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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

No. 497. 14 Maart 1979.

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

No. 7 van 1979: Wysigingswet op Reëling van Vertrek uit die Unie, 1979.

DEPARTMENT OF THE PRIME MINISTER

No. 497. 14 March 1979.

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

No. 7 of 1979: Departure from the Union Regulation Amendment Act, 1979.

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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 provisions of the Departure from the Union Regulation Act, 1955, relating to the departure of persons from the Republic without passports or permits or at places other than ports; the conveyance of and the rendering of assistance to such persons; and the return of certain persons who have left the Republic permanently; and to provide for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 6 March 1979.)

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

Substitution of section 2 of Act 34 of 1955, as substituted by section 9 of Act 61 of 1967.

1. The following section is hereby substituted for section 2 of the Departure from the Union Regulation Act, 1955 (hereinafter referred to as the principal Act):

"Prohibition of departure from the Union without passport or permit or at a place other than a port.

2. No person shall leave the Union for the purpose of proceeding to **[any place outside the Union]** another country—

(a) unless he is, at the time when he leaves the Union, in possession of a valid passport or a permit;

(b) except at a port, unless his passport or permit bears an endorsement, or he is in possession of a document issued to him by a person authorized thereto by the Minister of the Interior, to the effect that authority has been granted to him by the said Minister or a passport control officer referred to in section **[30]** 32 of the Admission of Persons to the **[Union]** Republic Regulation Act, **[1913]** 1972 (Act No. **[22]** 59 of **[1913]** 1972), to leave the Union at a place other than a port, and for such purposes and during such period as may be set forth in that endorsement or document.".

Substitution of section 3 of Act 34 of 1955, as substituted by section 10 of Act 61 of 1967.

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

"Prohibition of conveyance from the Union of persons not in possession of passports or permits or via places other than ports.

3. No person shall convey from any place in the Union to **[any place outside the Union]** another country, any person proceeding to **[a place outside the Union]** another country in contravention of the provisions of section 2.".

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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 bepalings van die Wet tot Reëling van Vertrek uit die Unie, 1955, betreffende die vertrek van persone uit die Republiek sonder paspoorte of permitte of by ander plekke as toegangspoorte; die vervoer van en die verlening van hulp aan sodanige persone; en die terugkeer van sekere persone wat die Republiek vir goed verlaat het; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 6 Maart 1979.)

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

Vervanging van artikel 2 van Wet 34 van 1955, soos vervang deur artikel 9 van Wet 61 van 1967.

1. Artikel 2 van die Wet tot Reëling van Vertrek uit die Unie, 1955 (hieronder die Hoofwet genoem), word hierby deur die volgende artikel vervang:—

„Verbod op vertrek uit Unie sonder paspoort of permit, of by 'n ander plek as 'n toegangspoort.

2. Niemand mag die Unie verlaat met die doel om na 'n **[plek buite die Unie]** ander land te gaan nie—

(*a*) tensy hy, wanneer hy die Unie verlaat, in besit is van 'n geldige paspoort of 'n permit;

(*b*) behalwe by 'n toegangspoort, tensy daar op sy paspoort of permit 'n endossement voorkom, of hy in besit is van 'n dokument aan hom uitgereik deur 'n persoon wat die Minister van Binnelandse Sake daartoe gemagtig het, ten effekte dat magtiging aan hom verleen is deur bedoelde Minister of 'n paspoortbeheerbeampte bedoel in artikel **[30]** 32 van die **[,,Wet tot Regeling van de Toelating van Personen tot de Unie, 1913" (Wet No. 22 van 1913)]** Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972 (Wet No. 59 van 1972), om die Unie by 'n ander plek as 'n toegangspoort, en vir doeleindes en gedurende 'n tydperk in bedoelde endossement of dokument uiteengesit, te verlaat.".

Vervanging van artikel 3 van Wet 34 van 1955, soos vervang deur artikel 10 van Wet 61 van 1967.

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

„Verbod op vervoer uit die Unie van persone wat nie in besit van paspoorte of permitte is nie of oor ander plekke as toegangspoorte.

3. Niemand mag 'n persoon wat in stryd met die bepalings van artikel 2 onderweg is na 'n **[plek buite die Unie]** ander land, vanaf **['n plek in]** die Unie na 'n **[plek buite die Unie]** ander land vervoer nie.".

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Act No. 7, 1979

DEPARTURE FROM THE UNION REGULATION AMENDMENT ACT, 1979.

Substitution of section 4 of Act 34 of 1955, as substituted by section 11 of Act 61 of 1967.

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

"Prohibition of rendering of assistance to persons to leave Union without passports or permits or at places other than ports.

4. No person shall in any manner whatsoever assist any other person to leave the Union for the purpose of proceeding to **[any place outside the Union]** another country in contravention of the provisions of section 2.".

Substitution of section 6 of Act 34 of 1955, as substituted by section 8 of Act 23 of 1964.

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

"Return by person who has a permit to leave the Union permanently.

6. Any person to whom a permit endorsed as provided in section 5 (6) has been issued and who has left the Union for the purpose of proceeding to **[a place outside the Union]** another country, shall—

(*a*) if he thereafter returns to the Union, be deemed, for the purposes of section 2, to have left the Union without a valid passport or a permit;

(*b*) for all purposes become a prohibited person, within the meaning of the Admission of Persons to the **[Union]** Republic Regulation Act, **[1913]** 1972 (Act No. **[22]** 59 of **[1913]** 1972), in the Union with effect from the time he so left the Union.".

Substitution of section 7 of Act 34 of 1955, as amended by section 65 of Act 69 of 1962.

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

"Presumptions.

7. If in any prosecution for a contravention of section 2 it is proved that the accused left the Union, it shall be presumed, until the contrary is proved, that he left the Union for the purpose of proceeding to **[a place outside the Union]** another country.".

Short title.

6. This Act shall be called the Departure from the Union Regulation Amendment Act, 1979.

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Vervanging van artikel 4 van Wet 34 van 1955, soos vervang deur artikel 11 van Wet 61 van 1967.

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

„Verbod op verlening van hulp aan persone om Unie sonder paspoorte of permitte of elders as by toegangspoorte te verlaat.

4. Niemand mag 'n ander persoon op enige wyse hoegenaamd help om in stryd met die bepalings van artikel 2 die Unie te verlaat met die doel om na 'n **[plek buite die Unie]** ander land te gaan nie.".

Vervanging van artikel 6 van Wet 34 van 1955, soos vervang deur artikel 8 van Wet 23 van 1964.

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

„Terugkeer deur persoon wat 'n permit het om Unie vir goed te verlaat.

6. Iemand aan wie 'n permit geëndosseer soos in artikel 5 (6) bepaal, uitgereik is en wat die Unie verlaat het met die doel om na 'n **[plek buite die Unie]** ander land te gaan, word—

(a) indien hy daarna na die Unie terugkeer, by die toepassing van artikel 2 geag die Unie sonder 'n geldige paspoort of 'n permit te verlaat het;

(b) vir alle doeleindes 'n verbode persoon binne die bedoeling van die **[„Wet tot Regeling van de Toelating van Personen tot de Unie, 1913" (Wet No. 22 van 1913)]** Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972 (Wet No. 59 van 1972), in die Unie vanaf die tydstip waarop hy die Unie aldus verlaat het.".

Vervanging van artikel 7 van Wet 34 van 1955, soos gewysig deur artikel 65 van Wet 69 van 1962.

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

„Vermoedens.

7. Indien dit by 'n vervolging weens 'n oortreding van artikel 2 bewys word dat die beskuldigde die Unie verlaat het, word vermoed, totdat die teendeel bewys word, dat hy die Unie verlaat het met die doel om na 'n **[plek buite die Unie]** ander land te gaan.".

Kort titel.

6. Hierdie Wet heet die Wysigingswet op Reëling van Vertrek uit die Unie, 1979.