

**BUITENGEWONE**



**EXTRAORDINARY**

# Staatskoerant

**VAN DIE REPUBLIEK VAN SUID-AFRIKA**

**THE REPUBLIC OF SOUTH AFRICA**

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**[No. 19.]**

**DEPARTEMENT VAN DIE EERSTE MINISTER.**

**DEPARTMENT OF THE PRIME MINISTER.**

**No. 85.]** [21 Junie 1961.]

**No. 85.]** [21st June, 1961.]

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

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

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No. 42, 1961.]

# ACT

**To amend the Defence Act, 1957; to give retrospective effect to certain amendments to the regulations for the Permanent Force; and to provide for other incidental matters.**

(Afrikaans text signed by the State President.)  
(Assented to 15th June, 1961.)

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

Amendment of section 1 of Act 44 of 1957, as amended by section 1 of Act 12 of 1961.

1. Section *one* of the Defence Act, 1957 (hereinafter referred to as the principal Act), is hereby amended by the insertion in the definition of „deferment” before the word “means” of the words „except in sections *twenty-one*, *twenty-two* and *twenty-three*.”.

Substitution of section 21 of Act 44 of 1957, as amended by section 2 of Act 12 of 1961.

2. The following section is hereby substituted for section *twenty-one* of the principal Act:

“Service in Citizen Force.

21. Subject to the provisions of sections *twenty-three* and *twenty-four*, every person allotted to the Citizen Force in terms of Chapter VIII shall be liable to serve in that Force for a period of four years reckoned from the date on which he commences his first period of continuous training referred to in sub-section (2) of section *twenty-two*: Provided that any person in respect of whom a deferment of any period of continuous training or of a portion of any such period has been authorized under paragraph (c) of sub-section (2) of section *twenty-two* and who has not completed his continuous training at the expiration of such period of four years, shall remain liable to serve in the Citizen Force until he has completed his continuous training.”.

Substitution of section 22 of Act 44 of 1957.

3. The following section is hereby substituted for section *twenty-two* of the principal Act:

“Maximum periods of compulsory training.

22. (1) A member of the Citizen Force, other than a member appointed or engaged for service therein in terms of section *twenty* or a member undergoing training therein in terms of section *twenty-three* or *twenty-four*, shall be liable to undergo such continuous and non-continuous training as may, within the limits laid down in this section, be determined by the Minister or a person acting under his authority.

(2) (a) The continuous training to which a member allotted to the Citizen Force in terms of Chapter VIII is liable, shall, subject to the provisions of paragraph (c), be completed within not more than three periods.

- (b) No such member shall be required to undergo—
- (i) more than nine months continuous training in the first year that he is liable to serve in terms of section *twenty-one*;
  - (ii) more than three weeks continuous training in any subsequent year that he is liable so to serve; or
  - (iii) more than one period of continuous training in any training year.

(c) Any exemption board appointed under section *sixty-eight* may, notwithstanding anything to the contrary in this sub-section contained, in any particular case on grounds of educational or vocational training or ill-health or such other grounds as it may deem sufficient, authorize the deferment of any period of continuous training or of a portion of any such period but

No. 42, 1961.]

## WET

**Tot wysiging van die Verdedigingswet, 1957; om aan sekere wysigings van die regulasies vir die Staande Mag terugwerkende krag te verleen; en om vir ander bykomstige aangeleenthede voorsiening te maak.**

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 15 Junie 1961.)

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

1. Artikel *een* van die Verdedigingswet, 1957 (hieronder die Hoofwet genoem), word hierby gewysig deur in die omskrywing van „uitstel” voor die woord „die”, waar dit die eerste keer voorkom, die woorde „behalwe in artikels *een-en-twintig*, *twee-en-twintig* en *drie-en-twintig*,” in te voeg. Wysiging van artikel 1 van Wet 44 van 1957, soos gewysig deur artikel 1 van Wet 12 van 1961.
  
2. Artikel *een-en-twintig* van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 21 van Wet 44 van 1957, soos gewysig deur artikel 2 van Wet 12 van 1961.

„Diens in Burgermag. 21. Behoudens die bepalings van artikels *drie-en-twintig* en *vier-en-twintig*, is iedere persoon wat ooreenkomstig Hoofstuk VIII by die Burgermag ingedeel word, verplig om vir ’n tydperk van vier jaar, bereken vanaf die datum waarop hy begin met sy eerste tydperk van ononderbroke opleiding waarna in sub-artikel (2) van artikel *twee-en-twintig* verwys word, in daardie Mag te dien: Met dien verstande dat enigiemand ten opsigte van wie uitstel van enige tydperk van ononderbroke opleiding of van ’n gedeelte van enige sodanige tydperk kragtens paragraaf (c) van sub-artikel (2) van artikel *twee-en-twintig* gemagtig is, en wat nie sy ononderbroke opleiding by verstryking van sodanige tydperk van vier jaar voltooi het nie, verplig bly om in die Burgermag te dien totdat hy sy ononderbroke opleiding voltooi het.”
  
3. Artikel *twee-en-twintig* van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 22 van Wet 44 van 1957.

„Maksimum tydperke van verpligte opleiding. 22. (1) ’n Lid van die Burgermag, behalwe ’n lid wat ingevolge artikel *twintig* vir diens daarin aangestel of aangeneem is of ’n lid wat ingevolge artikel *drie-en-twintig* of *vier-en-twintig* opleiding daarin ondergaan, is verplig om die ononderbroke en onderbroke opleiding te ondergaan wat binne die perke wat in hierdie artikel voorgeskryf word, deur die Minister of iemand wat op sy gesag handel, bepaal word.

(2) (a) Die ononderbroke opleiding waartoe ’n lid wat ooreenkomstig Hoofstuk VIII by die Burgermag ingedeel is, verplig kan word, moet, behoudens die bepalings van paragraaf (c), binne hoogstens drie tydperke voltooi word.

(b) Daar word nie van so ’n lid vereis—

  - (i) dat hy meer as nege maande ononderbroke opleiding moet ondergaan in die eerste jaar wat hy ingevolge artikel *een-en-twintig* verplig is om te dien nie;
  - (ii) dat hy meer as drie weke ononderbroke opleiding moet ondergaan in enige daaropvolgende jaar wat hy verplig is om aldus te dien nie; of
  - (iii) dat hy meer as een tydperk van ononderbroke opleiding in enige opleidingsjaar moet ondergaan nie.

(c) Enige kragtens artikel *agt-en-sestig* benoemde vrystellingsraad kan, ondanks andersluidende bepalings in hierdie sub-artikel, in enige besondere geval op grond van opvoedkundige of beroepsopleiding of swak gesondheid of ander gronde wat hy genoegsaam ag, magting verleen vir die uitstel van enige tydperk van ononderbroke opleiding of van ’n gedeelte van

in such a manner that the continuous training to which the member concerned is liable, shall be completed not later than three years after the date on which his continuous training would but for any such deferment, have been completed.

(3) The continuous training to which an officer of the Citizen Force or a member engaged or re-engaged for service in terms of section *nineteen* is liable in respect of any training year shall be completed within a single period not exceeding thirty days during that training year.

(4) The non-continuous training to which a member of the Citizen Force shall be liable, shall not exceed six days during any training year.

(5) For the purpose of reckoning days of non-continuous training—

- (a) a period of instruction or exercise lasting eight hours; or
  - (b) two periods of instruction or exercise each lasting four hours; or
  - (c) three periods of instruction or exercise each lasting three hours; or
  - (d) six periods of instruction or exercise each lasting one hour and a half,
- shall be deemed to be equivalent to one day's training.

(6) The time occupied in travelling to or from any place of training shall not, for the purpose of this section, be reckoned as part of any period of training."

Substitution of section 23 of Act 44 of 1957.

4. The following section is hereby substituted for section *twenty-three* of the principal Act:

"Whole-time training.

23. (1) Any citizen who is liable to undergo training or any other person domiciled in the Union may (subject, in the case of a minor, to the consent of his father or guardian) apply to undergo whole-time training in the Citizen Force for the period prescribed in sub-section (2) and may be enrolled for such training under such conditions as may be prescribed.

(2) Any person enrolled under sub-section (1) shall undergo whole-time training in a Military Gymnasium or similar institution for a period of one year reckoned from the date on which his training commences or for such shorter period, reckoned from the same date, as the Minister or a person acting under his authority may at any time determine.

(3) Any person who has completed the period of whole-time training referred to in sub-section (2) shall be liable to be posted to a unit of the Citizen Force and shall be liable to serve therein for a period which shall not extend beyond the fourth anniversary of the date on which his training commenced: Provided that any person in respect of whom a deferment of any period of continuous training referred to in sub-section (4) or of a portion of any such period has been authorized under paragraph (c) of the said sub-section (4) and who has not completed his continuous training on the said anniversary shall remain liable to serve in that Force until he has completed his continuous training.

(4) (a) Every person posted to a unit of the Citizen Force in terms of sub-section (3) shall be liable to undergo—

- (i) continuous training which shall be completed within not more than two periods of an aggregate duration of not more than six weeks; and
  - (ii) the non-continuous training provided for in sub-section (4) of section *twenty-two*.
- (b) No person who has been so posted shall be required to undergo more than one period of continuous training in any training year.
- (c) Any exemption board appointed under section *sixty-eight* may, notwithstanding anything to the contrary in this sub-section contained, in

enige sodanige tydperk maar op so 'n wyse dat die ononderbroke opleiding waartoe die betrokke lid verplig kan word nie later nie as hoogstens drie jaar na die datum waarop sy ononderbroke opleiding, by ontstentenis van so 'n uitstel, voltooi sou gewees het, voltooi word.

(3) Die ononderbroke opleiding waartoe 'n offisier van die Burgermag of 'n lid wat ooreenkomstig artikel *negentien* vir diens aangeneem is of weer aangeneem is, verplig kan word ten opsigte van enige opleidingsjaar, moet binne 'n enkele tydperk van hoogstens dertig dae gedurende daardie opleidingsjaar voltooi word.

(4) Die onderbroke opleiding waartoe 'n lid van die Burgermag verplig kan word, oorskry nie ses dae gedurende enige opleidingsjaar nie.

(5) By die berekening van dae van onderbroke opleiding, word—

- (a) 'n tydperk van onderrig of oefening wat agt uur duur; of
  - (b) twee tydperke van onderrig of oefening wat elk vier uur duur; of
  - (c) drie tydperke van onderrig of oefening wat elk drie uur duur; of
  - (d) ses tydperke van onderrig of oefening wat elk anderhalfuur duur,
- geag met een dag se opleiding gelyk te staan.

(6) Die tyd wat opgeneem word deur na of van enige opleidingsplek te reis, word nie by die toepassing van hierdie artikel as deel van enige tydperk van opleiding ingereken nie.”

4. Artikel *drie-en-twintig* van die Hoofwet word hierby deur die volgende artikel vervang:

„Voltydse opleiding.

23. (1) 'n Burger wat verplig kan word om opleiding te ondergaan of 'n ander persoon wat in die Unie gedomisileer is, kan aansoek doen (onderworpe, in die geval van 'n minderjarige, aan die toestemming van sy vader of voog) om voltydse opleiding in die Burgermag te ondergaan vir die in sub-artikel (2) voorgeskrewe tydperk en kan vir sodanige opleiding ingeskryf word onderworpe aan die voorwaardes wat voorgeskryf mag word.

(2) Iemand wat kragtens sub-artikel (1) ingeskryf is, moet voltydse opleiding in 'n Militêre Gimnasium of soortgelyke inrigting ondergaan vir 'n tydperk van een jaar bereken vanaf die datum waarop sy opleiding begin of vir so 'n korter tydperk, bereken vanaf dieselfde datum, as wat die Minister of iemand wat op sy gesag handel, te eniger tyd mag bepaal.

(3) Iemand wat die in sub-artikel (2) bedoelde tydperk van voltydse opleiding voltooi het, kan by 'n eenheid van die Burgermag ingedeel word en is verplig om daarin te dien vir 'n tydperk wat nie verder as die vierde verjaardag van die datum waarop sy opleiding begin het, strek nie: Met dien verstande dat enigiemand ten opsigte van wie uitstel van enige tydperk van in sub-artikel (4) bedoelde ononderbroke opleiding of van 'n gedeelte van enige sodanige tydperk kragtens paragraaf (c) van bedoelde sub-artikel (4) gemagtig is en wat nie sy ononderbroke opleiding op bedoelde verjaardag voltooi het nie, verplig bly om in daardie Mag te dien totdat hy sy ononderbroke opleiding voltooi het.

(4) (a) Iedere persoon wat ingevolge sub-artikel (3) by 'n eenheid van die Burgermag ingedeel is, is verplig—

- (i) om ononderbroke opleiding te ondergaan wat binne hoogstens twee tydperke van 'n gesamentlike duur van hoogstens ses weke voltooi moet word; en
- (ii) om die onderbroke opleiding te ondergaan waarvoor daar in sub-artikel (4) van artikel *twee-en-twintig* voorsiening gemaak word.

(b) Daar word nie van iemand wat aldus ingedeel is, vereis dat hy meer as een tydperk van ononderbroke opleiding in enige opleidingsjaar ondergaan nie.

(c) Enige kragtens artikel *agt-en-sestig* benoemde vrystellingsraad kan, ondanks andersluidende bepalings in hierdie sub-artikel, in enige be-

Vervanging van artikel 23 van Wet 44 van 1957.

any particular case on grounds of educational or vocational training or ill-health or such other grounds as it may deem sufficient, authorize the deferment of any period of continuous training or of a portion of any such period but in such a manner that the continuous training to which the person concerned is liable, shall be completed within a period of not more than seven years reckoned from the date on which he commenced his whole-time training.”.

Insertion of section 24bis in Act 44 of 1957.

5. The following section is hereby inserted in the principal Act after section *twenty-four*:

“Voluntary additional training. **24bis.** Any member of the Citizen Force may voluntarily undergo training additional to his ordinary training under such conditions as may be prescribed.”.

Amendment of section 35 of Act 44 of 1957, as amended by section 3 of Act 12 of 1961.

6. Section *thirty-five* of the principal Act is hereby amended by the insertion in sub-section (1) after the figure “VII” of the words “and every citizen whose name has been drawn in such a ballot but who has not been allotted for training in the Citizen Force”.

Amendment of section 66 of Act 44 of 1957.

7. Section *sixty-six* of the principal Act is hereby amended—

- (a) by the substitution for paragraph (a) of sub-section (1) of the following paragraph:
  - “(a) has applied for registration under paragraph (a) of sub-section (1) of section *sixty-three* and has not been included in any previous provisional ballot list;”;
- (b) by the substitution in paragraph (b) of the said sub-section for the word “nineteenth” of the word “eighteenth”;
- (c) by the substitution in paragraph (c) of the said sub-section for the word “eighteenth” of the word “seventeenth”; and
- (d) by the substitution in sub-section (2) for the word “fifteenth” of the word “thirty-first”.

Amendment of section 68 of Act 44 of 1957.

8. Section *sixty-eight* of the principal Act is hereby amended—

- (a) by the substitution for sub-sections (1) and (2) of the following sub-sections:
  - “(1) The Minister of Labour may from time to time, in consultation with the Minister—
  - (a) appoint one or more exemption boards to consider applications for deferment or for exclusion from any provisional ballot list prepared under section *sixty-six* and to exercise such other powers and to perform such other duties as may be conferred or imposed upon them by or under this Act;
  - (b) abolish any such board; and
  - (c) withdraw the appointment of any member of such a board and, if deemed necessary, appoint some other person as a member of such board in his stead.
  - (2) (a) Any such board shall consist of a chairman and so many other members, not exceeding four, as the Minister of Labour may, in consultation with the Minister, determine.
  - (b) At least one of the members of any such board shall be a member of the South African Defence Force.”;
- (b) by the substitution in sub-section (3) for the words “the board” of the words “any such board” and the insertion in the said sub-section after the word “Minister” of the words “of Labour”; and
- (c) by the addition of the following sub-section:
  - “(4) The decision of any such board on any application referred to in paragraph (a) of sub-section (1) and any decision given by any such board in pursuance of any power or duty conferred or imposed upon it by or under this Act shall be final.”.

sondere geval op grond van opvoedkundige of beroepsopleiding of swak gesondheid of ander gronde wat hy genoegsaam ag, magtiging verleen vir die uitstel van enige tydperk van ononderbroke opleiding of van 'n gedeelte van enige sodanige tydperk maar op so 'n wyse dat die ononderbroke opleiding waartoe die betrokke persoon verplig kan word binne 'n tydperk van nie meer nie as sewe jaar, bereken vanaf die datum waarop hy begin het met sy voltydse opleiding voltooi word."

5. Die volgende artikel word hierby in die Hoofwet na artikel vier-en-twintig ingevoeg:

Invoeging van artikel 24bis in Wet 44 van 1957.

„Vrywillige bykomende opleiding. 24bis. Enige lid van die Burgermag kan op die voorwaardes wat voorgeskryf mag word, vrywilliglik by sy gewone opleiding bykomende opleiding ondergaan."

6. Artikel vyf-en-dertig van die Hoofwet word hierby gewysig deur in sub-artikel (1) na die woord „nie", waar dit die tweede keer voorkom, die woorde „en iedere burger wie se naam by so 'n loting getrek is maar wat nie vir opleiding in die Burgermag ingedeel is nie" in te voeg.

Wysiging van artikel 35 van Wet 44 van 1957, soos gewysig deur artikel 3 van Wet 12 van 1961.

7. Artikel ses-en-sestig van die Hoofwet word hierby gewysig—

Wysiging van artikel 66 van Wet 44 van 1957.

- (a) deur paragraaf (a) van sub-artikel (1) deur die volgende paragraaf te vervang:
  - „(a) ingevolge paragraaf (a) van sub-artikel (1) van artikel drie-en-sestig om registrasie aansoek gedoen het, en nie in 'n vorige voorlopige lotingslys opgeneem is nie;"
- (b) deur in paragraaf (b) van gemelde sub-artikel die woord „negentiende" deur die woord „agtiende" te vervang;
- (c) deur in paragraaf (c) van gemelde sub-artikel die woord „agtiende" deur die woord „sewentiende" te vervang; en
- (d) deur in sub-artikel (2) die woord „vyftiende" deur die woord „een-en-dertigste" te vervang.

8. Artikel agt-en-sestig van die Hoofwet word hierby gewysig—

Wysiging van artikel 68 van Wet 44 van 1957.

- (a) deur sub-artikels (1) en (2) deur die volgende sub-artikels te vervang:
  - „(1) Die Minister van Arbeid kan van tyd tot tyd, in oorleg met die Minister—
    - (a) een of meer vrystellingsrade benoem om aansoeke om uitstel of om weglating uit 'n kragtens artikel ses-en-sestig opgestelde voorlopige lotingslys te oorweeg en om die ander bevoegdhede uit te oefen en die ander pligte te verrig wat by of kragtens hierdie Wet aan hulle verleen of opgedra word;
    - (b) so 'n raad afskaf; en
    - (c) die aanstelling van 'n lid van so 'n raad intrek en, indien nodig geag, 'n ander persoon in sy plek benoem as 'n lid van die raad.
  - (2) (a) So 'n raad bestaan uit 'n voorsitter en soveel ander lede, maar hoogstens vier, as wat die Minister van Arbeid, in oorleg met die Minister, bepaal.
  - (b) Minstens een van die lede van so 'n raad moet 'n lid van die Suid-Afrikaanse Weermag wees."
- (b) deur in sub-artikel (3) die woorde „die raad" deur die woorde „so 'n raad" te vervang en deur in gemelde sub-artikel na die woord „Minister" die woorde „van Arbeid" in te voeg; en
- (c) deur die volgende sub-artikel by te voeg:
  - „(4) Die beslissing van so 'n raad oor 'n in paragraaf (a) van sub-artikel (1) bedoelde aansoek en 'n beslissing deur so 'n raad gegee uit hoofde van 'n bevoegdheid of plig kragtens hierdie Wet aan hom verleen of opgedra, is afdoende."

Amendment of section 69 of Act 44 of 1957.

9. Section *sixty-nine* of the principal Act is hereby amended—

- (a) by the substitution in sub-section (1) for the words "the board" of the words "any board";
- (b) by the insertion in sub-section (2) after the word "board", where it occurs for the first time, of the word "concerned";
- (c) by the insertion in sub-section (3) after the word "Minister" of the words "of Labour" and the substitution in the said sub-section for the words "the board" of the words "boards appointed under section *sixty-eight*";
- (d) by the insertion in sub-section (4) after the word "board", where it occurs for the first time, of the word "concerned" and the insertion in the said sub-section after the word "Minister" of the words "of Labour";
- (e) by the insertion in sub-section (5) after the word "board" of the word "concerned"; and
- (f) by the substitution for sub-section (6) of the following sub-section:  
 "(6) Every ballot list as amended in terms of this section shall be posted up at the office of the registering officer before the thirty-first day of May of the year in question."

Amendment of section 70 of Act 44 of 1957.

10. Section *seventy* of the principal Act is hereby amended by the substitution in sub-section (3) for the words "the Minister or an officer acting under his authority" of the words "any board appointed under section *sixty-eight*".

Amendment of section 98 of Act 44 of 1957.

11. Section *ninety-eight* of the principal Act is hereby amended—

- (a) by the substitution for sub-sections (1) and (2) of the following sub-sections:  
 "(1) Whenever the circumstances so require, the Minister of Labour shall, in consultation with the Minister, appoint one or more exemption boards to consider and decide upon applications for exemption under section *ninety-seven*.  
 (2) Any such board shall be constituted in the same manner as a board appointed in terms of section *sixty-eight*."; and
- (b) by the addition at the end thereof of the following sub-section:  
 "(4) The decision of any such board on an application for exemption under section *ninety-seven* shall be final."

Amendments effected by sections 2, 3 and 4 not applicable in respect of certain persons.

12. The amendments effected by sections *two*, *three* and *four* of this Act shall not apply in respect of any person whose training in terms of section *twenty-two* or *twenty-three* of the principal Act has, at the commencement of this Act, already commenced.

Operation of certain amendments of principal Act.

13. Anything done prior to the commencement of this Act in terms of Chapter VIII of the principal Act, shall be deemed to have been duly done in terms of that Chapter as amended by this Act.

Date of commencement of certain amendments to the regulations for the Permanent Force.

14. Notwithstanding the provisions of sub-section (3) of section *eighty-seven* of the principal Act, the amendments to the regulations for the Permanent Force contained in Government Notice No. 1470 of 1960, dated the thirtieth day of September, 1960, shall be deemed to have come into operation—

- (a) in the case of members of the Permanent Force other than members of the South African Military Nursing Service, on the first day of January, 1959; and
- (b) in the case of members of the South African Military Nursing Service, on the first day of April, 1959.

Short title.

15. This Act shall be called the Defence Further Amendment Act, 1961.



9. Artikel *nege-en-sestig* van die Hoofwet word hierby gewysig— Wysiging van artikel 69 van Wet 44 van 1957.
- (a) deur in sub-artikel (1) die woord „die”, waar dit die laaste keer voorkom, deur die woord „enige” te vervang;
  - (b) deur in sub-artikel (2) voor die woord „raad”, waar dit die eerste keer voorkom, die woord „betrokke” in te voeg;
  - (c) deur in sub-artikel (3) na die woord „Minister” die woorde „van Arbeid” in te voeg en deur in gemelde sub-artikel die woorde „die raad en die wyse waarop sy” deur die woorde „rade kragtens artikel *agt-en-sestig* benoem en die wyse waarop hul” te vervang;
  - (d) deur in sub-artikel (4) voor die woord „raad”, waar dit die eerste keer voorkom, die woord „betrokke” in te voeg en deur in gemelde sub-artikel na die woord „Minister” die woorde „van Arbeid” in te voeg;
  - (e) deur in sub-artikel (5) voor die woord „raad” die woord „betrokke” in te voeg; en
  - (f) deur sub-artikel (6) deur die volgende sub-artikel te vervang:  
 „(6) Iedere lotingslys soos ingevolge hierdie artikel gewysig, word voor die een-en-dertigste dag van Mei van die betrokke jaar by die kantoor van die registrasiebeampte aangeplak.”
10. Artikel *sewentig* van die Hoofwet word hierby gewysig deur in sub-artikel (3) die woorde „die Minister of ’n offisier wat op sy gesag handel” deur die woorde „’n kragtens artikel *agt-en-sestig* benoemde raad” te vervang. Wysiging van artikel 70 van Wet 44 van 1957.
11. Artikel *agt-en-negentig* van die Hoofwet word hierby gewysig— Wysiging van artikel 98 van Wet 44 van 1957.
- (a) deur sub-artikels (1) en (2) deur die volgende sub-artikels te vervang:  
 „(1) Wanneer omstandighede dit vereis, stel die Minister van Arbeid, in oorleg met die Minister, een of meer vrystellingsrade aan om aansoeke om vrystelling ingevolge artikel *sewe-en-negentig* te oorweeg en daaroor te beslis.  
 (2) So ’n raad word saamgestel op dieselfde wyse as ’n raad wat ingevolge artikel *agt-en-sestig* benoem word.”; en
  - (b) deur aan die end daarvan die volgende sub-artikel by te voeg:  
 „(4) Die beslissing van so ’n raad oor ’n aansoek om vrystelling ingevolge artikel *sewe-en-negentig* is afdoende.”
12. Die wysigings aangebring deur artikels *twee, drie* en *vier* van hierdie Wet is nie van toepassing nie ten opsigte van enige persoon wie se opleiding ingevolge artikel *twee-entwintig* of *drie-en-twintig* van die Hoofwet by die inwerkingtreding van hierdie Wet alreeds begin het. Wysigings aangebring deur artikels 2, 3 en 4 nie van toepassing ten opsigte van sekere persone.
13. Enigiets wat voor die inwerkingtreding van hierdie Wet ingevolge Hoofstuk VIII van die Hoofwet gedoen is, word geag behoorlik ingevolge daardie Hoofstuk, soos deur hierdie Wet gewysig, gedoen te gewees het. Toepassing van sekere wysigings van Hoofwet.
14. Ondanks die bepalings van sub-artikel (3) van artikel *sewe-en-tagtig* van die Hoofwet, word die wysigings van die regulasies vir die Staande Mag vervat in Goewermentskennisgewing No. 1470 van 1960, van die dertigste dag van September 1960, geag in werking te getree het— Datum van inwerkingtreding van sekere wysigings van die regulasies vir die Staande Mag.
- (a) in die geval van lede van die Staande Mag, behalwe lede van die Suid-Afrikaanse Militêre Verpleegdiens, op die eerste dag van Januarie 1959; en
  - (b) in die geval van lede van die Suid-Afrikaanse Militêre Verpleegdiens, op die eerste dag van April 1959.
15. Hierdie Wet heet die Verdere Wysigingswet op Kort titel. Verdediging, 1961.

No. 43, 1961].

# ACT

To amend the Iron and Steel Industry Act, 1928.

(English text signed by the State President.)  
(Assented to 15th June, 1961.)

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

Amendment of section 3 of Act 11 of 1928, as amended by section 1 of Act 40 of 1931.

1. Section *three* of the Iron and Steel Industry Act, 1928, is hereby amended—

- (a) by the substitution in that part of sub-section (1) which precedes paragraph (a) for the word "seven" of the word "nine";
- (b) by the substitution in paragraph (a) of that sub-section for the word "four" of the word "five";
- (c) by the substitution in paragraph (b) of that sub-section for the word "three" of the word "four", and the deletion in that paragraph of all the words after the word "regulation"; and
- (d) by the insertion after sub-section (1) of the following sub-section:

"(1)*bis* The members of the Board appointed under paragraph (b) of sub-section (1) for the time being holding office may designate any member of the Board as deputy-chairman, and any deputy-chairman so designated shall act as chairman of the Board whenever the chairman is unable to act and no person has been appointed or chosen under sub-section (4) of section *five* to act as chairman."

Short title.

2. This Act shall be called the Iron and Steel Industry Amendment Act, 1961.

No. 43, 1961.]

## WET

Tot wysiging van die Yster- en Staalnywerheid Wet, 1928.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 15 Junie 1961.)

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

1. Artikel drie van die Yster- en Staalnywerheid Wet, 1928, word hierby gewysig—

(a) deur in daardie deel van sub-artikel (1) wat paragraaf (a) voorafgaan die woord „sewe” deur die woord „nege” te vervang;

(b) deur in paragraaf (a) van daardie sub-artikel die woord „vier” deur die woord „vyf” te vervang;

(c) deur in paragraaf (b) van daardie sub-artikel die woord „drie” deur die woord „vier” te vervang, en al die woorde na die woord „word” te skrap; en

(d) deur na sub-artikel (1) die volgende sub-artikel in te voeg:

„(1)*bis* Die ingevolge paragraaf (b) van sub-artikel (1) aangestelde lede van die Raad wat van tyd tot tyd die amp beklee, kan enige lid van die Raad as adjunk-voorsitter aanwys, en 'n aldus aangewese adjunk-voorsitter tree as voorsitter van die Raad op wanneer die voorsitter nie in staat is om op te tree nie en daar nie ingevolge sub-artikel (4) van artikel vyf iemand benoem of gekies is om as voorsitter op te tree nie.”

Wysiging van artikel 3 van Wet 11 van 1928, soos gewysig deur artikel 1 van Wet 40 van 1931.

2. Hierdie Wet heet die Wysigingswet op die Yster- en Staal- Kort titel. nywerheid, 1961.

No. 44, 1961.]

**ACT**

To amend the Atomic Energy Act, 1948.

*(Afrikaans text signed by the State President.)  
(Assented to 16th June, 1961.)***BE IT ENACTED** by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 3 of Act 35 of 1948, as amended by section 1 of Act 18 of 1952 and section 1 of Act 27 of 1958.

**1.** Section *three* of the Atomic Energy Act, 1948 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the insertion in sub-paragraph (iii) of paragraph (c) of sub-section (1) after the word "use" of the words "or convey or cause to be conveyed"; and
- (b) by the substitution for sub-section (2) of the following sub-section:

"(2) Any authority required under sub-section (1) may be granted subject to such conditions as may be prescribed by regulation."

Amendment of section 13 of Act 35 of 1948.

**2.** Section *thirteen* of the principal Act is hereby amended by the substitution for paragraph (f) of the following paragraph:

"(f) on such conditions as it may determine, to provide financial or other assistance in connection with the training of research and other workers in the field of atomic energy, in so far as in the opinion of the board may be necessary to ensure that a sufficient number of trained persons will be available to enable the board to perform its functions, and to undertake, initiate or make grants in aid of research in connection with the extraction, recovery, refinement or processing of prescribed or restricted materials or the production of atomic energy; and"

Substitution of section 16 of Act 35 of 1948, as amended by section 6 of Act 18 of 1952, section 4 of Act 11 of 1956 and section 1 of Act 35 of 1959.

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

"Finances of the board. **16.** (1) The funds of the board shall consist of—

- (a) moneys voted annually by Parliament for the purpose of enabling the board to perform its functions, other than the functions performed by virtue of the powers conferred on it by paragraph (f) of section *thirteen*;
  - (b) moneys voted annually by Parliament or donations received for the purpose of enabling the board to exercise the said powers;
  - (c) interest derived from investments made in terms of paragraph (c) of sub-section (5), and moneys acquired from the disposal or use of any property or product derived from the employment of the funds referred to in paragraph (b) of this sub-section.
- (2) (a) The financial year of the board shall terminate on the thirty-first day of March in each year, and the board shall keep a proper record of all its financial transactions, and such records as shall at all times reflect the stocks of prescribed materials, restricted materials, radioactive isotopes and equipment in its custody, as well as all its transactions in such materials, isotopes and equipment.
- (b) The board shall as soon as possible after the end of each financial year prepare separate accounts of its revenue and expenditure for such year, including a balance sheet of its assets and liabilities as at the thirty-first day of March, in respect of—
- (i) the moneys referred to in paragraph (a) of sub-section (1); and
  - (ii) the moneys referred to in paragraphs (b) and (c) of that sub-section.

# WET

## Tot wysiging van die Wet op Atoomkrag, 1948.

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 16 Junie 1961.)

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

1. Artikel *drie* van die Wet op Atoomkrag, 1948 (hieronder die Hoofwet genoem), word hierby gewysig—
  - (a) deur in sub-paragraaf (iii) van paragraaf (c) van sub-artikel (1) na die woord „gebruik” die woorde „of vervoer of laat vervoer” in te voeg; en
  - (b) deur sub-artikel (2) deur die volgende sub-artikel te vervang:
 

“(2) ’n Ingevolge sub-artikel (1) vereiste magtiging kan op die by regulasie voorgeskrewe voorwaardes verleen word.”.

Wysiging van artikel 3 van Wet 35 van 1948, soos gewysig deur artikel 1 van Wet 18 van 1952 en artikel 1 van Wet 27 van 1958
  
2. Artikel *dertien* van die Hoofwet word hierby gewysig deur paragraaf (f) deur die volgende paragraaf te vervang:
 

„(f) om op die voorwaardes wat hy bepaal geldelike of ander hulp te verleen in verband met die opleiding van navorsers en ander werkers op die gebied van atoomkrag, vir sover dit volgens die oordeel van die raad nodig mag wees ten einde te verseker dat ’n voldoende aantal opgeleide persone beskikbaar sal wees om die raad in staat te stel om sy werksaamhede te verrig, en om navorsing in verband met die ekstrahering, winning, raffinering of verwerking van voorgeskrewe of beperkte materiaal of die voortbring van atoomkrag te onderneem of op tou te sit of hulptoelae daarvoor toe te staan; en”.

Wysiging van artikel 13 van Wet 35 van 1948.
  
3. (1) Artikel *sestien* van die Hoofwet word hierby deur die volgende artikel vervang:
 

„Finansies van die raad. 16. (1) Die fondse van die raad bestaan uit—

  - (a) gelde wat die Parlement jaarliks bewillig ten einde die raad in staat te stel om sy werksaamhede te verrig, behalwe die werksaamhede wat uit hoofde van die bevoegdheid aan hom verleen by paragraaf (f) van artikel *dertien* verrig word;
  - (b) gelde wat die Parlement jaarliks bewillig of skenkings wat ontvang word ten einde die raad in staat te stel om bedoelde bevoegdhede uit te oefen;
  - (c) rente verkry uit beleggings ingevolge paragraaf (c) van sub-artikel (5) gemaak, en gelde verkry uit die beskikking oor of gebruik van eiendom of produkte verkry uit die aanwending van die fondse in paragraaf (b) van hierdie sub-artikel bedoel.

(2) (a) Die boekjaar van die raad eindig op die een-en-dertigste dag van Maart elke jaar, en die raad moet van al sy geldelike transaksies behoorlik boekhou, en aantekeninge hou wat te alle tye die voorraad voorgeskrewe materiaal, beperkte materiaal, radio-aktiewe isotope en toerusting in sy bewaring aandui, asook al sy transaksies in sodanige materiaal, isotope en toerusting.

(b) Die raad moet so gou moontlik na die end van elke boekjaar afsonderlike rekenings opstel van sy inkomste en uitgawes vir daardie jaar, met inbegrip van ’n balansstaat van sy bates en laste op die een-en-dertigste dag van Maart, ten opsigte van—

  - (i) die gelde in paragraaf (a) van sub-artikel (1) bedoel; en
  - (ii) die gelde in paragrafe (b) en (c) van daardie sub-artikel bedoel.

Vervanging van artikel 16 van Wet 35 van 1948, soos gewysig deur artikel 6 van Wet 18 van 1952, artikel 4 van Wet 11 van 1956 en artikel 1 van Wet 35 van 1959.

(3) The board shall at the end of each financial year pay into the Consolidated Revenue Fund any moneys referred to in paragraph (a) of sub-section (1) which have not been utilized.

(4) (a) The proceeds derived from the sale of prescribed materials and radioactive isotopes which the board is entitled to sell, and any royalties or other moneys, excluding the interest and moneys referred to in paragraph (c) of sub-section (1), received by the board, shall be paid into the Consolidated Revenue Fund: Provided that—

- (i) subject to the approval of the Minister of Finance, payment for any prescribed material produced in pursuance of authority granted under paragraph (a) of sub-section (1) of section *three* or in terms of any agreement entered into in terms of section *six* or any arrangement made under section *seven* may be made from the proceeds derived by the board from the disposal of such prescribed material;
  - (ii) any royalties or other moneys received in connection with any operations carried on in the territory of South-West Africa shall be paid over to the Administration of that territory;
  - (iii) the board may retain any advance payments received by it in connection with the sale of prescribed material produced under an agreement entered into in terms of section *six*, and may pay any portion thereof to any mine owner who is or was engaged in the mining or extraction of prescribed material on behalf of the Minister;
  - (iv) the board may, with the approval of the Minister given in consultation with the Minister of Finance, refund such advance payments and may pay interest on the whole or any part of such advance payments at such rate as may be so approved;
  - (v) the board shall invest with the Public Debt Commissioners so much of such advance payments received by it as are not required for immediate use; and
  - (vi) the board shall at the end of each financial year prepare a statement of the interest payable on such advance payments and of the interest receivable by it on such investments in respect of that financial year, and the difference between the interest receivable and the interest payable shall, in the case of a surplus, be paid into the Consolidated Revenue Fund or, in the case of a deficit, be met from moneys appropriated by Parliament for the purpose.
- (b) The Minister of Finance may on behalf of the Union Government guarantee the due performance by the board of its obligations in respect of advance payments for prescribed material under any agreement entered into by the board.

(5) The board shall—

- (a) open an account with a bank approved by the Minister and, subject to the provisions of sub-section (4), deposit therein all moneys received from any source;
- (b) credit to an account to be known as the Atomic Energy Research Account all moneys referred to in paragraphs (b) and (c) of sub-section (1), and defray from that account all expenditure incurred by the board in the exercise of its powers referred to in paragraph (f) of section *thirteen*;

(3) Die raad moet aan die end van elke boekjaar enige gelde in paragraaf (a) van sub-artikel (1) bedoel, wat nie gebruik is nie, in die Gekonsolideerde Inkomstefonds stort.

(4) (a) Die opbrengste verkry uit die verkoop van voorgeskrewe materiaal en radio-aktiewe isotope wat die raad geregtig is om te verkoop, en enige tantième en ander gelde, uitgesonderd die rente en gelde in paragraaf (c) van sub-artikel (1) bedoel, deur die raad ontvang, moet in die Gekonsolideerde Inkomstefonds gestort word: Met dien verstande dat—

- (i) onderworpe aan die goedkeuring van die Minister van Finansies, betaling vir voorgeskrewe materiaal voortgebring uit hoofde van magtiging kragtens paragraaf (a) van sub-artikel (1) van artikel drie verleen of ingevolge 'n ooreenkoms kragtens artikel ses aangegaan of 'n reëling kragtens artikel sewe getref, uit die opbrengste deur die raad uit die beskikking oor sodanige voorgeskrewe materiaal verkry, gemaak kan word;
  - (ii) enige tantième of ander gelde ontvang in verband met enige werksaamhede in die gebied Suidwes-Afrika uitgevoer, aan die Administrasie van daardie gebied oorbetaal moet word;
  - (iii) die raad enige vooruitbetalings deur hom ontvang in verband met die verkoop van voorgeskrewe materiaal wat voortgebring word ingevolge 'n ooreenkoms kragtens artikel ses aangegaan, agterweë kan hou en enige deel daarvan kan betaal aan 'n myneienaar wat met die ontginning of ekstrahering van voorgeskrewe materiaal ten behoeve van die Minister besig is of was;
  - (iv) die raad, met goedkeuring deur die Minister in oorleg met die Minister van Finansies verleen, sodanige vooruitbetalings kan terugbetaal en daarop of op enige deel daarvan rente kan betaal teen die koers wat aldus goedgekeur word;
  - (v) die raad soveel van sodanige vooruitbetalings deur hom ontvang as wat nie vir onmiddellike gebruik nodig is nie, by die Openbare Skuldkommissaris moet belê; en
  - (vi) die raad aan die end van elke boekjaar 'n staat moet opstel van die rente op sodanige vooruitbetalings betaalbaar en van die rente wat hy op sodanige beleggings moet kry ten opsigte van daardie boekjaar, en die verskil tussen die rente wat hy moet kry en die rente wat hy moet betaal, word, ingeval van 'n oorskot, in die Gekonsolideerde Inkomstefonds gestort, en ingeval van 'n tekort, betaal uit gelde wat die Parlement vir die doel bewillig.
- (b) Die Minister van Finansies kan namens die Unieregering die behoorlike nakoming waarborg deur die raad van sy verpligtings ten opsigte van vooruitbetalings vir voorgeskrewe materiaal ingevolge enige ooreenkoms deur die raad aangegaan.

(5) Die raad moet—

- (a) by 'n bank wat die Minister goedkeur 'n rekening open en, onderworpe aan die bepalinge van sub-artikel (4), daarin alle gelde stort wat hy uit enige bron ontvang;
- (b) 'n rekening bekend as die Atoomkragnavorsingsrekening met al die in paragrawe (b) en (c) van sub-artikel (1) bedoelde gelde krediteer, en uit daardie rekening alle uitgawes bestry wat die raad by die uitoefening van sy in paragraaf (f) van artikel dertien bedoelde bevoegdhede aangaan;

- (c) subject to the provisions of paragraphs (d) and (e), invest with the Public Debt Commissioners any moneys standing to the credit of the Atomic Energy Research Account which are not required for immediate use;
- (d) refund to the donor so much of any amount donated to the board in terms of paragraph (b) of sub-section (1) as may not have been utilized for the purposes agreed to by the donor or as may be surplus to the requirements of the board for such purposes;
- (e) pay into the Consolidated Revenue Fund the balance of the moneys referred to in paragraph (b) of sub-section (1) which have been voted by Parliament and which are surplus to the requirements of the board, in the event of the board ceasing finally to exercise the powers conferred upon it by paragraph (f) of section *thirteen*.

(6) The accounts of the board shall be audited by the Controller and Auditor-General.

(7) As soon as may be after completion of an audit the Controller and Auditor-General shall transmit a copy of his report on such audit to the Governor-General."

(2) Paragraphs (d) and (e) of sub-section (5) of section *sixteen* of the principal Act as substituted by sub-section (1) of this section shall be deemed to have come into operation on the first day of April, 1959, and the other provisions of the said section shall be deemed to have come into operation on the first day of January, 1961.

Amendment of section 17 of Act 35 of 1948.

4. Section *seventeen* of the principal Act is hereby amended by the deletion of the words "and in consultation with the Council for Scientific and Industrial Research, and (in the case of radioactive isotopes) through the said Council".

Amendment of section 19 of Act 35 of 1948, as amended by section 1 of Act 8 of 1950, section 7 of Act 18 of 1952 and section 5 of Act 11 of 1956.

5. Section *nineteen* of the principal Act is hereby amended—

- (a) by the substitution in paragraph (a) of sub-section (1) for the words "processing or use of prescribed material or the production of atomic energy (but not including an invention relating to prospecting or mining for or the treatment of ores containing such material)" of the words "production of atomic energy or the processing, concentration, purification or use of prescribed material or ores containing such material or to prospecting or mining for or the treatment of such material or ores", and the insertion in that paragraph after the word "forthwith" of the words "in writing advise the board of the lodging by him of such application and (except in the case of an application relating to prospecting or mining for or the treatment of ores containing such material) at the same time";
- (b) by the substitution in paragraph (b) of that sub-section for the words following the word "lodged" of the words "in the patent office which appears to him to relate to any such invention as is referred to in paragraph (a)";
- (c) by the substitution for paragraph (d) of that sub-section of the following paragraph:
  - "(d) the registrar shall—
    - (i) defer acceptance of any application for a patent in respect of any such invention for a period of three months from the date upon which such application is lodged in the patent office, and for such further period thereafter as the board may in writing direct;
    - (ii) at the written request of the board, and until the board otherwise directs, withhold acceptance or sealing of any such invention (not being an invention relating to prospecting or mining for or the treatment of ores containing prescribed material) and keep secret the specification thereof and the manner in which it is to be performed, and notify the applicant accordingly; and
    - (iii) at the written request of the board, and until the board otherwise directs, keep secret any such invention (not being an invention



- (c) behoudens die bepalings van paragrafe (d) en (e), enige gelde waarmee die Atoomkragnavorsingsrekening gekrediteer is, en wat nie vir onmiddellike gebruik nodig is nie, by die Openbare Skuldkommissarisse belê;
  - (d) soveel van enige bedrag ingevolge paragraaf (b) van sub-artikel (1) aan die raad geskenk, as wat nie vir doeleindes waartoe die skenker ingestem het, aangewend is nie, of as wat die raad se benodigdhede vir daardie doeleindes te bowe gaan, aan die skenker terugbetaal;
  - (e) die oorblywende bedrag van die gelde in paragraaf (b) van sub-artikel (1) bedoel, wat deur die Parlement bewillig is, en wat die raad se benodigdhede te bowe gaan, in die Gekonsolideerde Inkomstefonds stort indien die raad uiteindelik ophou om die by paragraaf (f) van artikel *dertien* aan hom verleende bevoegdhede uit te oefen.
- (6) Die reknings van die raad word deur die Kontroleur en Ouditeur-generaal geouditeer.
- (7) Die Kontroleur en Ouditeur-generaal stuur so gou doenlik na voltooiing van 'n oudit 'n afskrif van sy verslag oor daardie oudit aan die Goewerneur-generaal."

(2) Paragrafe (d) en (e) van sub-artikel (5) van artikel *sestien* van die Hoofwet, soos deur sub-artikel (1) van hierdie artikel vervang, word geag op die eerste dag van April 1959 in werking te getree het, en die ander bepalings van bedoelde artikel word geag op die eerste dag van Januarie 1961 in werking te getree het.

4. Artikel *sewentien* van die Hoofwet word hierby gewysig deur die woorde „en in oorleg met die Wetenskaplike en Nywerheidsnavorsingsraad, en (in die geval van radio-aktiewe isotope) deur bedoelde Raad” te skrap. Wysiging van artikel 17 van Wet 35 van 1948.

5. Artikel *negentien* van die Hoofwet word hierby gewysig— Wysiging van artikel 19 van Wet 35 van 1948, soos gewysig deur artikel 1 van Wet 8 van 1950, artikel 7 van Wet 18 van 1952, en artikel 5 van Wet 11 van 1956.
- (a) deur in paragraaf (a) van sub-artikel (1) die woorde „verwerking of gebruik van voorgeskrewe materiaal of die voortbrenging van atoomkrag (maar nie ook 'n uitvinding met betrekking tot prospektering vir of die ontginning of behandeling van erts wat sodanige materiaal bevat nie)” deur die woorde „voortbrenging van atoomkrag of die verwerking, konsentring, suiwering of gebruik van voorgeskrewe materiaal of erts wat sodanige materiaal bevat of tot prospektering vir of ontginning of behandeling van sodanige materiaal of erts” te vervang, en na die woord „onverwyld” die woorde „die raad skriftelik in kennis stel dat by bedoelde aansoek ingedien het en (behalwe in die geval van 'n aansoek met betrekking tot prospektering vir of die ontginning of behandeling van erts wat sodanige materiaal bevat) tegelykertyd” in te voeg;
  - (b) deur in paragraaf (b) van daardie sub-artikel die woorde na die woord „by” deur die woorde „die patentkantoor ingedien word en wat na dit hom voorkom op 'n in paragraaf (a) bedoelde uitvinding betrekking het” te vervang;
  - (c) deur paragraaf (d) van daardie sub-artikel deur die volgende paragraaf te vervang:
    - „(d) moet die registrateur—
      - (i) die aanname van 'n aansoek om 'n patent ten opsigte van so 'n uitvinding uitstel vir 'n tydperk van drie maande vanaf die datum waarop daardie aansoek by die patentkantoor ingedien word, en vir so 'n verdere tydperk daarna as wat die raad skriftelik gelas; en
      - (ii) op skriftelike versoek van die raad, en totdat die raad anders gelas, aanname of seëling van so 'n uitvinding (uitgesonderd 'n uitvinding met betrekking tot prospektering vir of die ontginning of behandeling van erts wat voorgeskrewe materiaal bevat) weerhou, en die spesifikasie daarvan en die wyse waarop dit toegepas word, geheim hou, en die applikant dienoreenkomstig in kennis stel; en
      - (iii) op skriftelike versoek van die raad, en totdat die raad anders gelas, so 'n uitvinding (uitgesonderd 'n uitvinding met betrekking tot

relating to prospecting or mining for or the treatment of ores containing prescribed material) received from a country outside the Union and the territory of South-West Africa, and the manner in which it is to be performed, whether or not a patent is granted in respect of that invention, and in connection with the grant of a patent in respect of such invention, dispense with such requirements of the Patents Act as the board may specify.”; and

(d) by the substitution for sub-section (3) of the following sub-section:

“(3) Notwithstanding anything contained in this section or the Patents Act—

(a) the board may, where an application has been made for a patent in respect of any invention referred to in this section (not being an invention relating to prospecting or mining for or the treatment of ores containing prescribed material), if it is satisfied in the light of any information available to it that the invention was known or used in the Union, whether secretly or otherwise, by the board or any person other than the applicant or his agents or the person or persons from whom the applicant derived his right or title, direct the registrar to refuse to grant the patent, and the registrar shall thereupon refuse to grant the patent and shall notify the applicant accordingly;

(b) any information by virtue of which the board is in terms of paragraph (a) empowered to direct the registrar to refuse to grant any such application may, if a patent has been granted in respect of the invention in question, be adduced by the board or any person against whom an action for infringement of such patent may be brought, as evidence that the invention was not new at the effective date of such application.”.

Amendment of section 24 of Act 35 of 1948, as amended by section 6 of Act 11 of 1956.

6. Section *twenty-four* of the principal Act is hereby amended by the insertion in paragraph (a) of sub-section (1) after the word “under” of the words “sub-paragraph (ii) of paragraph (d) of”.

Amendment of section 31 of Act 35 of 1948, as amended by section 7 of Act 11 of 1956.

7. Section *thirty-one* of the principal Act is hereby amended—

(a) by the deletion at the end of paragraph (b) of sub-section (1) of the word “and”; and

(b) by the insertion after paragraph (b) of that sub-section of the following paragraph, the existing paragraph (c) becoming paragraph (d):

“(c) the conditions upon which authority may be granted under sub-section (1) of section *three*, either generally or in respect of particular classes of persons or institutions; and”.

Short title.

8. This Act shall be called the Atomic Energy Amendment Act, 1961.

prospektering vir of die ontginning of behandeling van erts wat voorgeskrewe materiaal bevat) wat van 'n land buite die Unie en die gebied Suidwes-Afrika ontvang is, en die wyse waarop dit toegepas word, geheim hou, hetsy 'n patent ten opsigte van bedoelde uitvinding verleen word al dan nie, en, in verband met die verlening van 'n patent ten opsigte van so 'n uitvinding, die bepalinge van die Wet op Patente wat die raad mag spesifiseer, buite rekening laat.”; en

(d) deur sub-artikel (3) deur die volgende sub-artikel te vervang:

„(3) Ondanks enige bepaling in hierdie artikel of die Wet op Patente vervat—

(a) kan die raad, waar om 'n patent ten opsigte van 'n in hierdie artikel bedoelde uitvinding (uitgesonderd 'n uitvinding met betrekking tot prospektering vir of die ontginning of behandeling van erts wat voorgeskrewe materiaal bevat) aansoek gedoen is, en die raad, aan die hand van inligting tot sy beskikking oortuig is dat die uitvinding in die Unie bekend was of aangewend was, hetsy in die geheim of andersins, deur die raad of iemand anders as die applikant of sy agente of die persoon of persone van wie die applikant sy reg of aanspraak verkry het, die registrateur gelas om die verlening van die patent te weier, en moet die registrateur daarop weier om die patent te verleen en die applikant dienooreenkomstig in kennis stel;

(b) kan, indien 'n patent ten opsigte van die betrokke uitvinding verleen is, enige inligting op grond waarvan die raad ingevolge paragraaf (a) gemagtig is om die registrateur te gelas om te weier om so 'n aansoek toe te staan, deur die raad of iemand teen wie 'n geding weens inbreuk op so 'n patent ingestel word, aangevoer word as getuie dat die uitvinding op die geldingsdatum van die aansoek nie nuut was nie.”.

6. Artikel vier-en-twintig van die Hoofwet word hierby gewysig deur in paragraaf (a) van sub-artikel (1) na die woord „kragtens” die woorde „sub-paragraaf (ii) van paragraaf (d) van” in te voeg.

Wysiging van artikel 24 van Wet 35 van 1948, soos gewysig deur artikel 6 van Wet 11 van 1956.

7. Artikel een-en-dertig van die Hoofwet word hierby gewysig—

(a) deur aan die end van paragraaf (b) van sub-artikel (1) die woord „en” te skrap; en

(b) deur na paragraaf (b) van daardie sub-artikel die volgende paragraaf in te voeg, terwyl die bestaande paragraaf (c) paragraaf (d) word:

„(c) die voorwaardes waarop enige magtiging ingevolge sub-artikel (1) van artikel drie verleen kan word, hetsy in die algemeen of ten opsigte van bepaalde klasse persone of inrigtings; en”.

Wysiging van artikel 31 van Wet 35 van 1948, soos gewysig deur artikel 7 van Wet 11 van 1956.

8. Hierdie Wet heet die Wysigingswet op Atoomkrag, 1961. Kort titel.

No. 45, 1961.]

**ACT****To amend the Interpretation Act, 1957.***(English text signed by the State President.)  
(Assented to 16th June, 1961.)***BE IT ENACTED** by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—Amendment of  
section 1 of  
Act 33 of 1957.**1.** Section *one* of the Interpretation Act, 1957 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the word "Union" of the word "Republic".Amendment of  
section 2 of  
Act 33 of 1957.**2.** Section *two* of the principal Act is hereby amended—

- (a) by the substitution in the definition of "Administrator" for the words "establishment of the Union" of the words "thirty-first day of May, 1910";
- (b) by the substitution in paragraph (b) of the definition of "Gazette" for the word "Union" of the word "Republic" and for the words "South Africa Act, 1909" of the words "Republic of South Africa Constitution Act, 1961";
- (c) by the substitution in the definition of "Governor-General" for all the words following the word "means" of the words "the State President";
- (d) by the substitution in the definition of "Parliament" for the word "Union" of the word "Republic";
- (e) by the substitution in the definition of "province" for the word "Union" of the word "Republic";
- (f) by the substitution in the definition of "provincial council" for the words "South Africa Act, 1909" of the words "Republic of South Africa Constitution Act, 1961";
- (g) by the insertion after the definition of "provincial council" of the following definition:  
"State President" means the State President, including any Acting State President, acting by and with the advice of the Executive Council;";
- (h) by the insertion after the definition of "State President" of the following definition:  
"the Republic" means the territorial limits of the Republic of South Africa as constituted for the time being in accordance with the Republic of South Africa Constitution Act, 1961;"; and
- (i) by the substitution in the definition of "the Union" for all the words following the word "means" of the words "the Republic".

Substitution of  
section 9 of  
Act 33 of 1957.**3.** The following section is hereby substituted for section *nine* of the principal Act:

"Criminal proceedings purporting to be instituted in the name of the State, shall for all purposes be deemed to be instituted in the name of the Republic of South Africa."

Amendment of  
section 10 of  
Act 33 of 1957,  
as amended by  
section 1 of  
Act 7 of 1959.**4.** Section *ten* of the principal Act is hereby amended by the substitution in sub-section (4) and in sub-section (5) for the word "Governor-General" of the words "State President".Amendment of  
sections 15, 16  
and 17 of  
Act 33 of 1957.**5.** Sections *fifteen*, *sixteen* and *seventeen* of the principal Act are hereby amended by the substitution in each of those sections for the word "Governor-General" wherever it occurs of the words "State President".Amendment of  
section 18 of  
Act 33 of 1957.**6.** Section *eighteen* of the principal Act is hereby amended by the substitution for the words "establishment of the Union" of the words "thirty-first day of May, 1910" and for the words "South Africa Act, 1909" of the words "Republic of South Africa Constitution Act, 1961".

No. 45, 1961.]

# WET

## Tot wysiging van die Interpretasiewet, 1957.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 16 Junie 1961.)

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

1. Artikel *een* van die Interpretasiewet, 1957 (hieronder die Hoofwet genoem), word hierby gewysig deur die woord „Unie” deur die woord „Republiek” te vervang. Wysiging van artikel 1 van Wet 33 van 1957.
  
2. Artikel *twee* van die Hoofwet word hierby gewysig— Wysiging van artikel 2 van Wet 33 van 1957.
  - (a) deur in die omskrywing van „Administrateur” die woorde „totstandkoming van die Unie” deur die woorde „een-en-dertigste dag van Mei 1910” te vervang;
  - (b) deur na die omskrywing van „Administrateur” die volgende omskrywing in te voeg:  
„die Republiek” beteken die gebied van die Republiek van Suid-Afrika soos van tyd tot tyd ooreenkomsig die Grondwet van die Republiek van Suid-Afrika, 1961, daargestel;”
  - (c) deur in die omskrywing van „die Unie” al die woorde na die woord „beteken” deur die woorde „die Republiek” te vervang;
  - (d) deur in die omskrywing van „Goewerneur-generaal” al die woorde na die woord „beteken” deur die woorde „die Staatspresident” te vervang;
  - (e) deur in die omskrywing van „Parlement” die woord „Unie” deur die woord „Republiek” te vervang;
  - (f) deur in die omskrywing van „provinsiale raad” die woorde „Zuid-Afrika Wet, 1909” deur die woorde „Grondwet van die Republiek van Suid-Afrika, 1961” te vervang;
  - (g) deur in die omskrywing van „provinsie” die woord „Unie” deur die woord „Republiek” te vervang;
  - (h) deur in paragraaf (b) van die omskrywing van „Staatskoerant” die woord „Unie” deur die woord „Republiek” en die woorde „Zuid-Afrika Wet, 1909” deur die woorde „Grondwet van die Republiek van Suid-Afrika, 1961” te vervang; en
  - (i) deur na die omskrywing van „Staatskoerant” die volgende omskrywing in te voeg:  
„„Staatspresident” beteken die Staatspresident, en ook ’n Waarnemende Staatspresident, handelende op en volgens die advies van die Uitvoerende Raad;”.
  
3. Artikel *nege* van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 9 van Wet 33 van 1957.

9. Enige strafregtelike verrigtinge wat in die naam van die Staat ingestel word vir alle doeleindes geag in die naam van die Republiek van Suid-Afrika ingestel te wees.”
  
4. Artikel *tien* van die Hoofwet word hierby gewysig deur in sub-artikel (4) en in sub-artikel (5) die woord „Goewerneur-generaal” deur die woord „Staatspresident” te vervang. Wysiging van artikel 10 van Wet 33 van 1957, soos gewysig deur artikel 1 van Wet 7 van 1959.
  
5. Artikels *vyftien*, *sestien* en *sewentien* van die Hoofwet word hierby gewysig deur in elk van daardie artikels die woord „Goewerneur-generaal” waar dit ook al voorkom deur die woord „Staatspresident” te vervang. Wysiging van artikels 15, 16 en 17 van Wet 33 van 1957.
  
6. Artikel *agtien* van die Hoofwet word hierby gewysig deur die woorde „totstandkoming van die Unie” deur die woorde „een-en-dertigste dag van Mei 1910” en die woorde „Zuid-Afrika Wet, 1909” deur die woorde „Grondwet van die Republiek van Suid-Afrika, 1961” te vervang. Wysiging van artikel 18 van Wet 33 van 1957.

Amendment of  
section 19 of  
Act 33 of 1957.

7. Section *nineteen* of the principal Act is hereby amended—

- (a) by the substitution for the words "South Africa Act, 1909" of the words "Republic of South Africa Constitution Act, 1961";
- (b) by the substitution in the definition of "Publieke Aanklager" for the word "Crown" of the word "State";
- (c) by the substitution in the definition of "Staats President" for the words "Governor-General of the Union" of the words "State President of the Republic"; and
- (d) by the substitution for the word "Queen" of the word "State".

Amendment of  
section 21 of  
Act 33 of 1957.

8. Section *twenty-one* of the principal Act is hereby amended by the substitution in the definition of "President" or "Staats-president" for the word "Governor-General" of the words "State President of the Republic".

Short title  
and commence-  
ment.

9. This Act shall be called the Interpretation Amendment Act, 1961, and shall be deemed to have come into operation on the thirty-first day of May, 1961.

7. Artikel *negentien* van die Hoofwet word hierby gewysig— Wysiging van
- (a) deur die woorde „Zuid-Afrika Wet, 1909” deur die woorde „Grondwet van die Republiek van Suid-Afrika, 1961” te vervang; artikel 19 van Wet 33 van 1957.
  - (b) deur in die omskrywing van „Publieke Aanklager” die woord „Kroon” deur die woord „Staat” te vervang;
  - (c) deur in die omskrywing van „Staats President” die woorde „Goewerneur-generaal van die Unie” deur die woorde „Staatspresident van die Republiek” te vervang; en
  - (d) deur die woord „Koningin” deur die woord „Staat” te vervang.

8. Artikel *een-en-twintig* van die Hoofwet word hierby gewysig deur in die omskrywing van „President” of „Staatspresident” die woord „Goewerneur-generaal” deur die woorde „Staatspresident van die Republiek” te vervang. Wysiging van artikel 21 van Wet 33 van 1957.

9. Hierdie Wet heet die Wysigingswet op Interpretasie, 1961, en word geag op die een-en-dertigste dag van Mei 1961 in werking te getree het. Kort titel en inwerkingtreding.

No. 46, 1961.]

**ACT****To amend the Universities Act, 1955.***(Afrikaans text signed by the State President.)  
(Assented to 16th June, 1961.)***BE IT ENACTED** by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 15 of Act 61 of 1955, as amended by section 3 of Act 82 of 1959.

**1.** Section *fifteen* of the Universities Act, 1955 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the insertion after paragraph (a) of sub-section (3) of the following paragraph:

“(a)bis the Committee of Principals, appointed by such Committee;” and

(b) by the insertion in sub-section (6) after the word “Board”, where it occurs for the second time, of the words “and such other fees as may be so prescribed for any certificate issued or information furnished in respect of any examination conducted by it or the result of any such examination”.

Amendment of section 16dec. of Act 61 of 1955, as inserted by section 4 of Act 82 of 1959.

**2.** Section *sixteen dec.* of the principal Act is hereby amended by the addition thereto of the following sub-section, the existing section becoming sub-section (1):

“(2) The Secretary of the Department of Education, Arts and Science may with the approval of the Treasury fix the examination fees payable by candidates before their admission to any examination conducted by the recognition board, and the fees payable for any diploma or certificate issued or information furnished in respect of any such examination or the result of any such examination.”.

Amendment of section 16tredec. of Act 61 of 1955, as inserted by section 4 of Act 82 of 1959.

**3.** Section *sixteen tredec.* of the principal Act is hereby amended—

(a) by the substitution for the expression “(iii) or (v)” of the expression “or (iii)” and

(b) by the addition thereto of the following sub-section, the existing section becoming sub-section (1):

“(2) The recognition board shall until a date to be prescribed by regulation under section *twenty-eight* conduct the examination mentioned in sub-paragraph (v) of paragraph (a) of sub-section (1) of section *sixteen duodec.*”.

Amendment of section 16quattuordec. of Act 61 of 1955, as inserted by section 4 of Act 82 of 1959.

**4.** Section *sixteen quattuordec.* of the principal Act is hereby amended by the addition thereto of the following sub-section, the existing section becoming sub-section (1):“(2) No candidate shall be admitted to any such examination unless he has paid the appropriate examination fee fixed in terms of sub-section (2) of section *sixteen dec.*”.

Amendment of section 23bis of Act 61 of 1955, as inserted by section 6 of Act 82 of 1959.

**5.** Section *twenty-three bis* of the principal Act is hereby amended by the deletion of sub-section (2).

Short title.

**6.** This Act shall be called the Universities Amendment Act, 1961.



No. 46, 1961.]

# WET

## Tot wysiging van die Wet op Universiteite, 1955.

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 16 Junie 1961.)

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

1. Artikel *vyftien* van die Wet op Universiteite, 1955 (hieronder die Hoofwet genoem), word hierby gewysig —
  - (a) deur na paragraaf (a) van sub-artikel (3) die volgende paragraaf in te voeg:  
„(a)bis die Komitee van Hoofde, aangestel deur die Komitee;” en
  - (b) deur in sub-artikel (6), na die woord „voorgeskryf”, die volgende woorde in te voeg: „en die ander gelde wat aldus voorgeskryf word vir ’n sertifikaat uitgereik of inligting verstrek ten opsigte van ’n eksamen deur hom afgeneem of die uitslag van so ’n eksamen,”.

Wysiging van artikel 15 van Wet 61 van 1955, soos gewysig by artikel 3 van Wet 82 van 1959.
  
2. Artikel *sestien dec.* van die Hoofwet word hierby gewysig deur die volgende sub-artikel daarby te voeg, terwyl die bestaande artikel sub-artikel (1) word:
  - „(2) Die Sekretaris van die Departement van Onderwys, Kuns en Wetenskap kan met die goedkeuring van die Tesourie die eksamengelde vasstel wat deur kandidate betaalbaar is vóór hul toelating tot ’n eksamen wat die erkenningsraad afneem, asook die gelde wat betaalbaar is vir ’n diploma of sertifikaat uitgereik of inligting verstrek ten opsigte van so ’n eksamen of die uitslag van so ’n eksamen.”.

Wysiging van artikel 16dec. van Wet 61 van 1955, soos ingevoeg by artikel 4 van Wet 82 van 1959.
  
3. Artikel *sestien tredec.* van die Hoofwet word hierby gewysig—
  - (a) deur die uitdrukking „(iii) of (v)” te vervang deur die uitdrukking „of (iii)” en
  - (b) deur die volgende sub-artikel daarby te voeg, terwyl die bestaande artikel sub-artikel (1) word:
    - „(2) Die erkenningsraad moet tot op ’n datum wat by regulasie kragtens artikel *ag-en-twintig* voorgeskryf moet word, die eksamen vermeld in sub-paragraaf (v) van paragraaf (a) van sub-artikel (1) van artikel *sestien duodec.* afneem.”.

Wysiging van artikel 16tredec. van Wet 61 van 1955, soos ingevoeg by artikel 4 van Wet 82 van 1959.
  
4. Artikel *sestien quattuordec.* van die Hoofwet word hierby gewysig deur die volgende sub-artikel daarby te voeg, terwyl die bestaande artikel sub-artikel (1) word:
  - „(2) Geen kandidaat word tot so ’n eksamen toegelaat nie tensy hy die toepaslike eksamengeld vasgestel ingevolge sub-artikel (2) van artikel *sestien dec.* betaal het.”.

Wysiging van artikel 16quattuordec. van Wet 61 van 1955, soos ingevoeg by artikel 4 van Wet 82 van 1959.
  
5. Artikel *drie-en-twintig bis* van die Hoofwet word hierby gewysig deur sub-artikel (2) te skrap.
 

Wysiging van artikel 23bis van Wet 61 van 1955, soos ingevoeg by artikel 6 van Wet 82 van 1959.
  
6. Hierdie Wet heet die Wysigingswet op Universiteite, 1961. Kort titel.

No. 47, 1961.]

**ACT****To amend the Diamond Export Duty Act, 1957, and to provide for other incidental matters.***(English text signed by the State President.)**(Assented to 16th June, 1961.)***BE IT ENACTED** by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 6 of Act 16 of 1957.

**1.** Section *six* of the Diamond Export Duty Act, 1957 (hereinafter referred to as the principal Act), is hereby amended by the addition at the end thereof of the following sub-section:

“(4) The duty shall not be leviable in respect of any diamond found in a mine as defined in section *one hundred and sixteen* of the Precious Stones Act, 1927 (Act No. 44 of 1927)—

- (a) if, on a date prior to the registration of the diamond for export, the Minister of Finance has informed the commissioner that in his opinion such mine cannot be profitably worked or developed owing to unfavourable economic or mining conditions but should in the public interest be worked or developed, and the said Minister has not subsequently, prior to such registration, expressed to the commissioner an opinion to the contrary; and
- (b) if the diamond is to be exported by or on behalf of the producer or has been sold on behalf of the producer by the Diamond Producers' Association for the purposes of export.”

Amendment of section 7 of Act 16 of 1957.

**2.** Section *seven* of the principal Act is hereby amended by the insertion in paragraph (a) of sub-section (1) after the word “payable” of the words “or in respect of which exemption from duty is claimed in terms of sub-section (4) of section *six*” and after the word “made” of the words “or from whom such exemption is claimed”.

Refunds of diamond export duty.

**3.** If the Minister of Finance informs the Commissioner for Inland Revenue that owing to unfavourable economic or mining conditions any mine as defined in section *one hundred and sixteen* of the Precious Stones Act, 1927 (Act No. 44 of 1927), could not in his opinion have been profitably worked or developed during any specified period between the 31st December, 1960, and the date of commencement of this Act, and that it was in the public interest to work or develop such mine during such period, the said Commissioner shall refund to the exporter of any diamond found in that mine any diamond export duty paid under the provisions of the principal Act in respect of such diamond if, during the said period, it was exported by or on behalf of the producer or was sold on behalf of the producer by the Diamond Producers' Association for the purposes of export.

Short title.

**4.** This Act shall be called the Diamond Export Duty Amendment Act, 1961.

No. 47, 1961.]

# WET

Tot wysiging van die Wet op Uitvoerbelasting op Diamante, 1957, en om voorsiening te maak vir ander aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 16 Junie 1961.)

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

1. Artikel *ses* van die Wet op Uitvoerbelasting op Diamante, 1957 (hieronder die Hoofwet genoem), word hierby gewysig deur die volgende sub-artikel aan die end daarvan by te voeg: Wysiging van artikel 6 van Wet 16 van 1957.

„(4) Die belasting is nie hefbaar ten aansien van 'n diamant gevind in 'n myn soos omskryf in artikel *honderden-sesstien* van die Wet op Edelgesteentes, 1927 (Wet No. 44 van 1927), nie—

(a) indien, op 'n datum voor die registrasie van die diamant vir uitvoer, die Minister van Finansies die kommissaris meegedeel het dat na sy mening daardie myn weens ongunstige ekonomiese of mynboutoestande nie winsgewend ontgin of ontwikkel kan word nie maar in die openbare belang ontgin of ontwikkel behoort te word, en genoemde Minister nie daarna, voor sodanige registrasie, 'n ander mening teenoor die kommissaris uitgespreek het nie; en

(b) indien die diamant deur of ten behoeve van die produsent uitgevoer gaan word of ten behoeve van die produsent deur die Vereniging van Diamantprodusente vir uitvoerdoeleindes verkoop is.”

2. Artikel *sewe* van die Hoofwet word hierby gewysig deur in paragraaf (a) van sub-artikel (1) na die woorde „betaalbaar is” die woorde „of ten aansien waarvan vrystelling van belasting ingevolge sub-artikel (4) van artikel *ses* aangevra word,” en na die woorde „betaal word” die woorde „of by wie om sodanige vrystelling aanvraag gedoen word” in te voeg. Wysiging van artikel 7 van Wet 16 van 1957.

3. Indien die Minister van Finansies die Kommissaris van Binnelandse Inkomste meedeel dat weens ongunstige ekonomiese of mynboutoestande 'n myn soos omskryf in artikel *honderden-sesstien* van die Wet op Edelgesteentes, 1927 (Wet No. 44 van 1927), nie na sy mening winsgewend ontgin of ontwikkel kon word gedurende 'n bepaalde tydperk tussen 31 Desember 1960 en die datum van inwerkingtreding van hierdie Wet nie, en dat dit in die openbare belang was om die myn gedurende daardie tydperk te ontgin of te ontwikkel, moet genoemde Kommissaris aan die uitvoerder van 'n diamant in daardie myn gevind, enige uitvoerbelasting wat ten aansien van daardie diamant kragtens die bepalings van die Hoofwet betaal is, terugbetaal, indien gedurende genoemde tydperk die diamant deur of ten behoeve van die produsent uitgevoer was of ten behoeve van die produsent deur die Vereniging van Diamantprodusente vir uitvoerdoeleindes verkoop was. Terugbetaling van uitvoerbelasting op diamante.

4. Hierdie Wet heet die Wysigingswet op Uitvoerbelasting Kort titel op Diamante, 1961.