

# Provincial Gazette Extraordinary

5125

Friday, 4 April 1997

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(\*Reprints are obtainable at Room 4-94, Provincial Building, Wale Street, Cape Town 8001.)

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# Buitengewone Provinsiale Roerant

5125

Vrydag, 4 April 1997

As 'n Nuusblad by die Poskantoor Geregistreer

## INHOUD

(\*Herdrukke is verkrybaar by Kamer 4-94, Provinciale-gebou, Waalstraat, Kaapstad 8001.)

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**PROVINCIAL NOTICES**

The following Provincial Notices are published for general information.

**L. D. BARNARD.**  
**DIRECTOR-GENERAL**

Provincial Building,  
Wale Street,  
Cape Town.

P.N. 120/1997

4 April 1997

**WESTERN CAPE TOURISM ACT, ACT 3 OF 1997****WESTERN CAPE TOURISM REGULATIONS**

The Member of the Executive Council responsible for Tourism in the Province of the Western Cape has, under section 32 of the Western Cape Tourism Act, 1997 (Act 3 of 1997), made the regulations set out in the Schedule.

**Schedule****I. Definitions**

In these regulations any word or expression to which a meaning has been assigned under the Act, bears the meaning assigned to it and, unless the context otherwise indicates —

“chief executive officer” means the chief executive officer of the Board appointed in terms of section 12(6) of the Act;

“Director-General” means the Director-General of the Province or any person designated in writing by him or her;

“Act” means the Western Cape Tourism Act, 1997 (Act 3 of 1997), and

“Standing Committee” means the Standing Committee of the Provincial Legislature responsible for tourism.

**2. Nomination of candidates for Board (section 4(2))**

(1) The responsible Member shall by notice published in the *Provincial Gazette* and in such other media as he or she may consider appropriate, invite nominations of candidates for appointment in terms of section 4(1)(c) of the Act as members of the Board.

(2) The notice shall specify that a nomination shall —

(a) contain the name, residential address, postal address and telephone number of the nominee;

(b) contain a statement of the reasons why the nominee is a fit and proper person to be so appointed, and

(c) be submitted in writing to the Director-General within 14 days of the publication of the notice referred to in subregulation (1) in the *Provincial Gazette*.

(3) The Director-General may accept a late nomination if he or she is satisfied that it is in the interests of good government to do so; provided that the Director-General may not accept a nomination after the expiry of the period referred to in subregulation (5).

(4) On receipt of a nomination the Director-General shall furnish the nominee with an application form as prescribed in the Annexure to this Schedule.

(5) The nominee shall complete the application form in full, sign the completed form and submit it to the Director-General within 21 days of the publication of the notice referred to in subregulation (1) in the *Provincial Gazette*.

**PROVINSIALE KENNISGEWINGS**

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

**L. D. BARNARD,**  
**DIREKTEUR-GENERAAL**

Provinsiale-gebou,  
Waalstraat,  
Kaapstad.

P.K. 120/1997

4 April 1997

**WES-KAAPSE WET OP TOERISME, WET 3 VAN 1997****WES-KAAPSE TOERISMEREGLASIES**

Die Lid van die Uitvoerende Raad verantwoordelik vir Toerisme in die Provinsie van die Wes-Kaap het kragtens artikel 32 van die Wes-Kaapse Wet op Toerisme, 1997 (Wet 3 van 1997) die regulasies uitgevaardig, soos in die Bylae uiteengesit.

**Bylae****I. Woordomskrywings**

In hierdie regulasies dra enige woord of uitdrukking waaraan 'n betekenis ingevolge die Wet geheg word, die betekenis só daarvan geheg en, tensy die teendeel uit die sinsverband blyk, beteken —

“hoof uitvoerende beampie” die hoof uitvoerende beampie van die Raad, kragtens artikel 12(6) van die Wet aangestel;

“Direkteur-Generaal” die Direkteur-Generaal van die Provinsie of enige persoon wat skriftelik deur hom of haar aangewys word;

“Wet” die Wes-Kaapse Wet op Toerisme, 1997 (Wet 3 van 1997); en

“Staande Komitee” die Staande Komitee van die Provinsiale Wetgewer verantwoordelik vir toerisme.

**2. Benoeming van kandidate vir die Raad (artikel 4(2))**

(1) Die verantwoordelike Lid moet by kennisgewing in die *Provinsiale Koerant* en in enige ander media wat hy of sy as geskik beskou, nominasies van kandidate aanvra vir aanstelling as lede van die Raad kragtens artikel 4(1)(c) van die Wet.

(2) Die kennisgewing moet spesifiseer dat 'n nominasie —

(a) die naam, woonadres, posadres en telefoonnummer van die benoemde moet bevat;

(b) 'n verklaring moet bevat van die redes waarom die benoemde 'n geskikte en gepaste persoon is om as sodanig aangestel te word; en

(c) skriftelik aan die Direkteur-Generaal voorgelê moet word, binne 14 dae nadat die kennisgewing in subregulasie (1) bedoel, in die *Provinsiale Koerant* gepubliseer is.

(3) Die Direkteur-Generaal mag 'n laat nominasie aanvaar indien hy of sy oortuig is dat dit in die belang van goeie staatsbestuur is om dit te doen: met dien verstande dat die Direkteur-Generaal nie 'n nominasie mag aanvaar ná die verstryking van die tydperk in subregulasie (5) bedoel nie.

(4) By ontvangs van 'n nominasie moet die Direkteur-Generaal die benoemde voorsien van 'n aansoekvorm, soos in die Aanhangesel tot hierdie Bylae voorgeskryf.

(5) Die benoemde moet die aansoekvorm in sy geheel invul, die ingevulde vorm onderteken en dit aan die Direkteur-Generaal voorlê binne 21 dae nadat die kennisgewing in subregulasie (1) bedoel, in die *Provinsiale Koerant* gepubliseer is.

- (6) Subject to subregulation (7), failure to comply with the requirements imposed by subregulation (5) shall render an application invalid.
- (7) The Director-General may condone the late submission of an application form, or return a defective application form to the applicant for completion and resubmission within a period specified by him or her, if he or she is satisfied that it is in the interests of good government to do so; provided that the Director-General may not accept an application form after the expiry of the period referred to in regulation 3(3).

### 3. Procedure for appointment to Board (section 4(1)(c))

- (1) The Director-General shall evaluate each completed, signed application form referred to in regulation 2(5) and shall compile a provisional short list comprising the names of the applicants who, in his or her opinion, are the most suitable candidates for appointment in terms of section 4(1)(c) of the Act as members of the Board: provided that the short list shall contain at least 14 names: provided further that if there are less than 14 applications the short list shall contain the names of all the applicants.
- (2) Subject to subregulation (3), the Director-General may require an applicant to submit to him or her, within a specified period, additional information or documentation relevant to the application.
- (3) Within 28 days of the publication of the notice referred to in subregulation (1) in the *Provincial Gazette* the Director-General shall submit to the Standing Committee and the responsible Member a dossier containing —
- (a) the provisional short list referred to in subregulation (1);
  - (b) a list containing the names of all the applicants;
  - (c) the nomination, referred to in regulation 2(4), of each of the applicants;
  - (d) each completed, signed application form referred to in regulation 2(5), and
  - (e) any additional information or documentation submitted in terms of subregulation (2).
- (4) The Standing Committee shall, within 14 days of receiving the dossier described in subregulation (3), submit a final short list of 14 names to the responsible Member: provided that if there are less than 14 applications the final short list shall contain the names of all the applicants.
- (5) The responsible Member shall, within 21 days of receiving the final short list described in subregulation (4) —
- (a) appoint seven of the applicants whose names appear on that short list as members of the Board in terms of section 4(1)(c) of the Act, and
  - (b) by notice in the *Provincial Gazette* and in such other media as he or she may consider appropriate, publish the names and addresses of the appointees.

### 4. Offences and penalties

Any person who makes any false statement in an application form referred to in regulation 2(4) knowing it to be false, or intentionally submits false information or documentation in terms of regulation 3(2), shall be guilty of an offence and on conviction shall be liable to a fine or to imprisonment for a period not exceeding two years.

LH FICK, MINISTER OF AGRICULTURE, PLANNING AND TOURISM

DATE: 3 April 1997.

- (6) Onderhewig aan subregulasie (7), sal versuim om aan die vereistes voorgeskryf deur subregulasie (5) te voldoen, 'n aansoek ongeldig maak.
- (7) Die Direkteur-Generaal mag binne 'n tydperk deur hom of haar neergelê die laat indiening van 'n aansoekvorm kondoneer of 'n foutiewe aansoekvorm aan die aansoeker terugstuur vir voltooiing en herindiening, indien hy of sy oortuig is dat dit in die belang van goeie staatsbestuur is om dit te doen; met dien verstande dat die Direkteur-Generaal nie 'n aansoekvorm mag aanvaar ná die versyking van die tydperk in regulasie 3(3) bedoel nie.

### 3. Prosedure vir aanstelling in die Raad (artikel 4(1)(c))

- (1) Die Direkteur-Generaal moet elke ingevulde, ondertekende aansoekvorm in regulasie 2(5) bedoel, evalueer en 'n voorlopige kort lys opstel met die name van die aansoekers wat na sy of haar mening die mees gesikte kandidaat vir aanstelling as lede van die Raad kragtens artikel 4(1)(c) van die Wet is; met dien verstande dat die kort lys ten minste 14 name moet bevat; verder met dien verstande dat, indien daar minder as 14 aansoekers is, die kort lys die name van al die aansoekers moet bevat.
- (2) Onderhewig aan subregulasie (3) mag die Direkteur-Generaal vereis dat 'n aansoeker binne 'n voorgeskrewe tydperk bykomende inligting of dokumentasie van toepassing op die aansoek aan hom of haar moet voorlê.
- (3) Binne 28 dae nadat die kennisgewing in subregulasie (1) bedoel in die *Provisiale Koerant* gepubliseer is, moet die Direkteur-Generaal 'n dossier aan die Staande Komitee en die verantwoordelike Lid voorlê, wat die volgende moet bevat —
- (a) die voorlopige kort lys in subregulasie (1) bedoel;
  - (b) 'n lys met die name van al die aansoekers;
  - (c) die nominasie, in regulasie 2(4) bedoel, van elk van die aansoekers;
  - (d) elke ingevulde, ondertekende aansoekvorm in regulasie 2(5) bedoel; en
  - (e) enige bykomende inligting of dokumentasie ingevolge subregulasie (2) voorgelê.
- (4) Die Staande Komitee moet binne 14 dae ná ontvangs van die dossier in subregulasie (3) beskryf, 'n finale kort lys van 14 name aan die verantwoordelike Lid voorlê; met dien verstande dat indien daar minder as 14 aansoekers is, die finale kort lys die name van al die aansoekers moet bevat.
- (5) Die verantwoordelike Lid moet binne 21 dae ná ontvangs van die finale kort lys in subregulasie (4) beskryf —
- (a) sewe van die aansoekers wie se name op daardie kort lys verskyn, kragtens artikel 4(1)(c) van die Wet as lede van die Raad aanstel; en
  - (b) by kennisgewing in die Provisiale Koerant en in enige ander media wat hy of sy geskik ag, die name en adresse van die aangestelde persone bekend maak.

### 4. Misdrywe en strawwe

Enige persoon wat 'n valse verklaring aflê in 'n aansoekvorm, soos in regulasie 2(4) bedoel, met die wete dat dit vals is, of wat doelbewusse valse inligting of dokumentasie ingevolge regulasie 3(2) verstrek, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete of gevangenisstraf vir 'n tydperk van hoogstens twee jaar.

LH FICK, MINISTER VAN LANDBOU, BEPLANNING EN TOERISME

DATUM: 3 April 1997.

## Annexure A

PROVINCIAL ADMINISTRATION: WESTERN CAPE  
APPLICATION FOR MEMBERSHIP OF THE WESTERN CAPE  
TOURISM BOARD

## 1. PERSONAL INFORMATION

Surname: .....

First Name: .....

Middle Name(s): .....

Residential Address:  
(No., Street, Suburb) .....(City/Town) .....  
(Province/State) .....  
(Country) ..... (Post code) .....Present Business Address:  
(No., Street, Suburb) .....(City/Town) .....  
(Province/State) .....  
(Country) ..... (Post code) .....Telephone numbers:  
(Business) .....  
(Home) .....Birth/Citizenship:  
Date of Birth (Day, Month, Year): .....  
Sex: .....  
Place of Birth (City, Province/State, Country): .....Are you a South African citizen? Yes/No  
If a citizen of another country, state that country: .....

## 2. MARITAL INFORMATION

What is your marital status? .....  
Particulars of marriage (Date, City, Province, Country): .....Spouse's full names: .....  
Spouse's maiden name (where applicable): .....

## 3. EDUCATION

What is the highest level of education you have attained? .....

What is the name of the last educational institution you attended? .....

When did you complete your formal education? (Year): .....  
List your professional qualifications, if any: .....

(If additional space is needed, use an attachment page.)

## 4. PASSPORT AND TRAVEL INFORMATION

Passport number: .....  
Country: .....  
Place of issue: .....  
Date of issue: .....  
Date of expiry: .....

## 5. CONVICTIONS, CIVIL JUDGMENTS AND CREDIT STATUS

Have you ever been convicted of a criminal offence? Yes/No  
If so, give details in space provided below......  
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.....  
.....  
(If additional space is needed, use an attachment page.)

## Aanhangsel A

## PROVINSIALE ADMINISTRASIE: WES-KAAP

AANSOEK OM LIDMAATSKAP VAN DIE WES-KAAPSE  
TOERISMERAAD

## 1. PERSOONLIKE INLIGTING

Van: .....

Voornaam: .....

Middelnaam (-name): .....

Woonadres:  
(Nr., Straat, Voorstad) .....(Stad/Dorp) .....  
(Provinsie/Staat) .....  
(Land) ..... (Poskode) .....Huidige Sakeadres:  
(Nr., Straat, Voorstad) .....(Stad/Dorp) .....  
(Provinsie/Staat) .....  
(Land) ..... (Poskode) .....Telefoonnummers:  
(Werk) .....  
(Tuis) .....Geboorte/Burgerskap:  
Geboortedatum (Dag, Maand, Jaar) .....  
Geslag: .....  
Geboorteplek (Stad, Provinsie/Staat, Land): .....Is u 'n Suid-Afrikaanse burger? Ja/Nee  
Indien u 'n burger van 'n ander land is, vermeld daardie land: .....

## 2. HUWELIKSINLIGTING

Wat is u huwelikstaat? .....  
Besonderhede van huwelik (Datum, Stad, Provinsie, Land): .....Gade se volle name: .....  
Gade se nooiensvan (waar van toepassing): .....

## 3. OPVOEDING

Wat is die hoogste opvoedingspeil wat u bereik het? .....

Wat is die naam van die laaste opvoekundige instansie wat u bygewoon het? .....  
Wanneer het u u formele opvoeding voltooi? (Jaar): .....  
Voorsien 'n lys van u professionele kwalifikasies, indien enige: .....

(As u meer plek nodig het, heg 'n bladsy aan.)

## 4. PASPOORT- EN REISINLIGTING

Paspoortnommer: .....  
Land: .....  
Plek van uitreiking: .....  
Datum van uitreiking: .....  
Vervaldatum: .....

## 5. SKULDIGBEVINDINGS, SIVIELE VONNISSE EN KREDIETSTATUS

Is u al ooit aan 'n kriminele oortreding skuldig bevind? Ja/Nee  
Indien wel, verstrek besonderhede in die ruimte hieronder voorsien......  
.....  
.....  
.....  
(As u meer plek nodig het, heg 'n bladsy aan.)

Have you ever had a civil judgment entered against you? Yes/No  
If so, give details in space provided below.

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(If additional space is needed, use an attachment page.)

Has your salary, wages, earnings or other income ever been subject to a garnishee order? Yes/No  
If so, give details in space provided below.

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(If additional space is needed, use an attachment page.)

Have any of your possessions ever been repossessed Yes/No  
If so, give details in space provided below.

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(If additional space is needed, use an attachment page.)

Have you ever been declared insolvent by a court? Yes/No  
If so, give details in space provided below.

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(If additional space is needed, use an attachment page.)

Have you ever been involved in the management of any company or business entity that has been liquidated, placed under judicial management or has entered into a scheme of arrangement with its creditors Yes/No  
If so, give details in space provided below.

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(If additional space is needed, use an attachment page.)

## 6. EMPLOYMENT/BUSINESS HISTORY

Describe your employment/business activities during the past 5 years.

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(If additional space is needed, use an attachment page.)

Have you ever been dismissed, discharged or asked to resign from any employment? Yes/No  
If so, give details in space provided below.

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(If additional space is needed, use an attachment page.)

**Directorships and business affiliations:**  
List all corporations, partnerships, joint ventures or any businesses with which you have been associated in any capacity during the last ten years

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Is 'n siviele vonnis al ooit teen u aangeteken? Ja/Nee  
Indien wel, verstrek besonderhede in die ruimte hieronder voorsien.

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(As u meer plek nodig het, heg 'n bladsy aan.)

Was u salaris, lone, verdienste of ander inkomste al ooit onderworpe aan 'n loonbeslagorder? Ja/Nee  
Indien wel, verstrek besonderhede in die ruimte hieronder voorsien.

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(As u meer plek nodig het, heg 'n bladsy aan.)

Is enige van u besittings al ooit teruggeneem? Ja/Nee  
Indien wel, verstrek besonderhede in die ruimte hieronder voorsien.

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(As u meer plek nodig het, heg 'n bladsy aan.)

Is u al ooit deur 'n hof insolvent verklaar? Ja/Nee  
Indien wel, verstrek besonderhede in die ruimte hieronder voorsien.

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(As u meer plek nodig het, heg 'n bladsy aan.)

Was u al ooit betrokke by die bestuur van enige maatskappy of besigheid wat gelikwideer of onder geregtelike bestuur geplaas is of wat 'n reëlingskema met sy krediteure aangegaan het?

Ja/Nee

Indien wel, verstrek besonderhede in die ruimte hieronder voorsien.

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(As u meer plek nodig het, heg 'n bladsy aan.)

## 6. WERK-/SAKEGESKIEDENIS

Beskryf u werk/sakebedrywighede gedurende die afgeloep 5 jaar.

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(As u meer plek nodig het, heg 'n bladsy aan.)

Is u al ooit afgedank, ontslaan of gevra om te bedank uit enige werk? Ja/Nee  
Indien wel, verstrek besonderhede in die ruimte hieronder voorsien.

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(As u meer plek nodig het, heg 'n bladsy aan.)

**Direkteurskappe en sakeaffiliasies:**  
Voorsien 'n lys van alle korporasies, vennootskappe, gesamentlike ondernemings of enige sake-ondernemings waarby u gedurende die afgeloep tien jaar in enige hoedanigheid betrokke was.

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(If additional space is needed, use an attachment page.)

**Do you belong to any professional bodies?  
If so, give details in space provided below.**

(If additional space is needed, use an attachment page.)

Have you ever been disciplined by a professional body for ethical misconduct or any other breach of its rules? Yes/No  
If so, give details in space provided below.

(If additional space is needed, use an attachment page.)

Have you ever been formally disqualified from acting as a director or manager of a company or business entity? Yes/No  
If so, give details in space provided below.

(If additional space is needed, use an attachment page.)

Have you ever held a licence to supply liquor or operate a hotel, guest house, bed and breakfast establishment, restaurant, airline, bus service or taxi service? Yes/No  
If so, give details in space provided below.

(If additional space is needed, use an attachment page.)

Have you ever been refused a licence to supply liquor or operate a hotel, guest house, bed and breakfast establishment, restaurant, airline, bus service or taxi service, or had any such licence revoked? Yes/No

If so, give details in space provided below.

(If additional space is needed, use an attachment page.)

## 7. EXPERIENCE IN THE TOURISM INDUSTRY

**Set out your experience and expertise in the tourism industry in the space provided below.**

(As u meer plek nodig het, heg 'n bladsy aan.)

**Behoort u aan enige professionele liggame? Ja/Nee**  
Indien wel, verstrek besonderhede in die ruimte hieronder voorsien.

Is u al ooit deur 'n professionele liggaam gedissiplineer weens etiese wangedrag of enige ander oortreding van sy reëls? Ja/Nee Indien wel, verstrek besonderhede in die ruimte hieronder voorsien.

(As u meer plek nodig het, heg 'n bladsy aan.)

Is u al ooit formeel daarvan gediskwalifiseer of bestuurder van 'n wapenhouer of houerlike?

Indien wel, verstrek besonderhede in die ruimte hieronder voorsien.

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(As u meer plek nodig het, heg 'n bladsy aan.)

Het u al ooit 'n lisensie gehou om drank te verskaf of 'n hotel, gastehuis, bed en ontbyt-onderneeming, restaurant, lugredery, busdiens of taxidiens te bedryf of is enige sodanige lisensie ingetrek? Ja/Nee Indien wel, verstrek besonderhede in die ruimte hieronder voorsien.

(As u meer plek nodig het, heg 'n bladsy aan.)

Was u al ooit 'n lisensie geweier om drank te verskaf of 'n hotel, gastehuis, bed en ontbyt-onderneming, restaurant, lugredery, busdiens of taxidiens te bedryf of is enige sodanige lisensie ingetrek? Ja/Nee

(As u meer plek nodig het, heg 'n bladsy aan.)

## 7. ONDERSVINDING IN DIE TOERISMEBEDRYF

Sit u ondervinding en deskundigheid met betrekking tot die toerismebedryf hieronder uiteen.

.....  
.....  
.....  
.....  
(If additional space is needed, use an attachment page.)

**8. DECLARATION**

I SOLEMNLY AND SINCERELY DECLARE THAT THE PARTICULARS CONTAINED IN THIS FORM ARE TRUE AND COMPLETE.

Dated at ..... (place of declaration, e.g. Cape Town) on this ..... day of ..... (month and year).

.....  
Signature of applicant

**NOTE:**

Regulation 4 of the Western Cape Tourism Regulations in *Provincial Gazette* No. 5125, dated Friday 4 April 1997, provides that any person who makes any false statement in this application form knowing it to be false shall be guilty of an offence and on conviction shall be liable to a fine or to imprisonment for a period not exceeding two years.

.....  
.....  
.....  
(As u meer plek nodig het, heg 'n bladsy aan.)

**8. VERKLARING**

EK VERKLAAR HIERMEE PLEGTIG EN IN ALLE OPREGTHEID DAT DIE BESONDERHEDE IN HIERDIE VORM VERVAT, WAAR EN VOLLEDIG IS.

Gedateer te ..... (plek waar verklaring afgelê is, bv. Kaapstad) op hierdie ..... dag van ..... (maand en jaar).

.....  
Aansoeker se handtekening

**LET WEL:**

Regulasie 4 van die Wes-Kaapse Toerismeregulasies in die *Proviniale Koerant* Nr. 5125, gedateer Vrydag, 4 April 1997, bepaal dat enige persoon wat enige valse verklaring in hierdie aansoekvorm aflê, met die wete dat dit vals is, skuldig is aan 'n misdryf en by skuldigbevinding strafbaar is met 'n boete of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar.

