

EXTRAORDINARY



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GOVERNMENT GAZETTE

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VAN DIE REPUBLIEK VAN SUID-AFRIKA

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[No. 2096.]

## GOVERNMENT NOTICE.

## DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT.

No. R. 1036.

14 June 1968.

## REGULATIONS GOVERNING THE CONTROL AND SUPERVISION OF AN URBAN BANTU RESIDENTIAL AREA AND RELEVANT MATTERS.

I, Barzillai Coetzee, Deputy Minister of Bantu Administration and Education, hereby make on behalf of the Minister of Bantu Administration and Development under the powers vested in him by section 38 (8) (a) of the Bantu (Urban Areas) Consolidation Act, 1945 (Act No. 25 of 1945), the regulations in the Schedule hereto, in respect of the matters mentioned in section 38 (3) of the said Act, excluding paragraphs (o) and (s) thereof, for the guidance of urban local authorities and application thereafter in terms of section 38 (8) (b) of the said Act.

B. COETZEE,  
Deputy Minister of Bantu Administration  
and Education.

## SCHEDULE.

## CHAPTER 1.

## Definitions.

1. In these regulations, unless inconsistent with the context—

“accommodation permit” means a permit issued in terms of the provisions of regulation 19 (2) of Chapter 2 of these regulations;

“Act” means the Bantu (Urban Areas) Consolidation Act, 1945 (Act No. 25 of 1945), as amended;

“animal” means any horse, mule, donkey, bull, cow, ox, heifer, calf, sheep, goat, pig, ostrich, meerkat, bird, ape, baboon, fowl, goose, duck, muscovy duck, hare, rabbit, guinea-pig, dog or any wild animal or beast;

“authorised officer” means—

(a) a Bantu Affairs Commissioner;

(b) a magistrate, including an additional or assistant magistrate;

(c) a justice of the peace;

(d) a member of the South African Police or of the South African Railways and Harbours Police;

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## GOEWERMENSKENNISGEWING.

## DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING.

No. R. 1036.

14 Junie 1968.

## REGULASIES BETREFFENDE DIE BEHEER VAN EN TOESIG OOR 'N STEDELIKE BANTOEWOON- GEBIED EN AANVERWANTE AANGELEENTHEDE.

Ek, Barzillai Coetzee, Adjunk-minister van Bantoe-administrasie en -onderwys, vaardig hierby, namens die Minister van Bantoe-administrasie en -ontwikkeling kragtens die bevoegdheid hom verleen by artikel 38 (8) (a) van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945 (Wet No. 25 van 1945), die regulasies in die Bylae hiervan vervat uit betreffende die aangeleenthede vermeld in artikel 38 (3) van genoemde Wet, uitgesonderd paragrawe (o) en (s) daarvan, vir die leiding van stedelike plaaslike besture en die toepassing daarna ingevolge artikel 38 (8) (b) van genoemde Wet.

B. COETZEE,  
Adjunk-minister van Bantoe-administrasie  
en -onderwys.

## BYLAE.

## HOOFSTUK 1.

## Woordomskrywing.

1. In hierdie regulasies, tensy onbestaanbaar met die sinsverband, beteken—

„afhanklike” met betrekking tot 'n Bantoe—

(a) die vrou van of deelgenoot in 'n gewoonteverbin-  
tenis met sodanige Bantoe;

(b) 'n seun onder die ouderdom van 18 jaar en 'n  
ongetroude of weduweedogter van sodanige Bantoe wat  
saam met sodanige Bantoe woon en geheel en al van  
hom afhanklik is;

(c) 'n ander kind van sodanige Bantoe wat saam met  
hom woon en wat vanweë swakheid of ander ongeskik-  
theid geheel en al van sodanige Bantoe afhanklik is;

(d) 'n ouer of grootouer van sodanige Bantoe wat  
vanweë hoë ouderdom, swakheid of ander ongeskik-  
theid geheel en al van sodanige Bantoe afhanklik is;

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(e) any person, appointed by an urban local authority for the purpose of performing within or in regard to a Bantu residential area such functions as relate to the maintenance of the good order and peaceful administration of such area;

(f) any person, including a Bantu Constable, appointed by the Council who has power of inspection in connection with the Bantu;

(g) an officer referred to in section 22 of the Act;

(h) an attesting officer as defined in section 1 of the Bantu Labour Act, 1964 (Act No. 67 of 1964);

(i) any authorised receiver of tax payable under the Bantu Taxation and Development Act, 1925 (Act No. 41 of 1925), or any person authorised under that Act to demand the production of any document;

(j) any inspector of Bantu labourers appointed under section 17 of the Bantu Labour Act, 1964 (Act No. 67 of 1964);

(k) any person authorised by the Minister to demand the production of such documents under the Bantu Labour Act, 1964 (Act No. 67 of 1964) or any regulation thereunder, or under the Act or regulations as may be specified in such authority; and

(l) any member of any class of persons specified by the Minister in a notice in the *Gazette*;

"Bantu Affairs Commissioner" includes an additional or an assistant Bantu Affairs Commissioner and in respect of any district or area in respect of which no Bantu Affairs Commissioner has been appointed, means a magistrate or an additional or an assistant magistrate having jurisdiction in such district or area;

"Bantu hostel" means any area of land defined and set apart and laid out under section 2 (1) (c) of the Act and includes any building or group of buildings provided thereon;

"Bantu residential area" means any area of land defined, set apart and laid out as a location, Bantu village or Bantu hostel in terms of section 2 (1) (a) of the Act;

"building permit" means a permit issued in terms of regulation 13 (6) of Chapter 2 of these regulations;

"caretaker" means the person from time to time holding the appointment of caretaker of any Bantu cemetery or acting in such capacity in the service of the Council;

"cemetery" means any area of land which the Council with the approval of the Minister has set apart as a public cemetery for the exclusive use of Bantu;

"certificate" means a certificate of occupation issued in terms of the provisions of regulation 8 (3) of Chapter 2 of these regulations;

"Chief Bantu Affairs Commissioner" includes an assistant Chief Bantu Affairs Commissioner and for purposes of regulation 7 (4) of Chapter 2 of these regulations, the manager to whom the Chief Bantu Affairs Commissioner may, with the approval of the Secretary, have delegated his powers under the said subregulation;

"commonage" means the commonage of the urban area;

"Council" means the urban local authority with jurisdiction;

"council dwelling" means a dwelling in the Bantu residential area erected, bought or acquired by the Council;

(e) 'n kind van 'n ongetroude of weduweedogter bedoel in (b) solank hy van sy moeder of grootouer geheel en al afhanklik is en solank hy onder die ouderdom van 18 jaar is;

„Bantoesakekommissaris” ook 'n addisionele of 'n assistent-Bantoesakekommissaris en, ten opsigte van 'n distrik of gebied waarvoor geen Bantoesakekommissaris aangestel is nie, 'n landdros of 'n addisionele of 'n assistent-landdros met regsbevoegdheid in sodanige distrik of gebied;

„Bantoetehuis” 'n stuk grond kragtens artikel 2 (1) (c) van die Wet bepaal, afgesonder en aangelê en ook 'n gebou of groep geboue daarop ingerig;

„Bantoewoongebied” 'n stuk grond kragtens artikel 2 (1) (a) van die Wet bepaal, afgesonder en aangelê as 'n lokasie, Bantoedorp of Bantoetehuis;

„begraafplaas” 'n stuk grond wat deur die Raad met die goedkeuring van die Minister afgesonder is as 'n openbare begraafplaas vir die uitsluitlike gebruik van Bantoes;

„bestuurder” 'n beamppte wat in regulasie 1 (1) van Hoofstuk 2 van hierdie regulasies bedoel word en wat ingevolge die bepalings van artikel 22 (1) van die Wet aangestel en gelisensieer is om die Raad se Afdeling Bantoe-administrasie te bestuur en ook 'n adjunk en 'n assistent vir sodanige beamppte of wanneer sodanige beamppte nie aangestel is nie, die superintendent;

„boupermit” 'n permit ingevolge regulasie 13 (6) van Hoofstuk 2 van hierdie regulasies uitgereik;

„dier” 'n perd, muil, esel, bul, koei, os, vers, kalf, skaap, bok, vark, volstruis, meerkat, voël, aap, bobbejaan, hoender, gans, eend, makou, haas, konyn, marmotjie, hond of enige wilde dier of ongedierte;

„die Wet” die Bantoes (Stadsgebied) Konsolidasiewet, 1945 (Wet No. 25 van 1945), soos gewysig;

„Distriksregistrator van Geboortes en Sterfgevälle” 'n persoon wat kragtens die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevälle, 1963 (Wet No. 81 van 1963), vir 'n distrik as sodanig aangewys is of wettiglik optree;

„gedenkwerk” 'n grafsteen, traliewerk, heining, monument, gedenkteken, grafskrif of ander struktuur wat op 'n graf opgerig of aangebring is of daar opgerig of aangebring kan word;

„gemagtigde beamppte”—

(a) 'n Bantoesakekommissaris;

(b) 'n landdros met inbegrip van 'n addisionele of assistent-landdros;

(c) 'n vrederegter;

(d) 'n lid van die Suid-Afrikaanse Polisie of van die Suid-Afrikaanse Spoorweg- en Hawepolisie;

(e) 'n persoon aangestel deur 'n stedelike plaaslike bestuur om binne of met betrekking tot 'n Bantoe-woongebied die werksaamhede te verrig wat in verband staan met die handhawing van die goeie orde en vreedsame bestuur van sodanige gebied;

(f) 'n persoon, met inbegrip van 'n Bantoe-konstabel, aangestel deur die Raad met die mag van ondersoek in verband met Bantoes;

(g) 'n beamppte in artikel 22 bedoel;

(h) 'n attesterende beamppte soos in artikel 1 van die Wet op Bantoe-arbeid, 1964 (Wet No. 67 van 1964), omskryf;

(i) 'n gemagtigde ontvanger van belasting betaalbaar ingevolge die Bantoe Belasting en Ontwikkeling Wet, 1925 (Wet No. 41 van 1925), of 'n persoon kragtens daardie Wet gemagtig om die oorlegging van 'n dokument te eis;



"council trading premises" means a trading site in the Bantu residential area on which the Council has erected buildings or acquired the buildings thereon in terms of the provisions of Chapter 3 of these regulations;

"dependent", in relation to a Bantu, means—

(a) the wife of or partner in a customary union with such Bantu;

(b) any son under the age of 18 years and any unmarried or widowed daughter of such Bantu living with and entirely dependant on such Bantu;

(c) any other child of such Bantu living with him who by reason of infirmity or other disability is entirely dependent on such Bantu;

(d) any parent or grandparent of such Bantu who by reason of old age, infirmity or other disability is entirely dependent on such Bantu;

(e) any child of an unmarried or widowed daughter referred to in (b) for so long as such child is entirely dependent on his mother or grandparent and while he is under the age of 18 years;

"District Registrar of Births and Deaths" means any person designated or lawfully acting as such for any district in terms of the Births, Marriages and Deaths Registration Act, 1963 (Act No. 81 of 1963);

"engineer" means the town engineer and includes any person who within the scope of his duties with the Council acts in this capacity;

"entry permit" means a permit issued in terms of the provisions of regulation 19 (4) of Chapter 2 of these regulations;

"grantee" means a person to whom a certificate has been issued in terms of regulation 8 (3) of Chapter 2 of these regulations;

"hall" means any communal hall provided by the Council for the use of the residents of the Bantu residential area;

"hostel permit" means a permit issued in terms of regulations 5 (1) of Chapter 7 of these regulations;

"livestock" means any horse, mule, donkey, bull, cow, ox, heifer, calf, sheep, goat, pig or ostrich;

"lodger" means a person who legally resides with a holder of a site or residential permit or a grantee and to whom a lodger's permit has been issued;

"lodger's permit" means a permit issued in terms of regulation 20 (2) of Chapter 2 of these regulations;

"manager" means the officer referred to in regulation 1 (1) of Chapter 2 of these regulations, being a officer appointed and licensed under the provisions of section 22 (1) of the Act for the management of the Council's Department of Bantu Administration and includes a deputy of or assistant to such officer or when no such officer has been appointed, the superintendent;

"medical officer" means the person acting in the capacity of the Council's medical officer of health;

"memorial work" means any tombstone, railing, fence, monument, memorial, epitaph or other structure which is or may be erected or placed upon any grave;

"Minister" means the Minister of Bantu Administration and Development and includes any officer in the public service acting for and on behalf of the Minister;

"Nuisance" means—

(a) any dwelling or premises of such construction or in such a state or so situated or so dirty or so verminous as to be injurious or dangerous to health or liable to cause the spreading of any infectious disease;

(j) 'n inspekteur van Bantoe-arbeiders aangestel kragtens artikel 17 van die Wet op Bantoe-arbeid, 1964 (Wet No. 67 van 1964);

(k) 'n persoon deur die Minister gemagtig om die oorlegging van dokumente kragtens die Wet op Bantoe-arbeid, 1964 (Wet No. 67 van 1964), of 'n regulasie uit hoofde daarvan uitgevaardig of kragtens die Wet of regulasies te eis wat in daardie magtiging genoem word; en

(l) 'n lid van 'n kategorie van persone wat deur die Minister in 'n kennisgewing in die *Staatskoerant* vermeld word;

„geregistreeerde bewoner” 'n persoon aan wie 'n perseel-, woon-, tehuis- of loseerderspermit of 'n sertifikaat kragtens hierdie regulasies uitgereik is;

„handelaar” 'n Bantoe wat enige wettige handel of besigheid of beroep in die Bantoe-woon gebied met die goedkeuring van die Raad dryf of uitoefen;

„handelsperseel” 'n raadshandelsperseel en ook die geboue daarop opgerig;

„Hoofbantoesakekommissaris” ook 'n assistent-hoofbantoesakekommissaris en, vir doeleindes van regulasie 7 (4) van Hoofstuk 2 van hierdie regulasies, die bestuurder aan wie die Hoofbantoesakekommissaris, met die goedkeuring van die Sekretaris, sy bevoegdhede ingevolge genoemde subregulasie gedelegeer het;

„ingenieur” die stadsingenieur en ook enige persoon wat in hierdie hoedanigheid optree binne die bestek van sy pligte by die Raad;

„loseerder” 'n persoon wat wettiglik by 'n houer van 'n perseel- of woonpermit of 'n sertifikaathouer woon en aan wie 'n loseerderspermit uitgereik is;

„loseerderspermit” 'n permit kragtens regulasie 20 (2) van Hoofstuk 2 van hierdie regulasies uitgereik;

„meent” die meent van die stadsgebied;

„mediese beampte” die persoon wat optree in die hoedanigheid van mediese gesondheidsbeampte van die Raad;

„Minister” die Minister van Bantoe-administrasie en -ontwikkeling en ook 'n beampte in die Staatsdiens wat vir of namens die Minister optree;

„ontspanningsterrein” 'n ontspanningsterrein of sportterrein wat deur die Raad vir die gebruik van die inwoners van die Bantoe-woon gebied verskaf is;

„oorlas”—

(a) 'n gebou of perseel wat op so 'n wyse gebou is of in so 'n toestand verkeer of so geleë of so vuil of vol ongedierte is dat dit nadelig of gevaarlik vir die gesondheid is of die verspreiding van enige aansteeklike siekte kan veroorsaak;

(b) 'n stroom, poel, lagune, sloot, geut, waterloop, wasbak, waterbak, spoelkloset, putgemak, privaat, urinaal, vuilput, ashoop of mishoop wat so stinkend is of wat in so 'n toestand is of so geleë of gemaak is dat dit nadelig of gevaarlik vir die gesondheid is of die verspreiding van enige aansteeklike siekte kan veroorsaak;

(c) 'n put of ander bron van watervoorraad of enige waterbak of ander houer van water, hetsy privaat of gemeenskaplik, waarvan die water gebruik word of moontlik gebruik kan word deur mense vir drink- of huishoudelike doeleindes of in verband met enige melkery of melkwinkel of in verband met die vervaardiging of bereiding van enige voedingsmiddel bedoel vir menslike verbruik, wat besoedel is of andersins sodanige water nadelig of gevaarlik vir die gesondheid kan maak;

(b) any stream, pool, lagoon, ditch, gutter, water-course, sink, cistern, water-closet, pit-latrine, privy, urinal, cesspool, ash-heap or midden so foul or in such a state or so situated or constructed as to be injurious or dangerous to health, or liable to cause the spreading of any infectious disease;

(c) any well or other source of water supply or any cistern or other receptacle for water, whether private or communal, the water from which is used or is likely to be used by man for drinking or domestic purposes or in connection with any dairy or milkshop or in connection with the manufacture or preparation of any article of food intended for human consumption, which is polluted or otherwise liable to render any such water injurious or dangerous to health;

(d) any stable, kraal, cowshed or other building or premises used for the keeping of animals which is so constructed, situated, used or kept as to be offensive, or injurious or dangerous to health;

(e) any accumulation or deposit of rubbish, refuse, offal, manure, any derelict vehicle or any other matter whatsoever which is offensive or which is injurious or dangerous to health;

(f) any dwelling which is so overcrowded as to be injurious or dangerous to the health of the inmates or which does not conform to any regulations in force in the district as regards air space, floor space, lighting or ventilation;

(g) any area of land kept or permitted to remain in such a state as to be offensive, or liable to cause any infectious, communicable or preventable disease or injury or danger to health;

(h) any other condition whatsoever which is offensive, or injurious or dangerous to health;

"permit holder" means a person to whom a site, residential or lodger's permit has been issued;

"private grave plot" means any area of land laid out for one or more graves, the exclusive interment right of which has been purchased by any person in terms of regulation 21 (1) of Chapter 8;

"recreational ground" means any recreation ground or sports field provided by the Council for the use of the residents of the Bantu residential area;

"registered occupier" means a person to whom a site, residential, hostel or lodger's permit or a certificate has been issued in terms of these regulations;

"residential permit" means a permit issued in terms of the provisions of regulation 7 (2) of Chapter 2 of these regulations;

"Secretary" means the Secretary for Bantu Administration and Development and includes any officer in the public service lawfully acting on behalf of the Secretary;

"site permit" means a permit issued in terms of the provisions of regulation 6 (2) of Chapter 2 of these regulations;

"superintendent" means the officer referred to in regulation 1 (2) of Chapter 2 of these regulations, being the officer appointed and licensed under the provisions of section 22 (1) of the Act for the management of the Bantu residential area and includes a deputy or assistant to such officer;

"trader" means any Bantu who is carrying on any lawful trade, business or profession in the Bantu residential area with the approval of the Council;

"trading site" means council trading premises and includes any building erected thereon;

"urban area" means the area under the jurisdiction of the urban local authority.

(d) 'n stal, kraal, koeistal of ander gebou of perseel wat gebruik word vir die aanhou van diere, wat so opgerig, geleë, gebruik of gebou word dat dit aanstootlik is of nadelig of gevaarlik vir die gesondheid is;

(e) 'n ophoping of storting van vuilgoed, vullis, afval, mis, rytuigwrak of enige ander stof wat aanstootlik is of nadelig of gevaarlik vir die gesondheid is;

(f) 'n woning wat so oorvol is dat dit nadelig of gevaarlik vir die gesondheid van die inwonendes is of wat nie voldoen aan die vereistes van enige regulasies van krag in die distrik wat lugruimte, vloerruimte, verligting en ventilasie betref nie;

(g) 'n stuk grond wat in so 'n toestand gehou word of toegelaat word om in so 'n toestand te bly dat dit aanstootlik is of enige aansteeklike, oordraagbare of voorkombare siekte of besering of gevaar vir die gesondheid kan veroorsaak;

(h) enige ander toestand hoegenaamd wat aanstootlik is of gevaarlik of nadelig vir die gesondheid is;

"opsigter" die persoon wat van tyd tot tyd die betrekking van opsigter van enige Bantoebegraafplaas beklee of in sodanige hoedanigheid in diens van die Raad optree;

"permithouer" 'n persoon aan wie 'n perseel-, woon- of loseerderspermit uitgereik is;

"perseelpermit" 'n permit uitgereik kragtens die bepaling van regulasie 6 (2) van Hoofstuk 2;

"private grafperseel" 'n stuk grond wat aangelê is vir een of meer grafte, waarvan die alleenreg op begraving in daardie grond deur 'n persoon kragtens regulasie 21 (1) van Hoofstuk 8 van hierdie regulasies, gekoop is;

"Raad" die stedelike plaaslike bestuur met regsbevoegdheid;

"raadshandelsperseel" 'n handelsperseel in die Bantoe-woongebied waarop die Raad geboue opgerig of die geboue daarop verkry het kragtens die bepaling van Hoofstuk 3 van hierdie regulasies;

"raadswoning" 'n woning in die Bantoe-woongebied deur die Raad opgerig, gekoop of verkry;

"saal" 'n gemeenskapsaal wat deur die Raad vir die gebruik van die inwoners van die Bantoe-woongebied verskaf is;

"Sekretaris" die Sekretaris van Bantoe-administrasie en -ontwikkeling en ook 'n beamppte in die Staatsdiens wat vir of namens die Sekretaris optree;

"sertifikaat" 'n sertifikaat van bewoning uitgereik kragtens die bepaling van regulasie 8 (3) van Hoofstuk 2 van hierdie regulasies;

"sertifikaathouer" 'n persoon aan wie 'n sertifikaat kragtens regulasie 8 (3) van Hoofstuk 2 van hierdie regulasies uitgereik is;

"stadsgebied" die gebied onder die gesag van die stedelike plaaslike bestuur;

"superintendent" die beamppte genoem in regulasie 1 (2) van Hoofstuk 2 van hierdie regulasies, wat ingevolge dié bepaling van artikel 22 (1) van die Wet vir die bestuur van die Bantoe-woongebied aangestel en gelisensieer is en ook 'n adjunk en 'n assistent vir sodanige beamppte;

"tehuispermit" 'n permit kragtens regulasie 5 (1) van Hoofstuk 7 van hierdie regulasies uitgereik;

"toegangspermit" 'n permit uitgereik kragtens die bepaling van regulasie 19 (4) van Hoofstuk 2 van hierdie regulasies;

"vee" 'n perd, muil, esel, bul, koei, os, vers, kalf, skaap, bok, vark, of volstruis;

"verblyfpermit" 'n permit uitgereik kragtens die bepaling van regulasie 19 (2) van Hoofstuk 2 van hierdie regulasies;

"woonpermit" 'n permit uitgereik kragtens die bepaling van regulasie 7 (2) van Hoofstuk 2 van hierdie regulasies.



*Application.*

2. (1) Except where otherwise indicated, these regulations shall apply in Bantu residential areas only.

(2) When any or all of these regulations have been declared by the Minister under section 38 (8) (b) of the Act to apply in any area specified by notice in the *Gazette*, these regulations shall apply in such area to the exclusion of any other regulations relating to the same matters and applicable in such area: Provided that any authority, approval, permit, certificate or document granted or issued in terms of such other regulations, or any action taken, shall be deemed to have been granted, issued or taken under the corresponding provisions of these regulations.

CHAPTER 2.

ADMINISTRATION OF BANTU RESIDENTIAL AREA.

*Appointment and Duties of Officers.*

1. (1) The Council shall, in terms of the provisions of section 22 of the Act, appoint a manager to manage the Council's Department of Bantu Administration in general and may likewise appoint a deputy or assistant to such an officer. All instructions affecting such manager's department, which may be issued from time to time by the Council, shall be transmitted by him to the officers concerned.

(2) The Council shall, in terms of section 22 of the Act, appoint one or more superintendents to manage the Bantu residential area in terms of the Act and these regulations and in accordance with such lawful instructions as he or they may from time to time receive from the manager.

(3) The Council may appoint such other officers or other persons as it may deem necessary to assist the superintendent in the administration of these regulations.

*Superintendent's Report.*

2. The superintendent shall, when required to do so by the manager or the Council, submit a report in writing on the conditions and management of the Bantu residential area and report monthly on the refusal or cancellation of permits and certificates. Such report shall be available for inspection by an officer appointed under section 22 (3) of the Act.

*Posting of Regulations.*

3. The superintendent shall cause a copy of these regulations and of any instructions or notices issued in terms thereof, in English and Afrikaans and in the Bantu language or languages most commonly used in the Bantu residential area, to be posted and maintained in a prominent place at his office in the Bantu Residential area for the information of the residents.

*Dwellings and Sites to be Numbered.*

4. The superintendent shall allot to each site in the Bantu residential area a number and shall cause such number to be clearly painted or inscribed on or affixed in a prominent place to the outside of the dwelling erected on such site. The superintendent shall ensure that all such numbers are at all times kept in a legible condition.

*Toepassing.*

2. (1) Uitgesonderd waar anders aangedui, is hierdie regulasies slegs in Bantoewoongebiede van toepassing.

(2) Wanneer die Minister kragtens artikel 38 (8) (b) van die Wet verklaar het dat enige van of al hierdie regulasies van toepassing is in 'n gebied by kennisgewing in die *Staatskoerant* gespesifiseer, is hierdie regulasies van toepassing in sodanige gebied tot uitsluiting van enige ander regulasies betreffende dieselfde aangeleenthede en van toepassing in sodanige gebied: Met dien verstande dat 'n magtiging, goedkeuring, permit, sertifikaat of dokument kragtens sodanige ander regulasies verleen of uitgereik, of enige ander stappe gedoen, geag word ingevolge die ooreenstemmende bepalings van hierdie regulasies verleen, uitgereik of gedoen te gewees het.

HOOFSTUK 2.

ADMINISTRASIE VAN BANTOEWOONGEBIED.

*Aanstelling en Pligte van Beampptes.*

1. (1) Die Raad stel 'n bestuurder ingevolge die bepalings van artikel 22 van die Wet aan om die Raad se Afdeling Bantoeadministrasie oor die algemeen te bestuur en kan insgelyks 'n adjunk en 'n assistent vir sodanige beamppte aanstel. Alle voorskrifte wat op sodanige bestuurder se afdeling betrekking het en wat van tyd tot tyd deur die Raad uitgereik word, moet aan die betrokke beampptes deur sodanige bestuurder gestuur word.

(2) Die Raad stel ingevolge artikel 22 van die Wet een of meer superintendente aan om die Bantoewoongebied te bestuur ingevolge die Wet en hierdie regulasies en ooreenkomstig sodanige wettige voorskrifte as wat hy of hulle van tyd tot tyd van die bestuurder ontvang.

(3) Die Raad kan sodanige ander beampptes of persone aanstel as wat hy nodig ag om die superintendent by die uitvoering van hierdie regulasies behulpzaam te wees.

*Die Superintendent se Verslag.*

2. Die superintendent moet, wanneer hy deur die Raad of die bestuurder daarom versoek word, skriftelik verslag doen oor die toestande en bestuur van die Bantoewoongebied en moet maandeliks oor die weiering of intrekking van permitte en sertifikate verslag doen. Sodanige verslag lê ter insae van 'n beamppte wat kragtens artikel 22 (3) van die Wet aangestel is.

*Aanplak van Regulasies.*

3. Die superintendent moet vir die inligting van die inwoners 'n afskrif van hierdie regulasies en van enige bevele of kennisgewings wat daarkragtens uitgevaardig word, in Engels en Afrikaans, asook in die Bantoetaal of -tale wat mees algemeen in die Bantoewoongebied gebesig word, in 'n opvallende plek by sy kantoor in die Bantoewoongebied laat aanplak en onderhou.

*Wonings en Persele moet Genommer Word.*

4. Die superintendent moet aan elke perseel in die Bantoewoongebied 'n nommer toeken, en moet sodanige nommer duidelik aan die buitekant op 'n opvallende plek van die woning wat op sodanige perseel opgerig is, laat verf of opskryf of aanheg. Die superintendent moet al sodanige nommers te alle tye in 'n leesbare toestand laat hou.

*Medical Officer's Report.*

5. The medical officer shall annually submit a report in writing to the Council on the health and sanitary conditions in the Bantu residential area. After consideration, copies of every such report shall be forwarded together with the Council's comments thereon to the administrator of the province and to the Secretary.

*Site Permits.*

6. (1) Any male person over the age of 21 years who has dependants and is desirous of taking up residence in the Bantu residential area with his dependants and of erecting a dwelling therein shall apply in person to the superintendent for a site permit and a building permit.

(2) The superintendent, on being satisfied that—

(a) a suitable site which has not been reserved by the Council for some other purpose is available in the area set apart for the ethnic group to which the applicant belongs;

(b) the applicant is a fit and proper person to reside in the Bantu residential area;

(c) the applicant is lawfully permitted to remain in the prescribed area in terms of section 10 (1) (a) or (b) of the Act and his dependants may reside in the prescribed area;

(d) the applicant, if he is at that time a registered occupier in this or any other urban area, undertakes that on the issue of a site permit he will relinquish and consent to the cancellation of his existing site or residential or lodger's permit or certificate;

(e) the applicant is financially able and willing to erect within the Bantu residential area within a prescribed period, a dwelling of the standard laid down by these regulations;

(f) the applicant or his wife is not subject to the provisions of section 12 of the Act;

(g) the applicant is free from any infectious disease; and

(h) the site will be occupied by the applicant and his dependants,

may with the approval of the Minister, or a person authorised thereto by the Minister, allot to such applicant a suitable site and issue to him a site permit and a building permit: Provided that a site permit issued to a Bantu on or before the date of application of these regulations in the Bantu residential area, by virtue of any general approval given by the Minister prior to that date in terms of section 2 (1) (b) of the Act, shall be deemed to have been issued with the approval of the Minister.

(3) The holder of a site permit shall within three months commence building operations in accordance with the building permit. If such holder fails or neglects so to commence building operations within the said period or within such extended period as the superintendent may approve or if the relevant building permit be cancelled in terms of regulation 13 (10) or (11) of this Chapter, the said site permit may forthwith be withdrawn by the superintendent and any rights acquired thereunder shall *ipso facto* lapse.

(4) All rents, charges and other moneys due in respect of any site allotted in terms of subregulation (2) shall be payable monthly in advance with effect from the date of beneficial occupation of the site by the holder of the site permit.

*Die Mediese Beampte se Verslag.*

5. Die mediese beampte moet jaarliks skriftelik verslag doen aan die Raad oor die gesondheids- en sanitêre toestande van die Bantoewoongebied. Na oorweging moet afskrifte van elke sodanige verslag, tesame met die Raad se opmerkings daaroor, aan die administrateur van die provinsie en aan die Sekretaris gestuur word.

*Perseelpermitte.*

6. (1) 'n Manlike persoon bo die ouderdom van 21 jaar met afhanklikes, wat hom in die Bantoewoongebied wil vestig saam met sy afhanklikes en 'n woning daarin wil oprig, moet persoonlik by die superintendent om 'n perseelpermit en 'n boupermit aansoek doen.

(2) Sodra die superintendent oortuig is dat—

(a) 'n geskikte perseel wat nie deur die Raad vir 'n ander doel gereserveer is nie, beskikbaar is in die gebied wat afgesonder is vir die etniese groep waartoe die applikant behoort;

(b) die applikant 'n geskikte persoon is om in die Bantoewoongebied te woon;

(c) die applikant wettiglik ingevolge artikel 10 (1) (a) of (b) van die Wet in die voorgeskrewe gebied mag bly en sy afhanklikes in die voorgeskrewe gebied mag woon;

(d) die applikant, indien hy op daardie tydstip 'n geregistreerde bewoner is, in hierdie of enige ander stadsgebied, onderneem om by die uitreiking van 'n perseelpermit sy bestaande perseel- of woon- of loseerderspermit of sertifikaat op te gee en om toestemming te verleen tot die intrekking daarvan;

(e) die applikant geldelik daartoe in staat en gewillig is om binne 'n voorgeskrewe tydperk 'n woning van die standaard wat by hierdie regulasies bepaal word, in die Bantoewoongebied op te rig;

(f) die applikant of sy vrou nie aan die bepalings van artikel 12 van die Wet onderworpe is nie;

(g) die applikant nie aan 'n aansteeklike siekte ly nie; en

(h) die perseel deur die applikant en sy afhanklikes bewoon sal word,

kan hy, met die goedkeuring van die Minister of 'n persoon daartoe deur die Minister gemagtig, 'n geskikte perseel aan sodanige applikant toeken en 'n perseelpermit en 'n boupermit aan hom uitreik: Met dien verstande dat 'n perseelpermit uitgereik aan 'n Bantoe op of voor die datum van toepassing van hierdie regulasies in die Bantoewoongebied kragtens 'n algemene goedkeuring gegee deur die Minister ingevolge artikel 2 (1) (b) van die Wet voor daardie datum, geag word met die goedkeuring van die Minister uitgereik te wees.

(3) Die houer van 'n perseel permit moet binne drie maande met bouwerksaamhede begin in ooreenstemming met die boupermit. As sodanige houer van die boupermit in gebreke bly of nalaat om aldus met bouwerksaamhede te begin binne genoemde tydperk of binne sodanige verlengde tydperk as wat die superintendent goedkeur, of as die betrokke boupermit kragtens regulasie 13 (10) of (11) van hierdie Hoofstuk ingetrek is, kan genoemde perseelpermit onverwyld deur die suprintendent ingetrek word en enige regte ingevolge daarvan verkry, verval *ipso facto*.

(4) Alle huurgelde, vorderings en ander gelde wat verskuldig is ten opsigte van 'n perseel kragtens subregulasie (2) toegeken, is maandeliks vooruitbetaalbaar met ingang van die datum van voordelige besetting van die terrein deur die houer van die perseelpermit.



(5) The site permit shall not entitle the holder thereof to reside in the Bantu residential area, if he be not otherwise authorised so to reside but such holder shall be entitled thereunder to enter and be in the Bantu residential area at all reasonable times for the purpose of erecting or supervising the erection of the buildings authorised in terms of the relevant building permit.

(6) A site permit shall—

(a) subject to the provisions of any law, confer upon the holder thereof, together with his dependants, the right to the exclusive use and occupation of the site described therein;

(b) contain a description of the relative site;

(c) specify which buildings, structures or fences have been or may be erected on the relative site;

(d) be deemed to have been granted exclusively in respect of the site mentioned therein;

(e) specify the name, date of birth, identity number and ethnic group of the person to whom it has been issued; and

(f) specify the names, dates of birth, relationship to the holder, ethnic groups and identity numbers (where applicable) of all persons, excluding lodgers, who are entitled to reside with the holder.

(7) Not more than one site shall be allotted to any one person. For the purpose of this subregulation an adult male and an adult female living together as man and wife shall be deemed to be one person.

(8) Notwithstanding the provisions in this regulation contained the superintendent may, with the approval in writing of the Minister, or a person authorised thereto by the Minister, issue a site permit to an adult female who has dependants to support or to a male person under 21 years of age who has dependants to support but who does not qualify under subregulation (2) for a site permit: Provided that if a minor is granted a site permit, such permit may in the discretion of the superintendent be issued in the name of the guardian of such minor in trust for such minor for the period of his minority.

(9) The Council may, notwithstanding anything to the contrary in these regulations contained, resolve that no further sites for new buildings shall be allotted.

(10) The size and position of a site for which a site permit may be granted shall be defined and set out on a plan of the Bantu residential area, which has been approved by the Minister and which is available in the superintendent's office.

(11) No site may be allotted to a dependant who is resident with his parent or guardian.

(12) A person who was allotted more than one site or dwelling before the date of application of these regulations in the Bantu residential area and who still holds such sites or dwellings on such date shall within three months of such date relinquish all sites or dwellings except the one on or in which he lives. The permits of such person in respect of all sites or dwellings, except the one on or in which he lives, shall lapse *ipso facto* three months after the date of application of these regulations in the Bantu residential area and shall be deemed to have been cancelled. The provisions of regulation 15 (3), (4) and (6) of this Chapter shall *mutatis mutandis* apply to the improvements on the sites of which the permits are deemed to have been cancelled in terms of this regulations.

(5) Die houër van 'n perseelpermit is nie ingevolge daarvan geregtig om in die Bantoewoongebied te woon nie, as hy nie andersins gemagtig is om aldaar te woon nie, maar is ingevolge daarvan geregtig om die Bantoewoongebied op alle redelike tye te betree en daarin te wees met die doel om die geboue ingevolge die boupermit gemagtig, op te rig of toesig oor die oprigting daarvan te hou.

(6) 'n Perseelpermit—

(a) verleen aan die houër daarvan, saam met sy afhanklikes, behoudens die bepalings van enige wet, die reg op die uitsluitlike gebruik en bewoning van die perseel wat daarin beskryf word;

(b) moet 'n beskrywing van die betrokke perseel bevat;

(c) moet aandui watter geboue, strukture of heinings op die betrokke perseel opgerig is of kan word;

(d) word geag toegestaan te wees uitsluitlik ten opsigte van die perseel wat daarin genoem word;

(e) moet die naam, geboortedatum, persoonsnommer en etniese groep van die persoon aan wie dit uitgereik is aandui; en

(f) moet die name, geboortedatums, verwantskap met die houër, etniese groepe en persoonsnommers (waar van toepassing) van alle persone, uitgesonderd loseerders, wat geregtig is om by die houër in te woon, aandui.

(7) Hoogstens een perseel mag aan enige een persoon toegeken word. Vir die toepassing van hierdie subregulasies word 'n manlike volwassene en 'n vroulike volwassene wat as man en vrou saamwoon, geag een persoon te wees.

(8) Ondanks die bepalings in hierdie regulasie vervat, kan die superintendent met die skriftelike goedkeuring van die Minister of 'n persoon daartoe deur die Minister gemagtig 'n perseelpermit uitreik aan 'n volwasse vrou wat afhanklikes moet onderhou of aan 'n manlike persoon onder die ouderdom van 21 jaar wat afhanklikes moet onderhou maar wat nie ingevolge subregulasie (2) vir 'n perseelpermit kwalifiseer nie: Met dien verstande dat indien 'n perseelpermit aan 'n minderjarige toegestaan word, dit na goeddunke van die superintendent uitgereik kan word op naam van sodanige minderjarige se voog in trust vir sodanige minderjarige tydens die tydperk van sy minderjarigheid.

(9) Die Raad kan, ondanks andersluidende bepalings in hierdie regulasies vervat, besluit dat geen verdere persele vir nuwe geboue toegeken word nie.

(10) Die grootte en ligging van 'n perseel waarvoor 'n perseelpermit toegestaan kan word, moet bepaal en aangedui word op 'n plan van die Bantoewoongebied, wat deur of namens die Minister goedgekeur is, en wat in die kantoor van die superintendent beskikbaar is.

(11) Geen perseel mag aan 'n afhanklike wat by sy ouer of voog inwoon, toegeken word nie.

(12) 'n Persoon aan wie meer as een perseel of woning voor die datum van toepassing van hierdie regulasies in die Bantoewoongebied toegeken is en wat op sodanige datum nog sodanige persele of wonings besit, moet binne drie maande na sodanige datum afstand doen van alle persele of wonings, uitgesonderd dié waarop of waarin hy self woon. Die permitte van sodanige persoon ten opsigte van alle persele of wonings, uitgesonderd dié waarop of waarin hy self woon, verval *ipso facto* drie maande na die datum van toepassing van hierdie regulasies in die Bantoewoongebied en word geag ingetrek te wees. Die bepalings van regulasie 15 (3), (4) en (6) van hierdie Hoofstuk is *mutatis mutandis* van toepassing op die verbeterings op die persele waarvan die permitte ingevolge hierdie regulasie geag word ingetrek te wees.

(13) All rents, charges and other moneys due in respect of a site for which a site permit has been issued shall be payable in advance on or before the seventh day of each month from the date of the issue of such site permit.

#### *Residential Permits.*

7. (1) Any male person over the age of 21 years who has dependants and is desirous of taking up residence in the Bantu residential area and of occupying together with his dependants a council dwelling, shall apply in person to the superintendent for a residential permit authorising his residence and that of his dependants in the Bantu residential area and occupation of such dwelling and the site on which such dwelling is situated.

(2) The superintendent, on being satisfied that—

(a) a suitable dwelling which has not been reserved by the Council for some other purpose is vacant and available in the area set apart for the ethnic group to which the applicant belongs;

(b) such dwelling will be occupied by the applicant and his dependants;

(c) the applicant is a fit and proper person to reside in the Bantu residential area;

(d) the applicant is lawfully permitted to remain in the prescribed area in terms of section 10 (1) (a) or (b) of the Act and his wife is domiciled in the prescribed area;

(e) the applicant is employed or carrying on some lawful occupation in the prescribed area;

(f) the applicant or a dependant of his is not already a holder of a site or residential permit or a grantee or the owner of immovable property in any prescribed area;

(g) the applicant is not subject to the provisions of section 12 of the Act;

(h) the applicant, if he is to occupy a dwelling erected from sub-economic housing funds, falls within the sub-economic group as determined by the Minister in terms of section 20 (1) *bis* of the Act; and

(i) the applicant is free from any infectious disease, may allot such dwelling to such applicant and issue to him a residential permit.

(3) A residential permit shall—

(a) specify the number of the dwelling allotted;

(b) be deemed to be granted in respect of only the dwelling mentioned therein;

(c) specify the name, identity number and ethnic group of the person to whom it is granted;

(d) specify the names, identity numbers, dates of birth, relationship to the holder and ethnic groups of all persons who are entitled to reside with the holder thereof; and

(e) specify the date of issue thereof.

(4) Notwithstanding the provisions contained in sub-regulation (1) the superintendent may with the approval, in writing, of the Chief Bantu Affairs Commissioner, or the manager, if authorised thereto by the Chief Bantu Affairs Commissioner, issue a residential permit to an adult female who has dependants to support or to a male person who has dependants to support, but who does not comply with the requirements under subregulation (2) for a residential permit: Provided that when a residential permit is granted to a minor, it shall be issued in the name of the guardian of such minor in trust for such minor during the period of his minority.

(13) Alle huurgelde, vorderings en ander gelde wat verskuldig is ten opsigte van 'n perseel waarvoor 'n perseel-permit uitgereik is, is op of voor die sewende dag van elke maand vooruitbetaalbaar vanaf die datum van uitreiking van sodanige perseelpermit.

#### *Woonpermitte.*

7. (1) 'n Manlike persoon bo die ouderdom van 21 jaar met afhanklikes, wat hom in die Bantoeewoongebied wil vestig en 'n raads woning saam met sy afhanklikes wil bewoon, moet persoonlik by die superintendent aansoek doen om 'n woonpermit waarby magtiging verleen word tot sy verblyf en dié van sy afhanklikes in die Bantoeewoongebied en die bewoning van sodanige woning en die perseel waarop sodanige woning geleë is.

(2) Sodra die superintendent oortuig is dat—

(a) 'n geskikte woning wat nie deur die Raad vir 'n ander doel gereserveer is nie, onbewoon en beskikbaar is in die gebied wat afgesonder is vir die etniese groep waartoe die applikant behoort;

(b) sodanige woning deur die applikant en sy afhanklikes bewoon sal word;

(c) die applikant 'n geskikte persoon is om in die Bantoeewoongebied te woon;

(d) die applikant wettiglik toegelaat is om in die voorgeskrewe gebied te bly ingevolge artikel 10 (1) (a) of (b) van die Wet en sy vrou in die voorgeskrewe gebied gedomicilieer is;

(e) die applikant binne die voorgeskrewe gebied in diens is of die een of ander wettige beroep daarin uitoefen;

(f) die applikant of 'n afhanklike van hom nie reeds 'n houer van 'n perseel- of woonpermit of 'n sertifikaat-houer of die eienaar van vaste eiendom binne enige voorgeskrewe gebied is nie;

(g) die applikant nie aan die bepalings van artikel 12 van die Wet onderworpe is nie;

(h) indien hy 'n woning ogerig uit subekonomiese behuisingsfondse gaan bewoon, die applikant binne die subekonomiese groep val soos deur die Minister ingevolge artikel 20 (1) *bis* van die Wet bepaal; en

(i) die applikant nie aan 'n aansteeklike siekte ly nie, kan hy sodanige woning aan sodanige applikant toeken en 'n woonpermit aan hom uitreik.

(3) 'n Woonpermit—

(a) moet die nommer van die woning wat toegeken is, aandui;

(b) word geag toegestaan te wees ten opsigte van slegs die woning daarin genoem;

(c) moet die naam, persoonsnommer en etniese groep van die persoon aan wie dit uitgereik is, aandui;

(d) moet die name, persoonsnommers, geboortedatums, verwantskap met die houer en die etniese groepe van alle persone wat geregtig is om by die houer daarvan te woon, aandui; en

(e) moet die datum van uitreiking daarvan aandui.

(4) Ondanks die bepalings in subregulasie (1) vervat, kan die superintendent, met die skriftelike goedkeuring van die Hoofbantoesakekommissaris of die bestuurder, indien daartoe gemagtig deur die Hoofbantoesakekommissaris, 'n woonpermit uitreik aan 'n volwasse vrou wat afhanklikes het om te onderhou of aan 'n manlike persoon wat afhanklikes het om te onderhou maar wat nie voldoen aan die vereistes vir 'n woonpermit gestel in subregulasie (2) nie: Met dien verstande dat wanneer 'n woonpermit aan 'n minderjarige toegestaan word, dit op naam van die voog van sodanige minderjarige in trust vir sodanige minderjarige tydens die tydperk van sy minderjarigheid uitgereik moet word.



(5) Every residential permit, whether issued before or after the date of application of these regulations in the Bantu residential area, shall expire on the last day of the month for which it was issued and the holder thereof, if he desires to continue to reside with his dependants on the premises specified therein, shall apply for a renewal of such permit to the superintendent on or before the seventh day of the following month, and the superintendent may renew such permit if he is satisfied that the applicant complies with the provisions of subregulation (2) (c) to (i) inclusive: Provided that the acceptance of rental for a month shall be deemed to be a renewal of such permit for the month in respect of which such rental has been paid. A permit so renewed or deemed to have been renewed shall expire on the last day of the month for which it was renewed: Provided that a Bantu to whom a residential permit has been issued shall remain liable for all fees arising from such permit for so long as he continued to occupy a dwelling in respect of which such permit was issued.

(6) The occupation of any premises under a residential permit shall be subject to the following conditions in addition to such other conditions as may be specifically endorsed on such permit:—

(a) The holder of such residential permit shall be deemed to be a tenant and is herein referred to as such.

(b) The tenancy shall be subject to one month's notice, in writing: Provided that such notice may either be served on the tenant in person or on a person apparently over the age of 18 years and found in the dwelling or affixed to the front door of the dwelling or by registered letter addressed to the tenant's dwelling place: Provided further that, if such notice is given by post, the Post Office shall be deemed to be the agent of the tenant for the purpose of accepting service.

(c) Should the tenant, upon taking possession of a dwelling obtained from the Council, find that the building and appurtenances are defective or damaged in any way or in a state of disrepair, he shall within 24 hours notify the superintendent accordingly. Failure so to notify shall be an acknowledgement on the part of the tenant that the building is in a good state of repair.

(d) The tenant shall use only cooking or heating appliances which have previously been approved by the superintendent on the site.

(e) No portion of the premises other than that shown as residential accommodation on the plan of the Bantu residential area approved by the Council shall be used as a bedroom by the tenant or any other person.

(f) Should the tenant or any of his dependants or members of his household commit or allow to be committed any breach of these conditions of tenancy, his residential permit may be cancelled, but such cancellation shall not affect the right hereby reserved to the Council to recover from the tenant all rent due, calculated up to and including the date of such cancellation, and/or damages arising by reason of such breach.

(g) If, at the expiry of his tenancy, whether by cancellation of his residential permit or on a breach of its conditions, or abandonment of the premises or in consequence of notice duly given, the tenant leaves any furniture, goods or other belongings on the premises, such furniture, goods or other belongings shall be kept by the superintendent

(5) Elke woonpermit, hetsy voor of na die datum van toepassing van hierdie regulasies in die Bantoewoongebied uitgereik, vervall op die laaste dag van die maand ten opsigte waarvan dit uitgereik is, en die houer daarvan moet, indien hy met sy afhanklikes op die perseel daarin gespesifiseer, wil bly woon, by die superintendent om 'n hernuwing van sodanige permit aansoek doen voor of op die sewende dag van die volgende maand, en die superintendent kan, indien hy daarvan oortuig is dat die applikant aan die bepalings van subregulasie (2) (c) tot en met (i) voldoen, sodanige permit hernuwe: Met dien verstande dat die aanvaarding van huurgeld vir 'n maand geag word hernuwing van sodanige permit vir die maand te wees ten opsigte waarvan huurgeld betaal is. 'n Permit wat aldus hernuwe is of geag word hernuwe te wees, vervall op die laaste dag van die maand ten opsigte waarvan dit aldus hernuwe is: Met dien verstande dat 'n Bantoe aan wie 'n woonpermit uitgereik is aanspreeklik bly vir alle gelde ten opsigte van sodanige permit solank as wat hy die woning bewoon ten opsigte waarvan sodanige permit uitgereik is.

(6) Die bewoning van 'n perseel ingevolge 'n woonpermit is, benewens die voorwaardes wat spesifiek op sodanige permit geëndosseer is, aan die volgende voorwaardes onderworpe:—

(a) Die houer van sodanige woonpermit word geag 'n huurder te wees, en word hierin „die huurder” genoem.

(b) Die huurtermyn is onderworpe aan een maand skriftelike kennisgewing: Met dien verstande dat sodanige kennisgewing persoonlik aan die huurder of aan 'n persoon skynbaar ouer as 18 jaar wat in die woning gevind word, beteken kan word of by die woning aan die voordeur aangebring of per geregistreerde pos aan die huurder se woonplek gestuur kan word: Voorts met dien verstande dat, indien sodanige kennisgewing per pos gestuur word, die Poskantoor geag word die agent van die huurder te wees vir die doel van aanvaarding van die betekening.

(c) Indien die huurder by besitneming van 'n woning wat van die Raad verkry is, vind dat die gebou en toebehore op enige wyse defek of beskadig of in 'n vervalte toestand is, moet hy die superintendent binne 24 uur daarvan in kennis stel. Versuim om aldus kennis te gee, is 'n erkenning van die huurder dat die gebou in 'n goeie toestand is.

(d) Alleenlik kook- of verhittingstoestelle wat vooraf deur die superintendent goedgekeur is, mag deur die huurder op die perseel gebruik word.

(e) Geen ander gedeelte van die perseel as dié wat as woonakkommodasie aangewys is op die plan van die Bantoewoongebied wat deur die Raad goedgekeur is, mag deur die huurder of enige ander persoon as 'n slaapkamer gebruik word nie.

(f) Indien die huurder of enige van sy afhanklikes of lede van sy huishouding enige verbreking van hierdie huurvoorwaardes begaan of toelaat dat dit begaan word, kan sy woonpermit ingetrek word, maar sodanige intrekking raak nie die reg wat hierby aan die Raad voorbehou word om alle verskuldigde huurgeld, bereken tot en met die datum van sodanige intrekking, en/of skade wat as gevolg van sodanige verbreking ontstaan, op die huurder te verhaal nie.

(g) Indien die huurder meubels, goedere of ander besittings op die perseel by die verstryking van sy huur laat, hetsy by intrekking van sy woonpermit of weens enige verbreking van die voorwaardes daarvan of verlating van die perseel, of as gevolg van kennis behoorlik gegee, moet dit deur die superintendent op 'n veilige plek

at a safe place and if not claimed within a period of 60 days, shall be sold to the best possible advantage by the superintendent, who shall, after deducting any amount of any rent or other amount due to the Council, and any expenses, pay the net proceeds into the Bantu Revenue Account: Provided that, subject to the laws governing the administration and distribution of Bantu Estates, nothing in this paragraph contained shall deprive the heir of any deceased tenant of his right to the balance of the proceeds of the sale of such property: Provided further that, if the superintendent is of opinion that any property found on the premises of such tenant is of no value and not likely to realise any money, and if the manager agrees thereto, the superintendent may, after the lapse of 14 days from the expiry of the tenancy, cause the said property to be destroyed and the person to whom such property belonged shall have no claim against the Council or any other person for any compensation by reason of such destruction.

(h) The tenant shall not be entitled to any compensation whatsoever for improvements made by him on the premises, which improvements shall become the absolute property of the Council: Provided that the tenant may, prior to the expiry of his right of occupation, remove improvements made by him where in the opinion of the superintendent, such removal can be effected without any damage to the council dwelling, or with the approval of the superintendent, sell such improvements to the new tenant.

(i) If any vermin is found on the premises when the tenant vacates such premises, the Council shall, if it considers it necessary, have the right to fumigate or disinfect the premises and shall be entitled to recover the costs of such fumigation and disinfection from the tenant.

(7) All rents, charges and other moneys due in respect of a dwelling allotted in terms of subregulation (2) shall be payable in advance on or before the seventh day of each month with effect from the date of issue of the relevant residential permit.

#### *Certificate of Occupation.*

8. (1) The Council may itself erect or acquire dwellings in the Bantu residential area and sell the right of occupation thereof to suitable applicants.

(2) Any male person over the age of 21 years who has dependants and is desirous of acquiring the right of occupation of a dwelling referred to in subregulation (1) shall apply in person to the superintendent for a certificate.

(3) The superintendent, on being satisfied that—

(a) a suitable dwelling is vacant and available in the area set apart for the ethnic group to which the applicant belongs;

(b) the applicant complies *mutatis mutandis* with the requirements laid down in regulation 7 (2) (b) to (i) inclusive, of this Chapter;

(c) the applicant is financially able and willing to pay for the right of occupation of the dwelling; and

(d) the applicant has paid a deposit as determined by the urban local authority,

may on behalf of the Council and subject to the approval of the Minister or a person authorised by the Minister to give such approval and to the provisions of these regulations, issue to such applicant a certificate: Provided that—

(i) if the applicant is under the age of 21 years, the certificate shall not be issued to him unless and until he produces the written consent thereto of his parent or guardian;

gehou word en indien binne 'n tydperk van 60 dae onopgeëis, moet dit so voordelig moontlik verkoop word deur die superintendent wat, na aftrekking van die bedrag van enige huurgeld of ander bedrag wat aan die Raad verskuldig is, en enige koste, die netto opbrengs in die Bantoe-inkomsterekening stort: Met dien verstande dat, behoudens die wette met betrekking tot die bereddering en verdeling van Bantoeboedels, geen bepaling wat in hierdie paragraaf vervat is die erfgenaam van 'n afgestorwe huurder sy reg op die saldo van die opbrengs van die verkoop van sodanige eiendom ontnem nie: Voorts met dien verstande dat indien die superintendent van mening is dat enige eiendom wat op die perseel van sodanige huurder gevind word van geen waarde is en waarskynlik geen geld sal opbring nie, en indien die bestuurder instem, kan die superintendent, na verloop van 14 dae na die verstryking van die huur, genoemde eiendom laat vernietig en die persoon aan wie sodanige eiendom behoort het, het geen eis teen die Raad of enige ander persoon vir enige vergoeding weens sodanige vernietiging nie.

(h) Die huurder is nie op enige vergoeding hoegenaamd geregtig vir verbeterings wat deur hom op die perseel aangebring is nie, en dié verbeterings word die absolute eiendom van die Raad: Met dien verstande dat die huurder voor die reg van bewoning verstryk, verbeterings deur hom aangebring kan verwyder, indien dit volgens die mening van die superintendent, gedoen kan word sonder om enige skade aan die raadswoning aan te rig, of, met die goedkeuring van die superintendent, sodanige verbeterings aan die nuwe huurder kan verkoop.

(i) Indien enige ongedierte op die perseel gevind word wanneer die huurder sodanige perseel ontruim, kan die Raad, as hy dit nodig ag, die perseel berook of ontsmet en is hy geregtig om die koste van sodanige berokking of ontsmetting op die huurder te verhaal.

(7) Alle huurgeld, vorderings en ander gelde wat verskuldig is ten opsigte van 'n woning kragtens subregulasie (2) toegeken, is vooruitbetaalbaar op of voor die sewende dag van elke maand met ingang van die datum van uitreiking van die betrokke woonpermit.

#### *Sertifikaat van Bewoning.*

8. (1) Die Raad kan self wonings in die Bantoe-woon-gebied oprig of verkry en die reg om dit te bewoon aan geskikte applikante verkoop.

(2) 'n Manlike persoon bo die ouderom van 21 jaar wat afhanklikes het en die reg wil verkry om 'n woning te bewoon wat in subregulasie (1) genoem word, moet persoonlik by die superintendent om 'n sertifikaat aansoek doen.

(3) Sodra die superintendent daarvan oortuig is dat—

(a) 'n geskikte woning onbewoon en beskikbaar is in die gebied wat afgesonder is vir die etniese groep waartoe die applikant behoort;

(b) die applikant *mutatis mutandis* voldoen aan die vereistes gestel in regulasie 7 (2) (b) tot en met (i) van hierdie Hoofstuk;

(c) die applikant geldelik daartoe in staat is en bereid is om vir die reg op bewoning van die woning te betaal; en

(d) die applikant 'n deposito, soos deur die stedelike plaaslike bestuur bepaal, betaal het,

kan hy namens die Raad en behoudens die goedkeuring van die Minister of 'n persoon deur die Minister gemagtig om sodanige goedkeuring te verleen en die bepaling van hierdie regulasies, aan sodanige applikant 'n sertifikaat uitreik: Met dien verstande dat—

(i) indien die applikant onder die ouderdom van 21 jaar is, die sertifikaat nie aan hom uitgereik mag word nie tensy en totdat hy die skriftelike toestemming van sy ouer of voog toon;



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(ii) any certificate issued on or before the date of application of these regulations in the Bantu residential area to a Bantu by virtue of any general approval given prior to that date by the Minister in terms of section 2 (1) (b) of the Act shall be deemed to have been issued with the approval of the Minister.

(4) A certificate shall—

(a) subject to the provisions of any law, confer upon the person to whom it is issued the right to the use and occupation, together with his dependants, but subject to these regulations, of the dwelling described therein and of the site on which such dwelling is situated;

(b) specify the number of the site on which such dwelling is situated and describe the dwelling;

(c) specify the name, identity number and ethnic group of the person to whom it has been issued;

(d) specify the names, identity numbers, dates of births, relationship to the grantee and ethnic groups of persons who are entitled to reside on the site; and

(e) specify the date of issue thereof.

(5) Any applicant to whom a certificate has been issued in terms of subregulation (3) and who has not paid in full the purchase price of the right of occupation, shall be deemed to have been granted a loan by the Council for the unpaid balance of the purchase price, subject to the conditions contained in regulation 14 of this Chapter.

(6) All rents, charges and other moneys due in respect of any dwelling the right of occupation whereof has been sold in terms of these regulations shall be payable in advance on or before the seventh day of each month with effect from the date of issue of the relevant certificate.

#### *Transfer of Building or Site.*

9. (1) Any holder of a site permit or any grantee (hereinafter referred to as the transferor) may subject to the provisions of these regulations sell or otherwise dispose of his buildings, erections and improvements on any site to the Council or apply for the transfer of his site permit or certificate to a purchaser or some other person to whom the property has been disposed of (hereinafter referred to as the transferee), and the superintendent may grant such transfer if he is satisfied that—

(a) the transferee complies *mutatis mutandis* with the requirements of regulation 6 (2) or 8 (3) of this Chapter, as the case may be;

(b) the transferor has paid all rents, charges and other moneys due by him in respect of the relative site permit or certificate and if he has obtained or is deemed to have obtained a loan in terms of regulation 14 of this Chapter, has repaid the said loan in full together with interest thereon that may be due: Provided that the superintendent may, subject to the provisions of these regulations, allow the transferee to take over the loan from the transferor;

(c) the permit or certificate has been surrendered;

(d) the buildings, structures and improvements on the site comply with the requirements of these regulations;

(e) the transferor and transferee have completed a transfer form provided by the superintendent for this purpose;

(f) all the fees payable in respect of the relative site permit or certificate have been paid; and

(g) the approval of the Minister has been obtained for the transfer of the transferor's rights to the transferee.

(ii) 'n sertifikaat uitgereik op of voor die datum van toepassing van hierdie regulasies in die Bantoe woon-gebied aan 'n Bantoe kragtens enige algemene goedkeuring verleen deur die Minister ingevolge artikel 2 (1) (b) van die Wet voor daardie datum geag word met die goedkeuring van die Minister uitgereik te wees.

(4) 'n Sertifikaat—

(a) verleen, behoudens die bepalings van enige wet, aan die persoon aan wie dit uitgereik is, die reg om, saam met sy afhanklikes, maar behoudens hierdie regulasies, die woning wat daarin beskryf is en die perseel waarop sodanige woning geleë is, te gebruik en te bewoon;

(b) moet die nommer van die perseel waarop sodanige woning is, aandui en die woning beskryf;

(c) moet die naam, persoonsnommer en etniese groep van die persoon aan wie dit uitgereik is, aandui;

(d) moet die name, persoonsnommers, geboortedatums, verwantskap met die sertifikaathouer en die etniese groepe van persone wat geregtig is om op die perseel te woon, aandui; en

(e) moet die datum van uitreiking daarvan aandui.

(5) 'n Applikant aan wie 'n sertifikaat kragtens die bepalings van subregulasie (3) uitgereik is, en wat nie die koopprys van die reg om te bewoon ten volle betaal het nie, word geag 'n lening van die Raad toegestaan te wees ten opsigte van die onbetaalde gedeelte van die koopprys behoudens die voorwaardes vervat in regulasie 14 van hierdie Hoofstuk.

(6) Alle huurgelde, vorderings en ander gelde wat verskuldig is ten opsigte van 'n woning waarvan die reg om dit te bewoon kragtens die bepalings van hierdie regulasies verkoop is, is vooruitbetaalbaar op of voor die sewende dag van elke maand met ingang van die datum van uitreiking van die betrokke sertifikaat.

#### *Oordrag van Gebou of Perseel.*

9. (1) 'n Houer van 'n perseelpermit of 'n sertifikaathouer (hieronder die oordraer genoem) kan, behoudens die bepalings van hierdie regulasies, sy geboue, oprigting en verbeterings op 'n perseel aan die Raad verkoop of op 'n ander wyse vervreem, of aansoek doen om die oordrag van sy perseelpermit of sertifikaat aan 'n koper of ander persoon aan wie die eiendom oorgedra is (hieronder die ontvanger genoem) en die superintendent kan sodanige oordrag toestaan indien hy oortuig is dat—

(a) die ontvanger *mutatis mutandis* voldoen aan die vereistes van regulasie 6 (2) of 8 (3) van hierdie Hoofstuk, na gelang van die geval;

(b) die oordraer alle huurgelde, vorderings en ander gelde wat ten opsigte van die betrokke perseelpermit of sertifikaat deur hom verskuldig is, betaal het en, indien hy 'n lening kragtens die bepalings van regulasie 14 van hierdie Hoofstuk verkry het of geag word aldus 'n lening te verkry het, dat hy genoemde lening ten volle afbetaal het tesame met rente wat daarop verskuldig is: Met dien verstande dat die superintendent, behoudens die bepalings van hierdie regulasies, die ontvanger kan toelaat om die lening van die oordraer oor te neem;

(c) die permit of sertifikaat teruggegee is;

(d) die geboue, strukture en verbeterings op die perseel aan die vereistes van hierdie regulasies voldoen;

(e) die oordraer en die ontvanger 'n oordragvorm wat deur die superintendent vir hierdie doel verskaf is, ingevul het;

(f) alle gelde wat ten opsigte van die betrokke perseelpermit of sertifikaat betaalbaar is, betaal is; en

(g) die goedkeuring van die Minister vir die oordrag van die oordraer se regte aan die ontvanger verkry is.

(2) When transfer is effected the superintendent shall cancel the site permit or certificate of the transferor and issue another site permit or certificate, as the case may be, to the transferee: Provided that when a site permit or a certificate is granted to a minor it may in the discretion of the superintendent be issued in the name of the guardian of such minor in trust for such minor for the period of his minority.

(3) All rents, charges and other moneys due in respect of any site or building transferred in terms of his regulation shall be payable in advance on or before the seventh day of each month with effect from the date of transfer.

#### *Letting, Subletting and Transfer of Dwellings.*

10. (1) Subject to the provisions of regulation 9 of this Chapter, no site, dwelling or portion thereof referred to in any site or residential permit or certificate shall be let or subject or transferred without the approval, in writing, of the superintendent.

(2) Any holder of a site or residential permit or any grantee shall not allow any person other than his dependants named in his permit or certificate to reside or sleep on the relative premises or any part thereof, and shall on request by the superintendent eject any person found on his premises in breach of the provisions of this regulation.

#### *Assignment.*

11. Subject to the provisions of regulations 9 and 10 of this Chapter, any holder of a site or residential permit or any grantee shall not sell, cede, assign, make over, alienate or pledge, to any person other than the Council, or hypothecate or in any other manner encumber his permit or certificate or right to or interest in his premises, except in accordance with these regulations and with the consent, in writing, of the superintendent.

#### *Maintenance and Repairs.*

12. (1) Any holder of a site or residential permit or any grantee—

(a) shall keep the dwelling and buildings on his site, including the garden, yard and area fenced in, clean, tidy and in a good state of repair;

(b) shall be liable for any damage arising out of the misuse of any sanitary conveniences, washbasins, baths, sinks or other fittings in the premises;

(c) shall keep the inside of the premises leased by him in good repair and free from vermin and dirt, and shall not without the prior written approval of the superintendent make any alteration or addition, whether structural or otherwise, either internally or externally, to the dwelling and shall use such dwelling for residential purposes only;

(d) shall not in any way deface or damage the premises, installations or fittings and shall be liable for any injury, loss or damage thereto caused by any act, default or neglect on his part or any failure to observe the terms or conditions of his permit or certificate;

(e) shall not interfere with any water or electrical installation on the premises;

(2) Wanneer 'n oordrag geskied, moet die superintendent die perseelpermit of sertifikaat van die oordraer kanselleer en 'n ander perseelpermit of sertifikaat, na gelang van die geval, aan die ontvanger uitreik: Met dien verstande dat indien 'n perseelpermit of 'n sertifikaat aan 'n minderjarige persoon toegestaan word, dit na goeddunke van die superintendent op naam van sodanige minderjarige se voog uitgereik kan word in trust vir sodanige minderjarige tydens die tydperk van sy minderjarigheid.

(3) Alle huurgelde, vorderings en ander gelde verskuldig ten opsigte van 'n perseel of gebou wat kragtens die bepalings van hierdie regulasie oorgedra word, is vooruitbetaalbaar op of voor die sewende dag van elke maand met ingang van die datum van oordrag.

#### *Huur, Onderverhuur en Oordrag van Wonings.*

10. (1) Behoudens die bepalings van regulasie 9 van hierdie Hoofstuk, mag geen perseel, woning of gedeelte daarvan in enige perseel- of woonpermit of sertifikaat vermeld, sonder die skriftelike goedkeuring van die superintendent verhuur, onderverhuur of oorgedra word nie.

(2) 'n Houer van 'n perseel- of woonpermit of 'n sertifikaat-houer mag geen persoon, uitgesonderd afhanklikes, soos in sy permit of sertifikaat genoem, toelaat om op die betrokke perseel of enige gedeelte daarvan te woon of te slaap nie, en moet op versoek van die superintendent enige persoon wat strydig met die bepalings van hierdie regulasie op sy perseel aangetref word, daaruit uitsit.

#### *Oormaking.*

11. Behoudens die bepalings van regulasie 9 en 10 van hierdie Hoofstuk, mag 'n houer van 'n perseel- of woonpermit of 'n sertifikaathouer nie sy permit of sertifikaat of reg op of belang in sy perseel aan enige ander persoon uitgesonderd die Raad verkoop, sedeer, afstaan, oormak, vervreem, verpand, of dit met verband of op enige ander wyse beswaar nie, uitgesonderd ooreenkomstig die bepalings van hierdie regulasies en met die skriftelike toestemming van die superintendent.

#### *Onderhoud en Herstelwerk.*

12. (1) 'n Houer van 'n perseel- of woonpermit of 'n sertifikaathouer—

(a) moet die woning en geboue op sy perseel, met inbegrip van die tuin, werf en omheinde gebied, in 'n skoon, sindelike en goeie toestand hou;

(b) is aanspreeklik vir enige skade wat voortspruit uit die misbruik van enige sanitêre geriewe, wasbakke, badens, opwasbakke of ander toebehore op die perseel;

(c) moet die binnekant van die perseel wat hy huur in goeie orde en vry van ongedierte en vullis hou, en mag geen verandering of aanbouing aan die woning, struktureel of andersins, aan die binne- of buitekant aanbring sonder dat die voorafgaande skriftelike goedkeuring van die superintendent nie eers verkry is nie en moet sodanige woning alleenlik vir woondoeleindes gebruik;

(d) mag die perseel, installasies of toebehore geen-sins ontsier of beskadig nie en is aanspreeklik vir enige nadeel, verlies of skade daaraan, veroorsaak deur enige handeling, versuim of verwaarloosing van sy kant of die nie-nakoming van die bepalings of voorwaardes van sy permit of sertifikaat;

(e) mag nie peuter aan enige water- of elektriese installasie op die perseel nie;



(f) shall be responsible for all windows, locks and fittings and shall hand back the premises, on vacating them, together with all locks and fittings in the same state of good repair as that in which they were received by him;

(g) shall not keep any animals on the premises without the consent in writing of the superintendent;

(h) shall not without the consent of the superintendent, affix or hang any advertisement, signboard, notice or any other thing on any part of the dwelling;

(i) shall not interfere with any other resident of the Bantu residential area by making an unnecessary noise or a row or in any other manner inconvenience any other tenant.

(2) No person shall allow or cause a nuisance on any premises in the Bantu residential area. Any holder of a site or residential permit or any grantee shall keep his premises free from weeds at all times.

(3) If the holder of a residential permit has committed a breach of subregulation (1) or (2), any official of the Council authorised thereto by the manager or the Council may forthwith enter the relative premises with workmen, tools and materials and execute all the work necessary to remove or abate the nuisance, or to remove any offending advertisement, signboard or other object or animal, or to repair or renovate the premises or any part thereof and the Council may recover the cost thereof from such holder.

(4) Save as provided in subregulations (1) and (2), the Council shall be liable for repairs to any dwelling, building or portion thereof on the premises described in any residential permit.

(5) It shall be the duty of the holder of a residential permit to advise the superintendent, in writing or in person, of any leakage on the premises and of any defect in the drainage, sewerage, water or electrical installations.

(6) Any holder of a site or residential permit or any grantee shall not allow—

(i) any room wholly or partly used by human beings for sleeping purposes, to be used by a greater number of persons than will allow of at least 400 cubic feet of free air space and 40 square feet of floor space for each person of, or over the age of 10 years, and at least 200 cubic feet of free air space and 20 square feet of floor space for each person under the age of 10 years: Provided that no latrine, passage, staircase, landing or cupboard shall be used for sleeping purposes;

(ii) his premises to be used for any purpose other than a dwelling or outbuilding and the cultivation of fruit, flowers and vegetables for domestic use.

(7) The holder of a site permit or a grantee shall, within three months, subject to such extension as may be approved by the superintendent, comply with any written instruction he may receive from the superintendent requiring him to repair, alter, rebuild or demolish any dwelling, building, outhouse, fence or other structure which is unsightly, dilapidated or does not comply with the minimum standard of hygiene: Provided that such instruction in writing may be accompanied by an offer in writing by the Council to advance to such holder or grantee, subject to the provisions of regulation 14 of this Chapter, a loan to enable him to carry out such work.

(f) is verantwoordelik vir alle vensters, slotte en toebehore, en moet die perseel tesame met alle slotte en toebehore by ontruiming in dieselfde goeie toestand waarin dit deur hom ontvang is, terugbesorg;

(g) mag geen diere op die perseel aanhou sonder die skriftelike toestemming van die superintendent nie;

(h) mag nie sonder die toestemming van die superintendent 'n advertensie, uithangbord, kennisgewing of enigets anders aan 'n deel van die woning vasheg of hang nie;

(i) mag nie enige ander inwoner van die Bantoe-woongebied hinder deur onnodige geraas of lawaai te maak of op enige wyse 'n ander huurder ongerief laat ly nie.

(2) Niemand mag 'n oorlas op enige perseel in die Bantoe-woongebied toelaat of veroorsaak nie en 'n houer van 'n perseel- of woonpermit of 'n sertifikaathouer moet te alle tye sy perseel skoon hou van onkruid.

(3) Indien die houer van 'n perseel- of woonpermit of 'n sertifikaathouer subregulasie (1) of (2) oortree het, kan 'n amptenaar van die Raad wat deur die bestuurder of die Raad daartoe gemagtig is, onverwyld die betrokke perseel met werksmense, gereedskap en materiaal betree en alles verrig wat nodig is om die oorlas te verwyder of te verhelp, of om 'n aanstootlike advertensie of uithangbord of ander voorwerp of dier te verwyder of om die perseel of 'n gedeelte daarvan te herstel of op te knap en die Raad kan die koste daarvan op sodanige houer verhaal.

(4) Behoudens die bepalings van subregulasies (1) en (2) is die Raad aanspreeklik vir herstelwerk aan die woning, gebou of gedeelte daarvan op die perseel wat in 'n woonpermit beskryf word.

(5) Die houer van 'n woonpermit is verplig om die superintendent skriftelik of persoonlik in kennis te stel van enige lekkasie op die perseel en van enige defek aan die dreinerings-, riolerings-, water- of elektrisiteitsinstallasies.

(6) 'n Houer van 'n perseel- of woonpermit of 'n sertifikaathouer mag nie toelaat—

(i) dat 'n vertrek wat in sy geheel of gedeeltelik deur mense vir slaapdoeleindes gebruik word, deur 'n groter aantal persone gebruik word as wat minstens 400 kubieke voet vrye lugruimte en 40 vierkante voet vloer-ruimte vir elke persoon wat 10 jaar oud of ouer is, en minstens 200 kubieke voet vrye lugruimte en 20 vierkante voet vloer-ruimte vir elke persoon wat onder die ouderdom van 10 jaar is toelaat nie: Met dien verstande dat geen latrine, gang, trap, bordes of kas vir slaapdoeleindes gebruik mag word nie;

(ii) dat sy perseel vir enige ander doel as dié van 'n woning of buitegebou en die kweek van vrugte, blomme en groente vir huishoudelike gebruik, gebruik word nie.

(7) Die houer van 'n perseelpermit of 'n sertifikaathouer moet binne drie maande, behoudens sodanige tydverlenging as wat die superintendent goedkeur, voldoen aan enige skriftelike opdrag wat hy van die superintendent ontvang waarin hy gelas word om 'n woning, gebou, buitegebou, heining of ander struktuur wat onooglik of verval is, of nie voldoen aan die minimum higiëniese standaard nie, te herstel, te verander, te herbou of te sloop: Met dien verstande dat sodanige skriftelike opdrag vergesel kan gaan van 'n skriftelike aanbod deur die Raad om, behoudens die bepalings van regulasie 14 van hierdie Hoofstuk, 'n lening aan sodanige houer voor te skiet ten einde hom in staat te stel om sodanige werk uit te voer.



(8) Until the loan, purchase price, interest and other amounts due by a grantee have been paid in full, the Council or its authorised employee may, should the premises described in the certificate granted to such grantee not be kept in a proper state of repair, enter such premises and order that the necessary repairs be effected at the expense of such grantee, which expenses shall become due by him to the Council upon demand and may be recovered in terms of these regulations.

(9) Any grantee or holder of a site permit who with reference to improvements on the site has loan obligations towards the Council shall insure the dwelling and premises referred to in his certificate or permit against fire, damage by storm, an act of God, and damage by riot and civil disturbance: Provided that the Council may itself insure such dwelling and premises against damage or loss by fire or through other damage and recover the expenses of such insurance from such grantee or holder.

#### *Erection of Buildings, Fences, Outbuildings or Other Structures.*

13. (1) Subject to any building by-laws which apply in the Bantu residential area the Council shall from time to time issue to the manager instructions in writing regarding the method of construction and the materials which may be used in the construction of any dwelling, building, fence, outbuilding or other structure in the Bantu residential area or in the repair, alteration or rebuilding of such dwelling, building, fence, outbuilding or other structure: Provided that every dwelling or building shall conform to the provisions of section 130 of the Public Health Act, 1919 (Act No. 36 of 1919), with regard to light and ventilation and that every apartment used for sleeping purposes shall conform to the provisions of the Second Schedule to the Slums Act, 1934 (Act No. 53 of 1934), with regard to floor and air space.

(2) No person shall incorporate in any dwelling, building, fence, outbuilding or other structure any material which has not been approved in advance by the superintendent, who shall approve only such material as has not been already used or having been used, is of good quality and in good condition.

(3) No person shall erect, alter or add to any dwelling, building, outbuilding or other structure in the Bantu residential area without a building permit from the superintendent authorising such work. A person who has been convicted of a contravention of regulation 47 (e) of this Chapter shall demolish and remove the work in respect of which he has been convicted within a period specified by the superintendent failing which the Council may effect such demolition and removal and recover the costs from such person.

(4) Any person desirous of obtaining a building permit for any work to be carried out in the Bantu residential area shall apply in writing to the superintendent for such permit and—

(a) indicate in his application the material which will be used and the purpose for which the building is to be used;

(b) attach to the application, drawings to scale in triplicate showing plans, sections and elevations of the proposed dwelling, building, outbuilding or other structure: Provided that—

(i) no building or structure other than one family housing unit with the normal outbuildings shall be erected on any one site;

(8) Tot tyd en wyl die lening, koopprys, rente en ander bedrae verskuldig deur 'n sertifikaathouer ten volle betaal is, kan die Raad of sy gemagtigde werknemer, indien die perseel wat in die sertifikaat beskryf word, wat aan sodanige sertifikaathouer uitgereik is, nie in 'n behoorlike onderhoudstoestand gehou word nie, sodanige perseel betree en opdrag gee dat die nodige herstelwerk op koste van sodanige sertifikaathouer uitgevoer moet word, en dié koste is deur hom op aanvraag van die Raad verskuldig en kan kragtens hierdie regulasies verhaal word.

(9) 'n Sertifikaathouer of 'n houer van 'n perseelpermit wat met betrekking tot verbeterings op die terrein leningsverplichtings teenoor die Raad het, moet die woning en perseel wat in sy sertifikaat of permit vermeld word, teen brand, stormskade, natuurmagte en skade weens oproere en burgerlike oproerigheid verseker: Met dien verstande dat die Raad sodanige woning en perseel teen skade of verlies weens brand of weens ander skade kan verseker en die koste aan sodanige assuransië verbonde op sodanige houer kan verhaal.

#### *Oprigting van Geboue, Heinings, Buitegeboue of ander Strukture.*

13. (1) Behoudens die bepalings van enige bou-verordeninge wat in die Bantoeewoongebied van toepassing is, moet die Raad van tyd tot tyd aan die bestuurder skriftelik voorskrifte uitreik aangaande die boumetode en die materiale wat gebruik kan word by die oprigting van 'n woning, gebou, heining, buitegebou of ander struktuur in die Bantoeewoongebied of vir die herstel, verandering of herbouing van sodanige woning, gebou, heining, buitegebou of ander struktuur: Met dien verstande dat elke woning of gebou, wat lig en ventilasie betref, aan die bepalings van artikel 130 van die Volksgezondheidswet, 1919 (Wet No. 36 van 1919), en elke vertrek wat vir slaap-doeleindes gebruik word, wat vloer- en lugruimte betref, aan die bepalings van die Tweede Bylae van die Slums-wet, 1934, (Wet No. 53 van 1934) moet voldoen.

(2) Niemand mag by die oprigting van enige woning, gebou, heining, buitegebou of ander struktuur enige materiaal gebruik wat nie eers deur die superintendent goedgekeur is nie en laasgenoemde moet slegs materiaal goedkeur wat nog nie vantevore gebruik is nie, of wat as dit gebruik is, van goeie gehalte en in 'n goeie toestand is.

(3) Niemand mag 'n woning, gebou, buitegebou of ander struktuur in die Bantoeewoongebied oprig, verander of daaraan aanbou sonder 'n boupermit van die superintendent waarby magtiging tot sodanige werk verleen word nie. 'n Persoon wat skuldig bevind is aan 'n oortreding van regulasie 47 (e) van hierdie Hoofstuk moet die werk ten opsigte waarvan hy skuldig bevind is, afbreek en verwyder binne 'n tydperk deur die superintendent gespesifiseer, en by gebreke daarvan kan die Raad sodanige afbreking en verwydering laat doen en die koste op sodanige persoon verhaal.

(4) 'n Persoon wat 'n boupermit wil verkry vir enige werk wat in die Bantoeewoongebied uitgevoer moet word, moet by die superintendent skriftelik aansoek doen om sodanige permit en—

(a) in sy aansoek die materiaal aandui wat gebruik sal word en die doel waarvoor die gebou gebruik gaan word;

(b) aan die aansoek betekeninge volgens skaal in triplo heg met planne, deursnee en aansigte van die voorgestelde woning, gebou, buitegebou of ander struktuur: Met dien verstande dat—

(i) geen gebou of struktuur, uitgesonderd een gesins-behuisingseenheid met die normale buitegeboue op 'n enkele perseel, opgerig mag word nie;

(ii) no dwelling, building, outbuilding or other structure shall be built of wood and iron only or with any materials whatsoever not approved by the superintendent in writing;

(iii) every dwelling, building, outbuilding or other structure shall be in accordance with specifications approved by the superintendent;

(c) if such person does not apply for a loan in terms of regulation 14 of this Chapter, submit proof to the satisfaction of the superintendent that his income is sufficient to enable him to meet his obligations in respect of services and other monthly fees payable to the Council and that he possesses liquid assets equal to the estimated cost of the approved dwelling, building, outbuilding or other structure;

(d) if such person applies for a loan in terms of regulation 14 of this Chapter, submit proof to the satisfaction of the superintendent that his income is sufficient to enable him to meet his obligations in respect of interest on and redemption of the said loan and services and other monthly fees payable to the Council and that he possesses liquid assets sufficient to cover the difference, if any, between the estimated cost of the approved dwelling, building, outbuilding or other structure and the amount of the loan to be advanced;

(e) deposit with the superintendent the supervision fee referred to in subregulation (8); and

(f) furnish the superintendent with such other information as he may require.

(5) The Council shall supply free of charge to any approved applicant for a building permit a plan of a standard dwelling approved by the Council.

(6) On being satisfied that the provisions of subregulation (4) have been complied with and that the plans have been approved by the manager after consultation with the medical officer and engineer, the superintendent shall issue to the applicant a building permit.

(7) Every building permit issued in terms of this regulation shall specify what dwelling, building, outbuilding or other structure may be erected on the relative site, and no other dwelling, building, outbuilding or structure shall be erected on such site without the permission, in writing, of the superintendent. A person who has been convicted of a contravention of regulation 47 (1) (e) of this Chapter shall demolish and remove the work in respect of which he has been convicted within a time specified by the superintendent, failing which the Council may effect the demolition and removal and recover the costs from such persons.

(8) The superintendent shall cause the erection or alteration of or the addition to any dwelling, building, outbuilding or other structure to be effectively supervised and may order or cause to be demolished any dwelling, building, outbuilding or other structure or any portion thereof which has not been constructed in accordance with the building permit. Every applicant for a building permit shall pay in advance to the superintendent the amount prescribed by the Council in respect of such supervision, which amount shall be refundable to the applicant if the superintendent refuses the application.

(ii) geen woning, gebou, buitegebou of ander struktuur slegs van hout en sink of met enige materiale hoegenaamd wat nie skriftelik deur die superintendent goedgekeur is nie, gebou mag word nie;

(iii) elke woning, gebou, buitegebou of ander struktuur ooreenkomstig spesifikasies deur die superintendent goedgekeur, moet wees;

(c) indien sodanige persoon nie aansoek doen om 'n lening kragtens regulasie 14 van hierdie Hoofstuk nie, bewys tot tevredeheid van die superintendent lewer dat sy inkomste toereikend is om hom in staat te stel om sy verpligtings na te kom ten opsigte van dienste en ander maandelikse gelde aan die Raad betaalbaar, en dat hy likwiede bates besit gelyk aan die geraamde koste van die goedgekeurde woning, gebou, buitegebou of ander struktuur;

(d) indien sodanige persoon kragtens regulasie 14 van hierdie Hoofstuk om 'n lening aansoek doen, bewys tot tevredeheid van die superintendent lewer dat sy inkomste toereikend is om hom in staat te stel om sy verpligtings na te kom ten opsigte van rente op en delging van genoemde lening en dienste en ander maandelikse gelde aan die Raad betaalbaar, en dat hy likwiede bates besit wat toereikend is om die verskil, as daar is, te dek tussen die geraamde koste van die goedgekeurde woning, gebou, buitegebou of ander struktuur en die bedrag van die lening wat voorgeskiet staan te word;

(e) by die superintendent die toesiggeld vermeld in subregulasie (8) stort; en

(f) sodanige ander inligting aan die superintendent verstrek as wat hy vereis.

(5) Die Raad verskaf kosteloos aan 'n goedgekeurde applikant vir 'n boupermit 'n plan van 'n standaard-woning wat deur die Raad goedgekeur is.

(6) Sodra die superintendent daarvan oortuig is dat die bepalinge van subregulasie (4) nagekom is en dat die planne deur die bestuurder na oorlegpleging met die mediese beampte en die ingenieur goedgekeur is, reik hy aan die applikant 'n boupermit uit.

(7) In elke boupermit wat ingevolge hierdie regulasie uitgereik is, moet die woning, gebou, buitegebou of ander struktuur aangedui word wat op die betrokke perseel opgerig kan word, en geen ander woning, gebou, buitegebou of struktuur mag sonder die skriftelike toestemming van die superintendent op sodanige perseel opgerig word nie. 'n Persoon wat skuldig bevind is aan 'n oortreding van regulasie 47 (1) (e) van hierdie Hoofstuk moet die werk ten opsigte waarvan hy skuldig bevind is, afbreek en verwyder binne 'n tydperk deur die superintendent gespesifiseer, en by gebreke daarvan kan die Raad sodanige afbreking en verwydering laat doen en die koste op sodanige persoon verhaal.

(8) Die superintendent moet sorg dat daar behoorlik toesig gehou word oor die oprigting of verandering van of aanbouing aan 'n woning, gebou, buitegebou of ander struktuur, en kan gelas dat 'n woning, gebou, buitegebou of ander struktuur of gedeelte daarvan wat nie ooreenkomstig die boupermit opgerig is nie, gesloop word of hy kan dit laat sloop. Elke applikant vir 'n boupermit moet aan die superintendent die bedrag voorgeskryf deur die Raad ten opsigte van sodanige toesig vooruitbetaal en hierdie bedrag is aan die applikant terugbetaalbaar as die superintendent die aansoek weier.



(9) The Building permit shall not entitle the holder thereof to reside in the Bantu residential area, if he be not otherwise authorised so to reside, but shall entitle him to enter and be in the Bantu residential area at all reasonable times for the purpose of erecting or supervising the erection of buildings authorised by the building permit.

(10) If a dwelling building, outbuilding or other structure for which a building permit has been issued be not commenced within three months or completed within 12 months from the date of issue of such permit, such permit may be cancelled by the superintendent and the holder thereof shall, within a period stipulated by the superintendent, remove any construction or material belonging to him from the dwelling, building or site in respect of which such permit was granted: Provided that the superintendent may, on good cause shown, grant such extension of such period as he may deem to be reasonable in the circumstances.

(11) Should the erection or alteration of or addition to any dwelling, building, outbuilding or other structure for which a building permit has been issued not be completed within 12 months of the date of issue of and in accordance with such permit, the superintendent may—

(i) extend the period for a specified time;

(ii) enter upon such site and cause to be erected or completed the approved dwelling, building, outbuilding or other structure and recover the cost thereof from the holder of the building permit; or

(iii) cancel the building permit and order the holder thereof, within a period stipulated by the superintendent, to remove any construction or material belonging to him from the dwelling, building, outbuilding or other structure or site in respect of which such permit was granted.

(12) The holder of the building permit shall on completion of the erection, alteration of or addition to any dwelling, building, outbuilding or other structure notify the superintendent accordingly. Upon receipt of such notice the superintendent shall cause such work to be inspected and, if it complies with the provisions of these regulations, shall certify accordingly by an endorsement of the relative building permit. Such endorsement shall also appear on the office copy of the said permit. Such permit shall thereupon cease to confer any authority for the erection, or alteration of or addition to any dwelling, building, outbuilding or other structure.

(13) No person shall reside in, occupy or use any dwelling, building, outbuilding or other structure before the relative building permit has been endorsed in accordance with the provisions of subregulation (12).

(14) Any person erecting a fence in the Bantu residential area shall ensure that such fence is erected in accordance with specifications laid down by the Council and that every fence is properly constructed and is not unsightly. Any person convicted under regulation 47 (1) (f) of this Chapter for the erection of a fence contrary to these provisions may be ordered by the Court, in addition to any other penalty which may be imposed on him, to remove such fence within a specified time, failing which the Council may cause such fence to be removed and recover the cost of such removal from such person.

(9) Geen reg word ingevolge die boupermit aan die houer daarvan verleen om in die Bantoeewoongebied te woon nie, as hy nie andersins gemagtig is om aldaar te woon nie, maar hy is ingevolge daarvan geregtig om op alle redelike tye die Bantoeewoongebied te betree en daarin te wees met die doel om geboue ingevolge die boupermit goedgekeur, op te rig of om oor die oprigting daarvan toesig te hou.

(10) As daar nie 'n aanvang gemaak word met 'n woning, gebou, buitegebou of ander struktuur waarvoor 'n boupermit uitgereik is, binne drie maande na die datum van uitreiking van sodanige permit of as dit nie binne 12 maande na genoemde datum voltooi is nie, kan sodanige permit deur die superintendent ingetrek word en die houer daarvan moet, binne 'n tydperk deur die superintendent vermeld, enige konstruksie of materiaal wat aan hom behoort, van die woning, gebou of perseel ten opsigte waarvan sodanige permit toegestaan is, verwyder: Met dien verstande dat die superintendent, as goeie redes aangevoer word, sodanige verlenging van die tydperk kan toestaan as wat hy in die omstandighede ag redelik te wees.

(11) As die oprigting of verandering van of aanbouing aan 'n woning, gebou, buitegebou of ander struktuur waarvoor 'n boupermit uitgereik is, nie binne 12 maande na die datum van uitreiking van en ooreenkomstig sodanige permit voltooi is nie, kan die superintendent—

(i) die tydperk vir 'n bepaalde tyd verleng;

(ii) sodanige perseel betree en die goedgekeurde woning, gebou, buitegebou of ander struktuur laat oprig of voltooi en die koste daarvan op die houer van die boupermit verhaal; of

(iii) die boupermit intrek en die houer daarvan gelas om, binne 'n tydperk deur die superintendent vermeld, enige konstruksie of materiaal wat aan hom behoort, van die woning, gebou, buitegebou of ander struktuur of perseel ten opsigte waarvan sodanige permit toegestaan is, te verwyder.

(12) Die houer van die boupermit moet na voltooiing van die oprigting of verandering van of aanbouing aan 'n woning, gebou, buitegebou of ander struktuur die superintendent daarvan in kennis stel. By ontvangs van sodanige kennisgewing moet die superintendent sodanige werk laat inspekteer en as dit aan die bepalings van hierdie regulasies voldoen, moet hy dit dienooreenkomstig sertifiseer deur middel van 'n endossement op die betrokke boupermit. Sodanige endossement moet ook op die kantoorafskrif van genoemde permit voorkom. Geen magtiging word daarna ingevolge sodanige permit verleen tot die oprigting of verandering van of aanbouing aan 'n woning, gebou, buitegebou of ander struktuur nie.

(13) Niemand mag in 'n woning, gebou, buitegebou, of ander struktuur woon, dit okkupeer of gebruik voordat die betrokke boupermit ooreenkomstig die bepalings van subregulasie (12) geëndosseer is nie.

(14) 'n Persoon wat 'n heining in die Bantoeewoongebied oprig, moet verseker dat sodanige heining opgerig is ooreenkomstig spesifikasies deur die Raad bepaal en dat elke heining behoorlik opgerig en nie onooglik is nie. 'n Persoon wat ingevolge regulasie 47 (1) (f) van hierdie Hoofstuk skuldig bevind is aan die oprigting van 'n heining strydig met hierdie bepalings kan deur die Hof gelas word om, benewens enige ander straf wat hom opgelê kan word, sodanige heining binne 'n bepaalde tyd te verwyder, by gebreke waarvan die Raad sodanige heining kan laat verwyder en die koste van sodanige verwydering op sodanige persoon kan verhaal.

(15) The owner of any existing fence which does not comply with the requirements of subregulation (14) may be required by the superintendent by notice, in writing, to repair, rebuild or remove such fence, within 10 days of receipt of such notice. A person convicted of a contravention of regulation 47 (1) (g) of this Chapter shall demolish and remove the work in respect of which he has been convicted within a time specified by the superintendent, failing which the Council may effect the demolition and removal and recover the cost from such person.

(16) Notwithstanding anything to the contrary in these regulations contained, the owner of any existing structure, derelict vehicle, other movable structure or prefabricated building which in the opinion of the superintendent is unsightly or dilapidated or the erection of which has not been authorised by him, may be ordered by the superintendent, in writing, to remove such structure, derelict vehicle, other movable structure or prefabricated building within 10 days. A person convicted of a contravention of regulation 47 (1) (h) of this Chapter shall demolish and remove the structure, derelict vehicle, other movable structure or prefabricated building in respect of which he has been convicted within a time specified by the superintendent, failing which the Council may effect the demolition and removal and recover the costs from such person.

(17) Notwithstanding the provisions of subregulations (1), (2), (3), (7), (8), (13) and (16), the holder of a site permit may be permitted to erect and to occupy, together with his family, any temporary waterproof structure affording privacy to dependants and constructed of a material other than hessian, in a corner of a residential site allotted to him under a site-and-service scheme: Provided that such temporary structure shall be regarded as an authorised structure to which the provisions of the said subregulations (1), (2), (3), (7), (8), (13) and (16) shall apply—

(i) as soon as a permanent dwelling is erected on such site, and is certified in terms of subregulation (12); or

(ii) if after having been offered by the superintendent, in writing, a Council dwelling or a housing loan in terms of regulation 14 (1) for the erection of a suitable dwelling, such holder fails within three months of such offer to occupy such Council dwelling or to obtain a building permit.

For the purpose of this subregulation a site-and-service scheme means a properly planned residential area within the Bantu residential area provided with rudimentary services and in which the holder of a site permit in respect of a site allotted to him in such area is permitted to erect a temporary structure in a corner of such site until such time as an approved dwelling has been erected.

#### *Housing Loans.*

14. (1) The Council may in its discretion on the application of any grantee or holder of a site permit, other than a grantee or a holder of a site permit who is subject to the provisions of section 12 of the Act, grant such grantee or holder a loan of up to 95 per cent, but not exceeding R500, of the value (as estimated by the manager, after consultation with the engineer on the basis of the probable cost according to the plans submitted) of the proposed building (provided the overall cost of the building does not

(15) Die eienaar van 'n bestaande heining wat nie aan die vereistes van subregulasie (14) voldoen nie, kan deur die superintendent skriftelik by kennisgewing gelas word om sodanige heining binne 10 dae na die ontvangs van sodanige kennisgewing te herstel, te herbou of te verwyder. 'n Persoon wat skuldig bevind is aan 'n oortreding van regulasie 47 (1) (g) van hierdie Hoofstuk moet die werk ten opsigte waarvan hy skuldig bevind is, afbreek en verwyder binne 'n tydperk deur die Superintendent gespesifiseer, en by gebreke daarvan kan die Raad sodanige afbreking en verwydering laat doen en die koste op sodanige persoon verhaal.

(16) Ondanks andersluidende bepalings in hierdie regulasies vervat, kan die eienaar van 'n bestaande struktuur, voertuigwrak, ander verskuifbare struktuur of voorafvervaardigde gebou wat na die mening van die superintendent onooglik of bouvallig is of waarvan die oprigting nie deur hom gemagtig is nie, deur die superintendent skriftelik gelas word om sodanige struktuur, voertuigwrak, ander verskuifbare struktuur of voorafvervaardigde gebou binne 10 dae te verwyder. 'n Persoon wat skuldig bevind is aan 'n oortreding van regulasie 47 (1) (h) van hierdie Hoofstuk moet die struktuur, voertuigwrak, ander verskuifbare struktuur of voorafvervaardigde gebou ten opsigte waarvan hy skuldig bevind is, afbreek en verwyder binne 'n tydperk deur die superintendent gespesifiseer, en by gebreke daarvan kan die Raad sodanige afbreking en verwydering laat doen en die koste op sodanige persoon verhaal.

(17) Ondanks die bepalings van subregulasies (1), (2), (3), (7), (8), (13) en (16), kan die houer van 'n perseelpermit toegelaat word om saam met sy afhanklikes 'n tydelike struktuur wat waterdig is, wat dit moontlik maak vir afhanklikes om privaat te wees en wat van 'n ander materiaal as goeing saamgestel is, in 'n hoek van 'n woonperseel aan hom toegeken kragtens 'n erf-en-diensskema op te rig en dit te bewoon: Met dien verstande dat sodanige tydelike struktuur as 'n gemagtigde struktuur beskou word waarop die bepalings van genoemde subregulasies (1), (2), (3), (7), (8), (13) en (16) van toepassing is—

(i) sodra 'n vaste woning op sodanige perseel opgerig en ingevolge subregulasie (12) gesertifiseer is; of

(ii) as sodanige houer, nadat die superintendent 'n raadswoning of 'n behuisingslening ingevolge regulasie 14 (1) skriftelik aan hom aangebied het vir die oprigting van 'n geskikte woning, binne drie maande na sodanige aanbod in gebreke bly om sodanige raadswoning te bewoon of om 'n boupermit te verkry.

Vir die toepassing van hierdie subregulasie beteken 'n erf-en-diensskema 'n behoorlik beplande woonbuurt binne die Bantoewoongebied wat voorsien is van rudimentêre dienste en waarin die houer van 'n perseel permit ten opsigte van 'n perseel wat in sodanige buurt aan hom toegeken is, toegelaat word om 'n tydelike struktuur in 'n hoek van sodanige perseel op te rig tot tyd en wyl 'n goedgekeurde woning opgerig is.

#### *Behuisingslenings.*

14. (1) Die Raad kan, na goeddunke, op aansoek deur 'n sertifikaathouer of deur 'n houer van 'n perseelpermit, uitgesonderd 'n sertifikaathouer of 'n houer van perseelpermit wat onderworpe is aan die bepalings van artikel 12 van die Wet, 'n lening van hoogstens 95 persent, maar hoogstens R500, van die waarde (soos deur die bestuurder na oorlegpleging met die ingenieur geraam op die basis van die waarskynlike koste volgens die planne wat ingedien is) van die voorgestelde gebou (mits die totale koste



exceed R900), extensions or renovations when completed, or in the case of a grantee, of the selling price of the right of occupation of the dwelling.

(2) Loans may be advanced in accordance with the progress of building operations against monthly certificates from the manager certifying the value of the work done, which value shall be as nearly as possible the actual cost of the work done. Payment for building material supplied shall be made by the Council direct to the builder or dealer concerned against submission of detailed invoices.

(3) With a view to economy, the Council may arrange, by means of tenders, for building material dealers to supply building material at a stated price. One of the conditions of any loan made hereunder shall be that the Council shall have the right to require that all building material shall be supplied by an approved building material dealer selected from a list of such dealers as may be approved by the Council against requisition, in writing, by the Council on the borrower's behalf, or that such materials shall be supplied by the Council itself.

(4) Advances on loans shall bear interest at such rate as the Council may by resolution from time to time determine, but such interest shall not be more than  $\frac{1}{4}$  per cent above the interest payable by the Council on any loan raised by it to finance such building loans. Such interest shall be calculated monthly in advance on the balance of the loan then owing.

(5) Loans shall be repayable in equal monthly instalments on principal and interest over a period to be fixed by the Council but not exceeding the period of the right of occupation. The period of repayment shall be calculated from the date on which the last advance on the loan was made or from the date 12 months after the first advance, whichever is the earlier. Any amount advanced for the carrying out of repairs in accordance with these regulations shall be added to the balance due on any loan already made and the remaining period allowed for the repayment of the balance of any loan already made shall, unless otherwise agreed upon between the Council and the borrower, be so extended as to ensure that the monthly instalments on principal and interest required for both loans are not increased beyond the instalments required under the original loan: Provided that such remaining period shall not be extended beyond the period of validity of the site permit or certificate. Should any advance for repairs be made to any grantee or holder of a site permit who has not received a housing loan from the Council or does not owe any balance on any loan, such advance shall be repaid in equal instalments on principal and interest over a period not exceeding five years from the date of the payment of such advance.

(6) A loan shall be secured by a cession to the Council of the borrower's site permit or certificate which shall be deposited with the Council. The borrower shall sign and also deposit with the Council an acknowledge of debt, in writing, in respect of such loan.

(7) Monthly instalments in terms of subregulation (5) shall become due and payable on the first day of each succeeding month commencing with the first calendar month after the date of the last advance under the loan. Should the borrower fail or neglect to pay within one calendar month of the due date any instalment or any

van die gebou nie R900 oorskry nie), uitbreidings of opknappings wanneer dit voltooi is, aan sodanige sertifikaathouer of houer van 'n perseelpermit toestaan, of, in die geval van 'n sertifikaathouer, van die verkoopprys van die reg op bewoning van die woning.

(2) Lenings kan in ooreenstemming met die vordering van bouwerksaamhede voorgeskiet word volgens maandelikse sertifikate van die bestuurder waarin die waarde van die werk wat verrig is, gesertifiseer word; sodanige waarde moet so na moontlik gelyk wees aan die werklike koste van die werk wat verrig is. Betaling vir boumateriaal wat gelewer is, moet deur die Raad regstreeks aan die betrokke boumeester of handelaar gedoen word na indiening van uitvoerige fakture.

(3) Met die oog op besuiniging kan die Raad deur middel van tenders reël dat boumateriaalhandelaars boumateriaal teen 'n gegewe prys lewer. Een van die voorwaardes van 'n lening wat hierkragtens toegestaan word, is dat die Raad die reg het om te vereis dat alle boumateriaal deur 'n goedgekeurde boumateriaalhandelaar gekies uit 'n lys van sodanige handelaars as wat deur die Raad goedgekeur is, verskaf moet word deur middel van 'n skriftelike rekwisisie deur die Raad namens die lener, of dat sodanige materiaal deur die Raad self verskaf moet word.

(4) Voorskotte op lenings moet rente lower teen 'n koers wat die Raad van tyd tot tyd by besluit bepaal, maar sodanige rente mag nie meer wees nie as  $\frac{1}{4}$  persent bo die rente betaalbaar deur die Raad op 'n lening wat deur hom aangegaan is om sodanige boulenings te finansier. Sodanige rente moet maandeliks vooruit bereken word op die saldo van die lening wat dan verskuldig is.

(5) Lenings is terugbetaalbaar in gelyke maandelikse paaieimente op die kapitaal en rente oor 'n tydperk wat deur die Raad vasgestel word, maar hoogstens die tydperk van die reg op bewoning. Die tydperk van terugbetaling moet bereken word van die datum waarop die laaste voorskot op die lening gedoen is of van die datum 12 maande na die eerste voorskot, naamlik die vroegste datum. 'n Bedrag wat voorgeskiet word vir die uitvoer van herstelwerk ooreenkomstig hierdie regulasies moet gevoeg word by die saldo wat verskuldig is op 'n lening wat reeds toegestaan is, en die oorblywende tydperk wat toegestaan word vir die terugbetaling van die saldo van 'n lening wat reeds toegestaan is, moet, tensy die Raad en die lener anders ooreenkom, in so 'n mate verleng word dat die maandelikse paaieimente op die kapitaal en rente wat vir albei lenings vereis word, nie vermeerder word bo die paaieimente wat ten opsigte van die oorspronklike lening vereis is nie: Met dien verstande dat sodanige oorblywende tydperk nie verleng mag word tot 'n datum na die tydperk van die geldigheid van die perseelpermit of sertifikaat nie. Indien 'n voorskot vir herstelwerk gedoen word aan 'n houer van 'n perseelpermit of sertifikaathouer wat nie 'n behuisingslening van die Raad ontvang het of geen saldo van 'n lening skuld nie, moet sodanige voorskot terugbetaal word in gelyke paaieimente op die kapitaal en rente oor 'n tydperk van hoogstens vyf jaar van die datum van die betaling van sodanige voorskot.

(6) 'n Lening moet gedek word deur sedering aan die Raad van die lener se perseelpermit of sertifikaat wat by die Raad gedeponeer moet word. Die lener moet 'n skriftelike erkenning van verskuldigheid ten opsigte van sodanige lening onderteken en dit ook by die Raad deponeer.

(7) Maandelikse paaieimente ooreenkomstig subregulasie (5) is verskuldig en betaalbaar op die eerste dag van elke volgende maand met ingang van die eerste kalendermaand na die datum van die laaste voorskot op die lening. As die lener in gebreke bly of nalaat om binne een kalendermaand na die vervaldatum 'n paaieimant of perseelhuur-

site rent (including charges for services), insurance premium or costs of repair, the whole of the unpaid balance of the loan or the selling price of the right of occupation of the dwelling, interest and the said other amounts shall become due and payable and upon failure of such borrower to make immediate payment in full thereof the Council may terminate the loan agreement and cancel the sale of any building material or the sale of the right of occupation of the dwelling.

(8) Notwithstanding anything to the contrary in this regulation contained, the borrower may at any time make payment in full of the outstanding balance due by him or reduce such outstanding balance by any amount equivalent to a monthly instalment or a multiple thereof.

(9) Should the borrower have paid less than 30 (thirty) per cent of any loan and interest at the date of termination of the loan agreement or the cancellation of his site permit or certificate, the Council shall refund to such borrower or his estate, after deduction of any amount due by such borrower to the Council in terms of these regulations as at the date of such cancellation and any costs incurred in the ejectment of such borrower from the premises, and any costs incurred in connection with the renovation or repairs of the premises, any amount deposited and any amount paid in excess of the monthly instalments in terms of subregulation (8), together with interest thereon calculated at the rate of 2 (two) per cent per annum, but all monthly instalments paid in terms of these regulations may be retained by the Council as rent for the use and occupation of the said premises by such borrower and as pre-estimated and liquidated damages.

(10) Should the borrower have paid 30 (thirty) per cent or more of any loan and interest at the date of termination of the loan agreement or the cancellation of his site permit or certificate, the Council may itself acquire, at a price to be fixed in consultation with such borrower, or may dispose by public auction to a person approved by the superintendent of all rights such borrower or his estate would have had in the site or dwelling if the full loan and interest and other costs had been paid, and shall pay the amount so realised to such borrower or his estate after deduction therefrom of the amount of the unpaid balance of the loan, interest and all other amounts due by such borrower in terms of these regulations, and any costs which may have been incurred in the ejectment of such borrower from the site or dwelling, and the costs of the sale by public auction. Should the highest bid for all rights the borrower or his estate would have had in the site or dwelling if the full loan and interest and other costs had been paid be less than the sum of the amount of the unpaid balance of the loan, interest and all other amounts due by such borrower to the Council in terms of these regulations and any costs which may have been incurred in securing the ejectment of such borrower from the site or dwelling and the costs of the sale by public auction, the sale shall be cancelled and the provisions of subregulation (9) shall *mutatis mutandis* apply.

(11) In the event of the termination of a loan agreement or the cancellation of a site permit or certificate, any dwelling or any additions or improvements which may have been acquired from the Council or may have been erected and any building materials which may have been purchased out of loans received from the Council, shall, where such loans and any interest or other charges thereon have not

geld (insluitende vorderings vir dienste), versekeringspremie of herstelwerkkoste te betaal, is die totale onbetaalde saldo van die lening of die verkoopprijs van die reg op bewoning van die woning, rente en genoemde ander bedrae verskuldig en betaalbaar, en as sodanige lener in gebreke bly om die volle bedrag onmiddellik te betaal, kan die Raad die leningsooreenkoms beëindig en die verkoop van enige boumateriaal of die verkoop van die reg op bewoning van die woning kanselleer.

(8) Ondanks enige andersluidende bepalings in hierdie regulasie vervat, kan die lener te eniger tyd die uitstaande saldo wat deur hom verskuldig is, ten volle betaal of sodanige uitstaande saldo verminder met 'n bedrag gelyk aan 'n maandelikse paaielement of veelvoud daarvan.

(9) As die lener op die datum van die beëindiging van die leningsooreenkoms of die intrekking van sy perseelpermit of sertifikaat minder as 30 (dertig) persent van 'n lening en rente betaal het, moet die Raad aan sodanige lener of sy boedel, nadat enige bedrag wat ingevolge hierdie regulasies deur sodanige lener aan die Raad verskuldig is soos op die datum van sodanige intrekking en enige koste wat aangegaan is in verband met die uitsetting van sodanige lener uit die perseel en enige koste aangegaan in verband met die opknapping of herstel van die perseel, afgetrek is, enige bedrag terugbetaal wat gedeponeer is en enige bedrag wat bo die maandelikse paaielemente ooreenkomstig subregulasie (8) betaal is, tesame met rente daarop, bereken teen 2 (twee) persent per jaar, maar alle maandelikse paaielemente wat ooreenkomstig hierdie regulasies betaal is, kan deur die Raad gehou word as huurgeld vir die gebruik en bewoning van genoemde perseel deur sodanige lener en as voorafvasgestelde en gelikwideerde skadevergoeding.

(10) As die lener op die datum van die beëindiging van die leningsooreenkoms of die intrekking van sy perseelpermit of sertifikaat 30 (dertig) persent of meer van 'n lening en rente betaal het, kan die Raad alle regte wat sodanige lener of sy boedel op die perseel of woning sou gehad het as die volle lening en rente en ander koste betaal was, self verkry teen 'n prys wat in oorleg met sodanige lener vasgestel is of kan dit per openbare veiling van die hand sit aan 'n persoon wat die superintendent goedkeur, en moet hy die bedrag wat aldus opgelewer is, aan sodanige lener of sy boedel betaal, nadat die bedrag van die onbetaalde saldo van die lening, rente en alle ander bedrae wat ingevolge hierdie regulasies deur sodanige lener verskuldig is, en enige koste wat in verband met die uitsetting van sodanige lener uit die perseel of woning aangegaan is, en die koste van die verkoop per openbare veiling, daarvan afgetrek is. Ingeval die hoogste bod vir alle regte wat die lener of sy boedel op die perseel of woning sou gehad het as die volle lening en rente en ander koste betaal was, minder is as die totale bedrag van die onbetaalde saldo van die lening, rente en alle ander bedrae wat ingevolge hierdie regulasies deur sodanige lener aan die Raad verskuldig is en enige koste wat in verband met die uitsetting van sodanige lener uit die perseel of woning aangegaan is en die koste van die verkoop per openbare veiling, dan word die openbare veiling gekanselleer en is die bepalings van subregulasie (9) *mutatis mutandis* van toepassing.

(11) In die geval van die beëindiging van 'n leningsooreenkoms of die intrekking van 'n perseelpermit of sertifikaat, val 'n woning of aanbouings of verbeterings wat van die Raad verkry of opgerig is en enige boumateriaal wat gekoop is uit lenings wat van die Raad ontvang is, waar sodanige lenings en enige rente of ander koste daarop nie ten volle deur die lener terugbetaal is nie,



been repaid in full by the borrower, revert to the Council and, subject to the provisions of subregulations (9) and (10), become the sole property of the Council.

(12) Save as provided herein, the borrower shall have no claim against the Council for the refund of any amount paid by him under these regulations.

#### *Cancellation of Site Permits, Residential Permits and Certificates.*

15. (1) The superintendent may after having given any holder of a site permit or any grantee not less than 30 days notice in writing of his intention to do so, which notice may be served either personally on such holder or on such grantee or may be served by affixing a copy thereof on the dwelling of such holder or grantee, cancel such site permit or such certificate on such holder's or grantee's—

(a) being for a continuous period of more than 30 days before issue of such notice, unemployed or not following within the prescribed area some lawful trade or occupation: Provided that in the case of illness supported by a medical certificate, the period of unemployment shall be calculated with effect from the date on which such holder or grantee is considered according to such medical certificate to be fit for work again;

(b) being employed for a continuous period of more than 30 days outside the prescribed area, except where in terms of his conditions of employment he is temporarily accompanying his normal employer to or joining him at places outside the prescribed area and has advised the superintendent accordingly before leaving or where the manager concurs in his employment outside the prescribed area;

(c) failing without reasonable cause to complete any authorised building, structure or fence on the relative site within the period stipulated by the superintendent;

(d) having received notice in writing from the superintendent to repair, alter, rebuild or demolish any dwelling, building, outbuilding, fence or other structure, failing, refusing or neglecting within three months of the date of receipt of such notice and without reasonable cause to carry out such instructions;

(e) leaving for a period of more than 30 days without the permission, in writing, of the superintendent the site in respect of which such site permit or certificate was issued;

(f) being no longer entitled to remain in the prescribed area in terms of section 10 (1) of the Act;

(g) ceasing to be, in the opinion of the superintendent, a fit and proper person to reside in the Bantu residential area;

(h) having obtained such permit or certificate by making a false, incorrect or misleading statement, material to the issue of such permit or certificate;

(i) being convicted of an offence and sentenced to imprisonment without the option of a fine for a period exceeding six months;

(j) becoming the occupier of other Council premises or becoming a lodger in the Bantu residential area;

(k) ceasing to occupy together with his dependants the site or building in respect of which such permit or certificate was issued;

terug aan die Raad en word dit, behoudens die bepalings van subregulasies (9) en (10) die uitsluitende eiendom van die Raad.

(12) Behoudens die bepalings hierin, het die lener geen eis teen die Raad vir die terugbetaling van 'n bedrag wat kragtens hierdie regulasies deur hom betaal is nie.

#### *Intrekking van Perseel- en Woonpermitte en Sertifikate.*

15. (1) Die superintendent kan, nadat hy 'n houer van 'n perseelpermit of 'n sertifikaa houder minstens 30 dae skriftelik kennis gegee het van sy voorneme om dit te doen, welke kennisgewing op sodanige houer persoonlik of deur 'n afskrif daarvan aan die woning van sodanige houer beteken kan word, sodanige perseelpermit of sertifikaat intrek as sodanige houer—

(a) vir 'n ononderbroke tydperk van meer as 30 dae voor die uitreiking van sodanige kennisgewing werkloos was of nie 'n wettige ambag of beroep binne die voorgeskrewe gebied uitgeoefen het nie: Met dien verstande dat in die geval van siekte deur 'n mediese sertifikaat gestaaf die tydperk van werkloosheid bereken word met ingang van die datum waarop sodanige houer volgens sodanige mediese sertifikaat weer geskik is om te werk;

(b) vir 'n ononderbroke tydperk van meer as 30 dae buite die voorgeskrewe gebied in diens was, uitgesonderd waar hy ooreenkomstig sy diensvoorwaardes sy gewone werkgever tydelik vergesel na, of by hom aansluit op plekke buite die voorgeskrewe gebied en die superintendent dienooreenkomstig in kennis gestel het voordat hy vertrek het of waar die bestuurder instem met sy indiensneming buite die voorgeskrewe gebied;

(c) sonder gegronde rede versuim om binne die tydperk wat deur die superintendent bepaal is, 'n goedgekeurde gebou, struktuur of heining op die betrokke perseel te voltooi;

(d) nadat hy skriftelike kennisgewing van die superintendent ontvang het om 'n woning, gebou, buitegebou, heining of ander struktuur te herstel, te verander, te herbou, of te sloop, binne drie maande na die datum waarop sodanige kennisgewing ontvang is en sonder gegronde rede versuim, weier of nalaat om sodanige voorskrifte uit te voer;

(e) die perseel ten opsigte waarvan sodanige perseelpermit of sertifikaat uitgereik is, vir 'n tydperk van meer as 30 dae verlaat sonder die skriftelike toestemming van die superintendent;

(f) nie meer ingevolge artikel 10 (1) van die Wet daarop geregtig is om in die voorgeskrewe gebied te wees nie;

(g) nie meer, na die mening van die superintendent, 'n geskikte persoon is om in die Bantoeewoongebied te woon nie;

(h) sodanige permit of sertifikaat verkry het deur 'n valse, onjuiste of misleidende verklaring te doen wat van belang was in verband met die uitreiking van sodanige permit of sertifikaat;

(i) skuldig bevind is aan 'n misdryf en gevonnissen tot gevangenisstraf vir 'n tydperk van meer as ses maande sonder die keuse van 'n boete;

(j) die bewoner van 'n ander raadsperseel, of 'n loseerder in die Bantoeewoongebied word;

(k) nie meer saam met sy afhanklikes die perseel of gebou ten opsigte waarvan sodanige permit of sertifikaat uitgereik is, bewoon nie;

(l) using the dwelling referred to in such permit or certificate for any purpose other than exclusively as a residence for himself and his dependants;

(m) subletting the building referred to in such permit or certificate without the written permission of the superintendent;

(n) no longer complying with the conditions under which the dwelling concerned was allotted to him;

(o) being a female—

(aa) marrying; or

(bb) entering into a customary union; or

(cc) living in a state of concubinage.

A permit or certificate shall lapse *ipso facto* should it be attached or sold in execution as a result of a judgment of any court.

On such cancellation or lapse of a site permit or of a certificate, the holder or grantee concerned and all his dependants and all persons who claim to be in the Bantu residential area through or under him or her, shall forthwith leave the Bantu residential area unless otherwise authorised to remain therein and such holder or grantee shall deliver such permit or certificate for cancellation, but such cancellation shall not affect the right hereby reserved to the Council to recover all rents, charges and other moneys due, calculated up to and including the date of such cancellation.

(2) Any residential permit may, on the superintendent's giving the holder thereof not less than 30 days' notice in writing of his intention to do so, be cancelled by the superintendent—

(a) on any of the grounds *mutatis mutandis* specified in subregulation (1), in which case any reference to a "site permit" or "certificate" shall be construed as a reference to a residential permit;

(b) if such holder, being the occupier of a dwelling erected out of sub-economic funds, ceases in the opinion of the Council to fall within the sub-economic group as defined by the Minister in terms of section 20 (1) *bis* of the Act,

and on such cancellation such holder and all his dependants and all person who claim to be in the Bantu residential area through or under him or her shall forthwith leave the Bantu residential area unless otherwise authorised to remain therein and shall deliver the residential permit to the superintendent: Provided that such cancellation shall not affect the right hereby reserved to the Council to recover all rents and other moneys due, calculated up to and including the date of such cancellation: Provided further that before a residential permit is cancelled on the grounds set out in paragraph (b) suitable alternative accommodation in a dwelling erected out of economic housing funds shall be offered to such holder, in default whereof the superintendent shall, if such holder has paid in advance the rent prescribed for the dwelling in respect of which such permit has been issued, allow such holder to remain in such dwelling.

(3) Any holder of a site permit or any grantee who has been given notice in terms of subregulation (1) of the cancellation of his permit or certificate and who, having been granted any loan by the Council in terms of regulation 14 of this Chapter, has repaid in full the principal of such loan and the interest thereon or if he should not have received any loan from the Council shall have the

(l) die woning genoem in sodanige permit of sertifikaat gebruik vir enige ander doel as uitsluitlik as 'n woning vir homself en sy afhanklikes;

(m) die gebou genoem in sodanige permit of sertifikaat onderverhuur sonder die skriftelike toestemming van die superintendent;

(n) nie meer voldoen aan die voorwaardes waaronder die betrokke woning aan hom toegeken is nie;

(o) in die geval van 'n vrou—

(aa) trou; of

(bb) 'n gewoonteverbintenis aangegaan het; of

(cc) in konkubinaat leef.

'n Perseelpermit of sertifikaat verval *ipso facto* indien as gevolg van 'n uitspraak van enige hof daarop beslag gelê word of indien dit in eksekusie verkoop word.

By sodanige intrekking of verval van 'n perseelpermit of sertifikaat moet die betrokke houer en al sy afhanklikes en alle persone wat beweer dat hulle deur of onder hom of haar in die Bantoevoorgebied vertoef, die Bantoevoorgebied onverwyld verlaat, tensy anders gemagtig om daarin te bly en moet sodanige houer sodanige permit of sertifikaat vir intrekking oorhandig, maar sodanige intrekking maak geen inbreuk op die reg wat hierby aan die Raad voorbehou word om alle verskuldigde huurgelde, vorderings en ander gelde bereken tot en met die datum van sodanige intrekking te verhaal nie.

(2) 'n Woonpermit kan, nadat die superintendent die houer daarvan skriftelik kennis van minstens 30 dae van sy voorneme gegee het, deur die superintendent ingetrek word—

(a) op enige van die gronde *mutatis mutandis* genoem in subregulasie (1) en in dié geval is enige verwysing na „perseelpermit” of „sertifikaat” 'n verwysing na 'n woonpermit;

(b) as sodanige houer die bewoner is van 'n woning opgerig uit subekonomiese fondse, en na die oordeel van die Raad ophou om binne die subekonomiese groep te val, soos deur die Minister ingevolge artikel 20 (1) *bis* van die Wet bepaal,

en by sodanige intrekking moet sodanige houer en al sy afhanklikes en alle persone wat beweer dat hulle deur of onder hom of haar in die Bantoevoorgebied vertoef, die Bantoevoorgebied onverwyld verlaat, tensy anders gemagtig om daarin te bly en die woonpermit aan die superintendent oorhandig: Met dien verstande dat sodanige intrekking geen inbreuk maak op die reg wat hierby aan die Raad voorbehou word om alle verskuldigde huurgelde, vorderings en ander gelde bereken tot en met die datum van sodanige intrekking te verhaal nie: Voorts met dien verstande dat, voordat 'n woonpermit ingetrek word op die gronde uiteengesit in paragraaf (b) geskikte alternatiewe huisvesting in 'n woning opgerig uit ekonomiese behuisingsfondse aan sodanige houer aangebied moet word, by gebreke waarvan die superintendent, indien sodanige houer die huurgeld wat voorgeskryf is vir die woning ten opsigte waarvan sodanige permit uitgereik is, vooruitbetaal het, sodanige houer moet toelaat om in sodanige woning aan te bly.

(3) 'n Houer van 'n perseelpermit of 'n sertifikaathouer aan wie kennis ingevolge subregulasie (1) gegee is van die intrekking van sy permit of sertifikaat en wat, as 'n lening aan hom toegestaan is deur die Raad ingevolge regulasie 14 van hierdie Hoofstuk die kapitaal van sodanige lening en die rente daarop ten volle terugbetaal het, of wat nie 'n lening van die Raad ontvang het nie, het die reg om



right before the date of coming into operation of such cancellation to dispose of the improvements erected or acquired by him on the site referred to in such permit or certificate to a person who *mutatis mutandis* complies with the requirements of regulation 6 (2) or 8 (3) of this Chapter, as the case may be, or to dispose of such improvements to the Council at a price, in default of agreement, to be determined by a competent person appointed by the Council and approved by the Bantu Affairs Commissioner.

(4) Should any holder of a site permit or any grantee or the Council be dissatisfied with the price determined by the person referred to in subregulation (3), the Council shall dispose of such improvements or interest in improvements by public auction to a person approved by it. Failing disposal of such improvements or interest, such holder or grantee may with the approval of the Bantu Affairs Commissioner remove such improvements from the site.

(5) Should any holder of a site permit or certificate which has been cancelled fail, neglect or refuse to avail himself of the right set out in this regulation, the Council shall acquire or dispose of such holder's or grantee's interest at a price to be fixed in consultation with the Bantu Affairs Commissioner, and after deducting the amount of any fee due and any expenses incurred, the Council shall pay the balance to such holder or grantee: Provided that should the Council and the Bantu Affairs Commissioner be unable to come to an agreement in regard to the price referred to in this subregulation, the Council shall dispose of such interest by public auction to a person who *mutatis mutandis* complies with the requirements of regulation 6 (2) or 8 (3) of this Chapter, as the case may be.

(6) Any site or residential permit or certificate may be terminated by the holder's or grantee's giving the Council 30 days' notice, in writing, of his intention to do so.

(7) In the event of the death of any holder of a site permit or any grantee referred to in subregulation (3) and (5) the person entitled by law to administer the estate of such holder or grantee shall have the same rights as such holder or grantee under subregulations (3) and (5) in respect of the removal, sale or disposal of improvements.

(8) Whenever a site or residential permit or certificate has been issued to any person by virtue of his being an employee or a representative of a church, a school or the State, or a provincial or local authority, and the holder or grantee thereof ceases to hold that office or position, such permit or certificate may be cancelled and such holder or grantee and his dependants or in the event of the death of such holder or grantee, his dependants shall, when required so to do by notice under the hand of the superintendent, vacate the premises on which such holder or grantee and his dependants resided by virtue of his office or position. If such holder or grantee or his dependants fail to vacate such premises within the time stipulated in such notice, the Bantu Affairs Commissioner, upon proof of service of such notice and of failure to comply therewith, may be warrant under his hand, direct any person named in such warrant to enter, by force if necessary, into or upon such premises and to eject such holder or grantee or any other person wrongfully continuing in occupation and to remove therefrom any goods and articles found there not being the property of the body of which such holder or grantee was an employee or representative.

voor die datum van inwerkingtreding van sodanige intrekking die verbeterings van die hand te sit wat hy opgerig of verkry het op die perseel in sodanige permit of sertifikaat genoem, aan iemand wat *mutatis mutandis* voldoen aan die vereistes van regulasie 6 (2) of 8 (3) van hierdie Hoofstuk, na gelang van die geval, of om sodanige verbeterings van die hand te sit aan die Raad teen 'n prys vasgestel, by ontstentenis van 'n ooreenkoms, deur 'n bevoegde persoon wat deur die Raad aangestel en deur die Bantoesakekommissaris goedgekeur is.

(4) As 'n houer van 'n perseelpermit of 'n sertifikaat-houer of die Raad ontevrede is met die prys vasgestel deur die persoon in subregulasie (3) genoem, moet die Raad sodanige verbeterings of belang in verbeterings per openbare veiling van die hand sit aan iemand wat hy goedkeur. As sodanige verbeterings of belange nie van die hand gesit word nie kan sodanige houer, met die goedkeuring van die Bantoesakekommissaris, sodanige verbeterings van die perseel verwyder.

(5) As 'n houer van 'n perseelpermit of 'n sertifikaat wat ingetrek is, versuim, nalaat of weier om gebruik te maak van die reg wat in hierdie regulasie uiteengesit word, moet die Raad die belang van sodanige houer verkry of van die hand sit teen 'n prys wat in oorleg met die Bantoesakekommissaris vasgestel word, en nadat die bedrag van enige gelde wat verskuldig is en enige koste wat aangegaan is, afgetrek is, moet die Raad die saldo aan sodanige houer uitbetaal: Met dien verstande dat as die Raad en die Bantoesakekommissaris nie kan ooreenkom aangaande die prys wat in hierdie subregulasie genoem word nie, die Raad sodanige belang per openbare veiling aan iemand wat *mutatis mutandis* voldoen aan die vereistes van regulasie 6 (2) of 8 (3) van hierdie Hoofstuk, na gelang van die geval, van die hand moet sit.

(6) 'n Perseel- of woonpermit of sertifikaat kan opgesê word as die houer daarvan 30 dae skriftelik kennis van sy voorneme om dit te doen, aan die Raad gee.

(7) As 'n houer van 'n perseelpermit of 'n sertifikaat-houer in subregulasies (3) en (5) genoem, sterf, het die persoon wat by wet daarop geregtig is om die boedel van sodanige houer te beredder, dieselfde regte as sodanige houer ingevolge subregulasies (3) en (5) ten opsigte van die verwydering, verkoop of van die hand te sit van verbeterings.

(8) Wanneer 'n perseel- of woonpermit of sertifikaat aan 'n persoon uitgereik word uit hoofde daarvan dat hy 'n werknemer of verteenwoordiger is van 'n kerk, 'n skool, die Staat of 'n provinsiale of plaaslike owerheid, en die houer daarvan ophou om amp of betrekking te beklee, kan sodanige permit of sertifikaat ingetrek word en moet sodanige houer en sy afhanklikes of, in die geval van die oorlyde van sodanige houer, sy afhanklikes, wanneer van hulle by kennisgewing deur die superintendent onderteken, vereis word om dit te doen, die perseel ontruim waarop sodanige houer en sy afhanklikes uit hoofde van sy amp of betrekking gewoon het. Indien sodanige houer of sy afhanklikes versuim om sodanige perseel te ontruim binne die tydperk in sodanige kennisgewing bepaal, kan die Bantoesakekommissaris by bewys van die betekening van sodanige kennisgewing en van versuim om daaraan te voldoen, 'n lasbrief onder sy hand uitreik waarin 'n persoon in sodanige lasbrief vermeld, gelas word om sodanige perseel, indien nodig met geweld, te betree en sodanige houer of enige ander persoon wat wederregtelik daar aanbly, uit te sit en goedere en artikels wat daar gevind word en wat nie die eiendom is nie van die liggaam waarvan sodanige houer 'n werknemer of verteenwoordiger was, te verwyder.

(9) If any holder of a site permit or any grantee ceases to be the owner of the buildings and improvements on the site mentioned in his permit or certificate, the superintendent shall cancel such permit or certificate forthwith.

(10) If any holder of a site or residential permit or any grantee be ejected under the provisions of regulation 18 of this Chapter, his permit or certificate, as the case may be, shall lapse *ipso facto*.

(11) In the event of the attachment or sale in execution as a result of a judgment in any court of a site permit or certificate or in the event of the insolvency of any holder of a site permit or any grantee, or the assignment of his estate, or the attachment of his premises or site permit or certificate, such permit or certificate shall be deemed to have been cancelled and the provisions of subregulation (1) shall *mutatis mutandis* apply and the superintendent may, on behalf of the Council, resume possession of the premises, subject to the rights of such holder or grantee to compensation for improvements as assessed by the manager in consultation with the Bantu Affairs Commissioner.

(12) If the Bantu residential area or that portion thereof on which a site or dwelling referred to in any site or residential permit or certificate is abolished, the Council may, after having obtained the permission, in writing, of the Minister to do so, give the holder or grantee concerned three months' notice, in writing, of the cancellation of each such permit or certificate whereupon such permit or certificate shall be deemed to be cancelled and the provisions of subregulations (1), (2), (3), (5) and (7) shall *mutatis mutandis* apply.

(13) If any holder of a site or residential permit or any grantee cannot be traced, or if a notice in terms of subregulation (1) or (2) cannot be served on such holder or grantee in person for some other reason, notice, in writing, of at least 30 days, posted on the site or the door of the dwelling, shall be deemed to be a duly served notice of the intention of the superintendent, in terms of the said subregulations.

#### *Leases and Agreements of Sale.*

16. Leases and agreements of sale entered into between the Council and any grantee in terms of regulation 8 (3) or (5) of this Chapter before the application of these regulations in the Bantu residential area shall be deemed to be written acknowledgement of debt in respect of a loan, as mentioned in such lease or agreement of sale in terms of regulation 14 (6) of this Chapter.

#### *Death of Holder of a Site or Residential Permit or Grantee.*

17. (1) (a) On the death of any resident of the Bantu residential area, the nearest relative or any other member of the household of the deceased shall immediately notify the superintendent of such death.

(b) The superintendent shall immediately notify the Bantu Affairs Commissioner of such death and furnish such particulars of any buildings and structures which belonged to the deceased as may be required.

(2) (a) If any holder of a site or residential permit or any grantee dies after the application of these regulations in the Bantu residential area, the relative permit or certificate shall lapse *ipso facto*.

(9) As 'n houer van 'n perseelpermit of 'n sertifikaat-houer ophou om eienaar te wees van die geboue en verbeterings op die perseel in sy permit of sertifikaat genoem, moet die superintendent sodanige permit of sertifikaat onverwyld intrek.

(10) As 'n houer van 'n perseel- of woonpermit of 'n sertifikaathouer ingevolge die bepalings van regulasie 18 van hierdie Hoofstuk uitgesit word, vervall sy permit of sertifikaat, na gelang van die geval, *ipso facto*.

(11) Indien, as gevolg van die beslaglegging of verkoop in eksekusie, na aanleiding van 'n uitspraak van enige hof, van 'n perseelpermit of sertifikaat of indien 'n houer van 'n perseelpermit of 'n sertifikaathouer insolvent raak of sy boedel oorgemaak word, of beslag gelê word op sy perseel of perseelpermit of sertifikaat, word sodanige permit of sertifikaat geag ingetrek te wees, en die bepalings van subregulasie (1) is dan *mutatis mutandis* van toepassing en die superintendent kan namens die Raad weer besit neem van die perseel behoudens die regte van sodanige houer op vergoeding vir verbeterings soos deur die bestuurder in oorleg met die Bantoesakekommissaris bereken.

(12) Indien 'n Bantoewoongebied of dié gedeelte daarvan waarop 'n perseel of woning vermeld in 'n perseel- of woonpermit of sertifikaat, geleë is, afgeskaf word, kan die Raad, nadat die skriftelike toestemming van die Minister daartoe verkry is, aan die betrokke houer van 'n perseel- of woonpermit of sertifikaathouer drie maande skriftelik kennis gee van die intrekking van sodanige permit of sertifikaat waarna sodanige permit of sertifikaat geag word ingetrek te wees en die bepalings van subregulasies (1), (2), (3), (5) en (7) *mutatis mutandis* van toepassing is.

(13) Indien 'n houer van 'n perseel- of woonpermit of 'n sertifikaathouer nie opgespoor kan word nie of indien 'n kennisgewing ingevolge subregulasie (1) of (2) om 'n ander rede nie persoonlik op sodanige houer beteken kan word nie, word 'n skriftelike kennisgewing van minstens 30 dae aangebring op die perseel of die deur van die woning, ingevolge genoemde subregulasies geag 'n behoorlike betekende kennisgewing van die voorneme van die superintendent te wees.

#### *Huurkontrakte en Verkoopsooreenkomste.*

16. Huurkontrakte en verkoopsooreenkomste aangegaan tussen die Raad en 'n sertifikaathouer kragtens regulasie 8 (3) of (5) van hierdie Hoofstuk voor die toepassing van hierdie regulasies in die Bantoewoongebied, word geag 'n skriftelike erkenning van verskuldigheid te wees ten opsigte van 'n lening soos in die huurkontrakte genoem ooreenkomstig regulasie 14 (6) van hierdie Hoofstuk.

#### *Oorlyde van Houer van 'n Perseel- of Woonpermit of Sertifikaathouer.*

17. (1) (a) By die oorlyde van 'n inwoner van die Bantoewoongebied moet die naaste verwant of enige ander lid van die oorledene se huishouding die superintendent onmiddellik daarvan in kennis stel.

(b) Die superintendent moet onverwyld die Bantoesakekommissaris van sodanige sterfgeval verwittig en sodanige besonderhede as wat verlang word, verstrek van geboue en strukture wat aan die oorledene behoort het.

(2) (a) Indien 'n houer van 'n perseel- of woonpermit of 'n sertifikaathouer na die toepassing van hierdie regulasies in die Bantoewoongebied sterf, vervall die betrokke permit of sertifikaat *ipso facto*.



(b) If any holder of a site or residential permit or any grantee is already deceased at the time of the application of these regulations in the Bantu residential area, the relative permit or certificate shall lapse three months after such application: Provided that—

(i) in both cases the deceased's dependant or heir who is entitled thereto under these regulations shall have preference in the allotment of the site or dwelling;

(ii) the provisions of regulation 9 (1) of this Chapter shall *mutatis mutandis* apply to every transfer to such dependant or heir;

(iii) any outstanding balance of a loan granted to the deceased in terms of regulation 14 of this Chapter, together with any interest thereon that may have accrued, shall be repaid by such dependant or heir at the date of transfer;

(iv) the Council may, subject to the provisions of regulation 14 of this Chapter, grant a loan to the transferee equal to such outstanding balance and interest.

(3) In the event of the death of a holder of a site permit the superintendent may, if building operations have been commenced on the site, transfer the permit to the heir of such deceased holder, provided such heir complies with the requirements referred to in regulation 6 (2) of this Chapter.

#### *Ejectment on Default.*

18. (1) If any registered occupier fails to pay any sum for which he is liable under any permit or certificate issued in terms of these regulations on or before the seventh day of the month in which it becomes due and payable, or if such liability arises after the seventh day of any month, on or before the seventh day of the following month, he may be ordered by the superintendent to vacate the site or dwelling with his dependants forthwith.

(2) A court convicting any registered occupier under regulation 47 (1) (f) of this Chapter for failing to comply with the order referred to in subregulation (1) may, in addition to any other penalty which may be imposed, order such person to vacate the site or dwelling with his dependants.

(3) If any registered occupier is ejected in terms of the provisions of subregulation (1), the manager shall be entitled to dispose of any improvements or property belonging to such registered occupier on the site and, after the amount owing by such registered occupier and reasonable costs have been deducted from any amount realised by such disposal, the balance, if any, shall be handed to the person so ejected: Provided that the manager shall give at least 14 days' notice of his intention to exercise this right by serving such notice on such registered occupier, or, if his whereabouts are unknown, by having a copy of the notice affixed to the main door of the dwelling or room last occupied by him.

#### *Entry into Bantu Residential Area.*

19. (1) Any person, other than a Bantu, desirous of entering the Bantu residential area, shall prior to or on arrival apply for an entry permit at the office of the superintendent, his assistant or such other officer of the Council as the superintendent may designate.

(b) Indien 'n houer van 'n perseel- of woonpermit of 'n sertifikaathouer reeds oorlede is ten tyde van die toepassing van hierdie regulasies in die Bantowoongebied, vervall die betrokke permit of sertifikaat drie maande na sodanige toepassing: Met dien verstande dat—

(i) in beide gevalle, die oorledene se afhanklike of erfgenaam wat kragtens hierdie regulasies wel daarop geregtig is, by die toekenning van die perseel of woning voorkeur geniet;

(ii) die bepalings van regulasie 9 (1) van hierdie Hoofstuk *mutatis mutandis* van toepassing is op elke oordrag aan sodanige afhanklike of erfgenaam;

(iii) enige onbetaalde saldo van 'n lening wat ingevolge die bepalings van regulasie 14 van hierdie Hoofstuk aan die oorledene toegestaan is, tesame met rente wat daarop opgehoop het, ten tyde van die oordrag deur sodanige afhanklike of erfgenaam terugbetaal moet word;

(iv) die Raad, behoudens die bepalings van regulasie 14 van hierdie Hoofstuk, 'n lening aan die ontvanger kan toestaan wat gelyk is aan sodanige verskuldigde saldo en rente.

(3) In die geval van die oorlyde van die houer van 'n perseelpermit, kan die superintendent, indien daar reeds 'n aanvang gemaak is met die bouwerkzaamhede op die perseel, die permit aan die erfgenaam van sodanige oorlede houer oordra, mits sodanige erfgenaam voldoen aan die vereistes in regulasie 6 (2) van hierdie Hoofstuk vermeld.

#### *Uitsetting by Wanbetaling.*

18. (1) As 'n geregistreerde bewoner versuim om 'n bedrag te betaal, waarvoor hy aanspreeklik is ingevolge 'n permit of sertifikaat uitgereik kragtens hierdie regulasies, voor of op die sewende dag van die maand waarin dit verskuldig en betaalbaar is, of indien sodanige bedrag na die sewende dag van 'n maand betaal moet word, dan voor of op die sewende dag van die daaropvolgende maand, kan hy deur die superintendent gelas word om met sy afhanklikes die perseel of woning onmiddellik te ontruim.

(2) 'n Geregistreerde bewoner wat deur 'n hof skuldig bevind word kragtens regulasie 47 (1) (f) van hierdie Hoofstuk aan versuim om die lasgewing vermeld in subregulasie (1) te gehoorsaam, kan, benewens enige ander straf wat opgelê word, ook gelas word om die perseel of woning, saam met sy afhanklikes te ontruim.

(3) As 'n geregistreerde bewoner ingevolge die bepalings van subregulasie (1) uitgesit word, het die bestuurder die reg om enige verbeterings of eiendom op die perseel, wat aan sodanige geregistreerde bewoner behoort, te verkoop en nadat die bedrag wat deur sodanige geregistreerde bewoner verskuldig is en redelike koste afgetrek is van enige bedrag wat by sodanige verkoop opgelewer is, moet die saldo, as daar is, aan die persoon wat aldus uitgesit is, oorhandig word: Met dien verstande dat die bestuurder minstens 14 dae kennis moet gee van sy voorneme om hierdie reg uit te oefen deur sodanige kennisgewing aan sodanige geregistreerde bewoner te beteken of, as sy verblyfplek onbekend is, deur 'n afskrif van die kennisgewing op die voordeur van die woning of kamer wat laas deur hom bewoon is, te laat aanplak.

#### *Toegang tot Bantowoongebied.*

19. (1) 'n Persoon, uitgesonderd 'n Bantoe, wat die Bantowoongebied wil binnegaan, moet vooraf of by aankoms by die kantoor van die superintendent, sy assistent of sodanige ander beampste van die Raad as wat deur die superintendent aangewys is om 'n toegangspermit aansoek doen.

(2) Any Bantu, not lawfully resident in the Bantu residential area in terms of these regulations, who desires to enter and remain in the location or Bantu village, excluding a Bantu hostel, for longer than 72 hours, shall apply for an accommodation permit to the superintendent, his assistant or such other officer of the Council as the superintendent may designate.

(3) Subject to the provisions of these regulations, no person shall enter, be or remain in any Bantu hostel without a hostel permit or other permission in writing given by the hostel superintendent or any other person authorised thereto by him.

(4) If the superintendent, or such other officer of the Council as the superintendent may designate, is of the opinion that any applicant referred to in subregulations (1), (2) and (3) is a fit and proper person to be in the Bantu residential area or Bantu hostel, as the case may be, he may issue the relative permit to such applicant on payment of such fees as may be prescribed. Such permit shall be valid for such period as the superintendent, or such other officer of the Council as the superintendent may designate, may deem fit: Provided that such permit may at any time in the discretion of the superintendent be withdrawn by him without furnishing reasons for such withdrawal.

(5) Any person found in the Bantu residential area without the authority to be therein in terms of these regulations may be ordered by the manager or any person authorised by him, either specifically or generally, to remove from the Bantu residential area forthwith.

(6) The following persons shall be exempt from the provisions of this regulation:—

(a) Employees of the Council in the discharge of their duties;

(b) members of the South African Police and the South African Railways and Harbours Police in the discharge of their duties;

(c) ministers of religion, registered medical practitioners, nurses and midwives, in the lawful following of their profession or calling and missionaries who are marriage officers;

(d) public servants, sheriffs and messengers of the court and their duly authorised deputies in the discharge of their duties;

(e) any person falling within the purview of regulation 20 (12) of this Chapter.

#### *Lodger's Permits.*

20. (1) No person other than any holder of a site or residential permit or any grantee, or the dependants of such holder or grantee, or any holder of an accommodation permit shall reside in the Bantu residential area unless he has first obtained a permit, hereinafter referred to as a lodger's permit.

(2) The superintendent on being satisfied that the applicant—

(a) is a fit and proper person to reside in the Bantu residential area;

(b) is bona fide employed or is carrying on some lawful trade within the prescribed area;

(c) has not refused to accept accommodation in a dwelling or hostel or other accommodation provided by the Council and offered to him;

(d) has obtained approved accommodation;

(e) if liable therefor, has paid in advance such fees as may be prescribed by the Council;

(f) is free from any infectious disease,

(2) 'n Bantoe nie wettiglik woonagtig in die Bantoe-woongebied ingevolge hierdie regulasies nie, wat die lokasie of Bantoeoord, uitgesonderd 'n Bantoeetehuis, wil binnegaan en langer as 72 uur daar wil bly, moet by die kantoor van die superintendent, sy assistent of sodanige ander beampte van die Raad wat deur die superintendent aangewys is, om 'n verblyfpermit aansoek doen.

(3) Behoudens die bepalings van hierdie regulasies, mag niemand 'n Bantoeetehuis betree of daarin wees of bly nie sonder 'n tehuispermit of ander skriftelike toestemming van die tehuissuperintendent of 'n ander persoon wat deur hom daartoe gemagtig is.

(4) Indien die superintendent, of sodanige ander beampte van die Raad as wat deur die superintendent aangewys is van mening is dat 'n applikant genoem in subregulasies (1), (2) en (3) 'n geskikte persoon is om in die Bantoe-woongebied of Bantoeetehuis, na gelang van die geval, te wees, kan hy aan sodanige applikant die betrokke permit uitreik teen betaling van sodanige gelde as wat voorgeskryf is. Sodanige permit is geldig vir sodanige tydperk as wat die superintendent of ander beampte van die Raad wat deur die superintendent aangewys is, goed ag: Met dien verstande dat sodanige permit te eniger tyd na goeddunke van die superintendent deur hom ingetrek kan word sonder verstrekking van redes vir sodanige intrekking.

(5) 'n Persoon wat in die Bantoe-woongebied gevind word sonder die magtiging ingevolge hierdie regulasies om daarin te wees, kan deur die bestuurder of 'n persoon deur hom daartoe gemagtig, hetsy in die algemeen of in die besonder, gelas word om die Bantoe-woongebied onverwyld te verlaat.

(6) Die volgende persone is vrygestel van die bepalings van hierdie regulasie:—

(a) Werknemers van die Raad in die uitvoering van hul pligte;

(b) lede van die Suid-Afrikaanse Polisie en die Suid-Afrikaanse Spoorweg- en Hawenspolisie in die uitvoering van hul pligte;

(c) predikante, geregistreerde geneesher, verpleegsters en vroedvroue in die wettige uitoefening van hul beroep of amp; en sendelinge wat huweliksbevestigers is;

(d) staatsamptenare, balju's en bodes van die hof en hul behoorlike gemagtigde plaasvervangers in die uitvoering van hul pligte;

(e) enige persoon wat binne die bestek van regulasie 20 (12) van hierdie Hoofstuk val.

#### *Loseerderspermitte.*

20. (1) Geen persoon, uitgesonderd 'n houer van 'n perseel- of woonpermit of 'n sertifikaathouer, of die afhanklikes van sodanige houer, of 'n houer van 'n verblyfpermit, mag in die Bantoe-woongebied woon nie, tensy hy eers 'n permit, hieronder 'n loseerderspermit genoem, verkry het.

(2) As die superintendent oortuig is dat die applikant—

(a) 'n geskikte persoon is om in die Bantoe-woongebied te woon;

(b) bona fide in diens is binne die voorgeskrewe gebied of 'n wettige ambag daarin uitoefen;

(c) nie geweier het om huisvesting in 'n woning of tehuis of ander huisvesting deur die Raad verskaf en hom aangebied, aan te neem nie;

(d) huisvesting verkry het wat goedgekeur is;

(e) indien hy daarvoor aanspreeklik is, sodanige gelde as wat deur die Raad voorgeskryf is, vooruitbetaal het;

(f) nie aan 'n aansteeklike siekte ly nie,



may issue to such applicant a lodger's permit: Provided that in any special case where the applicant, by reason of old age, infirmity or similar disability, is unable to comply with the requirements of paragraph (b) or (e), the superintendent may in his discretion authorise the issue or renewal of a lodger's permit as if the requirements of the said paragraphs had been complied with.

(3) Every lodger's permit issued in accordance with the provisions of subregulation (2) shall expire on the last day of the calendar month in which it was issued or such later date as the superintendent may in his discretion approve.

(4) Every lodger's permit may within three days of the date of expiry be renewed on application to the superintendent who, if he is satisfied that the applicant complies with the requirements set out in subregulation (2), shall renew such lodger's permit. Any permit so renewed shall expire on the last day of the month in which it is renewed.

(5) Every lodger's permit shall show—

(a) the name and identity number of the holder thereof;

(b) the names, identity numbers and ages of any male dependants under the age of 18 years and any unmarried female dependants under the age of 21 years of such holder;

(c) the name of the holder of the site or residential permit or the grantee authorised to accommodate the holder of such lodger's permit and his dependants mentioned therein; and

(d) the number of the site or dwelling where the holder of such lodger's permit and his dependants mentioned therein are accommodated: Provided that where a wife residing with her husband is required to obtain a lodger's permit, the names of the dependants referred to in paragraph (b) shall be shown in the husband's lodger's permit only.

(6) No holder of a lodger's permit shall reside at any site or dwelling other than that shown in his lodger's permit.

(7) The superintendent shall not issue a lodger's permit unless the holder of the site or residential permit or the grantee in respect of whose site such lodger's permit is about to be issued has consented to the issue thereof.

(8) The holder of a residential or site permit or the grantee in respect of whose site a lodger's permit has been issued shall forthwith report to the superintendent when the lodger ceases to reside in his dwelling or on his site.

(9) No person may accommodate or permit any person who is not in possession of a current lodger's permit issued in respect of his site or building in the Bantu residential area to reside on a site or in a dwelling or place under his control, unless such person is otherwise in terms of these regulations authorised to reside on such site or in such dwelling or place.

(10) A lodger's permit shall not be transferable and shall lapse and be *ipso facto* cancelled upon the holder thereof changing his residence as specified in such permit, or on cancellation, expiry or termination of the relative residential or site permit or certificate.

kan hy aan sodanige applikant 'n loseerderspermit uitreik: Met dien verstande dat in 'n spesiale geval waar die applikant weens hoë ouderdom, swakheid of dergelike ongeskiktheid nie aan die vereistes van paragraaf (b) of (e) kan voldoen nie, die superintendent na goedgekeurde uitreiking of hernuwing van 'n loseerderspermit kan magtig asof die vereistes van genoemde paragraawe wel nagekom is.

(3) Elke loseerderspermit wat ooreenkomstig die bepalinge van subregulasie (2) uitgereik is, verval op die laaste dag van die kalendermaand waarin dit uitgereik is of sodanige later datum as wat die superintendent na goedgekeurde goedkeur.

(4) Elke loseerderspermit kan hernuwe word as daar binne drie dae na die vervaldatum aansoek gedoen word by die superintendent wat, as hy daarvan oortuig is dat die applikant voldoen aan die vereistes wat in subregulasie (2) uiteengesit is, sodanige loseerderspermit moet hernuwe. 'n Permit aldus hernuwe, verval op die laaste dag van die maand waarin dit hernuwe is.

(5) Op elke loseerderspermit moet die volgende aangegeef word:—

(a) Die naam en persoonsnommer van die houer daarvan;

(b) die name, persoonsnommers en ouderdomme van enige manlike afhanklikes onder die ouderdom van 18 jaar en enige ongetroude vroulike afhanklikes onder die ouderdom van 21 jaar van sodanige houer;

(c) die naam van die houer van die perseel- of woonpermit of die sertifikaathouer wat gemagtig is om die houer van sodanige loseerderspermit en sy afhanklikes wat daarin vermeld word, te huisves; en

(d) die nommer van die perseel of woning waar die houer van sodanige loseerderspermit en sy afhanklikes wat daarin vermeld word, gehuisves word: Met dien verstande dat waar daar van 'n vrou wat saam met haar man woon, vereis word om 'n loseerderspermit te verkry, die name van die afhanklikes genoem in paragraaf (b) slegs in die man se loseerderspermit aangegeef moet word.

(6) Geen houer van 'n loseerderspermit mag op enige ander perseel of in enige ander woning as dié wat in sy loseerderspermit aangedui word, woon nie.

(7) Die superintendent mag nie 'n loseerderspermit uitreik nie, tensy die houer van die perseel- of woonpermit of die sertifikaathouer ten opsigte van wie se perseel sodanige loseerderspermit uitgereik staan te word met die uitreiking daarvan instem.

(8) Die houer van 'n woon- of perseelpermit of die sertifikaathouer, ten opsigte van wie se perseel 'n loseerderspermit uitgereik is, moet onmiddellik aan die superintendent rapporteer wanneer die loseerder ophou om in sy woning of op sy perseel te woon.

(9) Niemand mag 'n persoon wat nie 'n geldige loseerderspermit het wat uitgereik is ten opsigte van sy perseel of gebou in die Bantowoongebied huisves of toelaat dat hy op 'n perseel of in 'n woning of plek onder sy beheer woon nie, tensy sodanige persoon andersins kragtens hierdie regulasies gemagtig is om op sodanige perseel of in sodanige woning of plek te woon.

(10) 'n Loseerderspermit is nie oordraagbaar nie en verval en word *ipso facto* ingetrek, as die houer daarvan verander van woonplek soos in sodanige permit vermeld of by die intrekking, verval of beëindiging van die betrokke woon- of perseelpermit of sertifikaat.

(11) (a) Notwithstanding anything to the contrary in these regulations contained, whenever any person is, by virtue of his being an employee or representative of a church, a school, or the State, or a provincial or local authority, required to reside in quarters in the Bantu residential area in respect of which the body concerned is liable for any fees and charges under these regulations, the superintendent shall issue lodger's permits free of charge to such person and his dependants: Provided that no such permit shall be issued to any person unless the superintendent is satisfied that the requirements of sub-regulation (2) have been complied with.

(b) Whenever a lodger's permit has been issued to any person by virtue of his being an employee or representative of a church, a school, or the State, or a provincial or local authority, and the holder thereof ceases to hold that office or position, such permit may be cancelled and such holder and his dependants or, in the case of the death of such holder, his dependants shall, when required so to do by notice under the hand of the superintendent, vacate the premises on which such holder resided by virtue of his office or position. If such holder or his dependants fail to vacate such premises within the time stipulated in such notice, the Bantu Affairs Commissioner, upon proof of service of such notice and of failure to comply therewith, may, by warrant under his hand, direct any person named in that warrant to enter, by force if necessary, into or upon such premises and eject such holder or any other person wrongfully continuing in occupation and remove therefrom any goods or articles found there not being the property of the body of which such holder was an employee or representative.

(12) Nothing in these regulations contained shall be construed as prohibiting the presence in the Bantu residential area of any person whose employer has entered into an agreement under section 42 (f) of the Act with the Council providing for the accommodation or presence of such person in the Bantu residential area.

#### *Permits to be Signed.*

21. Every registered occupier to whom any permit or certificate has been issued or granted in terms of these regulations shall sign such permit or certificate and the corresponding counterfoil, or in the event of his being unable to write, shall affix his left thumb-print to such permit or certificate and counterfoil. Until the registered occupier has signed the permit or certificate or affixed thereto his thumb-print as provided in this regulation, such permit or certificate shall be deemed not to have been issued or granted.

#### *Lost or Destroyed Documents.*

22. If any site, residential, accommodation or lodger's permit or any certificate is lost, destroyed, stolen or mutilated, the person to whom such permit or certificate was issued or granted may apply for a copy thereof to the superintendent who, if he is satisfied that such permit or certificate is lost, destroyed, stolen or mutilated, shall issue to the applicant a duplicate thereof on payment of the fee prescribed.

#### *Bantu Residential Area Register.*

23. (1) The superintendent shall keep a register, hereinafter referred to as the register of occupiers which may be in the form of a file index.

(11) (a) Ondanks andersluidende bepalings in hierdie regulasies vervat, moet die superintendent, wanneer ook al van 'n persoon uit hoofde daarvan dat hy 'n werknemer of verteenwoordiger van 'n kerk, of skool, die Staat of 'n provinsiale of plaaslike owerheid is, vereis word dat hy in kwartiere in die Bantoewoongebied moet woon ten opsigte waarvan die betrokke liggaam aanspreeklik is vir enige gelde en vorderings ingevolge hierdie regulasies, kosteloos aan sodanige persoon en sy afhanklikes loseerderspermitte uitreik: Met dien verstande dat geen sodanige permit aan 'n persoon uitgereik mag word nie, tensy die superintendent oortuig is dat die vereistes van subregulasie (2) nagekom is.

(b) Wanneer 'n loseerderspermit ook al aan 'n persoon uitgereik is uit hoofde daarvan dat hy 'n werknemer of verteenwoordiger van 'n kerk, skool, die Staat of 'n provinsiale of plaaslike owerheid is, en die houer daarvan ophou om dié amp of posisie te beklee, kan sodanige permit ingetrek word, en moet sodanige houer en sy afhanklikes of, in die geval van die oorlyde van sodanige houer, sy afhanklikes, wanneer van hulle by kennisgewing deur die superintendent onderteken, vereis word om dit te doen, die perseel waarop sodanige houer uit hoofde van sy amp of posisie gewoon het, ontruim. Indien sodanige houer of sy afhanklikes versuim om sodanige perseel te ontruim binne die tydperk in sodanige kennisgewing bepaal, kan die Bantoesakekommissaris by bewys van die betekening van sodanige kennisgewing en van versuim om daaraan te voldoen, 'n lasbrief onder sy hand uitreik waarin 'n persoon in sodanige lasbrief vermeld, gelas word om, indien nodig met geweld, sodanige perseel te betree en sodanige houer of enige ander persoon wat wederregtelik daar aanbly, uit te sit en goedere of artikels wat daar gevind word en wat nie die eiendom is nie van die liggaam waarvan sodanige houer 'n werkgewer of verteenwoordiger was, te verwyder.

(12) Niks in hierdie regulasies vervat, word uitgelê as sou dit die teenwoordigheid in die Bantoewoongebied van 'n persoon wie se werkgewer 'n ooreenkoms met die Raad ingevolge artikel 42 (f) van die wet aangegaan het vir die huisvesting of teenwoordigheid van sodanige persoon in die Bantoewoongebied belet nie.

#### *Permitte moet Onderteken Word.*

21. Elke geregistreerde bewoner aan wie 'n permit of sertifikaat ingevolge hierdie regulasies uitgereik of toegestaan is, moet sodanige permit of sertifikaat en die ooreenstemmende teenblad onderteken of, as hy nie kan skryf nie, die afdruk van sy linkerduim op sodanige permit of sertifikaat en teenblad plaas. Totdat die geregistreerde bewoner die permit of sertifikaat onderteken of die afdruk van sy duim, soos in hierdie regulasie bepaal, daarop geplaas het, word sodanige permit of sertifikaat geag nie uitgereik of toegestaan te wees nie.

#### *Verlore of Vernietigde Dokumente.*

22. As 'n perseel-, woon-, verblyf- of loseerderspermit of 'n sertifikaat verlore raak of vernietig is, gesteel of geskend word, kan die persoon aan wie sodanige permit of sertifikaat uitgereik of toegestaan is om 'n afskrif daarvan aansoek doen by die superintendent wat, indien hy oortuig is dat sodanige permit of sertifikaat verlore geraak het of vernietig, gesteel of geskend is, teen betaling van die bedrag voorgeskryf 'n duplikaat van sodanige permit of sertifikaat aan die aplikant uitreik.

#### *Bantoewoongebiedregister.*

23. (1) Die superintendent moet 'n register hou wat die register van bewoners genoem word en wat in die vorm van 'n lêerindeks kan wees.



(2) The superintendent shall enter in the register of occupiers—

(i) the name and full particulars of every person to whom a site, residential or lodger's permit or a certificate has in accordance with these regulations been issued;

(ii) the names, identity numbers, dates of birth, relationship and ethnic groups of all the other persons who may in accordance with these regulations reside in the Bantu residential area in terms of a site, residential or lodger's permit or a certificate;

(iii) the authority by virtue of which the person is allowed to reside in the Bantu residential area;

(iv) the date of entry of every person resident in the Bantu residential area.

(3) The appearance of any person's name in the register of occupiers shall be *prima facie* proof of such person's right to reside and be in the Bantu residential area.

#### *Population Return.*

24. The manager shall from time to time, as the Council may decide, submit to the Council a return of the population of the Bantu residential area.

#### *Information to be Furnished.*

25. (1) Any authorised officer in the employ of the Council may require that any person on request—

(i) furnish his full name, identity number and address;

(ii) furnish proof of his right to be in the Bantu residential area; and

(iii) submit all relevant documents for this purpose.

(2) Every occupier shall, in addition to the provisions of subregulation (1), on request of an authorised officer furnish such information as he may require.

#### *Public Meetings, Assemblies and Entertainments.*

26. (1) Subject to the provisions of any other law any person who intends to convene or address a public meeting or assembly of persons or to use a loudspeaker in the Bantu residential area shall obtain the permission, in writing, of the superintendent at least 48 hours before such meeting, assembly or any occasion at which the loudspeaker will be used.

(2) No public meeting or entertainment shall be continued later than midnight without the approval of the superintendent, nor shall any public meeting or entertainment be continued later than any extended time approved by the superintendent.

(3) No person shall, without the prior approval, in writing, of the superintendent, collect any money for any purpose other than bona fide church purposes from the persons present at any public meeting or assembly.

(4) If there be reasonable grounds for believing that the holding of any meeting or assembly might provoke or lead to a breach of the peace, such meeting or assembly may be prohibited with the special approval of the magistrate given after reference to the local police officer and an officer of the Council licensed under section 22 (1) of the Act.

(2) Die superintendent moet die volgende in die register van bewoners aanteken:—

(i) die naam en volledige besonderhede van elke persoon aan wie 'n perseel-, woon- of loseerderspermit of 'n sertifikaat ooreenkomstig hierdie regulasies uitgereik is;

(ii) die name, persoonsnommers, geboortedatums, verwantskap en etniese groepe van al die ander persone wat ingevolge hierdie regulasies kragtens 'n perseel-, woon- of loseerderspermit of 'n sertifikaat in die Bantoe-woongebied kan woon;

(iii) die magtiging waarkragtens die persoon in die Bantoe-woongebied kan woon;

(iv) die datum van binnekoms van elke persoon woonagtig in die Bantoe-woongebied.

(3) Die voorkoms van 'n persoon se naam in die register van bewoners is *prima facie*-bewys van die reg wat sodanige persoon het om in die Bantoe-woongebied te woon en om daarin te wees.

#### *Opgawe van Bevolking.*

24. 'n Opgawe van die bevolking van die Bantoe-woongebied moet van tyd tot tyd, na die Raad besluit, deur die bestuurder by die Raad ingedien word.

#### *Inligting wat Verstrekk Moet Word.*

25. (1) 'n Gemagtigde beampte in diens van die Raad kan vereis dat 'n persoon op versoek—

(i) sy volle naam, persoonsnommer en adres moet verstrek;

(ii) bewys moet lewer van sy reg om in die Bantoe-woongebied te wees; en

(iii) alle dokumente wat vir dié doel ter sake is, moet voorle.

(2) Elke bewoner moet op versoek van 'n gemagtigde beampte, benewens die bepalings van subregulasie (1), sodanige inligting verstrekk as wat hy verlang.

#### *Openbare Vergaderings, Byeenkomste en Vermaaklikhede.*

26. (1) Behoudens die bepalings van enige ander wet, moet 'n persoon wat voornemens is om 'n openbare vergadering of byeenkoms van persone te belê of toe te spreek of om 'n luidspreker in die Bantoe-woongebied te gebruik die skriftelike toestemming van die superintendent verkry minstens 48 uur voor sodanige vergadering, byeenkoms of 'n geleentheid waarop die luidspreker gebruik sal word.

(2) Geen openbare vergadering of vermaaklikheid mag later as middernag sonder die goedkeuring van die superintendent voortgesit word nie; ook mag geen openbare vergadering of vermaaklikheid later as die verlengde tyd wat deur die superintendent goedgekeur is, voortgesit word nie.

(3) Niemand mag sonder die voorafverkreë skriftelike goedkeuring van die superintendent van die persone wat op 'n openbare vergadering of byeenkoms aanwesig is, geld, uitgesonderd vir *bona fide*-kerkdoeleindes, kollekteer nie.

(4) Indien daar redelike grond bestaan om te vermoed dat die hou van 'n vergadering of byeenkoms 'n rusverstorend kan veroorsaak of daartoe aanleiding kan gee, kan sodanige vergadering of byeenkoms verbied word met die spesiale goedkeuring van die landdros verleen na oorlegpleging met die plaaslike polisiebeampte en beampte van die Raad wat ingevolge artikel 22 (1) van die Wet gelisensieer is.

(5) Nothing in this regulation contained shall apply to any meeting or assembly for bona fide church purposes, weddings, funerals, or meetings of the Bantu advisory board or of the Urban Bantu Council.

*Disturbance of the Public Peace.*

27. No person shall in any street, road or public place or in any private dwelling or premises within the Bantu residential area disturb the peace by shouting, wrangling, quarrelling, swearing or by using obscene, abusive, insulting or threatening language, or by unseemly, disorderly or violent behaviour nor shall any person use or permit to be used any percussion drum without the prior written permission of the superintendent.

*Obstruction of the Work of Officers.*

28. No person shall obstruct the superintendent or any other employee of the Council or an officer appointed in terms of section 22 (1) or (3) of the Act in the execution of his duties.

*Obstruction of Traffic and Persons.*

29. No person shall sit, lie, stand, loiter or congregate in, or in any other manner encumber any street, road or public place within the Bantu residential area so as to obstruct traffic or jostle or otherwise interfere with any person lawfully using such street, road, or public place.

*Indecency.*

30. No person shall expose his private parts in any street or other public place or in sight thereof.

*Soliciting.*

31. No person shall in or near any street or in any other place in any way loiter or solicit or importune any other person for the purpose of prostitution or mendicancy.

*Defecating or Urinating in Streets.*

32. No person shall defecate or urinate in any street, road, lane, sidewalk, footpath, open space or public place or in sight of any person using such place or at any place other than the proper place provided for the purpose in a latrine or urinal.

*Fences.*

33. (1) No person shall, unless he is authorised thereto by the Council, climb onto, under or over or through any gate, fence, wall or railing (being the property of the Council) in or around the Bantu residential area or enter or leave otherwise than through some authorised means of ingress or egress.

(2) No person shall, without the approval of the Council, damage or remove any gate, fence, wall or railing (being the property of the Council) enclosing, or within, the Bantu residential area.

*Slaughtering of Stock.*

34. No person shall slaughter any animal at any place other than a place approved by the manager for the purpose and then only in accordance with the Council's by-laws and the prescribed permit issued by the Livestock and Meat Industries Control Board.

(5) Geen bepalings in hierdie regulasie vervat, is op 'n vergadering of byeenkoms vir *bona fide*-kerkdoeleindes, bruilofte, begrafnisse of vergaderings van die Adviserende Bantoe Komitee of van die Stedelike Bantoe raad van toepassing nie.

*Openbare Rusverstoring.*

27. Niemand mag in 'n straat, pad of openbare plek of in 'n private woning of perseel binne die Bantoe woon-gebied die rus verstoor deur te skreeu, rusie te maak, te twis, te vloek of vuil, skeldende, beledigende of dreigende taal te gebruik of deur onbetaamlike, wanordelike of gewelddadige gedrag nie en niemand mag 'n trom gebruik of toelaat dat dit gebruik word nie sonder die vooraf-verkreë skriftelike toestemming van die superintendent nie.

*Belemmering van Werk van Beampies.*

28. Niemand mag die superintendent of 'n ander werknemer van die Raad of 'n beampte ingevolge artikel 22 (1) of (3) van die Wet aangestel, in die uitvoering van sy pligte hinder nie.

*Belemmering van Verkeer en Persone.*

29. Niemand mag in 'n straat, pad of openbare plek binne die Bantoe woon-gebied sit, lê, staan, drentel of saamdrom of op enige ander wyse sodanige straat, pad of openbare plek versper sodat die verkeer belemmer word of teen iemand wat van sodanige straat, pad of openbare plek wettiglik gebruik maak, stamp of sodanige persoon andersins lastig val nie.

*Onbetaamlikheid.*

30. Niemand mag op straat of ander openbare plek of in sig daarvan sy geslagsdele ontbloot nie.

*Aanlok of Aanspreek op Straat.*

31. Niemand mag vir die doel van prostitusie of bedelary in of naby 'n straat of in 'n ander plek op watter wyse ook al talm of iemand anders aanlok of aanspreek of lastig val nie.

*Ontlasting of Urinering in Straat.*

32. Niemand mag hom ontlast of urineer in 'n straat, pad, deurgang, sypaadje, voetpad, oop ruimte of openbare plek of in sig van iemand wat sodanige plek of plekke gebruik of in 'n ander plek as in die behoorlike plek waarvoor daar in 'n latrine of urinaal-voorsiening gemaak is nie.

*Heinings.*

33. (1) Niemand mag, tensy hy deur die Raad daartoe gemagtig is, op, onder of oor of deur 'n hek, heining, muur of tralies (wat die eiendom van die Raad is) in of om die Bantoe woon-gebied klim of deur 'n ander in- of uitgang as 'n goedgekeurde in- en uitgang binnekom of uitgaan nie.

(2) Niemand mag sonder die goedkeuring van die Raad 'n hek, heining, muur of tralies (wat die eiendom van die Raad is) om of binne die Bantoe woon-gebied, beskadig of verwyder nie.

*Slag van Vee.*

34. Niemand mag 'n dier op 'n ander plek as dié wat vir dié doel deur die bestuurder goedgekeur is slag nie en dan alleenlik ooreenkomstig die Raad se verordeninge en die voorgeskrewe permit uitgereik deur die Raad van Beheer oor die Vee- en Vleisnywerhede.



*Damaging of Trees and Council Property.*

35. No person shall unlawfully damage or destroy any tree, hedge, road, building, structure, or pipe, refuse receptacle, or other fitting or appliance which is the property of the Council, nor shall he interfere with any water, electrical or sewerage installation.

*Control of Games or Entertainment.*

36. (1) No person shall conduct or participate in any game, gambling or entertainment which, from its character, is likely to create a disturbance or be a nuisance or annoyance to the residents or officials or be indecent or subversive of good morals.

(2) No registered occupier shall permit any game, gambling or entertainment referred to in subregulation (1) to take place on the premises mentioned in his site or residential permit or certificate.

*Wells and Excavations.*

37. (1) No person shall sink any well, make any excavation or dig any hole without the written permission of the superintendent except for bona fide gardening purposes.

(2) In giving such permission the superintendent may attach such conditions thereto as he may deem fit.

*Washing Facilities.*

38. (1) The Council may set apart one or more places in the Bantu residential area where the residents may wash clothes.

(2) No person shall make any improper use of nor leave in an unclean state any wash place referred to in subregulation (1).

*Refuse Receptacles.*

39. (1) As soon as possible after any holder of a site or residential permit or any grantee has moved onto his site the Council shall furnish him with a receptacle into which all domestic refuse shall be deposited: Provided that the Council may as it deems fit supply one receptacle for two dwellings on adjoining sites. If it becomes necessary to replace the receptacle the Council may, except in the case of fair wear and tear, recover the cost of replacement from the registered occupier concerned.

(2) The Council shall cause to be removed all litter, refuse or other rubbish deposited in the receptacles provided in accordance with these regulations at regular intervals as prescribed by the medical officer, and cause such litter, filth or rubbish to be deposited at a place or places approved by him.

(3) No person shall throw, deposit or drop or cause or permit to be thrown, deposited or dropped any filth, rubbish, glass, tins, paper, dead animal, derelict vehicle, waste or flushing water or other refuse, whether liquid or solid, on or in any public place, street, road, bridge, thoroughfare, open space, vacant erf, spruit or watercourse or cause or permit any liquid to flow into any such place.

*Water Supply and Health Services.*

40. (1) The Council shall provide a sufficient supply of pure water at convenient places in the Bantu residential area.

(2) The Council shall have the right to prohibit or restrict the use of water.

*Beskadiging van Bome en Eiendom van die Raad.*

35. Niemand mag wederregtelik 'n boom, heg, pad, gebou, struktuur of pyp, vullisbak of ander toebehore of toestel wat die eiendom van die Raad is, beskadig of vernietig of aan 'n water-, elektriese of rioleringsinstallasie peuter nie.

*Beheer oor Spele of Vermaaklikheid.*

36. (1) Niemand mag enige spel, dobbelary of vermaaklikheid wat uit die aard daarvan moontlik 'n stoornis kan veroorsaak of die bewoners of amptenare tot oorlas kan wees of aanstoot kan gee, of wat onbetaamlik is of wat die sedelike gedrag kan ondermyn, bestuur of daaraan deelneem nie.

(2) Geen geregistreerde bewoner mag enige spel, dobbelary of vermaaklikheid in subregulasie (1) vermeld op die perseel in sy perseel- of woonpermit of sertifikaat genoem, toelaat nie.

*Putte en Uitgrawings.*

37. (1) Niemand mag 'n put uitgrawe, 'n uitgraving maak of 'n gat grawe sonder die skriftelike toestemming van die superintendent nie, uitgesonderd vir tuinmaakdoeleindes.

(2) By die verleen van sodanige toestemming kan die superintendent sodanige voorwaardes stel as wat hy wenslik ag.

*Wasgeriewe.*

38. (1) Die Raad kan een of meer plekke in die Bantoeewoongebied afsonder waar die inwoner klere kan was.

(2) Niemand mag 'n wasplek in subregulasie (1) bedoel onbehoorlik gebruik nie en ook nie in 'n onsinlike toestand laat nie.

*Vullisbakke.*

39. (1) So spoedig moontlik nadat 'n houer van 'n perseel- of woonpermit of 'n sertifikaathouer sy perseel betrek het, verskaf die Raad aan hom 'n bak waarin alle huishoudelike vullis gegooi moet word: Met dien verstande dat die Raad na goeë dunde een bak vir twee wonings op aangrensende persele kan verskaf. Indien dit nodig word om die bak te vervang, behalwe as gevolg van redelike slytasie, kan die Raad die koste van die vervanging op die betrokke geregistreerde bewoner verhaal.

(2) Die Raad laat alle afval, vullis of ander rommel wat geplaas word in bakke wat ingevolge hierdie regulasies verskaf word met gereelde tussenpose, soos voorgeskryf deur die mediese beampte, verwyder en op 'n plek of plekke wat hy goedkeur, weggooi.

(3) Niemand mag enige vuilgoed, puin, glas, blikke, papier, dooie dier, voertuigwrak, afval- of spoelwater of enige ander vullis, hetsy vloeibaar of solied, op of in 'n publieke plek, straat, pad, brug, deurgang, oop ruimte of leë erf, spruit of waterloop gooi, stort of laat val of toelaat dat dit daar gegooi, gestort of laat val word nie of enige vloeistof na enige sodanige plek laat vloei of toelaat dat dit daarin vloei nie.

*Waterverskaffing en Gesondheidsdienste.*

40. (1) Die Raad moet 'n genoegsame voorraad skoon water verskaf op geskikte plekke binne die Bantoeewoongebied.

(2) Die Raad is daarop geregtig om die gebruik van water te belet of te beperk.

(3) The Council shall ensure that every dwelling erected or acquired by it in the Bantu residential area be provided with a latrine of a type approved by the medical officer, and every holder of a site permit who has erected or acquired a dwelling in the Bantu residential area shall provide on the site acquired by him, unless this has already been done, a latrine of the type approved by the medical officer. The superintendent may instruct any holder of a site permit or any grantee to erect a latrine of an approved type or to connect an existing latrine to the sewer in which event the provisions of regulation 12 (8) and (9) of this Chapter shall *mutatis mutandis* apply.

(4) The Council shall institute, where so required by the type of latrine installed, an efficient and satisfactory sanitary removal service.

(5) The occupier of any dwelling or other building in the Bantu residential area shall maintain in a clean and hygienic state the latrine provided in respect of such dwelling or other building.

(6) The Council may, with the special approval of the Department of Health, provide in the Bantu residential area in lieu of the sanitary accommodation referred to in subregulation (3) sufficient and satisfactory communal sanitary conveniences of a type approved by the Department of Health for the separate use of the members of the two sexes of persons residing in the Bantu residential area and shall maintain such conveniences in a clean and hygienic condition.

(7) No male person shall use any sanitary convenience provided for the exclusive use of female persons and no female person shall use any sanitary convenience provided for the exclusive use of male persons and no person shall use any communal sanitary convenience in any manner calculated to render such convenience unclean and unhygienic.

#### *Reporting of Infectious Disease.*

41. If any person in the Bantu residential area suffers from any infectious disease, the holder of the site or residential permit or grantee in respect of the dwelling in which such person resides or is found, or, in the event of his death or incapacity, the eldest adult resident in such dwelling shall forthwith report to the superintendent the name of and all other facts known in respect of such person.

#### *Entry of Premises by Medical Officer or Assistant.*

42. The medical officer or his authorised assistant may at any time enter any hut or dwelling or building in the Bantu residential area and examine persons therein suspected of suffering from any infectious disease, or exposed to such infection, and any person who appears to the medical officer or his authorised assistant to be suffering from any infectious disease, or to have been exposed to the infection thereof may by order of the medical officer be removed to such place either within or beyond such Bantu residential area as he may consider suitable and may by a like order be therein detained until such time as, in the opinion of the medical officer, he shall be free from infection.

#### *Superintendent or Inspector has Right of Entry.*

43. An officer appointed in terms of section 22 (1) or (3) of the Act, his assistant or any other authorised officer may at any reasonable time enter a dwelling in the Bantu residential area for the purposes of inspection.

(3) Die Raad moet sorg dat elke woning in die Bantoe-woongebied wat deur hom opgerig of verkry is, voorsien word van 'n latrine van die tipe wat deur die mediese beampte goedgekeur is en elke houer van 'n perseelpermit wat 'n woning in die Bantoe-woongebied opgerig of verkry het, moet op die perseel deur hom verkry, tensy dit alreeds gedoen is, 'n latrine van die tipe wat deur die mediese beampte goedgekeur is, verskaf. Die superintendent kan 'n houer van 'n perseelpermit of 'n sertifikaathouer gelas om 'n latrine van die goedgekeurde tipe op te rig of om 'n bestaande latrine by die riool aan te sluit en in dié geval is die bepalings van regulasie 12 (8) en (9) van hierdie Hoofstuk *mutatis mutandis* van toepassing.

(4) Waar die tipe latrine wat opgerig is dit vereis, moet die Raad 'n doeltreffende en bevredigende sanitêre verwyderingsdiens instel.

(5) Die okkuperder van 'n woning of ander gebou in die Bantoe-woongebied moet die latrine wat ten opsigte van sodanige woning of ander gebou verskaf word, in 'n skoon en higiëniese toestand hou.

(6) Met die spesiale goedkeuring van die Departement van Gesondheid kan die Raad in die plek van die sanitêre geriewe in subregulasie (3) genoem, die Bantoe-woongebied voorsien van voldoende en bevredigende gemeenskaplike sanitêre geriewe, van die tipe deur die Departement van Gesondheid goedgekeur, vir die afsonderlike gebruik deur die twee geslagte van persone wat in die Bantoe-woongebied woon, en die Raad moet sodanige geriewe in 'n skoon en higiëniese toestand hou.

(7) Geen manspersoon mag gebruik maak van 'n sanitêre gerief wat uitsluitlik vir die gebruik van vrouspersone verskaf is nie, en geen vrouspersoon mag gebruik maak van 'n sanitêre gerief wat uitsluitlik vir die gebruik van manspersone verskaf is nie, en niemand mag enige gemeenskaplike sanitêre gerief gebruik op 'n wyse wat die plek vuil en onhigiënies kan maak nie.

#### *Aansteeklike Siektes moet Aangegee word.*

41. Indien 'n persoon in die Bantoe-woongebied aan 'n aansteeklike siekte ly, moet die houer van die perseel- of woonpermit of die sertifikaathouer ten opsigte van die woning waarin sodanige persoon woon of aangetref word of, in geval van sy dood of ongeskiktheid, die oudste volwasse bewoner van sodanige woning, dadelik die naam van en alle ander feite omtrent sodanige persoon, waarvan hy kennis dra by die superintendent aangee.

#### *Mediese Beampte of Assistent kan Perseel Betree.*

42. Die mediese beampte of sy gemagtigde assistent kan te eniger tyd enige hut of woning of gebou in die Bantoe-woongebied binnegaan en persone daarbinne wat vermoedelik aan 'n aansteeklike siekte ly of aan besmetting daarvan blootgestel was, ondersoek en 'n persoon wat by die mediese beampte of sy gemagtigde assistent die indruk wek dat hy aan 'n aansteeklike siekte ly of aan besmetting daarvan blootgestel was, kan op las van die mediese beampte verwyder word na sodanige plek binne of buite sodanige Bantoe-woongebied as wat hy geskik ag en kan deur 'n soortgelyke bevel daar aangehou word, totdat hy, volgens die mening van die mediese beampte, vry van besmetting is.

#### *Superintendent of Inspekteur het Reg tot Toegang.*

43. 'n Beampte wat kragtens artikel 22 (1) of (3) van die Wet aangestel is, sy assistent of enige ander gemagtigde beampte kan op alle redelike tye 'n woning in die Bantoe-woongebied vir inspeksiedoeleindes binnegaan.



*Reporting of Births and Deaths.*

44. The holder of a site or residential permit or a grantee in respect of any dwelling in which a birth or death occurs, or in the case of his death or incapacity, the eldest adult resident in such dwelling, shall forthwith report such birth or death to the superintendent and furnish him with all the facts required for the proper maintenance of the Bantu residential area register.

*Actions for Rents and Charges.*

45. Any person convicted in terms of the provisions of regulation 47 (1) (t) of this Chapter may, in addition to any other penalty which may be imposed, be ordered by the Court to pay the amount owing by him within such period as the Court may specify, or in default of payment within such period, be sentenced to imprisonment for a period not exceeding two months: Provided that no imprisonment undergone shall have the effect of cancelling the liability or barring an action for recovery of the amount due by such person: Provided further that no person shall be sentenced to imprisonment a second time in respect of failure to pay the same debt.

*Appeal.*

46. (1) Every person shall have the right to appeal to the manager against any action of an officer of the Council charged with the administration of these regulations. After due inquiry at which such officer of the Council shall be entitled to be heard in support of his action, the manager may—

(a) order such officer of the Council to grant the appellant facilities under these regulations if it appears that such have unreasonably been withheld; or

(b) make such other order as may be deemed fit.

(2) Such appeal shall be lodged within seven days of such action and notice thereof shall be given to the manager and to the officer of the Council.

(3) Any appeal to the manager shall be duly prosecuted within 14 days after the action of the officer of the Council against whom such appeal has been lodged, in default whereof the appeal shall be deemed to have lapsed.

(4) Any person dissatisfied with the decision of the manager shall have a further right of appeal to the Council and from the decision of the Council to the Bantu Affairs Commissioner: Provided that in both such events the provisions of subregulations (2) and (3) shall *mutatis mutandis* apply.

(5) If he is still dissatisfied the person aggrieved may within seven days of the decision of the Bantu Affairs Commissioner appeal by way of affidavit to the Chief Bantu Affairs Commissioner whose decision shall be final.

*Offences and Penalties.*

47. (1) Any person who—

(a) contravenes or fails to comply with the provisions of regulation 7 (6) (d) or (e); 10 (1) or (2); 11; 12 (1), (2), (3), (4), (7) or (8); 13 (13); 17 (1) (a); 19 (1) or (3); 20 (1), (6), (8) or (9); 27; 28; 29; 30; 31; 32; 33 (1) or (2); 34; 35; 36 (1), (2) or (3); 37 (1); 38 (1) or (2); 39 (3); 40 (5) or (7); 41 or 44, all of this Chapter;

*Geboortes en Sterfgevallen moet Aangegee word.*

44. Die houer van 'n perseel- of woonpermit of die sertifikaathouer ten opsigte van 'n woning waarin 'n geboorte of sterfgeval plaasvind of, in geval van sy dood of ongeskiktheid, die oudste volwasse inwoner in sodanige woning, moet onverwyld sodanige geboorte of sodanige sterfgeval by die superintendent aangee en aan hom al die besonderhede verstrek wat nodig is vir die behoorlike byhou van die Bantoeewoongebiedregister.

*Aksie vir Huurgelde en Vorderings.*

45. 'n Persoon wat skuldig bevind word kragtens die bepalings van regulasie 47 (1) (t) van hierdie Hoofstuk kan, benewens enige ander straf wat opgelê word, deur die hof beveel word om die bedrag wat deur hom verskuldig is, te betaal binne sodanige tydperk as wat die hof bepaal, of by wanbetaling binne sodanige tydperk, gevonnis word tot gevangenisstraf vir 'n tydperk van hoogstens twee maande: Met dien verstande dat geen gevangenisstraf uitgedien sodanige persoon van sy aanspreeklikheid vir die verskuldigde bedrag onthef of verhoed dat 'n geding vir die invordering daarvan ingestel kan word nie: Voorts met dien verstande dat niemand vir 'n tweede keer gevangenisstraf opgelê kan word weens versuim om dieselfde skuld te betaal nie.

*Appel.*

46. (1) Elke persoon het die reg om na die bestuurder te appelleer teen enige optrede van 'n beampste van die Raad wat met die toepassing van hierdie regulasies belas is. Na behoorlike ondersoek waar sodanige beampste van die Raad ter ondersteuning van sy optrede reg het om gehoor te word, kan die bestuurder—

(a) sodanige beampste van die Raad gelas om aan die appellant fasiliteite kragtens hierdie regulasies te verleen as dit skynbaar onredelik teruggehou is; of

(b) sodanige ander bevel uitvaardig as wat hy goed ag.

(2) Sodanige appel moet binne sewe dae na sodanige optrede ingedien word en kennis daarvan moet aan die bestuurder en aan die beampste van die Raad gegee word.

(3) 'n Appel na die bestuurder moet behoorlik voortgesit word binne 14 dae na die optrede van die beampste van die Raad teen wie sodanige appel ingedien is en by gebreke daarvan word die appel geag te verval het.

(4) 'n Persoon wat ontevrede is met die beslissing van die bestuurder het 'n verdere reg om na die Raad te appelleer en teen die beslissing van die Raad kan na die Bantoesakekommissaris geappelleer word: Met dien verstande dat in albei sodanige gevalle die bepalings van subregulasies (2) en (3) *mutatis mutandis* van toepassing is.

(5) Indien hy nog nie tevrede is nie, kan die persoon wat gegrief is binne sewe dae na die beslissing van die Bantoesakekommissaris, 'n appel in die vorm van 'n beëdigde verklaring by die Hoofbantoesakekommissaris indien wie se beslissing afdoende is.

*Misdrywe en Strafbepalings.*

47. (1) Iemand wat—

(a) die bepalings van regulasie 7 (6) (d) of (e); 10 (1) of (2); 11; 12 (1), (2), (3), (4), (7) of (8); 13 (13); 17 (1) (a); 19 (1) of (3); 20 (1), (6), (8) of (9); 27; 28; 29; 30; 31; 32; 33 (1) of (2); 34; 35; 36 (1), (2) of (3); 37 (1); 38 (1) of (2); 39 (3); 40 (5) of (7); 41 of 44, almal van hierdie Hoofstuk, oortree of in gebreke bly om daaraan te voldoen;

(b) wilfully and without the authority of the Council defaces or tampers with any regulation, order or notice posted and maintained as in regulation 3 of this Chapter provided;

(c) wilfully defaces, obliterates or destroys any number painted, inscribed or affixed as provided for in regulation 4 of this Chapter;

(d) incorporates in any dwelling, building, fence, outbuilding or other structure any material which has not received the prior approval of the superintendent as required in regulation 13 (2) of this Chapter;

(e) erects, alters or adds to any dwelling, building, outbuilding, or other structure in the Bantu residential area without a building permit in contravention of the provisions of regulation 13 (3) of this Chapter or having obtained such permit, erects any dwelling, building, outbuilding or other structure not authorised by such permit, without obtaining the prior permission, in writing, of the superintendent as required by regulation 13 (7) of this Chapter;

(f) erects any fence in the location contrary to the provisions of regulation 13 (14) of this Chapter;

(g) being the owner of any fence which does not comply with the provisions of regulation 13 (14) of this Chapter and having received notice, in writing, in terms of subregulation (15) of the said regulation to repair, rebuild or remove such fence within 10 days of receipt of such notice, fails without reasonable cause to comply with such notice;

(h) being the owner of any existing structure, derelict vehicle, other movable structure or prefabricated building which is unsightly or dilapidated or the erection of which has not been authorised by the superintendent and having been ordered by the superintendent in terms of regulation 13 (16) of this Chapter to remove such structure, derelict vehicle, movable structure or building within 10 days, fails without reasonable cause to comply with such order;

(i) having been the holder of a site permit or a grantee or a dependant of such holder or grantee, fails on cancellation of such permit or certificate in terms of the provisions of regulation 15 (1) of this Chapter to leave the Bantu residential area immediately or in the case of a holder or grantee to deliver his permit or certificate to the superintendent;

(j) having been the holder of a residential permit or a dependant of such holder, fails on cancellation of such permit in terms of the provisions of regulation 15 (2) of this Chapter to leave the Bantu residential area immediately or in the case of such holder, to deliver his permit to the superintendent and to give immediate quiet and undisturbed possession of the dwelling on such cancellation;

(k) having been an employee or representative referred to in regulation 15 (8) of this Chapter or his dependant and having been required to vacate the premises within the time specified in the notice served on him and referred to in regulation 15 (8), fails without good cause to comply with such notice;

(l) having been ordered in terms of regulation 18 (1) or 19 (5) of this Chapter to remove from the Bantu residential area and not being otherwise authorised to remain in the Bantu residential area, fails, neglects or refuses without reasonable cause to comply with such order;

(b) opsetlik en sonder die magtiging van die Raad 'n regulasie, bevel of kennisgewing wat ingevolge die bepalings van regulasie 3 van hierdie Hoofstuk aangeplak en onderhou is skend of daaraan peuter;

(c) opsetlik 'n nommer wat ingevolge die bepalings van regulasie 4 van hierdie Hoofstuk geveerf, opgeskryf of aangeheg is skend, uitwis of vernietig;

(d) by die oprigting van 'n woning, gebou, heining, buitegebou of ander struktuur, enige materiaal gebruik wat nie eers deur die superintendent ingevolge die bepalings van regulasie 13 (2) van hierdie Hoofstuk goedgekeur is nie;

(e) strydig met die bepalings van regulasie 13 (3) van hierdie Hoofstuk 'n woning, gebou, buitegebou of ander struktuur sonder 'n boupermit in die Bantoeewoongebied oprig, verander of daaraan aanbou, of wat wel sodanige permit verkry het, maar 'n woning, gebou, buitegebou of ander struktuur wat nie ingevolge sodanige permit gemagtig is nie, oprig sonder die voorafverkreë skriftelike toestemming van die superintendent ingevolge regulasie 13 (7) van hierdie Hoofstuk;

(f) 'n heining in die Bantoeewoongebied oprig strydig met die bepalings van regulasie 13 (14) van hierdie Hoofstuk;

(g) die eienaar van 'n heining is wat nie aan die bepalings van regulasie 13 (14) van hierdie Hoofstuk voldoen nie, en nadat hy per skriftelike kennisgewing ingevolge subregulasie (15) van genoemde regulasie gelas is om sodanige heining binne 10 dae na die ontvangs van sodanige kennisgewing te herstel, te herbou of te verwyder, sonder gegronde rede in gebreke bly om aan sodanige kennisgewing te voldoen;

(h) die eienaar is van 'n bestaande struktuur, voertuigwrak, ander verskuifbare struktuur of voorafvervaardigde gebou wat onooglik of bouvallig is of waarvan die oprigting nie deur die superintendent gemagtig is nie en nadat hy ingevolge regulasie 13 (16) van hierdie Hoofstuk deur die superintendent gelas is om sodanige struktuur, voertuigwrak, verskuifbare struktuur of gebou binne 10 dae te verwyder, sonder gegronde rede in gebreke bly om aan sodanige lasgewing te voldoen;

(i) die houer van 'n perseelpermit of 'n sertifikaat-houer of die afhanklike van sodanige houer was en in gebreke bly om die Bantoeewoongebied onmiddellik te verlaat wanneer sodanige permit of sertifikaat ingevolge die bepalings van regulasie 15 (1) van hierdie Hoofstuk ingetrek is of, in die geval van 'n houer van 'n perseelpermit of 'n sertifikaathouer, om sy permit of sertifikaat aan die superintendent te oorhandig;

(j) die houer van 'n woonpermit of die afhanklike van sodanige houer was en in gebreke bly om die Bantoeewoongebied onmiddellik te verlaat wanneer sodanige permit kragtens die bepalings van regulasie 15 (2) van hierdie Hoofstuk ingetrek is, of in die geval van sodanige houer, om sy permit aan die superintendent te oorhandig en om by sodanige intrekking die woning dadelik in rustige en ongestoorde besit te stel;

(k) 'n werknemer of verteenwoordiger in regulasie 15 (8) van hierdie Hoofstuk genoem, of sy afhanklike was en van wie vereis is dat hy die perseel moet ontruim binne die tyd vermeld in die kennisgewing wat aan hom beteken is en in regulasie 15 (8) genoem en sonder gegronde rede versuim om aan sodanige kennisgewing te voldoen;

(l) nadat hy ingevolge regulasie 18 (1) of 19 (5) van hierdie Hoofstuk gelas is om die Bantoeewoongebied te verlaat en nie andersins gemagtig is om in die Bantoeewoongebied te bly nie, sonder gegronde rede in gebreke bly, nalaat of weier om aan sodanige lasgewing te voldoen;



(m) on being requested by an authorised officer in terms of regulation 25 of this Chapter to furnish his full name, identity number and address or proof of his right to be in the Bantu residential area or to give such information as may be required by the authorised officer, neglects or refuses without reasonable cause to furnish his full name, identity number and address or proof of his right to be in the Bantu residential area or furnishes information which is false, incorrect or misleading knowing such information to be false, incorrect or misleading;

(n) convenes or addresses a public meeting or assembly or uses a loudspeaker in the Bantu residential area, in respect of which the permission, in writing, of the superintendent has not been obtained as provided in regulation 26 (1) of this Chapter;

(o) having convened a public meeting or entertainment in the Bantu residential area, allows such public meeting or entertainment to continue later than midnight without the approval of the superintendent, or later than any extended time approved by the superintendent in terms of regulation 26 (2) of this Chapter;

(p) holds, addresses or attends a meeting or an assembly which has been prohibited in terms of regulation 26 (4) of this Chapter;

(q) without the prior approval, in writing, of the superintendent, collects any money for any purpose other than bona fide church purposes, contrary to the provisions of regulation 26 (3) of this Chapter, from the persons present at any public meeting or assembly in the Bantu residential area;

(r) refuses on request to permit any of the officers referred to in regulation 42 or 43 of this Chapter to enter any dwelling or building or to enter upon any premises in the lawful execution of his duties;

(s) having been ordered in terms of regulation 42 of this Chapter to be removed to a place for the receiving of persons suffering from or suspected of suffering from any infectious disease, refuses without reasonable cause to be so removed or to be so detained;

(t) fails, neglects or refuses to pay any sum for which he is liable in terms of these regulations within 21 days of the date on which such sum became due and payable;

(u) possesses or introduces into any bar, hall or lounge provided by the Council and in which intoxicating liquor is supplied by the Council to the residents of the Bantu residential area, any intoxicating liquor other than intoxicating liquor supplied by the Council on an on-consumption basis; or

(v) being a registered occupier occupies a site, dwelling or accommodation other than that specified in his permit or certificate,

shall be guilty of an offence and liable to the penalties prescribed in section 44 of the Act.

(2) The court, on convicting any person in terms of subregulation (1) (i), (j) (k) or (l) may make an order for the ejectment of such person from the site, dwelling or Bantu residential area concerned.

(m) nadat 'n gemagtigde beampte hom ingevolge regulasie 25 van hierdie Hoofstuk versoek het om sy volle naam, persoonsnommer en adres of bewys van sy reg om in die Bantoewoongebied te wees, te verstrek of om sodanige inligting te verstrek as wat die gemagtigde beampte vereis, sonder gegronde rede nalaat of weier om sy volle naam, persoonsnommer en adres of bewys van sy reg om in die Bantoewoongebied te wees te verstrek of inligting verstrek wat vals, onjuis of misleidend is en weet dat dit vals, onjuis of misleidend is;

(n) in die Bantoewoongebied 'n openbare vergadering of byeenkoms belê of toespreek of 'n luidspreker gebruik ten opsigte waarvoor die skriftelike toestemming van die superintendent nie verkry is nie, soos bepaal in regulasie 26 (1) van hierdie Hoofstuk;

(o) nadat hy 'n openbare vergadering of vermaaklikheid in die Bantoewoongebied belê het, toelaat dat sodanige vergadering of vermaaklikheid later as middernag voortgesit word sonder die goedkeuring van die superintendent of later as die verlengde tyd wat deur die superintendent kragtens regulasie 26 (2) van hierdie Hoofstuk goedgekeur is;

(p) 'n vergadering of byeenkoms wat kragtens regulasie 26 (4) van hierdie Hoofstuk verbied is, hou, toespreek of bywoon;

(q) sonder dat die skriftelike goedkeuring van die superintendent vooraf verkry is, van persone wat op 'n openbare vergadering of byeenkoms in die Bantoewoongebied aanwesig is, geld, uitgesonderd vir bona fide-kerkdoeleindes, kollekteer, strydig met die bepalinge van regulasie 26 (3) van hierdie Hoofstuk;

(r) op versoek weier om enige van die beamptes vermeld in regulasie 42 of 43 van hierdie Hoofstuk toe te laat om 'n woning of gebou binne te gaan of enige perseel te betree in die wettige uitvoering van sy pligte;

(s) ingevolge die bepalinge van regulasie 42 van hierdie Hoofstuk gelas is om verwyder te word na 'n plek vir die ontvangs van persone wat werklik of vermoedelik aan 'n aansteeklike siekte ly en sonder gegronde rede weier om aldus verwyder of aangehou te word;

(t) in gebreke bly, nalaat of weier om enige bedrag waarvoor hy aanspreeklik is ingevolge hierdie regulasies te betaal binne 21 dae na die datum waarop sodanige bedrag verskuldig en betaalbaar geword het;

(u) in 'n kroeg, saal of sitkamer deur die Raad daargestel waarin bedwelmende drank deur die Raad aan die inwoners van die Bantoewoongebied verskaf word, enige bedwelmende drank, uitgesonderd bedwelmende drank deur die Raad verskaf op binneverbruikgrondslag, besit of inbring; of

(v) 'n geregistreerde bewoner is en 'n perseel, woning of huisvesting, uitgesonderd dié aangedui in sy permit of sertifikaat, bewoon.

begaan 'n misdryf en is strafbaar met die strawwe voorgeskryf in artikel 44 van die Wet.

(2) Die hof kan by veroordeling van 'n persoon kragtens subregulasies (1) (i), (j), (k) of (l) 'n bevel uitreik vir die uitsetting van sodanige persoon uit die betrokke perseel, woning of Bantoewoongebied.

### CHAPTER 3.

#### TRADING.

##### *Trading, Business and Professional Sites.*

1. The Council may set apart sites in the Bantu residential area and erect buildings thereon for allotment to Bantu for trading, business or professional purposes and may specify the type of trade, business or profession which may be carried on on such site and the goods which may be sold therefrom: Provided that—

(a) it shall be lawful for the Council to grant permission in writing to any Bantu who, at the date of application of these regulations in the Bantu residential area, is carrying on any lawful trade, business or profession on any site in the Bantu residential area, to continue to carry on, subject to the provisions of these regulations, such trade, business or profession on such site and therefrom to dispose of the products of such trade, business or profession in which event such site shall for the purposes of regulation 23 of this Chapter be deemed to have been set apart by the Council in terms of this regulation and to have been allotted in terms of regulation 2 (2) of this Chapter as from the date of application of these regulations in the Bantu residential area;

(b) in applying the provisions of this regulation and of regulation 22 of this Chapter, the provisions of regulation 2 (2) of this Chapter shall not apply to any Bantu, who, on the date on which these regulations are applied, is authorised to carry on any trade, business or profession on any site in the Bantu residential area.

##### *Authority to Commence Trading.*

2. (1) No person shall carry on any trade, business or profession in the Bantu residential area unless a site has been allotted to him for that purpose by the Council and no person shall carry on any trade, business or profession in the Bantu residential area on any site other than one set apart and allotted by the Council in terms of regulation 1 of this Chapter: Provided that nothing herein contained shall exempt any person from obtaining any licence or other authority which is required by any other law as a condition precedent to the commencement of any such trade, business or profession.

(2) Any Bantu who is the bona fide breadwinner of a family and who wishes to carry on any trade, business or profession within the Bantu residential area shall make application in writing stating the nature of such trade, business or profession to the Council which may in its discretion, subject to the provisions of this Chapter, allot to the applicant a site set apart in terms of regulation 1 of this Chapter on which he may carry on his trade, business or profession.

##### *Available Sites to be Advertised.*

3. (1) Should any trading, business or professional site in the Bantu residential area at any time be available for allotment, the manager shall publish a notice on the notice board at his office in the Bantu residential area inviting applications for the allotment of the site, to be lodged, in writing, at the office on or before a day to be specified in the notice, such day being not less than 14 days after the date of publication of the notice. Such notice shall be published in Afrikaans and English and shall clearly state what information must be supplied by an applicant.

### HOOFSTUK 3.

#### HANDEL DRYF.

##### *Handels-, Besigheids- en Beroepspersele.*

1. Die Raad kan persele in die Bantoewoongebied afsonder en geboe daarop oprig vir toekenning aan Bantoes vir handels- of besigheids- of beroepsdoeleindes en kan aandui watter tipe handel, besigheid of beroep gedryf of uitgeoefen mag word op die perseel en watter goedere daarvandaan verkoop mag word: Met dien verstande dat—

(a) die Raad die reg het om skriftelike toestemming aan 'n Bantoe te verleen wat op die datum waarop hierdie regulasies toegepas word in die Bantoewoongebied, enige wettige handel, besigheid of beroep op 'n perseel in die Bantoewoongebied dryf of uitoefen, om, behoudens die bepalings van hierdie regulasies, voort te gaan met sodanige handel, besigheid of beroep op sodanige perseel en om die produkte van sodanige handel, besigheid of beroep daarvandaan van die hand te sit, en in dié geval word sodanige perseel vir doeleindes van regulasie 23 van hierdie Hoofstuk geag ooreenkomstig hierdie regulasie deur die Raad afgesonder te gewees het en ooreenkomstig regulasie 2 (2) van hierdie Hoofstuk met ingang van die datum van toepassing van hierdie regulasies in die Bantoewoongebied toegeken te gewees het;

(b) by die toepassing van die bepalings van hierdie regulasie en van regulasie 22 van hierdie Hoofstuk, die bepalings van regulasie 2 (2) van hierdie Hoofstuk nie van toepassing is nie op 'n Bantoe wat op die datum waarop hierdie regulasies van toepassing gemaak word, gemagtig is om enige handel, besigheid of beroep op 'n perseel in die Bantoewoongebied te dryf.

##### *Magtiging om te Begin Handel Dryf.*

2. (1) Niemand mag enige handel, besigheid of beroep in die Bantoewoongebied dryf of uitoefen nie, tensy 'n perseel vir dié doel deur die Raad aan hom toegeken is, en niemand mag enige handel, besigheid of beroep in die Bantoewoongebied op 'n ander perseel dryf of uitoefen as dié wat ooreenkomstig regulasie 1 van hierdie Hoofstuk deur die Raad afgesonder en toegeken is nie: Met dien verstande dat geen bepaling hiervan 'n persoon vrystel van die verkryging van 'n lisensie of ander magtiging wat by 'n ander wet vereis word voordat met sodanige handel, besigheid of beroep 'n aanvang gemaak mag word nie.

(2) 'n Bantoe wat die bona fide-broodwinner van die gesin is en wat enige handel, besigheid of beroep in die Bantoewoongebied wil dryf of uitoefen, moet 'n skriftelike aansoek waarin die aard van die handel, besigheid of beroep vermeld word, by die Raad indien, en laasgenoemde kan na goeëdunke en behoudens die bepalings van hierdie Hoofstuk aan die applikant 'n perseel kragtens regulasie 1 van hierdie Hoofstuk afgesonder, toeken waarop hy sy handel, besigheid of beroep kan dryf of uitoefen.

##### *Beskikbare Persele moet Geadverteer word.*

3. (1) Indien 'n handels-, besigheids- of beroepsperseel in die Bantoewoongebied te eniger tyd vir toekenning beskikbaar is, moet die bestuurder 'n kennisgewing publiseer op die kennisgewingsbord by sy kantoor in die Bantoewoongebied wat aansoek om toekenning van die perseel vra, wat skriftelik by sy kantoor ingelewer moet word voor of op 'n dag wat in die kennisgewing vermeld moet word en wat minstens 14 dae na die datum van publikasie van die kennisgewing is. Sodanige kennisgewing moet in Afrikaans en in Engels gepubliseer word en moet duidelik vermeld watter inligting deur die applikant verstrekk moet word.



(2) Upon the expiry of the period within which applications may be lodged, the manager shall transmit all applications received to the Council which may decide to which applicant the site shall be allotted in terms of regulation 2 of this Chapter: Provided that the Council shall not be bound to select any applicant and may direct that a further notice in terms of the provisions hereof be published calling for fresh applications.

#### *Conditions of Allotment of Trading Sites.*

4. (1) After the application of these regulations in the Bantu residential area no site shall be allotted in the Bantu residential area for trading, business or professional purposes—

(a) to a person who is not a Bantu and who is not older than 21 years;

(b) to a Bantu who does not qualify to be in the prescribed area in terms of section 10 (1) (a) or (b) of the Act unless authorised thereto by the Chief Bantu Affairs Commissioner;

(c) if the business is to be established and conducted for any purpose other than that of providing for the daily essential domestic requirements of the Bantu residents;

(d) to companies, partnerships, financial institutions, wholesalers or industrial concerns even though Bantu may have a controlling interest therein;

(e) for the carrying on of more than one business, whether or not of the same type, in the Bantu residential area, by the same Bantu; or

(f) to any Bantu who has business or trading interest outside the Bantu residential area.

(2) No trader shall employ any non-Bantu on any allotted site.

#### *Sale of Fresh or Skimmed Milk.*

5. Nothing in these regulations contained shall prohibit or restrict the sale and delivery of fresh or skimmed milk in the Bantu residential area: Provided that—

(a) this regulation does not convey any authority for the entry into or presence in the Bantu residential area of any person without the authority referred to in Chapter 2 of these regulations; and

(b) any sale or delivery of such milk shall be subject to such other laws as may apply thereto.

#### *Business Hours.*

6. The business hours in the Bantu residential area shall be the same as those prescribed by provincial ordinance.

#### *Alterations to Buildings and Fittings.*

7. No trader shall make any structural alterations to any buildings or fittings on the site occupied by him or place any additional fitting thereon without the permission, in writing, of the Council.

#### *Maintenance of Council's Buildings.*

8. The Council shall be responsible for maintaining the exterior of any building owned by it, and the trader occupying it shall maintain the interior of such building in a good state of repair and cleanliness.

(2) By die verstryking van die tydperk waarin aansoeke ingedien kan word, moet die bestuurder al die aansoeke wat ontvang is, deurstuur aan die Raad wat kan besluit aan watter applikant die perseel ooreenkomstig regulasie 2 van hierdie Hoofstuk toegeken moet word: Met dien verstande dat die Raad nie verplig is om 'n applikant uit te kies nie en kan beveel dat 'n verdere kennisgewing wat om nuwe aansoeke vra, ooreenkomstig die bepalings hiervan gepubliseer word.

#### *Voorwaardes van Toekenning van Handelspersele.*

4. (1) Na die toepassing van hierdie regulasies in die Bantoewoongebied word geen perseel in die Bantoewoongebied vir handels-, besigheids-, of beroepsdoeleindes toegeken—

(a) aan 'n persoon wat nie 'n Bantoe is nie en wat nie ouer as 21 jaar is nie;

(b) aan 'n Bantoe wat nie ingevolge artikel 10 (1) (a) of (b) van die Wet kwalifiseer om in die voorgeskrewe gebied te wees nie tensy daartoe gemagtig deur die Hoofbantoesakekommissaris;

(c) indien die besigheid vir enige ander doel as die verskaffing van noodsaaklike huishoudelike benodigdhede van die Bantoe-inwoners opgerig en gedryf sal word;

(d) aan maatskappye, vennootskappe, finansiële instellings, groothandelaars of industriële instellings, al het 'n Bantoe 'n beherende aandeel daarin;

(e) vir die dryf van meer as een besigheid in die Bantoewoongebied, hetsy van dieselfde tipe of nie, deur een en dieselfde Bantoe; of

(f) aan 'n Bantoe wat handels- of besigheidsbelange buitekant die Bantoewoongebied het.

(2) 'n Handelaar mag nie op 'n toegekende perseel 'n nie-Bantoe in diens neem nie.

#### *Verkoop van Vars of Afgeroomde Melk.*

5. Geen bepaling van hierdie regulasies verbied of beperk die verkoop en aflewering van vars of afgeroomde melk in die Bantoewoongebied nie: Met dien verstande dat—

(a) hierdie regulasie nie magtiging verleen nie tot die binnekoms van of teenwoordigheid in die Bantoewoongebied van 'n persoon sonder die magtiging waarna in Hoofstuk 2 van hierdie regulasies verwys word; en

(b) enige verkoop of aflewering van sodanige meld onderworpe is aan sodanige ander wetsbepalings as wat daarop van toepassing is.

#### *Besigheidsure.*

6. Die besigheidsure in die Bantoewoongebied is dieselfde as dié by provinsiale ordonnansie voorgeskryf.

#### *Veranderings aan Geboue en Toebehore.*

7. 'n Handelaar mag nie sonder die skriftelike vergunning van die Raad strukturele veranderings aan geboue of toebehore op die perseel wat hy okkupeer, aanbring of addisionele toebehore daarop aanbring nie.

#### *Onderhoud van Raad se Geboue.*

8. Die Raad is verantwoordelik vir die onderhoud van die buitekant van geboue wat sy eiendom is, en die handelaar wat dit okkupeer, moet die binnekant in 'n goeie toestand hou en dit skoon hou.

*Damage to Council's Buildings and Trader's Goods.*

9. In respect of buildings erected by the Council for allotment to traders, the Council shall not be liable for any damage done to the trader's stock, books, papers or other effects, by rain, wind, hail, lightning, floodwater or fire or by reason of riots or strikes or by the enemies of the State or through any other cause: Provided that any essential repairs to the buildings concerned necessitated by such causes shall be effected by the Council within a reasonable period after the receipt of notification from such trader that such repairs are necessary.

*Fencing and Sanitation.*

10. Any trader shall, if required by the Council to do so, effectively fence the site occupied by him and provide thereon adequate sanitary conveniences to the satisfaction of the Council.

*Use of Site.*

11. A trader shall not without the prior approval, in writing, of the Council use the trading site occupied by him for any purpose other than that for which it was allotted to him by the Council.

*Management of Trade, Business or Profession.*

12. Every trader shall personally carry on his trade, business or profession and supervise the work of his assistants, if any: Provided that the superintendent may permit any trader to be absent for a specified period not exceeding three months during which a substitute approved, in writing, by the superintendent may carry on the trade, business or profession.

*Keeping of Books.*

13. Every trader shall keep proper books in respect of his business transactions in one of the official languages and such books shall be open to inspection by the Council or its duly authorised officers.

*Capital.*

14. Except with the express written approval of the Council, no person shall be allowed by any trader to share in the profits of his trade, business or profession: Provided that this shall not debar such trader from raising a loan in the ordinary course of business.

*Employees.*

15. (1) Any trader may employ, for the purpose of his trade, business or profession, such number of Bantu assistants as may be approved in writing by the superintendent.

(2) Every trader shall submit in writing to the superintendent for approval the name and full particulars of identity of each assistant he wishes to employ, and no such assistant shall commence work for any such trader within the Bantu residential area without such approval being first obtained.

(3) No trader shall engage or employ in the Bantu residential area for the purposes of his trade, business or profession any assistant not approved in writing by the superintendent.

*Skade aan Raad se Geboue en Handelaar se Goedere.*

9. Die Raad is nie ten opsigte van geboue wat deur hom opgerig is vir toekenning aan handelaars aanspreeklik vir skade wat aan die handelaar se voorraad, boeke, papier of ander besittings aangerig is deur reën, wind, hael, weerlig, vloedwater of brand of weens oproer of stakings, of deur die Staat se vyande of deur enige ander oorsaak nie: Met dien verstande dat noodsaaklike herstelwerk aan die betrokke geboue wat deur sodanige oorsake noodsaaklik gemaak is, deur die Raad uitgevoer moet word binne 'n redelike tydperk nadat kennisgewing van die handelaar ontvang is dat sodanige herstelwerk nodig is.

*Omheining en Sanitasie.*

10. 'n Handelaar moet, indien dit deur die Raad vereis word, tot tevredenheid van die Raad die perseel wat hy okkupeer op doeltreffende wyse omhein en daarop voorsiening maak vir toereikende sanitêre geriewe.

*Gebruik van Perseel.*

11. 'n Handelaar mag nie sonder die voorafgaande skriftelike goedkeuring van die Raad die perseel wat hy okkupeer vir enige ander doel gebruik as dié waarvoor dit deur die Raad aan hom toegeken is nie.

*Bestuur van Handel, Besigheid of Beroep.*

12. Elke handelaar moet persoonlik sy handel, besigheid of beroep dryf of uitoefen en toesig hou oor die werk van sy assistente, as daar is: Met dien verstande dat die superintendent 'n handelaar kan toelaat om afwesig te wees vir 'n gegewe tydperk van hoogstens drie maande waartydens 'n plaasvervanger wat skriftelik deur die superintendent goedgekeur is die handel, besigheid of beroep kan dryf of uitoefen.

*Boekhouding.*

13. Elke handelaar moet, in een van die amptelike tale, behoorlike boeke hou ten opsigte van sy besigheidstransaksies, en dié boeke kan deur die Raad of sy behoorlik gemagtigde beamptes nagesien word.

*Kapitaal.*

14. Uitgesonderd met die uitdruklike skriftelike goedkeuring van die Raad, mag 'n handelaar niemand toelaat om in die wins van sy handel, besigheid of beroep te deel nie: Met dien verstande dat dit nie sodanige handelaar verhoed om 'n lening in die gewone loop van besigheid aan te gaan nie.

*Werknemers.*

15. (1) 'n Handelaar kan, vir die doel van sy handel, besigheid of beroep, soveel Bantoe-assistente in diens neem as wat die superintendent skriftelik goedkeur.

(2) Elke handelaar moet die naam en volledige besonderhede van die identiteit van elke assistent wat hy in diens wil neem, aan die superintendent vir goedkeuring voorlê, en 'n assistent mag nie binne die Bantoewoongebied vir sodanige handelaar begin werk sonder dat sodanige goedkeuring eers verkry is nie.

(3) Geen handelaar mag in die Bantoewoongebied vir die doel van sy handel, besigheid of beroep 'n assistent in diens neem of hou wat nie deur die superintendent skriftelik goedgekeur is nie.



*Cleanliness.*

16. (1) Every trader shall take all reasonable steps to ensure that his premises and all utensils and equipment used in his trade, business or profession are at all times in a clean and hygienic condition and that all persons employed on his premises, including himself, are in a proper state of cleanliness and that his trading site is at all times kept clean of trade rubbish and any other nuisance.

(2) If a trader fails to keep his premises clean as provided in subregulation (1) the Council may cause any rubbish to be removed from such site at the expense of such trader.

*Medical Examination of Trader and Employees.*

17. All traders and their assistants shall, when required to do so by the superintendent, submit themselves to medical examination by the medical officer, or at the discretion of the superintendent, by a duly qualified medical practitioner. Such examination shall be free of charge to such trader or assistant if carried out by the medical officer. Any trader or assistant certified by such medical officer or medical practitioner to be suffering from any infectious disease shall be prohibited by the superintendent from being employed on any trading, business or professional site or handling any foodstuffs for sale therein until he has obtained a certificate from such medical officer or practitioner to the effect that he is no longer suffering from such disease.

*Soliciting Orders.*

18. (1) No person shall without the prior approval of the superintendent solicit or attempt to obtain orders within the Bantu residential area for any trade, business or profession not conducted in such Bantu residential area.

(2) The superintendent or any other authorised officer may at any time demand from a person delivering orders in the Bantu residential area a delivery note or particulars of the order and the name and address of the person who ordered the goods.

(3) If any person is found delivering orders in the Bantu residential area and fails, neglects or refuses on demand of the superintendent or an authorised officer to produce a delivery note or to furnish particulars of the order or of the person who ordered the goods, he shall be deemed to solicit or attempt to obtain orders contrary to the provisions of subregulation (1).

*Hawking and Peddling.*

19. No person other than a Bantu duly authorised by the Council and licensed by law shall carry on the trade or business of a hawker or pedlar in the Bantu residential area.

*Disposal of Trading Rights.*

20. (1) Any trader occupying council trading premises shall not dispose of his trading rights in any manner whatsoever.

(2) Any trader not occupying council trading premises may sell his trading rights to the Council or to a person who is approved by the Council and who complies with the provisions of regulation 4 (1) of this Chapter.

*Sindelikheid.*

16. (1) Elke handelaar moet alle redelike stappe doen om seker te maak dat sy perseel en alle gereedskap en uitrusting wat in verband met sy handel, besigheid of beroep gebruik word, te alle tye in 'n skoon en higiëniese toestand is, en dat alle persone wat op sy perseel in diens is, met inbegrip van homself, behoorlik skoon is en dat sy perseel te alle tye skoon gehou word van handelsvullis en enige ander oorlas.

(2) Ingeval 'n handelaar nalaat om sy perseel skoon te hou soos bepaal in subregulasie (1) kan die Raad op koste van sodanige handelaar enige vullis van sodanige perseel laat verwyder.

*Mediese Ondersoek van Handelaar en Werknemers.*

17. Wanneer die superintendent dit verlang, moet alle handelaars en hul assistente hulle aan mediese ondersoek deur die mediese beampte of na goeddunke van die superintendent, deur 'n behoorlik gekwalifiseerde geneesheer onderwerp. Sodanige ondersoek geskied kosteloos vir sodanige handelaar of assistent indien dit deur die mediese beampte uitgevoer word. 'n Handelaar of assistent van wie die mediese beampte of geneesheer sertifiseer dat hy aan 'n aansteeklike siekte ly, moet deur die superintendent verbied word om op enige handels-, besigheids- of beroepsperseel in diens te wees of om eetware vir verkoop daarop te hanteer totdat hy 'n sertifikaat van sodanige mediese beampte of geneesheer verkry het ten effekte dat hy nie meer aan sodanige siekte ly nie.

*Werwing van Bestellings.*

18. (1) Niemand mag binne die Bantoe woongebied, sonder die voorafgaande goedkeuring van die superintendent, vir enige handel, besigheid of beroep wat nie in die Bantoe woongebied gedryf word nie, bestellings werf of probeer verkry nie.

(2) Die superintendent of 'n ander gemagtigde beampte kan te eniger tyd van 'n persoon wat bestellings in die Bantoe woongebied aflewer 'n afleweringsbrief of besonderhede van die bestelling en die naam en adres van die besteller opeis.

(3) Indien 'n persoon in die Bantoe woongebied gevind word besig met die aflewering van bestellings en op aanvraag van die superintendent of gemagtigde beampte versuim, nalaat of weier om 'n afleweringsbrief te toon of besonderhede van die bestelling of die besteller te verstrek, word geag dat hy strydig met die bepalinge van subregulasie (1) bestellings werf of probeer werf.

*Marskramery en Venter.*

19. Geen ander persoon as 'n Bantoe wat behoorlik deur die Raad daartoe gemagtig en by wet gelisensieer is, mag die handel of besigheid van 'n marskramer of venter in die Bantoe woongebied dryf nie.

*Vervreemding van Handelsregte.*

20. (1) 'n Handelaar wat 'n raadshandelsperseel okkupeer, mag nie sy handelsregte op enige wyse vervreem nie.

(2) 'n Handelaar wat nie 'n raadshandelsperseel okkupeer nie kan sy handelsregte verkoop aan die Raad of 'n persoon wat deur die Raad goedgekeur word en wat aan die vereistes van regulasie 4 (1) van hierdie Hoofstuk voldoen.

(3) Any trader whose rights to occupy a trading site have been cancelled in terms of regulation 24 of this Chapter shall have the right, before the date of termination of his right to trade, to sell his buildings in terms of sub-regulation (2). Should he fail, neglect or refuse to avail himself of this right, the buildings shall become the property of the Council: Provided that such trader shall be entitled to compensation to be determined by agreement between him and the Council, or failing agreement, by the Bantu Affairs Commissioner. Should the Council or such trader not be satisfied with the compensation so determined the Council may sell the buildings by public auction to a person who is approved by the Council and who complies with the provisions of regulation 4 (1) of this Chapter.

*Notice by Trader of Termination of Right of Occupation.*

21. Any trader may terminate his right to occupy any trading site in the Bantu residential area for trading, business or professional purposes by giving the superintendent at least 30 days' notice, in writing, of his intention to do so.

*Expiry and Renewal of Right of Occupation.*

22. The right to carry on any trade, business or profession and to occupy any trading site in terms of the provisions of this Chapter, shall expire on the 31st day of December in each and every year, but may upon application by the trader not less than two months before that date, be renewed by the Council: Provided that such trader—

- (i) shall be a fit and proper person;
- (ii) shall be lawfully resident in the Bantu residential area;
- (iii) shall have paid his rental and all fees and other charges due to the Council up to and including 31st October of the year in which application for such renewal is made;
- (iv) shall comply with the conditions and requirements specified in regulation 4 of this Chapter; and
- (v) shall satisfy the superintendent that he is financially able to continue his trade, business or profession.

*Rentals.*

23. Every trader to whom a site is allotted in terms of regulations 1 and 2 of this Chapter shall, on allotment and thereafter monthly in advance on or before the seventh day of every calendar month, pay such amounts as may be prescribed therefor including the rental and fees for water, sanitary and other services rendered by the Council.

*Termination by Council of Right of Occupation.*

24. (1) Should any trader—

- (a) be convicted of an offence referred to in the First Schedule to the Criminal Procedure Act, 1955 (Act No. 56 of 1955);
- (b) be convicted twice of a contravention of these regulations;
- (c) be convicted of a contravention of section 113 of the Public Health Act, 1919 (Act No. 36 of 1919);
- (d) be convicted of a contravention of any law relating to the sale, supply, possession or transportation of dagga, any other habit-forming drug, intoxicating liquor or Bantu beer;
- (e) die, or be declared to be of unsound mind by a competent court;

(3) 'n Handelaar wie se regte om 'n handelsperseel te okkupeer, ingetrek is ingevolge regulasie 24 van hierdie Hoofstuk kan, voor die datum van beëindiging van sy handelsregte, sy geboue ingevolge subregulasie (2) verkoop. Indien hy nalaat, versuim of weier om hierdie reg uit te oefen, word die geboue die eiendom van die Raad: Met dien verstande dat sodanige handelaar geregtig is op vergoeding wat deur middel van ooreenkoms tussen hom en die Raad, of by gebreke van ooreenkoms, deur die Bantoesakekommissaris bepaal word. Indien die Raad of sodanige handelaar nie tevrede is met die vergoeding aldus bepaal nie, kan die Raad die geboue per openbare veiling verkoop aan 'n persoon wat deur die Raad goedgekeur word en wat aan die vereistes van regulasie 4 (1) van hierdie Hoofstuk voldoen.

*Kennisgewing deur Handelaar dat Reg op Okkupasie Beëindig word.*

21. 'n Handelaar kan sy reg op okkupasie van 'n handelsperseel in die Bantoeengebied vir handels-, besigheids- of beroepsdoeleindes beëindig deur die superintendent minstens 30 dae van sy voorneme om dit te doen skriftelik in kennis te stel.

*Verval en Hernuwing van Reg op Okkupasie.*

22. Die reg om ooreenkomstig die bepalinge van hierdie Hoofstuk enige handel, besigheid of beroep te dryf of uit te oefen en om 'n perseel te okkupeer, verval op die 31ste dag van Desember in elke jaar maar moet deur die Raad hernuwe word as die handelaar minstens twee maande voor dié datum, daarom aansoek doen: Met dien verstande dat sodanige handelaar—

- (i) 'n geskikte persoon is;
- (ii) wettiglik in die Bantoeengebied woonagtig is;
- (iii) sy huurgeld en alle gelde en ander vorderings aan die Raad verskuldig tot en met 31 Oktober van die jaar waarin om die hernuwing aansoek gedoen word, betaal het;
- (iv) aan die voorwaardes en vereistes gestel in regulasie 4 van hierdie Hoofstuk voldoen; en
- (v) die superintendent oortuig dat hy finansiëel in staat is om met sy handel, besigheid of bedryf voort te gaan.

*Huurgelde.*

23. Elke handelaar aan wie 'n perseel kragtens regulasies 1 en 2 van hierdie Hoofstuk toegeken word, moet sodanige bedrae as wat daarvoor voorgeskryf is met inbegrip van huurgeld en gelde vir water, sanitêre en ander dienste deur die Raad gelewer, by toekenning en daarna maandeliks op of voor die sewende dag van elke kalendermaand vooruitbetaal.

*Beëindiging deur Raad van Reg op Okkupasie.*

24. (1) As 'n handelaar—

- (a) weens 'n misdryf in die Eerste Bylae van die Strafproseswet, 1955 (Wet No. 56 van 1955), genoem, skuldig bevind word;
- (b) twee maal weens oortreding van hierdie regulasies skuldig bevind word;
- (c) weens oortreding van artikel 113 van die Volksgezondheidswet, 1919 (Wet No. 36 van 1919), skuldig bevind word;
- (d) skuldig bevind word aan 'n oortreding van enige wet betreffende die verkoop, verskaffing, besit of vervoer van dagga of enige ander gewoontevormende middels bedwelmende drank of Bantoebier;
- (e) sterf, of volgens die verklaring van 'n bevoegde hof nie by sy volle verstand is nie;



(f) refuse or neglect, after being required by the superintendent in terms of regulation 17 of this Chapter to do so, to submit himself to medical examination by the medical officer or any other qualified medical practitioner;

(g) sell or deliver merchandise or produce to non-Bantu persons resident outside the Bantu residential area;

(h) be 30 days in arrear with the payment of rental payable in terms of regulation 23 of this Chapter;

(i) have acquired a trading site permit by making a false, incorrect or misleading statement which is relevant to the issue of such permit;

(j) be absent from his trade, business or profession for a period in excess of three months;

(k) fail to obtain the necessary trading licence or approval authorising him to carry on his trade, business or profession on the site allotted to him;

(l) be required to leave the Bantu residential area in terms of any of the regulations of Chapter 2 of these regulations;

(m) having received written notice from the superintendent to repair, paint, whitewash or disinfect the inside of any building or structure on the trading site allotted to him, fail, neglect or refuse to carry out such instruction within three months of the date of receipt of such notice;

(n) be no longer entitled to remain in the prescribed area in terms of section 10 of the Act,

the Council may, on giving 30 days' notice of its intention to do so, cancel his right to carry on any business, trade or profession on any site in the Bantu residential area: Provided that in the circumstances referred to in paragraph (e) such notice shall be given to the executor, curator or trustee.

(2) In the event of the insolvency of a trader occupying council trading premises or the sequestration of his estate or the attachment of his right to trade or stock-in-trade, his right to occupy such premises and to carry on his trade, business or profession shall *ipso facto* be cancelled. He shall thereupon arrange for the removal of his stock-in-trade and other effects and hand over the keys of the buildings to the superintendent.

(3) In the event of the insolvency of a trader not occupying council trading premises or the sequestration of his estate or the attachment of his premises, right to trade or stock-in-trade, his right to carry on his trade, business or profession shall *ipso facto* be cancelled: Provided that he or the person entitled by law to administer his estate shall have the right to exercise within one month the right to sell the buildings as set out in regulation 20 (2) and 20 (3) of this Chapter.

(4) On cancellation of the right to trade or carry on a business or profession as set out in subregulations (1), (2) and (3), such trader and all persons who claim to be in occupation through or under him shall forthwith vacate the trading site and deliver the keys of any buildings thereon to the superintendent, but such cancellation shall not affect the right reserved to the Council to recover all rents, charges and other moneys due calculated up to and including the date of such cancellation.

(f) weier of nalaat om hom aan 'n mediese ondersoek deur die mediese beampte of 'n ander gekwalifiseerde geneesheer te onderwerp nadat die superintendent dit ingevolge regulasie 17 van hierdie Hoofstuk van hom verlang het;

(g) handelsware of produkte verkoop of aflewer aan nie-Bantoeperone woonagtig buite die Bantoewoongebied;

(h) 30 dae agterstallig is met die betaling van huur-geld wat ingevolge regulasie 23 van hierdie Hoofstuk betaalbaar is;

(i) 'n handelsperseelpermit verkry deur 'n valse, onjuiste of misleidende verklaring te doen wat in verband met die toekenning van sodanige permit van belang is;

(j) van sy handel, besigheid of beroep vir 'n tydperk van langer as drie maande afwesig is;

(k) in gebreke bly om die vereiste handelslisensie of goedkeuring te verkry om hom in staat te stel om sy handel, besigheid of beroep op die perseel aan hom toegeken, te dryf of uit te oefen;

(l) ingevolge enige van die regulasies van Hoofstuk 2 van hierdie regulasies die Bantoewoongebied moet verlaat;

(m) skriftelike kennisgewing van die superintendent ontvang om die binnekant van 'n gebou of bouwerk op die handelsperseel aan hom toegeken, te herstel, te verf, te wit, te ontsmet, en in gebreke bly, nalaat of weier om binne drie maande na die datum van ontvangs van sodanige kennisgewing en sonder gegronde rede sodanige opdrag uit te voer;

(n) nie meer geregtig is om in die voorgeskrewe gebied ingevolge artikel 10 van die Wet te bly nie,

kan die Raad, na kennisgewing van 30 dae van sy voorneme om dit te doen, sy reg om enige handel, besigheid of beroep op enige perseel in die Bantoewoongebied te dryf, intrek: Met dien verstande dat onder die omstandighede in paragraaf (e) genoem, dié kennis aan die eksekuteur, kurator of trustee gegee moet word.

(2) As 'n handelaar wat 'n raadshandelsperseel okkupeer bankrot speel of sy boedel laat sekwestreer of indien op sy reg om handel te dryf of op sy bedryfsvoorraad beslag gelê word, word sy reg om sodanige perseel te okkupeer en sy handel, besigheid of beroep te dryf of uit te oefen *ipso facto* ingetrek. Hy moet dan reël dat sy bedryfsvoorraad en ander besittings verwyder word en moet die sleutels van die geboue aan die superintendent oorhandig.

(3) As 'n handelaar wat nie 'n raadshandelsperseel okkupeer nie bankrot speel of sy boedel laat sekwestreer, of indien op sy perseel, reg om handel te dryf of sy bedryfsvoorraad beslag gelê word, word sy reg om sy handel, besigheid of beroep te dryf, of uit te oefen *ipso facto* ingetrek: Met dien verstande dat hy of die persoon wat by wet geregtig is om sy boedel te beredder, geregtig is om die geboue binne een maand ingevolge regulasie 20 (2) en 20 (3) van hierdie Hoofstuk, te verkoop.

(4) By die intrekking van die reg om handel of besigheid te dryf of 'n beroep uit te oefen ingevolge subregulasies (1), (2) en (3), moet sodanige handelaar en alle persone wat beweer dat hulle deur of onder hom in okkupasie is, onverwyld die handelsperseel ontruim en die sleutels van enige geboue daarop aan die superintendent oorhandig maar sodanige intrekking raak nie die reg wat aan die Raad voorbehou word om alle huurgelde, vorderings en ander gelde bereken en verskuldig tot en met op die datum van sodanige intrekking, te verhaal nie.

*Offences and Penalties.*

25. (1) Any person who—

(a) contravenes or fails to comply with the provisions of regulation 2 (1), 4 (2), 7, 10, 11, 12, 13, 14, 15 (2) or (3), 16 (1), 18 (1), 19, 20 (1) or 23, all of this Chapter;

(b) being a trader occupying a building owned by the Council, fails to maintain such building in a good state of repair and cleanliness as in regulation 8 of this Chapter provided;

(c) being a trader or an assistant of a trader prohibited by the superintendent in terms of regulation 17 of this Chapter from being employed on any trading or business site or handling any foodstuffs for sale therein until he has obtained a certificate from the medical officer or a medical practitioner to the effect that he is no longer suffering from any infectious disease, nevertheless works in any trading or business premises or handles any foodstuffs for sale therein before he has obtained such certificate;

(d) being a trader, carries on trade out of the hours prescribed in regulation 6 of this Chapter;

(e) being a trader carries on or permits to be carried on a trade, profession or business on his trading site other than that for which the premises were allotted in terms of these regulations;

(f) being a trader, sells or permits to be sold on his trading premises goods other than those he is permitted to sell in terms of these regulations; or

(g) being a trader, fails or neglects to vacate the trading site on cancellation of his right to carry on his business, trade or profession in terms of these regulations,

shall be guilty of an offence and liable on conviction to the penalties prescribed in section 44 of the Act.

(2) The court on convicting any trader in terms of subregulation (1) (g) may, in addition to any other penalty it may impose, make an order for the ejection of such trader from the trading site together with his assistants and all persons claiming occupation through him.

CHAPTER 4.

*Dangerous Weapons.*

1. Any Bantu who carries a firearm, knobkerrie, flick-knife or any other dangerous weapon in the Bantu residential area shall be guilty of an offence unless he is able to prove that such firearm, knobkerrie, flick-knife or weapon is required by him for a lawful purpose.

2. For the purposes of regulation 1 of this Chapter "dangerous weapon" has the meaning assigned thereto by section 10 (3) of the General Law Amendment Act, 1949 (Act No. 54 of 1949).

3. Any person convicted of a contravention of regulation 1 of this Chapter shall be liable to the penalties prescribed in section 44 of the Act.

4. A court convicting any person of a contravention of regulation 1 of this Chapter may, in addition to any other penalty, order the confiscation of the firearm, knobkerrie, flick-knife or weapon in respect of which such person is convicted.

*Misdrywe en Strafbepalings.*

25. (1) Iemand wat—

(a) die bepalinge van regulasie 2 (1), 4 (2), 7, 10, 11, 12, 13, 14, 15 (2) of (3), 16 (1), 18 (1), 19, 20 (1) of 23, almal van hierdie Hoofstuk, oortree of in gebreke bly om daaraan te voldoen;

(b) 'n handelaar is en 'n gebou wat die eiendom van die Raad is, okkupeer en wat versuim om dit in 'n goeie toestand en skoon te hou soos bepaal in regulasie 8 van hierdie Hoofstuk;

(c) 'n handelaar of 'n assistent van 'n handelaar is en wat nadat hy ingevolge regulasie 17 van hierdie Hoofstuk deur die superintendent verbied is om op 'n handels- of besigheidperseel, in diens te wees of om eetware vir verkoop daarop te hanteer totdat hy 'n sertifikaat van die mediese beampte of 'n geneesheer verkry het ten effekte dat hy nie meer aan 'n aansteeklike siekte ly nie, nogtans op 'n handels- of besigheidperseel werk of eetware vir verkoop daarop hanteer voordat hy sodanige sertifikaat verkry het;

(d) 'n handelaar is en buite die voorgeskrewe ure vermeld in regulasie 6 van hierdie Hoofstuk handel dryf;

(e) 'n handelaar is en handel of besigheid dryf of 'n beroep uitoefen, of toelaat dat handel, besigheid of 'n beroep op sy handelsperseel gedryf of uitgeoefen word uitgesonderd die ten opsigte waarvan die perseel ingevolge hierdie regulasies aan hom toegeken is;

(f) 'n handelaar is en goedere, uitgesonderd dié wat hy toegelaat is om te verkoop ingevolge hierdie regulasies, op sy handelsperseel verkoop of toelaat dat dit verkoop word; of

(g) 'n handelaar is en nalaat of versuim om die handelsperseel te ontruim by intrekking van sy reg om kragtens hierdie regulasies sy handel, besigheid of beroep te dryf of uit te oefen,

begaan 'n misdryf en is by skuldigbevinding strafbaar met die strawwe wat in artikel 44 van die Wet voorgeskryf word.

(2) Die Hof kan, by skuldigbevinding van 'n handelaar ingevolge subregulasie (1) (g), benewens enige ander straf wat hy oplê, 'n bevel uitreik vir die uitsetting van sodanige handelaar saam met sy assistente en alle persone wat deur hom okkupasie eis, van die handelsperseel.

HOOFSTUK 4.

*Gevaarlike Wapens.*

1. 'n Bantoe wat 'n vuurwapen, knopkerrie, springmes of enige ander gevaarlike wapen in die Bantoewoongebied dra, begaan 'n misdryf, tensy hy kan bewys dat hy sodanige vuurwapen, knopkerrie, springmes of ander wapen vir 'n wettige doel nodig het.

2. Vir die toepassing van regulasie 1 van hierdie Hoofstuk het „gevaarlike wapen” die betekenis wat by artikel 10 (3) van die Algemene Regswysigingswet, 1949 (Wet No. 54 van 1949), daaraan geheg word.

3. 'n Persoon wat weens 'n oortreding van regulasie 1 van hierdie Hoofstuk skuldig bevind word, is strafbaar met die strawwe wat in artikel 44 van die Wet voorgeskryf word.

4. 'n Hof wat 'n persoon skuldig bevind weens 'n oortreding van regulasie 1 van hierdie Hoofstuk kan, benewens enige ander straf, gelas dat beslag gelê word op die vuurwapen, knopkerrie, springmes of wapen ten opsigte waarvan sodanige persoon skuldig bevind is.



## CHAPTER 5.

## COMMUNAL HALLS AND RECREATIONAL GROUNDS.

*Application.*

1. The regulations in this Chapter shall apply to any hall or recreational ground provided by the Council for the use of the residents of the Bantu residential area.

*Application for Hire.*

2. Any person desiring to hire a hall or recreational ground shall make application therefor to the superintendent and shall furnish such particulars as may be required from time to time.

*Grant of Application.*

3. The granting of any application for the hire of a hall or recreational ground and the right of admission shall be in the sole and absolute discretion of the Council: Provided that the Council may authorise the manager or superintendent or other employee to grant applications.

*Tariff for Hire.*

4. (1) The tariff for the hire of a hall or recreational ground shall be as determined by the Council from time to time.

(2) The superintendent may, in his discretion, require from any hirer a deposit as determined by the Council by resolution to indemnify the Council against any loss or damage.

*Responsibility of Hirer.*

5. Every hirer shall at the expiry of the period of hire—

(a) leave the hall or recreational ground in a clean, tidy and sanitary condition;

(b) remove any furniture or appliance brought therein or thereon by him or on his behalf during the period of hire;

(c) replace and rearrange any furniture, appliances or like fittings forming part of the normal equipment of the hall or recreational ground and removed therefrom or displaced by him during the period of hire; and

(d) make good any damage to the hall or recreational ground or to the fixtures, furniture or appliances therein or thereon or fences on the premises caused during and arising out of the hiring.

*Furniture and Appliances.*

6. Every hirer shall ensure that all furniture or appliances are removed or replaced and rearranged and the hall or recreational ground cleared before the time stipulated by the superintendent.

*Good Conduct of Persons Using the Hall or Recreational Ground.*

7. Every hirer shall be responsible for the good conduct and orderliness of all persons allowed on the premises or recreational ground in the period of hire and shall take reasonable steps to ensure that such persons are of good and orderly conduct during such period.

*Council not Liable for Any Damage.*

8. The Council shall not accept any responsibility or liability for any damage to or loss of any property, articles, or things placed or left in the hall or on the premises or recreational ground or for any injury to any person or the clothing of such person entering the hall or recreational ground or making use of the equipment

## HOOFSTUK 5.

## GEMEENSKAPSALE EN ONTSPANNINGS-TERREINE.

*Toepassing.*

1. Die regulasies in hierdie Hoofstuk is van toepassing op 'n saal of ontspanningsterrein wat deur die Raad vir die gebruik van die inwoners van die Bantoewoongebied verskaf word.

*Aansoek om Huur.*

2. 'n Persoon wat 'n saal of ontspanningsterrein wil huur, moet by die superintendent daarom aansoek doen en sodanige besonderhede verstrek as wat van tyd tot tyd nodig is.

*Toestaan van Aansoek.*

3. Die Raad besluit geheel en al na goeie dinge of hy 'n aansoek om die huur van 'n saal of ontspanningsterrein of die reg van toegang sal toestaan: Met dien verstande dat die Raad die bestuurder of superintendent of ander werknemer kan magtig om aansoeke toe te staan.

*Huurgelde.*

4. (1) Die tarief vir die huur van 'n saal of ontspanningsterrein is soos van tyd tot tyd deur die Raad bepaal.

(2) Die superintendent kan, na goeie dinge, van 'n huurder 'n deposito soos deur die Raad by besluit bepaal, invorder ten einde die Raad te vrywaar teen verlies of skade.

*Verantwoordelikheid van Huurder.*

5. Elke huurder moet by die verstryking van die huurtydperk—

(a) die saal of ontspanningsterrein in 'n sindelike, netjiese en sanitêre toestand laat;

(b) meubels wat tydens die huurtydperk deur hom of namens hom daarin of daarop gebring word, verwyder;

(c) meubels, toestelle of dergelyke toebehore wat deel uitmaak van die normale uitrusting van die saal of ontspanningsterrein en wat tydens die huurtydperk deur hom daaruit verwyder of verplaas is, teruggesit en herrangskik; en

(d) enige skade aan die saal of die vaste toebehore of meubels of toestelle daarin of daarop of heinings op die perseel wat tydens en as gevolg van die huur ontstaan het, vergoed.

*Meubels en Toestelle.*

6. Elke huurder moet toesien dat alle meubels of toestelle voor die tyd vasgestel deur die superintendent verwyder of teruggesit en herrangskik word en die saal of ontspanningsterrein skoongemaak word.

*Goeie Gedrag van die Persone wat die Saal of Ontspanningsterrein Gebruik.*

7. Elke huurder is verantwoordelik vir die goeie gedrag en ordelikheid van alle persone wat tydens die huurtydperk op die perseel of ontspanningsterrein toegelaat word en moet redelike stappe doen om te verseker dat sodanige persone hulle goed en ordelik tydens sodanige tydperk gedra.

*Raad nie Aanspreeklik vir Skade nie.*

8. Die Raad aanvaar geen verantwoordelikheid of aanspreeklikheid nie ten opsigte van skade aan of verlies van eiendom, artikels of dinge wat in die saal of op die perseel of op die ontspanningsterrein geplaas of gelaat word, of ten opsigte van die besering van 'n persoon of skade aan die kleres van sodanige persoon wat die saal of ontspanningsterrein betree of gebruik maak van die uitrusting in

in the hall or recreational ground hired, unless such damage, loss or injury shall have been caused by the wilful act or negligence of the Council or its officials.

*Council not Responsible for Defective Machinery.*

9. The Council shall not be liable for any loss to the hirer in consequence of failure of or defect in the machinery, appliances or installations for lighting the hall or recreational ground, or failure of or defect in any other machinery, appliances or installations, unless caused by the wilful act or neglect of the Council or its officials.

*Entering of Hall or Recreational Ground.*

10. The manager, superintendent, authorised officer or authorised employee of the Council or any member of the South African Police may enter the hall or recreational ground at any time.

*Decorations.*

11. No hirer shall affix any decorations without the consent of the superintendent.

*Council Employees to Manipulate Electric Lighting Appliances.*

12. Electric lighting and other electrical appliances shall be manipulated only by the superintendent or some other official appointed by him.

*Council May Demand Private View of Exhibition.*

13. The Council shall reserve the right, before any exhibition, performance, entertainment or bioscope show is publicly shown, to demand in writing a private view thereof in order to determine whether it is suitable for public showing. If such demand is made the hirer shall not, until such time as the manager has notified in writing his consent to such public showing, proceed with such showing.

*Termination of Hire.*

14. The superintendent may terminate any hire at any time for any of the following reasons:—

(a) Where a breach of these regulations has been committed by the hirer;

(b) where damage has been or is likely to be done to the hall or the recreational ground, or any of its fixtures, furniture or fittings; or

(c) where a gathering which is to be held in the hall is prohibited in terms of regulation 26 (4) of Chapter 2 of these regulations.

*Offences and Penalties.*

15. Any person who—

(a) contravenes or fails to comply with the provisions of regulations 6 and 11 of this Chapter;

(b) refuses to allow any of the officers or officials referred to in regulation 10 of this Chapter to enter the hall or recreational ground or obstructs any of the said officers or officials in the execution of their lawful duty;

(c) not being the superintendent or other official appointed by him, manipulates the electric lighting and other electrical appliances contrary to regulation 12 of this Chapter; or

(d) being the hirer fails to vacate the hall or ground on the expiry of the period of hire,

shall be guilty of an offence and on conviction liable to the penalties prescribed in section 44 of the Act.

die gehuurde saal of ontspanningsterrein, tensy sodanige skade, verlies of besering veroorsaak is deur moedswillige optrede of nalatigheid van die Raad of sy amptenare.

*Raad nie Aanspreeklik vir Gebrekkige Masjinerie nie.*

9. Die Raad aanvaar geen aanspreeklikheid vir enige verlies aan die huurder as gevolg van 'n onderbreking van of defek aan die masjinerie, toestelle of installasies vir die verligting van die saal of ontspanningsterrein, of onderbreking van of defek aan enige ander masjinerie, toestelle of installasies nie, tensy dit veroorsaak is deur moedswillige optrede of nalatigheid van die Raad of sy amptenare.

*Betreding van Saal of Ontspanningsterrein.*

10. Die bestuurder, superintendent, 'n gemagtigde beampte of 'n gemagtigde werknemer van die Raad of 'n lid van die Suid-Afrikaanse Polisie kan die saal of ontspanningsterrein te eniger tyd betree.

*Versierings.*

11. 'n Huurder mag nie sonder die toestemming van die superintendent versierings aanbring nie.

*Raad se Werknemers moet Elektriese Verligingstoestelle Hanteer.*

12. Elektriese verligtings- en ander elektriese toestelle mag slegs deur die superintendent of 'n ander amptenaar wat hy aanstel, hanteer word.

*Raad kan Private Besigtiging van Vertonings Vereis.*

13. Die Raad behou hom die reg voor om skriftelik 'n private besigtiging van 'n voorstelling, opvoering, vermaaklikheid of bioskoopvertoning te vereis voordat dit aan die publiek vertoon word ten einde vas te stel of dit vir publieke vertoning geskik is. As sodanige vereiste gestel word, mag die huurder tot tyd en wyl die bestuurder sy skriftelike toestemming tot sodanige publieke vertoning verleen het, nie met sodanige vertoning voortgaan nie.

*Opsegging van Huur.*

14. Die superintendent kan enige huur te eniger tyd om enige van die volgende redes opse:—

(a) Waar hierdie regulasies deur die huurder oortree is;

(b) waar skade aan die saal of ontspanningsterrein of vaste toebehore, meubels of ander toebehore daarin berokken is of moontlik berokken sal word; of

(c) waar 'n vergadering wat in die saal gehou staan te word, kragtens regulasie 26 (4) van Hoofstuk 2 van hierdie regulasies verbied word.

*Misdrywe en Strafbepalings.*

15. Iemand wat—

(a) die bepalinge van regulasie 6 en 11 van hierdie Hoofstuk oortree of in gebreke bly om daaraan te voldoen;

(b) weier om enige van die beamptes of amptenare in regulasie 10 van hierdie Hoofstuk genoem, toe te laat om die saal of ontspanningsterrein te betree of enige van genoemde beamptes of amptenare in die uitvoering van hulle wettige plig hinder;

(c) nie die superintendent of ander amptenaar deur hom aangestel, is nie en wat die elektriese verligtings- en ander elektriese toestelle strydig met regulasie 12 van hierdie Hoofstuk hanteer; of

(d) 'n huurder is en in gebreke bly om die saal of ontspanningsterrein na verstryking van die huurtydperk te ontruim,

begaan 'n misdryf en is by skuldigebevinding strafbaar met die straffe in artikel 44 van die Wet voorgeskryf.



## CHAPTER 6. ANIMALS.

### *Keeping of Animals.*

1. Notwithstanding the provisions of any other law regarding the keeping and grazing of livestock within the urban area, no resident of the Bantu residential area shall keep or maintain in or introduce into such residential area any animal, unless he has obtained written permission to keep such animal from the superintendent. Such permission may be granted where—

- (a) a commonage has been provided;
- (b) the owner of such animal is the holder of a site or residential permit or a grantee under these regulations;
- (c) such animal is kept in a camp, kraal, shed or building assigned or approved by the superintendent.

### *Register of Livestock.*

2. (1) The superintendent shall cause all information furnished in terms of regulation 5 of this Chapter to be entered in a register of livestock in a suitable form. Any livestock reflected in the register of livestock shall be deemed to be registered.

(2) The superintendent shall forthwith issue to the holder of the site or residential permit or grantee concerned a document setting out details of the animal registered in the name of such holder or grantee in terms of subregulation (1).

(3) Any unregistered livestock found in the Bantu residential area, the arrival of which has not been reported to the superintendent, may be seized and impounded by the superintendent or some other official or employee of the Council, whereupon such stock shall be dealt within the same manner as any animals impounded or destroyed in accordance with the Council's pound regulations.

### *Erection of Kraals.*

3. The Council may assign any place or places on the commonage and outside the Bantu residential area for the erection of kraals, camps, sheds or buildings for the keeping of such livestock as may be the property of the residents of the Bantu residential area and may make such orders as may be necessary and reasonable for the proper regulation thereof.

### *Impounding and Destruction of Livestock.*

4. (1) Any livestock found straying or unattended at any time in any street or public place in the Bantu residential area may be impounded by the superintendent or some other authorised employee of the Council and such livestock shall thereafter be dealt with in the same manner as any animals impounded or destroyed in accordance with the Council's pound regulations.

(2) Any dog found straying at any time in any street or public place in the Bantu residential area may be destroyed by the superintendent or some other authorised employee of the council.

### *Furnishing of Information.*

5. For the purpose of enabling the superintendent to keep any register required by these regulations, it shall be the duty of every resident of the Bantu residential area to give the superintendent such information as he may require.

## HOOFSTUK 6. DIERE.

### *Aanhou van Diere.*

1. Ondanks die bepalings van enige ander wet met betrekking tot die aanhou en wei van vee of diere binne die stadsgebied, mag geen inwoner van die Bantoewoongebied 'n diere in sodanige woongebied aanhou of onderhou of inbring nie, tensy hy 'n skriftelike vergunning om sodanige diere aan te hou van die superintendent verkry het. Sodanige skriftelike vergunning kan verleen word waar—

- (a) 'n meent verskaf is;
- (b) die eienaar van sodanige diere die houer van 'n perseel- of woonpermit of 'n sertifikaahtouer is kragtens die regulasies;
- (c) sodanige diere in 'n kamp, kraal, afdak of gebou deur die superintendent aangewys of goedgekeur, aangehou word.

### *Veeregister.*

2. (1) Die superintendent moet alle inligting wat ooreenkomstig regulasie 5 van hierdie Hoofstuk verstrekkend word, in 'n geskikte vorm laat aanteken in 'n veeregister. Vee wat in die veeregister aangegee word, word as geregistreer beskou.

(2) Die superintendent moet onverwyld aan die betrokke houer van 'n perseel- of woonpermit of die betrokke sertifikaahtouer 'n dokument uitreik waarin besonderhede van die diere wat ooreenkomstig subregulasie (1) op naam van sodanige houer geregistreer is, uiteengesit word.

(3) Vee wat in die Bantoewoongebied aangetref word en wat nie geregistreer is of waarvan die aankoms nie by die superintendent aangemeld is nie, kan deur die superintendent of ander amptenaar of werknemer van die Raad in beslag geneem word en daarna moet met sodanige vee op dieselfde wyse gehandel word as met diere wat ooreenkomstig die Raad se skutregulasies geskut of vernietig word.

### *Oprigting van Krale.*

3. Die Raad kan 'n plek of plekke op die meent en buitekant die Bantoewoongebied aanwys vir die oprigting van krale, kampe, afdakke of geboue waarin vee wat die eiendom van die inwoners van die Bantoewoongebied is, aangehou kan word, en kan die bevels uitvaardig wat nodig en redelik is vir die behoorlike reëling daarvan.

### *Skut en Vernietiging van Vee.*

4. (1) Enige diere wat te eniger tyd in 'n straat of openbare plek in die Bantoewoongebied los rondloop of sonder wagter is, kan deur die superintendent of 'n ander gemagtigde werknemer van die Raad geskut word, en daarna moet met sodanige diere op dieselfde wyse gehandel word as met enige diere wat ooreenkomstig die Raad se skutregulasies geskut of vernietig word.

(2) 'n Hond wat te eniger tyd in 'n straat of openbare plek in die Bantoewoongebied los rondloop kan deur die superintendent of 'n ander gemagtigde werknemer van die Raad vernietig word.

### *Verstreking van Inligting.*

5. Ten einde die superintendent in staat te stel om 'n register te hou wat by hierdie regulasies vereis word, is dit die plig van elke inwoner van die Bantoewoongebied om aan die superintendent die inligting te verstrek wat hy verlang.

### *Animal Diseases.*

6. If any animal, whether or not such animal be registered in terms of these regulations, suffers from or dies in the urban area of glanders, lung-sickness, rinderpest or any infectious disease to which the Animal Diseases and Parasites Act, 1956 (Act No. 13 of 1956) or any similar law in force applies, or may hereafter apply, the owner of such animal or the person under whose control such animal is, or, in the absence of such person, the holder of the site or residential permit or the grantee on whose site or in whose dwelling the owner or person in charge of such animal normally resides, shall forthwith report the occurrence to the superintendent in addition to any other authorities as may be required by law.

### *Round-up of Livestock.*

7. The manager may, at such times and places as he may deem necessary, cause a round-up to be made for inspection purposes of all livestock belonging to the residents of the Bantu residential area.

### *Provision of Camps.*

8. (1) The Council may reserve and fence off such portions of the commonage as may be deemed desirable and establish a special camp or camps for the grazing of the livestock of the residents of the Bantu residential area. The Council may, by resolution, determine from time to time the number and kind of livestock which may graze in any of the camps so established.

(2) Every person keeping animals in any shelter, building, poultry house or dovecote shall—

(a) keep such enclosures clean and free from decayed food, vermin or filth of any kind;

(b) disinfect or de-verminise such enclosure from time to time or when instructed to do so by the superintendent.

### *Grazing Fees.*

9. Any grazing fees prescribed by the Council shall be payable in advance on or before the seventh day of each month by every person in whose name livestock is registered or should according to these regulations be registered.

### *Offences and Penalties.*

10. Any person who—

(a) contravenes or fails to comply with the provisions of regulations 6, 8 (2) or 9 of this Chapter;

(b) keeps any livestock in the Bantu residential area in any place other than a kraal, camp, shed or building approved by the superintendent for the keeping of livestock;

(c) fails, neglects or refuses without reasonable cause when requested by the superintendent or any person authorised by the superintendent, to furnish such information as may be required of him in terms of regulation 5 of this Chapter or wilfully furnishes any false, incorrect or misleading information;

(d) fails, neglects or refuses without reasonable cause to produce his livestock or any livestock under his control for inspection purposes at the time and place notified to him by the manager or any person authorised by the manager;

(e) keeps any livestock contrary to the provisions of these regulations, shall be guilty of an offence and liable on conviction to the penalties prescribed in section 44 of the Act.

### *Dieresiektes.*

6. Indien 'n dier, ongeag of sodanige dier ooreenkomstig hierdie regulasies geregistreer is of nie, in die stadsgebied aan droes, longsiekte, runderpes of 'n aansteeklike siekte waarop die Wet op Dieresiektes en -parasiëte, 1956 (Wet No. 13 van 1956), of 'n dergelike wet wat van toepassing is of hierna van toepassing word, ly of vrek, moet die eienaar van sodanige dier of die persoon onder wie se beheer sodanige dier is of, in die afwesigheid van sodanige persoon, die houër van die perseel- of woon-permit of die sertifikaathouër op wie se perseel of in wie se woning die eienaar of persoon wat beheer oor sodanige dier het, gewoonlik woon, die voorval dadelik by die superintendent aanmeld, asook by enige ander owerhede soos by wet vereis.

### *Bymekaarmaak van Vee.*

7. Die bestuurder kan op dié tye en plekke wat hy nodig ag, alle vee wat aan die inwoners van die Bantoe-woongebied behoort, vir inspeksiedoeleindes laat bymekaarmaak.

### *Verskaffing van Kampe.*

8. (1) Die Raad kan gedeeltes van die meent wat hy raadsaam ag, uithou en afkamp en 'n spesiale kamp of kampe maak vir die wei van die vee van inwoners van die Bantoe-woongebied. Die Raad kan van tyd tot tyd by besluit die getal en soort vee bepaal wat in enige van die kampe wat aldus gemaak is, mag wei.

(2) Elke persoon wat diere aanhou in enige skuiling, gebou, hoenderhok of duiwehok moet—

(a) sodanige ingesluite ruimte skoon hou van verrot-tende voedsel, ongedierte of vullis van enige aard;

(b) sodanige ingesluite ruimte van tyd tot tyd wanneer daartoe gelas deur die superintendent, ontsmet of van ongedierte suiwer.

### *Weigelde.*

9. Weigelde voorgeskryf deur die Raad, is op of voor die sewende dag van elke maand vooruitbetaalbaar deur elke persoon op wie se naam vee geregistreer is of ooreenkomstig hierdie regulasies geregistreer moet wees.

### *Misdrywe en Strafbepalings.*

10. Iemand wat—

(a) die bepalinge van regulasies 6, 8 (2) of 9 van hierdie Hoofstuk oortree of in gebreke bly om daaraan te voldoen;

(b) vee in die Bantoe-woongebied aanhou op 'n ander plek as in 'n kraal, kamp, afdak of gebou wat deur die superintendent vir die aanhou van vee goedgekeur is;

(c) sonder gegronde rede versuim, nalaat of weier om, wanneer hy deur die superintendent of 'n persoon gemagtig deur die superintendent daarom versoek word, die inligting te verstrek wat ooreenkomstig regulasie 5 van hierdie Hoofstuk van hom verlang word op opsetlik valse, onjuiste of misleidende inligting verstrek;

(d) sonder gegronde rede versuim, nalaat of weier om sy vee of enige vee onder sy beheer vir inspeksiedoeleindes te bring op die tyd en plek wat die bestuurder of 'n persoon wat deur die bestuurder gemagtig is, aan hom meegedeel het;

(e) vee strydig met die bepalinge van hierdie regulasies aanhou,

begaan 'n misdryf en is by skuldigbevinding strafbaar met die strawwe wat in artikel 44 van die Wet voorgeskryf word.



## CHAPTER 7. BANTU HOSTELS.

### *Application of Regulations.*

1. The following regulations shall apply to any Bantu hostel under the control of the Council.

### *Definitions.*

2. In this Chapter unless the context otherwise indicates—

“accommodation” means the right to occupy a bed in the Bantu hostel and includes the use of such communal sanitary conveniences, ablution, clothes-washing and other facilities as may be provided, and the use of the communal kitchen; and “accommodated” has a corresponding meaning;

“hostel superintendent” means the hostel superintendent appointed by the Council in terms of regulation 3 of this Chapter and includes a deputy or assistant of such officer;

“resident” means a Bantu who is accommodated in the Bantu hostel.

### *Appointment of Hostel Superintendent.*

3. In terms of the provisions of section 22 of the Act, the Council shall, in respect of one or more Bantu hostels, appoint an officer or assign one of its officials to manage and control such hostel or hostels and to provide any accommodation in terms of these regulations and in accordance with such lawful instructions as he may from time to time receive from the Council or the manager of the Council's Department of Bantu Administration.

### *Duties of Hostel Superintendent.*

4. The hostel superintendent shall—

(1) when required by the Council or the manager to do so, submit reports, in writing, on the conditions and management of the Bantu hostel. Such reports shall be open to inspection by an officer appointed under section 22 (3) of the Act;

(2) ensure that copies of these regulations, in English and Afrikaans and in the Bantu language most commonly used in the Bantu hostel, be posted and maintained in a prominent place in such hostel, for the information of the residents;

(3) allot to each bed in the Bantu hostel a number and ensure that such number be legibly painted or inscribed in a prominent place at the head of the bed;

(4) allot a number to each bedroom in the Bantu hostel and ensure that such number be legibly painted or inscribed in a prominent place on the door of such bedroom;

(5) ensure that all floors, passages, stairways, ablution blocks, conveniences and pathways be kept in a clean and hygienic condition;

(6) keep a register of all the residents in which shall be entered—

- (a) the name;
- (b) the identity number and ethnic group of each resident; and
- (c) the name and address of the employer of each such resident;

(7) at all times and for all purposes be under the supervision and control of the manager.

## HOOFSTUK 7. BANTOETEHUISE.

### *Toepassing van Regulasies.*

1. Onderstaande regulasies is van toepassing op 'n Bantoetehuis onder die beheer van die Raad.

### *Woordomskrywing.*

2. In hierdie Hoofstuk, tensy onbestaanbaar met die sinsverband, beteken—

„huisvesting” die reg om 'n bed in die Bantoetehuis te okkupeer en ook die gebruik van sodanige gemeenskaplike sanitêre geriewe, reinigings-, klerewas- en ander fasiliteite as wat verskaf word en die gebruik van die gemeenskaplike kombuis; en het „gehuises” 'n ooreenstemmende betekenis;

„inwoner” 'n Bantoe wat in die Bantoetehuis gehuises word;

„tehuissuperintendent” die tehuissuperintendent wat deur die Raad ingevolge regulasie 3 van hierdie Hoofstuk aangestel is, asook 'n adjunk of assistent van sodanige beamppte.

### *Aanstelling van Tehuissuperintendent.*

3. Ten aansien van een of meer Bantoetehuisse stel die Raad ingevolge die bepalings van artikel 22 van die Wet 'n beamppte aan of wys hy een van sy amptenare aan om sodanige tehuis of tehuise te bestuur en beheer daarvoor uit te oefen en huisvesting te verskaf ooreenkomstig hierdie regulasies en in ooreenstemming met sodanige wettige opdragte as wat hy van tyd tot tyd van die Raad of die bestuurder van die Raad se Afdeling Bantoe-administrasie ontvang.

### *Pligte van die Tehuissuperintendent.*

4. Die tehuissuperintendent moet—

(1) wanneer die Raad of die bestuurder dit vereis, skriftelik verslag doen oor die toestande en bestuur van die Bantoetehuis. Sodanige verslae lê ter insae van 'n beamppte wat kragtens artikel 22 (3) van die Wet aangestel is;

(2) toesien dat afskrifte van hierdie regulasies, sowel in Engels as Afrikaans, en in die Bantoetaal wat die mees algemeen in die Bantoetehuis gebrugges word, ter inligting van die inwoners op 'n ooglopende plek in sodanige tehuis aangeplak en onderhou word;

(3) aan elke bed in die Bantoetehuis 'n nommer toeken en toesien dat sodanige nommer leesbaar gevef of opgeskryf word op 'n ooglopende plek aan die koppen-ent van die bed;

(4) aan elke slaapkamer in die Bantoetehuis 'n nommer toeken en toesien dat sodanige nommer op 'n ooglopende plek aan die deur van sodanige slaapkamer leesbaar gevef of opgeskryf word;

(5) toesien dat alle vloere, gange, trappe, reinigings-blokke, geriewe en paadjies in 'n skoon en higiëniese toestand gehou word;

(6) 'n register hou van al die inwoners waarin die volgende aangeteken word—

- (a) die naam;
- (b) die persoonsnommer en etniese groep van elke inwoner; en
- (c) die naam en adres van die werkgewer van elke sodanige inwoner;

(7) te alle tye en vir alle doeleindes onder die toesig en beheer van die bestuurder staan.

### *Application for Accommodation.*

5. (1) Any male Bantu over the age of 18 years desirous of being accommodated in the Bantu hostel shall in person apply to the hostel superintendent for accommodation and the hostel superintendent, on being satisfied that a bed is available and that the applicant—

(a) is a fit and proper person to reside in a Bantu hostel;

(b) is in bona fide employment in the prescribed area or is carrying on some lawful occupation therein;

(c) is lawfully permitted to enter, be and remain in the prescribed area;

(d) agrees to be medically examined; and

(e) understands, accepts and undertakes to abide by the terms and conditions of accommodation as laid down in regulation 9 of this Chapter,

may collect from such applicant the amount payable in in terms of regulation 13 of this Chapter, issue a hostel permit to him and allocate to him a bed in a Bantu hostel.

(2) Whenever a bed has been allotted to an applicant in terms of subregulation (1) he shall satisfy himself that such bed is in good order and condition. Any defect shall immediately be brought to the notice of the hostel superintendent who shall keep a record of such defects.

(3) Nothing in this regulation contained shall be construed as prohibiting any Bantu whose employer has entered into an agreement with the Council under section 42 (f) of the Act providing for accommodation from being accommodated in a Bantu hostel.

### *Right of Entry.*

6. (1) The hostel superintendent, his assistant or some other employee of the Council authorised thereto by him, or any officer appointed in terms of section 22 (1) or (3) of the Act may in the execution of his duties enter any room in the Bantu hostel for such examination, inspection or action as may be deemed necessary.

(2) Subject to the provisions of these regulations, no person shall enter, be or remain in any Bantu hostel without a hostel permit or other permission in writing given by the hostel superintendent or any other person authorised thereto by him.

### *Health and Medical Control.*

7. (1) The medical officer may, whenever he considers it necessary or whenever he may be so requested by the manager or hostel superintendent, examine or cause to be examined by some other medical practitioner any Bantu applying for accommodation or any resident and no applicant or resident shall refuse to submit himself to such examination.

(2) No person suffering from any disease or sickness which, in the opinion of the medical officer, would be likely to endanger the health of the residents shall be permitted to enter or to be accommodated in the Bantu hostel.

(3) The medical officer may, whenever he considers it necessary for the better care of any resident or for the safety and health of other residents, remove such resident or cause him to be removed to such hospital or place of isolation as the said medical officer may determine.

### *Aansoek om Huisvesting.*

5. (1) 'n Manlike Bantoe bo die ouderdom van 18 jaar wat in die Bantoetehuis gehuisves wil word, moet persoonlik by die tehuissuperintendent om huisvesting aansoek doen en die tehuissuperintendent kan, indien hy daarvan oortuig is dat 'n bed beskikbaar is en dat die applikant—

(a) 'n geskikte persoon is om in 'n Bantoetehuis te woon;

(b) *bona fide* in diens is in die voorgeskrewe gebied of die een of ander wettige beroep daarin uitoefen;

(c) wettig toegelaat is om die voorgeskrewe gebied binne te gaan, daarin te wees en te bly;

(d) instem om medies ondersoek te word; en

(e) die bepalings en voorwaardes van huisvesting, soos bepaal by regulasie 9 van hierdie Hoofstuk, verstaan, aanvaar en onderneem om hom daaraan te hou, van sodanige applikant die bedrag deur hom ingevolge regulasie 13 van hierdie Hoofstuk betaalbaar, invorder en aan hom 'n tehuispermit uitreik en 'n bed in 'n Bantoetehuis toeken.

(2) Wanneer 'n bed aan 'n applikant toegeken is kragtens subregulasie (1) moet hy hom daarvan vergewis dat sodanige bed in 'n goeie orde en toestand is. Enige defek moet onmiddellik onder die aandag van die tehuissuperintendent gebring word wat 'n register van sodanige defekte moet hou.

(3) Niks in hierdie regulasie vervat, word uitgelê as sou dit 'n Bantoe wie se werkgever 'n ooreenkoms met die Raad aangegaan het ingevolge artikel 42 (f) van die Wet vir huisvesting, belet om in 'n Bantoetehuis gehuisves te word nie.

### *Reg van Toegang.*

6. (1) Die tehuissuperintendent, sy assistent of 'n ander werknemer van die Raad, wat deur sodanige tehuissuperintendent daartoe gemagtig is, of 'n beampte wat kragtens artikel 22 (1) of (3) van die Wet aangestel is, kan in die uitvoering van sy pligte enige vertrek in die Bantoetehuis betree vir die doel van sodanige ondersoek, inspeksie of optrede as wat nodig geag word.

(2) Behoudens die bepalings van hierdie regulasies, mag niemand 'n Bantoetehuis betree of daarin wees of bly nie sonder 'n tehuispermit of ander skriftelike toestemming van die tehuissuperintendent of die een of ander persoon wat deur hom daartoe gemagtig is.

### *Gesondheids- en Mediese Beheer.*

7. (1) Die mediese beampte kan, wanneer hy dit ook al nodig ag, of wanneer hy daarom deur die bestuurder of tehuissuperintendent versoek word, 'n Bantoe wat aansoek doen om huisvesting of wat 'n inwoner is, ondersoek of hom deur 'n ander geneesheer laat ondersoek, en geen applikant of inwoner mag weier om hom aan sodanige ondersoek te onderwerp nie.

(2) Geen persoon wat ly aan 'n siekte of kwaal wat, volgens die mening van die mediese beampte, moontlik die gesondheid van die inwoners in gevaar kan stel, word toegelaat om die Bantoetehuis binne te gaan of daarin gehuisves te word nie.

(3) Indien die mediese beampte dit vir die beter versorging van 'n inwoner of vir die veiligheid en gesondheid van die ander inwoners nodig ag, kan hy sodanige inwoner verwyder of laat verwyder na sodanige hospitaal of plek van afsondering as wat deur genoemde mediese beampte bepaal word.



(4) The medical officer may, whenever he considers it necessary, cause the Bantu hostel or any quarters therein or any portion thereof to be fumigated and disinfected and cause any Bantu and his clothing and other effects to be disinfected before his admission to such Bantu hostel or at any time during his accommodation.

(5) Nothing in this regulation contained shall be deemed to affect the operation of any regulations framed under the Workmen's Compensation Act, 1941 (Act No. 30 of 1941).

#### *Furnishing of Names and Addresses.*

8. Any person found in the Bantu hostel shall whenever so requested furnish the hostel superintendent or any assistant authorised by him, or any authorised officer, with his full name, identity number and address.

#### *Terms and Conditions of Accommodation.*

9. The following terms and conditions shall apply to accommodation:—

(1) No resident shall relinquish or transfer his right to a bed to any other person without the consent, in writing, of the hostel superintendent.

(2) No application shall be entertained for a part refund of any amount paid under regulation 13, if claimed in respect of nights not spent in the hostel.

(3) No resident shall occupy any other bed than the one allotted to him without the consent, in writing, of the hostel superintendent.

(4) A resident shall be held personally responsible for any wilful or negligent damage to his bed and mattress.

(5) The residents in a room shall be responsible jointly and severally for any loss or damage wilfully caused by them to any furniture, equipment or fittings being the property of the Council, in such room.

(6) Residents shall at all times maintain cleanliness of person, clothing and other effects and shall keep their rooms, ablution and washing facilities and sanitary conveniences in a clean and tidy condition.

(7) (a) Clothes and eating utensils shall not be washed in ablution blocks.

(b) Clothes shall be washed only in the wash place provided for the purpose.

(c) Eating utensils shall be washed in the properly appointed wash place provided for the purpose.

(8) The Council or its officers shall not be liable for any loss by theft or otherwise of the personal effects of the residents.

(9) Should any resident after due warning by the hostel superintendent persist in contravening or ignoring the terms and conditions of accommodation as set out in the preceding subregulations or be convicted of any offence in terms of regulation 16 of this Chapter, the hostel superintendent may serve notice, in writing, on such resident ordering him to vacate his quarters in the Bantu hostel within a period to be specified in such notice or on the expiry of such period as he may have paid for in advance, whichever is the shorter period.

(4) Die mediese beampte kan, wanneer hy dit ook al nodig ag, die Bantoetehuis of enige kwartiere daarin of 'n gedeelte daarvan laat berook en ontsmet, en 'n Bantoe of sy klere en ander besittings laat ontsmet voordat hy tot sodanige Bantoetehuis toegelaat word, of te eniger tyd tydens sy huisvesting.

(5) Niks in hierdie regulasie vervat, word geag die werking van enige regulasies wat opgestel is kragtens die Ongevallewet, 1941 (No. 30 van 1941), te raak nie.

#### *Verstreking van Name en Adresse.*

8. 'n Persoon wat in die Bantoetehuis gevind word, moet wanneer hy daarom versoek word, sy volle naam, persoonsnommer en adres aan die tehuissuperintendent of 'n assistent wat deur hom gemagtig is of 'n gemagtigde beampte, verstrek.

#### *Bepalings en Voorwaardes van Huisvesting.*

9. Die volgende bepalinge en voorwaardes is van toepassing op huisvesting:—

(1) Geen inwoner mag, sonder die skriftelike toestemming van die tehuissuperintendent, van sy reg op 'n bed afstand doen, of dit aan 'n ander persoon oordra nie.

(2) Geen aansoek om 'n gedeeltelike terugbetaling van 'n bedrag ingevolge regulasie 13 betaal, wat geëis word ten opsigte van nagte wat daar nie in die Bantoetehuis deurgebring is nie, word oorweeg nie.

(3) Geen inwoner mag, sonder die skriftelike toestemming van die tehuissuperintendent, 'n ander bed as dié aan hom toegeken gebruik nie.

(4) 'n Inwoner word persoonlik verantwoordelik gehou vir moedswillige of nalatige beskadiging van sy bed en matras.

(5) Die inwoners van 'n kamer is gesamentlik en afsonderlik verantwoordelik vir verlies of skadewat moedswillig deur hulle aan meubels, uitrusting of toebehore, wat die eiendom van die Raad is, in sodanige kamer veroorsaak word.

(6) Inwoners moet te alle tye sindelikhed van persoon, klere en ander besittings handhaaf en moet hulle kamers, reinigings-, was- en sanitêre geriewe in 'n skoon en net toestand hou.

(7) (a) Klere en eetgerei mag nie in die reinigings-blokke gewas word nie.

(b) Klere moet slegs gewas word in die wasplek wat vir die doel verskaf word.

(c) Eetgerei moet gewas word in die behoorlik ingerigte wasplek wat vir die doel verskaf word.

(8) Die Raad of sy beamptes is nie aanspreeklik vir enige verlies van die persoonlike besittings van die inwoners as gevolg van diefstal of andersins nie.

(9) As 'n inwoner, na behoorlike waarskuwing deur die tehuissuperintendent volhard om die bepalinge en voorwaardes van huisvesting, soos in die voorafgaande subregulasies uiteengesit, te oortree of te verontagsaam, of ingevolge regulasie 16 van hierdie Hoofstuk aan 'n oortreding skuldig bevind word, kan die tehuissuperintendent 'n skriftelike kennisgewing aan sodanige inwoner beteken waarin hy gelas word om sy kwartiere in die Bantoetehuis binne 'n tydperk in sodanige kennisgewing bepaal, te ontruim, of na verstryking van sodanige tydperk as waarvoor hy vooruitbetaal het, naamlik die kortste tydperk.

*Refuse Receptacles.*

10. The Council shall provide receptacles in which ash, rubbish, litter and waste of whatever nature shall be deposited.

*Absence from Bantu Hostel.*

11. (1) Should a resident absent himself or fail to occupy the bed allotted to him in the Bantu hostel for a period of 14 consecutive days without advising the hostel superintendent of his intention so to absent himself, the hostel superintendent shall have the right to realloot such bed.

(2) Any property or personal effects of a resident found in the quarters formerly occupied by him shall be kept by the hostel superintendent in a safe place, and shall if unclaimed within a period of three months of the date of reallootment of such resident's bed under the provisions of subregulation (1), be sold to the best advantage by the hostel superintendent who shall, after deducting the amount of any charges due or any expenses incurred, pay the net proceeds into the Bantu Revenue Account: Provided that, subject to the laws governing the administration and distribution of Bantu estates, nothing in this subregulation contained shall deprive the heir of any deceased resident of his right to the balance of the proceeds of such property.

(3) The hostel superintendent shall maintain a register in which shall be recorded—

(a) particulars of all property or personal effects kept in terms of this regulation;

(b) the date of removal of such property or effects in terms of subregulation (2) and the name and bed number of the owner thereof;

(c) (i) the signature or left thumb-print of the person claiming ownership and to whom delivery has been made; or

(ii) full details of the amount realised on the sale of such property or personal effects and the date of such sale; and

(d) if the property or personal effects are destroyed, a certificate by the hostel superintendent to the effect that these were valueless.

*Right of Entry.*

12. A current receipt for accommodation charges issued to any person and produced by him shall be *prima facie* evidence of his right to enter, be and remain in the Bantu hostel or in the Bantu residential area in which such Bantu hostel is situate.

*Accommodation Charges.*

13. Every resident shall pay in advance to the hostel superintendent at his office, on or before the seventh day of every month, such amount for accommodation in the hostel as may be prescribed: Provided that when accommodation is required for a period of less than one month the amount due for accommodation shall be payable on admission to the hostel.

*Action for Recovery of Charges.*

14. Should any resident fail to pay any sum for which he may be liable under these regulations within seven days of the date on which it becomes due and payable, the hostel superintendent may order such resident to vacate his quarters in, the Bantu hostel forthwith and not to return to such hostel.

*Vullisbakke.*

10. Die Raad moet bakke verskaf waarin as, vullis, rommel of afval, van watter aard ook al, gegooi moet word.

*Afwesigheid van Bantoetehuis.*

11. (1) Indien 'n inwoner afwesig is of nie die bed wat aan hom in die Bantoetehuis toegeken is, vir 'n tydperk van 14 agtereenvolgende dae gebruik nie sonder om die tehuissuperintendent in kennis te stel van sy voorneme om aldus afwesig te wees, het die tehuissuperintendent die bevoegdheid om sodanige bed aan iemand anders toe te ken.

(2) Enige eiendom of persoonlike besittings van 'n inwoner, wat gevind word in die kwartiere voorheen deur hom bewoon, moet deur die tehuissuperintendent op 'n veilige plek gehou word en indien dit nie opgeëis word binne 'n tydperk van drie maande na die datum waarop die bed van sodanige inwoner ingevolge die bepalinge van subregulasie (1) aan iemand anders toegeken is, moet dit so voordelig moontlik deur die tehuissuperintendent verkoop word en nadat hy gelde wat verskuldig is of uitgawes wat aangegaan is, afgetrek het, moet hy die netto opbrengs in die Bantoe-inkomsterekening stort: Met dien verstande dat, behoudens die wette insake die bereddering en verdeling van Bantoeboedels, niks in hierdie subregulasie vervat die erfgenaam van 'n oorlede inwoner sy reg op die saldo van die opbrengs van sodanige besittings ontnem nie.

(3) Die tehuissuperintendent moet 'n register hou waarin die volgende aangeteken word—

(a) besonderhede van alle eiendom of persoonlike besittings wat ingevolge hierdie regulasie gehou word;

(b) die datum van verwydering van sodanige eiendom of besittings ingevolge subregulasie (2) en die naam en bednommer van die eienaar daarvan;

(c) (i) die handtekening of die linkerduimafdruk van die persoon wat aanspraak maak op eiendomsreg en aan wie sodanige eiendom of persoonlike besittings oorhandig is; of

(ii) volledige besonderhede van die opbrengs van die verkoop van sodanige eiendom of persoonlike besittings en die datum van sodanige verkoop; en

(d) indien die eiendom of persoonlike besittings vernietig is, 'n sertifikaat deur die tehuissuperintendent dat dit van geen waarde was nie.

*Reg van Toegang.*

12. 'n Geldige kwitansie vir huisvestingsgelde aan 'n persoon uitgereik en deur hom getoon is *prima facie* bewys van sy reg om die Bantoetehuis of Bantoe woon-gebied waarin sodanige Bantoetehuis geleë is, binne te gaan, daarin te wees en daarin te bly.

*Huisvestingsgelde.*

13. Elke inwoner moet aan die tehuissuperintendent by sy kantoor sodanige bedrag as wat voorgeskryf word elke maand op of voor die sewende dag van die maand vooruitbetaal vir huisvesting in die tehuus: Met dien verstande dat wanneer huisvesting vir 'n tydperk van minder as een maand verlang word die bedrag wat vir sodanige huisvesting betaalbaar is, by toelating tot die tehuus betaal moet word.

*Stappe vir die Invordering van Gelde.*

14. Indien 'n inwoner versuim om 'n bedrag waarvoor hy ingevolge hierdie regulasies aanspreeklik is, te betaal binne sewe dae na die datum waarop dit verskuldig en betaalbaar is, kan die tehuissuperintendent beveel dat sodanige inwoner sy kwartiere in die Bantoetehuis onverwyl ontruim en nie na sodanige tehuus terugkeer nie.



*Appeal.*

15. (1) Every person shall have the right to appeal to the manager against any action or decision of the hostel superintendent or other officer of the Council charged with the administration of these regulations. After due inquiry at which the hostel superintendent or other officer of the Council shall be entitled to be heard in support of his action, the manager may—

(a) order such hostel superintendent or other officer of the Council to grant the appellant facilities under these regulations if it appears that such have unreasonably been withheld; or

(b) make such other order as may be deemed fit.

(2) Such appeal shall be lodged within seven days of such action and notice thereof shall be given to the manager and to the hostel superintendent or other officer of the Council.

(3) Any appeal to the manager shall be duly prosecuted within 14 days of the action of the hostel superintendent or other official of the Council against whom such appeal has been lodged, in default whereof the appeal shall be deemed to have lapsed.

(4) Any person dissatisfied with the decision of the manager shall have a further right of appeal to the Council and against the decision of the Council to the Bantu Affairs Commissioner: Provided that in both such events the provisions of subregulations (2) and (3) shall *mutatis mutandis* apply.

(5) If he is still dissatisfied the person aggrieved may within seven days of the decision of the Bantu Affairs Commissioner appeal by way of affidavit to the Chief Bantu Affairs Commissioner whose decision shall be final.

*Offences and Penalties.*

16. Any person who—

(1) contravenes or fails to comply with any of the provisions of regulation 6 (2) or regulation 9 (1), (3), (6) or (7) of this Chapter;

(2) wilfully tampers with, defaces or destroys any regulations posted and maintained as provided in regulation 4 (2) of this Chapter, or any number painted or inscribed as provided in regulation 4 (3) and (4) of this Chapter;

(3) deposits any ash, rubbish, litter or other waste in any place other than in any receptacle provided in terms of regulation 10 of this Chapter;

(4) refuses to permit the medical officer or his authorised assistant to examine him as provided in regulation 7 (3) of this Chapter or refuses to be removed to such place as he may be ordered to as provided in that regulation;

(5) obstructs the hostel superintendent or his authorised assistant, any employee of the Council, the medical officer or his authorised assistant or any officer appointed in terms of section 22 (1) or (3) of the Act in the execution of his duties or fails or refuses to reply to any lawful question put by any such officer in the execution of his duties or gives such officer false or incorrect or misleading information knowing it to be false, incorrect or misleading;

*Appel.*

15. (1) Elke persoon het die reg om na die bestuurder te appelleer teen enige optrede of besluit van die tehuissuperintendent of ander beampte van die Raad wat met die toepassing van hierdie regulasies belas is. Na behoorlike ondersoek waarby die tehuissuperintendent of ander beampte van die Raad ter ondersteuning van sy optrede die reg het om gehoor te word, kan die bestuurder—

(a) sodanige tehuissuperintendent of ander beampte van die Raad gelas om die applikant fasiliteite kragtens hierdie regulasies te verleen as dit skynbaar onredelik teruggehou is; of

(b) sodanige ander bevel uitvaardig as wat hy goed ag.

(2) Sodanige appel moet binne sewe dae na sodanige optrede ingedien word en kennis daarvan moet aan die bestuurder en aan die tehuissuperintendent of ander beampte van die Raad gegee word.

(3) 'n Appel by die bestuurder moet behoorlik voortgesit word binne 14 dae na die optrede van die tehuissuperintendent of ander beampte van die Raad teen wie sodanige appel ingedien is en by gebreke daarvan word die appel geag te verval het.

(4) 'n Persoon wat ontevrede is met die beslissing van die bestuurder het 'n verdere reg om na die Raad te appelleer en teen die beslissing van die Raad kan na die Bantoesakekommissaris geappelleer word: Met dien verstande dat in albei sodanige gevalle die bepalings van subregulasies (2) en (3) *mutatis mutandis* van toepassing is.

(5) Indien hy nog nie tevrede is nie, kan die persoon wat gegrief is binne sewe dae na die beslissing van die Bantoesakekommissaris, 'n appel in die vorm van 'n beëdigde verklaring by die Hoofbantoesakekommissaris indien wie se beslissing afdoende is.

*Misdrywe en Strafbepalings.*

16. Niemand wat—

(1) enige van die bepalings van regulasie 6 (2), of regulasie 9 (1), (3), (6) of (7) van hierdie Hoofstuk oortree of in gebreke bly om daaraan te voldoen;

(2) opsetlik peuter aan 'n regulasie wat aangeplak en onderhou word soos bepaal in regulasie 4 (2) van hierdie Hoofstuk of aan 'n nommer wat geverf of opgeskryf is soos bepaal in regulasie 4 (3) en (4) van hierdie Hoofstuk, dit skend of vernietig;

(3) as, rommel, vullis of ander afval op 'n ander plek as in 'n bak wat ingevolge regulasie 10 van hierdie Hoofstuk verskaf word, plaas;

(4) weier om die mediese beampte of sy gemagtigde assistent toe te laat om hom te ondersoek soos bepaal word in regulasie 7 (1) van hierdie Hoofstuk of weier om verwyder te word na 'n plek waarheen hy gelas word soos bepaal word in regulasie 7 (3) van hierdie Hoofstuk;

(5) die tehuissuperintendent of sy gemagtigde assistent, 'n werknemer van die Raad, die mediese beampte of sy gemagtigde assistent of 'n beampte wat ingevolge artikel 22 (1) of (3) van die Wet in die uitvoering van sy pligte hinder of versuim of weier om 'n wettige vraag te beantwoord wat deur sodanige beampte in die uitvoering van sy pligte gestel word of aan sodanige beampte valse of onjuiste of misleidende inligting verstrek, wetende dat dit vals, onjuis of misleidend is;

(6) while accommodated in the Bantu hostel refuses to allow the medical officer or any person authorised by him to disinfect his person or clothing or to fumigate and disinfect his personal effects as provided in regulation 7 (4) of this Chapter;

(7) fails or refuses to furnish the hostel superintendent or any assistant authorised by him or any authorised officer with his full name, identity number and address whenever so requested in terms of regulation 8 of this Chapter or furnishes false or incorrect or misleading information knowing it to be false, incorrect or misleading;

(8) on being ordered by the hostel superintendent in terms of regulation 9 (9) of this Chapter to vacate his quarters in the Bantu hostel, fails or refuses to vacate such quarters within the period specified in the notice or on the expiry of the period for which he may have paid accommodation charges in advance, whichever is the shorter period;

(9) within the Bantu hostel, disturbs the public peace by shouting, wrangling, quarrelling, swearing or by using obscene, abusive, insulting or threatening language or by unseemly, disorderly or violent behaviour;

(10) wilfully damages the Bantu hostel or any equipment belonging to the Council;

(11) defecates or urinates in any place, passage, stairway or path in the Bantu hostel other than in the proper place provided for the purpose in a latrine or urinal;

(12) introduces into or is in possession in the Bantu hostel of a fire-arm, knopkerrie, flick-knife or some other dangerous weapon referred to in Chapter 4;

(13) introduces into or has in his possession within the Bantu hostel, yeast, sprouted grain or crushed or ground sprouted grain, or some other fermenting agency capable of being used in the manufacture of Bantu beer or any other concoction or intoxicating liquor as defined in the Liquor Act, 1928;

(14) takes part in any gambling in the Bantu hostel, or conducts or participates in any game or entertainment in the Bantu hostel which is likely to cause a disturbance or be a nuisance or annoyance to the residents, or be indecent or subversive of good morals;

(15) enters or leaves the Bantu hostel except by the ordinary entrance or exit;

(16) is found to be intoxicated or to be under the influence of liquor in the Bantu hostel;

(17) kindles a fire, cooks or prepares food in the Bantu hostel in any place other than the place provided for the purpose;

(18) uses insulting or abusive language or disobeys any order or fails to comply with any rule or arrangement of the hostel superintendent made for the purpose of maintaining good order, discipline or health in the Bantu hostel;

(19) creates or causes to be created any nuisance in the Bantu hostel or brings or causes to be brought therein any animal or any noisome or offensive thing;

(20) fails to pay any sum for which he may be liable in terms of these regulations;

(21) having been ordered by the hostel superintendent in terms of regulation 14 of this Chapter to vacate his quarters in the Bantu hostel, fails to do so forthwith,

(6) terwyl hy in die Bantoetehuis gehuisves word, weier om die mediese beampte of 'n persoon wat deur hom gemagtig word, toe te laat om sy persoon of sy klere te ontsmet of sy persoonlike besittings te berook en te ontsmet soos bepaal in regulasie 7 (4) van hierdie Hoofstuk;

(7) wanneer daarom versoek ingevolge regulasie 8 van hierdie Hoofstuk, versuim of weier om sy volle naam, persoonsnommer en adres aan die tehuissuperintendent of 'n assistent wat deur hom gemagtig is of 'n gemagtigde beampte te verstrek of valse, onjuiste of misleidende inligting verstrek, wetende dat dit vals, onjuis of misleidend is;

(8) nadat hy deur die tehuissuperintendent ingevolge regulasie 9 (9) van hierdie Hoofstuk gelas is om sy kwartiere in die Bantoetehuis te ontruim, versuim of weier om sodanige kwartiere te ontruim binne die tydperk wat in die kennisgewing bepaal word of na verstryking van die tydperk waarvoor hy huisvestingsgelde vooruitbetaal het, naamlik die kortste tydperk;

(9) binne die Bantoetehuis die openbare rus verstoort deur te skreeu, rusie te maak, te twis, te vloek, of vuil, skeldende, beledigende of dreigende taal te gebruik of deur onbetaamlike, wanordelike of gewelddadige gedrag;

(10) opsetlik die Bantoetehuis of uitrusting wat aan die Raad behoort, beskadig;

(11) hom op enige plek, gang, trap of paadjie in die Bantoetehuis ontlas, of urineer op 'n ander plek as dié behoorlike plek waarvoor daar in 'n latrine of urinaal voorsiening gemaak word;

(12) 'n vuurwapen, knopkerrie, springmes of ander gevaarlike wapen bedoel in Hoofstuk 4 in die Bantoetehuis inbring of in besit daarvan is;

(13) suurdeeg, uitgeloopte graan of gebreekte of gemaalde uitgeloopte graan of ander gismiddels wat by die vervaardiging van Bantoebier gebruik kan word, of 'n ander brousel of bedwelmende drank soos in die Drankwet, 1928, omskryf word, in 'n Bantoetehuis inbring of in besit daarvan is;

(14) aan dobbelary in die Bantoetehuis deelneem of 'n spel of vermaaklikheid wat moontlik 'n stoornis kan veroorsaak of die inwoners tot oorlas kan wees of aanstoot kan gee of wat onbetaamlik is of wat sedelike gedrag kan ondermyn, in die Bantoetehuis bestuur of daaraan deelneem;

(15) die Bantoetehuis binnekom of verlaat uitgesonderd deur die gewone in- of uitgang;

(16) wat in die Bantoetehuis bedwelmend of onder die invloed van drank aangetref word;

(17) wat in die Bantoetehuis vuur maak, kos kook of voorberei op 'n ander plek as in die plek wat vir dié doel verskaf is;

(18) wat in die Bantoetehuis beledigende of skeldende taal gebruik of 'n bevel verontagsaam of versuim om te voldoen aan 'n reël of reëling van die tehuissuperintendent, wat uitgereik of getref is ten einde goeie orde, dissipline of gesondheid in die Bantoetehuis te handhaaf;

(19) enige oorlas in die Bantoetehuis veroorsaak of laat veroorsaak of 'n dier of walglike of aanstootlike ding in die Bantoetehuis inbring of laat inbring;

(20) versuim om 'n bedrag waarvoor hy ingevolge hierdie regulasies aanspreeklik is, te betaal;

(21) nadat hy deur die tehuissuperintendent ingevolge regulasie 14 van hierdie Hoofstuk gelas is om sy kwartiere in die Bantoetehuis te ontruim, versuim om dit onverwyld te doen,



shall be guilty of an offence and liable on conviction to the penalties prescribed in section 44 of the Act: Provided that the court in convicting any person of an offence referred to—

(a) in subregulation (12) may, in addition to any other penalty, order the confiscation of the fire-arm, knobkerrie, flick-knife or other dangerous weapon;

(b) in subregulation (19) may, in addition to any other penalty, order the payment by such person of any amount due to the Council within such period as the Court may specify and may make an order for the ejectment of such person from the Bantu hostel.

## CHAPTER 8.

### CEMETERIES.

#### *Establishment of Cemetery.*

1. The Council may from time to time with the approval of the Minister set apart land for the purpose of a semetery, and no person shall enter, or cause anybody to be interred in any other place in the prescribed area.

#### *Cemetery Hours.*

2. Every cemetery shall be open to the public during such hours and on such conditions as the Council may decide: Provided that the Council shall have the right to close to the public any cemetery or portion thereof for such periods as the Council may deem fit.

#### *Unseemly Acts Forbidden.*

3. No person shall cause any nuisance or commit any unseemly or indecent act in any cemetery.

#### *Ingress and Egress.*

4. No person shall enter or leave any cemetery otherwise than by the gates provided for that purpose.

#### *Complaints.*

5. All complaints shall be submitted in writing to the superintendent.

#### *Exercise of Control by the Caretaker.*

6. (1) Undertakers and all persons, working in any cemetery, taking part in any funeral or visiting any cemetery, shall be subject to the control of the caretaker.

(2) No person shall resist, obstruct or oppose the caretaker, any workman or labourer in the course of his duties, or refuse or fail to comply with any lawful order or request of the caretaker.

#### *Disturbance of Soil or Plants.*

7. No person shall, except where it is expressly permitted by these regulations, disturb the soil, or destroy, remove or damage any tree, shrub, flower, plant or grass or in any way interfere with any grave or structure in a cemetery.

#### *Wanton Destruction of Property.*

8. No person shall wantonly destroy or do or cause to be done any damage to any monument, vault, tombstone, building, path, railing or fence, or daub or disfigure any wall or fence thereof, or play at any game or sport therein or discharge any fire-arm (except at a military funeral), airgun or catapult therein, or wantonly disturb or annoy any persons assembled therein for the purpose of a burial.

begaan 'n misdryf en is by skuldigbevinding strafbaar met die strawwe voorgeskryf in artikel 44 van die Wet: Met dien verstande dat die hof wat 'n persoon skuldig bevind aan 'n oortreding vermeld in—

(a) subregulasie (12), benewens enige ander straf, kan gelas dat daar op sodanige vuurwapen, knopkerrie, springmes of gevaarlike wapen beslag gelê word;

(b) subregulasie (19), benewens enige ander straf, kan gelas dat sodanige persoon enige gelde wat aan die Raad verskuldig is binne sodanige tydperk as wat die hof voorskryf, moet betaal en 'n bevel vir die uitsit van sodanige persoon uit die Bantoetehuis kan uitreik.

## HOOFTUK 8.

### BEGRAAFPLASE.

#### *Stigting van Begraafplaas.*

1. Die Raad kan van tyd tot tyd met die goedkeuring van die Minister grond vir die doel van 'n begraafplaas afsonder en niemand mag 'n lyk begrawe of laat begrawe op enige ander plek in die voorgeskrewe gebied nie.

#### *Begraafplaasure.*

2. Elke begraafplaas is elke dag oop vir die publiek gedurende sodanige ure en op sodanige voorwaardes as wat die Raad besluit: Met dien verstande dat die Raad die reg het om 'n begraafplaas of 'n gedeelte daarvan vir sodanige tydperk as wat hy goedvind, vir die publiek te sluit.

#### *Onbehoorlike Dade Verbode.*

3. Niemand mag in 'n begraafplaas 'n hindernis veroorsaak of 'n onbehoorlike of onwettige daad pleeg nie.

#### *In- en Uitgang.*

4. Niemand mag 'n begraafplaas binnegaan of verlaat nie, uitgesonderd deur die hekke vir dié doel aangebring.

#### *Klagtes.*

5. Alle klagtes moet skriftelik aan die superintendent gerig word.

#### *Uitoefening van Beheer deur Opsigter.*

6. (1) Ondernemers en alle persone wat in 'n begraafplaas werk, aan 'n begrafnis deelneem of aan 'n begraafplaas besoek bring, is onderworpe aan die beheer van die opsigter.

(2) Niemand mag die opsigter, 'n werksman of arbeider in die uitvoering van sy pligte weerstaan, hinder of teëgaan of weier of versuim om te voldoen aan 'n wettige bevel of versoek van die opsigter nie.

#### *Verstoring van Grond of Plante.*

7. Niemand mag, behalwe waar dit uitdruklik by hierdie regulasies toegelaat word, die grond versteur of 'n boom, struik, blom, plant of gras vernietig, verwyder of beskadig, of op enige wyse aan 'n graf of struktuur in 'n begraafplaas peuter nie.

#### *Moedswillige Vernieling van Eiendom.*

8. Niemand mag moedswillig 'n monument, grafkelder, grafsteen, gebou, paadjie, traliwerk of omheining vernietig of beskadig of laat beskadig, of 'n muur of omheining daarvan besmeer of skend, of 'n sportspel of enige ander speletjie daarin speel, of 'n vuurwapen (tensy op 'n militêre begrafnis), windgeweer of rekker daarin afskiet of moedswillige persone wat daar saamgekom het vir die doel van 'n teraardebestelling steur of tot oorlas wees nie.

*Drivers of Vehicles.*

9. The driver of any vehicle in any cemetery shall obey the directions and instructions of the caretaker.

*Animals.*

10. No person shall bring or cause to be brought into any cemetery any animal.

*Demonstrations.*

11. No person shall hold or take part in any demonstration in any cemetery.

**INTERMENT.**

*Burial Orders and Magistrate's Warrant.*

12. (1) No person shall without the written permission of the caretaker inter of cause to be interred any body within any cemetery. Such permission shall not be given unless an order, in writing, signed by the District Registrar of Births, Marriages and Deaths authorising such interment, is produced.

(2) In all cases of deaths which have been the subject of an inquest, a magistrate's warrant shall be produced to the caretaker.

*Payment of Cemetery Fees.*

13. The charges or fees prescribed by the Council shall be prepaid by the person giving notice of interment to the superintendent.

*Dimensions of Graves.*

14. The dimensions of the cavity for graves shall be as follows:—

*Graves for adults.*

|         |            |
|---------|------------|
| Length  | 7 ft 3 in. |
| Breadth | 2 ft 6 in. |
| Depth   | 6 ft 0 in. |

*Graves for children.*

|         |            |
|---------|------------|
| Length  | 4 ft 6 in. |
| Breadth | 1 ft 6 in. |
| Depth   | 5 ft 0 in. |

Any person requiring a cavity of larger dimensions for any interment shall give, together with the notice of interment, the measurements of the coffin including fittings.

Should any child's coffin be too large for a child's grave, it shall be placed in an adult's grave and the usual fee for an adult's grave shall be paid by the person giving the notice of interment. For the purposes of this regulation "adult" means a person who at the time of his death was over the age of 12 years and a "child" means a person who at the time of his death was of or under the age of 12 years.

*Covering with Earth.*

15. Every coffin upon being placed in any grave shall be covered immediately with at least four feet of earth and the coffin of a child shall be covered with at least three feet of earth.

*Construction of Graves and Coffins.*

16. (1) All graves shall be prepared under the supervision of the caretaker.

(2) Bodies shall be placed in coffins for interment.

*Drywers van Voertuie.*

9. Die drywer van 'n voertuig in 'n begraafplaas moet aan die voorskrifte en bevels van die opsigter gehoor gee.

*Diere.*

10. Niemand mag 'n dier in 'n begraafplaas bring of laat bring nie.

*Betogings.*

11. Niemand mag 'n betoging in 'n begraafplaas hou of daaraan deelneem nie.

**TERAARDEBESTELLING.**

*Begrafnisbevele en Lasbrief van die Landdros.*

12. (1) Niemand mag 'n lyk in 'n begraafplaas begrawe of laat begrawe sonder die skriftelike toestemming van die opsigter nie. Sodanige toestemming word nie verleen nie, tensy 'n skriftelike bevel wat deur die Distriksregistrator van Geboortes, Huwelike en Sterfgevallen onderteken is om tot sodanige teraardebestelling magtiging te verleen, getoon word.

(2) In alle sterfgevallen waar 'n geregtelike doodsonderzoek ingestel is, moet 'n lasbrief van 'n landdros aan die opsigter getoon word.

*Betaling van Begraafplaasgelde.*

13. Die vorderings of gelde voorgeskryf deur die Raad moet vooruitbetaal word deur die persoon wat aan die superintendent kennis van teraardebestelling gee.

*Afmetings van Grafte.*

14. Die afmetings van die opening van grafte is as volg:—

*Grafte vir volwassenes.*

|         |            |
|---------|------------|
| Lengte  | 7 vt 3 dm. |
| Breedte | 2 vt 6 dm. |
| Diepte  | 6 vt 0 dm. |

*Grafte vir kinders.*

|         |            |
|---------|------------|
| Lengte  | 4 vt 6 dm. |
| Breedte | 1 vt 6 dm. |
| Diepte  | 5 vt 0 dm. |

'n Persoon wat 'n opening van groter afmetings vir 'n teraardebestelling vereis, moet saam met die kennisgewing van teraardebestelling die mate van die doodkis, met inbegrip van die toebehore, gee.

As 'n kind se doodkis te groot is vir 'n kindergraf, moet dit in 'n graf vir volwassenes geplaas word en die voorgeskryfde bedrag vir 'n graf vir 'n volwassene moet deur die persoon wat kennis van die teraardebestelling gee, betaal word. Vir die toepassing van hierdie regulasie beteken „volwassene" 'n persoon wat ten tye van sy dood ouer as 12 jaar was en „kind" 'n persoon wat ten tye van sy dood 12 jaar of jonger was.

*Bedekking met Grond.*

15. Elke doodkis moet, sodra dit in 'n graf geplaas word, onmiddellik met minstens vier voet grond bedek word, en die doodkis van 'n kind moet met minstens drie voet grond bedek word.

*Konstruksie van Grafte en Doodkiste.*

16. (1) Alle grafte moet onder die toesig van die opsigter voorberei word.

(2) Lyke moet in doodkiste geplaas word vir teraardebestelling.



*Restricted Number of Burials in One Grave.*

17. Not more than one body shall be buried in one grave without the permission, in writing, of the superintendent.

*Hours of Interment.*

18. Interments shall take place during the hours 9 a.m. to 4 p.m. The caretaker may in cases of emergency and upon payment of the fee prescribed by the Council allow interment to take place after 4 p.m. but not later than 5 p.m.

*Alteration of Day of Interment.*

19. Notice of any alteration in the day or hour previously fixed for an interment shall be given to the caretaker at least two hours before such interment. The caretaker may in consultation with the undertaker or the near relatives of the deceased, alter the appointed hour for an interment, in order to prevent overlapping of funeral services at gravesides which are adjacent.

*Ownership of Land.*

20. The ownership of land in any cemetery shall be and remain vested in the Council. No person shall acquire any right to or interest in any land or grave in such cemetery other than such rights or interests as are obtainable under these regulations.

*Purchase of Private Grave Plots.*

21. (1) The Council may, at its discretion, sell to any person the use of any piece of land for a private grave plot. Any person desiring to purchase the use of any such private grave plot shall apply to the superintendent. Such private grave plot may be allotted by the superintendent upon payment by the applicant of the charges fixed by resolution of the Council.

(2) Every person to whom a grave plot has been sold in terms of this regulation shall at least once in every five years advise the superintendent whether or not he still wishes to retain such grave plot. Failing such advice the ownership of such grave plot shall revert to the Council and no application for a refund of any fee paid to the Council therefor shall be considered.

*Consent of Superintendent to Transfer.*

22. No person shall transfer or sell any grave or allotment without the consent of the superintendent.

*Interment of Persons Hanged.*

23. The Council may order the body of any person who has by law been convicted and executed to be interred in a separate plot set apart for that purpose.

**FUNERALS.***Religious Services.*

24. Members of any religious denomination may conduct religious services at a graveside or in connection with any memorial service, subject to the control of the caretaker.

*Band and Music at Funerals.*

25. No music shall be played in any cemetery without the permission of the caretaker or the manager.

*Beperkte Getal Begrawings in Een Graf.*

17. Nie meer as een lyk mag in een graf begrawe word sonder die skriftelike toestemming van die superintendent nie.

*Ure van Teraardebestelling.*

18. Teraardebestellings geskied gedurende die ure 9 vm. tot 4 nm. Die opsigter kan in noodgevalle en teen betaling van die gelde deur die Raad voorgeskryf, toelaat dat die teraardebestelling na 4 nm., maar nie later as 5 nm. nie, mag plaasvind.

*Verandering van Dag van Teraardebestelling.*

19. Kennis van 'n verandering in die dag of uur wat voorheen vir 'n teraardebestelling bepaal is, moet aan die opsigter gegee word minstens twee uur voor sodanige teraardebestelling. Die opsigter kan, in ooreenstemming met die begrafnisondernemer of die nabestaandes van die ooreledene, die vasgestelde uur vir 'n teraardebestelling verander ten einde samevaling van begrafnisdienste by aangrensende grafte te voorkom.

*Eiendomsreg op Grond.*

20. Die eiendomsreg op grond in 'n begraafplaas berus en bly by die Raad berus. Niemand mag 'n reg op of belang in enige grond of graf in sodanige begraafplaas verkry nie, uitgesonderd sodanige regte of belange as wat kragtens hierdie regulasies verkrygbaar is.

*Aankoop van Private Grafpersele.*

21. (1) Die Raad kan, na goedgekeurde, die gebruik van 'n stuk grond vir 'n private grafperseel aan 'n persoon verkoop. 'n Persoon wat begerig is om die gebruik van enige sodanige private grafperseel te koop, moet by die superintendent daarom aansoek doen. Sodanige private grafperseel kan deur die superintendent toegeken word teen betaling deur die applikant van die gelde soos deur die Raad by besluit bepaal.

(2) Elke persoon aan wie 'n grafperseel kragtens hierdie regulasies verkoop is, moet die superintendent minstens een keer in elke vyf jaar in kennis stel of hy die grafperseel nog wil behou of nie. By gebreke van sodanige kennisgewing, val die eiendomsreg op sodanige grafperseel aan die Raad terug en geen aansoek om terugbetaling van gelde wat aan die Raad daarvoor betaal is, word oorweeg nie.

*Toestemming van Superintendent tot Oordrag.*

22. Niemand mag sonder die toestemming van die superintendent 'n graf of toekenning oordra of verkoop nie.

*Teraardebestelling van Persone wat Opgehang is.*

23. Die Raad kan gelas dat die lyk van 'n persoon wat by wet skuldig bevind en tereggestel is in 'n afsonderlike perseel wat vir dié doel afgesonder is, begrawe moet word.

**BEGRAFNISSE.***Godsdiensoefeninge.*

24. Lede van 'n godsdiensoenootskap kan by 'n graf of in verband met herdenkingsdienste godsdiensoefeninge hou, onderworpe aan die beheer van die opsigter.

*Orkes en Musiek by Begrafnisse.*

25. Geen musiek mag sonder die toestemming van die opsigter of die bestuurder in 'n begraafplaas gespeel word nie.

*Use of Shelters.*

26. No chapel or shelter shall be occupied for more than 30 minutes, except with the permission of the caretaker.

*Numbering of Graves.*

27. (1) The caretaker shall fix durable identification number plates on all graves and grave plots in the cemetery and he shall keep a record in the burial register in the office of the superintendent of such numbers and the names of the deceased buried in such graves.

(2) No person shall damage or interfere with any number plate referred to in subregulation (1).

*Erection and Maintenance of Memorial Work: Tombstones and Memorials.*

28. No person shall erect memorial work of any kind in any cemetery without the approval, in writing, of the superintendent and before the grave or grave plot has been purchased. Applications for permission to erect a tombstone or memorial, accompanied by a sketch with figured dimensions and specifications of the material to be used and a copy of the proposed inscription, shall be submitted to the superintendent not less than six days before it is proposed to erect such tombstone or memorial.

*Siting of Memorial Work.*

29. No memorial work shall be erected in any cemetery except in such position as the caretaker may appoint.

*Exclusion of Memorial Work.*

30. The superintendent may exclude any memorial work which, in his opinion, is of inferior quality or which is likely in any way to disfigure the cemetery. Any memorial work which has not been erected to the satisfaction of the superintendent may be removed by the Council at the expense of the person who caused such memorial work to be erected.

*Conditions for Erection of Memorial Work.*

31. Any person in constructing any memorial work shall comply with the following conditions:—

(a) The joints of any memorial shall be secured and fastened with galvanised iron or copper cramps, pins or dowels.

(b) Kerbstones shall be squared.

(c) The undersides of the base and kerbstones shall not be exposed above the natural surface of the ground.

(d) Head and border stones shall be securely cramped with metal cramps.

(e) No chiselling or dressing of stonework shall be allowed in the cemetery.

*Conveyance of Material for Memorial Work.*

32. No conveyance of any memorial work or material for any memorial work shall be permitted in any cemetery except upon a handcart equipped with pneumatic-tyre wheels, or by means which, in the opinion of the caretaker, are not likely to damage the grounds or paths within such cemetery. Such handcart or other means of conveyance shall be provided by the person who erects such memorial work.

*Gebruik van Beskuttinge.*

26. Geen kapel of beskutting mag, uitgesonderd met die toestemming van die opsigter, langer as 30 minute beset word nie.

*Nommer van Grafte.*

27. (1) Die opsigter moet duursame nommerplate vir identifisering op alle grafte en grafpersele in die begraaftaas aanbring, en hy moet van sodanige nommers en van die name van afgestorwenes wat in sodanige grafte begrawe is, 'n rekord hou in die begrawingsregister in die kantoor van die superintendent.

(2) Niemand mag 'n nommerplaat in subregulasie (1) genoem, beskadig of daaraan peuter nie.

*Oprigting en Onderhoud van Gedenkwerk: Grafstene en Gedenktekens.*

28. Niemand mag sonder die skriftelike goedkeuring van die superintendent en voordat die graf of grafperseel aangekoop is, 'n gedenkwerk van enige aard in 'n begraaftaas oprig nie. Aansoeke om toestemming om 'n grafsteen of gedenkteken op te rig, vergesel van 'n skets met afmetings in syfers en spesifikasies van die materiaal wat gebruik gaan word en 'n afskrif van die voorgestelde grafskrif, moet minstens ses dae voordat sodanige voorgestelde grafsteen of gedenkteken opgerig staan te word aan die superintendent voorgelê word.

*Plasing van Gedenkwerk.*

29. Geen gedenkwerk mag in 'n begraaftaas opgerig word nie, uitgesonderd in sodanige posisie as wat die opsigter vasstel.

*Uitsluiting van Gedenkwerk.*

30. Die superintendent kan die oprigting van 'n gedenkwerk wat, na sy mening, van minderwaardige gehalte is of wat die begraaftaas op enige wyse kan ontzier, belet. 'n Gedenkwerk wat nie tot tevredenheid van die superintendent opgerig is nie, kan deur die Raad verwyder word op koste van die persoon wat sodanige gedenkwerk laat oprig het.

*Voorwaardes vir die Oprigting van Gedenkwerk.*

31. 'n Persoon wat 'n gedenkwerk bou, moet aan die volgende voorwaardes voldoen:—

(a) Die voë van 'n gedenkwerk moet versterk en bevestig word met kramme, penne of kappenne van gegalvaniseerde yster of koper.

(b) Randstene moet haaks gemaak wees.

(c) Die ondersye van die voetstuk en randstene mag nie bokant die natuurlike grondoppervlak blootgestel wees nie.

(d) Kop- en kantstene moet stewig vasgekram wees met metaalkramme.

(e) Geen uitbeitel of kap van klipwerk word in die begraaftaas toegelaat nie.

*Vervoer van Materiaal vir Gedenkwerk.*

32. Geen vervoer van 'n gedenkwerk of van materiaal vir 'n gedenkwerk word in 'n begraaftaas toegelaat nie, uitgesonderd op 'n handkar wat toegerus is met lugbandwiele, of deur middele wat, volgens die sienswyse van die opsigter, nie die terrein of paadjies in sodanige begraaftaas kan beskadig nie. Sodanige handkar of ander vervoermiddel moet verskaf word deur die persoon wat sodanige gedenkwerk oprig.



*Removal of Debris.*

33. The person who erects any memorial work shall remove all rubbish, loose soil and debris resulting from the erection of such work.

*Work on Memorial Work not Permitted on Saturdays, Sundays and Public Holidays*

34. No work on any memorial work or on any material for such memorial work shall be permitted in any cemetery on Saturdays, Sundays and public holidays.

*Unsuitable Weather.*

35. No person shall fix or place any memorial work in any cemetery during rainy weather or while the ground, in the opinion of the caretaker, is in an unfit state.

*Production of Permit.*

36. Any person in charge of work or on his way to and from work in any cemetery shall, upon demand by the caretaker at any time, produce the written approval issued to him under the provisions of regulation 28 of this Chapter to carry out such work.

*Memorial Work not to be Removed.*

37. No person shall remove or disturb any memorial work in a cemetery without the consent of the caretaker.

*Non-liability for Damage.*

38. The Council shall in no case be liable for any damage which may at any time occur to any memorial work from any cause whatsoever.

*Maintenance of Private Grave Plots.*

39. Every owner of a private grave plot shall keep such plot free from weeds and in proper order.

*Disturbing Human Remains.*

40. No human remains in any cemetery shall be disturbed except for a purpose permitted by these regulations or any other law.

*Exhumation and Opening of Graves.*

41. No person shall exhume or cause to be exhumed or removed any body or open or disturb a grave without the written permission of the Council and the medical officer, and such permission as may be required in terms of any law in force from time to time, and payment before the exhumation takes place of the exhumation fees fixed by resolution by the Council.

*Screening of Operations.*

42. The grave from which any body is to be removed shall be effectively screened from view during the exhumation and a coffin shall be kept in readiness at the grave.

*Removal by Superintendent of Body from One Grave to Another.*

43. If at any time the removal of any body seems to the superintendent to be advisable or if any body has been buried in a grave in contravention of these regulations, the superintendent may cause such body to be removed to another grave: Provided that the consent of a near relation of the deceased person shall, if possible, be first obtained and the provisions of the relevant ordinance complied with.

*Verwydering van Puin.*

33. Die persoon wat 'n gedenkwerk oprig, moet alle afval, los grond en puin verwyder wat ontstaan as gevolg van die oprigting van sodanige werk.

*Werk aan Gedenkwerk word nie op Saterdag, Sondag en Openbare Vakansiedae Toegelaat nie.*

34. Geen werk aan 'n gedenkwerk of aan materiaal vir sodanige gedenkwerk word op Saterdag, Sondag en openbare vakansiedae in 'n begraafplaas toegelaat nie.

*Ongeskikte Weer.*

35. Niemand mag 'n gedenkwerk in 'n begraafplaas gedurende reënweer oprig of plaas onderwyl die grond, volgens die sienswyse van die opsigter, in 'n ongeskikte toestand is nie.

*Toon van Permit.*

36. 'n Persoon wat toesig oor werk het of wat op weg na of van werk in 'n begraafplaas is, moet wanneer die opsigter dit te eniger tyd verlang, die skriftelike goedkeuring toon wat kragtens die bepalings van regulasie 28 van hierdie Hoofstuk aan hom uitgereik is om sodanige werk uit te voer.

*Gedenkwerk mag nie Verwyder word nie.*

37. Niemand mag sonder die toestemming van die opsigter 'n gedenkwerk in die begraafplaas verwyder of verstoer nie.

*Nie-aanspreeklikheid vir Beskadiging.*

38. Die Raad is in geen geval aanspreeklik vir skade wat te eniger tyd aan 'n gedenkwerk weens enige oorsaak hoegenaamd geskied nie.

*Onderhoud van Private Grafpersele.*

39. 'n Eienaar van 'n private grafperseel moet sodanige perseel vry van onkruid en in 'n behoorlike toestand hou.

*Verstoring van Stoflike Oorskot.*

40. Geen stoflike oorskot in 'n begraafplaas mag verstoer word nie, uitgesonderd vir 'n doel wat by hierdie regulasies en enige ander wet toegelaat word.

*Opgraving van Lyke en Oopmaak van Grafte.*

41. Niemand mag 'n lyk opgrawe of laat opgrawe of verwyder of 'n graf oopmaak of versteur sonder die skriftelike toestemming van die Raad en die mediese beampte en sodanige toestemming as wat vereis word ooreenkomstig enige wet wat van tyd tot tyd van krag is en die betaling van die gelde vir opgraving soos by besluit van die Raad bepaal, voordat die opgraving plaasvind.

*Verberging van Werksaamhede.*

42. Die graf waaruit 'n lyk verwyder moet word, moet doeltreffend aan die gesig onttrek wees gedurende die opgraving en 'n doodkis moet by die graf in gereedheid gehou word.

*Verwydering van Lyk deur die Superintendent van Een Graf na 'n Ander.*

43. As dit na die mening van die superintendent te eniger tyd raadsaam is om 'n lyk te verwyder of as 'n lyk strydig met hierdie regulasies in 'n graf begrawe is, kan die superintendent sodanige lyk na 'n ander graf laat verwyder: Met dien verstande dat die toestemming, indien moontlik, van 'n nabestaande van die afgestorwene eers verkry moet word en die bepalings van die toepaslike ordonnansie nagekom word.

*Medical Officer to be Present.*

44. Subject to the provisions of regulation 41 of this Chapter, no exhumation or removal of any body shall be made by any person unless the medical officer or his authorised assistant is present.

*Offences and Penalties.*

45. Any person who—

(a) contravenes or fails to comply with the provisions of regulations 3, 4, 6 (2), 7, 8, 9, 10, 11, 13, 17, 22, 25, 27 (2), 28, 29, 31, 32, 33, 34, 35, 36, 37, 39, 40 or 41;

(b) inters or causes or permits to be interred any body in any place other than a cemetery;

(c) is found in a cemetery during the hours when it is not open to the public; or

(d) inters or causes a body to be interred in the cemetery without the permission of the caretaker as required by regulation 12 (1) of this Chapter,

shall be guilty of an offence and liable on conviction to the penalties prescribed in section 44 of the Act.

*Mediese Beampte moet Aanwesig Wees.*

44. Behoudens die bepalings van regulasie 41 van hierdie Hoofstuk, mag niemand 'n lyk opgrawe of verwyder nie, tensy die mediese beampte of sy gemagtigde assistent aanwesig is.

*Misdrywe en Strafbepalings.*

45. Iemand wat—

(a) die bepalings van regulasies 3, 4, 6 (2), 7, 8, 9, 10, 11, 13, 17, 22, 25, 27 (2), 28, 29, 31, 32, 33, 34, 35, 36, 37, 39, 40 of 41 van hierdie Hoofstuk oortree of in gebreke bly om daaraan te voldoen;

(b) 'n lyk begrawe of laat begrawe of toelaat dat dit begrawe word in enige ander plek as in 'n begraafplaas;

(c) in 'n begraafplaas gevind word gedurende die ure wanneer dit nie vir die publiek ook is nie;

(d) 'n lyk in die begraafplaas sonder die toestemming van die opsigter soos vereis by regulasie 12 (1) van hierdie Hoofstuk, begrawe of laat begrawe, begaan 'n misdryf en is by skuldigbevinding strafbaar met die strawwe voorgeskryf in artikel 44 van die Wet.

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