



# STAATSKOERANT

## VAN DIE REPUBLIEK VAN SUID-AFRIKA

### REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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### GOEWERMENSKENNISGEWING

#### DEPARTEMENT VAN KLEURLING-, REHOBOTH- EN NAMABETREKKINGE

No. R. 180 11 Februarie 1977

DIE KINDERWET, 1960 (WET 33 VAN 1960)

#### KINDERHOWEREGULASIES

Ek, Hendrik Hanekom Smit, Minister van Kleurling-, Rehoboth- en Namabetrekkings, handelende kragtens bevoegdheid my verleen by artikel 92 van die Kinderwet, 1960 (Wet 33 van 1960), gelees met Proklamasie 263 van 1976—

(i) vaardig hierby ten opsigte van Kleurlinge in die Republiek van Suid-Afrika die regulasies in bygaande Bylae uiteengesit uit in verband met die reëls van procedure by verrigtinge in kinderhowe en landdroshowe, die registrasie van orders van aanneming en die beskerming van jong kinders;

(ii) bepaal hierby dat die regulasies waarna in (i) hierbo verwys word geag word op 1 Januarie 1977 in werking te getree het; en

(iii) herroep hierby met ingang van 1 Januarie 1977 Goewermenskennisgewing R. 1419, gedateer 28 Augustus 1970.

H. H. SMIT, Minister van Kleurling-, Rehoboth- en Namabetrekkings.

#### BYLAE

KINDERWET, 1960 (WET 33 VAN 1960)

REGULASIES IN VERBAND MET DIE REËLS VAN PROCEDURE BY VERRIGTINGE IN KINDERHOWE EN LANDDROSHOWE, DIE REGISTRASIE VAN ORDERS VAN AAN- NEMING EN DIE BESKERMING VAN JONG KINDERS

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### GOVERNMENT NOTICE

#### DEPARTMENT OF COLOURED, REHOBOTH AND NAMA RELATIONS

No. R. 180 11 February 1977

THE CHILDREN'S ACT, 1960 (ACT 33 OF 1960)

#### CHILDREN'S COURTS—REGULATIONS

Under and by virtue of the powers vested in me by section 92 of the Children's Act, 1960 (Act 33 of 1960), read with Proclamation 263 of 1976, I, Hendrik Hanekom Smit, Minister of Coloured, Rehoboth and Nama Relations, hereby—

(i) make the regulations set out in the accompanying Schedule in connection with the rules of procedure for proceedings in children's courts and magistrates' courts, the registration of orders of adoption and the protection of infants, in respect of Coloured persons in the Republic of South Africa;

(ii) determine that the regulations mentioned in (i) above shall be deemed to have come into operation on 1 January 1977; and

(iii) repeal Government Notice R. 1419 dated 28 August 1970, with effect from 1 January 1977.

H. H. SMIT, Minister of Coloured, Rehoboth and Nama Relations.

#### SCHEDULE

CHILDREN'S ACT, 1960 (ACT 33 OF 1960)

REGULATIONS IN CONNECTION WITH THE RULES OF PROCEDURE FOR PROCEEDINGS IN CHILDREN'S COURTS AND MAGISTRATES' COURTS, THE REGISTRATION OF ORDERS OF ADOPTION AND THE PROTECTION OF INFANTS

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## Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

- (i) "artikel" 'n artikel van die Wet;
  - (ii) "landdroshowereëls" die reëls uitgevaardig kragtens die Wet op Landdroshowe, 1944 (Wet 32 van 1944);
  - (iii) "Minister" die Minister van Kleurling-, Rehoboth- en Namabetrekkinge;
  - (iv) "ondersoek" 'n ondersoek gehou deur 'n hof ingevolge artikel 30;
  - (v) "proefbeampte" 'n proefbeampte aangestel ingevolge artikel 58;
  - (vi) "Sekretaris" die Kommissaris van Kleurlingsake;
  - (vii) "Streekverteenvoerder" die beampte aan die hoof van 'n streekkantoor van die Administrasie van Kleurlingsake;
  - (viii) "Volkswelsynbeampte" die beampte aan die hoof van 'n plaaslike kantoor van die Departement van Volkswelsyn en Pensioene;
  - (ix) "Wet" die Kinderwet, 1960 (Wet 33 van 1960);
- en het 'n woord waaraan in die Wet 'n betekenis geheg is, daardie betekenis.

## NOTULE VAN VERRIGTINGE

2. (1) 'n Kommissaris wat voorsit by verrigtinge in 'n kindershof kan gelas dat sodanige verrigtinge of 'n gedeelte daarvan, in snelskrif of op meganiese wyse aangeteken word.

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## Definitions

1. In these regulations, unless the context otherwise indicates—

- (i) "Act" means the Children's Act, 1960 (Act 33 of 1960);
  - (ii) "enquiry" means an enquiry held by a court in terms of section 30;
  - (iii) "magistrates' courts rules" means the rules made in terms of the Magistrates' Courts Act, 1944 (Act 32 of 1944);
  - (iv) "Minister" means the Minister of Coloured, Rehoboth and Nama Relations;
  - (v) "probation officer" means a probation officer appointed under section 58;
  - (vi) "regional representative" means an officer in charge of a regional office of the Administration of Coloured Affairs;
  - (vii) "Secretary" means the Commissioner for Coloured Affairs;
  - (viii) "section" means a section of the Act;
  - (ix) "social welfare officer" means an officer in charge of a local office of the Department of Social Welfare and Pensions;
- and any word to which a meaning has been assigned in the Act shall bear that meaning.

## RECORD OF PROCEEDINGS

2. (1) A commissioner presiding at any proceedings in a children's court may direct that such proceedings or any part thereof be noted in shorthand or by mechanical means.



(2) Iedereen wat in diens geneem word om in snelskrif of op meganiese wyse 'n aantekening te maak van die verrigtinge in 'n kindershof of om 'n oorskrif daarvan te maak, word geag 'n beamppte van die hof te wees en moet voordat hy sy werk begin 'n eed aflê soos ingevolge die landdroshowerêls voorgeskryf vir persone wat in snelskrif of op meganiese wyse aantekeninge maak by 'n strafverhoor.

(3) Die snelskrifaantekeninge of die aantekeninge wat op meganiese wyse gemaak is van verrigtinge in 'n kindershof moet in opdrag van die kommissaris wat by die verrigtinge voorsit, getranskribeer word.

(4) Iemand wat ingevolge hierdie regulasies, behoudens die bepalinge van artikel 9 (3), geregtig is om die notule van enige verrigtinge in 'n kindershof in te sien, kan, in enige geval waar geen oorskrif daarvan ingevolge subregulasie (3) gelas is nie, by kennisgewing aan die klerk van die kindershof en teen betaling van die bedrag wat ingevolge die landdroshowerêls betaalbaar is vir 'n transkripsie van snelskrifaantekeninge of aantekeninge wat op meganiese wyse gemaak is by 'n strafverhoor, versoek dat die snelskrifaantekeninge of die aantekeninge wat op meganiese wyse gemaak is van sodanige verrigtinge getranskribeer word.

(5) Snelskrifaantekeninge of aantekeninge wat op meganiese wyse gemaak is van verrigtinge in 'n kindershof, of van 'n oorskrif daarvan ingevolge hierdie regulasie gemaak en wat deur die persoon wat dit gemaak het, gesertifiseer is as ware aantekeninge, of oorskrif, na gelang van die geval, maak deel uit van die notule van sodanige verrigtinge.

#### ASSESSORE

3. Ontbieding van 'n assessor kragtens artikel 7 (2) geskied skriftelik en moet deur die klerk van die kindershof uitgereik en onderteken en per geregistreerde pos aan die posadres van die assessor gestuur word. As 'n assessor versuim om teenwoordig te wees op die tyd en op die plek wat vasgestel is vir die ondersoek of verdere ondersoek, kan die kommissaris wat voorsit by die ondersoek, na goeddunke, voortgaan sonder die hulp van sodanige assessor, of hy kan die ondersoek uitstel.

#### DAGVAARDING VAN GETUIES KRAGTENS ARTIKEL 8 (4) OF (5)

4. 'n Dagvaardiging kragtens artikel 8 (4) of (5) word uitgereik in die vorm van Vorm 1 of 2, na gelang van die geval.

#### BETEKENING VAN KENNISGEWINGS EN DAGVAARDINGS

5. (1) 'n Skriftelike kennisgewing wat ingevolge hierdie regulasies of ingevolge 'n bepaling van die Wet aan iemand beteken moet word, vir die betekening waarvan geen spesiale metode in die Wet of in hierdie regulasies voorgeskryf is nie, en 'n dagvaarding uitgereik ingevolge regulasie 11 (1) of regulasie 12 (3), kan beteken word deur 'n polisiebeampte of gemagtigde amptenaar op die wyse voorgeskryf vir die betekening van 'n dagvaarding om te verskyn ten einde getuie af te lê by 'n strafsak in 'n landdroshof, of deur die klerk van die kindershof deur 'n afskrif van die kennisgewing of dagvaarding per geregistreerde pos te stuur aan die posadres van die persoon aan wie die kennisgewing of dagvaarding gerig is.

(2) 'n Kennisgewing of dagvaarding wat die bywoning van iemand anders as 'n getuie vereis, by die verrigtinge in 'n kindershof, waarvan die betekening ingevolge die Wet of ingevolge hierdie regulasies vereis word, moet beteken word minstens drie dae voor die dag wat vasgestel

(2) Any person employed for the taking of notes in shorthand or by mechanical means of the proceedings in a children's court or for the making of a transcription thereof, shall be deemed to be an officer of the court and shall, before entering on his duties, take an oath as prescribed in the magistrates' courts rules for persons taking notes in shorthand or by mechanical means in any criminal trial.

(3) The shorthand notes or notes made by mechanical means of any proceedings in a children's court shall, by direction of the commissioner presiding at the proceedings, be transcribed.

(4) Any person who, subject to the provisions of section 9 (3), is entitled in terms of these regulations, to inspect the record of any proceedings in a children's court, may, in any case where no transcription thereof has been ordered in terms of subregulation (3), by notice to the clerk of the children's court and on payment of the amount payable in terms of the magistrates' courts rules for the making of a transcription of shorthand notes or notes made by mechanical means in any criminal trial, apply for the making of a transcription of the shorthand notes or notes made by mechanical means of such proceedings.

(5) Shorthand notes or notes made by mechanical means of any proceedings in a children's court or any transcription thereof in terms of this regulation certified by the person who made it as a true note or transcription, as the case may be, shall form part of the record of such proceedings.

#### ASSESSORS

3. A summons to an assessor in terms of section 7 (2) shall be in writing and shall be issued and signed by the clerk of the children's court and sent by registered post to the postal address of the assessor. If any assessor fails to attend at the time and place appointed for the enquiry or the further enquiry, the commissioner presiding at the enquiry may at his discretion proceed without the assistance of such assessor or may postpone the enquiry.

#### SUBPOENA OF WITNESSES IN TERMS OF SECTION 8 (4) OR (5)

4. A subpoena in terms of section 8 (4) or (5) shall be issued in the form of Form 1 or 2, as the case may be.

#### SERVICE OF NOTICES AND SUMMONSES

5. (1) Any notice, in writing, required by these regulations or by any provision of the Act, to be served upon any person, for the service of which no special method is prescribed in the Act or in these regulations, and a summons issued in terms of regulation 11 (1) or regulation 12 (3) may be served by any policeman or authorised officer in the manner prescribed for the service of a summons to appear to give evidence in criminal proceedings in a magistrate's court, or by the clerk of the children's court by posting a copy of the notice or summons by registered post to the postal address of the person to whom the notice or summons is directed.

(2) A notice or summons requiring the attendance of any person, otherwise than as a witness, at any proceedings in a children's court, service of which is required by the Act or by these regulations, shall be served not



is vir bywoning; en as die plek waar betekening plaasvind meer as 50 kilometer van die hof is, moet die tussenpoos tussen betekening en bywoning verleng word met een dag vir elke 50 kilometer van die afstand, maar dit hoef in geen geval meer as 28 dae te wees nie.

(3) 'n Polisiebeampte of gemagtigde amptenaar moet op 'n kennisgewing of dagvaarding wat hy beteken 'n relaas endosseer, of dit daaraan heg, met vermelding van die datum en wyse van betekening en moet onverwyld die kennisgewing of dagvaarding aan die klerk van die kinderkhof terugbesorg.

(4) 'n Klerk van die kinderkhof deur wie 'n kennisgewing of dagvaarding per geregistreerde pos beteken word, moet die poskantoorregistrasiekwitansie aan die oorspronklike kennisgewing of dagvaarding heg, of die registrasievolnommer en die datum waarop die stuk by die poskantoor vir versending ingedien is op die oorspronklike kennisgewing of dagvaarding endosseer.

(5) As iemand wat deur kennisgewing of dagvaarding aangesê word om verrigtinge by te woon, versuim om dit te doen, en dit vir die kinderkhof blyk dat, nieteenstaande behoorlike betekening van die kennisgewing of dagvaarding aan die persoon ooreenkomstig hierdie regulasies, hy dit waarskynlik nie ontvang het nie, kan dié hof, na goeddunke, die verhoor uitstel en sodanige opdrag gee as wat hy geskik ag vir verdere en beter betekening.

#### REKORD VAN ONDERSOEKE

6. (1) Die klerk van die kinderkhof moet 'n register hou in die vorm van Vorm 3, genoem die Kinderhofrekordboek, waarin besonderhede ten opsigte van elke ondersoek wat deur die hof gehou is, aangeteken moet word.

(2) Die verrigtinge by 'n ondersoek moet aangeteken word deur die kommissaris wat daarby voorsit, of, ooreenkomstig 'n lasgewing deur die kommissaris, deur 'n klerk, 'n snelskrywer of op 'n meganiese wyse en die rekord moet uit die volgende bestaan:

(a) 'n Verklaring, in die vorm van Vorm 4, van die besonderhede van die onderwerp, datum of datums en plek van die ondersoek, die naam van die kommissaris wat voorsit by die ondersoek en die name van assessore (as daar is), en die name van die assistent van die kinderkhof en van enige partye en hul verteenwoordigers wat by dié ondersoek verskyn;

(b) 'n aantekening van die mondelinge getuienis wat by die ondersoek afgelê is, van die toelating van enige skriftelike verslag, bewysstuk of ander oorlegging, en van die verwerping van enige sodanige getuienis, verslag, bewysstuk of oorlegging;

(c) 'n aantekening of die kind en sy ouers of voog by die ondersoek teenwoordig is en indien die ouers of voog van die kind nie getuienis afgelê het nie, die redes daarvoor;

(d) 'n aantekening, in die toepaslike gevalle, soos by artikel 31 (8) vereis;

(e) die verslae, bewysstukke of ander dokumentêre oorleggings deur die kinderkhof toegelaat;

(f) 'n aantekening, deur die kommissaris onderteken, van die bevinding en die bevel van die kinderkhof by die afloop van die ondersoek;

(g) waar 'n kind op proef geplaas is, 'n aantekening van die vereistes waaraan die kind of sy ouers ingevolge regulasie 10 moet voldoen;

(h) 'n aantekening van die kontribusie-order uitgereik of enige hangende of voorgenome verrigtinge vir die uitreiking van 'n kontribusie-order, en van enige beslaglegging op die loon van 'n verweerder ter betaling van 'n kontribusie-order, of dat geen kontribusie-order uitgereik is nie en die redes daarvoor;

(i) waar daar geen of onvoldoende dokumentêre bewys van die ouderdom van die kind beskikbaar is, 'n aantekening van die skatting van die ouderdom van die kind gemaak ingevolge artikel 85,

less than three days before the day appointed for attendance; and if the place of service is at a distance of more than 50 kilometres from the court, the interval between service and appearance shall be extended by one day for every 50 kilometres of such distance, but need not in any case exceed 28 days.

(3) A policeman or authorised officer shall endorse on or annex to a notice or summons served by him a return showing the date and manner of such service and shall forthwith return the notice or summons to the clerk of the children's court.

(4) A clerk of the children's court by whom a notice or summons is served by registered post shall annex to the original notice or summons the post office registration receipt or shall endorse on the original notice or summons the registration serial number and the date on which the document was handed in at the post office for dispatch.

(5) If any person, being required by notice or summons to attend proceedings, fails to attend, and it appears to the children's court that notwithstanding due service of the notice or summons upon that person in accordance with these regulations he has probably not received it, the court may, at its discretion, postpone the hearing and give such directions as it may deem fit for further and better service.

#### RECORD OF ENQUIRIES

6. (1) The clerk of the children's court shall keep a book, in the form of Form 3, called the Children's Court Record Book, in which shall be entered particulars of every enquiry held by the court.

(2) The proceedings at an enquiry shall be recorded by the commissioner presiding thereat or by a clerk, by a shorthand writer or by mechanical means, as the commissioner may direct, and the record shall comprise—

(a) a statement in the form of Form 4 of the particulars of the subject matter, date or dates and place of the holding of the enquiry; the name of the commissioner presiding at the enquiry and the names of the assessors (if any); and the names of the children's court assistant and of any parties and their representatives appearing at the enquiry;

(b) a note of the oral evidence given at the enquiry, of the admission of any written report, exhibit or other production, and of the rejection of any such evidence, report, exhibit or production;

(c) a note whether the child and his parents or guardian are or is present at the enquiry and if the parents or guardian of the child did not give evidence, the reasons therefor;

(d) a note, in the applicable cases, as required by section 31 (8);

(e) the reports, exhibits or other documentary productions admitted by the children's court;

(f) a note signed by the commissioner of the finding and order of the children's court at the conclusion of the enquiry;

(g) where a child is placed on probation, a note of the requirements with which the child or his parents must comply in terms of regulation 10;

(h) a note of the contribution order made or of any pending or contemplated proceedings for the making of a contribution order and of any attachment of the wages of a respondent in payment of a contribution order, or that no contribution order has been made and the reasons therefor;

(i) where no or insufficient documentary evidence of the age of a child is available, a note of the estimate of the age of the child in terms of section 85.



(3) Die rekord van 'n ondersoek lê, behoudens die bepalings van artikel 9 (3), ter insae vir enige party by die verrigtinge te eniger tyd voor die afloop daarvan en binne een jaar daarna sonder betaling, en te eniger tyd na verloop van een jaar vanaf die afloop van die ondersoek, teen betaling van die bedrag voorgeskryf vir insae in die rekord van siviele sake in die landdroshowe.

(4) Behoudens die bepalings van artikel 9 (3), en regulasie 9 (2), mag niemand anders as 'n party by die verrigtinge, insae in die rekord van 'n ondersoek hê nie, behalwe met verlof van 'n kommissaris wat op daardie tydstip diens doen in die kindershof waarin die ondersoek gehou word of gehou is, en teen betaling van die gelde voorgeskryf vir die insae in die rekord van siviele verrigtinge in landdroshowe: Met dien verstande dat verlof toegestaan kan word vir die insae in 'n rekord sonder betaling—

(a) te eniger tyd binne sewe dae na afloop van die ondersoek, met die doel om 'n verslag van die verrigtinge in enige koerant of tydskrif te publiseer, behoudens die bepalings van artikel 8 (2); of

(b) te eniger tyd hoegenaamd vir amptelike of navorsingsdoeleindes.

#### AANHOUDING EN VOOR DIE HOF BRING VAN KINDERS

7. (1) Magtiging deur 'n polisiebeampte, proefbeampte of 'n gemagtigde amptenaar tot die verwydering van 'n kind na 'n veiligheidsplek moet in die vorm van Vorm 5 wees. 'n Afskrif van die magtiging moet aan die streekverteenwoordiger Volkswelnsynbeampte, na gelang van die geval, gestuur word.

(2) 'n Polisiebeampte, proefbeampte of gemagtigde amptenaar deur wie 'n kind verwyder word van 'n plek sodat hy voor 'n kindershof gebring kan word ingevolge 'n bepaling van die Wet, kan die ouer of voog of persoon wat die bewaring van die kind het, na gelang van die geval, mondeling in kennis stel van die dag waarop en die tyd wanneer die kind voor dié hof gebring moet word, en moet hom terselfdertyd meedeel dat van hom vereis word om die ondersoek by te woon.

(3) As enige sodanige ouer, voog of persoon teenwoordig is ten tyde van die verwydering van die kind, moet die polisiebeampte, proefbeampte of gemagtigde amptenaar hom sodanige kennis gee as wat in subregulasie (2) gemeld word.

(4) 'n Bevel deur 'n kommissaris vir die aanhouding van 'n kind in 'n veiligheidsplek of 'n waarnemingsentrum moet in die vorm van Vorm 6 wees. 'n Afskrif van die bevel moet aan die betrokke proefbeampte gestuur word. Bevele vir verdere aanhouding van 'n kind moet betyds gestuur word sodat dit die veiligheidsplek of waarnemingsentrum nie later as die vervaldatum van die vorige bevel bereik nie.

(5) 'n Lasbrief uitgereik ooreenkomstig artikel 29 moet in die vorm van Vorm 7 wees.

(6) Wanneer 'n kind voor 'n kindershof gebring word vir die hou van 'n ondersoek, of wanneer 'n ondersoek gehou moet word ten opsigte van 'n kind in sy afwesigheid kragtens die bepalings van artikel 30 (4), moet die klerk van die kindershof, tensy die kommissaris anders beveel, onverwyld skriftelik kennis in die vorm van Vorm 8 laat beteken aan die ouer, voog of persoon wat die kind in bewaring het, waarby hy aangesê word om teenwoordig te wees en teenwoordig te bly gedurende die ondersoek ten opsigte van daardie kind.

(7) Kennis aan 'n ouer of voog van 'n bevel wat ingevolge artikel 84 teen hom uitgereik is om 'n kind voor 'n kindershof te bring, moet in die vorm van Vorm 9 wees en moet beteken word soos in regulasie 5 voorgeskryf.

(3) The record of an enquiry shall, subject to the provisions of section 9 (3), be open to inspection by any party to the proceedings at any time before its conclusion and within one year thereafter without payment of a fee, and at any time after the expiry of one year from the conclusion of the enquiry upon payment of the fee prescribed for the inspection of the records of civil proceedings in magistrates' courts.

(4) Subject to the provisions of section 9 (3) and regulation 9 (2) no person other than a party to the proceedings may inspect the record of an enquiry, save by leave of a commissioner then holding office in the children's court in which the enquiry is being or has been held and upon payment of the fees prescribed for the inspection of the records of civil proceedings in magistrates' courts: Provided that leave may be granted for the inspection of a record without payment of a fee—

(a) at any time within seven days after the conclusion of the enquiry for the purpose of the publication in any newspaper or journal, subject to the provisions of section 8 (2), of a report of the proceedings; or

(b) at any time whatever for official purposes or purposes of research.

#### DETENTION AND BRINGING BEFORE COURT OF CHILDREN

7. (1) Authority by a policeman, probation officer or an authorised officer for the removal of a child to a place of safety shall be in the form of Form 5. A copy of the authority shall be sent to the regional representative or social welfare officer, as the case may be.

(2) Any policeman, probation officer or authorised officer by whom a child is removed from any place in order that he may be brought before a children's court in terms of any provision of the Act, may give oral notice to the parent or guardian or person having the custody of the child, as the case may be, of the day on and the time at which the child is to be brought before the court, and shall at the same time inform him that he is required to attend the enquiry.

(3) If any such parent, guardian or person is present at the time of the removal of the child, the policeman, probation officer or authorised officer shall give him such notice as is mentioned in subregulation (2).

(4) An order by a commissioner for the detention of a child in a place of safety or an observation centre shall be in the form of Form 6. A copy of the order shall be sent to the probation officer concerned. Orders for the further detention of a child must be sent timeously to reach the place of safety or observation centre not later than the date of expiry of the previous order.

(5) A warrant issued in terms of section 29 shall be in the form of Form 7.

(6) Whenever a child is brought before a children's court for the holding of an enquiry, or when an enquiry is to be held in respect of a child in his absence under the provisions of section 30 (4), the clerk of the children's court shall, unless the commissioner otherwise directs, forthwith cause notice in writing in the form of Form 8 to be served on the parent, guardian or person having the custody of the child requiring him to attend and to remain in attendance during the enquiry in respect of that child.

(7) Notice to a parent or guardian by which he is ordered in terms of section 84 to produce a child before a children's court shall be in the form of Form 9 and shall be served as prescribed in regulation 5.



## VERRIGTINGE BY ONDERSOEKE

8. (1) 'n Ouer of voog van 'n kind ten opsigte van wie 'n ondersoek gehou word wat self of deur 'n prokureur of 'n advokaat die ondersoek bywoon, word beskou as 'n party by die verrigtinge en het dieselfde regte en bevoegdhede as 'n party by 'n siviele aksie in 'n landdroshof ten opsigte van die ondervraging van getuiens, die aanvoer van getuienis en die toespraak van die hof.

(2) Iedereen wat die voorsittende kommissaris by 'n ondersoek oortuig dat hy 'n wesenlike belang by die verrigtinge van die ondersoek het, kan van die kommissaris verlof kry om toe te tree tot die ondersoek, en word dan beskou as 'n party by die verrigtinge en het die regte en bevoegdhede in subregulasie (1) vermeld.

(3) Die kinderhof kan te eniger tyd gedurende die hou van 'n ondersoek op versoek van 'n party by die verrigtinge of uit eie beweging 'n persoon oproep vir ondervraging as 'n getuie of 'n getuie terugroep vir verdere ondervraging.

(4) By die hou van 'n ondersoek kan die kinderhof 'n skriftelike verslag, opgestel en onderteken deur 'n proefbeampte, polisiebeampte, amptenaar van 'n vereniging wat hom beywer vir die beskerming, welsyn en redding van kinders, of enige ander bevoegde persoon wat 'n gesaghebbende opinie kan vorm aangaande die kind of die omstandighede van die kind ten opsigte van wie die ondersoek gehou word of van die ouers of bewaarder van die kind, ontvang en oorweeg. Met dien verstande dat geen feitebewering in sodanige verslag vervat wat onder eed weerlê word deur of namens 'n party by die verrigtinge aanvaar wag word nie, tensy dit *viva voce* onder eed bevestig word deur die persoon wat die verslag uitbring of tot tevredenheid van die kinderhof deur bewys *aliunde* getoetaaf word.

(5) Indien 'n beweerde sorgbehoewende kind ten opsigte van wie 'n ondersoek gehou word waarskynlik 'n kind is binne die bedoeling van artikel 31 (8), moet die verslag wat ingevolge subregulasie (4) aan die hof voorgelê word dit duidelik aandui en, indien moontlik, of een of beide ouers daarvoor verantwoordelik is.

## TENUITVOERLEGGING VAN BEVELE

9. (1) 'n Bevel van 'n kinderhof kragtens artikel 31 (1), (2) en (4) moet in die vorm van Vorm 11 wees.

(2) Wanneer die kinderhof, na 'n ondersoek, van mening is dat 'n kind na 'n kinderhuis of nywerheidsskool verwys moet word, moet die kommissaris wat by die ondersoek voorsit onverwyld die volgende aan die Sekretaris laat stuur:

(a) Drie gewaarmerkte afskrifte van die rekord van die verrigtinge by die ondersoek, met inbegrip van alle dokumentêre bewysstukke en oorleggings wat ter sake is; en

(b) drie gewaarmerkte afskrifte van 'n mediese sertifikaat in die vorm van Vorm 10; en

(c) een gewaarmerkte afskrif van die kontribusieorder of van 'n verslag deur die kommissaris aangaande hangende of voorgename verrigtinge vir die uitreiking van 'n kontribusie-order ingevolge Hoofstuk VI van die Wet: Met dien verstande dat indien die ondersoek ten opsigte van meer as een kind in dieselfde gesin gehou is, 'n ekstra afskrif van die rekord van die verrigtinge by (a) genoem, vir elke bykomende kind, tot 'n maksimum van ses afskrifte, aan die Sekretaris gestuur moet word.

(3) Nadat die Sekretaris 'n nywerheidsskool of kinderhuis ingevolge artikel 35 aangewys het, moet hy, behoudens die bepalinge van subregulasie (5), die betrokke kinderhof en proefbeampte onverwyld in kennis stel van die aanwysing.

## PROCEEDINGS AT ENQUIRIES

8. (1) Any parent or guardian of a child in respect of whom an enquiry is held who himself or by attorney or counsel attends the enquiry shall be deemed to be a party to the proceedings and shall have the same rights and powers as a party to a civil action in a magistrate's court in respect of the examination of witnesses, the production of evidence and of address to the court.

(2) Anyone who satisfies the commissioner presiding at an enquiry that he has a substantial interest in the proceedings at the enquiry may be granted leave by the commissioner to intervene in the enquiry, and shall thereupon be deemed to be a party to the proceedings and shall have the rights and powers mentioned in subregulation (1).

(3) The children's court may at any time during the holding of an enquiry at the instance of any party to the proceedings or of its own motion call any person for examination as a witness or recall any witness for further examination.

(4) At the holding of an enquiry the children's court may receive and consider a report in writing made and signed by a probation officer, policeman, officer of an association working for the protection, welfare and reclamation of children, or any other competent person who can form an authoritative opinion on the child or the circumstances of the child in respect of whom the enquiry is held or of the parents or custodian of the child: Provided that no averment of fact contained in any such report which is denied on oath by or on behalf of any party to the proceedings shall be accepted unless it is confirmed *viva voce*, on oath, by the person making the report or is established by evidence *aliunde* to the satisfaction of the children's court.

(5) If an alleged child in need of care in respect of whom an enquiry is held is probably a child within the meaning of section 31 (8), the report submitted to the court in terms of subregulation (4) must clearly indicate this and, if possible, whether one parent or both parents is or are responsible.

## EXECUTION OF ORDERS

9. (1) An order of a children's court in terms of section 31 (1), (2) and (4) shall be in the form of Form 11.

(2) Whenever at the conclusion of an enquiry the children's court is of opinion that a child should be sent to a children's home or school of industries, the commissioner presiding at the enquiry shall forthwith cause to be sent to the Secretary:

(a) Three certified copies of the record of the proceedings at the enquiry, including all relevant documentary exhibits and productions; and

(b) three certified copies of the medical certificate in the form of Form 10; and

(c) one certified copy of the contribution order or of a report by the commissioner as to any proceedings pending or contemplated for the making of a contribution order under Chapter VI of the Act: Provided that if the enquiry has been held in respect of more than one child in the same family, an extra copy of the record of proceedings mentioned under (a) shall be transmitted to the Secretary for every additional child, up to a maximum of six copies.

(3) After designating a school of industries or a children's home in terms of section 35, the Secretary shall, subject to the provisions of subregulation (5), forthwith inform the children's court and the probation officer concerned of the designation.



(4) Die kinderhof moet, wanneer hy ingevolge subregulasie (3) verwittig is van die aanwysing deur die Sekretaris gemaak, beveel dat die kind gestuur word na die kinderhuis of nywerheidskool aldus aangewys, en die kommissaris moet onverwyld 'n gewaarmerkte afskrif van sodanige bevel aan die Sekretaris en die betrokke proefbeampte en die kinderhuis of nywerheidskool stuur.

(5) As die Sekretaris om een of ander rede nie in staat is om onverwyld 'n nywerheidskool of kinderhuis aan te wys nie moet hy dit aan die kinderhof en die proefbeampte meedeel, en dié hof kan dan na goeddunke 'n ander bevel kragtens artikel 31 vir die plasing van die kind uitreik.

(6) So gou moontlik na 'n bevel deur die kinderhof kragtens artikel 31 (1), moet die betrokke kommissaris reëlings tref vir die verwydering van die kind na die kinderhuis of nywerheidskool waarheen, of na die bewaring van die persoon waarin, of na die beheer van die goedgekeurde vereniging waaronder beveel word dat die kind gestuur of geplaas word. Indien die kind in 'n veiligheidsplek aangehou word, moet die kommissaris 'n verwyderingsbevel in die vorm van Vorm 12 uitreik en 'n afskrif daarvan stuur aan die proefbeampte en die ouers of voog van die kind.

(7) Voordat die kinderhof 'n bevel uitreik kragtens artikel 31 (1) (b) of (c), of 'n kind ingevolge artikel 31 (2) onder toesig plaas, moet hy hom daarvan vergewis dat die persoon in wie se bewaring, of die vereniging van persone onder wie se beheer of toesig die kind geplaas moet word, toestem om die kind in sy bewaring te ontvang of om beheer of toesig oor die kind uit te oefen.

(8) Wanneer 'n kind kragtens artikel 31 (1) (b) in die bewaring van 'n persoon geplaas word, moet die kommissaris aan daardie persoon 'n afskrif stuur van die bevel van die kinderhof.

(9) Wanneer 'n kind kragtens artikel 31 (1) (c) of (2) onder die beheer van 'n goedgekeurde vereniging of onder die toesig van 'n vereniging van persone geplaas word, moet die kommissaris aan die betrokke vereniging 'n afskrif stuur van die dokumente in subregulasie (2) (a) en (b) genoem en van die bevel van die kinderhof.

(10) Wanneer met 'n kind handel is op een van die maniere uiteengesit in artikel 31 (1) (a), (b) of (c), moet die kommissaris aan die proefbeampte een gewaarmerkte afskrif en aan die Sekretaris drie gewaarmerkte afskrifte van die dokumente vermeld in subregulasie (2) en van die bevel van die kinderhof stuur.

(11) Waar 'n kind kragtens artikel 31 (2) of (3) op proef geplaas is, moet 'n afskrif van die bevel van die kinderhof, tesame met 'n skriftelike uiteensetting van die vereistes waaraan kragtens artikel 31 (4) voldoen moet word, aan die ouer of voog van die kind en aan die Sekretaris en die proefbeampte gestuur word, indien dit nie reeds ingevolge subregulasie (10) gedoen is nie.

(12) 'n Lasgewing ingevolge artikel 31 (6) moet in die vorm van Vorm 13 wees en 'n afskrif van die bevel moet gestuur word aan die persoon in wie se bewaring die kind is en aan die Sekretaris en die proefbeampte.

(13) 'n Kommissaris wat 'n lasgewing ingevolge artikel 31 (6) uitreik, moet hom daarvan vergewis dat die kind liggaamlik en geestelik geskik is om 'n bywoningsentrum by te woon.

(4) The children's court shall, on being informed in terms of subregulation (3) of the designation made by the Secretary, order that the child be sent to the children's home or the school of industries so designated and the commissioner shall forthwith transmit to the Secretary, the probation officer concerned and the children's home or school of industries a certified copy of such order.

(5) If for some reason or other the Secretary is unable forthwith to designate a school of industries or children's home, he shall so inform the children's court and the probation officer, and the court may then make such other order in terms of section 31 for the placement of the child as it may deem fit.

(6) As soon as may be after the making of an order by the children's court in terms of section 31 (1), the commissioner concerned shall make arrangements for the removal of the child to the children's home or school of industries or to the custody of the person or to the control of the approved agency to or in or under which it is ordered to be sent or placed. If the child is detained in a place of safety, the commissioner shall issue in the form of Form 12 a release order and send a copy thereof to the probation officer and the parents or guardian of the child.

(7) Before the children's court makes an order in terms of section 31 (1) (b) or (c) or places a child under supervision in terms of section 31 (2), the court shall satisfy itself that the person in whose custody or the association of persons under whose control or supervision the child is to be placed, consents to receive the child into his/its custody or to exercise control or supervision over the child.

(8) When a child is, in terms of section 31 (1) (b), placed in the custody of a person, the commissioner shall send to that person a copy of the order of the children's court.

(9) When a child is, in terms of section 31 (1) (c) or (2), placed under the control of an approved agency or under the supervision of an association of persons, the commissioner shall send to the agency or association concerned a copy of the documents mentioned in subregulation (2) (a) and (b) and of the order of the children's court.

(10) When a child has been dealt with in one of the ways specified in section 31 (1) (a), (b) or (c), the commissioner shall transmit to the probation officer one certified copy and to the Secretary three certified copies of the documents mentioned in subregulation (2) and of the order of the children's court.

(11) When a child has, in terms of section 31 (2) or (3), been placed on probation, a copy of the order of the children's court, together with a written statement of the requirements which shall be complied with in terms of section 31 (4), shall be sent to the parent or guardian of the child and to the Secretary and probation officer, if this has not already been done in terms of subregulation (10).

(12) An order in terms of section 31 (6) shall be in the form of Form 13 and a copy of the order shall be sent to the person in whose custody the child is and to the Secretary and the probation officer.

(13) A commissioner making an order in terms of section 31 (6) shall satisfy himself that the child is physically and mentally fit to attend an attendance centre.

## PROEFPLASING VAN KINDERS

10. (1) 'n Kinderhof kan kragtens artikel 31 (4) 'n kind wat op proef onder die toesig van 'n proefbeampte geplaas is, of wat ingevolge artikel 31 (3) voor 'n kinderhof gebring is, beveel om aan een of meer van die volgende vereistes, soos deur die hof bepaal, te voldoen:

(a) Dat hy hom moet onthou van die gebruik van afhanklikheidsvormende stowwe;

(b) dat hy hom moet onderwerp aan die mediese, psigiatriese of sielkundige ondersoek of behandeling deur die hof bepaal;

(c) dat hy enige verlies of skade wat deur hom veroorsaak is na sy vermoë moet vergoed of 'n gepaste gemeenskapsdiens moet lewer;

(d) dat hy te alle tye met die proefbeampte moet saamwerk;

(e) dat hy as aktiewe lid aansluit by 'n spesifieke klub of beweging;

(f) in die geval van 'n skoolier—

(i) dat hy 'n bepaalde skool moet bywoon;

(ii) dat hy nie sonder gegronde rede van die skool afwesig mag wees nie;

(g) in die geval van 'n kind wat reeds skool verlaat het—

(i) dat hy by 'n bepaalde instansie in diens moet bly;

(ii) dat hy gereeld moet werk.

(2) 'n Kinderhof kan, kragtens artikel 31 (4), gelas dat die ouer of voog van 'n kind wat op proef geplaas is, of wat ingevolge artikel 31 (3) voor 'n kinderhof gebring is, aan een of meer van die volgende vereistes, soos deur die hof bepaal, moet voldoen:

(a) Dat die ouer of voog tot tevredenheid van die proefbeampte moet voorsien in die kind se materiële behoeftes;

(b) dat die ouer of voog sy hele verdienste of 'n deel daarvan aan 'n vrywillige welsynorganisasie of 'n ander bevoegde persoon, deur die hof aangewys, moet oorhandig vir administrasie;

(c) dat die vader of die moeder of voog gereeld moet werk en dat hy of sy nie sy of haar werk op onverskillige of onverantwoordelike wyse moet verloor of verander nie;

(d) dat die ouer of voog onder alle omstandighede behoorlike en goedgekeurde voorsiening vir toesig oor en die versorging van die kind moet maak;

(e) dat waar die kind blootgestel is aan swak invloede van buite, die ouer of voog daadwerklike stappe moet doen om kontak met sodanige invloede te verbreek of te voorkom en op versoek van die toesighoudende proefbeampte moet aandui watter stappe aldus gedoen is;

(f) dat die ouer of voog homself aan mediese, psigiatriese of sielkundige ondersoek of behandeling moet onderwerp;

(g) dat die ouer of voog persoonlik binne 14 dae aan die toesighoudende proefbeampte enige verandering van woonadres moet rapporteer;

(h) dat die ouer of voog daadwerklik moet toesien dat die vereistes waaraan die kind moet voldoen, nagekom moet word en dat die nie-nakoming daarvan deur of enige nuwe gedragsafwyking by die kind, persoonlik, sonder versuim, onder die aandag van die toesighoudende proefbeampte gebring word;

(i) dat die ouer of voog, in oorleg met die toesighoudende proefbeampte, daadwerklike stappe moet doen om swak gewoontes of afwykende gedrag by die kind teë te werk;

## PLACING OF CHILDREN ON PROBATION

10. (1) A children's court may, in terms of section 31 (4), order a child who has been placed on probation under the supervision of a probation officer or who has been brought before a children's court in terms of section 31 (3) to comply with one or more of the following requirements, as the court may direct:

(a) That he shall abstain from the use of dependence-producing substances;

(b) that he shall submit himself to the medical, psychiatric or psychological examination or treatment determined by the court;

(c) that he shall make good, according to his ability, any loss or damage caused by him or that he shall render some suitable community service;

(d) that he shall at all times co-operate with the probation officer;

(e) that he shall join and become an active member of a specific club or movement;

(f) in the case of a scholar—

(i) that he shall attend a specified school;

(ii) that he shall not absent himself from school without good reason;

(g) in the case of a child who has already left school—

(i) that he shall remain in the employment of a specified undertaking;

(ii) that he shall remain in regular employment.

(2) A children's court may, in terms of section 31 (4), direct that the parent or guardian of a child who has been placed on probation or who has been brought before a children's court in terms of section 31 (3) shall comply with one or more of the following requirements, as the court may direct:

(a) That the parent or guardian shall to the satisfaction of the probation officer provide the child with the necessary material means;

(b) that the parent or guardian shall hand over to a voluntary welfare organisation or to some other competent person, designated by the court, the whole or a part of his earnings for administration;

(c) that the father or the mother or guardian shall remain in regular employment and that he or she shall not in a careless or irresponsible manner lose or change his or her employment;

(d) that the parent or guardian shall under all circumstances make proper and approved provision for the supervision and care of the child;

(e) that where the child is exposed to bad outside influence, the parent or guardian shall take active steps to terminate or prevent contact with such influences and to indicate, at the request of the supervising probation officer, the steps which have so been taken;

(f) that the parent or guardian shall submit himself to medical, psychiatric or psychological examination or treatment;

(g) that the parent or guardian shall personally within 14 days report to the supervising probation officer any change of residential address;

(h) that the parent or guardian shall ensure that the requirements with which the child has to comply are observed and that non-compliance by or any new behavioural deviation in the child is personally, without delay, brought to the notice of the supervising probation officer;

(i) that the parent or guardian shall, in consultation with the supervising probation officer, take active steps to counter bad habits or deviant behaviour in the child;



(j) dat die ouer of voog te alle tye met die toesig-houdende proefbeampte moet saamwerk.

(3) Die vereistes wat ingevolge subregulasie (1) of (2) nagekom moet word, maak deel uit van die bevel van die hof in die vorm van Vorm 11 en moet volledig in 'n aanhangsel daarvan uiteengesit word.

(4) As 'n kind wat op proef geplaas is na die regs-gebied van 'n ander kommissaris verhuis, moet die toesig-houdende proefbeampte die klerk van die kinderkhof wat die bevel uitgereik het, asook die proefbeampte van die distrik waarheen die kind verhuis het, sonder versuim skriftelik verwittig van die nuwe woonadres van die kind.

(5) By die ontvangs van sodanige kennisgewing deur die klerk van die kinderkhof, stuur hy al die stukke van daardie hof met betrekking tot die kind, aan die klerk van die kinderkhof van die distrik waarin die kind dan woonagtig is.

(6) Die finale verslag van die proefbeampte kragtens artikel 31 (5), by die afloop van die tydperk wat 'n kind op proef geplaas is, moet, in tweevoud, aan die kommissaris voorgelê word en moet, na gelang daarvan of die proefplasing van die kind geslaag het of nie, 'n aanbeveling bevat met betrekking tot die verdere stappe wat nodig geag word.

(7) Die kommissaris moet, behoudens die voorbehouds-bepaling van artikel 36 (2), 'n afskrif van die verslag wat ingevolge subregulasie (6) aan hom voorgelê is, met sy aanbeveling, aan die Sekretaris stuur vir 'n beslissing deur die Minister ingevolge artikel 49 of 50.

#### KONTRIBUSIE-ORDERS

11. (1) Die klerk van 'n kinderkhof of die klerk van 'n landdroshof wat jurisdiksie het ooreenkomstig artikel 62 (1) moet, op versoek van die assistent van die kinderkhof van die distrik, 'n dagvaarding uitreik in die vorm van Vorm 14, waarby die verweerder aangesê word om voor die betrokke hof te verskyn op 'n tyd en plek in die dagvaarding vermeld, ten einde gronde aan te voer waarom 'n kontribusie-order nie teen hom uitgereik moet word nie ten opsigte van die onderhoud van 'n kind wat voor die hof gebring is met die oog op 'n ondersoek ingevolge artikel 30, of van 'n kind of 'n leerling in 'n inrigting, na gelang van die geval.

(2) As die verweerder teenwoordig is by 'n ondersoek in 'n kinderkhof of by die verhoor in 'n landdroshof van 'n kind of van 'n persoon onder die ouderdom van 21 jaar vir wie se onderhoud 'n kontribusie-order gevra word, kan daardie hof, met die toestemming van die verweerder, afsien van die uitreiking van 'n dagvaarding en summier ondersoek instel na die aanspreeklikheid en vermoë van die verweerder om by te dra tot die onderhoud van die kind of persoon.

(3) Aansoek om 'n voorlopige kontribusie-order bedoel in artikel 62 (2) moet *ex parte* gedoen word by die kinderkhof of die landdroshof wat jurisdiksie het ooreenkomstig bedoelde artikel deur die assistent van die kinderkhof van die distrik waarin daardie hof sitting hou, en moet gestaaf word deur getuienis, of mondeling of by wyse van 'n beëdigde verklaring, van die verweerder se aanspreeklikheid, en deur die oorlegging van 'n gewaarmerkte afskrif van die order uitgereik deur die betrokke kinderkhof, hoërhof of landdroshof aangaande die verwysing of bewaring van die kind of van die persoon onder 21 jaar ten opsigte van wie se onderhoud die voorlopige kontribusie-order gevra word.

(4) As 'n verweerder in gebreke bly om voor die hof te verskyn op die tyd vasgestel in 'n dagvaarding uitgereik ingevolge die bepalings van subregulasie (1), kan die hof, nadat hy oortuig is dat die dagvaarding behoorlik aan die verweerder beteken is soos bepaal in regulasie 5 (1), onverwyld 'n kontribusie-order teen hom uitreik.

(j) that the parent or guardian shall at all times co-operate with the supervising probation officer.

(3) The requirements which have to be complied with in terms of subregulation (1) or (2) shall form part of the order of the court in the form of Form 11 and shall be set out fully in an annexure thereto.

(4) If a child who is on probation removes to the area of jurisdiction of another commissioner, the supervising probation officer shall, in writing, forthwith advise the clerk of the children's court which made the order and the probation officer of the district to which the child has removed, of the new residential address of the child.

(5) On receipt of such notification by the clerk of the children's court, he shall send all papers of that court with regard to the child to the clerk of the children's court of the district in which the child is then residing.

(6) The final report of the probation officer in terms of section 31 (5), on the termination of the period of probation of a child, shall be submitted to the commissioner in duplicate and shall, according to whether or not the placement on probation of the child has been successful, contain a recommendation regarding the further steps considered necessary.

(7) The commissioner shall, subject to the provision to section 36 (2), send a copy of the report submitted to him in terms of subregulation (6), with his recommendation, to the Secretary for a decision by the Minister in terms of section 49 or 50.

#### CONTRIBUTION ORDERS

11. (1) The clerk of a children's court or the clerk of a magistrate's court having jurisdiction in terms of section 62 (1) shall, at the request of the assistant of the children's court of the district, issue summons in the form of Form 14, calling upon the respondent to appear before the court concerned at a time and place stated in the summons to show cause why a contribution order shall not be made against him in respect of the maintenance of a child brought before the court for the holding of an enquiry in terms of section 30 or of a child or pupil in an institution, as the case may be.

(2) If the respondent is present at an enquiry in a children's court or at the trial in a magistrate's court of a child or of a person under the age of 21 years for whose maintenance a contribution order is sought, that court may, with the consent of the respondent, dispense with the issue of summons and enquire summarily into the liability and ability of the respondent to contribute to the maintenance of the child or person.

(3) Application for a provisional contribution order in terms of section 62 (2) shall be made *ex parte* to the children's court or magistrate's court having jurisdiction in terms of the said section by the assistant of the children's court of the district in which that court sits, and shall be supported by evidence either *viva voce* or by affidavit of the liability of the respondent and by the production of a certified copy of the order made by the children's court or superior court or magistrate's court concerned as to the committal or custody of the child or of the person under the age of 21 years in respect of whose maintenance the provisional contribution order is sought.

(4) If a respondent fails to appear before the court at the time appointed in a summons issued under the provisions of subregulation (1), the court, after satisfying itself that the summons has been duly served on him as provided in regulation 5 (1), may forthwith make a contribution order against him.



(5) Wanneer 'n kontribusie-order teen 'n verweerder in sy afwesigheid uitgereik is, moet die klerk van die kinderkhof so gou moontlik na die uitreiking van die order 'n afskrif daarvan, behoorlik deur hom gewaarmerk, aan die verweerder beteken of laat beteken soos in regulasie 5 (1) bepaal.

(6) Gelde ontvang deur 'n amptenaar van 'n hof ter voldoening aan 'n kontribusie-order moet in die Gekonsolideerde Inkomstefonds betaal word.

(7) As daar gedurende 'n finansiële jaar of 'n gedeelte daarvan, ter voldoening aan 'n kontribusie-order, 'n groter bedrag in die Gekonsolideerde Inkomstefonds gestort is as die bydrae wat deur die Minister ingevolge artikel 89 gemaak is vir die onderhoud van 'n kind of van 'n persoon onder een-en-twintig jaar, kan die Minister op aanvraag, na afloop van daardie finansiële jaar, dié verskil betaal aan die kinderkhof van persoon wat onderneem het om die kind of persoon gedurende daardie tydperk te versorg.

(8) Kennisgewing van aansoek om die wysiging, opskorting, intrekking of herstelling van 'n kontribusie-order moet geskied in die vorm van Vorm 15 en moet, as die aansoek deur die verweerder gedoen word, beteken word aan die klerk van die kinderkhof wat jurisdiksie het op die plek waar die hof waarby sodanige aansoek gedoen word, sitting hou. As die aansoek deur die assistent van die kinderkhof gedoen word, moet die kennisgewing aan die verweerder beteken word soos in regulasie 5 voorgeskryf.

(9) Die klerk van 'n landdroshof vir 'n distrik waardeer 'n kontribusie-order of 'n voorlopige kontribusie-order ingevolge artikel 62 uitgereik word, moet aan die klerk van die kinderkhof vir daardie distrik 'n afskrif van die order, behoorlik deur hom gewaarmerk, stuur.

(10) Die klerk van die kinderkhof moet 'n register hou, genoem die Kontribusie-orderboek, waarin in chronologiese volgorde aangeteken moet word alle finale of voorlopige kontribusie-orders deur die hof uitgereik ingevolge die Wet of enige ander wet, en alle sodanige orders uitgereik deur 'n landdroshof van die distrik of deur 'n kinderkhof of landdroshof van enige ander distrik, waarvan gewaarmerkte afskrifte aan hom gestuur is ingevolge die bepalings van artikel 68 (2) of van subregulasie (9). Dié rekord moet gekombineer word met enige rekord deur die klerk van die kinderkhof gehou, ooreenkomstig die bepalings van enige ander wet of wetterregtelike regulasie of reël of ooreenkomstig enige departementele opdrag, van onderhoudsorders uitgereik of afdwingbaar binne die regsgebied van die betrokke hof.

(11) Die klerk van die kinderkhof moet alle gewaarmerkte afskrifte van orders ingevolge die bepalings van artikel 68 (2) of van subregulasie (9) aan hom gestuur, bewaar.

(12) Die klerk van 'n hof waardeer 'n kontribusie-order of voorlopige kontribusie-order uitgereik word, moet 'n afskrif daarvan aan die verweerder oorhandig of per geregistreerde pos aan hom stuur.

(13) 'n Kontribusie-order moet in die vorm van Vorm 16 wees en 'n gewaarmerkte afskrif van elke sodanige order moet deur die klerk van die hof wat dit uitreik, aan die Sekretaris gestuur word.

#### BESLAGLEGGING OP LOON

12. (1) 'n Bevel van beslaglegging op die loon van 'n verweerder, ingevolge artikel 65, ter betaling van 'n kontribusie-order uitgereik kragtens Hoofstuk VI van die Wet, moet in die vorm van Vorm 17 uitgereik word.

(2) Wanneer 'n verweerder nie sy verpligtinge ingevolge 'n kontribusie-order nagekom het nie, kan aansoek om 'n bevel tot beslaglegging op loon ingevolge artikel 65 *ex parte* gedoen word by die kinderkhof of landdroshof wat jurisdiksie het, deur die assistent van die kinderkhof

(5) Whenever a contribution order has been made against a respondent in his absence, the clerk of the children's court shall as soon as may be after the making of the order serve or cause to be served a copy thereof duly certified by him on the respondent in the manner prescribed in regulation 5 (1).

(6) Any moneys received by an officer of a court in compliance with a contribution order shall be paid into the Consolidated Revenue Fund.

(7) If during any financial year or part thereof an amount larger than the amount contributed by the Minister in terms of section 89 towards the maintenance of a child or of a person under the age of 21 years has been paid into the Consolidated Revenue Fund in compliance with a contribution order, the Minister may after the expiry of that financial year, on application, pay this difference to the children's home or person who undertook to care for the child or person during that period.

(8) Notice of application for the variation, suspension, rescission or revivor of a contribution order shall be in the form of Form 15 and, if the application is made by the respondent, shall be served on the clerk of the children's court having jurisdiction at the place of sitting of the court to which such application is made. If the application is made by the children's court assistant, the notice shall be served on the respondent in the manner prescribed in regulation 5.

(9) The clerk of a magistrate's court for any district by which a contribution order or a provisional contribution order is made in terms of section 62 shall transmit to the clerk of the children's court for that district a copy of the order duly certified by him.

(10) The clerk of the children's court shall keep a register, to be styled the Contribution Orders Book, in which shall be recorded in chronological order all final or provisional contribution orders made under the Act or any other law by the court and all such orders made by a magistrate's court of the district or by a children's court or magistrate's court of any other district, certified copies of which have been transmitted to him in terms of the provisions of section 68 (2) or of subregulation (9). Such record shall be combined with any record kept by the clerk of the children's court, in accordance with the provisions of any other law or statutory regulation or rule or with any departmental instruction, of maintenance orders made or enforceable within the area of jurisdiction of the court concerned.

(11) The clerk of the children's court shall retain all certified copies of orders transmitted to him in terms of the provisions of section 68 (2) or subregulation (9).

(12) The clerk of the court by which a contribution order or provisional contribution order is made shall hand to the respondent or send to him by registered post a copy thereof.

(13) A contribution order shall be in the form of Form 16 and a certified copy of every such order shall be sent to the Secretary by the clerk of the court making it.

#### ATTACHMENT OF WAGES

12. (1) An order for the attachment of the wages of a respondent in terms of section 65, in payment of a contribution order made in terms of Chapter VI of the Act, shall be issued in the form of Form 17.

(2) When a respondent has not fulfilled his liabilities in terms of a contribution order, an order for the attachment of wages in terms of section 65 may be applied for *ex parte* to the children's court or the magistrate's court having jurisdiction by the assistant of the children's court



van die distrik waarin daardie hof sitting hou, en die aansoek moet gestaaf word deur getuienis, of mondeling of by wyse van 'n beëdigde verklaring, van die verweerder se aanspreeklikheid en deur die oorlegging van 'n gewaarmerkte afskrif van die kontribusie-order wat kragtens artikel 62 teen die verweerder uitgereik is.

(3) Die klerk van 'n kindershof of die klerk van 'n landdroshof wat jurisdiksie het kragtens artikel 65 moet, op versoek van die assistent van die kindershof van daardie distrik, 'n dagvaarding uitreik in die vorm van Vorm 14, waarby die verweerder aangesê word om voor die hof te verskyn op 'n tyd en 'n plek in die dagvaarding vermeld, ten einde gronde aan te voer waarom daar nie van sy loon 'n bedrag afgetrek moet word wat voldoende is om die bedrag wat ingevolge die kontribusie-order wat teen hom uitgereik is, betaalbaar is, asook enige agterstallige betalings, te betaal nie.

(4) As 'n verweerder in gebreke bly om voor die hof te verskyn op die tyd vasgestel in 'n dagvaarding uitgereik ingevolge subregulasie (3), kan die hof, nadat hy oortuig is dat die dagvaarding behoorlik aan die verweerder beteken is, onverwyld 'n loonbeslagleggingsbevel uitreik.

(5) 'n Afskrif van die loonbeslagleggingsbevel, behoorlik gewaarmerk, moet so gou moontlik na die uitreiking daarvan aan die verweerder en sy werkgever per geregistreerde pos gestuur word of aan hulle oorhandig word.

(6) Kennisgewing van 'n aansoek om die wysiging, opskorting of intrekking van 'n loonbeslagleggingsbevel moet geskied in die vorm van Vorm 15 en moet, as die aansoek deur die verweerder of sy werkgever gedoen word, beteken word aan die klerk van die kindershof wat jurisdiksie het op die plek waar die hof, waarby sodanige aansoek gedoen word, sitting hou. As die aansoek deur die assistent van die kindershof gedoen word, moet die kennisgewing aan die verweerder beteken word op die wyse in regulasie 5 voorgeskryf.

(7) Die feit dat 'n loonbeslagleggingsbevel uitgereik is, en enige wysiging, opskorting of intrekking van sodanige bevel moet in die Kontribusie-orderboek, voorgeskryf in regulasie 11 (10), aangeteken word.

(8) Indien 'n loonbeslagleggingsbevel wat teen 'n verweerder uitgereik is, gewysig, opgeskort of ingetrek word, moet die werkgever van die verweerder onverwyld van sodanige wysiging, opskorting of intrekking in kennis gestel word.

#### VERHOOR VAN AANSOEK OM AANNEMING

13. (1) Iemand, of 'n man en vrou wat gesamentlik 'n kind wil aanneem, moet by die klerk van die kindershof van die distrik waar die kind woonagtig is 'n aansoek in die vorm van Vorm 18 indien ten opsigte van elke kind wat sodanige persoon of persone wil aanneem, en kan terselfdertyd 'n skriftelike toestemming in die vorm van Vorm 19 ten opsigte van elke kind, onderteken deur die persoon of persone wat ooreenkomstig artikel 71 (2) (d) toestemming moet verleen, en op die wyse bepaal in artikel 71 (3) indien en, as 'n kind ouer as 10 jaar is, 'n skriftelike toestemming in die vorm van Vorm 20 deur die kind onderteken, soos bepaal in artikel 71 (2) (e) en artikel 71 (3).

(2) 'n Aansoek om die aanneming van 'n buite-egtelike jong kind moet vergesel gaan van die skriftelike toestemming in die vorm van Vorm 39 deur die kommissaris wat kragtens artikel 10 (4) oor die nodige jurisdiksie beskik, tensy daar ingevolge artikel 31 (1) met die kind gehandel is.

(3) Die klerk van die kindershof moet die aansoek op die rol plaas vir verhoor deur die hof op 'n dag deur hom bepaal en moet die applikant in kennis stel van die dag

of the district in which that court sits and such application shall be supported by evidence, either *viva voce* or by affidavit, of the liability of the respondent and by the production of a certified copy of the contribution order made against the respondent in terms of section 62.

(3) The clerk of the children's court or the clerk of a magistrate's court having jurisdiction in terms of section 65 shall, at the request of the assistant of the children's court of that district, issue summons in the form of Form 14, calling upon the respondent to appear before court at a time and place stated in the summons, to show cause why an amount sufficient to pay the amount payable in terms of the contribution order made against him, as well as any arrears, should not be deducted from his wages.

(4) If a respondent fails to appear before the court at the time appointed in a summons issued in terms of subregulation (3), the court may, after satisfying itself that the summons has been duly served on him, forthwith issue an order for the attachment of wages.

(5) A copy of the order for the attachment of wages, duly certified, shall as soon as may be after the making thereof, be sent to the respondent and his employer by registered post or shall be handed to them.

(6) Notice of an application for the variation, suspension or rescission of an order for the attachment of wages shall be given in the form of Form 15 and shall, if the application is made by the respondent or his employer, be served on the clerk of the children's court having jurisdiction at the place of sitting of the court to which such application is made. If the application is made by the children's court assistant, the notice shall be served on the respondent in the manner prescribed in regulation 5.

(7) The fact of the making of an order for the attachment of wages and of any variation, suspension or rescission of such order shall be recorded in the Contribution Orders Book prescribed in regulation 11 (10).

(8) If an order for the attachment of wages made against a respondent is varied, suspended or rescinded, the employer of the respondent shall forthwith be notified of such variation, suspension or rescission.

#### HEARING OF APPLICATION FOR ADOPTION

13. (1) A person, or husband and wife desiring jointly to adopt a child shall lodge with the clerk of the children's court of the district in which the child resides an application in the form of Form 18 in respect of each child whom such person or persons wishes or wish to adopt, and may at the same time lodge a consent in writing in the form of Form 19 in respect of each child signed by the person or persons whose consent is required in terms of the provisions of section 71 (2) (d) and in the manner provided by section 71 (3) and, if the child is over the age of 10 years, a consent in writing in the form of Form 20 signed by the child as provided in section 71 (2) (e) and section 71 (3).

(2) An application for the adoption of an infant who is an illegitimate child must be accompanied by the written consent in the form of Form 39 of the commissioner who has the necessary jurisdiction in terms of section 10 (4) unless that child has been dealt with in terms of section 31 (1).

(3) The clerk of the children's court shall set the application down for hearing by the court on a day fixed by him and shall inform the applicant of the day appointed

wat bepaal is vir die verhoor, en moet skriftelike kennisgewing van die aansoek en van die tyd wanneer dit verhoor sal word laat beteken aan 'n persoon wie se toestemming tot die aanneming vereis word ingevolge artikel 71: Met dien verstande dat wanneer aansoek gedoen is ooreenkomstig die eerste voorbehoudsbepaling van artikel 71 (3) om die toelating van 'n toestemming wat nie die name en ander besonderhede van die voorgename aannemende ouers openbaar maak nie, en dit nodig is dat die ouer, ouers of voog wie se toestemming vereis word, kennis gegee moet word om die verhoor by te woon, hulle nie versoek of toegelaat word om die kinderhof by te woon te eniger tyd wanneer die applikant teenwoordig is of waarskynlik teenwoordig sal wees nie.

(4) As 'n persoon wie se toestemming tot die aanneming ingevolge artikel 71 vereis word nie gevind kan word nie, en kennisgewing van die aansoek om dié rede nie aan hom beteken kan word nie, moet die klerk van die kinderhof dienooreenkomstig aan die hof verslag doen.

(5) As dit vir die kinderhof blyk, by oorweging van 'n verslag aan hom voorgelê ooreenkomstig subregulasie (4), dat die betrokke persoon toestemming tot die aanneming gegee en onderteken het en dat die adres waarheen kennisgewing ingevolge subregulasie (3) gestuur is, die jongsbekende adres van daardie persoon is, kan die hof, na goeddunke, onverwyld voortgaan om die aansoek te verhoor en uitspraak te gee, of die verhoor uitstel en sodanige opdrag gee as wat hy goedvind vir verdere en beter betekening van kennisgewing van die verrigtinge aan daardie persoon: Met dien verstande dat waar aansoek gedoen is ooreenkomstig die eerste voorbehoudsbepaling van artikel 71 (3), die persoon wie se teenwoordigheid nodig geag word, nie versoek of toegelaat mag word om die kinderhof by te woon te eniger tyd wanneer die applikant teenwoordig is of waarskynlik teenwoordig sal wees nie.

(6) As dit vir die kinderhof by die oorweging van voornoemde verslag blyk dat die ouer of ouers nie gevind kan word nie en dat toestemming nie gegee is nie, maar die hof na behoorlike ondersoek oortuig is dat die ouer of ouers 'n persoon of persone is soos bedoel in artikel 72 (1) en dat daar nie 'n voog vir die kind benoem is nie, of dat die voog afstand gedoen het van sy voogdyskap, kan die hof, behoudens die bepalinge van artikel 72 (2) na goeddunke onverwyld voortgaan om die aansoek te verhoor en uitspraak te gee: Met dien verstande dat as die hof nie aldus oortuig is nie, hy die verhoor moet uitstel en sodanige opdrag gee as wat hy goedvind vir die verdere en beter betekening van die kennisgewing van die verrigtinge aan die ouer, ouers of voog.

(7) Indien die Minister se goedkeuring kragtens die voorbehoudsbepaling van artikel 71 (2) (f) vereis word, moet die klerk van die kinderhof die aansoek saam met al die stawende dokumente wat op die aanneming betrekking het aan die Sekretaris stuur wat dit vir beslissing aan die Minister moet voorlê, en die hof van die Minister se beslissing moet verwittig.

(8) Aansoek om toelating ooreenkomstig die eerste voorbehoudsbepaling van artikel 71 (3) van 'n toestemming wat nie die name en ander besonderhede van die aannemende ouers openbaar maak nie, moet in die vorm van Vorm 21 gedoen en by die klerk van die kinderhof ingedien word ten tyde van of te eniger tyd voor die indiening van 'n aansoek om aanneming, en moet vergesel gaan van 'n verklaring in die vorm van Vorm 22, onderteken deur die ouer, ouers of voog van die kind wat aangeneem word, waarin toestemming verleen word tot die nie-openbaarmaking aan hom of hulle van die identiteit van die applikante, en 'n skriftelike toestemming in die vorm van Vorm 19, onderteken deur hom of hulle, tot die aanneming van die kind waarin die name of ander besonderhede van die aannemende ouers nie openbaar word nie.

for the hearing, and shall cause written notice of the application and of the time at which it will be heard to be served on any person whose consent to the adoption is required by section 71: Provided that where application has been made in terms of the first proviso to section 71 (3) for the admission of a consent which does not set out the names and other particulars of the proposed adoptive parents, and it is necessary that notice requiring their attendance at the hearing be given to the parent, parents or guardian whose consent is required, they shall not be required or permitted to attend the children's court at any time at which the applicant is or is likely to be in attendance.

(4) If a person whose consent to the adoption is required by section 71 cannot be found and for that reason notice of the application cannot be served on him, the clerk of the children's court shall so report to the court.

(5) If on consideration of a report presented to it in terms of subregulation (4), it appears to the children's court that the person concerned has given and signed consent to the adoption and that the address to which notice has been sent under subregulation (3) is the last-known address of that person, the court may, at its discretion, proceed forthwith to hear and determine the application, or may adjourn the hearing and give such directions as it may deem fit for further and better service of notice of the proceedings upon that person: Provided that where application has been made in terms of the first proviso to section 71 (3) the person whose presence is considered necessary shall not be required or permitted to attend the children's court at any time at which the applicant is or is likely to be in attendance.

(6) If on consideration of a report aforesaid it appears to the children's court that the parent or parents cannot be found and that consent has not been given, but after due enquiry it is satisfied that the parent or parents is or are a person or persons within the meaning of section 72 (1) and that no guardian has been appointed for the child or that the guardian has renounced his guardianship, the court may, subject to the provisions of section 72 (2), at its discretion proceed forthwith to hear and determine the application: Provided that if the court is not so satisfied it shall adjourn the hearing and shall give such directions as it may deem fit for further and better service of notice of the proceedings upon the parent, parents or guardian.

(7) If the Minister's approval is required in terms of the proviso to section 71 (2) (f), the clerk of the children's court shall send the application, together with all the supporting documents relating to the adoption, to the Secretary who shall submit it to the Minister for decision and advise the court of the Minister's decision.

(8) Application for the admission in terms of the first proviso to section 71 (3) of a consent which does not set out the names and other particulars of the adoptive parents shall be made in the form of Form 21 and lodged with the clerk of the children's court at the time of or at any time before the lodging of an application for adoption and shall be accompanied by a statement in the form of Form 22 signed by the parent, parents or guardian of the child to be adopted consenting to the non-disclosure to him or them of the identity of the applicants, and a consent in writing in the form of Form 19 signed by him or them to the adoption of the child in which the names or other particulars of the adoptive parents are not set out.



(9) As die verklaring en die toestemming in subregulasie (8) vermeld nie saam met die aansoek ingedien word nie, moet die klerk van die kinderhof, behoudens die voorbehoudsbepaling van subregulasie (3), 'n skriftelike kennisgewing in die vorm van Vorm 23 van die feit dat sodanige aansoek gedoen is, laat beteken aan elke ouer of voog wie se toestemming tot die aanneming ingevolge artikel 71 vereis word, waarin vereis word dat hy, as hy toestem tot die nie-openbaarmaking, binne 'n tydperk in die kennisgewing vermeld, synde hoogstens een maand na die datum van betekening, 'n verklaring en toestemming deur hom onderteken soos in subregulasie (8) bepaal, by die hof indien.

(10) Na die indiening van die aansoek, verklaring en toestemming in subregulasies (8) en (9) vermeld, moet die klerk van die kinderhof die aansoek na die hof verwys vir oorweging. Die hof kan, na sodanige verdere ondersoek as wat hy goedgevind, die aansoek weier of, as hy oortuig is dat dit toegestaan behoort te word, moet hy dit verwys vir die goedkeuring van die Minister. As die aansoek verwys word vir die Minister se goedkeuring, moet die klerk van die kinderhof die aansoek, verklaring en toestemming en die rekord van enige verrigtinge voor die kinderhof met die betrokke aanbeveling van die hof daaromtrent saam met al die stawende dokumente wat op die aansoek om aanneming betrekking het, aan die Sekretaris stuur. Die Sekretaris moet die Minister se beslissing oor die aansoek aan die hof meedeel.

(11) 'n Toestemming tot aanneming gegee kragtens die bepalings van artikel 71 (2) (d) en van artikel 71 (3) buite die Republiek moet, indien gegee in die Verenigde Koninkryk, of 'n Staat van die Britse Statebond van Nasies of 'n Britse Dominium, Kolonie, Gebied of Protektoraat, of Rhodesië, of 'n onafhanklike staat wat voorheen deel van die Republiek van Suid-Afrika was, onderteken word in teenwoordigheid van en geattesteer word deur 'n magistrat of vrederegter en, indien gegee in enige ander land, moet dit onderteken word in teenwoordigheid van en geattesteer word deur 'n notaris of 'n publieke amptenaar in daardie land.

(12) By die verhoor van 'n aansoek om aanneming kan die kinderhof, behoudens die bepalings van artikel 72 (2) (b), skriftelike verslae ontvang en oorweeg, onderteken deur persone wat volgens die mening van die hof kennis dra van die feite of bevoeg is om die daarin vermelde opinies te vorm, aangaande 'n applikant se karakter, vermoë en ander omstandighede wat ter sake is met betrekking tot sy geskiktheid en bevoegdheid om ouerlike verantwoordelikheid teenoor die kind te aanvaar en uit te oefen, die geskiktheid van die kind vir doeleindes van aanneming in die algemeen of deur die bepaalde applikant of applikante, en aangaande enige ander omstandighede wat ter sake is met betrekking tot die vraag of dit wenslik is om die gevraagde order te verleen: Met dien verstande dat waar die bestaan van enige feit of die gronde vir enige opinie betwyfel of betwis word, die hof, as dit na sy oordeel redelik prakties is, mondelinge getuënis onder eed aangaande enige sodanige saak moet inwin.

(13) Die kinderhof moet hom daarvan vergewis dat 'n persoon deur wie 'n toestemming onderteken is vir die doel van 'n aansoek om 'n order van aanneming, ten volle ingelig is, voordat hy sodanige toestemming onderteken het, aangaande die regsgevolge van die uitreiking van die gevraagde order.

(14) Voordat enige order van aanneming verleen word, moet die applikant by die klerk van die kinderhof 'n identiteitsdokument of geboortesertifikaat waarop die bevolkingsgroep van die kind wat aangeneem word aangedui is, indien of laat indien: Met dien verstande dat waar aansoek gedoen word om die aanneming van 'n kind wat

(9) If the statement and consent mentioned in subregulation (8) are not lodged with the application, the clerk of the children's court shall, subject to the proviso to subregulation (3), cause notice in writing in the form of Form 23 of the making of such application to be served on every parent or guardian whose consent to the adoption is required by section 71, requiring him, if he consents to the non-disclosure, to lodge with the court within a period stated in the notice, being not more than one month after the date of service, a statement and consent signed by him as provided in subregulation (8).

(10) Upon the lodgement of the application, statement and consent mentioned in subregulations (8) and (9), the clerk of the children's court shall refer the application to the court for consideration. The court, after making such further enquiry as it may deem fit, may refuse the application or if it is satisfied that it should be granted, shall refer it for the approval of the Minister. If the application is referred for the Minister's approval the clerk of the children's court shall transmit to the Secretary the application, statement and consent and the record of any proceedings before the children's court with the recommendation of the court thereon together with all the supporting documents relating to the application for adoption. The Secretary shall inform the court of the Minister's decision on the application.

(11) A consent to adoption given under the provisions of section 71 (2) (d) and section 71 (3) outside the Republic shall, if given in the United Kingdom or in any State of the British Commonwealth or in a British Dominion, Colony, Territory or Protectorate or Rhodesia, or an independent state which was previously part of the Republic of South Africa, be signed in the presence of and be attested by a magistrate or justice of the peace and, if given in any other country, shall be signed in the presence of and be attested by a notary public or a public officer in that country.

(12) At the hearing of an application for adoption the children's court may, subject to the provisions of section 72 (2) (b), receive and consider reports, in writing, signed by persons who, in the opinion of the court, have knowledge of the facts or are fit to form opinions stated therein, as to the character, means and other circumstances of any applicant relevant to the question of his suitability and ability to assume and discharge parental responsibilities towards the child, the suitability of the child for purposes of adoption generally or by the particular applicant or applicants, and as to any other circumstances relevant to the question of the desirability of making the order sought: Provided that if the existence of any fact or the grounds for any opinion are in doubt or dispute, the court shall, if it appears to it to be reasonably practicable, take evidence on oath *viva voce* on any such matter.

(13) The children's court shall satisfy itself that any person by whom a consent has been signed for the purpose of an application for an adoption order has before signing such consent been fully apprised of the legal consequences of the making of the order sought.

(14) The applicant shall, before any order of adoption is made, lodge or cause to be lodged with the clerk of the children's court an identity document or birth certificate showing the population group of the child to be adopted: Provided that where application is made for the adoption of a child born outside the Republic for whom no birth

buite die Republiek gebore is en vir wie geen geboortesertifikaat beskikbaar is nie, die hof, na aanleiding van getuienis aangevoer of ander dokumentêre bewyse wat ingedien word, die ouderdom van die kind kragtens artikel 85 (1) moet skat en 'n aanduiding in die rekord van die verrigtinge moet gee van die bevolkingsgroep van die kind.

(15) Aan iemand wat die kommissaris wat voorsit by die verhoor van 'n aansoek om aanneming oortuig dat hy 'n wesenlike belang het by die verrigtinge, kan verlof toegestaan word deur die kommissaris om tot die verrigtinge toe te tree en om getuienis aan te voer en die kinderhof toe te spreek.

#### AANNEMINGSREKORDBOEK EN REKORD VAN AANNEMINGSVERRIGTINGE

14. (1) Die klerk van die kinderhof moet 'n register in die vorm van Vorm 24 hou, bekend as die Aannemingsrekordboek, waarin hy besonderhede moet aanteken van alle aansoeke wat by die hof gedoen word om orders van aanneming.

(2) Niemand behalwe 'n amptenaar van die hof of 'n ander persoon wat in die algemeen of spesiaal deur die Sekretaris daartoe gemagtig is, mag 'n Aannemingsrekordboek insien of toegang daartoe hê nie, en die klerk van die kinderhof moet alle nodige voorsorgmaatreëls tref om te verseker dat slegs persone wat daartoe gemagtig is, toegang het tot die Aannemingsrekordboek in sy bewaring.

(3) Notule van verrigtinge by die verhoor van 'n aansoek om 'n order van aanneming of om die opheffing van 'n order van aanneming moet aangeteken word deur die kommissaris wat daarby voorsit of, ooreenkomstig 'n lasgewing deur die kommissaris, deur 'n klerk, 'n snelskrywer of op meganiese wyse en die rekord moet die volgende insluit:

(a) Die aansoek of die kennisgewing van aansoek deur die aplikant;

(b) 'n opgawe van die datum of datums wanneer en die plek waar die verhoor gehou word, van die naam van die kommissaris wat voorsit by die verhoor, die name van assessore (as daar is) en die name van partye en hul verteenwoordigers wat by die verhoor verskyn;

(c) aantekeninge van die mondelinge getuienis wat by die verhoor afgelê is, van die toelating van enige skriftelike toestemming, beëdigde verklaring, skriftelike verslag, bewysstuk of ander oorlegging, en van die verwerping van enige sodanige toestemming, beëdigde verklaring, verslag, bewysstuk of oorlegging;

(d) die toestemmings, verslae, bewysstukke of ander dokumentêre oorleggings deur die hof toegelaat;

(e) 'n aantekening onderteken deur die kommissaris wat voorsit by die verhoor, van 'n order deur die hof uitgereik.

(4) Die rekord van die verhoor van 'n aansoek om aanneming of om opheffing van aanneming moet te eniger tyd oop wees vir insae sonder betaling deur 'n aannemende ouer of deur 'n voog van die kind of deur die kind, en op gesag van die Sekretaris en teen betaling van die gelde voorgeskryf vir insae van siviele rekords in 'n landdroshof, deur enige ander persoon wat die kommissaris kan oortuig dat hy 'n wesenlike belang by die saak het: Met dien verstande dat in 'n saak waarin 'n aansoek gedoen en toegestaan is ooreenkomstig die eerste voorbehoudsbepaling van artikel 71 (3) die rekord deur niemand anders as 'n aannemende ouer of, slegs vir amptelike doeleindes, deur 'n beampte van die Staatsdiens, ingesien mag word nie.

(5) Die aannemingsrekordboek genoem in subregulasie (1) word vir doeleindes van subregulasie (4) nie beskou as deel van die rekord van die verhoor van 'n aansoek om aanneming nie.

certificate is available, the court shall, on evidence adduced or other documentary proof that may be lodged, estimate the age of the child in terms of section 85 (1) and shall indicate the population group of the child in the record of the proceedings.

(15) Any person who satisfies the commissioner presiding at the hearing of an application for adoption that he has a substantial interest in the proceedings may be granted leave by the commissioner to intervene in the proceedings and to adduce evidence and to address the children's court.

#### ADOPTIONS RECORD BOOK AND RECORD OF ADOPTION PROCEEDINGS

14. (1) The clerk of the children's court shall keep a register in the form of Form 24, called the Adoptions Record Book, in which he shall enter particulars of all applications made to the court for orders of adoption.

(2) No person other than an officer of the court or other person generally or specially authorised thereto by the Secretary shall have inspection of or access to an Adoptions Record Book and the clerk of the children's court shall take all necessary precautions to ensure that access to the Adoptions Record Book in his custody shall only be had by persons authorised thereto.

(3) The minutes of the proceedings at the hearing of an application for an order of adoption or for the rescission of an order of adoption shall be recorded by the commissioner presiding thereat or, by his direction, by a clerk or a shorthand-writer or by mechanical means and the record shall comprise—

(a) The application or notice of application made or given by the applicant;

(b) a statement of the date or dates and place of holding of the enquiry, of the name of the commissioner presiding at the hearing and the names of assessors (if any) and the names of any parties and their representatives appearing at the hearing;

(c) notes of the oral evidence given at the enquiry, of the admission of any consent in writing, affidavit, written report, exhibit or other production, and of the rejection of any such consent, affidavit, report, exhibit or production;

(d) the consents, reports, exhibits or other documentary productions admitted by the court;

(e) a note signed by the commissioner presiding at the hearing of any order made by the court.

(4) The record of the hearing of an application for adoption or for rescission of adoption shall be open at any time for inspection without fee by an adoptive parent or by a parent or guardian of the child or by the child, and on authority of the Secretary and on payment of the fees prescribed for inspection of civil records in a magistrate's court, by any other person who can satisfy the commissioner that he has a substantial interest in the matter: Provided that in any case in which an application has been made and granted in terms of the first proviso to section 71 (3), the record may not be inspected by any person other than an adoptive parent, or, for official purposes only, an officer of the Public Service.

(5) The Adoptions Record Book referred to in subregulation (1) shall for the purposes of subregulation (4) not be deemed to be a part of the record of the hearing of an application for adoption.



## OPHEFFING VAN ORDER VAN AANNEMING

15. (1) Kennisgewing van aansoek om die opheffing van 'n order van aanneming moet in die vorm van Vorm 25 geskied en moet 'n kort aanduiding bevat van die gronde waarop die opheffing versoek word.

(2) As die applikant 'n ouer of voog is van wie se kennis die name van die aannemende ouers weerhou is ooreenkomstig die eerste voorbehoudsbepaling van artikel 71 (3), moet die kennisgewing van aansoek met twee afskrifte daarvan by die klerk van die kindershof ingedien word minstens 28 dae voor die datum wat vir die verhoor vasgestel is. By ontvangs van daardie kennisgewing moet die klerk van die kindershof aan die aannemende ouers 'n afskrif daarvan per geregistreerde pos stuur by hul jongsbekende adres.

(3) Indien 'n party aan wie kennisgewing van die verhoor van 'n aansoek om opheffing vereis word by artikel 76 (4), (5) en (6), nie teenwoordig of verteenwoordig is by die verhoor nie, en die kindershof nie oortuig is dat daardie party behoorlik kennis binne die bedoeeling van artikel 76 (4), (5) en (6), ontvang het of nie opgespoor kan word nie, moet die hof die verhoor verdaag ten einde aan die applikant geleentheid te gee om te voldoen aan die bedoelde vereistes.

(4) By 'n aansoek om die opheffing van 'n aannemings-order waarby die Minister 'n party is, kan hy verteenwoordig word deur die assistent van die kindershof waarin die aansoek verhoor word, en enige kennisgewing wat aan die Minister gegee of aan hom beteken moet word in enige sodanige verrigtings, kan gegee of beteken word aan die assistent van die kindershof.

## APPEL TEEN ORDER VAN AANNEMING

16. (1) Binne 14 dae nadat appèl aangeteken is teen 'n order van aanneming of 'n opheffing van 'n order van aanneming of 'n weiering van 'n aansoek om opheffing van 'n order van aanneming, moet die klerk van die kindershof aan die griffier van die betrokke hof van appèl die oorspronklike en twee getikte afskrifte stuur van—

(a) die notule van die verrigtinge by die verhoor van die aansoek om aanneming;

(b) die kennisgewing van appèl; en

(c) as geappelleer word teen die uitreiking van 'n order van aanneming, 'n verklaring deur die kommissaris wat voorsit by die verhoor van 'n aansoek, van die kindershof se redes vir die uitreiking van die order en van die redes vir 'n bevinding aangaande feite of 'n beslissing oor 'n regspraak waarteen, blykens aangifte in die kennisgewing van appèl, geappelleer word; of

(d) as geappelleer word teen die opheffing of die weiering van 'n aansoek om opheffing van 'n order van aanneming, die notule van die verrigtinge by die verhoor van die aansoek om opheffing en 'n verklaring deur die kommissaris wat voorsit by die verhoor van die aansoek om opheffing van die kindershof se redes vir die toestaan of weiering van opheffing en van die redes vir 'n bevinding aangaande feite of 'n beslissing oor 'n regspraak waarteen, blykens aangifte in die kennisgewing van appèl, geappelleer word.

(2) 'n Afskrif van die stukke in subregulasie (1) genoem, moet deur die klerk van die kindershof op versoek aan enige appellant of verweerder verstrek word, teen betaling deur 'n ander appellant of verweerder as die Minister, van afskrifgelde teen die tariewe betaalbaar vir afskrifte van siviele rekords verstrek deur die klerk van 'n landdroshof: Met dien verstande dat in enige geval waar aansoek gedoen en toegestaan is ooreenkomstig die eerste voorbehoudsbepaling van artikel 71 (3) geen afskrif van die notule van die verrigtinge by die verhoor van 'n aansoek om aanneming verstrek mag word aan 'n ander party as 'n aannemende ouer of die Minister nie.

## RESCISSION OF ORDER OF ADOPTION

15. (1) Notice of application for the rescission of an order of adoption shall be in the form of Form 25 and shall contain a succinct statement of the grounds on which the rescission is sought.

(2) If the applicant is a parent or guardian from whose knowledge the names of the adoptive parents have been withheld in terms of the first proviso to section 71 (3), the notice of application with two copies thereof shall be lodged with the clerk of the children's court not less than 28 days before the date fixed for the hearing. The clerk of the children's court shall, on receipt of that notice, transmit a copy thereof by registered post to the adoptive parents at their last-known address.

(3) If any party to whom notice of the hearing of an application for rescission is required to be given by section 76 (4), (5) or (6) is not present or represented at the hearing and the children's court is not satisfied that that party has received due notice as contemplated by section 76 (4), (5) and (6) or cannot be traced, the court shall adjourn the hearing to afford the applicant an opportunity to comply with the said requirements.

(4) In an application for the rescission of an order of adoption to which the Minister is a party, he may be represented by the assistant of the children's court in which the application is heard, and any notice required to be given to or served on the Minister in any such proceedings may be given to or served on the children's court assistant.

## APPEAL AGAINST ORDER OF ADOPTION

16. (1) Within 14 days after the noting of an appeal against an order of adoption or a rescission of an order of adoption or a refusal of an application for rescission of an order of adoption, the clerk of the children's court shall transmit to the registrar of the court of appeal concerned the original and two typed copies of—

(a) the record of the proceedings at the hearing of the application for adoption;

(b) the notice of appeal; and

(c) if the appeal is against the making of an order of adoption, a statement by the commissioner presiding at the hearing of the application of the reasons of the children's court for making the order, and of the reasons for any finding of fact or ruling of law specified in the notice of appeal as being appealed against; or

(d) if the appeal is against the rescission or the refusal of an application for rescission of an order of adoption, the record of the proceedings at the hearing of the application for rescission, and a statement by the commissioner presiding at the hearing of the application for rescission of the reasons of the court for granting or refusing rescission, and of the reasons for any finding of fact or ruling of law specified in the notice of appeal as being appealed against.

(2) A copy of the documents mentioned in subregulation (1) shall be furnished by the clerk of the children's court on request to any appellant or respondent, on payment by any appellant or respondent other than the Minister, of copying fees at the rates payable for copies of civil records supplied by the clerk of a magistrate's court: Provided that in any case in which an application has been made and granted in terms of the first proviso to section 71 (3), no copy of the record of the proceedings at the hearing of an application for adoption shall be furnished to any party other than an adoptive parent or the Minister.

(3) As die betrokke hof van appèl 'n order deur die kinderhof verleen nietig verklaar of wysig, moet die klerk van die kinderhof, wanneer hy die beslissing van die hof van appèl ontvang, die nietigverklaring of wysiging in die Aannemingsrekordboek aanteken.

#### REGISTRASIE VAN ORDER VAN AANNEMING

17. (1) Die Minister moet 'n beamppte van die Staatsdiens aanstel, genoem die Registrateur van Aannemings, wie se funksie dit is om alle aannemingsorders en opheffings van sodanige orders te registreer.

(2) Die klerk van 'n kinderhof waardeur 'n aannemingsorder uitgereik is, moet binne sewe dae na die uitreiking van die order die oorspronklikes van—

- (a) die ingevulde aansoekvorm;
- (b) die skriftelike toestemming wat ingevolge artikel 10 (4) deur 'n kommissaris verleen mag gewees het;
- (c) die toestemmingsvorme onderteken deur die ouers of voog;
- (d) as die kind ouer as 10 jaar is, die toestemmingsvorm deur die kind onderteken;
- (e) die notule van verrigtinge by die verhoor van die aansoek;
- (f) die identiteitsdokument of geboortesertifikaat ingedien ingevolge regulasie 13 (14) of die skatting van ouderdom ooreenkomstig die voorbehoudsbepaling van regulasie 13 (14), na gelang van die geval; en
- (g) die order van aanneming in die vorm van Vorm 26, in drievoud,

aan die registrateur stuur en moet gewaarmerkte afskrifte van al dié stukke bewaar.

(3) By ontvangs van die stukke genoem in subregulasie (2) moet die registrateur die order registreer in 'n boek wat deur hom gehou moet word, genoem die Register van Aannemings, en op die order van aanneming moet hy aanteken die feit en datum van registrasie daarvan en die nommer waaronder dit geregistreer is.

(4) Die registrateur kan, in enige geval waar dit vir hom blyk dat die prosedure bepaal by die Wet en by hierdie regulasies nie ten volle nagekom is nie, die stukke wat deur die klerk van die kinderhof aan hom gestuur is, terugverwys na die kinderhof waardeur die order uitgereik is en die aandag vestig op die versuim of onreëlmatigheid. Die kinderhof moet dan dié stappe doen of laat doen wat hy nodig ag, om enige sodanige versuim goed te maak of om enige sodanige onreëlmatigheid reg te stel, en moet daarna die stukke aan die registrateur laat terugstuur vir registrasie van die order.

(5) Geen ander persoon as die registrateur of 'n beamppte deur hom gemagtig om dit voorlopig in bewaring te hou, het toegang tot die Register van Aannemings nie.

(6) By registrasie van 'n order van aanneming moet die registrateur die oorspronklike order en die stukke vermeld in subregulasie (2) deur die klerk van die kinderhof aan hom gestuur, tesame met 'n gewaarmerkte afskrif van die identiteitsdokument of geboortesertifikaat of skatting van ouderdom ooreenkomstig die voorbehoudsbepaling van regulasie 13 (14), bewaar en die duplikaat- en tripliakaatorder asook die oorspronklike identiteitsdokument of geboortesertifikaat of skatting van ouderdom ooreenkomstig die voorbehoudsbepaling van regulasie 13 (14) aan die klerk van die kinderhof terugstuur. Die klerk van die kinderhof moet die duplikaatorder en die identiteitsdokument of geboortesertifikaat of skatting van ouderdom, na gelang van die geval, wat die registrateur daarby aangeheg het, aan die aannemende ouers besorg en die tripliakaatorder saam met die stukke van die aansoek bewaar.

(3) If the court of appeal concerned sets aside or varies any order made by the children's court the clerk of the children's court shall, on receipt by him of the ruling of the court of appeal, record the setting aside or variation in the Adoptions Record Book.

#### REGISTRATION OF ORDER OF ADOPTION

17. (1) The Minister shall appoint an officer of the Public Service, to be styled the Registrar of Adoptions, whose functions it shall be to register all orders of adoption and any rescissions of such orders.

(2) The clerk of a children's court by which an order of adoption has been made shall within seven days after the making of the order transmit to the registrar the originals of—

- (a) the completed form of application;
- (b) the written consent which may have been granted by a commissioner in terms of section 10 (4);
- (c) the forms of consent signed by the parents or guardian;
- (d) if the child is over the age of 10 years, the form of consent signed by the child;
- (e) the record of proceedings at the hearing of the application;
- (f) the identity document or birth certificate lodged in terms of regulation 13 (14) or the estimate of age in terms of the proviso to regulation 13 (14), as the case may be; and
- (g) the order of adoption in the form of Form 26 in triplicate,

and shall retain certified copies of all such documents.

(3) On receipt of the documents mentioned in subregulation (2) the registrar shall register the order in a book to be kept by him, called the Register of Adoptions, and he shall note on the order of adoption the fact and date of its registration and the number under which it has been registered.

(4) The registrar may in any case in which it appears to him that the procedure prescribed by the Act and by these regulations has not been fully observed, remit to the children's court by which the order has been made the documents sent to him by the clerk of the children's court and direct attention to the omission or irregularity. The children's court shall thereupon take or cause to be taken such steps as it deems proper to retrieve any such omission or to correct any such irregularity, and shall thereafter cause the documents to be returned to the registrar for registration of the order.

(5) No person other than the registrar or an officer authorised by him to have the custody thereof for the time being shall have access to the Register of Adoptions.

(6) On the registration of an order of adoption the registrar shall file the original order and the documents referred to in subregulation (2) transmitted to him by the clerk of the children's court together with a certified copy of the identity document or birth certificate or estimate of age in terms of the proviso to regulation 13 (14) and shall return to the clerk of the children's court the duplicate and triplicate order, together with the original identity document or birth certificate or the estimate of age in terms of the proviso to regulation 13 (14). The clerk of the children's court shall deliver the duplicate order and the identity document or birth certificate or estimate of age, as the case may be, which the registrar attached thereto, to the adoptive parents and shall file the triplicate order with the records of the application.



(7) By besorging aan die aannemende ouers van die duplikaatorder en aanhangsel vermeld in subregulasie (6), moet die klerk van die kinderkhof die aandag daarop vestig dat hulle kragtens artikel 80 (1) by die Sekretaris van Binnelandse Sake aansoek op Vorm 27 moet doen om aantekening van die aanneming in die geboorteregister van die aangenome kind. In die geval waar 'n aannemingsorder uitgereik is ten opsigte van 'n kind wat buite die Republiek gebore is en wat nie oor 'n Suid-Afrikaanse geboortesertifikaat of identiteitsdokument beskik nie, moet 'n aansoek om registrasie van die geboorte van die kind soos by artikel 81 bepaal, tesame met die aansoek op Vorm 27, deur die aannemende ouers by gemelde Sekretaris ingedien word.

(8) Die Sekretaris van Binnelandse Sake moet die registrateur in kennis stel van die aantekening van die aanneming ingevolge artikel 80 (1) op die geboorteregister van 'n aangenome kind.

(9) Die registrateur kan op aansoek van die aannemende ouer of 'n persoon wat hom oortuig dat hy wesenlike belang by die saak het, en teen betaling van 'n bedrag van 50c 'n gewaarmerkte afskrif van 'n aannemingsorder aan die applikant uitreik: Met dien verstande dat in enige geval waar 'n aansoek gedoen en toegestaan is ooreenkomstig die eerste voorbehoudsbepaling van artikel 71 (3), 'n gewaarmerkte afskrif van 'n aannemingsorder aan niemand anders as 'n aannemende ouer uitgereik mag word nie, behalwe met die uitdruklike magtiging van die Minister: Met dien verstande verder dat die Minister, voordat hy sodanige magtiging verleen, die aannemende ouer redelike geleentheid moet gee om daarteen beswaar te maak.

(10) Indien enige aannemingsorder deur 'n kinderkhof op aansoek opgehef word of indien enige sodanige order of 'n order van opheffing deur 'n hoërhof by appèl nietig verklaar word, moet die klerk van die kinderkhof wat die order uitgereik het onverwyld aan die registrateur 'n gewaarmerkte afskrif van die order van die kinderkhof of van die betrokke hof van appèl, na gelang van die geval, stuur. Die registrateur moet in die Register van Aannemings en op die oorspronklike order in sy besit die feit en datum van die opheffing of nietigverklaring aantekene.

(11) Die registrateur moet die Sekretaris van Binnelandse Sake in kennis stel van die opheffing van 'n aannemingsorder wat in sy register aangeteken is en van die nietigverklaring van 'n opheffing waarvan aldus kennis ontvang is.

#### ONTHEFFING VAN OUERLIKE MAG

18. (1) Die moeder of die vader van 'n kind of kinders wat 'n bevel verlang ingevolge artikel 60 om haar eggenoot of sy eggenote van die in vermelde artikel bedoelde magte oor daardie kind of daardie kinders te onthef, en haar of hom met daardie magte te bekleed, moet by die assistent van die kinderkhof van die distrik waarin sy of hy woon 'n verklaring, deur sy of haar beëdigde verklaring bevestig, in tweevoud, indien, waarin die volgende aangegee word:

- (a) Die applikant se volle naam en woonplek;
- (b) die volle naam van die verweerder-vader of -moeder;
- (c) die beroep en woonplek van die verweerder of 'n bewering dat een van of beide hierdie besonderhede wat weggelaat word aan die applikant onbekend is;
- (d) die datum en plek van die huwelik van die partye;
- (e) die volle name en geboortedatum van elke kind met betrekking tot wie die applikant verlang om bedoelde ouerlike magte uit te oefen;
- (f) die gronde van die aansoek.

(2) Na oorweging van 'n verklaring by hom ingedien ooreenkomstig subregulasie (1) en van sodanige verdere

(7) When the adoptive parents are furnished with the duplicate order and annexure mentioned in subregulation (6) the clerk of the children's court shall draw attention to the fact that in terms of section 80 (1), application on Form 27 shall be made by them to the Secretary for the Interior for the recording of the adoption on the birth register of the adopted child. Where an adoption order has been made in respect of a child born outside the Republic who does not possess a South African birth certificate or identity document, the adoptive parents shall, together with the application on Form 27, also lodge an application with the said Secretary for the registration of the birth of the child in terms of section 81.

(8) The Secretary for the Interior shall advise the registrar of the recording of an adoption in terms of section 80 (1) on the birth register of an adopted child.

(9) The registrar may, on application by the adoptive parent or by any person who satisfies him that he has a substantial interest in the matter, and on payment of a fee of 50c, issue to the applicant a certified copy of an order of adoption: Provided that in any case in which an application has been made and granted in terms of the first proviso to section 71 (3), a certified copy of an order of adoption shall not be issued to any person other than an adoptive parent, save by express authority of the Minister: Provided further that before granting such authority the Minister shall afford the adoptive parents a reasonable opportunity of objecting thereto.

(10) If any order of adoption is rescinded by a children's court on application or, if any such order or any order of rescission is set aside by a superior court on appeal, the clerk of the children's court by which the order was made shall forthwith transmit to the registrar a certified copy of the order of the children's court or the court of appeal, as the case may be. The registrar shall note in the Register of Adoptions and on the original order in his possession the fact and date of the rescission or setting aside.

(11) The registrar shall advise the Secretary for the Interior of the rescission of any order of adoption which has been recorded in his register and of the setting aside of any rescission which has been so advised.

#### DEPRIVATION OF PARENTAL POWER

18. (1) The mother or the father of a child or children who seeks an order under section 60, depriving her or his spouse of the parental powers referred to in the said section over that child or those children and vesting those powers in her or him, shall lodge with the court assistant of the children's court of the district in which she or he resides a statement in duplicate verified by her or his affidavit setting out—

- (a) the applicant's full name and place of residence;
- (b) the full name of the respondent father or mother;
- (c) the occupation and place of residence of the respondent or an averment that either or both of these particulars being omitted is or are unknown to the applicant;
- (d) the date and place of marriage of the parties;
- (e) the full names and date of birth of every child in respect of whom the applicant wishes to exercise the said parental power;
- (f) the grounds of the application.

(2) After consideration of a statement lodged with him in terms of subregulation (1) and of such further

inligting as wat hy nodig ag om te verkry, kan die assistent van die kinderhof kennis gee in die vorm van Vorm 28 aan die klerk van die kinderhof van die distrik waarin die applikant woon, dat aansoek by dié hof gedoen sal word, op 'n datum en tyd in die kennisgewing vermeld, om 'n bevel wat die verweerder van sy of haar in artikel 60 bedoelde ouerlike magte, na gelang van die geval, oor die kind of kinders in die kennisgewing genoem, sal onthef en die uitsluitlike reg om bedoelde magte uit te oefen aan die applikant sal verleen.

(3) 'n Afskrif van die verklaring deur die applikant afgelê, moet aan die kennisgewing geheg word.

(4) As die verweerder se woonplek nie in die applikant se verklaring aangegee word nie, moet die klerk van die kinderhof sodanige navraag doen as wat redelik is onder die omstandighede van die geval om dit vas te stel.

(5) Die klerk van die kinderhof moet 'n afskrif van die kennisgewing van die aansoek en van die applikant se verklaring laat beteken, soos voorgeskryf in regulasie 5, aan die verweerder by die adres aangegee in die applikant se verklaring of deur navraag vasgestel, soos bepaal in subregulasie (4), as daardie adres binne die Republiek is.

(6) As die verweerder op 'n plek buite die Republiek woon, moet die klerk van die kinderhof per geregistreerde pos 'n afskrif van die kennisgewing en aangehegte verklaring aan die verweerder na daardie plek stuur.

(7) As die verweerder op die dag vasgestel vir die verhoor nie verskyn nie, moet die kinderhof, as geen kennis ooreenkomstig die voorbehoudsbepaling van artikel 60 (1) aan die verweerder gegee is nie, of as die hof nie oortuig is dat, hoewel kennis aan hom gegee is, hy nie die in gemelde voorbehoudsbepaling bedoelde redes wil aanvoer nie, die verhoor verdaag sodat bedoelde kennis gegee kan word of ten einde die verweerder 'n geleentheid te gee om bedoelde redes aan te voer.

(8) As die kinderhof oortuig is dat die woonplek of adres van die verweerder nie bekend is nie of dat die kennis beteken of gegee is en daar geen klaarblyklike rede is vir die verweerder se versuim om te verskyn nie, kan die hof, nadat hy die applikant se verklaring gelees en nadat hy dié verdere getuienis gehoor het wat hy nodig ag, voortgaan om uitspraak te gee oor die aansoek en om die gevraagde bevel te verleen of te weier.

(9) As die verweerder persoonlik, of deur 'n prokureur of advokaat, verskyn om die verlening van die gevraagde bevel te bestry, kan die kinderhof onverwyld voortgaan om getuienis en argumente aan te hoor en die geskilpunte te besleg, of kan hy uit eie beweging of op versoek van een van die partye die verhoor uitstel tot 'n vasgestelde datum of *sine die*. Indien die verhoor *sine die* uitgestel word, kan enigeen van die twee partye, deur kennisgewing aan die ander party en aan die klerk van die kinderhof, dit op die rol laat plaas vir 'n datum nie vroeër as drie dae na die kennisgewing nie.

(10) In verrigtinge ingevolge hierdie regulasies moet 'n applikant of, in die geval van 'n aansoek om herroeping, 'n verweerder, deur die assistent van die kinderhof verteenwoordig word en kennis wat aan die applikant gegee of 'n kennisgewing wat aan hom beteken moet word, moet aan die assistent van die kinderhof gegee of aan hom beteken word: Met dien verstande dat in enige geval waar die assistent van die kinderhof skriftelik weier om aldus vir 'n moeder of 'n vader op te tree, die moeder of die vader, na gelang van die geval, die aansoek persoonlik of deur 'n prokureur of advokaat kan doen of bestry; en in dié geval moet hierdie regulasie gelees word asof "assistent van die kinderhof" vervang is deur "die applikant" of "die verweerder" of "die applikant se prokureur of advokaat", of "die verweerder se prokureur of advokaat", na gelang van die geval: Met dien verstande verder dat in sodanige geval geen koste aangegaan in die aanvoer van getuienis om die aansoek te staaf of te bestry, uit staatsgelde betaal mag word nie.

information as he may deem it necessary to obtain, the children's court assistant may give notice in the form of Form 28 to the clerk of the children's court of the district in which the applicant resides that application will be made to the court on a date and at a time stated in the notice for an order depriving the respondent of his or her parental powers referred to in section 60, as the case may be, over the child or children named in the notice and vesting the exclusive right to exercise the said powers in the applicant.

(3) A copy of the statement made by the applicant shall be annexed to the notice.

(4) If the place of residence of the respondent is not set out in the applicant's statement the clerk of the children's court shall make such enquiry as is reasonable in the circumstances of the case in order to ascertain it.

(5) The clerk of the children's court shall cause a copy of the notice of application and of the applicant's statement to be served in the manner prescribed in regulation 5 on the respondent at the address set out in the applicant's statement or ascertained by enquiry as provided in subregulation (4), if that address is within the Republic.

(6) If the respondent resides at a place outside the Republic the clerk of the children's court shall send by registered post to the respondent to that place a copy of the notice and annexed statement.

(7) If on the day appointed for the hearing the respondent does not appear, the children's court, if notice has not been given to the respondent in terms of the proviso to section 60 (1) or if notice has been given the court is not satisfied that the respondent is not prepared to adduce the reasons referred to in the said proviso, shall adjourn the hearing so that such notice may be given or to afford the respondent an opportunity to adduce the said reasons.

(8) If the children's court is satisfied that the place of residence or address of the respondent is not known or that the notice has been served or given and that there is no apparent reason for the respondent's failure to appear, the court may after reading the applicant's statement and after hearing such further evidence as it may consider necessary, proceed to determine the application and to grant or refuse the order sought.

(9) If the respondent appears in person or by attorney or counsel to oppose the grant of the order sought, the children's court may proceed forthwith to hear evidence and argument and determine the issues or may of its own motion or at the request of either party adjourn the hearing to a date then fixed or *sine die*. If the hearing is adjourned *sine die* either party may, by notice given to the other party and to the clerk of the children's court, have it set down for a date not earlier than three days after the giving of notice.

(10) In any proceedings under these regulations an applicant, or, in the case of an application for rescission, a respondent shall be represented by the children's court assistant and any notice required to be given to or served upon the applicant shall be given to or served upon the children's court assistant: Provided that in any case in which the children's court assistant refuses in writing so to act for a mother or a father, the mother or the father, as the case may be, may make or oppose the application in person or by attorney or counsel; and in that event this regulation shall be read as if "the applicant" or "the respondent" or "the applicant's attorney or counsel" or "the respondent's attorney or counsel", as the case may be, were substituted for "the children's court assistant": Provided further that in such case no costs incurred in the production of evidence in support of or opposition to the application shall be defrayed from public funds.



(11) 'n Bevel deur die kindershof uitgereik ingevolge artikel 60 (1) om 'n vader of moeder te onthef van die reg om bedoelde ouerlike magte met betrekking tot 'n kind uit te oefen, en 'n bevel ingevolge artikel 60 (2) om die moeder of die vader weer met dié magte te bekleed, moet aangeteken word in die vorm van Vorm 29 en na die uitreiking van so 'n bevel moet die klerk van die kindershof onverwyld 'n gewaarmerkte afskrif daarvan aan die applikant besorg.

(12) Kennis van 'n aansoek om die herroeping van 'n bevel wat die vader of die moeder van sy of haar ouerlike magte oor sy of haar kind onthef en dit verleen aan die moeder of vader van die kind, moet geskied in die vorm van Vorm 30 en dit moet aan die betrokke moeder of vader beteken word. Afskrifte daarvan moet by die klerk van die kindershof bewaar word.

(13) Op die dag vasgestel vir die verhoor van 'n aansoek bedoel in subregulasie (12) kan die kindershof onverwyld voortgaan om die aansoek te verhoor en uitspraak te gee of kan hy uit eie beweging of op versoek van een van die partye die verhoor uitstel tot 'n vasgestelde datum of *sine die*. Indien die verhoor *sine die* uitgestel word, kan enigeen van die twee partye deur kennisgewing aan die ander party en aan die klerk van die kindershof, dit op die rol laat plaas vir 'n datum nie vroeër as drie dae na die kennisgewing nie.

(14) 'n Bevel bedoel in artikel 60 (2) moet in die vorm van Vorm 31 wees. Die herroeping van die bevel moet aangeteken word in die notule van die verrigtinge waarin dit toegestaan is.

(15) By die verhoor van 'n aansoek om die uitreiking van 'n bevel kragtens artikel 60 (1) wat bestry word of om die herroeping van enige sodanige bevel, moet alle getuienis mondeling afgelê word.

#### TYDELIKE BEWARING VAN KIND

19. (1) 'n Bevel van die kindershof kragtens artikel 83 moet in die vorm van Vorm 32 wees.

(2) Die ouer wat 'n bevel kragtens artikel 83 verlang, moet 'n beëdigde verklaring, in drievoud, soos voorgeskryf in regulasie 18 (1) by die kindershof van die distrik waarin die kind woonagtig is indien, tesame met 'n gewaarmerkte afskrif van die kennisgewing aan die ander ouer, van die applikant se voorneme om aansoek om so 'n bevel te doen.

(3) Die assistent van die kindershof moet 'n afskrif van die beëdigde verklaring wat ingevolge subregulasie (2) ingedien is aan die proefbeampte van daardie gebied laat stuur vir ondersoek en 'n verslag deur hom of 'n gemagtigde amptenaar.

(4) By ontvangs van die verslag ingevolge subregulasie (3) aangevra, moet 'n datum vir die verhoor van die aansoek bepaal word en moet die prosedure voorgeskryf in regulasie 18 (5), (6), (7), (8) en (9) *mutatis mutandis* gevolg word.

#### BESKERMING VAN JONG KINDERS

20. (1) Kennisgewing met betrekking tot die ontvangs, besorging, verwydering, verandering van woonplek of afsterwe van 'n beskermende jong kind kragtens artikels 10 en 15 moet geskied in die vorm van Vorms 33 tot 38.

(2) By die oorweging van 'n aansoek om 'n buitewettige jong kind kragtens artikel 10 (4) in ontvangs te neem en te onderhou, kan 'n kommissaris 'n verslag ontvang en oorweeg van iemand wat volgens sy mening kennis dra van die feite of bevoeg is om 'n gesaghebbende opinie te vorm aangaande die applikant, sy karakter, vermoë en ander omstandighede wat ter sake is met betrekking tot sy geskiktheid en bevoegdheid om die jong kind in ontvangs te neem, met die oog op aanneming, of die geskiktheid van die jong kind vir doeleindes van aanneming in die algemeen of deur die bepaalde applikant.

(11) An order made by the children's court in terms of section 60 (1) to deprive a father or a mother of the right to exercise the said parental powers in regard to a child and an order in terms of section 60 (2) to reinvest the mother or the father with such powers, shall be recorded in the form of Form 29 and after the making of such an order the clerk of the children's court shall forthwith deliver to the applicant a certified copy thereof.

(12) Notice of an application for the rescission of an order depriving the father or the mother of his or her parental powers over his or her child and transferring them to the mother or father of the child shall be given in the form of Form 30 and shall be served upon the mother or father concerned. Copies thereof shall be filed with the clerk of the children's court.

(13) On the day appointed for the hearing of an application made under subregulation (12) the children's court may proceed forthwith to hear and determine the application or may of its own motion or at the request of either party adjourn the hearing to a date then fixed or *sine die*. If the hearing is adjourned *sine die* either party may by notice given to the other party and to the clerk of the children's court, have it set down for a date not earlier than three days after the giving of notice.

(14) An order referred to in section 60 (2) shall be in the form of Form 31. The rescission of the order shall be noted in the record of the proceedings in which it was granted.

(15) At the hearing of any opposed application for the making of an order in terms of section 60 (1), or for the rescission of any such order, all evidence shall be given *viva voce*.

#### TEMPORARY CUSTODY OF CHILD

19. (1) An order of the children's court in terms of section 83 shall be in the form of Form 32.

(2) The parent who seeks an order in terms of section 83 shall lodge with the children's court of the district in which the child is residing an affidavit, in triplicate, as prescribed in regulation 18 (1), together with a certified copy of the notice to the other parent of the applicant's intention to apply for such an order.

(3) The children's court assistant shall have a copy of the affidavit lodged under subregulation (2) sent to the probation officer of that area for investigation and a report by him or an authorised officer.

(4) On receipt of the report requested in terms of subregulation (3), a date shall be fixed for the hearing of the application, and the procedure prescribed in regulation 18 (5), (6), (7), (8) and (9) shall be followed *mutatis mutandis*.

#### PROTECTION OF INFANTS

20. (1) Notices relative to the receipt, delivery, removal, change of residence or death of a protected infant in terms of sections 10 and 15 shall be in the form of Forms 33 to 38.

(2) When considering an application to receive and maintain an illegitimate infant in terms of section 10 (4) a commissioner may receive and consider a report from any person who has in his opinion knowledge of the facts or who is competent to form an authoritative opinion regarding the applicant, his character, means and other circumstances relative to his ability and suitability to receive the infant with a view to adoption or the suitability of the infant for the purposes of adoption generally or by the particular applicant.



(3) Die toestemming van 'n kommissaris vir die ontvangs en onderhoud van 'n buite-egtelike jong kind kragtens artikel 10 (4) moet in die vorm van Vorm 39 wees.

(4) 'n Sertifikaat van vrystelling kragtens artikel 17 (1) moet in die vorm van Vorm 40 uitgereik word.

(5) 'n Bevel tot die verwydering van 'n jong kind kragtens artikel 27 moet in die vorm van Vorm 41 uitgereik word.

(6) 'n Kinderbeskermingsbesoeker, vrederegter, proef-beampte of polisiebeampte wat, in die uitoefening van bevoegdheid of gesag hom verleen by of kragtens artikel 12, enige jong kind en die gebou waar hy gehuisves is, besoek en besigtig, moet in die vorm van Vorm 42 'n verslag opstel aan die kommissaris van die distrik waarin daardie gebou geleë is, oor die uitslag van sy besoek en besigtiging.

(7) 'n Kommissaris moet in die vorm van Vorm 43 'n register hou van alle beskermde jong kinders binne sy regsgebied.

(8) 'n Kommissaris moet aan alle persone wat beheer het oor beskermde jong kinders ten opsigte van wie kennis aan hom gegee is kragtens artikel 10, 'n afskrif van die kennisgewing in die vorm van Vorm 44 laat beteken.

(3) The consent of a commissioner for the receipt and maintenance of an illegitimate infant in terms of section 10 (4) shall be in the form of Form 39.

(4) A certificate of exemption in terms of section 17 (1) shall be issued in the form of Form 40.

(5) An order for the removal of an infant in terms of section 27 shall be made in the form of Form 41.

(6) An infant protection visitor, justice of the peace, probation officer or policeman who, in the exercise of powers vested in or authority conferred upon him by or in terms of section 12, visits and inspects any infant and the premises in which it is kept, shall make a report in the form of Form 42 to the commissioner of the district in which those premises are situated, of the result of his visit and inspection.

(7) A commissioner shall keep a register in the form of Form 43 of all protected infants within his area of jurisdiction.

(8) A commissioner shall cause to be served on all persons who have charge of protected infants in respect of whom notice has been given to him in terms of section 10, a copy of the notice in the form of Form 44.

#### SAMEVATTING VAN VOORGESKREWE VORMS

| Vorm No. | Opskrif                                                                                                                                                                                              | Departementele No. |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1        | Dagvaarding aan getuie om ondersoek by te woon.....                                                                                                                                                  | WP 301             |
| 2        | Dagvaarding aan getuie om verhoor van aansoek om aannemingsorder by te woon.....                                                                                                                     | WP 302             |
| 3        | Kinderhofrekordboek (losblad).....                                                                                                                                                                   | WP 303             |
| 4        | Ondersoek deur Kinderhof ingevolge artikel 30.....                                                                                                                                                   | WP 304             |
| 5        | Magtiging tot aanhouding van 'n kind.....                                                                                                                                                            | WP 305             |
| 6        | Aanhoudingsbevel deur Kommissaris.....                                                                                                                                                               | WP 306             |
| 7        | Lasbrief vir verwydering van kind na veiligheidsplek.....                                                                                                                                            | WP 307             |
| 8        | Kennisgewing aan ouer, voog of bewaarder om 'n ondersoek by te woon.....                                                                                                                             | WP 308             |
| 9        | Kennisgewing aan ouer of voog om 'n sorgbehoewende kind voor die hof te bring.....                                                                                                                   | WP 309             |
| 10       | Mediese sertifikaat oor kind of jeugdige persoon.....                                                                                                                                                | WP 310             |
| 11       | Bevel van die hof ingevolge artikel 31 (1), (2) of (4).....                                                                                                                                          | WP 311             |
| 12       | Verwydering van kind uit veiligheidsplek en plek van bewaring.....                                                                                                                                   | WP 312             |
| 13       | Bevel dat kind bywoningsentrum moet bywoon.....                                                                                                                                                      | WP 313             |
| 14       | Dagvaarding in kontribusie-order- of loonbeslagleggingsbevelverrigtings.....                                                                                                                         | WP 314             |
| 15       | Kennisgewing van verhoor van aansoek om wysiging, opskorting, intrekking of herstelling van kontribusie-order- of loonbeslagleggingsbevel.....                                                       | WP 315             |
| 16       | Kontribusie-order.....                                                                                                                                                                               | WP 316             |
| 17       | Bevel van beslaglegging op loon.....                                                                                                                                                                 | WP 317             |
| 18       | Aansoek om aannemingsorder.....                                                                                                                                                                      | WP 318             |
| 19       | Toestemming deur ouer of voog tot aannemingsorder.....                                                                                                                                               | WP 319             |
| 20       | Toestemming deur kind tot aannemingsorder.....                                                                                                                                                       | WP 320             |
| 21       | Aansoek om toelating van toestemming tot aanneming, sonder openbaarmaking van aannemende ouers se identiteit.....                                                                                    | WP 321             |
| 22       | Verklaring deur ouer of voog wat toestem tot nie-openbaarmaking van applikant(e) se identiteit.....                                                                                                  | WP 322             |
| 23       | Kennisgewing aan ouer of voog van aansoek om nie-openbaarmaking van applikant(e) se identiteit in aannemingsverrigtings.....                                                                         | WP 323             |
| 24       | Aannemingsrekordboek.....                                                                                                                                                                            | WP 324             |
| 25       | Kennisgewing van aansoek om opheffing van aannemingsorder.....                                                                                                                                       | WP 325             |
| 26       | Aannemingsorder.....                                                                                                                                                                                 | WP 326             |
| 27       | Aansoek om aanneming op geboorteregister aan te teken.....                                                                                                                                           | WP 327             |
| 28       | Kennisgewing van aansoek om bevel tot ontheffing van ouerlike mag.....                                                                                                                               | WP 328             |
| 29       | Bevel tot ontheffing van ouerlike mag.....                                                                                                                                                           | WP 329             |
| 30       | Kennisgewing van aansoek om herroeping van bevel tot ontheffing van ouerlike mag.....                                                                                                                | WP 330             |
| 31       | Bevel tot herroeping van bevel tot ontheffing van ouerlike mag.....                                                                                                                                  | WP 331             |
| 32       | Bevel tot plasing van kind in tydelike bewaring.....                                                                                                                                                 | WP 332             |
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| 39       | Toestemming om buite-egtelike kind in ontvangs te neem.....                                                                                                                                          | WP 339             |
| 40       | Sertifikaat van vrystelling verleen aan 'n persoon of plek.....                                                                                                                                      | WP 340             |
| 41       | Bevel tot verwydering van beskermde jong kind ingevolge artikel 27.....                                                                                                                              | WP 341             |
| 42       | Verslag oor 'n beskermde jong kind.....                                                                                                                                                              | WP 342             |
| 43       | Register van beskermde jong kinders wat gehou moet word deur 'n kommissaris van kindersorg.....                                                                                                      | WP 343             |
| 44       | Kennisgewing aan persone wat beskermde jong kinders inbewaring het.....                                                                                                                              | WP 344             |
| 45       | Register van geboortes, sterfgevallen en verwydering van beskermde jong kinders in of uit 'n kraaminrigting [Regulasie 158 (1) Goewermentskennisgewing R. 236 van 21/2/64].....                      | WP 401             |
| 46       | Kennisgewing van beweging van 'n leerling (Regulasie 77 Goewermentskennisgewing R. 236 van 21/2/64).....                                                                                             | VR-D 5             |
| 47       | Opgawe van vakatures in kinderhuise (Regulasie 78 Goewermentskennisgewing R. 236 van 21/2/64).....                                                                                                   | VR-D 6             |
| 48       | Vorm van vergunning (Regulasie 139 Goewermentskennisgewing R. 236 van 21/2/64).....                                                                                                                  | VR-D 8             |
| 49       | Kennisgewing van intrekking van vergunning (Regulasie 142 Goewermentskennisgewing R. 236—21/2/64).....                                                                                               | WP 409             |
| 50       | Brief van magtiging tot die ontvangs van 'n kind geplaas deur 'n goedgekeurde vereniging in die bewaring van 'n geskikte persoon [Regulasie 163 (1) Goewermentskennisgewing R. 236 van 21/2/64]..... | WP 414             |
| 51       | Eis om veiligheidsplektoelae deur persoon of inrigting [Regulasie 36 (1) Goewermentskennisgewing R. 236 van 21/2/64].....                                                                            | WP 418             |





## No. 6.—AANHOUDINGSBEVEL DEUR KOMMISSARIS: REGULASIE 7 (4)

In die Kinderhof vir die distrik..... gehou te.....  
 Aan..... (veiligheidsplek/waarnemingsentrum).  
 U word hierby bevel om die volgende kind(ers) ingevolge artikel..... van die Kinderwet, 1960, \*op te neem/aan te hou/  
 verder aan te hou tot....., tensy eerder verwyder:

|        | Naam | Geboortedatum | Datum van<br>toelating/opname | Verwysings-<br>nommer |
|--------|------|---------------|-------------------------------|-----------------------|
| 1..... |      |               |                               |                       |
| 2..... |      |               |                               |                       |

Die rede(s) vir \*opname/aanhouding/verdere aanhouding is.....  
 \*n Toelae is aan u betaalbaar/nie betaalbaar nie.  
 Gegee te..... op hede die..... dag van..... 19.....

Kommissaris van Kindersorg

\* Skrap wat nie van toepassing is nie.

## No. 7.—LASBRIEF VIR VERWYDERING VAN KIND NA VEILIGHEIDSPLEK: REGULASIE 7 (5)

Aan..... (polisiebeampte).  
 Nademaal dit my geblyk het, uit inligting onder ede verstrek, dat daar redelike grond is om te vermoed dat die misdaad  
 van..... gepleeg word\*/is op of in verband met ene.....  
 'n kind tans te..... in hierdie distrik, en dat dit dienstig is dat genoemde kind na 'n veiligheidsplek  
 geneem word;  
 So word u hierby ingevolge artikel 29 van die Kinderwet, 1960, gemagtig en bevel om genoemde kind te soek en hom na 'n veilig-  
 heidsplek te neem om daar gehou te word totdat hy voor 'n kinderhof gebring kan word. Dit strek u tot lasbrief daartoe.  
 Gegee te..... op hede die..... dag van..... 19.....

Landdros/Kommissaris van Kindersorg/Vrederegter

\* Skrap wat nie van toepassing is nie.

## No. 8.—KENNISGEWING AAN OUER, VOOG OF BEWAARDER OM 'N ONDERSOEK BY TE WOON: REGULASIE 7 (6)

In die Kinderhof vir die distrik..... gehou te.....  
 Insake 'n ondersoek ten opsigte van....., 'n kind wat volgens bewering sorgbehoewend is.  
 Aan..... van.....  
 Neem kennis dat 'n ondersoek ingevolge artikel 30 van die Kinderwet, 1960, gehou sal word voor hierdie Hof te.....  
 op die..... dag van..... 19..... om..... h..... ten opsigte van.....  
 bogenoemde kind van wie u beweer word te wees die \*ouer/voog/bewaarder.  
 En neem kennis dat u aangesê word om by die ondersoek teenwoordig te wees op voormelde plek en tyd en om teenwoordig te bly  
 tot by die afloop daarvan.  
 En neem verder kennis dat indien u sonder redelike verskoning versuim om aldus teenwoordig te wees of te bly, u gearresteer en  
 gevonnissen kan word tot 'n boete van hoogstens R10 of gevangenisstraf van hoogstens een maand.  
 Gedateer te..... op hede..... dag van..... 19.....

Klerk van die Hof

\* Skrap wat nie van toepassing is nie.

## No. 9.—KENNISGEWING AAN OUER OF VOOG OM 'N SORGBEHOEWENDE KIND VOOR DIE HOF TE BRING: REGULASIE 7 (7)

In die Kinderhof vir die distrik..... gehou te.....  
 Aan..... van.....  
 Nademaal dit my geblyk het dat die kind....., van wie u die ouer of voog is, in u bewaring is  
 en dat genoemde kind <sup>(1)</sup>sorgbehoewend is/weggeloop het van <sup>(2)</sup>....., waarheen hy gestuur of  
 waarin hy geplaas is ingevolge <sup>(1)</sup>die Kinderwet, 1960/Strafproseswet, 1955, word u hierby ingevolge artikel 84 van die Kinderwet, 1960,  
 bevel om genoemde kind voor hierdie Hof te bring te..... op die..... dag  
 van..... 19..... om..... h.....  
 En neem verder kennis dat indien u versuim om sonder redelike grond (waarvan die bewyslas op u rus) aan hierdie Bevel gehoor te  
 gee, u 'n misdryf begaan en by skuldigbevinding strafbaar sal wees met 'n boete van hoogstens R200 of, by wanbetaling met gevangenis-  
 straf vir 'n tydperk van hoogstens een jaar of met die gevangenisstraf sonder die keuse van 'n boete.  
 Gegee te..... op hede die..... dag van..... 19.....

Kommissaris van Kindersorg

<sup>(1)</sup> Skrap wat nie van toepassing is nie.

<sup>(2)</sup> Vul in die naam van die inrigting waaruit of van die persoon uit wie se bewaring die kind volgens bewering weggeloop het.

## No. 10.—MEDIËSE SERTIFIKAAT OOR 'N KIND OF JEUGDIGE PERSOON: REGULASIE 9 (2) (b)

1. Naam van kind of jeugdige persoon.....
2. Ouderdom..... Geslag..... Bevolkingsgroep.....
3. Wat is die toestand van die kind/jeugdige persoon se—  
 (a) longe?..... (b) hart?..... (c) tande?.....
4. Is daar enige gebrek in die kind/jeugdige persoon se—  
 (a) gesig?..... (b) gehoor?..... (c) spraak?.....
5. Het die kind/jeugdige persoon enige ortopediese gebrek? Indien wel, meld besonderhede.....
6. Ly die kind/jeugdige persoon aan epilepsie?.....
7. Ly die kind/jeugdige persoon aan veneriese siekte?.....
8. (a) Is die kind/jeugdige persoon vermoedelik vry van enige ander aansteeklike of besmetlike siekte?.....  
 (b) Is daar enige ander siekte of gebrek aanwesig?.....



9. Is die kind/jeugdige persoon liggaamlik normaal ontwikkel vir sy/haar ouderdom?.....  
 10. Is die kind/jeugdige persoon goed gevoed?.....  
 11. Is die kind/jeugdige persoon volgens u mening verstandelik normaal?.....  
 12. Meld in watter opsig die kind/jeugdige persoon mediese of ander behandeling nodig het .....

Distriksgeneesheer

Plek.....  
 Datum.....

## No. 11.—BEVEL VAN DIE HOF INGEVOLGE ARTIKEL 31 (1), (2) OF (4): REGULASIE 9 (1)

In die Kinderhof vir die distrik..... gehou te.....  
 Insake ondersoek ten opsigte van....., 'n beweerde sorgbehoewende kind van

(volle naam)

wie..... die ouers of voog is.  
 (volle naam)

Voor..... Kommissaris van Kindersorg, op die..... dag van..... 19.....

Nadat..... (hof-assistent) en (1)..... (2)..... (3).....

(partye of verteenwoordigers) gehoor is en nadat die aangevoerde getuienis oorweeg is en nadat bevind is dat genoemde kind gebore is op die..... dag van..... 19..... en aangesien die Hof oortuig is dat genoemde kind 'n sorgbehoewende kind is, word gelas:

(1) \*Dat genoemde kind—

(a) geplaas word in die bewaring van.....

(b) geplaas word onder die beheer van.....

(c) gestuur word na....., aangewys ingevolge artikel 35;

(2) \*En dat genoemde kind—

(a) geplaas word onder toesig van.....

(b) vir 'n tydperk van..... vanaf..... op proef geplaas word; en

(c) gedurende die tydperk wat hy op proef is, moet voldoen aan die vereistes in Aanhangsel..... genoem;

(3) \*En dat....., die ouers/voog van genoemde kind gedurende die tydperk wat die kind op proef is, moet voldoen aan die vereistes in Aanhangsel..... genoem.

En neem kennis dat indien versuim word om aan die gestelde vereistes te voldoen, die kind, by skuldigbevinding, gewaarsku of berispe kan word of 'n boete van hoogstens R50 opgelê kan word of matige lyfstraf ingevolge artikel 345 van die Strafproseswet, 1955, toegedien kan word en die ouers/voog, by skuldigbevinding, 'n boete van hoogstens R200 of, by wanbetaling van die boete, gevangenisstraf van hoogstens een jaar, of dié gevangenisstraf sonder die keuse van 'n boete, opgelê kan word.

Gegee te..... op hede die..... dag van..... 19.....

Kommissaris van Kindersorg

\* Skrap wat nie van toepassing is nie.

## No. 12.—VERWYDERING VAN 'N KIND UIT VEILIGHEIDSPLEK EN PLEK VAN BEWARING: REGULASIE 9 (6)

Aan..... (veiligheidsplek) Insake..... (volle naam),  
 'n sorgbehoewende kind is.

Magtiging word hierby verleen tot die verwydering uit die veiligheidsplek en plek van bewaring op..... (meld datum) van genoemde kind.

Die rede vir die verwydering is.....

Gegee te..... op hede die..... dag van..... 19.....

Landdros/Kommissaris van Kindersorg

## No. 13.—BEVEL DAT KIND BYWONINGSENTRUM MOET BYWOON: REGULASIE 9 (12)

In die Kinderhof vir die distrik..... gehou te.....  
 insake..... (volle naam), 'n sorgbehoewende kind gebore op..... wat ingevolge artikel 31 (2) op proef geplaas is en van wie..... (volle naam) die (1)ouer(s)/voog is.

Nademaal, uit inligting aan my verstrekkend, dit geblyk het dat genoemde kind waarskynlik sal baat vind by behandeling in 'n bywoningsentrum, so is dit dat gelas word:

(a) Dat genoemde kind vir 'n tydperk van..... weke, elke (2) (dag van week) vanaf..... h..... tot..... h..... (uur) die bywoningsentrum te..... (plek) moet bywoon;

(b) (3)en dat genoemde (1)ouers/voog moet toesien dat genoemde kind op die dae en tye vermeld, genoemde bywoningsentrum moet bywoon.

En neem kennis dat indien nie aan hierdie lasgewing voldoen word nie, die kind by skuldigbevinding, gewaarsku of berispe kan word of 'n boete van hoogstens R50 opgelê kan word of matige lyfstraf soos bepaal by artikel 345 van die Strafproseswet, 1955, toegedien kan word en die (1)ouer(s)/voog by skuldigbevinding 'n boete van hoogstens R200, of, by wanbetaling van die boete, gevangenisstraf van hoogstens een jaar, of dié gevangenisstraf sonder die keuse van 'n boete, opgelê kan word.

Gegee te..... op hede die..... dag van..... 19.....

Kommissaris van Kindersorg

(1) Skrap wat nie van toepassing is nie.

(2) Uitgesonderd Sondag.

(3) Skrap indien nie van toepassing is nie.

**No. 14.—DAGVAARDING IN KONTRIBUSIE-ORDER- OF LOONBESLAGLEGGINGSBEVELVERRIGTINGS:  
REGULASIES 11 (1) EN 12 (3)**

In die \*Kinderhof/Landdroshof vir die distrik..... gehou te.....  
 Aan..... van.....  
 U word hierby gedagvaar om te verskyn voor hierdie Hof te..... op die..... dag  
 van..... 19..... om..... h..... om dan die gronde aan te voer waarom 'n  
 \*kontribusie-order/loonbeslagleggingsbevel nie teen u verleen behoort te word nie ingevolge die bepalings van artikel \*62/65 van die  
 Kinderwet, 1960, vir die onderhoud van..... [naam (name) van kind(ers)] op die gronde aangedui  
 in die besonderhede hierop geëndosseer.

En neem kennis dat as u in gebreke bly om te verskyn, 'n \*kontribusie-order/loonbeslagleggingsbevel teen u verleen kan word in u afwesigheid.

Gedateer te..... op hede die..... dag van..... 19.....

Klerk van die Hof

\* Skrap wat nie van toepassing is nie.

Endossement op dagvaarding:

**BESONDERHEDE AANGAANDE GRONDE VAN BEWERDE AANSPEEKLIKHEID**

**VOORBEELD VIR DIE LEIDING VAN KINDERHOF/LANDDROSHOF VAN ENDOSSEMENT OP DAGVAARDING IN  
KONTRIBUSIE-ORDER/LOONBESLAGLEGGINGSBEVELVERRIGTINGS SOOS VEREIS BY VORM 14**

Besonderhede:

(1) Op 1 Januarie 1960 is die kind A.B. deur C.D., 'n proefbeampte, geplaas in 'n veiligheidsplek, Johannesburg, in die uitoefening van bevoegdhede hom verleen by artikel 26 (1) van die Kinderwet, 1960.

(2) Die kind A.B. het in die veiligheidsplek gebly tot 21 Januarie 1960, en op daardie datum is hy op bevel verleen op 14 Januarie 1960 deur die Kinderhof vir die distrik Johannesburg ingevolge die bepalings van artikel 31 van genoemde Wet, gestuur na St. George's Home in die distrik Johannesburg.

(3) Die kind A.B. het sedertdien in die St. George's Home gebly as 'n leerling.

(4) Die verweerder is die vader van die kind A.B., en volgens wet aanspreeklik vir sy onderhoud.

OF

Nòg die kind A.B. nòg sy ouers is in staat om hom te onderhou en die verweerder is die broer van A.B. en is in staat om volgens wet aanspreeklik om hom te onderhou of tot sy onderhoud by te dra.

OF

'n Kontribusie-order is op 1 Februarie 1960 vir die onderhoud van die kind A.B. deur hierdie Hof teen u uitgereik. Dit blyk uit die rekords van die Hof dat u meer as drie maande agterstallig is met die betaling van die gelde wat ooreenkomstig die kontribusie-order betaalbaar is.

**No. 15.—KENNISGEWING VAN VERHOOR VAN AANSOEK OM WYSIGING, OPSKORTING, INTREKKING OF  
HERSTELLING VAN KONTRIBUSIE-ORDER OF LOONBESLAGLEGGINGSBEVEL: REGULASIES 11 (8) EN 12 (6)**

In die \*Kinderhof/Landdroshof vir die distrik..... gehou te.....

Insake \*kontribusie-order/loonbeslagleggingsbevel vir die onderhoud van.....  
 Aan..... van..... (verweerder).

Neem kennis dat aansoek om die \*wysiging/opskorting/intrekking/herstelling van die \*kontribusie-order/loonbeslagleggingsbevel deur die Hof teen u verleen op..... vir die onderhoud van bogenoemde kind(ers) of leerling(e) verhoor sal word in die Hof op die..... dag van..... 19..... om..... h.....

Gedateer te..... op hede die..... dag van..... 19.....

Klerk van die Hof

\* Skrap wat nie van toepassing is nie.

**No. 16.—KONTRIBUSIE-ORDER: REGULASIE 11 (13)**

In die \*Kinderhof/Landdroshof vir die distrik..... gehou te.....

Insake kontribusie-order vir die onderhoud van..... op die..... dag van..... 19.....

Voor..... \*Kommissaris van Kindersorg/Landdros.

Nademaal met bogenoemde kind(ers)/leerling(e) gehandel is ooreenkomstig..... (Wet en artikel).

So is dit dat..... (verweerder) woonagtig te..... en werksaam te.....  
 bedrag van..... gelas word om tot die onderhoud van sodanige kind(ers) of leerling(e) \*weekliks/maandeliks die  
 by te dra met ingang van..... en die eerste betaling moet op.....  
 gedoen word en daarna op..... Betalings moet aan die Landdros te..... gedoen word.

Genoemde verweerder moet onverwyld skriftelik kennis gee aan die Klerk van die Hof, ooreenkomstig artikel 68 van die Wet, van enige verandering van woon- of werkplek; by gebreke waarvan hy hom blootstel aan 'n boete van hoogstens R200 of, by wanbetaling, aan gevangenisstraf van hoogstens een jaar of aan dié gevangenisstraf sonder die keuse van 'n boete.

Kommissaris van Kindersorg/Landdros

\* Skrap wat nie van toepassing is nie.

Let wel.—Hierdie vorm moet per geregistreerde pos gestuur word, tensy dit aan die verweerder persoonlik oorhandig word.

**No. 17.—BEVEL VAN BESLAGLEGGING OP LOON: REGULASIE 12 (1)**

In die Kinderhof/Landdroshof vir die distrik..... gehou te.....

Insake onderhoud van..... [naam van kind(ers)] deur..... (verweerder)  
 van wie..... die werkgewer is.

Nademaal op die..... dag van..... 19..... 'n kontribusie-order kragtens Hoofstuk VI van die Kinderwet, 1960, teen genoemde....., hieronder genoem die verweerder, in die diens van....., hieronder genoem die werkgewer, uitgereik is vir die onderhoud van bogenoemde kind(ers). Word gelas dat genoemde werkgewer, ter voldoening aan die kontribusie-order teen genoemde verweerder uitgereik, so gou doenlik na die datum van ontvangs van hierdie bevel, \*weekliks/maandeliks 'n bedrag van..... van die loon van die verweerder moet aftrek en onverwyld aan 'n amptenaar van voormelde Hof moet betaal.



Indien genoemde werkgewer sy verpligting ingevolge hierdie bevel betwis, moet hy so gou moontlik die gronde waarop hy dit betwis onder die aandaag van die Klerk van die Hof bring.

Verweerder moet kennis neem dat hy ingevolge artikel 68 van die Kinderwet onverwyld aan die Klerk van die Hof kennis moet gee van enige verandering van werkplek, by gebreke waarvan hy hom blootstel aan 'n boete van hoogstens R200 of, by wnb: taling van die boete, aan gevangenisstraf van hoogstens een jaar, of aan dié gevangenisstraf sonder die keuse van 'n boete.

Gegee te ..... op hede die ..... dag van ..... 19.....

Kommissaris van Kindersorg/Landdros

\* Skrap wat nie van toepassing is nie.

#### No. 18.—AANSOEK OM AANNEMINGSORDER: REGULASIE 13 (1)

Aan die Klerk van die Kinderhof.....

\*Ek/Ons<sup>(1)</sup>, <sup>(2)</sup>..... (applikant) en..... (mede-applikant)  
van..... (woonadres) doen hierby aansoek om 'n order tot aanneming deur \*my/ons van die  
kind<sup>(3)</sup>, <sup>(2)</sup>..... tans woonagtig te..... in die distrik.....

\*Ek/Ons verlang dat indien die order toegestaan word, die familienaam..... \*aan dié kind  
verleen moet word/deur die kind behou moet word.

\*Ek/Ons verklaar dat die besonderhede in die verklaring hieronder uiteengesit na \*my/ons beste wete en oortuiging waar en juis is.  
Gedateer te..... op hede die ..... dag van ..... 19.....

Applikant

Mede-applikant

#### VERKLARING VAN BESONDERHEDE

##### A. Ten opsigte van applikant(e):

###### 1. Volle name en familienaam van applikant—

Eggenoot<sup>(2)</sup>..... Eggenote<sup>(2)</sup>.....

###### 2. Datum van geboorte van applikant—

Eggenoot<sup>(2)</sup>..... Eggenote<sup>(2)</sup>.....

###### 3. Posadres van applikant(e).....

###### 4. Identiteitsnommer—

Eggenoot..... Eggenote.....

###### 5. Bevolkingsgroep—

Eggenoot<sup>(2)</sup>..... Eggenote<sup>(2)</sup>.....

###### 6. Huwelikstaat<sup>(3)</sup>.....

###### 7. Kerkverband—

Eggenoot..... Eggenote.....

###### 8. Is applikant of beide applikante Suid-Afrikaanse burgers?—

\*Ja<sup>(4)</sup>..... Nee..... Indien nie, meld—

###### (i) die nasionaliteit van—

Eggenoot..... Eggenote.....

###### (ii) tydperk in die Republiek woonagtig—

Eggenoot..... Eggenote.....

###### 9. Is u verwant aan die kind wat u wil aanneem? Ja of nee—

Eggenoot..... Eggenote.....

###### Indien wel, wat is die verwantskap?—

Eggenoot..... Eggenote.....

###### 10. Indien applikant getroud is en die gade nie 'n mede-applikant is nie—

(i) Is applikant geskei of by regterlike bevel geskei van sy of haar gade<sup>(5)</sup>.....

(ii) Is applikant se gade geestelik gekrenk of gebrekkig..... Indien wel, hoe lank duur daardie toestand reeds?.....

In welke inrigting of ander sorg verkeer hy of sy tans?.....

##### B. Ten opsigte van kind:

###### 1. Volle naam en familienaam<sup>(2)</sup>.....

2. Datum van geboorte<sup>(2)</sup>..... Bevolkingsgroep<sup>(2)</sup>..... Geslag<sup>(2)</sup>.....

###### 3. Huidige verblyfplek.....

4. Volle naam en familienaam van vader<sup>(6)</sup>, <sup>(6)</sup>, <sup>(8)</sup>.....

5. \*Adres/Laaste bekende adres van vader<sup>(6)</sup>, <sup>(6)</sup>, <sup>(8)</sup>.....

6. Volle naam en familienaam van moeder<sup>(6)</sup>, <sup>(6)</sup>.....

7. \*Adres/Laaste bekende adres van moeder<sup>(6)</sup>, <sup>(8)</sup>.....

###### 8. Kerkverband—

Vader<sup>(6)</sup>, <sup>(7)</sup>..... Moeder<sup>(7)</sup>.....

9. Volle naam, familienaam en adres van wettige voog (as daar is)<sup>(6)</sup>, <sup>(9)</sup>.....

\* Skrap wat nie van toepassing is nie.

(1) Die geboortesertifikate van die applikante moet getoon word: In die geval van 'n kind wat binne die Republiek of Suidwes-Afrika gebore is, moet sy identiteitsdokument of 'n verkorte geboortesertifikaat (nie 'n sertifikaat van Bewys van Registrasie van Geboorte nie) na gelang van die geval, by die aansoek aangeheg word: In die geval van 'n kind wat buite die Republiek of Suidwes-Afrika gebore is, moet sy vreemde geboortesertifikaat of, by gebrek aan sodanige sertifikaat, 'n skatting ingevolge artikel 85 (1) van die Kinderwet, 1960, by die aansoek aangeheg word.

(2) Vul in die volle naam, familienaam en ander besonderhede, na gelang van die geval, van die applikante soos weergegee op hulle geboortesertifikate: Die volle naam, familienaam en ander besonderhede, na gelang van die geval, van die kind soos weergegee op sy identiteitsdokument; geboortesertifikaat of skatting ingevolge artikel 85 (1) van die Kinderwet moet ingevul word.

(3) Vul in "ongetroud", "getroud", "weduwee", "wewenaar", "geskei" of "geskei by regterlike bevel", na gelang van die geval. Die huweliksertifikaat van mede-applikante of, in die geval van applikante wat geskei of by regterlike bevel geskei is, 'n ware afskrif van die Bevel van die Hof, moet aangeheg word.

- (\*) Indien Suid-Afrikaanse burger(s) deur naturalisasie moet die naturalisasiesertifikaat(ate) getoon word en die verwysingsnommer(s) aangeteken word.
- (\*) Moet nie ingevul word as die kind buite-egtelik gebore is nie.
- (\*) Indien ouer(s) oorlede is, vul in "oorlede" en meld plek van dood en sterfregister-inskrywingsnommer.
- (\*) Moet ingevul word, al is die ouers oorlede of die kind verlaat het.
- (\*) In die geval van aansoek ingevolge die eerste voorbehoudsbepaling van artikel 71 (3) van die Kinderwet, hoef hierdie besonderhede nie verstrek te word nie as die applikante dit so verkies.
- (\*) Slegs 'n voog soos omskryf by artikel 1 (Woordbepaling) van die Kinderwet, 1960, aan wie briewe van bekragtiging waarvan 'n ware afskrif verstrek moet word, uitgereik is.

#### No. 19.—TOESTEMMING DEUR OUER OF VOOG TOT AANNEMINGSORDER: REGULASIE 13 (1)

Let wel.—(1) 'n Aparte vorm moet vir elke kind gebruik word.

(2) Waar toestemming van beide ouers vereis word ingevolge artikel 71 moet 'n afsonderlike vorm deur elkeen ingevul word.

In die Kinderhof vir die distrik ..... gehou te .....

Insake aansoek om 'n order tot die aanneming van ..... (volle naam van kind)

Ek, ..... \*(getroud/geskei/ongetroud), woonagtig te ..... (volle naam)

synde die \*vader/moeder/voog van genoemde kind, stem hierby vrywillig toe tot die verlening van 'n order tot die aanneming van genoemde kind deur ..... [volle naam/name van applikant(e) of "persoon of persone aan my onbekend"]

van .....  
Ek behoort tot die ..... kerk en \* is 'n Suid-Afrikaanse burger/is nie 'n Suid-Afrikaanse burger nie.  
Ek is nie beïnvloed in verband met die aanneming van die kind nie en geen vergoeding is nog direk nog indirek in verband met die aanneming gegee, ontvang of belowe nie.

Ek erken verder dat ek daarvan bewus is dat vanaf die datum van 'n aannemingsorder verleen ooreenkomstig hierdie toestemming, genoemde kind vir alle doeleindes, behoudens dié in artikel 74 (2) van die Kinderwet, 1960, regtens geag sal word die wettige kind te wees van genoemde applikant(e) en dat vanaf daardie datum alle regsverhouding tussen my en genoemde kind beëindig sal word.

Handtekening van ouer of voog

Geteken voor my te ..... op hede die ..... dag van ..... 19 ..... deur  
genoemde \*vader/moeder/voog wat verklaar het dat die inhoud en uitwerking daarvan aan hom/haar bekend is en dat hy/sy dit begryp.

Kommissaris van Kindersorg

\* Skrap wat nie van toepassing is nie.

#### No. 20.—TOESTEMMING DEUR KIND TOT AANNEMINGSORDER: REGULASIE 13 (1)

In die Kinderhof vir die distrik ..... gehou te .....

##### INSAKE 'N AANSOEK OM 'N AANNEMINGSORDER

Ek, ..... , stem hierby toe tot die verlening van 'n order tot my  
(volle naam van kind)

aanneming deur ..... \*en sy eggenote ..... van ..... (adres)  
(volle naam van applikant)

Ek erken dat ek daarvan bewus is dat vanaf die datum van 'n aannemingsorder verleen ooreenkomstig hierdie toestemming, ek regtens geag sal word die wettige kind van genoemde applikante te wees.

Handtekening van kind

Bostaande toestemming is ten volle vrywilliglik onderteken deur genoemde kind in my teenwoordigheid te .....  
op hede die ..... dag van ..... 19 ..... nadat ek die inhoud daarvan en die gevolge van 'n  
aannemingsorder aan hom/haar verduidelik het.

Kommissaris van Kindersorg

\* Skrap indien daar geen mede-applikant is nie.

#### No. 21.—AANSOEK OM TOELATING VAN TOESTEMMING TOT AANNEMING, SONDER OPENBAARMAKING VAN AANNEMENDE OUERS SE IDENTITEIT: REGULASIE 13 (8)

In die Kinderhof vir die distrik ..... gehou te .....

Insake 'n aansoek om order van aanneming van ..... (volle naam van kind)

Aan die Klerk van die Kinderhof

\*Ek/Ons, ..... van ..... (adres)  
(volle naam van applikant(e))

synde \*applikante/voornemens om aansoek te doen om 'n order tot die aanneming van genoemde kind, doen hierby aansoek ooreenkomstig die eerste voorbehoudsbepaling van artikel 71 (3) van die Kinderwet, 1960, en vir die doeleindes van genoemde aansoek, om die toelating deur die Hof van die skriftelike toestemming gegee deur die \*ouer(s)/voog van genoemde kind waarin \*my/ons name of ander besonderhede omtrent \*my/ons nie vermeld word nie.

\*Ek/Ons doen hierdie aansoek op die volgende gronde.

Gedateer te ..... op hede die ..... dag van ..... 19 .....

Applikant(e)

\* Skrap wat nie van toepassing is nie.



In die Kinderhof vir die distrik ..... gehou te .....

Insake aansoek om 'n order tot die aanneming van ..... (volle naam van kind)

Ek/Ons, ..... van .....  
[volle naam van ouer(s) of voog] ..... (adres)

ek/ons verwittig is dat aansoek \*gedoen is/gedoen sal word deur 'n persoon of persone wie se identiteit aan my/ons onbekend is, om 'n order tot die aanneming deur hom/hulle van genoemde kind;

ek/ons toestem tot die nie-openbaarmaking aan my/ons van die applikant(e) se identiteit;

ek/ons 'n skriftelike toestemming tot die verlening van genoemde order onderteken het en dit hierby aanheg;

ek/ons bewus is daarvan dat ek/ons nie geregtig sal wees om by die verhoor van die aansoek te verskyn of gehoor te word nie; en ek/ons nie hierna geregtig sal wees om die rekords van die aansoek of 'n aantekening aangaande 'n order daarin verleen in die aan-

ek/ons nie merna geregtig sa wees om die rekord van die aansoek of 'n aantekening aangaande 'n order daarin verleen in die aan-  
nemingsregister in te sien nie, of om 'n afskrif van of uitreksel uit enige sodanige rekord of inskrywing, of inligting aangaande enigiets  
daarin vervat omtrent die identiteit van die applikant(e) te ontvang nie.

Handtekening van ouer(s) of voog

Bostaande verklaring is in my teenwoordigheid onderteken en die aard en gevolge van die inhoud daarvan is deur my aan die onder-  
tekenaars verduidelik te ..... op hede die ..... dag van ..... 19.....

Kommissaris van Kindersorg

\* Skrap wat nie van toepassing is nie.

In die Kinderhof vir die distrik ..... gehou te .....

Insake aansoek om 'n order tot die aanneming van..... (volle naam van kind)

Aan..... van.....  
(ouer of voog) (adres)

Neem kennis dat aansoek in hierdie Hof \*gedoen is/gedoen sal word om die verlening van 'n order tot die aanneming van genoemde kind van wie u beweer word die \*vader/moeder/voog te wees, sonder dat die applikant(e) se identiteit aan u openbaargemaak word.

En neem verder kennis dat indien u toestem tot sodanige nie-openbaarmaking en tot die verlening van die gevraagde order, u by my nie later nie as .....dae na die bestelling hiervan, 'n toestemming en verklaring op die taangehegte vorms behoorlik deur u onderteken in die teenwoordigheid van en geattesteer deur 'n Kommissaris van Kindersorg/Landdros moet indien.

Gedateer te ..... op hede die ..... dag van ..... 19 .....

Klerk van die Hof

\* Skrap wat nie van toepassing is nie.

† Heg hierby aan vorms WP 319 en WP 322 (in tweevoud).

[illegible]

In die Kinderhof vir die distrik..... gehou te.....

Insake 'n aansoek om die opheffing van 'n Order tot die Aanneming van.....

..... (volle naam van kind)

Neem kennis dat aansoek by bogenoemde Hof gedoen sal word op die ..... dag van ..... 19.....  
om ..... h..... om die opheffing van die order deur die Hof verleen op die ..... dag van ..... 19.....

tot die aanneming van .....

Die gronde waarop hierdie aansoek gedoen sal word, is:.....

Gedateer te ..... op hede die ..... dag van ..... 19 .....

.....

**Applikant of Applikant se Prokureur**

## No. 26.—AANNEMINGSORDER: REGULASIE 17 (2) (g)

In die Kinderhof vir die distrik..... gehou te.....  
 Insake aansoek om 'n Order tot die Aanneming van.....  
 (volle naam en identiteitsnommer van kind)

op die..... dag van..... 19..... voor....., Kommissaris van Kindersorg.  
 Daar word gelas dat.....  
 (volle naam van kind)

'n..... (bevolkingsgroep)..... (geslag) kind gebore op die..... dag van..... 19.....  
 hierby aangeneem word deur..... (volle naam) gebore op....., identiteitsnommer.....  
 \*en sy eggenote..... (volle naam), gebore op....., identiteitsnommer.....  
 ooreenkomstig en behoudens die bepalings van die Kinderwet, 1960 (Wet 33 van 1960).

Verder dat die familienaam....., aan genoemde kind verleen word/deur genoemde kind behou word.

Gegee te..... op hede die..... dag van..... 19.....

Kommissaris van Kindersorg

Hierdie Order is deur my geregistreer in die Register van Aannemings op hede die..... dag van..... 19.....  
 onder nommer.....

Registrateur van Aannemings

\* Skrap "en sy eggenote" indien nie nodig nie.

† Skrap wat nie van toepassing is nie.

No. 27.—AANSOEK OM AANNEMING OP GEBOORTEREGISTER AAN TE TEKEN:  
REGULASIE 17 (7)

Die Sekretaris van Binnelandse Sake  
 Privaatsak X114  
 Pretoria  
 0001

Ek doen hierby aansoek ooreenkomstig artikel 80 van die Kinderwet, 1960, om die aantekening op die geboorteregister van die aanneming van ondervermelde kind:

Identiteitsnommer.....

Van.....

Voorname.....

Geboortedatum.....

Distrik van geboorte.....

deur—.....

\*en eggenote.....

(volle name van aannemende ouers)

Ek lê hierby ter insae voor die \*duplikaat-oorspronklike/n gewaarmerkte afskrif van die aannemingsorder.

Die \*identiteitsdokument/†geboortesertifikaat van die kind word ingesluit.

Die nuwe adres van die kind is soos volg:

Woonadres.....

Posadres.....

(Aannemende ouer)

(1) Indien die voorname van die kind verander moet word, moet vorm B-I 85, deur die aannemende vader onderteken, tesame met 'n bedrag van R2 ingesluit word.

(2) \* Skrap wat nie van toepassing is nie.

† Het slegs betrekking op kinders wat voor 1/2/72 gebore is en aan wie 'n identiteitsdokument nog nie uitgereik is nie.

## No. 28.—KENNISGEWING VAN AANSOEK OM BEVEL TOT ONTHEFFING VAN OUERLIKE MAGTE: REGULASIE 18 (2)

In die Kinderhof vir die distrik..... gehou te.....

Insake—.....

(Applikant)

versus.....

(Verweerder)

Neem kennis dat aansoek by hierdie Hof gedoen sal word op die..... dag van..... 19..... om..... h.....  
 om 'n order om die verweerder te onthef van sy/haar ouerlike magte oor.....  
 [volle naam (name)]

synde kind(ers) gebore uit die huwelik tussen die verweerder en die applikant, en om die applikant met genoemde magte te beklee, op die gronde en om die redes uiteengesit in die beëdigde verklaring waarvan 'n afskrif hierby aangeheg word.

Gedateer te..... op hede die..... dag van..... 19.....

Kinderhofassistent

Aan die Klerk van genoemde Hof en aan—.....

naam } Verweerder.  
 adres }



## No. 29.—BEVEL TOT ONTHEFFING VAN OUERLIKE MAGTE: REGULASIE 18 (11)

In die Kinderhof vir die distrik ..... gehou te .....  
 Insake— .....  
 ..... versus .....  
 ..... (Applikant) ..... (Verweerder)  
 Op die ..... dag van ..... 19 ..... voor .....  
 Kommissaris van Kindersorg.  
 Nadat ..... , kinderhofassistent, vir die applikant, en .....  
 vir die verweerder, gehoor is, en nadat die getuienis deur beide partye aangevoer, oorweeg is;  
 Word Gelas—  
 Dat genoemde ..... hierby onthef word van die reg om enige ouerlike magte met betrekking  
 (Verweerder) ..... uit te oefen.  
 tot die kind(ers) ..... [volle naam (name)]  
 En dat genoemde ..... hierby met bedoelde magte beklee word.  
 (Applikant)  
 Geggee te ..... op hede die ..... dag van ..... 19 .....  
 Kommissaris van Kindersorg

## No. 30.—KENNISGEWING VAN AANSOEK OM HERROEPING VAN BEVEL TOT ONTHEFFING VAN OUERLIKE MAGTE: REGULASIE 18 (12)

In die Kinderhof vir die distrik ..... gehou te .....  
 Insake— .....  
 ..... versus .....  
 ..... (Applikant) ..... (Verweerder)  
 Neem kennis dat aansoek by bogenoemde Hof gedoen sal word op die ..... dag van ..... 19 .....  
 om ..... h ..... om die bevel deur die Hof verleen op die .....  
 dag van ..... 19 ..... te herroep waarby die applikant onthef is van die reg om enige ouerlike magte met  
 betrekking tot die kind(ers) ..... uit te oefen en waarby genoemde magte  
 [volle naam (name)]  
 aan die verweerder verleen is, en om die applikant weer met genoemde magte te beklee.  
 Geggee te ..... op hede die ..... dag van ..... 19 .....  
 Applikant

Aan die Klerk van genoemde Hof, en aan

naam } Verweerder.  
 adres }

## No. 31.—BEVEL TOT HERROEPING VAN BEVEL TOT ONTHEFFING VAN OUERLIKE MAGTE: REGULASIE 18 (14)

In die Kinderhof vir die distrik ..... gehou te .....  
 Insake— .....  
 ..... versus .....  
 ..... (Applikant) ..... (Verweerder)  
 Op die ..... dag van ..... 19 ..... voor .....  
 Kommissaris van Kindersorg.  
 Nadat ..... , vir die applikant, en ..... , kinderhofassistent, vir die verweerder,  
 gehoor is, en nadat die getuienis vir beide partye aangevoer, oorweeg is;  
 Word Gelas—  
 Dat die bevel van hierdie Hof verleen op die ..... dag van ..... 19 ..... waarby die huidige applikant  
 onthef is van die reg om enige ouerlike magte met betrekking tot die kind(ers) .....  
 uit te oefen en die huidige verweerder met genoemde magte beklee is,  
 [volle naam (name)]  
 herroep word en dat genoemde ..... herbeklee word met die reg om die ouerlike magte  
 (Applikant)  
 met betrekking tot genoemde kind(ers) uit te oefen.  
 Geggee te ..... op hede die ..... dag van ..... 19 .....  
 Kommissaris van Kindersorg

## No. 32.—BEVEL TOT PLASING VAN KIND IN TYDELIKE BEWARING: REGULASIE 19 (1)

In die Kinderhof vir die distrik ..... gehou te .....  
 Insake— .....  
 ..... versus .....  
 ..... (Applikant) ..... (Verweerder)  
 Op die ..... dag van ..... 19 ..... voor .....  
 Kommissaris van Kindersorg.  
 Nadat ..... , kinderhofassistent, vir die applikant, en ..... , vir die verweerder,  
 gehoor is en nadat die getuienis deur beide partye aangevoer, oorweeg is;  
 word gelas—  
 Dat die kind(ers) ..... geplaas word in die tydelike  
 [volle naam (name)]  
 bewaring van ..... en dat genoemde kind(ers) in daardie bewaring moet bly  
 tot die ..... dag van ..... 19 ..... of totdat hierdie of 'n ander bevoegde hof anders  
 gelas of totdat genoemde applikant en genoemde verweerder opgehou het om apart te woon en weer vir 'n ononderbroke tydperk van min-  
 stens drie maande saamgewoon het.  
 Geggee te ..... op hede die ..... dag van ..... 19 .....  
 Kommissaris van Kindersorg

## No. 33.—KENNISGEWING VAN ONTVANGS VAN 'N JONG KIND: REGULASIE 20 (1)

Aan die Kommissaris van Kindersorg, p/a Die Landdros

Ek gee hierby kennis dat ek op ..... (meld datum) ..... ondervermelde beskermde jong kind in ontvangs geneem het:

(1) Naam van jong kind .....

(2) Datum van geboorte .....

(3) Bevolkingsgroep en geslag .....

(4) Naam en adres van vader .....

(5) Naam en adres van moeder .....

Handtekening van persoon wat die jong kind in ontvangs geneem het

Datum .....

Adres .....

## No. 34.—KENNISGEWING VAN BESORGING VAN 'N JONG KIND: REGULASIE 20 (1)

Aan die Kommissaris van Kindersorg, p/a Die Landdros

Ek gee hierby kennis dat ..... (meld volle naam, bevolkingsgroep en geslag van jong kind) ..... in my bewaring, op ..... (meld datum) ..... aan ..... (meld volle naam en adres van persoon) ..... besorg is.

Handtekening van ouer of bewaarder wat jong kind besorg

Datum .....

Adres .....

## No. 35.—KENNISGEWING VAN VERWYDERING VAN 'N JONG KIND: REGULASIE 20 (1)

Aan die Kommissaris van Kindersorg, p/a Die Landdros

Ek gee hierby kennis dat ..... (meld volle naam, bevolkingsgroep en geslag) ..... 'n beskermde jong kind in my bewaring, verwyder is op ..... (meld datum) .....

Handtekening van bewaarder van beskermde jong kind

Datum .....

Adres .....

## No. 36.—KENNISGEWING VAN VERANDERING VAN VERBLYFPLEK VAN PERSOON WAT 'N JONG KIND ONDERHOUD: REGULASIE 20 (1)

Aan die Kommissaris van Kindersorg, p/a Die Landdros

Ek gee hierby kennis dat ek my verblyfplek verander het na ..... (meld nuwe adres) ..... op ..... (meld datum) .....

Die jong kind se naam is .....

(meld volle naam)

Handtekening van bewaarder van jong kind

Datum .....

Vorige adres .....

## No. 37.—KENNISGEWING VAN AFSTERWE VAN JONG KIND: REGULASIE 20 (1)

Aan die Kommissaris van Kindersorg, p/a Die Landdros

Ek gee hierby kennis dat ..... (meld volle naam, bevolkingsgroep en geslag) ..... 'n jong kind in my bewaring, geregistreer in die distrik ....., oorlede is op ..... (meld datum) .....

as gevolg van .....

(meld oorsaak van dood)

Die name en datums van afsterwe van ander jong kinders wat in my bewaring oorlede is, is:

Naam

Datum van afsterwe

Oorsaak van dood (indien bekend)

Handtekening van bewaarder van jong kind

Datum .....

Adres .....

*Opmerking.*—Waar hierdie kennis gegee word aan die Kommissaris van 'n ander distrik as dié waarin die jong kind geregistreer is, moet die Kommissaris van daardie distrik die Kommissaris van die distrik waarin die jong kind geregistreer is, verwittig.



## No. 38.—KENNISGEWING VAN VERWYDERING VAN 'N JONG KIND UIT 'N KRAAMINRIGTING: REGULASIE 20 (1)

Aan die Kommissaris van Kindersorg  
P/a Die Landdros

Naam en adres van kraaminrigting:

Ek gee hierby kennis dat

(meld volle naam, bevolkingsgroep en geslag van jong kind)

verwyder is uit bovermelde kraaminrigting op

deur

(meld datum)

(meld naam en adres van die persoon)

Datum

Handtekening

Ampstitel

## Opmerking:

(1) Kennis van verwydering hoef nie gegee te word waar 'n jong kind verwyder word deur 'n ouer, 'n grootvader, grootmoeder, broer, suster, oom of tante van die jong kind, of die eggenoot of eggenote of wewenaar of weduwee van enige sodanige familiebetrekking van die jong kind nie; met dien verstande dat indien die jong kind 'n buite-egtelike kind is, die vooraangaande bepalings geen persoon insluit wat nie deur sy moeder aldus aan die jong kind verwant is nie. [Sien artikels 15 (1) en 10 (3) (a) van die Wet.]

(2) Niemand behalwe die bestuurders van 'n kraaminrigting, 'n hospitaal, 'n herstellingsoord, 'n veiligheidsplek of 'n kinderhuis mag 'n jong kind wat 'n buite-egtelike kind is, ontvang en hom vir 'n langer tydperk as 14 dae weg van sy moeder af onderhou nie, tensy die skriftelike toestemming van die Kommissaris van die distrik waarin die kind gebore is of woonagtig was onmiddellik voordat hy ontvang is, verkry is.

## No. 39.—TOESTEMMING OM BUIE-EGTELIKE KIND IN ONTVANGS TE NEEM: REGULASIE 20 (3)

In die Kinderhof vir die distrik

gehou te

Aan

van

Insake aansoek om jong kind

(volle naam)

, gebore op

, geslag

bevolkingsgroep

, te ontvang.

Toestemming word hierby ingevolge artikel 10 (4) van die Kinderwet, 1960, aan u verleen om genoemde jong kind wat u voornemens is om langer as 14 dae weg van sy/haar moeder te onderhou, in ontvangs te neem.

En neem kennis dat indien u nie 'n persoon is soos bedoel in artikel 10 (3) van die Wet nie, u binne sewe dae in die vorm van vorm 33 aan die Kommissaris van die distrik waarin die kind onderhou sal word, kennis moet gee van sy/haar ontvangs.

Neem verder kennis dat hierdie toestemming saam met u aansoek om die aanneming van die kind by die Hof waar die aansoek sal dien, ingedien moet word.

Gegee te

op hede die

dag van

19

Kommissaris van Kindersorg

## No. 40.—SERTIFIKAAT VAN VRYSTELLING VERLEEN AAN 'N PERSOON OF PLEK: REGULASIE 20 (4)

Nademaal

van

(meld volle naam van persoon of plek)

(meld volle adres)

die bewaring onderneem het van beskermde jong kind(ers):

Naam

Geslag

Bevolkingsgroep

En nademaal ek oortuig is dat die \*karakter en omstandighede van genoemde persoon sodanig is/genoemde plek van so 'n aard en so gedryf word, dat dit onwaarskynlik is dat genoemde jong kind(ers) mishandel of verwaarloos sal word;

So is dit dat ek hierby sertifiseer dat genoemde \*persoon/plek en jong kind(ers) en die perseel waar genoemde jong kind(ers) gehuisves word, uitgesluit word van die werking van die bepalings van artikels 10 en 12 van die Kinderwet, 1960.

Hierdie sertifikaat kan te eniger tyd deur my ingetrek word deur middel van 'n skriftelike kennisgewing.

Kommissaris van Kindersorg vir die distrik

Datum

\* Skrap wat nie van toepassing is nie.

## No. 41.—BEVEL TOT VERWYDERING VAN BESKERMDE JONG KIND INGEVOLGE ARTIKEL 27 VAN DIE KINDERWET, 1960: REGULASIE 20 (5)

Aan

Nademaal dit my geblyk het dat

(volle naam van kind)

, van

(volledige adres)

\*'n beskermde jong kind is en onderhou word onder omstandighede wat nadelig is vir sy/haar welsyn en dat dit nodig is dat die jong kind onverwyld van genoemde plek verwyder word/n jong kind is wat strydig met die bepalings van artikel 10 (4) van die Kinderwet, 1960, ontvang is;

So is dit dat ek u hierby kragtens die bevoegdheid my verleen by artikel 27 van die Kinderwet, 1960, magtig en beveel om genoemde jong kind te neem en hom/haar te verwyder na 'n veiligheidsplek totdat ander gepaste voorsiening vir die bewaring van die kind gemaak is.

Gegee te

op hede die

dag van

19

Landdros/Kommissaris van Kindersorg/  
Vrederegter

\* Skrap wat nie van toepassing is nie.

## No. 42.—VERSLAG OOR 'N BESKERMDE JONG KIND: REGULASIE 20 (6)

Aan Die Kommissaris van Kindersorg.

1. Naam van jong kind
2. Datum van geboorte
3. (a) Bevolkingsgroep en geslag (b) Geloofsverband (c) Kultuurverband
4. Naam van persoon in wie se bewaring of van plek waarin die jong kind is of vermoedelik is
5. Adres
6. Is dié persoon of die bestuurders van dié plek ooit skuldig bevind aan 'n misdaad ingevolge Hoofstuk III van die Kinderwet, 1960 (Wet 33 van 1960), ingevolge Hoofstuk III van die Kinderwet, 1937 (Wet 31 van 1937), of ingevolge Hoofstuk I van die Wet ter Beschermt van Kinderen, 1913 (Wet 25 van 1913)? Indien wel, is magtiging aan die persoon of bestuurders verleen om die jong kind te hou?
7. Is behoorlik kennis ingevolge artikel 10 (1) van die Wet gegee van die ontvangs van die jong kind? Indien nie, meld redes
8. Wat is die liggaamlike en verstandelike toestand van die jong kind?
9. Word die jong kind goed versorg? Indien nie, meld in watter opsig nie
10. Wat is die algemene toestand van die perseel waar die jong kind gehuisves word?
11. Hoeveel persone woon daar in die huis?
12. Wat is die beskikbare akkommodasie? (Getal woonkamers)
13. Hoeveel jong kinders meen u kan behoorlik in die huis gehou word?
14. Is die getal beskermde jong kinders wat in die woning gehou mag word, vasgestel ooreenkomstig artikel 13 van die Wet?
15. Word beskermde jong kinders in die woning gehuisves onder die ouderdom wat vasgestel is in die bevel (as daar is) verleen ingevolge artikel 13 van die Wet?
16. Is daar enige waarskynlikheid dat die bewaring van die jong kind deur sy ouers hervat sal word?
17. Meen u dat 'n sertifikaat van vrystelling uitgereik moet word ingevolge artikel 17 van die Wet?
18. Watter bydraes (indien wel) word betaal tot die onderhoud van die jong kind? Indien wel, hoeveel en deur wie?
19. Algemene opmerkings en aanbevelings (as daar is)

Kinderbeskermingsbesoeker

Datum van besoek

Adres

Datum van verslag

## No. 43.—REGISTER VAN BESKERMDE JONG KINDERS WAT GEHOU MOET WORD DEUR 'N KOMMISSARIS VAN KINDERSORG: REGULASIE 20 (7)

Naam van jong kind

Geboortedatum

Geboorteplek

Geslag

Bevolkingsgroep

Datum van afsterwe

Adres van moeder

Adres van vader

Datum van sertifikaat van vrystelling

Datum van intrekking van sertifikaat

## BEWAARDERS

| Naam | Adres | Datum van kennisgewing van ontvangs | Datum van kennisgewing van verwydering |
|------|-------|-------------------------------------|----------------------------------------|
|      |       |                                     |                                        |
|      |       |                                     |                                        |
|      |       |                                     |                                        |
|      |       |                                     |                                        |
|      |       |                                     |                                        |
|      |       |                                     |                                        |
|      |       |                                     |                                        |
|      |       |                                     |                                        |
|      |       |                                     |                                        |

## VERSLAE OOR 'N JONG KIND DEUR 'N KINDERBESKERMINGSBESOEKER

| Datum van besoek | Uitslag | Datum van besoek | Uitslag | Datum van besoek | Uitslag |
|------------------|---------|------------------|---------|------------------|---------|
|                  |         |                  |         |                  |         |
|                  |         |                  |         |                  |         |
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|                  |         |                  |         |                  |         |

## No. 44.—KENNISGEWING AAN PERSONE WAT BEHEER HET OOR BESKERMDE JONG KINDERS: REGULASIE 20 (8)

1. Ooreenkomstig Hoofstuk II van die Kinderwet, 1960 (Wet 33 van 1960), word van u verlang om te voldoen aan sekere vereistes met betrekking tot die beskermde jong kind(ers) in u bewaring, waarvan die belangrikste in die volgende instruksies vervat is.

## KENNISGEWINGS

2. By ontvangs van 'n beskermde jong kind vir die doel om hom apart van sy ouers te onderhou vir 'n langer tydperk as 30 dae, moet u op die voorgeskrewe vorm WP 333 kennis gee aan die Kommissaris van Kindersorg van u distrik, binne 30 dae na ontvangs van die jong kind.

3. Indien die jong kind aan 'n ander persoon besorg word vir die doel om hom apart van sy ouers te onderhou, moet u binne sewe dae nadat die kind besorg is die Kommissaris van Kindersorg daarvan verwittig op die voorgeskrewe vorm WP 334.

4. Indien die jong kind uit u bewaring verwyder word, moet u onverwyld die Kommissaris van Kindersorg daarvan verwittig op die voorgeskrewe vorm WP 335.

5. Indien u verander van adres, moet u onverwyld die Kommissaris van Kindersorg van u distrik daarvan verwittig op die voorgeskrewe vorm WP 336.

6. As die jong kind te sterwe kom, moet u onverwyld die Kommissaris van Kindersorg van die distrik waarin die sterfgeval voorgekom het daarvan verwittig op die voorgeskrewe vorm WP 337.

7. Indien u versuim om enige kennis te gee soos hierbo vereis binne die tyd daarvoor vasgestel, of willens en wetens of roekeloos enige valse of misleidende verklaring doen of laat doen in enige sodanige kennisgewing, begaan u 'n misdryf.

8. Die voorgeskrewe vorms van al bogenoemde kennisgewings kan van 'n Kommissaris van Kindersorg verkry word of sal op versoek deur hom aan u gestuur word.



10. U moet 'n distriksgeneesheer of ander gekwalifiseerde geneesheer, wat 'n skriftelike magtiging van die Kommissaris van Kinder-sorg toon, toelaat om die jong kind te ondersoek.

11. Indien u weer om die mediese ondersoek en inspeksie genoem in paragrawe 9 en 10 toe te laat, of 'n persoon, gemagtig om die ondersoek of inspeksie te doen, hinder, begaan u 'n misdryf.

12. Die Kommissaris van Kindersorg kan by bevel die getal jong kinders wat u in u gebou mag huisves, vasstel, of verbied dat 'n beskermde jong kind onder die ouderdom wat deur hom vasgestel is in u gebou gehuisves word. Indien u versuim om sy bevel uit te voer, begaan u 'n misdryf.

## VERWYDERING

13. Die Kommissaris van Kindersorg of Vrederegter kan die jong kind uit u bewaring verwyder as dit blyk dat die kind onderhou word onder omstandighede wat nadelig is vir die welsyn.

No. 45.—REGISTER VAN GEBOORTES, STERFGEVALLE EN VERWYDERING VAN BESKERMDE JONG KINDERS IN OF UIT 'N KRAAMINRIGTING: REGULASIE 158 (1)—GOEWERMENSKENNISGEWING R. 236 VAN 21 FEBRUARIE 1964

[illegible]

## VR-D 5

No. 46.—KENNISGEWING IN VERBAND MET BEWEGING VAN LEERLINGE REGULASIE 77 G. K. R. 236 VAN 21 FEBRUARIE 1964

Verwysings No. .... Skool/Kinderhuis .....

Adm. verwysings No. .... Datum .....

(A) Die Kommissaris van Kleurlingsake  
Privaatsak 9008  
Kaapstad

Leerling..... Geboortedatum.....  
 Datum van beweging.....  
 Aard van beweging (aangedui deur X):.....

- ☐ Toegelaat
 ☐ Finaal ontslaan  
☐ Weggehoop\*
 ☐ Teruggekeer na opsporing\*  
☐ Hertoegelaat na intrekking van vergunning (voorgeskrewe vorm aangeheg) § Meld redes
 ☐ Met vergunning rygelaat (voorgeskrewe vorm aangeheg)  
☐ Tot hospitaal toegelaat†
 ☐ Teruggekeer van hospitaal†  
☐ Met vakansieverlof‡
 ☐ Teruggekeer van vakansieverlof  
☐ Oorgeplaas na.....
 ☐ Ander (spesifiseer).....

### Kennisgewings slegs indien:

\* Afwesigheid langer as 14 dae geduur het.

† Afwesigheid langer as 90 dae geduur het.

\* Leerling nie by aanvang van skoolkwartaal teruggekeer het nie

§ Opmerkingen.

Aanhouding  
Beskerming  
Langer aanhouding

.....  
*Prinsipaal*

**(B) Die Volkswelsynbeampte/Streekverteenwoordiger**

Ter inligting. U verwysingsnommer is..... Voorgeskrewe vorm aangeheg.

.....  
*Prinsipaal*

(Slegs vir gebruik by verbeteringskole)

(C) Die Bevelvoerende Offisier  
Suid-Afrikaanse Kriminele Buro  
Privaatsak X308  
Pretoria  
0001

Ter inligting. U verwysingsnommer is S.A.K.B.

Die leerling is deur die hof te ..... op ..... gevonnisd.

.....  
*Prinsipaal*

VR-D 6

No. 47.—OPGAWE VAN VAKATURES IN KINDERHUISE: REGULASIE 78—GOEWERMENSKENNISGEWING R. 236 VAN 27 FEBRUARIE 1964

(Hierdie kaart moet voor die 7de dag van elke maand ingedien word)

- (a) Naam van kinders.....
- (b) Getal kinders wat gehuisves kan word.....
- (c) Tans opgeneem:
- (i) Gekommitteerde kinders: (i) Seuns..... (ii) Meisies.....
- (2) Ander kinders..... Totaal.....
- (d) Bestaande of verwagte vakatures gedurende die maand 19.....:
- Seuns..... Meisies..... Kleuters (Seuns..... Meisies.....)

Handtekening van Prinsipaal

Datum.....

No. 48.—REGULASIE 139—GOEWERMENSKENNISGEWING R. 236 VAN 21 FEBRUARIE 1964 VR-D 8

Verwysingsnommer.....

ADMINISTRASIE VAN KLEURLINGSAKE

(Inrigting)

(Plek)

(Datum)

Aan.....

VRYLATING MET VERGUNNING KRAGTENS DIE BEPALINGS VAN ARTIKEL 44 VAN DIE KINDERWET, WET 33 VAN 1960, VAN LEERLING—

(volle name)

Geboortedatum..... Persoonsnommer.....

1. Soos met u ooreengekom, word bogenoemde leerling toegelaat om vir 'n tydperk wat nie na die dag van..... 197..... strek nie, in u bewaring te gaan woon.

2. Gedurende hierdie tydperk sal die leerling onder toesig staan van.....

(naam en adres van gemagtigde toesighouer)

3. Hierdie vergunning is aan die volgende voorwaardes onderworpe:

- (i) My bestuur kan te eniger tyd, na raadpleging met die toesighouer, die vergunning skriftelik wysig of intrek en die leerling gelas om na die inrigting terug te keer.
- (ii) U moet die prinsipaal van hierdie inrigting onmiddellik van enige adresverandering verwittig en indien die leerling u bewaring verlaat het, van die leerling se nuwe adres, indien bekend.
- (iii) Reëlins moet getref word dat die prinsipaal van hierdie inrigting onmiddellik in kennis gestel word indien die leerling of (waar hy in die bewaring van 'n individu geplaas is) die bewaarder te sterwe kom.
- (iv).....

Voorsitter van Bestuur

No. 49.—KENNISGEWING VAN INTREKKING VAN VERGUNNING: REGULASIE 142—GOEWERMENSKENNISGEWING R. 236 VAN 21 FEBRUARIE 1964

Aan.....

Hierby word u in kennis gestel dat die bestuur van.....

(naam en adres van kinders)

deur wie leerling....., gebore op..... met vergunning gedateer.....

(meld volle naam)

toegelaat is om in u bewaring te woon, hierby die vergunning herroep en u gelas om die leerling onmiddellik na bogenoemde kindershuis terug te besorg.

Datum.....

Voorsitter van Bestuur

Die Sekretaris

Afskrif vir u inligting. U verwysingsnommer is..... 'n Afskrif van die verslag van die intrekking en die redes daarvoor is aangeheg.

Datum.....

Voorsitter van Bestuur





## SCHEDULE OF PRESCRIBED FORMS

| Form No. | Heading                                                                                                                                                              | Departmental No. |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 1        | Subpoena to witness to attend enquiry.....                                                                                                                           | WP 301           |
| 2        | Subpoena to witness to attend hearing of application for order of adoption.....                                                                                      | WP 302           |
| 3        | Children's court record book (loose-leaf).....                                                                                                                       | WP 303           |
| 4        | Enquiry by Children's Court in terms of section 30.....                                                                                                              | WP 304           |
| 5        | Authority for detention of a child.....                                                                                                                              | WP 305           |
| 6        | Order of detention by commissioner.....                                                                                                                              | WP 306           |
| 7        | Warrant for removal of child to place of safety.....                                                                                                                 | WP 307           |
| 8        | Notice to parent, guardian or custodian to attend enquiry.....                                                                                                       | WP 308           |
| 9        | Notice to parent or guardian to produce child in need of care before Court.....                                                                                      | WP 309           |
| 10       | Medical certificate on child or young person.....                                                                                                                    | WP 310           |
| 11       | Court order in terms of section 31 (1), (2) or (4).....                                                                                                              | WP 311           |
| 12       | Removal of child or young person from place of safety and detention.....                                                                                             | WP 312           |
| 13       | Order that child shall attend attendance centre.....                                                                                                                 | WP 313           |
| 14       | Summons in contribution order or attachment of wages order proceedings.....                                                                                          | WP 314           |
| 15       | Notice of hearing of application for variation, suspension, rescission or revivor of contribution order or order for the attachment of wages.....                    | WP 315           |
| 16       | Contribution order.....                                                                                                                                              | WP 316           |
| 17       | Order of attachment of wages.....                                                                                                                                    | WP 317           |
| 18       | Application for order of adoption.....                                                                                                                               | WP 318           |
| 19       | Consent by parent or guardian to order of adoption.....                                                                                                              | WP 319           |
| 20       | Consent by child to adoption order.....                                                                                                                              | WP 320           |
| 21       | Application for admission of consent to adoption, not disclosing identity of adoptive parents.....                                                                   | WP 321           |
| 22       | Statement by parent or guardian consenting to non-disclosure of the identity of applicant(s).....                                                                    | WP 322           |
| 23       | Notice to parent or guardian of application for non-disclosure of identity of applicant(s) in adoption proceedings.....                                              | WP 323           |
| 24       | Adoptions record book.....                                                                                                                                           | WP 324           |
| 25       | Notice of application for rescission of order of adoption.....                                                                                                       | WP 325           |
| 26       | Order of adoption.....                                                                                                                                               | WP 326           |
| 27       | Application to note adoption on birth register.....                                                                                                                  | WP 327           |
| 28       | Notice of application for order of deprivation of parental power.....                                                                                                | WP 328           |
| 29       | Order of deprivation of parental power.....                                                                                                                          | WP 329           |
| 30       | Notice of application for rescission of order of deprivation of parental power.....                                                                                  | WP 330           |
| 31       | Order of rescission of order of deprivation of parental power.....                                                                                                   | WP 331           |
| 32       | Order of placement of child in temporary custody.....                                                                                                                | WP 332           |
| 33       | Notice of receipt of an infant.....                                                                                                                                  | WP 333           |
| 34       | Notice of delivery of an infant.....                                                                                                                                 | WP 334           |
| 35       | Notice of removal of an infant.....                                                                                                                                  | WP 335           |
| 36       | Notice of change of residence of a person maintaining a protected infant.....                                                                                        | WP 336           |
| 37       | Notice of death of an infant.....                                                                                                                                    | WP 337           |
| 38       | Notice of removal of an infant from a maternity home.....                                                                                                            | WP 338           |
| 39       | Consent to receive illegitimate child.....                                                                                                                           | WP 339           |
| 40       | Certificate of exemption granted to a person or place.....                                                                                                           | WP 340           |
| 41       | Order for removal of protected infant under section 27.....                                                                                                          | WP 341           |
| 42       | Report on protected infant.....                                                                                                                                      | WP 342           |
| 43       | Register of protected infants to be kept by a commissioner of child welfare.....                                                                                     | WP 343           |
| 44       | Notice to persons who have the custody of protected infants.....                                                                                                     | WP 344           |
| 45       | Register of births and deaths in and removal of protected infants from a maternity home [Regulation 158 (1) Government Notice R. 236 of 21/2/64].....                | WP 401           |
| 46       | Notice of movements of a pupil (Regulation 77 Government Notice R. 236 of 21/2/64).....                                                                              | VR-D 5           |
| 47       | Return of vacancies in children's home (Regulation 78 Government Notice R. 236 of 21/2/64).....                                                                      | VR-D 6           |
| 48       | Form of licence (Regulation 139 Government Notice R. 236 of 21/2/64).....                                                                                            | VR-D 8           |
| 49       | Notice of cancellation of licence (Regulation 142 Government Notice R. 236 of 21/2/64).....                                                                          | WP 409           |
| 50       | Letter authorising reception of child placed by an approved agency in the custody of a suitable person [Regulation 163 (1) Government Notice R. 236 of 21/2/64]..... | WP 414           |
| 51       | Claim for place of safety grant by person or institution [Regulation 36 (1) Government Notice R. 236 of 21/2/64].....                                                | WP 418           |

## No. 1.—SUBPOENA TO WITNESS TO ATTEND ENQUIRY: REGULATION 4

In the Children's Court for the District of ..... held at .....

In the matter of the enquiry to be held into the circumstances of ....., who is alleged to be a child in need of care.

To ..... of .....

You are hereby required to appear before this Court at ..... on the ..... day of ..... at ..... and on any subsequent day to which the hearing may be postponed or adjourned to give evidence in this enquiry.

And take notice that if you fail to obey this subpoena you may be arrested and, unless it is proved that you had reasonable cause for such failure, you may be sentenced to a fine not exceeding R50 or to imprisonment for a period not exceeding one month.

Dated at ..... this ..... day of ..... 19.....

Clerk of the Court

## No. 2.—SUBPOENA TO WITNESS TO ATTEND HEARING OF APPLICATION FOR ORDER OF ADOPTION: REGULATION 4

In the Children's Court for the District of ..... held at .....

In the matter of an application by (1) ..... for an order for adoption of .....

To ..... of .....

You are hereby required to appear before this Court at ..... on the ..... day of ..... at ..... and on any subsequent day to which the hearing may be postponed or adjourned to give evidence at the hearing of this application.

And take notice that if you fail to obey this subpoena you may be arrested and, unless it is proved that you had reasonable cause for such failure, you may be sentenced to a fine not exceeding R50 or to imprisonment for a period not exceeding one month.

Dated at ..... this ..... day of ..... 19.....

Clerk of the Court

(1) See Regulation 13 (3).



## No. 3.—CHILDREN'S COURT RECORD BOOK: REGULATION 6 (1)

(1) Father's name omitted when child is illegitimate.

No. 4.—ENQUIRY BY CHILDREN'S COURT IN TERMS OF SECTION 30: REGULATION 6 (2) (a)

In the Children's Court for the District of \_\_\_\_\_ held at \_\_\_\_\_

Proceedings of an enquiry in respect of.....<sup>(1)</sup> child(ren) alleged to be in need of care.

Before \_\_\_\_\_, Commissioner of Child Welfare, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
the said child(ren) was/were brought before the Court<sup>(2)</sup> and there appeared \_\_\_\_\_ (court assistant), and <sup>(3)</sup> \_\_\_\_\_

The following evidence was adduced:

(1) If the enquiry is held in respect of more than one child in the same family, the names of all the children shall be stated.

(2) If the enquiry is held in the absence of the child in terms of section 30 (4) the foregoing words should be deleted and a note should be made in the record that the enquiry was so held and the reason therefor.

(<sup>3</sup>) State the names of the parties and/or representatives of the parties attending the enquiry.

No. 5.—AUTHORITY FOR DETENTION OF A CHILD: REGULATION 7 (1)

To..... Place of Safety or of Detention.

Authority is hereby given for the detention up to and including<sup>(1)</sup>.....of the following child(ren) in the same family:

|   | Name | Date of birth | Sex | Population group |
|---|------|---------------|-----|------------------|
| 1 |      |               |     |                  |
| 2 |      |               |     |                  |

The reason(s) for the admission of the child(ren) is/are

The residential address of the child(ren) is \_\_\_\_\_  
and the telephone number is \_\_\_\_\_

(2)The following further information regarding the child(ren) is furnished.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Address .....

Telephone number \_\_\_\_\_

(1) Not more than 48 hours, excluding Sundays and public holidays.

(2) Information regarding the feeding of a baby, persons who may not visit the child(ren), previous detention, etc.

(<sup>3</sup>) Delete whichever is not applicable.

No. 6.—ORDER OF DETENTION BY COMMISSIONER: REGULATION 7 (4)

In the Children's Court for the District of ..... held at .....

To ..... (place of safety/observation centre).

You are hereby ordered in terms of section \_\_\_\_\_ of the Children's Act, 1960, \*to admit/to detain/to further detain the following child(ren) until \_\_\_\_\_ unless removed earlier:

|   | Name | Date of birth | Date of admission | Reference number |
|---|------|---------------|-------------------|------------------|
| 1 |      |               |                   |                  |
| 2 |      |               |                   |                  |

The reason(s) for \*admission/detention/further detention is/are.

\*A grant is payable to you/not payable to you.

Given at ..... this ..... day of ..... 19.....

Commissioner of Child Welfare

\* Delete whichever is not applicable.

## No. 7.—WARRANT FOR REMOVAL OF CHILD TO PLACE OF SAFETY: REGULATION 7 (5)

To ..... (Policeman)

Whereas it appears to me on information on oath that there is reasonable ground for suspecting that the offence of ..... is being\*/has been committed on or in connection with one ..... a child now being at ..... in this district, and that it is expedient that the said child be taken to a place of safety.

These presents are, therefore, to authorise and require you in terms of section 29 of the Children's Act, 1960, to search for the said child and to take it to a place of safety to be there kept until it can be brought before a Children's Court.

Given at ..... this ..... day of ..... 19 .....

Magistrate/Commissioner of Child Welfare/  
Justice of the Peace

\* Delete whichever is not applicable.

## No. 8.—NOTICE TO PARENT, GUARDIAN OR CUSTODIAN TO ATTEND ENQUIRY: REGULATION 7 (6)

In the Children's Court for the District of ..... held at .....

In the matter of an enquiry in respect of ..... a child alleged to be in need of care.

To ..... of .....

Take notice that an enquiry in terms of section 30 of the Children's Act, 1960, will be held before this Court at ..... on the ..... day of ..... 19 ..... at ..... h ..... in respect of the above-mentioned child of whom you are alleged to be the \*parent/guardian/custodian.

And take notice that you are required to attend the enquiry at the place and time aforesaid and to remain in attendance until its conclusion.

And take notice further that if you fail without reasonable excuse so to attend or to remain in attendance, you may be arrested and may be sentenced to pay a fine not exceeding R10 or to imprisonment for a period not exceeding one month.

Dated at ..... this ..... day of ..... 19 .....

Clerk of the Court

\* Delete whichever is not applicable.

## No. 9.—NOTICE TO PARENT OR GUARDIAN TO PRODUCE CHILD IN NEED OF CARE: REGULATION 7 (7)

In the Children's Court for the District of ..... held at .....

To ..... of .....

Whereas it appears to me that the child ..... of whom you are the parent or guardian, is in your custody and that the said child <sup>(1)</sup>is in need of care/has absconded from<sup>(2)</sup> ..... or in which it was sent or placed in terms of <sup>(1)</sup>the Children's Act, 1960/Criminal Procedure Act, 1955, you are hereby ordered in terms of section 84 of the Children's Act, 1960, to produce the said child before this Court at ..... on the ..... day of ..... 19 ..... at ..... h .....

And take notice further that if you fail without reasonable cause (the burden of proof whereof rests upon you) to comply with the requirements of this Order, you will be guilty of an offence and liable on conviction to a fine not exceeding R200 or in default of payment to imprisonment for a period not exceeding one year or to such imprisonment without the option of a fine.

Given at ..... this ..... day of ..... 19 .....

Commissioner of Child Welfare

<sup>(1)</sup> Delete whichever is not applicable.<sup>(2)</sup> Insert the name of the institution from which or of the person from whose custody the child is alleged to have absconded.

## No. 10.—MEDICAL CERTIFICATE ON A CHILD OR YOUNG PERSON: REGULATION 9 (2) (b)

1. Name of child or young person .....
2. Age ..... Sex ..... Population group .....
3. What is the condition of the child's/young person's—  
(a) lungs? ..... (b) heart? ..... (c) teeth? .....
4. Is there any defect in the child's/young person's—  
(a) sight? ..... (b) hearing? ..... (c) speech? .....
5. Has the child/young person any orthopaedic defects? If so, state particulars .....
6. Does the child/young person suffer from epilepsy? .....
7. Is the child/young person suffering from venereal disease? .....
8. (a) Is the child/young person apparently free from any other infectious or contagious disease? .....
- (b) Is there any other disease or defect present? .....
9. Is the child/young person of normal physical development for his/her age? .....
10. Is the child/young person well nourished? .....
11. Is the child/young person in your opinion mentally normal? .....
12. State in what respect the child/young person requires medical or other treatment .....

District Surgeon

Place .....

Date .....



## No. 11.—COURT ORDER IN TERMS OF SECTION 31 (1), (2) OR (4): REGULATION 9 (1)

In the Children's Court for the District of ..... held at .....

In the matter of an enquiry in respect of ..... (full name)

a child alleged to be in need of care, of whom ..... (full name)

are/is the parent(s)/guardian. Before ..... Commissioner of Child Welfare, on the ..... day of ..... 19.....

After hearing ..... (court assistant) and <sup>(1)</sup> ..... <sup>(2)</sup> ..... <sup>(3)</sup> ..... (parties or representatives) and having considered the evidence adduced and having found that the said child was born on the ..... day of ..... 19....., and the Court being satisfied that the said child is a child in need of care, it is ordered:

(1) \*That the said child—

(a) be placed in the custody of .....

(b) be placed under the control of .....

(c) be sent to ....., designated in terms of section 35;

(2) \*And that the said child—

(a) be placed under the supervision of .....

(b) be placed on probation from ..... to .....; and

(c) shall during the period of probation comply with the requirements set out in Annexure .....

(3) \*And that ....., the parents/guardian of the said child, shall during the period of probation of the child comply with the requirements set out in Annexure .....

And take notice that in the event of failure to comply with the stated requirements, the child, on conviction, may be cautioned or reprimanded or sentenced to a fine not exceeding R50 or moderate whipping as provided in section 345 of the Criminal Procedure Act, 1955, and the parents/guardian, on conviction, may be sentenced to a fine not exceeding R200, or in default of payment of the fine, to imprisonment for a period not exceeding one year, or to such imprisonment without the option of a fine.

Given at ..... this ..... day of ..... 19.....

Commissioner of Child Welfare

\* Delete whichever is not applicable.

## No. 12.—REMOVAL OF CHILD FROM PLACE OF SAFETY AND DETENTION: REGULATION 9 (6)

To ..... (place of safety).

In the matter of ..... (full name) a child in need of care.

Authority is hereby granted for the release from the place of safety and detention on ..... (state date) of the said child.

The reason for the release .....

Given at ..... this ..... day of ..... 19.....

Magistrate/Commissioner of Child Welfare

## No. 13.—ORDER THAT CHILD SHALL ATTEND ATTENDANCE CENTRE: REGULATION 9 (12)

In the Children's Court for the District of ..... held at .....

In the matter of ..... (full name), a child in need of care born on ..... who has in terms of section 31 (2) been placed on probation and of whom ..... (full names) <sup>(1)</sup>are/is the <sup>(1)</sup>parents/guardian.

Whereas, according to information given me, it would appear that the said child will probably benefit from treatment in an attendance centre, it is ordered:

(a) That the said child shall for a period of ..... weeks, every ..... <sup>(2)</sup> (day of week) from ..... h ..... to ..... h ..... (hour) attend the attendance centre at ..... (place);

(b) <sup>(3)</sup>and that the said <sup>(1)</sup>parents/guardian shall see to it that the said child attend the attendance centre on the days and at the times stated.

And take notice that, if this order is not complied with, the child may, on conviction, be cautioned or reprimanded or sentenced to a fine not exceeding R50 or to a moderate whipping as provided by section 345 of the Criminal Procedure Act, 1955, and the <sup>(1)</sup>parent(s)/guardian, on conviction, may be sentenced to a fine not exceeding R200, or, in default of payment of the fine, to imprisonment for a period not exceeding one year, or to such imprisonment without the option of a fine.

Given at ..... this ..... day of ..... 19.....

Commissioner of Child Welfare

<sup>(1)</sup> Delete whichever is not applicable.

<sup>(2)</sup> Excluding Sundays.

<sup>(3)</sup> Delete if not applicable.

## No. 14.—SUMMONS IN CONTRIBUTION ORDER OR ATTACHMENT OF WAGES ORDER PROCEEDINGS: REGULATIONS 11 (1) AND 12 (3)

In the \*Children's Court/Magistrate's Court for the District of ..... held at .....

To ..... of .....

You are hereby summoned to appear before this Court at ..... this ..... day of ..... 19....., at ..... h ..... then to show cause why a \*contribution order/attachment of wages order should not be made against you in terms of the provisions of section 62/65 of the Children's Act, 1960, in respect of the maintenance of ..... [name(s) of child(ren)] on the grounds set out in the particulars endorsed hereon.

And take notice that in default of your appearance a \*contribution order/attachment of wages order may be made against you in your absence.

Dated at ..... this ..... day of ..... 19.....

Clerk of the Court

\* Delete whichever is not applicable.

Endorsement on summons:

## PARTICULARS OF ALLEGED GROUNDS OF LIABILITY

## EXAMPLE FOR THE GUIDANCE OF CHILDREN'S COURTS/MAGISTRATES' COURTS OF ENDORSEMENT ON SUMMONS IN CONTRIBUTION ORDER/ATTACHMENT OF WAGES ORDER PROCEEDINGS AS REQUIRED BY FORM 14

Particulars:

(1) On 1 January 1960, the child A.B. was placed by C.D., a probation officer, in the place of safety, Johannesburg, in the exercise of powers conferred on him by section 26 (1) of the Children's Act, 1960.

(2) The child A.B. remained in the place of safety until 21 January 1960, on which date it was, by order made on 14 January 1960, by the Children's Court for the District of Johannesburg in terms of the provisions of section 31 of the said Act, sent to St George's Home in the District of Johannesburg.

(3) The child A.B. has since remained as a pupil in St George's Home.

(4) The respondent is the father of the child A.B. and legally liable to maintain him.

OR

Neither the child A.B. nor his parents are able to maintain himself/him, and the respondent is the brother of A.B. and is able and legally liable to maintain him or to contribute towards his maintenance.

OR

A contribution order was made against you on 1 February 1960 by this Court for the maintenance of the child A.B. It appears from the records of this Court that you are more than three months in arrear with the payment of the moneys payable in terms of the contribution order.

## No. 15.—NOTICE OF HEARING OF APPLICATION FOR VARIATION, SUSPENSION, RESCISSION OR REVIVOR OF CONTRIBUTION ORDER OR ORDER FOR THE ATTACHMENT OF WAGES: REGULATIONS 11 (8) AND 12 (6)

In the \*Children's Court/Magistrate's Court for the District of..... held at.....

In the matter of a \*contribution order/an order for the attachment of wages for the maintenance of.....

To..... of..... (Respondent)

Take notice that application for the \*variation/suspension/rescission/revivor of the \*contribution order/order for the attachment of wages made by the Court against you on..... for the maintenance of the above-named child(ren) or pupil(s) will be heard before this Court on the..... day of..... 19....., at..... h.....

Dated at..... this..... day of..... 19.....

Clerk of the Court

\* Delete whichever is not applicable.

## No. 16.—CONTRIBUTION ORDER: REGULATION 11 (13)

In the \*Children's Court/Magistrate's Court for the District of..... held at.....

In the matter of a contribution order for the maintenance of..... this..... day of..... 19.....

Before..... \* Commissioner of Child Welfare/Magistrate.

Whereas the above-named child(ren) or pupil(s) was/were dealt with in terms of..... (Act and section).

Now, therefore,..... (respondent) residing at.....

and employed by....., is ordered to contribute \*weekly/monthly towards the maintenance of such child(ren) or pupil(s) the amount of..... with effect from....., the first payment to be made on..... and thereafter on..... Payment must be made to the magistrate at.....

The said respondent shall forthwith give notice in writing to the Clerk of the Court, in terms of section 68 of the Act, of any change of his residential address or place of work, failing which he shall be liable to a fine not exceeding R200, or, in default of payment, to imprisonment for a period not exceeding one year or to such imprisonment without the option of a fine.

Commissioner of Child Welfare/Magistrate

\* Delete whichever is not applicable.

N.B.—This form must be sent by registered post unless handed to the respondent personally.

## No. 17.—ORDER FOR THE ATTACHMENT OF WAGES: REGULATION 12 (1)

In the Children's Court/Magistrate's Court for the District of..... held at.....

In the matter of the maintenance of..... [name of child(ren)]

by..... (respondent) of whom..... is the employer.

Whereas on the..... day of..... 19..... a contribution order was made in terms of Chapter VI of the Children's Act, 1960, against....., hereinafter called the respondent, employed by....., hereinafter called the employer, for the maintenance of the above-named child(ren).

It is hereby ordered that the said employer, in payment of the contribution order made against the said respondent, shall as soon as may be after the date of receipt of this order, deduct \*weekly/monthly an amount of..... from the wages of the respondent and pay it forthwith to an officer of the aforesaid court.

If the said employer disputes his liability under this order he shall bring the grounds on which it is disputed to the notice of the Clerk of the Court as soon as possible.

Respondent must take notice that in terms of section 68 of the Children's Act he shall notify the Clerk of the Court without delay of any change of his place of work, failing which he shall be liable to a fine not exceeding R200, or, in default of payment of the fine, to imprisonment for a period not exceeding one year, or to such imprisonment without the option of a fine.

Given at..... this..... day of..... 19.....

Commissioner of Child Welfare/Magistrate

\* Delete whichever is not applicable.



## No. 18.—APPLICATION FOR ORDER OF ADOPTION: REGULATION 13 (1)

To the Clerk of the Children's Court.....

\*I/We<sup>(1)</sup>, <sup>(2)</sup>.....(applicant) and.....(co-applicant) of  
 (residential address) hereby make application for an order for the adoption by \*me/us of the child<sup>(1)</sup>, <sup>(2)</sup>.....  
 at present residing at.....in the District of.....

\*I/We wish that if the order is granted, the surname.....\*be conferred on the child/be retained by the child.

\*I/We declare that the particulars set out in the statement hereunder are true and correct to the best of \*my/our knowledge and belief.

Dated at.....this.....day of.....19.....

Applicant  
 Co-applicant

## STATEMENT OF PARTICULARS

## A. In respect of applicant(s):

## 1. Full names and surname of applicant:

Husband<sup>(2)</sup>.....Wife<sup>(2)</sup>.....

## 2. Date of birth of applicant:

Husband<sup>(2)</sup>.....Wife<sup>(2)</sup>.....

## 3. Postal address of applicant(s).....

## 4. Identity number:

Husband.....

Wife.....

## 5. Population group:

Husband<sup>(2)</sup>.....Wife<sup>(2)</sup>.....6. Marital state<sup>(3)</sup>.....

## 7. Church affiliation:

Husband.....

Wife.....

8. Is applicant or are both applicants South African citizens? \*Yes<sup>(4)</sup>.....No.....If not, state—

(i) the nationality of—

Husband.....

Wife.....

(ii) period resident in the Republic—

Husband.....

Wife.....

## 9. Are you related to the child you want to adopt? Yes or no:

Husband.....

Wife.....

If so, what is the relationship?—

Husband.....

Wife.....

## 10. If applicant is married and the spouse is not a co-applicant:

(i) Is applicant divorced or separated from his or her spouse by judicial decree?<sup>(5)</sup>.....

(ii) Is applicant's spouse mentally disordered or defective?.....

If so how long has that condition existed?.....In what institution or other care is he or she at present?

## B. In respect of child:

1. Full name and surname<sup>(2)</sup>.....2. Date of birth<sup>(2)</sup>.....Population group<sup>(2)</sup>.....Sex<sup>(2)</sup>.....

## 3. Present place of residence.....

4. Full name and surname of father<sup>(5)</sup>, <sup>(6)</sup>, <sup>(8)</sup>.....5. \*Address/Last known address of father<sup>(5)</sup>, <sup>(6)</sup>, <sup>(8)</sup>.....6. Full names and surname of mother<sup>(6)</sup>, <sup>(8)</sup>.....7. \*Address/Last known address of mother<sup>(6)</sup>, <sup>(8)</sup>.....

## 8. Church affiliation:

Father<sup>(5)</sup>, <sup>(7)</sup>.....Mother<sup>(7)</sup>.....9. Full name, surname and address of legal guardian (if any)<sup>(8)</sup>, <sup>(9)</sup>.....

\* Delete whichever is not applicable.

<sup>(1)</sup> The birth certificates of the applicants must be produced: In the case of a child born *within* the Republic or South-West Africa his identity document or an abridged birth certificate (*not* a certificate of Proof of Registration of birth), as the case may be, *must* be attached to the application: In the case of a child born *outside* the Republic or South-West Africa, his foreign birth certificate, or, in the absence of such certificate and estimate in terms of section 85 (1) of the Children's Act, 1960, must be attached to the application.

<sup>(2)</sup> Fill in the full name, surname and other particulars, as the case may be, of the applicants as reflected in their birth certificates: The full name, surname and other particulars, as the case may be, of the child as reflected in his identity document, birth certificate or estimate in terms of section 85 (1) of the Children's Act must be filled in.

<sup>(3)</sup> Fill in "single", "married", "widow", "widower", "divorced" or "separated by judicial decree", as the case may be. The marriage certificate of co-applicants, or, in the case of applicants who are divorced or separated by judicial decree, a true copy of the Order of the Court, must be attached.

<sup>(4)</sup> If South African citizen(s) by naturalisation, the naturalisation certificate(s) must be produced and the reference number(s) noted.

<sup>(5)</sup> Not to be filled in if the child is illegitimate.

<sup>(6)</sup> If parent(s) is/are deceased, fill in "deceased" and state place of death and death register entry number.

<sup>(7)</sup> Must be filled in even if parents are deceased or have deserted the child.

<sup>(8)</sup> In the case of applications in terms of the first proviso to section 71 (3) of the Children's Act, these particulars need not be furnished if the applicants so desire.

<sup>(9)</sup> *Only* a guardian as defined by section 1 (Definitions) of the Children's Act, 1960, to whom letters of confirmation, a true copy of which must be furnished, have been issued.

## No. 19.—CONSENT BY PARENT OR GUARDIAN TO ORDER OF ADOPTION: REGULATION 13 (1)

Note.—(1) A separate form must be used for each child.

(2) Where consent of both parents is required under section 71, a separate form should be completed by each.

In the Children's Court for the District of ..... held at .....

In the matter of an application for an order for the adoption of .....

(full name of child)

I, ..... \*(married/divorced/single), residing at .....

(full name)

being the \*father/mother/guardian of the said child, do hereby voluntarily consent to the making of an order for the adoption of the said child by .....

[full name(s) of applicant(s) or "person or persons unknown to me"]

of ..... I belong to the ..... church and I \*am a South African citizen/am not a South African citizen.

I have not been influenced in connection with the adoption of the child and no consideration has directly or indirectly been given, received or promised in connection with the adoption.

I acknowledge further that I am aware that as from the date of my order of adoption made in terms of this consent the said child will for all purposes, save as specially excepted in section 74 (2) of the Children's Act, 1960, be deemed lawfully to be the legitimate child of the said applicant(s) and that as from that date all legal relationship between myself and the said child shall cease and terminate.

Signature of parent or guardian

Signed before me at ..... this ..... day of ..... 19 .....

by the said \*father/mother/guardian who declares himself/herself to know and understand the tenor and effect thereof.

Commissioner of Child Welfare

\* Delete whichever is not applicable.

## No. 20.—CONSENT BY CHILD TO ADOPTION ORDER: REGULATION 13 (1)

In the Children's Court for the District of ..... held at .....

## IN THE MATTER OF AN APPLICATION FOR AN ADOPTION ORDER

I, ..... do hereby consent to the making of an order for my adoption

(full name of child)

by ..... \*and his wife .....

of .....

(full name of applicant)

(address)

I acknowledge that I am aware that as from the date of an adoption order made in terms of this consent, I shall be deemed lawfully to be the legitimate child of the said applicants.

Signature of child

The foregoing consent was fully and voluntarily signed by the said child in my presence at ..... this ..... day of ..... 19 ..... after I had explained to him/her the contents thereof and the consequences of an adoption order.

Commissioner of Child Welfare

\* Delete if there is not a co-applicant.

## No. 21.—APPLICATION FOR ADMISSION OF CONSENT TO ADOPTION, NOT DISCLOSING IDENTITY OF ADOPTIVE PARENTS: REGULATION 13 (8)

In the Children's Court for the District of ..... held at .....

In the matter of an application for an order for the adoption of .....

(full name of child)

To the Clerk of the Children's Court

\*I/We .....

of .....

[full name of applicant(s)]

(address)

being \*applicant(s)/about to apply for an order for the adoption of the said child, do hereby apply in terms of the first proviso to section 71 (3) of the Children's Act, 1960, and for the purposes of the said application, for the admission by the Court of the consent in writing given by the \*parent(s)/guardian of the said child which does not set out \*my/our names or other particulars regarding \*me/us.

\*I/We make this application on the following grounds .....

Dated at ..... this ..... day of ..... 19 .....

Applicant(s)

\* Delete whichever is not applicable.

## No. 22.—STATEMENT BY PARENT OR GUARDIAN CONSENTING TO NON-DISCLOSURE OF THE IDENTITY OF APPLICANT(S): REGULATION 13 (8)

In the Children's Court for the District of ..... held at .....

In the matter of an application for an order for the adoption of .....

(full name of child)

I/We .....

of .....

[full name of parent(s) or guardian]

(address)

being the \*father/mother/parents/guardian of the said child, do hereby acknowledge that—

I/we have been informed that application \*has been/will be made by a person or persons whose identity is unknown to me/us for an order for the adoption by him/them of the said child;

I/we consent to the non-disclosure to me/us of the identity of the applicant(s);

I/we have signed and annex hereto written consent to the making of the said order;

I/we am/are aware that I/we shall not be entitled to appear or to be heard at the hearing of the application; and

I/we shall not hereafter be entitled to inspect the record of the application or any entry relating to any order made therein in the register of adoptions, nor to receive any copy or extract of any such record or entry, or any information as to anything contained therein relating to the identity of the applicant(s).

Signature of parent(s) or guardian

The foregoing statement was signed in my presence and the nature and effects of its contents were explained by me to the signatories at ..... this ..... day of ..... 19 .....

Commissioner of Child Welfare

\* Delete whichever is not applicable.



In the Children's Court for the District of \_\_\_\_\_ held at \_\_\_\_\_  
In the matter of an application for an order for the adoption of \_\_\_\_\_  
(full names of child)

Take notice that application \*has been/will be made to this Court for the making of an order for the adoption of the said child of whom you are alleged to be the \*father/mother/guardian without disclosure to you of the identity of the applicant(s).  
And take notice further that if you consent to such non-disclosure and to the making of the order sought you are required to lodge with me not later than ..... days after the service hereof, a consent and statement in the annexed †forms duly signed by you in the presence of and attested by a Commissioner of Child Welfare/Magistrate.

Clerk of the Court

† Annex hereto forms WP 319 and WP 322 (in duplicate).

[illegible]

## Applicant or applicant's attorney

## Registrar of Adoptions

† Delete whichever is not applicable.

## No. 27.—APPLICATION TO NOTE ADOPTION ON BIRTH REGISTER: REGULATION 17 (7)

The Secretary for the Interior  
Private Bag X114  
Pretoria  
0001

I hereby make application in terms of section 80 of the Children's Act, 1960, for the recording on the birth register of the adoption of the undermentioned child:

Identity No. ....

Surname .....

First names .....

Date of birth .....

District of birth .....

by—

\*and his wife .....

(full names of adoptive parents)

I submit herewith for inspection the \*duplicate-original/a certified true copy of the order of adoption.

The \*identity document/birth certificate of the child is enclosed.

The new address of the child is as follows:

Home address .....

Postal address .....

(Adoptive parent)

(1) If the first names of the child must be altered, Form B-I 85, signed by the adoptive father, and a remittance of R2 must be enclosed.

(2) \* Delete whichever is not applicable.

† Only applicable to children born before 1/2/72 and to whom an identity document has not yet been issued.

## No. 28.—NOTICE OF APPLICATION FOR ORDER FOR DEPRIVATION OF PARENTAL POWERS: REGULATION 18 (2)

In the Children's Court for the District of ..... held at .....

In the matter of—

versus

(Applicant)

(Respondent)

Take notice that application will be made to this Court on the ..... day of ..... 19.....  
at ..... h....., for an order to deprive the respondent of his/her parental powers over .....  
[full name(s)]

being the child(ren) born of the marriage between the respondent and the applicant and to vest the said powers in the applicant, on the grounds and for the reasons set out in the affidavit, a copy of which is annexed hereto.

Dated at ..... this ..... day of ..... 19.....

Children's Court Assistant

To the Clerk of the said Court, and to:

name

address

} Respondent.

## No. 29.—ORDER OF DEPRIVATION OF PARENTAL POWERS: REGULATION 18 (11)

In the Children's Court for the District of ..... held at .....

In the matter of—

(Applicant)

versus

(Respondent)

On the ..... day of ..... 19..... before ..... Commissioner of Child Welfare.

After hearing ..... Children's Court Assistant, for the applicant, and .....  
for the respondent, and after consideration of the evidence adduced by both parties;

It is Ordered—

That the said ..... (Respondent) ..... be and is hereby deprived of the right to exercise any parental powers in regard to the child(ren) .....  
[full name(s)]

And that the said ..... (Applicant) ..... be hereby vested with the said powers.

Given at ..... this ..... day of ..... 19.....

Commissioner of Child Welfare



**No. 30.—NOTICE OF APPLICATION FOR RESCISSION OF ORDER OF DEPRIVATION OF PARENTAL POWERS:  
REGULATION 18 (12)**

In the Children's Court for the District of ..... held at .....

In the matter of—

..... versus .....

(Applicant) (Respondent)

Take notice that application will be made to the above-mentioned Court on the ..... day of ..... 19.....  
at ..... h. .... to rescind the order made by the Court on the ..... day  
of ..... 19..... depriving the applicant of the rights to exercise any parental powers over the child(ren)  
[full name(s)] and conferring the said power upon the respondent, and to reinvest the

applicant with the said powers.

Given at ..... this ..... day of ..... 19.....

Applicant

To the Clerk of the said Court, and to—

name } Respondent.  
address }

**No. 31.—ORDER OF RESCISSION OF ORDER OF DEPRIVATION OF PARENTAL POWER: REGULATION 18 (14)**

In the Children's Court for the District of ..... held at .....

In the matter of—

..... versus .....

Applicant (Respondent)

On the day of ..... 19....., before ..... , Commissioner of Child Welfare.  
After hearing ..... for the applicant, and ..... , Children's Court Assistant, for the  
respondent, and after considering the evidence adduced for both parties;

It is Ordered:

That the Order of this Court made on the ..... day of ..... 19....., whereby the  
present applicant was deprived of the right to exercise any parental power in regard to the child(ren) .....  
[full name(s)]

and the said powers were vested in the present respondent, be rescinded and that the said

(applicant)

be reinvested with the right to exercise parental power in regard to the said child(ren).

Given at ..... this ..... day of ..... 19.....  
Commissioner of Child Welfare

**No. 32.—ORDER OF PLACEMENT OF CHILD IN TEMPORARY CUSTODY: REGULATION 19 (1)**

In the Children's Court for the District of ..... held at .....

In the matter of—

..... versus .....

Applicant Respondent

On the ..... day of ..... 19..... before ..... , Commissioner  
of Child Welfare.

After hearing ..... Children's Court Assistant, for the applicant and ..... for  
the respondent, and after considering the evidence adduced for both parties;

It is Ordered—

That the child(ren) ..... be placed in the temporary custody of .....  
[full name(s)]

and that the said child(ren) remain(s) in that custody until the ..... day of ..... 19..... or  
until this Court or another competent Court orders otherwise or until the said applicant and the said respondent have ceased to live apart  
and have lived together again for a continuous period of not less than three months.

Given at ..... this ..... day of ..... 19.....

Commissioner of Child Welfare

**No. 33.—NOTICE OF RECEIPT OF AN INFANT: REGULATION 20 (1)**

To the Commissioner of Child Welfare  
c/o The Magistrate,

Notice is hereby given that on ..... I received the undermentioned protected infant:  
(state date)

(1) Name of infant .....

(2) Date of birth .....

(3) Population group and sex .....

(4) Name and address of father .....

(5) Name and address of mother .....

Signature of person who received the infant

Date .....

Address .....

## No. 34.—NOTICE OF DELIVERY OF AN INFANT: REGULATION 20 (1)

To the Commissioner of Child Welfare,  
c/o The Magistrate,

I hereby give notice that .....  
(state full name, population group and sex of infant)  
in my custody, was delivered on ..... to .....  
(state date) (state full name and address of person)  
Date .....  
Address .....  
Signature of parent or custodian making delivery of infant

## No. 35.—NOTICE OF REMOVAL OF AN INFANT: REGULATION 20 (1)

To the Commissioner of Child Welfare  
c/o The Magistrate

I hereby give notice that .....  
(state full name, population group and sex)  
a protected infant in my custody, has been removed on .....  
(state date)  
to .....  
(state full name and address of person)  
Date .....  
Address .....  
Signature of custodian of protected infant

## No. 36.—NOTICE OF CHANGE OF RESIDENCE OF A PERSON MAINTAINING AN INFANT: REGULATION 20 (1)

To the Commissioner of Child Welfare  
c/o The Magistrate

I hereby give notice that I changed my residence to .....  
(state new address)  
on .....  
(state date)  
The name of the infant is .....  
(state full name)  
Date .....  
Previous address .....  
Signature of custodian of infant

## No. 37.—NOTICE OF DEATH OF AN INFANT: REGULATION 20 (1)

To the Commissioner of Child Welfare  
c/o The Magistrate

I hereby give notice that .....  
(state full name, population group and sex)  
an infant in my custody, registered in the District of ..... , died on .....  
(state date)  
as a result of .....  
(state cause of death)  
The names and dates of death of other infants who have died in my custody are:  

| Name  | Date of death | Cause of death (if known) |
|-------|---------------|---------------------------|
| ..... | .....         | .....                     |
| ..... | .....         | .....                     |
| ..... | .....         | .....                     |

Date .....  
Address .....  
Signature of custodian of infant

*Note.*—Where this notice is given to the commissioner of a district other than that in which the infant was registered, the commissioner of that district shall notify the commissioner of the district in which the infant was registered.

## No. 38.—NOTICE OF REMOVAL OF AN INFANT FROM A MATERNITY HOME: REGULATION 20 (1)

To the Commissioner of Child Welfare  
c/o The Magistrate

Name and address of maternity home:

I hereby give notice that .....  
(state full name, population group and sex of infant)  
was removed from the above-mentioned maternity home on ..... by .....  
(state date) (state name and address of the person)  
Date .....  
Signature .....  
Designation .....

*Note:*

(1) Notice of removal need not be given where an infant is removed by a parent, a grandfather, grandmother, brother, sister, uncle or aunt of the infant or the husband or wife or widower or widow of any such relative of the infant; provided that if the infant is an illegitimate child, the foregoing terms shall not include any person who is not so related to the infant through its mother. [Vide sections 15 (1) and 10 (3) (a) of the Act]

(2) No person other than the management of a maternity home, a hospital, a convalescent home, a place of safety or a children's home may receive any infant who is an illegitimate child and maintain him apart from his mother for a period longer than 14 days, unless the consent in writing of the commissioner of the district in which the child was born or was residing immediately before he was received, has been obtained.



## No. 39.—CONSENT TO RECEIVE ILLEGITIMATE CHILD: REGULATION 20 (3)

In the Children's Court for the District of ..... held at .....  
 To ..... of .....  
 In the matter of an application to receive infant ..... , born on ..... , sex ..... ,  
 (full name)  
 population group .....

Consent is hereby given to you in terms of section 10 (4) of the Children's Act, 1960, to receive the said infant whom you propose to maintain apart from his/her mother for longer than 14 days.

And take notice that if you are not a person within the meaning of section 10 (3) of the Act, you must within seven days, in the form of Form 33, notify the commissioner of the district in which the child will be maintained, of his/her receipt.

Take notice also that this consent must, together with your application for the adoption of the child, be lodged with the Court where the application for the adoption of the child will be heard.

Given at ..... this ..... day of ..... 19 .....

Commissioner of Child Welfare

## No. 40.—CERTIFICATE OF EXEMPTION GRANTED TO A PERSON OR PLACE: REGULATION 20 (4)

Whereas ..... of .....  
 (state full name of person or place) (state full address)  
 has undertaken the custody of protected infant(s):  

| Name  | Sex   | Population group |
|-------|-------|------------------|
| ..... | ..... | .....            |

And whereas I am satisfied that the \*character and circumstances of the said person are such/said place is of such nature and is so conducted that it is improbable that the said infant(s) will be ill-treated or neglected;

Now, therefore, I do hereby certify that the said \*person/place and infant(s) and the premises wherein the said infant(s) is/are kept, are exempted from the operation of the provisions of sections 10 and 12 of the Children's Act, 1960.

This certificate may be withdrawn by me at any time by means of a notice in writing.

Date ..... Commissioner of Child Welfare for the District of .....

\* Delete whichever is not applicable.

## No. 41.—ORDER FOR REMOVAL OF PROTECTED INFANT UNDER SECTION 27 OF THE CHILDREN'S ACT, 1960: REGULATION 20 (5)

To .....  
 Whereas it has been made to appear to me that .....  
 (full name of child)  
 of ..... , \*is a protected infant and is maintained in circumstances which  
 (full address)  
 are detrimental to his/her welfare and that it is necessary that the infant be forthwith removed from the said place/is an infant who has been received in contravention of the provisions of section 10 (4) of the Children's Act, 1960;

Now, therefore, under and by virtue of the powers vested in me by section 27 of the Children's Act, 1960, I do hereby authorise and direct you to take the said infant and remove him/her to a place of safety pending the making of other suitable provision for the custody of the said infant.

Given at ..... this ..... day of ..... 19 .....

Magistrate/Commissioner of Child Welfare/  
 Justice of the Peace

\* Delete whichever is not applicable.

## No. 42.—REPORT ON PROTECTED INFANT: REGULATION 20 (6)

To the Commissioner of Child Welfare

- Name of infant .....
- Date of birth .....
- (a) Population group and sex ..... (b) Denomination ..... (c) Cultural affinity .....
- Name of person in whose custody or of place in which the infant is or is presumed to be .....
- Address .....
- Has such person or the management of the place ever been convicted of an offence under Chapter III of the Children's Act, No. 33 of 1960, under Chapter III of the Children's Act, No. 31 of 1937, or under Chapter I of the Children's Protection Act, No. 25 of 1913? If so, has authority been given to such person or managers to keep the infant? .....
- Has due notice of the receipt of the infant been given under section 10 (1) of the Act? If not, state reasons .....
- What is the physical and mental condition of the infant? .....
- Is the infant being well cared for? If not, state in what respect .....
- What are the general conditions of the premises in which the infant is being kept? .....
- How many persons are residing in the dwelling? .....
- What accommodation is available? (number of living rooms) .....
- How many infants do you consider can properly be kept in the dwelling? .....
- Has the number of protected infants who may be kept in the dwelling been fixed in terms of section 13 of the Act? .....
- Are there any protected infants kept in the dwelling of an age lower than that specified in the order (if any) granted under section 13 of the Act? .....
- Is there any likelihood of the custody of the infant being resumed by its parent(s)? .....
- Do you consider that a certificate of exemption should be granted under section 17 of the Act? .....
- What contributions (if any) are being paid towards the maintenance of the infant? If so, how much and by whom? .....
- General remarks and recommendation (if any) .....

Date of visit.....  
Date of report.....

Address.....

Name of infant.....  
 Date of birth..... Place of birth..... Sex.....  
 Population group..... Date of death.....  
 Address of mother.....  
 Address of father.....  
 Date of certificate of exemption..... Date of withdrawal of certificate.....

[illegible]

| Date of visit | Result | Date of visit | Result | Date of visit | Result |
|---------------|--------|---------------|--------|---------------|--------|
|               |        |               |        |               |        |
|               |        |               |        |               |        |
|               |        |               |        |               |        |
|               |        |               |        |               |        |

## NOTICES

8. The prescribed forms of all the above-mentioned notices can be obtained from a Commissioner of Child Welfare or will be forwarded to you by him on request.

12. The Commissioner of Child Welfare may by order fix the number of infants which you may keep in your dwelling or prohibit the keeping in your dwelling of any protected infant of an age lower than that specified by him. If you fail to carry out his order, you will be guilty of an offence.

No. 45.—REGISTER OF BIRTHS AND DEATHS IN AND REMOVAL OF PROTECTED INFANTS FROM A MATERNITY HOME: REGULATION 158 (1)—GOVERNMENT NOTICE R. 236 OF 21 FEBRUARY 1964

[illegible]



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## No. 46.—NOTICE OF MOVEMENTS OF PUPILS: REGULATION 77 GOVERNMENT NOTICE R. 236 OF 21 FEBRUARY 1964

## ADMINISTRATION OF COLOURED AFFAIRS

Ref. No. .... School/Children's Home .....

Adm. Ref. No. .... Date .....

(A) The Commissioner for Coloured Affairs  
Private Bag 9008  
Cape Town

Pupil ..... Date of birth .....

Date of movement .....

Nature of movement (indicated by X):

|                                                                                                             |                                                                         |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <input type="checkbox"/> Admitted                                                                           | <input type="checkbox"/> Final discharge                                |
| <input type="checkbox"/> Absconded*                                                                         | <input type="checkbox"/> Returned after being traced*                   |
| <input type="checkbox"/> Re-admitted after revocation of licence (prescribed form attached) § State reasons | <input type="checkbox"/> Released on licence (prescribed form attached) |
| <input type="checkbox"/> Admitted to hospital†                                                              | <input type="checkbox"/> Returned from hospital†                        |
| <input type="checkbox"/> Vacation leave‡                                                                    | <input type="checkbox"/> Returned from vacation leave‡                  |
| <input type="checkbox"/> Transferred to .....                                                               | <input type="checkbox"/> Other (specify) .....                          |

Notification necessary only where:

- \* Absence exceeds 14 days  
 † Absence exceeds 90 days  
 ‡ Pupil fails to return on commencement of school term.  
 § Remarks .....

Retention .....

Protection .....

Further retention .....

Principal

## (B) The Social Welfare Officer/Regional Representative

For your information. Your reference No. is .....

Prescribed form attached. ....

Principal

(For use by Reform Schools only)

(C) Officer-in-Command  
 South African Criminal Bureau  
 Private Bag X308  
 Pretoria

For your information. Your S.A.C.B. Number .....

Fingerprint Number .....

The pupil was convicted by the court at ..... on .....

on a charge of .....

Principal

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## No. 47.—RETURN OF VACANCIES IN CHILDREN'S HOME: REGULATION 78 GOVERNMENT NOTICE R. 236 OF 21 FEBRUARY 1964

(This card must be submitted before the 7th of each month)

- (a) Name of Children's Home .....
- (b) Number of children who can be accommodated .....
- (c) Admitted at present—
- (1) Committed children: (i) Boys ..... (ii) Girls .....
- (2) Other children ..... Total .....
- (d) Number of vacancies which exist or are expected to occur during the month of ..... 19
- Boys ..... Girls ..... Toddlers (Boys ..... Girls .....)

Signature of Principal

## No. 48.—GOVERNMENT NOTICE R. 236—21 FEBRUARY 1964

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## ADMINISTRATION OF COLOURED AFFAIRS

Reference No. ....

To .....

.....

.....

(Institute)  
 (Place)  
 (Date)

**RELEASE ON LICENCE IN TERMS OF THE PROVISIONS OF SECTION 44 OF THE CHILDREN'S ACT, NO. 33 OF 1960, IN RESPECT OF PUPIL**

Date of birth..... Identity Number..... (full names)

1. As agreed, the above-named pupil is hereby permitted to live in your custody for a period not exceeding the..... day of..... 197.....

2. During this period the pupil will be under the supervision of.....  
(name and address of authorised supervisor)

3. This release on licence is subject to the following conditions:

- (i) My management may at any time, after consultation with the supervisor, vary or cancel this licence by notice in writing and direct the pupil to return to the institution.
- (ii) You must notify the principal of this institution immediately of any change in address and, where the pupil has left your custody, the pupil's new address, if known.
- (iii) Arrangements must be made to notify the principal of this institution immediately in the event of the death of the pupil or (where the pupil has been placed in the custody of an individual) the death of the custodian.
- (iv) .....

Chairman of the Board of Management

**No. 49.—NOTICE OF CANCELLATION OF LICENCE: REGULATION 142**

**GOVERNMENT NOTICE R. 236 OF 21 FEBRUARY 1964**

To.....  
Notice is hereby given to you that the management of.....  
(name and address of children's home)

by whom pupil....., born on....., was by licence dated.....  
(state full name)  
permitted to live in your custody, hereby cancels the licence, and directs you to return the pupil immediately to the above children's home.

Date..... (Chairman of the Board of Management)

The Secretary for.....

Copy for your information. Your reference number is..... A copy for the report of the cancellation and of the reasons therefore is attached.

Date..... (Chairman of the Board of Management)

The Probation Officer.....

Copy for your information. Your reference number is..... A copy of the report of the cancellation and of the reasons therefore is attached.

Date..... (Chairman of the Board of Management)

..... } Supervisor

Copy for your information.

Date..... (Chairman of the Board of Management)

**No. 50.—LETTER AUTHORISING RECEPTION OF CHILD PLACED BY AN APPROVED AGENCY IN THE CUSTODY OF A SUITABLE PERSON: REGULATION 163 (1) GOVERNMENT NOTICE R. 236 OF 21 FEBRUARY 1964**

..... (Place)

..... (Date)

To.....  
(Name and address of custodian)

You are hereby authorised to receive into your custody.....

..... (name of child)

a child placed under the control of.....

..... (name of approved agency)

by order of the Children's Court of.....  
made on the..... day of..... 19.....

Authorised Officer

Approved agency



No. 51.—CLAIM FOR PLACE OF SAFETY GRANT BY PERSON OR INSTITUTION: REGULATION 36 (1) GOVERNMENT NOTICE R. 236 OF 21 FEBRUARY 1964

(To be submitted in duplicate)

Claim by .....

(insert name of children's home or person)

for a grant for the maintenance of a child/pupil who has, under authority conferred by a provision of the Children's Act, 1960, or the Criminal Procedure Act, 1955, as amended, been placed in the custody of a person or children's home as a place of safety or detention. I hereby certify that the children/pupils whose names appear on this claim were actually maintained during the period for which the grant is claimed.

Signature .....

Official Designation .....

Postal Address .....

Date .....

I hereby certify that the children/pupils mentioned in this claim were actually detained during the periods concerned in terms of detention orders issued under the provisions of the Children's Act, 1960, or the Criminal Procedure Act, 1955, as amended, and that the claimant is entitled to a place of safety grant in respect of each child/pupil mentioned herein.

Place .....

Date .....

Commissioner of Child Welfare

| Names of children/pupils | Date of admission | Period claimed for |    | Magistrate's reference number | Amount | Date of release, committal or transfer | Destination of child/pupil after release or transfer |
|--------------------------|-------------------|--------------------|----|-------------------------------|--------|----------------------------------------|------------------------------------------------------|
|                          |                   | From               | To |                               |        |                                        |                                                      |
|                          |                   |                    |    |                               |        |                                        |                                                      |
|                          |                   |                    |    |                               |        |                                        |                                                      |
|                          |                   |                    |    |                               |        |                                        |                                                      |
|                          |                   |                    |    |                               |        |                                        |                                                      |
|                          |                   |                    |    |                               |        |                                        |                                                      |
|                          |                   |                    |    |                               |        |                                        |                                                      |
|                          |                   |                    |    |                               |        |                                        |                                                      |
|                          |                   |                    |    |                               |        |                                        |                                                      |
|                          |                   |                    |    |                               |        |                                        |                                                      |

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Hierdie publikasie word uitgegee as 'n geïllustreerde reeks, baie na die aard van Curtis se "Botanical Magazine". Die doel van die werk is om die skoonheid en variasie van vorm van die flora van Afrika aan die leser bekend te stel, om belangstelling in die studie en kweek van die inheemse plante op te wek, en om plantkunde in die algemeen te bevorder.

Die meeste van die illustrasies word deur kunstenaars van die Navorsingsinstituut vir Plantkunde gemaak, dog die redakteur verwelkom geskikte bydraes van 'n wetenskaplike en kunsstandaard afkomstig van verwante inrigtings.

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