers gehou en daarmee gehandel moet word en die opgawes en verslae wat verstrekk moet word;
- (d) die omstandighede waaronder, die doeleindes waarvoor en die voorwaardes waarop die in artikels 2 (8) en 19 (1) bedoelde uitgawes betaal kan word, en die wyse waarop enige gelde daarkragtens betaal, verantwoord moet word;
- (e) die werksaamhede wat deur uitvoerende komitees en welsynskomitees verrig kan word;
- (f) die prosedure wat in verband met die aantekening en voortsetting van 'n appèl kragtens artikel 15 gevolg moet word;
- (g) enige ander aangeleentheid wat ingevolge 'n bepaling van hierdie Wet voorgeskryf moet of kan word of wat die Minister nodig of dienstig ag om voor te skryf ten einde die oogmerke van hierdie Wet te bereik.

Uitvoering van
Wet.

22. (1) Die Staatspresident kan by proklamasie in die *Staatskoerant* die uitvoering van al die bepalings van hierdie Wet, behalwe die bepalings van Hoofstuk 1, of in die algemeen of ten opsigte van persone wat behoort tot 'n bevolkingsgroep wat in die proklamasie bepaal is of 'n klas wat daarin omskryf is, opdra aan 'n Minister of ten dele aan een Minister en ten dele aan 'n ander Minister of ander Ministers, en kan in so 'n proklamasie die bevoegdheid en werksaamhede bepaal wat deur die onderskeie Ministers uitgeoefen of verrig moet word en kan bepaal dat 'n bevoegdheid of werksaamheid wat by hierdie Wet aan 'n Minister opgedra word, deur die Minister in oorleg met 'n ander Minister uitgeoefen of verrig moet word.

(2) Die Staatspresident kan so 'n proklamasie by dergelike proklamasie verander of wysig.

Herroeping van
wette.

23. Die Nasionale Welsynswet, 1965 (Wet No. 79 van 1965), die Wysigingswet op Nasionale Welsyn, 1971 (Wet No. 13 van 1971), en die Wysigingswet op Nasionale Welsyn, 1976 (Wet No. 44 van 1976), word hierby herroep vir sover hulle betrekking het op die instelling en werksaamhede van die Nasionale Welsynsraad, die kommissies van die Nasionale Welsynsraad en streekwelsynsrade en op die registrasie van en beheer oor welsynsorganisasies in daardie Wette bedoel.

Kort titel en
inwerkingtreding.

24. (1) Hierdie Wet heet die Nasionale Welsynswet, 1978, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

(2) Verskillende datums kan kragtens subartikel (1) ten opsigte van verskillende bepalings van hierdie Wet bepaal word.

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- other form required for the administration of the provisions of this Act;
- 5 (b) the registration of welfare organizations;
- (c) the records and registers to be kept by regional welfare boards, welfare organizations and branches and committees of such organizations and welfare committees and the manner in which and places where the records and registers shall be kept and be dealt with and the returns and reports which shall be furnished;
- 10 (d) the circumstances under which, the purposes for which and the conditions subject to which the expenditure referred to in sections 2 (8) and 19 (1) shall be paid, and the manner in which any moneys paid thereunder shall be accounted for;
- 15 (e) the functions which may be performed by executive committees and welfare committees;
- (f) the procedure which shall be followed in connection with the noting and prosecution of an appeal in terms of section 15;
- 20 (g) any other matter which is required to be, or may be, prescribed under any provision of this Act, or which the Minister considers necessary or expedient to prescribe in order that the objects of this Act may be achieved.
22. (1) The State President may by proclamation in the *Gazette* assign the administration of all the provisions of this Act, except the provisions of Chapter 1, either generally or in respect of persons belonging to a population group specified, or a class defined, in the proclamation, to any Minister or partly to one Minister and partly to another Minister or other Ministers, and may in such proclamation specify the powers and functions which shall be exercised or performed by the several Ministers and may specify that any power conferred or duty imposed upon any Minister by this Act, shall be exercised or performed by the Minister acting in consultation with another Minister.
- 25 Administration of Act.
- 30 (2) The State President may by like proclamation vary or amend any such proclamation.
23. The National Welfare Act, 1965 (Act No. 79 of 1965), the National Welfare Amendment Act, 1971 (Act No. 13 of 1971), and the National Welfare Amendment Act, 1976 (Act No. 44 of 1976), are hereby repealed in so far as they relate to the establishment and functions of the National Welfare Board, the commissions of the National Welfare Board and regional welfare boards and to the registration and control of welfare organizations referred to in the said Acts.
- 40 Repeal of laws.
- 45 24. (1) This Act shall be called the National Welfare Act, 1978, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.
- Short title and commencement.
- (2) Different dates may be fixed under section (1) in respect of different provisions of this Act.

- other form required for the administration of the provisions of this Act.
- (1) The registration of welfare organizations—
- (a) the records and registers to be kept by regional welfare boards, welfare organizations and branches and committees of such organizations and welfare committees and the manner in which and place where the records and registers shall be kept and be dealt with and the returns and reports which shall be furnished;
- (b) the circumstances under which the purposes for which and the conditions subject to which the expenditure referred to in sections 2 (8) and 19 (1) shall be paid, and the manner in which any money paid thereunder shall be accounted for;
- (c) the functions which may be performed by executive committees and welfare committees;
- (d) the procedure which shall be followed in connection with the naming and prosecution of an appeal in terms of section 13;
- (e) any other matter which is required to be, or may be, prescribed under any provision of this Act or which the Minister considers necessary or expedient to prescribe in order that the objects of this Act may be achieved.
32. (1) The State President may by proclamation in the Gazette assign the administration of all the provisions of this Act, except the provisions of Chapter I, either generally or in respect of persons belonging to a population group specified, or a class defined in the proclamation, to any Minister or partly to one Minister and partly to another Minister or other Ministers; and 30 may in such proclamation specify the powers and functions which shall be exercised or performed by the several Ministers and may specify that any power conferred or duty imposed upon any Minister by this Act shall be exercised or performed by the Minister acting in consultation with another Minister.
33. (2) The State President may by like proclamation vary or amend any such proclamation.
34. The National Welfare Act 1965 (Act No. 79 of 1965), the National Welfare Amendment Act 1971 (Act No. 13 of 1971) and the National Welfare Amendment Act 1976 (Act No. 44 of 1976) are hereby repealed in so far as they relate to the establishment and functions of the National Welfare Board, the commissions of the National Welfare Board and regional welfare boards and to the registration and control of welfare organizations referred to in the said Acts.
35. (1) This Act shall be called the National Welfare Act, 1978, and shall come into operation on a date to be fixed by the State President by proclamation in the Gazette.
- (2) Different dates may be fixed under section (1) in respect of different provisions of this Act.