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BUITENGEWONE EXTRAORDINARY

Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

THE UNION OF SOUTH AFRICA

Government Gazette

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DEPARTEMENT VAN DIE EERSTE MINISTER.

Onderstaande Goewermentskennisgewing word ter algemene inligting gepubliseer:—

No. 278] [17 Februarie 1956.

Hierby word bekend gemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wette, wat hierby ter algemene inligting gepubliseer word:—

		BLADSY
No. 3 van 1956:	Wet op Kwelsugtige Gedinge, 1956	2
No. 6 van 1956:	Wysigingswet op Kleurlinge in Stede en Dorpe, 1956	4
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PARLEMENTÊRE KENNISGEWING.

DIE SENAAT.

Die volgende Wetsontwerp is in die Huis ingedien en word hiermee gepubliseer ooreenkomstig Artikel 76 van die Reglement van Orde.

W. T. WOOD,
Klerk van die Senaat.

Die Senaat,
Parlementshuis,
Kaapstad.
14 Februarie 1956.

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DEPARTMENT OF THE PRIME MINISTER.

The following Government Notice is published for general information.

No. 278] [17th February, 1956.

It is hereby notified that His Excellency the Governor-General has been pleased to assent to the following Acts, which are hereby published for general information:—

		PAGE
No. 3 of 1956:	Vexatious Proceedings Act, 1956 ..	3
No. 6 of 1956:	Coloured People in Towns and Villages Amendment Act, 1956 ..	5
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PARLIAMENTARY NOTICE.

THE SENATE.

The following Bill has been introduced into this House and is published forthwith in accordance with Standing Order No. 76.

W. T. WOOD,
Clerk of the Senate.

The Senate,
Houses of Parliament,
Cape Town.
14th February, 1956.

		PAGE
S.B. 3—'56:	Native Administration Amendment Bill	15

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No 3, 1956.]

WET

Om voorsiening te maak vir die oplegging van beperkings op die instelling van kwelsugtige gedinge.

(*Afrikaanse teks deur die Goewerneur-generaal geteken.*)
(*Goedgekeur op* 6 *Februarie* 1956.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

Woordbepaling.

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

(i) „hof" 'n provinsiale of plaaslike afdeling van die Hooggeregshof van Suid-Afrika en ook die Hoëhof van Suidwes-Afrika; (i)

(ii) „Staatsprokureur" die beampte aangestel ingevolge paragraaf (*a*) van sub-artikel (2) van artikel *twee* van die Staatsprokureur Wet, 1925 (Wet No. 25 van 1925). (ii)

Bevoegdhede van hof om beperkings op die instelling van kwelsugtige gedinge te lê.

2. (1) (*a*) Indien die hof, op aansoek van die Staatsprokureur of iemand wat op sy skriftelike gesag handel, oortuig is dat iemand aanhoudend en sonder redelike gronde regsgedinge ingestel het in enige hof of in 'n laerhof, hetsy teen dieselfde persoon of teen verskillende persone, kan die hof, nadat die hof so iemand aangehoor het of aan hom 'n geleentheid toegestaan het om aangehoor te word, beveel dat geen regsgeding deur hom teen enige persoon in enige hof of 'n laerhof sonder verlof van bedoelde hof, of 'n regter daarvan, of bedoelde laerhof, na gelang van die geval, ingestel mag word nie, en sodanige verlof word nie toegestaan nie tensy die hof of regter of die laerhof, na gelang van die geval, oortuig is dat die geding nie 'n misbruik van geregtelike proses uitmaak nie en dat daar *prima facie* gronde vir die geding bestaan.

(*b*) Indien die hof, op aansoek van iemand teen wie 'n regsgeding deur 'n ander persoon ingestel is of wat rede het om te vermoed dat die instelling van 'n regsgeding teen hom deur 'n ander persoon beoog word, oortuig is dat bedoelde persoon aanhoudend en sonder redelike gronde regsgedinge ingestel het in enige hof of in 'n laerhof, hetsy teen dieselfde persoon of teen verskillende persone, kan die hof, nadat die hof daardie ander persoon aangehoor het of aan hom 'n geleentheid toegestaan het om aangehoor te word, beveel dat geen regsgeding deur hom teen enige persoon in enige hof of 'n laerhof sonder verlof van bedoelde hof, of 'n regter daarvan, of bedoelde laerhof, na gelang van die geval, ingestel mag word nie, en sodanige verlof word nie toegestaan nie tensy die hof of regter of die laerhof, na gelang van die geval, oortuig is dat die geding nie 'n misbruik van geregtelike proses uitmaak nie en dat daar *prima facie* gronde vir die geding bestaan.

(*c*) 'n Bevel kragtens paragraaf (*a*) of (*b*) kan vir 'n onbepaalde tydperk of vir die tydperk wat die hof bepaal, uitgereik word en die hof kan te eniger tyd, by bewys van voldoende redes, 'n aldus uitgereikte bevel intrek of wysig.

(2) 'n Geding ingevolge sub-artikel (1) word geag 'n „civiele zaak" binne die bedoeling van paragraaf (*c*) van artikel *drie* van die „Afdeling van Appèl Verdere Jurisdiktie Wet, 1911" (Wet No. 1 van 1911), te wees.

(3) Die griffier van die hof waarin 'n bevel ingevolge sub-artikel (1) uitgereik word, laat 'n afskrif daarvan so gou doenlik in die *Staatskoerant* en in die *Offisiële Koerant* van die gebied Suidwes-Afrika publiseer.

(4) Iemand teen wie 'n bevel kragtens sub-artikel (1) uitgereik is wat 'n regsgeding teen enige persoon in enige hof of 'n laerhof sonder verlof van bedoelde hof of 'n regter daarvan of bedoelde laerhof instel, is skuldig aan minagting van die hof en by skuldigbevinding strafbaar met 'n boete van hoogstens honderd pond of met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

Toepassing van Wet.

3. Hierdie Wet is ook in die gebied Suidwes-Afrika van toepassing.

Kort titel.

4. Hierdie Wet heet die Wet op Kwelsugtige Gedinge, 1956.

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No. 3, 1956.]

ACT

To provide for the imposition of restrictions on the institution of vexatious legal proceedings.

(*Afrikaans text signed by the Governor-General.*)
(*Assented to 6th February,* 1956.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—
(i) "court" means any provincial or local division of the Supreme Court of South Africa and includes the High Court of South-West Africa; (i)
(ii) "State Attorney" means the officer appointed under paragraph (*a*) of sub-section (2) of section *two* of the State Attorney Act, 1925 (Act No. 25 of 1925). (ii)

Powers of court to impose restrictions on the institution of vexatious legal proceedings.

2. (1) (*a*) If, on an application made by the State Attorney or any person acting under his written authority, the court is satisfied that any person has persistently and without any reasonable ground instituted legal proceedings in any court or in any inferior court, whether against the same person or against different persons, the court may, after hearing the person or giving him an opportunity of being heard, order that no legal proceedings shall be instituted by him against any person in any court or any inferior court without the leave of that court, or any judge thereof, or that inferior court, as the case may be, and such leave shall not be granted unless the court or judge or the inferior court, as the case may be, is satisfied that the proceedings are not an abuse of the process of the court and that there is *prima facie* ground for the proceedings.

(*b*) If, on an application made by any person against whom legal proceedings have been instituted by any other person or who has reason to believe that the institution of legal proceedings against him is contemplated by any other person, the court is satisfied that the said person has persistently and without any reasonable ground instituted legal proceedings in any court or in any inferior court, whether against the same person or against different persons, the court may, after hearing that other person or giving him an opportunity of being heard, order that no legal proceedings shall be instituted by him against any person in any court or any inferior court without the leave of that court, or any judge thereof, or that inferior court, as the case may be, and such leave shall not be granted unless the court or judge or the inferior court, as the case may be, is satisfied that the proceedings are not an abuse of the process of the court and that there is *prima facie* ground for the proceedings.

(*c*) An order under paragraph (*a*) or (*b*) may be issued for an indefinite period or for such period as the court may determine, and the court may at any time, on good cause shown, rescind or vary any order so issued.

(2) Any proceedings under sub-section (1) shall be deemed to be civil proceedings within the meaning of paragraph (*c*) of section *three* of the Appellate Division Further Jurisdiction Act, 1911 (Act No. 1 of 1911).

(3) The registrar of the court in which an order under sub-section (1) is made, shall cause a copy thereof to be published as soon as possible in the *Gazette* and in the *Official Gazette* of the territory of South-West Africa.

(4) Any person against whom an order has been made under sub-section (1) who institutes any legal proceedings against any person in any court or any inferior court without the leave of that court or a judge thereof or that inferior court, shall be guilty of contempt of court and be liable upon conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months.

Application of Act to South-West Africa.

3. This Act shall apply also in the territory of South-West Africa.

Short title.

4. This Act shall be called the Vexatious Proceedings Act, 1956.

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No. 6, 1956.]

WET

Om Wet No. 8 van 1893 van die Oranje-Vrystaat met betrekking tot kleurlinge in stede en dorpe te wysig.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 15 Februarie 1956.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

Wysiging van artikel 1 van Wet 8 van 1893 (O.V.S.).

1. Artikel *een* van Wet No. 8 van 1893 van die Oranje-Vrystaat (hieronder die Hoofwet genoem), word hiermee gewysig—

(*a*) deur in paragraaf (*b*) die woorde „locatie of locatien" deur die woorde „woongebied of woongebieden" te vervang; en

(*b*) deur in paragraaf (*c*) die woorde „der locatie of locatien" deur die woorde „van dat woongebied of die woongebieden" te vervang.

Vervanging van artikel 7 van Wet 8 van 1893 (O.V.S.).

2. Artikel *sewe* van die Hoofwet word hiermee deur die volgende artikel vervang:

„Bezigheid in woongebieden voor kleurlingen.

7. Een stadsraad of municipaliteit die, of dorpsbestuur dat, een woongebied voor kleurlingen waarvoor deze Wet voorziening maakt, onder zijn of haar bestuur en toezicht heeft, kan, met de goedkeuring van de Administrateur van de Provincie in dat gebied percelen voor handels- of bezigheidsdoeleinden aan een kleurling verhuren of verkopen.".

Wysiging van Wet 8 van 1893 (O.V.S.).

3. Die Hoofwet word hiermee gewysig deur die woord „locatien" waar dit ook al voorkom deur die woord „woongebieden" te vervang.

Kort titel.

4. Hierdie Wet heet die Wysigingswet op Kleurlinge in Stede en Dorpe, 1956.

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No. 6, 1956.]

ACT

To amend Law No. 8 of 1893 of the Orange Free State, relating to coloured people in towns and villages.

(*English text signed by the Governor-General.*)
(*Assented to* 15*th February*, 1956.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of section 1 of Law 8 of 1893 (O.F.S.).

1. Section *one* of Law No. 8 of 1893 of the Orange Free State (hereinafter referred to as the principal Law), is hereby amended—

(*a*) by the substitution in paragraph (*b*) for the words "location or locations" of the words "residential area or areas";

(*b*) by the substitution in paragraph (*c*) for the words "a location or locations" of the words "such residential area or areas"; and

(*c*) by the substitution in paragraph (*d*) for the word "location" of the words "residential areas".

Substitution of section 7 of Law 8 of 1893 (O.F.S.).

2. The following section is hereby substituted for section *seven* of the principal Law:

"Trading in residential areas for coloured people.

7. Any Town Council, Municipality or Village Management Board which has under its administration and control any residential area for coloured people provided for in this Law may, with the approval of the Administrator of the Province, let or sell to any coloured person sites within such area for trading or business purposes.".

Amendment of Law 8 of 1893 (O.F.S.).

3. The principal Law is hereby amended by the substitution for the word "locations" wherever it occurs of the words "residential areas".

Short title.

4. This Act shall be called the Coloured People in Towns and Villages Amendment Act, 1956.

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No. 7, 1956.]

WET

Tot aanwending van 'n verdere som van hoogstens sesmiljoen vyfhonderd vier-en-sestigduisend agthonderd sewe-en-negentig pond uit die Spoorweg- en Hawefonds vir die dienste van die spoorweë en hawens vir die jaar wat op die een-en-dertigste dag van Maart 1956 eindig.

(*Afrikaanse teks deur die Goewerneur-generaal geteken.*)
(*Goedgekeur op* 15 *Februarie* 1956.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

Spoorweg- en Hawefonds belas met £6,564,897.

1. Die Spoorweg- en Hawefonds word hiermee belas met sodanige somme geld as wat nodig mag wees vir die dienste van die spoorweë en hawens van die Unie gedurende die jaar wat op die een-en-dertigste dag van Maart 1956 eindig, maar gesamentlik ten bedrae van hoogstens viermiljoen vyfhonderd vier-en-sestigduisend agthonderd sewe-en-negentig pond vir inkomstedienste en tweemiljoen pond vir kapitaal- en verbeteringsdienste bo en behalwe die bedrae waarvoor voorsiening gemaak is deur die Spoorweg- en Hawebegrotingswet, 1955 (Wet No. 14 van 1955) en die Tweede Addisionele Spoorweg- en Hawebegrotingswet, 1955 (Wet No. 48 van 1955).

Hoe die gelde bestee moet word.

2. Die gelde deur hierdie Wet beskikbaar gestel moet aangewend word vir die doeleindes vermeld in die Eerste en Tweede Bylaes by hierdie Wet en nader omskrywe in die Begroting van Addisionele Uitgawe [U.G. 3—1956] en die Tweede Begroting van Addisionele Uitgawe [U.G. 4—1956] vir die genoemde jaar soos deur die Parlement goedgekeur.

Minister kan afwykings magtig.

3. (1) Met die goedkeuring van die Minister van Vervoer kan 'n besparing op een of ander van die hoofde aangetoon in kolom 1 van die Eerste Bylae by hierdie Wet beskikbaar gestel word vir 'n oorskryding van uitgawe op 'n ander hoof wat voorkom in kolom 1 van die Eerste Bylae by Wet No. 14 van 1955, en insgelyks kan 'n besparing op een of ander van die hoofde aangetoon in kolom 1 van die Tweede Bylae by hierdie Wet beskikbaar gestel word vir 'n oorskryding van uitgawe op 'n ander hoof wat voorkom in kolom 1 van die Tweede Bylae by Wet No. 14 van 1955 of in kolom 1 van die Eerste Bylae by Wet No. 48 van 1955.

(2) Geen bedrag wat voorkom in kolom 2 van die Eerste of Tweede Bylae by hierdie Wet mag oorskry word nie, en besparings daarop mag vir geen ander doel as dié waarvoor die geld hiermee beskikbaar gestel word, soos aangetoon in daardie Bylaes, aangewend word nie.

(3) Die bedrag wat voorkom in kolom 3 van die Tweede Bylae by hierdie Wet kan aangewend word vir alle dienste genoem onder hoofde genommer 2 tot 5, 7 en 8 van daardie Bylae, en hoofde genommer 2 tot 8 in die Tweede Bylae by Wet No. 14 van 1955.

Lyne in aanbou.

4. By die diens vermeld onder Hoof No. 1 van die Tweede Bylae by hierdie Wet mag die gesamentlike uitgawe vir 'n lyn wat in aanbou is, nie meer bedra nie as die bedrag wat deur 'n wet vasgestel is as die maksimum-bedrag wat daaraan bestee mag word.

Bronne waaruit beskikbaargestelde gelde verskaf sal word.

5. Die gelde wat deur hierdie Wet vir kapitaal- en verbeteringsdienste beskikbaar gestel word, moet uit die in die Derde Bylae by hierdie Wet vermelde bronne verskaf word.

Kort titel.

6. Hierdie Wet heet die Addisionele Spoorweg- en Hawebegrotingswet, 1956.

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No. 7, 1956.]

ACT

To apply a further sum not exceeding six million five hundred and sixty-four thousand eight hundred and ninety-seven pounds from the Railway and Harbour Fund for the services of the railways and harbours for the year ending the thirty-first day of March, 1956.

(Afrikaans text signed by the Governor-General.)
(Assented to 15th February, 1956.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Railway and Harbour Fund charged with £6,564,897.

1. The Railway and Harbour Fund is hereby charged with such sums of money as may be required for the services of the railways and harbours of the Union for the year ending the thirty-first day of March, 1956, not exceeding in the whole for revenue services the sum of four million five hundred and sixty-four thousand eight hundred and ninety-seven pounds and for capital and betterment services the sum of two million pounds in addition to the sums provided by the Railways and Harbours Appropriation Act, 1955 (Act No. 14 of 1955), and the Railways and Harbours Second Additional Appropriation Act, 1955 (Act No. 48 of 1955).

How moneys to be applied.

2. The moneys appropriated by this Act shall be applied to the purposes set forth in the First and Second Schedules hereto and more particularly specified in the Estimates of Additional Expenditure [U.G. 3—1956] and the Second Estimates of Additional Expenditure [U.G. 4—1956] for the said year as approved by Parliament.

Minister may authorise variations.

3. (1) With the approval of the Minister of Transport a saving on any of the heads set out in Column 1 of the First Schedule to this Act may be made available for any excess of expenditure on any other head appearing in Column 1 of the First Schedule to Act No. 14 of 1955, and similarly a saving on any one of the heads set out in Column 1 of the Second Schedule to this Act may be made available for any excess of expenditure on any other head appearing in Column 1 of the Second Schedule to Act No. 14 of 1955 or in Column 1 of the First Schedule to Act No. 48 of 1955.

(2) No excess shall be incurred on any sum appearing in Column 2 of either the First or Second Schedule to this Act, and savings thereon shall not be available for any purpose other than that for which the money is hereby appropriated as indicated in those Schedules.

(3) The amount appearing in Column 3 of the Second Schedule to this Act may be made available for any services falling under heads numbered 2 to 5, 7 and 8 of that Schedule and heads numbered 2 to 8 in the Second Schedule to Act No. 14 of 1955.

Lines under construction.

4. In the case of the service falling under Head No. 1 of the Second Schedule to this Act the total expenditure on any line under construction shall not exceed the amount prescribed by law as the maximum amount which may be expended thereon.

Sources from which moneys appropriated will be provided.

5. The moneys appropriated by this Act for capital and betterment services shall be provided from the sources set out in the Third Schedule hereto.

Short title.

6. This Act shall be called the Railways and Harbours Additional Appropriation Act, 1956.

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Eerste Bylae.

INKOMSTEDIENSTE.

Hoof No.	Hoof.	Kolom 1.	Kolom 2.
		£	£
	SPOORWEË:		
	Vervoerdienste—		
1	Algemene koste	188,097	—
2	Onderhoud van spoorbaan en werke	206,097	—
3	Onderhoud van rollende materiaal..	446,833	—
4	Treinloopkoste	1,001,820	—
5	Verkeerskoste	750,596	—
6	Superannuasie	164,000	—
8	Waardevermindering	43,108	—
	Hulpdienste—		
9	Verversings- en beddegoeddiens ..	53,772	—
11	Graansuiers	26,779	—
12	Padvervoerdiens	220,604	—
	Uitgawe op netto inkomsterekening—		
17	Diverse uitgawe	—	125,604
	HAWENS:		
	Vervoerdienste—		
18	Onderhoud van bate..	64,460	—
19	Bedryfskoste	54,077	—
20	Algemene koste	7,360	—
	Hulpdiens—		
23	Vuurtorings, bakens, klokke en seinstasies	9,384	—
	Uitgawe op netto inkomsterekening—		
25	Diverse uitgawe	—	71,783
	STOOMSKEPE:		
	Vervoerdienste—		
26	Eksploitasie en onderhoud	54,928	—
	Uitgawe op netto inkomsterekening—		
27	Diverse uitgawe	—	1,072
	LUGDIENS:		
	Vervoerdienste—		
28	Eksploitasie en onderhoud	574,523	—
	SPOORWEË, HAWENS, STOOMSKEPE EN LUGDIENS:		
	Uitgawe op aanwendingsrekening van netto inkomste—		
33	Bydrae tot vermindering van rentedraende kapitaal	—	500,000
	TOTAAL	£4,564,897	

Tweede Bylae.

KAPITAAL- EN VERBETERINGSDIENSTE.

Hoof No.	Hoof.	Kolom 1.	Kolom 2.	Kolom 3.
		£	£	£
1	Aanleg van spoorweë	—	3,900	—
2	Nuwe werke aan oopgestelde lyne	894,750	—	—
3	Rollende materiaal	532,050	—	—
4	Padvervoerdiens	5,650	—	—
5	Hawens..	—	4,250	—
7	Lugdiens	—	18,750	—
8	Bedryfskapitaal	40,650	—	—
9	Onvoorsiene werke	—	—	500,000
	TOTAAL		£2,000,000	

SAMEVATTING.

	£
Inkomstedienste (Eerste Bylae)	4,564,897
Kapitaal- en verbeteringsdienste (Tweede Bylae)	2,000,000
	£6,564,897

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First Schedule.

REVENUE SERVICES.

Head No.	Head.	Column 1.	Column 2.
		£	£
	RAILWAYS:		
	Transportation Services—		
1	General Charges	188,097	—
2	Maintenance of Permanent Way and Works	206,097	—
3	Maintenance of Rolling Stock ..	446,833	—
4	Running Expenses	1,001,820	—
5	Traffic Expenses	750,596	—
6	Superannuation	164,000	—
8	Depreciation	43,108	—
	Subsidiary Services—		
9	Catering and Bedding Services ..	53,772	—
11	Grain Elevators	26,779	—
12	Road Transport Service	220,604	—
	Expenditure on Net Revenue Account—		
17	Miscellaneous Expenditure	—	125,604
	HARBOURS:		
	Transportation Services—		
18	Maintenance of Assets	64,460	—
19	Operating Expenses	54,077	—
20	General Charges	7,360	—
	Subsidiary Service—		
23	Lighthouses, Beacons, Bells and Signal Stations	9,384	—
	Expenditure on Net Revenue Account—		
25	Miscellaneous Expenditure	—	71,783
	STEAMSHIPS:		
	Transportation Services—		
26	Working and Maintenance	54,928	—
	Expenditure on Net Revenue Account—		
27	Miscellaneous Expenditure	—	1,072
	AIRWAYS:		
	Transportation Services—		
28	Working and Maintenance	574,523	—
	RAILWAYS, HARBOURS, STEAMSHIPS AND AIRWAYS:		
	Expenditure on Net Revenue Appropriation Account—		
33	Contribution towards reduction of interest-bearing capital	—	500,000
	TOTAL	£4,564,897	

Second Schedule.

CAPITAL AND BETTERMENT SERVICES.

Head No.	Head.	Column 1.	Column 2.	Column 3.
		£	£	£
1	Construction of Railways ..	—	3,900	—
2	New Works on Open Lines ..	894,750	—	—
3	Rolling Stock	532,050	—	—
4	Road Transport Service ..	5,650	—	—
5	Harbours	—	4,250	—
7	Airways	—	18,750	—
8	Working Capital	40,650	—	—
9	Unforeseen Works	—	—	500,000
	TOTAL		£2,000,000	

SUMMARY.

	£
Revenue Services (First Schedule)	4,564,897
Capital and Betterment Services (Second Schedule) ..	2,000,000
	£6,564,897

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Derde Bylae.

Bronne waaruit die addisionele fondse vir kapitaal- en verbeteringsdienste verskaf sal word:—

Besparings op die beskikbaarstelling kragtens die Tweede Bylae by Wet No. 14 van 1955 en die Eerste Bylae by Wet No. 48 van 1955:

	£
Hoof No. 2: Nuwe werke aan oopgestelde lyne ..	1,000,000
Hoof No. 3: Rollende materiaal	1,000,000
	£2,000,000

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Third Schedule.

Sources from which the additional funds for capital and betterment services will be provided:—

Savings on provision made by the Second Schedule to Act No. 14 of 1955 and the First Schedule to Act No. 48 of 1955:

	£
Head No. 2: New Works on Open Lines ..	1,000,000
Head No. 3: Rolling Stock	1,000,000
	£2,000,000

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No. 8, 1956.]

WET

Tot aanwending van 'n som van hoogstens vyf-en-tagtigmiljoen vyfhonderdduisend pond vir die diens van die Unie vir die jaar wat op die een-en-dertigste dag van Maart 1957 eindig.

(*Engelse teks deur die Goewerneur-generaal geteken.*)
(*Goedgekeur op* 15 *Februarie* 1956.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

Skatkisrekening belas met £65,000,000 op Inkomsterekening, £2,500,000 op Bantoe-onderwysrekening en £18,000,000 op Leningsrekening.

1. Op en na die eerste dag van April 1956 mag die somme geld gesamentlik ten bedrae van hoogstens vyf-en-sestigmiljoen pond vir inkomstedienste, tweemiljoen vyfhonderdduisend pond vir Bantoe-onderwys en agtienmiljoen pond vir leningsdienste wat van tyd tot tyd nodig mag wees vir die diens van die Unie vir die jaar wat op die een-en-dertigste dag van Maart 1957 eindig, uit die Skatkisrekening uitgereik word, totdat die Parlement in 'n Begrotingswet daarvoor voorsiening maak.

Somme ingevolge hierdie Wet uitgereik word beskou as voorlopige voorskotte.

2. Alle somme kragtens die bepalings van hierdie Wet uitgereik, word beskou as voorskotte op rekening van gelde wat deur die Parlement in 'n Begrotingswet toegestaan sal word vir die jaar wat op die een-en-dertigste dag van Maart 1957 eindig, en by die inwerkingtreding van daardie Begrotingswet tree hierdie Wet buite werking en word gelde wat kragtens hierdie Wet reeds uitgereik is, beskou as uitreikings kragtens daardie Begrotingswet en moet sodanige uitreikings ooreenkomstig die bepalings daarvan verantwoord word:

Met dien verstande dat daar nie beskou word dat dienste waarvoor geen uitgawe gedurende die jaar wat op die een-en-dertigste dag van Maart 1956 eindig, behoorlik kragtens 'n Begrotingswet gemagtig is nie, of waarvoor geen wetlike magtiging bestaan nie, deur artikel *een* van hierdie Wet gemagtig word nie.

Kort titel.

3. Hierdie Wet heet die Gedeeltelike Begrotingswet, 1956.

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No. 8, 1956.]

ACT

To apply a sum not exceeding eighty-five million five hundred thousand pounds towards the service of the Union for the year ending the thirty-first day of March, 1957.

(English text signed by the Governor-General.)
(Assented to 15th February, 1956.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Exchequer Account charged with £65,000,000 on Revenue Account, £2,500,000 on Bantu Education Account and £18,000,000 on Loan Account.

1. On and after the first day of April, 1956, there may be issued out of the Exchequer Account such sums of money not exceeding in the aggregate the sum of sixty-five million pounds for revenue services, two million five hundred thousand pounds for Bantu Education and eighteen million pounds for loan services as may from time to time be required for the service of the Union for the year ending on the thirty-first day of March, 1957, until such time as provision is made therefor by Parliament in an Appropriation Act.

Sums issued under this Act to be advances in anticipation.

2. All sums issued under the provisions of this Act shall be deemed to be advances on account of grants to be made by Parliament in an Appropriation Act for the year ending the thirty-first day of March, 1957, and upon the commencement of such Appropriation Act, this Act shall cease to have effect and issues already made hereunder shall be deemed to be issues under that Appropriation Act, and shall be accounted for in accordance with the provisions thereof:

Provided that no services upon which expenditure has not been duly authorized under an Appropriation Act during the year ending the thirty-first day of March, 1956, or for which there is no statutory authority, shall be deemed to be authorized under section *one* of this Act.

Short title.

3. This Act shall be known as the Part Appropriation Act, 1956.

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WETSONTWERP

Tot wysiging van Wet No. 11 van 1896 van Natal en die Naturelle-administrasie Wet, 1927.

(*Ingedien deur die* MINISTER VAN NATURELLESAKE.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

Wysiging van artikel 4 van Wet 11 van 1896 (Natal), soos deur artikel 1 van Wet 9 van 1897 (Natal) vervang.

1. Artikel *vier* van Wet No. 11 van 1896 van Natal word hiermee gewysig deur die woorde „Twenty Pounds Sterling" deur die woorde „two hundred pounds" te vervang.

Vervanging van artikel 1 van Wet 38 van 1927, soos deur artikel 2 van Wet 9 van 1929 gewysig.

2. Artikel *een* van die Naturelle-administrasie Wet, 1927, word hiermee deur die volgende artikel vervang:

„Bevoegdhede van Goewerneur-generaal as Opperhoof.

1. Die Goewerneur-generaal is die Opperhoof van alle Naturelle in die Unie en het ten opsigte van alle Naturelle in enige deel van die Unie al die regte, immuniteite, bevoegdhede en gesag wat ten opsigte van Naturelle in die Provinsie Natal by hom berus of van tyd tot tyd mag berus.".

Wysiging van artikel 5 van Wet 38 van 1927, soos deur artikel 20 van Wet 54 van 1952 vervang.

3. Artikel *vyf* van die Naturelle-administrasie Wet, 1927, word hiermee gewysig—

(*a*) deur in paragraaf (*b*) van sub-artikel (1) na die woorde „dienstig ag" die woorde „sonder voorafgaande kennisgewing aan 'n betrokke persoon" in te voeg en deur in daardie paragraaf die woorde „nie uitgereik word nie, of indien dit uitgereik is," te skrap;

(*b*) deur die volgende sub-artikel na sub-artikel (1) in te voeg:

„(1)*bis*. Wanneer 'n bevel kragtens paragraaf (*b*) van sub-artikel (1) ten opsigte van 'n naturel uitgereik, nie geredelik onder sy aandag gebring kan word nie, is dit voldoende om 'n afskrif van die bevel by 'n inwoner van sy woonplek te laat of om 'n afskrif daarvan op 'n in die oog lopende plek aan sy jongsbekende woonplek te heg, en daarna word dit geag, tensy die teendeel bewys word, dat die bevel onder sy aandag gebring is.".

Wysiging van artikel 35 van Wet 38 van 1927, soos gewysig deur artikel 9 van Wet 9 van 1929, artikel 3 van Wet 9 van 1939, artikel 10 van Wet 21 van 1943 en artikel 17 van Wet 67 van 1952.

4. Artikel *vyf-en-dertig* van die Naturelle-administrasie Wet, 1927, word hiermee gewysig deur voor die woordbepaling van „hoofnaturellekommissaris" die volgende woordbepaling in te voeg:

„beteken ,kaptein' met betrekking tot 'n naturellestam, ook 'n hoofkaptein en 'n onderkaptein;".

Kort titel.

5. Hierdie Wet heet die Wysigingswet op Naturelle-administrasie, 1956.

Gedruk in die Unie van Suid-Afrika deur CAPE TIMES LTD., PAROW, K.P.—C438.

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BILL

To amend Act No. 11 of 1896 of Natal and the Native Administration Act, 1927.

(*Introduced by the* MINISTER OF NATIVE AFFAIRS.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of section 4 of Act 11 of 1896 (Natal), as substituted by section 1 of Act 9 of 1897 (Natal).

1. Section *four* of Act No. 11 of 1896 of Natal, is hereby amended by the substitution for the words "Twenty Pounds Sterling" of the words "two hundred pounds".

Substitution of section 1 of Act 38 of 1927, as amended by section 2 of Act 9 of 1929.

2. The following section is hereby substituted for section *one* of the Native Administration Act, 1927:

"Powers of Governor-General as Supreme Chief.

1. The Governor-General shall be Supreme Chief of all Natives in the Union and shall in respect of all Natives in any part of the Union be vested with all such rights, immunities, powers and authorities as are or may be from time to time vested in him in respect of Natives in the Province of Natal.".

Amendment of section 5 of Act 38 of 1927, as substituted by section 20 of Act 54 of 1952.

3. Section *five* of the Native Administration Act, 1927, is hereby amended—

(*a*) by the insertion in paragraph (*b*) of sub-section (1) after the words "public interest" of the words "without prior notice to any person concerned" and by the deletion in that paragraph of the words "shall be given, or having been given,";

(*b*) by the insertion after sub-section (1) of the following sub-section:

"(1)*bis*. Whenever any order issued under paragraph (*b*) of sub-section (1) in respect of any native, cannot conveniently be brought to his notice, it shall be sufficient to leave a copy of the order with some inmate of his place of residence or to affix a copy thereof in a conspicuous place to his last known place of residence, and thereupon it shall, unless the contrary is proved, be deemed that the order has been brought to his notice.".

Amendment of section 35 of Act 38 of 1927, as amended by section 9 of Act 9 of 1929, section 3 of Act 9 of 1939, section 10 of Act 21 of 1943 and section 17 of Act 67 of 1952.

4. Section *thirty-five* of the Native Administration Act, 1927, is hereby amended by the insertion before the definition of "chief native commissioner" of the following definition:

" 'chief' in relation to a native tribe, includes a paramount chief and a sub-chief;".

Short title.

5. This Act shall be called the Native Administration Amendment Act, 1956.

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