



# 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**

ISBN 0 621 00241 0

---

---

[Vol. 85.]

KAAPSTAD, 5 JULIE 1972.

[No. 3610.]

CAPE TOWN, 5<sup>TH</sup> JULY, 1972.

---

---

DEPARTEMENT VAN DIE EERSTE MINISTER.

DEPARTMENT OF THE PRIME MINISTER.

No. 1188.

5 Julie 1972.

No. 1188.

5th July, 1972.

Hierby word bekend gemaak dat die Staatspresident sy bedkeuring geheg het aan die onderstaande Wet wat hierby algemeen inligting gepubliseer word:—

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

No. 102 van 1972: Algemene Regswysigingswet, 1972.

No. 102 of 1972: General Law Amendment Act, 1972.

## WET

Tot wysiging van die Drankwet, 1928; die Toelating van Prokureurs, Notarisse en Transportbesorgers Wet, 1934; die Wet op Landdroshowe, 1944; die Strafproseswet, 1955; die Wet op Amptelike Geheime, 1956; die Waterwet, 1956; die Wet op Veediefstal, 1959; die Wet op Besoldiging en Pensioene van Regters, 1959; die Grondwet van die Republiek van Suid-Afrika, 1961; die Dierbeskermingswet, 1962; die Transkeise Grondwet, 1963; die Wet op Gevaarlike Wapens, 1968; die Wet op Regshulp, 1969; die Algemene Regswysigingswet, 1969; die Algemene Regswysigingswet, 1971; die Wet op Bydraes ten opsigte van Bantoe-arbeid, 1972; en die Veediefstal Wet Wysigingsordonnansie, 1935, van die gebied Suidwes-Afrika; om sekere bepalinge van die Grondwet van die Republiek van Suid-Afrika, 1961, met betrekking tot die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel, van toepassing te verklaar; om die Wet op Toevlugte en Rehabilitasiesentrums, 1963, vir sover dit nodig is vir die uitvoering daarvan deur die Minister van Kleurlingsake, te herroep; om sekere uitgewasse van die Suid-Afrikaanse Padveiligheidsraad goed te keur; om die Kontroleur en Ouditeur-generaal van 'n sekere plig te onthef; om sekere titelvoorwaardes van toepassing ten opsigte van sekere onroerende goed in sekere omstandighede op te hef; om die gebruik van die naam, portret of afbeelding van die Staatspresident vir sekere doeleindes of in sekere publikasies te verbied; om sekere betalings en die beskikking oor sekere bedrae wat heet gedoen te wees kragtens besluit van die Uitvoerende Komitee van die gebied Suidwes-Afrika te wettig en om sekere wette van daardie gebied te herroep; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 16 Junie 1972.)

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

Wysiging van artikel 6 van Wet 30 van 1928, soos gewysig deur artikel 3 van Wet 41 van 1934, artikel 1 van Wet 39 van 1937, artikel 2 van Wet 72 van 1961, artikel 1 van Wet 89 van 1962, artikel 2 van Wet 88 van 1963, artikel 1 van Wet 85 van 1964, artikel 1 van Wet 98 van 1965, artikel 1 van Wet 62 van 1966, artikel 2 van Wet 23 van 1969, artikel 1 van Wet 17 van 1970 en artikel 10 van Wet 80 van 1971.

1. Artikel 6 van die Drankwet, 1928, word hierby gewysig deur na paragraaf (d) *quat* van subartikel (1) die volgende paragraaf in te voeg:

„(d) *quin* iemand wat op gesag van die Minister en behoudens die voorwaardes of beperkings deur hom opgelê, drank in 'n restaurant wat in 'n gebou is wat deur die Departement van Openbare Werke beheer en in stand gehou word, verkoop vir gebruik in bedoelde restaurant;”.

# ACT

To amend the Liquor Act, 1928; the Attorneys, Notaries and Conveyancers Admission Act, 1934; the Magistrates' Courts Act, 1944; the Criminal Procedure Act, 1955; the Official Secrets Act, 1956; the Water Act, 1956; the Stock Theft Act, 1959; the Judges' Remuneration and Pensions Act, 1959; the Republic of South Africa Constitution Act, 1961; the Animals Protection Act, 1962; the Transkei Constitution Act, 1963; the Dangerous Weapons Act, 1968; the Legal Aid Act, 1969; the General Law Amendment Act, 1969; the General Law Amendment Act, 1971; the Contributions in respect of Bantu Labour Act, 1972; and the Stock Theft Law Amendment Ordinance, 1935, of the territory of South-West Africa; to apply certain provisions of the Republic of South Africa Constitution Act, 1961, to the territory of South-West Africa, including the Eastern Caprivi Zipfel; to repeal the Retreats and Rehabilitation Centres Act, 1963, in so far as it is necessary for the administration thereof by the Minister of Coloured Affairs; to approve certain expenditure of the South African Road Safety Council; to relieve the Controller and Auditor-General of a certain duty; to cancel certain conditions of title applying in respect of certain immovable property in certain circumstances; to prohibit the use of the name, portrait or effigy of the State President for certain purposes or in certain publications; to validate certain payments and the disposal of certain amounts purporting to have been made under resolution of the Executive Committee of the territory of South-West Africa and to repeal certain laws of that territory; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)  
(Assented to 16th June, 1972.)*

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

1. Section 6 of the Liquor Act, 1928, is hereby amended by the insertion after paragraph (d) *quat* of subsection (1) of the following paragraph:

“(d) *quin* any person who, under the authority of the Minister and subject to such conditions or restrictions as he may impose, sells liquor in a restaurant which is on premises controlled and maintained by the Department of Public Works, for consumption in such restaurant;”.

Amendment of section 6 of Act 30 of 1928, as amended by section 3 of Act 41 of 1934, section 1 of Act 39 of 1937, section 2 of Act 72 of 1961, section 1 of Act 89 of 1962, section 2 of Act 88 of 1963, section 1 of Act 85 of 1964, section 1 of Act 98 of 1965, section 1 of Act 62 of 1966, section 2 of Act 23 of 1969, section 1 of Act 17 of 1970 and section 10 of Act 80 of 1971.

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

Wysiging van artikel 76 van Wet 30 van 1928, soos gewysig deur artikel 59 van Wet 88 van 1963, artikel 11 van Wet 85 van 1964, artikel 22 van Wet 23 van 1969 en artikel 3 van Wet 17 van 1970.

2. Artikel 76 van die Drankwet, 1928, word hierby gewysig deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

„(a) Die hoeveelheid drank wat die houer van 'n groot-handelaarsdranklisensie ineens aan één klant, behalwe 'n lisensiehouer of houer van 'n magtiging kragtens artikel 100*bis* of 100*sex* of 'n persoon wat drank verkoop kragtens 'n in artikel 6 (1) (a), (b), (c), (cA), (d)*bis*, (d)*ter*, (d)*quat* of (d)*quin* bedoelde magtiging, mag verkoop of aflewer, mag nie minder bedra nie dan twee gallon (waarvan minstens een gallon van dieselfde soort, beskrywing en merk drank, behalwe bier, moet wees), of ineens aan één lisensiehouer of houer van 'n magtiging kragtens artikel 100*bis* of 100*sex* of 'n persoon wat drank verkoop kragtens 'n in artikel 6 (1) (a), (b), (c), (cA), (d)*bis*, (d)*ter*, (d)*quat* of (d)*quin* bedoelde magtiging, mag verkoop of aflewer, mag nie minder bedra nie dan een kwart, in 'n houer of houers wat behoorlik en dig gekurk of geprop moet wees: Met dien verstande dat indien die hoeveelheid drank wat aldus aan een klant verkoop of afgelewer word nie minder nie dan een gallon tafelwyn insluit wat uitsluitend die produk is van die alkoholiese gisting van die sap van vars druiwe en wat nie meer alkohol bevat nie dan 14 persent van sy volume, daardie tafelwyn nie van dieselfde beskrywing of merk hoeft te wees nie.”

Wysiging van artikel 79*ter* van Wet 30 van 1928, soos ingevoeg deur artikel 5 van Wet 35 van 1956 en gewysig deur artikel 63 van Wet 88 van 1963, artikel 12 van Wet 85 van 1964, artikel 26 van Wet 23 van 1969 en artikel 4 van Wet 17 van 1970.

3. Artikel 79*ter* van die Drankwet, 1928, word hierby gewysig deur die tweede voorbehoudsbepaling by subartikel (2) deur die volgende voorbehoudsbepaling te vervang:

„Met dien verstande voorts dat die houer van 'n groot-handelaarsdranklisensie geen drank by of vanuit daardie plek mag verkoop of aflewer aan iemand wat nie die gesagvoerder van 'n skip of sy verteenwoordiger is nie of wat nie 'n lisensie vir die verkoop van drank ingevolge hierdie Wet of 'n in artikel 100*bis* of 100*sex* bedoelde magtiging hou nie of wat nie iemand is wat drank kragtens 'n in artikel 6 (1) (a), (b), (c), (cA), (d)*bis*, (d)*ter*, (d)*quat* of (d)*quin* bedoelde magtiging verkoop nie.”

Wysiging van artikel 161 van Wet 30 van 1928, soos gewysig deur artikel 9 van Wet 89 van 1962 en artikel 48 van Wet 23 van 1969.

4. Artikel 161 van die Drankwet, 1928, word hierby gewysig deur die volgende paragraaf na paragraaf (h) in te voeg:

„(hA) iemand—

(i) toelaat om 'n aanstootlike, onsedelike of onwettige handeling te verrig; of

(ii) wat nie gekleed of nie behoorlik gekleed is nie, toelaat om op te tree of te verskyn,

in 'n gedeelte van sy gelisensieerde gebou waar vermaaklikheid van die een of ander aard gehou word of waartoe die publiek toegang het;”

Wysiging van artikel 167 van Wet 30 van 1928, soos gewysig deur artikel 11 van Wet 35 van 1956, artikel 11 van Wet 89 van 1962, artikel 107 van Wet 88 van 1963 en artikel 52 van Wet 23 van 1969.

5. Artikel 167 van die Drankwet, 1928, word hierby gewysig deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

„(b) as dit 'n oortreding is van 'n bepaling in artikel 161 (c), (h), (hA), (i), (j) of (oA) of van 'n bepaling in artikel 162 of 163, met 'n boete van hoogstens honderd pond;”

GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

2. Section 76 of the Liquor Act, 1928, is hereby amended by the substitution for paragraph (a) of subsection (2) of the following paragraph:

Amendment of section 76 of Act 30 of 1928, as amended by section 59 of Act 88 of 1963, section 11 of Act 85 of 1964, section 22 of Act 23 of 1969 and section 3 of Act 17 of 1970.

“(a) The quantity of liquor to be sold or delivered by the holder of a wholesale liquor licence to any one customer other than a licensee or holder of an authority under section 100*bis* or 100*sex* or a person selling liquor under an authority referred to in section 6 (1) (a), (b), (c), (cA), (d)*bis*, (d)*ter*, (d)*quat* or (d)*quin* at any one time shall not be less than two gallons (of which not less than one gallon shall be of the same kind, description and brand of liquor other than malt liquor), or to any one licensee or holder of an authority under section 100*bis* or 100*sex* or a person selling liquor under an authority referred to in section 6 (1) (a), (b), (c), (cA), (d)*bis*, (d)*ter*, (d)*quat* or (d)*quin* at any one time, shall not be less than one quart, in a receptacle or receptacles properly and securely corked or stoppered: Provided that if the quantity of liquor so sold or delivered to any one customer includes not less than one gallon of table wine which is the product solely of the alcoholic fermentation of the juice of fresh grapes and containing no more than 14 per cent of alcohol by volume, such table wine need not be of the same description or brand.”.

3. Section 79*ter* of the Liquor Act, 1928, is hereby amended by the substitution for the second proviso to subsection (2) of the following proviso:

Amendment of section 79*ter* of Act 30 of 1928, as inserted by section 5 of Act 35 of 1956 and amended by section 63 of Act 88 of 1963, section 12 of Act 85 of 1964, section 26 of Act 23 of 1969 and section 4 of Act 17 of 1970.

“Provided further that the holder of a wholesale liquor licence shall not sell or deliver any liquor at or from such place to any person who is not the master of a ship or his agent or who does not hold a licence for the sale of liquor under this Act or an authority referred to in section 100*bis* or 100*sex* or who is not a person selling liquor under an authority referred to in section 6 (1) (a), (b), (c), (cA), (d)*bis*, (d)*ter*, (d)*quat* or (d)*quin*.”.

4. Section 161 of the Liquor Act, 1928, is hereby amended by the insertion after paragraph (h) of the following paragraph:

Amendment of section 161 of Act 30 of 1928, as amended by section 9 of Act 89 of 1962 and section 48 of Act 23 of 1969.

“(hA) permits any person—

- (i) to perform any offensive, indecent or obscene act; or
- (ii) who is not clothed or not properly clothed, to perform or to appear,

in any part of his licensed premises where entertainment of any kind is held or to which the public has access;”.

5. Section 167 of the Liquor Act, 1928, is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

Amendment of section 167 of Act 30 of 1928, as amended by section 11 of Act 35 of 1956, section 11 of Act 89 of 1962, section 107 of Act 88 of 1963 and section 52 of Act 23 of 1969.

“(b) if the contravention is of a provision of section 161 (c), (h), (hA), (i), (j) or (oA) or of a provision of section 162 or 163, to a fine not exceeding one hundred pounds;”.

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

Wysiging van artikel 32 van Wet 23 van 1934, soos gewysig deur artikel 3 van Wet 19 van 1941, artikel 5 van Wet 81 van 1962, artikel 16 van Wet 63 van 1964, artikel 17 van Wet 70 van 1968 en artikel 12 van Wet 93 van 1970.

6. Artikel 32 van die Toelating van Prokureurs, Notarisse en Transportbesorgers Wet, 1934, word hierby gewysig deur subartikels (2) en (3) deur die volgende subartikels te vervang:

„(2) Geen prokureur, notaris of transportbesorger, wat van die rol geskrap of in sy praktyk geskors is, mag, terwyl hy geskrap of geskors is, as prokureur, notaris of transportbesorger direk nog indirek op sy eie of in vennootskap of vereniging met enige ander persoon bly praktiseer nie, nòg mag hy, behalwe met die skriftelike toestemming van die betrokke wetsgenootskap, en, indien hy iemand is wat kragtens artikel 5quat (1) (b) van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), van die rol geskrap is, ook met die skriftelike toestemming van die Minister van Justisie, in enige hoedanigheid in verband met die professie van 'n prokureur, notaris of transportbesorger in diens wees.

(3) Geen prokureur, notaris of transportbesorger mag, behalwe met die skriftelike toestemming van die betrokke wetsgenootskap, en, in die geval van 'n persoon wat kragtens artikel 5quat (1) (b) van die Wet op die Onderdrukking van Kommunisme, 1950, van die rol geskrap is, ook met die skriftelike toestemming van die Minister van Justisie, enige persoon in enige hoedanigheid in diens neem nie wat van die rol geskrap of in sy praktyk geskors is solank as sodanige persoon geskrap of geskors is.”.

Wysiging van artikel 2 van Wet 32 van 1944, soos vervang deur artikel 2 van Wet 53 van 1970.

7. (1) Artikel 2 van die Wet op Landdroshowe, 1944, word hierby gewysig deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word:

„(2) Ondanks andersluidende bepalings van hierdie Wet—

(a) kan die Minister van Justisie kragtens subartikel (1), na oorlegpleging met die Minister van Bantoe-administrasie en -ontwikkeling—

(i) as deel van 'n bestaande distrik wat onder beheer van die Minister van Justisie geadministreer word, 'n gebied insluit wat voordat dit aldus ingesluit word, deel uitmaak van 'n distrik wat onder beheer van die Minister van Bantoe-administrasie en -ontwikkeling geadministreer word;

(ii) 'n distrik instel wat uit 'n gebied bestaan of 'n gebied insluit wat voordat bedoelde distrik ingestel word, deel uitmaak van 'n distrik wat onder beheer van die Minister van Bantoe-administrasie en -ontwikkeling geadministreer word;

(iii) as deel van 'n bestaande streekafdeling wat onder beheer van die Minister van Justisie geadministreer word, 'n distrik of subdistrik insluit wat onder beheer van die Minister van Bantoe-administrasie en -ontwikkeling geadministreer word;

(iv) 'n streekafdeling instel wat 'n distrik of subdistrik insluit wat onder beheer van die Minister van Bantoe-administrasie en -ontwikkeling geadministreer word;

(b) kan die Minister van Bantoe-administrasie en -ontwikkeling kragtens subartikel (1), na oorlegpleging met die Minister van Justisie—

(i) as deel van 'n bestaande distrik wat onder beheer van die Minister van Bantoe-administrasie en -ontwikkeling geadministreer word, 'n gebied insluit wat voordat dit aldus ingesluit word, deel uitmaak van 'n distrik wat onder beheer van die Minister van Justisie geadministreer word;

(ii) 'n distrik instel wat uit 'n gebied bestaan of 'n gebied insluit wat voordat bedoelde distrik

## GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

6. Section 32 of the Attorneys, Notaries and Conveyancers Admission Act, 1934, is hereby amended by the substitution for subsections (2) and (3) of the following subsections:

Amendment of section 32 of Act 23 of 1934, as amended by section 3 of Act 19 of 1941, section 5 of Act 81 of 1962, section 16 of Act 63 of 1964, section 17 of Act 70 of 1968 and section 12 of Act 93 of 1970.

“(2) No attorney, notary or conveyancer who shall have been struck off the rolls or suspended from practice shall while he is struck off or suspended continue to practise as an attorney, notary or conveyancer directly or indirectly by himself or in partnership or association with any other person, nor shall he, except with the written consent of the law society concerned, and, if he is a person who, in terms of section 5quat (1) (b) of the Suppression of Communism Act, 1950 (Act No. 44 of 1950), has been struck off the rolls, also with the written consent of the Minister of Justice, be employed in any capacity connected with the profession of an attorney, notary or conveyancer.

(3) No attorney, notary or conveyancer shall, except with the written consent of the law society concerned, and, in the case of a person who, in terms of section 5quat (1) (b) of the Suppression of Communism Act, 1950, has been struck off the rolls, also with the written consent of the Minister of Justice, employ in any capacity whatsoever any person who shall have been struck off the rolls or suspended from practice while such person is struck off or suspended.”.

7. (1) Section 2 of the Magistrates' Courts Act, 1944, is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):

Amendment of section 2 of Act 32 of 1944, as substituted by section 2 of Act 53 of 1970.

“(2) Notwithstanding anything to the contrary in this Act contained—

(a) the Minister of Justice, after consultation with the Minister of Bantu Administration and Development, may under subsection (1)—

(i) include as part of an existing district administered under the control of the Minister of Justice, an area which prior to its being so included forms part of a district administered under the control of the Minister of Bantu Administration and Development;

(ii) create a district which consists of or includes an area which prior to the creation of such district forms part of a district administered under the control of the Minister of Bantu Administration and Development;

(iii) include as part of an existing regional division administered under the control of the Minister of Justice, a district or subdistrict administered under the control of the Minister of Bantu Administration and Development;

(iv) create a regional division which includes a district or subdistrict administered under the control of the Minister of Bantu Administration and Development;

(b) the Minister of Bantu Administration and Development, after consultation with the Minister of Justice, may under subsection (1)—

(i) include as part of an existing district administered under the control of the Minister of Bantu Administration and Development, an area which prior to its being so included forms part of a district administered under the control of the Minister of Justice;

(ii) create a district which consists of or includes an area which prior to the creation of such district

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

ingestel word, deel uitmaak van 'n distrik wat onder beheer van die Minister van Justisie geadministreer word;

- (iii) as deel van 'n bestaande streekafdeling wat onder beheer van die Minister van Bantoe-administrasie en -ontwikkeling geadministreer word, 'n distrik of subdistrik insluit wat onder beheer van die Minister van Justisie geadministreer word;
- (iv) 'n streekafdeling instel wat 'n distrik of subdistrik insluit wat onder beheer van die minister van Justisie geadministreer word."

(2) Subartikel (1) word geag op die tweede dag van Julie 1945 in werking te getree het.

Wysiging van artikel 9 van Wet 32 van 1944, soos vervang deur artikel 2 van Wet 8 van 1967.

8. (1) Artikel 9 van die Wet op Landdroshowe, 1944, word hierby gewysig deur na subartikel (1) die volgende subartikel in te voeg:

„(1A) (a) Indien die Minister van Justisie en die Minister van Bantoe-administrasie en -ontwikkeling dit dienstig ag, en behoudens die bepalings in subartikel (1) genoem—

- (i) kan die Minister van Justisie 'n magistraat aanstel vir 'n streekafdeling, distrik of subdistrik wat voor die datum waarop die aanstelling van krag word, onder beheer van die Minister van Bantoe-administrasie en -ontwikkeling geadministreer word of wat op daardie datum deur laasgenoemde Minister ingestel word;
  - (ii) kan die Minister van Bantoe-administrasie en -ontwikkeling 'n magistraat aanstel vir 'n streekafdeling, distrik of subdistrik wat voor die datum waarop die aanstelling van krag word, onder beheer van die Minister van Justisie geadministreer word of wat op daardie datum deur laasgenoemde Minister ingestel word.
- (b) Met ingang van die datum waarop die aanstelling van 'n magistraat vir 'n streekafdeling, distrik of subdistrik kragtens paragraaf (a) van krag word—
- (i) word dit by die toepassing van hierdie Wet beskou dat daardie streekafdeling, distrik of subdistrik onder beheer van die Minister wat die aanstelling gedoen het, geadministreer word;
  - (ii) word enigiets wat voor of op daardie datum met betrekking tot daardie streekafdeling, distrik of subdistrik gedoen is kragtens 'n bevoegdheid by hierdie Wet aan die Minister verleen, by die toepassing van hierdie Wet geag gedoen te gewees het deur die Minister wat die aanstelling gedoen het."

(2) Subartikel (1) word geag op die tweede dag van Julie 1945 in werking te getree het.

Wysiging van artikel 341 van Wet 56 van 1955, soos vervang deur artikel 62 van Wet 41 van 1971.

9. (1) Artikel 341 van die Strafproseswet, 1955, word hierby gewysig deur die byvoeging van die volgende subartikel:

„(6) By die toepassing van die bepalings van hierdie artikel met betrekking tot 'n Kleurling soos omskryf in die Wet op Rehabilitasiesentrums vir Kleurlinge, 1971, van die Verteenwoordigende Kleurlingraad van die Republiek van Suid-Afrika (Wet No. 1 van 1971), word 'n verwysing—

- (a) na 'n bepaling van die Wet op die Misbruik van Afhanklikheidsvormende Stowwe en Rehabilitasiesentrums, 1971, behalwe in die geval van subartikel (1) (b), uitgelê as 'n verwysing na 'n ooreenstemmende bepaling van bedoelde Wet op Rehabilitasiesentrums vir Kleurlinge, 1971;
- (b) na 'n ,volkswelsynbeampte' en 'n ,landdros' uitgelê as 'n verwysing onderskeidelik na 'n ,maatskaplike werker' en 'n ,landdros' soos in bedoelde Wet op Rehabilitasiesentrums vir Kleurlinge, 1971, omskryf;



## GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

forms part of a district administered under the control of the Minister of Justice;

- (iii) include as part of an existing regional division administered under the control of the Minister of Bantu Administration and Development, a district or subdistrict administered under the control of the Minister of Justice;
- (iv) create a regional division which includes a district or subdistrict administered under the control of the Minister of Justice."

(2) Subsection (1) shall be deemed to have come into operation on the second day of July, 1945.

8. (1) Section 9 of the Magistrates' Courts Act, 1944, is hereby amended by the insertion after subsection (1) of the following subsection:

Amendment of section 9 of Act 32 of 1944, as substituted by section 2 of Act 8 of 1967.

"(1A) (a) If the Minister of Justice and the Minister of Bantu Administration and Development deem it expedient, and subject to the provisions mentioned in subsection (1)—

- (i) the Minister of Justice may appoint a magistrate for a regional division, district or subdistrict which prior to the date upon which the appointment takes effect is administered under the control of the Minister of Bantu Administration and Development or which on that date is created by the last-mentioned Minister;
  - (ii) the Minister of Bantu Administration and Development may appoint a magistrate for a regional division, district or subdistrict which prior to the date upon which the appointment takes effect is administered under the control of the Minister of Justice or which on that date is created by the last-mentioned Minister.
- (b) As from the date upon which the appointment of a magistrate for a regional division, district or subdistrict under paragraph (a) takes effect—
- (i) that regional division, district or subdistrict shall for the purposes of this Act be deemed to be administered under the control of the Minister who made the appointment;
  - (ii) anything done in relation to that regional division, district or subdistrict prior to or on that date under a power conferred on the Minister by this Act, shall, for the purposes of this Act, be deemed to have been done by the Minister who made the appointment."

(2) Subsection (1) shall be deemed to have come into operation on the second day of July, 1945.

9. (1) Section 341 of the Criminal Procedure Act, 1955, is hereby amended by the addition of the following subsection:—

Amendment of section 341 of Act 56 of 1955, as substituted by section 62 of Act 41 of 1971.

"(6) In applying the provisions of this section with reference to a Coloured person as defined in the Coloured Persons Rehabilitation Centres Law, 1971, of the Coloured Persons Representative Council of the Republic of South Africa (Law No. 1 of 1971), any reference—

- (a) to a provision of the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971, shall, except in the case of subsection (1) (b), be construed as a reference to a corresponding provision of the said Coloured Persons Rehabilitation Centres Law, 1971;
- (b) to a 'social welfare officer' and a 'magistrate' shall be construed as a reference to a 'social worker' and a 'magistrate', respectively, as defined in the said Coloured Persons Rehabilitation Centres Law, 1971;

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

- (c) na 'n ,rehabilitasiesentrum' en 'n ,geregistreerde rehabilitasiesentrum' uitgelê as 'n verwysing onderskeidelik na 'n ,rehabilitasiesentrum' en 'n ,geregistreerde rehabilitasiesentrum' ingestel of geregistreer, na gelang van die geval, ingevolge bedoelde Wet op Rehabilitasiesentrums vir Kleurlinge, 1971."

(2) Die bepalings van subartikel (1) tree in werking op 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Wysiging van artikel 3 van Wet 16 van 1956, soos gewysig deur artikel 2 van Wet 65 van 1965 en artikel 10 van Wet 101 van 1969.

10. Artikel 3 van die Wet op Amptelike Geheime, 1956, word hierby gewysig deur subartikel (2) (a) deur die volgende subartikel te vervang:

„(2) (a) Iemand—

- (i) wat 'n skets, plan, model, voorwerp, aantekening, dokument of inligting wat met krygstuig of 'n militêre, polisie- of veiligheidsaangeleentheid in verband staan, in sy besit of onder sy beheer het; en
- (ii) wat dit op 'n wyse of met 'n doel wat tot nadeel van die veiligheid of belange van die Republiek strek, publiseer of direk of indirek aan iemand openbaar; en
- (iii) wat ten tyde van sodanige publikasie of sodanige openbaarmaking geweet het of redelikerwys moes geweet het dat bedoelde skets, plan, model, voorwerp, aantekening, dokument of inligting in verband staan met krygstuig of 'n militêre, polisie- of veiligheidsaangeleentheid,

is aan 'n misdryf skuldig en by skuldigbevinding met 'n boete van hoogstens eenduisend vyfhonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens sewe jaar of met sowel daardie boete as daardie gevangenisstraf strafbaar."

Wysiging van artikel 157 van Wet 54 van 1956, soos gewysig deur artikel 16 van Wet 56 van 1961 en artikel 10 van Wet 77 van 1969.

11. Artikel 157 van die Waterwet, 1956, word hierby gewysig deur die volgende subartikel na subartikel (1) in te voeg:

„(1A) Die Minister kan, op aansoek van 'n applikant aan wie 'n besproeiingslening toegestaan is—

- (a) die totale raming van die waarskynlike koste van die waterwerke ten opsigte waarvan bedoelde lening toegestaan is, hersien en indien die aldus hersiene totale raming die aanvanklike totale raming oorskry, kan die Staatspresident, op aanbeveling van die Minister, gelas dat 'n verdere besproeiingslening vir die bedrag waarmee bedoelde hersiene raming bedoelde aanvanklike raming oorskry aan die applikant toegestaan word: Met dien verstande dat indien bedoelde hersiene raming honderd en vyftigduisend rand oorskry, so 'n verdere besproeiingslening nie toegestaan word nie tensy die bepalings van subartikel (1) (b) (ii) nagekom is;
- (b) by die Staatspresident aanbeveel dat die tydperk waarin so 'n besproeiingslening terugbetaalbaar is, gewysig word en daarop kan die Staatspresident, behoudens die bepalings van subartikel (1) (b) (i), bedoelde tydperk wysig ooreenkomstig bedoelde aanbeveling."

Invoeging van artikel 163A in Wet 54 van 1956.

12. Die volgende artikel word hierby in die Waterwet, 1956, na artikel 163 ingevoeg:

„Uitbreiding van bevoegdhede om besproeiingslenings en subsidies ten opsigte van sekere waterwerke toe te staan. 163A. Behoudens die bepalings van hierdie Hoofstuk kan die Staatspresident of die Minister 'n besproeiingslening of subsidie toestaan ten opsigte van waterwerke—

(a) wat in aanbou of voltooi is; en

(b) waarvan die totale raming van die waarskynlike koste ingevolge artikel 157 (1A) hersien is."

GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

- (c) to a 'rehabilitation centre' and a 'registered rehabilitation centre' shall be construed as a reference to a 'rehabilitation centre' and a 'registered rehabilitation centre', respectively, established or registered, as the case may be, under the said Coloured Persons Rehabilitation Centres Law, 1971."

(2) The provisions of subsection (1) shall come into operation on a date determined by the State President by proclamation in the *Gazette*.

10. Section 3 of the Official Secrets Act, 1956, is hereby amended by the substitution for subsection (2) (a) of the following subsection:

Amendment of section 3 of Act 16 of 1956, as amended by section 2 of Act 65 of 1965 and section 10 of Act 101 of 1969.

- "(2) (a) Any person—
- (i) who has in his possession or under his control any sketch, plan, model, article, note, document or information which relates to munitions of war or any military, police or security matter; and
  - (ii) who publishes it or directly or indirectly communicates it to any person in any manner or for any purpose prejudicial to the safety or interests of the Republic; and
  - (iii) who, at the time of such publication or such communication knew or should reasonably have known that such sketch, plan, model, article, note, document or information related to munitions of war or a military, police or security matter, shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand five hundred rand or to imprisonment for a period not exceeding seven years or to both such fine and such imprisonment."

11. Section 157 of the Water Act, 1956, is hereby amended by the insertion of the following subsection after subsection (1):

Amendment of section 157 of Act 54 of 1956, as amended by section 16 of Act 56 of 1961 and section 10 of Act 77 of 1969.

- "(1A) The Minister may, at the request of an applicant to whom an irrigation loan has been granted—
- (a) revise the total estimate of the probable cost of the water works in respect of which such loan has been granted and, if the total estimate so revised exceeds the original total estimate, the State President may, on the recommendation of the Minister, order that a further irrigation loan for the amount by which such revised estimate exceeds such original estimate be granted to the applicant: Provided that if such revised estimate exceeds one hundred and fifty thousand rand, such further irrigation loan shall not be granted unless the provisions of subsection (1) (b) (ii) have been complied with;
  - (b) recommend to the State President that the period within which such an irrigation loan is repayable be amended, and thereupon the State President may, subject to the provisions of subsection (1) (b) (i), amend such period in accordance with such recommendation."

12. The following section is hereby inserted in the Water Act, 1956, after section 163:

Insertion of section 163A in Act 54 of 1956.

"Extension of powers to grant irrigation loans and subsidies in respect of certain water-works.

- 163A. The State President or the Minister may, subject to the provisions of this Chapter, grant an irrigation loan or a subsidy in respect of water-works—
- (a) which are under construction or which have been completed; and
  - (b) the total estimate of the probable cost of which has been revised in terms of section 157 (1A)."

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

Vervanging van artikel 15 van Wet 57 van 1959, soos gewysig deur artikel 39 van Wet 80 van 1964.

13. (1) Artikel 15 van die Wet op Veediefstal, 1959, word hierby deur die volgende artikel vervang:

„Vergoeding vir skade aan of verlies van vee of produkte. 15. Wanneer 'n hof iemand veroordeel weens 'n in artikel 11 (1) (a), (b), (c) of (d) vermelde misdryf waardeur skade aan of verlies van vee of produkte veroorsaak is, vestig die hof die aandag van die eenaar daarvan, indien hy in die hof aanwesig is, op die bepalings van artikel 357 van die Strafproseswet, 1955 (Wet No. 56 van 1955).”

(2) By die toepassing van artikel 334*ter* of 334*quat* van die Strafproseswet, 1955 (Wet No. 56 van 1955), word 'n straf opgelê kragtens artikel 15 van die Wet op Veediefstal, 1959 (Wet No. 57 van 1959), nie in aanmerking geneem nie.

(3) Subartikels (1) en (2) tree op die eerste dag van Augustus 1972 in werking.

Wysiging van artikel 3 van Wet 73 van 1959, soos vervang deur artikel 1 van Wet 20 van 1964, en gewysig deur artikel 2 van Wet 48 van 1968 en artikel 22 van Wet 80 van 1971.

14. Artikel 3 van die Wet op Besoldiging en Pensioene van Regters, 1959, word hierby gewysig deur subartikels (2) en (3) deur die volgende subartikels te vervang:

„(2) Sodanige pensioen moet maandeliks betaal word teen die skaal van twintig persent per jaar van die jaarlikse salaris wat ten tyde van sodanige persoon se aftreding of ontheffing van sy amp, na gelang van die geval, verbonde is aan die amp wat hy dan in 'n permanente hoedanigheid beklee en, ten opsigte van elke volle jaar (indien daar is) waarmee sy tydperk van ononderbroke diens in subartikel (1) vermeld, vyf jaar oorskry, 'n verdere vier persent per jaar van daardie salaris: Met dien verstande dat die jaarlikse bedrag van sodanige pensioen nie 'n bedrag gelyk aan tagtig persent van die gemelde salaris oorskry nie.

(3) Die jaarlikse bedrag van die pensioen wat ingevolge subartikel (2), soos van krag onmiddellik voor die datum van inwerkingtreding van artikel 14 van die Algemene Regswysigingswet, 1972, betaal word aan iemand wat op of na die eerste dag van April 1964 maar voor die eerste dag van Januarie 1971 afgetree het of van sy amp onthef is, word met ingang van die eerste dag van April 1971 met twintig persent verhoog.”

Vervanging van artikel 6 van Wet 73 van 1959, soos vervang deur artikel 3 van Wet 16 van 1970.

15. Artikel 6 van die Wet op Besoldiging en Pensioene van Regters, 1959, word hierby deur die volgende artikel vervang:

„Bydraes deur persone 6. Iemand wat—  
wat op of na die vasgestelde datum regters geword het of by of na inwerkingtreding van hierdie Wet regters geword het of word.  
(a) op of na die vasgestelde datum 'n regter geword het; of  
(b) by of na die inwerkingtreding van hierdie Wet 'n regter geword het of word, moet, behoudens die bepalings van artikel 12, vanaf die inwerkingtreding van artikel 15 van die Algemene Regswysigingswet, 1972, bydraes teen die skaal van sewe-en-twintig rand per maand aan inkomste betaal solank hy 'n regter bly.”

Wysiging van artikel 7 van Wet 73 van 1959, soos gewysig deur artikel 3 van Wet 20 van 1964, artikel 2 van Wet 76 van 1965 en artikel 4 van Wet 16 van 1970.

16. Artikel 7 van die Wet op Besoldiging en Pensioene van Regters, 1959, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) 'n Regter wat onmiddellik vóór die vasgestelde datum die amp van regter beklee het en op of vóór die een-en-dertigste dag van Desember 1956 ingevolge 'n wet herroep deur hierdie Wet skriftelik gekies het om by te dra, moet, behoudens die bepalings van artikel 12, vanaf die inwerkingtreding van artikel 16 van die Algemene Regswysigingswet, 1972, bydraes teen die skaal van sewe-en-

GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

13. (1) The following section is hereby substituted for section 15 of the Stock Theft Act, 1959:

Substitution of section 15 of Act 57 of 1959, as amended by section 39 of Act 80 of 1964.

“Compensation for damage to or loss of stock or produce. 15. Whenever any court convicts any person of an offence referred to in section 11 (1) (a), (b), (c) or (d), which has caused damage to or loss of stock or produce, the court shall direct the attention of the owner thereof, if present in court, to the provisions of section 357 of the Criminal Procedure Act, 1955 (Act No. 56 of 1955).”.

(2) For the purposes of section 334ter or 334quat of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), no punishment imposed under section 15 of the Stock Theft Act, 1959 (Act No. 57 of 1959), shall be taken into account.

(3) Subsections (1) and (2) shall come into operation on the first day of August, 1972.

14. Section 3 of the Judges' Remuneration and Pensions Act, 1959, is hereby amended by the substitution for subsections (2) and (3) of the following subsections:

Amendment of section 3 of Act 73 of 1959, as substituted by section 1 of Act 20 of 1964 and amended by section 2 of Act 48 of 1968 and section 22 of Act 80 of 1971.

“(2) Such pension shall be paid monthly at the rate of twenty per cent per annum of the annual salary attaching at the time of such person's retirement or removal from office, as the case may be, to the office then held by him in a permanent capacity and, in respect of every full year (if any) by which his period of continuous service referred to in subsection (1) exceeds five years, a further four per cent per annum of that salary: Provided that the annual amount of such pension shall not exceed an amount equal to eighty per cent of the said salary.

(3) The annual amount of the pension paid in terms of subsection (2), as in force immediately prior to the date of commencement of section 14 of the General Law Amendment Act, 1972, to a person who retired or was removed from office on or after the first day of April, 1964, but before the first day of January, 1971, shall with effect from the first day of April, 1971, be increased by twenty per cent.”.

15. The following section is hereby substituted for section 6 of the Judges' Remuneration and Pensions Act, 1959:

Substitution of section 6 of Act 73 of 1959, as substituted by section 3 of Act 16 of 1970.

“Contributions by persons who became judges on or after the fixed date or became judges at or after the commencement of this Act. 6. Any person who—

(a) became a judge on or after the fixed date; or

(b) became or becomes a judge at or after the commencement of this Act, shall, subject to the provisions of section 12, as from the commencement of section 15 of the General Law Amendment Act, 1972, pay contributions to revenue at the rate of twenty-seven rand per month as long as he remains a judge.”.

16. Section 7 of the Judges' Remuneration and Pensions Act, 1959, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 7 of Act 73 of 1959, as amended by section 3 of Act 20 of 1964, section 2 of Act 76 of 1965 and section 4 of Act 16 of 1970.

“(1) Any judge who held the office of judge immediately prior to the fixed date and in terms of any law repealed by this Act elected in writing on or before the thirty-first day of December, 1956, to contribute, shall, subject to the provisions of section 12, as from the commencement of section 16 of the General Law Amendment Act, 1972,

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

twintig rand per maand aan inkomste betaal solank hy 'n register bly."

Wysiging van artikel 10 van Wet 73 van 1959, soos vervang deur artikel 3 van Wet 76 van 1965, en gewysig deur artikel 5 van Wet 16 van 1970.

17. Artikel 10 van die Wet op Besoldiging en Pensioene van Regters, 1959, word hierby gewysig deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

„(b) Iemand wat op of na die datum van die inwerking-treding van die Wysigingswet op die Besoldiging en Pensioene van Regters, 1970, ingevolge hierdie Wet gekies het of kies dat 'n tydperk as pensioengewende diens gereken word, moet 'n bedrag bereken teen die skaal van sewe-en-twintig rand vir elke maand van dié tydperk, aan inkomste bydra."

Vervanging van artikel 12 van Wet 73 van 1959, soos vervang deur artikel 6 van Wet 16 van 1970.

18. Artikel 12 van die Wet op Besoldiging en Pensioene van Regters, 1959, word hierby deur die volgende artikel vervang:

„Maksimum bydraes betaalbaar. 12. Sodra bydraes van altesaam sesduisend vierhonderd-en-tagtig rand ingevolge hierdie Hoofstuk ten opsigte van iemand verkry is, is hy nie verplig en word hy nie toegelaat om enige verdere bydraes te maak nie."

Wysiging van artikel 13 van Wet 73 van 1959, soos gewysig deur artikel 6 van Wet 20 van 1964, artikel 5 van Wet 76 van 1965 en artikel 7 van Wet 16 van 1970, en inwerkingtreding van artikels 14 tot en met 19.

19. (1) Artikel 13 van die Wet op Besoldiging en Pensioene van Regters, 1959, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) By die dood van iemand wat bygedra het, word daar aan sy weduwee 'n pensioen betaal van tweeduisend vyf-en-twintig rand per jaar, tesame met tweehonderd-en-twee rand en vyftig sent per jaar ten opsigte van elke voltooide jaar van sy pensioengewende diens: Met dien verstande dat die maksimum pensioen waarop sodanige weduwee kragtens hierdie artikel geregtig is, nie vierduisend-en-vyftig rand per jaar te bowe gaan nie."

(2) Artikel 13 (1) van die Wet op Besoldiging en Pensioene van Regters, 1959, soos van krag onmiddellik voor die inwerkingtreding van hierdie artikel, bly, ondanks die bepaling van subartikel (1) van hierdie artikel, van toepassing ten opsigte van iemand wat te eniger tyd voor genoemde inwerkingtreding op 'n pensioen ingevolge genoemde artikel 13 (1) geregtig geword het en ten opsigte van iemand wat die weduwee word van iemand wat voor genoemde inwerkingtreding maar na die inwerkingtreding van die Wysigingswet op die Besoldiging en Pensioene van Regters, 1970, opgehou het om 'n register te wees.

(3) Artikels 14, 15, 16, 17, 18 en hierdie artikel word geag op die eerste dag van April 1972 in werking te getree het.

Wysiging van artikel 55 van Wet 32 van 1961, soos gewysig deur artikel 20 van Wet 101 van 1969.

20. (1) Artikel 55 van die Grondwet van die Republiek van Suid-Afrika, 1961, word hierby gewysig deur na paragraaf (iv) van die voorbehoudsbepaling by paragraaf (d) die volgende paragraaf in te voeg:

„(ivA) iemand wat kragtens artikel 6 van die Boedelwet, 1965 (Wet No. 66 van 1965), as taksateur aangestel is of geag word aldus aangestel te wees;"

(2) Die bepaling van subartikel (1) van hierdie artikel word geag op die een-en-dertigste dag van Mei 1961 in werking te getree het, en artikel 53 (d) van die Zuid-Afrika Wet, 1909, te alle tye terwyl dit in werking was, word geag bepaling te bevat het wat *mutatis mutandis* ooreenstem met die bepaling deur genoemde subartikel (1) in artikel 55 (d) van die Grondwet van die Republiek van Suid-Afrika, 1961, ingevoeg.

## GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

pay contributions to revenue at the rate of twenty-seven rand per month as long as he remains a judge.”.

17. Section 10 of the Judges' Remuneration and Pensions Act, 1959, is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) Any person who, on or after the date of commencement of the Judges' Remuneration and Pensions Amendment Act, 1970, elected or elects in terms of this Act to have any period counted as pensionable service shall contribute to revenue an amount calculated at the rate of twenty-seven rand for every month of such period.”.

Amendment of section 10 of Act 73 of 1959, as substituted by section 3 of Act 76 of 1965, and amended by section 5 of Act 16 of 1970.

18. The following section is hereby substituted for section 12 of the Judges' Remuneration and Pensions Act, 1959:

“Maximum contributions payable.

12. As soon as contributions amounting in the aggregate to six thousand four hundred and eighty rand have, in terms of this Chapter, been obtained in respect of any person, such person shall not be required or permitted to make any further contributions.”.

Substitution of section 12 of Act 73 of 1959, as substituted by section 6 of Act 16 of 1970.

19. (1) Section 13 of the Judges' Remuneration and Pensions Act, 1959, is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) On the death of any person who contributed there shall be paid to his widow a pension of two thousand and twenty-five rand per annum together with two hundred and two rand and fifty cents per annum in respect of each completed year of the pensionable service of such person: Provided that the maximum pension to which such widow shall be entitled under this section shall not exceed four thousand and fifty rand per annum.”.

Amendment of section 13 of Act 73 of 1959, as amended by section 6 of Act 20 of 1964, section 5 of Act 76 of 1965 and section 7 of Act 16 of 1970, and commencement of sections 14 to 19, inclusive.

(2) Section 13 (1) of the Judges' Remuneration and Pensions Act, 1959, as in force immediately prior to the commencement of this section, shall, notwithstanding the provisions of subsection (1) of this section, continue to apply in respect of any person who at any time prior to the said commencement became entitled to a pension in terms of the said section 13 (1) and in respect of any person who becomes the widow of any person who ceased to be a judge prior to the said commencement but after the commencement of the Judges' Remuneration and Pensions Amendment Act, 1970.

(3) Sections 14, 15, 16, 17, 18 and this section shall be deemed to have come into operation on the first day of April, 1972.

20. (1) Section 55 of the Republic of South Africa Constitution Act, 1961, is hereby amended by the insertion, after paragraph (iv) of the proviso to paragraph (d), of the following paragraph:

“(ivA) any person appointed as appraiser under section 6 of the Administration of Estates Act, 1965 (Act No. 66 of 1965), or deemed to have been so appointed;”.

Amendment of section 55 of Act 32 of 1961, as amended by section 20 of Act 101 of 1969.

(2) The provisions of subsection (1) of this section shall be deemed to have come into operation on the thirty-first day of May, 1961, and section 53 (d) of the South Africa Act, 1909, at all times while it was in operation, shall be deemed to have contained provisions corresponding *mutatis mutandis* to the provisions inserted in section 55 (d) of the Republic of South Africa Constitution Act, 1961, by the said subsection (1).

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

Wysiging van artikel 2 van Wet 71 van 1962.

21. Artikel 2 van die Dierebeskermingswet, 1962, word hierby gewysig—

(a) deur in subartikel (1) aan die end van paragraaf (r) die woord „of” in te voeg;

(b) deur in daardie subartikel na die genoemde paragraaf (r) die volgende paragraaf in te voeg:

„(s) 'n dier doodmaak in stryd met 'n verbod ingevolge 'n kennisgewing kragtens subartikel (3) van hierdie artikel in die *Staatskoerant* gepubliseer.”; en

(c) deur die volgende subartikel by te voeg:

„(3) Die Minister kan by kennisgewing in die *Staatskoerant* die doodmaak van 'n in die kennisgewing vermelde dier met die doel om die vel of vleis of 'n ander deel van bedoelde dier vir handelsdoeleindes te gebruik, verbied.”.

Wysiging van Eerste Bylae by Wet 48 van 1963.

22. Deel B van die Eerste Bylae by die Transkeise Grondwet, 1963, word hierby gewysig deur Item 7 deur die volgende Item te vervang:

„7. Die beheer, organisasie en administrasie van die personeel of die deel van die Polisiemag wat in 'n distrik genoem in artikel 2 van hierdie Wet, maar nie in 'n gebied in die distrik Matatiele of Port St. Johns wat nie 'n Bantoegebied is nie, gestasioneer is en deur die Minister van Polisie van die Republiek aan die Regering van die Transkei oorgedra is, en belas is met die handhawing van wet en orde, die ondersoek van enige misdryf of beweerde misdryf, die uitvoering van enige wet en die voorkoming van misdaad in 'n bedoelde distrik, vir sover en onderworpe aan die voorwaardes deur bedoelde Minister bepaal.”.

Wysiging van artikel 4 van Wet 71 van 1968.

23. (1) Artikel 4 van die Wet op Gevaarlike Wapens, 1968, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Wanneer iemand bo die ouderdom van agtien jaar skuldig bevind word aan 'n misdryf waarby geweld teenoor 'n ander persoon betrokke is en bewys is dat hy sodanige ander persoon deur gebruikmaking van 'n gevaarlike wapen of 'n vuurwapen gedood of beseer het, word hy, behalwe wanneer die doodstraf of die by artikel 334*ter* of 334*quat* van die Strafproseswet, 1955 (Wet No. 56 van 1955), voorgeskrewe straf opgelê word of hy ingevolge artikel 335 van daardie Wet 'n gewoontemisdadiger verklaar word, ondanks andersluidende wetsbepalings, gevangenisstraf vir 'n tydperk van minstens twee jaar en, indien hy voor 'n landdroshof aldus skuldig bevind word, hoogstens agt jaar, opgelê, en kan hy, benewens enige sodanige straf, lyfstraf van hoogstens tien hou opgelê word: Met dien verstande dat indien die hof oortuig is dat daar omstandighede is wat die oplegging van 'n ligter straf as die by hierdie artikel voorgeskrewe straf regverdig, hy daardie omstandighede in die notule van die verrigtinge aanteken en dan die persoon wat aldus skuldig bevind word, sodanige ligter straf kan oplê: Met dien verstande voorts dat in die geval van 'n landdroshof en sonder afbreuk aan sy bevoegdheid om lyfstraf op te lê, sodanige ligter straf nie 'n boete van vierhonderd rand of gevangenisstraf vir 'n tydperk van twee jaar te bowe gaan nie.”.

(2) Subartikel (1) tree op die eerste dag van Augustus 1972 in werking.



## GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

**21.** Section 2 of the Animals Protection Act, 1962, is hereby amended—

Amendment of section 2 of Act 71 of 1962.

- (a) by the insertion in subsection (1) at the end of paragraph (r) of the word "or";
- (b) by the insertion in that subsection after the said paragraph (r) of the following paragraph:
  - "(s) kills any animal in contravention of a prohibition in terms of a notice published in the *Gazette* under subsection (3) of this section,"; and
- (c) by the addition of the following subsection:
  - "(3) The Minister may by notice in the *Gazette* prohibit the killing of an animal specified in the notice with the intention of using the skin or meat or any other part of such animal for commercial purposes."

**22.** Part B of the First Schedule to the Transkei Constitution Act, 1963, is hereby amended by the substitution for Item 7 of the following item:

Amendment of First Schedule to Act 48 of 1963.

"7. The control, organization and administration of such personnel or such part of the Police Force stationed in any district mentioned in section 2 of this Act, but not within any area in the district of Matatiele or Port St. Johns which is not a Bantu area, as may have been transferred to the government of the Transkei by the Minister of Police of the Republic, and charged with the maintenance of law and order, the investigation of any offence or alleged offence, the enforcement of any law and the prevention of crime in any such district to the extent and subject to such conditions as may be determined by the said Minister."

**23.** (1) Section 4 of the Dangerous Weapons Act, 1968, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 4 of Act 71 of 1968.

"(1) Whenever any person above the age of eighteen years is convicted of an offence involving violence to any other person and it has been proved that he killed or injured such other person by using a dangerous weapon or a firearm, he shall, except when the death sentence or the punishment prescribed by section 334ter or 334quat of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), is imposed or he is in terms of section 335 of that Act declared an habitual criminal, notwithstanding anything to the contrary in any law contained, be sentenced to imprisonment for a period of not less than two years and, if he is so convicted by a magistrate's court, not exceeding eight years, and may in addition to any such punishment, be sentenced to a whipping not exceeding ten strokes: Provided that if the court is of the opinion that there are circumstances which justify the imposition of a lighter sentence than the punishment prescribed by this section, it shall enter those circumstances on the record of the proceedings and may thereupon impose such lighter sentence on the person so convicted: Provided further that in the case of a magistrate's court and without derogation from its powers to impose a whipping, such lighter sentence shall not exceed a fine of four hundred rand or imprisonment for a period of two years."

(2) Subsection (1) shall come into operation on the first day of August, 1972.

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

Invoeging van artikel 8A in Wet 22 van 1969.

24. Die volgende artikel word hierby in die Wet op Regshulp, 1969, na artikel 8 ingevoeg:

„Verhaal van koste deur raad.

8A. (1) Wanneer daar in 'n regsgeding ten opsigte waarvan regshulp deur die raad aan 'n gedingvoerder verleen word, koste ooreenkomstig 'n vonnis van die hof of 'n skikkingsooreenkoms of andersins aan daardie gedingvoerder betaalbaar word, word dit, behoudens die in artikel 3 bedoelde bevoegdhede van die raad met betrekking tot die stel van voorwaardes, geag dat bedoelde gedingvoerder sy regte op daardie koste aan die raad gesedeer het.

(2) Indien 'n in subartikel (1) bedoelde gedingvoerder of sy regsverteenvoerder of die raad te eniger tyd voor betaling van die koste wat ingevolge subartikel (1) geag word aan die raad gesedeer te wees, hetsy voordat of nadat bedoelde koste betaalbaar word, die persoon deur wie die koste betaal moet word by sy laasbekende adres en die griffier of klerk van die betrokke hof skriftelik in kennis gestel het dat regshulp verleen word of is, kan die raad in sy eie naam optree om bedoelde koste te laat takseer en te verhaal, sonder om in die stukke van die betrokke regsgeding in die plek van die genoemde gedingvoerder gestel te word.

(3) Die in subartikel (1) bedoelde koste word bereken en die betrokke kosterekening word getakseer asof die gedingvoerder aan wie regshulp verleen is, die dienste van die regsverteenvoerder wat namens hom in die betrokke geding opgetree het sonder die hulp van die raad verkry het.”.

Wysiging van artikel 29 van Wet 101 van 1969.

25. Artikel 29 van die Algemene Regswysigingswet, 1969, word hierby gewysig deur subartikels (1) en (2) deur die volgende subartikels te vervang:

„(1) Ondanks andersluidende bepalings van 'n wet of die gemenerereg, word niemand verplig en word niemand toegelaat of gelas nie om in verrigtings in 'n geregshof of voor 'n kragtens of by wet ingestelde liggaam of instelling of voor 'n kommissie soos beoog deur die Kommissiewet, 1947, getuienis af te lê of inligting te verstrek aangaande 'n feit, aangeleentheid of saak of aangaande 'n mededeling aan of deur so iemand gedoen, en word geen boek of dokument in sodanige verrigtinge oorgelê nie, indien 'n beëdigde verklaring wat heet onderteken te wees deur die Minister wat ten opsigte van daardie feit, aangeleentheid, saak, mededeling, boek of dokument verantwoordelik is, of, in die geval van 'n provinsiale administrasie of die gebied van Suidwes-Afrika, die betrokke Administrateur, aan die betrokke geregshof, liggaam, instelling of kommissie voorgelê word ten effekte dat bedoelde Minister of Administrateur, na gelang van diegeval, bedoelde feit, aangeleentheid, saak, mededeling, boek of dokument persoonlik oorweeg het; dat dit, na sy oordeel, die veiligheid van die Staat raak en dat die blootlegging daarvan, na sy oordeel, die veiligheid van die Staat nadelig sal raak.

(2) Die bepalings van subartikel (1) doen nie afbreuk nie aan die bepalings van 'n Wet of die gemenerereg wat 'n persoon nie verplig nie of nie toelaat nie om in verrigtings in 'n geregshof of voor 'n kragtens of by wet ingestelde liggaam of instelling of voor 'n kommissie soos beoog

GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

24. The following section is hereby inserted in the Legal Aid Act, 1969, after section 8:

Insertion of section 8A in Act 22 of 1969.

"Recovery of costs by board.

8A. (1) Whenever in any judicial proceedings in respect of which legal aid is rendered to a litigant by the board, costs become payable to such litigant in terms of a judgment of the court or a settlement or otherwise, it shall, subject to the powers of the board referred to in section 3 with regard to the fixing of conditions, be deemed that such litigant has ceded his rights to such costs to the board.

(2) If a litigant referred to in subsection (1) or his legal representative or the board has, at any time before payment of the costs deemed in terms of subsection (1) to be ceded to the board, whether before or after such costs become payable, given the person by whom the costs are to be paid at his last known address and the registrar or clerk of the court concerned notice in writing that legal aid is being or has been rendered, the board may proceed in its own name to have such costs taxed and to recover them, without being substituted on the record of the judicial proceedings concerned for the said litigant.

(3) The costs referred to in subsection (1) shall be calculated and the bill of costs concerned shall be taxed as if the litigant to whom legal aid was rendered, had obtained the services of the legal representative acting on his behalf in the proceedings concerned, without the aid of the board."

25. Section 29 of the General Law Amendment Act, 1969, is hereby amended by the substitution for subsections (1) and (2) of the following subsections:

Amendment of section 29 of Act 101 of 1969.

"(1) Notwithstanding anything to the contrary in any law or the common law contained, no person shall be compelled and no person shall be permitted or ordered to give evidence or to furnish any information in any proceedings in any court of law or before any body or institution established by or under any law or before any commission as contemplated by the Commissions Act, 1947, as to any fact, matter or thing or as to any communication made to or by such person, and no book or document shall be produced in any such proceedings, if an affidavit purporting to have been signed by the Minister responsible in respect of such fact, matter, thing, communication, book or document, or, in the case of a provincial administration or the territory of South-West Africa, the Administrator concerned, is produced to the court of law, body, institution or commission concerned, to the effect that the said Minister or Administrator, as the case may be, has personally considered the said fact, matter, thing, communication, book or document; that in his opinion, it affects the security of the State and that disclosure thereof will, in his opinion, prejudicially affect the security of the State.

(2) The provisions of subsection (1) shall not derogate from the provisions of any law or of the common law which do not compel or permit any person to give evidence or to furnish any information in any proceedings in any court of law or before any body or institution established by or under any law or before any commission as contem-

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

deur die Kommissiewet, 1947, getuienis af te lê of inligting te verstrek aangaande 'n feit, aangeleentheid of saak of aangaande 'n mededeling aan of deur so iemand gedoen of 'n boek of dokument oor te lê, wat in verband staan met enige ander aangeleentheid as dié wat die veiligheid van die Staat raak."

Wysiging van artikel 28 van Wet 80 van 1971.

26. Artikel 28 van die Algemene Regswysigingswet, 1971, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Geen lisensiegelde, belasting, reg of gelde (uitgesonderd doeane-, aksyns- of verkoopregte wat volgens wet hefbaar is) is ingevolge enige wet deur enigiemand ten opsigte van 'n goedgekeurde winkel van die Buro vir Staatsveiligheid of ten opsigte van 'n artikel wat in so 'n winkel te koop is, betaalbaar nie."

Wysiging van artikel 2 van Wet 29 van 1972.

27. Artikel 2 van die Wet op Bydraes ten opsigte van Bantoe-  
arbeid, 1972, word hierby met ingang van die datum van  
inwerkingtreding van daardie Wet gewysig—

(a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

„(1) Die Minister kan van tyd tot tyd by kennisgewing in die *Staatskoerant* 'n gebied buite die Bantoe-tuislande omskryf en in sodanige kennisgewing of by verdere kennisgewing in die *Staatskoerant* verklaar dat, met ingang van die datum van die betrokke kennisgewing of 'n later datum in daardie kennisgewing aangedui, 'n maandelikse bedrag (in hierdie Wet 'n bydrae genoem) in daardie kennisgewing vermeld, behoudens die bepalings van subartikel (4), betaal moet word—”;

(b) deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

„(a) in die geval van 'n werkgewer, die bedrag van twee rand en vyftig sent nie vir elke maand of deel van 'n maand waarin die Bantoe-werknemer ten opsigte van wie dit betaalbaar is, in daardie gebied, of in die betrokke deel daarvan, na gelang van die geval, in die werkgewer se diens is: Met dien verstande dat, indien 'n bydrae te eniger tyd gelyk aan of meer as die bedrag van een rand en vyftig sent is, dit nie met meer as twintig persent verhoog word nie tensy die Minister minstens een jaar kennis van die voorgestelde verhoging in die *Staatskoerant* gegee het;” en

(c) deur subartikel (4) deur die volgende subartikels te vervang:

„(4) (a) Die totale bedrag wat deur 'n werkgewer aan bydraes vir 'n bepaalde maand betaalbaar is ten opsigte van Bantoe-werknemers van die kategorie waarop daardie bydraes betrekking het, gaan nie 'n bedrag te bowe nie wat bereken word deur die bedrag wat vir een maand ten opsigte van een so 'n Bantoe-werknemer betaalbaar is, te vermenigvuldig met die gemiddelde daaglikse getal sodanige Bantoe-werknemers wat gedurende daardie maand in die betrokke omskrywe gebied of deel van 'n omskrywe gebied in daardie werkgewer se diens was.

## GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

plated by the Commissions Act, 1947, as to any fact, matter or thing or as to any communication made to or by such person, or to produce any book or document, in connection with any matter other than that affecting the security of the State.”.

26. Section 28 of the General Law Amendment Act, 1971, is hereby amended by the substitution for subsection (1) of the following subsection: Amendment of section 28 of Act 80 of 1971.

“(1) No licence moneys, tax, duty or fee (other than customs, excise or sales duties leviable by law) shall be payable by any person under any law in respect of an approved shop of the Bureau for State Security or in respect of any article on sale at such a shop.”.

27. Section 2 of the Contributions in respect of Bantu Labour Act, 1972, is hereby amended with effect from the date of commencement of that Act— Amendment of section 2 of Act 29 of 1972.

(a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

“(1) The Minister may from time to time by notice in the *Gazette* define any area outside the Bantu homelands and in such notice or by further notice in the *Gazette* declare that, as from the date of the notice in question or a later date indicated in that notice, a monthly amount (in this Act referred to as a contribution) stated in the notice shall, subject to the provisions of subsection (4), be payable—”;

(b) by the substitution for paragraph (a) of subsection (2) of the following paragraph:

“(a) in the case of an employer, the amount of two rand and fifty cents for every month or part of a month in which the Bantu employee in respect of whom it is payable, is employed by such employer in that area or in the part of it in question, as the case may be: Provided that, if a contribution at any time equals or exceeds the amount of one rand and fifty cents, it shall not be increased by more than twenty per cent unless the Minister has given at least one year's notice of the proposed increase in the *Gazette*.”; and

(c) by the substitution for subsection (4) of the following subsections:

“(4) (a) The aggregate amount payable by an employer by way of contributions for any particular month in respect of Bantu employees of the category to which those contributions relate, shall not exceed an amount calculated by multiplying the amount payable for one month in respect of one such Bantu employee, by the average daily number of such Bantu employees employed by that employer during that month in the defined area or part of a defined area in question.

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

(b) By die toepassing van paragraaf (a) word die gemiddelde daaglikse getal Bantoeowerknemers van die een of ander kategorie wat gedurende 'n bepaalde maand in 'n omskrewe gebied of in 'n deel van 'n omskrewe gebied in 'n werkgewer se diens was, bereken deur die som van die onderskeie daaglikse totale getalle Bantoeowerknemers van die bedoelde kategorie wat gedurende daardie maand in die betrokke omskrewe gebied of deel van 'n omskrewe gebied in die betrokke werkgewer se diens was, te deel deur die getal dae in daardie maand: Met dien verstande dat 'n breukdeel in die resultaat van sodanige berekening as een beskou word.

(5) 'n Kennisgewing kragtens subartikel (1) kan te eniger tyd, maar behoudens die voorbehoudsbepaling by subartikel (2) (a), deur die Minister by kennisgewing in die *Staatskoerant* gewysig of ingetrek word."

Wysiging van artikel 5 van Wet 29 van 1972.

28. Artikel 5 van die Wet op Bydraes ten opsigte van Bantoe-  
arbeid, 1972, word hierby met ingang van die datum van  
inwerkingtreding van daardie Wet gewysig deur die volgende  
subartikel by te voeg, terwyl die bestaande artikel subartikel (1)  
word:

„(2) Waar die diens van 'n bepaalde Bantoeowerknemer  
gedurende 'n maand in 'n omskrewe gebied, in aanmerking  
geneem is vir die berekening ingevolge artikel 2 (4) van die  
gemiddelde daaglikse getal Bantoeowerknemers wat ge-  
durende daardie maand aldus in diens was, word geen  
bydrae wat op grond van die genoemde gemiddelde daag-  
likse getal vir daardie maand betaalbaar is, by die toepassing  
van subartikel (1) van hierdie artikel beskou as ten opsigte  
van die betrokke Bantoeowerknemer betaalbaar te wees nie,  
tensy hy gedurende daardie maand hoofsaaklik in 'n  
omskrewe gebied in die diens van die betrokke werkgewer  
was, of, waar daar 'n geskil daaromtrent ontstaan, tensy hy  
na die oordeel van die Sekretaris aldus gedurende daardie  
maand in diens was."

Vervanging van  
artikel 11 van  
Ordonnansie 11  
van 1935, van die  
gebied Suidwes-  
Afrika, soos  
gewysig deur artikel  
7 van Proklamasie  
15 van 1935 en  
artikel 2 van  
Proklamasie 4 van  
1945 van daardie  
gebied.

29. (1) Artikel 11 van die Veediefstal Wet Wysigingsordon-  
nansie, 1935, van die gebied Suidwes-Afrika word hierby deur  
die volgende artikel vervang:

„Vergoeding 11. Wanneer 'n hof iemand veroordeel weens 'n  
vir skade in artikel 5 (a), (b), (c) of (d) vermeldde misdryf waar-  
aan of verlies van deur skade aan of verlies van vee of produkte  
veroorzaak is, vestig die hof die aandag van die  
vee of produkte. eienaar daarvan, indien hy in die hof aanwesig is,  
op die bepalings van artikel 344 van die Strafproses-  
ordonnansie, 1963 (Ordonnansie No. 34 van 1963)."

(2) By die toepassing van artikel 318 of 319 van die Straf-  
prosesordonnansie, 1963 (Ordonnansie No. 34 van 1963, van  
die gebied Suidwes-Afrika), word 'n straf opgelê kragtens  
artikel 11 van die Veediefstal Wet Wysigingsordonnansie, 1935  
(Ordonnansie No. 11 van 1935, van genoemde gebied), nie in  
aanmerking geneem nie.

(3) Subartikels (1) en (2) is ook in die Oostelike Caprivi  
Zipfel van toepassing.

(4) Subartikels (1), (2) en (3) tree op die eerste dag van  
Augustus 1972 in werking.

Toepassing van  
artikel 13 van Wet  
32 van 1961 op  
Suidwes-Afrika.

30. Die bepalings van artikel 13 van die Grondwet van die  
Republiek van Suid-Afrika, 1961, en van 'n wysiging daarvan,  
is van toepassing ook met betrekking tot die gebied Suidwes-  
Afrika, met inbegrip van die Oostelike Caprivi Zipfel.

GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

(b) For the purposes of paragraph (a) the average daily number of Bantu employees of any category employed in a defined area or in any part of a defined area by any employer during any particular month, shall be calculated by dividing the sum of the respective daily total numbers of Bantu employees of such category employed during that month in the defined area or part of a defined area in question by the employer concerned, by the number of days in that month: Provided that any fraction in the result of such calculation shall be taken as one.

(5) A notice under subsection (1) may at any time, but subject to the proviso to subsection (2) (a), be amended or withdrawn by the Minister by notice in the *Gazette*."

28. Section 5 of the Contributions in respect of Bantu Labour Act, 1972, is hereby amended with effect from the date of commencement of that Act by the addition of the following subsection, the existing section becoming subsection (1):

Amendment of section 5 of Act 29 of 1972.

"(2) Where the employment of a particular Bantu employee in a defined area during any month is taken into account for the purpose of calculating in terms of section 2 (4) the average daily number of Bantu employees so employed during that month, no contribution payable for that month on the basis of the said average daily number shall for the purpose of subsection (1) of this section be regarded as being payable in respect of the Bantu employee in question unless he was during that month employed primarily in a defined area by the employer concerned, or, where a dispute in that regard arises, unless the Secretary is of the opinion that he was so employed during that month."

29. (1) The following section is hereby substituted for section 11 of the Stock Theft Law Amendment Ordinance, 1935, of the territory of South-West Africa:

Substitution of section 11 of Ordinance 11 of 1935, of the territory of South-West Africa, as amended by section 7 of Proclamation 15 of 1935 and section 2 of Proclamation 4 of 1945 of the said territory.

"Compensation for damages to or loss of stock or produce.

11. Whenever any court convicts any person of an offence referred to in section 5 (a), (b), (c) or (d), which has caused damage to or loss of stock or produce, the court shall direct the attention of the owner thereof, if present in court, to the provisions of section 344 of the Criminal Procedure Ordinance, 1963 (Ordinance No. 34 of 1963)."

(2) For the purposes of section 318 or 319 of the Criminal Procedure Ordinance, 1963 (Ordinance No. 34 of 1963, of the territory of South-West Africa), no punishment imposed under section 11 of the Stock Theft Law Amendment Ordinance, 1935 (Ordinance No. 11 of 1935, of the said territory), shall be taken into account.

(3) Subsections (1) and (2) shall apply also in the Eastern Caprivi Zipfel.

(4) Subsections (1), (2) and (3) shall come into operation on the first day of August, 1972.

30. The provisions of section 13 of the Republic of South Africa Constitution Act, 1961, and of any amendment thereof, shall apply also with reference to the territory of South-West Africa, including the Eastern Caprivi Zipfel.

Application of section 13 of Act 32 of 1961 to South-West Africa.

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

Herroeping van  
Wet 86 van 1963.

31. (1) Die Wet op Toevlugte en Rehabilitasiesentrums, 1963, vir sover dit nodig is vir die uitvoering daarvan deur die Minister van Kleurlingsake ingevolge Proklamasie No. 57 van 1964, word hierby herroep.

(2) 'n Kleurling soos omskryf in Proklamasie No. 57 van 1964 en wat by die inwerkingtreding van hierdie artikel, uit hoofde van 'n bevel uitgereik kragtens die Wet op Toevlugte en Rehabilitasiesentrums, 1963, 'n inwoner is van 'n rehabilitasiesentrum soos omskryf in die Wet op Rehabilitasiesentrums vir Kleurlinge, 1971, van die Verteenwoordigende Kleurlingraad van die Republiek van Suid-Afrika (Wet No. 1 van 1971), word geag by so 'n sentrum aangehou te word uit hoofde van 'n bevel kragtens laasgenoemde Wet uitgereik.

(3) 'n Proklamasie, regulasie, reël, bevel, aanstelling, magtiging, afwesigheidsverlof of vergunning uitgereik, uitgevaardig, voorgeskryf, gemaak, verleen of toegestaan en enige ander stappe gedoen kragtens die Wet op Toevlugte en Rehabilitasiesentrums, 1963, soos deur subartikel (1) herroep, word geag ingevolge 'n ooreenstemmende bepaling van genoemde Wet op Rehabilitasiesentrums vir Kleurlinge, 1971, uitgereik, uitgevaardig, voorgeskryf, gemaak, verleen, toegestaan of gedoen te gewees het.

(4) Hierdie artikel tree in werking op 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Goedkeuring van  
uitgawe van  
Suid-Afrikaanse  
Padveiligheidsraad.

32. Die uitgawe van die bedrag van R5 544,30 waarmee die werklike uitgawes van die Suid-Afrikaanse Padveiligheidsraad vir die boekjaar geëindig 31 Maart 1970 die raming van uitgawes oorskry wat die Minister ingevolge artikel 16 (4) van die Wet op die Suid-Afrikaanse Padveiligheidsraad, 1960 (Wet No. 1 van 1960), vir daardie boekjaar goedgekeur het, word hierby goedgekeur.

Kontroleur en  
Ouditeur-generaal  
onthef van sekere  
plig.

33. Die Kontroleur en Ouditeur-generaal word met ingang van 1 April 1972 onthef van die plig om die boeke en rekenings van die Nasionale Instituut insake Misdaadvoorkoming en Rehabilitasie van Oortreders (voorheen bekend as die Maatskaplike Dienste Vereniging van Suid-Afrika) te ouditeer.

Sekere titel-  
voorwaardes van  
toepassing ten  
opsigte van  
onroerende goed  
deur die Staat  
besit, verval in  
sekere omstandig-  
hede.

34. (1) Indien die Staat onroerende goed besit wat onderworpe is aan 'n titelvoorwaarde ten effekte dat daardie goed slegs vir sekere doeleindes gebruik mag of moet word en dat die eiendomsreg van daardie goed oorgedra moet word aan die persoon van wie daardie goed verkry is of aan 'n ander persoon wanneer daardie goed nie meer vir bedoelde doeleindes nodig is of gebruik word nie, en die Minister van Landbou by wyse van 'n kennisgewing, in albei amptelike tale, wat gelyktydig gepubliseer word in die *Staatskoerant* en in 'n nuusblad wat in omloop is in die gebied waarin daardie goed geleë is, bekend maak dat daardie goed nie meer vir bedoelde doeleindes nodig is nie, verval bedoelde titelvoorwaarde na verloop van 'n tydperk van een jaar nadat sodanige kennisgewing gepubliseer is, tensy die persoon van wie daardie goed verkry is of bedoelde ander persoon die Minister van Landbou voor die verstryking van bedoelde tydperk voorsien van alle stukke wat vereis word vir die oordrag van die eiendomsreg van daardie goed ooreenkomstig bedoelde titelvoorwaarde.

(2) Indien 'n titelvoorwaarde kragtens subartikel (1) verval het, moet die beampte aan die hoof van die betrokke registrasiekantoor van aktes op aansoek van die Minister van Landbou, of 'n beampte in die Staatsdiens wat deur die Minister daartoe gemagtig is, en by voorlegging van die ter sake dienende titelbewys en die ander stukke wat deur eersbedoelde beampte vereis word, die feit dat bedoelde titelvoorwaarde kragtens subartikel (1) verval het, op bedoelde titelbewys aanteken.

(3) Indien die hospitaaltrustees bedoel in artikel 11 van die Ordonnansie op Hospitale, 1946 (Ordonnansie No. 18 van



## GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

**31.** (1) The Retreats and Rehabilitation Centres Act, 1963, in so far as it is necessary for the administration thereof by the Minister of Coloured Affairs in terms of Proclamation No. 57 of 1964, is hereby repealed. Repeal of Act 86 of 1963.

(2) Any Coloured person as defined in Proclamation No. 57 of 1964 and who is at the commencement of this section, in pursuance of an order made under the Retreats and Rehabilitation Centres Act, 1963, an inmate of a rehabilitation centre as defined in the Coloured Persons Rehabilitation Centres Law, 1971, of the Coloured Persons Representative Council of the Republic of South Africa (Law No. 1 of 1971), shall be deemed to be detained at such centre in pursuance of an order made under the last-mentioned Law.

(3) Any proclamation, regulation, rule, order, appointment, authority, leave of absence or licence issued, made, prescribed, given or granted and any other action taken under the Retreats and Rehabilitation Centres Act, 1963, as repealed by subsection (1), shall be deemed to have been issued, made, prescribed, given, granted or taken under a corresponding provision of the said Coloured Persons Rehabilitation Centres Law, 1971.

(4) This section shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

**32.** The expenditure of the amount of R5 544,30 by which the actual expenditure of the South African Road Safety Council for the financial year ended 31 March, 1970, exceeded the estimate of expenditure approved by the Minister in terms of section 16 (4) of the South African Road Safety Council Act, 1960 (Act No. 1 of 1960), for that financial year, is hereby approved. Approval of expenditure of South African Road Safety Council.

**33.** The Controller and Auditor-General shall, with effect from 1st April, 1972, be relieved of the duty to audit the books and accounts of the National Institute for Crime Prevention and Rehabilitation of Offenders (formerly known as the Social Services Society of South Africa). Controller and Auditor-General relieved of certain duty.

**34.** (1) If the State owns immovable property which is subject to a condition of title to the effect that such property may or shall only be used for certain purposes and that the ownership of such property shall be transferred to the person from whom such property was acquired or to some other person when such property is no longer required or used for such purposes, and the Minister of Agriculture, by means of a notice, in both official languages, published simultaneously in the *Gazette* and a newspaper circulating in the area in which such property is situate, makes known that such property is no longer required for such purposes, such condition of title shall lapse after the expiry of a period of one year from the date on which such notice was published, unless the person from whom such property was acquired or such other person provides the Minister of Agriculture before the expiry of such period with all documents required for the transfer of the ownership of such property in accordance with such condition of title. Certain conditions of title applying in respect of immovable property owned by the State to lapse in certain circumstances.

(2) If any condition of title has lapsed under subsection (1), the officer in charge of the deeds registry concerned shall, upon the application of the Minister of Agriculture, or any officer in the public service authorized thereto by the Minister, and upon submission of the relevant title deed and such other documents as may be required by such first-mentioned officer, record the fact that such condition of title has lapsed under subsection (1) on such title deed.

(3) If the hospital trustees referred to in section 11 of the Hospital Ordinance, 1946 (Ordinance No. 18 of 1946), of the

## Wet No. 102, 1972

## ALGEMENE REGSWYSIGINGSWET, 1972.

1946), van die provinsie die Kaap die Goeie Hoop, of die onderwystrustees bedoel in artikel 192 van die Onderwys-ordonnansie, 1956 (Ordonnansie No. 20 van 1956), van bedoelde provinsie, onroerende goed verkry het wat onderworpe is aan 'n titelvoorwaarde in subartikel (1) bedoel, is die bepalings van subartikels (1) en (2) *mutatis mutandis* van toepassing ten opsigte van bedoelde titelvoorwaarde: Met dien verstande dat vir die doeleindes van bedoelde toepassing 'n verwysing na die Minister van Landbou uitgelê word as 'n verwysing na bedoelde hospitaaltrustees of onderwystrustees, na gelang van die geval.

Verbod op gebruik van naam, portret of afbeelding van Staatspresident vir sekere doeleindes.

**35.** (1) Iemand wat op enige wyse hoegenaamd die naam, portret of afbeelding van die Staatspresident of 'n Waarnemende Staatspresident gebruik—

(a) vir die doeleindes van of in verband met die verkiesing van iemand tot die Volksraad, die Wetgewende Vergadering van Suidwes-Afrika, 'n provinsiale raad, 'n in artikel 84 (1) (f) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), bedoelde liggaam of 'n ander liggaam kragtens 'n wet ingestel; of

(b) in 'n pamflet of in 'n artikel in 'n publikasie, indien so 'n pamflet of artikel heet 'n beginsel of beleid van 'n politieke party te propageer of 'n beginsel of beleid van 'n ander politieke party te veroordeel of te kritiseer, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweeduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar.

(2) Die bepalings van subartikel (1) en van 'n wysiging daarvan is van toepassing ook met betrekking tot die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel.

Wettiging van sekere betalings, beskikking oor sekere bedrae en herroeping van sekere wette van Suidwes-Afrika.

**36.** (1) Die betaling van 'n bedrag wat heet gemaak te wees kragtens die besluit van die Uitvoerende Komitee van die gebied Suidwes-Afrika vervat in Minuut No. 819 van 3 September 1968 word hierby gewettig.

(2) 'n Bedrag in subartikel (1) bedoel, word deur die Karakoelraad, ingestel deur die Karakoelskema afgekondig by Proklamasie No. 172 van 1968, gestort in 'n fonds ingestel deur artikel 16 van daardie skema en aangewys deur die Minister van Landbou.

(3) Die Ordonnansie op die Ontwikkeling van die Karakoelnywerheid, 1939 (Ordonnansie No. 5 van 1939), die Wysigingsordonnansie op die Ontwikkeling van die Karakoelnywerheid, 1952 (Ordonnansie No. 22 van 1952), artikel 2 van die Ordonnansie op Finansies, 1953 (Ordonnansie No. 21 van 1953) en die Wysigingsordonnansie op die ontwikkeling van die Karakoelnywerheid, 1954 (Ordonnansie No. 14 van 1954), van die gebied Suidwes-Afrika, word hierby herroep.

Kort titel.

**37.** Hierdie Wet heet die Algemene Regswysigingswet, 1972.

GENERAL LAW AMENDMENT ACT, 1972.

Act No. 102, 1972

province of the Cape of Good Hope, or the educational trustees referred to in section 192 of the Education Ordinance, 1956 (Ordinance No. 20 of 1956), of that province, have acquired immovable property which is subject to a condition of title referred to in subsection (1), the provisions of subsections (1) and (2) shall *mutatis mutandis* apply in respect of such condition of title: Provided that for the purposes of such application a reference to the Minister of Agriculture shall be construed as a reference to such hospital trustees or educational trustees, as the case may be.

35. (1) Any person who in any manner whatever uses the name, portrait or effigy of the State President or any Acting State President—
- (a) for the purposes of or in connection with the election of any person to the House of Assembly, the Legislative Assembly of South-West Africa, a provincial council, any body referred to in section 84 (1) (f) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), or any other body established under any law; or
- (b) in any pamphlet or in any article in any publication if such pamphlet or article purports to propagate any principle or policy of any political party or to condemn or criticize any principle or policy of any other political party,

Prohibition of use of name, portrait or effigy of State President for certain purposes.

shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand rand or to imprisonment for a period not exceeding five years.

(2) The provisions of subsection (1) and of any amendment thereof shall apply also with reference to the territory of South-West Africa, including the Eastern Caprivi Zipfel.

36. (1) The payment of any amount purporting to have been made under the resolution of the Executive Committee of the territory of South-West Africa contained in Minute No. 819 of 3rd September, 1968, is hereby validated.

Validation of certain payments, disposal of certain amounts and repeal of certain laws of South-West Africa.

(2) Any amount referred to in subsection (1) shall be paid by the Karakul Board, established by the Karakul Scheme published by Proclamation No. 172 of 1968, into any fund established by section 16 of that scheme and designated by the Minister of Agriculture.

(3) The Karakul Industry Development Ordinance, 1939 (Ordinance No. 5 of 1939), the Karakul Industry Development Amendment Ordinance, 1952 (Ordinance No. 22 of 1952), section 2 of the Finance Ordinance, 1953 (Ordinance No. 21 of 1953), and the Karakul Industry Development Amendment Ordinance, 1954 (Ordinance No. 14 of 1954), of the territory of South-West Africa, are hereby repealed.

37. This Act shall be called the General Law Amendment Act, 1972.

Short title.