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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1909.

12 September 1986

No. 1909.

12 September 1986

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

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

No. 97 van 1986: Wet op die Oordrag van Bevoegdhede en Pligte van die Staatspresident, 1986.

No. 97 of 1986: Transfer of Powers and Duties of the State President Act, 1986.

TRANSFER OF POWERS AND DUTIES OF THE STATE PRESIDENT
ACT, 1986

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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 certain laws so as to vest certain functions presently assigned to the State President, in the respective Ministers of State who are charged with the administration of those laws; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 9 September 1986.)*

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

1. The power conferred under section 3 (1) of "The Outspans Act, 1902" (Act No. 41 of 1902), to the Governor referred to therein, shall as from the commencement of this Act be exercised by the Minister of Public Works.

Certain power in "The Outspans Act, 1902", to be exercised by Minister of Public Works.

2. Section 6 of the Agricultural Holdings (Transvaal) Registration Act, 1919, is hereby amended by the substitution for subsection (4) of the following subsection:

Amendment of section 6 of Act 22 of 1919, as substituted by section 1 of Act 19 of 1929.

10 "(4) If any portion of land in respect of which the certificate has been cancelled has been transferred to the **[Governor-General] State President** under section 3, the **[Governor-General] Minister** may, on the application of the person by whom it was so transferred, cause such land to be retransferred to the said person, subject to such conditions as he may deem it expedient to impose."

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3. Section 3 of the Defence Endowment Property and Account Act, 1922, is hereby amended—

Amendment of section 3 of Act 33 of 1922, as amended by section 1 of Act 17 of 1929 and section 1 of Act 43 of 1954.

20 (a) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:
 "(2) Whenever the Minister of Defence **[certifies under his hand]** is of the opinion that any endowment property is not required or is not likely to be required

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5 for the purpose of the **[Union Defence Forces, the Governor-General]** South African Defence Force, he may, subject to the provisions of this Act and notwithstanding anything contained in any law relating to the disposal of **[Crown]** State land—"; and

(b) by the substitution for subsection (2)*bis* of the following subsection:

10 "(2)*bis* Whenever the Minister of Defence **[certifies under his hand]** is of the opinion that the construction or erection by any department of State (including the **[Railways and Harbours Administration]** South African Transport Services or a provincial administration) or any person, of any pipe, power, telegraph or telephone line on, over or under any endowment property will not or is not likely to prevent or unduly hamper the use of such property by the **[Union Defence Forces, the Governor-General]** South African Defence Force, he may, notwithstanding anything contained in any law relating to the disposal of **[Crown]** State land, grant to that department of State or to that person such servitude over such property as may be necessary to enable that department of State or that person to construct or erect such pipe, power, telegraph or telephone line on, over or under such property."

25 4. Section 8 of the Land Survey Act, 1927, is hereby amended by the substitution for the proviso of the following proviso:

30 "Provided that a regulation made by the Minister shall not repeal or be inconsistent with any regulation made by the survey regulations board and approved **[by the State President]** in terms of section 6 (6)."

Amendment of section 8 of Act 9 of 1927, as substituted by section 8 of Act 71 of 1972.

5. Section 94 of the Workmen's Compensation Act, 1941, is hereby amended by the substitution for subsection (2) of the following subsection:

35 "(2) The **[State President]** Minister may, by **[proclamation]** notice in the *Gazette*, amend the said Schedule in accordance with any such recommendation: Provided that not less than three months before the publication of such **[proclamation]** notice there was published in the *Gazette* a notice—

Amendment of section 94 of Act 30 of 1941, as amended by section 19 of Act 7 of 1961.

40 (a) of the intention to publish **[such proclamation]** the said notice and of its proposed contents; and

(b) inviting any person who objects to the publication of **[such proclamation]** the said notice to lodge an objection thereto in writing with the commissioner."

45 6. Section 65 of the Land Bank Act, 1944, is hereby amended by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

50 "(1) The managing director shall, within three months after the thirty-first day of December in each year, transmit to the Minister, to be **[laid before the State President and]** published in the *Gazette*, a statement of account showing—"

Amendment of section 65 of Act 13 of 1944, as amended by section 9 of Act 13 of 1953, section 12 of Act 46 of 1965, section 16 of Act 31 of 1969 and Proclamation 147 of 1979.

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7. Section 6 of the Carriage by Air Act, 1946, is hereby amended by the substitution in the Afrikaans text for the word "Staatspresident" of the word "Minister".
- Amendment of section 6 of Act 17 of 1946, as amended by section 4 of Act 5 of 1964.
8. Section 5 of the Diplomatic Privileges Act, 1951, is hereby amended by the substitution in subsection (1) for the words preceding paragraph (i) of the following words:
- Amendment of section 5 of Act 71 of 1951.
- "(1) Subject to the provisions of subsection (3), the **[Governor-General] Minister** may, with the concurrence of the Minister of Finance, exempt persons entitled to immunity under section 2 from taxes, duties, fees, rates or other charges levied by the State, a provincial administration, a local authority or a statutory public utility corporation upon—".
9. The following section is hereby substituted for section 6 of the Diplomatic Privileges Act, 1951:
- Substitution of section 6 of Act 71 of 1951, as amended by section 4 of Act 61 of 1978.
6. (1) The **[State President] Minister** may, with the concurrence of the Minister of Finance and subject to the provisions of subsection (2), exempt any Government or any organization or institution recognized by **[the Minister] him** under section 2, from the payment of transfer duty or any other duties, fees, charges or other taxes payable to the Government of the Republic or any provincial administration or local authority in connection with the transfer of any immovable property acquired by that Government or organization or institution for official purposes in the Republic, as well as from the payment of rates, taxes, fees or other charges levied on or in connection with such property.
- (2) The **[Governor-General] Minister** shall only grant exemption in terms of subsection (1) to a Government if he is satisfied that reciprocal treatment is or would be accorded to the Government of the **[Union] Republic** by such Government."
10. Section 60 of the Water Act, 1956, is hereby amended by the substitution for the proviso to subsection (4) of the following proviso:
- Amendment of section 60 of Act 54 of 1956, as substituted by section 8 of Act 45 of 1972 and amended by section 10 of Act 42 of 1975, section 41 of Act 63 of 1975 and section 7 of Act 92 of 1980.
- "Provided that the Minister shall not exercise any powers vested in him by this section in respect of any property in such area, except with the **[approval] concurrence of the [State President] Minister of Constitutional Development and Planning**."
11. Section 72 of the Water Act, 1956, is hereby amended by the substitution for subsection (3) of the following subsection:
- Amendment of section 72 of Act 54 of 1956, as amended by section 27 of Act 96 of 1984.
- "(3) (a) After completion of any such enquiry the Minister may in his discretion **[recommend to the Governor-General that]** by notice in the *Gazette* declare the area specified in the petition in question or such other area as he may determine **[be declared]** an irrigation district under a name mentioned in the notice if he is satisfied—
- (i) that not less than two-thirds of the owners of land situated within the area so specified or within such other area, as the case may be, who together own

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- not less than two-thirds of the land irrigated and proposed to be irrigated within such area; and
- (ii) where an area served by a tributary stream is **[to be]** included in any such area, that not less than two-thirds of the owners of land so served, who together own not less than two-thirds of the land irrigated and proposed to be irrigated from such stream, in the area in question, are in favour of the declaration of such irrigation district.
- (b) **[A recommendation under this section may include a recommendation that] The Minister may in a notice under paragraph (a) divide the area [to be] declared an irrigation district, [be divided] into sub-districts [as specified in the recommendation] and define the area of each such sub-district."**

12. The following section is hereby substituted for section 73 of the Water Act, 1956:

Substitution of section 73 of Act 54 of 1956.

- 20 "Constitution of irrigation district otherwise than on petition of owners.
- 25 73. The Minister may at any time of his own motion **[recommend to the Governor-General that] by notice in the Gazette declare any area which has under section 59 been declared to be a Government water control area or a catchment control area, or any portion of any such area, or any other area (which may include any such Government water control area or catchment control area or any portion of any such area) [be declared] which is specified in the notice, to be an irrigation district under a name mentioned in the notice and in such a notice divide an area so declared to be an irrigation district into sub-districts and define the area of each such sub-district."**
- 30

13. Section 74 of the Water Act, 1956, is hereby repealed.

Repeal of section 74 of Act 54 of 1956.

14. Section 75 of the Water Act, 1956, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 75 of Act 54 of 1956.

- 35 "(1) An area which has been declared to be a Government water control area or a catchment control area under section 59 or which forms part of any such area, shall not cease to be or to form part of such area by reason of the fact that it has been declared to be an irrigation district under section **[seventy-four] 72 (3) or 73** or has been included in any such district."
- 40

15. Section 76 of the Water Act, 1956, is hereby amended—

Amendment of section 76 of Act 54 of 1956, as amended by section 28 of Act 96 of 1984.

- 45 (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:
 "(1) The **[Governor-General] Minister** may **[upon a recommendation by the Minister made]** after such enquiry as **[the Minister] he** may consider necessary by **[proclamation] notice** in the *Gazette*—";
- 50 (b) by the substitution for subsection (2) of the following subsection:
 "(2) **[No recommendation shall be made by] The Minister shall not change the area of an irrigation district under subsection (1) unless he is satisfied—**
- 55 (a) in the case of a **[recommendation which does not provide for the inclusion of] change whereby no additional land [within] is included in an irrigation**

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5 district, that owners representing a majority of votes, according to the latest voters' list of the said district, who would be qualified to vote at an election of members of the irrigation board of such district if an election were then held, are in favour thereof;

(b) in the case of a **[recommendation which does provide for the inclusion of] change whereby additional land [within] is included in** any such district, **that** not less than two-thirds of the owners of **[the] such** additional land **[proposed to be included,]** who own not less than two-thirds of such land irrigated and proposed to be irrigated, and owners representing a majority of votes, according to the latest voters' list of such district, who would be qualified to vote at an election of members of the irrigation board of such district if an election were then held, are in favour thereof;

(c) in the case of a **[recommendation which provides for] change whereby** an irrigation district or any portion thereof **[to be] is** combined with another irrigation district or any portion thereof or **[for the constitution of] any portion of an irrigation district is constituted** as an irrigation district and **[the severance of] such portion is severed** from the irrigation district of which it forms a part, that the requirements specified in section 72 (3) (a) (i) and (ii) apply in respect of both of the districts affected or, as the case may be, in respect of the area **[proposed to be] which is severed** from any district as well as the remainder of that district,

or unless the Minister is of the opinion that the owners concerned in any particular case have unreasonably withheld their approval or that it is desirable to **[carry out the terms of the proposal set out in such recommendation] effect the change**"; and

(c) by the substitution for subsection (3) of the following subsection:

40 "(3) Any **[proclamation] notice [issued]** under subsection (1) shall indicate the name by which any irrigation district constituted thereby, including any such district constituted by excluding from an existing district any area forming part thereof or by including in an existing district any additional area, shall be known."

45 **16.** Section 78 of the Water Act, 1956, is hereby amended by the substitution in subsection (1) for the words following upon paragraph (c) of the following words:

50 "the **[Governor-General may, upon the recommendation of the] Minister [made] may** after such enquiry as **[the Minister] he** deems fit, by **[proclamation] notice** in the *Gazette* disestablish the said irrigation district."

Amendment of section 78 of Act 54 of 1956, as amended by section 16 of Act 42 of 1975.

17. Section 79 of the Water Act, 1956, is hereby amended—

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

55 "(1) For every irrigation district there shall be an irrigation board which shall be known by the same name as the name given to the irrigation district concerned in the **[proclamation whereby such irrigation district is established] relevant notice under section 72 (3) (a) or**

Amendment of section 79 of Act 54 of 1956, as amended by section 13 of Act 73 of 1978 and section 29 of Act 96 of 1984.

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- 73, except that 'board' be substituted for 'district' in the relevant name: Provided that whenever the area comprising an irrigation district is changed and another name is given thereto, the name of the board of such district shall change accordingly.”; and
- 5 (b) by the substitution for subsection (3) of the following subsection:
 “(3) Any land owned by an irrigation board which is situated outside the boundaries of its irrigation district, shall be deemed to form part of the said district and shall be included in such district by the **[Governor-General] Minister** by **[proclamation] notice** in the *Gazette*.”.
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18. Section 80 of the Water Act, 1956, is hereby amended—
- 15 (a) by the substitution for the proviso to subsection (3) of the following proviso:
 “Provided that one-half of the members of **[an] the irrigation board of an irrigation district** or, in the case of an irrigation board established **[in pursuance of a recommendation]** under section 73, two-thirds of the members of such board, may be appointed by the Minister.”; and
- 20 (b) by the substitution for subsection (5) of the following subsection:
 “(5) In the case of **[an] the irrigation board of an irrigation district** established otherwise than **[in pursuance of a recommendation]** under section 73, only a person qualified to be elected as a member of such irrigation board and who has not been elected as a member of such board, may be appointed by the Minister in terms of this section as a member of that board: Provided that the proviso to section 81 shall not apply in respect of any such appointment.”.
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19. Section 95A of the Water Act, 1956, is hereby amended—
- 35 (a) by the substitution for subsection (1) of the following subsection:
 “(1) Notwithstanding the provisions of this Act or of any other law, and notwithstanding the delegation by the Minister, in terms of paragraph (a) of section 69 (1), of any relevant power referred to in that paragraph, the **[State President] Minister** may by **[proclamation] notice** in the *Gazette* **[vest in the Minister] assume—**
- 40 (a) the power of control of the water works belonging to or controlled by any irrigation board of any irrigation district situated in an area defined in such **[proclamation] notice**, and of the distribution, supply or use of water in or from any such water work; or
- 45 (b) the power of control of the distribution, supply or use of water which has in terms of section 89 (1) been assigned to an irrigation board, and may in like manner from time to time amend or withdraw any such **[proclamation] notice**.”;
- 50 (b) by the substitution for subsection (1A) of the following subsection:
 “(1A) The Minister may by notice in writing to an irrigation board in respect of which a **[proclamation was published] power was assumed by him** under subsection (1), terminate the period of office of its members, and
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- 60
- Amendment of section 80 of Act 54 of 1956, as substituted by section 7 of Act 77 of 1969 and amended by section 30 of Act 96 of 1984.
- Amendment of section 95A of Act 54 of 1956, as inserted by section 8 of Act 77 of 1969 and amended by section 19 of Act 42 of 1975 and section 37 of Act 96 of 1984.

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thereupon, if the Minister so directs, new members shall, subject to section 80 (3), be elected as if a new irrigation district had been established.”; and

(c) by the substitution for subsection (3) of the following subsection:

“(3) (a) Any water work the control of which has been **[vested in]** assumed by the Minister in terms of subsection (1) shall for all purposes be deemed to be a Government water work: Provided that unless the irrigation board in question is not indebted to the State, rates shall in terms of section 66 (1) (a) be assessed on land irrigated with water abstracted, supplied or distributed from such a water work, or charges in terms thereof assessed for water so abstracted, supplied or distributed, only for the purposes of the recovery of any expenditure incurred by the Minister in terms of subsection (2) of this section in respect of such water work.

(b) If an irrigation loan has under the provisions of this Act been granted to an irrigation board in respect of any water work the control of which has been **[vested in]** assumed by the Minister in terms of subsection (1), any amount still owing in respect of such loan, together with the amount of any interest payable in respect of such loan, may, with the approval, by resolution, of **[the Senate and of the House of Assembly]** Parliament, on a report by the Minister, submitted after consultation with the Minister of Finance, be written off.”.

20. Section 97 of the Water Act, 1956, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 97 of Act 54 of 1956.

“(1) Every person entitled to any servitude or other right entitling him to the use of water within an irrigation district, acquired before the date **[of the proclamation whereby] on which** such district was established, shall within a period specified in a notice served upon him by the irrigation board of that district, not being less than three months after the date of service of such notice, apply to such irrigation board to record that servitude or right, and in default of compliance with the requirements of this section within the period so specified, and as long as the servitude or right remains unrecorded, it shall not be recognized by the irrigation board for the purpose of the distribution of water by it for any purpose under this Act.”.

21. Section 105 of the Water Act, 1956, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 105 of Act 54 of 1956.

“(1) Any river district or irrigation district established under any law and in existence on the date of commencement of this Act, shall be deemed to have been declared to be an irrigation district under section **[seventy-four] 72 (3) (a)** on that date, and the board established in respect of any such district under that law shall be deemed to be an irrigation board established under this Act, and shall, subject to the provisions of this Act and the directions of the Minister, have all the powers, duties and functions vested in it under the said law or any other law and such other powers, duties and functions as may be assigned to it by the Minister under this Act.”.

60 22. Section 106 of the Water Act, 1956, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 106 of Act 54 of 1956.

“(1) The Vioolsdrift irrigation district and the irrigation

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5 board thereof, constituted by Proclamation No. 264 of 1950, shall be deemed to have been declared an irrigation district under section **[seventy-four]** 72 (3) (a) as if at the date of promulgation of that proclamation the piece of land situated in the territory of South-West Africa and included in the said district formed part of the **[Union]** Republic, and the provisions of this Chapter shall, subject to the provisions of subsection (2), apply *mutatis mutandis* to the said district and board.”

10 23. Section 108 of the Water Act, 1956, is hereby amended—
 (a) by the deletion of subsection (1); and
 (b) by the substitution for subsection (2) of the following subsection:

Amendment of
 section 108 of
 Act 54 of 1956.

15 “(2) **[The Governor-General may thereupon by proclamation]** Whenever the Minister deems it expedient or desirable that a combined scheme be established for supplying water for urban, industrial or agricultural purposes within any area to local authorities, any department of State, including the South African Transport Services and any provincial administration, or
 20 other persons, or whenever the Minister has constructed or commenced the construction of a Government water work for any such purpose, he may by notice in the *Gazette* establish for the area in question,
 25 which shall be defined in the **[proclamation] notice**, a water board and assign a name to such board, and may in like manner at any time alter the boundaries of such area.”

30 24. Section 108A of the Water Act, 1956, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of
 section 108A of
 Act 54 of 1956,
 as inserted by
 section 1 of
 Act 58 of 1974.

“(1) The **[State President] Minister** may **[on the recommendation of the Minister]** after such enquiry as **[the Minister]** he may think fit, by **[proclamation] notice** in the *Gazette* disestablish any water board.”

35 25. Section 137 of the Water Act, 1956, is hereby amended—

Amendment of
 section 137 of
 Act 54 of 1956,
 as amended by
 section 53 of
 Act 96 of 1984.

(a) by the deletion of subsection (2);
 (b) by the substitution for paragraph (a) of subsection (3) of the following paragraph:

40 “(a) **[Upon receipt of such a recommendation the Governor-General]** The Minister may after consultation with the Administrator of the Province of Natal by **[proclamation] notice** in the *Gazette* apply the provisions of this Chapter to **[such corporation]** a regional water services corporation constituted under the said Ordinance, and such corporation shall thereupon become a water board under a name assigned to it in the said **[proclamation] notice** and shall be vested with all the powers, duties and functions conferred upon and assigned to a water board by this Chapter.”;

50 (c) by the substitution for paragraph (b) of subsection (3) of the following paragraph:

55 “(b) All assets, rights, liabilities and obligations vested in any such corporation at the date on which **[such proclamation]** a notice under paragraph (a) comes into operation shall remain so vested in that corporation in its capacity as such water board, and any rates or charges imposed or decisions given by such corporation prior to such date shall remain of
 60 full force and effect until amended or withdrawn

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under this Act as if they had been imposed or given by that corporation in its capacity as aforesaid.”; and

5 (d) by the substitution for paragraph (e) of subsection (3) of the following paragraph:

10 “(e) Nothing in this Chapter contained shall be deemed to preclude any such corporation from continuing to employ in its capacity as aforesaid under the conditions of employment applicable to him at the date on which **[such proclamation]** the relevant notice under paragraph (a) comes into operation, any employee on its establishment at that date, or from continuing to contribute in such capacity in respect of such employee towards any pension fund, and for that purpose any such pension fund shall be deemed to have been established under this Chapter.”.

20 26. The following section is hereby substituted for section 176 of the Water Act, 1956:

Substitution of section 176 of Act 54 of 1956.

20 “Exemption of Black areas from certain provisions of this Act. 176. The provisions of Chapters III, VI, VII and IX shall not apply in respect of any area which is a scheduled Black area or a released area in terms of the Development Trust and Land Act, 1936 (Act No. 18 of 1936), and of which the South African Development Trust constituted by section 4 of the said Act or a Black is the registered owner in terms of that Act, except in so far as the **[Governor-General] Minister with the consent of the Minister of Constitutional Development and Planning** has by **[proclamation]** notice in the *Gazette* declared that those provisions shall apply to any such area.”.

25 27. The following section is hereby substituted for section 85 of the Defence Act, 1957:

Substitution of section 85 of Act 44 of 1957.

35 “Termination of service. 85. The **[State President] Minister** may, and shall if ordered thereto by the State President, terminate the services of any member of the South African Defence Force, but no citizen shall thereby become exempt from liability to render any service which he may in terms of Chapter X be required to render.”.

40 28. Section 136 of the Defence Act, 1957, is hereby amended—

Amendment of section 136 of Act 44 of 1957, as amended by section 20 of Act 39 of 1966, section 12 of Act 83 of 1974 and section 33 of Act 103 of 1982.

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

45 “(1) The State President may, in respect of conduct or service in peace or war which in his opinion requires or deserves suitable recognition, institute orders, decorations and medals which **[he may award]** may, subject to such rules as he may in the case of every such order, decoration or medal consider necessary, be awarded by him or the Minister to members of the South African Defence Force or the Cadet Corps, or any auxiliary service or voluntary nursing service established under this Act or any armed force attached to or serving with or rendering any service to the South African Defence Force.”; and

55 (b) by the substitution for subsection (1A) of the following subsection:

60 “(1A) The State President may, in peace or war, institute orders, decorations and medals which **[he may award]** may, subject to such rules as he may in the case of every such order, decoration or medal consider necessary, be awarded by him or the Minister to civi-

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lian persons of a foreign State and to South African citizens who render services of military importance to the South African Defence Force.”.

29. Section 3 of the Police Act, 1958, is hereby amended—
- 5 (a) by the substitution for subsection (1) of the following subsection:
 “(1) The State President may from time to time appoint by commission an officer to be styled the Commissioner of the South African Police, together with such commissioned officers as he may deem necessary **[and may, subject to the provisions of this Act, discharge, dismiss or reduce in rank any such officer].**”; and
- 10 (b) by the insertion after subsection (1A) of the following subsection:
 “(1B) Subject to the provisions of this Act the Minister may, and shall if ordered thereto by the State President—
 (a) promote; or
 15 (b) discharge, dismiss or reduce in rank, any officer.”.
- 20 30. Section 10 of the Police Act, 1958, is hereby amended by the substitution for paragraph (g) of subsection (6C) of the following paragraph:
 25 “(g) **[direct that the matter be referred to the State President, who may thereupon] take any of the steps referred to in section 3 (1B) (b) or refer the matter to the State President, who may thereupon order the Minister under that section to take any of the said steps; or**”.
- 30 31. Section 4 of the Prisons Act, 1959, is hereby amended by the substitution for subsection (2) of the following subsection:
 “(2) Subject to the provisions of this Act the Minister may, and shall if ordered thereto by the State President—
 (a) promote; or
 35 (b) discharge, dismiss or reduce in rank, any officer.”.
32. Section 55 of the Prisons Act, 1959, is hereby amended by the substitution for subparagraph (iv) of paragraph (d) of subsection (6) of the following subparagraph:
 40 “(iv) in the case of a commissioned officer appointed under section 4 (1), **[direct that the matter be referred to the State President, who may thereupon] take any of the steps provided for in section 4 (2) (b) or refer the matter to the State President, who may thereupon order**
 45 the Minister under that section to take any of the said steps; or”.
33. Section 64 of the Prisons Act, 1959, is hereby amended—
 (a) by the deletion of subsection (2); and
 50 (b) by the substitution for subsection (3) of the following subsection:
 “(3) The **[State President] Minister** may authorize the release of such prisoner on the date recommended by the prison board or on any other date, either unconditionally or on probation or on parole as he may
 55 direct.”.
34. Section 2 of the Dairy Industry Act, 1961, is hereby amended by the substitution for the proviso to subsection (2) of the following proviso:
 60 “Provided that, if the Minister is satisfied, after a report from the medical officer of health for the Republic, that the

Amendment of section 3 of Act 7 of 1958, as amended by section 2 of Act 64 of 1964, section 2 of Act 74 of 1967 and section 2 of Act 94 of 1972.

Amendment of section 10 of Act 7 of 1958, as amended by section 8 of Act 64 of 1964, section 4 of Act 74 of 1967, section 5 of Act 64 of 1979 and section 4 of Act 68 of 1984.

Amendment of section 4 of Act 8 of 1959, as substituted by section 48 of Act 70 of 1968 and amended by section 14 of Act 62 of 1973.

Amendment of section 55 of Act 8 of 1959, as amended by section 49 of Act 70 of 1968, section 13 of Act 58 of 1978 and section 4 of Act 65 of 1982.

Amendment of section 64 of Act 8 of 1959.

Amendment of section 2 of Act 30 of 1961.

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5 provisions of any such law, by-law or regulation are not being effectively enforced within such area by the authority responsible for the enforcement thereof, **[the State President may, by proclamation]** he may, by notice in the *Gazette*, declare that the provisions of this Act, or so much thereof as he may deem necessary, shall apply within such area in respect of such milk, cream or skim milk.”

35. Section 64 of the Precious Stones Act, 1964, is hereby amended by the substitution for subsection (3) of the following subsection: Amendment of section 64 of Act 73 of 1964.

15 “(3) The State President may from time to time by proclamation in the *Gazette* include any area in or exclude any area from the area so surveyed, as may be required for the purposes of the mine, and the Minister may make regulations for the proper laying out of depositing floors, machinery and tipping sites, trading sites, residential sites and other areas required in connection with the said mine, for fencing off such areas for the proper protection of the mine and works and to prevent access or communication by unauthorized persons, and for the payment of rent in respect of the use of any such area or portion thereof.”

36. The following section is hereby substituted for section 20 of the South African Mint and Coinage Act, 1964: Substitution of section 20 of Act 78 of 1964, as amended by section 12 of Act 100 of 1980.

25 **[Powers of State President and Minister.]** 20. (1) The State President may by proclamation in the *Gazette* **[do all or any of the following things: (a)]** determine the dimensions of and design for any Republican coin and revoke or alter any such proclamation previously issued.

30 (2) The Minister may by notice in the *Gazette*—
 [(b)] (a) diminish the amount of remedy allowed by the First Schedule in the case of any Republican coin;
 [(c)] (b) determine the least current mass of any Transvaal or Republican coin;
 35 [(d)] (c) call in Transvaal coins or Republican coins of any date or denomination; and
 [(e)] (d) revoke or alter any such **[proclamation]** notice previously issued.

40 [(2)] (3) Every proclamation or notice issued under this section shall come into operation on a date therein specified and shall have effect as if its provisions were enacted in this Act.”

37. Section 53 of the Customs and Excise Act, 1964, is hereby amended by the substitution for subsection (1) of the following subsection: Amendment of section 53 of Act 91 of 1964, as amended by section 19 of Act 105 of 1969 and section 12 of Act 112 of 1977.

45 “(1) If the **[State President]** Minister is satisfied that the government of any territory has—
 (a) imposed directly or indirectly on any goods wholly or partly produced or manufactured in the Republic any duty, charge or restriction which is not imposed upon like goods produced or manufactured in any third territory; or
 (b) discriminated against the commerce of the Republic in such a manner as to place it at a disadvantage in comparison with the commerce of any third territory,
 55 he may **[in his discretion if he considers that the public interest will be served thereby]** in order to give effect to any recommendation of the Board of Trade and Industries or whenever he deems it in the public interest, by [proclamation] notice in the *Gazette* impose—
 60

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- (i) on all goods or any class or kind of goods imported from the territory whose government has so acted; and
- (ii) on all goods or any class or kind of goods whence-soever imported, wholly or partly produced or manufactured in such territory,
- 5 additional duties not exceeding the value for duty purposes of such goods, and from a date to be specified in the **[proclamation] notice** there shall be paid on such goods, upon entry for home consumption thereof, the additional duties at the rates imposed in the **[proclamation] notice**, in addition to
- 10 any other duties payable on such goods under the provisions of this Act.”.

38. Section 9 of the Armaments Development and Production Act, 1968, is hereby amended—

Amendment of section 9 of Act 57 of 1968, as amended by section 11 of Act 65 of 1972.

- 15 (a) by the substitution for the words preceding paragraph (a) of the following words:
- “The **[State President] Minister** may make regulations in regard to—”; and
- 20 (b) by the substitution for paragraph (b) of the following paragraph:
- “(b) conditions or restrictions subject to which the board shall manage and control the affairs of the corporation, including the circumstances in which the board shall manage and control such affairs
- 25 subject to the approval of the **[State President or the] Minister** or the Minister acting in consultation with any other Minister of State and the manner in which such affairs shall be managed and controlled in particular circumstances or in relation to companies promoted by the corporation;”.
- 30

39. Section 8 of the Commission for Fresh Produce Markets Act, 1970, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 8 of Act 82 of 1970.

- 35 “(1) The **[State President] Minister** shall designate one of the members of the commission on such conditions as he may, with the concurrence of the Minister of Finance, determine as chairman of the commission.”.

40. The following section is hereby substituted for section 15 of the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971:

Substitution of section 15 of Act 41 of 1971.

- “Minister of National Health and Population Development may add to or amend Schedule.
- 45 15. The **[State President] Minister of National Health and Population Development** may from time to time, after **[the Minister of Health] he** has consulted with the Drugs Control Council established by section 2 of the Drugs Control Act, 1965 (Act No. 101 of 1965), declare by **[proclamation] notice** in the *Gazette* any substance to be a dependence-producing drug, and by such **[proclamation] notice** may add that dependence-producing drug to the Schedule to this Act or delete any dependence-producing drug referred to in that Schedule or otherwise amend the said Schedule.”.
- 50

41. Section 37 of the Mental Health Act, 1973, is hereby amended—

Amendment of section 37 of Act 18 of 1973, as amended by section 4 of Act 10 of 1978 and section 3 of Act 38 of 1981.

- 55 (a) by the substitution for subsection (1) of the following subsection:
- “(1) The State President or the Minister may discharge a mentally ill prisoner either absolutely or conditionally.”; and

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- (b) by the substitution for subsection (3) of the following subsection:
 “(3) The State President or the Minister may determine conditions with which a mentally ill prisoner who has been conditionally discharged by him, shall comply after the expiration of the sentence of imprisonment which he is undergoing.”
- 5
42. Section 3 of the Liquor Act, 1977, is hereby amended by the substitution for paragraph (a) of the following paragraph:
 10 “(a) advise **[the State President or]** the Minister **[, as the case may be,]** as to any matter arising out of the application of this Act or the general distribution of liquor and referred to it;”
- Amendment of section 3 of Act 87 of 1977.
43. Section 159 of the Liquor Act, 1977, is hereby amended by
 15 the substitution for subsection (1) of the following subsection:
 “(1) The **[State President] Minister** may, at the request of any magistrate or local authority **[made to the Minister]**, whenever he deems it desirable in the interests of the population or any section of the population of any area, that the
 20 sale or supply of liquor in that area should be placed under restrictions or be subjected to conditions imposed by himself, by **[proclamation] notice** in the *Gazette* declare such area to be a restricted area.”
- Amendment of section 159 of Act 87 of 1977.
44. Section 3 of the Maintenance and Promotion of Competi-
 25 tion Act, 1979, is hereby amended by the substitution for subsection (5) of the following subsection:
 “(5) A member of the board appointed by the State President shall hold office for such period, but not exceeding five years, and on such conditions as the **[State President] Minister** may determine at the time of his appointment, but shall vacate his office if he resigns as a member or
 30 if the State President at any time terminates his period of office as a member if in the opinion of the State President there are good reasons for doing so.”
- Amendment of section 3 of Act 96 of 1979, as amended by section 2 of Act 62 of 1983 and section 3 of Act 12 of 1985.
45. Section 4 of the Referendums Act, 1983, is hereby
 35 amended by the addition of the following subsection:
 “(4) A regulation under subsection (1) (d) shall not be made other than with the concurrence of the Minister of Finance.”
- Amendment of section 4 of Act 108 of 1983.
- 40 46. The laws specified in the first and second columns of the First Schedule are hereby amended by the substitution for the expression “State President” or “Governor-General”, whenever it appears in a provision specified in the third column of that
 45 Schedule, of the expression specified in the fourth column of that Schedule.
- Amendment of laws in First Schedule.
47. The laws specified in the first and second columns of the
 Second Schedule are hereby amended by the substitution for the word “proclamation”, wherever it appears in a provision specified in the third column of that Schedule, of the word “no-
 50 tice”.
- Amendment of laws in Second Schedule.
48. The continued operation after the commencement of this
 Act of anything done or permitted by the State President prior to such commencement in terms of a provision amended by this
 55 Act, shall not be affected solely by reason of the fact that the State President is by virtue of such amendment divested of, and a Minister of State is by virtue of such amendment invested and charged with, the power or duty to do or to permit any such thing, and as from such commencement—
 (a) any such thing shall be deemed to have been done or
- Savings.

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permitted by the Minister of State invested and charged with the relevant power or duty;

5 (b) any such thing done or permitted by the State President by proclamation in the *Gazette* shall be deemed to have been done or permitted by the relevant Minister of State by notice in the *Gazette*; and

10 (c) any reference in any law to a proclamation referred to in paragraph (b) or to such a proclamation issued by the State President shall be deemed to be a reference to a notice referred to in that paragraph or to such a notice issued by the relevant Minister of State, respectively.

49. This Act shall be called the Transfer of Powers and Duties of the State President Act, 1986, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

Short title and commencement.

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First Schedule

No. and year of Act	Short title	Number of section (or description of provision where otherwise indicated)	Substituting expression
28 of 1912	Railways and Harbours Service Act, 1912	88 (1)	"Minister"
22 of 1919	Agricultural Holdings (Transvaal) Registration Act, 1919	3 (4)	"Minister"
14 of 1921	Restriction on the Importation of Wine and Spirits Act, 1921	1	"Minister of Agricultural Economics"
14 of 1921	Restriction on the Importation of Wine and Spirits Act, 1921	6	"Minister of Agricultural Economics"
33 of 1922	Defence Endowment Property and Account Act, 1922	3 (5) and (6)	"Minister of Defence"
9 of 1927	Land Survey Act, 1927	6 (6)	"Minister"
38 of 1934	Vaal River Development Scheme Act, 1934	13	"Minister"
38 of 1934	Vaal River Development Scheme Act, 1934	14	"Minister"
48 of 1934	Livestock and Meat Industries Act, 1934	50 (1) and (2)	"Minister"
21 of 1935	Sea-shore Act, 1935	12	"Minister of Defence"
24 of 1936	Insolvency Act, 1936	19 (6)	"Minister of Justice"
24 of 1936	Insolvency Act, 1936	63 (1) <i>bis</i>	"Minister of Justice"
24 of 1936	Insolvency Act, 1936	153 (1) <i>bis</i>	"Minister of Justice"
24 of 1936	Insolvency Act, 1936	158	"Minister of Justice"
24 of 1936	Insolvency Act, 1936	158 <i>bis</i>	"Minister of Justice"
1 of 1937	Aliens Act, 1937	3 (2) (a) and (3) (a)	"Minister"
1 of 1937	Aliens Act, 1937	11	"Minister"
17 of 1937	Cape Outspans Act, 1937	1	"Minister of Public Works"
17 of 1937	Cape Outspans Act, 1937	3 (1)	"Minister of Public Works"
26 of 1939	Aliens Registration Act, 1939	19	"Minister"
21 of 1940	Advertising on Roads and Ribbon Development Act, 1940	2 (3)	"Minister"
22 of 1940	Industrial Development Act, 1940	Definition of "private shareholders" in section 1	"Minister"
22 of 1940	Industrial Development Act, 1940	3 (a)	"Minister"
22 of 1940	Industrial Development Act, 1940	6 (3), (4) and (5)	"Minister"
22 of 1940	Industrial Development Act, 1940	7 (1)	"Minister"
22 of 1940	Industrial Development Act, 1940	9 (1)	"Minister"
22 of 1940	Industrial Development Act, 1940	12 (6), (7), (8) and (10)	"Minister"
22 of 1940	Industrial Development Act, 1940	16	"Minister"
22 of 1940	Industrial Development Act, 1940	22 (1)	"Minister"
30 of 1941	Workmen's Compensation Act, 1941	3 (2) (b)	"Minister"
30 of 1941	Workmen's Compensation Act, 1941	12 (1)	"Minister"
30 of 1941	Workmen's Compensation Act, 1941	106	"Minister"
30 of 1941	Workmen's Compensation Act, 1941	107 (1) and (2)	"Minister"
13 of 1944	Land Bank Act, 1944	11 (1)	"Minister"
13 of 1944	Land Bank Act, 1944	50 (3)	"Minister"
13 of 1944	Land Bank Act, 1944	69 (1)	"Minister"

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No. and year of Act	Short title	Number of section (or description of provision where otherwise indicated)	Substituting expression
29 of 1944	South African Reserve Bank Act, 1944	6 (1)	"Minister"
29 of 1944	South African Reserve Bank Act, 1944	23	"Minister"
49 of 1947	Liquid Fuel and Oil Act, 1947	13	"Minister"
51 of 1949	Air Services Act, 1949	2 (3)	"Minister of Transport Affairs"
17 of 1950	Rand Water Board Statutes (Private) Act, 1950	5 (1), (2) (a) and (3)	"Minister"
17 of 1950	Rand Water Board Statutes (Private) Act, 1950	6 (1)	"Minister, with the concurrence of the Minister of Finance"
17 of 1950	Rand Water Board Statutes (Private) Act, 1950	7	"Minister"
17 of 1950	Rand Water Board Statutes (Private) Act, 1950	11	"Minister"
17 of 1950	Rand Water Board Statutes (Private) Act, 1950	31	"Minister"
17 of 1950	Rand Water Board Statutes (Private) Act, 1950	62 (1), (2) and (3) (b)	"Minister"
17 of 1950	Rand Water Board Statutes (Private) Act, 1950	64 (1)	"Minister"
17 of 1950	Rand Water Board Statutes (Private) Act, 1950	66 (a)	"Minister"
17 of 1950	Rand Water Board Statutes (Private) Act, 1950	112 (1)	"Minister"
17 of 1950	Rand Water Board Statutes (Private) Act, 1950	113 (1) and (2)	"Minister"
71 of 1951	Diplomatic Privileges Act, 1951	5 (3) and (4)	"Minister"
37 of 1954	Mooi River River District Adjustment Act, 1954	12 (1)	"Minister"
34 of 1955	Departure from the Union Regulation Act, 1955	9A (1)	"Minister of Internal Affairs"
45 of 1955	Estate Duty Act, 1955	29	"Minister of Finance"
26 of 1956	Explosives Act, 1956	30 (1)	"Minister"
27 of 1956	Mines and Works Act, 1956	12 (1)	"Minister"
28 of 1956	Labour Relations Act, 1956	81 (1)	"Minister"
54 of 1956	Water Act, 1956	28 (1)	"Minister"
54 of 1956	Water Act, 1956	59 (1), (2) and (4) (a)	"Minister"
54 of 1956	Water Act, 1956	164bis (1)	"Minister"
5 of 1957	Wage Act, 1957	36 (1)	"Minister"
25 of 1957	Wine, Other Fermented Beverages and Spirits Act, 1957	21 (2)	"Minister"
25 of 1957	Wine, Other Fermented Beverages and Spirits Act, 1957	39 (2)	"Minister"
44 of 1957	Defence Act, 1957	112	"Minister"
44 of 1957	Defence Act, 1957	Section 120 (1) and (3) of First Schedule	"Minister"
56 of 1957	State Attorney Act, 1957	9	"Minister of Justice"
78 of 1957	Export Credit and Foreign Investments Re-insurance Act, 1957	11	"Minister"
7 of 1958	Police Act, 1958	33 (1)	"Minister"
40 of 1958	Electricity Act, 1958	9 (4) and (5)	"Minister"
40 of 1958	Electricity Act, 1958	10 and 13 (1) and (3) (a)	"Minister, acting with the concurrence of the Minister of Finance,"
40 of 1958	Electricity Act, 1958	18 (1)	"Minister"

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No. and year of Act	Short title	Number of section (or description of provision where otherwise indicated)	Substituting expression
40 of 1958	Electricity Act, 1958	Paragraphs 2, 3, 7 (1), 8 (1), 10 and 22 (2) of First Schedule	"Minister, acting with the concurrence of the Minister of Finance,"
40 of 1958	Electricity Act, 1958	Paragraph 22 (3) of First Schedule	"Minister"
8 of 1959	Prisons Act, 1959	38	"Minister"
8 of 1959	Prisons Act, 1959	94 (1)	"Minister"
54 of 1959	Suid-Afrikaanse Akademie vir Wetenskap en Kuns Act, 1959	5 (3)	"Minister"
59 of 1959	Supreme Court Act, 1959	6 (4)	"Minister"
59 of 1959	Supreme Court Act, 1959	11	"Minister"
59 of 1959	Supreme Court Act, 1959	43 (1) and (2) (a)	"Minister"
27 of 1960	Business Names Act, 1960	4 (1)	"Minister of Trade and Industry"
30 of 1961	Dairy Industry Act, 1961	3 (b)	"Minister"
30 of 1961	Dairy Industry Act, 1961	14 (1)	"Minister"
30 of 1961	Dairy Industry Act, 1961	15 (2)	"Minister"
30 of 1961	Dairy Industry Act, 1961	28 (1) and (3)	"Minister"
58 of 1962	Income Tax Act, 1962	Paragraph (dd) (C) of the proviso to section 11 (w)	"Minister of Finance"
58 of 1962	Income Tax Act, 1962	13bis (3) and (4)	"Minister of Finance"
58 of 1962	Income Tax Act, 1962	Paragraph (b) (v) of the definition of "distributable income" in section 49	"Minister of Finance"
58 of 1962	Income Tax Act, 1962	107 (1)	"Minister of Finance"
58 of 1962	Income Tax Act, 1962	Paragraphs 9 and 10 of Fifth Schedule	"Minister of Finance"
63 of 1962	Sorghum Beer Act, 1962	Paragraph (b) of the definition of "sorghum beer" in section 1	"Minister"
74 of 1962	Aviation Act, 1962	5 (1), (2) and (3)	"Minister"
74 of 1962	Aviation Act, 1962	6 (1)	"Minister"
74 of 1962	Aviation Act, 1962	7 (1)	"Minister"
74 of 1962	Aviation Act, 1962	10	"Minister"
80 of 1962	Foreign Courts Evidence Act, 1962	10	"Minister of Justice"
16 of 1963	Justices of the Peace and Commissioners of Oaths Act, 1963	10 (1)	"Minister"
31 of 1963	Fencing Act, 1963	2 (1) and (4)	"Minister"
31 of 1963	Fencing Act, 1963	3 (1)	"Minister"
31 of 1963	Fencing Act, 1963	20 (3)	"Minister"
62 of 1963	Trade Marks Act, 1963	80 (1) and (2)	"Minister"
80 of 1963	Reciprocal Enforcement of Maintenance Orders Act, 1963	2 (1) and (2)	"Minister"
78 of 1964	South African Mint and Coinage Act, 1964	21 (1)	"Minister"
23 of 1965	Banks Act, 1965	3 (1)	"Minister"
24 of 1965	Building Societies Act, 1965	22 (1) (n)	"Minister"
25 of 1965	Civil Proceedings Evidence Act, 1965	22 (1)	"Minister"
66 of 1965	Administration of Estates Act, 1965	20 (1)	"Minister"

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66 of 1965	Administration of Estates Act, 1965	103 (1)	"Minister"
101 of 1965	Medicine and Related Substances Control Act, 1965	3 (1) and (2)	"Minister"
101 of 1965	Medicine and Related Substances Control Act, 1965	5 (1)	"Minister"
101 of 1965	Medicine and Related Substances Control Act, 1965	6 (3)	"Minister"
101 of 1965	Medicine and Related Substances Control Act, 1965	10 (1)	"Minister"
101 of 1965	Medicine and Related Substances Control Act, 1965	11 (3)	"Minister"
3 of 1966	Community Development Act, 1966	3 (1) and (2)	"Minister"
3 of 1966	Community Development Act, 1966	4 (1) and (3)	"Minister"
30 of 1966	Unemployment Insurance Act, 1966	2 (2) (d)	"Minister"
30 of 1966	Unemployment Insurance Act, 1966	45	"Minister"
20 of 1967	Mining Rights Act, 1967	163	"Minister"
57 of 1967	Designs Act, 1967	36 (1)	"Minister"
88 of 1967	Physical Planning Act, 1967	3 (2)	"Minister"
88 of 1967	Physical Planning Act, 1967	5 (1)	"Minister"
57 of 1968	Armaments Development and Production Act, 1968	8 (1)	"Minister"
59 of 1968	Marketing Act, 1968	1 (2)	"Minister"
77 of 1968	Stamp Duties Act, 1968	33	"Minister"
78 of 1969	Orange River Development Project Act, 1969	2	"Minister"
78 of 1969	Orange River Development Project Act, 1969	5	"Minister"
47 of 1970	Wine and Spirit Control Act, 1970	13	"Minister"
47 of 1970	Wine and Spirit Control Act, 1970	28	"Minister"
47 of 1970	Wine and Spirit Control Act, 1970	44 (1) and (4)	"Minister"
47 of 1970	Wine and Spirit Control Act, 1970	46 (1) and (4)	"Minister"
61 of 1970	Egg Production Control Act, 1970	2 (5)	"Minister"
82 of 1970	Commission for Fresh Produce Markets Act, 1970	Definition of "controlled area" in section 1	"Minister"
82 of 1970	Commission for Fresh Produce Markets Act, 1970	4 (1), (2) and (4)	"Minister"
82 of 1970	Commission for Fresh Produce Markets Act, 1970	5 (1)	"Minister"
82 of 1970	Commission for Fresh Produce Markets Act, 1970	5 (3) and (4)	"Minister, with the concurrence of the Minister of Finance,"
82 of 1970	Commission for Fresh Produce Markets Act, 1970	7 (2) and (3)	"Minister"
82 of 1970	Commission for Fresh Produce Markets Act, 1970	8 (2)	"Minister"
82 of 1970	Commission for Fresh Produce Markets Act, 1970	15	"Minister"
51 of 1971	Agricultural Produce Export Act, 1971	1 (2) (a)	"Minister"
54 of 1971	National Roads Act, 1971	4 (1), (4) (b) and (5) (a)	"Minister"
54 of 1971	National Roads Act, 1971	19 (1) and (6) (b)	"Minister"
54 of 1972	Foodstuffs, Cosmetics and Disinfectants Act, 1972	28	"Minister"

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59 of 1972	Admission of Persons to the Republic Regulation Act, 1972	3 (1), (2) and (6) (a)	"Minister"
59 of 1972	Admission of Persons to the Republic Regulation Act, 1972	3 (5)	"Minister, with the concurrence of the Minister of Finance,"
59 of 1972	Admission of Persons to the Republic Regulation Act, 1972	54 (1)	"Minister"
15 of 1973	Hazardous Substances Act, 1973	30	"Minister"
58 of 1973	Sea Fisheries Act, 1973	23 (1) (d)	"Minister"
61 of 1973	Companies Act, 1973	17 (1)	"Minister"
61 of 1973	Companies Act, 1973	335 (2)	"Minister"
28 of 1974	International Health Regulations Act, 1974	3 (1) and (2)	"Minister of National Health and Population Development"
53 of 1974	Pharmacy Act, 1974	7 (1) (h)	"Minister"
53 of 1974	Pharmacy Act, 1974	33 (5) and (6)	"Minister"
56 of 1974	Medical, Dental and Supplementary Health Service Professions Act, 1974	6 (1) (h)	"Minister"
56 of 1974	Medical, Dental and Supplementary Health Service Professions Act, 1974	31 (2) and (3)	"Minister"
12 of 1975	Agricultural Produce Agency Sales Act, 1975	1 (2)	"Minister"
39 of 1975	Lake Areas Development Act, 1975	2 (1)	"Minister"
63 of 1975	Expropriation Act, 1975	25 (1)	"Minister"
15 of 1976	Plant Breeders' Rights Act, 1976	23 (1A)	"Minister"
54 of 1976	Abattoir Industry Act, 1976	Definitions of "animal" and "proclaimed area" in section 1	"Minister"
54 of 1976	Abattoir Industry Act, 1976	7 (2)	"Minister"
54 of 1976	Abattoir Industry Act, 1976	42 (1), (2) and (3)	"Minister"
54 of 1976	Abattoir Industry Act, 1976	49 (2)	"Minister"
57 of 1976	National Parks Act, 1976	5 (2) and (3)	"Minister"
57 of 1976	National Parks Act, 1976	6	"Minister"
57 of 1976	National Parks Act, 1976	7	"Minister"
57 of 1976	National Parks Act, 1976	8 (3)	"Minister"
57 of 1976	National Parks Act, 1976	9 (1) and (3)	"Minister"
57 of 1976	National Parks Act, 1976	30B (1)	"Minister"
51 of 1977	Criminal Procedure Act, 1977	212 (4) (a) and (8) (a) (i)	"Minister"
67 of 1977	Civil Defence Act, 1977	8	"Minister"
74 of 1977	Road Transportation Act, 1977	43 (1) and (2)	"Minister"
87 of 1977	Liquor Act, 1977	4 (1) (c) and (3)	"Minister"
87 of 1977	Liquor Act, 1977	158 (1)	"Minister"
87 of 1977	Liquor Act, 1977	159 (2) and (3)	"Minister"
50 of 1978	Nursing Act, 1978	6 (1) (h)	"Minister"
100 of 1978	National Welfare Act, 1978	2 (2), (3), (4) and (5)	"Minister"
19 of 1979	Dental Technicians Act, 1979	6 (2) (g)	"Minister"
70 of 1979	Divorce Act, 1979	13 (1), (2) and (3)	"Minister of Justice"
65 of 1981	South African Transport Services Act, 1981	28 (1), (2) and (4)	"Minister"
92 of 1982	Nuclear Energy Act, 1982	1 (2)	"Minister"
108 of 1983	Referendums Act, 1983	4 (1)	"Minister of Home Affairs"

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No. and year of Act	Short title	Number of section (or description of provision where otherwise indicated)	Substituting expression
82 of 1984	Scientific Research Council Act, 1984	7 (1)	"Minister"
82 of 1984	Scientific Research Council Act, 1984	8 (1)	"Minister"
82 of 1984	Scientific Research Council Act, 1984	8 (2)	"Minister, with the concurrence of the Minister of Finance,"
82 of 1984	Scientific Research Council Act, 1984	20 (1)	"Minister"
122 of 1984	Forest Act, 1984	66 (2) and (4)	"Minister"

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Second Schedule

No. and year of Act	Short title	Number of section (or description of provision where otherwise indicated)
14 of 1921	Restriction on the Importation of Wine and Spirits Act, 1921	1
24 of 1936	Insolvency Act, 1936	19 (6)
24 of 1936	Insolvency Act, 1936	63 (1) <i>bis</i>
24 of 1936	Insolvency Act, 1936	153 (1) <i>bis</i>
24 of 1936	Insolvency Act, 1936	158 <i>bis</i>
21 of 1940	Advertising on Roads and Ribbon Development Act, 1940	2 (3)
22 of 1940	Industrial Development Act, 1940	22 (1)
30 of 1941	Workmen's Compensation Act, 1941	3 (2) (b)
30 of 1941	Workmen's Compensation Act, 1941	106
13 of 1944	Land Bank Act, 1944	50 (3)
51 of 1949	Air Services Act, 1949	2 (3)
54 of 1956	Water Act, 1956	28 (1)
54 of 1956	Water Act, 1956	59 (1), (2), (3) (b) and (4) (a)
54 of 1956	Water Act, 1956	164 <i>bis</i> (1)
25 of 1957	Wine, Other Fermented Beverages and Spirits Act, 1957	21 (2)
25 of 1957	Wine, Other Fermented Beverages and Spirits Act, 1957	39 (2)
59 of 1959	Supreme Court Act, 1959	6 (4)
30 of 1961	Dairy Industry Act, 1961	3 (b)
30 of 1961	Dairy Industry Act, 1961	14 (1)
30 of 1961	Dairy Industry Act, 1961	15 (2) and (3)
30 of 1961	Dairy Industry Act, 1961	28 (1) and (3)
58 of 1962	Income Tax Act, 1962	Paragraph (b) (v) of the definition of "distributable income" in section 49
58 of 1962	Income Tax Act, 1962	Paragraph 10 of Fifth Schedule
63 of 1962	Sorghum Beer Act, 1962	Paragraph (b) of the definition of "sorghum beer" in section 1
80 of 1962	Foreign Courts Evidence Act, 1962	10
31 of 1963	Fencing Act, 1963	2 (1), (3) and (4)
31 of 1963	Fencing Act, 1963	3 (1) and (2)
31 of 1963	Fencing Act, 1963	20 (3)
80 of 1963	Reciprocal Enforcement of Maintenance Orders Act, 1963	2 (1) and (2)
78 of 1964	South African Mint and Coinage Act, 1964	12 (2)
24 of 1965	Building Societies Act, 1965	22 (1) (n)
25 of 1965	Civil Proceedings Evidence Act, 1965	22 (1)
66 of 1965	Administration of Estates Act, 1965	20 (1)
30 of 1966	Unemployment Insurance Act, 1966	2 (2) (d)
30 of 1966	Unemployment Insurance Act, 1966	45
57 of 1967	Designs Act, 1967	36 (1)
88 of 1967	Physical Planning Act, 1967	3 (2)
88 of 1967	Physical Planning Act, 1967	5
59 of 1968	Marketing Act, 1968	1 (2)
78 of 1969	Orange River Development Project Act, 1969	2
78 of 1969	Orange River Development Project Act, 1969	5
47 of 1970	Wine and Spirit Control Act, 1970	13
47 of 1970	Wine and Spirit Control Act, 1970	28
47 of 1970	Wine and Spirit Control Act, 1970	44 (1), (4) and (5)
47 of 1970	Wine and Spirit Control Act, 1970	46 (1), (4) and (5)
61 of 1970	Egg Production Control Act, 1970	2 (5) and (7)
82 of 1970	Commission for Fresh Produce Markets Act, 1970	Definition of "controlled area" in section 1
82 of 1970	Commission for Fresh Produce Markets Act, 1970	15
51 of 1971	Agricultural Produce Export Act, 1971	1 (2) (a) and (b)
54 of 1971	National Roads Act, 1971	4 (1), (2), (3) (a), (4) and (5)
54 of 1972	Foodstuffs, Cosmetics and Disinfectants Act, 1972	28

TRANSFER OF POWERS AND DUTIES OF THE STATE PRESIDENT
ACT, 1986

Act No. 97, 1986

No. and year of Act	Short title	Number of section (or description of provision where otherwise indicated)
15 of 1973	Hazardous Substances Act, 1973	30
58 of 1973	Sea Fisheries Act, 1973	23 (1) (d)
61 of 1973	Companies Act, 1973	17 (1), (2) and (3)
61 of 1973	Companies Act, 1973	335 (2)
28 of 1974	International Health Regulations Act, 1974	3 (1), (4) and (5)
53 of 1974	Pharmacy Act, 1974	33 (5), (6) and (7)
56 of 1974	Medical, Dental and Supplementary Health Service Professions Act, 1974	31 (2), (3) and (4)
12 of 1975	Agricultural Produce Agency Sales Act, 1975	1 (2)
39 of 1975	Lake Areas Development Act, 1975	2 (1)
39 of 1975	Lake Areas Development Act, 1975	11 (5)
15 of 1976	Plant Breeders' Rights Act, 1976	23 (1A) and (5)
54 of 1976	Abattoir Industry Act, 1976	Definitions of "animal" and "proclaimed area" in section 1
54 of 1976	Abattoir Industry Act, 1976	42 (1), (2) and (3)
57 of 1976	National Parks Act, 1976	30B (1)
51 of 1977	Criminal Procedure Act, 1977	212 (4) (a)
74 of 1977	Road Transportation Act, 1977	43 (1) and (2)
87 of 1977	Liquor Act, 1977	158 (1)
70 of 1979	Divorce Act, 1979	13 (1), (3) and (4)
92 of 1982	Nuclear Energy Act, 1982	1 (2)
108 of 1983	Referendums Act, 1983	4 (3)
122 of 1984	Forest Act, 1984	66 (2) and (4)