



REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

Verkoopprijs • Selling price
(AVB uitgesluit/GST excluded)
Plaaslik **70c** Local
Buitelands R1,00 Other countries
Posvry • Post free

Vol. 301

KAAPSTAD, 13 JULIE 1990

No. 12634

CAPE TOWN, 13 JULY 1990

KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1614.

13 Julie 1990

No. 1614.

13 July 1990

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. 112 van 1990: Wet op die Opheffing van die Toepassing van Sekere Wette op Namibië, 1990.

No. 112 of 1990: Application of Certain Laws to Namibia Abolition Act, 1990.

APPLICATION OF CERTAIN LAWS TO NAMIBIA ABOLITION ACT,
1990 Act No. 112, 1990

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 abolish the application thereof in respect of Namibia; and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 28 June 1990.)

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

Abolition of application of certain laws to Namibia

1. The laws mentioned in the Schedule are hereby amended to the extent set out in the third column of the Schedule.

Short title

2. This Act shall be called the Application of Certain Laws to Namibia Abolition Act, 1990.

APPLICATION OF CERTAIN LAWS TO NAMIBIA ABOLITION ACT, Act No. 112, 1990
1990

Schedule

No. and year of law	Short title	Extent of amendment
Act No. 1 of 1937	Aliens Act, 1937	1. The amendment of section 1 by the deletion of the definition of "Union". 2. The repeal of section 13 <i>bis</i> .
Act No. 44 of 1949	South African Citizenship Act, 1949	1. The amendment of section 1 by the deletion of the definition of "Union". 2. The amendment of section 19 by the substitution for subsection (6) of the following subsection: " (6) An enquiry under subsection (4) shall be held by a committee of not more than three persons including the chairman, constituted for the purpose by the Minister, presided over by a person, appointed by the Minister, who is or has been a judge of the Supreme Court of South Africa [or of the High Court of South-West Africa]: Provided that any such enquiry may, if the Minister thinks fit, be held by any provincial division of the Supreme Court of South Africa [or by the High Court of South-West Africa]." 3. The substitution for section 41 of the following section: "Application of Act 41. This Act and any amendment thereof shall apply in [the Territory of South-West Africa including the eastern Caprivi Zipfel referred to in section 3 of the South West African Affairs Amendment Act, 1951 (Act No. 55 of 1951), and in] the Prince Edward Islands."
Act No. 34 of 1955	Departure from the Union Regulation Act, 1955	1. The amendment of section 1 by the deletion of the definition of "Union". 2. The repeal of section 10.
Act No. 25 of 1961	Marriage Act, 1961	1. The amendment of section 5— (a) by the substitution for subsection (1) of the following subsection: "(1) [Subject to the provisions of subsection (3), any] Any person who, at the commencement of this Act, or of the Marriage Amendment Act, 1970, is under the provisions of any prior law authorized to solemnize any marriages, shall continue to have authority to solemnize such marriages as if such law had not been repealed, but shall exercise such authority in accordance with the provisions of this Act."; and (b) by the deletion of subsection (3). 2. The amendment of section 12 by the substitution for paragraph (a) of the following paragraph: "(a) each of the parties in question produces to the marriage officer his or her identity document issued under the provisions of the Population Registration Act, 1950 (Act No. 30 of 1950) [or the Identity Documents in South-West Africa Act, 1970]; or". 3. The amendment of section 39 by the substitution for subsection (1) of the following subsection: "(1) Subject to the provisions of subsections (2) to [(5)] (4) inclusive, the laws specified in the Schedule are hereby repealed to the extent set out in the fourth column thereof [except in so far as they apply in the territory of South-West Africa]." 4. The repeal of section 39A.
Act No. 59 of 1972	Admission of Persons to the Republic Regulation Act, 1972	1. The amendment of section 1 by the deletion in subsection (1) of the definition of "Republic". 2. The repeal of section 56.

APPLICATION OF CERTAIN LAWS TO NAMIBIA ABOLITION ACT, 1990 Act No. 112, 1990

No. and year of law	Short title	Extent of amendment
Act No. 45 of 1979	Electoral Act, 1979	<p>1. The amendment of section 4—</p> <p>(a) by the substitution in paragraph (a) of subsection (1) for the words preceding subparagraph (i) of the following words: “if he has been convicted in the Republic [or in the territory of South-West Africa] or in an independent State—”; and</p> <p>(b) by the substitution for paragraph (a) of subsection (2) of the following paragraph: “(a) has been convicted in the Republic [or in the territory of South-West Africa] or in an independent State of an offence (except an offence referred to in subsection (1) (a)) in respect of which he has been sentenced to a period of imprisonment without the option of a fine or ordered to be detained under the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971 (Act No. 41 of 1971), or, in the case of the said independent State, under any law which is applicable in that State and which has as its object the combating of the abuse of dependence-producing drugs and alcoholic liquor; or”.</p> <p>2. The amendment of section 81A by the substitution for paragraph (b) of subsection (2) of the following paragraph: “(b) who is enrolled on the voters' list for a division and will throughout the hours of polling on polling day be [in the territory of South-West Africa or] on any island under the sovereignty of the Republic.”.</p>