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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper — *As 'n Nuusblad by die Poskantoor Geregistreer*

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

Vol. 47.] CAPE TOWN, 21ST MAY, 1969. KAAPSTAD, 21 MEI 1969. [No. 2401.

DEPARTMENT OF THE PRIME MINISTER.

No. 818. 21st May, 1969.

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

No. 54 of 1969: Heraldry Amendment Act, 1969.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 818. 21 Mei 1969.

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

No. 54 van 1969: Heraldiekwysigingswet, 1969.

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ACT

To amend the provisions of the Heraldry Act, 1962, relating to definitions, the grant of coats of arms, badges and other emblems, the functions of the heraldry council and the bureau of heraldry, the information obtainable from the register kept in the said bureau, the exercise of discretionary powers, the making of regulations and the protection of family coats of arms; so as to provide for the registration and protection of names and uniforms and the amendment of registered names or uniforms, for the appointment of a heraldry committee, for applications for registration of coats of arms, badges, other emblems, names or uniforms or of amendments of registered coats of arms, badges, other emblems, names or uniforms to be made in the manner determined by the state herald and for a right of appeal against the rejection of such applications; so as to make new provision for the consideration of applications for registration of coats of arms, badges or other emblems and of the amendment of registered coats of arms, badges or other emblems; so as to provide for such applications which are pending at the commencement of this Act, and for applications for the registration of names, uniforms or badges, under the Protection of Names, Uniforms and Badges Act, 1935, which are pending at such commencement; to repeal the said Protection of Names, Uniforms and Badges Act, 1935; and to provide for incidental matters.

(*English text signed by the State President.*)
(*Assented to 7th May,* 1969.)

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 1 of Act 18 of 1962.

1. The following section is hereby substituted for section 1 of the Heraldry Act, 1962 (hereinafter referred to as the principal Act):

"Definitions. **1.** In this Act, unless the context otherwise indicates—

(i) 'application' means an application for registration referred to in section 7 (3); and 'applicant' has a corresponding meaning; (i)

(ii) 'association' means any association of persons in the Republic, the territory or a foreign country formed for the promotion of sport or for any other lawful purpose, the pursuit of which in the opinion of the Minister is calculated to be in the public interest; (xxiv)

(iii) 'badge' means any object or figure, being a symbolic representation, but not displayed on a shield, used for official or municipal purposes or by any association, institution or person as a mark of recognition or as a distinguishing token; (x)

(iv) 'bureau' means the bureau of heraldry established by section 3; (iv)

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WET

Tot wysiging van die bepalings van die Heraldiekwet, 1962, met betrekking tot woordomskrywings, die toekenning van wapens, kentekens en ander embleme, die werksaamhede van die raad vir heraldiek en die buro vir heraldiek, die inligting bekombaar uit die register in genoemde buro gehou, die uitoefening van diskresionêre bevoegdhede, die uitvaardiging van regulasies en die beskerming van familiewapens; ten einde voorsiening te maak vir die registrasie en beskerming van name en uniforms en die wysiging van geregistreerde name of uniforms, vir die aanstelling van 'n heraldiekkomitee, vir die indien van aansoeke om registrasie van wapens, kentekens, ander embleme, name of uniforms of van wysigings van geregistreerde wapens, kentekens, ander embleme, name of uniforms op die wyse deur die staatsheraldikus bepaal en vir 'n reg van appèl teen die afwysing van sodanige aansoeke; ten einde nuwe voorsiening te maak vir die oorweging van aansoeke om registrasie van wapens, kentekens of ander embleme en van die wysiging van geregistreerde wapens, kentekens of ander embleme; ten einde voorsiening te maak vir sodanige aansoeke wat by die inwerkingtreding van hierdie Wet hangende is, en vir aansoeke om registrasie van name, uniforms of wapens kragtens die Beskerming van Name, Uniforms en Wapens Wet, 1935, wat by sodanige inwerkingtreding hangende is; om genoemde Beskerming van Name, Uniforms en Wapens Wet, 1935, te herroep; en om vir bykomstige aangeleenthede voorsiening te maak.

(*Engelse teks deur die Staatspresident geteken.*)
(*Goedgekeur op 7 Mei* 1969.)

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

Vervanging van artikel 1 van Wet 18 van 1962.

1. Artikel 1 van die Heraldiekwet, 1962 (hieronder die Hoofwet genoem), word hierby deur die volgende artikel vervang:

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

(i) ‚aansoek' 'n aansoek om registrasie in artikel 7 (3) bedoel; en het ‚aansoeker' 'n ooreenstemmende betekenis; (i)

(ii) ‚amptelike' van of behorende aan die Regering van die Republiek of 'n provinsiale administrasie; (xiv)

(iii) ‚ander embleem' 'n vlag, wimpel, vaandel, dekorasie, medalje, seël, insignia van rang, 'n amp of orde of ander of aanverwante simboliese voorstelling, maar nie ook 'n wapen of kenteken nie; (xv)

(iv) ‚buro' die buro vir heraldiek by artikel 3 ingestel; (iv)

(v) ‚differensiëring' die opneem van 'n breuk in 'n familiewapen volgens die beginsels en reëls van die heraldiek ten einde te onderskei tussen verskillende lede of vertakkinge van 'n familie; (viii)

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(v) 'coat of arms' means any object or figure, being a symbolic representation displayed in colours on a shield in conformity with the principles and rules of heraldry, with or without a crown, helmet, crest, mantling, supporters, motto or other accessories; (xxvi)

(vi) 'committee' means the heraldry committee referred to in section 6 (3); (xi)

(vii) 'council' means the heraldry council established by section 6 (1); (xvii)

(viii) 'differencing' means the incorporation of a brisure in a family coat of arms in conformity with the principles and rules of heraldry in order to distinguish between different members or branches of a family; (v)

(ix) 'heraldic representation' means a coat of arms, badge or other emblem; (vii)

(x) 'institution' means any institution, including any university, university college, teachers' college, training college, normal college, technical college, school or research institute in the Republic, the territory or a foreign country, for the promotion of education, arts, science or any other lawful human activity, and any union or society of the present or past members, students or scholars of any such institution; (ix)

(xi) 'Minister' means the Minister of National Education; (xii)

(xii) 'municipal' means of or belonging to an institution or body referred to in section 84 (1) *(f)* (i) or (ii) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), and any similar institution or body in the territory; (xiii)

(xiii) 'name' means any name referred to in section 7 (2); (xiv)

(xiv) 'official' means of or belonging to the Government of the Republic or any provincial administration; (ii)

(xv) 'other emblem' means any flag, pennant, gonfalon, decoration, medal, seal, insignia of rank, any office or order or other or kindred symbolic representation, but does not include a coat of arms or badge; (iii)

(xvi) 'prescribed' means prescribed by regulation; (xxv)

(xvii) 'province' includes the territory; (xvi)

(xviii) 'provincial administration' means the administration of a province; (xv)

(xix) 'register' means the register kept in terms of section 5; (xviii)

(xx) 'registration' means an entry in the register; and 'registered' has a corresponding meaning; (xix)

(xxi) 'regulation' means any regulation made under section 25; (xx)

(xxii) 'special name' means any special name or designation referred to in section 7 (2); (xxi)

(xxiii) 'state herald' means the officer appointed in terms of section 4; (xxii)

(xxiv) 'territory' means the territory of South-West Africa, including that part of the said territory known as the Eastern Caprivi Zipfel and referred to in section 38 (5) of the South-West Africa Constitution Act, 1968 (Act No. 39 of 1968); (vi)

(xxv) 'this Act' includes any regulation; (viii)

(xxvi) 'uniform' means the design of any article or articles of wearing apparel, being distinctive in design and colour, but without a heraldic

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(vi) ‚gebied' die gebied Suidwes-Afrika, met inbegrip van dié gedeelte van genoemde gebied wat die Oostelike Caprivi Zipfel heet en vermeld word in artikel 38 (5) van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet No. 39 van 1968); (xxiv)

(vii) ‚heraldiese voorstelling' 'n wapen, kenteken of ander embleem; (ix)

(viii) ‚hierdie Wet' ook 'n regulasie; (xxv)

(ix) ‚inrigting' 'n inrigting, met inbegrip van 'n universiteit, universiteitskollege, onderwyskollege, opleidingskollege, normaalkollege, tegniese kollege, skool of navorsingsinstituut in die Republiek, die gebied of die buiteland, ter bevordering van die onderwys, kuns, wetenskap of enige ander wettige menslike bedrywigheid, en enige unie of vereniging van die teenswoordige lede, studente of skoliere of oudlede, -studente of -skoliere van so 'n inrigting; (x)

(x) ‚kenteken' 'n voorwerp of figuur, synde 'n simboliese voorstelling, maar nie op 'n skild aangebring nie, wat as herkennings- of onderskeidingsteken vir amptelike of munisipale doeleindes of deur 'n vereniging, inrigting of persoon gebruik word; (iii)

(xi) ‚komitee' die heraldiekkomitee in artikel 6 (3) bedoel; (vi)

(xii) ‚Minister' die Minister van Nasionale Opvoeding; (xi)

(xiii) ‚munisipale' van of behorende aan 'n instelling of liggaam bedoel in artikel 84 (1) (*f*) (i) of (ii) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), en 'n soortgelyke instelling of liggaam in die gebied; (xii)

(xiv) ‚naam' 'n naam in artikel 7 (2) bedoel; (xiii)

(xv) ‚provinsiale administrasie' die administrasie van 'n provinsie; (xviii)

(xvi) ‚provinsie' ook die gebied; (xvii)

(xvii) ‚raad' die raad vir heraldiek by artikel 6 (1) ingestel; (vii)

(xviii) ‚register' die register ingevolge artikel 5 gehou; (xix)

(xix) ‚registrasie' 'n inskrywing in die register; en het ‚geregistreer' 'n ooreenstemmende betekenis; (xx)

(xx) ‚regulasie' 'n regulasie kragtens artikel 25 uitgevaardig; (xxi)

(xxi) ‚spesiale naam' 'n spesiale naam of aanwysing in artikel 7 (2) bedoel; (xxii)

(xxii) ‚staatsheraldikus' die beampte ingevolge artikel 4 aangestel; (xxiii)

(xxiii) ‚uniform' die ontwerp van enige kledingstuk of -stukke van onderskeidende ontwerp en kleur maar sonder 'n heraldiese voorstelling as deel daarvan, bestem om deur lede van 'n vereniging of inrigting wat nie van 'n politieke of godsdienstige aard is nie, gebruik te word; (xxvi)

(xxiv) ‚vereniging' 'n vereniging van persone in die Republiek, die gebied of die buiteland opgerig ter bevordering van sport of vir 'n ander wettige doel, die nastreef waarvan na die mening van die Minister in die openbare belang is; (ii)

(xxv) ‚voorgeskryf' by regulasie voorgeskryf; (xvi)

(xxvi) ‚wapen' 'n voorwerp of figuur synde 'n simboliese voorstelling in kleure op 'n skild aan-

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representation as part thereof, intended to be used by members of an association or institution which is not of a political or religious character. (xxiii)".

Repeal of section 2 of Act 18 of 1962.

2. Section 2 of the principal Act is hereby repealed.

Substitution of section 3 of Act 18 of 1962.

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

"Bureau of heraldry.

3. (1) There is hereby established a bureau of heraldry for the registration of heraldic representations, names, special names or uniforms and for the performance of such other functions as are assigned to the bureau by or under this Act.

(2) The functions of the bureau shall be to—

(*a*) receive and examine applications for the registration of heraldic representations, names, special names or uniforms;

(*b*) keep the register and the documents lodged in terms of this Act;

(*c*) issue certificates of registration of heraldic representations, names, special names and uniforms; and

(*d*) carry out such other duties as may be assigned to the bureau by the Minister or this Act.".

Substitution of section 5 of Act 18 of 1962.

4. (1) The following section is hereby substituted for section 5 of the principal Act:

"Register of heraldic representations, names, special names and uniforms.

5. A register shall be kept in the bureau in which the bureau shall on application in the manner determined by the state herald after consultation with the council enter the particulars determined by the state herald in respect of—

(*a*) the coat of arms of the Republic, the national flag of the Republic, the coats of arms of the provinces and any other heraldic representation instituted, constituted or created by any law, and any amendment thereof effected by any law;

(*b*) any official or municipal heraldic representation granted by competent authority, or adopted in terms of any law, before the commencement of this Act;

(*c*) any official or municipal heraldic representation granted in terms of section 2 before the commencement of the Heraldry Amendment Act, 1969, or adopted after the commencement of this Act in terms of any law, and any amendment thereof;

(*d*) any other heraldic representation, the application for registration of which has been approved under this Act, and any amendment of which the application therefor has been so approved, of a registered heraldic representation; and

(*e*) any name, special name or uniform, the application for registration of which has been approved under this Act, and any amendment, of which the application therefor has been so approved, of a registered name, special name or uniform.".

(2) The register mentioned in section 1 of the Protection of Names, Uniforms and Badges Act, 1935 (Act No. 23 of 1935), shall be deemed to be kept in terms of section 5 of the principal Act.

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gebring volgens die beginsels en reëls van die heraldiek, met of sonder 'n kroon, helm, helmteken, dekklede, skildhouers, wapenspreuk of ander bystukke. (v)".

Herroeping van artikel 2 van Wet 18 van 1962.

2. Artikel 2 van die Hoofwet word hierby herroep.

Vervanging van artikel 3 van Wet 18 van 1962.

3. Artikel 3 van die Hoofwet word hierby deur die volgende artikel vervang:

„Buro vir heraldiek.

3. (1) Daar word hierby 'n buro vir heraldiek ingestel vir die registrasie van heraldiese voorstellings, name, spesiale name of uniforms en vir die verrigting van die ander werksaamhede wat deur of kragtens hierdie Wet aan die buro opgedra word.

(2) Die werksaamhede van die buro is om—

(*a*) aansoeke om registrasie van heraldiese voorstellings, name, spesiale name of uniforms te ontvang en na te sien;

(*b*) die register en die dokumente ingevolge hierdie Wet ingedien, te hou;

(*c*) sertifikate van registrasie van heraldiese voorstellings, name, spesiale name en uniforms uit te reik; en

(*d*) die ander pligte wat die Minister of hierdie Wet aan die buro opdra, te verrig.".

Vervanging van artikel 5 van Wet 18 van 1962.

4. (1) Artikel 5 van die Hoofwet word hierby deur die volgende artikel vervang:

„Register van heraldiese voorstellings, name, spesiale name en uniforms.

5. Daar word in die buro 'n register gehou waarin die buro op aansoek op die wyse deur die staatsheraldikus na oorlegpleging met die raad bepaal die besonderhede inskryf wat die staatsheraldikus bepaal ten opsigte van—

(*a*) die wapen van die Republiek, die nasionale vlag van die Republiek, die wapens van die provinsies en enige ander by wetsvoorskrif ingestelde, daargestelde of ingevoerde heraldiese voorstelling en enige wysiging daarvan by wet aangebring;

(*b*) enige amptelike of munisipale heraldiese voorstelling voor die inwerkingtreding van hierdie Wet by bevoegde gesag toegeken of ingevolge 'n wetsbepaling aangeneem;

(*c*) enige amptelike of munisipale heraldiese voorstelling ingevolge artikel 2 voor die inwerkingtreding van die Heraldiekwysigingswet, 1969, toegeken of na die inwerkingtreding van hierdie Wet ingevolge 'n wetsbepaling aangeneem, en enige wysiging daarvan;

(*d*) enige ander heraldiese voorstelling waarvan die aansoek om registrasie kragtens hierdie Wet goedgekeur is en enige wysiging, waarvan die aansoek daarom aldus goedgekeur is, van 'n geregistreerde heraldiese voorstelling; en

(*e*) enige naam, spesiale naam of uniform waarvan die aansoek om registrasie kragtens hierdie Wet goedgekeur is en enige wysiging, waarvan die aansoek daarom aldus goedgekeur is, van 'n geregistreerde naam, spesiale naam of uniform.".

(2) Die register genoem in artikel 1 van die Beskerming van Name, Uniforms en Wapens Wet, 1935 (Wet No. 23 van 1935), word geag ingevolge artikel 5 van die Hoofwet gehou te wees.

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Substitution of section 6 of Act 18 of 1962.

5. The following section is hereby substituted for section 6 of the principal Act:

"Heraldry council and heraldry committee.

6. (1) There is hereby established a heraldry council which shall consist of the state herald and at least six other members to be appointed by the Minister on such conditions as he may determine.

(2) The functions of the council shall be to—

(*a*) determine the policy to be applied in approving an application;

(*b*) consider and decide upon such matters as the state herald or the committee may refer to it;

(*c*) consider and approve for registration, or reject, applications referred to it in terms of this Act;

(*d*) consider appeals noted under section 9;

(*e*) consider objections lodged in terms of section 7B; and

(*f*) carry out such other duties as may be assigned to the council by the Minister.

(3) The Minister shall appoint a heraldry committee, consisting of such members of the council as the Minister may designate, to decide and to report to the state herald upon applications referred to it by the state herald.

(4) Subject to any directions by the Minister, the council and the committee shall determine when and where they shall meet and the procedure and quorum at their meetings, including the number of votes required for a decision.

(5) A member of the council who is not in the full-time employment of the State, shall out of moneys appropriated by Parliament for the purpose, be paid in respect of his services as member of the council such allowances as the Minister in consultation with the Minister of Finance, may determine.

(6) Such a member of the council who is also a member of the committee, shall in respect of his services as member of the committee similarly be paid additional allowances, so determined.".

Substitution of section 7 of Act 18 of 1962.

6. The following section is hereby substituted for section 7 of the principal Act:

"Applications for registration.

7. (1) Any official or municipal authority, association, institution or person may apply to the bureau for registration of a heraldic representation, or of any amendment of a registered heraldic representation which has been registered in its or his name.

(2) Any association or institution which is not of a political or religious character may apply to the bureau for registration of its name or of one special name or designation used by the association or institution for its members or for the members of any organization constituted by the association or institution in accordance with its rules and regulations, or of any uniform used by the association or institution or of any amendment of any name, special name or uniform which has been registered in its name.

(3) An application for registration of a heraldic representation, name, special name or uniform or of any amendment of a registered heraldic representation, name, special name or uniform shall be made to the bureau in the form determined by the state herald and shall be accompanied by the documents and designs determined by the state herald and the prescribed fees.".

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Vervanging van artikel 6 van Wet 18 van 1962.

5. Artikel 6 van die Hoofwet word hierby deur die volgende artikel vervang:

„Raad vir heraldiek en heraldiekkomitee.

6. (1) Daar word hierby 'n raad vir heraldiek ingestel wat bestaan uit die staatsheraldikus en minstens ses ander lede deur die Minister aangestel te word op die voorwaardes wat hy bepaal.

(2) Die werksaamhede van die raad is om—

(*a*) die beleid te bepaal wat geld by die goedkeuring van 'n aansoek;

(*b*) die aangeleenthede wat die staatsheraldikus of die komitee na hom verwys, te oorweeg en daaromtrent te beslis;

(*c*) aansoeke wat ingevolge hierdie Wet na hom verwys word, te oorweeg en vir registrasie goed te keur of af te wys;

(*d*) appèlle kragtens artikel 9 aangeteken, te oorweeg;

(*e*) besware ingevolge artikel 7B ingedien, te oorweeg; en

(*f*) die ander pligte wat die Minister aan die raad opdra, te verrig.

(3) Die Minister stel 'n heraldiekkomitee aan, bestaande uit die lede van die raad wat die Minister aanwys, om te beslis en aan die staatsheraldikus verslag te doen oor aansoeke wat die staatsheraldikus na hom verwys.

(4) Behoudens voorskrifte van die Minister, bepaal die raad en die komitee wanneer en waar hulle vergader en die prosedure en kworum by hul vergaderings, met inbegrip van die getal stemme vereis vir 'n beslissing.

(5) Aan 'n lid van die raad wat nie voltyds in diens van die Staat is nie, word daar, uit gelde deur die Parlement vir die doel bewillig, ten opsigte van sy dienste as lid van die raad die toelaes betaal wat die Minister in oorleg met die Minister van Finansies bepaal.

(6) Aan so 'n lid van die raad wat ook lid van die komitee is, word daar insgelyks ten opsigte van sy dienste as lid van die komitee bykomstige toelaes, aldus bepaal, betaal.".

Vervanging van artikel 7 van Wet 18 van 1962.

6. Artikel 7 van die Hoofwet word hierby deur die volgende artikel vervang:

„Aansoeke om registrasie.

7. (1) 'n Amptelike of munisipale owerheid, vereniging, inrigting of persoon kan by die buro aansoek doen om registrasie van 'n heraldiese voorstelling, of van 'n wysiging van 'n geregistreerde heraldiese voorstelling wat op sy naam geregistreer staan.

(2) 'n Vereniging of inrigting wat nie van 'n politieke of godsdienstige aard is nie kan by die buro aansoek doen om registrasie van sy naam of van een spesiale naam of aanwysing wat deur die vereniging of inrigting gebruik word vir sy lede of die lede van enige organisasie deur die vereniging of inrigting daargestel ooreenkomstig sy reëls en reglemente, of van 'n uniform deur die vereniging of inrigting gebruik, of van 'n wysiging van 'n naam, spesiale naam of uniform wat op sy naam geregistreer staan.

(3) 'n Aansoek om registrasie van 'n heraldiese voorstelling, naam, spesiale naam of uniform, of van 'n wysiging van 'n geregistreerde heraldiese voorstelling, naam, spesiale naam of uniform word by die buro ingedien in die vorm wat die staatsheraldikus bepaal en gaan vergesel van die dokumente en ontwerpe wat die staatsheraldikus bepaal en die voorgeskrewe gelde.".

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Insertion of sections 7A and 7B in Act 18 of 1962.

7. The following sections are hereby inserted in the principal Act after section 7:

"Notice of applications. **7A.** The bureau shall give notice in the *Gazette* of any application made to it in terms of section 7, and of the period within which and the manner in which any objection in terms of section 7B shall be lodged with the bureau.

Objections. **7B.** Any official or municipal authority, association, institution or person wishing to object to the registration of any heraldic representation, name, special name or uniform or to the amendment of a registered heraldic representation, name, special name or uniform on the grounds that such registration or amendment would encroach upon rights to which it or he is legally entitled, shall lodge such objection with the bureau in such manner and within such period as the bureau may by notice in the *Gazette* determine.".

Substitution of section 8 of Act 18 of 1962.

8. The following section is hereby substituted for section 8 of the principal Act:

"Consideration of applications by state herald. **8.** (1) If an application is in the form determined by the state herald under section 7, the state herald may, subject to the provisions of section 19, approve or reject the application, or he may refer it to the committee: Provided that if any objection is lodged against the registration of the heraldic representation, name, special name or uniform concerned, or against the amendment concerned of any registered heraldic representation, name, special name or uniform, he shall refer the application to the council.

(2) (*a*) Any person who is able to produce proof to the satisfaction of the state herald that he is a descendant of a person who lawfully bears or bore a particular family coat of arms, or a lawfully adopted child of that person, bearing the same lawfully conferred family name as that of that person, may apply to the bureau for registration in his name of that family coat of arms, and the state herald may, subject to the provisions of section 19, approve or reject the application.

(*b*) If the state herald does not reject such an application, he may, on payment by the applicant of the fees fixed by the Minister in consultation with the Minister of Finance, approve the application, with or without differencing: Provided that the system of differencing shall be determined by the state herald in consultation with the council.

(3) If the state herald approves an application under subsection (1) or (2), the bureau shall enter in the register the particulars determined by the state herald, in respect of the heraldic representation, name, special name or uniform concerned, and the bureau shall give notice, in the *Gazette*, of the registration and issue to the applicant concerned a certificate of registration.

(4) An application may be rejected by the state herald if—

(*a*) the design of the heraldic representation or uniform be similar to a design or any material part of a design protected by copyright or this Act, and permission in writing for the use of such design or such material part has not been obtained from the owner thereof;

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Invoeging van artikels 7A en 7B in Wet 18 van 1962.

7. Die volgende artikels word hierby na artikel 7 in die Hoofwet ingevoeg:

„Kennis van aansoeke. **7A.** Die buro gee in die *Staatskoerant* kennis van 'n aansoek ingevolge artikel 7 by hom ingedien, en van die tydperk waarbinne en die wyse waarop enige beswaar ingevolge artikel **7B** by die buro ingedien moet word.

Besware. **7B.** 'n Amptelike of munisipale owerheid, vereniging, inrigting of persoon wat teen die registrasie van 'n heraldiese voorstelling, naam, spesiale naam of uniform of teen die wysiging van 'n geregistreerde heraldiese voorstelling, naam, spesiale naam of uniform beswaar wil aanteken op grond daarvan dat so 'n registrasie of wysiging inbreuk sal maak op regte wat hom wettiglik toekom, dien so 'n beswaar by die buro in op die wyse en binne die tydperk wat die buro by kennisgewing in die *Staatskoerant* bepaal.".

Vervanging van artikel 8 van Wet 18 van 1962.

8. Artikel 8 van die Hoofwet word hierby deur die volgende artikel vervang:

„Oorweging van aansoeke deur die staatsheraldikus. **8.** (1) Indien 'n aansoek in die vorm is wat die staatsheraldikus kragtens artikel 7 bepaal, kan die staatsheraldikus, behoudens die bepalings van artikel 19, die aansoek goedkeur of afwys, of hy kan dit na die komitee verwys: Met dien verstande dat indien enige beswaar teen die registrasie van die betrokke heraldiese voorstelling, naam, spesiale naam of uniform, of teen die betrokke wysiging van 'n geregistreerde heraldiese voorstelling, naam, spesiale naam of uniform ingedien word, hy die aansoek na die raad moet verwys.

(2) (*a*) Iemand wat ten genoeë van die staatsheraldikus bewys kan lewer dat hy 'n afstammeling is van 'n persoon wat 'n bepaalde familiewapen regmatiglik voer of gevoer het of 'n wettiglik aangenome kind van daardie persoon is wat dieselfde wettiglik verleende familienaam voer as dié van daardie persoon, kan by die buro aansoek doen om registrasie op sy naam van daardie familiewapen, en die staatsheraldikus kan, behoudens die bepalings van artikel 19, die aansoek goedkeur of afwys.

(*b*) Indien die staatsheraldikus so 'n aansoek nie afwys nie, kan hy teen betaling deur die aansoeker van die gelde wat die Minister in oorleg met die Minister van Finansies vasstel, die aansoek met of sonder differensiëring goedkeur: Met dien verstande dat die stelsel van differensiëring deur die staatsheraldikus in oorleg met die raad bepaal word.

(3) Indien die staatsheraldikus 'n aansoek kragtens subartikel (1) of (2) goedkeur, skryf die buro in die register die besonderhede wat die staatsheraldikus bepaal, in ten opsigte van die betrokke heraldiese voorstelling, naam, spesiale naam of uniform en gee die buro in die *Staatskoerant* kennis van die registrasie en reik hy aan die betrokke aansoeker 'n sertifikaat van registrasie uit.

(4) 'n Aansoek kan deur die staatsheraldikus afgewys word indien—

(*a*) die ontwerp van die heraldiese voorstelling of uniform soortgelyk is aan 'n ontwerp of 'n wesenlike gedeelte van 'n ontwerp wat by kopiereg of hierdie Wet beskerm word, en skriftelike toestemming vir die gebruik van die ontwerp of daardie wesenlike gedeelte nie van die eienaar daarvan verkry is nie;

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(*b*) the design of the heraldic representation does not accord with the principles and rules of heraldry;
(*c*) the application does not comply with the provisions of this Act or is defective in other respects; or
(*d*) the further information or particulars referred to in section 8B are not furnished.".

Insertion of sections 8A and 8B in Act 18 of 1962.

9. The following sections are hereby inserted in the principal Act after section 8:

"Consideration of applications by the committee and the council.

8A. (1) Whenever an application is referred to the committee or the council by the state herald, the committee or the council may, subject to the provisions of section 19, approve the application or reject it.

(2) If the committee is of opinion that an application so referred to it ought not to be approved, it may refer the application to the council.

(3) The council may, subject to the provisions of section 19, approve such application or reject it.

(4) The provisions of section 8 (4) shall apply to the consideration of an application by the committee or the council.

(5) If the committee or the council approves an application, the bureau shall enter in the register the particulars determined by the state herald, in respect of the heraldic representation, name, special name or uniform concerned, and the bureau shall give notice in the *Gazette* of the registration and issue to the applicant concerned a certificate of registration.

Request for further information or particulars.

8B. The bureau may, with regard to an application, require from the applicant such further information or particulars as the state herald, the committee or the council, as the case may be, desires.".

Substitution of section 9 of Act 18 of 1962.

10. The following section is hereby substituted for section 9 of the principal Act:

"Appeal against rejection of application by the state herald or the committee.

9. (1) If an application is rejected by the state herald or the committee, the applicant may, within six weeks after the bureau has informed him thereof, appeal to the council, in writing and specifying, to the satisfaction of the council, the grounds of appeal, against the rejection of his application, and the council may uphold or reject the appeal.

(2) At the hearing of any such appeal against the rejection, by the state herald, of an application, he shall recuse himself.

(3) If an application is approved by the council on appeal, the bureau shall enter in the register the particulars determined by the state herald, in respect of the heraldic representation, name, special name or uniform concerned or the amendment thereof, and the bureau shall give notice, in the *Gazette*, of the registration and issue to the appellant a certificate of registration.".

Repeal of sections 10, 11, 12 and 13 of Act 18 of 1962.

11. Sections 10, 11, 12 and 13 of the principal Act are hereby repealed.

Substitution of section 14 of Act 18 of 1962.

12. The following section is hereby substituted for section 14 of the principal Act:

"Proprietary rights to heraldic representation, and

14. Subject to the provisions of section 20—

(*a*) a registered heraldic representation (other than a family coat of arms) shall be the full and exclusive property of the official or municipal

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(b) die ontwerp van die heraldiese voorstelling nie in ooreenstemming met die beginsels en reëls van die heraldiek is nie;

(c) die aansoek nie aan die bepalings van hierdie Wet voldoen nie of in ander opsigte gebrekkig is; of

(d) die verdere inligting of besonderhede in artikel 8B bedoel, nie verstrek word nie.".

Invoeging van artikels 8A en 8B in Wet 18 van 1962.

9. Die volgende artikels word hierby na artikel 8 in die Hoofwet ingevoeg:

„Oorweging van aansoeke deur die komitee en die raad.

8A. (1) Wanneer 'n aansoek deur die staatsheraldikus na die komitee of die raad verwys word, kan die komitee of die raad, behoudens die bepalings van artikel 19, die aansoek goedkeur of dit afwys.

(2) Indien die komitee van oordeel is dat 'n aansoek wat aldus na hom verwys is, nie goedgekeur behoort te word nie, kan hy die aansoek na die raad verwys.

(3) Die raad kan, behoudens die bepalings van artikel 19, so 'n aansoek goedkeur of afwys.

(4) Die bepalings van artikel 8 (4) is op die oorweging van 'n aansoek deur die komitee of die raad van toepassing.

(5) Indien die komitee of die raad 'n aansoek goedkeur, skryf die buro in die register die besonderhede wat die staatsheraldikus bepaal, in ten opsigte van die betrokke heraldiese voorstelling, naam, spesiale naam of uniform, en gee die buro in die *Staatskoerant* kennis van die registrasie en reik hy aan die betrokke aansoeker 'n sertifikaat van registrasie uit.

Aanvra van verdere inligting of besonderhede.

8B. Die buro kan, met betrekking tot 'n aansoek, van die aansoeker die verdere inligting of besonderhede aanvra wat die staatsheraldikus, die komitee of die raad, na gelang van dié geval, verlang.".

Vervanging van artikel 9 van Wet 18 van 1962.

10. Artikel 9 van die Hoofwet word hierby deur die volgende artikel vervang:

„Appèl teen afwysing van aansoek deur die staatsheraldikus of die komitee.

9. (1) Indien 'n aansoek deur die staatsheraldikus of die komitee afgewys word, kan die aansoeker binne ses weke nadat die buro hom daarvan in kennis gestel het, skriftelik en met vermelding, ten genoeë van die raad, van die gronde van appèl, teen die afwysing van sy aansoek na die raad appelleer, en die raad kan die appèl handhaaf of verwerp.

(2) By die verhoor van so 'n appèl teen die afwysing van 'n aansoek deur die staatsheraldikus, moet hy homself rekuseer.

(3) Indien 'n aansoek op appèl deur die raad goedgekeur word, skryf die buro in die register die besonderhede wat die staatsheraldikus bepaal, in ten opsigte van die betrokke heraldiese voorstelling, naam, spesiale naam of uniform of die wysiging daarvan, en gee die buro in die *Staatskoerant* kennis van die registrasie en reik hy aan die appellant 'n sertifikaat van registrasie uit.".

Herroeping van artikels 10, 11, 12 en 13 van Wet 18 van 1962.

11. Artikels 10, 11, 12 en 13 van die Hoofwet word hierby herroep.

Vervanging van artikel 14 van Wet 18 van 1962.

12. Artikel 14 van die Hoofwet word hierby deur die volgende artikel vervang:

„Eiendomsreg op heraldiese voorstelling, en gebruik

14. Behoudens die bepalings van artikel 20—

(a) is 'n geregistreerde heraldiese voorstelling (behalwe 'n familiewapen) die volle en uitsluitende eiendom van die amptelike of munisi-

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use of name, special name or uniform.

authority, association, institution or person in whose name it has been registered;

(*b*) a registered family coat of arms shall be the inalienable property of the person in whose name it has been registered; and

(*c*) every association or institution in whose name a name, special name or uniform has been registered, shall be entitled to the sole and exclusive right to use that name, special name or uniform.".

Amendment of section 16 of Act 18 of 1962.

13. Section 16 of the principal Act is hereby amended—

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

"(1) The register shall be open for inspection by the public during the prescribed hours on payment of the fees fixed by the Minister in consultation with the Minister of Finance and subject to the prescribed conditions."; and

(*b*) by the deletion of subsection (2).

Substitution of section 17 of Act 18 of 1962.

14. The following section is hereby substituted for section 17 of the principal Act:

"Information from register.

17. The bureau may at the request of any person and on payment of the fees fixed by the Minister in consultation with the Minister of Finance, furnish such person with an extract from the register or a reproduction of a registered heraldic representation.".

Amendment of section 18 of Act 18 of 1962.

15. Section 18 of the principal Act is hereby amended by the deletion of paragraph (*b*).

Substitution of section 19 of Act 18 of 1962.

16. The following section is hereby substituted for section 19 of the principal Act:

"Exercise of discretionary powers.

19. Whenever any discretionary power is by this Act given to the state herald, the council or the committee, such power shall not be exercised adversely to an applicant or an objector or other person who according to the register appears to be an interested party, without affording such applicant, objector or interested party a reasonable opportunity of being heard.".

Amendment of section 20 of Act 18 of 1962.

17. Section 20 of the principal Act is hereby amended—

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

"(1) Nothing in this Act shall prevent any person from using any registered heraldic representation, name, special name or uniform in the course of or for the purpose of any stage play, historical pageant or other form of performance or entertainment or any cinematographic film, provided it is not used in such a manner or under such circumstances as to bring it into ridicule or contempt."; and

(*b*) by the substitution for subsections (3) and (4) of the following subsections:

"(3) Nothing in this Act shall deprive any person of the right to use any heraldic representation, name, special name or uniform which at the commencement of this Act is not unlawfully in regular use by such person: Provided that the onus of proving such use shall be upon such person.

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van naam, spesiale naam of uniform.

pale owerheid, vereniging, inrigting of persoon op wie se naam dit geregistreer staan;

(*b*) is 'n geregistreerde familiewapen die onvervreembare eiendom van die persoon op wie se naam dit geregistreer staan; en

(*c*) is elke vereniging of inrigting op wie se naam 'n naam, spesiale naam of uniform geregistreer staan, geregtig op die alleen- en uitsluitende gebruik van daardie naam, spesiale naam of uniform.".

Wysiging van artikel 16 van Wet 18 van 1962.

13. Artikel 16 van die Hoofwet word hierby gewysig—

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

„(1) Die register is teen betaling van die gelde wat die Minister in oorleg met die Minister van Finansies vasstel, en onderworpe aan die voorgeskrewe voorwaardes gedurende die voorgeskrewe ure vir insae deur die publiek beskikbaar."; en

(*b*) deur subartikel (2) te skrap.

Vervanging van artikel 17 van Wet 18 van 1962.

14. Artikel 17 van die Hoofwet word hierby deur die volgende artikel vervang:

„Inligting uit register.

17. Die buro kan op versoek van enigiemand en by betaling van die gelde wat die Minister in oorleg met die Minister van Finansies vasstel, 'n uittreksel uit die register of 'n weergawe van 'n geregistreerde heraldiese voorstelling aan daardie persoon verstrek.".

Wysiging van artikel 18 van Wet 18 van 1962.

15. Artikel 18 van die Hoofwet word hierby gewysig deur paragraaf (*b*) te skrap.

Vervanging van artikel 19 van Wet 18 van 1962.

16. Artikel 19 van die Hoofwet word hierby deur die volgende artikel vervang:

„Uitoefening van diskresionêre bevoegdhede.

19. Waar by hierdie Wet aan die staatsheraldikus, die raad of die komitee 'n diskresionêre bevoegdheid verleen word, word daardie bevoegdheid nie ten nadele van 'n aansoeker of 'n beswaarmaker of 'n ander persoon wat volgens die register blykbaar 'n belanghebbende party is, uitgeoefen nie sonder dat aan so 'n aansoeker, beswaarmaker of belanghebbende party 'n redelike geleentheid gegee word om aangehoor te word.".

Wysiging van artikel 20 van Wet 18 van 1962.

17. Artikel 20 van die Hoofwet word hierby gewysig—

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

„(1) Die bepalings van hierdie Wet belet niemand nie om 'n geregistreerde heraldiese voorstelling, naam, spesiale naam of uniform te gebruik tydens of vir die doeleindes van 'n toneelopvoering, historiese optog of ander vorm van opvoering of vermaaklikheid, of 'n rolprent, mits dit nie op so 'n wyse of in sodanige omstandighede gebruik word dat dit bespotlik gemaak of in minagting gebring word nie."; en

(*b*) deur subartikels (3) en (4) deur die volgende subartikels te vervang:

„(3) Die bepalings van hierdie Wet ontneem nie aan iemand die reg om 'n heraldiese voorstelling, naam, spesiale naam of uniform wat by die inwerkingtreding van hierdie Wet nie onwettiglik nie gereeld deur so iemand gebruik is, te gebruik nie: Met dien verstande dat die bewyslas om so 'n gebruik te bewys op so iemand rus.

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(4) Nothing in this Act shall deprive any person of the right to use any heraldic representation, name, special name or uniform to the use of which he has become entitled by reason of his membership or past membership of an association or institution, within or outside the Republic or the territory: Provided that the onus of proving such right shall be upon the person claiming such right.".

Substitution of section 21 of Act 18 of 1962.

18. The following section is hereby substituted for section 21 of the principal Act:

"Damages for misuse of registered heraldic representations, names, special names or uniforms.

21. Any person who—

(*a*) without the written authority of the association or institution in whose name any name, special name or uniform has been registered, or without being a member of such association or institution, uses such name, special name or uniform or a material part thereof or any replica or reproduction thereof or any imitation which might reasonably be confused with any such name, special name or uniform; or

(*b*) without the written authority of the official or municipal authority, association, institution or person in whose name any heraldic representation has been registered or, if such person has died, of the widow of such person in the case of a family coat of arms, or without any other lawful reason, wears, uses, sells, barters or trades in any such heraldic representation or a material part thereof or any replica or reproduction thereof or any imitation which might reasonably be confused with any such heraldic representation,

may be sued in any court of law by any such official or municipal authority, association, or person or widow of such person for—

(i) an amount not exceeding one hundred rand, and such court may without proof of any damages, and in addition to the costs of the action, award such amount, not exceeding the said amount, as may in the circumstances of the case appear to it to be reasonable; or

(ii) damages or an interdict or for both damages and an interdict, and such court may, in addition to the costs of the action, award such damages as may appear to it to be reasonable in the circumstances, or grant an interdict or both award damages and grant an interdict.".

Substitution of section 22 of Act 18 of 1962.

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

"Penalties for misuse of official or municipal heraldic representation.

22. Any person who, without the written permission of the official or municipal authority in whose name any official or municipal heraldic representation has been registered, or without any other lawful reason, sells, barters or uses for gain or trades in such heraldic representation or any material part thereof or any replica or reproduction thereof or any imitation thereof which might reasonably be confused therewith, shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred rand.".

Substitution of section 25 of Act 18 of 1962.

20. The following section is hereby substituted for section 25 of the principal Act:

"Regulations.

25. (1) The Minister may make regulations with regard to—

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(4) Die bepalings van hierdie Wet ontneem nie aan iemand die reg om 'n heraldiese voorstelling, naam, spesiale naam of uniform op die gebruik waarvan hy op grond van sy lidmaatskap of oudlidmaatskap van 'n vereniging of inrigting, binne of buite die Republiek of die gebied, geregtig geword het, te gebruik nie: Met dien verstande dat die bewyslas om so 'n reg te bewys op die persoon rus wat op daardie reg aanspraak maak.".

Vervanging van artikel 21 van Wet 18 van 1962.

18. Artikel 21 van die Hoofwet word hierby deur die volgende artikel vervang:

„Skadevergoeding weens misbruik van geregistreerde heraldiese voorstellings, name, spesiale name of uniforms.

21. Iemand wat—

(*a*) sonder die skriftelike magtiging van die vereniging of inrigting op wie se naam 'n naam, spesiale naam of uniform geregistreer staan, of sonder dat hy lid van daardie vereniging of inrigting is, so 'n naam, spesiale naam of uniform of 'n wesenlike deel daarvan, of 'n replika of weergawe daarvan of 'n nabootsing wat redelikerwys met so 'n naam, spesiale naam of uniform verwar kan word, gebruik; of

(*b*) sonder die skriftelike magtiging van die amptelike of munisipale owerheid, vereniging, inrigting of persoon op wie se naam 'n heraldiese voorstelling geregistreer staan of as sodanige persoon oorlede is, van die weduwee van daardie persoon in die geval van 'n familiewapen, of sonder 'n ander wettige rede so 'n heraldiese voorstelling of 'n wesenlike deel daarvan, of 'n replika of weergawe daarvan of 'n nabootsing wat redelikerwys met so 'n heraldiese voorstelling verwar kan word, dra, gebruik, verkoop, verkwansel of daarmee handeldryf,

kan deur so 'n amptelike of munisipale owerheid, vereniging, inrigting of persoon of weduwee van bedoelde persoon in 'n geregshof gedagvaar word vir—

(i) 'n bedrag van hoogstens honderd rand, en so 'n hof kan sonder bewys van enige skade en benewens die koste van die geding, die bedrag toeken, die genoemde som nie te bowe gaande nie, wat aan hom onder die omstandighede van die geval redelik voorkom; of

(ii) skadevergoeding of 'n interdik of vir beide skadevergoeding en 'n interdik, en so 'n hof kan benewens die koste van die geding, die skadevergoeding toeken wat aan hom onder die omstandighede redelik voorkom of 'n interdik verleen of beide skadevergoeding toeken en 'n interdik verleen.".

Vervanging van artikel 22 van Wet 18 van 1962.

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

„Strafbepaling vir misbruik van amptelike of munisipale heraldiese voorstelling.

22. Iemand wat sonder die skriftelike toestemming van die amptelike of munisipale owerheid op wie se naam 'n amptelike of munisipale heraldiese voorstelling geregistreer staan, of sonder 'n ander wettige rede, so 'n heraldiese voorstelling of 'n wesenlike deel daarvan of 'n replika of weergawe daarvan of 'n nabootsing daarvan wat redelikerwys daarmee verwar kan word, verkoop, verkwansel, vir gewin gebruik of daarmee handeldryf, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vyfhonderd rand.".

Vervanging van artikel 25 van Wet 18 van 1962.

20. Artikel 25 van die Hoofwet word hierby deur die volgende artikel vervang:

„Regulasies.

25. (1) Die Minister kan regulasies uitvaardig met betrekking tot—

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(a) a tariff of the fees which shall be paid in respect of any application, registration or appeal and the manner in which such fees shall be paid;

(b) all matters which by this Act are required or permitted to be prescribed; and

(c) generally, all matters which he considers it necessary or expedient to prescribe to give effect to the provisions of this Act, or in order that the objects of this Act may be achieved.

(2) The generality of the powers conferred by paragraph (c) of subsection (1) shall not be limited by the provisions of the other paragraphs of the said subsection.

(3) Any regulation with regard to any tariff of fees referred to in paragraph (a) of subsection (1) may only be made in consultation with the Minister of Finance.".

Repeal of section 26 of Act 18 of 1962.

21. Section 26 of the principal Act is hereby repealed.

Pending applications.

22. The provisions of the principal Act, as existing prior to the amendment thereof by this Act, shall continue to apply in respect of any application, referred to in section 8 (1) (a) or (b) of the principal Act as existing prior to the amendment thereof by this Act, and made at the commencement of this Act but which has not yet at such commencement been finally disposed of, and the provisions of the principal Act, as amended by this Act, shall apply in respect of any other application so made but not yet finally disposed of at such commencement.

Substitution of long title of Act 18 of 1962.

23. The following long title is hereby substituted for the long title of the principal Act:

"To make provision for the establishment of a bureau of heraldry, a heraldry committee and a heraldry council; for the registration and protection of coats of arms, badges, other emblems, names and uniforms; and for other matters incidental thereto.".

Repeal of Act 23 of 1935.

24. (1) Subject to the provisions of section 4 (2) and subsections (2) and (3) of this section, the Protection of Names, Uniforms and Badges Act, 1935, is hereby repealed.

(2) Any name, special name, uniform or badge which was immediately prior to the commencement of this Act entered in the register mentioned in section 1 of the Protection of Names, Uniforms and Badges Act, 1935, and in respect of which there existed immediately prior to such commencement a valid certificate of registration under the provisions of that Act, shall be deemed to be a name, special name, uniform or badge, respectively, registered under this Act: Provided that in the case of any such uniform with any such badge as an integral portion thereof, such uniform, without such badge, shall be deemed to be a uniform, and such badge a badge, registered under this Act.

(3) Any application made under section 2 of the Protection of Names, Uniforms and Badges Act, 1935, for the registration of a name, special name, uniform or badge, which has, at the commencement of this Act, not yet been finally disposed of, shall be disposed of in accordance with the provisions of that Act, as if this Act had not been passed, and thereupon any such name, special name, uniform or badge which the Minister referred to in section 4 of that Act causes under that section to

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(*a*) 'n tarief van die gelde wat ten opsigte van 'n aansoek, registrasie of appèl betaal moet word en die wyse waarop sodanige gelde betaal moet word;
(*b*) alle aangeleenthede wat ingevolge hierdie Wet voorgeskryf moet of kan word; en
(*c*) in die algemeen, alle aangeleenthede wat hy nodig of dienstig ag om voor te skryf om aan die bepalings van hierdie Wet gevolg te gee of ten einde dat die oogmerke van hierdie Wet bereik word.

(2) Die algemeenheid van die bevoegdhede by paragraaf (*c*) van subartikel (1) verleen, word nie deur die bepalings van die ander paragrawe van genoemde subartikel beperk nie.

(3) 'n Regulasie met betrekking tot 'n tarief van gelde in paragraaf (*a*) van subartikel (1) bedoel, kan alleen in oorleg met die Minister van Finansies uitgevaardig word.".

Herroeping van artikel 26 van Wet 18 van 1962.

21. Artikel 26 van die Hoofwet word hierby herroep.

Hangende aansoeke.

22. Die bepalings van die Hoofwet, soos hulle bestaan het voor die wysiging daarvan deur hierdie Wet, bly van toepassing ten opsigte van 'n aansoek bedoel in artikel 8 (1) (*a*) of (*b*) van die Hoofwet, soos dit bestaan het voor die wysiging daarvan deur hierdie Wet, by die inwerkingtreding van hierdie Wet ingedien maar wat by sodanige inwerkingtreding nog nie afgehandel is nie, en die bepalings van die Hoofwet soos by hierdie Wet gewysig, is ten opsigte van enige ander aansoek aldus ingedien maar by sodanige inwerkingtreding nog nie afgehandel nie, van toepassing.

Vervanging van lang titel van Wet 18 van 1962.

23. Die lang titel van die Hoofwet word hierby deur die volgende lang titel vervang:

„Om voorsiening te maak vir die instelling van 'n buro vir heraldiek, 'n heraldiekkomitee en 'n raad vir heraldiek; vir die registrasie en beskerming van wapens, kentekens, ander embleme, name en uniforms; en vir ander daarmee in verband staande aangeleenthede.".

Herroeping van Wet 23 van 1935.

24. (1) Behoudens die bepalings van artikel 4 (2) en subartikels (2) en (3) van hierdie artikel, word die Beskerming van Name, Uniforms en Wapens Wet, 1935, hierby herroep.

(2) 'n Naam, spesiale naam, uniform of wapen wat onmiddellik voor die inwerkingtreding van hierdie Wet in die register vermeld in artikel 1 van die Beskerming van Name, Uniforms en Wapens Wet, 1935, ingeskryf was en ten opsigte waarvan daar onmiddellik voor sodanige inwerkingtreding 'n geldige sertifikaat van inskrywing kragtens die bepalings van daardie Wet bestaan het, word geag onderskeidelik 'n naam, spesiale naam, uniform of kenteken kragtens hierdie Wet geregistreer, te wees: Met dien verstande dat in die geval van so 'n uniform met so 'n wapen as 'n integrale deel daarvan, sodanige uniform, sonder daardie wapen, geag word 'n uniform, en daardie wapen 'n kenteken, kragtens hierdie Wet geregistreer, te wees.

(3) 'n Aansoek kragtens artikel 2 van die Beskerming van Name, Uniforms en Wapens Wet, 1935, om inskrywing in gemelde register van 'n naam, spesiale naam, uniform of wapen, ingedien wat by die inwerkingtreding van hierdie Wet nog nie afgehandel is nie, word afgehandel ooreenkomstig die bepalings van daardie Wet asof hierdie Wet nie verorden was nie, en daarop word die betrokke naam, spesiale naam, uniform of wapen, indien die Minister in artikel 4 van daardie Wet bedoel dit

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be registered, shall, subject to the proviso to subsection (2) of this section, be deemed to be a name, special name, uniform or badge, respectively, registered under this Act.

Short title and commencement.

25. This Act shall be called the Heraldry Amendment Act, 1969, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

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kragtens daardie artikel in die gemelde register laat inskryf, geag, behoudens die bepalings van die voorbehoudsbepaling by subartikel (2) van hierdie artikel, onderskeidelik 'n naam, spesiale naam, uniform of kenteken kragtens hierdie Wet geregistreer, te wees.

25. Hierdie Wet heet die Heraldiekwysigingswet, 1969, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal. Kort titel en inwerkingtreding.