

BUITENGEWONE



EXTRAORDINARY

# Staatskroerant

VAN DIE REPUBLIEK VAN SUID-AFRIKA

THE REPUBLIC OF SOUTH AFRICA

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[No. 456.

DEPARTEMENT VAN DIE EERSTE MINISTER.

DEPARTMENT OF THE PRIME MINISTER.

No. 396.] [15 Maart 1963. No. 396.] [15th March, 1963.

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

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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No. 10, 1963.]

## ACT

To amend the Judges' Salaries and Pensions Act, 1959.

(*English text signed by the State President.*)  
(*Assented to 7th March, 1963.*)

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

Amendment of  
First Schedule  
to Act 73 of 1959.

1. The First Schedule to the Judges' Salaries and Pensions Act, 1959, is hereby amended with effect from the first day of January, 1963, by the substitution in the second column thereof for the expressions "£5,500", "£5,000", "£4,500" and "£4,250" of the expressions "£6,250", "£5,750", "£5,250" and "£5,000" respectively.

Short title.

2. This Act shall be called the Judges' Salaries and Pensions Amendment Act, 1963.

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No. 11, 1963.]

## ACT

To consolidate the law relating to the admission of women as legal practitioners.

(*Afrikaans text signed by the State President.*)  
(*Assented to 7th March, 1963.*)

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

Admission of  
women as legal  
practitioners.

1. Women shall be entitled to be admitted to practise and to be enrolled as advocates, attorneys, notaries public or conveyancers subject to the same terms and conditions as apply to men, and any law regulating the admission or enrolment of persons as advocates, attorneys, notaries public or conveyancers shall be construed accordingly.

Repeal of Act  
No. 7 of 1923.

2. The Women Legal Practitioners Act, 1923, is hereby repealed.

Short title.

3. This Act shall be called the Women Legal Practitioners Act, 1963.

No. 10, 1963.]

## WET

### Tot wysiging van die Wet op Salarisse en Pensioene van Regters, 1959.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 7 Maart 1963.)

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

1. Die Eerste Bylae by die Wet op Salarisse en Pensioene Wysiging van  
van Regters, 1959, word hierby gewysig met ingang van die Eerste Bylae  
eerste dag van Januarie 1963 deur in die tweede kolom daarvan by Wet 73 van  
die uitdrukings „£5,500”, „£5,000”, „£4,500” en „£4,250”<sup>1959.</sup>  
onderskeidelik deur die uitdrukings „£6,250”, „£5,750”,  
„£5,250” en „£5,000” te vervang.
2. Hierdie Wet heet die Wysigingswet op Salarisse en Kort titel.  
Pensioene van Regters, 1963.

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No. 11, 1963.]

## WET

### Tot samevatting van die wetsbepalings met betrekking tot die toelating van vroue as regspraktisyns.

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 7 Maart 1963.)

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

1. Vroue kan toegelaat word om as advokate, prokureurs, Toelating van  
notarisie of aktebesorgers te praktiseer en kan as sodanig vroue as  
ingeskryf word, onderworpe aan dieselfde voorskrifte en  
voorwaardes wat op mans van toepassing is, en enige wets-  
bepaling wat die toelating of inskrywing van persone as advo-  
cate, prokureurs, notarisie of aktebesorgers reël, word dien-  
ooreenkomsdig uitgelê.
2. Die „Vrouwen Wetspraktizijns Wet, 1923”, word hierby Herroeping van  
Wet No. 7  
van 1923.
3. Hierdie Wet heet die Wet op Vroue-regspraktisyns, 1963. Kort titel.

No. 13, 1963.]

## ACT

To apply a further sum not exceeding thirty-four million two hundred and twenty-three thousand one hundred and eighty-four rand from the Railway and Harbour Fund for the services of the railways and harbours for the year ending the thirty-first day of March, 1963.

(Afrikaans text signed by the State President.)  
(Assented to 9th March, 1963.)

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

Railway and  
Harbour Fund  
charged with  
R34,223,184.

How moneys to  
be applied.

Minister may  
authorize  
variations.

Lines under  
construction.

Utilization  
of R48,400  
derived from  
repayment of  
advances made  
from working  
capital.

Sources from  
which moneys  
appropriated will  
be provided.

Short title.

1. The Railway and Harbour Fund is hereby charged with such sums of money as may be required for the services of the railways and harbours of the Republic for the year ending the thirty-first day of March, 1963, not exceeding in the whole for revenue services the sum of twenty million eight hundred and eighty-one thousand three hundred and eighty-four rand and for capital and betterment services the sum of thirteen million three hundred and forty-one thousand eight hundred rand in addition to the sums provided by the Railways and Harbours Appropriation Act, 1962 (Act No. 37 of 1962), and the Railways and Harbours Second Additional Appropriation Act, 1962 (Act No. 70 of 1962).

2. The moneys appropriated by this Act shall be applied to the purposes set forth in the First and Second Schedules to this Act, and more particularly specified in the Estimates of Additional Expenditure [R.P. 3—1963] and the Second Estimates of Additional Expenditure [R.P. 4—1963] for the said year as approved by Parliament.

3. (1) With the approval of the Minister of Transport a saving on any of the heads set out in column 1 of the First Schedule to this Act may be made available for any excess of expenditure on any other head appearing in column 1 of the First Schedule to the Railways and Harbours Appropriation Act, 1962 (Act No. 37 of 1962), and similarly a saving on any one of the heads set out in column 1 of the Second Schedule to this Act may be made available for any excess of expenditure on any other head appearing in column 1 of the Second Schedule to the said Act or in column 1 of the First Schedule to the Railways and Harbours Second Additional Appropriation Act, 1962 (Act No. 70 of 1962).

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

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

5. It shall be lawful to devote to the services appearing in the Second Schedule to this Act (other than Head No. 2 (b)) the sum of forty-eight thousand four hundred rand, being part of the moneys appropriated for working capital by the Railways and Harbours Appropriation Act, 1958 (Act No. 21 of 1958), and now available in consequence of the repayment, by members of the staff, of recoverable advances made to them pursuant to the said appropriation for the purpose specified under Item No. 1748 of Head No. 8 of the Estimates of Expenditure [U.G. 6—1958] as approved by Parliament.

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

7. This Act shall be called the Railways and Harbours Additional Appropriation Act, 1963.

No. 13, 1963.]

## WET

**Tot aanwending van 'n verdere som van hoogstens vier-en-dertigmiljoen tweehonderd drie-en-twintigduisend eenhonderd vier-en-tagtig rand uit die Spoorweg- en Hawefonds vir die dienste van die spoorweë en hawens vir die jaar wat op die een-en-dertigste dag van Maart 1963 eindig.**

*(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 9 Maart 1963.)*

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

**1.** Die Spoorweg- en Hawefonds word hierby belas met sodanige somme geld as wat nodig mag wees vir die dienste van die spoorweë en hawens van die Republiek gedurende die jaar wat op die een-en-dertigste dag van Maart 1963 eindig, maar gesamentlik ten bedrae van hoogstens twintigmiljoen agthonderd een-en-tagtigduisend driehonderd vier-en-tagtig rand vir inkomstediens en dertienmiljoen driehonderd een-en-veertigduisend agthonderd rand vir kapitaal- en verbeteringsdienste bo en behalwe die bedrae waarvoor voorsiening gemaak is deur die Spoorweg- en Hawebegrotingswet, 1962 (Wet No. 37 van 1962), en die Tweede Addisionele Spoorweg- en Hawebegrotingswet, 1962 (Wet No. 70 van 1962).

Spoorweg- en  
Hawefonds belas  
met R34,223,184.

**2.** Die gelde deur hierdie Wet beskikbaar gestel, moet aan- gewend word vir die doeleindes vermeld in die Eerste en Tweede Bylaes by hierdie Wet en nader omskrywe in die Begroting van Addisionele Uitgawe [R.P. 3—1963] en die Tweede Begroting van Addisionele Uitgawe [R.P. 4—1963] vir die genoemde jaar soos deur die Parlement goedgekeur.

Hoe die gelde  
bestee moet word.

**3. (1)** Met die goedkeuring van die Minister van Vervoer kan 'n besparing op een of ander van die hoofde aangetoon in kolom 1 van die Eerste Bylae by hierdie Wet beskikbaar gestel word vir 'n oorskryding van uitgawe op 'n ander hoof wat voorkom in kolom 1 van die Eerste Bylae by die Spoorweg- en Hawebegrotingswet, 1962 (Wet No. 37 van 1962), en insgelyks kan 'n besparing op een of ander van die hoofde aangetoon in kolom 1 van die Tweede Bylae by hierdie Wet beskikbaar gestel word vir 'n oorskryding van uitgawe op 'n ander hoof wat voorkom in kolom 1 van die Tweede Bylae by genoemde Wet of in Kolom 1 van die Eerste Bylae by die Tweede Addisionele Spoorweg- en Hawebegrotingswet, 1962 (Wet No. 70 van 1962).

Minister kan af-  
wykings magtig.

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

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

Lyne in aanbou.

**5.** Die som van agt-en-veertigduisend vierhonderd rand, wat 'n gedeelte is van die gelde wat vir bedryfskapitaal bewillig is deur die Spoorweg- en Hawebegrotingswet, 1958 (Wet No. 21 van 1958), en nou beskikbaar is as gevolg van die terugbetaling, deur lede van die personeel, van verhaalbare voorskotte aan hulle gemaak uit hoofde van genoemde bewilliging vir die doel vermeld onder item no. 1748 van hoof no. 8 van die Begroting van Uitgawe [U.G. 6—1958], soos deur die Parlement goedgekeur, kan wettig aangewend word vir die dienste (uitgesondervoorhoof no. 2 (b)) in die Tweede Bylae by hierdie Wet vermeld.

Aanwending  
van R48,400  
verkry uit  
terugbetaling  
van voorskotte  
gemaak uit  
bedryfskapitaal.

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

Bronne waaruit  
beskikbaargestelde  
gelde verskaf sal  
word.

**7.** Hierdie Wet heet die Addisionele Spoorweg- en Hawebegrotingswet, 1963. Kort titel.

**First Schedule.**

## REVENUE SERVICES.

Head No.	Head.	Column 1.	Column 2.
	<b>RAILWAYS.</b>	<b>R</b>	<b>R</b>
	<i>Transportation Services—</i>		
1	General Charges .. .	245,870	—
2	Maintenance of Permanent Way and Works .. .	1,753,699	—
3	Maintenance of Rolling Stock ..	3,275,210	—
4	Running Expenses ..	6,904,671	—
5	Traffic Expenses ..	4,212,393	—
6	Superannuation ..	1,387,100	—
	<i>Subsidiary Services—</i>		
9	Catering, Bedding, Bookstalls and Automatic Machines ..	451,254	—
12	Road Transport Service ..	964,059	—
13	Tourist Service ..	292,633	—
	<i>Net Revenue Account—</i>		
15	Interest on Superannuation and other Funds ..	—	47,000
17	Miscellaneous Expenditure ..	—	712,570
	<b>HARBOURS.</b>		
	<i>Net Revenue Account—</i>		
24	Interest on Capital ..	—	345,456
	<b>AIRWAYS.</b>		
	<i>Net Revenue Account—</i>		
29	Interest on Capital ..	—	116,073
30	Miscellaneous Expenditure ..	—	173,396
	Total .. .	<b>R20,881,384</b>	

**Second Schedule.**

## CAPITAL AND BETTERMENT SERVICES.

Head No.	Head.	Column 1.	Column 2.
1	Construction of Railways .. .	<b>R</b> —	<b>R</b> 948,000
2	New Works on Open Lines: (a) Loan Funds, Betterment Fund, Capital Credits and Recoveries (b) Level Crossings Elimination Fund .. .	1,812,000	—
3	Rolling Stock .. .	6,687,400	800,000
4	Road Transport Service .. .	63,100	—
5	Harbours .. .	—	2,230,800
7	Airways .. .	—	100,500
8	Working Capital .. .	700,000	—
	Total .. .	<b>R13,341,800</b>	

**SUMMARY.**

	R
Revenue Services (First Schedule) .. .	20,881,384
Capital and Betterment Services (Second Schedule) ..	13,341,800
	<b>R34,223,184</b>

**Third Schedule.**

## SOURCES FROM WHICH THE ADDITIONAL FUNDS FOR CAPITAL AND BETTERMENT SERVICES WILL BE PROVIDED:

	R
Level Crossings Elimination Fund .. .	800,000
Surrender of working capital in excess of requirements: Bicycles for maintenance staff .. .	48,400
Savings on provision made by the Second Schedule to the Railways and Harbours Appropriation Act, 1962 (Act No. 37 of 1962), and the First Schedule to the Railways and Harbours Second Additional Appropriation Act, 1962 (Act No. 70 of 1962): Head No. 2: New Works on Open Lines .. .	10,000,000
Head No. 3: Rolling Stock .. .	2,493,400
	<b>R13,341,800</b>

**Eerste Bylae.**

## INKOMSTEDIENSTE.

Hoof no.	Hoof.	Kolom 1.	Kolom 2.
	SPOORWEË.	R	R
	<i>Vervoerdienste—</i>		
1	Algemene koste .. .. ..	245,870	—
2	Onderhoud van spoorbaanen werke	1,753,699	—
3	Onderhoud van rollende materiaal	3,275,210	—
4	Treinloopkoste .. .. ..	6,904,671	—
5	Verkeerskoste .. .. ..	4,212,393	—
6	Superannuasie .. .. ..	1,387,100	—
	<i>Hulpdienste—</i>		
9	Verversings, beddediens, boekwinkels en outomate .. ..	451,254	—
12	Padvervoerdien .. .. ..	964,059	—
13	Toeristediens .. .. ..	292,633	—
	<i>Netto inkomsterekening—</i>		
15	Rente op superannuasie- en ander fondse .. .. ..	—	47,000
17	Diverse uitgawe .. .. ..	—	712,570
	HAWENS.		
24	<i>Netto inkomsterekening—</i>		
	Rente op kapitaal .. ..	—	345,456
	LUGDIENS.		
29	<i>Netto inkomsterekening—</i>		
	Rente op kapitaal .. ..	—	116,073
30	Diverse uitgawe .. ..	—	173,396
	Totaal .. .. ..	R20,881,384	

**Tweede Bylae.**

## KAPITAAL- EN VERBETERINGSDIENSTE.

Hoof no.	Hoof.	Kolom 1.	Kolom 2.
1	Aanleg van spoorweë .. .. ..	R —	948,000
2	Nuwe werke aan oopgestelde lyne:		
	(a) Leningsfondse, verbeteringsfonds, kapitaalkrediete en invorderings .. .. ..	1,812,000	—
	(b) Fonds ter uitskakeling van spooroorgange .. .. ..	—	800,000
3	Rollende materiaal .. .. ..	6,687,400	—
4	Padvervoerdien .. .. ..	63,100	—
5	Hawens .. .. ..	—	2,230,800
7	Lugdiens .. .. ..	—	100,500
8	Bedryfskapitaal .. .. ..	700,000	—
	Totaal .. .. ..	R13,341,800	

## SAMEVATTING.

	R
Inkomstdienste (Eerste Bylae) .. .. ..	20,881,384
Kapitaal- en Verbeteringsdienste (Tweede Bylae) .. .. ..	13,341,800
	<hr/> R34,223,184

**Derde Bylae.**

## BRONNE WAARUIT DIE ADDISIONELE FONDSE VIR KAPITAAL- EN VERBETERINGSDIENSTE VERSKAF SAL WORD:

Fonds ter uitskakeling van spooroorgange .. .. ..	R 800,000
Teruggawe van bedryfskapitaal wat behoeftes oorskry:	48,400
Fietse vir onderhoudspersoneel .. .. ..	
Besparings op die beskikbaarstelling kragtens die Tweede Bylae by die Spoorweg- en Hawebegrotingswet, 1962 (Wet No. 37 van 1962), en die Eerste Bylae by die Tweede Addisionele Spoorweg- en Hawebegrotingswet, 1962 (Wet No. 70 van 1962):	
Hoof no. 2: Nuwe werke aan oopgestelde lyne .. .. ..	10,000,000
Hoof no. 3: Rollende materiaal .. .. ..	2,493,400
	<hr/> R13,341,800

No. 14, 1963.]

## ACT

### To amend the Companies Act, 1926.

(*English text signed by the State President.*)  
(*Assented to 9th March, 1963.*)

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

Amendment of section 9 of Act 46 of 1926.

**1.** Section *nine* of the Companies Act, 1926 (hereinafter referred to as the principal Act), is hereby amended by the addition of the following proviso:

“Provided that a company may by special resolution substitute for an existing memorandum in either of the official languages of the Republic, a translation thereof in the other official language.”.

Amendment of section 10 of Act 46 of 1926, as amended by section 5 of Act 23 of 1939 and section 6 of Act 46 of 1952.

**2.** Section *ten* of the principal Act is hereby amended by the substitution in sub-section (5) for the word “Minister” of the word “Registrar”.

Amendment of section 21 of Act 46 of 1926, as amended by section 11 of Act 23 of 1939, section 2 of Act 67 of 1951, section 13 of Act 46 of 1952 and section 1 of Act 18 of 1960.

**3.** Section *twenty-one* of the principal Act is hereby amended by the substitution in sub-section (3) for the words “secretaries and managers” of the words “and directors”, and for the word “sixty-seven” of the words “and sixty-seven, sub-section (7) of section *seventy* and sections”.

Amendment of section 25 of Act 46 of 1926, as amended by section 12 of Act 23 of 1939, section 2 of Act 37 of 1950 and section 16 of Act 46 of 1952.

**4.** Section *twenty-five* of the principal Act is hereby amended by the insertion in sub-section (1) after the word “manner” of the words “and, in the case of a person who has ceased to be a member, also by microfilm or microcard or by miniature photographic or other process which accurately reproduces and forms a durable medium for recording and reproducing such particulars”.

Amendment of section 30 of Act 46 of 1926, as amended by section 15 of Act 23 of 1939 and section 21 of Act 46 of 1952.

**5.** Section *thirty* of the principal Act is hereby amended by the substitution in sub-section (2) for the words “one shilling” of the words “twenty-five cents”.

Repeal of section 40 of Act 46 of 1926, as substituted by section 19 of Act 23 of 1939.

**6.** Section *forty* of the principal Act is hereby repealed.

Amendment of section 43 of Act 46 of 1926, as substituted by section 21 of Act 23 of 1939 and amended by section 23 of Act 46 of 1952.

**7.** Section *forty-three* of the principal Act is hereby amended by the addition of the following sub-section:

“(6) (a) If a company having a share capital has redeemed any redeemable preference shares, it shall within one month after so doing give notice thereof to the Registrar specifying the shares so redeemed.

(b) If default is made in complying with the provisions of this sub-section, the company shall be guilty of an offence and liable on conviction to a fine of ten rand for every day for which the default continues.”.

Amendment of section 59 of Act 46 of 1926, as substituted by section 29 of Act 46 of 1952.

**8.** Section *fifty-nine* of the principal Act is hereby amended by the insertion in paragraph (c) of sub-section (1) after the word “shown” of the words “and upon payment of the prescribed fee”.

Amendment of section 71 of Act 46 of 1926, as amended by section 50 of Act 46 of 1952.

**9.** Section *seventy-one* of the principal Act is hereby amended by the substitution in the proviso for the words “a copy of such contract has been lodged” of the words “two copies of such contract, one of which shall be certified by a notary public or by a subscriber to the memorandum, have been lodged”.

No. 14, 1963.]

# WET

## Tot wysiging van die Maatskappywet, 1926.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 9 Maart 1963.)

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

1. Artikel *nege* van die Maatskappywet, 1926 (hieronder die Hoofwet genoem), word hierby gewysig deur die volgende voorbehoudsbepaling by te voeg:

„Met dien verstande dat 'n maatskappy by spesiale besluit in die plek van 'n bestaande akte van oprigting in een van die ampelike tale van die Republiek 'n vertaling daarvan in die ander ampelike taal kan stel.”.

Wysiging van artikel 9 van Wet 46 van 1926.

2. Artikel *tien* van die Hoofwet word hierby gewysig deur in sub-artikel (5) die woord „Minister” deur die woord „Registrateur” te vervang.

Wysiging van artikel 10 van Wet 46 van 1926, soos gewysig deur artikel 5 van Wet 23 van 1939 en artikel 6 van Wet 46 van 1952.

3. Artikel *een-en-twintig* van die Hoofwet word hierby gewysig deur in sub-artikel (3) die woorde „sekretarisse en bestuurders”, deur die woorde „en direkteure”, en die woorde „sewen-en-sestig”, deur die woorde „en sewe-en-sestig”, sub-artikel (7) van artikel *sewentig* en artikels” te vervang.

Wysiging van artikel 21 van Wet 46 van 1926, soos gewysig deur artikel 11 van Wet 23 van 1939, artikel 2 van Wet 67 van 1951, artikel 13 van Wet 46 van 1952 en artikel 1 van Wet 18 van 1960.

4. Artikel *vyf-en-twintig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) na die woord „teken” die woorde „en, in die geval van iemand wat opgehou het om lid te wees, ook deur middel van 'n mikrofilm of mikrokaart of van 'n miniatuurfoto of ander proses waardeur bedoelde besonderhede noukeurig weergegee en 'n duursame middel vir die aantekening en reproduksie daarvan daargestel word” in te voeg.

Wysiging van artikel 25 van Wet 46 van 1926, soos gewysig deur artikel 12 van Wet 23 van 1939, artikel 2 van Wet 37 van 1950 en artikel 16 van Wet 46 van 1952.

5. Artikel *dertig* van die Hoofwet word hierby gewysig deur in sub-artikel (2) die woorde „een sjiling” deur die woorde „vyf-en-twintig sent” te vervang.

Wysiging van artikel 30 van Wet 46 van 1926, soos gewysig deur artikel 15 van Wet 23 van 1939 en artikel 21 van Wet 46 van 1952.

6. Artikel *veertig* van die Hoofwet word hierby herroep.

Herroeping van artikel 40 van Wet 46 van 1926, soos vervang deur artikel 19 van Wet 23 van 1939.

7. Artikel *drie-en-veertig* van die Hoofwet word hierby gewysig deur die volgende sub-artikel by te voeg:

„(6) (a) Indien 'n maatskappy wat 'n aandelekapitaal het enige aflosbare voorkeuraandele afgelos het, moet hy binne een maand nadat hy aldus gehandel het met aangifte van die aandele wat aldus afgelos is, aan die Registrateur daarvan kennis gee.

Wysiging van artikel 43 van Wet 46 van 1926, soos vervang deur artikel 21 van Wet 23 van 1939 en gewysig deur artikel 23 van Wet 46 van 1952.

(b) In geval van versuim om aan die bepalings van hierdie sub-artikel te voldoen, is die maatskappy aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van tien rand vir elke dag wat die versuim voortduur.”.

8. Artikel *nege-en-vyftig* van die Hoofwet word hierby gewysig deur in paragraaf (c) van sub-artikel (1) na die woord „aangevoer” die woorde „en die voorgeskrewe gelde betaal” in te voeg.

Wysiging van artikel 59 van Wet 46 van 1926, soos vervang deur artikel 29 van Wet 46 van 1952.

9. Artikel *een-en-sewentig* van die Hoofwet word hierby gewysig deur in die voorbehoudsbepaling die woorde „'n kopie van die kontrak” deur die woorde „twee kopieë van die kontrak waarvan een deur 'n notaris of deur 'n ondertekenaar van die akte van oprigting gesertifiseer is” te vervang.

Wysiging van artikel 71 van Wet 46 van 1926, soos gewysig deur artikel 50 van Wet 46 van 1952.

Amendment of section 90<sup>quat</sup> of Act 46 of 1926, as inserted by section 57 of Act 23 of 1939 and substituted by section 74 of Act 46 of 1952.

Amendment of section 91 of Act 46 of 1926, as amended by section 58 of Act 23 of 1939.

Amendment of section 92 of Act 46 of 1926, as amended by section 59 of Act 23 of 1939 and section 79 of Act 46 of 1952.

Amendment of the Third Schedule to Act 46 of 1926, as amended by section 136 of Act 46 of 1952.

Short title.

**10.** Section *ninety quat* of the principal Act is hereby amended by the insertion in sub-section (1) after the word "subsidiaries" where it occurs for the first time of the expression "(including foreign companies which are controlled by any company registered in the Union)".

**11.** Section *ninety-one* of the principal Act is hereby amended by the insertion in sub-section (3) after the word "registries" where it occurs for the first time of the words "or, in the case of a ship, by a deed of mortgage in the form prescribed by the Merchant Shipping Act, 1951 (Act No. 57 of 1951), recorded in the register by the proper officer at the ship's port of registry".

**12.** Section *ninety-two* of the principal Act is hereby amended by the substitution in sub-section (2) and in sub-section (3) for the words "one shilling" of the words "twenty-five cents".

**13.** The Third Schedule to the principal Act is hereby amended by the deletion of item (2) of the First Table and the addition to that Table of the following item:

"(15) For extension of time in terms of section 59(1)(c) .. . . . . 10/-."

**14.** This Act shall be called the Companies Amendment Act, 1963.

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No. 12, 1963.]

## ACT

### To amend the Coloured Development Corporation Act, 1962.

(English text signed by the State President.)  
(Assented to 9th March, 1963.)

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

Amendment of section 1 of Act 4 of 1962.

**1.** Section *one* of the Coloured Development Corporation Act, 1962, is hereby amended by the addition of the following sub-section, the existing section becoming sub-section (1):

"(2) For the purposes of this Act mining and fishing, and any other activity which the State President may by proclamation in the *Gazette* declare to be an industry for the purposes of this Act, shall be regarded as industries.".

Short title.

**2.** This Act shall be called the Coloured Development Corporation Amendment Act, 1963.

**10.** Artikel *negentig quat* van die Hoofwet word hierby gewysig deur in sub-artikel (1) na die woord „filiaal-maatskappye” waar dit die eerste maal voorkom die uitdrukking „(met inbegrip van buitelandse maatskappye wat deur ’n in die Unie geregistreerde maatskappy beheer word)” in te voeg.

Wysiging van artikel 90<sup>quat</sup> van Wet 46 van 1926, soos ingevoeg deur artikel 57 van Wet 23 van 1939 en vervang deur artikel 74 van Wet 46 van 1952.

**11.** Artikel *een-en-negentig* van die Hoofwet word hierby gewysig deur in sub-artikel (3) na die woord „geregistreer” waar dit die eerste maal voorkom die woorde „of, in die geval van ’n skip, deur ’n verbandakte in die vorm voorgeskryf by die Handelskeepvaartwet, 1957 (Wet No. 57 van 1951), wat deur die bevoegde beampte by die registrasiehawe van die skip in die register aangeteken is” in te voeg.

Wysiging van artikel 91 van Wet 46 van 1926, soos gewysig deur artikel 58 van Wet 23 van 1939.

**12.** Artikel *twee-en-negentig* van die Hoofwet word hierby gewysig deur in sub-artikel (2) en in sub-artikel (3) die woorde „een sjieling” deur die woorde „vyf-en-twintig sent” te vervang.

Wysiging van artikel 92 van Wet 46 van 1926, soos gewysig deur artikel 59 van Wet 23 van 1939 en artikel 79 van Wet 46 van 1952.

**13.** Die Derde Bylae by die Hoofwet word hierby gewysig deur item (2) van die Eerste Tabel te skrap en die volgende item by daardie Tabel te voeg:

„(15) Vir verlenging van tyd ingevolge artikel 59(1)(c) . . . . . 10/-.”

Wysiging van Derde Bylae by Wet 46 van 1926, soos gewysig deur artikel 136 van Wet 46 van 1952.

**14.** Hierdie Wet heet die Wysigingswet op Maatskappye, 1963. Kort titel.

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No. 12, 1963.]

## WET

Tot wysiging van die Wet op die Kleurling-ontwikkelingskorporasie, 1962.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 9 Maart 1963.)

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

**1.** Artikel *een* van die Wet op die Kleurling-ontwikkelingskorporasie, 1962, word hierby gewysig deur die volgende sub-artikel by te voeg, terwyl die bestaande artikel sub-artikel (1) word:

Wysiging van artikel 1 van Wet 4 van 1962.

„(2) By die toepassing van hierdie Wet word mynbou en visvangs, en enige ander bedrywigheid wat die Staatspresident by proklamasie in die Staatskoerant tot ’n nywerheid vir die doeleindes van hierdie Wet verklaar, as nywerhede beskou.”

**2.** Hierdie Wet heet die Wysigingswet op die Kleurling-ontwikkelingskorporasie, 1963. Kort titel.

No. 15, 1963.]

# ACT

## To amend the Agricultural Pests Act, 1957.

(Afrikaans text signed by the State President.)  
(Assented to 9th March, 1963.)

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

Amendment of section 1 of Act 42 of 1957.

**1.** Section *one* of the Agricultural Pests Act, 1957 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the substitution in the definition of “department” for the word “Agriculture” of the words “Agricultural Technical Services”;
- (b) by the substitution in the definition of “exotic animal” for the words “stock as defined in the law for the time being in force in the Union relating to diseases of stock” of the words “any cattle, or any sheep, goat, horse, donkey, mule, pig, ostrich, dog or cat or any poultry”; and
- (c) by the substitution in the definition of “Minister” for the word “Agriculture” of the words “Agricultural Technical Services”.

Amendment of section 25 of Act 42 of 1957.

**2.** Section *twenty-five* of the principal Act is hereby amended by the substitution for sub-section (2) of the following sub-section:

“(2) Where any exotic animal has been imported in contravention of any proclamation referred to in sub-section (1) the department may cause such animal or any progeny or egg thereof born, hatched or laid in the Republic after the issue of the proclamation to be destroyed.”.

Addition of section 27bis to Chapter III of Act 42 of 1957.

**3.** The following section is hereby added to Chapter III of the principal Act after section *twenty-seven*:

“**27bis.** (1) Any officer may, at all reasonable times, enter upon any premises to determine whether there is any exotic animal therein or under certain circumstances.

(2) The Minister may, in writing, specially empower any officer to take such steps on any premises as may be necessary for destroying any exotic animal which, in the opinion of the Minister, is dangerous or harmful, or may become dangerous or harmful: Provided that, unless the Minister otherwise directs, no such steps shall, without the written consent of the owner or occupier of the premises, be taken unless such officer has given fourteen days’ previous notice in writing of the intention to take such steps to the owner or occupier.

(3) Compensation (the amount whereof shall be ascertained *mutatis mutandis* as provided by sub-sections (2) and (3) of section *seven*) shall be paid—  
(a) to the owner thereof, for any vertebrate exotic animal destroyed in terms of this section; and  
(b) for any damage caused to any property by the exercise of any function which an officer is empowered to perform in terms of this section, but no compensation shall be paid in respect of the loss of any invertebrate exotic animal so destroyed.”.

Substitution in Act 42 of 1957 for the words “Union”, and “Governor-General” of the words “Republic” and “State President”, respectively.

**4.** Subject to the preceding provisions of this Act, the principal Act is hereby amended by the substitution for the word “Union”, wherever it occurs, of the word “Republic” and for the word “Governor-General”, wherever it occurs, of the words “State President”.

Amendment of long title of Act 42 of 1957.

**5.** The long title of the principal Act is hereby amended by the addition at the end thereof of the words “and to provide for the destruction of certain exotic animals”.

Short title.

**6.** This Act shall be called the Agricultural Pests Amendment Act, 1963.

No. 15, 1963.]

# WET

## Tot wysiging van die Wet op Landbouplae, 1957.

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 9 Maart 1963.)

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

1. Artikel *een* van die Wet op Landbouplae, 1957 (hieronder Wysiging van die Hoofwet genoem), word hierby gewysig—  
  - (a) deur in die omskrywing van „departement” die woord „Landbou” deur die woorde „Landbou-tegniese Dienste” te vervang;
  - (b) deur in die omskrywing van „Minister” die woord „Landbou” deur die woorde „Landbou-tegniese Dienste” te vervang; en
  - (c) deur in die omskrywing van „uitheemse dier” die woorde „vee soos omskryf in die wetsbepalings wat van tyd tot tyd in die Unie met betrekking tot veesiektes van krag is” deur die woorde „enige bees, skaap, bok, perd, donkie, muil, vark, volstruis, hond of kat of enige pluimvee” te vervang.
2. Artikel *vyf-en-twintig* van die Hoofwet word hierby Wysiging van gewysig deur sub-artikel (2) deur die volgende sub-artikel te artikel 25 van vervang:  
Wet 42 van 1957.  
„(2) Waar 'n uitheemse dier in stryd met 'n in sub-artikel (1) bedoelde proklamasie ingevoer is, kan die departement sodanige dier of enige nakomeling of eier daarvan wat na die uitvaardiging van die proklamasie in die Republiek gebore, uitgebroei of gelê is, laat vernietig.”.
3. Die volgende artikel word hierby by Hoofstuk III van die Hoofwet, na artikel *sewe-en-twintig*, bygevoeg:  
Byvoeging van artikel 27bis by Hoofstuk III van Wet 42 van 1957.  
„Vernietiging van uitheemse diere onder sekere omstandighede. *27bis.* (1) Enige amptenaar kan te alle redelike tye enige perseel betree om te bepaal of daar enige uitheemse dier daarin of daarop aanwesig is.  
(2) Die Minister kan skriftelik 'n amptenaar spesiaal magtig om sodanige stappe op enige perseel te doen as wat nodig mag wees om enige uitheemse dier wat, na die mening van die Minister, gevaarlik of skadelik is, of gevaarlik of skadelik mag word, te vernietig. Met dien verstande dat, tensy die Minister anders gelas, geen sodanige stappe sonder die skriftelike toestemming van die eienaar of okkuperder van die perseel gedoen mag word tensy sodanige amptenaar aan die eienaar of okkuperder vooraf veertien dae skriftelike kennis van die voorneme om sodanige stappe te doen, gegee het nie.  
(3) Skadevergoeding (die bedrag waarvan *mutatis mutandis* vasgestel moet word soos by sub-artikels (2) en (3) van artikel *sewe* bepaal) word betaal—  
(a) aan die eienaar daarvan, vir enige gewerwelde uitheemse dier wat ingevolge hierdie artikel vernietig word; en  
(b) vir enige skade wat aan enige eiendom aangerig word deur die uitoefening van enige funksie wat 'n amptenaar ingevolge hierdie artikel gemagtig is om te verrig, maar geen skadevergoeding word betaal ten opsigte van die verlies van enige ongewerwelde uitheemse dier wat aldus vernietig word nie.”.
4. Behoudens die voorgaande bepalings van hierdie Wet, word die Hoofwet hierby gewysig deur die woorde „Unie”, oral waar dit voorkom, deur die woorde „Republiek” te vervang en die woorde „Goewerneur-generaal”, oral waar dit voorkom, deur die woorde „Staatspresident” te vervang. Vervanging in Wet 42 van 1957 van die woorde „Unie” en „Goewerneur-generaal” deur die woorde „Republiek” en „Staatspresident”, respektiewelik.
5. Die lang titel van die Hoofwet word hierby gewysig deur aan die end daarvan die woorde „en om voorsiening vir die vernietiging van sekere uitheemse diere te maak” by te voeg. Wysiging van lang titel van Wet 42 van 1957.
6. Hierdie Wet heet die Wysigingswet op Landbouplae, 1963. Kort titel.

No. 16, 1963.]

## ACT

To consolidate and amend the laws relating to the appointment, powers and duties of justices of the peace and commissioners of oaths, and to provide for matters incidental thereto.

(English text signed by the State President.)  
(Assented to 9th March, 1963.)

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

### JUSTICES OF THE PEACE.

Division of districts into wards.

**1.** The Minister of Justice (hereinafter referred to as the Minister) may, from time to time, divide any magisterial district into so many wards as he may deem expedient, and define the boundaries of each such ward, or may declare any such district to be a ward.

Appointment of justices of the peace.

**2.** (1) The Minister may appoint for any ward referred to in section one so many justices of the peace, not exceeding six, as he may deem fit.

(2) Any justice of the peace so appointed shall hold office during the Minister's pleasure.

Powers and duties of justices of the peace.

**3.** Any justice of the peace appointed under section two shall—

- (a) within the magisterial district within which the ward for which he is appointed, is situated, possess all such powers and perform all such duties as, by any law in force in such district, are conferred or imposed upon justices of the peace and upon field-cornets, and assistant field-cornets, whose powers could be exercised and whose duties could be performed by justices of the peace in terms of any law repealed by this Act;
  - (b) carry out such instructions for the preservation of the peace and good order in such ward as he may receive from the magistrate of the district in which such ward is situated;
  - (c) render all assistance possible in suppressing disorder or disturbance in such ward;
- and shall further have such other powers and perform such other duties as the Minister may lawfully confer or impose upon him.

*Ex officio* justices of the peace.

**4.** The holder of any office specified in the First Schedule shall be a justice of the peace for the area so specified opposite such office, and shall within such area possess all such powers and perform all such duties as, by any law in force therein, are conferred or imposed on justices of the peace.

### COMMISSIONERS OF OATHS.

Appointment of commissioners of oaths.

**5.** (1) The Minister may appoint any person as a commissioner of oaths for any area fixed by the Minister.

(2) Any commissioner of oaths so appointed shall hold office during the Minister's pleasure.

*Ex officio* commissioners of oaths.

**6.** The Minister may, by notice in the *Gazette*, designate the holder of any office as a commissioner of oaths for any area specified in such notice, and may in like manner withdraw or amend any such notice.

Powers of commissioners of oaths.

**7.** Any commissioner of oaths may, within the area for which he is a commissioner of oaths, administer an oath or affirmation to or take a solemn or attested declaration from any person: Provided that he shall not administer an oath or affirmation or take a solemn or attested declaration in respect of any matter in relation to which he is in terms of any regulation made under section ten prohibited from administering an oath or affirmation or taking a solemn or attested declaration, or if he has reason to believe that the person in question is unwilling to make an oath or affirmation or such a declaration.

No. 16, 1963.]

## WET

**Tot samevatting en wysiging van die wette op die aanstelling, bevoegdhede en pligte van vrederegters en kommissarisse van ede, en om voorsiening te maak vir aangeleenthede wat daarvan in verband staan.**

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 9 Maart 1963.)

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

### VREDEREGTERS.

**1.** Die Minister van Justisie (hieronder die Minister genoem) kan van tyd tot tyd 'n landdrosdistrik in soveel wyke verdeel as wat hy raadsaam ag, en die grense van iedere sodanige wyk om-skryf, of kan so 'n distrik tot 'n wyk verklaar.

**2.** (1) Die Minister kan vir 'n wyk vermeld in artikel *een* so- veel vrederegters aanstel as wat hy goedvind, maar hoogstens ses. Aanstelling van vrederegters.

(2) 'n Vrederegter wat aldus aangestel is, beklee sy amp solank dit die Minister behaag.

**3.** 'n Vrederegter wat kragtens artikel *twoe* aangestel is— (a) het in die landdrosdistrik waarin die wyk geleë is waarvoor hy aangestel is, al die bevoegdhede en verrig daarin al die pligte wat by 'n wet wat in dié distrik van krag is, verleen of opgelê word aan vrederegters en assistent-veldkornette, wie se bevoegdhede uitgeoefen en wie se pligte verrig kon word deur vrederegters ingevolge 'n wet deur hierdie Wet herroep;

(b) moet dié opdragte vir die handhawing van die vrede en goeie orde in sodanige wyk uitvoer wat hy ontvang van die landdros van die distrik waarin sodanige wyk geleë is;

(c) moet alle moontlike bystand verleen by die onderdrukking van wanordelikheid of oproerigheid in sodanige wyk;

en het verder die ander bevoegdhede en verrig verder die ander pligte wat die Minister wettiglik aan hom verleen of oplê.

**4.** Die bekleer van 'n amp vermeld in die Eerste Bylae is 'n Vrederegter vir die gebied aldus vermeld teenoor dié amp, en het *ex officio*. in dié gebied al die bevoegdhede en verrig daarin al die pligte wat by 'n wet wat daarin van krag is, verleen of opgelê word aan vrederegters.

### KOMMISSARISSE VAN EDE.

**5.** (1) Die Minister kan iemand as 'n kommissaris van ede aanstel vir 'n gebied wat die Minister bepaal.

(2) 'n Kommissaris van ede wat aldus aangestel is, beklee sy amp solank dit die Minister behaag.

**6.** Die Minister kan by kennisgewing in die Staatskoerant die bekleer van 'n amp as 'n kommissaris van ede aanwys vir 'n gebied in dié kennisgewing vermeld, en kan so 'n kennisgewing insgelyks intrek of wysig.

**7.** 'n Kommissaris van ede kan in die gebied waarvoor hy 'n kommissaris van ede is, 'n eed of bevestiging of 'n plegtige of geattesteerde verklaring van iemand afneem: Met dien verstande dat hy nie 'n eed of bevestiging of 'n plegtige of geattesteerde verklaring mag afneem nie ten opsigte van 'n aangeleenthed met betrekking waartoe hy ingevolge 'n regulasie uitgevaardig kragtens artikel *tien* verbied is om 'n eed of bevestiging of 'n plegtige of geattesteerde verklaring af te neem, of indien hy rede het om te meen dat die betrokke persoon onwillig is om 'n eed of bevestiging af te lê.

Powers as to oaths outside the Republic.

8. (1) (a) The Minister may, by notice in the *Gazette*, declare that the holder of any office in any country outside the Republic shall in the country in which or at the place at which he holds such office, have the powers conferred by section *seven* upon a commissioner of oaths, and may in like manner withdraw or amend any such notice.  
(b) Any person appointed as a commissioner of the Supreme Court of South Africa shall for the purpose of the exercise of his powers or the performance of his duties as such commissioner have, at any place outside the Republic, the powers conferred by section *seven* upon a commissioner of oaths.  
(2) If any person referred to in sub-section (1) administers an oath or affirmation to or takes a solemn or attested declaration from any person, he shall authenticate the affidavit or declaration in question by affixing thereto the seal or impressing thereon the stamp used by him in connection with his office or, if he possesses no such seal or stamp, certifying thereon under his signature to that effect.  
(3) Any affidavit, affirmation or solemn or attested declaration purporting to have been made before a person referred to in sub-section (1) and to be authenticated in accordance with the provisions of sub-section (2), may, on its mere production, be admitted in evidence in any court or received in any public office.  
(4) Any affidavit, affirmation or solemn or attested declaration made before a person referred to in sub-section (1) and authenticated in accordance with the provisions of sub-section (2), shall be as effectual as if made in the Republic before a commissioner of oaths.  
(5) Any court in the Republic shall have jurisdiction to try any person on a charge of having contravened section *nine* in relation to any affidavit or declaration made outside the Republic before a person referred to in sub-section (1), and for all purposes incidental to or consequential upon the trial of the offence, the offence shall be deemed to have been committed within the area of jurisdiction of the court so trying any person.

#### GENERAL.

Penalties for false statements in affidavits and certain other declarations.

9. Any person who, in an affidavit, affirmation or solemn or attested declaration made before a person competent to administer an oath or affirmation or take the declaration in question, has made a false statement knowing it to be false, shall be guilty of an offence and liable upon conviction to the penalties prescribed by law for the offence of perjury.

Regulations.

10. (1) The State President may make regulations—  
(a) prescribing the matters in respect of which fees shall be payable to justices of the peace appointed in terms of section *two*, and the scale of such fees;  
(b) prescribing the form and manner in which an oath or affirmation shall be administered and a solemn or attested declaration shall be taken, when not prescribed by any other law;  
(c) prescribing the circumstances under which commissioners of oaths shall be prohibited from administering an oath or affirmation or taking a solemn or attested declaration;

and generally for the better carrying out of the objects and purposes of this Act.

(2) A differing scale of fees may in terms of paragraph (a) of sub-section (1) be prescribed in respect of different areas, and different regulations may in terms of paragraph (c) of the said sub-section be made in relation to different commissioners of oaths or in relation to commissioners of oaths of different classes.

Repeal of laws.

11. (1) Subject to the provisions of sub-sections (2), (3) and (4) the laws specified in the Second Schedule are hereby repealed to the extent set out in the third column of that Schedule.

(2) Any appointment made under or declared to remain in existence by any law repealed by sub-section (1), and any appointment equated by such law to an appointment made thereunder, and anything done in connection with or by virtue of any such appointment shall remain of full force and effect, and any condition or provision which immediately before the commencement of this Act applied in relation to any person by virtue of any such law, shall continue so to apply as if that law had not been repealed.

8. (1) (a) Die Minister kan by kennisgewing in die *Staatskoerant* verklaar dat die bekleer van 'n amp in 'n land buite die Republiek die bevoegdhede wat by artikel *sewe* verleen word aan 'n kommissaris van ede, het in die land waarin of op die plek waar hy daardie amp bekleer, en kan so 'n kennisgewing insgelyks intrek of wysig.

Bevoegdhede  
betreffende ede  
buite die  
Republiek.

(b) Iemand wat as 'n kommissaris van die Hooggereghof van Suid-Afrika aangestel is, het op enige plek buite die Republiek, vir die doeleindes van die uitvoering van sy bevoegdhede of die verrigting van sy pligte as so 'n kommissaris, die bevoegdhede wat by artikel *sewe* aan 'n kommissaris van ede verleen word.

(2) Indien iemand vermeld in sub-artikel (1) 'n eed of bevestiging of 'n plegtige of geattesteerde verklaring van iemand afneem, moet hy die betrokke beëdigde of ander verklaring waarmerk deur die seël wat hy in verband met sy amp gebruik, daar-aan te heg, of die stempel wat hy aldus gebruik, daarop af te druk, of, indien hy nie so 'n seël of stempel het nie, deur in dier voege daarop onder sy handtekening te sertifiseer.

(3) 'n Beëdigde, bevestigde, plegtige of geattesteerde verklaring wat heet afgelê te wees voor iemand vermeld in sub-artikel (1), en ooreenkomsdig die bepalings van sub-artikel (2) gewaarmerk te wees, kan by die blote oorlegging daarvan as getuenis in 'n hof toegelaat of in 'n openbare kantoor aangeneem word.

(4) 'n Beëdigde, bevestigde, plegtige of geattesteerde verklaring wat voor iemand vermeld in sub-artikel (1) afgelê en ooreenkomsdig die bepalings van sub-artikel (2) gewaarmerk is, is net so van krag asof dit in die Republiek voor 'n kommissaris van ede afgelê is.

(5) Enige hof in die Republiek isregsbevoeg om iemand te verhoor op 'n aanklag dat hy artikel *nege* oortree het met betrekking tot 'n beëdigde of ander verklaring wat buite die Republiek afgelê is voor iemand vermeld in sub-artikel (1), en die misdryf word vir alle doeleindes wat in verband staan met of voortspruit uit die beregtiging daarvan, geag gepleeg te wees in die regsgebied van die hof wat iemand aldus verhoor.

#### ALGEMEEN.

9. Iemand wat in 'n beëdigde, bevestigde, plegtige of geattesteerde verklaring wat hy afgelê het voor iemand wat bevoeg is om 'n eed of bevestiging of die betrokke verklaring af te neem, 'n valse verklaring afgelê het terwyl hy geweet het dat dit vals is, is aan 'n misdryf skuldig en by skuldig bevinding strafbaar met die strawwe wat deur die reg vir die misdryf meineed voorgeskryf is.

Strawwe vir  
valse verklarings  
in beëdigde en  
sekere ander  
verklarings.

10. (1) Die Staatspresident kan regulasies uitvaardig— Regulasies.

(a) wat die aangeleenthede ten opsigte waarvan gelde betaalbaar is aan vrederegters wat ingevolge artikel *twee* aangestel is, en die tarief van sodanige gelde, voorskryf;

(b) wat die vorm waarin en die wyse waarop 'n eed of bevestiging of 'n plegtige of geattesteerde verklaring afgeneem moet word, voorskryf waar dit nie deur 'n ander wet gedoen word nie;

(c) wat die omstandighede voorskryf waaronder kommissarisse van ede verbied is om 'n eed of bevestiging of 'n plegtige of geattesteerde verklaring af te neem;

en oor die algemeen om die oogmerke en doeleindes van hierdie Wet beter te kan uitvoer.

(2) 'n Wisselende tarief van gelde kan ingevolge paragraaf (a) van sub-artikel (1) ten opsigte van verskillende gebiede voorskryf word, en verskillende regulasies kan ingevolge paragraaf (c) van genoemde sub-artikel met betrekking tot verskillende kommissarisse van ede of met betrekking tot verskillende klasse kommissarisse van ede voorgeskryf word.

11. (1) Behoudens die bepalings van sub-artikels (2), (3) en (4) word die wette in die Tweede Bylae vermeld, hierby herroep vir Herroeping van  
sover in die derde kolom van daardie Bylae aangedui.  
wette.

(2) 'n Aanstelling wat gedoen is kragtens 'n wet deur sub-artikel (1) herroep, of ten opsigte waarvan by so 'n wet verklaar is dat dit bly voortbestaan, en enige aanstelling wat deur so 'n wet gelyk gestel is met 'n aanstelling wat daarkragtens gedoen is, en enigets wat gedoen is in verband met of uit hoofde van so 'n aanstelling, bly ten volle van krag en geldig, en enige voorwaarde of bepaling wat onmiddellik vóór die inwerkingtreding van hierdie Wet met betrekking tot iemand van toepassing was uit hoofde van so 'n wet, bly aldus van toepassing asof dié wet nie herroep is nie.

(3) The wards into which any magisterial district is at the commencement of this Act divided for the purposes of a law repealed by sub-section (1), shall be deemed to have been established by a division of such district into wards in terms of this Act.

(4) Anything done under any provision of a law repealed by sub-section (1), shall be deemed to have been done under the corresponding provision of this Act, if any.

## Short title.

**12.** This Act shall be called the Justices of the Peace and Commissioners of Oaths Act, 1963, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

**First Schedule.**OFFICES THE HOLDERS OF WHICH ARE *ex officio* JUSTICES OF THE PEACE.

Office.	Area.
Commandant-General of the South African Defence Force. Commissioner of the Railways and Harbours Police Force. Secretary or Deputy Secretary to the Senate. Secretary or Deputy Secretary to the House of Assembly. An office mentioned in Column II of the First Schedule to the Public Service Act, 1957 (Act No. 54 of 1957), Deputy Secretary and Under-Secretary of any department mentioned in Column I of the said schedule, and any corresponding post in such a department of which the head is not designated by the word secretary. Registrar of any division of the Supreme Court of South Africa. Magistrate. Chief Bantu Affairs Commissioner. Bantu Affairs Commissioner.	The Republic.
Commissioned officer of the South African Police, the Permanent Force of the South African Defence Force, or the Railways and Harbours Police Force.	Area in respect of which office is held.
Additional or Assistant Magistrate. Additional or Assistant Bantu Affairs Commissioner.	Magisterial district or area in respect of which office is held.

**Second Schedule.**

## LAWS REPEALED.

No. and Year of Law.	Short Title.	Extent of Repeal.
Act No. 16 of 1914.	Justices of the Peace and Oaths Act, 1914.	The whole.
Act No. 8 of 1931.	Justices of the Peace and Oaths (Amendment) Act, 1931.	The whole.
Act No. 46 of 1935.	General Law Amendment Act, 1935.	Section <i>eighty-two</i> .
Act No. 14 of 1939.	Justices of the Peace and Oaths (Amendment) Act, 1939.	The whole.
Act No. 54 of 1949.	General Law Amendment Act, 1949.	Sections <i>two</i> and <i>three</i> .
Act No. 32 of 1952.	General Law Amendment Act, 1952.	Section <i>five</i> .
Act No. 21 of 1953.	Justices of the Peace and Oaths Amendment Act, 1953.	The whole.
Act No. 68 of 1957.	General Law Amendment Act, 1957.	Sections <i>twenty-two</i> to <i>twenty-five</i> , inclusive.

(3) Die wyke waarin 'n landdrosdistrik by die inwerkingtreding van hierdie Wet verdeel is vir die doeleinnes van 'n wet wat deur sub-artikel (1) herroep is, word geag ingestel te wees deur 'n verdeling van dié distrik in wyke ingevolge hierdie Wet.

(4) Eniglets wat gedoen is kragtens 'n bepaling van 'n wet wat deur sub-artikel (1) herroep is, word geag gedoen te wees kragtens die ooreenstemmende bepaling van hierdie Wet, indien daar een is.

**12.** Hierdie Wet heet die Wet op Vrederegters en Kommisarisse van Ede, 1963, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* vasstel.

### Eerste Bylae.

AMpte WAARVAN DIE BEKLEËRS VREDEREGTERS *ex officio* IS.

Amp.	Gebied.
Kommandant-generaal van die Suid-Afrikaanse Weermag. Kommissaris van die Spoorweg- en Hawepolisiemag. Sekretaris of Adjunk-sekretaris van die Senaat. Sekretaris of Adjunk-sekretaris van die Volksraad. 'n Amp vermeld in Kolom II van die Eerste Bylae van die Staatsdienswet, 1957 (Wet No. 54 van 1957), Adjunk-sekretaris en Ondersekretaris van 'n departement vermeld in Kolom I van genoemde bylae, en 'n ooreenstemmende pos in so 'n departement waarvan die hoof nie met die woord sekretaris aangedui word nie. Griffler van 'n afdeling van die Hooggereghof van Suid-Afrika. Landdros. Hoofbantoesakekommissaris. Bantoesakekommissaris.	Die Republiek.
Offisier van die Suid-Afrikaanse Polisie, die Staande Mag van die Suid-Afrikaanse Weermag of die Spoorweg- en Hawepolisiemag.	Gebied ten opsigte waarvan amp beklee word.
Addisionele Landdros of Assistent-landdros. Addisionele Bantoesakekommissaris of Assistent-bantoesakekommissaris.	Landdrosdistrik of gebied ten opsigte waarvan amp beklee word.

### Tweede Bylae.

HERROEPE WETTE.

No. en Jaar van Wet.	Kort Titel.	Omvang van Herroeping.
Wet No. 16 van 1914.	„Wet op Vrederechters en Eden, 1914”.	Die geheel.
Wet No. 8 van 1931.	Wysigingswet op Vrederegters en Ede, 1931.	Die geheel.
Wet No. 46 van 1935.	Algemene Regswysigingswet, 1935..	Artikel <i>twee-en-tig</i> .
Wet No. 14 van 1939.	Wysigingswet op Vrederegters en Ede, 1939.	Die geheel.
Wet No. 54 van 1949.	Algemene Regswysigingswet, 1949..	Artikels <i>twee en drie</i> .
Wet No. 32 van 1952.	Algemene Regswysigingswet, 1952..	Artikel <i>vijf</i> .
Wet No. 21 van 1953.	Wysigingswet op Vrederegters en Ede, 1953.	Die geheel.
Wet No. 68 van 1957.	Algemene Regswysigingswet, 1957..	Artikels <i>twee-en-twintig</i> tot en met <i>vijf-en-twintig</i> .

No. 17, 1963.]

## ACT

To apply a further sum not exceeding twenty-seven million eight hundred and fifty-nine thousand nine hundred and eighty-four 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 9th March, 1963.)

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

Consolidated Revenue Fund charged with sum not exceeding R24,563,978 on Revenue Account.

Consolidated Revenue Fund charged with sum not exceeding R3,296,006 on Loan Account.

How money to be applied.

Minister may approve variation.

Short title.

1. The Consolidated Revenue Fund is hereby charged with such sums of money as may be required for the service of the Republic (and chargeable to the Revenue Account) for the financial year ending on the thirty-first day of March, 1963, not exceeding in the aggregate twenty-four million five hundred and sixty-three thousand nine hundred and seventy-eight rand, in addition to the sums with which that Account has been charged by the Appropriation Act, 1962 (Act No. 91 of 1962).

2. The Consolidated Revenue Fund is further charged with such sums of money as may be required for the service of the Republic (and chargeable to the Loan Account) for the financial year ending on the thirty-first day of March, 1963, not exceeding in the aggregate three million two hundred and ninety-six thousand and six rand, in addition to the sums with which that Account has been charged by the Appropriation Act, 1962 (Act No. 91 of 1962).

3. The money appropriated by this Act shall be applied to the services detailed in the Schedule hereto, and more particularly specified in the Estimates of Additional Expenditure [R.P. 2—1963], as approved by Parliament, and to no other purpose.

4. 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 Schedule 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 Schedule.

5. This Act shall be known as the Additional Appropriation Act, 1963.

### Schedule.

No.	Designation.	Vote.	
		Column 1.	Column 2.
(Chargeable to Revenue Account.)			
2	Senate .. .. ..	36,600	R
3	House of Assembly .. ..	12,530	R
4	Prime Minister .. ..	32,700	
7	Surveys .. .. ..	80,000	
9	Public Works .. .. ..	2,245,000	
	Including—		
	Grants-in-aid:		
	Approved societies for care of war graves in South Africa .. .. ..		3,500
	Control Board: Voortrekker Monument .. .. ..		1,173
10	Foreign Affairs .. .. ..	249,000	
11	Treasury .. .. ..	71,000	
13	Provincial Administrations ..	1,721,250	
14	South Africa House, London (Administrative Services) ..	13,300	

No. 17, 1963.]

# WET

**Tot aanwending van 'n verdere som van hoogstens sewe-en-twintigmiljoen agthonderd nege-en-vyftigduisend negehonderd vier-en-tigtyg 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 9 Maart 1963.)*

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

**1.** Die Gekonsolideerde Inkomstefonds word hiermee 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 vier-en-twintig miljoen vyfhonderd drie-en-sestigduisend negehonderd agt-en-sewentig rand ten laste van die Inkomsterekening benewens die somme waarmee bedoelde Rekening deur die Begrotingswet, 1962 (Wet No. 91 van 1962), belas is.

Gekonsolideerde  
Inkomstefonds  
belas met som  
van hoogstens  
R24,563,978 op  
Inkomsterekening.

**2.** Die Gekonsolideerde Inkomstefonds 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 driemiljoen tweehonderd ses-en-negentigduisend-en-ses rand ten laste van die Leningsrekening benewens die somme waarmee bedoelde Rekening deur die Begrotingswet, 1962 (Wet No. 91 van 1962), belas is.

Gekonsolideerde  
Inkomstefonds  
belas met som van  
hoogstens  
R3,296,006 op  
Leningsrekening.

**3.** Die geld wat deur hierdie Wet beskikbaar gestel word, moet aangewend word vir die dienste in besonderhede in die aangehegte Bylae vermeld en meer omstandig uiteengesit in die Begroting van Addisionele Uitgawes [R.P. 2—1963], soos deur die Parlement goedgekeur, en vir geen ander doel nie.

Hoe die geld  
bestee moet word.

**4.** Met goedkeuring van die Minister van Finansies kan 'n besparing onder die een subhoof van 'n begrotingspos aangewend word tot dekking van uitgawes bo die gemagtigde bedrag onder 'n ander subhoof, of van uitgawe onder 'n nuwe subhoof van dieselfde begrotingspos: Met dien verstande dat die somme wat in kolom 2 van die Bylae 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 die gemelde Bylae aangedui.

Die Minister kan  
'n afwyking goed-  
keur.

**5.** Hierdie Wet heet die Addisionele Begrotingswet, 1963. Kort titel.

## Bylae.

No.	Begrotingspos.	Kolom 1.	Kolom 2.
	Benaming.		
	<i>(Ten laste van Inkomsterekening.)</i>	R	R
2	Senaat .. .. .. ..	36,600	
3	Volksraad .. .. .. ..	12,530	
4	Eerste Minister .. .. .. ..	32,700	
7	Opmetings .. .. .. ..	80,000	
9	Publieke Werke .. .. .. ..	2,245,000	
	Met inbegrip van—		
	Hulptoelaes:		
	Goedgekeurde verenigings vir versorging van oorlogsgrafe in Suid-Afrika		
	Beheerraad van die Voortrekkermonument ..	3,500	
10	Buitelandse Sake .. .. .. ..	249,000	1,173
11	Tesourie .. .. .. ..	71,000	
13	Provinciale Administrasies ..	1,721,250	
14	Suid-Afrika-huis, Londen (Administratiewe dienste) .. ..	13,300	

No.	Designation.	Vote.	
		Column 1.	Column 2.
		R	R
16	Inland Revenue .. ..	335,380	
17	Customs and Excise .. ..	441,700	
19	Transport .. .. ..	485,000	
	Including—		
	Navigational aid equipment		39,000
20	Social Welfare and Pensions ..	1,690,500	
23	Printing and Stationery .. ..	240,000	
24	Education, Arts and Science ..	21,711	
	Including—		
	Grants-in-aid:		
	Africa Institute ..		4,000
	Physical education, Adult education, Advancement of art, etc.		1,000
27	Agricultural Technical Services (Administration and National Services) .. .. ..	50,000	
28	Agricultural Technical Services (Regional Services and Education) .. .. ..	100,000	
29	Water Affairs .. .. ..	979	
	Including—		
	Subsidies on minor water-works .. .. ..		978
33	Mines .. .. ..	1,000	
34	Posts, Telegraphs and Telephones .. .. ..	1,054,000	
35	Health .. .. ..	1,875,000	
	Including—		
	Contributions in terms of Section 135 of Act No. 36 of 1919:		
	Matlala Mission Hospital		1,800
	Jane Furse Mission Hospital		1,800
	St. Rita's Mission Hospital		1,800
	Philadelphia Mission Hospital ..		1,800
	George Stegman Mission Hospital ..		1,800
38	Agricultural Economics and Marketing (General) .. ..	2,704,400	
40	Defence .. .. ..	9,015,728	
43	Coloured Affairs .. .. ..	496,700	
48	Police .. .. ..	1,590,500	
	Including—		
	Purchase of motor vehicles ..		122,000
	Secret services .. ..		5,000
	Total .. ..	R24,563,978	
	(Chargeable to Loan Account.)		
A.	Miscellaneous Loans and Services .. .. ..	1,400,000	
B.	Public Works .. .. ..	604	
D.	Lands and Settlements .. .. ..	630,000	
	Including—		
	Purchase of land .. ..		630,000
E.	Water Affairs .. .. ..	75,002	
	Including—		
	Minor irrigation loans, etc ..		75,000
	Loans to Boards, Local Authorities and Persons ..		2
F.	Forestry .. .. .. ..	150,000	
H.	State Advances Recoveries Office .. .. ..	600,000	
M.	Education, Arts and Science .. ..	238,000	
Q.	Bantu Education .. .. ..	202,400	
	Total .. ..	R3,296,006	

## SUMMARY.

Amount chargeable to Revenue Account .. ..	R24,563,978
Amount chargeable to Loan Account .. ..	3,296,006
Total .. .. ..	R27,859,984

Begrotingspos.		Kolom 1.	Kolom 2.
No.	Benaming.		
		R	R
16	Binnelandse Inkomste .. ..	335,380	
17	Docane en Aksyns .. ..	441,700	
19	Vervoer .. ..	485,000	
	Met inbegrip van— Lugnavigasiehulpuitrusting ..		39,000
20	Volkswelyn en Pensioene ..	1,690,500	
23	Drukwerk en Skryfbehoeftes ..	240,000	
24	Onderwys, Kuns en Wetenskap ..	21,711	
	Met inbegrip van— Hulptoedae: Afrika-instituut ..		4,000
	Liggaamlike opvoeding, Volwassene-opvoeding, Kunsbevordering, ens..		1,000
27	Landbou-tegniese Dienste (Administrasie en Nasionale Dienste)	50,000	
28	Landbou-tegniese Dienste (Streekdienste en Onderwys) ..	100,000	
29	Waterwese .. ..	979	
	Met inbegrip van— Subsidies op kleinere waterwerke .. ..		978
33	Mynwese .. ..	1,000	
34	Pos-, Telegraaf- en Telefoonwese	1,054,000	
35	Gesondheid .. ..	1,875,000	
	Met inbegrip van— By draes kragtens Artikel 135 van Wet No. 36 van 1919: Matlala-sendinghospitaal ..		1,800
	Jane Furse-sendinghospitaal ..		1,800
	St. Rita's-sendinghospitaal ..		1,800
	Philadelphia - sendinghospitaal ..		1,800
	George Stegman - sendinghospitaal ..		1,800
38	Landbou-ekonomie en -bemarking (Algemeen) .. ..	2,704,400	
40	Verdediging .. ..	9,015,728	
43	Kleurlingsake .. ..	496,700	
48	Polisie .. ..	1,590,500	
	Met inbegrip van— Aankoop van motorvoertuie Geheime dienste .. ..		122,000 5,000
	Totaal .. ..	R24,563,978	
	(Ten laste van Leningsrekening.)		
A.	Diverse Lenings en Dienste ..	1,400,000	
B.	Publieke Werke .. ..	604	
D.	Lande en Nedersettings .. ..	630,000	
	Met inbegrip van— Aankoop van grond .. ..		630,000
E.	Waterwese .. ..	75,002	
	Met inbegrip van— Kleinere besproeiingslenings, ens. .. ..		75,000
	Lenings aan Rade, Plaaslike Besture en Persone ..		2
F.	Bosbou .. ..	150,000	
H.	Kantoor tot Invordering van Staatsvoorskotte .. ..	600,000	
M.	Onderwys, Kuns en Wetenskap ..	238,000	
Q.	Bantoe-onderwys .. ..	202,400	
	Totaal .. ..	R3,296,006	

## OPSUMMING.

Ten laste van Inkomsterekening .. ..	R24,563,978
Ten laste van Leningsrekening .. ..	3,296,006
Totaal .. ..	R27,859,984

No. 18, 1963.]

## ACT

### To prohibit the export of ostriches and to provide for matters incidental thereto.

(*English text signed by the State President.*)  
(Assented to 9th March, 1963.)

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

Definitions.

1. In this Act, unless the context otherwise indicates—  
“Minister” means the Minister of Agricultural Technical Services;  
“ostrich” includes the egg of an ostrich.

Prohibition on  
export of ostriches.

2. No person shall export any ostrich except under the authority of a permit issued to him under section *three* and subject to the conditions specified in that permit.

Issue of permits.

3. (1) The Minister may on such conditions as he may deem fit in his discretion issue a permit authorizing the export of any ostrich.

(2) The provisions of the Wild Birds' Protection Act, 1934 (Act No. 22 of 1934), or the Wild Birds Export Prohibition Act, 1959 (Act No. 18 of 1959), or any law relating to the export or the conveyance out of any province of any ostrich shall not apply with reference to an ostrich intended for export in pursuance of a permit issued under this section.

Offences and  
penalties.

4. (1) Any person who contravenes the provisions of section *two* or contravenes or fails to comply with any condition on which a permit has been issued to him under sub-section (1) of section *three*, shall be guilty of an offence and liable on conviction to a fine not exceeding fifty rand or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(2) The court convicting any person of an offence under this Act may declare any ostrich in respect of which such offence was committed to be forfeited to the State and the Minister may give such directions in regard to its disposal as he may deem fit.

Repeal of Laws.

5. Act No. 10 of 1907, of the Cape of Good Hope, Act No. 29 of 1907, of Natal, and Act No. 7 of 1908, of the Orange Free State, are hereby repealed.

Short title.

6. This Act shall be called the Prohibition of Export of Ostriches Act, 1963.

No. 18, 1963.]

## WET

### Om die uitvoer van volstruise te verbied en vir daarmee in verband staande aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 9 Maart 1963.)

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

**1.** Tensy uit die samehang anders blyk, beteken in hierdie Woord-Wet— omskrywing.

„Minister”, die Minister van Landbou-tegniese Dienste;  
„volstruis”, ook die eier van ’n volstruis.

**2.** Niemand mag ’n volstruis uitvoer nie, behalwe ingevolge Verbod op ’n permit kragtens artikel *drie* aan hom uitgereik en onderworpe uitvoer van volstruise. aan die voorwaardes in die permit uiteengesit.

**3.** (1) Die Minister kan na goeddunke en op die voorwaardes Uitreiking van wat hy goedvind, ’n permit uitrek waarby die uitvoer van ’n permitte. volstruis gemagtig word.

(2) Die bepalings van die Wet tot Beskerming van Wilde Voëls, 1934 (Wet No. 22 van 1934), of die Wet op die Verbod op die Uitvoer van Wilde Voëls, 1959 (Wet No. 18 van 1959), of ’n wetsbepaling met betrekking tot die uitvoer of die vervoer uit ’n provinsie van ’n volstruis is nie met betrekking tot ’n volstruis bestem vir uitvoer ingevolge ’n kragtens hierdie artikel uitgereikte permit van toepassing nie.

**4.** (1) Iemand wat die bepalings van artikel *twoe* oortree, of Misdrywe en ’n voorwaarde waarop ’n permit kragtens sub-artikel (1) van strawwe. artikel *drie* aan hom uitgereik is, oortree of versuim om daaraan te voldoen, is aan ’n misdryf skuldig en by skuldigbevinding strafbaar met ’n boete van hoogstens vyftig rand of gevangenisstraf vir ’n tydperk van hoogstens ses maande of met beide sodanige boete en gevangenisstraf.

(2) Die hof wat iemand weens ’n misdryf kragtens hierdie Wet skuldig bevind, kan enige volstruis ten opsigte waarvan dié misdryf gepleeg is ten gunste van die Staat verbeurd verklaar en die Minister kan die voorskrifte aangaande die beskikking daaroor gee wat hy goedvind.

**5.** Wet No. 10 van 1907, van die Kaap die Goeie Hoop, Herroeping van Wet No. 29 van 1907, van Natal, en Wet No. 7 van 1908, van die Wette. Oranje-Vrystaat, word hierby herroep.

**6.** Hierdie Wet heet die Wet op die Verbod op Uitvoer van Kort titel. Volstruise, 1963.

No. 19, 1963.]

# ACT

## To amend the Magistrates' Courts Act, 1944.

(Afrikaans text signed by the State President.)  
(Assented to 9th March, 1963.)

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

Amendment of section 9 of Act 32 of 1944, as amended by section 8 of Act 40 of 1952, section 17 of Act 50 of 1956, section 38 of Act 68 of 1957 and section 24 of Act 93 of 1962.

**1.** Section nine of the Magistrates' Courts Act, 1944 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution in sub-sections (2) and (3) for the words "Under-Secretary or Assistant-Secretary for Justice or the" of the words "or Deputy Secretary for Justice or an Under-Secretary for Justice or the Administrative Control Officer or"; and

(b) by the substitution for sub-section (4) of the following sub-section:

"(4) In applying this section to a district or sub-district under the administrative control of the Minister of Bantu Administration and Development, any reference therein to an officer of a specified rank in the Department of Justice shall be construed as a reference to an officer of a corresponding rank in the Department of Bantu Administration and Development.".

Amendment of section 15 of Act 32 of 1944, as amended by section 11 of Act 40 of 1952.

**2.** Section fifteen of the principal Act is hereby amended—

(a) by the substitution in the Afrikaans text of sub-section (2) for the words "gedien" and "diening" of the words "beteken" and "betekening", respectively; and

(b) by the addition of the following sub-section:

"(3) An officer in the service of a province of a class defined by the administrator of that province by notice in the *Official Gazette* of the province concerned, shall be competent to serve any process of the court or any other document in a case in which a prosecution takes place for an offence in terms of any law of that province as if he had been appointed as a deputy messenger of the court.".

Amendment of section 29 of Act 32 of 1944, as amended by section 13 of Act 40 of 1952 and section 39 of Act 68 of 1957.

**3.** Section twenty-nine of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

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

(a) actions in which is claimed the delivery or transfer of any property, movable or immovable, not exceeding one thousand rand in value;

(b) actions of ejectment against the occupier of any premises or land within the district: Provided that where the right of occupation of any such premises or land is in dispute between the parties, such right does not exceed one thousand rand in clear value to the occupier;

(c) actions for the determination of a right of way, notwithstanding the provisions of section forty-six;

(d) actions on or arising out of a liquid document or a mortgage bond where the claim does not exceed two thousand rand;

(e) actions on or arising out of any agreement as defined in sub-section (1) of section one of the Hire-Purchase Act, 1942 (Act No. 36 of 1942), where the claim or the value of the property in dispute does not exceed two thousand rand;

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

Amendment of section 30 of Act 32 of 1944.

**4.** Section thirty of the principal Act is hereby amended by the substitution in paragraphs (a) and (b) of sub-section (3) for the words "twenty pounds" of the words "forty rand".

Amendment of section 46 of Act 32 of 1944.

**5.** Section forty-six of the principal Act is hereby amended by the substitution in sub-paragraphs (i), (ii) and (iii) of paragraph (c) of sub-section (2) for the words "two hundred pounds" of the words "one thousand rand".

No. 19, 1963.]

# WET

## Tot wysiging van die Wet op Landdroshowe, 1944.

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 9 Maart 1963.)

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

- 1.** Artikel *nege* van die Wet op Landdroshowe, 1944 (hieronder die Hoofwet genoem), word hierby gewysig—  
(a) deur in sub-artikels (2) en (3) die woorde „Ondeskretaris of Assistent-sekretaris van Justisie of die” deur die woorde „of Adjunk-sekretaris van Justisie of ‘n Ondeskretaris van Justisie of die Administratiewe Beheerbeampte of” te vervang; en  
(b) deur sub-artikel (4) deur die volgende sub-artikel te vervang:  
„(4) By die toepassing van hierdie artikel op ‘n distrik of sub-distrik onder die administratiewe beheer van die Minister van Bantoe-administrasie en -ontwikkeling, word ‘n verwysing daarin na ‘n beampete van ‘n bepaalde rang in die Departement van Justisie uitgelê as ‘n verwysing na ‘n beampete van ‘n ooreenstemmende rang in die Departement van Bantoe-administrasie en -ontwikkeling.”.
- 2.** Artikel *vyftien* van die Hoofwet word hierby gewysig—  
(a) deur in sub-artikel (2) die woorde „gedien” en „diening”, onderskeidelik deur die woorde „beteken” en „betekening” te vervang; en  
(b) deur die volgende sub-artikel by te voeg:  
„(3) ‘n Beampete in diens van ‘n provinsie wat behoort tot ‘n kategorie deur die administrateur van daardie provinsie by kennisgewing in die *Offisiële Koerant* van die betrokke provinsie omskrywe, is bevoeg om enige prosesstuk of enige ander stuk in ‘n saak waarin ‘n vervolging weens ‘n misdryf ingevolge ‘n wetsbepaling van daardie provinsie plaasvind, te beteken asof hy as adjunk-geregsbode aangestel was.”.
- 3.** Artikel *nege-en-twintig* van die Hoofwet word hierby gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang:  
„(1) Behoudens die bepalings van hierdie Wet het die hof, ten aansien van skuldoorsake, jurisdiksie in—  
(a) aksies tot lewering of oordrag van roerende of onroerende goed waarvan die waarde hoogstens duisend rand is;  
(b) aksies tot uitsetting teen die okkuperder van ‘n perseel of grond binne die distrik geleë: Met dien verstande dat waar die reg tot okkupasie van die perseel of grond tussen die partye in geskil is, die suwer waarde van daardie reg vir die okkuperder hoogstens duisend rand is;  
(c) aksies vir die vasstelling van ‘n reg van weg, ondanks die bepalings van artikel *ses-en-veertig*;  
(d) aksies gebaseer op of wat ontstaan uit ‘n likwiede dokument of ‘n verband waar die vordering hoogstens tweeduusend rand is;  
(e) aksies gebaseer op of wat ontstaan uit ‘n kontrak soos omskryf in sub-artikel (1) van artikel *een* van die Wet op Huurkoop, 1942 (Wet No. 36 van 1942), waar die vordering of die waarde van die goed in geskil hoogstens tweeduusend rand is;  
(f) ander aksies as die wat reeds in hierdie sub-artikel vermeld is, waar die vordering of waarde van die onderwerp in geskil hoogstens duisend rand is.”.
- 4.** Artikel *dertig* van die Hoofwet word hierby gewysig deur in paragrawe (a) en (b) van sub-artikel (3) die woorde „twintig pond” deur die woorde „veertig rand” te vervang.  
Wysiging van artikel 30 van Wet 32 van 1944.
- 5.** Artikel *ses-en-veertig* van die Hoofwet word hierby gewysig deur in sub-paragrawe (i), (ii) en (iii) van paragraaf (c) van sub-artikel (2) die woerde „tweehonderd pond” deur die woerde „duisend rand” te vervang.  
Wysiging van artikel 46 van Wet 32 van 1944.

Amendment of  
section 50 of Act  
32 of 1944.

**6.** Section *fifty* of the principal Act is hereby amended by the substitution in sub-section (1) for the words "one hundred pounds" wherever they occur of the words "two hundred rand".

Amendment of  
section 51 of Act  
32 of 1944.

**7.** Section *fifty-one* of the principal Act is hereby amended by the substitution in paragraph (a) of sub-section (2) for the words "twenty-five pounds" of the words "fifty rand" and for the words "one month" of the words "three months".

Amendment of  
section 55 of Act  
32 of 1944.

**8.** Section *fifty-five* of the principal Act is hereby amended by the substitution in sub-section (1) for the words "ten pounds" of the words "twenty rand".

Amendment of  
section 59 of Act  
32 of 1944.

**9.** Section *fifty-nine* of the principal Act is hereby amended—  
(a) by the substitution in paragraph (b) of sub-section (1) for the words "two shillings" of the words "twenty cents"; and  
(b) by the substitution in paragraph (c) of the said sub-section for the words "ten shillings" of the words "one rand".

Amendment of  
section 65 of Act  
32 of 1944, as  
substituted by sec-  
tion 15 of Act 40  
of 1952 and  
amended by section  
1 of Act 14 of 1954  
and section 20 of  
Act 50 of 1956.

**10.** Section *sixty-five* of the principal Act is hereby amended by the substitution in sub-section (10) for the words "twenty-five pounds" of the words "fifty rand".

Amendment of  
section 72 of Act  
32 of 1944, as  
substituted by sec-  
tion 17 of Act 40  
of 1952 and  
amended by section  
26 of Act 93 of  
1962.

**11.** (1) Section *seventy-two* of the principal Act is hereby amended—  
(a) by the substitution in the Afrikaans version of sub-  
section (1) for the word "vonnisskuldenaar" where  
it occurs for the second time in paragraph (a) and for  
the third time in paragraph (b) of the word "vonnis-  
skuldeiser"; and  
(b) by the substitution in the Afrikaans version of sub-  
section (3) for the word "vonnisskuldenaar" where it  
occurs for the first time of the word "vonnisskuldeiser".  
(2) Sub-section (1) shall be deemed to have come into  
operation on the fourth day of July, 1962.

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

**12.** Section *seventy-four* of the principal Act is hereby amended—  
(a) by the substitution in sub-section (1) for the words  
"two hundred pounds" of the words "one thousand  
rand" and for the words "one thousand pounds" of  
the words "two thousand rand"; and  
(b) by the substitution in sub-section (16) for the words  
"twenty-five pounds" of the words "fifty rand".

Amendment of  
section 79 of Act  
32 of 1944.

**13.** Section *seventy-nine* of the principal Act is hereby amended by the substitution for the words "twenty-five pounds" wherever they occur of the words "fifty rand".

Amendment of  
section 92 of Act  
32 of 1944, as  
substituted by sec-  
tion 1 of Act 16 of  
1959.

**14.** Section *ninety-two* of the principal Act is hereby amended by the substitution in paragraph (b) for the words "one hundred pounds" of the words "two hundred rand" and for the words "three hundred pounds" of the words "six hundred rand".

Amendment of  
section 95 of Act  
32 of 1944, as  
amended by sec-  
tion 24 of Act 40  
of 1952.

**15.** Section *ninety-five* of the principal Act is hereby amended by the substitution in paragraph (a) for the words "two hundred pounds" of the words "four hundred rand".

Amendment of  
section 96 of Act  
32 of 1944, as  
amended by sec-  
tion 25 of Act 40  
of 1952, section 25  
of Act 62 of 1955  
and section 4 of  
Act 16 of 1959.

**16.** Section *ninety-six* of the principal Act is hereby amended by the substitution in sub-sections (1) and (2) for the words "fifty pounds" of the words "one hundred rand".

Amendment of  
the heading to  
Chapter XIV of  
Act 32 of 1944.

**17.** The heading to *Chapter XIV* of the principal Act is hereby amended by the deletion of the words "as of Course".

- 6.** Artikel *vyftig* van die Hoofwet word hierby gewysig deur in Wysiging van sub-artikel (1) die woorde „honderd pond” oral waar hulle voor artikel 50 van kom deur die woorde „tweehonderd rand” te vervang. Wet 32 van 1944.
- 7.** Artikel *een-en-vyftig* van die Hoofwet word hierby gewysig Wysiging van deur in paragraaf (a) van sub-artikel (2) die woorde „vyf-en- artikel 51 van twintig pond” deur die woorde „vyftig rand” en die woorde Wet 32 van 1944. „n maand” deur die woorde „drie maande” te vervang.
- 8.** Artikel *vyf-en-vyftig* van die Hoofwet word hierby gewysig Wysiging van deur in sub-artikel (1) die woorde „tien pond” deur die woorde artikel 55 van „twintig rand” te vervang. Wet 32 van 1944.
- 9.** Artikel *nege-en-vyftig* van die Hoofwet word hierby Wysiging van gewysig— artikel 59 van (a) deur in paragraaf (b) van sub-artikel (1) die woorde Wet 32 van 1944. „twee sjielings” deur die woorde „twintig sent” te vervang; en (b) deur in paragraaf (c) van genoemde sub-artikel die woorde „tien sjielings” deur die woorde „een rand” te vervang.
- 10.** Artikel *vijf-en-sestig* van die Hoofwet word hierby Wysiging van deur in sub-artikel (10) die woorde „vyf-en-twintig pond” deur artikel 65 van die woorde „vyftig rand” te vervang. Wet 32 van 1944, soos vervang deur artikel 15 van Wet 40 van 1952 en gewysig deur artikel 1 van Wet 14 van 1954 en artikel 20 van Wet 50 van 1956.
- 11.** (1) Artikel *twee-en-sewentig* van die Hoofwet word hierby Wysiging van gewysig— artikel 72 van (a) deur in sub-artikel (1) die woorde „vonnisskuldenaar” Wet 32 van 1944, waar dit vir die tweede maal in paragraaf (a) en vir die derde maal in paragraaf (b) voorkom deur die woorde „vonnisskuldeiser” te vervang; en artikel 17 van Wet 40 van 1952 en gewysig deur (b) deur in sub-artikel (3) die woorde „vonnisskuldenaar” artikel 26 van waar dit vir die eerste maal voorkom deur die woorde „vonnisskuldeiser” te vervang. Wet 93 van 1962.
- (2) Sub-artikel (1) word geag op die vierde dag van Julie 1962 inwerking te getree het.
- 12.** Artikel *vier-en-sewentig* van die Hoofwet word hierby Wysiging van gewysig— artikel 74 van (a) deur in sub-artikel (1) die woorde „tweehonderd pond” Wet 32 van 1944, deur die woorde „duisend rand” en die woorde „een-duisend pond” deur die woorde „tweeduisend rand” te vervang; en artikel 19 van Wet 40 van 1952, artikel 2 van Wet 14 van 1954 en artikel 27 van Wet 93 van 1962.
- 13.** Artikel *nege-en-sewentig* van die Hoofwet word hierby Wysiging van gewysig deur die woorde „vyf-en-twintig pond” oral waar hulle voorkom deur die woorde „vyftig rand” te vervang. artikel 79 van Wet 32 van 1944.
- 14.** Artikel *twee-en-negentig* van die Hoofwet word hierby Wysiging van gewysig deur in paragraaf (b) die woorde „honderd pond” deur artikel 92 van die woorde „tweehonderd rand” en die woorde „driehonderd Wet 32 van 1944, pond” deur die woorde „seshonderd rand” te vervang. soos vervang deur artikel 1 van Wet 16 van 1959.
- 15.** Artikel *vijf-en-negentig* van die Hoofwet word hierby Wysiging van gewysig deur in paragraaf (a) die woorde „tweehonderd pond” artikel 95 van deur die woorde „vierhonderd rand” te vervang. Wet 32 van 1944, soos gewysig deur artikel 24 van Wet 40 van 1952.
- 16.** Artikel *ses-en-negentig* van die Hoofwet word hierby Wysiging van gewysig deur in sub-artikels (1) en (2) die woorde „vyftig pond” artikel 96 van deur die woorde „honderd rand” te vervang. Wet 32 van 1944, soos gewysig deur artikel 25 van Wet 40 van 1952, artikel 25 van Wet 62 van 1955 en artikel 4 van Wet 16 van 1959.
- 17.** Die opskrif by *Hoofstuk XIV* van die Hoofwet word hier- Wysiging van by gewysig deur die woorde „Outomatiese” te skrap. opskrif by Hoofstuk XIV van Wet 32 van 1944.

Amendment of section 98 of Act 32 of 1944, as amended by section 40 of Act 68 of 1957 and section 28 of Act 93 of 1962.

Insertion of section 98bis in Act 32 of 1944.

Amendment of section 101 of Act 32 of 1944, as amended by section 6 of Act 16 of 1959.

Amendment of section 106 of Act 32 of 1944, as amended by section 27 of Act 40 of 1952.

Amendment of section 107 of Act 32 of 1944.

Amendment of section 108 of Act 32 of 1944.

Amendment of section 109 of Act 32 of 1944, as substituted by section 28 of Act 40 of 1952.

Short title.

- 18.** Section *ninety-eight* of the principal Act is hereby amended—  
(a) by the substitution in paragraph (a) of sub-section (2) for the words “lay them before the court of appeal for its consideration” of the words “obtain from the judicial officer who presided at the trial a statement setting forth his reasons for convicting the accused and for the sentence imposed and shall thereupon lay the proceedings and the said statement before the court of appeal for its consideration”; and  
(b) by the deletion of paragraph (b) of the said sub-section.

- 19.** The following section is hereby inserted after section *ninety-eight* of the principal Act:

“Review subject to certificate of a judge. **98bis.** Notwithstanding anything to the contrary in any law contained, no person who has been convicted by a magistrate’s court of an offence and is undergoing imprisonment for that or any other offence shall be entitled to prosecute in person any proceedings for the review of the proceedings relating to such conviction unless a judge of the court of appeal has certified that there are reasonable grounds for review.”.

- 20.** Section *one hundred and one* of the principal Act is hereby amended by the addition of the following proviso:

“Provided that the magistrate of the district where the person sentenced is in custody may, notwithstanding anything to the contrary in any law contained, *mero motu* release him on bail as aforesaid if it appears that the judge before whom the record aforesaid has been placed has not endorsed his certificate thereon in terms of sub-section (1) of section *ninety-eight*. ”.

- 21.** Section *one hundred and six* of the principal Act is hereby amended by the substitution for the words “fifty pounds” of the words “one hundred rand”.

- 22.** Section *one hundred and seven* of the principal Act is hereby amended by the substitution for the words “fifty pounds” of the words “one hundred rand”.

- 23.** Section *one hundred and eight* of the principal Act is hereby amended by the substitution in sub-section (1) for the words “fifty pounds” of the words “one hundred rand”.

- 24.** Section *one hundred and nine* of the principal Act is hereby amended by the substitution for the words “twenty-five pounds” of the words “fifty rand”.

- 25.** This Act shall be called the Magistrates’ Courts Amendment Act, 1963.

**18.** Artikel *agt-en-negentig* van die Hoofwet word hierby Wysiging van  
gewysig— artikel 98 van  
(a) deur in paragraaf (a) van sub-artikel (2) die woorde „lê Wet 32 van 1944,  
hy die stukke aan die hof van appèl ter oorweging voor” soos gewysig deur  
deur die woorde „verkry hy van die regterlike ampte- artikel 40 van  
naar wat by die verhoor voorgesit het, ’n uiteensetting Wet 68 van 1957  
van sy redes vir die skuldigbevinding van die beskul- en artikel 28 van  
digde en vir die opgelegde vonnis en daarna lê hy die Wet 93 van 1962.  
stukke en bedoelde uiteensetting aan die hof van appèl  
ter oorweging voor.” te vervang; en

(b) deur paragraaf (b) van genoemde sub-artikel te skrap.

**19.** Die volgende artikel word hierby na artikel *agt-en-negentig* Invoeging van  
van die Hoofwet ingevoeg: artikel 98bis in  
„Hersiening 98bis. Ondanks andersluidende wetsbepalings, is Wet 32 van 1944.  
onderworpe niemand wat deur ’n landdroshof aan ’n misdryf  
aan sertifi- skuldig bevind is en weens daardie of ’n ander mis-  
kaat van ’n dryf, gevengenisstraf ondergaan, geregtig om enige  
regter. verrigtinge vir die hersiening van die verrigtinge wat  
op sodanige skuldigbevinding betrekking het, in eie  
persoon voort te sit nie, tensy ’n regter van die hof  
van appèl gesertifiseer het dat daar redelike gronde  
vir hersiening bestaan.”.

**20.** Artikel *honderd-en-een* van die Hoofwet word hierby Wysiging van  
gewysig deur die volgende voorbehoudsbepaling by te voeg: artikel 101 van  
„Met dien verstande dat die landdros van die distrik waar Wet 32 van 1944,  
die veroordeelde persoon aangehou word hom, ondanks soos gewysig deur  
andersluidende wetsbepalings, *mero motu* op borgtog soos artikel 6 van  
voormeld kan vrylaat indien dit blyk dat die regter aan wie Wet 16 van 1959.  
die voormalde stukke voorgelê is, nie sy sertifikaat daarop  
ingevolge sub-artikel (1) van artikel *agt-en-negentig* aan-  
geteken het nie.”.

**21.** Artikel *honderd-en-ses* van die Hoofwet word hierby Wysiging van  
gewysig deur die woorde „vyftig pond” deur die woorde „hon- artikel 106 van  
derd rand” te vervang. Wet 32 van 1944,  
soos gewysig deur artikel 27 van  
Wet 40 van 1952.

**22.** Artikel *honderd-en-sewe* van die Hoofwet word hierby Wysiging van  
gewysig deur die woorde „vyftig pond” deur die woorde artikel 107 van  
„honderd rand” te vervang. Wet 32 van 1944.

**23.** Artikel *honderd-en-agt* van die Hoofwet word hierby Wysiging van  
gewysig deur in sub-artikel (1) die woorde „vyftig pond” deur artikel 108 van  
die woorde „honderd rand” te vervang. Wet 32 van 1944.

**24.** Artikel *honderd-en-nege* van die Hoofwet word hierby Wysiging van  
gewysig deur die woorde „vyf-en-twintig pond” deur die woorde artikel 109 van  
„vyftig rand” te vervang. Wet 32 van 1944,  
soos vervang deur artikel 28 van  
Wet 40 van 1952.

**25.** Hierdie Wet heet die Wysigingswet op Landdroshowe, Kort titel.  
1963.

No. 20, 1963.]

# ACT

## To amend the Higher Education Act, 1923.

*(English text signed by the State President.)  
(Assented to 9th March, 1963.)*

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

Insertion of  
section 19bis in  
Act 30 of 1923.

**1.** The following section is hereby inserted in the Higher Education Act, 1923, after section nineteen:

“Administration of the Act to be assigned and prescribed by proclamation in the *Gazette* assign the administration of the provisions of this Act to any Minister, or partly to one Minister and partly to another Minister or other Ministers, or assign the administration of any part thereof for certain purposes to one Minister and for other purposes to another Minister, and may in such proclamation prescribe the powers and functions which shall be exercised and performed by the respective Ministers, and may prescribe that any power or duty conferred or imposed by this Act upon a Minister shall be exercised or performed by one Minister acting in consultation with another Minister.”.

Short title.

**2.** This Act shall be called the Higher Education Amendment Act, 1963.

No. 20, 1963.]

# WET

**Tot wysiging van die „Hoger Onderwijs Wet, 1923”.**

(*Engelse teks deur die Staatspresident geteken.*)  
(*Goedgekeur op 9 Maart 1963.*)

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

**1.** Die volgende artikel word hierby na artikel *negentien* Invoeging van  
in die „Hoger Onderwijs Wet, 1923” ingevoeg:  
artikel 19bis in  
Wet 30 van 1923.

„Uitvoering 19bis. De Staatspresident kan bij proclamatie in van Wet op- gedragen en voorbere schreven bij de *Staatskoerant* de uitvoering van de bepalingen van deze Wet aan enige Minister of gedeeltelijk aan een Minister en gedeeltelijk aan een andere Minister of andere Ministers opdragen, of de uitvoering van enig deel ervan voor zekere doeleinden aan een Minister en voor andere doeleinden aan een andere Minister opdragen, en kan in die proclamatie de bevoegdheden en werkzaamheden voorschrijven welke door de onderscheidenlike Ministers uitgeoefend en verricht moeten worden, en kan voorschrijven dat een bevoegdheid of plicht bij deze Wet aan een Minister verleend of opgelegd, door een Minister handelende in overleg met een andere Minister uitgeoefend of verricht moet worden.”.

**2.** Hierdie Wet heet die Wysigingswet op Hoër Onderwys, Kort titel.  
1963.

No. 21, 1963.]

# ACT

## To amend the Explosives Act, 1956.

(Afrikaans text signed by the State President.)  
(Assented to 9th March, 1963.)

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

Amendment of section 3 of Act 26 of 1956.

1. Section *three* of the Explosives Act, 1956 (hereinafter referred to as the principal Act), is hereby amended by the substitution in sub-section (2) for the words "one hundred pounds" of the words "five hundred rand", the deletion in that sub-section of the words "in default of payment" and the substitution in that sub-section for the words "six months" of the words "twelve months or to both such fine and such imprisonment".

Amendment of section 4 of Act 26 of 1956.

2. Section *four* of the principal Act is hereby amended by the substitution in sub-section (2) for the words "one hundred pounds" of the words "five hundred rand", the deletion in that sub-section of the words "in default of payment" and the substitution in that sub-section for the words "six months" of the words "twelve months or to both such fine and such imprisonment".

Amendment of section 6 of Act 26 of 1956.

3. Section *six* of the principal Act is hereby amended by the substitution in sub-section (2) for the words "fifty pounds" of the words "five hundred rand", the deletion in that sub-section of the words "in default of payment" and the substitution in that sub-section for the words "three months" of the words "twelve months or to both such fine and such imprisonment".

Amendment of section 7 of Act 26 of 1956.

4. Section *seven* of the principal Act is hereby amended by the substitution for sub-sections (2) and (3) of the following sub-sections:

"(2) The fees, if any, payable in respect of any such licence and the period for which it shall be valid, shall be prescribed by regulation.

(3) Any regulations made for the purposes of sub-section (2) may differentiate between licences in respect of fireworks and licences in respect of other explosives, and may provide that the licence fee shall vary according to the period for which a licence is issued.".

Amendment of section 10 of Act 26 of 1956.

5. Section *ten* of the principal Act is hereby amended by the substitution for the words "fifty pounds" of the words "five hundred rand", by the deletion of the words "in default of payment" and by the substitution for the words "three months" of the words "twelve months or to both such fine and such imprisonment".

Amendment of section 16 of Act 26 of 1956.

6. Section *sixteen* of the principal Act is hereby amended by the substitution for the words "a sum of fifty pounds" of the words "the fee prescribed by regulation".

Amendment of section 17 of Act 26 of 1956.

7. Section *seventeen* of the principal Act is hereby amended by the substitution for all the words following the word "shall" of the words "at such times as may be prescribed by regulation pay to an inspector the fees so prescribed calculated on the value of the explosives manufactured in such factory".

Amendment of section 18 of Act 26 of 1956.

8. Section *eighteen* of the principal Act is hereby amended by the substitution in sub-section (2) for the words "of one pound" of the words "prescribed by regulation".

Amendment of section 20 of Act 26 of 1956.

9. Section *twenty* of the principal Act is hereby amended by the substitution for the words "on due date" of the words "as prescribed by regulation".

Amendment of section 21 of Act 26 of 1956.

10. Section *twenty-one* of the principal Act is hereby amended by the substitution for the words "two hundred and fifty pounds" of the words "six hundred rand" and for the words "twelve months" of the words "two years".

Amendment of section 22 of Act 26 of 1956.

11. Section *twenty-two* of the principal Act is hereby amended—

(a) by the substitution in sub-section (6) for the words "the thirty-first day of December of the year in respect of which it is issued" of the words "a date prescribed by regulation";

No. 21, 1963.]

# WET

## Tot wysiging van die Wet op Ontplofbare Stowwe, 1956.

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 9 Maart 1963.)

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

1. Artikel *drie* van die Wet op Ontplofbare Stowwe, 1956 (hieronder die Hoofwet genoem), word hierby gewysig deur in sub-artikel (2) die woorde „honderd pond” deur die woorde „vyfhonderd rand” te vervang, die woorde „by wanbetaling” te skrap en die woorde „ses maande” deur die woorde „twaalf maande, of met sowel sodanige boete as sodanige gevangenisstraf” te vervang. Wysiging van artikel 3 van Wet 26 van 1956.
2. Artikel *vier* van die Hoofwet word hierby gewysig deur in sub-artikel (2) die woorde „honderd pond” deur die woorde „vyfhonderd rand” te vervang, die woorde „by wanbetaling” te skrap en die woorde „ses maande” deur die woorde „twaalf maande, of met sowel sodanige boete as sodanige gevangenisstraf” te vervang. Wysiging van artikel 4 van Wet 26 van 1956.
3. Artikel *ses* van die Hoofwet word hierby gewysig deur in sub-artikel (2) die woorde „vyftig pond” deur die woorde „vyfhonderd rand” te vervang, die woorde „by wanbetaling” te skrap en die woorde „drie maande” deur die woorde „twaalf maande, of met sowel sodanige boete as sodanige gevangenisstraf” te vervang. Wysiging van artikel 6 van Wet 26 van 1956.
4. Artikel *sewe* van die Hoofwet word hierby gewysig deur sub-artikels (2) en (3) deur die volgende sub-artikels te vervang:
  - „(2) Die gelde (as daar is) ten opsigte van so ’n lisensie betaalbaar en die tydperk waarvoor dit geldig is, word by regulasie voorgeskryf.
  - (3) Enige regulasies vir die doeleindes van sub-artikel (2) uitgevaardig, kan onderskeid maak tussen lisensies ten opsigte van vuurwerke en lisensies ten opsigte van ander ontplofbare stowwe, en kan bepaal dat die lisensiegeld wissel na gelang van die tydperk waarvoor ’n lisensie uitgereik word.”.Wysiging van artikel 7 van Wet 26 van 1956.
5. Artikel *tien* van die Hoofwet word hierby gewysig deur die woorde „vyftig pond” deur die woorde „vyfhonderd rand” te vervang, deur die woorde „by wanbetaling” te skrap en deur die woorde „drie maande” deur die woorde „twaalf maande, of met sowel sodanige boete as sodanige gevangenisstraf” te vervang. Wysiging van artikel 10 van Wet 26 van 1956.
6. Artikel *sestien* van die Hoofwet word hierby gewysig deur die woorde „som van vyftig pond” deur die woorde „gelde by regulasie voorgeskryf” te vervang. Wysiging van artikel 16 van Wet 26 van 1956.
7. Artikel *sewentien* van die Hoofwet word hierby gewysig deur al die woorde na die woord „betaal” deur die woorde „op die by regulasie voorgeskrewe tye aan ’n inspekteur die aldus voorgeskrewe gelde bereken op die waarde van die ontplofbare stowwe in sodanige fabriek vervaardig” te vervang. Wysiging van artikel 17 van Wet 26 van 1956.
8. Artikel *agtien* van die Hoofwet word hierby gewysig deur in sub-artikel (2) die woorde „ten bedrae van een pond” deur die woorde „soos by regulasie voorgeskryf” te vervang. Wysiging van artikel 18 van Wet 26 van 1956.
9. Artikel *twintig* van die Hoofwet word hierby gewysig deur die woorde „op die verval datum” deur die woorde „soos by regulasie voorgeskryf” te vervang. Wysiging van artikel 20 van Wet 26 van 1956.
10. Artikel *een-en-twintig* van die Hoofwet word hierby gewysig deur die woorde „tweehonderd-en-vyftig pond” deur die woorde „seshonderd rand” en die woorde „twaalf maande” deur die woorde „twee jaar” te vervang. Wysiging van artikel 21 van Wet 26 van 1956.
11. Artikel  *twee-en-twintig* van die Hoofwet word hierby gewysig—
  - (a) deur in sub-artikel (6) die woorde „die een-en-dertigste dag van Desember van die jaar ten opsigte waarvan dit uitgereik word” deur die woorde „’n datum by regulasie voorgeskryf” te vervang;Wysiging van artikel 22 van Wet 26 van 1956.

(b) by the substitution for sub-section (8) of the following sub-section:

"(8) The fees prescribed by regulation shall be payable for any licence issued under this section.";

and

(c) by the substitution in sub-section (9) for the words "of one pound" of the words "as prescribed by regulation".

Amendment of  
section 24 of  
Act 26 of 1956.

**12.** Section *twenty-four* of the principal Act is hereby amended by the substitution for the words "fifty pounds" of the words "two hundred and fifty rand" and for the words "three months" of the words "six months".

Amendment of  
section 27 of  
Act 26 of 1956.

**13.** Section *twenty-seven* of the principal Act is hereby amended—

(a) by the substitution in paragraph (a) of sub-section (1) for the words "two hundred and fifty pounds" of the words "one thousand rand" and for the words "twelve months" of the words "two years";

(b) by the substitution in paragraph (b) of that sub-section for the words "five hundred pounds" of the words "two thousand rand" and for the words "twelve months" of the words "two years";

(c) by the substitution for paragraph (c) of that sub-section of the following paragraph:

"(c) if the act or omission causing danger to life or property is wilful, he shall, where death does not result therefrom, be liable to imprisonment without the option of a fine for a period of not less than three years and not more than fifteen years, and the explosives and any apparatus or conveyance used in connection with or involved in the act or omission may be declared to be forfeited;"; and

(d) by the substitution in paragraph (d) of that sub-section for the words "one thousand pounds" of the words "four thousand rand" and for the words "two years" of the words "four years".

Amendment of  
section 28 of  
Act 26 of 1956.

**14.** Section *twenty-eight* of the principal Act is hereby amended by the substitution for all the words following the word "conviction" of the words "to the penalties prescribed in paragraph (c) of sub-section (1) of section *twenty-seven*".

Substitution of  
section 29 of  
Act 26 of 1956.

**15.** The following section is hereby substituted for section *twenty-nine* of the principal Act:

**"Powers of magistrates' courts to impose penalties.** Notwithstanding anything to the contrary contained in any law relating to magistrates' courts—

(a) any magistrate's court shall have power to impose any penalty prescribed by this Act, other than a penalty prescribed in sub-section (1) of section *twenty-seven* or section *twenty-eight*;

(b) a magistrate's court for a regional division shall have power to impose any penalty prescribed in paragraph (a), (b) or (d) of sub-section (1) of section *twenty-seven*."

Amendment of  
section 30 of  
Act 26 of 1956.

**16.** Section *thirty* of the principal Act is hereby amended—

(a) by the insertion after paragraph (h) of sub-section (1) of the following paragraphs:

"(h)*bis* the fee payable in respect of a licence issued under section *seven*, *sixteen* or *twenty-two* and the period for which any licence issued under section *seven* or *twenty-two* shall be valid;

(h)*ter* the fees payable under section *seventeen* and the periods in respect of which and the times at which such fees shall be paid;

(h)*quat* the fees payable in respect of any amendment or transfer of a licence under sub-section (2) of section *eighteen* or sub-section (9) of section *twenty-two*"; and

(b) by the substitution in sub-section (2) for the words "one hundred and fifty pounds" of the words "six hundred rand" and for the words "twelve months" of the words "two years".

Short title and  
commencement.

**17.** This Act shall be called the Explosives Amendment Act, 1963, and shall come into operation on the first day of January, 1964.

- (b) deur sub-artikel (8) deur die volgende sub-artikel te vervang:  
„(8) Die by regulasie voorgeskrewe gelde is betaalbaar vir 'n lisensie kragtens hierdie artikel uitgereik.”;  
en  
(c) deur in sub-artikel (9) die woorde „ten bedrae van een pond” deur die woorde „soos by regulasie voorgeskryf” te vervang.

**12.** Artikel *vier-en-twintig* van die Hoofwet word hierby Wysiging van gewysig deur die woorde „vyftig pond” deur die woorde artikel 24 van „tweehonderd-en-vyftig rand” en die woorde „drie maande” Wet 26 van 1956. deur die woorde „ses maande” te vervang.

**13.** Artikel *sewe-en-twintig* van die Hoofwet word hierby Wysiging van gewysig— Wysiging van artikel 27 van Wet 26 van 1956.

- (a) deur in paragraaf (a) van sub-artikel (1) die woorde „tweehonderd-en-vyftig pond” deur die woorde „duisend rand” en die woorde „twaalf maande” deur die woorde „twee jaar” te vervang;  
(b) deur in paragraaf (b) van daardie sub-artikel die woorde „vyfhonderd pond” deur die woorde „tweeduisend rand” en die woorde „twaalf maande” deur die woorde „twee jaar” te vervang;  
(c) deur paragraaf (c) van daardie sub-artikel deur die volgende paragraaf te vervang:  
„(c) indien die handeling of versuim wat lewe of eindom in gevaar stel, opsetlik is, is hy, waar die dood nie daardeur veroorsaak word nie, strafbaar met gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van minstens drie jaar en hoogstens vyftien jaar, en kan die ontplofbare stowwe en enige apparaat of vervoermiddel wat in verband met die handeling of versuim gebruik of daarby betrokke is, verbeurd verklaar word;”; en  
(d) deur in paragraaf (d) van daardie sub-artikel die woorde „duisend pond” deur die woorde „vierduisend rand” en die woorde „twee jaar” deur die woorde „vier jaar” te vervang.

**14.** Artikel *agt-en-twintig* van die Hoofwet word hierby Wysiging van gewysig deur al die woorde na die woord „strafbaar” deur die artikel 28 van woorde „met die strawwe in paragraaf (c) van sub-artikel (1) Wet 26 van 1956. van artikel *sewe-en-twintig* voorgeskryf” te vervang.

**15.** Artikel *nege-en-twintig* van die Hoofwet word hierby Vervanging van deur die volgende artikel vervang: artikel 29 van Wet 26 van 1956.

„Bevoegdheid van landdros-hoe om strawwe op te lê. 29. Ondanks andersluidende wetsbepalings met betrekking tot landdroshewe—  
(a) is enige landdroshofregsbevoeg om enige by hierdie Wet voorgeskrewe straf, behalwe 'n straf in sub-artikel (1) van artikel *sewe-en-twintig* of artikel *agt-en-twintig* voorgeskryf, op te lê;  
(b) is 'n landdroshof vir 'n streekafdeling regs-bevoeg om enige in paragraaf (a), (b) of (d) van sub-artikel (1) van artikel *sewe-en-twintig* voorgeskrewe straf op te lê.”

**16.** Artikel *dertig* van die Hoofwet word hierby gewysig— Wysiging van (a) deur na paragraaf (h) van sub-artikel (1) die volgende artikel 30 van paragrawe in te voeg: Wet 26 van 1956.

- „(h)*bis* die gelde betaalbaar ten opsigte van 'n lisensie kragtens artikel *sewe*, *sestien* of *twee-en-twintig* uitgereik en die tydperk waarvoor 'n lisensie kragtens artikel *sewe* of *twee-en-twintig* uitgereik, geldig is;  
(h)*ter* die gelde ingevolge artikel *sewentien* betaalbaar en die tydperke ten opsigte waarvan en die tye wanneer bedoelde gelde betaal moet word;  
(h)*quat* die gelde ten opsigte van 'n wysiging of oordrag van 'n lisensie ingevolge sub-artikel (2) van artikel *agtien* of sub-artikel (9) van artikel *twee-en-twintig* betaalbaar;”; en  
(b) deur in sub-artikel (2) die woorde „honderd-en-vyftig pond” deur die woorde „seshonderd rand” en die woorde „twaalf maande” deur die woorde „twee jaar” te vervang.

**17.** Hierdie Wet heet die Wysigingswet op Ontplofbare Stowwe, 1963, en tree in werking op die eerste dag van Januarie 1964. Kort titel en inwerkingtreding.