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[No. 495.

GOVERNMENT NOTICE.

DEPARTMENT OF INDIAN AFFAIRS.

No. R. 701.]

[10 May 1963.

REGULATIONS IN TERMS OF THE CHILDREN'S ACT, 1960.

Under and by virtue of the powers vested in me by section *ninety-two* of the Children's Act, 1960 (Act No. 33 of 1960), I, WILLEM ADRIAAN MAREE, Minister of Indian Affairs, in so far as the administration of the Act has, in terms of Proclamation No. 52 of 1963, been assigned to me, hereby—

- (i) make the regulations set out in the accompanying Schedule in regard to the duties of maternity homes; the registration, classification and conduct of children's homes and places of care; the granting of leave to and the abscondment of pupils and children; the release on licence of pupils; the registration of approved agencies; the financial assistance of persons, associations of persons and children's homes and the organisation and maintenance of places of safety and detention;
- (ii) lay down that the regulations mentioned in (i) above shall come into operation on the 10th May, 1963.

W. A. MAREE,
Minister of Indian Affairs.

SCHEDULE.

CHILDREN'S ACT, 1960 (ACT No. 33 OF 1960).

REGULATIONS.

Made by the Minister of Indian Affairs in terms of section *ninety-two* of the Children's Act, 1960 (Act No. 33 of 1960), in so far as the administration of the Act has been assigned to him.

INTERPRETATION.

1. (1) In these regulations any term to which a meaning has been assigned by section *one* of the Children's Act, 1960 (Act No. 33 of 1960), bears that meaning and, unless inconsistent with the context—

- (a) "crèche" means a building or place which is maintained for the reception, protection and partial care of infants and which in terms of the Act been registered as a place of care; (b)
- (b) "Minister" means the Minister of Indian Affairs; (d)
- (c) "Secretary" means the Secretary for Indian Affairs; (e)
- (d) "Social pension" means a pension in terms of the Old Age Pensions Act, 1962 (Act No. 38 of 1962); or the Blind Persons Act, 1962 (Act No. 39 of 1962); or the War Veteran's Pensions Act, 1962 (Act No. 40 of 1962); or a grant in terms of the Disability Grants Act, 1962 (Act No. 41 of 1962); (c)
- (e) "the Act" means the Children's Act, 1960 (Act No. 33 of 1960); (a)

GOEWERMENSKENNISGEWING.

DEPARTEMENT VAN INDIËRSAKE.

No. R. 701.]

[10 Mei 1963.

REGULASIES INGEVOLGE DIE KINDERWET, 1960.

Ek WILLEM ADRIAAN MAREE, Minister van Indiërsake, handelende kragtens die bevoegdheid my verleen by artikel *twee-en-negentig* van die Kinderwet, 1960 (Wet No. 33 van 1960), vir sover die uitvoering van die Wet ingevolge Proklamasie No. 52 van 1963 aan my opgedra is—

- (i) vaardig hierby die regulasies in bygaande Bylae uit met betrekking tot die pligte van kraaminrigtings; die registrasie, klassifikasie en dryf van kinderhuise en versorgingsoorde; die toestaan van verlof aan en die wegloop van leerlinge en kinders; die vrylaat van leerlinge met vergunning; die registrasie van goedgekeurde verenigings; die geldelike ondersteuning van persone, verenigings van persone en kinderhuise en die organisasie en instandhouding van plekke van veiligheid en bewaring;
- (ii) bepaal dat die regulasies by (i) hierbo op 10 Mei 1963 in werking tree.

W. A. MAREE,
Minister van Indiërsake.

BYLAE.

KINDERWET, 1960 (WET No. 33 VAN 1960).

REGULASIES.

Uitgevaardig deur die Minister van Indiërsake ingevolge artikel *twee-en-negentig* van die Kinderwet, 1960 (Wet No. 33 van 1960), vir sover hy belas is met die uitvoering van die Wet.

VERTOLKING.

1. (1) In hierdie regulasies het enige uitdrukking waarvan 'n betekenis toegeskryf is by artikel *een* van die Kinderwet, 1960 (Wet No. 33 van 1960), daardie betekenis en tensy uit die samehang anders blyk, beteken—

- (a) „die Wet” die Kinderwet, 1960 (Wet No. 33 van 1960); (e)
- (b) „kinderbewaarhuis” ’n gebou of plek wat in stand gehou word vir die opname, beskerming en gedeeltelike versorging van jong kinders en wat kragtens die Wet as versorgingsoord geregistreer is; (a)
- (c) „maatskaplike pensioen” ’n pensioen ingevolge die Ouderdomspensioenwet, 1962 (Wet No. 38 van 1962); of die Wet op Blindes, 1962 (Wet No. 39 van 1962); of die Wet op Oudstryderspensioene, 1962 (Wet No. 40 van 1962); of ’n toelae ingevolge die Wet op Ongeskiktheidstoelae, 1962 (Wet No. 41 van 1962); (d)
- (d) „Minister” die Minister van Indiërsake; (b)
- (e) „Sekretaris” die Sekretaris van Indiërsake. (c)

(2) The Minister may delegate to the Secretary or to any other senior officer all or any of the powers conferred upon him by these regulations.

PART I.

DUTIES OF MATERNITY HOMES.

2. (1) Maternity homes shall keep a register in a form prescribed by the Secretary of every birth or death of an infant in the institution and of every infant who is removed from the institution.

(2) Any register kept by a person in charge of a maternity home in accordance with the provisions of any Act or statutory regulation, other than a provision of the Act or a regulation made under the Act, which sets forth all the particulars to be recorded in the register prescribed in sub-regulation (1), shall be deemed to be such last-named register.

PART II.

REGISTRATION, CLASSIFICATION AND CONDUCT OF CHILDREN'S HOMES AND PLACES OF CARE.

3. An application by the managers of a children's home or place of care for the registration thereof in terms of sub-section (3) of section *forty-two*, of the Act, or for the amendment of a certificate of registration, shall be submitted in duplicate, in a form prescribed by the Secretary, to the probation officer of the area in which the children's home or the place of care is situated.

4. (1) An application for the registration of a children's home shall be accompanied by the constitution of the children's home which shall, in addition to the requirements of section *forty-two* of the Act, contain the undermentioned particulars:—

- (a) The name of the children's home.
- (b) The constitution of the board of management and of the executive committee.
- (c) The powers and duties of the board of management and of the executive committee.
- (d) The powers of the management to delegate its authority in connection with punishment and discipline to the principal.
- (e) The manner of disposing of the assets of the children's home when its certificate of registration is cancelled or surrendered.
- (f) The procedure in connection with the amendment of the constitution.

(2) An application for the registration of a children's home or place of care or an application for the amendment of an existing certificate of registration for the reception of a larger number of children in a children's home or place of care shall be accompanied by a certificate by the responsible local authority to the effect that the buildings, general health facilities and services comply with the required standards.

5. (1) On receipt of an application for the registration of a children's home or place of care, or for the amendment of a certificate of registration, the probation officer shall investigate the application and send his report, together with the original application form and the documents required in terms of regulation 4, to the Secretary for consideration by the Minister.

(2) If an application for the registration of a children's home or place of care is approved, the Minister shall grant to such children's home or place of care a certificate of registration.

6. The Minister may, as a condition of the grant of a certificate of registration to a children's home or for the continuation or amendment of a certificate, require the vesting in him, if need be by an amendment of the constitution of the children's home, of powers to appoint a specified number or proportion of the members of the management.

(2) Die Minister kan al die bevoegdheide wat hierdie regulasies aan hom verleen, of een of meer daarvan, aan die Sekretaris of enige ander senior amptenaar delegeer.

DEEL I.

PLIGTE VAN KRAAMINRIGTINGS.

2. (1) Kraaminrigtings moet 'n register, in die vorm soos bepaal deur die Sekretaris, hou van elke geboorte of dood van 'n jong kind in die inrigting en van elke jong kind wat uit die inrigting verwyder word.

(2) Enige register gehou deur 'n persoon in beheer van 'n kraaminrigting ooreenkomstig die bepalings van enige wet of wetteregtelike regulasie, uitgesonderd 'n bepaling van die Wet of 'n regulasie wat kragtens die Wet opgestel is, wat al die besonderhede aangee wat aangeteken moet word in die register genoem in subregulasie (1), word geag sodanige laasgenoemde register te wees.

DEEL II.

REGISTRASIE, KLASSEFIKASIE EN BESTUUR VAN KINDERHUISE EN VERSORGINGSOORDE.

3. 'n Aansoek deur die bestuurders van 'n kinderhuis of versorgingsoord om die registrasie daarvan ingevolge subartikel (3) van artikel *twee-en-veertig* van die Wet, of om die wysiging van 'n registrasiesertifikaat, moet in tweevoud in 'n vorm soos bepaal deur die Sekretaris aan die proefbeampte van die gebied waarin die kinderhuis of versorgingsoord geleë is, voorgelê word.

4. (1) 'n Aansoek om die registrasie van 'n kinderhuis moet vergesel wees van die konstitusie van die kinderhuis wat, benewens die vereistes van artikel *twee-en-veertig* van die Wet onderstaande besonderhede moet bevat:—

- (a) Die naam van die kinderhuis;
- (b) die samestelling van die bestuursraad en die uitvoerende komitee of dagbestuur;
- (c) die bevoegdheide en pligte van die bestuursraad en die uitvoerende komitee of dagbestuur;
- (d) die bevoegdheide van die bestuur om sy gesag met betrekking tot tug en dissipline aan die prinsipaal oor te dra;
- (e) die wyse van beskikking oor die bates van die kinderhuis by intrekking of teruggawe van sy sertifikaat van registrasie;
- (f) die prosedure met betrekking tot wysiging van die konstitusie.

(2) 'n Aansoek om die registrasie van 'n kinderhuis of versorgingsoord of 'n aansoek om die wysiging van 'n bestaande sertifikaat van registrasie om 'n groter aantal kinders in 'n kinderhuis of versorgingsoord op te neem, moet vergesel wees van 'n sertifikaat deur die verantwoordelike plaaslike bestuur dat die geboue, algemene gesondheidsgeriewe en diensstelsels beantwoord aan die vereiste standaarde.

5. (1) By die ontvangs van 'n aansoek om die registrasie van 'n kinderhuis of versorgingsoord, of om die wysiging van 'n sertifikaat van registrasie, moet die proefbeampte die saak ondersoek en sy verslag, tesame met die oorspronklike aansoekvorm en die stukke wat ingevolge regulasie 4 vereis word, aan die Sekretaris stuur vir oorweging deur die Minister.

(2) Indien die aansoek om die registrasie van 'n kinderhuis of versorgingsoord goedgekeur word, reik die Minister aan die kinderhuis of versorgingsoord 'n sertifikaat van registrasie uit.

6. Die Minister kan as 'n voorwaarde vir die uitreiking van 'n sertifikaat van registrasie van 'n kinderhuis of vir die voortsetting of wysiging van 'n sertifikaat eis dat hy met die bevoegdheid beklee word, desnoods deur die wysiging van die konstitusie van die kinderhuis, om 'n vasgestelde aantal of 'n proporsionele gedeelte van die lede van die bestuur aan te stel.

7. The Minister may, as a condition of the grant of a certificate of registration or the continuation or amendment of a certificate, require a children's home or place of care to be classified for the reception and care or protection of a particular class of child defined in respect of race, age, sex, intelligence, standard of education, conduct and physical or mental disabilities, or in such other manner as the Minister, after consultation with the management, may deem fit.

8. No such condition as is referred to in regulation 6 or 7 for the continuation or amendment of a certificate of registration of a children's home or place of care shall be imposed before the lapse of three months after notice has been given to the managers by the Minister of his intention to impose such condition.

9. The conditions and any other provisions of a certificate granted by the Minister to a children's home or place of care may from time to time be amended by the Minister with the approval of the managers: Provided that nothing in this regulation shall be deemed to derogate from the powers conferred upon the Minister by section forty-two of the Act to cancel a certificate or from the right of the managers to surrender a certificate.

10. (1) (a) The managers of every children's home or place of care shall cause to be kept a register of pupils or children who have been received therein, in which there shall be recorded in respect of each pupil or child—

- (i) his date of admission;
- (ii) his full name, race and sex;
- (iii) his date of birth;
- (iv) his ordinary place of residence immediately before his reception;
- (v) the names and addresses of his parents, or, if he is an orphan, of his guardian or, if he is an orphan and he has no guardian, of his next of kin.

(b) In the register which must be kept by a children's home, there shall also be recorded in respect of each pupil—

- (i) the date on which his period of detention and protection will expire;
- (ii) the authority granted in terms of the Act or any other Act for his reception; and
- (iii) a note of his release on licence, discharge, transfer or re-admission.

(2) The management of a children's home shall cause to be kept, in addition to the register referred to in sub-regulation (1), the following registers in respect of pupils:—

- (a) A daily attendance register.
- (b) A punishment book in which shall be recorded the name of the pupil who has been punished (excluding absconders), the date and nature of the transgression, the date and nature of the punishment meted out and by whom administered.
- (c) A register of absconders in which shall be recorded the date on which the pupil absconded; the date of his return and the disciplinary measures taken.

(3) Every entry in the punishment book and register of absconders referred to in sub-regulation (2), shall be signed by the principal of the children's home, and the registers shall—

- (a) at least once a month be scrutinised and signed by the chairman of the management; and
- (b) be submitted to every ordinary meeting of the management, on which occasion the principal may be requested to explain any entry therein.

(4) The management of a children's home shall cause to be kept in respect of every pupil admitted to the children's home, a separate record file (with a name index if record covers are not filed in alphabetical order), which shall contain—

- (a) all documents in regard to the pupil received at the time of his admission from the authority which ordered his admission;
- (b) any social report in regard to the pupil received by the management;

7. Die Minister kan, as 'n voorwaarde vir die uitreiking van 'n sertifikaat van registrasie of die voortsetting of wysiging van 'n sertifikaat, eis dat 'n kinderhuis of versorgingsoord geklassifiseer word vir die opname en versorging of beskerming van 'n besondere klas kind, omskryf ten opsigte van ras, ouderdom, geslag, intelligensie, onderwyspeil, gedrag, liggaamlike, verstandelike of geestesgebreke of op sodanige ander wyse as wat die Minister, na oorlegpleging met die bestuur, mag goedvind.

8. Geen sodanige voorwaardes vir die voortsetting of wysiging van 'n sertifikaat van registrasie van 'n kinderhuis of versorgingsoord as wat in regulasie 6 of 7 genoem word, mag opgelê word voordat drie maande verloop het vandat kennis van die Minister se voorneme om sodanige voorwaardes op te lê, aan die bestuurders gegee is nie.

9. Die voorwaardes en enige ander bepalings van 'n sertifikaat deur die Minister aan 'n kinderhuis of versorgingsoord uitgereik, kan van tyd tot tyd deur die Minister met die toestemming van die bestuurders gewysig word: Met dien verstande dat niks in hierdie regulasies geag word afbreuk te doen aan die bevoegdheid verleen aan die Minister ingevolge artikel twee-en-veertig van die Wet om 'n sertifikaat in te trek of aan die reg van die bestuurders om 'n sertifikaat te gee nie.

10. (1) (a) Die bestuurders van elke kinderhuis of versorgingsoord moet toesien dat 'n register gehou word van leerlinge of kinders wat daarin opgeneem word, waarin ten opsigte, van elke leerling of kind aangeteken moet word—

- (i) sy datum van opneming;
- (ii) sy volle naam, ras en geslag;
- (iii) sy geboortedatum;
- (iv) sy gewone verblyfplek onmiddellik voor sy opneming;
- (v) die name en adresse van sy ouers, of, as hy 'n weeskind is, van sy voog of, as hy 'n weeskind is en geen voog het nie, van sy naaste bloedverwant.

(b) In die register wat deur 'n kinderhuis gehou moet word, moet ten opsigte van elke leerling ook aangeteken word—

- (i) die datum waarop sy tydperk van aanhouding en beskerming verstryk;
- (ii) die magtiging ingevolge die Wet of 'n ander wet verleen tot sy opneming; en
- (iii) 'n aantekening van sy vrylating met vergunning, ontslag, oorplasing of heropneming.

(2) Die bestuur van 'n kinderhuis moet toesien dat die volgende registers, benewens die register in subregulasie (1) genoem, ten opsigte van leerlinge gehou word:—

- (a) 'n Daaglikse bywoningsregister;
- (b) 'n strafboek waarin die naam van die leerling wat gestraf is (uitgesonderd weglopers), die datum en aard van die oortreding en die datum en aard van die straf toegedien en deur wie toegedien, aangeteken moet word;
- (c) 'n register van weglopers waarin die datum waarop die leerling weggeloop het, die datum van terugkeer en dissiplinêre maatreëls toegepas, aangeteken moet word.

(3) Elke inskrywing in die strafboek en register van weglopers in subregulasie (2) genoem, moet deur die prinsipaal van die kinderhuis onderteken word en die registers moet—

- (a) minstens een keer per maand deur die voorsitter van die bestuur nagegaan en onderteken word; en
- (b) aan elke gewone vergadering van die bestuur voorgelê word, en by dié geleentheid kan die prinsipaal versoek word om enige inskrywing daarin toe te lig.

(4) Die bestuur van 'n kinderhuis moet ten opsigte van elke leerling wat in die kinderhuis opgeneem word, 'n afsonderlike lêer laat hou (met 'n naamindeks indien lêers nie in alfabetiese order gebêre word nie), wat die volgende moet bevat:—

- (a) Alle stukke aangaande die leerling wat ten tye van sy opneming ontvang is van die instansie wat sy opneming gelas het;
- (b) enige maatskaplike verslag aangaande die leerling wat deur die bestuur ontvang is;

- (c) any report by the principal or any teacher of a school attended by the pupil, either before or after his admission, in regard to his scholastic attainments, mental or physical health or development, and conduct;
- (d) any report of a physical, psychiatric or psychological examination of the pupil and any report of the results of any treatment administered;
- (e) the social record of the pupil while in the children's home, including particulars of breaches of discipline and of any punishment administered;
- (f) any other information received by the management relevant to the study and treatment of the personality or home environment of the pupil;
- (g) any other documents in regard to the pupil.

(5) In the event of the transfer of a pupil to any other children's home, school of industries or reform school, the record file kept under sub-regulation (4) in respect of the pupil shall be transferred to such children's home, school of industries or reform school.

11. (1) The managers of a children's home or place of care shall cause to be kept proper books of account which shall accurately reflect—

- (a) all sums of money received and the value of receipts in kind and the date and source of receipt;
- (b) all disbursements, with the date of payment, name of payee and the nature of any consideration received for the disbursement;
- (c) the value of its assets properly classified, e.g. land, buildings, furniture, equipment, debts receivable;
- (d) the amount of liabilities showing the amount due to and the name of each creditor and the cause of liability.

(2) The managers of a children's home or place of care shall furnish annually to the Secretary, within three months of the close of the financial year of the children's home or place of care, audited statements of account for that year, including a balance sheet and statement of revenue and expenditure. The statement of revenue and expenditure shall show separately the various sources of income and the amount received from each source and the allocation of expenditure to land and buildings (including repairs), furniture and equipment (including repairs), salaries, foodstuffs and clothing, and of other expenditure in such manner as the management may decide.

(3) The managers of a children's home or a place of care may be requested by the Secretary to submit, in a form prescribed by him, for a calendar year, or any other period, returns of statistics of pupils or children residing in the children's home or place of care, or children who have been admitted to or have left such children's home or place of care (analysed in respect of age, sex, race, academic attainment, reason for admission, manner and cause of departure, destination and in such other manner as the Secretary may reasonably require), as well as in respect of staff.

(4) The Minister may, at his discretion, exempt the managers of a children's home or place of care from any of or all the requirements of this regulation.

12. (1) The principal of a children's home shall advise the Secretary forthwith in a form prescribed by him of the date of admission, discharge, abscondment or re-admission, release on licence, cancellation of licence, admission to or discharge from a hospital of every pupil committed to a children's home.

(2) The principal of a children's home shall, within seven days of the end of each calendar month, submit to the Secretary a return of vacancies in the children's home in a form prescribed by him.

- (c) enige verslag deur die prinsipaal of enige onderwyser van 'n skool deur die leerling bygewoon, hetsy voor of na opneming, aangaande sy skoolprestasies, verstandelike of liggaamlike gesondheid of ontwikkeling en gedrag;
- (d) enige verslag van 'n liggaamlike, psigiatriese of psigologiese ondersoek van die leerling en enige verslag van die resultate van enige behandeling wat toegepas is;
- (e) die maatskaplike rekord van die leerling tydens sy verblyf in die kinderruim, met inbegrip van besonderhede aangaande dissiplinêre oortredings en enige strawwe wat toegedien is;
- (f) enige ander inligting deur die bestuur ontvang wat ter sake is by die bestudering en behandeling van die persoonlikheid of huislike omgewing van die leerling;
- (g) enige ander stukke wat op die leerling betrekking het.

(5) Indien 'n leerling na enige ander kinderruim of na 'n nywerheid- of verbeteringskool oorgeplaas word, moet die lêer wat ingevolge subregulasie (4) ten opsigte van die leerling gehou is, aan die kinderruim, nywerheid- of verbeteringskool waarheen hy oorgeplaas word, gestuur word.

11. (1) Die bestuurders van 'n kinderruim of versorgingsoord moet behoorlike rekeningboeke laat hou wat die volgende noukeurig moet weergee:—

- (a) Alle geldbedrae ontvang en die waarde van ontvangste *in natura* en die datum en bron van ontvangs;
- (b) alle uitbetalings, met die datum van betaling, naam van ontvanger en die aard van enige teenprestasie wat vir die betaling ontvang is;
- (c) die waarde van sy bates, behoorlik geklassifiseer, bv. grond, geboue, meublement, uitrusting, inbare skulde;
- (d) die bedrag van laste, met vermelding van die bedrag verskuldig aan en die naam van elke skuldeiser en die oorsaak van die skuld.

(2) Die bestuurders van 'n kinderruim of versorgingsoord moet jaarliks, binne drie maande na die sluiting van die kinderruim of versorgingsoord se boekjaar, geoditeerde rekeningstate vir daardie jaar, met inbegrip van 'n balansstaat en staat van inkomste en uitgawes, aan die Sekretaris verstrek. Die staat van inkomste en uitgawes moet die verskillende inkomstebronne en die bedrag uit elke bron ontvang, afsonderlik aandui asook die toedeling van uitgawes aan grond en geboue (insluitende herstelwerk), meublement, en uitrusting (insluitende herstelwerk), salarisse, eetware en klerasie, en van ander uitgawes op 'n wyse wat die bestuur bepaal.

(3) Die bestuurders van 'n kinderruim of versorgingsoord kan deur die Sekretaris versoek word om, in 'n vorm deur hom bepaal, vir 'n kalenderjaar of enige ander tydperk, opgawes van statistieke van leerlinge of kinders wat in die kinderruim of versorgingsoord woon, daarin opgeneem is of daaruit vertrek het, te verstrek (ontleed ten opsigte van ouderdom, geslag, ras, akademiese prestasie, rede vir toelating, wyse en oorsaak van vertrek, bestemming, en op sodanige ander wyse as wat die Sekretaris redelikerwys mag verlang), asook ten opsigte van personeel.

(4) Die Minister kan na goeddunke die bestuurders van 'n kinderruim of versorgingsoord vrystel van enige of van al die vereistes van hierdie regulasie.

12. (1) Die prinsipaal van 'n kinderruim moet die Sekretaris onverwyld in 'n vorm deur hom bepaal, verwittig van die datum van opneming, ontslag, wegloop of heropneming, vrylating met vergunning, intrekking van vergunning, opname in, of ontslag uit 'n hospitaal van elke leerling wat na die kinderruim verwys is.

(2) Die prinsipaal van 'n kinderruim moet binne sewe dae na die einde van elke kalendermaand 'n opgawe van vakatures in die kinderruim aan die Sekretaris stuur in 'n vorm deur hom bepaal.

PART III.

LEAVE AND ABSCONDMENT.

13. (1) The management of a children's home or of an approved agency, in the case of a child placed under the control of an agency and on the application of the foster parent or the parent or guardian of the child, may grant to a pupil or child leave of absence of any one of the following classes:—

- (a) Vacation leave.
- (b) Special leave.
- (c) Week-end leave.

(2) Vacation leave may be granted during any calendar year for a period not exceeding the total number of school holidays laid down for that year for provincial schools in the province in which the children's home is situated or the agency is operating.

(3) A pupil or child who is attending school may not be granted vacation leave for any period during which or during any portion of which the school is in session.

(4) Special leave may be granted for periods not exceeding fourteen days to any pupil or child, whether such pupil or child has or has not been granted vacation leave during the same calendar year, provided that the management of the children's home or agency is satisfied that special circumstances exist which make it imperative or highly desirable that such leave of absence be granted.

(5) If a pupil or child who has been granted vacation leave or special leave is prevented by illness or other sufficient cause from returning to the children's home or foster parent on the expiration of the period for which leave was granted, the management of the children's home or agency may from time to time extend such period: Provided that if by the grant of such extension the total period of the continuous absence of the pupil or child from the children's home or from the custody of the foster parent will exceed ninety days, extension may not be granted without the approval of the Minister.

(6) Week-end leave may be granted for any number of absences during the year, but only between midday on Friday and midday on the next succeeding Monday or for such shorter period between those times as the management of the children's home or agency may in any case determine, provided that such leave of absence does not clash with the school attendance of the pupil or child.

(7) Before granting leave of absence to any pupil or child the management of the children's home or agency shall satisfy itself that the person in whose care or the home or place in which the pupil or child is to stay during his absence on leave from the children's home or from the custody of the foster parent is suitable for that purpose and that no harm to the pupil is likely to result from the grant of leave. If the management itself has not sufficient information in this regard to enable it to form a judgment it shall seek a report in terms of regulation 14.

14. If the management of a children's home or an approved agency desires a report on the person in whose care or the home or place in which the pupil or child will be during his absence on leave, the management or agency must apply for a report to the probation officer of the area in which the home or place is situated. On receipt of such request the probation officer himself or some other competent person or association of persons designated by him, shall investigate the suitability of the person, house or place where the pupil or child will be while on leave and the ability of the person to pay the travelling expenses of the pupil or child or a part thereof, and report thereon. The probation officer shall forward the report thus submitted to the management of the children's home or agency without delay.

15. (1) The management of a children's home shall as soon as may be after the end of each calendar month send to the Secretary a statement showing the names of pupils who were absent from the children's home on

DEEL III.

VERLOF EN WEGLOOP.

13. (1) Die bestuur van 'n kindershuis, of van 'n goedgekeurde vereniging, in die geval van 'n kind onder beheer van 'n vereniging en op aansoek van die pleegouer of die ouer of voog van die kind, kan aan 'n leerling of kind die een of ander van die volgende soorte verlof toestaan:—

- (a) Vakansieverlof;
- (b) spesiale verlof;
- (c) naweekverlof.

(2) Vakansieverlof gedurende enige kalenderjaar kan nie vir 'n langer tydperk toegestaan word as die totale getal skoolvakansiedae wat vir daardie jaar bepaal is vir provinsiale skole in die provinsie waarin die kindershuis geleë of die vereniging werksaam is nie.

(3) Aan 'n leerling of kind wat 'n skool bywoon, mag nie vakansieverlof toegestaan word wat saamval met of waarvan 'n gedeelte saamval met enige tydperk waarin die skool aan die gang is nie.

(4) Spesiale verlof kan vir tydperke van hoogstens veertien dae aan enige leerling of kind toegestaan word, afgesien daarvan of aan sodanige leerling of kind vakansieverlof gedurende dieselfde kalenderjaar toegestaan is of nie, mits die bestuur van die kindershuis of vereniging daarvan oortuig is dat daar besondere omstandighede bestaan wat dit gebiedend noodsaaklik of hoogs wenslik maak dat sodanige verlof toegestaan word.

(5) Indien 'n leerling of kind aan wie vakansieverlof of Spesiale verlof toegestaan is, deur siekte of ander afdoende oorsaak verhinder word om by die verstryking van sy verloftydperk na die kindershuis of pleegouer terug te keer, kan die bestuur van die kindershuis of vereniging daardie tydperk van tyd tot tyd verleng: Met dien verstande dat indien deur die toestaan van sodanige verlenging die totale onafgebroke tydperk van afwesigheid van die leerling of kind uit die kindershuis of uit die bewaring van die pleegouer, negentig dae sal oorskry, verlenging nie toegestaan mag word sonder die goedkeuring van die Minister nie.

(6) Naweekverlof kan vir enige aantal kere gedurende die jaar toegestaan word maar slegs tussen Vrydagmiddag 12-uur en die volgende Maandagmiddag 12-uur of vir sodanige korter tydperke gedurende dié ure as wat die bestuur van die kindershuis of vereniging mag bepaal, mits sodanige verlof nie met die skoolbywoning van 'n leerling of kind bots nie.

(7) Voordat verlof aan 'n leerling of kind toegestaan word, moet die bestuur van 'n kindershuis of vereniging homself daarvan vergewis dat die persoon onder wie se sorg of die huis of plek waarin die kind of leerling gedurende sy afwesigheid van die kindershuis of uit die bewaring van die pleegouer, sal verkeer, geskik is vir daardie doel en dat die toestaan van die verlof nie tot nadeel van die kind sal strek nie. As die bestuur in hierdie verband nie self oor genoegsame inligting beskik om 'n oordeel te vorm nie, moet 'n verslag ooreenkomstig regulasie 14 aangevra word.

14. Indien die bestuur van 'n kindershuis of 'n goedgekeurde vereniging 'n verslag verlang oor die persoon by wie of die huis of plek waarin 'n leerling of kind gedurende sy verlof sal verkeer, moet die bestuur of vereniging 'n verslag aanvra van die proefbeampte van die gebied waarin daardie huis of plek geleë is. By die ontvangs van sodanige versoek moet die proefbeampte self, of 'n ander bevoegde persoon of vereniging van persone deur hom aangewys, ondersoek instel na die geskiktheid van die persoon by wie, of huis of plek waar die kind of leerling gedurende sy verloftydperk sal verkeer en die vermoë van die persoon om die reiskoste of 'n gedeelte van die reiskoste van die leerling of kind te betaal en daarvoor verslag doen. Die proefbeampte moet die verslag aldus opgestel, sonder versuim aan die bestuur van die kindershuis of vereniging stuur.

15. (1) Die bestuur van 'n kindershuis moet so gou doenlik na die end van elke kalendermaand 'n staat aan die Sekretaris stuur wat die name van leerlinge wat gedurende daardie maand met vakansieverlof of spesiale

vacation leave or special leave during any part of that month and the period of such absence, and shall annex to such statement, in respect of any extension of vacation leave in excess of the number of school holidays laid down and of any grant of special leave to any pupil, a report of the facts and circumstances which in the opinion of the management justified the extension or grant.

(2) An approved agency shall advise the Secretary in writing of any vacation or special leave granted to a child under its control, stating the period of leave and in the case of an extension of vacation leave in excess of the number of school holidays laid down or any grant of special leave, the grounds on which it was granted.

16. (1) The management of a children's home or an approved agency may at any time of its own volition, and shall forthwith if directed thereto by the Minister, cancel the leave of absence granted by it to any pupil or child and direct the pupil or child to return to the children's home or the custody from which leave has been granted to him.

(2) Notice of the cancellation of leave or of a direction that a pupil or child must return to a children's home or to a foster parent, shall be sent forthwith by registered post to the person in whose care the pupil or child is or is at that time supposed to be.

(3) An agency shall give notice to the Secretary of the cancellation of any leave granted to a child under its control.

17. If any pupil or child absconds from a children's home or from custody, or if a pupil or child after the cancellation or on the expiry of leave of absence granted to him or after the cancellation of his licence, fails to return to the children's home or custody from which leave has been granted to him or from which he has been released on licence, the management of the children's home or the approved agency or the person from whose custody the pupil or child has absconded or to whom or to which he has failed to return, shall notify the probation officer in whose area the pupil or child is then resident or is supposed to be resident, as well as the Secretary and the parents or guardian or the pupil or child, except where it is, or may be, supposed that the pupil or child is with his parents or guardian.

18. The Minister may order that a pupil or child who has in terms of section *fifty-four* of the Act been returned to the children's home or the custody from which he has absconded, shall remain in that children's home or in that custody or under the control under which he has been placed and, if it is a pupil, that the management of the children's home dispose of the matter, or that the management of the children's home deal with such pupil in accordance with section *forty-four* of the Act or, in the case of a child under the control of an approved agency, that the management of the agency deal with such child in accordance with section *forty-eight* of the Act.

PART IV.

RELEASE OF PUPILS ON LICENCE.

19. (1) The Minister may, with the concurrence of any person or association of persons working for the protection, welfare and reclamation of children, assign in a particular case or generally to such person or association responsibility for the supervision over a pupil or pupils released on licence in terms of sub-section (2) of section *forty-four* of the Act.

(2) The probation officer, person or association of persons who shall exercise supervision over a pupil who has been released on licence, shall be determined in consultation with the probation officer of the area in which the pupil will be resident under licence.

(3) If a probation officer is not in a position or does not regard it necessary himself to exercise supervision over a pupil in his area in terms of sub-section (2) of section *forty-four* of the Act he shall designate a person or an association of persons appointed in terms of sub-regulation (1), to exercise such supervision, and advise the management of the children's home accordingly.

verlof van die kindershuis afwesig was en die tydperk van sodanige afwesigheid, aantoon, en moet ten opsigte van enige verlenging van vakansieverlof vir 'n langer tydperk as die vasgestelde getal skoolvakansiedae en die toestaan van spesiale verlof aan 'n leerling, 'n verslag oor die feite en omstandighede wat volgens die mening van die bestuur die verlenging van verlof of toestaan van spesiale verlof geregverdig het, aan sodanige staat aanheg.

(2) 'n Goedgekeurde vereniging moet die Sekretaris skriftelik verwittig van enige vakansie- of spesiale verlof wat aan 'n kind onder sy beheer toegestaan is, met vermelding van die tydperk van verlof en, in die geval van 'n verlenging van vakansieverlof vir 'n langer tydperk as die vasgestelde getal skoolvakansiedae of die toestaan van spesiale verlof, die gronde waarop dit toegestaan is.

16. (1) Die bestuurder van 'n kindershuis of goedgekeurde vereniging moet onverwyld indien daartoe gelas deur die Minister, of kan te eniger tyd uit eie beweging, verlof wat aan 'n leerling of kind toegestaan is intrek en aan die leerling of kind opdrag gee om na die kindershuis of bewaring waaruit verlof aan hom toegestaan is, terug te keer.

(2) Kennisgewing van die intrekking van verlof of van die opdrag dat 'n leerling of kind na 'n kindershuis of pleegouer moet terugkeer, moet onverwyld aan die persoon onder wie se sorg die leerling of kind op daardie oomblik is of veronderstel is om te wees, per geregistreerde pos gestuur word.

(3) 'n Vereniging moet aan die Sekretaris kennis gee van die intrekking van verlof toegestaan aan 'n kind onder sy beheer.

17. Indien 'n leerling of kind uit 'n kindershuis of bewaring weggeloop, of indien 'n leerling of kind na die intrekking of verstryking van sy verlof of die intrekking van sy vergunning, versuim om na die kindershuis of bewaring waaruit hy met verlof uitgelaat of met vergunning vrygelaat is, terug te keer, moet die bestuurder van die kindershuis of goedgekeurde vereniging of die persoon uit wie se bewaring die kind weggeloop het of na wie of waartoe hy versuim het om terug te keer, die proefbeampte in wie se gebied die leerling of kind op daardie tydstop woonagtig is of veronderstel is om te woon, daarvan in kennis stel, asook die Sekretaris en die ouers of voog van die leerling of kind behalwe waar veronderstel is of kan word dat die leerling of kind by sy ouers of voog verkeer.

18. Die Minister kan gelas dat 'n leerling of kind wat ingevolge artikel *vier-en-veertig* van die Wet na die kindershuis of bewaring waaruit hy weggeloop het, teruggestuur is, in dié kindershuis of die bewaring of die beheer waaronder hy geplaas is, moet bly en, as dit 'n leerling is, dat die bestuur van die kindershuis verder die saak afhandel of dat die bestuur van die kindershuis met hom handel ooreenkomstig artikel *vier-en-veertig* van die Wet, of in die geval 'n kind onder beheer van 'n goedgekeurde vereniging, dat die bestuur met hom handel ooreenkomstig artikel *agt-en-veertig* van die Wet.

DEEL IV.

VRYLATING VAN LEERLINGE MET VERGUNNING.

19. (1) Die Minister kan met die instemming van enige persoon of vereniging van persone wat hom beywer vir die beskerming, welsyn en redding van kinders, aan sodanige persoon of vereniging van persone verantwoordelikheid opdra om in 'n besondere geval of in die algemeen ingevolge subartikel (2) van artikel *vier-en-veertig* van die Wet oor 'n leerling of leerlinge wat met vergunning vrygelaat is, toesig uit te oefen.

(2) Die proefbeampte, persoon of vereniging onder wie se toesig 'n leerling wat met vergunning vrygelaat is, sa staan, word bepaal in ooreenstemming met die proefbeampte van die gebied waarin die leerling met vergunning woonagtig sal wees.

(3) Indien 'n proefbeampte nie in staat is of dit nie nodig ag om self ingevolge subartikel (2) van artikel *vier-en-veertig* van die Wet oor 'n leerling in sy gebied toesig uit te oefen nie, wys hy 'n persoon of vereniging van persone ingevolge subregulasie (1) benoem, aan om bedoeld toesig uit te oefen en stel die bestuur van die kindershuis dienooreenkomstig in kennis.

(4) A probation officer may, with the concurrence of the management of a children's home, designate a person or association of persons appointed in terms of sub-regulation (1) to exercise supervision over a pupil who has been placed under his supervision or revoke a designation made by him in terms of sub-regulation (3) and himself accept responsibility for the supervision over a pupil, or make a new designation.

20. (1) Before granting a licence to any pupil the management of a children's home shall satisfy itself that the person in whose custody and the home or training institution in which the pupil is to be permitted to live, are suitable for that purpose and that no harm to the pupil is likely to result from the grant to him of a licence permitting him to live with that person and in that home or in that training institution.

(2) If the management of a children's home desires a report on a home or training institution in which a pupil will stay during his licence, the management shall request the probation officer of the area in which the home or training institution is situated, to obtain the report and shall at the same time send to the probation officer a confidential report on the pupil in a form prescribed by the Secretary.

(3) When a report is called for in terms of sub-regulation (2) the probation officer himself or such competent person or association of persons as he may assign, shall carry out the necessary investigation and submit a report, and the probation officer shall without delay send such report to the management of the children's home, with his recommendation.

21. A licence granted by the management to a pupil shall be made out in quintuplicate in a form prescribed by the Secretary and a copy thereof shall be sent to the Secretary, to the person or the managers of the training institution in whose care the pupil will be, to the person or association of persons who or which will exercise supervision over the pupil and to the probation officer of that area.

22. (1) When a pupil or the person or training institution in whose care he is, changes address of residence or when a pupil or the person in whose care he is dies, the supervisor shall notify the management of the children's home forthwith.

(2) The principal of a children's home who receives notification of any change in a pupil's circumstances as referred to in sub-regulation (1), shall forthwith notify the responsible probation officer, the supervisor, if he does not already know of the change in circumstances, and the Secretary.

(3) If the change of residence of a pupil involves the removal of the pupil to the area and control of another probation officer, the probation officer of the area in which the pupil had been residing, shall notify the probation officer of the area to which the pupil was moved and send him all his documents in regard to the pupil.

23. (1) The probation officer or person charged with the supervision over any pupil released on licence, shall visit the pupil as often as circumstances require on permit, and shall furnish, every six months, to the management of the children's home a report on the conduct, progress and well-being of the pupil.

(2) The final report made on a pupil before the expiry of his period of licence, shall contain a recommendation which will enable the management of the children's home to take action in terms of sub-section (4) of section forty-four of the Act.

(3) If a pupil is under the supervision of a person other than a probation officer, the supervisor shall send a copy of his report in terms of sub-regulation (1) to the probation officer of that area.

24. (1) Notice of the cancellation of a licence by the management in accordance with the provisions of sub-section (3) of section forty-four of the Act shall be given in a form prescribed by the Secretary to the person or training institution having for the time being custody of the pupil by the principal or other officer generally or specially authorised thereto by the management, who

(4) 'n Proefbeampte kan met die toestemming van die bestuur van 'n kindershuis, 'n persoon of vereniging van persone ingevolge subregulasie (1) benoem, aanwys om toesig oor 'n leerling wat onder sy toesig geplaas is, uit te oefen of 'n aanwysing wat hy ingevolge subregulasie (3) gemaak het, herroep en self verantwoordelikheid vir die toesig oor 'n leerling aanvaar of 'n nuwe aanwysing maak.

20. (1) Voordat die bestuur van 'n kindershuis aan enige leerling 'n vergunning verleen moet hy hom daarvan vergewis dat die persoon onder wie se sorg en die huis of opleidingsinrigting waarin die leerling toegelaat sal word om te verkeer, geskik is vir daardie doel en dat daar geen nadeel vir die leerling te dugte is as gevolg van die vergunning aan hom verleen om by daardie persoon en in daardie huis of daardie opleidingsinrigting te woon nie.

(2) Indien die bestuur van 'n kindershuis 'n verslag oor 'n huis of opleidingsinrigting waarin 'n leerling gedurende sy vergunning sal verkeer, verlang, moet die bestuur die proefbeampte van die gebied waarin die huis of opleidingsinrigting geleë is, versoek om die verslag te verkry en moet hy terselfdertyd aan die proefbeampte 'n vertroulike verslag oor die leerling in 'n vorm soos deur die Sekretaris bepaal, stuur.

(3) Wanneer 'n verslag ingevolge subregulasie (2) aangevra is, moet die proefbeampte self of 'n bevoegde persoon of vereniging van persone wat hy aanwys, die nodige ondersoek instel en verslag lewer en moet die proefbeampte sodanige verslag tesame met sy aanbeveling sonder versium aan die bestuur van die kindershuis stuur.

21. 'n Vergunning deur die bestuur aan 'n leerling verleen moet in vyfvoud in 'n vorm deur die Sekretaris bepaal, opgestel word en 'n afskrif daarvan moet aan die Sekretaris, aan die persoon of die bestuurders van die opleidingsinrigting in wie se sorg die leerling sal wees, aan die persoon of vereniging van persone wat toesig oor die leerling sal uitoefen, en aan die proefbeampte van daardie gebied, gestuur word.

22. (1) Wanneer 'n leerling of die persoon of opleidingsinrigting in wie se bewaring hy is, van adres of woonplek verander of wanneer 'n leerling of persoon in wie se bewaring hy is, te sterwe kom, moet die toesighouer die bestuur van die kindershuis onmiddellik daarvan in kennis stel.

(2) Die prinsipaal van 'n kindershuis wat van enige verandering van 'n leerling se omstandighede soos bedoel in subregulasie (1), kennis ontvang, moet onverwyld die verantwoordelike proefbeampte, die toesighouer, indien hy nie reeds kennis van die verandering dra nie, en die Sekretaris, daarvan in kennis stel.

(3) Indien die verandering van woonplek van 'n leerling die verwydering van die leerling na 'n gebied onder die beheer van 'n ander proefbeampte meebring, moet die proefbeampte van die gebied waarin die leerling gewoon het, die proefbeampte van die gebied waarheen die leerling verhuis het, in kennis stel en hom al sy stukke wat op die leerling betrekking het, stuur.

23. (1) Die proefbeampte of persoon belas met die toesig oor 'n leerling wat met vergunning vrygelaat is, moet die leerling so dikwels as wat die omstandighede dit vereis of toelaat, besoek en moet elke ses maande oor die gedrag, vordering en welstand van die leerling aan die bestuur van die kindershuis verslag doen.

(2) Die finale verslag wat oor 'n leerling voor die verstryking van die tydperk van sy vergunning, gelewer word, moet 'n aanbeveling bevat wat die bestuur van die kindershuis in staat sal stel om ingevolge subartikel (4) van artikel vier-en-veertig van die Wet te handel.

(3) Indien 'n leerling onder die toesig van iemand anders as 'n proefbeampte staan, moet die toesighouer 'n afskrif van sy verslag, opgestel ingevolge subregulasie (1), aan die proefbeampte van daardie gebied stuur.

24. (1) Kennis van die intrekking van 'n vergunning deur die bestuur ooreenkomstig die bepalinge van subartikel (3) van artikel vier-en-veertig van die Wet, moet in 'n vorm deur die Sekretaris bepaal, deur die prinsipaal of ander beampte wat in die algemeen of spesiaal deur die bestuur daartoe gemagtig is, aan die persoon of opleidingsinrigting wat op daardie tydstip die kind in bewaring het, gegee word en die prinsipaal of ander beampte moet 'n afskrif van sodanige kennisgewing aan

shall send a copy of such notice to the responsible probation officer, to the supervisor and to the Secretary. The copies sent to the probation officer and to the Secretary shall be accompanied by a report of the cancellation and of the reasons therefor.

(2) Notice of appeal against the cancellation of a licence may be given by letter addressed by the interested person to the Secretary or to the probation officer of the area in which the pupil is for the time being ordinarily resident or to the management of the children's home which has ordered the cancellation. Acknowledgement of the receipt of such letter shall be sent to the person signing it and the original shall forthwith be sent to the Secretary and a copy thereof to the management. On receipt by any such officer or body referred to of a letter noting appeal against the cancellation of a licence, the order of cancellation shall be stayed pending decision of the appeal by the Minister, unless the Minister expressly directs that the cancellation shall have effect pending his decision.

25. (1) The management of a children's home shall keep a card record in a form prescribed by the Secretary in respect of every pupil who is released on licence, and the cards must be arranged in chronological order according to the dates on which the licence of pupils will expire.

(2) The management of the children's home shall timeously, before the expiration of the period of the licence of a pupil, take the necessary steps in terms of sub-section (4) of section forty-four of the Act.

(3) If a pupil has been placed under supervision in terms of sub-section (2) of section forty-four of the Act, the management shall direct the attention of the supervisor to the date on which the period of licence of the pupil will expire, and request the latter to submit a report in terms of sub-regulation (2) of regulation 23.

26. (1) An application for the extension of a licence by the Minister or for the transfer or discharge of a pupil in terms of paragraph (d) of sub-section (4) of section forty-four of the Act shall be addressed, in writing, to the probation officer in whose area the pupil is resident, stating the grounds for the application, and the probation officer shall submit the application to the Minister with his recommendation.

(2) After consideration of the application in terms of sub-regulation (1) and such further information as he may require, the Minister shall grant the application or reject it and direct the management of the children's home as to how the pupil shall be further dealt with.

(3) The Secretary or the responsible probation officer, as the case may be, and the person or association of persons charged with the supervision of a pupil shall be informed of the decision in terms of sub-regulation (2).

PART V.

APPROVED AGENCIES.

27. (1) Application by an association of persons for registration by the Minister as an approved agency in terms of sub-section (1) of section forty-eight of the Act or for the renewal of a certificate of approval, shall be made in writing and submitted in duplicate to the probation officer of the area in which the association is operating.

(2) On receipt of such application the probation officer shall investigate the organisation, activities and finances of the association and submit his report, together with the original application form, to the Secretary for consideration by the Minister.

(3) If the Minister approves an application submitted to him in terms of sub-regulation (2), he shall grant to the association a certificate of approval for such period as he may think fit.

(4) A certificate of approval in terms of sub-regulation (3) or for the renewal of a certificate, may be given for not more than five years and the Minister may at any time cause an association to whom a certificate has been granted or its books, documents or registers, to be inspected.

die verantwoordelike proefbeampte, die toesighouer en aan die Sekretaris stuur. Die afskrifte wat aan die proefbeampte en die Sekretaris gestuur word, moet vergeselsaam gaan van 'n verslag van die intrekking en die redes daarvoor.

(2) Kennis van appél teen die intrekking van 'n vergunning kan deur die belanghebbende persoon per brief geadresseer aan die Sekretaris, of aan die proefbeampte van die gebied waarin die leerling op daardie tydstip gewoonlik sy verblyf het, of aan die bestuur van die kinderhuis wat die intrekking gelas het, gegee word. Erkenning van die ontvangs van sodanige brief moet aan die persoon wat dit onderteken het, gestuur word en die oorspronklike brief moet onverwyld aan die Sekretaris en 'n afskrif aan die bestuur gestuur word. By ontvangs deur enige sodanige beampte of liggaam as wat genoem is, van 'n brief wat appél teen die intrekking van 'n vergunning aanteken, moet die intrekkingsoordrag opgeskort word hangende die Minister se beslissing oor die appél, tensy die Minister uitdruklik beveel dat die intrekking van krag moet wees hangende sy beslissing.

25. (1) Die bestuur van 'n kinderhuis moet 'n kaartrekord in 'n vorm deur die Sekretaris bepaal, hou ten opsigte van elke leerling wat met vergunning vrygelaat is en die kaarte moet in chronologiese volgorde, volgens die datums waarop die vergunning van leerlinge sal verstryk, gerangskik word.

(2) Die bestuur van 'n kinderhuis moet betyds, voordat die tydperk van vergunning van 'n leerling ten einde loop, die nodige stappe ingevolge subartikel (4) van artikel vier-en-veertig van die Wet doen.

(3) Indien 'n leerling ingevolge subartikel (2) van artikel vier-en-veertig van die Wet onder toesig geplaas is, moet die bestuur die toesighouer se aandag vestig op die datum waarop die tydperk van vergunning van die leerling sal verstryk, en laasgenoemde versoek om 'n verslag ingevolge subregulasie (2) van regulasie 23 voor te lê.

26. (1) 'n Aansoek om die verlenging van 'n vergunning deur die Minister of om die oorsplasing of ontslag van 'n leerling ingevolge paragraaf (d) van subartikel (4) van artikel vier-en-veertig van die Wet, moet skriftelik met vermelding van die gronde vir die aansoek, aan die proefbeampte in wie se gebied die leerling verkeer, gerig word en die proefbeampte moet die aansoek met sy aanbeveling aan die Minister voorlê.

(2) Na oorweging van die aansoek ingedien ingevolge subregulasie (1), en sodanige verdere inligting as wat hy mag verlang, staan die Minister die aansoek toe of verwerp hy dit en beveel die bestuur van die kinderhuis hoe verder met die leerling gehandel moet word.

(3) Die Sekretaris of die verantwoordelike proefbeampte, na gelang van die geval, en die persoon of vereniging van persone onder wie se toesig die leerling staan, moet in kennis gestel word van enige beslissing ingevolge subregulasie (2).

DEEL V.

GOEDGEKEURDE VERENIGINGS.

27. (1) 'n Aansoek deur 'n vereniging van persone om deur die Minister ingevolge subartikel (1) van artikel agt-en-veertig van die Wet, as 'n goedgekeurde vereniging geregistreer te word of om die hernuwing van 'n sertifikaat van goedkeuring, moet skriftelik in tweevoud aan die proefbeampte van die gebied waarin die vereniging werksaam is, voorgelê word.

(2) By ontvangs van so 'n aansoek stel die proefbeampte ondersoek in na die organisasie, werk en finansies van die vereniging en stuur hy sy verslag, tesame met die oorspronklike aansoekvorm, aan die Sekretaris vir oorweging deur die Minister.

(3) Indien die Minister 'n aansoek wat ingevolge subregulasie (2) aan hom voorgelê is, goedkeur, reik hy 'n sertifikaat van goedkeuring vir die tydperk wat hy goeddink aan die vereniging uit.

(4) 'n Sertifikaat van goedkeuring ingevolge subregulasie (3), of die hernuwing van 'n sertifikaat, kan vir hoogstens vyf jaar uitgereik word en die Minister kan te eniger tyd 'n vereniging aan wie so 'n sertifikaat uitgereik is, of sy boeke, dokumente of registers, laat inspekteer.

28. The Minister may, as a condition of the grant of a certificate to an association in terms of sub-section (1) of section *forty-eight* of the Act and these regulations, or of the continuation or amendment of an existing certificate of registration, require that the power be vested in him, if need be by amendment of the constitution of the association, to appoint a specified number or proportion of members of the management of such association or agency: Provided that such a requirement shall not be imposed as a condition of continuation or amendment of an existing certificate before the expiration of three months after notice of the Minister's intention to impose such condition has been given to the management of the association.

29. (1) An approved agency shall keep a register of all children placed by order under the Act under its control, in which shall be recorded in respect of every child—

- (a) the date of his reception under control;
- (b) his full names, race and sex;
- (c) the date of his birth;
- (d) the place of his ordinary residence on and after reception and of any changes of residence which may from time to time occur;
- (e) the names and addresses of his parents or, if he is an orphan, of his guardian or, if being an orphan he has no guardian, of his next of kin;
- (f) the date of expiration of his period of retention;
- (g) the authority granted under the Act placing him under control; and
- (h) a note of his subsequent transfer or discharge.

(2) An approved agency shall further cause to be kept in respect of every child placed under its control a separate record file which shall contain—

- (a) all papers relating to the child received at the time of his placement under control from the authority so placing him;
- (b) all social reports received from time to time by the agency from its own officers or from any other source;
- (c) all reports by the principal or any teacher of a school attended by the child, whether before or after placement under control, upon his scholastic attainments and progress, mental or physical health or development and conduct;
- (d) all reports of physical, psychiatric, or psychological examinations of the child, and of the results of any treatment administered;
- (e) any other information received by the agency which is relevant to the study and treatment of the personality or home environment of the child;
- (f) any other documents in regard to the child.

30. An approved agency which, in the exercise of the powers vested in it by section *forty-eight* of the Act, places a child under its control in the custody of its parents or guardian or any other person, shall deliver to such parent or guardian or person a letter of reception and shall send a copy thereof to the probation officer of that area and the Secretary. The letter shall be signed by an officer of the agency generally or specially authorised thereto by resolution of the management of the agency.

31. (1) Subject to the provisions of sub-regulation (2) of this regulation a child placed under the control of an approved agency, shall not be placed by the agency in the custody of any person not resident within the limits of the area of operation of the agency or, if the area of operation of the agency consists of more than one magisterial district, be transferred from custody in one magisterial district to custody in another magisterial district.

(2) If in the opinion of an approved agency it is expedient that a child under its control be placed outside its area of operation, or be transferred from one magisterial district to another magisterial district within its area of operation, the agency shall send a report stating fully the facts and circumstances of the case and the reasons for its opinion to the probation officer of that area who shall

28. Die Minister kan as 'n voorwaarde vir die uitreiking van 'n sertifikaat aan 'n vereniging ingevolge subartikel (1) van artikel *agt-en-veertig* van die Wet, en hierdie regulasies, of vir die voortsetting of wysiging van 'n bestaande sertifikaat van registrasie, eis dat hy met die bevoegdheid beklee word om, desnoods deur wysiging van die konstitusie van die vereniging, 'n vasgestelde getal of 'n proporsionele gedeelte van die lede van die bestuur van sodanige vereniging aan te stel: Met dien verstande dat sodanige voorwaarde vir die voortsetting of wysiging van 'n bestaande sertifikaat nie opgelê mag word voordat drie maande verstryk het nadat kennis van die Minister se voorneme om sodanige voorwaarde te stel, aan die bestuur van die vereniging gegee is nie.

29. (1) 'n Goedgekeurde vereniging moet 'n register hou van alle kinders wat by bevel ingevolge die Wet onder sy beheer geplaas is, waarin ten opsigte van elke kind die volgende aangeteken moet word:—

- (a) Die datum waarop die kind onder beheer geneem is;
- (b) sy volle naam, ras en geslag;
- (c) sy geboortedatum;
- (d) sy gewone verblyfplek tydens en na opneming en enige veranderings van verblyfplek wat van tyd tot tyd mag voorkom;
- (e) die name en adresse van sy ouers of, as hy 'n weeskind is, van sy voog of, as hy 'n weeskind is en geen voog het nie, van sy naaste bloedverwant;
- (f) die datum waarop sy tydperk van aanhouding verstryk;
- (g) magtiging kragtens die Wet waarvolgens hy onder beheer geplaas is; en
- (h) 'n aantekening van sy latere oorpasing of ontslag.

(2) 'n Goedgekeurde vereniging moet verder ten opsigte van elke kind wat onder sy beheer geplaas is, 'n afsonderlike lêer laat hou wat die volgende moet bevat:—

- (a) Alle stukke aangaande die kind wat tydens sy plasing onder beheer van die owerheid wat hom aldus onder beheer plaas, ontvang is;
- (b) alle maatskaplike verslae wat van tyd tot tyd deur die vereniging van sy eie beamptes of uit enige ander bron ontvang is;
- (c) alle verslae deur die prinsipaal of enige ander onderwyser van 'n skool wat die kind bywoon, hetsy voor of na plasing onder beheer, oor sy skoolprestasies en vordering, verstandelike of liggaamlike gesondheid of ontwikkeling en sy gedrag;
- (d) alle verslae oor die liggaamlike, psigiatriese of psigologiese ondersoek van die kind en oor die resultate van enige behandeling wat toegepas is;
- (e) enige ander inligting deur die vereniging ontvang, wat betrekking het op die bestudering en behandeling van die kind se persoonlikheid of huislike omgewing; en
- (f) enige ander stukke wat op die kind betrekking het.

30. 'n Goedgekeurde vereniging wat, in die uitoefening van die bevoegdheid hom verleen by artikel *agt-en-veertig* van die Wet, 'n kind wat onder sy beheer is, in die bewaring van sy ouer of voog of van iemand anders plaas, moet 'n opnemingsbrief aan die ouer of voog of ander persoon besorg en moet 'n afskrif daarvan aan die proef-beampte van daardie gebied en aan die Sekretaris stuur. Die brief moet onderteken word deur 'n beampte van die vereniging wat in die algemeen of spesiaal daartoe gemagtig is by 'n besluit van die bestuur van die vereniging.

31. (1) Behoudens die bepalings van sub-regulasie (2) van hierdie regulasie mag 'n kind wat onder beheer van 'n goedgekeurde vereniging geplaas is, nie deur die vereniging geplaas word in die bewaring van 'n persoon wat nie binne die werksgebied van die vereniging woonagtig is nie of, indien die werksgebied van die vereniging uit meer as een landdrosdistrik bestaan, oorgeplaas word van bewaring in een landdrosdistrik na bewaring in 'n ander landdrosdistrik nie.

(2) Indien dit volgens die mening van 'n goedgekeurde vereniging raadsaam is dat 'n kind wat onder sy beheer is, buite sy werksgebied geplaas word, of van een landdrosdistrik na 'n ander landdrosdistrik binne sy werksgebied oorgeplaas word, moet die vereniging 'n verslag waarin die feite en omstandighede van die geval en die redes vir sy mening volledig uiteengesit word, aan die

send it to the Secretary with his recommendation for decision by the Minister. Upon consideration of the report the Minister may make such order in terms of section fifty of the Act, for the transfer of the child to other custody, control or supervision as may seem to him desirable.

(3) The area of operation of an approved agency shall be the magisterial district or districts or portion of the magisterial district or districts indicated on the certificate granted to it in terms of section forty-eight of the Act.

PART VI.

FINANCIAL ASSISTANCE.

32. Financial assistance rendered by the Minister in terms of sub-sections (1) and (2) of section eighty-nine of the Act, may be in one or more of the following forms:—

- (a) Capitation grant.
- (b) Annual grant.
- (c) Special grant.
- (d) Additional amounts payable in addition to the grants referred to in paragraph (a) or (b).

CAPITATION GRANTS.

Persons or Bodies Eligible for a Grant.

33. (1) A capitation grant may be paid, subject to these regulations and in accordance with the scales set out in regulations 44, 45 and 46 for—

- (a) the maintenance of the parent or guardian of a child who is in the custody of such parent or guardian and in respect of whom a grant has been made in terms of paragraph (b); or
- (b) the maintenance of a child by his parent or guardian; or
- (c) the maintenance of a child by a person who is not his parent or guardian and in whose custody the child has been placed in terms of a provision of the Act or in terms of section three hundred and forty-two of the Criminal Procedure Act, 1955 (Act No. 56 of 1955); or
- (d) the maintenance of a pupil who has in terms of the Act been committed to a children's home; or
- (e) the care of a person under the age of twenty-one years who has in terms of the Act or the Criminal Procedure Act, 1955 (Act No. 56 of 1955), been placed in a place of safety or a place of detention.

(2) A grant may be made, subject to these regulations and in accordance with the scale set out in regulation 47, to an association of persons for the care of children over the age of one month and under seven years of bona fide working mothers who must of necessity work away from their homes or bona fide work-seeking mothers who have lost their employment.

(3) For the purposes of this part of the regulations, the word "parent" shall include "step-parent".

Application for a Grant.

34. (1) An application for a grant in terms of paragraph (a) or (b) and in terms of paragraph (c) of sub-regulation (1) of regulation 33 shall be made in a form prescribed by the Secretary. The application shall be submitted to the local representative of the Department of Indian Affairs, or if there is no such officer, to the local representative of the Department of Social Welfare and Pensions, or, if there is no such officer, to the Commissioner of Child Welfare of the district in which the applicant is residing and shall after certification be sent to the Secretary.

(2) In any case where application is made for a grant in terms of paragraph (b) of sub-regulation (1) of regulation 33, the birth certificate of the child shall be produced by the parent or guardian. If such certificate has not been produced or cannot be obtained, the Minister may accept such other documentary evidence as to the age of the child as he considers satisfactory. If no such documentary evidence can be produced, the Commissioner

proefbeampte van daardie gebied voorlê, wat dit met sy aanbeveling aan die Sekretaris moet stuur vir 'n beslissing deur die Minister. By ooreweging van die verslag kan die Minister 'n bevel kragtens artikel vyftig van die Wet uitvaardig vir die oorpasing van die kind na 'n ander bewaring, beheer of toesig wat hy wenslik ag.

(3) Die werksgebied van 'n goedgekeurde vereniging is die landdrosdistrik of -distrikte of gedeelte van die landdrosdistrik of -distrikte wat op die sertifikaat wat kragtens artikel agt-en-veertig van die Wet aan hom verleen is, aangedui word.

DEEL VI.

GELDELIKE ONDERSTEUNING.

32. Geldelike ondersteuning wat kragtens subartikels (1) en (2) van artikel nege-en-tagtig van die Wet deur die Minister toegestaan word, kan in een of meer van die volgende vorms betaal word:—

- (a) Hoofdelike toelae.
- (b) Jaarlikse toelae.
- (c) Spesiale toelae.
- (d) Bykomende bedrae bo en behalwe die toelae in paragrawe (a) en (b) genoem.

HOOFDELIKE TOELAES.

Persone of liggame wat vir 'n toekenning in aanmerking kom.

33. (1) 'n Hoofdelike toelae kan behoudens die bepalinge van hierdie regulasies en volgens die skale in regulasies 44, 45, en 46 uiteengesit, betaal word—

- (a) vir die onderhoud van die ouer of voog van 'n kind wat in so 'n ouer of voog se bewaring is en ten opsigte van wie daar ingevolge paragraaf (b) 'n toelae toegeken is; of
- (b) vir die onderhoud van 'n kind deur sy ouer of voog; of
- (c) vir die onderhoud van 'n kind deur 'n persoon wat nie sy ouer of voog is nie en in wie se bewaring die kind geplaas is ingevolge 'n bepaling van die Wet of ingevolge artikel driehonderd twee-en-veertig van die Strafproseswet, 1955 (Wet No. 56 van 1955); of
- (d) vir die onderhoud van 'n leerling wat ingevolge die Wet na 'n kinderhuis verwys is; of
- (e) vir die versorging van 'n persoon onder die leeftyd van een-en-twintig jaar wat ingevolge die Wet of die Strafproseswet, 1955 (Wet No. 56 van 1955), in 'n veiligheidsplek of plek van bewaring geplaas is.

(2) 'n Toekenning kan behoudens die bepalinge van hierdie regulasies en volgens die skaal in regulasie 47 uiteengesit, aan 'n vereniging van persone betaal word vir die versorging van kinders oor die ouderdom van een maand en onder sewe jaar van bona fide werkende moeders wat noodwendig buitenshuis moet werk of bona fide werksoekende moeders, wat hulle werk verloor het.

(3) Vir die doeleindes van hierdie deel van die regulasies beteken „ouer” ook „stiefouer”.

Aansoek om 'n toelae.

34. (1) 'n Aansoek om 'n toelae ingevolge paragraaf (a) of (b) en ingevolge paragraaf (c) van subregulasie (1) van regulasie 33 in 'n vorm deur die Sekretaris bepaal, moet aan die plaaslike verteenwoordiger van die Departement van Indiërsake voorgelê word, of as daar nie so 'n beampte is nie, aan die plaaslike verteenwoordiger van die Departement van Volkswelsyn en Pensioene of as daar nie so 'n beampte is nie, aan die kommissaris van kindersorg van die distrik waarin die applikant woonagtig is, en moet na sertifisering aan die Sekretaris gestuur word.

(2) In iedere geval waar ingevolge paragraaf (b) van subregulasie (1) van regulasie 33 aansoek om 'n toelae gedoen word, moet die geboortesertifikaat van die kind deur die ouer of voog voorgelê word. Indien sodanige sertifikaat nie voorgelê of verkry kan word nie, kan die Minister ander dokumentêre bewys van die kind se ouderdom, wat hy as bevredigend beskou, aanvaar. Indien daar geen sodanige dokumentêre bewys gelewer kan word nie, kan die kommissaris van kindersorg of 'n senior

of Child Welfare or a senior officer of the Department of Indian Affairs or a senior officer of the Department of Social Welfare and Pensions, as the case may be, may determine the age of the child by estimation.

(3) An application for a grant in terms of paragraph (d) and (e) of sub-regulation (1) of regulation 33 shall be sent to the Secretary in a form prescribed by him.

(4) An application for grant in terms of sub-regulation (2) of regulation 33 shall be made in a form prescribed by the Secretary and shall be sent to the local representative of the Department of Indian Affairs, or, if there is no such officer, to the local representative of the Department of Social Welfare and Pensions, for the area in which the crèche is situated.

35. The Minister shall consider any application sent to the Secretary in terms of regulation 34 and, having regard to any further information furnished to him, shall determine whether the applicant should or should not receive a grant, and if he considers that the applicant should receive a grant, he shall determine the amount thereof: Provided that such amount does not exceed the amounts set out in regulations 44, 45, 46 and 47.

Period for which a Grant is Payable.

36. (1) A grant which has been made in terms of paragraph (a) or (b) of sub-regulation (1) of regulation 33, is payable from the first day of the month in which the grant has been applied for and shall not be paid after the end of the year in which the child attains the age of sixteen years: Provided that—

(a) in the case of a grant for the maintenance of a child whose parent or guardian has been sentenced to imprisonment for six months or longer or who has been ordered to be detained in a State-aided or State institution for six months or longer, the date from which the grant is to be paid may be the date of the sentence or order, as the case may be;

(b) The Minister, in exceptional cases, if he is satisfied that the child shall continue with his education may make a grant for payment up to the end of the year in which the child will attain the age of eighteen years.

(2) A grant made in terms of paragraph (c) of sub-regulation (1) of regulation 33 is payable from the date on which a child has for the first time, in terms of authority conferred by or under the Act or the Criminal Procedure Act, 1955 (Act No. 56 of 1955), been placed in the custody of a foster-parent, unless the Minister directs that it shall commence from a later date, and shall not be paid after the end of the year in which the child attains the age of sixteen years: Provided that the Minister may, in exceptional cases, if he is satisfied that the child shall continue with his education, make a grant for payment up to the end of the year in which the child will attain the age of eighteen years.

(3) A grant which has been made in terms of paragraph (d) or (e) of sub-regulation (1) of regulation 33, may, unless the Minister directs that it shall commence from a later date, be paid with effect from the date on which the pupil or person has for the first time, in terms of authority conferred by or under the Act or the Criminal Procedure Act, 1955, been received in a children's home, place of safety or place of detention, and shall be authorised for the period of detention therein of the pupil or person, or for such shorter period as the Minister may direct in any particular case.

(4) A grant made for the maintenance of a child or pupil in terms of paragraph (c) or (d) of sub-regulation (1) of regulation 33 may, notwithstanding the absence of the child or pupil from the custody in which he has been placed or from the children's home to which he has been committed, be paid—

(a) for a period not exceeding fourteen days per abscondment of the child or pupil: Provided that for the purposes of this regulation no child or pupil shall be deemed to have absconded if he fails to return to the foster-parent or children's home on the expiration of leave of absence;

beampte van die Departement van Indiërsake, of 'n senior beampte van die Departement van Volkswelsyn en Pensioene, na gelang van die geval, die kind se ouderdom volgens skatting vasstel.

(3) 'n Aansoek om 'n toelae ingevolge paragraaf (d) en (e) van subregulasie (1) van regulasie 33 moet aan die Sekretaris in 'n vorm deur hom bepaal, gestuur word.

(4) 'n Aansoek om 'n toelae ingevolge subregulasie (2) van regulasie 33 moet in 'n vorm deur die Sekretaris bepaal aan die plaaslike verteenwoordiger van die Departement van Indiërsake of, as daar nie so 'n beampte is nie, aan die plaaslike verteenwoordiger van die Departement van Volkswelsyn en Pensioene vir die gebied waarin die kinderbewaarhuis geleë is, gestuur word.

35. Die Minister moet enige aansoek wat ingevolge regulasie 34 aan die Sekretaris gestuur is oorweeg en met inagneming van verdere inligting wat aan hom verstrekk is, bepaal of die applikant 'n toelae behoort te ontvang, al dan nie, en indien hy van mening is dat die applikant 'n toelae behoort te ontvang, moet hy die bedrag daarvan vasstel: Met dien verstande dat die bedrag aldus vasgestel nie die toelaes in regulasies 44, 45, 46 en 47 voorgeskryf, mag oorskryf nie.

Tydperk waarvoor toelae betaalbaar is.

36. (1) 'n Toelae wat ingevolge paragraaf (a) of (b) van subregulasie (1) van regulasie 33 toegestaan word, is betaalbaar vanaf die eerste dag van die maand waarin aansoek om die toelae gedoen is en kan nie betaal word na afloop van die jaar waarin die kind die ouderdom van sestien jaar bereik nie: Met dien verstande dat—

(a) in die geval van 'n toelae vir die onderhoud van 'n kind wie se ouer of voog vir ses maande of langer tot gevangenisstraf veroordeel is of wat beveel is om vir ses maande of langer in 'n staatsondersteunde inrigting of staatsinrigting aangehou te word, die datum met ingang waarvan die toelae betaal word, die datum van die vonnis of bevel, na gelang van die geval, kan wees;

(b) die Minister in uitsonderlike gevalle, indien hy daarvan oortuig is dat die kind met sy opleiding moet voortgaan, 'n toelae kan toeken vir betaling tot aan die einde van die jaar waarin die kind die ouderdom van agtien jaar bereik.

(2) 'n Toelae wat ingevolge paragraaf (c) van subregulasie (1) van regulasie 33 toegestaan is, is betaalbaar vanaf die datum waarop 'n kind vir die eerste keer kragtens magtiging verleen by of ingevolge 'n bepaling van die Wet of van die Strafproseswet, 1955 (Wet No. 56 van 1955), in die bewaring van 'n pleegouer geplaas is, tensy die Minister gelas dat dit vanaf 'n later datum 'n aanvang moet neem, en kan nie betaal word na afloop van die jaar waarin die kind die ouderdom van sestien jaar bereik nie: Met dien verstande dat die Minister in uitsonderlike gevalle, indien hy daarvan oortuig is dat die kind met sy opleiding moet voortgaan, 'n toelae kan toestaan tot aan die einde van die jaar waarin die kind die ouderdom van agtien jaar bereik.

(3) 'n Toelae wat ingevolge paragraaf (d) of (e) van subregulasie (1) van regulasie 33 toegestaan word, kan, tensy die Minister gelas dat dit vanaf 'n later datum geskied, betaal word met ingang van die datum waarop die leerling of persoon vir die eerste keer in 'n kinderkuis, veiligheidsplek of plek van bewaring opgeneem is kragtens magtiging verleen by of ingevolge 'n bepaling van die Wet of van die Strafproseswet, 1955, en moet gemagtig word vir die tydperk van aanhouding van die leerling of persoon daarin, of vir sodanige korter tydperk as wat die Minister in 'n besondere geval uitdruklik bepaal.

(4) 'n Toelae wat vir die onderhoud van 'n kind of leerling ingevolge paragraaf (c) of (d) van subregulasie (1) van regulasie 33 toegestaan is, kan ondanks die afwesigheid van die kind of leerling uit die bewaring waarin hy geplaas is of van die kinderkuis waarna hy verwys is, betaal word—

(a) vir 'n tydperk van hoogstens veertien dae op 'n keer wat die kind of leerling weggeloop het: Met dien verstande dat vir die toepassing van hierdie regulasie die kind of leerling nie geag word weg te geloop het as hy na afloop van afwesigheidsverlof versuim het om na die pleegouer of kinderkuis terug te keer nie;

- (b) for a period during which the child or pupil is on vacation leave: Provided that during any calendar year the period shall not exceed the total number of school holidays which have been laid down for that year for provincial schools in the province in which the foster-parent is resident or the children's home is situated;
- (c) for a period during which the child or pupil is on week-end or special leave: Provided that in the case of special leave the period shall not exceed fourteen days at a time;
- (d) for a period not exceeding ninety days during which a child or pupil is accommodated in a hospital or similar institution.

Conditions upon which Grants are Paid.

37. (1) It shall be a condition of every grant made in terms of paragraph (a), (b), (c), (d) or (e) of sub-regulation (1) of regulation 33 for the maintenance of a child, pupil or person—

- (a) that the child, pupil or person shall remain in the custody of the person, the children's home, place of safety or place of detention in which he was at the time of the authorisation of the grant, or in any other custody in which he has been placed with the approval of the Minister or the custody or children's home to which he has been transferred by the Minister;
- (b) that the child, pupil or person shall be properly housed, fed and clothed and receive the necessary medical and dental treatment;
- (c) that the child or pupil, if of school-going age, shall regularly attend school, unless he is prevented from doing so for reasons the Minister considers sound;
- (d) that the parent, guardian or foster-parent to whom a grant is made shall allow reasonable access to the child and to the home in which the child lives, by the officer of any association or by any person appointed under any provisions of the Act or of these regulations to supervise the child while in the custody of the said parent, guardian or foster-parent and shall furnish such information as may from time to time reasonably be required by such officer or person; and that such parent, guardian or person shall comply with any directions as to the expenditure of the grant given by any person or the officer of any association appointed under regulation 38 to control the spending of the grant.

(2) It shall be a condition of every grant made in terms of sub-regulation (2) of regulation 33—

- (a) that a minimum number of 250 crèche days per month shall be maintained: Provided that the Minister may make a concession by paying the grant for not more than two months per year during which the required number of crèche days is not reached, if he is satisfied that there are good and sufficient reasons for the temporary decline in the attendance figure;
- (b) that the hours of a crèche shall be from 7 a.m. to 6 p.m. from Mondays to Fridays and from 7 a.m. to 1 p.m. (where necessary to 2.30 p.m.) on Saturdays: Provided that, if the managers of a crèche are of the opinion that there is not sufficient justification for keeping the crèche open during the required hours and days, they may close it: Provided further that no grant is payable in respect of periods during which a crèche is closed.
- (c) that every child attending a crèche shall from Monday to Friday be served with three meals per day and on Saturdays two meals;
- (d) that the Minister shall have the right to cause a crèche or its books, documents and registers to be inspected at any time.

- (b) vir 'n tydperk wat die kind of leerling met vakansieverlof is: Met dien verstande dat gedurende enige kalenderjaar die tydperk nie die totale getal skoolvakansiedae wat vir daardie jaar vir provinsiale skole bepaal is in die provinsie waarin die pleegouer woonagtig of die kindershuis geleë is, oorskry nie;
- (c) vir 'n tydperk wat die kind of leerling met naweekverlof of spesiale verlof is: Met dien verstande dat in die geval van spesiale verlof die tydperk nie veertien dae op 'n keer mag oorskry nie;
- (d) vir 'n tydperk van hoogstens negentig dae wat die kind of leerling in 'n hospitaal of ander soortgelyke inrigting verkeer.

Voorwaardes waaronder toekennings betaal word.

37. (1) Dit is 'n voorwaarde vir die betaling van 'n toekenning wat ingevolge paragraaf (a), (b), (c) (d) of (e) van subregulasie (1) van regulasie 33 vir die onderhoud van 'n kind, leerling of persoon toegestaan is—

- (a) dat die kind, leerling of persoon moet bly in die bewaring van die persoon of in die kindershuis, plek van veiligheid of plek van bewaring waarin hy was toe die magtiging tot die betaling van die toelae verleen is, of in die sorg waarin hy met goedkeuring van die Minister geplaas is, of in die bewaring of kindershuis waarna hy deur die Minister oorgeplaas is;
- (b) dat die kind, leerling of persoon behoorlik gehuisves, gevoed en geklee moet word en die nodige mediese en tandheelkundige behandeling moet ontvang;
- (c) dat die kind of leerling indien hy van skoolgaande ouderdom is, gereeld die skool moet besoek, tensy hy om 'n rede wat deur die Minister as gegrond beskou word, verhinder word om dit te doen;
- (d) dat die ouer, voog of pleegouer aan wie 'n toelae betaal word, redelik toegang tot die kind en tot die huis waarin die kind woon, moet verleen aan die amptenaar van 'n vereniging of aan 'n persoon wat kragtens 'n bepaling van die Wet of van hierdie regulasies aangewys is om toesig oor die kind uit te oefen solank hy in voornoemde ouer, voog of pleegouer se bewaring is, en die inligting moet verstrek wat van tyd tot tyd redelikerwys deur so 'n amptenaar of persoon vereis word; en dat so 'n ouer of voog of persoon moet voldoen aan die voorskrifte aangaande die besteding van die toelae, wat deur 'n persoon of die amptenaar van 'n vereniging wat ingevolge regulasie 38 benoem is om die besteding van die toelae te beheer, gegee word.

(2) Dit is 'n voorwaarde vir die betaling van 'n toekenning wat ingevolge subregulasie (2) van regulasie 33 gemaak is—

- (a) dat 'n minimum getal kinderbewaarhuisdae van 250 per maand gehandhaaf word: Met dien verstande dat die Minister 'n toegewing kan maak deur in 'n jaar die toelae vir hoogstens twee maande waarin die vereiste getal kinderbewaarhuisdae nie gehandhaaf is nie, te betaal, indien hy oortuig is dat daar genoegsame en bevredigende redes bestaan vir die tydelike afname in die bywoningsyfer;
- (b) dat die ure van 'n kinderbewaarhuis moet strek van 7 vm. tot 6 nm. van Maandag tot Vrydag en van 7 vm. tot 1 nm. (waar nodig tot 2.30 nm.) op Saterdag: Met dien verstande dat indien die bestuurders van 'n kinderbewaarhuis van mening is dat daar nie genoeg regverdiging bestaan om die kinderbewaarhuis gedurende die vereiste ure en dae oop te hou nie, hulle dit kan sluit en voorts met dien verstande dat geen toekenning betaalbaar is ten opsigte van tydperke waartydens 'n kinderbewaarhuis gesluit is nie;
- (c) dat aan elke kind wat 'n kinderbewaarhuis bywoon drie maaltye per dag van Maandag tot Vrydag en twee maaltye Saterdag, verskaf moet word;
- (d) dat die Minister die reg sal hê om te eniger tyd 'n kinderbewaarhuis of sy boeke, dokumente en registers te laat inspekteer.

Manner of Payment of Grants.

38. (1) Unless the Minister expressly directs otherwise, a grant made in terms of paragraph (a), (b) or (c) of sub-regulation (1) of regulation 33 shall be paid monthly in arrear, and may be paid to the applicant or to some other competent person or association of persons, appointed by the Minister, to be expended by such person or association on the maintenance of the parent, guardian or the child, and the Minister may further appoint such person or association to supervise the child: Provided that the Minister may at any time, at his discretion, revoke or vary the aforementioned appointment.

(2) A grant made in terms of paragraph (d) or (e) of sub-regulation (1) or of sub-regulation (2) of regulation 33, shall be paid monthly or, in the case of pupils in a children's home, at such intervals, either by way of advances or otherwise, as the Minister may determine.

(3) An advance made in terms of sub-regulation (2), shall be based on estimated requirements for a particular period and the necessary adjustments, according to the actual number of pupils cared for, shall be made at the conclusion of that period.

Review and Suspension or Variation of Grant.

39. (1) A grant made in terms of paragraph (a), (b) or (c) of sub-regulation (1) of regulation 33 may at any time during the period for which it has been authorised be reviewed by the Minister at regular intervals or as the Minister may direct.

(2) Whenever the Minister is satisfied—

(a) that a person is no longer qualified in terms of these regulations to receive a grant; or

(b) that the amount of the grant is greater or less than the amount which such person should receive in accordance with the provisions of regulation 44 or 45,

he may suspend such grant or increase or reduce it, as the case may be, in accordance with the provisions of regulations 35, 44 and 45.

Grants not Assignable or Executable.

40. No grant shall be capable of being assigned, transferred or otherwise ceded or of being pledged or hypothecated, nor shall it be liable to be attached or subjected to any form of execution under a judgment or order of a court of law, and if a grantee attempts to assign, transfer or otherwise cede or to pledge or hypothecate a grant, payment of the grant may be withheld, suspended or entirely discontinued if the Minister so determines.

Notification of Change of Circumstances.

41. (1) Any person to whom a grant is paid for the maintenance of a child shall notify the Secretary in writing of any change of circumstances affecting the right to the grant as soon as practicable after the occurrence of any such change.

(2) In the event of the death of the parent, guardian or foster-parent of a child to whom a grant is payable for the maintenance of that child, or in the event of any other disability preventing such parent, guardian or foster-parent from maintaining the child, the responsible officer of the Department of Indian Affairs or of the Department of Social Welfare and Pensions or the Commissioner, shall immediately inform the Secretary thereof and of the name of any person to whom it is proposed to continue payment of the grant until the child is placed in other lawful custody.

ANNUAL GRANTS.

42. (1) The Minister may make an annual grant in one or more of the following forms:—

(a) To an association of persons conducting a children's home, in addition to a grant made in terms of paragraph (d) of sub-regulation (1) of regulation 33, towards expenditure incurred in connection with the payment of salaries of staff employed at the children's home;

Wyse van betaling van toekennings.

38. (1) Tensy die Minister uitdruklik anders gelas, is 'n toelae wat ingevolge paragraaf (a), (b) of (c) van subregulasie (1) van regulasie 33 toegestaan word, maandeliks agternabetaalbaar en dit kan aan die applikant of aan 'n ander bevoegde persoon of vereniging van persone wat deur die Minister benoem is, betaal word om deur so 'n persoon of vereniging vir die onderhoud van die ouer, voog of kind te bestee en die Minister kan verder so 'n persoon of vereniging benoem om toesig oor die kind te hou: Met dien verstande dat die Minister te eniger tyd, na goeë dunks, voormelde benoeming kan herroep of wysig.

(2) 'n Toelae wat ingevolge paragraaf (d) of (e) van subregulasie (1) of van subregulasie (2) van regulasie 33 toegestaan word, is maandeliks betaalbaar of, in die geval van leerlinge in 'n kinderhuis, by wyse van voorskotte of andersins by sodanige tussenpose as wat die Minister mag bepaal.

(3) 'n Voorskot wat ingevolge subregulasie (2) toegestaan word, moet bereken word op geraamde benodigdhede vir 'n bepaalde tydperk en die nodige aansuiwerings, na verhouding van die werklike getal leerlinge wat versorg word, moet na verstryking van daardie tydperk gedoen word.

Hersiening en opskorting of verandering van toelae.

39. (1) 'n Toelae wat ingevolge paragraaf (a), (b) of (c) van subregulasie (1) van regulasie 33 toegestaan is, kan te enigertyd gedurende die tydperk waarvoor dit gemagtig is, by gereelde tussenpose deur die Minister in hersiening geneem word of na gelang hy gelas.

(2) Indien die Minister daarvan oortuig is—

(a) dat iemand nie meer ingevolge hierdie regulasies bevoeg is om 'n toelae te ontvang nie; of

(b) dat die bedrag van die toelae groter of kleiner is as wat die persoon ooreenkomstig regulasies 44 en 45 behoort te ontvang;

kan hy betaling van die toelae opskort, of die toelae vermeerder of verminder, na gelang van die geval, ingevolge die bepalings van regulasies 35, 44 en 45.

Toelaes kan nie afgestaan word en daar kan nie op 'n toelae beslag gelê word nie.

40. Geen toelae kan afgestaan, oorgedra of andersins gesedeer, verpand of verhipotekeer word nie; ook kan beslag nie op 'n toelae gelê word nie en is dit nie onderworpe aan enige vorm van beslaglegging kragtens 'n uitspraak of bevel van 'n geregshof nie, en indien enigeen wat 'n toelae ontvang, probeer om daarvan afstand te doen, dit oor te dra of andersins te sedgeer of te verpand of te verhipotekeer, kan betaling van die toelae teruggehou, opgeskort of geheel en al gestaak word, indien die Minister aldus bepaal.

Kennisgewing van verandering van omstandighede.

41. (1) Iemand aan wie 'n toelae vir die onderhoud van 'n kind betaal word, moet die Sekretaris so gou moontlik nadat enige verandering van omstandighede rakende die reg op 'n toelae ingetree het, skriftelik van so 'n verandering in kennis stel.

(2) In die geval van die dood van die ouer, voog of pleegouer van 'n kind aan wie 'n toelae vir die onderhoud van daardie kind betaalbaar is of indien so 'n ouer, voog of pleegouer weens enige ander onvermoë nie langer in staat is om die kind te onderhou nie, moet die verantwoordelike beampte van die Departement van Indiërsake, of van die Departement van Volkswelsyn en Pensioene of die Kommissaris, die Sekretaris onmiddellik daarvan in kennis stel en hom meedeel aan wie voorgestel word dat die toelae intussen betaal moet word totdat die kind in 'n ander wettige bewaring geplaas is.

JAARLIKSE TOELAES.

42. (1) Die Minister kan 'n jaarlikse toelae in een of meer van die volgende vorms toeken:—

(a) Aan 'n vereniging van persone wat 'n kinderhuis bestuur, benewens 'n toelae toegeken ingevolge paragraaf (d) van subregulasie (1) van regulasie 33, om uitgawes in verband met die betaling van salarisse van personeel in diens by die kinderhuis te bestry;

(b) to an association of persons conducting a place of safety and detention, an amount equal to the total costs approved by him and incurred by the association for the maintenance of children placed therein in terms of authority conferred by or under a provision of the Act or the Criminal Procedure Act, 1955 (Act No. 56 of 1955), for a period of a year or less, and for the maintenance and conduct of the place of safety and detention;

(c) to an association of persons conducting a crèche, an amount equal to 50 per cent of the actual rent of a building, calculated on a *pro rata* basis in respect of subsidisable and non-subsidisable children.

(2) The payment of an annual grant in terms of paragraph (b) of sub-regulation (1) is subject to the conditions stated in paragraphs (a), (b) and (c) of sub-regulation (1) of regulation 37, and such other conditions as the Minister may impose in any particular case, and the Minister may, before he pays a grant or any portion thereof, require the association to satisfy him that any or all of the conditions of the grant have been complied with.

(3) The grants made in terms of sub-regulation (1) may be paid in such instalments and at such intervals as the Minister may decide.

SPECIAL GRANTS.

43. (1) In addition to a grant payable in terms of paragraph (d) of sub-regulation (1) of regulation 33, the Minister may make a special grant to an association of persons which conducts a children's home or which proposes to establish a children's home for any purposes approved by him.

(2) In addition to a grant payable in terms of sub-regulation (2) of regulation 33, the Minister may make a special grant on the R1 for R1 basis, not exceeding R5,000, to an association of persons in respect of the cost of erection of a crèche, provided that no contribution is made from other Government sources.

(3) An application for a special grant in terms of sub-regulation (1) or (2) shall be in a form prescribed by the Secretary and shall be submitted to the Secretary.

RATES OF CAPITATION GRANTS.

44. (1) The rate of capitation grants which may be paid in terms of paragraphs (a) and (b) of sub-regulation (1) of regulation 33, is, subject to sub-regulations (2) and (3) of this regulation, as follows:—

	Per Month. R c
(a) a maximum grant in respect of the mother in—	
urban areas	5 00
non-urban areas	4 00
a maximum grant in respect of each of the first two children in—	
urban areas	2 50
non-urban areas	2 25
a maximum grant in respect of the third and every further child in	
urban areas	1 50
non-urban areas	1 25
(b) the maximum grant (including any social pension) which may be paid to a family in—	
urban areas	12 00
non-urban areas	10 00

(b) aan 'n vereniging van persone wat 'n plek van veiligheid en bewaring bestuur, 'n bedrag gelyk aan die totale koste deur hom goedgekeur en deur die vereniging aangegaan vir die onderhoud van kinders wat daarin geplaas is kragtens magtiging verleen by of ingevolge 'n bepaling van die Wet of van die Strafproseswet, 1955 (Wet No. 56 van 1955), vir 'n tydperk van 'n jaar of minder, en vir die instandhouding en bestuur van die plek van veiligheid en bewaring;

(c) aan 'n vereniging van persone wat 'n kinderbewaarhuis bestuur, 'n bedrag gelyk aan 50 persent van die werklike huurgeld vir 'n gebou, bereken op 'n *pro rata*-basis ten opsigte van subsidieerbare en nie-subsidieerbare kinders.

(2) Die betaling van 'n jaarlikse toelae ingevolge paragraaf (b) van subregulasie (1), is onderworpe aan die voorwaardes in paragrawe (a), (b) en (c) van subregulasie (1) van regulasie 37 genoem, en aan die ander voorwaardes wat die Minister in enige besondere geval mag stel, en die Minister kan, voordat hy 'n toelae of 'n gedeelte daarvan betaal, vereis dat hy deur die vereniging daarvan oortuig moet word dat enigeen van of al die voorwaardes van die toelae nagekom is.

(3) Die toelae toegeken ingevolge subregulasie (1) kan in sodanige paaielemente en by sodanige tussenpose as wat die Minister mag besluit, betaal word.

SPESIALE TOELAES.

43. (1) Benewens 'n toelae betaalbaar ingevolge paragraaf (d) van subregulasie (1) van regulasie 33, kan die Minister aan 'n vereniging van persone wat 'n kinderbewaarhuis bestuur of voornemens is om 'n kinderbewaarhuis te stig, 'n spesiale toelae vir enige doeleindes deur hom goedgekeur, toeken.

(2) Benewens 'n toekenning betaalbaar ingevolge subregulasie (2) van regulasie 33, kan die Minister aan 'n vereniging van persone 'n spesiale toelae van hoogstens R5,000 op die R1-vir-R1-basis ten opsigte van die koste verbonde aan die oprigting van 'n kinderbewaarhuis toestaan, mits geen bydrae uit ander staatsbronne gemaak is nie.

(3) 'n Aansoek om 'n spesiale toelae ingevolge subregulasie (1) of (2) moet gedoen word in 'n vorm deur die Sekretaris vir die doel bepaal en moet aan die Sekretaris gestuur word.

SKALE VAN HOOFDELIKE TOELAE.

44. (1) Die skaal van hoofdelike toelaes wat ingevolge paragrawe (a) en (b) van subregulasie (1) van regulasie 33 betaal kan word, is, behoudens subregulasies (2) en (3) van hierdie regulasie, soos volg:—

	Per maand. R c
(a) 'n maksimum toelae ten opsigte van die moeder in—	
stedelike gebiede	5 00
nie-stedelike gebiede	4 00
'n maksimum toelae ten opsigte van elk van die eerste twee kinders in—	
stedelike gebiede	2 50
nie-stedelike gebiede	2 25
'n maksimum toelae ten opsigte van die derde en elke daaropvolgende kind in—	
stedelike gebiede	1 50
nie-stedelike gebiede	1 25
(b) die maksimum toelae (met inbegrip van enige maatskaplike pensioen) wat aan 'n gesin betaal kan word, is in—	
stedelike gebiede	12 00
nie-stedelike gebiede	10 00

Per Month.
R c

- (c) the amount of means that a family may have without affecting the amount of the grant in respect of the mother and the children, respectively, is—
- in respect of the mother, for every adult (father and mother) in—
- | | |
|------------------------|------|
| urban areas | 6 00 |
| non-urban areas | 5 00 |
- in respect of the children, for every child (all areas)
- | | |
|--|------|
| | 1 00 |
|--|------|
- (d) the means of a family, including the amounts specified in paragraph (c) above, plus any State grants, shall not exceed the following amounts—
- | | |
|------------------------|-------|
| urban areas | 24 00 |
| non-urban areas | 20 00 |

(2) (a) A grant shall not be paid to a parent or guardian in terms of paragraph (a) of sub-regulation (1) of regulation 33, unless she is a woman—

- (i) who is unmarried or a widow;
- (ii) who has been deserted by her husband for a period of at least six months, and his whereabouts are unknown, or, if his whereabouts are known, he does not, in the opinion of the Minister, contribute adequately to her support;
- (iii) who has been divorced or separated from her husband and is, in the opinion of the Minister, inadequately supported by her husband;
- (iv) whose husband receives a social pension;
- (v) whose husband has been certified as totally unfit to undertake remunerative work for a period of at least six months; or
- (vi) whose husband has been sentenced to imprisonment for at least six months or has been ordered to be detained in a State or State-aided institution for a period of at least six months.

(b) A grant shall not be paid to a parent or guardian in terms of paragraph (b) of sub-regulation (1) of regulation 33 unless the parent or guardian is a woman as defined in paragraph (a) of this sub-regulation or unless he is a man who—

- (i) is in receipt of a social pension or who, if it were not for his means or residential qualifications, would have been eligible to receive such pension; or
- (ii) has been certified as totally unfit to undertake remunerative work for a period of at least six months.

(c) A person in receipt of a social pension shall not be eligible for a grant in terms of paragraph (a) of sub-regulation (1) of regulation 33.

(3) For the purposes of this regulation, the following will not be regarded as means or income:—

- (a) Any additional pension, grant or bonus payable in terms of sub-section (2) of section *eight* of the Old Age Pensions Act (Act No. 38 of 1962), sub-section (2) of section *six* of the Blind Persons Act (Act No. 39 of 1962), sub-section (1) of section *three* of the War Veteran's Pensions Act (Act No. 40 of 1962) and sub-section (2) of section *eleven* of the Disability Grants Act, 1962 (Act No. 41 of 1962) or any special bonus payable to the recipient of a social pension;
- (b) attendance allowances paid in terms of sub-section (1) of section *nine* of Act No. 38 of 1962, sub-section (1) of section *seven* of Act No. 39 of 1962, sub-section (1) of section *five* of Act No. 40 of 1962, sub-section (1) of section *twelve* of Act No. 41 of 1962 and sub-section (1) of section *eighty-eight* of the Pneumoconiosis Act (Act No. 64 of 1962);

Per maand.
R c

- (c) die bedrag van middele wat 'n gesin kan hê sonder dat die bedrag van die toelae ten opsigte van onderskeidelik die moeder en die kinders geraak word, is—
- ten opsigte van die moeder, vir elke volwassene (vader en moeder) in—
- | | |
|------------------------------|------|
| stedelike gebiede | 6 00 |
| nie-stedelike gebiede | 5 00 |
- ten opsigte van die kinders, vir elke kind (alle gebiede)
- | | |
|--|------|
| | 1 00 |
|--|------|
- (d) die gesin se middele, met inbegrip van die bedrae in subparagraaf (c) hierbo genoem, plus enige staatstoelae, mag nie die bedrae hieronder oorskry nie—
- | | |
|------------------------------|-------|
| stedelike gebiede | 24 00 |
| nie-stedelike gebiede | 20 00 |

(2) (a) 'n Toelae mag nie ooreenkomstig paragraaf (a) van subregulasie (1) van regulasie 33 aan 'n ouer of voog betaal word nie tensy sy 'n vrou is—

- (i) wat ongetroud of 'n weduwee is;
- (ii) wie se man haar vir 'n tydperk van minstens ses maande verlaat het, en sy adres onbekend is, of indien hy, as sy adres bekend is, na die Minister se mening nie toereikend tot haar onderhoud bydra nie;
- (iii) wat van haar man geskei is of weg van hom lewe en na die Minister se mening nie toereikend deur haar man onderhou word nie;
- (iv) wie se man 'n maatskaplike pensioen ontvang;
- (v) wie se man vir 'n tydperk van minstens ses maande totaal ongeskik verklaar is om lonende werk te onderneem; of
- (vi) wie se man vir 'n tydperk van minstens ses maande tot gevangenisstraf veroordeel is of kragtens 'n bevel vir minstens ses maande in 'n staats- of staatsondersteunde inrigting aangehou moet word.

(b) 'n Toelae mag nie ooreenkomstig paragraaf (b) van subregulasie (1) van regulasie 33 aan 'n ouer of voog betaal word nie, tensy die ouer of voog 'n vrou is, soos omskryf in paragraaf (a) van hierdie subregulasie, of tensy hy 'n man is wat—

- (i) 'n maatskaplike pensioen ontvang of wat as dit nie was vir sy middele of verblyfswalifikasies nie, bevoeg sou gewees het om so 'n pensioen te ontvang; of
- (ii) vir 'n tydperk van minstens ses maande totaal ongeskik verklaar is om enige lonende werk te verrig.

(c) Iemand wat 'n maatskaplike pensioen ontvang, kom nie in aanmerking vir 'n toelae ingevolge paragraaf (a) van subregulasie (1) van regulasie 33 nie.

(3) Vir die doeleindes van hierdie regulasie word die volgende nie as middele of inkomste beskou nie:—

- (a) Enige bykomende pensioen, toelae of bonus betaalbaar kragtens subartikel (2) van artikel *agt* van die Ouderdomspensioenwet (Wet No. 38 van 1962), subartikel (2) van artikel *ses* van die Wet op Blindes (Wet No. 39 van 1962), subartikel (1) van artikel *drie* van die Wet op Oudstryderspensioene (Wet No. 40 van 1962) en subartikel (2) van artikel *elf* van die Wet op Ongeskiktheidstoelae (Wet No. 41 van 1962) of enige spesiale bonus betaalbaar aan die ontvanger van 'n maatskaplike pensioen;
- (b) oppasserstoelae wat ingevolge subartikel (1) van artikel *nege* van Wet No. 38 van 1962, subartikel (1) van artikel *sewe* van Wet No. 39 van 1962, subartikel (1) van artikel *vyf* van Wet No. 40 van 1962, subartikel (1) van artikel *twaalf* van Wet No. 41 van 1962 en subartikel (1) van artikel *agt-en-tagtig* van die Pneumokoniosewet (Wet No. 64 van 1962) betaal word;

(c) any additional amount payable in terms of regulation 48 of these regulations.

45. (1) The rate of capitation grants payable in terms of paragraph (c) of sub-regulation (1) of regulation 33 is as follows:—

	Per Child, per Month. R c
(a) Ordinary rate in respect of—	
(i) urban areas	6 25
(ii) non-urban areas	5 75
(b) Special rate (grants for the maintenance of a child with physical, intellectual or mental disabilities or for deviate children) in respect of—	
(i) urban areas	8 30
(ii) non-urban areas	7 80

(2) The Minister may under exceptional circumstances, subject to the approval of the Treasury, make grants at rates higher than those prescribed in sub-regulation (1) of this regulation.

46. The rate of capitation grants payable in terms of paragraphs (d) and (e) of sub-regulation (1) of regulation 33 is as follows:—

- (a) *Ordinary Rate for the Maintenance of Pupils.*—Grants for the maintenance of a pupil in a children's home, not exceeding: R80 per annum.
- (b) *Special Rate for the Maintenance of Pupils.*—Grants for the maintenance of a pupil with physical, intellectual or mental disabilities or deviate children, not exceeding: R120 per annum.
- (c) *Place of Safety Allowances.*—
- To a person, as place of safety, not exceeding: R0.33 per day.
 - To a children's home which also serves as a place of safety and detention, not exceeding: R0.43 per day.

47. (1) The rate of grants which may be made in terms of sub-regulation (2) of regulation 33 is an amount not exceeding 12½ cents per day per child whose parents' point gross income is R72 or less per month.

(2) (a) If the mother is the only parent, the same means test as that specified in sub-regulation (1) shall apply.

(b) In cases where the father has deserted the family or where the parents are divorced or are living apart, the income of the mother in whose custody the children are, plus any contributions made by the father for the maintenance of the family, will be regarded as the income of the family for the purposes of sub-regulation (1).

Payment of Bonuses.

48. Any person who is in receipt of a grant in terms of paragraph (b) of sub-regulation (1) of regulation 33 and who is not in receipt of a social pension may in addition to such grant be paid an additional amount of R62.40 per annum.

PART VII.

PLACES OF SAFETY AND DETENTION.

49. (1) An admission and attendance register shall be kept, in a form prescribed by the Secretary, of children and young persons who have been admitted to a place of safety and detention.

(2) The register referred to in sub-regulation (1) shall be made out in triplicate and written up daily. One copy of the form shall be retained in the book and two copies shall be sent to the responsible office of the Department of Social Welfare and Pensions within 48 hours of the end of each month.

(c) Enige bykomende bedrag betaalbaar ingevolge regulasie 48 van hierdie regulasies.

45. (1) Die skaal van hoofdelike toelaes wat ingevolge paragraaf (c) van subregulasie (1) van regulasie 33 betaal kan word, is soos volg:—

	Per kind, per maand. R c
(a) Gewone skaal ten opsigte van—	
(i) stedelike gebiede	6 25
(ii) nie-stedelike gebiede	5 75
(b) <i>Spesiale skaal</i> (hulptoelaes vir die onderhoud van 'n kind met liggaamlike, verstandelike of geestesgebreke of van afwykende kinders) ten opsigte van—	
(i) stedelike gebiede	8 30
(ii) nie-stedelike gebiede	7 80

(2) Die Minister kan, onderworpe aan die goedkeuring van die Tesourie, onder buitengewone omstandighede, toelaes toestaan teen hoër skale as dié wat by subregulasie (1) van hierdie regulasie voorgeskryf word.

46. Die skaal van hoofdelike toelaes wat ingevolge paragrafe (d) en (e) van subregulasie (1) van regulasie 33 betaal kan word, is soos volg:—

- (a) *Gewone skaal vir onderhoud van leerlinge.*—Hulptoelae vir die onderhoud van 'n leerling in 'n kinderhuis, hoogstens R80 per jaar.
- (b) *Spesiale skaal vir onderhoud van leerlinge.*—Hulptoelae vir die onderhoud van 'n leerling met liggaamlike, verstandelike of geestesgebreke of van afwykende kinders, hoogstens R120 per jaar.
- (c) *Veiligheidsplektoelaes.*
- Aan 'n persoon as veiligheidsplek, hoogstens R0.33 per dag.
 - Aan 'n kinderhuis wat ook as veiligheidsplek en plek van bewaring dien, hoogstens R0.43 per dag.

47. (1) Die skaal van toekennings wat ingevolge subregulasie (2) van regulasie 33 gemaak kan word, is 'n bedrag van hoogstens 12½ sent per dag per kind wie se ouers se gesamentlike bruto inkomste nie meer as R72 per maand is nie.

(2) (a) Indien die moeder die enigste ouer is, word dieselfde middeletoets as dié in subregulasie (1) genoem, toegepas.

(b) In gevalle waar die vader die gesin verlaat het of waar die ouers geskei is of weg van mekaar leef, word die inkomste van die moeder in wie se bewaring die kinders is, tesame met enige bydraes wat deur die vader vir die onderhoud van die gesin gemaak word, gereken as inkomste van die gesin vir die doeleindes van subregulasie (1).

Betaling van bonusse.

48. Aan enige persoon wat in ontvang is van 'n toelae ingevolge paragraaf (b) van subregulasie (1) van regulasie 33 en wat nie in ontvangs is van 'n maatskaplike pensioen nie, kan benewens sodanige toelae, 'n bykomende bedrag van R62.40 per jaar betaal word.

DEEL VII.

PLEKKE VAN VEILIGHEID EN BEWARING.

49. (1) 'n Opnemings- en bywoningsregister moet in 'n vorm deur die Sekretaris bepaal, gehou word van kinders en jeugdiges wat in 'n plek van veiligheid en bewaring opgeneem is.

(2) Die register in subregulasie (1) genoem, moet in drievoud uitgemaak en daaglik bygeskryf word. Een afskrif van die vorm moet in die boek gelaat word en twee afskrifte moet binne 48 uur na die einde van elke maand aan die verantwoordelike kantoor van die Departement van Volkswelsyn en Pensioene gestuur word.

(3) A senior officer of the office concerned of the Department of Social Welfare and Pensions shall scrutinise the form and ensure that it is duly completed and shall forward the original to the Secretary not later than the tenth of each month, together with his comments on the reasons for the detention of children and young persons who have been in the place of safety for more than six weeks at the end of the month to which the return relates.

50. (1) The superintendent of a place of safety and detention shall not admit a child or young person thereto without a letter of authority or a warrant for the detention of such child or young person.

(2) On the delivery of a child to a place of safety the superintendent shall see to it that he is furnished with a medical certificate in respect of the child in the form of Form No. W.P. 310.

(3) If it is not possible to furnish the superintendent with a medical certificate in respect of a child when he is delivered to a place of safety, steps shall be taken to have the child examined by a district surgeon as soon as may be after his reception and in the meantime the child shall as far as practicable not be allowed to have contact with other children.

(4) Under no circumstances, except by order of a court, shall a girl be medically examined with a view to determining whether or not she is pregnant.

51. (1) The superintendent of a place of safety and detention or any person acting on his behalf may authorise any person, either generally or on any particular occasion, to enter the premises of the place of safety and detention with a view to having access to a child or young person or for any other purpose and may, in consultation with the responsible officer of the Department of Indian Affairs, prescribe days and hours on which the premises may be entered.

(2) A person who has been refused permission to enter the premises of a place of safety and detention shall leave the premises forthwith.

(3) No person shall have contact or communicate with a child or young person in a place of safety and detention, save on the occasion of a visit authorised in terms of this regulation or by means of a letter addressed to the child or young person by post.

(4) The superintendent may open and read any letter written by or addressed to a child or young person in a place of safety and detention and may withhold any such letter if it is in his opinion not desirable that the contents thereof shall be disclosed to the addressee. Any letter which has been so withheld shall be sent forthwith to the responsible officer of the Department of Social Welfare and Pensions.

52. No intoxicating liquor, drugs, firearms, dangerous weapons or any undesirable reading matter shall be brought on the premises of a place of safety and detention for consumption or use by a child or young person.

53. (1) It shall be the responsibility of the superintendent of a place of safety and detention to maintain discipline in the place.

(2) Corporal punishment, may, subject to sub-regulation (3), be inflicted by the superintendent only, in the presence of an officer designated by the chief probation officer of the region in which the place of safety and detention is situated (but not in the presence of another child or young person).

(3) Corporal punishment may in every particular case be inflicted only with the approval of the chief probation officer, or an officer acting on his behalf during his absence, as an extreme disciplinary measure, after all other measures, have proved to be fruitless, and shall in no case exceed more than six cuts.

(4) Corporal punishment shall be inflicted only in such manner and with such instrument as the chief probation officer may generally or in a particular case approve.

(5) Under no circumstances shall corporal punishment be administered to a girl.

(3) 'n Senior beampste van die betrokke kantoor van die Departement van Volkswelsyn en Pensioene moet die vorm nagaan en toesien dat dit behoorlik ingevul is en moet die oorspronklike daarvan voor of op die tiende dag van elke maand aan die Sekretaris stuur, tesame met sy opmerkings oor die redes vir die aanhouding van kinders en jeugdige wat hulle aan die einde van die maand waarop die opgawe betrekking het, langer as ses weke in die veiligheidsplek bevind.

50. (1) Die Superintendent van 'n plek van veiligheid en bewaring neem nie 'n kind of jeugdige daarin op sonder 'n magtigingsbrief of lasbrief vir die aanhouding van die kind of jeugdige nie.

(2) By die besorging van 'n kind aan 'n veiligheidsplek moet die superintendent toesien dat hy van 'n mediese sertifikaat ten opsigte van die kind voorsien word in die vorm van Vorm No. W.P. 310.

(3) Indien dit nie moontlik is om by die besorging van 'n kind aan 'n veiligheidsplek, die superintendent van 'n mediese sertifikaat te voorsien nie, moet stappe gedoen word om die kind so gou as moontlik na opneming deur 'n distriksgeneesheer te laat ondersoek en intussen moet die kind, vir sover dit uitvoerbaar is, nie toegelaat word om met ander kinders in aanraking te kom nie.

(4) Onder geen omstandighede, behalwe op las van 'n hof, moet 'n dogter medies ondersoek word met die oog daarop om te bepaal of sy swanger is of nie.

51. (1) Die superintendent van 'n plek van veiligheid en bewaring, of iemand wat namens hom optree, kan enige persoon magtig, hetsy in die algemeen of by 'n besondere geleentheid, om die perseel van die plek van veiligheid en bewaring te betree met die doel om toegang te hê tot 'n kind of jeugdige of vir enige ander doel en kan in oorleg met die verantwoordelike kantoor van die Departement van Indiërsake dae en tye voorskryf waarop die perseel betree mag word.

(2) 'n Persoon aan wie toestemming om die perseel van 'n plek van veiligheid en bewaring te betree, geweier is, moet die perseel onverwyld verlaat.

(3) Niemand mag kontak hê met of met 'n kind of jeugdige in 'n plek van veiligheid en bewaring in verbanding tree nie, behalwe by geleentheid van 'n besoek gemagtig ingevolge hierdie regulasie of deur middel van 'n brief per pos aan die kind of jeugdige gerig.

(4) Die superintendent kan enige brief geskryf deur of gerig aan 'n kind of jeugdige in 'n plek van veiligheid en bewaring oopmaak en lees en kan enige sodanige brief terughou indien dit volgens sy mening nie wenslik is dat die inhoud daarvan aan die geadresseerde geopenbaar word nie. Enige brief wat aldus teruggehou is, moet onverwyld aan die verantwoordelike beampste van die Departement van Volkswelsyn en Pensioene gestuur word.

52. Geen bedwelmende drank, verdowingsmiddels, vuurwapens, gevaarlike wapens of ongewenste lektuur moet op die perseel van 'n plek van veiligheid en bewaring gebring word vir verbruik of gebruik deur 'n kind of jeugdige nie.

53. (1) Dit is die verantwoordelikheid van die superintendent van 'n plek van veiligheid en bewaring om tug en dissipline in die plek te handhaaf.

(2) Lyfstraf kan, behoudens subregulasie (3), slegs deur die superintendent in die teenwoordigheid van 'n beampste aangewys deur die hoofproefbeampste van die streek waarin die plek van veiligheid en bewaring geleë is (maar nie in die teenwoordigheid van 'n ander kind of jeugdige nie) toegedien word.

(3) Lyfstraf kan in elke besondere geval slegs met die goedkeuring van die hoofproefbeampste of 'n beampste wat namens hom in sy afwesigheid optree, as uiterste tugmaatreël, nadat alle ander maatreëls vrugtelos geblyk het, toegedien word, maar in geen geval meer as ses houe nie.

(4) Lyfstraf mag slegs op die wyse en met die instrument wat die hoofproefbeampste in die algemeen of in 'n besondere geval goedkeur, toegedien word.

(5) Onder geen omstandighede mag aan 'n dogter lyfstraf toegedien word nie.

(6) If it is suspected that corporal punishment may adversely affect the health of a child or young person, the district surgeon shall be consulted beforehand.

(7) A child or young person shall not have his hair cropped or be deprived of his food as a form of punishment.

(8) Only in cases of uncontrollability shall children and young persons, with the approval of the chief probation officer, be kept in isolation.

(9) Punishment of any nature whatsoever shall not be administered in an inhuman, embittered, revengeful or impulsive manner, but shall at all times be reasonable and just and shall be appropriate to the nature and seriousness of the transgression.

(10) A register, to be styled a punishment book, shall be kept at each place of safety and detention, in which shall be recorded the name of the child or young person who has been punished; the date and nature of the transgression; the date and nature of the punishment; the name of the officer who authorised the infliction of corporal punishment; the name of the officer who administered corporal punishment and the name of the officer in whose presence the corporal punishment was administered. Every entry in the register shall be signed by the superintendent and it shall be scrutinised and signed by the chief probation officer at least once every month.

54. (1) The superintendent of a place of safety and detention shall on such occasions and for such purposes and in such form as a probation officer may require, report on the conduct, progress and welfare of a child or young person.

(2) For the purposes of sub-regulation (1) the superintendent shall keep an observation register in which he shall record particulars of the personality, conduct and particular qualities of a child or young person who is detained in the place of safety and detention for more than a week.

(6) Indien daar vermoed word dat lyfstraf 'n kind of jeugdige se gesondheidstoestand nadelig beïnvloed, moet die distriksgeneesheer vooraf geraadpleeg word.

(7) 'n Kind of jeugdige se hare moet nie as 'n vorm van straf afgesny word of sy voedsel mag hom nie ontnem word nie.

(8) Slegs in gevalle van onbeheerbaarheid moet kinders en jeugdige, met die goedkeuring van die hoofproefbeampte, in afsondering gehou word.

(9) Straf van watter aard ook al mag nie op 'n onmenslike, verbitterde, wraaksugtige en impulsiewe wyse toegedien word nie, maar moet redelik en regverdig wees en moet verband hou met die aard en erns van die oortreding.

(10) 'n Register, 'n strafboek genoem, moet by elke plek van veiligheid en bewaring gehou word, waarin die volgende aangeteken moet word: Die naam van die kind of jeugdige wat gestraf is; die datum en aard van die oortreding; die datum en aard van die straf; die naam van die beampte wat die toediening van lyfstraf gemagtig het; die naam van die beampte wat lyfstraf toegedien het en die naam van die beampte in wie se teenwoordigheid die lyfstraf toegedien is. Elke inskrywing in die register moet deur die superintendent onderteken word en dit moet minstens een keer elke maand deur die hoofproefbeampte nagesien en onderteken word.

54. (1) Die superintendent van 'n plek van veiligheid en bewaring moet by dié geleenthede en vir dié doeleindes en in 'n vorm wat 'n proefbeampte vereis, verslag doen oor die gedrag, vordering of welstand van 'n kind of jeugdige.

(2) Vir die doel van subregulasie (1) moet die superintendent 'n waarnemingsregister hou waarin hy besonderhede moet aanteken van die persoonlikheid, gedrag en besondere eienskappe van 'n kind of jeugdige wat langer as 'n week in die plek van veiligheid en bewaring aangehou word.

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