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VAN DIE REPUBLIEK VAN SUID-AFRIKA
REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

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GOEWERMENTSKENNISGEWING

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

No. R. 295 4 Maart 1977

REGULASIES KRAGTENS DIE KINDERWET,
1960 (WET 33 VAN 1960)

BASTERS IN DIE GEBIED SUIDWES-AFRIKA

Kragtens die bevoegdheid my verleen by artikel 92 van die Kinderwet, 1960 (Wet 33 van 1960), gelees met Proklamasie van 1976, vaardig ek, Hendrik Hanekom Smit, Minister van Kleurling-, Rehoboth- en Namabetrekkinge, hierby die regulasies uiteengesit in bygaande Bylae uit ten opsigte van Basters in die Gebied Suidwes-Afrika en bepaal dat hierdie regulasies op 1 Januarie 1977 in werking tree.

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

BYLAE

KINDERWET, 1960 (WET 33 VAN 1960)

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GOVERNMENT NOTICE

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

No. R. 295 4 March 1977

REGULATIONS MADE UNDER THE CHILDREN'S
ACT, 1960 (ACT 33 OF 1960)

BASTERS IN THE TERRITORY OF
SOUTH-WEST AFRICA

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 of 1976, I, Hendrik Hanekom Smit, Minister of Coloured, Rehoboth and Nama Relations, hereby make the regulations set out in the Schedule hereto in respect of Basters in the Territory of South-West Africa and determine that these regulations shall come into operation on 1 January 1977.

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

SCHEDULE

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

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Woordomskrywing

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

- (i) "artikel" 'n artikel van die Wet;
- (ii) "Gebied" die Gebied Suidwes-Afrika;
- (iii) "kindertoelae" 'n hoofdelike toelae bedoel in regulasie 58 (1);
- (iv) "kommissaris" Kommissaris van Kindersorg;
- (v) "landdroshouereëls" die reëls uitgevaardig kragtens die Wet op Landdroshoue, 1944 (Wet 32 van 1944);
- (vi) "maatskaplike pensioen" 'n pensioen soos omskryf in artikel 1 van die Wet op Maatskaplike Pensioene, 1973 (Wet 37 van 1973);
- (vii) "Minister" die Minister van Kleurling-, Rehoboth- en Namabetrekkings;
- (viii) "ondersoek" 'n ondersoek gehou deur 'n hof ingevolge artikel 30;
- (ix) "ouertoelae" 'n hoofdelike toelae bedoel in regulasie 58 (1);
- (x) "pleegouertoelae" 'n hoofdelike toelae bedoel in regulasie 58 (1);
- (xi) "proefbeampte" 'n proefbeampte aangestel ingevolge artikel 58;
- (xii) "Sekretaris" die Sekretaris van Kleurling-, Rehoboth- en Namabetrekkings;
- (xiii) "Wet" die Kinderwet, 1960 (Wet 33 van 1960); en het 'n woord waaraan in die Wet 'n betekenis geheg is, daardie betekenis.

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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) "children's grant" means a capitation grant in terms of regulation 58 (1);
 - (iii) "commissioner" means commissioner of child welfare;
 - (iv) "enquiry" means an enquiry held by a court in terms of section 30;
 - (v) "foster parents' grant" means a capitation grant in terms of regulation 58 (1);
 - (vi) "magistrates' courts rules" means the rules made in terms of the Magistrates' Courts Act, 1944 (Act 32 of 1944);
 - (vii) "Minister" means the Minister of Coloured, Rehoboth and Nama Relations;
 - (viii) "parent's grant" means a capitation grant in terms of regulation 58 (1);
 - (ix) "probation officer" means a probation officer appointed in terms of section 58;
 - (x) "Secretary" means the Secretary for Coloured, Rehoboth and Nama Relations;
 - (xi) "section" means a section of the Act;
 - (xii) "social pension" means a pension as defined in section 1 of the Social Pensions Act, 1973 (Act 37 of 1973);
 - (xiii) "Territory" means the Territory of South-West Africa;
- and any word to which a meaning has been assigned in the Act shall bear that meaning.

DEEL I

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.

(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 oorskrywing daarvan te maak, word geag 'n beampte 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 getuienis 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.

PART I

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) 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) '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 is vir bywoning; en as die plek waar betekening plaasvind meer as 50 kilometer van dié 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 kindershof terugbesorg.

(4) 'n Klerk van die kindershof deur wie 'n kennisgewing of dagvaarding per geregistreerde pos beteken word, moet die poskantoorregistrasiekwitasie 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 kindershof blyk dat, nie teenstaande 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 kindershof moet 'n register hou in die vorm van Vorm 3, genoem die Kindershofrekordboek, 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, wie 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 kindershof en van enige partye en hul verteenwoordigers wat by die 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 kindershof toegelaat;

(f) 'n aantekening, deur die kommissaris onderteken, van die bevinding en die bevel van die kindershof 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

(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 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

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.

(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 kinderhof 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 Landdros, Rehoboth, gestuur word.

(2) 'n Polisiebeampte, proefbeampte of gemagtigde amptenaar deur wie 'n kind verwyder word van 'n plek sodat hy voor 'n kinderhof 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 kinderhof 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 kinderhof, 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.

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) 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 Magistrate, Rehoboth.

(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) 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.

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 getuies, 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 kindershof 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 kindershof '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 word 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 kindershof deur bewys *aliunde* gestaaf 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 kindershof kragtens artikel 31 (1), (2) en (4) moet in die vorm van Vorm 11 wees.

(2) Wanneer die kindershof, na 'n ondersoek, van mening is dat 'n kind na 'n kindershof 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 voorgenome 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.

(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.

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

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

(5) As die Sekretaris om een of ander rede nie in staat is om onverwyld 'n nywerheidsskool of kindershuis aan te wys nie moet hy dit aan die kindershof 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 kindershof kragtens artikel 31 (1), moet die betrokke kommissaris reëlins tref vir die verwydering van die kind na die kindershuis of nywerheidsskool 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 aan die proefbeampte en die ouers of voog van die kind stuur.

(7) Voordat die kindershof '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 kindershof.

(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 kindershof.

(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 kindershof stuur.

(11) Waar 'n kind kragtens artikel 31 (2) of (3) op proef geplaas is, moet 'n afskrif van die bevel van die kindershof, 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.

(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) 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, psigiatryse 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 skoler—

(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, psigiatryse 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 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 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 influences, 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 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 behoortlik 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 proviso 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 getuig, 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 21 jaar, kan die Minister op aanvraag, na afloop van die finansiële jaar, dié verskil betaal aan die kinderkhof of 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 getuig, 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 getuigings 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 reggebied van die betrokke hof.

(11) Die klerk van die kinderkhof moet alle getuigings 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 getuigings 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 hofassistent 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 hoekom 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 uitge-reik ingevolge subregulasie (3), kan die hof, nadat hy oortuig is dat die dagvaarding behoorlik aan die verweerder beteken is, onverwyld 'n loonbeslagleggingsbevel uit-reik.

(5) 'n Afskrif van die loonbeslagleggingsbevel, behoorlik gewaarmerk, moet so gou moontlik na die uitreiking daarvan aan die verweerder en sy werkgewer per geregi-streerde 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 werkgewer 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 ver-weerder uitgereik is, gewysig, opgeskort of ingetrek word, moet die werkgewer 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 toestem-ming 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 applica-tion 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, suspen-sion 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 juris-diction 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 attach-ment of wages and of any variation, suspension or rescis-sion 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 jointly, desiring to adopt a child shall lodge with the clerk of the chil-dren'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 writ-ten 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 appli-cation 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 moet word om die kindershof 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 kindershof dienooreenkomstig aan die hof verslag doen.

(5) As dit vir die kindershof 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 kindershof by te woon te eniger tyd wanneer die applikant teenwoordig is of waarskynlik teenwoordig sal wees nie.

(6) As dit vir die kindershof by die oorweging van voorreemde 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 bepalings 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 kindershof 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 kindershof 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 goeddink, 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 bepalinge van artikel 71 (2) (d) en van artikel 71 (3) buite die Gebied moet, indien gegee in die Republiek van Suid-Afrika, of 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 magistraat of vrede-regter 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 bepalinge 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 verantwoordelijkheid 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 getuienis 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

(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 Territory shall, if given in the Republic of South Africa or 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 that 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

aansoek gedoen word om 'die aanneming van 'n kind wat buite die Gebied 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 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 AANNEMINGSVERRICHTINGE

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 ouer of 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 beampete 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.

of a child born outside the Territory for whom no birth 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 of 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 bedoeling 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.

APPËL TEEN ORDER VAN AANNEMING

16. (1) Binne 14 dae nadat appël 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 appël 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 appël; 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 appël, 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 appël, 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 verstrekk word, teen betaling deur 'n ander appellant of verweerder as die Minister, van afskrifgelde teen die tariewe betaalbaar vir afskrifte van siviele rekords verstrekk 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 verstrekk 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 court 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 beampte 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 beampte 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 triplikaatorder 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 triplikaatorder saam met die stukke van die aansoek bewaar.

(5) 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, 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 Gebied 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 appél 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 appél, 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 aantekenen.

(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 beklee, 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.

(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 Territory 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 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) Na oorweging van 'n verklaring by hom ingedien ooreenkomstig subregulasie (1) en van sodanige verdere 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 Gebied is.

(6) As die verweerder op 'n plek buite die Gebied 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 advo-

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

(6) If the respondent resides at a place outside the Territory 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

kaat", 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.

(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 afgeleë 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 beskermde 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 buite-egtelike 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

costs incurred in the production of evidence in support of or opposition to the application shall be defrayed from public funds.

(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

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.

(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.

DEEL II

PLIGTE VAN KRAAMINRIGTINGS

21. (1) Kraaminrigtings moet behoudens subregulasie (2) in die vorm van Vorm 45 'n register hou van iedere geboorte of dood van 'n jong kind in die inrigting en van iedere jong kind wat uit sodanige inrigting verwyder word.

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

DEEL III

REGISTRASIE, KLASSIFIKASIE EN BESTUUR VAN KINDERHUISE EN VERSORGINGSOORDE

22. 'n Aansoek deur die bestuurders van 'n kinderhuis of versorgingsoord om die registrasie daarvan kragtens artikel 42 (3), of om die wysiging van 'n registrasiesertifikaat, word op die vorm deur die Sekretaris bepaal, in tweevoud ingedien by die Landdros, Rehoboth.

23. (1) 'n Aansoek om die registrasie van 'n kinderhuis moet vergesel gaan van die konstitusie van die kinderhuis, wat, benewens die vereistes van artikel 42, ondergenoemde besonderhede bevat:

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

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) 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.

PART II

DUTIES OF MATERNITY HOMES

21. (1) Maternity homes shall, subject to subregulation (2), in the form of Form 45, keep a register of every birth or death of an infant in the institution and of every infant that is removed from such institution.

(2) Any register kept by a person in charge of a maternity home in terms of the provisions of any law or regulation, other than a provision of the Act or a regulation made in terms of the Act, containing all the particulars to be recorded in the register prescribed in subregulation (1), shall be deemed to be such latter register.

PART III

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

22. Any application by the managers of a children's home or place of care for its registration under section 42 (3), or for the amendment of a certificate of registration, shall be submitted, in duplicate and on such form as the Secretary may determine, to the Magistrate, Rehoboth.

23. (1) An application for the registration of a children's home shall be accompanied by the constitution of the children's home, which shall, in addition to the requirements of section 42, contain the following particulars:

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

(2) 'n Aansoek om die registrasie van 'n kinderhuis of versorgingsoord of 'n aansoek om die wysiging van 'n bestaande registrasiesertifikaat om 'n groter getal kinders in 'n kinderhuis of versorgingsoord op te neem, moet vergesel gaan van 'n behoorlik ondertekende sertifikaat van die plaaslike owerheid binne wie se gebied die kinderhuis of versorgingsoord geleë is tot dien effekte dat sodanige kinderhuis of versorgingsoord voldoen aan al die strukturele en gesondheidsvereistes van sodanige plaaslike owerheid.

24. By ontvangs van 'n aansoek om die registrasie van 'n kinderhuis of versorgingsoord of om die wysiging van 'n registrasiesertifikaat inspekteer die Landdros, Rehoboth, die kinderhuis of versorgingsoord en stuur die aansoek tesame met enige stukke wat op die aansoek betrekking het, sy verslag en aanbevelings aan die Sekretaris vir oorweging deur die Minister.

25. Indien die aansoek om die registrasie van 'n kinderhuis of versorgingsoord goedgekeur word, word aan die kinderhuis of versorgingsoord 'n registrasiesertifikaat uitgereik.

26. (1) Die Minister kan as 'n voorwaarde vir die uitreiking van 'n registrasiesertifikaat aan 'n kinderhuis of versorgingsoord of vir die voortsetting of wysiging van 'n sertifikaat vereis dat hy met die bevoegdheid beklee word, desnoods deur die wysiging van die konstitusie van die kinderhuis, om 'n vasgestelde getal of 'n proporsionele deel van die lede van die bestuur aan te stel.

(2) Die Minister kan as 'n voorwaarde vir die uitreiking van 'n registrasiesertifikaat of die voortsetting of wysiging van 'n sertifikaat vereis dat 'n kinderhuis of versorgingsoord geklassifiseer word vir die opneming en versorging of beskerming van 'n bepaalde klas kind, omskryf ten opsigte van bevolkingsgroep, ouderdom, geslag, intelligensie, onderwyspeil, gedrag, liggaams- of geestesgebreke of op sodanige ander wyse as wat die Minister, na oorlegpleging met die bestuur, goedvind.

27. Geen sodanige voorwaarde vir die voortsetting of wysiging van 'n registrasiesertifikaat van 'n kinderhuis of versorgingsoord bedoel in regulasie 26, mag opgelê word nie voordat drie maande verloop het vandat die Minister aan die bestuur kennis gegee het van sy voorneme om sodanige voorwaarde op te lê.

28. Die voorwaardes en enige ander bepalinge van 'n sertifikaat deur die Minister aan 'n kinderhuis of versorgingsoord uitgereik, kan van tyd tot tyd deur die Minister na oorlegpleging met die bestuur gewysig word: Met dien verstande dat niks in hierdie regulasies geag word afbreuk te doen aan die bevoegdheid verleen aan die Minister by artikel 42 om 'n sertifikaat in te trek, of aan die reg van die bestuur om 'n sertifikaat terug te gee nie.

29. (1) (a) Die bestuur van iedere kinderhuis of versorgingsoord moet toesien dat 'n register gehou word van leerlinge of kinders wat daarin opgeneem is, waarin ten opsigte van iedere leerling of kind die volgende aangeteken moet word:

(i) Sy volle naam, bevolkingsgroep, persoons- of identiteitsnommer en geslag;

(ii) die datum van opneming;

(iii) sy geboortedatum;

(iv) sy gewone verblyfplek onmiddellik voor sy opneming;

(v) die name en adresse van sy ouers of, as hy 'n weeskind is, van sy voog of, as hy 'n weeskind is en geen voog het nie, van sy naaste bloedverwant.

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

(i) Die datum waarop sy tydperk van aanhouding en beskerming verstryk;

(2) An application for the registration of a children's home or place of care or an application for the amendment of an existing certificate of registration for the reception of a larger number of children in a children's home or place of care shall be accompanied by a duly signed certificate from the local authority within whose area the children's home or place of care is situated to the effect that such children's home or place of care meets all the building and sanitary requirements of such local authority.

24. On receipt of an application for the registration of a children's home or place of care or for the amendment of a certificate of registration, the Magistrate, Rehoboth, shall inspect the children's home or place of care and send the application, together with such documents as may relate to the application, his report and recommendations to the Secretary for consideration by the Minister.

25. If an application for the registration of a children's home or place of care is approved, a certificate of registration shall be issued to such children's home or place of care.

26. (1) The Minister may, as a condition of the grant of a certificate of registration to a children's home or place of care or of the extension or amendment of a certificate, require the vesting in him, if need be by amendment of the constitution of the children's home, of powers to appoint a specified number or proportion of the members of the management.

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

27. No such condition for the extension or amendment of a certificate of registration of a children's home or place of care referred to in regulation 26 shall be imposed before the lapse of three months after notice has been given to the management by the Minister of his intention to impose such condition.

28. The conditions and any other provisions of a certificate granted by the Minister to a children's home or place of care may from time to time be amended by the Minister after consultation with the management: Provided that nothing in this regulation shall be deemed to derogate from the powers conferred upon the Minister by section 42 to cancel a certificate or from the right of the management to surrender a certificate.

29. (1) (a) The management of every children's home or place of care shall cause to be kept a register of pupils or children that have been admitted thereto, in which the following shall be recorded in respect of each pupil or child:

(i) His full name, population group, identity number and sex;

(ii) his date of admission;

(iii) his date of birth;

(iv) his ordinary place of residence immediately before his admission;

(v) the names and addresses of his parents, or, if he is an orphan, of his guardian or, if he is an orphan and he has no guardian, of his next-of-kin.

(b) In the register that is to be kept by a children's home, the following shall also be recorded in respect of each pupil:

(i) The date on which his period of retention and protection will expire;

(ii) die magtiging tot sy opneming kragtens die Wet of 'n ander wet verleen; en

(iii) 'n aantekening oor sy vrylating met vergunning, ontslag, oorpasing of heropneming.

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

(a) 'n Daaglikse register waarin die aan- of afwesigheid van leerlinge aangeteken moet word;

(b) 'n strafboek waarin die naam van die leerling wat gestraf is, die datum en aard van die oortreding, die datum en aard van die straf opgelê en deur wie toegedien, aangeteken moet word;

(c) 'n register van weglopers waarin die datum waarop die leerling weggeloop het, die datum van terugkeer en enige dissiplinêre stappe gedoen, aangeteken moet word.

(3) Iedere inskrywing in die strafboek en die register van weglopers moet deur die prinsipaal van die kindershuis onderteken word en die registers moet—

(a) minstens een keer iedere maand deur die voorsitter van die bestuur nagegaan en onderteken word; en

(b) aan iedere gewone vergadering van die bestuur voorgelê word, en by dié geleentheid kan die prinsipaal versoek word om enige inskrywing daarin toe te lig.

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

(a) Alle stukke aangaande die leerling wat ten tyde van sy opneming ontvang is van die instansie wat sy opneming gelas het;

(b) enige maatskaplike verslag oor die leerling wat deur die bestuur ontvang is;

(c) enige verslag van die prinsipaal of enige ander onderwyser van 'n skool deur die leerling bygewoon, hetsy voor of na opneming, oor sy skoolprestaties, geestes- of liggaamlike gesondheid of ontwikkeling en gedrag;

(d) alle verslae oor enige liggaamlike, psigiatrisse of kliniese sielkundige ondersoeke van die leerling en enige verslag oor die resultate van enige behandeling wat toegepas is;

(e) die maatskaplike rekord van die leerling tydens sy verblyf in die kindershuis, met inbegrip van besonderhede aangaande tugtootredings en enige strawwe wat toegedien is;

(f) enige ander inligting deur die bestuur ontvang wat ter sake is by die bestudering en behandeling van die persoonlikheid of huislike omstandighede van die leerling;

(g) enige ander stukke wat op die leerling betrekking het.

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

30. (1) Die bestuur van 'n kindershuis of versorgingsoord moet behoorlike rekeningboeke laat hou waarin al die geldelike transaksies, die waarde van ontvangste in goedere en die bron en datum van ontvangs en die bates en laste van die kindershuis of versorgingsoord, na gelang van die geval, volledig aangeteken word.

(2) (a) Die bestuur van 'n kindershuis moet jaarliks aan die Sekretaris binne drie maande na die sluiting van die kindershuis se boekjaar, geouditeerde rekeningstate, met inbegrip van 'n balansstaat en staat van inkomste en uitgawes, vir daardie jaar verstrek. Die staat van inkomste

(ii) the authority granted in terms of the Act or any other law for his admission; and

(iii) a note of his release on licence, discharge, transfer or readmission.

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

(a) A daily register, in which the presence or absence of such pupils shall be recorded;

(b) a punishment book, in which shall be recorded the name of any pupil that has been punished, the date and nature of the transgression, the date and nature of the punishment meted out and by whom administered;

(c) a register of absconders, in which shall be recorded the date on which any pupil absconded, the date of his return and the disciplinary steps taken, if any.

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

(a) at least once a month be scrutinised and signed by the chairman of the management; and

(b) be submitted to every ordinary meeting of the management, on which occasion the principal may be requested to explain any entry therein.

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

(a) all documents with regard to a pupil received at the time of his admission from the authority that ordered his admission;

(b) any social report on the pupil received by the management;

(c) any report by the principal or any other teacher of a school attended by the pupil, whether before or after his admission, on his scholastic attainments, his mental or physical health or development or his conduct;

(d) all reports on any physical, psychiatric or clinical psychological examination of the pupil and any report on the results of any treatment given;

(e) the social record of the pupil during his stay in the children's home, including particulars of breaches of discipline and of any punishment administered;

(f) any other information received by the management relevant to the study and treatment of the personality or home circumstances of the pupil; and

(g) any other documents relating to the pupil.

(5) If a pupil is transferred to any other children's home or to a school of industries or reform school, the file kept in terms of subregulation (4) in respect of such pupil shall be sent to such children's home, school of industries or reform school to which he is transferred.

30. (1) The management of any children's home or place of care shall cause to be kept proper books of account, in which all financial transactions, the value of receipts in kind and the source and date of receipt and the assets and liabilities of the children's home or place of care, as the case may be, shall be fully recorded.

(2) (a) The management of a children's home shall annually render to the Secretary within three months after the close of the financial year of the children's home, audited statements of account, including a balance sheet and statement of revenue and expenditure, for that year.

en uitgawes moet die verskillende bronne van inkomste en die bedrag uit elke bron ontvang, afsonderlik aandui, asook die toewysing van uitgawes vir grond en geboue (met inbegrip van herstelwerk), meublement en uitrusting (met inbegrip van herstelwerk), salarisse, eetware en kle-rasie, en van ander uitgawes, en wel op sodanige wyse as wat die bestuur in oorleg met die Sekretaris bepaal.

(b) Die bestuurders van 'n versorgingsoord moet aan die Sekretaris, op versoek, geouditeerde rekeningstate, met inbegrip van 'n balansstaat en staat van inkomste en uitgawes vir enige boekjaar, in sodanige versoek ver-meld, verstrek.

(c) 'n Inspekteur kragtens artikel 57 aangestel moet, ongeag of voornoemde state ingedien word al dan nie, tydens die inspeksie van 'n versorgingsoord hom daarvan vergewis dat bevredigende standaarde gehanhaaf word en dat die gelde wat van die ouers van kinders gevorder word redelik en in ooreenstemming met die gelewerde dienste is. Hy moet sy bevindings aan die Sekretaris stuur.

(3) Die bestuurders van iedere kinderhuis of versor-gingsoord voorsien die Sekretaris op dié tye wat die Sekretaris bepaal van sodanige statistieke met betrekking tot sodanige kinderhuis of versorgingsoord of die leerling of kinders wat daarin opgeneem is, asook ten opsigte van die personeel, as wat die Sekretaris bepaal.

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

DEEL IV

KENNISGEWING VAN BEWEGING VAN LEER-LINGE EN OPGAWES VAN VAKATURES

31. (1) Die prinsipaal van iedere kinderhuis moet die Sekretaris onverwyld in die vorm van Vorm 46 verwittig van die datum van opneming, ontslag, wegloup of her-opneming, vrylating met vergunning, intrekking van ver-gunning, opneming in, of ontslag uit 'n hospitaal, of van enige ander afwesigheid van iedere leerling wat na die kinderhuis verwys is.

(2) Die prinsipaal van iedere kinderhuis moet die Sekretaris binne sewe dae na die einde van iedere maand in die vorm van vorm 47 voorsien van 'n opgawe van vakatures in die kinderhuis.

VERLOF EN WEGLOPERY

32. (1) Die bestuur van 'n kinderhuis of van 'n goed-gekeurde vereniging kan, in die geval van 'n kind onder die beheer van 'n goedgekeurde vereniging, op aansoek van die pleegouer of die ouer of voog van die kind, aan 'n leerling of kind die een of ander van die volgende soorte verlof toestaan:

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

(2) Vakansieverlof gedurende enige kalenderjaar word nie vir langer toegestaan as die getal skoolvakansiedae wat vir daardie jaar vir skole in die Gebied vasgestel is nie.

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

(4) Spesiale verlof kan vir tydperke van hoogstens 14 dae toegestaan word aan enige leerling of kind ongeag of aan sodanige leerling of kind vakansieverlof gedurende dieselfde kalenderjaar toegestaan is of nie, mits die bestuur van die kinderhuis of die goedgekeurde vereni-ging daarvan oortuig is dat daar besondere omstandig-hede bestaan wat dit gebiedend noodsaaklik of hoogs wenslik maak dat sodanige verlof toegestaan word.

The statement of revenue and expenditure shall separately show in a manner determined by the management in con-sultation with the Secretary the various sources of income and the amount received from each source as well as the allocation of moneys for expenditure on land and build-ings (including repairs), furniture and equipment (includ-ing repairs), salaries, foodstuffs and clothing and for any other expenditure.

(b) The managers of a place of care shall, on request, render to the Secretary audited statements of account for such financial year as may be mentioned in the request, including a balance sheet and a statement of revenue and expenditure.

(c) An inspector appointed in terms of section 57 shall, whether the statements referred to are lodged or not, satisfy himself, in the course of an inspection of any place of care, that satisfactory standards are maintained and that the fees payable by the parents of children are reason-able and consistent with the services rendered. He shall send his findings to the Secretary.

(3) The managers of every children's home or place of care shall, at such times as the Secretary may determine, render to the Secretary such statistics in regard to the children's home or place of care or the pupils or children admitted thereto, as well as in respect of the staff, as the Secretary may determine.

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

PART IV

NOTICE OF MOVEMENT OF PUPILS AND RETURNS OF VACANCIES

31. (1) The principal of every children's home shall advise the Secretary forthwith in the form of Form 46 of the date of admission, discharge, abscondment or re-admission, release on licence, cancellation of licence, admission to, or discharge from, a hospital or any other absence of every pupil committed to a children's home.

(2) The principal of every children's home shall, within seven days of the end of each month, submit to the Secretary a return of vacancies in the children's home in the form of Form 47.

LEAVE AND ABSCONDMENT

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

- (a) Vacation leave;
- (b) special leave;
- (c) week-end leave.

(2) Vacation leave may be granted during any calendar year for a period not exceeding the number of school holidays laid down for that year for schools in the Territory.

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

(4) Special leave may be granted for periods not exceeding 14 days to any pupil or child, whether such pupil or child has or has not been granted vacation leave during the same calendar year, provided that the manage-ment of the children's home or approved agency is satis-fied that special circumstances exist that make it impera-tive or highly desirable that such leave of absence be granted.

(5) Indien 'n leerling of kind aan wie vakansieverlof of spesiale verlof toegestaan is, deur siekte of ander genoegsame rede verhinder word om by die verstryking van sy verloftydperk na die kinderhuis of pleegouer terug te keer, kan die bestuur van die kinderhuis of die goedgekeurde vereniging daardie tydperk van tyd tot tyd verleng: Met dien verstande dat indien deur die toestaan van sodanige verlenging die totale tydperk van die onafgebroke afwesigheid van die leerling of kind uit die kinderhuis of uit die bewaring van die pleegouer 90 dae sal oorskry, verlenging nie toegestaan mag word sonder die goedkeuring van die Minister nie.

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

(7) Voordat verlof aan 'n leerling of kind toegestaan word, moet die bestuur van 'n kinderhuis of die goedgekeurde vereniging daarvan oortuig wees dat die persoon onder wie se sorg en die huis of plek waarin die leerling of kind gedurende sy afwesigheid uit die kinderhuis of uit die bewaring van die pleegouer sal verkeer, geskik is vir daardie doel en dat daar geen nadeel vir die leerling of kind verwag word as gevolg van die verlof nie. As die bestuur self nie oor genoegsame inligting in hierdie verband beskik om 'n oordeel te vorm nie, moet 'n verslag ooreenkomstig regulasie 33 aangevra word.

33. Indien die bestuur van 'n kinderhuis of 'n goedgekeurde vereniging 'n verslag verlang oor die persoon by wie of die huis of plek waarin 'n leerling of kind gedurende sy verlof sal verkeer, moet die bestuur of goedgekeurde vereniging 'n verslag aanvra van die Landdros, Rehoboth. By die ontvangs van sodanige versoek moet die Landdros, Rehoboth, self of 'n ander bevoegde persoon of vereniging van persone deur hom aangewys, ondersoek instel na die geskiktheid van die persoon, huis of plek waar die leerling of kind met verlof sal verkeer en die vermoë van die persoon om die reiskoste of 'n gedeelte van die reiskoste van die leerling of kind te betaal en verslag doen. Die Landdros, Rehoboth moet sonder versuim die verslag aldus uitgebring aan die bestuur van die kinderhuis of goedgekeurde vereniging stuur.

34. (1) Die bestuur van 'n kinderhuis wat maandeliks eise indien, moet so gou moontlik na die end van elke kalendermaand en dié wat kwartaallikse eise indien, so gou moontlik na die end van elke kwartaal aan die Sekretaris 'n staat stuur wat die name van leerlinge wat gedurende sodanige maand of kwartaal van die kinderhuis afwesig was met vakansie- of spesiale verlof en die tydperk van sodanige afwesigheid aantoon en moet ten opsigte van enige verlenging van vakansieverlof vir 'n langer tydperk as die vasgestelde getal skoolvakansiedae en van enige verlenging van spesiale verlof aan enige leerling, aan sodanige staat 'n verslag heg oor die feite en omstandighede wat na die mening van die bestuur sodanige verlenging of verlenging geregtig het.

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

(5) If a pupil or child who has been granted vacation leave or special leave is prevented by illness or other sufficient cause from returning to the children's home or foster parent on the expiration of the period of leave, the management of the children's home or approved agency may from time to time extend such period: Provided that, if by the grant of such extension the total period of the continuous absence of the pupil or child from the children's home or from the custody of the foster parent will exceed 90 days, extension shall not be granted without the approval of the Minister.

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

(7) Before granting leave of absence to any pupil or child, the management of the children's home or approved agency shall satisfy itself that the person in whose care and the home or place in which the pupil or child is to stay during his absence on leave from the children's home or from the custody of the foster parent are suitable for that purpose and that no harm to the pupil or child is likely to result from the grant of leave. If the management itself has not sufficient information in this regard to enable it to form a judgement, it shall seek a report in terms of regulation 33.

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

34. (1) The management of a children's home submitting its claims monthly shall as soon as may be after the end of each calendar month, and one submitting quarterly claims shall as soon as may be after the end of each quarter, send to the Secretary a statement showing the names of such pupils as were absent from the children's home on vacation leave or special leave during any part of that month or quarter, and the period of such absence, and shall, in respect of any extension of vacation leave in excess of the number of school holidays laid down and of any grant of special leave to any pupil, annex to such statement a report on the facts and circumstances which in the opinion of the management justified the extension or grant.

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

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

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

(3) 'n Goedgekeurde vereniging moet die Sekretaris in kennis stel van die intrekking van enige afwesigheidsverlof wat aan 'n kind onder sy beheer toegestaan is.

36. Indien enige leerling of kind weggeloop uit 'n kindershuis of bewaring, of indien 'n leerling of kind na die intrekking van sy afwesigheidsverlof of van sy vergunning versuim om na die kindershuis of die bewaring waaruit verlof aan hom toegestaan is of waaruit hy met vergunning vrygelaat is, terug te keer, moet die bestuur van die kindershuis of goedgekeurde vereniging of die persoon uit wie se bewaring die leerling of kind weggeloop het of waarheen of na wie hy versuim het om terug te keer, kennis gee aan die Landdros, Rehoboth, asook aan die Sekretaris en die ouers of voog van die leerling of kind, behalwe waar veronderstel is of kan word dat die leerling of kind by sy ouers of voog verkeer.

37. Die Minister kan gelas dat 'n leerling of kind wat kragtens artikel 54 na die kindershuis of bewaring waaruit hy weggeloop het, teruggestuur is, in daardie kindershuis of daardie bewaring of onder beheer waaronder hy geplaas is, moet bly. In die geval van 'n leerling moet die bestuur van die kindershuis verder met hom handel ooreenkomstig artikel 44 of, in die geval van 'n kind onder die beheer van 'n goedgekeurde vereniging, moet die bestuur van die vereniging met hom handel ooreenkomstig artikel 48.

VRYLATING MET VERGUNNING

38. (1) Die Minister kan met die toestemming van enige persoon of vereniging van persone wat hom beywer vir die beskerming, welsyn en redding van kinders, aan sodanige persoon of vereniging van persone die verantwoordelikheid opdra om in 'n bepaalde geval of in die algemeen toesig kragtens artikel 44 (2) oor 'n leerling of leerlinge wat met vergunning vrygelaat is, uit te oefen.

(2) Die proefbeampte, ander persoon of vereniging van persone onder wie se toesig 'n leerling sal wees wat met vergunning vrygelaat word, word bepaal in oorleg met die Landdros, Rehoboth.

(3) Indien 'n proefbeampte nie in staat is of dit nie nodig ag om self toesig kragtens artikel 44 (2) oor 'n leerling in sy gebied uit te oefen nie, wys hy 'n persoon of vereniging van persone ingevolge subregulasie (1) benoem, aan om bedoelde toesig uit te oefen en stel die bestuur van die kindershuis dienoreenkomstig in kennis.

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

39. (1) Voordat die bestuur van 'n kindershuis enige leerling vrylaat met vergunning moet die bestuur homself daarvan vergewis dat die persoon in wie se bewaring en die huis of die opleidingsinrigting waarin die leerling toegelaat sal word om te verkeer, geskik is vir daardie doel

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

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

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

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

37. The Minister may order that a pupil or child who has, in terms of section 54, been returned to the children's home or the custody from which he has absconded shall remain in that children's home or in that custody or under the control under which he has been placed. In the case of a pupil, the management of the children's home shall deal further with such pupil at its discretion in accordance with section 44. In the case of a child under the control of an approved agency, the management of such agency shall deal with him in accordance with section 48.

RELEASE ON LICENCE

38. (1) The Minister may, with the consent of any person or association of persons working for the protection, welfare and reclamation of children, in a particular case or generally assign to such person or association of persons responsibility in terms of section 44 (2) for the supervision of a pupil or pupil released on licence.

(2) The probation officer, other person or association of persons under whose supervision a pupil is to be released on licence shall be determined in consultation with the Magistrate, Rehoboth.

(3) If any probation officer is not in a position, or does not consider it necessary, himself to exercise supervision over a pupil in his area under section 44 (2), he shall designate a person or an association of persons appointed in terms of subregulation (1) to exercise such supervision and advise the management of the children's home accordingly.

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

39. (1) Before granting a release on licence to any pupil, the management of a children's home shall satisfy itself that the person in whose custody and the home or training institution in which the pupil is to be permitted to live are suitable for that purpose and that no harm

en dat daar geen nadeel vir die leerling verwag word as gevolg van die vergunning aan hom verleen om by daardie persoon en in daardie huis of in daardie opleidingsinrigting te woon nie.

(2) Indien die bestuur van 'n kindershuis 'n verslag verlang oor 'n huis of opleidingsinrigting waarin 'n leerling gedurende sy tydperk van vergunning sal verkeer, moet die bestuur die Landdros, Rehoboth versoek om die bedoelde verslag te verkry en moet die bestuur terselfdertyd aan die Landdros, Rehoboth 'n vertroulike verslag oor die leerling in die toepaslike vorm stuur.

(3) Wanneer 'n verslag ingevolge subregulasie (2) aangevra is, moet die Landdros, Rehoboth self of 'n bevoegde persoon of vereniging van persone wat hy aanwys, die nodige ondersoek instel en verslag uitbring en moet die Landdros, Rehoboth die verslag aldus uitgebring, met sy aanbeveling, sonder versuim aan die bestuur van die kindershuis stuur.

40. 'n Vergunning deur die bestuur aan 'n leerling verleen, moet in vyfvoud in die vorm van Vorm 48 opgestel word en 'n afskrif daarvan moet gestuur word aan die Sekretaris, aan die persoon of die bestuurders van die opleidingsinrigting waar die leerling sal verkeer, aan die persoon of vereniging van persone wat toesig oor die leerling sal uitoefen en aan die Landdros, Rehoboth.

41. (1) Indien die persoon of die opleidingsinrigting in wie se bewaring 'n leerling verkeer, van adres verander of wanneer 'n leerling of die persoon in wie se bewaring hy verkeer, te sterwe kom, moet die toesighouer die bestuur van die kindershuis onverwyld daarvan in kennis stel.

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

(3) Indien die verandering van woonplek van 'n leerling, die verwydering van die leerling na 'n gebied onder die beheer van 'n ander proefbeampte meebring, moet die betrokke proefbeampte die proefbeampte van die gebied waarheen die leerling verhuis het, in kennis stel en alle stukke wat betrekking op die leerling het, aan hom stuur, en aan die Landdros, Rehoboth.

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

(2) Die finale verslag wat oor 'n leerling uitgebring word voordat die tydperk van sy vergunning ten einde loop, moet 'n aanbeveling bevat wat die bestuur van die kindershuis in staat sal stel om kragtens artikel 44 (4) te handel.

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

43. (1) Kennis van die intrekking van 'n vergunning deur die bestuur kragtens die bepalings van artikel 44 (3) moet in die vorm van Vorm 49 deur die prinsipaal of 'n ander beampte in die algemeen of spesiaal deur die bestuur daartoe gemagtig, aan die persoon of opleidingsinrigting in wie se bewaring die leerling op daardie tydperk verkeer, gegee word en sodanige prinsipaal of beampte moet 'n afskrif van sodanige kennisgewing stuur aan die verantwoordelike proefbeampte, aan die toesighouer en aan die Sekretaris. Die afskrifte wat aan die proefbeampte en die Sekretaris gestuur word, moet vergesel gaan van 'n verslag van die intrekking en die redes daarvoor.

to the pupil is likely to result from granting him the licence to live with such person and in such home or training institution.

(2) If the management of any children's home desires a report on a home or training institution in which a pupil is to stay during the period of his release on licence, the management shall request the Magistrate, Rehoboth, to obtain such report and the management shall at the same time send the Magistrate, Rehoboth, a confidential report on the pupil in the appropriate form.

(3) If a report has been called for in terms of subregulation (2), the Magistrate, Rehoboth, himself or such competent person or association of persons as he may designate shall carry out the necessary investigation and submit a report, and the Magistrate, Rehoboth, shall without delay send such report to the management of the children's home with his recommendation.

40. A release on licence granted by the management to a pupil shall be in quintuplicate in the form of Form 48, a copy of which shall be sent to the Secretary, to the person or the managers of the training institution in whose custody the pupil will be, to the person or association of persons that will exercise supervision over the pupil and to the Magistrate, Rehoboth.

41. (1) If the person or training institution in whose custody a pupil is, changes his/its address or if a pupil or the person in whose custody he is dies, the supervisor shall forthwith notify the management of the children's home.

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

(3) If the change of residence of any pupil involves the removal of such pupil to an area under the control of some other probation officer, the probation officer of the area in which the pupil had been residing shall notify the probation officer of the area to which the pupil has moved and forward all documents in respect of such pupil to him and the Magistrate, Rehoboth.

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

(2) The final report made on a pupil before the expiry of his period of licence shall contain a recommendation which will enable the management of the children's home to take action under section 44 (4).

(3) If any pupil is under the supervision of a person other than a probation officer, the supervisor shall send a copy of his report in terms of subregulation (1) to the Magistrate, Rehoboth.

43. (1) Notice of the cancellation of any licence by the management in terms of the provisions of section 44 (3) shall be given in the form of Form 49 by the principal or other officer generally or specially authorised thereto by the management to the person or training institution having for the time being custody of the pupil and such principal or officer shall send a copy of such notice to the responsible probation officer, to the supervisor and to the Secretary. The copies sent to the probation officer and to the Secretary shall each be accompanied by a report of the cancellation and of the reasons therefor.

(2) Kennis van appél teen die intrekking van 'n vergunning kan deur die belanghebbende persoon gegee word per brief gerig aan die Sekretaris, of aan die Landdros, Rehoboth of aan die bestuur van die kindershuis wat die intrekking gelas het. Erkenning van die ontvangs van sodanige brief moet gestuur word aan die persoon wat dit onderteken het en die oorspronklike moet onverwyld aan die Sekretaris gestuur word en 'n afskrif aan die bestuur. Wanneer bedoelde beampte of liggaam 'n brief ontvang waarin appél aangeteken word teen die intrekking van 'n vergunning, word die intrekkingsbevel opgeskort hangende die Minister se beslissing oor die appél, tensy die Minister uitdruklik beveel dat die intrekking van krag moet bly hangende sy beslissing.

44. (1) Die bestuur van 'n kindershuis moet 'n kaartrekord in die toepaslike vorm hou ten opsigte van elke leerling wat met vergunning vrygelaat word en die kaarte moet in chronologiese volgorde gerangskik word volgens die datums waarop die vergunning van leerlinge verstryk.

(2) Die bestuur van die kindershuis moet betyds, voordat die tydperk van vergunning van 'n leerling verstryk, die nodige stappe kragtens artikel 44 (4) doen.

(3) Indien 'n leerling kragtens artikel 44 (3) onder toesig geplaas is, moet die bestuur die toesighouer se aandag vestig op die datum waarop die tydperk van vergunning van die leerling sal verstryk, en laasgenoemde versoek om 'n verslag ingevolge regulasie 42 (2) voor te lê.

45. (1) 'n Aansoek om die verlenging van 'n vergunning deur die Minister of om die oorplasing of ontslag van 'n leerling kragtens artikel 44 (4) (d) moet skriftelik, met vermelding van die gronde vir die aansoek, aan die bestuur en die Landdros, Rehoboth gerig word en die Landdros, Rehoboth moet die aansoek met sy aanbeveling aan die Sekretaris voorlê.

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

(3) Toestemming tot die verlenging van 'n vergunning kragtens subregulasie (2) word verleen in die toepaslike vorm.

(4) Die Landdros, Rehoboth of die verantwoordelike proefbeampte, na gelang van die geval, en die persoon of vereniging van persone onder wie se toesig 'n leerling staan, moet in kennis gestel word van enige beslissing kragtens subregulasie (2).

DEEL V

GOEDGEKEURDE VERENIGINGS

46. (1) Aansoek deur 'n vereniging van persone om deur die Minister kragtens artikel 48 (1) as 'n goedgekeurde vereniging geregistreer te word of om die hernuwing van 'n sertifikaat van goedkeuring, moet skriftelik, in tweevoud, in die vorm deur die Sekretaris bepaal, gedoen en aan die Landdros, Rehoboth voorgelê word.

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

(3) Indien die Minister 'n aansoek wat kragtens subregulasie (2) aan hom voorgelê is, goedkeur, verleen hy aan die vereniging 'n sertifikaat van goedkeuring vir die tydperk wat hy goedgevind, in die vorm deur die Sekretaris bepaal.

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

(2) Notice of appeal against the cancellation of any licence may be given by the interested person by letter addressed to the Secretary or to the Magistrate, Rehoboth or to the management of the children's home which ordered the cancellation. Acknowledgement of receipt of such letter shall be sent to the person who signed it and the original shall forthwith be sent to the Secretary and a copy to the management. On receipt by the said officer or body of a letter noting an appeal against the cancellation of any licence, the order of cancellation shall be stayed pending a decision by the Minister on the appeal, unless the Minister expressly directs that the cancellation shall remain in force pending his decision.

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

(2) The management of the children's home shall timeously, before the expiry of the period of licence of a pupil, take the necessary steps under section 44 (4).

(3) If a pupil has been placed under supervision in terms of section 44 (2), the management shall direct the attention of the supervisor to the date on which the period of licence of such pupil will expire and request him to submit a report in terms of regulation 42 (2).

45. (1) Any application for the extension of a licence by the Minister or for the transfer or discharge of a pupil under section 44 (4) (d) shall be addressed in writing to the management and to the Magistrate, Rehoboth, stating the grounds for the application, and the Magistrate, Rehoboth shall submit the application to the Secretary with his recommendation.

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

(3) Consent to the extension of a licence in terms of subregulation (2) shall be granted in the appropriate form.

(4) The Magistrate Rehoboth or the responsible probation officer, as the case may be, and the person or association of persons charged with the supervision of a pupil shall be informed of any decision under subregulation (2).

PART V

APPROVED AGENCIES

46. (1) Application by an association of persons for registration by the Minister as an approved agency under section 48 (1) for the renewal of a certificate of approval shall be made in writing in such form as the Secretary may determine and submitted in duplicate to the Magistrate, Rehoboth.

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

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

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

47. Die Minister kan as 'n voorwaarde van die verlening van 'n sertifikaat aan 'n vereniging van persone kragtens artikel 48 (1) en hierdie regulasies, of van die hernuwing of wysiging van 'n bestaande sertifikaat van registrasie, vereis dat hy beklee word met die bevoegdheid, desnoods deur wysiging van die konstitusie van die vereniging van persone, om 'n vasgestelde getal of 'n gedeelte van die lede van die bestuur van sodanige vereniging aan te stel: Met dien verstande dat sodanige vereiste nie gestel mag word as 'n voorwaarde van hernuwing of wysiging van 'n bestaande sertifikaat voor die verstryking van drie maande nadat kennis van die Minister se voorneme om sodanige voorwaarde te stel aan die bestuur van die vereniging van persone gegee is nie.

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

(a) sy volle name, bevolkingsgroep, persoons- of identiteitsnommer en geslag;

(b) die datum wanneer die kind onder beheer geneem is;

(c) sy geboortedatum;

(d) sy gewone verblyfplek ten tyde van en na opneming en enige veranderings van verblyfplek wat van tyd tot tyd mag voorkom;

(e) die name en adresse van sy ouers of, as hy 'n weeskind is, van sy voog of, as hy 'n weeskind is en geen voog het nie, van sy naaste bloedverwant;

(f) die datum waarop sy tydperk van aanhouding verstryk;

(g) die magtiging ingevolge die Wet wat hom onder beheer stel; en

(h) 'n aantekening van sy latere oorplasing of ontslag.

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

(a) Alle stukke aangaande die kind wat ten tyde van sy plasing onder beheer ontvang is van die owerheid wat hom aldus plaas;

(b) alle maatskaplike verslae wat van tyd tot tyd deur die vereniging ontvang is van sy eie beamptes of uit enige ander bron;

(c) alle verslae deur die prinsipaal of enige ander onderwyser van 'n skool wat die kind bywoon, hetsy voor of na plasing onder beheer, oor sy skoolprestasies en -vordering, geestes- of liggaamlike gesondheid of ontwikkeling en gedrag;

(d) alle verslae oor enige liggaamlike, psigiatrisse of kliniese sielkundige ondersoek van die kind, en aangaande die resultate van enige behandeling wat toegepas is;

(e) enige ander inligting deur die goedgekeurde vereniging ontvang, wat betrekking het op die bestudering en behandeling van die kind se persoonlikheid of huislike omstandighede; en

(f) enige ander stukke wat op die kind betrekking het.

49. 'n Goedgekeurde vereniging wat, in die uitoefening van die bevoegdheid hom verleen by artikel 48, 'n kind onder sy beheer in die bewaring plaas van sy ouers of voog of van iemand anders, moet aan die ouers of voog of daardie persoon 'n brief van magtiging tot sy ontvangs in die vorm van Vorm 50 besorg en moet 'n afskrif daarvan aan die Landdros, Rehoboth en aan die Sekretaris stuur. Die brief moet onderteken word deur 'n beampte van die vereniging in die algemeen of spesiaal daartoe gemagtig by 'n besluit van die bestuur van die vereniging.

50. (1) 'n Kind wat onder die beheer van 'n goedgekeurde vereniging geplaas is, mag nie deur die vereniging in die bewaring geplaas word van 'n persoon wat nie woonagtig is binne die werkgebied van die vereniging nie

47. The Minister may, as a condition of the grant of a certificate to an association of persons under section 48 (1) and these regulations or of the renewal or amendment of an existing certificate of registration, require the vesting in him, if need be by amendment of the constitution of the association of persons, of powers to appoint a specified number of, or part of, the members of the management of such association: Provided that such requirement shall not be imposed as a condition of renewal or amendment of an existing certificate before the expiry of three months after notice of the Minister's intention to impose such condition shall have been given to the management of the association of persons.

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

(a) his full names, population group, identity number and sex;

(b) the date the child was taken under control;

(c) the date of his birth;

(d) the place of his ordinary residence on and after admission and of such change of residence as may from time to time occur;

(e) the names and addresses of his parents or, if he is an orphan, of his guardian or, if he is an orphan and has no guardian, of his next of kin;

(f) the date of expiry of his period of retention;

(g) the authority in terms of the Act placing him under control; and

(h) a note of his subsequent transfer or discharge.

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

(a) all documents relating to the child received at the time of his placement under control from the authority so placing him;

(b) all social reports received from time to time by the agency from its own officers or from any other source;

(c) all reports by the principal or any other teacher of a school attended by the child, whether before or after his placement under control, on his scholastic attainments and progress, mental or physical health or development and conduct;

(d) all reports on any physical, psychiatric or clinical psychological examination of the child and of the result of any treatment given;

(e) any other information received by the approved agency relevant to the study and treatment of the personality or home circumstances of the child; and

(f) any other documents relating to the child.

49. An approved agency which, in the exercise of the powers vested in it by section 48, places a child under its control in the custody of its parents or guardian or any other person shall deliver to such parents or guardian or person a letter of authority for his reception in the form of Form 50 and shall send a copy thereof to the Magistrate, Rehoboth, and to the Secretary. The letter shall be signed by an officer of the agency authorised thereto either generally or specially by resolution of the management of the agency.

50. (1) A child placed under the control of an approved agency shall not be placed by the agency in the custody of any person not resident within the limits of the area

of, indien die werkgebied van die vereniging uit meer as een landdrosdistrik bestaan, oorgeplaas word van bewaring in een landdrosdistrik na bewaring in 'n ander landdrosdistrik nie.

(2) Indien dit na die mening van 'n goedgekeurde vereniging raadsaam is dat 'n kind onder sy beheer buite sy werkgebied geplaas word of van een landdrosdistrik na 'n ander landdrosdistrik binne sy werkgebied oorgeplaas word, moet die vereniging 'n verslag waarin die feite en omstandighede van die geval en die redes vir sy mening volledig uiteengesit word, aan die Landdros, Rehoboth voorlê, wat dit met sy aanbeveling aan die Sekretaris moet stuur vir 'n beslissing deur die Minister. By oorweging van die verslag kan die Minister 'n bevel ooreenkomstig artikel 50 uitreik vir die oorpasing van die kind na enige bewaring, beheer of toesig wat hy wenslik ag.

(3) Die werkgebied van 'n goedgekeurde vereniging is die landdrosdistrik of -distrikte of gedeelte van die landdrosdistrik of -distrikte wat op die sertifikaat wat kragtens artikel 48 aan hom verleen is, aangedui word.

DEEL VI

VEILIGHEIDSPLEKKE EN PLEKKE VAN BEWARING

51. 'n Register moet in die vorm deur die Sekretaris bepaal, gehou word van kinders en jeugdige wat in 'n veiligheidsplek of plek van bewaring toegelaat is.

52. (1) Die superintendent van 'n veiligheidsplek of plek van bewaring neem nie 'n kind of jeugdige daarin op sonder 'n magtigingsbrief of lasbrief vir die aanhouding van die kind of jeugdige nie.

(2) By die besorging van 'n kind aan 'n veiligheidsplek sien die superintendent toe dat hy van 'n mediese sertifikaat ten opsigte van die kind voorsien word in die vorm deur die Sekretaris bepaal.

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

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

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

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

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

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

of operations of such agency or, if the area of operations of such agency consists of more than one magisterial district, be transferred from custody in one magisterial district to custody in another magisterial district.

(2) If it is, in the opinion of an approved agency, expedient that any child under its control be placed outside its area of operations or be transferred from one magisterial district to another magisterial district within its area of operations, such agency shall submit a report, setting out the facts and circumstances of the case and the reasons for its opinion in full, to the Magistrate, Rehoboth, who shall send it, with his recommendation to the Secretary for decision by the Minister. The Minister may, upon consideration of the report, make such order under section 50 for the transfer of the child to any other custody, control or supervision as he may deem desirable.

(3) The area of operations of any approved agency shall be the magisterial district or districts or portion of a magisterial district or districts indicated in the certificate issued to it in terms of section 48.

PART VI

PLACES OF SAFETY AND PLACES OF DETENTION

51. A register in such form as the Secretary may determine shall be kept of children and juveniles who have been received in a place of safety or place of detention.

52. (1) The superintendent of a place of safety or place of detention shall not receive any child or juvenile therein without a letter of authority or a warrant for the detention of such child or juvenile.

(2) When any child is delivered to a place of safety, the superintendent shall see to it that he is furnished with a medical certificate in respect of such child in such form as the Secretary may determine.

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

(4) Under no circumstances, except by order of court, shall a girl be medically examined with a view to determining whether she is pregnant.

53. (1) The superintendent of a place of safety or place of detention or any person acting on his behalf may authorise any other person, either generally or on any particular occasion, to enter the premises of the place of safety or place of detention with a view to having access to a child or juvenile or for any other purpose and may, in consultation with the Magistrate, Rehoboth prescribe days on and hours during which such premises may be entered.

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

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

(4) The superintendent may open and read any letter written by or addressed to a child or juvenile in a place of safety or place of detention and may withhold any such letter if, in his opinion, it is not desirable that the contents thereof be disclosed to the addressee. Any letter that has been so withheld shall forthwith be sent to the Magistrate, Rehoboth.

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

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

(2) Lyfstraf kan, behoudens subregulasie (3), slegs deur die superintendent in die teenwoordigheid van 'n beamppte aangewys deur die Landdros, Rehoboth (maar nie in teenwoordigheid van 'n ander kind of jeugdige nie) toegedien word.

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

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

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

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

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

(8) Slegs in gevalle van onbeheersbaarheid mag kinders en jeugdiges, met die goedkeuring van die Landdros, Rehoboth in afsondering gehou word.

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

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

56. (1) Die superintendent van 'n veiligheidsplek of plek van bewaring moet by dié geleenthede en vir dié doeleindes wat 'n proefbeamppte vereis, verslag doen in die vorm deur die Sekretaris bepaal oor die gedrag, vordering of welstand van 'n kind of jeugdige.

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

DEEL VII

GELDELIKE ONDERSTEUNING

57. Geldelike ondersteuning wat kragtens artikel 89 (1) en (2) deur die Minister toegestaan word, kan in een of meer van onderstaande vorme betaal word:

- (a) Hoofdelike toelaes.
- (b) Jaarlikse toelaes.
- (c) Spesiale toelaes.
- (d) Bykomende bedrae betaalbaar benewens die toelaes in paragraaf (a) of (b) genoem.

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

55. (1) It shall be the responsibility of the superintendent of a place of safety or place of detention to maintain discipline in such place.

(2) Corporal punishment may, subject to subregulation (3), be inflicted only by the superintendent in the presence of such officer as may be designated by the Magistrate, Rehoboth (but not in the presence of any other child or juvenile).

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

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

(5) Under no circumstances shall corporal punishment be inflicted on a girl.

(6) If it is suspected that corporal punishment might adversely affect the health of any child or juvenile the district surgeon shall be consulted beforehand.

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

(8) Only in cases of uncontrollability may children or juveniles, with the approval of the Magistrate, Rehoboth, be kept in isolation.

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

(10) A register, to be referred to as a Punishment Book, shall be kept at every place of safety and place of detention and in it the following shall be recorded: The name of the child or juvenile who has been punished; the date and nature of the transgression; the date and nature of the punishment, the name of the officer who authorised the infliction of corporal punishment; the name of the officer who inflicted corporal punishment and the name of the officer in whose presence the corporal punishment was inflicted.

Every entry in the register shall be signed by the superintendent, and such register shall at least once every month be scrutinised and signed by the Magistrate, Rehoboth.

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

(2) The superintendent shall, for the purposes of subregulation (1), keep an Observer Register, in which he shall record particulars of the personality, conduct and particular qualities of any child or juvenile detained in the place of safety or place of detention for more than a week.

PART VII

FINANCIAL ASSISTANCE

57. Any financial assistance granted by the Minister in terms of section 89 (1) and (2) may be in one or more of the following forms:

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

HOOFDELIKE TOELAES

Persone of instansies wat vir 'n toelae in aanmerking kom

58. (1) 'n Hoofdelike toelae kan, behoudens die bepalinge van hierdie regulasies en volgens die skale in regulasie 69, 70 en 71 uiteengesit, betaal word vir—

(a) die onderhoud van die ouer van 'n kind wat in so 'n ouer se bewaring is en ten opsigte van wie daar ingevolge paragraaf (b) 'n toelae toegeken is; of

(b) die onderhoud van 'n kind deur sy ouer; of

(c) (i) die onderhoud van 'n kind deur 'n persoon wat nie sy ouer is nie en in wie se bewaring die kind geplaas is kragtens 'n bepaling van die Wet of kragtens artikel 342 van die Strafproseswet, 1955 (Wet 56 van 1955); of

(ii) die onderhoud van 'n kind deur sy voog indien daar volgens die oordeel van die Minister geen genoegsame bates nagelaat is vir die onderhoud van so 'n kind nie; of

(d) die onderhoud van 'n leerling wat kragtens die Wet na 'n kindershuis verwys is; of

(e) die versorging van 'n persoon onder die leeftyd van een-en-twintig jaar wat kragtens die Wet of die Strafproseswet, 1955 (Wet 56 van 1955), in 'n veiligheidsplek of 'n plek van bewaring geplaas is.

(2) 'n Toelae kan, behoudens die bepalinge van hierdie regulasies en volgens die skaal in regulasie 72 uiteengesit, aan 'n vereniging van persone betaal word vir die versorging van kinders oor die ouderdom van een maand en onder sewe jaar van *bona fide* werkende moeders wat noodwendig buitenshuis moet werk of *bona fide* werksoekende moeders wat hulle werk verloor het.

(3) Vir die doeleindes van hierdie deel van die regulasies beteken die woord "ouer" ook "stiefouer".

AANSOEK OM 'N TOELAE

59. (1) 'n Aansoek om 'n toelae ingevolge regulasie 58 (1) (a), (b) of (c) gedoen in die vorm deur die Sekretaris bepaal moet aan die Landdros, Rehoboth voorgelê word en moet na sertifisering aan die Sekretaris gestuur word.

(2) In enige geval waar om 'n toelae ingevolge regulasie 58 (1) (b) aansoek gedoen word, moet die geboortesertifikaat of doopseel van die kind deur die ouer of voog voorgelê word. Indien sodanige sertifikaat nie voorgelê of verkry kan word nie, kan die Minister ander dokumentêre bewys van die kind se ouderdom, wat hy as bevredigend beskou, aanvaar. Indien geen sodanige dokumentêre bewys gelewer kan word nie, kan die kommissaris van kindersorg, of 'n senior beamppte van die Departement van Kleurling-, Rehoboth- en Namabetrekkings, na gelang van die geval, die kind se ouderdom volgens skatting vasstel.

(3) 'n Aansoek om 'n toelae ingevolge regulasie 58 (1) (d) moet in die vorm deur die Sekretaris bepaal, gedoen word en moet aan die Sekretaris gestuur word.

(4) 'n Aansoek om 'n toelae ingevolge regulasie 58 (1) (e) moet in die vorm deur die Sekretaris bepaal gedoen word en moet aan die Sekretaris gestuur word.

(5) 'n Aansoek om 'n toelae ingevolge regulasie 58 (2) moet op die vorm deur die Sekretaris bepaal, gedoen word, en moet aan die Landdros, Rehoboth gestuur word.

60. Die Minister oorweeg iedere aansoek wat ingevolge regulasie 59 aan die Sekretaris gestuur is, en bepaal, met inagneming van enige verdere inligting wat aan hom verstrekk is, of die applikant 'n toelae behoort te ontvang al dan nie, en indien hy wel van oordeel is dat die aansoeker 'n toelae behoort te ontvang, stel hy die bedrag van die toelae vas.

CAPITATION GRANTS

Persons or bodies eligible for a grant

58. (1) A capitation grant may, subject to the provisions of these regulations and in accordance with the scales set out in regulations 69, 70 and 71 be paid for—

(a) the maintenance of the parent of any child who is in the custody of such parent and in respect of whom a grant has been made in terms of paragraph (b); or

(b) the maintenance of any child by his parent; or

(c) (i) the maintenance of any child by a person who is not his parent and in whose custody the child has been placed in terms of a provision of the Act or in terms of section 342 of the Criminal Procedure Act, 1955 (Act 56 of 1955); or

(ii) the maintenance of any child by his guardian, if in the opinion of the Minister inadequate assets have been left for the maintenance of such child; or

(d) the maintenance of any pupil who has in terms of the Act been committed to a children's home; or

(e) the care of any person under the age of 21 years who has, in terms of the Act or the Criminal Procedure Act, 1955 (Act 56 of 1955), been placed in a place of safety or place of detention.

(2) A grant may be made, subject to the provisions of these regulations and in accordance with the scale set out in regulation 72, to an association of persons for the care of children over the age of one month and under seven years of bona fide working mothers who must of necessity work away from their homes or bona fide work-seeking mothers who have lost their employment.

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

APPLICATION FOR A GRANT

59. (1) An application for a grant in terms of regulation 58 (1) (a), (b) or (c), made in such form as the Secretary may determine, shall be submitted to the Magistrate, Rehoboth, and shall be sent to the Secretary after certification.

(2) In any case where application is made for a grant in terms of regulation 58 (1) (b), the birth or baptismal certificate of the child shall be produced by the parent or guardian. If such certificate cannot be produced or obtained, the Minister may accept such other documentary evidence as to the age of the child as he may consider satisfactory. If no such documentary evidence can be produced, the commissioner of child welfare or a senior officer of the Department of Coloured, Rehoboth and Nama Relations, as the case may be, may by estimate determine the age of such child.

(3) An application for a grant in terms of regulation 58 (1) (d) shall be made in such form as the Secretary may determine and shall be sent to the Secretary.

(4) An application for a grant in terms of regulation 58 (1) (e) shall be made in such form as the Secretary may determine and shall be sent to the Secretary.

(5) An application for a grant in terms of regulation 58 (2) shall be made in such form as the Secretary may determine and shall be sent to the Magistrate, Rehoboth.

60. The Minister shall consider every such application as may be sent to the Secretary in terms of regulation 59 and, having regard to such further information as may be supplied to him, shall determine whether the applicant should or should not receive a grant and if he considers that the applicant should receive a grant, he shall determine the amount thereof.

TYDPERK WAARVOOR TOELAE BETAALBAAR IS

61. (1) 'n Toelae wat ingevolge regulasie 58 (1) (a) of (b) toegestaan word, is betaalbaar vanaf die eerste dag van die maand waarin aansoek om die toelae gedoen is en word nie betaal na afloop van die jaar waarin die kind die ouderdom van 18 jaar bereik nie: Met dien verstande dat in die geval van 'n toelae vir die onderhoud van 'n kind wie se ouer tot gevangenisstraf vir 'n tydperk van ses maande of langer gevonnis is of wat beveel is om vir 'n tydperk van ses maande of langer in 'n Staat- of Staatsondersteunde inrigting aangehou te word, die toelae betaal kan word met ingang van die datum van sodanige vonnis of bevel, na gelang van die geval.

(2) 'n Toelae wat ingevolge regulasie 58 (1) (c) toegestaan is, is betaalbaar vanaf die datum waarop 'n kind vir die eerste keer kragtens magtiging verleen by of kragtens 'n bepaling van die Wet, of van die Strafproseswet, 1955 (Wet 56 van 1955), in die bewaring van 'n pleegouer geplaas is, tensy die Minister gelas dat dit vanaf 'n later datum 'n aanvang moet neem, en sal normaalweg nie betaal word na die einde van die jaar waarin die kind die ouderdom van 18 jaar bereik nie.

(3) 'n Toelae wat ingevolge regulasie 58 (1) (d) of (e) toegestaan word, moet, tensy die Minister gelas dat dit vanaf 'n later datum geskied, betaal word met ingang van die datum waarop die leerling of persoon vir die eerste keer in 'n kindershuis, veiligheidsplek of plek van bewaring opgeneem is kragtens magtiging verleen by of kragtens 'n bepaling van die Wet, of van die Strafproseswet, 1955 (Wet 56 van 1955), en moet gemagtig word vir die tydperk van aanhouding van die leerling of persoon daarin, of vir 'n korter tydperk wat die Minister in enige bepaalde geval uitdruklik bepaal.

(4) 'n Toelae wat vir die onderhoud van 'n kind of leerling ingevolge regulasie 58 (1) (c) of (d) toegestaan is, kan ondanks die afwesigheid van die kind of leerling uit die bewaring waarin hy geplaas is, of van die kindershuis waarna hy verwys is, betaal word—

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

(b) vir 'n tydperk wat die kind of leerling met vakansieverlof is: Met dien verstande dat gedurende enige kalenderjaar die tydperk nie die totale getal skoolvakansiedae wat vir daardie jaar vir skole in die Gebied vasgestel is, oorskry nie;

(c) vir 'n tydperk wat die kind of leerling met naweekverlof of spesiale verlof is: Met dien verstande dat in die geval van spesiale verlof die tydperk nie veertien dae per geleentheid oorskry nie;

(d) vir 'n tydperk van hoogstens negentig dae wat die kind of leerling in 'n hospitaal of ander soortgelyke inrigting verkeer.

VOORWAARDES WAAROP TOELAES BETAAL WORD

62. (1) Dit is 'n voorwaarde van elke toelae wat ingevolge regulasie 58 (1) (a), (b), (c), (d) of (e) vir die onderhoud van 'n kind, leerling of persoon toegestaan is—

(a) dat die kind, leerling of persoon moet bly in die bewaring van die persoon of in die kindershuis, veiligheidsplek of plek van bewaring waarin hy was toe die magtiging tot die betaling van die toelae verleen is, of in enige ander bewaring waarin hy met die goedkeuring van die Minister geplaas is, of in die bewaring van kindershuis waarna hy deur die Minister oorgeplaas is;

PERIOD FOR WHICH GRANT IS PAYABLE

61. (1) A grant made in terms of regulation 58 (1) (a) or (b) shall be payable from the first day of the month in which such a grant was applied for but shall not be paid after the end of the year in which the child attains the age of 18 years: Provided that in the case of any grant for the maintenance of a child whose parent has been sentenced to imprisonment for six months or longer or who has been ordered to be detained in a State or State-aided institution for six months or longer, the grant may be paid from the date of the sentence or order, as the case may be.

(2) A grant made in terms of regulation 58 (1) (c) shall be payable from the date on which a child has, for the first time, been placed in the custody of a foster parent in terms of authority conferred by or under any provision of the Act or of the Criminal Procedure Act, 1955 (Act 56 of 1955), unless the Minister directs that it shall commence from a later date, and it will normally not be paid after the end of the year in which the child attains the age of 18 years.

(3) A grant made in terms of regulation 58 (1) (d) or (e) shall be paid from the date on which the pupil or person has, for the first time, in terms of authority conferred by or under any provision of the Act or of the Criminal Procedure Act, 1955 (Act 56 of 1955) been admitted to a children's home or received in a place of safety or place of detention, unless the Minister directs that it shall commence from a later date, and it shall be authorised for the period of detention therein of the pupil or person or for such shorter period as the Minister may specifically direct in any particular case.

(4) A grant made for the maintenance of a child or pupil in terms of regulations 58 (1) (c) or (d) may, notwithstanding the absence of the child or pupil from the custody in which he has been placed or from the children's home to which he has been committed, be paid—

(a) for a period not exceeding fourteen days per abscondment of the child or pupil: Provided that for the purposes of this regulation a child or pupil shall not be deemed to have absconded if he fails to return to the foster parent's or children's home on the expiry of leave of absence;

(b) for such period as the child or pupil is on vacation leave: Provided that during any calendar year the period shall not exceed the total number of school holidays that has been laid down for that year for schools in the Territory;

(c) for such period as the child or pupil is on weekend or special leave: Provided that in the case of special leave the period shall not exceed fourteen days at a time;

(d) for any period not exceeding ninety days during which a child or pupil is accommodated in a hospital or similar institution.

CONDITIONS UPON WHICH GRANTS ARE PAID

62. (1) It shall be a condition of every grant for the maintenance of a child, pupil or person made in terms of regulation 58 (1) (a), (b), (c), (d) or (e)—

(a) that the child, pupil or person shall remain in the custody of the person, the children's home, place of safety or place of detention in which he was at the time payment of the grant was authorised, or in any other custody in which he has been placed with the approval of the Minister or in the custody of children's home to which he has been transferred by the Minister;

(b) dat die kind, leerling of persoon behoorlik gehuisves, gevoed en geklee moet word en die nodige mediese en tandheelkundige behandeling moet ontvang;

(c) dat die kind of leerling, indien hy van skoolgaande ouderdom is, gereeld die skool moet besoek, tensy hy om 'n rede wat deur die Minister as gegrond beskou word, verhinder word om dit te doen;

(d) dat die ouer, voog of pleegouer, aan wie 'n toelae betaal word, redelike toegang tot die kind en tot die huis waarin die kind woon, moet verleen aan die amptenaar van 'n vereniging van persone of aan 'n persoon wat kragtens 'n bepaling van die Wet of van hierdie regulasies aangewys is om toesig oor die kind uit te oefen solank hy in bedoelde ouer, voog of pleegouer se bewaring is, en van tyd tot tyd inligting moet verstrek wat redelikerwys deur so 'n amptenaar of persoon vereis word; en dat so 'n ouer, voog of persoon moet voldoen aan die voorskrifte wat in verband met die besteding van die toelae gegee word deur 'n persoon of die amptenaar van 'n vereniging wat ingevolge regulasie 63 benoem is om die besteding van die toelae te beheer.

(2) Dit is 'n voorwaarde van elke toelae wat ingevolge regulasie 58 (2) gemaak is—

(a) dat die ure van 'n versorgingsoord moet strek van 07h00 tot 18h00 van Maandae tot Vrydae en van 07h00 tot 13h00 (waar nodig tot 14h30) op Saterdag: Met dien verstande dat—

(i) die toelae betaal kan word ten opsigte van kinders wat versorgingsoorde op Sondae en openbare vakansiedae bywoon, mits hulle kinders van *bona fide* werkende moeders is, wie se diensvoorwaardes bepaal dat hulle op Sondae of openbare vakansiedae moet werk;

(ii) indien die bestuurders van 'n versorgingsoord van mening is dat daar nie voldoende regverdiging bestaan om of versorgingsoord gedurende die voorgeskrewe ure en dae oop te hou nie, hulle dit kan sluit;

(iii) geen toelae betaalbaar is ten opsigte van tydperke waartydens 'n versorgingsoord gesluit is nie; en

(b) dat maaltye en/of versnaperings aan 'n kind verskaf word wat met etenstye en/of teetee teenwoordig is; en

(c) dat die Minister die reg het om te eniger tyd 'n versorgingsoord, sy boeke, dokumente of registers te laat inspekteer.

WYSE VAN BETALING VAN TOELAES

63 (1) Tensy die Minister uitdruklik anders gelas, is 'n toelae wat ingevolge regulasie 58 (1) (a), (b) of (c) toegestaan word, maandeliks agterna betaalbaar, en dit moet aan die applikant of aan 'n ander bevoegde persoon of vereniging van persone wat deur die Minister benoem is, betaal word om deur so 'n persoon of vereniging vir die onderhoud van die ouer, voog of kind bestee te word, en die Minister kan verder so 'n persoon of vereniging benoem om toesig oor die kind te hou: Met dien verstande dat die Minister te eniger tyd, na goeddunke, voormelde benoeming kan herroep of wysig.

(2) 'n Toelae wat ingevolge regulasie 58 (1) (d) of (e) of ingevolge regulasie 58 (2) toegestaan word, is maandeliks betaalbaar of, in die geval van leerlinge in 'n kinderhuis, by sodanige tussenpose, by wyse van voor-skotte, indien nodig, as wat die Minister mag bepaal.

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

(b) that the child, pupil or person shall be properly housed, fed and clothed and receive the necessary medical and dental treatment;

(c) that the child or pupil, if of school-going age, shall, unless he is prevented from doing so for such reasons as the Minister may consider sound, regularly attend school;

(d) that the parent, guardian or foster parent to whom a grant is made shall allow reasonable access to the child, and to the home in which the child lives, by the officer of any association of persons or by any person appointed in terms of a provision of the Act or of these regulations to supervise the child while in the custody of such parent, guardian or foster parent and shall from time to time furnish such information as may reasonably be required by such officer or person; and that such parent, guardian or person shall comply with any directions as to the expenditure of the grant given by any person or the officer of any association appointed under regulation 63 to control the spending of the grant.

(2) It shall be a condition of every grant made in terms of regulation 58 (2)—

(a) That the hours of a place of care shall be from 07h00 to 18h00 from Mondays to Fridays and from 07h00 to 13h00 (to 14h30 if necessary) on Saturdays: Provided that—

(i) the grant may be paid in respect of children attending places of care on Sundays and public holidays, provided they are children of *bona fide* working mothers whose conditions of employment provide that they shall work on Sundays or public holidays;

(ii) if the managers of a place of care are of the opinion that there is not sufficient justification for keeping the place of care open during the prescribed hours and days, they may close it; and

(iii) no grant shall be payable in respect of any period during which the place of care is closed;

(b) that every child who is present at meal and/or tea-times be served with meals and/or snacks; and

(c) that the Minister shall have the right to cause a place of care or its books, documents or registers to be inspected at any time.

MANNER OF PAYMENT OF GRANTS

63 (1) Unless the Minister expressly directs otherwise, a grant made in terms of regulation 58 (1) (a), (b) or (c) shall be payable monthly in arrear and shall be paid to the applicant or to such other competent person or association of persons as may be appointed by the Minister to be expended by such person or association on the maintenance of the parent, guardian or child and the Minister may further appoint such person or association to supervise the child: Provided that the Minister may further appoint such person or association to supervise the child: Provided that the Minister may at any time, at his discretion, revoke or vary such appointment.

(2) A grant made in terms of regulation 58 (1) (d) or (e) or regulation 58 (2) shall be payable monthly or, in the case of pupils in a children's home, in the form of advances, if necessary, at such intervals as the Minister may determine.

(3) Any advance made in terms of subregulation (2) shall be based on estimated requirements for a stipulated period and at the expiry of such period the necessary adjustments shall be made according to the actual number of pupils cared for.

HERSIENING EN INTREKKING OF VERANDERING VAN TOELAE

64. (1) 'n Toelae wat ingevolge regulasie 58 (1) (a), (b) of (c) toegestaan is, kan te eniger tyd gedurende die tydperk waarvoor betaling daarvan gemagtig is, deur die Minister in hersiening geneem word by gereelde tussenpose of na gelang hy besluit.

(2) Indien die Minister daarvan oortuig is—

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

(b) dat die bedrag van die toelae groter of kleiner is as die bedrag wat die persoon ooreenkomstig die bepalings van regulasie 69 of 70 behoort te ontvang; kan hy na gelang van omstandighede—

(i) die toelae intrek; of

(ii) die toelae in ooreenstemming met die bepalings van regulasies 69 en 70 verminder of verhoog, met ingang van die datum, met inbegrip van 'n datum in die verlede, wat hy bepaal.

TOELAES KAN NIE AFGESTAAN WORD EN DAAR KAN NIE OP 'N TOELAE BESLAG GELE WORD NIE

65. Geen toelae kan afgestaan, oorgedra of andersins gesedeer, verpand of verhipotekeer word nie, en is ook nie vir beslaglegging of enige vorm van eksekusie kragtens 'n vonnis of bevel van 'n geregshof vatbaar nie, en indien enigeen wat 'n toelae ontvang poog om dit oor te maak, oor te dra of andersins te sedeer of te verpand of te verhipotekeer, kan betaling van die toelae teruggehou, opgeskort of geheel en al gestaak word, indien die Minister aldus bepaal.

KENNISGEWING VAN VERANDERING VAN OMSTANDIGHED

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

(2) In geval van die dood van die ouer, voog of pleegouer van die kind aan wie 'n toelae vir die onderhoud van daardie kind betaalbaar is, of indien enige ander omstandigheid so 'n ouer, voog of pleegouer verhinder om die kind langer te onderhou, moet die Landdros, Rehoboth die Sekretaris onmiddellik daarvan in kennis stel en hom meedeel aan wie voorgestel word dat die toelae intussen betaal word totdat die kind in ander wettige bewaring geplaas is.

JAARLIKSE TOELAES

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

(a) Aan 'n vereniging van persone wat 'n kinderhuis bestuur, benewens 'n toelae toegeken ingevolge regulasie 58 (1) (d), vir uitgawes in verband met die betaling van salarisse van personeel in diens by die kinderhuis;

(b) aan 'n vereniging van persone wat 'n veiligheidsplek of plek van bewaring bestuur, 'n bedrag gelyk aan die totale koste deur hom goedgekeur en deur die vereniging aangeaan vir die onderhoud van kinders wat daarin geplaas is kragtens magtiging verleen by of ingevolge 'n bepaling van die Wet of van die Strafproseswet, 1955 (Wet 56 van 1955), vir 'n tydperk van 'n jaar of minder, en vir die instandhouding en bestuur van die veiligheidsplek of plek van bewaring;

(c) aan 'n vereniging van persone wat 'n versorgingsoord bestuur, 'n bedrag gelyk aan 75 persent van die werklike huurgeld vir 'n gebou, tot 'n maksimum bedrag wat van tyd tot tyd deur die Tesourie bepaal word.

REVIEW AND WITHDRAWAL OR VARIATION OF GRANT

64. (1) A grant made in terms of regulation 58 (1) (a), (b) or (c) may, at any time during the period for which payment thereof has been authorised, be reviewed by the Minister at regular intervals or as the Minister may determine.

(2) If the Minister is satisfied—

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

(b) that the amount of the grant is greater or smaller than the amount which such person should receive in accordance with the provisions of regulation 69 or 70, he may, as circumstances require—

(i) withdraw the grant; or

(ii) decrease or increase the grant in accordance with the provisions of regulations 69 and 70 with effect from such date, including any past date, as he may determine.

GRANTS NOT ASSIGNABLE OR EXECUTABLE

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

NOTIFICATION OF CHANGE OF CIRCUMSTANCES

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

(2) In the event of the death of the parent, guardian or foster parent of a child to whom a grant is payable for the maintenance of such child, or in the event of any other circumstances preventing such parent, guardian or foster parent from continuing to maintain the child, the Magistrate, Rehoboth, shall immediately inform the Secretary thereof and advise him to whom it is proposed in the meantime to continue payment of the grant until the child is placed in other lawful custody.

ANNUAL GRANTS

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

(a) In addition to a grant made in terms of regulation 58 (1) (d), to any association of persons conducting a children's home for expenditure incurred in connection with the payment of salaries of staff employed at such children's home.

(b) To any association of persons conducting a place of safety or place of detention, an amount equal to the total costs approved by him and incurred by such association for the maintenance of children placed therein in terms of authority conferred by or under any provision of the Act or of the Criminal Procedure Act, 1955 (Act 56 of 1955), for a period of a year or less, and for the maintenance and conduct of such place of safety or place of detention.

(c) To any association of persons conducting a place of care, an amount equal to 75 per cent of the actual rent of a building to such maximum amount as the Treasury may determine from time to time.

(2) Die betaling van 'n jaarlikse toelae ingevolge subregulasie (1) (b), is onderworpe aan die voorwaardes in regulasie 62 (1) (a), (b) of (c) genoem, en aan die ander voorwaardes wat die Minister in enige bepaalde geval mag stel, en die Minister kan, voordat hy 'n toelae of 'n gedeelte daarvan betaal, vereis dat die vereniging hom daarvan moet oortuig dat enige van of al die voorwaardes van die toelae nagekom is.

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

SPEZIALE TOELAES

68. (1) Benewens 'n toelae betaalbaar ingevolge regulasie 58 (1) (d), kan die Minister aan 'n vereniging van persone wat 'n kindershuis bestuur of voornemens is om 'n kindershuis op te rig, 'n spesiale toelae vir enige doeleindes deur hom goedgekeur, toeken.

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

PERSONE WAT OP 'N OUER- OF KINDERTOELAE GERECHTIG IS EN BEDRAG VAN TOELAES

69. (1) Ondanks die bepalings van die Wet en hierdie regulasies word 'n ouertoelae aan 'n ouer betaal op voorwaarde dat sy 'n vrou is—

(a) wat ongetroud, geskei of 'n weduwee is;

(b) wie se man haar vir 'n tydperk van minstens ses maande verlaat het;

(c) wie se man 'n maatskaplike pensioen ontvang of wat, as dit nie was vir sy jaarlikse inkomste en ander middele of verblyfkwelifikasies nie, bevoeg sou wees om sodanige pensioen te ontvang;

(d) wie se man totaal ongeskik verklaar is om vir 'n tydperk van minstens ses maande lonende werk te onderneem; of

(e) wie se man vir 'n tydperk van minstens ses maande tot gevangenisstraf veroordeel is of kragtens 'n bevel vir 'n tydperk minstens ses maande in 'n Staats- of Staatsondersteunde inrigting aangehou moet word.

(2) Ondanks die bepalings van subregulasie (1) word 'n ouertoelae nie aan 'n vrou betaal nie indien sy 'n maatskaplike pensioen ontvang.

(3) Behoudens die bepalings van die Wet en hierdie regulasies—

(a) beloop die ouertoelae wat aan 'n persoon toegeken word, die bedrag van hoogstens R462 per jaar wat die Sekretaris met inagneming van die omstandighede, jaarlikse inkomste en ander middele van die gesin vasstel;

(b) word 'n ouertoelae nie aan 'n persoon toegeken teen so 'n skaal dat die gesin se jaarlikse inkomste en ander middele tesame met die ouertoelae die bedrag van R714 te bowe gaan nie;

(c) word die bedrag van die ouertoelae wat toegeken word aan 'n persoon met R12 per jaar verminder vir iedere R12 of gedeelte daarvan waarmee die gesin se jaarlikse inkomste en ander middele die bedrag van R252 te bowe gaan en word, ondanks die bepalings van paragraaf (b), geen ouertoelae aan 'n persoon betaal nie indien die gesin se jaarlikse inkomste en ander middele die bedrag van R492 per jaar oorskry;

(d) word slegs die helfte van die gesamentlike jaarlikse inkomste van 'n gesin by die oorweging van 'n ouertoelae in aanmerking geneem; en

(2) The payment of an annual grant in terms of subregulation (1) (b) shall be subject to the conditions contained in regulation 62 (1) (a), (b) or (c) and such other conditions as the Minister may in any particular case impose and the Minister may, before he pays any grant or portion thereof, require the association to satisfy him that any or all of the conditions of the grant have been complied with.

(3) The grant made in terms of subregulation (1) may be paid in such instalments and at such intervals as the Minister may decide.

SPECIAL GRANTS

68. (1) In addition to any grant payable in terms of regulation 58 (1) (d), the Minister may make a special grant for any purposes approved by him to an association of persons that conducts a children's home or proposes to establish a children's home.

(2) An application for a special grant in terms of subregulation (1) shall be made in such form as the Secretary may determine and shall be sent to the Secretary.

PERSONS ENTITLED TO PARENTS' OR CHILDREN'S GRANTS AND AMOUNT THEREOF

69. (1) A parent's grant shall, notwithstanding the provision of the Act and these regulations, be paid to a parent, provided such parent is a woman—

(a) who is unmarried, divorced or a widow;

(b) who has been deserted by her husband for a period of six months or longer;

(c) whose husband is in receipt of a social pension or would, were it not for his annual income and other means or residential qualifications, have been eligible for such pension;

(d) whose husband has been certified totally unfit to undertake remunerative work for a period of at least six months; or

(e) whose husband has been sentenced to imprisonment for a period of at least six months or has been ordered to be detained in a State or State-aided institution for a period of at least six months.

(2) A parent's grant shall, notwithstanding the provisions of subregulation (1), not be paid to a woman who is in receipt of a social pension.

(3) Subject to the provisions of the Act and of these regulations—

(a) a parent's grant made to any person shall be of such amount, but not exceeding R462 per annum, as the Secretary may determine, having regard to the circumstances, annual income and other means of the family in question;

(b) no parent's grant shall be made to any person at such a rate as to cause the family's annual income and other means, including the parent's grant, to exceed an amount of R714;

(c) the amount of a parent's grant made to any person shall be reduced by R12 per annum for every R12 or part thereof by which the family's annual income and other means exceed an amount of R252 and notwithstanding the provisions of paragraph (b), no parent's grant shall be paid to any person if the family's annual income and other means exceed an amount of R492 per annum;

(d) in considering a parent's grant only half of the joint annual income of a family shall be taken into account; and

(e) vir doeleindes van hierdie regulasies word, by die bepaling van 'n gesin se inkomste en ander middele, 'n gesin geag te bestaan uit die ouer of ouers van iedere kind wat 'n nakomeling van een of albei van hulle is en deur een of albei van hulle onderhou word.

(4) Behoudens die bepalings van die Wet en hierdie regulasies—

(a) beloop die kindertoelae wat aan 'n persoon toegeken word, die bedrag van hoogstens—

(i) R85,80 per jaar ten opsigte van iedereen van die eerste twee kinders van die gesin; en

(ii) R73,80 per jaar ten opsigte van iedereen van die derde en vierde kind van die gesin.

(b) word, ondanks die bepalings van paragraaf (a), 'n kindertoelae nie aan 'n persoon toegeken teen so 'n skaal dat dit die bedrag van R319,20 per jaar te bowe gaan nie;

(c) word 'n kindertoelae nie aan 'n persoon toegeken teen so 'n skaal dat die gesin se jaarlikse inkomste en ander middele tesame met sodanige toelae, ouertoelae en maatskaplike pensioen 'n totale bedrag oorskry wat bereken word teen R498 per jaar plus R97,80 per jaar ten opsigte van elk van die eerste twee kinders en R85,80 per jaar ten opsigte van elk van die derde en die vierde kind van die gesin;

(d) word die bedrag van die kindertoelae wat aan 'n persoon toegeken word met R12 per jaar verminder vir iedere R12 of gedeelte daarvan waarmee die jaarlikse inkomste en ander middele van sodanige gesin 'n bedrag bereken teen R498 per jaar plus R12 per jaar ten opsigte van elk van die eerste vier kinders van die gesin, te bowe gaan;

(e) word slegs die helfte van die gesamentlike jaarlikse inkomste van 'n gesin by die oorweging van die kindertoelae in aanmerking geneem;

(f) word enige ouertoelae of maatskaplike pensioen vir die doeleindes van paragraaf (c) geag die bedrag van R246 per jaar nie te oorskry nie;

(g) word enige kindertoelae wat 'n persoon ontvang vir die doeleindes van subregulasie (5) geag die bedrag van R36 per jaar ten opsigte van elk van die eerste twee kinders, R24 per jaar ten opsigte van die derde kind en R12 per jaar ten opsigte van die vierde kind van die gesin nie te oorskry nie.

(5) Ondanks die bepalings van subregulasie (4) word geen kindertoelae aan 'n persoon betaal indien die gesin se jaarlikse inkomste en ander middele 'n bedrag bereken teen R534 per jaar ten opsigte van die eerste kind, R582 per jaar ten opsigte van die tweede kind, R618 per jaar ten opsigte van die derde kind en R642 per jaar ten opsigte van die vierde kind oorskry nie.

(6) Aan iedere weduwee, wewenaar, ongetroude, geskeie of verlate persoon wat 'n toelae ingevolge hierdie regulasie ontvang, kan 'n bykomende toelae van R48 per jaar betaal word.

(7) By die bepaling van 'n gesin se ander middele, word enige bates wat 'n lid van die gesin aan iemand anders geskenk het, en enige bates waarvan 'n lid van die gesin vruggebruik gehou het waarvan afstand gedoen is, in aanmerking geneem: Met dien verstande dat sodanige bates nie in aanmerking geneem word nie indien 'n tydperk van vyf jaar verstryk het na die datum van skenking of die datum waarop afstand van die vruggebruik gedoen is.

(8) By die toepassing van hierdie regulasie beteken—

(a) "bates"—

(i) enige onroerende eiendom, kontantbeleggings, belang in die aandele, aandeelkapitaal of bates van 'n maatskappy of ander instelling, kapitaal in 'n sakeonderneming belê, en kontant voorhande of in 'n lopende rekening by 'n bank of ander finansiële instelling;

(e) in determining any family's income and other means, such family shall for the purposes of these regulations, be deemed to consist of the parent or parents of each child who is an offspring of one or both of them and is maintained by one or both of them.

(4) Subject to the provisions of the Act and of these regulations—

(a) a children's grant made to any person shall not exceed:

(i) R85,80 per annum in respect of each of the first two children in the family; and

(ii) R73,80 per annum in respect of each of the third and fourth child in the family;

(b) notwithstanding the provisions of paragraph (a) no children's grant shall be made to any person at such a rate as to exceed an amount of R319,20 per annum;

(c) no children's grant shall be made to any person at such a rate as to cause the family's annual income and other means, together with such grant, parent's grant and social pension, to exceed a total amount calculated at R498 per annum plus R97,80 per annum in respect of each of the first two children and R85,80 per annum in respect of each of the third and fourth child in the family;

(d) the amount of the children's grant made to any person shall be reduced by R12 per annum for every R12 or part thereof by which the annual income and other means of such family exceed and amount calculated at R498 per annum plus R12 per annum in respect of each of the first four children in the family;

(e) in considering a children's grant, only one half of the combined annual income of a family shall be taken into account;

(f) any parent's grant or social pension shall for the purposes of paragraph (c) be regarded as not exceeding an amount of R246 per annum;

(g) a children's grant made to any person shall for the purposes of subregulation (5) be regarded as not exceeding an amount of R36 per annum in respect of each of the first two children, R24 per annum in respect of the third child and R12 per annum in respect of the fourth child in the family.

(5) Notwithstanding the provisions of subregulation (4) no children's grant shall be paid to any person if the family's annual income and other means exceed an amount calculated at R534 per annum in respect of the first child, R582 per annum in respect of the second child, R618 per annum in respect of the third child and R642 per annum in respect of the fourth child.

(6) An additional grant of R48 per annum may be paid to any widow, widower, unmarried, divorced or deserted person who is in receipt of an allowance in terms of this regulation.

(7) In determining a family's other means, any assets donated by a member of the family to some other person and any assets of which a member of the family had a usufruct which he relinquished shall be taken into account: Provided that, after the expiry of five years after the date of donation or the date of relinquishment of the usufruct, such assets shall not be taken into account.

(8) For the purposes of this regulation—

(a) "assets" means—

(i) any immovable property, cash investments, interest in the shares, share capital or assets of a company or other institution, capital invested in any business concerned and cash in hand or in a current account at any bank or other financial institution;

(ii) enige vruggebruik van onroerende eiendom, kontantbeleggings, aandele, aandeelkapitaal of bates van 'n maatskappy of ander instelling of van kapitaal in 'n sakeonderneming of by 'n bank of ander finansiële instelling belê: Met dien verstande dat sodanige vruggebruik nie as 'n bate beskou word nie na verloop van 'n tydperk van tien jaar na die datum waarop die vruggebruiker daarop geregtig geword het; en

(iii) enige onroerende eiendom deur 'n lid van die gesin vir landboudoeleindes gehuur;

(b) "inkomste"—

(i) enige vergoeding, hetsy in kontant of andersins, ontvang vir dienste gelewer, maar nie ook sodanige vergoeding deur 'n manlike persoon na die bereiking van die ouderdom van sewentig jaar of 'n vroulike persoon na die bereiking van die ouderdom van vyf-en-sestig jaar ontvang nie;

(ii) enige winste verkry uit 'n sakeonderneming waarvan 'n lid van die gesin die eienaar is;

(iii) enige voordele ingevolge die wetsbepalings of -reëls met betrekking tot 'n pensioen- of voorsorgfonds of enige skema ontvang, maar nie ook—

(aa) enige voordele ontvang ingevolge die Wet, die Wet op Maatskaplike Pensioene, 1973 (Wet 37 van 1973), die Werkloosheidversekeringswet, 1966 (Wet 30 van 1966), of ingevolge 'n regulasie kragtens enige van genoemde Wette;

(bb) enige mediese of oppasserstoelae ontvang ingevolge die Ongevallewet, 1941 (Wet 30 van 1941), die Spoorweg- en Hawepensioenwet, 1971 (Wet 35 van 1971), die Wet op Bedryfsiektes in Myne en Bedrywe, 1973 (Wet 78 van 1973), en enige wet wat deur die Minister toegepas word nie;

(iv) enige winste wat 'n eienaar of vruggebruiker uit die beoefening van die landbou verkry, wat hierby geag word die bedrag van R72 per jaar te beloop; en

(v) enige inkomste uit 'n ander bron verkry, maar nie ook huurgelde, rente of diwidende nie;

(c) "ander middele"—

(i) die beraamde jaarlikse opbrengs van die bates van 'n lid van die gesin, soos bepaal deur die bedrag waarmee die onbeswaarde waarde van sodanige bates die bedrag van R4 900 te bowe gaan, deur 300 te deel en die resultaat met 12 te vermenigvuldig;

(ii) die beraamde jaarlikse opbrengs van enige onroerende eiendom deur 'n lid van die gesin vir landboudoeleindes gehuur, soos bepaal deur die bedrag waarmee die waarde van sodanige eiendom die bedrag van R4 900 te bowe gaan, deur 300 te deel en die resultaat met 12 te vermenigvuldig.

SKALE VAN HOOFDELIKE TOELAES UITGESONDERD OUER- EN KINDERTOELAES

70. Die skaal van pleegouertoelaes wat ingevolge regulasie 58 (1) (c) betaal kan word, is soos volg:

(a) Gewone skaal—hoogstens R379,80 per kind per jaar.

(b) Spesiale skaal (hulptoelaes vir die onderhoud van 'n kind met liggaamlike, verstandelike of geestesgebreke of van 'n afwykende kind)—hoogstens R403,80 per kind per jaar.

71. Die skaal van hoofdelike toelaes wat ingevolge regulasie 58 (1) (d) en (e) betaal kan word, is soos volg:

(a) Gewone skaal vir onderhoud van leerlinge—Hulptoelaes van hoogstens R379,80 per jaar vir die onderhoud van 'n leerling in 'n kinderhuis.

(ii) any usufruct of immovable property, cash investments, shares, share capital or assets of a company or other institution or of capital invested in any business concern or with any bank or other financial institution: Provided that such usufruct shall not be regarded as an asset after the expiry of a period of 10 years after the date on which the usufructuary became entitled thereto; and

(iii) any immovable property rented by a member of the family for agricultural purposes;

(b) "income" means—

(i) any remuneration, either in cash or otherwise received for services rendered, but shall not include such remuneration received by a male person after he has attained the age of 70 years or a female person after she has attained the age of 65 years;

(ii) any profits derived from a business concern of which a member of the family is the owner;

(iii) any benefits received under the statutory provisions or rules relating to any pension or provident fund or any scheme, but shall not include—

(aa) any benefits received in terms of the Act, the Social Pensions Act, 1973 (Act 37 of 1973), the Unemployment Insurance Act, 1966 (Act 30 of 1966), or under any regulation made in terms of any of the said Acts;

(bb) any medical or attendant's allowance received in terms of the Workmen's Compensation Act, 1941 (Act 30 of 1941), the Railways and Harbours Pensions Act, 1971 (Act 35 of 1971), the Occupational Diseases in Mines and Works Act, 1973 (Act 78 of 1973), and any Act administered by the Minister;

(iv) any profits derived by an owner or usufructuary from carrying on agricultural operations which shall hereby be deemed to be R72 per annum; and

(v) any income derived from any other source, but shall not include rentals, interest or dividends;

(c) "other means" means—

(i) the estimated annual yield of the assets of any member of the family, as determined by dividing the amount by which the unencumbered value of such assets exceeds the amount of R4 900 by 300 and multiplying the result by 12.

(ii) the estimated annual yield of any immovable property rented by any member of the family for agricultural purposes, as determined by dividing the amount by which the value of such property exceeds the amount of R4 900 by 300 and multiplying the result by 12.

RATES OF CAPITATION GRANTS OTHER THAN PARENTS' AND CHILDREN'S GRANTS

70. The rate of foster parents' grants in terms of regulation 58 (1) (c) shall be as follows:

(a) Ordinary rate not exceeding R379,80 per child per annum;

(b) special rate (grant-in-aid for the maintenance of a child with physical, mental or psychological disorders or of a deviate child)—not exceeding R403,80 per child per annum.

71. The rate of capitation grants which may be paid in terms of regulation 58 (1) (d) and (e) shall be as follows:

(a) Ordinary rate for the maintenance of pupils—Grant-in-aid not exceeding R379,80 per pupil per annum for the maintenance of a pupil in a children's home.

(b) Spesiale skaal vir onderhoud van leerlinge—Hulp-toelae van hoogstens R403,80 per jaar vir die onderhoud van 'n leerling met liggaamlike, verstandelike of geestesgebreke of van 'n afwykende leerling in 'n kindershuis.

(c) Veiligheidsplektoelae—

(i) Aan 'n persoon as veiligheidsplek, hoogstens R1 per kind per dag.

(ii) Aan 'n kindershuis wat ook as veiligheidsplek of plek van bewaring dien, hoogstens R1 per kind per dag.

72. (1) Die toekenning wat ingevolge regulasie 58 (2) gemaak kan word, is 'n bedrag van hoogstens 20c per dag per kind wie se ouers se gesamentlike bruto inkomste nie meer as R140 per maand is nie.

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

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

(b) Special rate for the maintenance of pupils—Grant-in-aid not exceeding R403,80 per pupil per annum for the maintenance of a pupil with physical, mental or psychological disorders or of a deviate pupil.

(c) Grants made to places of safety—

(i) to a person as a place of safety, not exceeding R1 per child per day;

(ii) to a children's home also serving as a place of safety or place of detention, not exceeding R1 per child per day.

72. (1) Any grant which may be made in terms of regulation 58 (2) shall be paid at a rate not exceeding 20c per day per child whose parents' combined gross income does not exceed R140 per month.

(2) (a) If the mother is the only parent, the means test mentioned in subregulation (1) shall apply.

(b) If the father has deserted the family or if the parents are divorced or live apart and the mother has custody of the children, her income, including such contribution as the father may make towards the maintenance of the family, shall be deemed to be the income of the family for the purposes of subregulation (1).

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
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No. 1.—DAGVAARDING AAN GETUIE OM ONDERSOEK BY TE WOON: REGULASIE 4

In die Kinderhof vir die distrik..... gehou te.....
 Insake ondersoek na die omstandighede van....., 'n kind wat volgens bewering sorgbehoewend is.

Aan..... van.....
 U word hierby aangesê om voor hierdie Hof te verskyn te..... op die..... dag van..... 19..... om..... h..... en op enige latere dag waartoe die verhoor verdaag of uitgestel mag word, om getuienis by hierdie ondersoek te lewer.

En neem kennis dat indien u versuim om aan hierdie dagvaarding gehoor te gee u gearrester kan word en, tensy bewys word dat u redelike grond gehad het vir sodanige versuim, u gevonniss kan word tot 'n boete van hoogstens R50 of tot gevangenisstraf vir 'n tydperk van hoogstens een maand.

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

Klerk van die Hof

No. 2.—DAGVAARDING AAN GETUIE OM VERHOOR VAN AANSOEK OM AANNEMINGSORDER BY TE WOON: REGULASIE 4

In die Kinderhof vir die distrik..... gehou te.....
 Insake 'n aanspek deur⁽¹⁾..... om 'n order tot aanneming van.....

Aan..... van.....
 U word hierby aangesê om voor hierdie Hof te verskyn te..... op die..... dag van..... 19..... om..... h..... en op enige latere dag waartoe die verhoor verdaag of uitgestel mag word, om getuienis af te lê by die verhoor van hierdie aansoek.

En neem kennis dat indien u versuim om aan hierdie dagvaarding gehoor te gee u gearrester kan word en, tensy bewys word dat u redelike grond gehad het vir sodanige versuim, u gevonniss kan word tot 'n boete van hoogstens R50 of tot gevangenisstraf vir 'n tydperk van hoogstens een maand.

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

Klerk van die Hof

⁽¹⁾ Sien regulasie 13 (3).

No. 3.—KINDERHOFREKORDBOEK: REGULASIES 6 (1)

No.	Naam	Kind			Ouers of voog ⁽¹⁾		Datum van eerste verhoor	Datums van verdere verhoor	Bevel van Hof	Opmerkings (insluitende verwysing na kontribusie-orders)
		Geboortedatum	Bevolkingsgroep	Geslag	Name	Adres				

⁽¹⁾ Naam van vader word weggelaat indien kind buite-egtelik gebore is.

No. 4.—ONDERSOEK DEUR KINDERHOF INGEVOLGE ARTIKEL 30: REGULASIE 6 (2) (a)

In die Kinderhof vir die distrik..... gehou te.....
 Verrigtings van 'n ondersoek ten opsigte van.....⁽¹⁾, kind(ers) wat volgens bewering sorgbehoewend is.

Voor....., die Kommissaris van Kindersorg, op die..... dag van..... 19..... is genoemde kind(ers) voor die Hof gebring⁽²⁾ en daar het verskyn..... (hofassistent) en ⁽³⁾.....

Die volgende getuienis aangevoer.....

⁽¹⁾ Indien die ondersoek ten opsigte van meer as een kind in dieselfde gesin gehou word, moet die name van al die kinders gemeld word.

⁽²⁾ Indien die ondersoek gehou word in die kind se afwesigheid ooreenkomstig artikel 30 (4), moet die voorafgaande woorde geskrap en 'n aantekening in die rekord gemaak word dat die ondersoek aldus gehou is en die rede daarvoor.

⁽³⁾ Vul in die name van partye en/of verteenwoordigers van partye wat die ondersoek bywoon.

No. 5.—MAGTIGING TOT AANHOUDING VAN 'N KIND: REGULASIE 7 (1)

Aan..... Veiligheidsplek en Plek van Bewaring.

Magtiging word hierby verleen tot die aanhouding van die volgende kind(ers) in dieselfde gesin tot en met ⁽¹⁾.....

	Naam	Geboortedatum	Geslag	Bevolkingsgroep
1				
2				

Die rede(s) vir die toelating van die kind(ers) is.....

Die huisadres van die kind(ers) is..... en die telefoonnommer is.....⁽²⁾Die volgende verdere inligting met betrekking tot die kind(ers) word verstrek.....

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

Adres.....
 Telefoonnommer.....

⁽³⁾Polisiebeampte/Proefbeampte/Gemagtigde Amptenaar

⁽¹⁾ Nie langer as 48 uur nie, Sondag en openbare vakansiedae uitgesonderd.

⁽²⁾ Inligting met betrekking tot die voeding van 'n baba, persone wat die kind(ers) nie mag besoek nie, vorige aanhouding, ens.

⁽³⁾ Skrap wat nie van toepassing is nie.

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

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

Aan..... (veiligheidsplek/waarnemingsentrum).

U word hierby beveel 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 toelating/opname	Verwysingsnommer
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 beveel om genoemde kind te soek en hom na 'n veiligheidsplek 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 die..... 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 ⁽¹⁾sorgbehoewend is/weggeloop het van ⁽²⁾....., waarheen hy gestuur of waarin hy geplaas is ingevolge ⁽¹⁾die Kinderwet, 1960/Strafproseswet, 1955, word u hierby ingevolge artikel 84 van die Kinderwet, 1960, beveel 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 gevangenisstraf vir 'n tydperk van hoogstens een jaar of met dié gevangenisstraf sonder die keuse van 'n boete.

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

Kommissaris van Kindersorg

(1) Skrap wat nie van toepassing is nie.

(2) 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 sorg-
 behoevende 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, gevangenis-
 straf 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.

Magting 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 BYWONINGSSENTRUM 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 verstrek, dit geblyk het dat genoemde kind waarskynlik sal baat vind by behandeling in 'n bywoning-
 sentrum, 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 hoog-
 stens 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 Sondae.

(3) Skrap indien nie van toepassing 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 BEWEERDE 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 magte 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

Nóg die kind A.B. nóg 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..... gelas word om tot die onderhoud van sodanige kind(ers) of leerling(e) *weekliks/maandeliks die

bedrag van..... 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 aandag 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 wanbetaling 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⁽¹⁾, ⁽²⁾..... (applikant) en..... (mede-applikant)
 van..... (woonadres) doen hierby aansoek om 'n order tot aanneming deur *my/ons van die
 kind⁽¹⁾, ⁽²⁾....., 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):

- Volle name en familienaam van applikant—
 Eggenoot⁽²⁾..... Eggenote⁽²⁾.....
- Datum van geboorte van applikant—
 Eggenoot⁽²⁾..... Eggenote⁽²⁾.....
- Posadres van applikant(e).....
- Identiteitsnommer of persoonsnommer—
 Eggenoot..... Eggenote.....
- Bevolkingsgroep—
 Eggenoot⁽²⁾..... Eggenote⁽²⁾.....
- Huwelikstaat⁽³⁾.....
- Kerkverband—
 Eggenoot..... Eggenote.....
- Is applikant of beide applikante Suid-Afrikaanse burgers?—
 *Ja⁽⁴⁾..... Nee..... Indien nie, meld—
 (i) die nasionaliteit van—
 Eggenoot..... Eggenote.....
 (ii) tydperk in die Republiek woonagtig—
 Eggenoot..... Eggenote.....
- Is u verwant aan die kind wat u wil aanneem? Ja of nee—
 Eggenoot..... Eggenote.....
 Indien wel, wat is die verwantskap?—
 Eggenoot..... Eggenote.....
- 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⁽⁵⁾.....
 (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:

- Volle naam en familienaam⁽²⁾.....
- Datum van geboorte⁽²⁾..... Bevolkingsgroep⁽²⁾..... Geslag⁽²⁾.....
- Huidige verblyfplek.....
- Volle naam en familienaam van vader⁽⁶⁾, ⁽⁶⁾, ⁽⁸⁾.....
- *Adres/Laaste bekende adres van vader⁽⁶⁾, ⁽⁶⁾, ⁽⁸⁾.....
- Volle naam en familienaam van moeder⁽⁶⁾, ⁽⁶⁾, ⁽⁸⁾.....
- *Adres/Laaste bekende adres van moeder⁽⁶⁾, ⁽⁶⁾, ⁽⁸⁾.....
- Kerkverband—
 Vader⁽⁶⁾, ⁽⁷⁾..... Moeder⁽⁷⁾.....
- Volle naam, familienaam en adres van wettige voog (as daar is)⁽⁸⁾, ⁽⁸⁾.....

* Skrap wat nie van toepassing is nie.

⁽¹⁾ Die geboortesertifikate van die applikante moet getoon word: In die geval van 'n kind wat binne 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 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 huweliksintifikaat 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.

(4) Indien Suidwes-Afrikaanse burger(s) deur naturalisasie moet die naturalisasiesertifikaat(ate) getoon word en die verwysingsnommer(s) aangeteken word.

(5) Moet nie ingevul word as die kind buite-egtelik gebore is nie.

(6) Indien ouer(s) oorlede is, vul in "oorlede" en meld plek van dood en sterfteregister-inskrywingsnommer.

(7) Moet ingevul word, al is die ouers oorlede of die kind verlaat het.

(8) 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.

(9) Slegs 'n voog soos omskryf by artikel 1 (Woordomsrywings) 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 "n persoon of persone aan my onbekend"]

van.....

Ek behoort tot die.....kerk en * is 'n Suidwes-Afrikaanse burger/is nie 'n Suidwes-Afrikaanse burger nie. Ek is nie beïnvloed in verband met die aanneming van die kind nie en geen vergoeding is nóg direk nóg 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.....
(volle naam van applikante) (adres)

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 en 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.....
(volle naam van applikant(e)) (adres)

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.

No. 22.—VERKLARING DEUR OUER OF VOOG WAT TOESTEM TOT NIE-OPENBAARMAKING VAN APPLIKANT(E)
SE IDENTITEIT; REGULASIE 13 (8)

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)

synde die *vader/moeder/ouers/voog van genoemde kind, erken hierby dat—

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 aannemingsregister in te sien nie, of om 'n afskrif van of uittreksel 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 voogd

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

Kommissaris van Kindersorg

* Skrap wat nie van toepassing is nie.

No. 23.—KENNISGEWING AAN OUER OF VOOG VAN AANSOEK OM NIE-OPENBAARMAKING VAN APPLIKANT(E) SE IDENTITEIT IN AANNEMINGSVERRICHTINGS: REGULASIE 13 (9)

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 asdae 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).

No. 24.—KINDERWET, 1960 (WET 33 VAN 1960): AANNEMINGSREKORDBOEK: REGULASIE 14 (1)

[illegible]

No. 25.—KENNISGEWING VAN AANSOEK OM OPHEFFING VAN AANNEMINGSORDER: REGULASIE 15 (1)

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

Aan die Klerk van die Hof, en aan.....
 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 deur
..... (volle naam van kind)

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.....
 Voornamen.....
 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 voornamen 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 bekleed, 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

adres

} Verweerder.

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

In die Kinderhof vir die distrik gehou te

Insake—

(Applikant)

versus

(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)

tot die kind(ers) uit te oefen.

[volle naam (name)]

En dat genoemde hierby met bedoelde magte bekleë word.

(Applikant)

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

Kommissaris van Kindersorg

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

In die Kinderhof vir die distrik gehou te

Insake—

(Applikant)

versus

(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 bekleë.

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

Applikant

Aan die Klerk van genoemde Hof, en aan

naam

adres

Verweerder.

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

In die Kinderhof vir die distrik gehou te

Insake—

(Applikant)

versus

(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 bekleë 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.

Gegee 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—

(Applikant)

versus

(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.

Gegee 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 beskernde 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 beskernde jong kind in my bewaring, verwyder is op (meld datum)

na (meld volle naam en adres van persoon)

Handtekening van bewaarder van beskernde jong kind

Datum

Adres

No. 36.—KENNISGEWING VAN VERANDERING VAN VERBLYFPLEK VAN PERSOON WAT 'N JONG KIND ONDERHOU: 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

(meld datum)

deur

(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 voorafgaande 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 BUIITE-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 Beskerming 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

No. 44.—KENNISGEWING AAN PERSONE WAT BESKERMDE JONG KINDERS IN BEWARING HET: 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 rockeloos 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.

BESOEKE EN INSPEKSIES

9. U moet enige besoeker, aangestel of gemagtig deur die Kommissaris van Kindersorg, of 'n Vrederegter, Proefbeampte of Polisiebeampte toelaat om die jong kind en die perseel waar hy gehuisves word te besoek en te inspekteer om te verseker dat hy behoorlik versorg en onderhou word.

10. U moet 'n distriksgeneesheer of ander gekwalifiseerde mediese praktisyn, wat 'n skriftelike magtiging van die Kommissaris van Kindersorg toon, toelaat om die jong kind te ondersoek.

11. Indien u weier 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 sy welsyn.

No. 45.—REGISTER VAN GEBOORTES, STERFGEVALLE EN VERWYDERING VAN BESKERMDE JONG KINDERS IN
OF UIT 'N KRAAMINRICHTING: REGULASIE 21

[illegible]

No. 46.—KENNISGEWING VAN BEWEGING VAN 'N LEERLING: REGULASIE 31 (1)

Die Sekretaris van Kleurling-, Rehoboth- en Namabetrekkings
Kaapstad
Kind/Leerling.....

Kind/Leerling..... (volle naam)

Bevolkingsgroep Geslag

Geliewe kennis te neem dat genoemde kind/leerling (vul slegs besonderhede in wat van toepassing is)—

(a) ingevolge artikel 31 van de Kinderwet, 1960, op.....19....., op las
van de Kommissaris van Kindersorg te....., in hierdie kindershuis opgeneem is;

(b) ingevolge artikel 50 van de Kinderwet, 1960, op 19..... vanaf.....
(meld naam van kinderkuis of ander zorg)

na hierdie kinderhuis oorgeplaas is;

(c) op ontslaan is;

(d) (i) op weggeloop het en
(ii) op weer terugkeer het;

(e) op oorgeplaat is na (naam van kinderkuis of sorg)

(f) op met vergunning vrijgelaat is. Afskrif van die vergunning *word hierby aangeheg/
is reeds aan u gestuur;

(g) op.....weer in die kindershuis opgeneem is omdat sy/haar vergunning ingetrek is;

(h) (i) op in die hospitaal opgeneem is; en
(ii) op weer uit die hospitaal ontslaan is;

(i) _____

Prinsipaal

Datum Kinderhuis

* Skrap wat nie van toepassing is nie.

No. 47.—OPGAWE VAN VAKATURES IN KINDERHUISE: REGULASIE 31 (2)
(Hierdie kaart moet voor die 7de van elke maand ingedien word)

(a) Naam van kindershuis.....

(b) Getal kinders wat gehuisves kan word.....

ans opgeneem:

(1) Gekommitteerde kinders: (i) Seuns.....	(ii) Meisies.....
(2) Ander kinders.....	Totaal.....

(d) Bestaande of verwagte vakatures gedurende die maand.....19.....
 Seuns..... meisies..... Kleuters (seuns..... dogters.....)

Datum..... Handtekening van Prinsipaal

No. 48.—VORM VAN VERGUNNING: REGULASIE 40

VRYLATING MET VERGUNNING VAN 'N LEERLING UIT 'N KINDERHUIS INGEVOLGE ARTIKEL 44 VAN DIE KINDERWET, No. 33 VAN 1960
(Moet in vyfvoud ingevul word)

Nademaal.....
 gebore op....., 'n *manlike/vroulike leerling is in die.....
 (volle naam)
 (naam en adres van kinderkuis)
 En nademaal, ooreenkomstig artikel 44 van die Kinderwet, 1960 (Wet 33 van 1960), die bestuur van genoemde kinderkuis die leerling met vergunning kan toelaat om in die bewaring van 'n geskikte persoon of in 'n opleidingsinrigting te gaan woon;
 So is dit dat ek,.....
 (volle naam)
 voorsitter van die bestuur van genoemde kinderkuis, hierby genoemde leerling toelaat om te gaan woon in die bewaring van.....
 (volle naam en adres)
 totdat *hy/sy die ouderdom van.....jaar op.....bereik vir 'n tydperk van.....
 eindigende op die.....dag van.....19.....en op voorwaardes dat genoemde leerling onder die toesig sal staan van.....
 (naam en adres van persoon, proefbeampte of vereniging wat toesig hou)
 Die bestuur kan te enige tyd na raadpleging met die toesighouer hierdie vergunning intrek deur middel van skriftelike kennisgewing en die leerling gelas om na die kinderkuis terug te keer.
 Die Minister kan te eniger tyd, by skriftelike bevel, hierdie vergunning intrek as hy dit nodig ag in die belang van die leerling.
 Die bewaarder of die bestuur van die opleidingsinrigting moet die prinsipaal van die kinderkuis hierin genoem onmiddellik verwittig van enige verandering van sy adres en, waar die leerling sy bewaring verlaat het, van die leerling se nuwe adres, indien bekend.
 In die geval van die afsterwe van die bewaarder of van die leerling moet die prinsipaal onmiddellik verwittig word.
 Hierdie vergunning is onderworpe aan die volgende verdere voorwaardes.....
 Gedateer te.....op hede.....dag van.....19.....
 Voorsitter van Bestuur

* Skrap wat nie van toepassing is nie.

No. 49.—KENNISGEWING VAN INTREKKING VAN VERGUNNING: REGULASIE 43

Aan.....
 Hierby word u in kennis gestel dat die bestuur van.....
 (naam en adres van kinderkuis)
 deur wie leerling....., gebore op.....met vergunning
 (meld volle naam)
 gedateer.....toegelaat is om in u bewaring te woon, hierby die vergunning herroep en u gelas om die leerling onmiddellik na bogenoemde kinderkuis terug te besorg.
 Datum.....Voorsitter van Bestuur
 Die Sekretaris van Kleurling-, Rehoboth- en Namabetrekkinge
 Kaapstad
 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
 Die Proefbeampte
 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
Toesighouer.
 Datum.....Voorsitter van Bestuur

No. 50.—BRIEF VAN MAGTIGING TOT DIE ONTVANGS VAN 'N KIND GEPLAAS DEUR 'N GOEDGEKEURDE VERENIGING IN DIE BEWARING VAN 'N GESKIKTE PERSOON: REGULASIE 49

.....(Plek)
(Datum)
 Aan.....
(Naam en adres van bewaarder)
 U word hierby gemagtig om in u bewaring te ontvang.....
 (naam van kind)
 'n kind geplaas onder die beheer van.....
 (naam van goedgekeurde vereniging)
 op bevel van die Kinderhof van.....verleen op die.....dag van.....19.....
 Gemagtigde Amptenaar
 Goedgekeurde Vereniging

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 to 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.....	WP 401
46	Notice of movements of a pupil.....	WP 405
47	Return of vacancies in children's home.....	WP 406
48	Form of licence.....	WP 408
49	Notice of cancellation of licence.....	WP 409
50	Letter authorising reception of child placed by an approved agency in the custody of a suitable person.....	WP 414

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..... 19..... 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..... 19..... 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 pay 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).

[illegible]

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

* 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 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. For which this shall be your warrant.

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 ⁽¹⁾is in need of care/has absconded from⁽²⁾ or in which it was sent or placed in terms of ⁽¹⁾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

⁽¹⁾ Delete whichever is not applicable.⁽²⁾ 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)

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
 a child alleged to be in need of care, of whom
 are/is the parent(s)/guardian.
 Before , Commissioner of Child Welfare, on the day of 19.....
 After hearing (court assistant) and (1) (2)
 (*) (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

(2) *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) (1) are/is the (1) 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 (2) (day of week) from h to h (hour) attend the attendance centre at (place);

(b) (2) and that the said (1) 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 (1) 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

(1) Delete whichever is not applicable.

(2) Excluding Sundays.

(3) 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⁽¹⁾, ⁽²⁾..... (applicant) and..... (co-applicant) of.....
 (residential address) hereby make application for an order for the adoption by *me/us of the child⁽¹⁾, ⁽²⁾.....
 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⁽²⁾.....
 Wife⁽²⁾.....

2. Date of birth of applicant:

Husband⁽²⁾..... Wife⁽²⁾.....

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

4. Identity number:

Husband..... Wife.....

5. Population group:

Husband⁽²⁾..... Wife⁽²⁾.....

6. Marital state⁽²⁾.....

7. Church affiliation:

Husband..... Wife.....

8. Is applicant or are both applicants South African citizens? *Yes⁽⁴⁾..... 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?⁽³⁾.....

(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⁽²⁾.....

2. Date of birth⁽²⁾..... Population group⁽²⁾..... Sex⁽²⁾.....

3. Present place of residence.....

4. Full name and surname of father⁽⁵⁾, ⁽⁶⁾, ⁽⁸⁾.....

5. *Address/Last known address of father⁽⁵⁾, ⁽⁶⁾, ⁽⁸⁾.....

6. Full names and surname of mother⁽⁶⁾, ⁽⁸⁾.....

7. *Address/Last known address of mother⁽⁶⁾, ⁽⁸⁾.....

8. Church affiliation:

Father⁽⁶⁾, ⁽⁷⁾..... Mother⁽⁷⁾.....

9. Full name, surname and address of legal guardian (if any)⁽⁸⁾, ⁽⁹⁾.....

* Delete whichever is not applicable.

(1) 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 an estimate in terms of section 85 (1) of the Children's Act, 1960, must be attached to the application.

(2) 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.

(3) 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.

(4) If South African citizen(s) by naturalisation, the naturalisation certificate(s) must be produced and the reference number(s) noted.

(5) Not to be filled in if the child is illegitimate.

(6) If parent(s) is/are deceased, fill in "deceased" and state place of death and death register entry number.

(7) Must be filled in even if parents are deceased or have deserted the child.

(8) 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.

(9) 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-West African citizen/am not a South-West 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

by *(full name of child) 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/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 am/we 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)

To _____ of _____ (your names or child)

(parent or guardian) _____ (address) _____

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.

Dated at _____ this _____ day of _____ 19____

Clerk of the Court

* Delete whichever is not applicable.

† Annex hereto forms WP 319 and WP 322 (in duplicate).

No. 24.—CHILDREN'S ACT, 1960 (ACT 33 OF 1960): ADOPTIONS RECORD BOOK: REGULATION 14 (1)

[illegible]

No. 25.—NOTICE OF APPLICATION FOR RESCISSION OF ORDER OF ADOPTION: REGULATION 15 (1)

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

To the Clerk of the Court, and to _____

In the matter of an application for the rescission of an order for the adoption of

(full names of child)

Take notice that application will be made to this Court on _____ the _____ day

of 19 .. at h for the rescission of the order made by the Court

on the _____ day of _____ 19____ for the adoption of _____

by

The grounds on which this application will be made are.....

Dated at _____ this _____ day of _____ 19 _____

Applicant or applicant's attorney

No. 26.—ORDER OF ADOPTION: REGULATION 17 (2) (g)

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 and identity number of child)

on the _____ day of _____ 19____ before _____, Commissioner of Child Welfare.

It is ordered that _____
(full name of child)

(population group) (full name of child) (sex) child born on the day

of 19 _____ (full name),

born on _____, identity No. _____ *and his wife _____ (full name),

born on _____, identity No. _____ in terms of and subject to the provisions of the Children's Act, 1960 (Act 33 of 1960)

It is further ordered that the _____ the given to the child/be retained by the child

It is further ordered that the surname..... be given to the child/be retained by the child.
 Given at this day of 19.....

Given at _____ this _____ day of _____

Commissioner of Child Welfare

This Order has been registered by me in the Adoptions Record Book this.....day of.....19.....

Registrar of Adoptions

* Delete "and his wife" if not required.

† 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—

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 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 POWER:
REGULATION 18 (12)

In the Children's Court for the District of held at
In the matter of—

(Applicant)

versus

(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 power over the child(ren)
[full name(s)] and conferring the said power upon the respondent, and to reinvest the
applicant with the said power.

Given at this day of 19.....

Applicant

To the Clerk of the said Court, and to—

name
address

} Respondent.

No. 31.—ORDER OF RESCISSION OF ORDER OF DEPRIVATION OF PARENTAL POWER: REGULATION 18 (14)

In the Children's Court for the District held at
In the matter of—

Applicant

versus

(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—

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 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

Notice is hereby given that on I received the undermentioned 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,

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 (full name) born on sex
 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 management 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)

Address.....

CUSTODIANS

[illegible][illegible][illegible]

No. 46.—NOTICE OF MOVEMENTS OF A PUPIL: REGULATION 31 (1)

Secretary for Coloured, Rehoboth and Nama Relations
Cape Town
Child/Pupil.....

(full name)

Sex.....

Population group.....

Kindly note that the said child/pupil was (insert only the particulars which are applicable)—

(a) in terms of section 31 of the Children's Act, 1960, on.....19....., by order of the Commissioner of Child Welfare at....., admitted to this Children's home:

(b) in terms of section 50 of the Children's Act, 1960, on.....19....., transferred from.....

(insert name of children's home or other care)

to this children's home;

(c) discharge on.....;

(d) (i) on.....absconded; and

(ii) has on.....returned;

(e) on.....been transferred to.....(name of children's home or care)

(f) on.....been released on licence (a copy of the licence *is enclosed (has already been sent to you);

(g) on.....been re-admitted to the children's home because his/her licence has been cancelled;

(h) (i) on.....been admitted to the.....hospital; and

(ii) has on.....been discharged from the hospital;

(i)

Principal

Date.....

Children's Home

* Delete whichever is not applicable.

No. 47.—RETURN OF VACANCIES IN CHILDREN'S HOME: REGULATION 31 (2)

(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.....)

Date.....

Signature of Principal

No. 48.—FORM OF LICENCE: REGULATION 40

RELEASE ON LICENCE OF A PUPIL FROM A CHILDREN'S HOME UNDER SECTION 44 OF THE CHILDREN'S ACT,

No. 33 OF 1960

(To be completed in quintuplicate)

Whereas.....

(full name)

born on....., is a *male/female pupil in the.....

(name and address of children's home)

And whereas in terms of section 44 of the Children's Act, 1960 (Act 33 of 1960), the management of the said children's home may by licence permit the pupil to live in the custody of a suitable person or in a training institution;

Now therefore, I.....

(full name)

chairman of the management of the said children's home, do hereby permit the said pupil to live in the custody of.....

(full name and address)

until *he/she attains the age of.....years on.....for a period of.....terminating on the.....day of.....19.....and on condition that the said pupil be subject to the supervision of.....

(name and address of person, probation officer or association exercising supervision)

The management may at any time after consultation with the supervisor cancel this licence by notice, in writing and direct the pupil to return to the children's home.

The Minister may at any time, by order in writing, cancel this licence if he deems it necessary in the interest of the pupil.

The custodian or the management of the training institution is required immediately to notify the principal of the children's home mentioned herein of any change of address and, if the pupil has left his custody, of the pupil's new address, if known.

In the event of the death of the custodian or of the pupil, notification should be given immediately to the principal.

This licence is subject to the following further conditions.....

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

Chairman of the Board of Management

* Delete whichever is not applicable.

No. 49.—NOTICE OF CANCELLATION OF LICENCE: REGULATION 43

To.....

Notice is hereby given to you that the management of.....

(name and address of children's home)

by whom pupil....., born on.....

(state full name)

was by licence dated..... 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 Coloured, Rehoboth and Nama Relations
Private Bag 9058,
Cape Town
8000

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

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 49

(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

Koop Nasionale Spaarsertifikate

Buy National Savings Certificates

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