

BUITENGEWONE



EXTRAORDINARY

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

**Prys 10c Price
Oorsee 15c Overseas
POSVRY—POST FREE**

Vol. 33.]

KAAPSTAD, 27 MAART 1968.
CAPE TOWN, 27th MARCH, 1968.

[No. 2023.

DEPARTEMENT VAN DIE EERSTE MINISTER.

DEPARTMENT OF THE PRIME MINISTER.

No. 482.] [27 Maart 1968.

No. 482.] [27th March, 1968.

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

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

	BLADSY
No. 17 van 1968: Staatsdienswysigingswet, 1968 ..	3
No. 18 van 1968: Wysigingswet op die Registrasie van Geboortes, Huwelike en Sterfgevallen, 1968	5
No. 19 van 1968: Huwelikswysigingswet, 1968 ..	15
No. 20 van 1968: Wysigingswet op Beheer oor Wyn en Spiritualieë, 1968	19
No. 21 van 1968: Wysigingswet op Verbod van Gemengde Huwelike, 1968	21
No. 22 van 1968: Wysigingswet op die Suid-Afrikaanse Akademie vir Wetenskap en Kuns, 1968	23
No. 24 van 1968: Wysigingswet op Universiteite, 1968	25

	PAGE
No. 17 of 1968: Public Service Amendment Act, 1968	4
No. 18 of 1968: Births, Marriages and Deaths Registration Amendment Act, 1968 ..	6
No. 19 of 1968: Marriage Amendment Act, 1968 ..	16
No. 20 of 1968: Wine and Spirits Control Amendment Act, 1968	20
No. 21 of 1968: Prohibition of Mixed Marriages Amendment Act, 1968	22
No. 22 of 1968: Suid-Afrikaanse Akademie vir Wetenskap en Kuns Amendment Act, 1968	24
No. 24 of 1968: Universities Amendment Act, 1968..	26

INHOUD.

Departement van die Eerste Minister.

GOEWERMENSKENNISGEWING.

No.		BLADSY
482	Wet No. 17 van 1968: Staatsdienswysigingswet, 1968	3
482	Wet No. 18 van 1968: Wysigingswet op die Registrasie van Geboortes, Huwelike en Sterfgevälle, 1968	5
482	Wet No. 19 van 1968: Huwelikswysigingswet, 1968	15
482	Wet No. 20 van 1968: Wysigingswet op Beheer oor Wyn en Spiritualieë, 1968	19
482	Wet No. 21 van 1968: Wysigingswet op Verbod van Gemengde Huwelike, 1968	21
482	Wet No. 22 van 1968: Wysigingswet op die Suid-Afrikaanse Akademie vir Wetenskap en Kuns, 1968	23
482	Wet No. 24 van 1968: Wysigingswet op Universiteite, 1968	25

CONTENTS.

Department of the Prime Minister.

GOVERNMENT NOTICE.

No.		PAGE
482	Act No. 17 of 1968: Public Service Amendment Act, 1968	4
482	Act No. 18 of 1968: Births, Marriages and Deaths Registration Amendment Act, 1968	6
482	Act No. 19 of 1968: Marriage Amendment Act, 1968	16
482	Act No. 20 of 1968: Wine and Spirits Control Amendment Act, 1968	20
482	Act No. 21 of 1968: Prohibition of Mixed Marriages Amendment Act, 1968	22
482	Act No. 22 of 1968: Suid-Afrikaanse Akademie vir Wetenskap en Kuns Amendment Act, 1968	24
482	Act No. 24 of 1968: Universities Amendment Act, 1968	26

No. 17, 1968.]

WET

Tot wysiging van die Staatsdienswet, 1957, om voorsiening te maak vir die indienshouding van die voorsitter van die Staatsdienskommissie as 'n lid van genoemde Kommissie na die leeftyd van vyf-en-sestig jaar en vir die aanstelling as 'n lid van genoemde Kommissie van iemand wat die voorsitter daarvan was en wat alreeds daardie leeftyd bereik het.

*(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 14 Maart 1968.)*

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

1. (1) Artikel 4 van die Staatsdienswet, 1957, word hierby gewysig—
- (a) deur subartikel (4) deur die volgende subartikel te vervang:
- „(4) Behoudens die bepalings van subartikels (10), (11), (12), (12A) en (13) beklee 'n lid van die Kommissie sy amp vir 'n tydperk van vyf jaar, en kan hy by die verstryking van sy ampstyd weer aangestel word.”;
- (b) deur subartikel (12) deur die volgende subartikel te vervang:
- „(12) Behoudens die bepalings van subartikel (12A) moet 'n lid van die Kommissie sy amp neerlê, en as hy 'n in subartikel (13) bedoelde lid is, moet hy aftree, wanneer hy die leeftyd van vyf-en-sestig jaar bereik: Met dien verstande dat as hy bedoelde leeftyd na die eerste dag van enige maand van die jaar bereik, hy geag word bedoelde leeftyd op die eerste dag van die eersvolgende maand te bereik het.”; en
- (c) deur na subartikel (12) die volgende subartikel in te voeg:
- „(12A) As dit in die openbare belang is—
- (a) om die voorsitter van die Kommissie as 'n lid van die Kommissie in diens te hou na die leeftyd waarop hy ooreenkomstig subartikel (12) sy amp moet neerlê of moet aftree, kan hy aldus van tyd tot tyd in diens gehou word vir verdere tydperke wat altesaam nie twee jaar te bowe mag gaan nie;
- (b) om iemand wat die voorsitter van die Kommissie was en wat ooreenkomstig subartikel (12) sy amp neergelê of afgetree het of wie se ampstyd as 'n lid van die Kommissie verstryk het en wat alreeds die leeftyd van vyf-en-sestig jaar bereik het, as 'n lid van die Kommissie aan te stel, kan die Staatspresident te eniger tyd, op die voorwaardes wat hy bepaal, sodanige persoon as 'n lid van die Kommissie aanstel vir 'n tydperk wat verstryk op of voor die laaste dag van die tydperk van twee jaar wat begin op die datum waarop hy die leeftyd van vyf-en-sestig jaar bereik het.”.
- (2) Subartikel (1) word geag op die eerste dag van Februarie 1968 in werking te getree het.

Wysiging van artikel 4 van Wet 54 van 1957, soos gewysig deur artikel 2 van Wet 63 van 1967.

2. Hierdie Wet heet die Staatsdienswysigingswet, 1968.

Kort titel.

ACT

To amend the Public Service Act, 1957, in order to make provision for the retention of the chairman of the Public Service Commission as a member of the said Commission beyond the age of sixty-five years and for the appointment as a member of the said Commission of a person who has been the chairman thereof and who has already attained that age.

*(English text signed by the Acting State President.)
(Assented to 14th March, 1968.)*

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 4 of Act 54 of 1957, as amended by section 2 of Act 63 of 1967.

1. (1) Section 4 of the Public Service Act, 1957, is hereby amended—

(a) by the substitution for subsection (4) of the following subsection:

“(4) Subject to the provisions of subsections (10), (11), (12), (12A) and (13), a member of the Commission shall hold office for a period of five years, and shall be eligible for reappointment on the expiry of his period of office.”;

(b) by the substitution for subsection (12) of the following subsection:

“(12) Subject to the provisions of subsection (12A), a member of the Commission shall vacate his office, and if he is a member such as is referred to in subsection (13) he shall retire, on attaining the age of sixty-five years: Provided that if he attains the said age after the first day of any month in the year, he shall be deemed to have attained that age on the first day of the next succeeding month.”; and

(c) by the insertion after subsection (12) of the following subsection:

“(12A) If it is in the public interest—

(a) to retain the chairman of the Commission as a member of the Commission beyond the age at which he shall, in accordance with subsection (12), vacate his office or retire, he may be so retained from time to time, for further periods which shall not exceed in the aggregate two years;

(b) to appoint as a member of the Commission any person who has been the chairman thereof and who has in accordance with subsection (12) vacated his office or retired or whose period of office as a member of the Commission has expired and who has already attained the age of sixty-five years, the State President may, on such conditions as he may determine, at any time appoint such person as a member of the Commission for any period terminating on or before the last day of the period of two years commencing on the date on which he attained the age of sixty-five years.”.

(2) Subsection (1) shall be deemed to have come into operation on the first day of February, 1968.

Short title.

2. This Act shall be called the Public Service Amendment Act, 1968.

No. 18, 1968.]

WET

Tot wysiging van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevallen, 1963, ten einde voorsiening te maak vir die aanwysing van distriksregistrateurs en assistent-distriksregistrateurs van geboortes en sterfgevallen deur die registrateur-generaal van geboortes, huwelike en sterfgevallen, streekverteenvoordigers van die Departement van Binnelandse Sake, landdroste en Bantoesakekommissarisse, die aanstel van assistent-distriksregistrateurs van geboortes en sterfgevallen deur die gemelde registrateur-generaal en die optrede *ex officio* van die gemelde registrateur-generaal en sodanige streekverteenvoordigers as distriksregistrateurs van geboortes en sterfgevallen; vir die inskryf in 'n geboortesregister van die klassifikasie ingevolge die Bevolkingsregistrasiewet, 1950, van 'n persoon wie se geboorte geregistreer is, 'n persoon wat op of na die eerste dag van Desember 1967 gebore is en die ouers van so 'n persoon; vir die verandering van vanne in die geboortesregisters in sekere gevalle; vir die aangee van die klassifikasie ingevolge die Bevolkingsregistrasiewet, 1950, van 'n persoon wat op of na die eerste dag van Desember 1967 gebore is of wie se klassifikasie ingevolge daardie Wet in die geboortesregisters ingeskryf is, op enige sertifikaat wat ten opsigte van sy geboorte uitgereik word; en vir die inskrywing van vanne in en die toepassing van sekere bepalings op sekere registers wat ten aansien van Indiërs gehou is; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 14 Maart 1968.)

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

1. (1) Artikel 3 van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevallen, 1963 (hieronder die Hoofwet genoem), word hierby deur die volgende artikel vervang: Vervanging van artikel 3 van Wet 81 van 1963.

„Aanwysing van distriksregistrateurs en assistent-distriksregistrateurs en uitleg van verwysings na sodanige registrateurs.

3. (1) Distriksregistrateurs en assistent-distriksregistrateurs van geboortes en sterfgevallen kan vir 'n landdrostdistrik of 'n deel van 'n landdrostdistrik en ten opsigte van persone van alle klasse of rasse of van bepaalde klasse of rasse of van alle klasse of rasse behalwe bepaalde klasse of rasse aangewys word—

(i) in die geval van die distrik Pretoria, deur die registrateur-generaal uit beampptes of werknemers van die Departement van Binnelandse Sake;

(ii) in die geval van 'n distrik waar 'n streekverteenvoordiger van die gemelde Departement sy kantoor het, deur die betrokke streekverteenvoordiger uit beampptes of werknemers van daardie Departement;

(iii) in die geval van 'n ander distrik of 'n deel van so 'n ander distrik, die landdrost van die betrokke distrik of die landdrost in beheer van

ACT

To amend the Births, Marriages and Deaths Registration Act, 1963, so as to provide for the designation of district registrars and assistant district registrars of births and deaths by the registrar-general of births, marriages and deaths, regional representatives of the Department of the Interior, magistrates and Bantu Affairs commissioners, the appointment of assistant district registrars of births and deaths by the said registrar-general and the acting of the said registrar-general and such regional representatives *ex officio* as district registrars of births and deaths; for the inscription in a births register of the classification in terms of the Population Registration Act, 1950, of any person whose birth is registered, any person born on or after the first day of December, 1967, and the parents of any such person; for the alteration of surnames in the births registers in certain cases; for specifying the classification in terms of the Population Registration Act, 1950, of a person born on or after the first day of December, 1967, or whose classification in terms of that Act has been inscribed in the births registers, on any certificate issued in respect of his birth; and for the inscription of surnames in and the application of certain provisions to certain registers kept in respect of Indians; and to provide for matters incidental thereto.

(Afrikaans text signed by the Acting State President.)
(Assented to 14th March, 1968.)

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

Substitution of section 3 of Act 81 of 1963.

1. (1) The following section is hereby substituted for section 3 of the Births, Marriages and Deaths Registration Act, 1963 (hereinafter referred to as the principal Act):

“Designation of district registrars and assistant district registrars and construing of references to such registrars.

3. (1) District registrars and assistant district registrars of births and deaths may be designated for any magisterial district or any part of a magisterial district and in respect of persons of all classes or races or of particular classes or races or of all classes or races other than particular classes or races—

- (i) in the case of the Pretoria district, by the registrar-general from officers or employees of the Department of the Interior;
- (ii) in the case of a district where a regional representative of the said Department has his office, by such regional representative from officers or employees of that Department;
- (iii) in the case of any other district or any part of any such other district, the magistrate of the district concerned or the magistrate in control

'n landdroskantoor wat die betrokke deel bedien, na gelang van die geval, uit beamptes of werknemers van die Departement van Justisie: Met dien verstande dat as daar 'n Bantoesake-kommissaris vir 'n distrik of deel van 'n distrik aangestel is, hy beamptes of werknemers van die Departement van Bantoe-administrasie en -ontwikkeling as distriksregistrateurs of assistent-distriksregistrateurs vir sodanige distrik of deel ten opsigte van Bantoes kan aanwys.

(2) (a) Nieteenstaande die bepalings van subartikel (1), kan die registrateur-generaal of enigiemand deur hom daartoe gemagtig, vir 'n distrik of deel van 'n distrik en ten opsigte van persone van 'n bepaalde klas of ras, beamptes of werknemers in die Staatsdiens (uitgesonderd beamptes en werknemers van die Departement van Justisie of die Departement van Bantoe-administrasie en -ontwikkeling) aanwys as distriksregistrateurs of assistent-distriksregistrateurs van geboortes en sterfgevälle of persone aanstel as assistent-distriksregistrateurs van geboortes en sterfgevälle.

(b) Waar 'n distriksregistrateur of assistent-distriksregistrateur kragtens paragraaf (a) vir 'n distrik of deel van 'n distrik ten opsigte van persone van 'n bepaalde klas of ras aangewys of aangestel is, vervall enige aanwysing van 'n distriksregistrateur of assistent-distriksregistrateur, na gelang van die geval, wat kragtens subartikel (1) vir sodanige distrik of deel gedoen is vir sover dit 'n aanwysing ten opsigte van persone van daardie klas of ras is.

(3) Waar geen distriksregistrateur vir enige distrik of enige deel daarvan aangewys is nie, is—

(a) in die geval van die distrik Pretoria, die registrateur-generaal;

(b) in die geval van 'n distrik waar 'n streekverteenvoordiger van die Departement van Binnelandse Sake sy kantoor het, sodanige streekverteenvoordiger; en

(c) in die geval van 'n ander distrik, die landdros van sodanige distrik,

ex officio die distriksregistrateur: Met dien verstande dat as daar 'n Bantoesakekommissaris vir enige sodanige distrik of sodanige deel daarvan aangestel is, hy *ex officio* distriksregistrateur ten opsigte van Bantoes is en die registrateur-generaal, sodanige streekverteenvoordiger of die landdros, na gelang van die geval, distriksregistrateur ten opsigte van persone van alle ander rasse is.

(4) Die pligte van enige distriksregistrateur of assistent-distriksregistrateur is soos deur hierdie Wet of deur enige regulasie voorgeskryf en in die uitvoering van daardie pligte is 'n distriksregistrateur aan die toesig en beheer van die beampte wat hom aangewys het, en 'n assistent-distriksregistrateur aan die toesig en beheer van die betrokke distriksregistrateur onderhewig.

(5) Wanneer twee of meer persone kragtens subartikel (1), (2) of (3) aangewys of aangestel is of wettiglik optree as distriksregistrateurs of assistent-distriksregistrateurs vir 'n landdrosdistrik of 'n deel daarvan, word enige verwysing in hierdie Wet of in enige ander wet na die distriksregistrateur of assistent-distriksregistrateur van geboortes en sterfgevälle vir so 'n distrik of so 'n deel daarvan uitgelê as 'n verwysing na die gepaste persoon wat aldus aangewys of aangestel is of optree.”.

of the magistrate's office serving the part concerned, as the case may be, from officers or employees of the Department of Justice;

Provided that if a Bantu Affairs commissioner has been appointed for any district or any part of a district, he may designate officers or employees of the Department of Bantu Administration and Development as district registrars or assistant district registrars for such district or part in respect of Bantu.

- (2) (a) Notwithstanding the provisions of subsection (1) the registrar-general or any person authorized thereto by him may designate officers or employees in the public service (except officers and employees of the Department of Justice or the Department of Bantu Administration and Development) as district registrars or assistant district registrars of births and deaths or appoint persons as assistant district registrars of births and deaths for any district or part of a district and in respect of persons of a particular class or race.
- (b) Where a district registrar or an assistant district registrar has been designated or appointed under paragraph (a) for a district or part of a district in respect of persons of a particular class or race, any designation of a district registrar or assistant district registrar, as the case may be, made under subsection (1) for such district or part shall lapse in so far as it is a designation in respect of persons of that class or race.
- (3) Where no district registrar has been designated for any district or any part thereof—
- (a) in the case of the Pretoria district, the registrar-general;
- (b) in the case of a district where a regional representative of the Department of the Interior has his office, such regional representative; and
- (c) in the case of any other district, the magistrate of such district,

shall *ex officio* be the district registrar: Provided that if a Bantu Affairs commissioner has been appointed for any such district or such part thereof, he shall be *ex officio* district registrar in respect of Bantu and the registrar-general, such regional representative or the magistrate, as the case may be, shall be district registrar in respect of persons of all other races.

(4) The duties of any district registrar or assistant district registrar shall be as prescribed by this Act or by any regulation and in the performance of those duties a district registrar shall be subject to the supervision and control of the officer who designated him and an assistant district registrar shall be subject to the supervision and control of the district registrar concerned.

(5) Whenever under subsection (1), (2) or (3) two or more persons have been designated or appointed or are lawfully acting as district registrars or assistant district registrars for any magisterial district or any part thereof, any reference in this Act or in any other law to the district registrar or assistant district registrar of births and deaths for such district or such part thereof shall be construed as a reference to the appropriate person so designated or appointed or acting.”

(2) 'n Aanwysing van 'n distriksregistrator of assistent-distriksregistrator van geboortes en sterfgevallen wat onmiddellik voor die inwerkingtreding van hierdie Wet van krag was, word, totdat dit vervang word deur 'n aanwysing kragtens artikel 3 van die Hoofwet soos deur subartikel (1) van hierdie artikel vervang, geag 'n aanwysing deur die bevoegde beampte in-gevolge subartikel (1) van daardie artikel soos aldus vervang te wees, en 'n aanstelling van 'n assistent-distriksregistrator wat aldus van krag was, word, totdat dit vervang word deur 'n aanwysing of aanstelling kragtens daardie artikel, geag 'n aanstelling deur die registrator-generaal kragtens subartikel (2) van daardie artikel soos aldus vervang, te wees.

2. (1) Die volgende artikel word hierby in die Hoofwet na artikel 7 ingevoeg: Invoeging van artikel 7A in Wet 81 van 1963.

„Verandering van geboorteregistrasie om klassifikasie in-gevolge Wet 30 van 1950 aan te toon.

7A. (1) Die registrator-generaal kan die registrasie van die geboorte van enige persoon verander deur 'n inskrywing ten opsigte van die ras of ten opsigte van die klassifikasie in-gevolge die Bevolkingsregistrasiewet, 1950, van sodanige persoon of 'n ouer van sodanige persoon op die oorspronklike geboortekennisgewingsvorm wat in sy kantoor geliasseer is in verband met sodanige geboorte, te vervang deur 'n inskrywing van die klassifikasie wat in-gevolge daardie Wet aan sodanige persoon of ouer, na gelang van die geval, toegewys is en waar hy so 'n inskrywing doen, moet hy die betrokke distriksregistrator gelas om 'n dergelike inskrywing in sy geboortesregister te doen.

(2) (a) Die registrator-generaal moet so gou doenlik na die ontvangs in sy kantoor van 'n geboortekennisgewingsvorm ten opsigte van die geboorte van 'n persoon wat op of na die eerste dag van Desember 1967 gebore is, vasstel watter klassifikasie in-gevolge die Bevolkingsregistrasiewet, 1950, aan onderskeidelik sodanige persoon en elke ouer van sodanige persoon wie se naam op die geboortekennisgewingsvorm aangegee moet word, toegewys is.

(b) Indien 'n inskrywing op die geboortekennisgewingsvorm ten opsigte van die ras of ten opsigte van die klassifikasie in-gevolge daardie Wet van sodanige persoon of so 'n ouer nie ooreenstem met die klassifikasie wat in-gevolge daardie Wet aan sodanige persoon of ouer, na gelang van die geval, toegewys is nie, moet die registrator-generaal die geboortekennisgewingsvorm verander deur die toepaslike klassifikasie wat aldus toegewys is, in die plek van sodanige inskrywing daarop in te skryf.

(c) Daarna moet die registrator-generaal die betrokke distriksregistrator skriftelik in kennis stel van die klassifikasie wat in-gevolge daardie Wet aan onderskeidelik sodanige persoon en elke sodanige ouer toegewys is en, indien die registrator-generaal 'n inskrywing kragtens paragraaf (b) op die geboortekennisgewingsvorm gedoen het, hom gelas om 'n dergelike inskrywing in sy geboortesregister te doen.”

(2) Subartikel (1) word geag op die eerste dag van Desember 1967 in werking te getree het.

3. Die volgende artikel word hierby in die Hoofwet na artikel 8 ingevoeg: Invoeging van artikel 8A in Wet 81 van 1963.

„Verandering van in geboortesregister.

8A. (1) Wanneer—

(a) 'n persoon kragtens 'n wetsbepaling 'n ander van as dié waaronder sy geboorte geregistreer is, aangeneem het;

(b) 'n persoon wat buite-egtelik gebore is, bekend staan onder die van van 'n man met wie sy

(2) Any designation of a district registrar or assistant district registrar of births and deaths which was in force immediately prior to the commencement of this Act shall, until it is superseded by a designation under section 3 of the principal Act as substituted by subsection (1) of this section, be deemed to be a designation by the competent officer under subsection (1) of that section as so substituted, and any appointment of an assistant district registrar which was so in force shall, until it is superseded by a designation or appointment under that section, be deemed to be an appointment by the registrar-general under subsection (2) of that section as so substituted.

Insertion of section 7A in Act 81 of 1963.

2. (1) The following section is hereby inserted in the principal Act after section 7:

“Alteration of birth registration to indicate classification in terms of Act 30 of 1950.

7A. (1) The registrar-general may amend the registration of the birth of any person by substituting for any inscription in respect of the race or in respect of the classification under the Population Registration Act, 1950, of such person or a parent of such person on the original birth information form filed in his office in connection with the registration of such birth, an inscription of the classification assigned to such person or parent, as the case may be, in terms of that Act, and where he makes any such inscription he shall instruct the district registrar concerned to make a similar inscription in his births register.

(2) (a) The registrar-general shall as soon as practicable after the receipt in his office of a birth information form in respect of the birth of a person born on or after the first day of December, 1967, ascertain what classification has been assigned in terms of the Population Registration Act, 1950, to such person and to each parent of such person whose name must be shown on the birth information form, respectively.

(b) If any inscription on the birth information form in respect of the race or in respect of the classification in terms of that Act of such person or any such parent does not correspond with the classification assigned in terms of that Act to such person or parent, as the case may be, the registrar-general shall amend the birth information form by inscribing the appropriate classification so assigned thereon in the place of such inscription.

(c) Thereafter the registrar-general shall notify the district registrar concerned in writing of the classification assigned in terms of that Act to such person and each such parent, respectively, and, if the registrar-general has made any inscription on the birth information form under paragraph (b), instruct him to make a similar inscription in his births register.”.

(2) Subsection (1) shall be deemed to have come into operation on the first day of December, 1967.

Insertion of section 8A in Act 81 of 1963.

3. The following section is hereby inserted in the principal Act after section 8:

“Alteration of surname in births register.

8A. (1) When—

(a) any person has under any law adopted a surname different from that under which his birth is registered;

(b) any person born out of lawful wedlock is known by the surname of a man whom his mother

moeder getrou het en nie die van waaronder sy geboorte geregistreer is nie; of

- (c) 'n persoon bekend staan onder die van van 'n man met wie sy moeder na die oorlyde van sy vader getrou het en nie die van waaronder sy geboorte geregistreer is nie,

kan enigeen van sy ouers of sy moeder, na gelang van die geval, of sy voog, indien sodanige persoon onder die ouderdom van een-en-twintig jaar is, of hyself, indien hy een-en-twintig jaar oud of ouer is, by die registrateur-generaal aansoek doen om die verandering van sy van in die betrokke geboortesregister na die van wat hy aldus aangeneem het of waaronder hy aldus bekend staan, na gelang van die geval: Met dien verstande dat in die geval van 'n in paragraaf (b) of (c) bedoelde persoon wat een-en-twintig jaar oud of ouer is, sy moeder of die persoon wat die laaste sy voog was die aansoek kan doen indien die registrateur-generaal oortuig is dat dit in sodanige persoon se belang is dat die aansoek aldus gedoen word.

(2) Indien die man onder wie se van 'n in paragraaf (b) of (c) van subartikel (1) bedoelde persoon bekend staan, nog in lewe is, moet die aansoek vergesel gaan van daardie man se skriftelike toestemming tot die verandering.

(3) By ontvangs van so 'n aansoek kan die registrateur-generaal, indien hy oortuig is dat die aansoeker bevoeg is om die aansoek te doen en, in die geval van 'n in paragraaf (b) of (c) van subartikel (1) bedoelde persoon, dat sodanige persoon bekend staan soos in die betrokke paragraaf bedoel, en na betaling deur die aansoeker van die voorgeskrewe gelde (as daar is), die registrasie van die betrokke persoon se geboorte verander deur die van wat hy aangeneem het of waaronder hy bekend staan, na gelang van die geval, in te skryf op die oorspronklike geboortekennisgewingsvorm wat in sy kantoor geliasseer is in verband met die registrasie van sodanige geboorte, maar sonder om die oorspronklike van daarop uit te wis, en hy moet die betrokke distriksregistrateur gelas om 'n dergelyke inskrywing in sy geboortesregister te doen."

4. Artikel 42 van die Hoofwet word hierby gewysig—

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

Wysiging van artikel 42 van Wet 81 van 1963.

„(1) Dit is die plig van die registrateur-generaal of distriksregistrateur en van elke huweliksbeampte, Bantoesakekommissaris of landdros, om by ontvangs deur hom van 'n skriftelike aansoek van enige persoon en teen betaling van die voorgeskrewe gelde, enige geboortes-, sterfgevalle- of huweliksregister wat ingevolge hierdie Wet of 'n vroeëre wet in die bewaring van sodanige beampte is, te laat naspoor, en, behoudens die bepalings van subartikel (4), om 'n sertifikaat in die voorgeskrewe vorm uit te reik van enige inskrywing wat in sodanige register of in enige dokument wat aan sodanige register geheg is, voorkom: Met dien verstande dat geen sodanige plig op die registrateur-generaal rus nie ten opsigte van 'n register betreffende die geboorte of oorlyde van 'n Bantoe wat na die een-en-dertigste dag van Desember 1959 plaasgevind het, of betreffende 'n huwelik wat na genoemde datum voltrek is tussen partye van wie die man 'n Bantoe is, tensy sodanige aansoek aan hom gestuur is deur 'n beampte wat ingevolge hierdie Wet die bewaring van 'n register van sodanige geboorte, oorlyde of huwelik het." en

- (b) deur die volgende subartikel by te voeg:

„(4) (a) Behalwe volgens voorskrif van regulasies, wat die Staatspresident hiermee gemagtig word

married and not the surname under which his birth is registered; or

- (c) any person is known by the surname of a man whom his mother married after the death of his father and not the surname under which his birth is registered,

either of his parents or his mother, as the case may be, or his guardian, if such person is under twenty-one years of age, or he himself, if he is twenty-one years of age or over, may apply to the registrar-general for the alteration of his surname in the relative births register to the surname which he has thus adopted or by which he is thus known, as the case may be: Provided that in the case of a person referred to in paragraph (b) or (c) who is twenty-one years of age or over, his mother or the person who was last his guardian may make the application if the registrar-general is satisfied that it is in such person's interest that the application be so made.

(2) If the man by whose surname a person referred to in paragraph (b) or (c) of subsection (1) is known is still alive, the application shall be accompanied by that man's written consent to the alteration.

(3) Upon the receipt of any such application the registrar-general may, if he is satisfied that the applicant is competent to make the application and, in the case of a person referred to in paragraph (b) or (c) of subsection (1), that such person is known in the manner contemplated in the paragraph in question, and upon payment by the applicant of the prescribed fee (if any), amend the registration of the birth of the person concerned by inscribing the surname which he adopted or by which he is known, as the case may be, on the original birth information form filed in his office in connection with the registration of such birth, but without erasing the original surname therefrom, and shall instruct the district registrar concerned to make a similar inscription in his births register.”.

Amendment of
section 42 of
Act 81 of 1963.

4. Section 42 of the principal Act is hereby amended—

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

“(1) It shall be the duty of the registrar-general or district registrar and of every marriage officer, Bantu Affairs commissioner or magistrate, upon receipt by him of a written application from any person and upon payment of the prescribed fee, to cause search to be made in any births, deaths or marriage register which is in terms of this Act or a prior law in the custody of such officer, and, subject to the provisions of subsection (4), to issue a certificate in the prescribed form of any entry contained in such register or in any document attached to such register: Provided that no such duty shall rest on the registrar-general in respect of a register relating to the birth or death of a Bantu which occurred after the thirty-first day of December, 1959, or to a marriage solemnized after the said date between parties of whom the male is a Bantu, unless such application was transmitted to him by any officer who has, in terms of this Act, the custody of a register of such birth, death or marriage.”; and

- (b) by the addition of the following subsection:

“(4) (a) Save as provided by regulations which the State President is hereby authorized to make, no

om uit te vaardig, word geen sertifikaat ten opsigte van die geboorte van 'n persoon wat op of na die eerste dag van Desember 1967 gebore is, uitgereik nie tensy die bepalings van artikel 7A (2) met betrekking tot die registrasie van daardie geboorte nagekom is.

- (b) 'n Sertifikaat ten opsigte van die geboorte van sodanige persoon of 'n persoon wie se geboorteregistrasie kragtens artikel 7A (1) verander is, moet die klassifikasie aangee wat ingevolge die Bevolkingsregistrasiewet, 1950, aan die betrokke persoon toegewys is."

5. Die volgende artikel word hierby in die Hoofwet na artikel 44 ingevoeg:

Invoeëing van artikel 44A in Wet 81 van 1963.

„Inskrywing van in en toepassing van sekere bepalings op sekere registers gehou ten aansien van Indiërs.

44A. Wanneer die bepalings van hierdie Wet kragtens artikel 44 na Indiërs in daardie artikel bedoel, uitgebrei is—

- (a) kan die registrateur-generaal of 'n beampte deur hom daartoe gemagtig, indien oortuig dat 'n Indiër wie se geboorte of huwelik ingevolge die „Indian Immigration Law, 1891' (Wet No. 25 van 1891), van Natal, geregistreer is sonder vermelding van 'n van, 'n van aangeneem het of onder 'n van bekend staan en indien die aanname van of bekendstaan onder sodanige van nie strydig met die bepalings van enige ander wet is nie, sodanige van in die betrokke register wat ingevolge daardie Wet gehou is, inskryf of laat inskryf en daarna moet daardie van aangetoon word op enige sertifikaat wat ten opsigte van die geboorte of huwelik van sodanige Indiër uitgereik word;

- (b) is enige bepaling van hierdie Wet of 'n regulasie wat betrekking het op of 'n bevoegdheid verleen of 'n plig oplê in verband met 'n geboortes-, sterfgevälle- of huweliksregister ingevolge hierdie Wet gehou of 'n inskrywing in so 'n register, *mutatis mutandis* met betrekking tot 'n register wat ingevolge die gemelde „Indian Immigration Law, 1891', van Natal, van geboortes, sterfgevälle of huwelike gehou is en enige inskrywing daarin van toepassing vir sover dit toegepas kan word."

6. Hierdie Wet heet die Wysigingswet op die Registrasie van Kort titel. Geboortes, Huwelike en Sterfgevälle, 1968.

certificate shall be issued in respect of the birth of a person born on or after the first day of December, 1967, unless the provisions of section 7A have been complied with in relation to the registration of that birth.

- (b) A certificate in respect of the birth of such person or a person whose registration of birth has been amended under section 7A (1), shall specify the classification assigned to the person concerned in terms of the Population Registration Act, 1950.”.

Insertion of section 44A in Act 81 of 1963.

5. The following section is hereby inserted in the principal Act after section 44:

“Inscribing of surname in and application of certain provisions to certain registers kept in respect of Indians.

44A. When the provisions of this Act have under section 44 been extended to Indians referred to in that section—

- (a) the registrar-general or any officer authorized thereto by him may, if satisfied that an Indian whose birth or marriage was registered in terms of the Indian Immigration Law, 1891 (Law No. 25 of 1891), of Natal, without mention of a surname, has adopted a surname or is known by a surname, and if the adoption of or being known by such surname is not contrary to the provisions of any other law, inscribe such surname or cause it to be inscribed in the appropriate register kept in terms of that Act, and thereafter that surname shall be specified on any certificate issued in respect of the birth or marriage of such Indian;
- (b) any provision of this Act or a regulation relating to or conferring a power or imposing a duty in connection with a births, deaths or marriage register kept in terms of this Act or any inscription in any such register, shall *mutatis mutandis* apply, in so far as it can be applied, in relation to any register kept in terms of the said Indian Immigration Law, 1891, of Natal, of births, deaths or marriages and any inscription therein.”.

Short title.

6. This Act shall be called the Births, Marriages and Deaths Registration Amendment Act, 1968.

No. 19, 1968.]

WET

Tot wysiging van artikels 16, 19, 22 en 29 van die Huwelikswet, 1961, om te bepaal dat 'n kennisgewing van voorneme om te trou wat in 'n land buite die Republiek gepubliseer is of 'n spesiale huwelikslisensie wat in die gebied Suidwes-Afrika uitgereik is, beskou word as in die Republiek gepubliseer of uitgereik te gewees het; en om sekere huwelike te wettig.

(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 14 Maart 1968.)

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

1. Artikel 16 van die Huwelikswet, 1961 (hieronder die Hoofwet genoem), word hierby deur die volgende artikel vervang: Vervanging van artikel 16 van Wet 25 van 1961.

„Gebooie en kennisgewing van voorneme om te trou buite die Unie afgekondig of gepubliseer.

16. (1) Huweliksgebooie wat in 'n land buite die Unie afgekondig is of 'n kennisgewing van voorneme om te trou wat in 'n land buite die Unie gepubliseer is, word by die toepassing van hierdie Wet beskou as gebooie wat in die Unie afgekondig is of as 'n kennisgewing wat in die Unie gepubliseer is, maar 'n huweliksbevestigter mag nie na aanleiding daarvan 'n huwelik voltrek nie tensy aan hom die voorgeskrewe bewys voorgelê word dat dié gebooie behoorlik afgekondig is of dié kennisgewing behoorlik gepubliseer is ooreenkomstig die reg van dié land.

(2) Die bepalings van artikel 21 is *mutatis mutandis* met betrekking tot sodanige gebooie of sodanige kennisgewing van toepassing.”

2. Artikel 19 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg: Wysiging van artikel 19 van Wet 25 van 1961.

„(7) 'n Spesiale huwelikslisensie wat in die gebied Suidwes-Afrika uitgereik is ooreenkomstig die reg van daardie gebied word by die toepassing van hierdie Wet beskou as 'n lisensie wat ingevolge hierdie Wet in die Republiek uitgereik is.”

3. Artikel 22 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 22 van Wet 25 van 1961.

„Onreëlmatighede by afkondiging van gebooie of publikasie van kennisgewing van voorneme om te trou of by uitreiking van spesiale huwelikslisensie.

22. Indien in die geval van 'n huwelik voltrek vóór of ná die inwerkingtreding van hierdie Wet, die bepalings van hierdie Wet of, na gelang van die geval, 'n vorige wet met betrekking tot die afkondiging van gebooie of die publikasie van kennisgewing van voorneme om te trou of met betrekking tot die uitreiking van spesiale huwelikslisensies, of die toepaslike bepalings van 'n wet van 'n land buite die Unie met betrekking tot die afkondiging van gebooie of die publikasie van kennisgewing van voorneme om te trou, of die toepaslike bepalings van 'n wet van die gebied Suidwes-Afrika met betrekking tot die uitreiking van spesiale huwelikslisensies nie stiptelik nagekom is nie weens—

(a) 'n fout wat deur een of ander van die partye by dié huwelik te goeder trou begaan is by die uitleg van daardie bepalings; of

ACT

To amend sections 16, 19, 22 and 29 of the Marriage Act, 1961, so as to provide that a notice of intention to marry published in a country outside the Republic or a special marriage licence issued in the territory of South-West Africa shall be regarded as having been published or issued in the Republic; and to validate certain marriages.

(English text signed by the Acting State President.)
(Assented to 14th March, 1968.)

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

Substitution of section 16 of Act 25 of 1961.

1. The following section is hereby substituted for section 16 of the Marriage Act, 1961 (hereinafter referred to as the principal Act):

“Banns and notice of intention to marry published outside the Union.

16. (1) Banns of marriage or a notice of intention to marry published in a country outside the Union shall for the purposes of this Act be regarded as having been published in the Union, but a marriage officer shall not solemnize any marriage in pursuance thereof unless there is produced to him the prescribed proof that such banns were or such notice of intention to marry was duly published according to the law of such country.

(2) The provisions of section 21 shall *mutatis mutandis* apply with reference to such banns or notice.”.

Amendment of section 19 of Act 25 of 1961.

2. Section 19 of the principal Act is hereby amended by the addition of the following subsection:

“(7) A special marriage licence issued in the territory of South-West Africa according to the law of such territory, shall for the purposes of this Act be regarded as a licence which has been issued in the Republic in terms of this Act.”.

Substitution of section 22 of Act 25 of 1961.

3. The following section is hereby substituted for section 22 of the principal Act:

“Irregularities in publication of banns or notice of intention to marry or in the issue of special marriage licence.

22. If in the case of any marriage solemnized before or after the commencement of this Act the provisions of this Act or, as the case may be, any prior law relating to the publication of banns or notice of intention to marry or to the issue of special marriage licences, or the applicable provisions of any law of a country outside the Union relating to the publication of banns or the publication of notice of intention to marry or the applicable provisions of any law of the territory of South-West Africa relating to the issue of special marriage licences, have not been strictly complied with owing to—

(a) an error committed in good faith by either of the parties to such marriage in interpreting those provisions; or

(b) 'n fout, versuim of vergissing van iemand wat enige sodanige afkondiging of publikasie gedoen of 'n spesiale huwelikslisensie uitgereik het, maar dié huwelik in elke ander opsig voltrek is ooreenkomstig die bepalings van hierdie Wet of, na gelang van die geval, 'n vorige wet, is dié huwelik, mits daar regtens geen ander beletsel daarteen was nie, net so geldig en bindend as wat dit sou gewees het indien genoemde bepalings stiptelik nagekom is."

4. Artikel 29 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 29 van Wet 25 van 1961.

„Tyd en plek vir en teenwoordigheid van partye en getuies by voltrekking van huwelik en geldigverklaring van sekere huwelike.

29. (1) 'n Huweliksbevestiger kan 'n huwelik te eniger tyd op enige dag van die week voltrek maar is nie verplig om 'n huwelik op enige ander tyd as tussen agtuur voormiddag en vieruur namiddag te voltrek nie.

(2) 'n Huweliksbevestiger moet 'n huwelik voltrek in 'n kerk of ander gebou wat vir godsdiensoefening gebruik word of in 'n openbare kantoor of private woonhuis, met oop deure en in die teenwoordigheid van die partye self en minstens twee bevoegde getuies, maar die voorgaande bepalings van hierdie subartikel word nie so uitgelê nie dat dit 'n huweliksbevestiger verbied om 'n huwelik in 'n ander as 'n daarin genoemde plek te voltrek indien die huwelik weens die ernstige of langdurige siekte of die ernstige liggaamlike besering van een of albei van die partye in daardie ander plek voltrek moet word.

(3) Iedere huwelik—

(a) wat voor die inwerkingtreding van hierdie Wet in die Oranje-Vrystaat of die Transvaal voltrek is in 'n ander plek as dié wat by 'n vorige wet bepaal is as 'n plek waar by die toepassing van daardie wet 'n huwelik voltrek moet word; of

(b) wat voor die inwerkingtreding van die Huwelikswysigingswet, 1968, weens die ernstige of langdurige siekte of die ernstige liggaamlike besering van een of albei van die partye in 'n ander plek voltrek is as dié wat by subartikel (2) van hierdie artikel bepaal is as 'n plek waar by die toepassing van hierdie Wet 'n huwelik voltrek moet word,

is, mits dié huwelik nie deur 'n bevoegde hof ontbind of nietig verklaar is nie en mits voorts geen van die partye by dié huwelik na die huwelik en tydens die lewe van die ander party reeds 'n ander wettig getrou het nie, net so geldig en bindend as wat dit sou gewees het indien dit voltrek was in 'n plek daarvoor bepaal by die toepaslike bepalings van die vorige wet of, na gelang van die geval, van hierdie Wet.

(4) Niemand is bevoeg om kragtens die bepalings van hierdie Wet deur middel van iemand anders wat as sy verteenwoordiger optree, 'n geldige huwelik aan te gaan nie."

5. Hierdie Wet heet die Huwelikswysigingswet, 1968.

Kort titel.

(b) any error, omission or oversight of any person who made any such publication or issued a special licence, but such marriage has in every other respect been solemnized in accordance with the provisions of this Act or, as the case may be, a former law, that marriage shall, provided there was no other lawful impediment thereto, be as valid and binding as it would have been if the said provisions had been strictly complied with."

Substitution of section 29 of Act 25 of 1961.

4. The following section is hereby substituted for section 29 of the principal Act:

"Time and place for and presence of parties and witnesses at solemnization of marriage and validation of certain marriages.

29. (1) A marriage officer may solemnize a marriage at any time on any day of the week but shall not be obliged to solemnize a marriage at any other time than between the hours of eight in the morning and four in the afternoon.

(2) A marriage officer shall solemnize any marriage in a church or other building used for religious service, or in a public office or private dwelling-house, with open doors and in the presence of the parties themselves and at least two competent witnesses, but the foregoing provisions of this subsection shall not be construed as prohibiting a marriage officer from solemnizing a marriage in any place other than a place mentioned therein if the marriage must be solemnized in such other place by reason of the serious or longstanding illness of, or serious bodily injury to, one or both of the parties.

(3) Every marriage—

(a) which was solemnized in the Orange Free State or the Transvaal before the commencement of this Act in any place other than a place appointed by a prior law as a place where for the purposes of such law a marriage shall be solemnized; or

(b) which by reason of the serious or longstanding illness of, or serious bodily injury to, one or both of the parties was solemnized before the commencement of the Marriage Amendment Act, 1968, in a place other than a place appointed by subsection (2) of this section as a place where for the purposes of this Act a marriage shall be solemnized,

shall, provided such marriage has not been dissolved or declared invalid by a competent court and provided further that neither of the parties to such marriage has after such marriage and during the life of the other, already lawfully married another, be as valid and binding as it would have been if it had been solemnized in a place appointed therefor by the applicable provisions of the prior law or, as the case may be, of this Act.

(4) No person shall under the provisions of this Act be capable of contracting a valid marriage through any other person acting as his representative."

Short title.

5. This Act shall be called the Marriage Amendment Act, 1968.

No. 20, 1968.]

WET

Tot wysiging van die Wet op Beheer oor Wyn en Spiritualieë, 1956, om voorsiening te maak vir die verkoop van spiritualieë deur koöperatiewe verenigings en wynboere aan groot-handelaars vir herdistillering, teen 'n prys wat die koste van distillering kan uitsluit.

*(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 14 Maart 1968.)*

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

1. Artikel 2 van die Wet op Beheer oor Wyn en Spiritualieë, 1956, word hierby gewysig deur subartikel (4) deur die volgende subartikel te vervang:

Wysiging van artikel 2 van Wet 38 van 1956, soos vervang deur artikel 14 van Wet 54 van 1965.

„(4) (a) Geen koöperatiewe vereniging (met inbegrip van die vereniging) en geen wynboer mag enige spiritualieë, die produk van die wynstok, wat van enige wynoes gedistilleer is, vir gebruik in die Republiek vir drink-doeleindes of die versterking van wyn, teen 'n laer prys verkoop nie as die prys gebaseer op die vasgestelde minimum prys deur die vereniging vir groothandelaars bereken vir wyn van dieselfde wynoes wat vir distilleringdoeleindes bestem is, plus die koste van distillering: Met dien verstande dat in 'n geval waar 'n koöperatiewe vereniging of wynboer spiritualieë aan 'n groothandelaar wil verkoop en daardie koöperatiewe vereniging of wynboer die vereniging oortuig dat die in artikel 8 vermelde raad geweier het om daardie spiritualieë goed te keur en te sertifiseer soos deur genoemde artikel voorgeskryf en dat daardie handelaar verplig sal wees om daardie spiritualieë te herdistilleer ten einde sodanige goedkeuring en sertifisering te verkry, die vereniging die verkoop van daardie spiritualieë aan daardie handelaar kan toelaat teen 'n prys wat die koste van distillering kan uitsluit.

(b) Enige geskil omtrent sodanige prys word verwys na 'n raad van appèl, saamgestel op die wyse in artikel 6 bepaal.”.

2. Hierdie Wet heet die Wysigingswet op Beheer oor Wyn Kort titel. en Spiritualieë, 1968.

No. 20, 1968.]

ACT

To amend the Wine and Spirits Control Act, 1956, to provide for the sale of spirits by co-operative societies and wine growers to wholesale traders for redistillation at a price which may exclude the cost of distillation.

*(Afrikaans text signed by the Acting State President.)
(Assented to 14th March, 1968.)*

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 2 of Act 38 of 1956, as substituted by section 14 of Act 54 of 1965.

1. Section 2 of the Wine and Spirits Control Act, 1956, is hereby amended by the substitution for subsection (4) of the following subsection:

“(4) (a) No co-operative society (including the vereniging) and no wine grower shall sell any spirits, the produce of the vine, distilled from any vintage, for use in the Republic for drinking purposes or the fortification of wine, at a price less than a price based on the fixed minimum price charged by the vereniging to wholesale traders for wine from the same vintage intended for distillation purposes, plus the cost of distillation: Provided that in any case where a co-operative society or wine grower desires to sell spirits to a wholesale trader and such co-operative society or wine grower satisfies the vereniging that the board referred to in section 8 has declined to approve and certify such spirits as provided for in the said section and that such trader will be obliged to redistil such spirits in order to obtain such approval and certification, the vereniging may permit the sale of such spirits to such trader at a price which may exclude the cost of distillation.

(b) Any dispute as to such price shall be referred to a board of appeal constituted in the manner prescribed in section 6.”.

Short title.

2. This Act shall be called the Wine and Spirits Control Amendment Act, 1968.

No. 21, 1968.]

WET

Tot wysiging van die Wet op Verbod van Gemengde Huwelike, 1949, om die bepalings van artikel 1 (2) daarvan uit te brei na manlike persone wat nie in die Republiek gedomisileer is nie maar wat Suid-Afrikaanse burgers is.

*(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 15 Maart 1968.)*

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

1. Artikel 1 van die Wet op Verbod van Gemengde Huwelike, 1949, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

Wysiging van artikel 1 van Wet 55 van 1949.

„(2) Indien 'n manlike persoon wat 'n Suid-Afrikaanse burger is of wat in die Republiek gedomisileer is 'n huwelik buite die Republiek aangaan wat ingevolge subartikel (1) nie in die Republiek bevestig kan word nie, is so 'n huwelik in die Republiek nietig en ongeldig.”

2. Hierdie Wet heet die Wysigingswet op Verbod van Kort titel. Gemengde Huwelike, 1968.

No. 21, 1968.]

ACT

To amend the Prohibition of Mixed Marriages Act, 1949, so as to extend the provisions of section 1 (2) thereof to male persons who are not domiciled in the Republic but who are South African citizens.

*(English text signed by the Acting State President.)
(Assented to 15th March, 1968.)*

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 1 of Act 55 of 1949.

1. Section 1 of the Prohibition of Mixed Marriages Act, 1949, is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) If any male person who is a South African citizen or is domiciled in the Republic enters into a marriage outside the Republic which cannot be solemnized in the Republic in terms of subsection (1), such marriage shall be void and of no effect in the Republic.”.

Short title.

2. This Act shall be called the Prohibition of Mixed Marriages Amendment Act, 1968.

No. 22, 1968.]

WET

Tot wysiging van die Wet op die Suid-Afrikaanse Akademie vir Wetenskap en Kuns, 1959, om voorsiening te maak vir die samestelling van onderkomitees van die raad van die Akademie, vir die indeling van die Akademie in fakulteite, en vir aangeleenthede wat daarmee in verband staan; om sekere rade van die Akademie wettig te verklaar; om die verkiesing van lede van die Akademie wettig te verklaar; en om die statute van die Akademie geldig te verklaar.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 15 Maart 1968.)

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

1. In hierdie Wet, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Wet op die Suid-Afrikaanse Akademie vir Wetenskap en Kuns, 1959 (Wet No. 54 van 1959) (hieronder die Hoofwet genoem), 'n betekenis toegeskryf is, die betekenis aldus daaraan toegeskryf. Woordbepalings.

2. Artikel 5 van die Hoofwet word hierby met ingang van die eerste dag van November 1967 gewysig deur na paragraaf (f) van subartikel (2) die volgende paragrawe in te voeg: Wysiging van artikel 5 van Wet 54 van 1959.
„(g) die samestelling van onderkomitees van die raad, en die delegering van magte aan hulle;
(h) die indeling van die Akademie in fakulteite, en die vasstelling van reglemente vir hulle.”

3. Elke raad wat in die jare 1961, 1963, 1965 en 1967 op 'n vergadering wat 'n algemene vergadering van die lede van die Akademie heet te gewees het, verkies is om as die raad van die Akademie te dien, word vir die tydperk waarvoor elk sodanige raad aldus verkies is, geag die volgens die statute verkose raad van die Akademie te gewees het of, na gelang van die geval, te wees. Wettigverklaring van sekere rade van die Akademie.

4. Al die persone wat voor die inwerkingtreding van hierdie artikel tot lede van die Akademie verkies is by 'n verkiesing wat 'n verkiesing van lede van die Akademie heet te gewees het en wat by daardie inwerkingtreding nog lede van die Akademie is, word geag behoorlik ooreenkomstig die statute verkies te gewees het. Wettigverklaring van die verkiesing van lede van die Akademie.

5. Die statute van die Akademie wat by Goewermentskennisgewing No. 2099 van die nege-en-twintigste dag van Desember 1967 in die *Staatskoerant* afgekondig is, word hierby geldig verklaar. Geldigverklaring van die statute van die Akademie.

6. Hierdie Wet heet die Wysigingswet op die Suid-Afrikaanse Akademie vir Wetenskap en Kuns, 1968. Kort titel.

ACT

To amend the Suid-Afrikaanse Akademie vir Wetenskap en Kuns Act, 1959, so as to make provision for the constitution of sub-committees of the council of the Academy, for the division of the Academy into faculties, and for matters incidental thereto; to validate certain councils of the Academy; to validate the election of members of the Academy; and to declare the rules of the Academy to be valid.

*(Afrikaans text signed by the Acting State President.)
(Assented to 15th March, 1968.)*

BE 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, any word or expression to which a meaning has been assigned in the Suid-Afrikaanse Akademie vir Wetenskap en Kuns Act, 1959 (Act No. 54 of 1959) (hereinafter referred to as the principal Act), shall have the meaning so assigned thereto. |
| Amendment of section 5 of Act 54 of 1959. | 2. Section 5 of the principal Act is hereby amended, with effect from the first day of November, 1967, by the insertion after paragraph (f) of subsection (2) of the following paragraphs:
“(g) the constitution of sub-committees of the council, and the delegation of powers to them;
(h) the division of the Academy into faculties, and the making of regulations for them.”. |
| Validation of certain councils of the Academy. | 3. Every council which was elected in the years 1961, 1963, 1965 and 1967 at a meeting which purported to be a general meeting of the members of the Academy for the purpose of serving as the council of the Academy, shall, for the period for which each such council was so elected, be deemed to have been or, as the case may be, to be the council of the Academy elected in accordance with the rules. |
| Validation of the election of members of the Academy. | 4. All persons who before the commencement of this section were elected as members of the Academy at an election which purported to be an election of members of the Academy and who at such commencement are still members of the Academy, shall be deemed to have been duly elected in accordance with the rules. |
| Validation of the rules of the Academy | 5. The rules of the Academy published in the <i>Gazette</i> by Government Notice No. 2099 of the twenty-ninth day of December, 1967, are hereby declared to be valid. |
| Short title. | 6. This Act shall be called the Suid-Afrikaanse Akademie vir Wetenskap en Kuns Amendment Act, 1968. |

No. 24, 1968.]

WET

Tot wysiging van artikels 15, 22, 25 en 27 van die Wet op Universiteite, 1955, ten einde aan die Departement van Indiër-sake verteenwoordiging in die Gemeenskaplike Matrikulasieraad te verleen, die Minister van Nasionale Opvoeding te magtig om, in oorleg met die Minister van Finansies, afstand van sekere regte van voorkeur te doen en om subsidies aan universiteite te betaal, en voorsiening te maak vir optrede by versuim van die raad van 'n universiteit om te voldoen aan 'n voorwaarde onderworpe waaraan 'n subsidie betaal word; en om vir ander bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 15 Maart 1968.)

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

1. Artikel 15 van die Wet op Universiteite, 1955 (hieronder die Hoofwet genoem), word hierby deur die volgende artikel vervang:
„Gemeen-
skaplike
Matriku-
lasieraad.

15. (1) Die gemeenskaplike matrikulasieraad ingestel deur artikel 16 van die „Universiteit van Zuid Afrika Wet, 1916“ (Wet No. 12 van 1916), bly, ondanks die herroeping van daardie artikel deur artikel 29 van hierdie Wet, voortbestaan asof hierdie Wet nie aangeneem was nie maar word saamgestel soos in hierdie artikel bepaal.

(2) Die Matrikulasieraad beheer die matrikulasie-eksamen van die universiteite en neem dit af en skryf, onderworpe aan die Minister se goedkeuring, die voorwaardes van vrystelling van daardie eksamen voor.

(3) Die Matrikulasieraad bestaan uit verteenwoordigers van—

- (a) elke universiteit, aangestel deur die raad van die universiteit op aanbeveling van sy senaat;
- (b) die Komitee van Hoofde, aangestel deur dié Komitee;
- (c) die Departement van Hoër Onderwys, die Departement van Bantoe-onderwys, die Departement van Kleurlingsake, die Departement van Indiër-sake, die Onderwysdepartement van elke Provinsie en die Onderwysdepartement van die gebied Suidwes-Afrika; en
- (d) skole in die Republiek en in die gebied Suidwes-Afrika wat kandidate vir bedoelde matrikulasie-eksamen of 'n deur die Matrikulasieraad erkende gelykwaardige eksamen voorberei, deur die Minister uit die hoofde van sodanige skole aangestel, in elke geval op aanbeveling van die hoof van die betrokke Departement of van 'n liggaam van persone wat na die oordeel van die Minister voldoende verteenwoordigend van hoofde van private skole is.

Vervanging van artikel 15 van Wet 61 van 1955, soos gewysig deur artikel 3 van Wet 82 van 1959, artikel 1 van Wet 46 van 1961 en artikel 3 van Wet 43 van 1965.

ACT

To amend sections 15, 22, 25 and 27 of the Universities Act, 1955, in order to accord representation to the Department of Indian Affairs on the Joint Matriculation Board, to empower the Minister of National Education, in consultation with the Minister of Finance, to waive certain preferences and to grant subsidies to universities, and to provide for action on failure of the council of any university to comply with any condition subject to which a subsidy is paid; and to provide for other incidental matters.

*(Afrikaans text signed by the Acting State President.)
(Assented to 15th March, 1968.)*

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

Substitution of section 15 of Act 61 of 1955, as amended by section 3 of Act 82 of 1959, section 1 of Act 46 of 1961 and section 3 of Act 43 of 1965.

1. The following section is hereby substituted for section 15 of the Universities Act, 1955 (hereinafter referred to as the principal Act):

“Joint Matriculation Board.

15. (1) The joint matriculation board established by section 16 of the University of South Africa Act, 1916 (Act No. 12 of 1916), shall, notwithstanding the repeal of that section by section 29 of this Act, remain in existence as if this Act had not been passed, but shall be constituted as provided in this section.

(2) The Matriculation Board shall control and conduct the matriculation examination of the universities and shall, subject to the approval of the Minister, prescribe the conditions of exemption from such examination.

(3) The Matriculation Board shall consist of representatives of—

- (a) each university, appointed by the council of such university on the recommendation of its senate;
- (b) the Committee of Principals, appointed by such Committee;
- (c) the Department of Higher Education, the Department of Bantu Education, the Department of Coloured Affairs, the Department of Indian Affairs, the Education Department of each Province and the Education Department of the territory of South-West Africa; and
- (d) schools in the Republic and in the territory of South-West Africa preparing candidates for the said matriculation examination or an equivalent examination recognized by the Matriculation Board, appointed by the Minister from among the principals of such schools in each case on the recommendation of the head of the Department concerned or of any body of persons that, in the opinion of the Minister, is sufficiently representative of principals of private schools.

(4) Die aantal verteenwoordigers wat kragtens elke paragraaf van subartikel (3) aangestel word, hul ampstermyn en die wyse waarop hulle aangestel word, word by gemeenskaplike statuut voorgeskryf: Met dien verstande dat die aantal verteenwoordigers wat kragtens subartikel (3) (a) aangestel word, die totale aantal van alle ander aangestelde verteenwoordigers moet oorskry.

(5) Die Matrikulasieraad reik uit—

- (a) matrikulasiesertifikate aan kandidate wat by bedoelde matrikulasië-eksamen geslaag het en wat die standaard in die vakke behaal het wat deur die Matrikulasieraad voorgeskryf en deur die Minister goedgekeur word;
- (b) sertifikate van algehele, voorwaardelike of gedeeltelike vrystelling van bedoelde matrikulasië-eksamen aan persone wat voldoen het aan die voorwaardes deur die Matrikulasieraad voorgeskryf en deur die Minister goedgekeur;
- (c) skoleindsertifikate aan kandidate wat voldoen het aan die vereistes by die eksamens wat die Matrikulasieraad voorskryf; en
- (d) sertifikate van slaging in afsonderlike vakke aan kandidate wat voldoen het aan die vereistes deur die Matrikulasieraad voorgeskryf.

(6) Die uitgawes deur die Matrikulasieraad by die uitvoer van die bepalings van hierdie artikel aangegaan, word bestry uit eksamengelde deur die Matrikulasieraad voorgeskryf en die ander gelde wat aldus voorgeskryf word vir 'n sertifikaat uitgereik of inligting verstrek ten opsigte van 'n eksamen deur hom afgeneem of die uitslag van so 'n eksamen en enige tekort word bestry uit fondse wat die Parlement vir dié doel bewillig.

(7) Die kantore van die Matrikulasieraad is op 'n plek by gemeenskaplike statuut voorgeskryf, en die klerklike en ander soortgelyke werksaamhede van die Matrikulasieraad word verrig op 'n dergelyk voorgeskrewe wyse.

(8) Die kworum en die prosedure by vergaderings van die Matrikulasieraad, en die tye en plekke van die vergaderings, is soos deur bedoelde Raad voorgeskryf.”

2. Artikel 22 van die Hoofwet word hierby deur die volgende artikel vervang:

„Voorwaardes van lenings.

22. (1) Elke kragtens artikel 20 (1) toegestane lening is onderworpe aan die voorwaardes wat deur die Tesourie voorgeskryf word.

(2) Elke sodanige lening, tesame met die daarop verskuldigde rente, maak, behoudens enige vroeëre las of beswaring met verband, 'n las uit op al die eiendom, roerend sowel as onroerend, huidig sowel as toekomstig, van die aansoekdoende raad: Met dien verstande dat die Minister in oorleg met die Minister van Finansies, skriftelik onder sy handtekening te eniger tyd van 'n reg van voorkeur kragtens hierdie subartikel afstand kan doen ten gunste van die houer van 'n verband op sulke eiendom, indien hy oortuig is dat die waarde van die eiendom voldoende is om die bedrag van die lening wat nie terugbetaal is nie en die bedrag deur die verband gesekeureer te dek.

(3) Die tydperk waarbinne so 'n lening en die rente daarop terugbetaal moet word, moet deur die Tesourie bepaal word voordat die lening toegestaan word, maar die Tesourie kan van tyd tot tyd so 'n tydperk verleng: Met dien verstande dat elke sodanige lening tesame met die rente daarop terugbetaal moet word binne veertig jaar vanaf die datum waarop die eerste terugbetaling ingevolge artikel 23 verskuldig is of binne die totaal van bedoelde

Vervanging van artikel 22 van Wet 61 van 1955, soos gewysig deur artikel 6 van Wet 43 van 1965.

(4) The number of representatives appointed under each paragraph of subsection (3), their period of office and the manner of their appointment shall be prescribed by joint statute: Provided that so many representatives shall be appointed under subsection (3) (a) as will exceed the total number of all other representatives appointed.

(5) The Matriculation Board shall issue—

- (a) matriculation certificates to successful candidates at the said matriculation examination, who have attained such standards in such subjects as may be prescribed by the Matriculation Board and approved by the Minister;
- (b) full, conditional or partial certificates of exemption from the said matriculation examination to persons who have satisfied the conditions prescribed by the Matriculation Board and approved by the Minister;
- (c) school-leaving certificates to candidates who have satisfied such requirements at such examinations as the Matriculation Board may prescribe; and
- (d) certificates of success in individual subjects to candidates who have satisfied the requirements prescribed by the Matriculation Board.

(6) The expenditure incurred by the Matriculation Board in carrying out the provisions of this section shall be defrayed out of examination fees prescribed by the Matriculation Board, and such other fees as may be so prescribed for any certificate issued or information furnished in respect of any examination conducted by it or the result of any such examination and, if there be any deficiency, out of such funds as Parliament may provide for the purpose.

(7) The offices of the Matriculation Board shall be at such place as is prescribed by joint statute, and the clerical and other like duties of the Matriculation Board shall be discharged in manner likewise prescribed.

(8) The quorum and the procedure at meetings of the Matriculation Board, and the times and places at which such meetings shall be held, shall be as prescribed by the said Board.”.

Substitution of section 22 of Act 61 of 1955, as amended by section 6 of Act 43 of 1965.

2. The following section is hereby substituted for section 22 of the principal Act:

“Conditions of loans. 22. (1) Every loan granted under section 20 (1) shall be subject to the conditions prescribed by the Treasury.

(2) Every such loan together with the interest due thereon shall, subject to any prior charge or hypothecation, be a charge upon all the property, movable or immovable, present or future, of the applicant council: Provided that the Minister may, in consultation with the Minister of Finance, at any time by writing under his hand waive any preference under this subsection in favour of the holder of any bond over such property, if he is satisfied that the value of the property is sufficient to cover the amount of the loan which has not been repaid, and the amount secured by such bond.

(3) The period within which any such loan and the interest thereon shall be repaid shall be determined by the Treasury before the granting of the loan, but the Treasury may from time to time extend any such period: Provided that every such loan together with the interest thereon shall be repaid within forty years from the date on which the first repayment in terms of section 23 shall be due, or

periode tesame met enige in daardie artikel bedoelde opskortingstermyn.”.

3. (1) Artikel 25 van die Hoofwet word hierby deur die volgende artikel vervang:

„Subsidies aan universiteite.

25. Die Minister kan in oorleg met die Minister van Finansies uit gelde deur die Parlement vir dié doel bewillig, subsidies toeken aan universiteite ten opsigte van kapitaal- en normale wederkerende uitgawes vir die doeleindes en op die grondslag en onderworpe aan die voorwaardes wat ten opsigte van elke universiteit deur die Minister bepaal word en met behoorlike inagneming van die behoeftes van elke universiteit in verhouding tot die algemene behoeftes van hoër onderwys in die Republiek.”.

Vervanging van artikel 25 van Wet 61 van 1955, soos gewysig deur artikel 7 van Wet 82 van 1959.

(2) 'n Hulptoelae wat voor die inwerkingtreding van hierdie Wet kragtens artikel 25 van die Hoofwet aan 'n universiteit toegeken is, word vanaf sodanige inwerkingtreding geag 'n subsidie te wees wat kragtens genoemde artikel soos deur subartikel (1) van hierdie artikel vervang, toegeken is.

4. Artikel 27 van die Hoofwet word hierby deur die volgende artikel vervang:

„Optrede by versuim van raad om aan hierdie Wet of sekere voorwaardes te voldoen.

27. (1) Indien 'n raad in gebreke bly om te voldoen aan 'n bepaling van hierdie Wet ingevolge waarvan subsidies uit gelde deur die Parlement bewillig aan universiteite betaal word of aan 'n voorwaarde onderworpe waaraan so 'n subsidie aan sy universiteit betaal word, kan die Minister bedoelde raad aansê om binne 'n vasgestelde termyn aan bedoelde bepaling of voorwaarde te voldoen.

Vervanging van artikel 27 van Wet 61 van 1955.

(2) Indien daardie raad daarna in gebreke bly om aan bedoelde bepaling of voorwaarde te voldoen, kan die Minister, ondanks andersluidende wetsbepalings, die subsidie wat deur die Parlement ten opsigte van die betrokke universiteit bewillig is of 'n deel daarvan weerhou: Met dien verstande dat in elke geval waar die subsidie deur die Parlement bewillig, of 'n deel daarvan, deur die Minister weerhou is, hy oor die aangeleentheid, tesame met sy redes waarom hy betaling aldus weerhou, aan die Parlement verslag moet doen binne veertien dae nadat hy die betrokke universiteit kennis gegee het van sy voorneme om betaling aldus te weerhou, indien die Parlement dan in gewone sessie is, of indien die Parlement nie dan in gewone sessie is nie, binne veertien dae na die aanvang van die eersvolgende gewone sessie daarvan.”.

5. Hierdie Wet heet die Wysigingswet op Universiteite, 1968. Kort titel.

within the aggregate of the said period together with any period of suspension referred to in that section.”.

Substitution of section 25 of Act 61 of 1955, as amended by section 7 of Act 82 of 1959.

3. (1) The following section is hereby substituted for section 25 of the principal Act:

“Subsidies to universities.

25. The Minister, in consultation with the Minister of Finance, may out of moneys voted by Parliament for the purpose, grant subsidies to universities in respect of capital and normal recurrent expenditure for such purposes and on such basis and subject to such conditions as may, in respect of each university, be determined by the Minister and with due regard to the requirements of each university in relation to the general requirements of higher education in the Republic.”.

(2) Any grant-in-aid granted to any university under section 25 of the principal Act before the commencement of this Act shall, as from such commencement, be deemed to be a subsidy granted under the said section as substituted by subsection (1) of this section.

Substitution of section 27 of Act 61 of 1955.

4. The following section is hereby substituted for section 27 of the principal Act:

“Action on failure of council to comply with this Act or certain conditions.

27. (1) If any council fails to comply with any provision of this Act under which subsidies from moneys voted by Parliament are paid to universities or with any condition subject to which any such subsidy is paid to its university, the Minister may call upon such council to comply with the said provision or condition within a specified period.

(2) If such council thereafter fails to comply with the said provision or condition, the Minister may, notwithstanding anything to the contrary in any law contained, withhold payment of the whole or any portion of the subsidy voted by Parliament in respect of the university concerned: Provided that in each and every case where the whole or any portion of the subsidy voted by Parliament has been withheld by the Minister, he shall report the matter to Parliament together with his reasons for so withholding payment, within fourteen days of his having notified the university concerned of his intention so to withhold payment, if Parliament is then in ordinary session, or if Parliament is not then in ordinary session, within fourteen days of the commencement of the next ensuing ordinary session thereof.”.

Short title.

5. This Act shall be called the Universities Amendment Act, 1968.