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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 20c Prys
Overseas 30c Oorsee
POST FREE—POSVRY

VOL. 156] CAPE TOWN, 30 JUNE 1978 KAAPSTAD, 30 JUNIE 1978 [No. 6095

DEPARTMENT OF THE PRIME MINISTER

No. 1352. 30 June 1978.

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

No. 102 of 1978: Second Bantu Laws Amendment Act, 1978.

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1352. 30 Junie 1978.

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

No. 102 van 1978: Tweede Wysigingswet op Bantoewetgewing, 1978.

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Wet No. 102, 1978 TWEEDE WYSIGINGSWET OP BANTOEWETGEWING, 1978.

ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

__________ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945, ten einde die betekenis van die woord „bewysboek" uit te brei; tot wysiging van die Bantoes (Afskaffing van Passe en Koördinering van Dokumente) Wet, 1952, ten einde sekere persone wat in besit van sekere dokumente is, vry te stel van die verpligting om in besit van bewysboeke te wees; betreffende die besonderhede wat in bewysboeke ingeskryf moet word; om sekere voorskrifte wat met bewysboeke en die persone aan wie hulle uitgereik is in verband staan, ook van toepassing te maak ten opsigte van sekere dokumente en die persone aan wie hulle uitgereik is; om die weiering en, in sekere omstandighede, onvermoë van sekere persone om sekere dokumente aan gemagtigde beamptes te toon, strafbaar te stel; en om die verstrekking van sekere vals inligting deur sekere persone te verbied; tot wysiging van die Wet op Bantoearbeid, 1964, ten einde voorsiening te maak vir die bevoegdheid om regulasies uit te vaardig betreffende die aantekening van sekere aangeleenthede in sekere dokumente; en om voorsiening te maak vir die verandering van die name of ampstitels van sekere instellings en ampsbekleërs en om die woord „Bantoe" en afleidings daarvan in alle wette te vervang; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 20 Junie 1978.)

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

Wysiging van artikel 1 van Wet 25 van 1945, soos gewysig deur artikel 1 van Wet 16 van 1955, artikel 23 van Wet 36 van 1957, artikel 20 van Wet 63 van 1962, artikel 39 van Wet 42 van 1964, artikel 8 van Wet 70 van 1974 en artikel 7 van Wet 4 van 1976.

1. Artikel 1 van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945, word hierby gewysig deur die omskrywing van „bewysboek" deur die volgende omskrywing te vervang:

„,bewysboek' beteken 'n bewysboek soos in die Bantoes (Afskaffing van Passe en Koördinering van Dokumente) Wet, 1952 (Wet No. 67 van 1952), omskryf of 'n dokument bedoel in artikel 3 (1)*bis (c)* van daardie Wet of 'n in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972 (Wet No. 59 van 1972), bedoelde paspoort, permit, identifikasiebewys of ander reisdokument;".

Wysiging van artikel 3 van Wet 67 van 1952, soos gewysig deur artikel 12 van Wet 79 van 1957, artikel 15 van Wet 76 van 1963, artikel 84 van

2. Artikel 3 van die Bantoes (Afskaffing van Passe en Koördinering van Dokumente) Wet, 1952 (hieronder die Bewysboekwet genoem), word hierby gewysig deur subartikel (1)*bis* deur die volgende subartikel te vervang:

"(1)*bis* Ondanks die bepalings van subartikel (1), word die bewysboek in paragraaf *(b)* (i) of die herkenningsbewys in paragraaf *(b)* (ii) van bedoelde subartikel bedoel, na gelang

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GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

________ Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Bantu (Urban Areas) Consolidation Act, 1945, so as to extend the meaning of the words "reference book"; to amend the Bantu (Abolition of Passes and Co-ordination of Documents) Act, 1952, so as to exempt certain persons who are in possession of certain documents from the obligation to be in possession of reference books; relating to the particulars to be entered in reference books; to apply certain provisions relating to reference books and the persons to whom they were issued, also in respect of certain documents and the persons to whom they were issued; to penalize the refusal and, in certain circumstances, inability of certain persons to produce certain documents to authorized officers; and to prohibit the furnishing of certain false information by certain persons; to amend the Bantu Labour Act, 1964, so as to provide for the power to make regulations relating to the making of certain entries in certain documents; and to provide for a change of the names or official titles of certain institutions and the holders of certain offices and to substitute the word "Bantu" and derivatives thereof in all laws; and to provide for matters incidental thereto.

(Afrikaans text signed by the State President.)
(Assented to 20 June 1978.)

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

1. Section 1 of the Bantu (Urban Areas) Consolidation Act, 1945, is hereby amended by the substitution for the definition of "reference book" of the following definition:

"'reference book' means a reference book as defined in the Bantu (Abolition of Passes and Co-ordination of Documents) Act, 1952 (Act No. 67 of 1952), or any document referred to in section 3 (1)*bis* *(c)* of that Act or any passport, permit, document of identity or other travel document referred to in the Admission of Persons to the Republic Regulation Act, 1972 (Act No. 59 of 1972);".

Amendment of section 1 of Act 25 of 1945, as amended by section 1 of Act 16 of 1955, section 23 of Act 36 of 1957, section 20 of Act 63 of 1962, section 39 of Act 42 of 1964, section 8 of Act 70 of 1974 and section 7 of Act 4 of 1976.

2. Section 3 of the Bantu (Abolition of Passes and Co-ordination of Documents) Act, 1952 (hereinafter referred to as the reference book Act), is hereby amended by the substitution for subsection (1)*bis* of the following subsection:

"(1)*bis* Notwithstanding the provisions of subsection (1), the reference book referred to in paragraph *(b)* (i) or the identity document referred to in paragraph *(b)* (ii), as the case

Amendment of section 3 of Act 67 of 1952, as amended by section 12 of Act 79 of 1957, section 15 of Act 76 of 1963, section 84 of

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Wet No. 102, 1978

TWEEDE WYSIGINGSWET OP BANTOEWETGEWING, 1978.

Wet 42 van 1964, artikel 7 van Wet 119 van 1977 en artikel 6 van Wet 12 van 1978.

van die geval, nie vereis van en word so 'n boek of dokument nie uitgereik nie aan 'n Bantoe—

(a) wat in besit is van 'n paspoort, permit, identifikasiebewys of ander reisdokument in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972 (Wet No. 59 van 1972), bedoel;

(b) wat nie 'n Suid-Afrikaanse burger is nie, en wat die Republiek binnekom of na die dertigste dag van Junie 1963 binnegekom het;

(c) wat 'n Suid-Afrikaanse burger is en in besit is van 'n dokument—

(i) wat aan hom uitgereik is ingevolge 'n wet van 'n wetgewende vergadering wat kragtens die Grondwet van die Bantoetuislande, 1971 (Wet No. 21 van 1971), ingestel is; en

(ii) waarby sy identiteit en sy reg om op die plek te wees waar hy hom bevind, bepaal kan word.".

Wysiging van artikel 4 van Wet 67 van 1952.

3. Artikel 4 van die Bewysboekwet word hierby deur die volgende artikel vervang:

„Besonderhede in bewysboeke. **4.** Daar word op so 'n wyse as wat voorgeskryf mag word in 'n kragtens hierdie Wet uitgereikte bewysboek **[enige ooreenkomstig artikel *dertien* van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), aan die betrokke Bantoe uitgereikte persoonskaart, aangeheg]** die voorgeskrewe besonderhede van die persoon aan wie dit uitgereik word, ingeskryf.".

Wysiging van artikel 5 van Wet 67 van 1952, soos vervang deur artikel 13 van Wet 79 van 1957 en gewysig deur artikel 16 van Wet 76 van 1963.

4. Artikel 5 van die Bewysboekwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Indien 'n gemagtigde beampte te eniger tyd bevind dat 'n Bantoe nie in besit is nie van 'n bewysboek soos deur hierdie Wet vereis word of nie in besit is nie van 'n dokument bedoel in artikel 3 (1)*bis (c)* of van 'n paspoort, permit, identifikasiebewys of ander reisdokument in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, bedoel, na gelang van die geval, of indien bedoelde gemagtigde beampte redelike grond het om te vermoed dat so 'n bewysboek, dokument, paspoort, permit, identifikasiebewys of ander reisdokument in die besit van bedoelde Bantoe, inderdaad nie aan dié Bantoe uitgereik is nie, kan hy dié Bantoe voor 'n Bantoesakekommissaris of 'n beampte bedoel in subartikel (1) bring of laat bring, sodat 'n bewysboek aan dié Bantoe uitgereik kan word of sodat sodanige ondersoek ingestel kan word betreffende die identifikasie van dié Bantoe as wat sodanige Bantoesakekommissaris of beampte nodig ag.".

Wysiging van artikel 6 van Wet 67 van 1952, soos gewysig deur artikel 14 van Wet 79 van 1957, artikel 17 van Wet 76 van 1963 en artikel 7 van Wet 12 van 1978.

5. Artikel 6 van die Bewysboekwet, word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Wanneer dit onder die aandag van 'n Bantoesakekommissaris of 'n beampte vermeld in subartikel (2) kom dat 'n bewysboek uitgereik is aan 'n Bantoe—

(a) wat nie 'n Suid-Afrikaanse burger is nie en dat bedoelde Bantoe in besit van 'n paspoort, permit, identifikasiebewys of ander reisdokument in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, bedoel, is of moet wees; of

(b) wat 'n Suid-Afrikaanse burger is en dat bedoelde Bantoe in besit is of was van 'n dokument bedoel in artikel 3 (1)*bis (c)*,

kan hy **[*(a)*]** dié Bantoe versoek om dié bewysboek aan hom af te gee en **[*(b)*]** dié bewysboek kanselleer, en daarop is die bepalings van artikel 3 (1), (2) en (3) *mutatis mutandis* van toepassing.".

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may be, of the said subsection shall not be required of nor shall such book or document be issued to a Bantu—

(a) who is in possession of a passport, permit, document of identity or other travel document referred to in the Admission of Persons to the Republic Regulation Act, 1972 (Act No. 59 of 1972);

(b) who is not a South African citizen, and who enters or has after the thirtieth day of June, 1963 entered the Republic;

(c) who is a South African citizen and is in possession of a document—

(i) issued to him in terms of any law of any legislative assembly established under the Bantu Homelands Constitution Act, 1971 (Act No. 21 of 1971); and

(ii) whereby his identity and his right to be at the place where he is, can be established.".

Act 42 of 1964, section 7 of Act 119 of 1977 and section 6 of Act 12 of 1978.

3. The following section is hereby substituted for section 4 of the reference book Act:

Amendment of section 4 of Act 67 of 1952.

"Particulars in reference books.

4. There shall in such manner as may be prescribed, be **[affixed]** entered in any reference book issued under this Act, **[any identity card issued to the Bantu concerned in terms of section *thirteen* of the Population Registration Act, 1950 (Act No. 30 of 1950)]** the prescribed particulars of the person to whom it is issued.".

4. Section 5 of the reference book Act is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of section 5 of Act 67 of 1952, as substituted by section 13 of Act 79 of 1957 and amended by section 16 of Act 76 of 1963.

"(2) If at any time an authorized officer finds that a Bantu is not in possession of a reference book as required by this Act or is not in possession of a document referred to in section 3 (1)*bis (c)* or of a passport, permit, document of identity or other travel document referred to in the Admission of Persons to the Republic Regulation Act, 1972, as the case may be, or if such authorized officer has reasonable grounds for believing that such reference book, document, passport, permit, document of identity or other travel document in the possession of such Bantu was in fact not issued to such Bantu, he may bring such Bantu or cause him to be brought before a Bantu Affairs Commissioner or an officer referred to in subsection (1) in order that a reference book may be issued to such Bantu or in order that such enquiry may be made regarding the identification of such Bantu as such Bantu Affairs Commissioner or officer may consider necessary.".

5. Section 6 of the reference book Act is hereby amended by the substitution for subsection (3) of the following subsection:

Amendment of section 6 of Act 67 of 1952, as amended by section 14 of Act 79 of 1957, section 17 of Act 76 of 1963 and section 7 of Act 12 of 1978.

"(3) Whenever it comes to the notice of a Bantu Affairs Commissioner or an officer referred to in subsection (2) that a reference book has been issued to a Bantu—

(a) who is not a South African citizen and that such Bantu is or is required to be in possession of a passport, permit, document of identity or other travel document referred to in the Admission of Persons to the Republic Regulation Act, 1972; or

(b) who is a South African citizen and that such Bantu is or was in possession of a document referred to in section 3 (1)*bis (c)*,

he may **[*(a)*]** request that Bantu to surrender such reference book to him and **[*(b)*]** cancel such reference book, and thereupon the provisions of section 3 (1), (2) and (3) shall *mutatis mutandis* apply.".

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Wet No. 102, 1978

TWEEDE WYSIGINGSWET OP BANTOEWETGEWING, 1978.

Wysiging van artikel 8 van Wet 67 van 1952, soos gewysig deur artikel 16 van Wet 79 van 1957, artikel 18 van Wet 76 van 1963, artikel 85 van Wet 42 van 1964 en artikel 5 van Wet 7 van 1973.

6. Artikel 8 van die Bewysboekwet word hierby gewysig deur subartikel (7) deur die volgende subartikel te vervang:

„(7) By die toepassing van hierdie artikel word enige verwysing daarin na 'n bewysboek geag 'n verwysing na 'n dokument bedoel in artikel 3 (1)*bis* *(c)* en na 'n paspoort, permit, identifikasiebewys of ander reisdokument in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, bedoel, in te sluit.".

Vervanging van artikel 8*bis* van Wet 67 van 1952, soos ingevoeg deur artikel 17 van Wet 79 van 1957.

7. Artikel 8*bis* van die Bewysboekwet word hierby deur die volgende artikel vervang:

„Indiensneming van Bantoes in gebied waarop 'n vasgestelde datum betrekking het.

8*bis*. Na die vasgestelde datum mag niemand 'n Bantoe van 'n kategorie waarop dié datum betrekking het, wat nie 'n bewysboek of 'n dokument bedoel in artikel 3 (1)*bis* *(c)* of 'n uitkenbewys vermeld in artikel 10 (1) besit nie, in diens hê nie in die gebied waarop dié datum betrekking het.".

Wysiging van artikel 8*ter* van Wet 67 van 1952, soos ingevoeg deur artikel 17 van Wet 79 van 1957 en gewysig deur artikel 19 van Wet 76 van 1963.

8. Artikel 8*ter* van die Bewysboekwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

„(3) By die toepassing van hierdie artikel word enige verwysing daarin na 'n bewysboek geag 'n verwysing na 'n dokument bedoel in artikel 3 (1)*bis* *(c)* en na 'n paspoort, permit, identifikasiebewys of ander reisdokument in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, bedoel, in te sluit.".

Vervanging van artikel 11 van Wet 67 van 1952, soos vervang deur artikel 15 van Wet 26 van 1970.

9. Artikel 11 van die Bewysboekwet word hierby deur die volgende artikel vervang:

„Instelling van Bantoebewysburo.

11. Die Minister moet 'n Bantoebewysburo instel, onder beheer van 'n beampte van die Departement van Bantoe-administrasie en -ontwikkeling, wat as die Direkteur bekend staan, waar alle vingerafdrukke wat kragtens hierdie Wet of enige ander wet geneem is en daar ontvang word, geklassifiseer moet word, en al die besonderhede wat die Minister van tyd tot tyd bepaal, wat vervat is in bewysboeke of in dokumente bedoel in artikel 3 (1)*bis* *(c)* of in paspoorte, permitte, identifikasiebewyse of ander reisdokumente in **[artikel 3 (1)*bis*]** die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, bedoel of in uitkenbewyse in artikel 10 bedoel of in sertifikate van burgerskap in artikel 5 van die Wet op Burgerskap van Bantoetuislande, 1970 (Wet No. 26 van 1970), bedoel, op die voorgeskrewe wyse aangeteken of anders mee gehandel moet word.".

Wysiging van artikel 12 van Wet 67 van 1952, soos gewysig deur artikel 21 van Wet 79 van 1957, artikel 22 van Wet 76 van 1963, artikel 86 van Wet 42 van 1964, artikel 8 van Wet 119 van 1977 en artikel 8 van Wet 12 van 1978.

10. Artikel 12 van die Bewysboekwet word hierby gewysig—

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

„*(c)* die deursending na die buro van besonderhede in bewysboeke en in dokumente bedoel in artikel 3 (1)*bis* *(c)* aangeteken;",

(b) deur paragraaf *(e)* van subartikel (1) deur die volgende paragraaf te vervang:

„*(e)* die teruggawe van, beskikking oor of beslaglegging op bewysboeke wat betrekking het op Bantoes wat oorlede is of op Bantoes wat nie Suid-Afrikaanse burgers is nie en die Republiek verlaat of op Bantoes in besit van dokumente bedoel in artikel 3 (1)*bis* *(c)* of van paspoorte, permitte, identifikasiebewyse of ander reisdokumente in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, bedoel;";

(c) deur paragraaf *(f)* van subartikel (1) deur die volgende paragraaf te vervang:

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Amendment of section 8 of Act 67 of 1952, as amended by section 16 of Act 79 of 1957, section 18 of Act 76 of 1963, section 85 of Act 42 of 1964 and section 5 of Act 7 of 1973.

6. Section 8 of the reference book Act is hereby amended by the substitution for subsection (7) of the following subsection:

"(7) For the purposes of this section, any reference therein to a reference book shall be deemed to include a reference to a document referred to in section 3 (1)*bis (c)* and to a passport, permit, document of identity or other travel document referred to in the Admission of Persons to the Republic Regulation Act, 1972.".

Substitution of section 8*bis* of Act 67 of 1952, as inserted by section 17 of Act 79 of 1957.

7. The following section is hereby substituted for section 8*bis* of the reference book Act:

"Employment of Bantu in area to which a fixed date applies.

8*bis*. After the fixed date no person shall employ in the area to which such date applies any Bantu of a class to which such date applies, who is not in possession of a reference book or a document referred to in section 3 (1)*bis (c)* or a document of indentification referred to in section 10 (1).".

Amendment of section 8*ter* of Act 67 of 1952, as inserted by section 17 of Act 79 of 1957 and amended by section 19 of Act 76 of 1963.

8. Section 8*ter* of the reference book Act is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) For the purposes of this section, any reference therein to a reference book shall be deemed to include a reference to a document referred to in section 3 (1)*bis (c)* and to a passport, permit, document of identity or other travel document referred to in the Admission of Persons to the Republic Regulation Act, 1972.".

Substitution of section 11 of Act 67 of 1952, as substituted by section 15 of Act 26 of 1970.

9. The following section is hereby substituted for section 11 of the reference book Act:

"Establishment of Bantu Reference Bureau.

11. The Minister shall establish a Bantu Reference Bureau under the control of an officer of the Department of Bantu Administration and Development, to be known as the Director, in which all fingerprints taken under this Act or any other law and received therein shall be classified and all such particulars as the Minister may from time to time determine which are contained in reference books or in documents referred to in section 3 (1)*bis (c)* or in passports, permits, documents of identity or other travel documents referred to in **[section 3 (1)*bis*]** the Admission of Persons to the Republic Regulation Act, 1972, or in documents of identification referred to in section 10 or in certificates of citizenship referred to in section 5 of the Bantu Homelands Citizenship Act, 1970 (Act No. 26 of 1970), shall be recorded or otherwise dealt with in such manner as may be prescribed.".

Amendment of section 12 of Act 67 of 1952, as amended by section 21 of Act 79 of 1957, section 22 of Act 76 of 1963, section 86 of Act 42 of 1964, section 8 of Act 119 of 1977, and section 8 of Act 12 of 1978.

10. Section 12 of the reference book Act is hereby amended—

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

"*(c)* the transmission to the bureau of particulars recorded in reference books and in documents referred to in section 3 (1)*bis (c)*;";

(b) by the substitution for paragraph *(e)* of subsection (1) of the following paragraph:

"*(e)* the surrender, disposal or seizure of reference books relating to deceased Bantu or to Bantu departing from the Republic, other than Bantu who are South African citizens, or to Bantu in possession of documents referred to in section 3 (1)*bis (c)* or of passports, permits, documents of identity or other travel documents referred to in the Admission of Persons to the Republic Regulation Act, 1972;";

(c) by the substitution for paragraph *(f)* of subsection (1) of the following paragraph:

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„*(f)* die besonderhede wat in bewysboeke of in dokumente bedoel in artikel 3 (1)*bis (c)* of in paspoorte, permitte, identifikasiebewyse of ander reisdokumente in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, bedoel, aangeteken kan word en die persone deur wie en die wyse waarop sodanige besonderhede aangeteken moet word;";

(d) deur paragraaf *(j)* van subartikel (1) deur die volgende paragraaf te vervang:

„*(j)* die periodieke teken van bewysboeke of van dokumente bedoel in artikel 3 (1)*bis (c)* of van paspoorte, permitte, identifikasiebewyse of ander reisdokumente in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, bedoel deur of namens werkgewers,".

Vervanging van artikel 13 van Wet 67 van 1952, soos gewysig deur artikel 22 van Wet 79 van 1957 en artikel 23 van Wet 76 van 1963.

11. Artikel 13 van die Bewysboekwet word hierby deur die volgende artikel vervang:

„Vertoning van bewysboeke en sekere ander dokumente.

13. 'n Gemagtigde beampte kan te eniger tyd verlang dat 'n Bantoe aan hom 'n kragtens hierdie Wet aan so 'n Bantoe uitgereikte bewysboek, of 'n dokument bedoel in artikel 3 (1)*bis (c)* of 'n paspoort, permit, identifikasiebewys of ander reisdokument in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, bedoel, en aan so 'n Bantoe uitgereik, toon.".

Wysiging van artikel 14*bis* van Wet 67 van 1952, soos vervang deur artikel 24 van Wet 76 van 1963.

12. Artikel 14*bis* van die Bewysboekwet word hierby gewysig deur die volgende subartikel by te voeg terwyl die bestaande artikel subartikel (1) word:

„(2) By die toepassing van subartikel (1) word enige verwysing daarin na 'n bewysboek geag 'n verwysing na 'n dokument bedoel in artikel 3 (1)*bis (c)* in te sluit.".

Wysiging van artikel 15 van Wet 67 van 1952, soos vervang deur artikel 24 van Wet 79 van 1957 en gewysig deur artikel 25 van Wet 76 van 1963.

13. Artikel 15 van die Bewysboekwet word hierby gewysig—

(a) deur die volgende paragrawe na paragraaf *(a)* van subartikel (1) in te voeg:

„*(a*A*)* wat 'n Bantoe bedoel in artikel 3 (1)*bis (c)* is aan wie 'n dokument bedoel in daardie artikel uitgereik is en wat, nadat hy kragtens artikel 13 deur 'n gemagtigde beampte versoek is—

(i) weier om daardie dokument te toon,

(ii) nie in staat is om daardie dokument binne 5 km van die plek waar hy aldus versoek is, te toon nie;

*(a*B*)* valslik voorgee dat hy in besit is van 'n bewysboek of van 'n dokument bedoel in artikel 3 (1)*bis (c)*;";

(b) deur paragraaf *(o)* van subartikel (1) deur die volgende paragraaf te vervang:

„*(o)* wat 'n gemagtigde beampte by die uitoefening van die bevoegdhede deur hierdie Wet aan hom verleen, weerstaan of opsetlik belemmer of aan hom vals inligting verstrek,";

(c) deur paragraaf (i) van subartikel (1) deur die volgende paragraaf te vervang:

„(i) in die geval van 'n misdryf in paragraaf *(a)* (i) of (ii), *(a*A*)*, *(f)*, *(k)*, *(l)* of *(m)* vermeld, met 'n boete van hoogstens vyftig rand of gevangenisstraf vir 'n tydperk van hoogstens drie maande; en";

(d) deur subartikel (4) deur die volgende subartikel te vervang:

„(4) By die toepassing van hierdie artikel word, tensy uit die samehang anders blyk, enige verwysing daarin na 'n bewysboek geag 'n verwysing na 'n dokument bedoel in artikel 3 (1)*bis (c)* of na 'n paspoort, permit, identifikasie-

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"*(f)* the particulars which may be recorded in reference books or on documents referred to in section 3 (1)*bis (c)* or on passports, permits, documents of identity or other travel documents referred to in the Admission of Persons to the Republic Regulation Act, 1972, and the persons by whom and the manner in which such particulars shall be recorded;";

(d) by the substitution for paragraph *(j)* of subsection (1) of the following paragraph:

"*(j)* the periodical signing of reference books or of documents referred to in section 3 (1)*bis (c)* or of passports, permits, documents of identity or other travel documents referred to in the Admission of Persons to the Republic Regulation Act, 1972, by or on behalf of employers,".

Substitution of section 13 of Act 67 of 1952, as amended by section 22 of Act 79 of 1957 and section 23 of Act 76 of 1963.

11. The following section is hereby substituted for section 13 of the reference book Act:

"Production of reference books and certain other documents.

13. Any authorized officer may at any time call upon any Bantu to produce to him a reference book issued to such Bantu under this Act, or a document referred to in section 3 (1)*bis (c)* or a passport, permit, document of identity or other travel document referred to in the Admission of Persons to the Republic Regulation Act, 1972, and issued to such Bantu.".

Amendment of section 14*bis* of Act 67 of 1952, as substituted by section 24 of Act 76 of 1963.

12. Section 14*bis* of the reference book Act is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):

"(2) For the purposes of subsection (1) any reference therein to a reference book shall be deemed to include a reference to a document referred to in section 3 (1)*bis (c)*.".

Amendment of section 15 of Act 67 of 1952, as substituted by section 24 of Act 79 of 1957 and amended by section 25 of Act 76 of 1963.

13. Section 15 of the reference book Act is hereby amended—

(a) by the insertion after paragraph *(a)* of subsection (1) of the following paragraphs:

"*(a*A*)* who is a Bantu referred to in section 3 (1)*bis (c)* to whom a document referred to in that section was issued and who, having been requested under section 13 by an authorized officer—

(i) refuses to produce such document;

(ii) is unable to produce such document within 5 km from the place where he has been so requested;

*(a*B*)* falsely holds himself out to be in possession of a reference book or of a document referred to in section 3 (1)*bis (c)*;";

(b) by the substitution for paragraph *(o)* of subsection (1) of the following paragraph:

"*(o)* who resists or wilfully obstructs an authorized officer in the exercise of the powers conferred on him by this Act or furnishes him with false information,";

(c) by the substitution for paragraph (i) of subsection (1) of the following paragraph:

"(i) in the case of an offence referred to in paragraph *(a)* (i) or (ii), *(a*A*)*, *(f)*, *(k)*, *(l)* or *(m)* to a fine not exceeding fifty rand or to imprisonment for a period not exceeding three months;";

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

"(4) For the purposes of this section, unless the context otherwise indicates, any reference therein to a reference book shall be deemed to include a reference to a document referred to in section 3 (1)*bis (c)* or to a

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bewys of ander reisdokument in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, in te sluit.''.

Herroeping van artikel 16 van Wet 46 van 1962.

14. Artikel 16 van die Wysigingswet op Bantoewetgewing, 1962, word hierby herroep.

Herroeping van artikel 100 van Wet 42 van 1964.

15. Artikel 100 van die Wysigingswet op Bantoewetgewing, 1964, word hierby herroep.

Wysiging van artikel 28 van Wet 67 van 1964, soos gewysig deur artikel 15 van Wet 19 van 1970, artikel 15 van Wet 70 van 1974 en artikel 9 van Wet 119 van 1977.

16. Artikel 28 van die Wet op Bantoe-arbeid, 1964, word hierby gewysig deur paragraaf *(u)* van subartikel (1) deur die volgende paragraaf te vervang:

„*(u)* die bestuur van en beheer oor arbeidsburo's; die bevoegdhede, pligte en werksaamhede van beamptes aangestel vir die bestuur van of beheer oor so 'n buro; die vorms wat deur arbeidsburo's gebruik moet word; die vrywillige of verpligte registrasie van Bantoes by 'n arbeidsburo; die kategorieë van Bantoes met wie daar deur so 'n buro gehandel moet word; die kategorieë van werkgewers aan wie Bantoes deur so 'n buro vir diensverrigting beskikbaar gestel kan word en die wyse waarop en die voorwaardes waaronder sodanige Bantoes in diens geplaas moet word; die gelde wat vir enige diens deur 'n arbeidsburo verrig, betaal moet word; die registrasie by 'n arbeidsburo van alle gereelde werkgewers van Bantoes, en die aanmelding by so 'n buro deur so 'n werkgewer van vakatures in sy diens vir Bantoes; die soek na of die aanvaarding van werk deur Bantoes; die beweging van Bantoes van gebiede wat nie voorgeskrewe gebiede is nie na voorgeskrewe gebiede of van een na 'n ander voorgeskrewe gebied; die uitreiking van bevele aan sodanige Bantoes om so 'n gebied te verlaat; die tydperk waarin en die wyse waarop besonderhede betreffende dienskontrakte en plakkerdiensbodekontrakte en die ander in artikel 8 van die Bantoes (Afskaffing van Passe en Koördinering van Dokumente) Wet, 1952 (Wet No. 67 van 1952), bedoelde besonderhede, die datum van beëindiging van sodanige kontrakte en die datum van verlating van diens onder sodanige kontrakte aangemeld moet word; die voorwaardes waaronder 'n Bantoe toegelaat kan word om vir eie rekening in 'n winsgewende bedrywigheid of as 'n onafhanklike aannemer te werk; die hou van registers, met inbegrip van registers van Bantoes wat begeer om in diens te tree en van persone wat Bantoes vir diens nodig het; die aantekening van gegewens en die verstrekking van statistiese opgawes deur arbeidsburo's; die wyse waarop of vorm waarin 'n munisipale of distriksarbeidsbeampte die in artikel 22 bedoelde bevoegdhede moet uitoefen; die aantekening van besonderhede betreffende arbeidsburo-aangeleenthede en die maak van inskrywings in 'n in die Bantoes (Afskaffing van Passe en Koördinering van Dokumente) Wet, 1952, bedoelde bewysboek of uitkenbewys of 'n in artikel 3 (1)*bis (c)* van daardie Wet bedoelde dokument of in 'n in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972 (Wet No. 59 van 1972), bedoelde paspoort, permit, identifikasiebewys of ander reisdokument; die dokumente wat deur 'n vroulike Bantoe wat begerig is om in diens te tree, getoon moet word; die prosedure wat gevolg moet word wanneer en die omstandighede waaronder 'n Bantoe (hetsy hy gewerf is al dan nie) van 'n ander gebied in die gebied van 'n plaaslike of distriksarbeidsburo ingevoer mag word, waarby 'n voorwaarde inbegrepe kan wees wat die arbeidsagent wat sodanige Bantoe werf of die persoon wat sodanige invoering verlang, verplig om sekerheid tot bevrediging van die betrokke munisipale of distriksbeampte te stel dat dié Bantoe by die beëindiging van

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passport, permit, document of identity or other travel document referred to in the Admission of Persons to the Republic Regulation Act, 1972.".

Repeal of section 16 of Act 46 of 1962.

14. Section 16 of the Bantu Laws Amendment Act, 1962, is hereby repealed,

Repeal of section 100 of Act 42 of 1964.

15. Section 100 of the Bantu Laws Amendment Act, 1964, is hereby repealed.

Amendment of section 28 of Act 67 of 1964, as amended by section 15 of Act 19 of 1970, section 15 of Act 70 of 1974 and section 9 of Act 119 of 1977.

16. Section 28 of the Bantu Labour Act, 1964, is hereby amended by the substitution for paragraph *(u)* of subsection (1) of the following paragraph:

"*(u)* the management and control of labour bureaux; the powers, duties and functions of officers appointed for the management or control of any such bureau; the forms to be used by labour bureaux; the voluntary or compulsory registration with a labour bureau of Bantu; the classes of Bantu to be dealt with by any such bureau; the classes of employers to whom Bantu may be made available by any such bureau for employment and the manner in which and the conditions under which such Bantu shall be placed in employment; the fees to be paid for any service rendered by any labour bureau; the registration with a labour bureau of all regular employers of Bantu, and the notification to such bureau by any such employer of vancancies in his service for Bantu; the seeking or taking up of employment by Bantu; the movement of Bantu from areas which are not prescribed areas to prescribed areas or from one prescribed area to another; the making of orders on such Bantu to leave any such area; the period and the manner in which particulars relative to contracts of employment and labour tenants' contracts and the other particulars referred to in section 8 of the Bantu (Abolition of Passes and Co-ordination of Documents) Act, 1952 (Act No. 67 of 1952), the date of termination of such contracts and the date of desertion from employment under such contracts shall be advised; the conditions under which a Bantu may be permitted to work on his own account in any remunerative activity or as an independent contractor; the maintenance of records, including records of Bantu desiring to take up employment and of persons requiring the services of Bantu; the recording of data and the rendition of statistical returns by labour bureaux; the manner or form in which a municipal or district labour officer shall exercise the powers referred to in section 22; the recording of particulars relevant to labour bureau matters and the making of entries in any reference book or document of identification referred to in the Bantu (Abolition of Passes and Co-ordination of Documents) Act, 1952, or any document referred to in section 3 (1)*bis (c)* of that Act or in a passport, permit, document of identity or other travel document referred to in the Admission of Persons to the Republic Regulation Act, 1972 (Act No. 59 of 1972); the documents to be produced by a female Bantu wishing to take up employment; the procedure to be followed when and the circumstances under which a Bantu (whether recruited or otherwise) may be introduced into the area of a local or district labour bureau from another area, which may include a condition requiring the labour agent recruiting such Bantu or the person desiring such introduction, to give security to the satisfaction of the municipal or district labour officer

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die dienskontrak met hom aangegaan of aangegaan te word na sy verblyfplek of laaste woonplek teruggestuur sal word; die verstrekking deur werkgewers van Bantoes of deur eienaars, huurders of okkupeerders van grond, wanneer deur 'n arbeidsburo daartoe aangesê, van opgawes of statistieke of inligting betreffende Bantoes op sodanige grond in diens of woonagtig; die voorwaardes waaronder en die prosedure waarvolgens 'n Bantoe wat nie toegelaat is om in 'n gebied te wees of te woon of in diens te wees nie, uit daardie gebied verwyder kan word of aangesê kan word om daardie gebied te verlaat; en oor die algemeen enige aangeleentheid in verband met die behoorlike instandhouding van en beheer oor en die behoorlike funksionering van arbeidsburo's;".

Verandering van naam of ampstitel van sekere instellings en ampsbekleërs, en van „Bantoe" en afleidings daarvan.

17. (1) Hierby word in enige wet of dokument—

(a) die woorde „Departement van Bantoe-administrasie en -ontwikkeling" deur die woorde „Departement van Plurale Betrekkinge en Ontwikkeling" vervang;

(b) die woorde „Minister van Bantoe-administrasie en -ontwikkeling" deur die woorde „Minister van Plurale Betrekkinge en Ontwikkeling" vervang;

(c) die woorde „Sekretaris van Bantoe-administrasie en -ontwikkeling" deur die woorde „Sekretaris van Plurale Betrekkinge en Ontwikkeling" vervang;

(d) die woord „Bantoesakekommissie" deur die woorde „Kommissie vir Plurale Sake" vervang;

(e) die woorde „Hoofbantoesakekommissaris" en „Assistenthoofbantoesakekommissaris" onderskeidelik deur die woorde „Hoofkommissaris" en „Assistent-hoofkommissaris" vervang;

(f) die woorde „Direkteur van Bantoe-arbeid", „Assistent-direkteur van Bantoe-arbeid" en „Addisionele Direkteur van Bantoe-arbeid" onderskeidelik deur die woorde „Direkteur van Arbeid", „Assistent-direkteur van Arbeid" en „Addisionele Direkteur van Arbeid" vervang;

(g) die woorde „Direkteur van die Bantoebewysburo" deur die woorde „Direkteur van die Bewysburo" vervang;

(h) die woord „Bantoebewysburo" deur die woord „Bewysburo" vervang;

(i) die woorde „Bantoesakekommissaris", „Addisionele Bantoesakekommissaris" en „Assistent-bantoesakekommissaris" onderskeidelik deur die woorde „Kommissaris", „Addisionele Kommissaris" en „Assistent-kommissaris" vervang;

(j) die woord „Bantoe-appèlhof" deur die woorde „Appèlhof vir Kommissarishowe" vervang;

(k) die woord „Bantoe-egskeidingshof" deur die woord „Egskeidingshof" vervang;

(l) die woord „Bantoesakekommissarishof" deur die woord „Kommissarishof" vervang;

(m) die woorde „Suid-Afrikaanse Bantoetrust" en „Bantoetrust" onderskeidelik deur die woorde „Suid-Afrikaanse Ontwikkelingstrust" en „Ontwikkelingstrust" vervang;

(n) die woord „Bantoetuislande" deur die woorde „Swart state" vervang;

(o) die woord „Bantoebier" deur die woord „sorghumbier" vervang;

(p) die woord „Bantoesake-administrasieraad" deur die woord „Administrasieraad" vervang;

(q) die woorde „Bantoetrust en -grond Wet" deur die woorde „Ontwikkelingstrust en Grond Wet" vervang.

(2) Behoudens die bepalings van hierdie artikel word die woorde „Bantoe" en „Bantoes" oral waar hulle in 'n wet voorkom as 'n verwysing na 'n persoon of persone, hierby onderskeidelik deur die woorde „Swarte" en „Swartes" vervang.

(3) Behoudens die bepalings van hierdie artikel word 'n saamgestelde woord, of 'n uitdrukking, waarvan die woord

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concerned that at the termination of the contract of employment entered into with or to be entered into with such Bantu, such Bantu will be returned to his home or last place of residence; the rendering by employers of Bantu or by owners, lessees or occupiers of land, when so required by a labour bureau, of returns or statistics of or information relative to Bantu in employment or resident on such land; the conditions under which and the procedure whereby a Bantu who is not permitted to be or to reside or to be employed in any area, may be removed from or be ordered to leave such area; and generally any matter connected with the proper maintenance and control and proper functioning of labour bureaux;".

Change of name or official title of certain institutions and holders of offices, and of "Bantu" and derivatives thereof.

17. (1) In any law or document there are hereby substituted for—

(a) the words "Department of Bantu Administration and Development" the words "Department of Plural Relations and Development";
(b) the words "Minister of Bantu Administration and Development" the words "Minister of Plural Relations and Development";
(c) the words "Secretary for Bantu Administration and Development" the words "Secretary for Plural Relations and Development";
(d) the words "Bantu Affairs Commission" the words "Commission for Plural Affairs";
(e) the words "Chief Bantu Affairs Commissioner" and "Assistant Chief Bantu Affairs Commissioner" the words "Chief Commissioner" and "Assistant Chief Commissioner", respectively;
(f) the words "Director of Bantu Labour", "Assistant Director of Bantu Labour" and "Additional Director of Bantu Labour" the words "Director of Labour", "Assistant Director of Labour" and "Additional Director of Labour", respectively;
(g) the words "Director of the Bantu Reference Bureau" the words "Director of the Reference Bureau";
(h) the words "Bantu Reference Bureau" the words "Reference Bureau";
(i) the words "Bantu Affairs Commissioner", "Additional Bantu Affairs Commissioner" and "Assistant Bantu Affairs Commissioner" the words "Commissioner", "Additional Commissioner" and "Assistant Commissioner", respectively;
(j) the words "Bantu Appeal Court" the words "Appeal Court for Commissioners' Courts";
(k) the words "Bantu Divorce Court" the words "Divorce Court";
(l) the words "court of a Bantu Affairs Commissioner" the words "Commissioner's Court";
(m) the words "South African Bantu Trust" and "Bantu Trust" the words "South African Development Trust" and "Development Trust", respectively;
(n) the words "Bantu Homelands" the words "Black states";
(o) the words "Bantu beer" the words "sorghum beer";
(p) the words "Bantu Affairs Administration Board" the words "Administration Board";
(q) the words "Bantu Trust and Land Act" the words "Development Trust and Land Act".

(2) Subject to the provisions of this section there is hereby substituted for the word "Bantu" wherever it occurs in any law as a reference to a person or persons, the word "Black" or "Blacks" as the context in question may require.

(3) Subject to the provisions of this section there is hereby substituted for any compound word, or any expression, of which

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„Bantoe'' of 'n afleiding daarvan deel uitmaak, oral waar so 'n saamgestelde woord of uitdrukking in 'n wet voorkom, hierby deur die ooreenstemmende saamgestelde woord of die ooreenstemmende uitdrukking waarvan die woord „Swart'' of die ooreenstemmende afleiding daarvan deel uitmaak, vervang: Met dien verstande dat in alle sodanige saamgestelde woorde of uitdrukkings in die Afrikaanse teks van 'n wet die woord „Swart'' los van die ander woorde van daardie saamgestelde woord of uitdrukking geskryf word.

Kort titel en inwerkingtreding.

18. Hierdie Wet heet die Tweede Wysigingswet op Bantoewetgewing, 1978, en artikels 14, 15 en 17 tree in werking op 'n datum wat deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal word.

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the word "Bantu" or any derivative thereof forms a part, wherever such compound word or expression occurs in any law, the corresponding compound word, or the corresponding expression, of which the word "Black" or the corresponding derivative thereof forms a part: Provided that in all such compound words or expressions in the Afrikaans text of any law the word "Swart" shall be written separately from the other words of the compound word or expression.

Short title and commencement.

18. This Act shall be called the Second Bantu Laws Amendment Act, 1978, and sections 14, 15 and 17 shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.