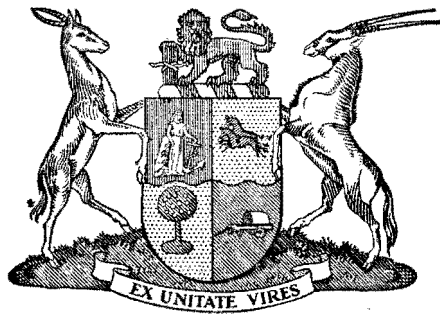


EXTRAORDINARY



BUITENGEWONE

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Staatskoerant
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KAAPSTAD, 29 JUNIE 1962.

PRYS 5c

[No. 280.]

GOVERNMENT NOTICE.

DEPARTMENT OF COMMERCE AND INDUSTRIES.

No. 1037.] [29th June, 1962.]

**EXEMPTION IN TERMS OF THE
 EXPLOSIVES ACT, 1956.**

On behalf of the Minister of Economic Affairs, I, JAN FRIEDRICH WILHELM HAAK, Deputy Minister of Economic Affairs, do hereby, in terms of paragraph (a) of section *thirty-one* of the Explosives Act, 1956 (Act No. 26 of 1956), exempt the defence force of the United Kingdom from the provisions of the said Act relating to the importation, storage, use or transport of explosives.

Deputy Minister of Economic Affairs.

GOEWERMENSKENNISGEWING.

DEPARTEMENT VAN HANDEL EN NYWERHEID.

No. 1037.] [29 Junie 1962.]

**VRYSTELLING KRAGTENS DIE WET
 OP ONTPLOFBARE STOWWE, 1956.**

Namens die Minister van Ekonomiese Sake, stel ek, JAN FRIEDRICH WILHELM HAAK, Adjunk-Minister van Ekonomiese Sake, hierby kragtens paragraaf (a) van artikel *een-en-dertig* van die Wet op Ontplobbare Stowwe, 1956 (Wet No. 26 van 1956), die weermag van die Verenigde Koninkryk vry van die bepalings van bedoelde Wet met betrekking tot die invoer, opberging, gebruik of vervoer van ontplobbare stowwe.

Adjunk-Minister van Ekonomiese Sake.

DEPARTMENT OF THE PRIME MINISTER.

No. 1036.] [29th June, 1962.]

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

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DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 1036.] [29 Junie 1962.]

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

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No. 77 van 1962: Finansiewet, 1962	2
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No. 77, 1962.]

WET

Om voorsiening te maak vir die oorbetalings van sekere bedrae aan die Rekening vir Spesiale Verdedigingstoerusting; vir die geldigverklaring van die betaling van sekere salarisse en toelaes uit die fondse van die Groepsgebiede-ontwikkelingsraad; vir tydelike voorskotte aan die Bantoe-onderwysrekening; dat sekere stukke ten opsigte waarvan seëlregte voor die inwerkingtreding van artikel 1 van Wet 61 van 1959 betaal is, geag word geseël te wees teen 'n sekere skaal uitgedruk in desimale munteenhede; vir die wysiging van die voorwaardes van uitgifte van 5-Persent-Sewejaartesourie-obligasies; dat mynwerkers bedoel in artikel 71 (5) van die Pneumokoniosevergoedingswet, 1962, onder sekere omstandighede 'n toelae benewens 'n pensioen moet ontvang; vir die besteding van surplus-inkomste van die Spoorweg- en Hawefonds en vir die bekragtiging van die betaling van verhoogde salarisse aan Spoorwegkommissarisse; en tot wysiging van Wette Nos. 35 van 1923, 45 van 1931, 29 van 1939, 38 van 1942, 35 van 1948, 45 van 1955, 23 van 1956, 16 van 1957, 16 van 1961, 76 van 1961 en 59 van 1962.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Junie 1962.)

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

DEEL I.

AANGELEENTHEDE WAT DIE GEKONSOLIDEERDE INKOMSTEFONDS RAAK.

Sekere bedrae aan die Rekening vir Spesiale Verdedigingstoerusting oorbetaal te word.

1. Enige bedrae wat die Gekonsolideerde Inkomstefonds toekom ingevolge enige voorwaardes deur die Tesourie kragtens die bevoegdhede hom verleen deur die Devisebeheerregulasies uitgevaardig ingevolge artikel *nege* van die Wet op Betaalmiddels en Wisselkoerse, 1933 (Wet No. 9 van 1933), en afgekondig by Goewermentskennisgewing No. R.1111 van die eerste dag van Desember 1961, opgelê met betrekking tot die verkryging buite die Republiek van beheerde geldwaardige papiere (soos in Regulasie 14 van bedoelde Regulasies omskryf) ten behoeve van persone in die Republiek woonagtig, word tot krediet van die rekening wat by artikel *een* van die Wet op die Rekening vir Spesiale Verdedigingstoerusting, 1952 (Wet No. 8 van 1952), ingestel is, oorbetaal.

Geldigverklaring van betaling van sekere salarisse en toelaes uit die fondse van die Groepsgebiede-ontwikkelingsraad.

2. Die betaling uit die fondse van die Groepsgebiede-ontwikkelingsraad ingestel by artikel *twee* van die Wet op die Ontwikkeling van Groepsgebiede, 1955 (Wet No. 69 van 1955), van die salaris en toelaes ten opsigte van enige tydperk tussen die vier-en-twintigste dag van Augustus 1960 en die eerste dag van April 1962, van enigiemand wat gedurende dié tydperk in die voltydse diens van die Staat en 'n lid van daardie Raad was, word hierby geldig verklaar en bevestig.

Tydlike voorskotte aan die Bantoe-onderwysrekening.

3. (1) (a) Enige tekort wat gedurende die boekjaar wat op die een-en-dertigste dag van Maart 1963 eindig, in die in artikel *twintig* van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), vermeldde Bantoe-onderwysrekening ontstaan, kan deur middel van rentelose verhaalbare voorskotte uit die Leningsrekening bestry word.

(b) Enige sodanige voorskotte wat op voormelde datum nog uitstaande is, is 'n eerste las teen die gelde wat gedurende die daaropvolgende boekjaar die bedoelde Bantoe-onderwysrekening toekom.

(2) 'n Voorskot kragtens sub-artikel (1) word by die toepassing van artikel *twee* van die Algemene Leningswet, 1961 (Wet No. 16 van 1961), geag leningsuitgawes te wees wat deur 'n Begrotingswet gemagtig is.

No. 77, 1962.]

ACT

To provide for certain amounts to be paid to the Defence Special Equipment Account; for the validation of the payment of certain salaries and allowances out of the funds of the Group Areas Development Board; for temporary advances to the Bantu Education Account; that certain instruments in respect of which stamp duties were paid prior to the commencement of section 1 of Act 61 of 1959 shall be deemed to be stamped at certain rates expressed in decimal coinage units; for the amendment of the conditions of issue of 5 Per Cent Seven Year Treasury Bonds; that miners referred to in section 71 (5) of the Pneumoconiosis Compensation Act, 1962, shall receive an allowance in addition to a pension in certain circumstances; for the disposal of surplus revenue of the Railway and Harbour Fund and for the validation of the payment of increased salaries to Railway Commissioners; and to amend Acts Nos. 35 of 1923, 45 of 1931, 29 of 1939, 38 of 1942, 35 of 1948, 45 of 1955, 23 of 1956, 16 of 1957, 16 of 1961, 76 of 1961 and 59 of 1962.

*(Afrikaans text signed by the State President.)
(Assented to 22nd June, 1962.)*

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

PART I.

MATTERS AFFECTING THE CONSOLIDATED REVENUE FUND.

1. Any amounts accruing to the Consolidated Revenue Fund in terms of any conditions imposed by the Treasury, under the powers conferred upon it by the Exchange Control Regulations made in terms of section *nine* of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), and published under Government Notice No. R. 1111 of the first day of December, 1961, in relation to the acquisition of controlled securities (as defined in Regulation 14 of those Regulations) outside the Republic on behalf of persons resident in the Republic, shall be paid to the credit of the account established by section *one* of the Defence Special Equipment Account Act, 1952 (Act No. 8 of 1952).

Certain amounts to be paid to the Defence Special Equipment Account.

2. The payment out of the funds of the Group Areas Development Board established by section *two* of the Group Areas Development Act, 1955 (Act No. 69 of 1955), of the salary and allowances in respect of any period between the twenty-fourth day of August, 1960, and the first day of April, 1962, of any person who during such period was in the full-time employment of the State and a member of that Board, is hereby validated and confirmed.

Validation of the payment of certain salaries and allowances out of the funds of the Group Areas Development Board.

3. (1) (a) Any deficiency arising during the financial year ending on the thirty-first day of March, 1963, in the Bantu Education Account referred to in section *twenty* of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), may be met by means of interest-free recoverable advances out of the Loan Account.

Temporary advances to the Bantu Education Account.

(b) Any such advances which are on the said date still outstanding, shall form a first charge upon the moneys accruing to the said Bantu Education Account during the ensuing financial year.

(2) Any advance in terms of sub-section (1) shall for the purposes of section *two* of the General Loans Act, 1961 (Act No. 16 of 1961), be deemed to be loan expenditure sanctioned by an Appropriation Act.

Sekere stukke ten opsigte waarvan seëlregte voor die inwerking-treding van artikel 1 van Wet 61 van 1959 betaal is, word geag geseël te wees teen 'n sekere skaal uitgedruk in desimale munteenhede.

4. Waar die betaling van seëlregte ten opsigte van 'n stuk wat na die veertiende dag van Februarie 1962 maar nie later as die dertigste dag van September 1962 nie verly is, voor die veertiende dag van Februarie 1961 op die wyse bepaal in paragraaf (b) of (e) van die voorbehoudsbepaling by sub-artike' (1) van artikel ses van die Seëlwet, 1962 (Wet No. 59 van 1962), geskied het teen 'n skaal wat in die eerste kolom van die onderstaande Bylae voorkom en in die geval van so 'n stuk van toepassing is, word daardie stuk by die toepassing van enige wetsbepaling geag teen die ooreenstemmende skaal wat in die tweede kolom van bedoelde Bylae voorkom, geseël te wees of te gewees het, na gelang van die geval.

BYLAE.

<i>Eerste kolom.</i>	<i>Tweede kolom.</i>
<i>Pennie/Pennies.</i>	<i>Sent.</i>
Een	Een.
Twee	Een en 'n half.
Sewe	Vyf.
Nege	Sewe.

Wysiging van voorwaardes van uitgifte van 5-Persent-Sewejaartesourie-obligasies.

5. Ondanks andersluidende voorwaardes kragtens artikel agt van die Algemene Leningswet, 1961 (Wet No. 16 van 1961), ten opsigte van die uitgifte van 5-Persent-Sewejaartesourie-obligasies voorgeskryf, kan sodanige Obligasies volgens die keuse van die houer daarvan te eniger tyd na vyf jaar vanaf die datum van inskrywing daarvoor teen pari afgelos word.

Mynwerkers bedoel in artikel 71 (5) van die Pneumokoniosevergoedingswet, 1962, moet onder sekere omstandighede 'n toelae benewens 'n pensioen ontvang.

6. (1) Ondanks andersluidende bepalings van die Pneumokoniosevergoedingswet, 1962, is 'n in sub-artikel (5) van artikel een-en-sewentig van daardie Wet bedoelde mynwerker wat by die inwerkingtreding daarvan 'n kragtens sub-artikel (1) van artikel ses-en-sewentig van die Pneumokoniosewet, 1956 (Wet No. 57 van 1956), toegekende toelae ten opsigte van 'n permanente oppasser ontvang, vanaf bedoelde inwerkingtreding daarop geregtig om benewens enige pensioen kragtens die gemelde Pneumokoniosevergoedingswet, 1962, aan hom betaalbaar, 'n toelae van tien rand per maand te ontvang.

(2) Die betaling van 'n toelae ingevolge sub-artikel (1) word teen die C-rekening van die Pneumokoniosevergoedingsfonds gedebiteer wat by artikel honderd-en-agt van die gemelde Pneumokoniosevergoedingswet, 1962, ingestel is.

Wysiging van artikel 9 van Wet 35 van 1923.

7. Artikel nege van die „Finansiële Regelings Wet, 1923,” word hierby gewysig deur al die woorde na die woord „zijn” waar dit die tweede maal voorkom tot en met die woord „bepaald” te skrap.

Wysiging van artikel 3 van Wet 45 van 1931.

8. Artikel drie van die Finansiële Reëlingswet, 1931, word hierby gewysig—

- (a) deur aan die end van sub-artikel (1) die woorde „en kan, waar genoemde Kommissaris meen dat so 'n beloning ontoereikend is, aan so iemand na goed-dunke van genoemde Kommissaris so 'n verdere bedrag uit gelde deur die Parlement vir die doel bewillig, betaal word as wat tesame met bedoelde beloning die som van honderd rand nie te bowe gaan nie”; en
- (b) deur in sub-artikel (2) na die woord „word” waar dit die eerste maal voorkom die woorde „in die mate waarin dit een derde van bedoelde opbrings of van die geld aldus in beslag geneem nie te bowe gaan nie,” in te voeg.

Wysiging van artikel 92bis (soos ingevoeg deur artikel 17 van Wet 44 van 1960) en artikel 94 (soos gewysig deur artikel 18 van Wet 44 van 1960) van Wet 29 van 1939.

9. Sub-artikel (6) van artikel twee-en-negentig bis en sub-artikel (3) van artikel vier-en-negentig van die Wet op Kooperatiewe Verenigings, 1939, word hierby gewysig deur aan die end van elkeen van daardie sub-artikels—

- (a) in die geval van die genoemde sub-artikel (6), met ingang van die sesde dag van Mei 1960; en
- (b) in die geval van die genoemde sub-artikel (3), met ingang van die eerste dag van September 1939,

die woorde „en geen hereregte is ten opsigte daarvan betaalbaar nie” by te voeg.

Wysiging van artikel 33 van Wet 38 van 1942, soos vervang deur artikel 1 van Wet 41 van 1951.

10. (1) Artikel drie-en-dertig van die Bankwet, 1942, word hierby gewysig deur in sub-artikel (3) na die woord „is” waar dit die eerste maal voorkom die woorde „of waarin 'n lisensie, behalwe 'n lisensie kragtens artikel tweehonderd-agt-en-twintig van die Maatskappywet, 1926 (Wet No. 46 van 1926), aan of

4. Where the payment of stamp duty in respect of any instrument executed after the fourteenth day of February, 1962, but not later than the thirtieth day of September, 1962, was before the fourteenth day of February, 1961, effected in the manner provided in paragraph (b) or (e) of the proviso to sub-section (1) of section *six* of the Stamp Duties Act, 1962 (Act No. 59 of 1962), at any of the rates appearing in the first column of the Schedule below and applicable in the case of such instrument, such instrument shall for the purposes of any law be deemed to be or to have been stamped, as the circumstances may require, at the corresponding rate appearing in the second column of the said Schedule.

Certain instruments in respect of which stamp duties were paid prior to the commencement of section 1 of Act 61 of 1959, deemed to be stamped at certain rates expressed in decimal coinage units.

SCHEDULE.

<i>First column.</i> <i>Penny/Pence.</i>	..	..	..	..	<i>Second column.</i> <i>Cent/Cents.</i>
One	..	..	..	..	One
Two	..	..	..	..	One and one-half.
Seven	..	..	..	..	Five
Nine	..	..	..	..	Seven

5. Notwithstanding any condition to the contrary prescribed in terms of section *eight* of the General Loans Act, 1961 (Act No. 16 of 1961), in respect of the issue of 5 Per Cent Seven Year Treasury Bonds, such Bonds may, at the option of the holder thereof, be redeemed at par any time after five years from the date of subscription therefor.

Amendment of conditions of issue of 5 Per Cent Seven Year Treasury Bonds.

6. (1) Notwithstanding anything to the contrary in the Pneumoconiosis Compensation Act, 1962, contained, any miner referred to in sub-section (5) of section *seventy-one* of that Act who is at the commencement thereof in receipt of an allowance in respect of a constant attendant awarded under sub-section (1) of section *seventy-six* of the Pneumoconiosis Act, 1956 (Act No. 57 of 1956), shall as from such commencement be entitled to be paid an allowance of ten rand per month in addition to any pension payable to him under the said Pneumoconiosis Compensation Act, 1962.

Miners referred to in section 71 (5) of the Pneumoconiosis Compensation Act, 1962, to receive an allowance in addition to a pension in certain circumstances.

(2) The payment of any allowance in terms of sub-section (1) shall be debited against the C-account of the Pneumoconiosis Compensation Fund established by section *one hundred and eight* of the said Pneumoconiosis Compensation Act, 1962.

7. Section *nine* of the Financial Adjustments Act, 1923, is hereby amended by the deletion of all the words after the word "work" up to and including the word "director".

Amendment of section 9 of Act 35 of 1923.

8. Section *three* of the Financial Adjustments Act, 1931, is hereby amended—

Amendment of section 3 of Act 45 of 1931.

- (a) by the addition at the end of sub-section (1) of the words "and, where the said Commissioner is of the opinion that such a reward is inadequate, may at the discretion of the said Commissioner be paid out of moneys appropriated by Parliament for the purpose, such additional amount as together with the said reward does not exceed the sum of one hundred rand"; and
- (b) by the insertion in sub-section (2) after the word "shall" where it occurs for the first time of the words "to the extent to which it does not exceed one-third of the amount so realized or of the money so seized,".

9. Sub-section (6) of section *ninety-two bis* and sub-section (3) of section *ninety-four* of the Co-operative Societies Act, 1939, are hereby amended by the addition at the end of each of those sub-sections—

Amendment of section 92 bis (as inserted by section 17 of Act 44 of 1960) and section 94 (as amended by section 18 of Act 44 of 1960) of Act 29 of 1939.

- (a) in the case of the said sub-section (6), with effect from the sixth day of May, 1960; and
- (b) in the case of the said sub-section (3), with effect from the first day of September, 1939,

of the words "and no transfer duty shall be payable in respect thereof".

10. (1) Section *thirty-three* of the Banking Act, 1942, is hereby amended by the insertion in sub-section (3) after the word "by" of the words "or in which has been issued any licence, other than a licence in terms of section *two hundred and twenty-eight* of the Companies Act, 1926 (Act No. 46 of 1926),

Amendment of section 33 of Act 38 of 1942, as substituted by section 1 of Act 41 of 1951.

ten gunste van 'n sodanige bankinstelling uitgereik is," na die woord „aanstellingsbrief" die woord „lisensie" en na die woord „registrasie-" die woord „lisensie-", in te voeg.

(2) Die wysigings deur sub-artikel (1) aangebring, word geag op die een-en-dertigste dag van Maart 1962 in werking te getree het.

Wysiging van artikel 16 van Wet 35 van 1948, soos vervang deur artikel 3 van Wet 44 van 1961.

11. (1) Artikel *sestien* van die Wet op Atoomkrag, 1948, word hierby gewysig—

(a) deur in paragraaf (iii) van die voorbehoudsbepaling by paragraaf (a) van sub-artikel (4) na die woord „betaal" die woorde „of voorskiet" in te voeg; en

(b) deur paragrawe (v) en (vi) van bedoelde voorbehoudsbepaling deur die volgende paragrawe te vervang:

„(v) die raad—

(aa) in afwagting van 'n betaling kragtens paragraaf (i), die gedeelte van die in daardie paragraaf vermelde opbrengste wat vir bedoelde betaling nodig is;

(bb) soveel van die in paragraaf (iii) vermelde vooruitbetalings as wat nie vir onmiddellike gebruik nodig is nie; en

(cc) behoudens die bepalings van sub-paragraaf (bb) van paragraaf (vi), rente ontvang op voorskotte kragtens paragraaf (iii) aan produsente van voorgeskrewe materiaal gemaak, by die Openbare Skuldkommissarisse moet belê; en

(vi) die raad—

(aa) behoudens die bepalings van sub-paragraaf (bb), aan die end van elke boekjaar 'n staat ten opsigte van daardie boekjaar moet opstel van die rente kragtens paragraaf (iv) betaalbaar en van die rente wat hy op voorskotte kragtens paragraaf (iii) aan produsente van voorgeskrewe materiaal gemaak, en op beleggings ingevolge paragraaf (v) gemaak, moet kry, en indien die aldus betaalbare rente meer bedra as die rente wat hy aldus moet kry, die tekort moet aanvul uit gelde deur die Parlement vir die doel bewillig en, indien dit minder bedra, die oorskot moet oordra en daarmee moet handel asof dit rente was wat hy ten opsigte van die daaropvolgende boekjaar aldus moet kry; en

(bb) aan die end van die boekjaar waarin al sy aanspreeklikheid ten opsigte van die in paragraaf (iii) vermelde vooruitbetalings ophou, so 'n oorskot, en daarna, aan die end van elke boekjaar, rente op beleggings gemaak ingevolge sub-paragraaf (aa) van paragraaf (v), en, by ontvangs, rente vermeld in sub-paragraaf (cc) van daardie paragraaf, in die Gekonsolideerde Inkomstefonds moet stort."

(2) Die wysigings deur sub-artikel (1) aangebring, word geag op die eerste dag van Januarie 1961 in werking te getree het.

Wysiging van artikel 8 van Wet 45 van 1955, soos gewysig deur artikel 4 van Wet 59 van 1957.

12. Artikel *agt* van die Boedelbelastingwet, 1955, word hierby gewysig—

(a) deur sub-artikel (2) te skrap; en

(b) deur in sub-artikel (3) die woorde „behoudens die bepalings van artikel *vier-en-twintig*" te skrap.

Invoeging van artikel *8bis* in Wet 45 van 1955.

13. Die volgende artikel word hierby na artikel *agt* in die Boedelbelastingwet, 1955, ingevoeg:

„Oorlegging van dokumente en getuienis onder eed. **8bis.** (1) By die uitvoering van hierdie Wet kan die Kommissaris enige persoon aansê om die inligting te verstrek wat hy mag vereis, en om aktes, planne, oorkondes, boeke, rekenings, handelslyste, inventarisse of dokumente wat die Kommissaris nodig ag, vir ondersoek deur die Kommissaris of deur 'n deur hom vir dié doel aangestelde persoon oor te lê op die tyd en plek wat die Kommissaris daartoe bepaal, en indien bedoelde aktes, planne, oorkondes, boeke, rekenings, handelslyste, inventarisse of dokumente nie in een van die amptelike tale is nie, kan die Kommissaris die eksekuteur van die betrokke boedel by skriftelike kennisgewing aansê om, op die tyd en plek wat bepaal mag word, op koste van die boedel 'n vertaling in een van die

to or in favour of," after the word "appointment" where it occurs for the second time of the word "licence" and after the word "fees" of the words "licence duty".

(2) The amendments effected by sub-section (1) shall be deemed to have come into operation on the thirty-first day of March, 1962.

M

11. (1) Section *sixteen* of the Atomic Energy Act, 1948, is hereby amended—

Amendment of section 16 of Act 35 of 1948, as substituted by section 3 of Act 44 of 1961.

(a) by the insertion in paragraph (iii) of the proviso to paragraph (a) of sub-section (4) after the word "pay" of the words "or advance"; and

(b) by the substitution for paragraphs (v) and (vi) of the said proviso of the following paragraphs:

"(v) the board shall invest with the Public Debt Commissioners—

(aa) pending any payment in terms of paragraph (i), that portion of the proceeds referred to in that paragraph which is required for the purpose of making such payment;

(bb) so much of the advance payments referred to in paragraph (iii) as is not required for immediate use; and

(cc) subject to the provisions of sub-paragraph (bb) of paragraph (vi), any interest received on advances made in terms of paragraph (iii) to producers of prescribed materials; and

(vi) the board shall—

(aa) save as provided in sub-paragraph (bb), at the end of each financial year prepare in respect of that financial year a statement of the interest payable in terms of paragraph (iv) and of the interest receivable by it on advances made in terms of paragraph (iii) to producers of prescribed materials and on investments made in terms of paragraph (v), and, if the interest so payable amounts to more than the interest so receivable, meet the deficit from moneys appropriated by Parliament for the purpose, and, if it amounts to less, carry the surplus forward and deal with it as if it were interest so receivable in respect of the ensuing financial year; and

(bb) at the end of the financial year in which all its liability in respect of the advance payments referred to in paragraph (iii) ceases, pay any such surplus, and thereafter, at the end of each financial year, any interest on investments made in terms of sub-paragraph (aa) of paragraph (v), and, upon receipt, any such interest as is referred to in sub-paragraph (cc) of that paragraph, into the Consolidated Revenue Fund."

(2) The amendments effected by sub-section (1) shall be deemed to have come into operation on the first day of January, 1961.

12. Section *eight* of the Estate Duty Act, 1955, is hereby amended—

Amendment of section 8 of Act 45 of 1955, as amended by section 4 of Act 59 of 1957.

(a) by the deletion of sub-section (2); and

(b) by the deletion in sub-section (3) of the words "subject to the provisions of section *twenty-four*".

13. The following section is hereby inserted in the Estate Duty Act, 1955, after section *eight*:

Insertion of section *8bis* in Act 45 of 1955.

"Production of documents and evidence on oath.

8bis. (1) For purposes of the administration of this Act the Commissioner may call upon any person to furnish such information as he may require and to produce for examination by the Commissioner or by any person appointed by him for that purpose, at such time and place as may be appointed by the Commissioner in that behalf, any deeds, plans, instruments, books, accounts, trade lists, stock lists or documents which the Commissioner may deem necessary, and if any such deeds, plans, instruments, books, accounts, lists or documents are not in one of the official languages, the Commissioner may by notice in writing require the executor of the estate concerned to produce at such time and place as may be ap-

amptelike tale oor te lê wat gemaak en gesertifiseer is deur 'n beëdigde vertaler of 'n ander persoon wat nie 'n beëdigde vertaler is nie en wat die Kommissaris goedgekeur het.

(2) (a) Die Kommissaris kan by skriftelike kennisgewing 'n persoon wat deur die Kommissaris in staat geag word om inligting te verskaf, aansê om, op 'n tyd en plek deur die Kommissaris bepaal te word, te verskyn ten einde onder eed ondervra te word aangaande transaksies of aangeleenthede wat op 'n boedel betrekking het.

(b) Die Kommissaris kan aan 'n persoon wat aldus verskyn, redelike uitgawes toestaan wat noodsaaklikerwys deur hom aangegaan is om aldus te verskyn.

(3) 'n Amptenaar wat die bepalings van hierdie Wet uitvoer, en wat met betrekking tot die sake van 'n bepaalde boedel skriftelik of telegrafies deur die Kommissaris daartoe gemagtig is, kan vir die doeleindes van die uitvoering van hierdie Wet—

(a) te eniger tyd gedurende die dag sonder voorafgaande kennisgewing enige perseel hoege-naamd betree en deursoek vir geld, boeke, aantekenings, rekenings of dokumente;

(b) by so 'n deursoeking enigiets wat na sy vermoede geld, boeke, aantekenings, rekenings of dokumente bevat, oopmaak of laat verwyder en oopmaak;

(c) beslag lê op enige sodanige boeke, aantekenings, rekenings of dokumente wat na sy mening bewys mag lewer wat by die vasstelling van die aanspreeklikheid van enige persoon vir belasting van belang mag wees;

(d) enige sodanige boeke, aantekenings, rekenings of dokumente behou solank hulle vir enige aanslag of vir enige strafregtelike of ander verrigtings ingevolge hierdie Wet benodig mag word.

(4) 'n Gemagtigde persoon wat 'n bevoegdheid kragtens sub-artikel (3) uitoefen, moet op versoek die skriftelike magtiging toon wat die Kommissaris aan hom verstrekket het.

(5) Die eksekuteur van die boedel met betrekking tot die sake waarvan op enige boeke, aantekenings, rekenings of dokumente kragtens sub-artikel (3) beslag gelê is, het die reg om dit gedurende kantoorure onder die toesig wat die Kommissaris bepaal, te ondersoek en uittreksels daaruit te maak."

Invoeging van artikel 23bis in Wet 45 van 1955.

14. Die volgende artikel word hierby na artikel *drie-en-twintig* in die Boedelbelastingwet, 1955, ingevoeg:

„Bewyslas van vrystellings, kortings of verminderings.

23bis. Die bewyslas dat 'n bedrag van belasting vrygestel is of nie daaraan onderhewig is nie of aan 'n korting of ander vermindering ingevolge hierdie Wet onderhewig is, rus op die persoon wat op dié vrystelling, nie-onderhewigheid, korting of vermindering aanspraak maak, en by die verhoor van 'n appèl teen 'n beslissing van die Kommissaris, word die beslissing nie ter syde gestel of verander nie tensy die appellant bewys dat die beslissing verkeerd is."

Vervanging van artikel 24 van Wet 45 van 1955, soos gewysig deur artikel 17 van Wet 59 van 1956, artikel 5 van Wet 59 van 1957 en artikel 11 van Wet 71 van 1961.

15. Artikel *vier-en-twintig* van die Boedelbelastingwet, 1955, word hierby deur die volgende artikel vervang:

„Beswaar teen aanslag, en appèl na spesiale inkomste-belastinghof teen beslissing van Kommissaris.

24. (1) Iedere eksekuteur of ander persoon aanspreeklik vir belasting ingevolge hierdie Wet, wat hom veronreg ag deur 'n aanslag van sodanige belasting ingevolge artikel *nege*, kan binne dertig dae na die datum van die aanslagkennisgewing of binne so 'n verdere tydperk as wat die Kommissaris op genoegsame gronde mag goedkeur, 'n skriftelike beswaar by die Kommissaris indien wat die gronde waarop dit gemaak word in besonderhede moet aandui.

(2) Die Kommissaris kan bedoelde beswaar handhaaf, of dit afwys, of dit ten dele handhaaf en ten dele afwys.

(3) Die Kommissaris gee aan die beswaarmaker skriftelike kennis van sy beslissing met betrekking tot bedoelde beswaar.

pointed, at the expense of the estate, a translation in one of the official languages prepared and certified by a sworn translator or a person other than a sworn translator approved by the Commissioner.

(2) (a) The Commissioner may by notice in writing require any person whom the Commissioner may deem able to furnish information, to attend at a time and place to be named by the Commissioner for the purpose of being examined on oath respecting any transactions or matters affecting any estate.

(b) Any person so attending may be allowed by the Commissioner any reasonable expenses necessarily incurred by such person in so attending.

(3) Any officer engaged in carrying out the provisions of this Act, who has in relation to the affairs of a particular estate been authorized thereto by the Commissioner in writing or by telegram, may for the purposes of the administration of this Act—

(a) without previous notice, at any time during the day enter any premises whatsoever and on such premises search for any moneys, books, records, accounts or documents;

(b) in carrying out any such search open or cause to be removed and opened, any article in which he suspects any moneys, books, records, accounts or documents to be contained;

(c) seize any such books, records, accounts or documents as in his opinion may afford evidence which may be material in assessing the liability of any person for any duty;

(d) retain any such books, records, accounts or documents for as long as they may be required for any assessment or for any criminal or other proceedings under this Act.

(4) Any authorized person exercising any power under sub-section (3) shall on demand produce the written authority furnished to him by the Commissioner.

(5) The executor of the estate in relation to the affairs of which any books, records, accounts or documents have been seized under sub-section (3), shall be entitled to examine and make extracts from them during office hours under such supervision as the Commissioner may determine.”.

14. The following section is hereby inserted in the Estate Duty Act, 1955, after section *twenty-three*:

Insertion of section *23bis* in Act 45 of 1955.

“Burden of proof as to exemptions, deductions or reductions.

23bis. The burden of proof that any amount is exempt from or not liable to duty or is subject to any deduction or other reduction under this Act, shall be upon the person claiming such exemption, non-liability, deduction or reduction, and upon the hearing of any appeal from any decision of the Commissioner, the decision shall not be reversed or altered unless it is shown by the appellant that the decision is wrong.”.

15. The following section is hereby substituted for section *twenty-four* of the Estate Duty Act, 1955:

Substitution of section 24 of Act 45 of 1955, as amended by section 17 of Act 59 of 1956, section 5 of Act 59 of 1957 and section 11 of Act 71 of 1961.

“Objection to assessment, and appeal to income tax special court from Commissioner's decision.

24. (1) Every executor or other person liable for duty under this Act who is aggrieved by any assessment of such duty in terms of section *nine* may, within thirty days after the date of the assessment notice or within such further period as the Commissioner may on good cause approve, lodge with the Commissioner an objection in writing which shall specify in detail the grounds upon which it is made.

(2) The Commissioner may allow such objection, or disallow it, or allow it in part and disallow it in part.

(3) The Commissioner shall give written notice to the objector of his decision on such objection.

(4) Indien die beswaarmaker ontevrede is met bedoelde beslissing van die Kommissaris kan hy daarteen appelleer na die spesiale hof vir die verhoor van inkomstebelastingappèlle wat kragtens die bepalings van artikel *nege-en-sewentig* van die Inkomstebelastingwet, 1941 (Wet No. 31 van 1941), vir die gebied waarin die betrokke boedel geadministreer word, ingestel is: Met dien verstande dat waar so 'n appèl op die waardering van onroerende goed of sowel roerende as onroerende goed betrekking het, die ledetal van die spesiale hof waardeur die appèl verhoor moet word vir die doeleindes van die verhoor daarvan vermeerder word deur die aanstelling daartoe deur die Kommissaris, uit die gelede van persone wat die Staatspresident goedgekeur het, van twee addisionele lede, wat—

(a) indien die betrokke onroerende goed eierdom is wat geleë is buite die regsgebied van 'n liggaam (uitgesonderd 'n afdelingsraad) beoog in subparagraaf (i) van paragraaf (f) van sub-artikel (1) van artikel *vier-en-tagtig* van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), en waarop boerdery beoefen word, persone moet wees wat *bona fide*-boere is; of

(b) indien die betrokke onroerende goed nie in paragraaf (a) bedoelde eiendom is nie, persone moet wees wat as beëdigde waardeerders aangestel is en besigheid dryf; of

(c) indien die betrokke onroerende goed ten dele uit in paragraaf (a) en ten dele uit in paragraaf (b) bedoelde eiendom bestaan, onderskeidelik 'n persoon wat 'n *bona fide*-boer is en 'n persoon was as 'n beëdigde waardeerder aangestel is en besigheid dryf, moet wees.

(5) Elke kennisgewing van appèl geskied skriftelik en word by die Kommissaris ingedien binne dertig dae na die datum van die kennisgewing in sub-artikel (3) bedoel.

(6) By so 'n appèl word die beswaarmaker beperk tot die gronde aangedui in die geskrewe beswaar kragtens sub-artikel (1) by die Kommissaris ingedien.

(7) Die spesiale hof wat die appèl verhoor, moet die saak ondersoek en oorweeg en kan die beslissing van die Kommissaris bekragtig, wysig of ter syde stel, of so 'n ander beslissing gee as wat die Kommissaris volgens die hof se oordeel moes gegee het, of na goedvinde die betrokke aanslag na die Kommissaris vir verdere ondersoek en aanslag terugverwys.

(8) Die bepalings van sub-artikels (9), (10), (11), (12), (14), (14)*bis*, (15) en (16) van artikel *nege-en-sewentig*, en van artikels *nege-en-sewentig bis*, *nege-en-sewentig ter* en *een-en-tagtig* van die Inkomstebelastingwet, 1941, is *mutatis mutandis* met betrekking tot 'n appèl ingevolge hierdie artikel van toepassing.”.

Wysiging van artikel 25 van Wet 45 van 1955.

16. Artikel *vyf-en-twintig* van die Boedelbelastingwet, 1955, word hierby gewysig deur die volgende sub-artikel by te voeg:
„(3) In so 'n aksie kan niemand die juistheid van die bedrag van die belasting of rente op grond daarvan dat die belasting gegrond is op 'n aanslag van die Kommissaris ten opsigte waarvan 'n appèl ingevolge artikel *vier-en-twintig* aangeteken is, in twyfel trek nie.”.

Wysiging van artikel 28 van Wet 45 van 1955.

17. Artikel *agt-en-twintig* van die Boedelbelastingwet, 1955, word hierby gewysig deur na paragraaf (b) van sub-artikel (2) die volgende paragraaf in te voeg:
„(b)*bis* sonder om goeie redes aan te toon, versuim om aan 'n vereiste deur die Kommissaris kragtens sub-artikel (1) of (2) van artikel *agt bis* gestel, te voldoen; of”.

Wysiging van artikel 21 van Wet 23 van 1956.

18. Artikel *een-en-twintig* van die Skatkis- en Ouditwet, 1956, word hierby gewysig—

(a) deur met ingang van die eerste dag van April 1962 paragraaf (a) van sub-artikel (4) deur die volgende paragraaf te vervang:

„(a) Geen bepaling van hierdie artikel word so uitgelê nie dat dit die Kommissaris van Binnelandse Inkomste belet om maandeliks in onderskeidelik die Skatkisrekening en die verskeie provinsiale inkomstefondse te stort—

(4) If the objector is dissatisfied with such decision of the Commissioner he may appeal therefrom to the special court for hearing income tax appeals constituted under the provisions of section *seventy-nine* of the Income Tax Act, 1941 (Act No. 31 of 1941), for the area in which the estate concerned is being administered: Provided that where any such appeal relates to the valuation of immovable property, or of both movable and immovable property, the membership of the special court by which the appeal is to be heard shall for the purposes of the hearing thereof be increased by the appointment thereto by the Commissioner from amongst persons approved by the State President of two additional members who shall—

- (a) if the immovable property in question is property which is situated outside the area of jurisdiction of any body (other than a divisional council) contemplated by sub-paragraph (i) of paragraph (f) of sub-section (1) of section *eighty-four* of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), and on which farming operations are carried on, be persons who are *bona fide* farmers; or
- (b) if the immovable property in question is not such property as is referred to in paragraph (a), be persons appointed and carrying on business as sworn appraisers; or
- (c) if the immovable property in question consists partly of such property as is referred to in paragraph (a) and partly of such property as is referred to in paragraph (b), be respectively a person who is a *bona fide* farmer and a person appointed and carrying on business as a sworn appraiser.

(5) Every notice of appeal shall be in writing and shall be lodged with the Commissioner within thirty days after the date of the notice referred to in sub-section (3).

(6) At any such appeal the objector shall be limited to the grounds specified in the written objection lodged with the Commissioner in terms of sub-section (1).

(7) The special court hearing the appeal shall inquire into and consider the matter and may confirm, vary or set aside the decision of the Commissioner or give such other decision as, in its opinion, the Commissioner ought to have given, or, if it thinks fit, refer the relevant assessment back to the Commissioner for further investigation and assessment.

(8) The provisions of sub-sections (9), (10), (11), (12), (14), (14)*bis*, (15) and (16) of section *seventy-nine*, and of sections *seventy-nine bis*, *seventy-nine ter* and *eighty-one* of the Income Tax Act, 1941, shall *mutatis mutandis* apply with reference to any appeal under this section.”.

16. Section *twenty-five* of the Estate Duty Act, 1955, is hereby amended by the addition of the following sub-section:

“(3) In any such action it shall not be competent for any person to question the correctness of the amount of duty or interest on the grounds that the duty is based on an assessment of the Commissioner in respect of which an appeal has been lodged under section *twenty-four*.”.

Amendment of section 25 of Act 45 of 1955.

17. Section *twenty-eight* of the Estate Duty Act, 1955, is hereby amended by the insertion after paragraph (b) of sub-section (2) of the following paragraph:

“(b)*bis* without just cause shown by him, fails to comply with any requirement of the Commissioner made under sub-section (1) or (2) of section *eight bis*; or”.

Amendment of section 28 of Act 45 of 1955.

18. Section *twenty-one* of the Exchequer and Audit Act, 1956, is hereby amended—

(a) by the substitution with effect from the first day of April, 1962, for paragraph (a) of sub-section (4) of the following paragraph:

“(a) Nothing in this section contained shall be construed as preventing the Commissioner for Inland Revenue from paying monthly into the Exchequer Account and the various provincial revenue funds, respectively—

Amendment of section 21 of Act 23 of 1956.

- (i) die gedeeltes van die normale belasting op maatskappye gehef, wat ingevolge die inkomstebelastingwette van die Republiek onderskeidelik ten bate van die Gekonsolideerde Inkomstefonds en bedoelde provinsiale inkomstefondse toeval;
 - (ii) die gedeeltes van die normale en superbelasting ingevolge die inkomstebelastingwette van die Republiek op ander persone as maatskappye gehef en die belasting (behalwe persoonlike belasting betaal deur persone wat nie as inkomstebelastingpligtiges aangeslaan word nie) deur die provinsies op bedoelde persone en op die inkomstes van bedoelde persone gehef, wat op 'n grondslag wat by regulasie voorgeskryf word, bepaal word; en
 - (iii) die gedeeltes van die rente en boetes wat opgelê kan word ten opsigte van versuim om op die vervaldatum die belasting bedoel in sub-paragraaf (ii) te betaal, wat op 'n grondslag wat by regulasie voorgeskryf word, bepaal word.”; en
- (b) deur na daardie paragraaf die volgende paragraaf in te voeg:
 „(a)bis 'n Regulasie beoog in paragraaf (a) kan, indien dit binne twee jaar na die inwerkingtreding van die Finansiewet, 1962, gepromulgeer word, met terugwerkende krag vanaf 'n datum nie vroeër as die eerste dag van April 1962 nie, gemaak word.”.

Vervanging van artikel 61 van Wet 23 van 1956.

19. (1) Artikel *een-en-sestig* van die Skatkis- en Ouditwet, 1956, word hierby deur die volgende artikel vervang:

„Regulasies en voorskrifte.

61. (1) (a) Die Staatspresident kan regulasies (Finansiële Regulasies genoem) uitvaardig wat—

- (i) die pligte en verantwoordelikhede van rekenpligtige amptenare voorskryf;
- (ii) voorsiening maak vir die benoeming van amptenare as hoofontvangers van inkomste en hul pligte en verantwoordelikhede as sodanig voorskryf;
- (iii) voorsiening maak vir die stelsel wat gevolg moet word by die invordering, ontvangs, bank, bewaring, uitbetaling, uitgee, versorging en beheer van en toesig oor staatsgelde,

en in die algemeen vir die beter uitvoering van die bepalinge van hierdie Wet en vir die bereiking van die oogmerke daarvan.

- (b) Verskillende regulasies kan uitgevaardig word ten opsigte van verskillende kategorieë van staatsgelde of verskillende kategorieë van persone aan wie die invordering, ontvangs, bank, bewaring, uitbetaling, uitgee, versorging en beheer van en toesig oor staatsgelde toevertrou is.

(2) Die Tesourie kan van tyd tot tyd voorskrifte (Tesourie-voorskrifte genoem) uitreik wat nie met Finansiële Regulasies strydig is nie, met betrekking tot die vorm van begrotings wat vir voorlegging aan die Parlement vereis word, die invordering, ontvangs, bank, bewaring, uitbetaling, uitgee, versorging en beheer van en toesig oor staatsgelde en die beheer en voorraadopname van sekuriteite, seëls, voorrade of ander eiendom.

(3) 'n Hoofontvanger van inkomste as sodanig benoem ingevolge Finansiële Regulasies, kan van tyd tot tyd, en moet wanneer die Tesourie hom aansê om dit te doen, aan alle persone wat verantwoordelik is vir die invordering en beheer van en beskikking oor alle inkomste waarvoor hy die hoofontvanger is, of van of oor die ander inkomste wat die Tesourie aanwys, die voorskrifte (Inkomste-voorskrifte genoem) met betrekking tot sodanige invordering, beheer en beskikking uitreik wat die Tesourie goedkeur of, na gelang van die geval, hom aansê om uit te reik.

(4) Geen voorskrif uitgereik kragtens sub-artikel (2) of (3) is ten opsigte van die begrotings, rekenings of amptenare van die Administrasie van toepassing nie.”.

- (i) such portions of the normal tax imposed on companies as in terms of the income tax laws of the Republic accrue for the benefit respectively of the Consolidated Revenue Fund and the said provincial revenue funds;
 - (ii) such portions of the normal and super taxes imposed under the income tax laws of the Republic on persons other than companies and the taxes (excluding personal taxes paid by persons who are not assessed as income tax payers) imposed by the provinces on such persons and on the incomes of such persons, as may be determined on a basis prescribed by regulation; and
 - (iii) such portions of the interest and penalties chargeable in respect of the failure to pay on due date the taxes referred to in subparagraph (ii), as may be determined on a basis prescribed by regulation.”; and
- (b) by the insertion after that paragraph of the following paragraph:
“(a)*bis* Any regulation contemplated by paragraph (a) may, if promulgated within two years after the commencement of the Finance Act, 1962, be made with retrospective effect from a date not earlier than the first day of April, 1962.”.

19. (1) The following section is hereby substituted for section *sixty-one* of the Exchequer and Audit Act, 1956: Substitution of section 61 of Act 23 of 1956.

“Regulations and instructions.

61. (1) (a) The State President may make regulations (to be known as Financial Regulations)—

- (i) prescribing the duties and responsibilities of accounting officers;
 - (ii) providing for the nomination of officers as principal receivers of revenue and prescribing their duties and responsibilities as such;
 - (iii) providing for the system which shall be observed for the collection, receipt, banking, custody, issue, expenditure, care, management and control of public moneys, and generally for the better carrying out of the provisions of this Act and the achievement of the objects thereof.
- (b) Different regulations may be made in respect of different categories of public moneys or different categories of persons entrusted with the collection, receipt, banking, custody, issue, expenditure, care, management and control of public moneys.

(2) The Treasury may from time to time issue instructions (to be known as Treasury Instructions) not inconsistent with any Financial Regulations, relating to the form of the estimates required for presentation to Parliament, the collection, receipt, banking, custody, issue, expenditure, care, management and control of public moneys and the control and stock-taking of securities, stamps, stores or other property.

(3) Any principal receiver of revenue nominated as such in terms of any Financial Regulations may from time to time, and shall whenever required by the Treasury to do so, issue to all persons responsible for the collection, control and disposal of all revenues for which he is the principal receiver, or of such other revenues as the Treasury may direct, such instructions (to be known as Revenue Instructions) relating to such collection, control or disposal, as the Treasury may approve or, as the case may be, require him to issue.

(4) No instruction issued under sub-section (2) or (3) shall apply in respect of the estimates, accounts or officers of the Administration.”.

(2) Sub-artikel (1) tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Wysiging van artikel 8 van Wet 16 van 1957.

20. Artikel *agt* van die Wet op Uitvoerbelasting op Diamante, 1957, word hierby gewysig deur in paragraaf (a) van sub-artikel (1) na die woord „te” die woord „Kaapstad,” in te voeg.

Wysiging van artikel 1 van Wet 16 van 1961.

21. Artikel *een* van die Algemene Leningswet, 1961, word hierby gewysig deur aan die end van die omskrywing van „gekonsolideerde effekte” die woorde „voor die een-en-dertigste dag van Mei 1961” by te voeg.

Wysiging van artikel 5 van Wet 16 van 1961.

22. Artikel *vyf* van die Algemene Leningswet, 1961, word hierby gewysig deur in paragraaf (c) van sub-artikel (1) die woorde „en die Verenigde Koninkryk” te skrap.

Wysiging van artikel 3 van Wet 76 van 1961.

23. Artikel *drie* van die Finansiewet, 1961, word hierby gewysig deur in sub-artikel (1) die woorde „pennie-, halfpennie- en kwartpenniemunte” deur die woord „munte” te vervang.

Wysiging van die Eerste Bylae by Wet 59 van 1962.

24. Die Eerste Bylae by die Seëlwet, 1962, word hierby gewysig—

- (a) deur in die vrystelling by item 1 die woorde „of 'n betaling ten opsigte van pensioen deur die Regering van die Verenigde Koninkryk of 'n Britse koloniale gebied” te skrap;
- (b) deur in daardie vrystelling die woord „deur” waar dit die tweede maal voorkom deur die woord „aan” te vervang; en
- (c) deur in sub-paragraaf (a) van paragraaf (1) van die „Algemene vrystellings ten opsigte van alle stukke” die woorde „Regering van die Verenigde Koninkryk” deur die woorde „regering van enige ander land” te vervang.

DEEL II.

AANGELEENTHEDE WAT DIE SPOORWEGADMINISTRASIE RAAK.

Besteding van surplus-inkomste van Spoorweg- en Hawefonds.

25. Die surplus-inkomste van die Spoorweg- en Hawefonds ten opsigte van die boekjaar wat op die een-en-dertigste dag van Maart 1962 geëindig het, word hierby soos volg beskikbaar gestel:

- (a) Twaalfmiljoen rand word na die Verbeteringsfonds oorgedra, en hierdie krediet word in die rekenings vir bedoelde boekjaar aangetoon.
- (b) Die oorskot (as daar is) van die surplus-inkomste soos deur die Kontroleur en Ouditeur-generaal gesertifiseer, word oorgedra na die fonds wat ingevolge artikel *honderd-en-vier* van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), ingestel is.

Bekragtiging van betaling van verhoogde salarisse aan Spoorweg-kommissarisse.

26. Die betaling aan die Spoorwegkommissarisse, synde lede van die „Spoorweg- en Havenraad” in artikel *een* van die „Spoorwegraad Wet, 1916” (Wet No. 17 van 1916), bedoel, van salarisse teen die skaal van sesduisend agthonderd rand per jaar met ingang van die eerste dag van April 1961, word hierby bekragtig en bevestig.

Kort titel.

27. Hierdie Wet heet die Finansiewet, 1962.

(2) Sub-section (1) shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

20. Section *eight* of the Diamond Export Duty Act, 1957, is hereby amended by the insertion in paragraph (a) of sub-section (1) after the word "at" where it occurs for the first time of the words "Cape Town,". Amendment of section 8 of Act 16 of 1957.

21. Section *one* of the General Loans Act, 1961, is hereby amended by the addition at the end of the definition of "consolidated stock" of the words "prior to the thirty-first day of May, 1961". Amendment of section 1 of Act 16 of 1961.

22. Section *five* of the General Loans Act, 1961, is hereby amended by the deletion in paragraph (c) of sub-section (1) of the words "and the United Kingdom". Amendment of section 5 of Act 16 of 1961.

23. Section *three* of the Finance Act, 1961, is hereby amended by the deletion in sub-section (1) of the words "penny, half-penny and farthing". Amendment of section 3 of Act 76 of 1961.

24. The First Schedule to the Stamp Duties Act, 1962, is hereby amended— Amendment of the First Schedule to Act 59 of 1962.

- (a) by the deletion in the exemption to item 1 of the words "or any payment in respect of pension by the Government of the United Kingdom or any British colonial territory";
- (b) by the substitution in the Afrikaans version of that exemption for the word "deur" where it occurs for the second time of the word "aan"; and
- (c) by the substitution in sub-paragraph (a) of paragraph (1) of the "General exemptions in respect of all instruments" for the words "Government of the United Kingdom" of the words "government of any other country".

PART II.

MATTERS AFFECTING THE RAILWAY ADMINISTRATION.

25. The surplus revenue of the Railway and Harbour Fund in respect of the financial year ended on the thirty-first day of March, 1962, is hereby appropriated as follows: Disposal of surplus revenue of Railway and Harbour Fund.

- (a) Twelve million rand shall be credited to the Betterment Fund, and this credit shall be reflected in the accounts for the said financial year.
- (b) The balance (if any) of the surplus as certified by the Controller and Auditor-General shall be credited to the Fund established under section *one hundred and four* of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961).

26. The payment to the Railway Commissioners, being members of the Railways and Harbours Board referred to in section *one* of the Railway Board Act, 1916 (Act No. 17 of 1916), of salaries at the rate of six thousand eight hundred rand per annum with effect from the first day of April, 1961, is hereby validated and confirmed. Validation of payment of increased salaries to Railway Commissioners.

27. This Act shall be called the Finance Act, 1962. Short title.

No. 78, 1962.]

WET**Tot wysiging van die Wet op die Brandstof-navorsingsinstituut en Steenkool, 1930.***(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Junie 1962.)***DAAR WORD BEPAAL** deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 12 van Wet 36 van 1930, soos gewysig deur artikel 11 van Wet 2 van 1933, artikel 2 van Wet 32 van 1949 en artikel 7 van Wet 27 van 1953.

1. Artikel *twalf* van die Wet op die Brandstof-navorsingsinstituut en Steenkool, 1930, word hierby gewysig deur die volgende sub-artikel daarby te voeg:

„(10) (a) Die Staatspresident kan elke jaar op alle steenkool wat in daardie jaar aan die oplegging van 'n reg ingevolge sub-artikel (3) onderhewig is, 'n addisionele reg van hoogstens 'n halwe sent per ton lê, en dra in elke jaar waarin so 'n addisionele reg opgelê word, uit gelde wat die Parlement vir die doel bewillig, 'n bedrag by wat gelyk is aan die totale opbrengs van die addisionele reg in daardie jaar opgelê.

(b) Die gelde verkry ingevolge paragraaf (a), word deur die Raad aangewend vir steenkoolmynbounavorsing wat deur die Instituut of deur 'n ander persoon of liggaam op versoek van die Raad gedoen word.”

Kort titel.

2. Hierdie Wet heet die Wysigingswet op die Brandstof-navorsingsinstituut en Steenkool, 1962.

No. 78, 1962.]

ACT

To amend the Fuel Research Institute and Coal Act, 1930.

(English text signed by the State President.)
(Assented to 22nd June, 1962.)

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

1. Section *twelve* of the Fuel Research Institute and Coal Act, 1930, is hereby amended by the addition thereto of the following sub-section:

“(10) (a) The State President may in each year impose on all coal subject in that year to the imposition of a levy under sub-section (3), an additional levy not exceeding one-half cent per ton, and shall in each year in which any such additional levy is imposed, contribute out of moneys appropriated by Parliament for the purpose an amount equal to the total proceeds of the additional levy imposed in that year.

(b) The moneys derived under paragraph (a) shall be utilized by the Board for the purpose of coal-mining research conducted by the Institute or by any other person or body at the request of the Board.”.

Amendment of section 12 of Act 36 of 1930, as amended by section 11 of Act 2 of 1933, section 2 of Act 32 of 1949 and section 7 of Act 27 of 1953.

2. This Act shall be called the Fuel Research Institute and Coal Amendment Act, 1962. Short title.

No. 79, 1962.]

WET**Tot wysiging van die Wet op Ontploffbare Stowwe, 1956.***(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Junie 1962.)***DAAR WORD BEPAAL** deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—Wysiging van
artikel 31 van
Wet 26 van 1956.**1.** Artikel *een-en-dertig* van die Wet op Ontploffbare Stowwe, 1956, word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:“(a) op die invoer, opberging, gebruik of vervoer van ’n ontploffbare stof deur die Suid-Afrikaanse Weermag of ’n kragtens wet ingestelde polisiemag of deur die weermag van ’n land wat die Minister, na oorlegpleging met die Minister van Verdediging, by kennisgewing in die *Staatskoerant* van die bepalings van hierdie Wet met betrekking tot sodanige invoer, opberging, gebruik of vervoer vrystel: Met dien verstande dat die Minister ’n vrystelling aldus verleen op dieselfde wyse kan intrek of opskort;”.

Kort titel.

2. Hierdie Wet heet die Wysigingswet op Ontploffbare Stowwe, 1962.

No. 79, 1962.]

ACT

To amend the Explosives Act, 1956.

(*Afrikaans text signed by the State President.*)
(*Assented to 22nd June, 1962.*)

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

1. Section *thirty-one* of the Explosives Act, 1956, is hereby amended by the substitution for paragraph (a) of the following paragraph: Amendment of section 31 of Act 26 of 1956.

“(a) to the importation, storage, use or transport of any explosive by the South African Defence Force or any police force constituted under any law or by the defence force of any country which the Minister, after consultation with the Minister of Defence, by notice in the *Gazette* exempts from the provisions of this Act relating to such importation, storage, use or transport: Provided that the Minister may in the same manner cancel or suspend any exemption thus granted;”.

2. This Act shall be called the Explosives Amendment Act, 1962. Short title.

No. 80, 1962.]

WET

Om vir die verkryging van die getuienis van persone in die Republiek deur geregshowe buite die Republiek en vir aangeleenthede wat daarmee in verband staan, voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Junie 1962.)

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

Woord-
omskrywing.

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

„landdros” ook ’n addisionele landdros en ’n assistent-landdros en, met betrekking tot die streek in die gebied Suidwes-Afrika buite die Polisiezone, soos in artikel drie van die Verbode Gebiede Proklamasie, 1928 (Proklamasie No. 26 van 1928 van daardie gebied), omskryf, ’n naturellekommissaris, ’n assistent-naturellekommissaris en ’n beampte belas met naturellesake;

„Republiek” ook die gebied Suidwes-Afrika.

Hooggeregshof kan ondervraging bevel van getuie in Republiek in verband met siviele of strafgeding by ’n buitelandse hof aanhangig.

2. (1) Indien by ’n aansoek in ’n provinsiale of plaaslike afdeling van die Hooggeregshof van Suid-Afrika dit die hof of ’n regter blyk dat ’n geregshof met regsbevoegdheid buite die Republiek, waarby ’n siviele of strafgeding aanhangig gemaak is, begerig is om die getuienis met betrekking tot so ’n geding te verkry van ’n getuie binne die regsgebied van bedoelde afdeling, kan die hof of regter wat die aansoek aanhoor ’n bevel toestaan vir die ondervraging van daardie getuie voor ’n in die bevel genoemde persoon, wat, in die geval van ’n strafgeding, ’n landdros moet wees.

(2) So ’n bevel word nie toegestaan nie indien dit die hof of regter blyk dat die getuienis wat verlang word, met ’n strafgeding van ’n politieke aard in verband staan of dat die getuie ’n beskuldigde persoon in die betrokke geding is.

Landdros behartig ondervraging van getuie in Republiek in verband met siviele geding aanhangig by sekere howe in sekere gebiede.

3. ’n Landdros moet, op versoek van ’n regterlike amptenaar wat die werksaamhede van ’n landdros in ’n in die Eerste Bylae vermelde gebied verrig, die ondervraging van ’n getuie binne sy regsgebied behartig in verband met ’n siviele geding wat by die hof van daardie regterlike amptenaar aanhangig gemaak is.

Ondervraging van getuiens.

4. (1) Iemand wat kragtens artikel twee of drie ’n ondervraging moet behartig, laat enigiemand wie se getuienis verlang word, dagvaar om voor hom te verskyn en getuienis af te lê of ’n boek, dokument of voorwerp oor te lê, en lê by sy verskyning aan hom die eed op of laat hom ’n plegtige verklaring aflê en neem sy getuienis af by wyse van vraagpunte of andersins soos bevel of versoek, asof hy ’n getuie in ’n landdroshof was in ’n geding soortgelyk aan dié in verband waarmee sy getuienis verlang word.

(2) Iemand wat aldus gedagvaar moet word, word gedagvaar op dieselfde wyse waarop iemand as getuie gedagvaar kan word om voor so ’n hof in so ’n geding te verskyn.

(3) Indien dit te eniger tyd iemand wat die ondervraging behartig, blyk dat die getuienis wat verlang word, met ’n strafgeding van ’n politieke aard in verband staan of dat die getuie ’n beskuldigde persoon in die betrokke geding is, gaan hy nie met die ondervraging voort nie.

(4) By voltooiing van die ondervraging stuur die persoon wat dit behartig, aan die griffier van die hof wat die bevel tot ondervraging toegestaan het of aan die regterlike amptenaar wat die ondervraging aangevra het, die getuienis deur hom as korrek gesertifiseer, asook ’n sertifikaat wat aantoon die bedrag aan die getuie betaal ten opsigte van die onkoste verbode aan sy verskyning, die koste van uitreiking en bestelling van die prosesstukke waarby daardie getuie gedagvaar is om te verskyn en enige ander koste wat ten opsigte van die ondervraging aangegaan is.

No. 80, 1962.]

ACT

To provide for the obtaining of the evidence of persons in the Republic by courts of law outside the Republic and for other incidental matters.

(English text signed by the State President.)
(Assented to 22nd June, 1962.)

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.

“magistrate” includes an additional magistrate and an assistant magistrate and, in relation to the area in the territory of South-West Africa beyond the Police Zone, as defined in section *three* of the Prohibited Areas Proclamation, 1928 (Proclamation No. 26 of 1928 of that territory), a native commissioner, an assistant native commissioner and any officer in charge of native affairs;

“Republic” includes the territory of South-West Africa.

2. (1) If upon an application in any provincial or local division of the Supreme Court of South Africa, it appears to the court or any judge that a court of law of competent jurisdiction outside the Republic, before which any civil or criminal proceedings are pending, is desirous of obtaining the evidence in relation to such proceedings of any witness within the jurisdiction of such division, the court or judge hearing the application may grant an order for the examination of such witness before a person named in such order, who, in the case of criminal proceedings, shall be a magistrate. Supreme Court may order examination of witness in Republic in connection with civil or criminal proceedings pending in foreign court.

(2) Such an order shall not be granted if it appears to the court or judge that the evidence required is in connection with criminal proceedings of a political character or that the witness is an accused person in the proceedings concerned.

3. Any magistrate shall, upon request of any judicial officer performing the functions of a magistrate in any territory mentioned in the First Schedule, take the examination of any witness within his area of jurisdiction, in connection with any civil proceedings pending in the court of such judicial officer. Magistrate to take examination of witness in Republic in connection with civil proceedings pending in certain territories.

4. (1) Any person required to take an examination under section *two* or *three* shall cause any person whose evidence is required, to be summoned to appear and give evidence or produce any book, document or object before him and upon his appearance shall administer an oath or affirmation to him and take his evidence upon interrogatories or otherwise as ordered or requested, as if he were a witness in a magistrate's court in proceedings similar to those in connection with which his evidence is required. Examination of witnesses.

(2) Any person so to be summoned shall be summoned in the same manner as a person may be subpoenaed to appear before such a court in such proceedings.

(3) If at any time it appears to the person taking the examination that the evidence required is in connection with criminal proceedings of a political character or that the witness is an accused person in the proceedings concerned, he shall not proceed with the examination.

(4) Upon completion of the examination the person taking it shall transmit to the registrar of the court which granted the order for the examination or to the judicial officer who requested it, the evidence certified by him as correct, together with a certificate showing the amount paid to the witness in respect of the expenses of his appearance, the cost of the issue and service of the process for summoning the witness to appear and any other costs incurred in respect of the examination.

Regte en
privilege van
getuies.

5. (1) Iemand wat by 'n ondervraging kragtens artikel vier getuienis moet aflê, is geregtig op betaling van die onkoste en gelde wat betaalbaar is aan getuies in 'n landdroshof in 'n geding soortgelyk aan dié in verband waarmee sy getuienis verlang word.

(2) In verband met die aflê van getuienis of die oorlegging van 'n boek, dokument of voorwerp by so 'n ondervraging, is die regsbepalings omtrent privilege van toepassing soos dit op 'n getuie wat in 'n landdroshof in so 'n geding getuienis aflê of gedagvaar is om 'n boek, dokument of voorwerp oor te lê, van toepassing is.

Misdrywe deur
getuies.

6. (1) Iemand wat gedagvaar is om voor iemand wat 'n ondervraging behartig, te verskyn en getuienis af te lê of 'n boek, dokument of voorwerp oor te lê, en wat sonder voldoende rede in gebreke bly om op die bepaalde tyd en plek aanwesig te wees of om aanwesig te bly totdat die ondervraging voltooi is of totdat die persoon wat die ondervraging behartig hom verlof gegee het om nie langer aanwesig te wees nie, of weier om as getuie die eed of 'n plegtige verklaring af te lê, of wat na eedaflegging of die aflê van 'n plegtige verklaring, in gebreke bly om 'n vraag aan hom gestel, ten volle en op bevredigende wyse te beantwoord, of wat in gebreke bly om 'n boek, dokument of voorwerp in sy besit of bewaring of onder sy beheer, en tot oorlegging waarvan hy gedagvaar is, oor te lê, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vyftig rand of met gevangenisstraf vir 'n tydperk van hoogstens drie maande.

(2) Iemand wat na eedaflegging of die aflê van 'n plegtige verklaring valse getuienis voor iemand wat 'n ondervraging behartig, aflê, met die wete dat die getuienis vals is of sonder dat hy weet of glo dat dit waar is, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met die by wet voorgeskrewe strawwe vir meened.

Verskyning van
getuies in sekere
gebiede.

7. (1) Wanneer 'n getuiedagvaarding wat deur die bevoegde amptenaar van 'n bevoegde geregshof in 'n in die Tweede Bylae vermelde gebied uitgereik heet te wees vir die verskyning van iemand in 'n siviele of strafgeding voor daardie hof, van daardie amptenaar ontvang word deur 'n landdros binne wie se regsgebied so iemand woon of hom bevind, endosseer daardie landdros die getuiedagvaarding vir bestelling aan so iemand, indien hy oortuig is dat dit wettiglik uitgereik is, en daarna word dit bestel asof dit 'n getuiedagvaarding is wat in die hof van daardie landdros uitgereik is in 'n geding soortgelyk aan dié in verband waarmee dit uitgereik is.

(2) By bestelling van die getuiedagvaarding aan iemand, moet hom 'n voldoende bedrag aangebied word om redelike onkoste te dek wat deur hom aangegaan moet word heen en weer om die hof in die getuiedagvaarding genoem, by te woon en gedurende sy oponthoud by die plek waar sy getuienis afgelê moet word.

(3) Iemand wat kragtens hierdie artikel as getuie gedagvaar is, wat sonder voldoende rede in gebreke bly om op die in die getuiedagvaarding bepaalde tyd en plek aanwesig te wees, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vyftig rand of met gevangenisstraf vir 'n tydperk van hoogstens drie maande.

(4) 'n Landdroshof in wie se regsgebied die getuiedagvaarding bestel is of die persoon wat as getuie gedagvaar is, woon, het regsbevoegdheid om daardie persoon weens 'n oortreding van die bepalings van sub-artikel (3) te verhoor.

(5) Die relaas van die persoon wat kragtens sub-artikel (1) gemagtig word om 'n getuiedagvaarding te bestel en wat aandui dat dit behoorlik bestel is, tesame met 'n sertifikaat onder die handtekening en seël van die persoon wat voorsit by die hof waaruit die getuiedagvaarding uitgereik is, wat aandui dat die as getuie gedagvaarde persoon, toe sy naam uitgeroep is, in gebreke gebly het om te verskyn soos hy moes, sonder om voldoende rede te bewys, word by die toepassing van sub-artikel (3) voldoende bewys geag van daardie persoon se versuim om aanwesig te wees.

Getuies uit sekere
gebiede wat hof
in Republiek by-
woon mag nie
weens sekere
aangeleenthede in
hegtenis geneem
word nie.

8. Niemand wat in 'n in die Tweede Bylae vermelde gebied gedagvaar is om as getuie voor 'n hof in die Republiek te verskyn, en wat uit hoofde van 'n wetsbepaling van daardie gebied verplig is om aldus te verskyn, mag terwyl hy daardie hof bywoon, kragtens 'n siviele of strafregtelike lasbrief in hegtenis geneem word weens skuld of 'n misdryf wat voordat hy voor daardie hof verskyn het in die Republiek betaalbaar was of gepleeg was nie.

5. (1) Any person required to give evidence at an examination under section *four* shall be entitled to payment of such expenses and fees as are payable to witnesses in a magistrate's court in proceedings similar to those in connection with which his evidence is required. Rights and privileges of witnesses.

(2) In connection with the giving of evidence or the production of any book, document or object at such an examination, the law relating to privilege as applicable to a witness giving evidence or summoned to produce a book, document or object in a magistrate's court in such proceedings, shall apply.

6. (1) Any person summoned to appear and give evidence or produce any book, document or object before any person taking an examination who, without sufficient cause, fails to attend at the time and place specified or to remain in attendance until the conclusion of the examination or until he is excused by the person taking the examination from further attendance, or refuses to be sworn or to make affirmation as a witness, or having been sworn or having made affirmation, fails to answer fully and satisfactorily any question put to him, or fails to produce any book, document or object in his possession or custody or under his control, which he was summoned to produce, shall be guilty of an offence and liable on conviction to a fine not exceeding fifty rand or to imprisonment for a period not exceeding three months. Offences by witnesses.

(2) Any person who after having been sworn or having made affirmation, gives false evidence before a person taking an examination, knowing such evidence to be false or not knowing or believing it to be true, shall be guilty of an offence and liable on conviction to the penalties prescribed by law for perjury.

7. (1) Whenever a subpoena purporting to be issued by the proper officer of a competent court of law in any territory mentioned in the Second Schedule for the attendance in any civil or criminal proceedings before that court of any person, is received from such officer by any magistrate within whose area of jurisdiction such person resides or is, such magistrate shall, if he is satisfied that the subpoena was lawfully issued, endorse it for service upon such person, whereupon it may be served as if it were a subpoena issued in the court of such magistrate in proceedings similar to those in connection with which it was issued. Attendance of witnesses in certain territories.

(2) Upon service of the subpoena on any person an amount sufficient to cover reasonable expenses to be incurred by him in proceeding to and returning from the court named in the subpoena and during his detention at the place where his evidence is to be given, shall be tendered to him.

(3) Any person subpoenaed under this section who, without sufficient cause, fails to attend at the time and place specified in the subpoena, shall be guilty of an offence and liable on conviction to a fine not exceeding fifty rand or to imprisonment for a period not exceeding three months.

(4) Any magistrate's court in whose area of jurisdiction the subpoena has been served or the person subpoenaed resides, shall have jurisdiction to try such person for a contravention of the provisions of sub-section (3).

(5) The return of the person who under sub-section (1), is authorized to serve a subpoena showing that service was duly effected, together with a certificate under the hand and seal of the person presiding at the court from which the subpoena was issued, showing that the person subpoenaed failed, without establishing sufficient cause, to attend as required when called upon, shall, for purposes of sub-section (3), be deemed sufficient proof of such person's failure to attend.

8. No person subpoenaed in any territory mentioned in the Second Schedule to appear before a court in the Republic, and who by virtue of any provision of any law of such territory is required so to appear, shall while attending such court be liable to be arrested upon any civil or criminal warrant for any debt due or offence committed in the Republic before appearing before such court. Witnesses from certain territories attending court in Republic not to be arrested for certain matters.

- Sekere gelde word nie in sekere gevalle ingevorder nie.
9. Geen ander gelde as uitgawes word op 'n hof buite die Republiek ten opsigte van die uitreiking of bestelling van prosesstukke by die toepassing van hierdie Wet verhaal nie, tensy die Minister van Justisie anders gelas of tensy die prosesstukke betrekking het op of uitgereik of bestel is uit hoofde van 'n bevel kragtens artikel twee.
- Staatspresident kan Eerste of Tweede Bylae wysig.
10. Die Staatspresident kan by proklamasie in die *Staatskoerant* die Eerste of Tweede Bylae wysig deur 'n gebied daarvan uit te sluit of 'n gebied in Afrika daarby in te sluit.
- Reëls.
11. (1) Enige bevoegdhedes om kragtens die Wet op die Hooggeregshof, 1959 (Wet No. 59 van 1959), reëls uit te vaardig, word geag die bevoegdheid in te sluit om reëls uit te vaardig ten einde aan die bepalings van artikel twee van hierdie Wet gevolg te gee.
 (2) Enige bevoegdhedes om kragtens die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944), reëls uit te vaardig, word geag die bevoegdheid in te sluit om reëls uit te vaardig ten einde aan die bepalings van artikel drie van hierdie Wet in die Republiek, behalwe die gebied Suidwes-Afrika, gevolg te gee.
 (3) Enige bevoegdhedes om kragtens die Landdroshowe Proklamasie, 1935 (Proklamasie No. 31 van 1935 van genoemde gebied), reëls uit te vaardig, word geag die bevoegdheid in te sluit om reëls uit te vaardig ten einde aan die bepalings van artikel drie van hierdie Wet in genoemde gebied gevolg te gee.
- Toepassing van Wet op Suidwes-Afrika.
12. Hierdie Wet is van toepassing ook in die gebied Suidwes-Afrika, en ook in daardie gedeelte van genoemde gebied bekend as die „Rehoboth Gebied” en omskrywe in die Eerste Bylae by Proklamasie No. 28 van 1923 van daardie gebied, en in die Oostelike Caprivi Zipfel vermeld in sub-artikel (3) van artikel drie van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951).
- Herroeping en wysiging van wette.
13. (1) Die wette in die Derde Bylae vermeld, word hierby herroep in die mate in die vierde kolom daarvan uiteengesit.
 (2) Die Bylae by die „Fugitive Offenders and Neighbouring Territories Evidence Proclamation, 1920” (Proklamasie No. 26 van 1920 van die gebied Suidwes-Afrika) word hierby gewysig deur al die woorde na die woorde „South Africa” te skrap.
- Kort titel en datum van inwerkingtreding.
14. Hierdie Wet heet die Wet op Getuienis vir Buitelandse Howe, 1962, en tree in werking op 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Eerste Bylae.

Basoetoland.
 Die Protektoraat Betsjoeanaland.
 Die Federasie van Rhodesië en Niassaland.
 Die Protektoraat Swaziland.

Tweede Bylae.

Basoetoland.
 Die Protektoraat Betsjoeanaland.
 Die Federasie van Rhodesië en Niassaland.
 Die Protektoraat Swaziland.

9. No fees other than disbursements shall be recovered from any court outside the Republic in respect of the issue or service of any process for the purposes of this Act, unless the Minister of Justice otherwise directs or unless the process relates to or has been issued or served in pursuance of an order under section *two*.

Certain fees not to be recovered in certain cases.

10. The State President may by proclamation in the *Gazette* amend the First or Second Schedule by the exclusion therefrom of any territory or the inclusion therein of any territory in Africa.

State President may amend First or Second Schedule.

11. (1) Any powers to make rules under the Supreme Court Act, 1959 (Act No. 59 of 1959), shall be deemed to include the power to make rules for giving effect to the provisions of section *two* of this Act.

Rules.

(2) Any powers to make rules under the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), shall be deemed to include the power to make rules for giving effect to the provisions of section *three* of this Act in the Republic, excluding the territory of South-West Africa.

(3) Any powers to make rules under the Magistrates' Courts Proclamation, 1935 (Proclamation No. 31 of 1935 of the said territory), shall be deemed to include the power to make rules for giving effect to the provisions of section *three* of this Act in the said territory.

12. This Act shall apply also in the territory of South-West Africa, including that portion of the said territory known as the "Rehoboth Gebiet" and defined in the First Schedule to Proclamation No. 28 of 1923 of that territory, and the Eastern Caprivi Zipfel referred to in sub-section (3) of section *three* of the South-West Africa Affairs Amendment Act, 1951 (Act No. 55 of 1951).

Application of Act to South-West Africa.

13. (1) The laws specified in the Third Schedule are hereby repealed to the extent set out in the fourth column thereof.

Repeal and amendment of laws.

(2) The Schedule to the Fugitive Offenders and Neighbouring Territories Evidence Proclamation, 1920 (Proclamation No. 26 of 1920 of the territory of South-West Africa) is hereby amended by the deletion of all the words after the words "South Africa".

14. This Act shall be called the Foreign Courts Evidence Act, 1962, and shall come into operation upon a date to be fixed by the State President by proclamation in the *Gazette*.

Short title and date of commencement.

First Schedule.

Basutoland.
The Bechuanaland Protectorate.
The Federation of Rhodesia and Nyasaland.
The Swaziland Protectorate.

Second Schedule.

Basutoland.
The Bechuanaland Protectorate.
The Federation of Rhodesia and Nyasaland.
The Swaziland Protectorate.

Derde Bylae.

WETTE HERROEP.

Land of Provinsie.	No. en jaar van Wet.	Titel of onderwerp.	In hoeverre herroep.
Verenigde Koninkryk.	1806 tot 1895.	„Evidence Acts, 1806 to 1895”.	Vir sover dit in die Republiek van toepassing is met betrekking tot die verkryging van die getuienis van persone in die Republiek deur howe buite die Republiek.
Do.	1870 tot 1906.	„Extradition Acts 1870 to 1906”.	Artikel vier-en-twintig van die „Extradition Act, 1870”, en artikel vyf van die „Extradition Act, 1873”, vir sover dit in die Republiek van toepassing is.
Do.	44 en 45 Vict. H. 69 (1881).	„Fugitive Offenders Act, 1881”.	Artikel vyftien vir sover dit in die Republiek van toepassing is.
Kaap.	Wet No. 12 van 1886.	„Neighbouring States and Colonies Witnesses Compulsory Attendance Act, 1886”.	Vir sover dit nie herroep is nie.
Do.	Wet No. 13 van 1899.	„Neighbouring States and Colonies Witnesses Interrogatories Act, 1899”.	Vir sover dit nie herroep is nie.
Natal.	Wet No. 29 van 1899.	„Neighbouring Colonies and States Witnesses Interrogatories Act, 1899”.	Die geheel.
Do.	Wet No. 12 van 1906.	„Witnesses Attendance Act, 1906”.	Vir sover dit nie herroep is nie.
Oranje-Vrystaat.	Hoofstuk VII van die Wetboek.	„Over het verplichten van getuigen die in dezen Staat woonachtig zijn om buiten den Staat in Gerrechtshoven te verschijnen”.	Die geheel.
Do.	Ordonnansie No. 15 van 1905.	„Neighbouring Colonies Witnesses Interrogatories Ordinance, 1905”.	Vir sover dit nie herroep is nie.
Transvaal.	Ordonnansie No. 2 van 1906.	„Neighbouring Colonies Evidence Ordinance, 1906”.	Vir sover dit nie herroep is nie.

Third Schedule.

LAWS REPEALED.

Country or Province.	No. and year of Law.	Title or subject matter.	Extent of repeal.
United Kingdom.	1806 to 1895.	Evidence Acts, 1806 to 1895.	In so far as they apply in the Republic in relation to the obtaining of the evidence of persons in the Republic by courts or tribunals outside the Republic.
Do.	1870 to 1906.	Extradition Acts, 1870 to 1906.	Section <i>twenty-four</i> of the Extradition Act, 1870, and section <i>five</i> of the Extradition Act, 1873, in so far as they apply in the Republic.
Do.	44 and 45 Vict. C.69 (1881).	Fugitive Offenders Act, 1881.	Section <i>fifteen</i> in so far as it applies in the Republic.
Cape.	Act No. 12 of 1886.	Neighbouring States and Colonies Witnesses Compulsory Attendance Act, 1886.	In so far as it has not been repealed.
Do.	Act No. 13 of 1899.	Neighbouring States and Colonies Witnesses Interrogatories Act, 1899.	In so far as it has not been repealed.
Natal.	Act No. 29 of 1899.	Neighbouring Colonies and States Witnesses Interrogatories Act, 1899.	The whole.
Do.	Act No. 12 of 1906.	Witnesses Attendance Act, 1906.	In so far as it has not been repealed.
Orange Free State.	Chapter VII of the Law Book.	Compelling witnesses resident in this State to appear in courts outside this State.	The whole.
Do.	Ordinance No. 15 of 1905.	Neighbouring Colonies Witnesses Interrogatories Ordinance, 1905.	In so far as it has not been repealed.
Transvaal.	Ordinance No. 2 of 1906.	Neighbouring Colonies Evidence Ordinance, 1906.	In so far as it has not been repealed.

No. 81. 1962.]

WET

Tot wysiging van die Toelating van Prokureurs, Notarisse en Transportbesorgers Wet, 1934, en die Toelating van Prokureurs Wysigings- en Regspraktisynsgetrouheidsfonds-wet, 1941.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Junie 1962.)

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

Wysiging van artikel 16 van Wet 23 van 1934, soos gewysig deur artikel 7 van Wet 18 van 1956.

1. Artikel *sestien* van die Toelating van Prokureurs, Notarisse en Transportbesorgers Wet, 1934 (hieronder die Hoofwet genoem), word hierby gewysig deur in sub-artikel (4) die woorde „Indien die prokureur onder wie 'n ingeskrewe klerk gedien het, oorlede is, of om enige ander rede opgehou het om te praktiseer, word cessie van die leerkontrak van so 'n klerk geag regtens verly te gewees het indien dit namens so 'n prokureur” deur die woorde „Indien cessie van die leerkontrak van 'n klerk ingevolge paragraaf (c) van die voorbehoudsbepaling by artikel *twintig* gelas is, word cessie van die leerkontrak geag regtens verly te gewees het indien dit namens die betrokke prokureur” te vervang.

Wysiging van artikel 20 van Wet 23 van 1934, soos gewysig deur artikel 2 van Wet 22 van 1949 en artikel 9 van Wet 18 van 1956.

2. Artikel *twintig* van die Hoofwet word hierby gewysig—
- (a) deur al die woorde voor die voorbehoudsbepaling by daardie artikel deur die woorde „Behoudens die bepalings van artikel *negentien* moet elke klerk onder leerkontrak by 'n prokureur gedurende die gehele dienstermyn in die leerkontrak bepaal in die werklike diens en in die kantoor waar daardie prokureur praktiseer en onder sy direkte persoonlike toesig of onder dié van sy vennoot of vennote of bestuurder wat 'n prokureur is, of, in die geval van 'n klerk onder leerkontrak by die Staatsprokureur of by 'n lid van sy professionele personeel, in die diens van die Regering en in die kantoor van bedoelde Staatsprokureur of in 'n tak daarvan en onder sy direkte persoonlike toesig of onder dié van 'n lid van sy professionele personeel, wees en bly:” te vervang;
- (b) deur in paragraaf (a) van die voorbehoudsbepaling daarby die woorde „vyftien pond” deur die woorde „vyftig rand” te vervang;
- (c) deur in paragraaf (c) van die voorbehoudsbepaling daarby die woorde „of ander dergelike en genoegsame rede” deur die woorde „of enige ander rede” te vervang; en deur in genoemde paragraaf die woord „hof” deur die woorde „betrokke wetsgenootskap” te vervang;
- (d) deur by die voorbehoudsbepaling daarby die volgende paragraaf te voeg:
- „(d) een helfte van enige tydperk van afwesigheid van die kantoor van daardie prokureur deur daardie klerk as gevolg van opleiding deur hom ondergaan in die Suid-Afrikaanse Weermag ingevolge artikel *drie* van die Verdedigingswet, 1957 (Wet No. 44 van 1957), geag word, onderworpe aan 'n maksimum van drie maande, onder daardie leerkontrak gedien te gewees het.”

Wysiging van artikel 21 van Wet 23 van 1934, soos gewysig deur artikel 10 van Wet 18 van 1956.

3. Artikel *een-en-twintig* van die Hoofwet word hierby gewysig deur die volgende sub-artikel daarby te voeg:

„(4) 'n Prokureur by wie 'n klerk onder leerkontrak bedoel in paragraaf (b), (c) of (d) van sub-artikel (3) onder leerkontrak in diens is, betaal aan sodanige klerk 'n salaris van minstens vyftig rand per maand vanaf die datum waarop sodanige klerk ingevolge bedoelde sub-artikel geregtig word om in die hof te verskyn.”

Wysiging van artikel 30 van Wet 23 van 1934, soos gewysig deur artikel 16 van Wet 18 van 1956 en artikel 12 van Wet 82 van 1959.

4. Artikel *dertig* van die Hoofwet word hierby gewysig deur al die woorde voor paragraaf (a) deur die woorde „Die Minister van Justisie kan na oorleg met die Hoofregter van Suid-Afrika en die presidente van die verskillende wetsgenootskappe en, in die geval van regulasies opgestel kragtens paragraaf (b), (c) of (f), ook na oorleg met die verskillende universiteite in Suid-

No. 81, 1962.]

ACT

To amend the Attorneys, Notaries and Conveyancers Admission Act, 1934, and the Attorneys' Admission Amendment and Legal Practitioners' Fidelity Fund Act, 1941.

(Afrikaans text signed by the State President.)
(Assented to 22nd June, 1962.)

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

1. Section *sixteen* of the Attorneys, Notaries and Conveyancers Admission Act, 1934 (hereinafter referred to as the principal Act), is hereby amended by the substitution in sub-section (4) for the words "If the attorney under whom an articulated clerk has served, has died, or for any other reason discontinued practice, cession of the articles of such clerk shall be deemed to have been validly executed if it is signed on behalf of such attorney" of the words "If cession of the articles of a clerk has been directed in terms of paragraph (c) of the proviso to section *twenty*, cession of such articles shall be deemed to have been validly executed if it is signed on behalf of the attorney concerned". Amendment of section 16 of Act 23 of 1934, as amended by section 7 of Act 18 of 1956.
2. Section *twenty* of the principal Act is hereby amended— Amendment of section 20 of Act 23 of 1934, as amended by section 2 of Act 22 of 1949 and section 9 of Act 18 of 1956.
 - (a) by the substitution for all the words before the proviso to the said section of the words "Subject to the provisions of section *nineteen*, every clerk articulated to an attorney shall, during the whole term of service specified in the articles of clerkship, be and continue to be in the actual employment of and in the office where such attorney is practising and under his direct personal supervision or under that of his partner or partners or manager, being an attorney, or, in the case of a clerk articulated to the State Attorney or to a member of his professional staff, in the employment of the Government and in the office of the said State Attorney or in any branch thereof and under his direct personal supervision or under that of a member of his professional staff.";
 - (b) by the substitution in paragraph (a) of the proviso thereto for the words "fifteen pounds" of the words "fifty rand";
 - (c) by the substitution in paragraph (c) of the proviso thereto for the words "or other similar and sufficient cause" of the words "or any other cause"; and by the substitution in the said paragraph for the word "court" of the words "law society concerned";
 - (d) by the addition to the proviso thereto of the following paragraph:
"(d) one half of any period of absence from the office of such attorney by such clerk as a result of any training undergone by him in the South African Defence Force in terms of section *three* of the Defence Act, 1957 (Act No. 44 of 1957) shall, subject to a maximum period of three months, be deemed to have been served under such articles of clerkship."
3. Section *twenty-one* of the principal Act is hereby amended by the addition of the following sub-section: Amendment of section 21 of Act 23 of 1934, as amended by section 10 of Act 18 of 1956.

"(4) An attorney to whom any articulated clerk referred to in paragraph (b), (c) or (d) of sub-section (3) is articulated, shall pay to such clerk a salary of not less than fifty rand per month from the date on which such clerk becomes entitled to appear in court in terms of the said sub-section."
4. Section *thirty* of the principal Act is hereby amended by the substitution for all the words before paragraph (a) of the words "The Minister of Justice may, after consultation with the Chief Justice of South Africa and the presidents of the several law societies and, in the case of regulations made under paragraph (b), (c) or (f), also after consultation with the several universities in South Africa having faculties of law Amendment of section 30 of Act 23 of 1934, as amended by section 16 of Act 18 of 1956 and section 12 of Act 82 of 1959.

Afrika met regs fakulteite en die Raad vir die Erkenning van Regseksamens ingestel by artikel *sestien* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), regulasies opstel vir die doel om vas te stel en voor te skrywe—” te vervang.

Wysiging van artikel 32 van Wet 23 van 1934.

5. Artikel *twee-en-dertig* van die Hoofwet word hierby gewysig deur in sub-artikel (5) die woorde „honderd pond” deur die woorde „tweehonderd rand” te vervang.

Wysiging van artikel 32*bis* van Wet 23 van 1934, soos ingevoeg deur artikel 4 van Wet 19 van 1941.

6. Artikel *twee-en-dertig bis* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „honderd pond” deur die woorde „tweehonderd rand” te vervang.

Wysiging van artikel 33 van Wet 23 van 1934, soos gewysig deur artikel 17 van Wet 18 van 1956.

7. Artikel *drie-en-dertig* van die Hoofwet word hierby gewysig—

(a) deur na sub-artikel (2) die volgende sub-artikel in te voeg:

„(2)*bis* By die toepassing van sub-artikels (1) en (2) sluit die uitdrukking „rekeningboeke” enige aantekening of dokument wat betrekking het op ’n boedel van ’n oorlede persoon of ’n insolvente boedel of ’n boedel onder kuratorskap geplaas, ten opsigte waarvan ’n prokureur, notaris of transportbesorger die eksekuteur, trustee of kurator is of wat ’n prokureur, notaris of transportbesorger administreer namens die eksekuteur, trustee of kurator van daardie boedel, in.”;

(b) deur in sub-artikel (7) die woorde „honderd pond” deur die woorde „tweehonderd rand” te vervang; en

(c) deur die volgende sub-artikel daarby te voeg:

„(8) Enige bank waar ’n prokureur, notaris of transportbesorger sodanige trustrekening hou, moet, wanneer aldus gelas deur die raad van die wetsgenootskap van die provinsie waarin sodanige prokureur, notaris of transportbesorger praktiseer, aan sodanige raad ’n ondertekende sertifikaat van balans verstrek waarin gesertifiseer word die bedrag wat op krediet (of debiet as dit die geval is) van sodanige trustrekening in die bank staan op die datum of datums wat deur die raad vermeld word.”.

Wysiging van artikel 26 van Wet 19 van 1941, soos gewysig deur artikel 21 van Wet 18 van 1956.

8. Artikel *ses-en-twintig* van die Toelating van Prokureurs Wysigings- en Regspraktisynsgetrouheidsfonds-wet, 1941, word hierby gewysig deur paragraaf (b) van sub-artikel (3) deur die volgende paragraaf te vervang:

„(b) na die inwerkingtreeding van hierdie Wet gepleeg, tensy—

(i) binne drie maande nadat die eiser van die diefstal te wete kom, kennis van sodanige eis aan die raad van die betrokke genootskap en aan die beheerraad skriftelik gegee word; en

(ii) binne ses maande nadat ’n skriftelike aanvraag deur die beheerraad aan hom gestuur word, sodanige bewys as wat bedoelde raad redelikerwys mag vereis deur die eiser aan bedoelde raad verskaf word:

Met dien verstande dat indien bedoelde raad oortuig is dat, inagnemende al die omstandighede, ’n eis of die bewys deur hom vereis so spoedig doenlik ingedien of verskaf is, hy, na goeddunke, enige van die tydperke in hierdie paragraaf genoem, kan verleng.”.

Wysiging van artikel 27 van Wet 19 van 1941.

9. Artikel *sewe-en-twintig* van die Toelating van Prokureurs Wysigings- en Regspraktisynsgetrouheidsfonds-wet, 1941, word hierby gewysig deur die volgende sub-artikel daarby te voeg:

„(7) ’n Aksie teen die beheerraad ten opsigte van ’n verlies deur enige persoon gely weens ’n diefstal wat deur ’n prokureur, notaris of transportbesorger of deur sy klerk of bediende gepleeg is, moet ingestel word binne een jaar na die datum van die kennisgewing aan daardie persoon of sy regsvertegenwoordiger deur bedoelde raad gerig waarin hy meegedeel word van die raad se verwerping van die eis waarop daardie saak betrekking het.”.

Invoeging van artikel 39*bis* in Wet 19 van 1941.

10. Die volgende artikel word hierby na artikel *nege-en-dertig* van die Toelating van Prokureurs Wysigings- en Regspraktisynsgetrouheidsfonds-wet, 1941, ingevoeg:

„Bewaring van aantekeninge en dokumente. 39*bis*. Enige aantekening of dokument in die besit van die beheerraad wat betrekking het op ’n eis teen die fonds ingestel, moet by die kantoor van die sekretaris van bedoelde raad bewaar word: Met dien

and the Board for the Recognition of Examinations in Law established by section *sixteen* of the Universities Act, 1955 (Act No. 61 of 1955), make regulations for the purpose of determining and prescribing—”.

5. Section *thirty-two* of the principal Act is hereby amended by the substitution in sub-section (5) for the words “one hundred pounds” of the words “two hundred rand”. Amendment of section 32 of Act 23 of 1934.

6. Section *thirty-two bis* of the principal Act is hereby amended by the substitution in sub-section (1) for the words “one hundred pounds” of the words “two hundred rand”. Amendment of section 32*bis* of Act 23 of 1934, as inserted by section 4 of Act 19 of 1941.

7. Section *thirty-three* of the principal Act is hereby amended— Amendment of section 33 of Act 23 of 1934, as amended by section 17 of Act 18 of 1956.

(a) by the insertion after sub-section (2) of the following sub-section:

“(2)*bis* For the purposes of sub-sections (1) and (2) the expression ‘books of account’ includes any record or document relating to any estate of a deceased person or any insolvent estate or any estate placed under curatorship in respect of which any attorney, notary or conveyancer is the executor, trustee or curator or which any attorney, notary or conveyancer is administering on behalf of the executor, trustee or curator of that estate.”;

(b) by the substitution in sub-section (7) for the words “one hundred pounds” of the words “two hundred rand”; and

(c) by the addition thereto of the following sub-section:

“(8) Any bank at which any attorney, notary or conveyancer keeps such trust account shall, whenever so required by the council of the law society of the province in which such attorney, notary or conveyancer is practising, furnish to such council a signed certificate of balance certifying the amount standing to the credit (or debit if such be the case) of such trust account in the bank as at such date or dates as may be specified by the council.”.

8. Section *twenty-six* of the Attorneys’ Admission Amendment and Legal Practitioners’ Fidelity Fund Act, 1941, is hereby amended by the substitution for paragraph (b) of sub-section (3) of the following paragraph: Amendment of section 26 of Act 19 of 1941, as amended by section 21 of Act 18 of 1956.

“(b) committed after the commencement of this Act unless—

(i) notice of such claim is given in writing to the council of the society concerned and to the board of control within three months after the claimant becomes aware of the theft; and

(ii) such proof as the board of control may reasonably require is furnished by the claimant to the said board within six months after a written demand is sent to him by the said board:

Provided that if the said board is satisfied that, having regard to all the circumstances, a claim has been lodged or the proof required by it has been furnished as soon as practicable, it may, in its discretion, extend any of the periods referred to in this paragraph.”.

9. Section *twenty-seven* of the Attorneys’ Admission Amendment and Legal Practitioners’ Fidelity Fund Act, 1941, is hereby amended by the addition thereto of the following sub-section: Amendment of section 27 of Act 19 of 1941.

“(7) Any action against the board of control in respect of any loss suffered by any person as a result of any theft committed by an attorney, notary or conveyancer or by his clerk or servant, shall be commenced within one year of the date of the notification directed to such person or his legal representative by the said board informing him of its rejection of the claim to which such action relates.”.

10. The following section is hereby inserted after section *thirty-nine* of the Attorneys’ Admission Amendment and Legal Practitioners’ Fidelity Fund Act, 1941: Insertion of section 39*bis* in Act 19 of 1941.

“Preservation of records and documents.

39*bis*. Any record or document in the custody of the board of control relating to a claim made against the fund shall be preserved at the office of the secretary of the said board: Provided that

verstande dat die voorsitter van bedoelde raad na tien jaar vanaf die datum waarop die eis waarop daardie aantekening of dokument betrekking het, deur genoemde raad vereffen word of deur die hof bereg word of deur die verstryking van enige van die tydperke genoem in sub-artikel (3) van artikel *ses-en-twintig* of sub-artikel (7) van artikel *sewe-en-twintig* onafdwingbaar gemaak word, kan gelas dat daardie aantekening of dokument na 'n ander plek van bewaring verwyder word of vernietig word of dat op 'n ander manier daarvoor beskik word."

Kort titel.

11. Hierdie Wet heet die Wysigingswet op Regspraktisyns, 1962.

the chairman of the said board may, after ten years from the date on which the claim to which such record or document relates, is settled by the said board or is adjudicated upon by the court or is rendered unenforceable by the expiration of any of the periods referred to in sub-section (3) of section *twenty-six* or sub-section (7) of section *twenty-seven*, direct that such record or document be removed to some other place of custody or be destroyed or otherwise disposed of.”.

11. This Act shall be called the Legal Practitioners' Amend- Short title.
ment Act, 1962.

No. 82, 1962.]

WET**Om voorsiening te maak vir sekere pensioene, toelaes, gratifikasies en ander voordele.***(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Junie 1962.)***DAAR WORD BEPAAL** deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Toekenning van sekere voordele.

1. Ondanks andersluidende wetsbepalings, is elke persoon wat in 'n item van die Bylae by hierdie Wet as 'n bevoorreegte aangewys word, op die in daardie item vermelde voordeel geregtig.

Kort titel.

2. Hierdie Wet heet die Wet tot Aanvulling van Pensioene, 1962.

Bylae.

1. Die toekenning aan C. T. Korb, voorheen kadet, „Athlone Boys High School“-kadetafdeling, met ingang van 1 November 1961, van die vergoeding waarop hy ingevolge die bepaling van artikel *honderd vyf-en-veertig* van die Verdedigingswet, 1957, geregtig sou gewees het indien hy lid was van die Suid-Afrikaanse Weermag waarna in daardie artikel verwys word.

2. Die toekenning aan Louisa Preston, weduwee van P. T. Preston, voorheen pos- en telegraafassistent, Departement van Pos- en Telegraafwese, van 'n gratifikasie van R1,622.10.

3. Grace E. Murray, onderwyseres, Kaapse Onderwysdepartement, word geag ingevolge sub-artikels (2) en (3) van artikel *tweehonderd-en-ses* van die Onderwysordonnansie, 1956 (Kaapse Ordonnansie No. 20 van 1956), te gekies het om ten opsigte van haar diens vanaf 1 April 1925 tot 14 April 1952 tot die Kaapse Onderwyserspensioenfonds by te dra, en die bepaling van sub-artikel (1) van artikel *veertien* van die Regeeringsdiens-pensioenwet, 1955 (Wet No. 58 van 1955), word geag in haar geval van toepassing te wees.

4. Die toekenning op gronde van barmhartigheid aan A. B. French, voorheen onderwyser, Transvaalse Onderwysdepartement, met ingang van 1 April 1962 van 'n pensioen van R240 per jaar as 'n las teen die Gekonsolideerde Inkomstefonds.

5. Die toekenning aan Petronella van Heerden, weduwee van I. J. van Heerden, voorheen ontvanger van inkomste, Departement van Binnelandse Inkomste, met ingang van 1 April 1962, van 'n pensioen van R20 per maand, betaalbaar gedurende weduweeskap.

6. Die toekenning aan Aletta C. van der Vyver, weduwee van I. W. J. van der Vyver, voorheen lid van die Volksraad, met ingang van 1 April 1961, van 'n pensioen van R40 per maand, betaalbaar gedurende weduweeskap.

7. Die toekenning aan Maria J. Heydenrych, weduwee van E. P. de J. Heydenrych, voorheen pos- en telegraafassistent, graad I, Departement van Pos- en Telegraafwese, van 'n gratifikasie van R277.11 uit die Unie-pensioenfonds.

8. Daar word aan Sylvia Rossouw, weduwee van H. C. Rossouw, voorheen senior padinspekteur, Transvaalse Provinsiale Administrasie, 'n bedrag van R1,051.69 uit die Unie-pensioenfonds betaal.

9. Die gratifikasie van R4,989.56 en die jaargeld van R1,060.70 wat aan H. J. Bronkhorst, voorheen brigadier, Suid-Afrikaanse Staande Mag, toegeken is, word met ingang van 1 April 1961 tot onderskeidelik R5,702.36 en R1,212.24 verhoog.

10. Die gratifikasie van R2,271.05 en die jaargeld van R450.60 wat aan C. F. B. de Jager, voorheen kaptein, Suid-Afrikaanse Staande Mag, toegeken is, word met ingang van 1 April 1961 tot onderskeidelik R2,288.39 en R454.08 verhoog.

11. Die gratifikasie van R4,727.76 en die jaargeld van R1,090.40 wat aan M. de Villiers, voorheen kolonel, Suid-Afrikaanse Staande Mag, toegeken is, word met ingang van 1 April 1961 tot onderskeidelik R5,399.41 en R1,246.08 verhoog.

12. Die gratifikasie van R4,994.43 en die jaargeld van R963.50 wat aan A. D. Irvine, voorheen kolonel, Suid-Afrikaanse Staande Mag, toegeken is, word met ingang van 1 April 1961 tot onderskeidelik R5,711.22 en R1,101.00 verhoog.

13. Die gratifikasie van R3,056.88 en die jaargeld van R649.90 wat aan G. A. King, voorheen kommandant, Suid-Afrikaanse Staande Mag, toegeken is, word met ingang van 1 April 1961 tot onderskeidelik R3,493.58 en R742.68 verhoog.

14. Cornelia M. van Wyk word, vir die doeleindes van die toekenning aan haar van enige voordeel kragtens die wette met betrekking tot ouderdomspensioene, met ingang van 1 April 1961 vrygestel van die vereistes met betrekking tot verblyfskwalifikasies deur sodanige wette voorgeskryf.

No. 82, 1962.]

ACT

To provide for certain pensions, grants, gratuities and other benefits.

(English text signed by the State President.)
(Assented to 22nd June, 1962.)

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

1. Notwithstanding anything to the contrary in any law, Granting of every person indicated as a beneficiary in an item of the Schedule certain benefits. to this Act shall be entitled to the benefit specified in that item.
2. This Act shall be called the Pensions (Supplementary) Short title. Act, 1962.

Schedule.

1. The award to C. T. Korb, formerly cadet, Athlone Boys High School Cadet Detachment, with effect from 1st November, 1961, of the compensation to which he would have been entitled in terms of section *one hundred and forty-five* of the Defence Act, 1957, had he been a member of the South African Defence Force referred to in that section.
2. The award to Louisa Preston, widow of P. T. Preston, formerly post and telegraph assistant, Department of Posts and Telegraphs, of a gratuity of R1,622.10
3. Grace E. Murray, teacher, Cape Education Department, shall be deemed to have elected in terms of sub-sections (2) and (3) of section *two hundred and six* of the Education Ordinance, 1956 (Cape Ordinance No. 20 of 1956) to contribute to the Cape Teachers' Pension Fund in respect of her service from 1st April, 1925, to 14th April, 1952, and the provisions of sub-section (1) of section *fourteen* of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), shall be deemed to apply to her case.
4. The award, on compassionate grounds, to A. B. French, formerly teacher, Transvaal Education Department, with effect from 1st April, 1962, of a pension of R240 per annum, as a charge against the Consolidated Revenue Fund.
5. The award to Petronella van Heerden, widow of I. J. van Heerden, formerly Receiver of Revenue, Department of Inland Revenue, with effect from 1st April, 1962, of a pension of R20 per month, payable during widowhood.
6. The award to Aletta C. van der Vyver, widow of I. W. J. van der Vyver, formerly member of the House of Assembly, with effect from 1st April, 1961, of a pension of R40 per month, payable during widowhood.
7. The award to Maria J. Heydenrych, widow of E. P. de J. Heydenrych, formerly post and telegraph assistant, grade I, Department of Posts and Telegraphs, from the Union Pension Fund of a gratuity of R277.11.
8. There shall be paid to Sylvia Rossouw, widow of H. C. Rossouw, formerly senior road inspector, Transvaal Provincial Administration, from the Union Pension Fund an amount of R1,051.69.
9. The gratuity of R4,989.56 and the annuity of R1,060.70 granted to H. J. Bronkhorst, formerly brigadier, South African Permanent Force, shall be increased to R5,702.36 and R1,212.24, respectively, with effect from 1st April, 1961.
10. The gratuity of R2,271.05 and the annuity of R450.60 granted to C. F. B. de Jager, formerly captain, South African Permanent Force, shall be increased to R2,288.39 and R454.08, respectively, with effect from 1st April, 1961.
11. The gratuity of R4,727.76 and the annuity of R1,090.40 granted to M. de Villiers, formerly colonel, South African Permanent Force, shall be increased to R5,399.41 and R1,246.08 respectively, with effect from 1st April, 1961.
12. The gratuity of R4,994.43 and the annuity of R963.50 granted to A. D. Irvine, formerly colonel, South African Permanent Force, shall be increased to R5,711.22 and R1,101.00 respectively, with effect from 1st April, 1961.
13. The gratuity of R3,056.88 and the annuity of R649.90 granted to G. A. King, formerly commandant, South African Permanent Force, shall be increased to R3,493.58 and R742.68, respectively, with effect from 1st April, 1961.
14. Cornelia M. van Wyk shall, for the purposes of the award to her of any benefit under the laws relating to old age pensions, be exempt with effect from 1st April, 1961, from the requirements relating to residential qualifications prescribed by such laws.

15. P. C. Louwrens word, vir die doeleindes van die toekenning aan hom van enige voordeel kragtens die wette met betrekking tot oudstryderspensioene, met ingang van 1 April 1961 vrygestel van die vereistes met betrekking tot verblyfswalifikasies deur sodanige wette voorgeskryf.

16. Die aansoek om 'n oudstryderspensioen deur W. J. Dickens word met ingang van 1 April 1962 beskou asof aanvaar was dat hy gedurende die Anglo-Boere-oorlog, 1899–1902, voltydse militêre diens by die Republikeinse magte verrig het.

17. Die toekenning aan Florence M. Vincent, weduwee van H. Vincent, voorheen No. 859, sappeur, Suid-Afrikaanse Spoorweë-afdeling, met ingang van 1 April 1962, van die alternatiewe toelae waarop sy ingevolge artikel *sewentien* van die Wet op Speciale Oorlogspensioene, 1962, geregtig sou wees indien die vooroorlogse verdienste van bedoelde H. Vincent R625 per jaar bedra het.

18. Die toekenning aan Elise J. van der Merwe, weduwee van J. van der Merwe, voorheen No. 1406, kanonnier, Suid-Afrikaanse Swaargeskut, met ingang van 1 April 1961, in plaas van enige alternatiewe toelae wat ingevolge die „Oorlogs Speciale Pensioenen Wet, 1919”, of die Wet op Speciale Oorlogspensioene, 1962, na daardie datum aan haar betaal of betaalbaar is, van die alternatiewe toelae waarop sy ingevolge artikel *sewentien* van die Wet op Speciale Oorlogspensioene, 1962, geregtig sou wees indien die vooroorlogse verdienste van bedoelde J. van der Merwe R625 per jaar bedra het.

19. Die aansoek om vergoeding deur P. Kotzé, voorheen burger, Zastron-Rouxville-kommando, Anglo-Boere-oorlog, word beskou asof dit ingedien was binne die in sub-artikel (3) van artikel *twee-en-dertig* van die Wet op Speciale Oorlogspensioene, 1962, bedoelde tydperk, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van April 1961 betaalbaar is nie.

20. Die aansoek om vergoeding deur B. Bredenkamp, voorheen No. 2648, manskap, 3de Suid-Afrikaanse Ruiters, word beskou asof dit voor die in artikel *agt-en-veertig* van die Wet op Speciale Oorlogspensioene, 1962, bedoelde datum ingedien was, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van April 1962 betaalbaar is nie.

21. Die aansoeke om vergoeding deur die volgende persone word beskou asof bedoelde aansoeke voor die in artikel *agt-en-veertig* van die Wet op Speciale Oorlogspensioene, 1962, bedoelde datum ingedien was, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van April 1961 betaalbaar is nie:—

- (a) S. M. Blake, voorheen No. 551, onderbombardier, Suid-Afrikaanse Swaargeskut; en
- (b) J. R. Lennox, voorheen No. 3746, manskap, 8ste Suid-Afrikaanse Infanterie.

22. Behoudens enige voorwaardes wat die Sekretaris van Volkswelsyn en Pensioene bepaal, word die volgende persone geag ooreenkomstig sub-artikel (1) van artikel *vyf* van die Regeringsdiens-pensioenwet, 1955, te gekies het om bydraers tot die Suid-Afrikaanse Polisie- en Gevangenisdiens-pensioenfonds te word:—

- (a) G. J. Botha, No. 15243, sersant, Suid-Afrikaanse Polisie;
- (b) B. F. Calitz, No. 15333, speurdersersant, Suid-Afrikaanse Polisie;
- (c) S. Ellis, No. 14972, konstabel, Suid-Afrikaanse Polisie;
- (d) V. P. B. Horne, No. 11800, sersant, Suid-Afrikaanse Polisie; en
- (e) D. J. Kotze, No. 14430, speurdersersant, Suid-Afrikaanse Polisie.

23. Die toekenning aan P. K. Cliff, voorheen inspekteur van skole, Natalse Provinsiale Administrasie, van die tydelike toelae waarop hy ingevolge die bepalings van sub-artikel (2) van artikel *sewe-en-veertig* van die Wysigingswet op die Pensioenwette, 1943, soos gewysig, geregtig sou gewees het vir die tydperk 26 Julie 1960 tot en met 10 Oktober 1960 indien hy binne die voorgeskrewe tydperk daarom aansoek gedoen het.

24. G. R. J. Kluyts, onderwyser, Transvaalse Onderwysdepartement, word geag—

- (a) binne die voorgeskrewe tydperk aansoek te gedoen het ingevolge artikel *vyf* van die Onderwyserspensioenordonnansie, 1959 (Transvaalse Ordonnansie No. 2 van 1959), om die goedkeuring van die Provinsiale Sekretaris; en
- (b) met die goedkeuring van die Provinsiale Sekretaris ingevolge daardie artikel en binne die voorgeskrewe tydperk te gekies het om die vorige tydperk van sy diens ten opsigte waarvan hy tot die Transvaalse Onderwyserspensioenfonds bygedra het by sy pensioengewende diens in te sluit.

25. Die bepalings van artikel *veertien* van die Wysigingswet op die Pensioenwette, 1960 (Wet No. 61 van 1960), word geag van toepassing te wees op M. Hewitson, voorheen Adjunk-hoofingenieur, Departement van Pos- en Telegraafwese, en hy word geag—

- (a) voor die eerste dag van Januarie 1960 aansoek ingevolge sub-artikel (1) van daardie artikel te gedoen het; en
- (b) ingevolge bedoelde sub-artikel (1) te gekies het om die tydperk van sy diens vanaf 14 Oktober 1914 tot 31 Maart 1920 by sy pensioengewende diens in te reken.

26. Behoudens enige voorwaardes wat die Sekretaris van Volkswelsyn en Pensioene bepaal, word P. G. J. van Rensburg, eerste verpleër, Departement van Gesondheid, geag ooreenkomstig sub-artikel (1) van artikel *vyf* van die Regeringsdiens-pensioenwet, 1955, te gekies het om onder die bepalings van Deel C van Hoofstuk 1 van daardie Wet te val.

27. P. A. Minnaar, 'n dienaar van die Spoorwegadministrasie, sal die keuse hê om te kies om die tydperk van sy diens by die Departement van Verdediging van 9 Maart 1936 tot 20 Mei 1946 vir pensioendoelindes te laat geld kragtens die bepalings van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960 (Wet 39 van 1960), onderworpe aan die volgende voorwaardes:—

15. P. C. Louwrens shall, for the purposes of the award to him of any benefit under the laws relating to war veteran's pensions, be exempt with effect from 1st April, 1961, from the requirements relating to residential qualifications prescribed by such laws.

16. The application for a veteran's pension by W. J. Dickens shall, with effect from 1st April, 1962, be considered as if it had been accepted that he performed full-time military service with the Republican forces during the Anglo-Boer War, 1899-1902.

17. The award to Florence M. Vincent, widow of H. Vincent, formerly No. 859, sapper, South African Railways Section, with effect from 1st April, 1962, of the alternative allowance to which she would be entitled in terms of section *seventeen* of the War Special Pensions Act, 1962, had the pre-war earnings of the said H. Vincent amounted to R625 per annum.

18. The award to Elise J. van der Merwe, widow of J. van der Merwe, formerly No. 1406, gunner, South African Heavy Artillery, with effect from 1st April, 1961, in lieu of any alternative allowance paid or payable to her after that date in terms of the War Special Pensions Act, 1919, or the War Special Pensions Act, 1962, of the alternative allowance to which she would be entitled in terms of section *seventeen* of the War Special Pensions Act, 1962, had the pre-war earnings of the said J. van der Merwe amounted to R625 per annum.

19. The application for compensation by P. Kotzé, formerly burgher, Zastron-Rouxville Kommando, Anglo-Boer War, shall be considered as if it had been lodged within the period referred to in sub-section (3) of section *thirty-two* of the War Special Pensions Act, 1962, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of April, 1961.

20. The application for compensation by B. Bredenkamp, formerly No. 2648, private, 3rd South African Horse, shall be considered as if it had been lodged prior to the date referred to in section *forty-eight* of the War Special Pensions Act, 1962, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of April, 1962.

21. The applications for compensation by the following persons shall be considered as if such applications had been lodged prior to the date referred to in section *forty-eight* of the War Special Pensions Act, 1962, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of April, 1961:—

- (a) S. M. Blake, formerly No. 551, lance bombardier, South African Heavy Artillery; and
- (b) J. R. Lennox, formerly No. 3746, private, 8th South African Infantry.

22. Subject to such conditions as the Secretary for Social Welfare and Pensions may determine, the following persons shall be deemed to have elected in terms of sub-section (1) of section *five* of the Government Service Pensions Act, 1955, to become contributors to the South African Police and Prisons Service Pension Fund:—

- (a) G. J. Botha, No. 15243, sergeant, South African Police;
- (b) B. F. Calitz, No. 15333, detective sergeant, South African Police;
- (c) S. Ellis, No. 14972, constable, South African Police;
- (d) V. P. B. Horne, No. 11800, sergeant, South African Police; and
- (e) D. J. Kotze, No. 14430, detective sergeant, South African Police.

23. The award to P. K. Cliff, formerly inspector of schools, Natal Provincial Administration, of the temporary allowance to which he would have been entitled in terms of the provisions of sub-section (2) of section *forty-seven* of the Pension Laws Amendment Act, 1943, as amended, for the period 26th July, 1960, to 10th October, 1960, inclusive, had he applied therefor within the prescribed period.

24. G. R. J. Kluyts, teacher, Transvaal Education Department, shall be deemed—

- (a) to have made application in terms of section *five* of the Teachers' Pension Ordinance, 1959 (Transvaal Ordinance No. 2 of 1959) for the approval of the Provincial Secretary within the prescribed period; and
- (b) with the approval of the Provincial Secretary to have elected in terms of that section and within the prescribed period, to include in his pensionable service the previous period of his service in respect of which he contributed to the Transvaal Teachers' Pension Fund.

25. The provisions of section *fourteen* of the Pension Laws Amendment Act, 1960 (Act No. 61 of 1960), shall be deemed to apply to M. Hewitson, formerly Deputy Chief Engineer, Department of Posts and Telegraphs, and he shall be deemed—

- (a) to have made application in terms of sub-section (1) of that section prior to the first day of January, 1960; and
- (b) to have elected in terms of the said sub-section (1) to include in his pensionable service the period of his employment from 14th October, 1914, to 31st March, 1920.

26. Subject to such conditions as the Secretary for Social Welfare and Pensions may determine, P. G. J. van Rensburg, charge male nurse, Department of Health, shall be deemed to have elected in terms of sub-section (1) of section *five* of the Government Service Pensions Act, 1955, to be subject to the provisions of Part C of Chapter I of that Act.

27. P. A. Minnaar, a servant of the Railway Administration, shall have the option of electing to have his period of service with the Department of Defence from 9th March, 1936, to 20th May, 1946, admitted for pension purposes under the provisions of the Railways and Harbours Superannuation Fund Act, 1960 (Act No. 39 of 1960) subject to the following conditions:—

- (a) Bydraes moet aan die Nuwe Spoorweg- en Hawesuperannuasiefonds betaal word teen die persentasieskale voorgeskryf in paragraaf (1) van artikel *agt* van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960 (Wet 39 van 1960), plus R vir R daarop, plus rente op albei teen die koers van vyf persent per jaar, jaarliks saamgestel, vanaf die datums waarop genoemde bydraes betaalbaar geword het tot die laaste dag van sy diens in die Departement van Verdediging, plus verdere rente op die bedrag aldus verskuldig teen die koers van vier en 'n half-persent per jaar, maandeliks saamgestel vanaf die dag na genoemde datum tot die datum wanneer die betaling op rekening daarvan werklik gedoen word. Die totale bedrag wat aldus verskuldig is, moet uit die Spoorweg- en Hawefonds aan hom voorgeskiet word en moet ten behoeve van hom aan bedoelde Superannuasiefonds betaal word;
- (b) die bedrag wat ooreenkomstig sub-paragraaf (a) ten behoeve van hom aan bedoelde Superannuasiefonds betaal word, moet deur hom aan die Spoorwegadministrasie terugbetaal word in sodanige paaieimente as wat die Administrasie se Hoofrekenmeester bepaal, met dien verstande dat indien sy dienste om enige rede beëindig word, of hy te sterwe kom, voordat die bedrag wat aldus voorgeskiet is ten volle terugbetaal of verhaal is, die bedrag wat nog uitstaande is, verhaal moet word op voordele wat, kragtens die toepaslike artikel van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960 (Wet 39 van 1960), aan hom, of, in geval van sy dood, aan iemand anders betaalbaar is. Vir die doeleindes van hierdie sub-paragraaf word onder die uitdrukking „voordele”, in geval van sy dood, ook verstaan die kapitaalsom waarop die berekening van 'n jaargeld wat aan sy weduwee betaalbaar is, ingevolge artikel *dertig* van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960 (Wet 39 van 1960), gebaseer moet word. Enige bedrag wat aldus verhaal is, moet aan die Spoorweg- en Hawefonds terugbetaal word; en
- (c) die bedoelde keuse moet deur die dienaar gedoen word binne 'n tydperk van drie maande van die datum waarop hy deur die Administrasie se Hoofrekenmeester voorsien word van 'n amptelike staat wat die totale bedrag aantoon wat deur hom aan die Nuwe Spoorweg- en Hawesuperannuasiefonds betaalbaar sal word as hy die keuse doen.

28. Die toekenning aan P. J. Venter, kondukteur, Suid-Afrikaanse Spoorweë, Empangeni, uit die Spoorweg- en Hawefonds van 'n bedrag van R688.25, tesame met rente teen die koers van 6 persent jaar, jaarliks saamgestel, bereken van 5 Desember 1959 tot die datum waarop betaling aan hom gemaak word.

- (a) Contributions shall be paid to the New Railways and Harbours Superannuation Fund at the rates per cent. prescribed in paragraph (1) of section *eight* of the Railways and Harbours Superannuation Fund Act, 1960 (Act No. 39 of 1960), plus R for R thereon, plus interest on both at the rate of five per cent. per annum, compounded annually, from the dates such contributions became payable up to the last day of his service in the Department of Defence, plus further interest on the amount thus due at the rate of four and one-half per cent. per annum, compounded monthly, from the day following such date up to the date payment on account thereof is actually made. The total amount thus due shall be advanced to him from the Railway and Harbour Fund and shall be paid to the said Superannuation Fund on his behalf;
- (b) the amount paid on his behalf to the said Superannuation Fund in terms of sub-paragraph (a) shall be repaid by him to the Railway Administration in such instalments as the Administration's Chief Accountant may direct, provided that if his services are terminated for any reason or he dies before the amount so advanced has been fully repaid or recovered, the amount still outstanding shall be deducted from benefits payable under the appropriate section of the Railways and Harbours Superannuation Fund Act, 1960 (Act No. 39 of 1960), to him, or, in the event of his death, to some other person. For the purpose of this sub-paragraph the expression "benefits" shall be deemed to include, in the event of his death, the capital sum on which, in terms of section *thirty* of the Railways and Harbours Superannuation Fund Act, 1960 (Act No. 39 of 1960), the calculation of any annuity payable to his widow is to be based. Any amount so deducted shall be refunded to the Railway and Harbour Fund; and
- (c) the said option shall be exercised by the servant within a period of three months from the date on which there is furnished to him by the Administration's Chief Accountant an official statement setting out the total amount that will become payable to the New Railways and Harbours Superannuation Fund should he exercise the option.

28. The award from the Railway and Harbour Fund to P. J. Venter, Guard, South African Railways, Empangeni, of an amount of R688.25, together with interest at the rate of 6 per cent. per annum, compounded annually, calculated from 5th December, 1959, to the date payment is made to him.

No. 83, 1962.]

WET

Tot wysiging van die Verdedigingswet, 1957, en om sekere oorbetalings wat aan sekere kommando's gedoen is, geldig te verklaar.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Junie 1962.)

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

Wysiging van artikel 52 van Wet 44 van 1957.

1. Artikel *twee-en-vyftig* van die Verdedigingswet, 1957, word hierby gewysig deur na sub-artikel (5) die volgende sub-artikels in te voeg:

„(5)*bis* 'n Lid van die Staandemagreserwe wat—

(a) tot diens in die Staande Mag vir 'n bepaalde tydperk verbind was;

(b) gedurende sodanige tydperk en in die loop van sodanige diens enige ambagsopleiding met welslae voltooi het; en

(c) sy ontslag deur afkoop verkry het nadat hy sodanige opleiding aldus voltooi het maar vóór die verstryking van die tydperk vermeld in paragraaf (a),

kan behoudens die bepalings van sub-artikel (5)*ter*, ook te eniger tyd op las van die Minister of iemand deur hom daartoe gemagtig, tot diens in die Staande Mag opgeroep word vir 'n onafgebroke tydperk van hoogstens dertig dae, in elk van die ses jaar wat volg op die jaar waarin hy sy ontslag aldus verkry het: Met dien verstande dat die aantal jare waarin hy aldus opgeroep kan word nie meer is nie as die aantal voltooide maande in die tydperk vanaf die datum wat volg op die datum waarop hy sy ontslag aldus verkry het, en die datum waarop die tydperk vermeld in paragraaf (a) sou verstryk het.

(5)*ter* Die oproeping van iemand tot diens ingevolge sub-artikel (5)*bis* moet geskied deur middel van 'n aangezekende brief wat aan hom by sy geregistreerde adres gerig is deur 'n voorgeskrewe offisier, en waarin ook die datum waarop sodanige diens 'n aanvang moet neem, vermeld word, en wat gepos moet word sodat dit hom in die gewone loop van die posdiens minstens dertig dae voor genoemde datum sal bereik.”

Wysiging van artikel 54 van Wet 44 van 1957.

2. Artikel *vier-en-vyftig* van die Verdedigingswet, 1957, word hierby gewysig deur in sub-artikel (2) die woord „dertig” deur die woord „veertien” te vervang.

Geldigverklaring van oorbetalings aan sekere kommando's ten opsigte van skietbaan-toelaes.

3. Die betaling gedurende die tydperk vanaf die agtiende dag van Desember 1953 tot die een-en-dertigste dag van Maart 1961 deur die Sekretaris van Verdediging aan enige kommando waarvan sommige lede gebruik gemaak het van die geriewe vermeld in paragraaf (b) van regulasie No. 29 van die regulasies afgekondig by Goewermentskennisgewing No. 2847 van die agtiende dag van Desember 1953, van 'n toelae die bedrag waarvan bereken is deur van die bedrag van honderd-en-tagtig rand 'n bedrag af te trek wat teenoor die bedrag van honderd-en-tagtig rand in dieselfde verhouding staan as waarin die getal van sodanige lede staan teenoor die totaalgetal van die lede van daardie kommando, word, vir sover daardie betaling die bedrag te bowe gaan wat wettiglik kragtens daardie regulasie daaraan betaal sou kon geword het, hierby geldig verklaar en bekragtig.

Kort titel.

4. Hierdie Wet heet die Wysigingswet op Verdediging, 1962.

No. 83, 1962.]

ACT

To amend the Defence Act, 1957, and to validate certain overpayments made to certain commandos.

(Afrikaans text signed by the State President.)
(Assented to 22nd June, 1962.)

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

1. Section *fifty-two* of the Defence Act, 1957, is hereby amended by the insertion after sub-section (5) of the following sub-sections:

Amendment of section 52 of Act 44 of 1957.

“(5)*bis* Any member of the Permanent Force Reserve who—

- (a) was engaged to serve in the Permanent Force for a specified period;
- (b) during such period and in the course of such service successfully completed any manual training; and
- (c) obtained his discharge by purchase after having so completed such training, but before the expiration of the period referred to in paragraph (a),

may, subject to the provisions of sub-section (5)*ter*, also be called out at any time on the instructions of the Minister or a person authorized thereto by him, for service in the Permanent Force for a continuous period not exceeding thirty days, in each of the six years following the year in which he so obtained his discharge: Provided that the number of years in which he may be so called out shall not exceed the number of completed months in the period from the date following the date on which he so obtained his discharge to the date on which the period referred to in paragraph (a) would have expired.

(5)*ter* The calling out of a person for service in terms of sub-section (5)*bis* shall be effected by means of a registered letter addressed to him at his registered address by a prescribed officer and also stating the date on which such service is to be commenced and posted so as to reach him in the ordinary course of post not less than thirty days before such date.”.

2. Section *fifty-four* of the Defence Act, 1957, is hereby amended by the substitution in sub-section (2) for the word “thirty” of the word “fourteen”.

Amendment of section 54 of Act 44 of 1957.

3. The payment during the period from the eighteenth day of December, 1953, to the thirty-first day of March, 1961, by the Secretary for Defence to any commando, some of the members of which made use of the facilities referred to in paragraph (b) of regulation No. 29 of the regulations published under Government Notice No. 2847 of the eighteenth day of December, 1953, of any grant the amount of which was calculated by deducting from the amount of one hundred and eighty rand an amount which bears to the amount of one hundred and eighty rand the same proportion as the number of such members bears to the total number of members of such commando, is, to the extent to which that payment exceeds the amount which could lawfully have been paid to it under the said regulation, hereby validated and confirmed.

Validation of overpayments to certain commandos in respect of rifle range grants.

4. This Act shall be called the Defence Amendment Act, Short title. 1962.

No. 86, 1962.]

WET

Om vir die instelling van 'n Nasionale Adviserende Onderwysraad voorsiening te maak en sy werksaamhede te bepaal, en om vir ander daarmee in verband staande aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 25 Junie 1962.)

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

Woordomskriving.

1. Tensy uit die samehang anders blyk, beteken in hierdie Wet—

- (i) „Administrateur” ’n Administrateur handelende op advies van die betrokke uitvoerende komitee; (i)
- (ii) „dienslid” ’n lid van die uitvoerende komitee wat op die datum van sy aanwysing of aanstelling ingevolge artikel *drie* ’n lid van ’n pensioen- of voorsorgfonds is en nie die pensioendatum soos in die toepaslike regulasies omskryf, bereik het nie; (x)
- (iii) „Minister” die Minister van Onderwys, Kuns en Wetenskap; (vi)
- (iv) „onderwys” onderwys en onderrig wat aan ’n skool verstrekk word; (iii)
- (v) „pensioenfonds” ’n pensioenfonds deur of kragtens ’n wetsbepaling ingestel vir die reëling van die pensioene en ander uitdientredingsvoordele van persone in diens van die Regering, ’n provinsiale administrasie of die administrasie van die gebied Suidwes-Afrika; (vii)
- (vi) „raad” die ingevolge artikel *twee* aangestelde Nasionale Adviserende Onderwysraad; (ii)
- (vii) „skool” ’n inrigting (behalwe ’n by of kragtens Wet ingestelde universiteit of universiteitskollege) waar opvoeding, onderwys of onderrig gegee word en wat deur die Regering of ’n provinsiale administrasie beheer word of uit openbare fondse geldelike steun ontvang; (ix)
- (viii) „uitvoerende komitee” die uitvoerende komitee in artikel *drie* bedoel; (iv)
- (ix) „voorsorgfonds” ’n voorsorgfonds en pensioenskema ingestel ingevolge die regulasies uitgevaardig kragtens paragraaf (g) van sub-artikel (1) van artikel *twaalf* van die „Wet tot Addisionele Regeling van het Hoger Onderwys, 1917” (Wet No. 20 van 1917), of paragraaf (g) van sub-artikel (1) van artikel *negentien* van die „Hoger Onderwys Wet, 1923” (Wet No. 30 van 1923); (viii)
- (x) „vorige werkgewer”, met betrekking tot ’n dienslid, die Regering, ’n provinsiale administrasie, die administrasie van die gebied Suidwes-Afrika, ’n verklaarde instelling volgens sub-artikel (1) van artikel *een* van die „Hoger Onderwys Wet, 1923” (Wet No. 30 van 1923), of ’n by wet ingestelde universiteit of universiteitskollege by wie so ’n dienslid onmiddellik voor die datum van sy aanwysing of aanstelling ingevolge artikel *drie* in diens was. (v)

Aanstelling van Nasionale Adviserende Onderwysraad.

2. (1) Die Minister stel ’n raad aan wat die Nasionale Adviserende Onderwysraad heet om die werksaamhede te verrig wat deur hierdie Wet aan die raad opgedra word.

(2) Die raad bestaan uit soveel lede, maar nie minder as vyftien nie, as wat die Minister van tyd tot tyd bepaal.

(3) (a) Een van die lede van die raad moet iemand wees wat besondere kennis van die werksaamhede van die Departement van Onderwys, Kuns en Wetenskap het, en daar moet ten opsigte van elke provinsie een lid aangestel word wat deur die betrokke Administrateur aanbeveel word en wat besondere kennis van onderwys sake in daardie provinsie het.

(b) Die ander lede van die raad moet persone wees wat hul op die gebied van die onderwys onderskei het, of wat

No. 86, 1962.]

ACT

To provide for the establishment of a National Advisory Education Council and to determine its functions and to provide for other matters incidental thereto.

(English text signed by the State President.)
(Assented to 25th June, 1962.)

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.**

- (i) "Administrator" means an Administrator acting on the advice of the executive committee concerned; (i)
- (ii) "council" means the National Advisory Education Council appointed under section *two*; (vi)
- (iii) "education" means education and instruction provided at a school; (iv)
- (iv) "executive committee" means the executive committee referred to in section *three*; (viii)
- (v) "former employer", in relation to a service member, means the Government, a provincial administration, the administration of the territory of South-West Africa, a declared institution in terms of sub-section (1) of section *one* of the Higher Education Act, 1923 (Act No. 30 of 1923), or any university or university college established under any law by whom such member was employed immediately prior to the date of his designation or appointment under section *three*; (x)
- (vi) "Minister" means the Minister of Education, Arts and Science; (iii)
- (vii) "pension fund" means a pension fund established by or under any law for the regulation of the pensions and other retirement benefits of persons employed by the Government, a provincial administration or the administration of the territory of South-West Africa; (v)
- (viii) "provident fund" means a provident fund and pension scheme established in terms of the regulations made under paragraph (g) of sub-section (1) of section *twelve* of the Higher Education Additional Provision Act, 1917 (Act No. 20 of 1917), or paragraph (g) of sub-section (1) of section *nineteen* of the Higher Education Act, 1923 (Act No. 30 of 1923); (ix)
- (ix) "school" means any establishment (other than a university or university college established by or under any law) at which education, teaching or instruction is provided and which is under the control of the Government or a provincial administration or receives financial assistance out of public funds; (vii)
- (x) "service member" means a member of the executive committee who at the date of his designation or appointment under section *three* is a member of a pension or provident fund and has not attained the superannuation age as defined in the applicable regulations. (ii)

2. (1) The Minister shall appoint a council to be known as the National Advisory Education Council, to perform the functions entrusted to the council under this Act. Appointment of National Advisory Education Council.

(2) The council shall consist of so many members, but not less than fifteen, as the Minister may from time to time determine.

(3) (a) One of the members of the council shall be a person who has special knowledge of the functions of the Department of Education, Arts and Science, and there shall in respect of each province be appointed one member recommended by the Administrator concerned, who has special knowledge of educational matters in that province.

(b) The other members of the council shall be persons who have distinguished themselves in the field of

volgens die Minister se oordeel ander spesiale kwalifikasies in die een of ander aspek van die raad se werk besit.

Ampsdraers en uitvoerende komitee.

3. (1) Die Minister moet een lid van die raad as voorsitter en twee lede as ondervoorsitters van die raad aanwys.

(2) Die lede aldus aangewys, maak die uitvoerende komitee van die raad uit en is verantwoordelik vir die administratiewe werk van die raad: Met dien verstande dat die Minister na goeëdunke hoogstens twee addisionele lede van die raad as lede van die uitvoerende komitee kan aanstel.

(3) 'n Aldus aangewese of aangestelde lid is, behoudens die bepalings van hierdie artikel, onderhewig aan die diensvoorwaardes en ontvang die besoldiging wat die Minister in oorleg met die Minister van Finansies bepaal.

(4) 'n Lid van die uitvoerende komitee mag nie sonder toestemming van die Minister besoldigde werk buite sy ampspligte verrig of hom verbind om dit te verrig nie.

(5) Daar word aan 'n lid van die uitvoerende komitee dié vergoedende en ander toelaes betaal en dié voorregte ten opsigte van verlof, oorplasing en vervoer verleen wat aan hom betaal of verleen sou geword het as hy 'n beampete in die staatsdiens was soos in artikel drie van die Staatsdienswet, 1957 (Wet No. 54 van 1957), omskryf.

(6) (a) Die Minister kan 'n lid van die uitvoerende komitee in sy amp skors en, behoudens die bepalings van hierdie sub-artikel, hom daarvan onthef—

(i) weens wangedrag;

(ii) weens ongeskiktheid vir sy ampspligte of onvermoë om hulle op bekwame wyse uit te voer; of

(iii) indien sy ontheffing van sy amp om ander redes as sy eie ongeskiktheid of onvermoë doeltreffendheid of besuiniging sal bevorder.

(b) Die bepalings van artikels *sewentien* en *agtien* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), is *mutatis mutandis* van toepassing met betrekking tot 'n lid van die uitvoerende komitee, en indien die Minister gelas dat daar in die geval van so 'n lid ingevolge daardie artikels opgetree moet word, tree die Sekretaris van Onderwys, Kuns en Wetenskap op as departementshoof met betrekking tot dié lid, en geld die bepalings van daardie Wet asof dié dienslid 'n beampete in die Staatsdiens is.

(7) (a) Indien 'n dienslid 'n blywende verstandelike of liggaamlike swakheid opdoen wat hom ongeskik maak vir die behoorlike vervulling van sy ampspligte, kan die Minister—

(i) hom toelaat om sy amp neer te lê; of

(ii) hom, behoudens die bepalings van sub-artikel (6), op grond van onvermoë van sy amp onthef.

(b) 'n Dienslid wat ingevolge sub-paragraaf (i) van paragraaf (a) toegelaat word om sy amp neer te lê, word geag op grond van swak gesondheid afgedank te gewees het en is geregtig om die voordele uit die voorsorg- of pensioenfonds te ontvang waarop hy geregtig sou gewees het indien hy op grond van swak gesondheid wat òf met òf sonder sy toedoen veroorsaak is uit die diens van 'n vorige werkgewer ontslaan was, al na die Minister gelas.

(8) 'n Dienslid—

(a) wat met toestemming van sy vorige werkgewer 'n lid van die uitvoerende komitee word, word, behoudens die bepalings van hierdie artikel, geag vir die tydperk van sy diens in daardie komitee afgestaan te wees, en die tydperk van sodanige diens word vir doeleindes van verlof en van die betrokke pensioen- of voorsorgfonds as deel van en aaneenlopend met sy diens by sy vorige werkgewer gereken, en die wetsbepalings wat op hom as lid van 'n pensioen- of voorsorgfonds of, in die geval van sy dood, op sy afhanklikes van toe-

education or who, in the opinion of the Minister, are otherwise specially qualified in some aspect of the work of the council.

3. (1) The Minister shall designate one member of the council to be the chairman and two members to be vice-chairmen of the council. **Office-bearers and executive committee.**

(2) The members so designated shall form the executive committee of the council and shall be responsible for the administrative work of the council: Provided that the Minister may in his discretion appoint not more than two additional members of the council as members of the executive committee.

(3) A member so designated or appointed shall, subject to the provisions of this section, be subject to such conditions of service and shall receive such remuneration as may be determined by the Minister in consultation with the Minister of Finance.

(4) A member of the executive committee shall not without the consent of the Minister perform or bind himself to perform remunerative work outside his official duties.

(5) There shall be paid to a member of the executive committee such reimbursive or other allowances and there shall be granted to him such privileges in respect of leave of absence, transfer and transportation as would have been granted to him had he been an officer in the public service as defined in section *three* of the Public Service Act, 1957 (Act No. 54 of 1957).

(6) (a) The Minister may suspend and, subject to the provisions of this sub-section, remove a member of the executive committee from office—

- (i) on account of misconduct;
- (ii) on account of unfitness for the duties of his office or incapacity to perform them efficiently; or
- (iii) if for reasons other than unfitness or incapacity his removal from office will promote efficiency or economy.

(b) The provisions of sections *seventeen* and *eighteen* of the Public Service Act, 1957 (Act No. 54 of 1957), shall *mutatis mutandis* apply with reference to a member of the executive committee, and, if the Minister directs that action be taken in terms of the said sections in the case of any such member, the Secretary for Education, Arts and Science shall act as head of department in relation to that member, and the provisions of the said Act shall apply as if such member were an officer in the public service.

(7) (a) if a service member becomes afflicted with a permanent infirmity of mind or body which disables him from the proper discharge of the duties of his office, the Minister may—

- (i) allow him to vacate his office; or
- (ii) subject to the provisions of sub-section (6), remove him from office on the ground of incapacity.

(b) A service member who is in terms of sub-paragraph (i) of paragraph (a) allowed to vacate his office shall be deemed to have been retired on the ground of ill-health and shall be entitled to receive the benefits from the provident or pension fund to which he would have been entitled if he had been discharged from the service of his former employer on the ground of ill-health occasioned either with or without his own default, as the Minister may direct.

(8) A service member—

(a) who becomes a member of the executive committee with the consent of his former employer, shall, subject to the provisions of this section, be deemed to have been seconded for the period of his service on that committee, and the period of such service shall for leave purposes and for the purposes of the relevant pension or provident fund be reckoned as part of and continuous with his service with his previous employer, and the provisions of any law applicable to him as a member of any pension or provident fund or, in the event of his death, to his dependants, shall, in so far as

passing is, en wat nie met hierdie artikel strydig is nie, bly *mutatis mutandis* van toepassing: Met dien verstande dat die vorige werkgewer die pos wat die dienslid ontruim het om 'n lid van die uitvoerende komitee te word as vakant kan beskou en deur die aanstelling van 'n ander persoon kan vul;

(b) het dieselfde reg om by bereiking van 'n leeftyd voorgeskryf by bedoelde wetsbepalings of 'n ander wetsbepaling of op 'n latere datum waarop hy dit wil doen, sy amp neer te lê en af te tree as wat hy sou gehad het indien hy in die diens van sy vorige werkgewer gebly het.

(9) 'n Dienslid wat by verstryking van sy ampstermyn as lid van die uitvoerende komitee nie weer daarin aangewys of aangestel word nie, en wat nog nie die leeftyd bereik het waarop hy ingevolge 'n in paragraaf (b) van sub-artikel (8) bedoelde wetsbepaling die reg sou gehad het om af te tree nie, het die reg om af te tree of kan deur die Minister aangesê word om af te tree, en as hy aldus aftree of aangesê word om af te tree, is hy geregtig op die uitdienstredingsvoordele waarop hy ingevolge daardie wetsbepalings geregtig sou gewees het indien hy in die geval van 'n lid van 'n pensioenfonds weens afskaffing van sy pos of, in die geval van 'n lid van 'n voorsorgfonds op die pensioen-datum wat in sy geval geld, uit die diens van sy vorige werkgewer ontslaan was.

(10) Ondanks die bepaling van sub-artikel (9) het 'n dienslid wie se diens in die uitvoerende komitee by of voor die verstryking van die tydperk waarvoor hy aangestel is, beëindig word om 'n ander rede as 'n rede in sub-artikel (6) of (7) vermeld, die keuse om na die diens van sy vorige werkgewer teruggeplaas te word en kan hy aldus teruggeplaas word as sy vorige werkgewer oor 'n geskikte pos beskik waarin hy aangestel kan word.

(11) Ondanks andersluidende wetsbepalings word enige bydrae wat 'n dienslid tot 'n pensioen- of voorsorgfonds moet maak gedurende die tydperk waarvoor hy in die uitvoerende komitee dien, gebaseer op die bedrag (wat nie minder is as die bedrag waarop hy sou bygedra het as hy nie so 'n lid geword het nie) wat die Minister van tyd tot tyd in oorleg met die Staatsdienskommissie bepaal.

(12) Ondanks andersluidende wetsbepalings word enige bydraes wat ingevolge 'n in paragraaf (a) van sub-artikel (8) bedoelde wetsbepaling ten opsigte van 'n dienslid aan 'n pensioen- of voorsorgfonds betaalbaar is deur iemand anders as die dienslid, gedurende sy diens as lid van die uitvoerende komitee betaal uit gelde wat die Parlement vir daardie doel bewillig.

(13) Indien 'n voordeel of deel van 'n voordeel wat ingevolge 'n in paragraaf (a) van sub-artikel (8) bedoelde wetsbepaling aan 'n dienslid betaalbaar word, nie uit 'n pensioen- of voorsorgfonds betaalbaar is nie, word dié deel van daardie voordeel wat die Minister in oorleg met die Minister van Finansies bepaal, uit gelde betaal wat die Parlement vir die doel bewillig.

Ampsduur van raadslede.

4. (1) 'n Lid van die raad word aangestel vir 'n tydperk van hoogstens vyf jaar wat die Minister in elke geval bepaal.

(2) 'n Lid van die raad kan by verstryking van enige tydperk waarvoor hy aangestel is, weer aangestel word.

(3) 'n Lid van die raad, behalwe 'n lid van die uitvoerende komitee, ontruim sy setel—

(a) indien hy insolvent raak; of

(b) indien hy aan 'n misdryf skuldig bevind en tot gevangenisstraf sonder die keuse van 'n boete veroordeel word; of

(c) indien hy 'n lid van die Senaat of van die Volksraad of van 'n provinsiale raad word,

en kan deur die Minister van sy amp onthef word indien die Minister na oorlegpleging met die raad, van oordeel is dat hy hom aan onbehoorlike gedrag skuldig gemaak het of sy pligte as lid van die raad nie behoorlik uitvoer nie: Met dien verstande dat so 'n lid wat op aanbeveling van 'n Administrateur ingevolge

they are not in conflict with this section, *mutatis mutandis* continue to apply: Provided that the former employer may regard the post vacated by the service member in order to become a member of the executive committee as vacant and fill it by the appointment of another person;

- (b) shall have the same right to vacate his office and to retire as he would have had on the attainment of an age prescribed by the said provisions or any other law or on any subsequent date on which he desires to do so, if he had remained in the service of his former employer.

(9) A service member who on the expiration of his period of office as a member of the executive committee is not again designated or appointed as such a member, and who has not attained the age at which he would in terms of any law referred to in paragraph (b) of sub-section (8) have been entitled to retire, shall have the right to retire or may be required by the Minister to retire, and shall, if he so retires or is so required to retire, be entitled to the retirement benefits to which he would in terms of the said provisions have been entitled if he had been discharged from the service of his former employer, in the case of a member of a pension fund, on the ground of abolition of his post or, in the case of a member of a provident fund on the superannuation date applicable to his case.

(10) Notwithstanding the provisions of sub-section (9), a service member whose service on the executive committee is terminated for a reason not mentioned in sub-section (6) or (7) on or before the expiration of the period for which he was appointed, shall have the option to be transferred back to the service of his former employer and may be so transferred if his former employer has available a suitable post in which he can be appointed.

(11) Notwithstanding anything to the contrary contained in any law, any contributions required to be made by a service member to any pension or provident fund during the period for which he acts as a member of the executive committee, shall be based on such an amount, not being less than the amount on which he would have contributed if he had not become such a member, as the Minister may from time to time determine in consultation with the Public Service Commission.

(12) Notwithstanding anything to the contrary contained in any law, any contributions which in terms of any provision referred to in paragraph (a) of sub-section (8) are in the case of a service member payable to a pension or provident fund by a person other than such member, shall be paid during his service as a member of the executive committee out of moneys appropriated by Parliament for the purpose.

(13) If any benefit or portion of a benefit which becomes payable to a service member under any law referred to in paragraph (a) of sub-section (8), is not payable out of a pension or provident fund, such portion of that benefit as may be determined by the Minister in consultation with the Minister of Finance, shall be paid out of moneys appropriated by Parliament for the purpose.

4. (1) A member of the council shall be appointed for such period, not exceeding five years, as the Minister may in each case determine. Tenure of office of members of council.

(2) A member of the council may on the expiration of any period for which he was appointed, be re-appointed.

(3) A member of the council not being a member of the executive committee shall vacate his office—

- (a) if he becomes insolvent; or
- (b) if he is found guilty of an offence and is sentenced to imprisonment without the option of a fine; or
- (c) if he becomes a member of the Senate or of the House of Assembly or of a provincial council,

and may be removed from his office by the Minister if the Minister after consultation with the council is of the opinion that he has rendered himself guilty of improper conduct or does not properly discharge his duties as a member of the council: Provided that such member who has been appointed in terms

paragraaf (a) van sub-artikel (3) van artikel twee aangestel is, van sy amp onthef word slegs na oorlegpleging met die betrokke Administrateur.

Komitees van raad.

5. (1) Die raad kan met goedkeuring van die Minister die komitees wat die raad nodig ag, en waarvan ander persone as lede van die raad, maar wat besondere kennis of ondervinding van enige aspek van die raad se werk besit, lede kan wees, aanstel om die werksaamhede te verrig wat die raad bepaal.

(2) (a) Die Minister kan na oorlegpleging met die betrokke Administrateur of enige betrokke ander Minister, op aanbeveling van die raad 'n komitee aanstel wat uit 'n lid van die raad en twee ander persone bestaan om in verband met een of meer bepaalde skole die ondersoek in te stel wat die Minister gelas.

(b) So 'n komitee kan toegang tot so 'n skool verkry met die toestemming van 'n persoon wat gemagtig is om sodanige toestemming te verleen, in die geval van 'n skool onder die jurisdiksie van enige provinsiale owerheid, deur die betrokke direkteur van onderwys of die Superintendent-generaal van Onderwys, en, in die geval van enige ander skool, deur die Sekretaris van Onderwys, Kuns en Wetenskap.

(3) Die voorsitter van enige komitee kragtens hierdie artikel aangestel, moet 'n lid van die raad wees.

Besoldiging van lede van raad of komitee.

6. 'n Lid van die raad of 'n komitee van die raad, behalwe 'n lid van die uitvoerende komitee, ontvang benewens enige ander toelae wat die Minister in oorleg met die Minister van Finansies bepaal, so 'n toelae om reis- en verblyf koste in verband met sy diens as lid van die raad of so 'n komitee te dek as wat die Minister aldus bepaal.

Werksaamhede van raad.

7. (1) Die raad word ingestel om die Minister in die algemeen van advies te dien aangaande die beleid wat in verband met die onderwys toegepas behoort te word, en moet die Minister, of 'n ander Minister of 'n Administrateur deur bemiddeling van die Minister, van advies dien in verband met enige aangeleentheid rakende die onderwys wat die Minister, of so 'n ander Minister of so 'n Administrateur deur bemiddeling van die Minister, na die raad vir sy advies verwys of waaromtrent die raad dit nodig ag om die Minister, of so 'n ander Minister of so 'n Administrateur, van advies te dien.

(2) Die raad moet hom dit ten doel stel om in oorleg met die Departement van Onderwys, Kuns en Wetenskap, die provinsiale onderwysdepartemente, onderwysliggame en organisasies en persone wat by die onderwys belang het, die breë grondbeginsels van gesonde onderwys vir die land as geheel te bepaal, in die algemeen samewerking op onderwysgebied te bevorder, en onderwysbeleid in die algemeen te koördineer met die oog op die aanpassing van die onderwysstelsel by die behoeftes van die land, maar met inagneming van die raadsaamheid van handhawing van verskeidenheid wat die omstandighede mag vereis.

(3) Die raad moet hom ook daarvoor beywer om die aansien van die onderwysberoep en diegene wat daarin staan te handhaaf en te bevorder.

(4) Die raad het geen uitvoerende bevoegdhede of werksaamhede nie, maar dien uitsluitlik as koördinerende en adviserende liggaam.

(5) Die raad kan koördinasie bewerkstellig tussen alle amptelike liggame wat navorsings- of ondersoekwerk in verband met die onderwys doen, en kan van die dienste van sodanige liggame gebruik maak.

Raadpleging van raad oor wetgewing rakende onderwys van blankes.

8. Geen voorgestelde wetgewing (behalwe provinsiale ordonnansies met betrekking tot die bewilling van fondse) wat op die onderwys van blankes betrekking het, word in die Senaat of die Volksraad of in 'n provinsiale raad ingedien nie, behalwe na oorlegpleging vooraf tussen die Minister en enige ander belanghebbende Minister of Administrateur en nadat die Minister die raad se sienswyse daaromtrent verkry het.

of paragraph (a) of sub-section (3) of section *two* on the recommendation of an Administrator, may only be removed from office after consultation with the Administrator concerned.

5. (1) The council may with the approval of the Minister appoint such committees as it may consider necessary, and whereof persons other than members of the council but who have special knowledge or experience of any aspect of the work of the council, may be members, to perform such functions as the council may determine. Committees of council.

(2) (a) The Minister may after consultation with the Administrator concerned or any other Minister concerned, on the recommendation of the council appoint a committee consisting of a member of the council and two other persons to carry out such investigation in regard to one or more particular schools as the Minister may direct.

(b) Such a committee may obtain access to such a school with the consent of a person authorized to give such consent, in the case of a school under the jurisdiction of any provincial authority, by the director of education concerned or the Superintendent-General of Education, and, in the case of any other school, by the Secretary for Education, Arts and Science.

(3) The chairman of any committee appointed in terms of this section shall be a member of the council.

6. A member of the council or of a committee of the council, with the exception of a member of the executive committee shall in addition to any other allowance determined by the Minister in consultation with the Minister of Finance, receive such an allowance to cover transport and subsistence costs in connection with his service as a member of the council or of such a committee as the Minister may so determine. Remuneration of members of council or committee.

7. (1) The council is established to advise the Minister generally in regard to the policy to be applied in connection with education, and shall advise the Minister, or any other Minister or any Administrator through the Minister, in regard to any matter affecting education which the Minister, or such other Minister or such Administrator through the Minister, may refer to the council for its advice or in regard to which the council considers it necessary to advise the Minister, or such other Minister, or such Administrator. Functions of council.

(2) The council shall endeavour to determine in consultation with the Department of Education, Arts and Science, the provincial education departments, education bodies and organizations and persons who are concerned with education matters, the broad fundamental principles of sound education for the country as a whole, to promote co-operation generally in the field of education, and generally to co-ordinate education policy with a view to adapting the education system to the needs of the country, but with due regard to the advisability of maintaining such diversity as circumstances may demand.

(3) The council shall also endeavour to uphold and promote the prestige of the teaching profession and of persons engaged therein.

(4) The council shall have no executive power or functions but shall serve exclusively as a co-ordinating and advisory body.

(5) The council may effect co-ordination between all official bodies undertaking research or investigation in connection with education, and may avail itself of the services of such bodies.

8. No proposed legislation (not being provincial ordinances relating to the appropriation of funds) relating to the education of white persons shall be introduced in the Senate or the House of Assembly or in a provincial council, except after prior consultation between the Minister and any other interested Minister or Administrator and after the Minister has obtained the views of the council thereon. Consultation of council regarding legislation affecting education of white persons.

- Jaarverslag deur raad. **9.** (1) Die raad moet 'n jaarverslag, met inbegrip van minderheidsverslae, aan die Minister voorlê, en bedoelde verslag of verslae word binne veertien dae na ontvangs daarvan deur die Minister in die Senaat en in die Volksraad ter Tafel gelê as die Parlement in sessie is, of, as die Parlement nie in sessie is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sessie.
- (2) Nadat die Minister die verslag aldus ter Tafel gelê het, word eksemplare verstrekk aan die Administrateurs van die verskillende provinsies wat die eksemplare binne sewe dae na die ontvangs daarvan in hulle onderskeie Rade ter Tafel lê as die Rade in sessie is, of, as die Rade nie in sessie is nie, binne sewe dae na die aanvang van die eersvolgende sessie.
- Regulasies. **10.** Die Minister kan regulasies uitvaardig met betrekking tot—
- (a) die byeenroeping en beheer van vergaderings van die raad en die kworum vir en prosedure by sodanige vergaderings; en
- (b) enige ander aangeleentheid waaromtrent die Minister dit raadsaam ag om regulasies uit te vaardig ten einde aan die bepalings van hierdie Wet gevolg te gee.
- Kort titel. **11.** Hierdie Wet heet die Wet op die Nasionale Adviserende Onderwysraad, 1962, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

9. (1) The council shall furnish an annual report, including minority reports, to the Minister and any such report or reports shall be laid upon the Table in the Senate and in the House of Assembly within fourteen days after receipt thereof by the Minister if Parliament is then in session or, if Parliament is not then in session, within fourteen days after the commencement of its next ensuing ordinary session. Annual report by council.

(2) After the Minister has thus tabled the report, copies shall be submitted to the Administrators of the various provinces who shall lay them on the Tables of their respective Councils within seven days after receipt thereof if they are in session, or if they are not in session, within seven days of the commencement of the next ensuing session.

10. The Minister may make regulations as to— Regulations.
- (a) the calling and conduct of meetings of the council and the quorum for and procedure at such meetings; and
 - (b) any other matter in regard to which the Minister considers it expedient to make regulations in order to give effect to the provisions of this Act.

11. This Act shall be called the National Advisory Education Council Act, 1962, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*. Short title.

No. 91, 1962.]

WET

Tot aanwending van 'n som van hoogstens eenduisend een-en-dertigmiljoen agthonderd-en-negentigduisend rand vir die diens van die Republiek vir die boekjaar wat op die een-en-dertigste dag van Maart 1963 eindig.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 27 Junie 1962.)*

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

Gekonsolideerde
Inkomstefonds
belas met som
van hoogstens
R782,529,000 op
Inkomsterekening.

1. Die Gekonsolideerde Inkomstefonds van die Republiek word hierby belas met die somme geld wat nodig mag wees vir die diens van die Republiek vir die boekjaar wat op die een-en-dertigste dag van Maart 1963 eindig, maar gesamentlik hoogstens sewehonderd twee-en-tahtigmiljoen vyfhonderd nege-en-twintigduisend rand op die Inkomsterekening, soos uiteengesit in kolom 1 van die Eerste Bylae.

Gekonsolideerde
Inkomstefonds
belas met som
van hoogstens
R21,400,000 op
Bantoe-onderwys-
rekening.

2. Die Gekonsolideerde Inkomstefonds van die Republiek word verder belas met die somme geld wat nodig mag wees vir die diens van die Republiek vir die boekjaar wat op die een-en-dertigste dag van Maart 1963 eindig, maar gesamentlik hoogstens een-en-twintigmiljoen vierhonderdduisend rand op die Bantoe-onderwysrekening, soos uiteengesit in kolom 1 van die Tweede Bylae.

Gekonsolideerde
Inkomstefonds
belas met som
van hoogstens
R227,961,000 op
Leningsrekening.

3. Die Gekonsolideerde Inkomstefonds van die Republiek word verder belas met die somme geld wat nodig mag wees vir die diens van die Republiek vir die boekjaar wat op die een-en-dertigste dag van Maart 1963 eindig, maar gesamentlik hoogstens tweehonderd sewe-en-twintigmiljoen negehonderd een-en-sestigduisend rand op die Leningsrekening, soos uiteengesit in kolom 1 van die Derde Bylae.

Hoe die geld
bestee moet word.

4. Die geld wat deur hierdie Wet beskikbaar gestel word, moet aangewend word vir die dienste in besonderhede in die Bylaes vermeld en meer omstandig uiteengesit in die Begrotings van Uitgawes uit Inkomsterekening [R.P. 1—1962 en R.P. 41—1962], die Begroting van Uitgawes uit Bantoe-onderwysrekening [R.P. 9—1962], en die Begroting van Uitgawes uit Leningsrekening [R.P. 8—1962], soos deur die Parlement goedgekeur, en vir geen ander doel nie: Met dien verstande dat, in die geval van die som van sewentigmiljoen rand aan kapitaaluitgawe van spoorweë en hawens, wat voorkom onder Leningsbegrotingspos „A” in die Derde Bylae, die magtiging by hierdie Wet verleen, geag word van toepassing te wees slegs op die oordrag van daardie som van die Gekonsolideerde Inkomstefonds na die Spoorweg- en Hawefonds, en die besteding van gemelde som moet plaasvind ooreenkomstig 'n beskikbaarstelling van die Parlement wat daarop betrekking het.

Die Minister
kan afwyking
goedkeur.

5. Met goedkeuring van die Minister van Finansies kan 'n besparing onder die een sub-hoof van 'n begrotingspos aangewend word tot dekking van uitgawes bo die gemagtigde bedrag onder 'n ander sub-hoof, of van uitgawes onder 'n nuwe sub-hoof van dieselfde begrotingspos: Met dien verstande dat die somme wat in kolom 2 van die Bylaes voorkom, nie oorskry mag word nie, en besparings daarop ewemin aangewend mag word vir enige ander doel as dié waarvoor die geld hierby toegestaan word soos in gemelde Bylaes aangedui.

Kort titel.

6. Hierdie Wet heet die Begrotingswet, 1962.

No. 91, 1962.]

ACT

To apply a sum not exceeding one thousand and thirty-one million eight hundred and ninety thousand rand towards the service of the Republic, for the financial year ending on the thirty-first day of March, 1963.

*(Afrikaans text signed by the State President.)
(Assented to 27th June, 1962.)*

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

1. The Consolidated Revenue Fund of the Republic is hereby charged with such sums of money as may be required for the service of the Republic for the financial year ending on the thirty-first day of March, 1963, not exceeding in the aggregate seven hundred and eighty-two million five hundred and twenty-nine thousand rand on the Revenue Account as shown in column 1 of the First Schedule.

Consolidated Revenue Fund charged with sum not exceeding R782,529,000 on Revenue Account.

2. The Consolidated Revenue Fund of the Republic is further charged with such sums of money as may be required for the service of the Republic for the financial year ending on the thirty-first day of March, 1963, not exceeding in the aggregate twenty-one million four hundred thousand rand on the Bantu Education Account as shown in column 1 of the Second Schedule.

Consolidated Revenue Fund charged with sum not exceeding R21,400,000 on Bantu Education Account.

3. The Consolidated Revenue Fund of the Republic is further charged with such sums of money as may be required for the service of the Republic for the financial year ending on the thirty-first day of March, 1963, not exceeding in the aggregate two hundred and twenty-seven million nine hundred and sixty-one thousand rand on the Loan Account as shown in column 1 of the Third Schedule.

Consolidated Revenue Fund charged with sum not exceeding R227,961,000 on Loan Account.

4. The money appropriated by this Act shall be applied to the services detailed in the Schedules, and more particularly specified in the Estimates of Expenditure from Revenue Account [R.P. 1—1962 and R.P. 41—1962], the Estimates of Expenditure from Bantu Education Account [R.P. 9—1962] and the Estimates of Expenditure from Loan Account [R.P. 8—1962], as approved by Parliament, and to no other purpose: Provided that in the case of the sum of seventy million rand for capital expenditure of railways and harbours, shown under Loan Vote "A" in the Third Schedule, the authority granted by this Act shall be deemed to apply only to the transfer of that sum from the Consolidated Revenue Fund to the Railway and Harbour Fund, and the expenditure of the said sum shall be in accordance with any appropriation made by Parliament in that behalf.

How money to be applied.

5. With the approval of the Minister of Finance, a saving on any sub-head of a vote may be made available to meet excess expenditure on any other sub-head, or expenditure on a new sub-head of the same vote: Provided that the sums appearing in column 2 of the Schedules shall not be exceeded, nor shall savings thereon be available for any purpose other than that for which the money is hereby granted as indicated in the said Schedules.

The Minister may approve variation.

6. This Act shall be called the Appropriation Act, 1962. Short title.

Eerste Bylae.

(TEN LASTE VAN INKOMSTEREKENING.)

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Benaming.		
		R	R
1.	Staatspresident	85,000	
2.	Senaat	256,000	
	Met inbegrip van—		
	Uitgawe- en onthaaltoelae ..		1,000
	Amptelike onthaal		200
3.	Volksraad	765,000	
	Met inbegrip van—		
	Uitgawe- en onthaaltoelae ..		1,000
	Amptelike onthaal		200
4.	Eerste Minister	152,000	
	Met inbegrip van—		
	Amptelike onthaal		400
5.	Lande	1,616,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelae aan Nasionale Parke- raad		100,000
6.	Aktekantore	778,000	
7.	Opmetings	1,559,000	
8.	Bosbou	1,239,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelae:		
	Wattelnavorsingsinstituut, Uni- versiteit van Natal		20,000
	Universiteit van Stellenbosch vir navorsing		40,000
	Timber and Allied Materials Development Association ..		5,000
	Suid-Afrikaanse Raad vir Hout- bevordering		1,000
9.	Publieke Werke	19,731,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Finansiële hulp:		
	Munisipaliteit van Simonstad ..		90,000
	Raad van Beheer, Hugeno- monument		1,750
	Hulptoelae:		
	Goedgekeurde verenigings vir die versorging van oorlogs- grafte in Suid-Afrika ..		50,000
	Beheerraad van die Voortrekker- monument		11,500
10.	Buitelandse Sake	3,273,000	
11.	Tesourie	980,000	
	Met inbegrip van—		
	Amptelike onthaal		670
12.	Staatskuld	45,900,000	
13.	Provinsiale Administrasies	149,338,000	
14.	Suid-Afrika-huis, Londen (Administra- tiewe Dienste)	664,000	
15.	Suid-Afrikaanse Munt	1,360,000	
	Met inbegrip van—		
	Amptelike onthaal		120
16.	Binnelandse Inkomste	4,200,000	
	Met inbegrip van—		
	Amptelike onthaal		200
17.	Doeane en Aksyns	5,887,000	
	Met inbegrip van—		
	Amptelike onthaal		200
18.	Ouditeursdepartement	920,000	
	Met inbegrip van—		
	Amptelike onthaal		200
19.	Vervoer	17,743,000	
	Met inbegrip van—		
	Amptelike onthaal		540
	Aankoop van motorvoertuie ..		3,600,000
	Lugnavigasiehulpuitrusting ..		529,000
	Hulptoelae:		
	S.A. Toeristekorporasie ..		461,900
	S.A. Padveiligheidsraad ..		126,750
	Scott Poolnavorsingsinstituut ..		600
	Bydrae tot Fonds ter Uitskake- ling van Spoorroorgange ..		500,000
20.	Volkswelsyn en Pensioene	75,375,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Kindersorg:		
	Spesiale hulptoelae		17,000
	Reddingshuis, Bloemfontein ..		400
	Subsidies aan maatskaplike sen- trums		42,000
	Reddingswerk (Heilsleër) ..		2,200
21.	Binnelandse Sake	3,257,000	
	Met inbegrip van—		
	Amptelike onthaal		200

First Schedule.

(CHARGEABLE TO REVENUE ACCOUNT.)

No.	Vote. Designation.	Column	Column
		1.	2.
		R	R
1.	State President	85,000	
2.	Senate	256,000	
	Including—		
	Expense and entertainment allow- ance		1,000
	Official entertainment		200
3.	House of Assembly	765,000	
	Including—		
	Expense and entertainment allow- ance		1,000
	Official entertainment		200
4.	Prime Minister	152,000	
	Including—		
	Official entertainment		400
5.	Lands	1,616,000	
	Including—		
	Official entertainment		200
	Grant-in-aid to National Parks Board		100,000
6.	Deeds Offices	778,000	
7.	Surveys	1,559,000	
8.	Forestry	1,239,000	
	Including—		
	Official entertainment		200
	Grants-in-aid:		
	Wattle Research Institute, Uni- versity of Natal		20,000
	University of Stellenbosch for research		40,000
	Timber and Allied Materials Development Association		5,000
	South African Wood Promotion Council		1,000
9.	Public Works	19,731,000	
	Including—		
	Official entertainment		200
	Financial assistance:		
	Simonstown Municipality		90,000
	Board of Control, Huguenot Monument		1,750
	Grants-in-aid:		
	Approved societies for care of war graves in South Africa Control Board: Voortrekker monument		50,000
			11,500
10.	Foreign Affairs	3,273,000	
11.	Treasury	980,000	
	Including—		
	Official entertainment		670
12.	Public Debt	45,900,000	
13.	Provincial Administrations	149,338,000	
14.	South Africa House, London (Admi- nistrative Services)	664,000	
15.	South African Mint	1,360,000	
	Including—		
	Official entertainment		120
16.	Inland Revenue	4,200,000	
	Including—		
	Official entertainment		200
17.	Customs and Excise	5,887,000	
	Including—		
	Official entertainment		200
18.	Audit	920,000	
	Including—		
	Official entertainment		200
19.	Transport	17,743,000	
	Including—		
	Official entertainment		540
	Purchase of motor vehicles		3,600,000
	Navigational aid equipment		529,000
	Grants-in-aid:		
	S.A. Tourist Corporation		461,900
	S.A. Road Safety Council		126,750
	Scott Polar Research Institute		600
	Contribution towards Level Cross- ing Elimination Fund		500,000
20.	Social Welfare and Pensions	75,375,000	
	Including—		
	Official entertainment		200
	Child Welfare:		
	Special grants-in-aid		17,000
	Rescue Home, Bloemfontein		400
	Subsidies to social centres		42,000
	Rescue work (Salvation Army)		2,200
21.	Interior	3,257,000	
	Including—		
	Official entertainment		200

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Benaming.	R	R
22.	Staatsdienskommissie	1,180,000	
	Met inbegrip van—		
	Amptelike onthaal		800
23.	Drukwerk en Skryfbehoeftes	4,650,000	
	Met inbegrip van—		
	Amptelike onthaal		100
24.	Onderwys, Kuns en Wetenskap	26,159,000	
	Met inbegrip van—		
	Amptelike onthaal		300
	Hulptoelaes:		
	Skoolfondse		40
	Internasionale Afrika-instituut		800
	Uitsaaidiens vir skole		1,500
	Buitelandse studie		2,000
	Kommissie vir Natuurlike en		
	Historiese Monumente		16,000
	Abbé Breuil-trust		1,000
	Afrika-instituut		26,000
	Hugenote-kollege, Wellington ..		10,000
	Suid-Afrikaanse Instituut, Am-		
	sterdam		1,500
	Staatsondersteunde Inrigtings ..		491,310
	Liggaamlike opvoeding, Vol-		
	wassene-opvoeding, Kunsbe-		
	vordering, ens.		420,690
25.	Nywerheid- en Verbeteringskole	1,964,000	
	Met inbegrip van—		
	Hulptoelaes aan skoolfondse:		
	Nywerheidskole		2,200
	Verbeteringskole		300
26.	Bantoe-administrasie en -ontwikkeling	26,885,000	
	Met inbegrip van—		
	Amptelike onthaal		300
	Geheime dienste		500
	Subsidies aan maatskaplike sen-		
	trums		3,200
	Hulptoelae aan die Suid-Afrikaan-		
	se Naturellestuifonds		10,480,000
27.	Landbou-tegniese Dienste (Administra-	11,577,000	
	sie en Nasionale Dienste)		
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelaes:		
	Sentrale Landsdiensfonds		400
	Landbouverenigings		8,000
	Subsidie aan die Nasionale		
	Veldtrust		10,000
28.	Landbou-tegniese Dienste (Streekdien-	6,570,000	
	ste en Onderwys)		
	Met inbegrip van—		
	Landboustudiebeurse		6,000
29.	Waterwese	7,407,000	
	Met inbegrip van—		
	Amptelike onthaal		300
	Welsyns- en ontspanningstoeken-		
	nings		10,000
	Subsidies en ekstra-statutêre sub-		
	sidies aan Rade, Plaaslike Be-		
	sture en Persone		1,270,000
	Subsidies op kleinere waterwerke		256,000
30.	Bantoe-onderwys: Ministerie en Spesi-	208,000	
	ale skole		
31.	Indiërsake	300,000	
	Met inbegrip van—		
	Amptelike onthaal		200
32.	Handel en Nywerheid	10,918,000	
	Met inbegrip van—		
	Amptelike onthaal		1,020
	Hulptoelae aan die Nasionale Ont-		
	wikkelingstigting van S.A.		2,000
	Bydrae tot die S.A. Wetenskaplike		
	en Nywerheidsnavorsingsraad ..		7,165,000
33.	Mynwese	7,835,000	
	Met inbegrip van—		
	Amptelike onthaal		700
	Diverse uitbetalings deur die Alge-		
	mene Bestuurder, Alluwiale		
	Staatsdelwerye		300
	Hulptoelaes:		
	Kamer van Mynwese (Spring-		
	kell) Sanatorium		10,000
	Ontspanningsklub — Alluwiale		
	Staatsdelwerye		1,800
34.	Pos-, Telegraaf- en Telefoonwese	63,384,000	
	Met inbegrip van—		
	Amptelike onthaal		400
	Departementele onthaal		400
	Hulptoelaes:		
	S.A. Instituut van Elektroteg-		
	niese Ingenieurs		50
	Posdienstesportvereniging		4,000

No.	Vote. Designation.	Column 1.	Column 2.
		R	R
22.	Public Service Commission	1,180,000	
	Including—		
	Official entertainment		800
23.	Printing and Stationery	4,650,000	
	Including—		
	Official entertainment		100
24.	Education, Arts and Science	26,159,000	
	Including—		
	Official entertainment		300
	Grants-in-aid:		
	School funds		40
	International Africa Institute ..		800
	School broadcasting service ..		1,500
	Overseas study		2,000
	Natural and Historical Monu- ments Commission		16,000
	Abbé Breuil Trust		1,000
	Africa Institute		26,000
	Huguenot College, Wellington		10,000
	South African Institute, Amster- dam		1,500
	State-aided Institutions		491,310
	Physical education, Adult educa- tion, Advancement of art, etc.		420,690
25.	Schools of Industries and Reform Schools	1,964,000	
	Including—		
	Grants-in-aid to school funds:		
	Schools of Industries		2,200
	Reform Schools		300
26.	Bantu Administration and Develop- ment	26,885,000	
	Including—		
	Official entertainment		300
	Secret services		500
	Subsidies to social centres		3,200
	Grant-in-aid to the South African Native Trust Fund		10,480,000
27.	Agricultural Technical Services (Ad- ministration and National Ser- vices)	11,577,000	
	Including—		
	Official entertainment		200
	Grants-in-aid:		
	Central Land Service Fund ..		400
	Agricultural Societies		8,000
	Subsidy to the National Veld Trust		10,000
28.	Agricultural Technical Services (Regional Services and Education)	6,570,000	
	Including—		
	Agricultural scholarships and bur- saries		6,000
29.	Water Affairs	7,407,000	
	Including—		
	Official entertainment		300
	Welfare and recreational grants		10,000
	Subsidy and extra-statutory sub- sidies to Boards, Local Authori- ties and Persons		1,270,000
	Subsidy on minor water works ..		256,000
30.	Bantu Education: Ministry and Special Schools	208,000	
31.	Indian Affairs	300,000	
	Including—		
	Official entertainment		200
32.	Commerce and Industries	10,918,000	
	Including—		
	Official entertainment		1,020
	Grant-in-aid to the National De- velopment Foundation of S.A.		2,000
	Contribution to the S.A. Council for Scientific and Industrial Re- search		7,165,000
33.	Mines	7,835,000	
	Including—		
	Official entertainment		700
	Miscellaneous disbursements by General Manager, State Alluvial Diggings		300
	Grants-in-aid:		
	Chamber of Mines (Springkell) Sanatorium		10,000
	Recreation Association—State Alluvial Diggings		1,800
34.	Posts, Telegraphs and Telephones ..	63,384,000	
	Including—		
	Official entertainment		400
	Departmental entertainment ..		400
	Grants-in-aid:		
	S.A. Institute of Electrical En- gineers		50
	Postal Services Sports Asso- ciation		4,000

Begrotingspos.		Kolom	Kolom
No.	Benaming.	1.	2.
		R	R
35.	Gesondheid	19,000,000	
	Met inbegrip van—		
	Amptelike onthaal		360
	Hulptoelae aan die Nasionale Raad vir Geestesgesondheid ..		20,000
	Lovedale-instituut		5,400
	Teringraad van die Kaapprovinsie Raad vir die bestryding van Veneriese Siektes (Kaapstad) ..		600
	Hulptoelae kragtens Artikel 135 van Wet No. 36 van 1919:		200
	Buro van Higiëne en Tropiese Siektes		1,500
	S.A. Instituut vir Mediese navorsing		15,000
	Poliomiëlitis-navorsingstigting		20,000
	Universiteit van Pretoria vir leprose-navorsing		3,000
	Lady Buxton Home, Kaapstad		9,000
	S.A. Nasionale Raad vir Moeder- en Gesinswelsyn		2,000
	Opleiding van Gesondheidsinspekteurs		5,800
	Verpleegstersorde, Koning Edward VII		400
	S.A. Noodhulpliga, S.A. Rooikruisvereniging en St. John Ambulansbrigade		3,900
	S.A. Verpleegstersvereniging ..		1,200
	Tandheelkundige klinieke en vrywillige buite-pasiëntdienste		80,000
	Nasionale Kankervereniging van S.A.		200
	Transvaalse Vereniging vir die versorging van Nie-Blanke blindes		800
	Finansiële hulp kragtens Artikel 50 (1) (f) van Wet No. 36 van 1919:		
	Kapitaaluitgawes		150,000
	Bydraes kragtens Artikel 135 van Wet No. 36 van 1919:		
	Elizabeth Ross-sendinghospitaal		6,000
	Sendinghospitaal: Thaba 'Nchu		9,000
36.	Gesondheid: Hospitale en Inrigtings	12,040,000	
37.	Landbou-ekonomie en -bemarking (Administrasie)	1,550,000	
	Met inbegrip van—		
	Amptelike onthaal		200
38.	Landbou-ekonomie en -bemarking (Algemeen)	36,700,000	
39.	Kantoor tot Invordering van Staatsvoorskotte	335,000	
40.	Verdediging	119,695,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Militêre inligtingsdiens		99,000
	Hulptoelae:		
	S.A.W.-ontspannings- en liefdadigheidsfonds		5,000
	S.A. Rooikruisvereniging, St. John Ambulansbrigade en S.A. Noodhulpliga		9,000
	Internasionale Komitee van die Rooikruis		6,000
41.	Arbeid	6,314,000	
	Met inbegrip van—		
	Amptelike onthaal		740
42.	Immigrasie	2,942,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Hulptoelae:		
	Maatskappy vir Europese Immigrasie		12,000
	1820 Memorial Settlers' Association of Southern Africa ..		12,000
43.	Kleurlingsake	12,147,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Kindersorg:		
	Spesiale hulptoelae		15,000
	Subsidies aan maatskaplike sentrums		16,500
	Hulptoelae aan opvoedkundige en sportorganisasies		20,000
	Hulptoelae aan skoolfondse:		
	Nywerheidskool		480
	Verbeteringskole		720
44.	Gemeenskapsbou	1,209,000	
	Met inbegrip van—		
	Amptelike onthaal		440
45.	Behuising	3,810,000	
	Met inbegrip van—		
	Amptelike onthaal		200

No.	Vote. Designation.	Column	Column
		1. R	2. R
35.	Health	19,000,000	
	Including—		
	Official entertainment		360
	Grant-in-aid to the National Council for Mental Health		20,000
	Lovedale Institute		5,400
	Cape Province Tuberculosis Council		600
	Council for combating Venereal Disease (Cape Town)		200
	Grants-in-aid in terms of Section 135 of Act No. 36 of 1919:		
	Bureau of Hygiene and Tropical Diseases		1,500
	S.A. Institute for Medical Research		15,000
	Poliomyelitis Research Foundation		20,000
	University of Pretoria for leprosy research		3,000
	Lady Buxton Home, Cape Town		9,000
	S.A. National Council for Maternal and Family Welfare		2,000
	Training of sanitary inspectors		5,800
	King Edward VII Order of Nurses		400
	S.A. Noodhulpliga, S.A. Red Cross Society and St. John Ambulance Brigade		3,900
	S.A. Nursing Association		1,200
	Dental clinics and voluntary out-patient services		80,000
	National Cancer Association of S.A.		200
	Transvaal Society for the Care of Non-White Blind		800
	Financial assistance in terms of Section 50 (1) (f) of Act No. 36 of 1919:		
	Capital expenditure		150,000
	Contributions in terms of Section 135 of Act No. 36 of 1919:		
	Elizabeth Ross Mission Hospital		6,000
	Mission Hospital: Thaba 'Nchu		9,000
36.	Health: Hospitals and Institutions	12,040,000	
37.	Agricultural Economics and Marketing (Administration)	1,550,000	
	Including—		
	Official entertainment		200
38.	Agricultural Economics and Marketing (General)	36,700,000	
39.	State Advances Recoveries Office	335,000	
40.	Defence	119,695,000	
	Including—		
	Official entertainment		200
	Military intelligence service		99,000
	Grants-in-aid:		
	S.A.D.F. recreation and benevolent fund		5,000
	S.A. Red Cross Society, St. John Ambulance Brigade and S.A. Noodhulpliga		9,000
	International Committee of the Red Cross		6,000
41.	Labour	6,314,000	
	Including—		
	Official entertainment		740
42.	Immigration	2,942,000	
	Including—		
	Official entertainment		200
	Grants-in-aid:		
	Maatskappy vir Europese Immigrasie		12,000
	1820 Memorial Settlers' Association of Southern Africa		12,000
43.	Coloured Affairs	12,147,000	
	Including—		
	Official entertainment		200
	Child Welfare:		
	Special grants-in-aid		15,000
	Subsidies to social centres		16,500
	Grants-in-aid to educational and sports organizations		20,000
	Grants-in-aid to school funds:		
	School of Industries		480
	Reform Schools		720
44.	Community Development	1,209,000	
	Including—		
	Official entertainment		440
45.	Housing	3,810,000	
	Including—		
	Official entertainment		200

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Benaming.		
		R	R
46.	Justisie	9,130,000	
	Met inbegrip van—		
	Amptelike onthaal		400
	Regshulpburo's		4,000
47.	Gevangnisse	10,381,000	
	Met inbegrip van—		
	Amptelike onthaal		200
48.	Polisie	40,800,000	
	Met inbegrip van—		
	Aankoop van motorvoertuie ..		1,574,000
	Hulptoelae aan Ontspannings- en		
	Weldadigheidsfonds		5,000
	Amptelike onthaal		200
	Geheime dienste		20,000
	Aankoop van materiaal		30,000
49.	Inligting	2,361,000	
	Met inbegrip van—		
	Amptelike onthaal		200
	Geheime dienste		500
	Totaal R	782,529,000	

Tweede Bylae.

(TEN LASTE VAN BANTOE-ONDERWYSREKENING.)

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Benaming.		
		R	R
	Bantoe-onderwys	21,400,000	
	Met inbegrip van—		
	Amptelike onthaal		200

Derde Bylae.

(TEN LASTE VAN LENINGSREKENING.)

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Benaming.		
		R	R
A.	Diverse Lenings en Dienste	108,390,000	
	Met inbegrip van—		
	Oordrag van gelde na die Spoor- weg- en Hawefonds		70,000,000
B.	Publieke Werke	15,308,000	
C.	Telegraaf-, Telefoon- en Radiodienste	21,297,000	
D.	Lande en Nedersettings	8,512,000	
	Met inbegrip van—		
	Grondnedersetting en ontwikke- ling		6,182,000
	Algemene ontwikkeling van Bes- proeiingsnedersettings		600,000
	Voorskotte aan nedersetters ..		175,000
	Aankoop van grond		1,500,000
	Opmeting en ontwikkeling van Stadsgebiede		5,000
	Ex gratia-terugbetalings		50,000
E.	Waterwese	19,134,000	
	Met inbegrip van—		
	Waterboorwerk		574,000
	Kleinere besproeiingslenings, ens.		162,200
	Lenings aan Rade, Plaaslike Bes- sture en Persone		1,728,000
	Verbeterings en dreinerings op Staatswaterskemas		850,000
F.	Bosbou	9,047,000	
G.	Landbou-tegniese Dienste	2,000,000	
H.	Kantoor tot Invordering van Staats- voorskotte	2,700,000	
J.	Handel en Nywerheid	1,860,000	
K.	Behuising	19,000,000	
L.	Vervoer	232,000	
M.	Onderwys, Kuns en Wetenskap ..	2,357,000	
N.	Bantoe-administrasie en -ontwikkeling	10,524,000	
	Met inbegrip van—		
	Hulptoelae aan die Suid-Afrikaanse Natureltrustfonds		10,000,000
O.	Gemeenskapsbou	5,500,000	
P.	Kleurlingsake	600,000	
Q.	Bantoe-onderwys	900,000	
R.	Landbou-ekonomie en -bemarking ..	200,000	
S.	Immigrasie	400,000	
	Totaal R	227,961,000	

Vote.		Column 1.	Column 2.
No.	Designation.		
		R	R
46.	Justice	9,130,000	
	Including—		
	Official entertainment		400
	Legal Aid Bureaux		4,000
47.	Prisons	10,381,000	
	Including—		
	Official entertainment		200
48.	Police	40,800,000	
	Including—		
	Purchase of motor vehicles		1,574,000
	Grant-in-aid to Recreation and Benevolent Fund		5,000
	Official entertainment		200
	Secret services		20,000
	Purchase of material		30,000
49.	Information	2,361,000	
	Including—		
	Official entertainment		200
	Secret services		500
	Total	R 782,529,000	

Second Schedule.

(CHARGEABLE TO BANTU EDUCATION ACCOUNT.)

Vote.		Column 1.	Column 2.
No.	Designation.		
		R	R
	Bantu Education	21,400,000	
	Including—		
	Official entertainment		200

Third Schedule.

(CHARGEABLE TO LOAN ACCOUNT.)

Vote.		Column 1.	Column 2.
No.	Designation.		
		R	R
A.	Miscellaneous Loans and Services ..	108,390,000	
	Including—		
	Transfer of moneys to the Railway and Harbour Fund		70,000,000
B.	Public Works	15,308,000	
C.	Telegraphs, Telephones and Radio Services	21,297,000	
D.	Lands and Settlements	8,512,000	
	Including—		
	Land settlement and development		6,182,000
	General development of Irrigation Settlements		600,000
	Advances to settlers		175,000
	Purchase of land		1,500,000
	Survey and development of Townships		5,000
	Ex-gratia repayments		50,000
E.	Water Affairs	19,134,000	
	Including—		
	Water boring		574,000
	Minor irrigation loans, etc.		162,200
	Loans to Boards, Local Authorities and Persons		1,728,000
	Betterment and drainage on Government Water Schemes		850,000
F.	Forestry	9,047,000	
G.	Agricultural Technical Services	2,000,000	
H.	State Advances Recoveries Office	2,700,000	
J.	Commerce and Industries	1,860,000	
K.	Housing	19,000,000	
L.	Transport	232,000	
M.	Education, Arts and Science	2,357,000	
N.	Bantu Administration and Development	10,524,000	
	Including—		
	Grant-in-aid to the South African Native Trust Fund		10,000,000
O.	Community Development	5,500,000	
P.	Coloured Affairs	600,000	
Q.	Bantu Education	900,000	
R.	Agricultural Economics and Marketing	200,000	
S.	Immigration	400,000	
	Total	R 227,961,000	

SAMEVATTING.

Bedrag ten laste van Inkomsterekening	..	..	R	782,529,000
Bedrag ten laste van Bantoe-onderwysrekening		21,400,000
Bedrag ten laste van Leningsrekening		227,961,000
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Totaal	<u>R 1,031,890,000</u>

SUMMARY.

Amount chargeable to Revenue Account	R 782,529,000
Amount chargeable to Bantu Education Account	21,400,000
Amount chargeable to Loan Account	227,961,000
Total	<u>R1,031,890,000</u>