

EXTRAORDINARY



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DEPARTMENT OF THE PRIME MINISTER.
No. 875.] [5th June, 1959.

It is hereby notified that His Excellency the Governor-General has been pleased to assent to the following Acts which are hereby published for general information:—

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DEPARTMENT OF CUSTOMS AND EXCISE.
GOVERNMENT NOTICES.

The undermentioned Government Notices are published for general information:—

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DEPARTEMENT VAN DIE EERSTE MINISTER.
No. 875.] [5 Junie 1959.

Hierby word bekend gemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wette, wat hierby vir algemene inligting gepubliseer word:—

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DEPARTEMENT VAN DOEANE EN AKSYNS.
GOEWERMENSKENNISGEWINGS.

Onderstaande Goewermenskennisgewings word vir algemene inligting gepubliseer:—

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No. 35, 1959.]

ACT

To amend the Atomic Energy Act, 1948.*(English text signed by the Governor-General.)
(Assented to 2nd June, 1959.)*

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of section 16 of Act 35 of 1948, as amended by section 6 of Act 18 of 1952 and section 4 of Act 11 of 1956.

1. Section sixteen of the Atomic Energy Act, 1948, is hereby amended—

- (a) by the substitution for sub-sections (1), (2) and (3) of the following sub-sections:
 - “(1) The funds of the board shall consist of—
 - (a) moneys voted annually by Parliament for the purpose of enabling the board to perform its functions other than the functions performed by virtue of the powers conferred on it by paragraph (f) of section *thirteen*;
 - (b) moneys voted annually by Parliament or donations received for the purpose of enabling the board to exercise the said powers;
 - (c) interest derived from investments made in terms of paragraph (c) of sub-section (5).
 - (2) (a) The financial year of the board shall terminate on the thirty-first day of March in each year and the board shall keep a proper record of all its financial transactions and such records as shall at all times reflect the stocks of prescribed materials, restricted materials and radioactive isotopes in its custody as well as all its transactions in such materials and isotopes.
 - (b) The board shall as soon as possible after the end of each financial year prepare separate accounts of its revenue and expenditure for such year, including a balance sheet of its assets and liabilities as at the thirty-first day of March in respect of—
 - (i) the moneys referred to in paragraph (a) of sub-section (1);
 - (ii) the moneys referred to in paragraphs (b) and (c) of sub-section (1).
 - (3) The board shall at the end of each financial year pay into the Consolidated Revenue Fund any moneys referred to in paragraph (a) of sub-section (1), which have not been utilized.”;
- (b) by the substitution for sub-section (5) of the following sub-section:
 - “(5) The board shall—
 - (a) open an account with a bank approved by the Minister and deposit therein all moneys which it may have received from any source;
 - (b) credit to an account to be known as the Atomic Energy Research Account all moneys referred to in paragraphs (b) and (c) of sub-section (1) and defray from that account all expenditure incurred by the board in the exercise of its powers referred to in paragraph (f) of section *thirteen*;
 - (c) subject to the provisions of paragraph (d), invest with the Public Debt Commissioners any moneys standing to the credit of the Atomic Energy Research Account which are not required for immediate use;
 - (d) pay into the Consolidated Revenue Fund such amounts from moneys standing to the credit of the Atomic Energy Research Account as the Minister in consultation with the Minister of Finance may in each case determine.”;
- (c) by the substitution for sub-sections (6), (7), (8), (9) and (10) of the following sub-sections:
 - “(6) The accounts of the board shall be audited by the Controller and Auditor-General.

No. 35, 1959.]

WET

Tot wysiging van die Wet op Atoomkrag, 1948.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 2 Junie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Artikel *sestien* van die Wet op Atoomkrag, 1948, word hierby gewysig—
- (a) deur sub-artikels (1), (2) en (3) deur die volgende sub-artikels te vervang:
- „(1) Die fondse van die raad bestaan uit—
- (a) gelde wat die Parlement jaarliks bewillig ten einde die raad in staat te stel om sy werksaamhede te verrig behalwe die werksaamhede verrig uit hoofde van die bevoegdhede hom verleen by paragraaf (f) van artikel *dertien*;
- (b) gelde jaarliks deur die Parlement bewillig of skenkings ontvang ten einde die raad in staat te stel om genoemde bevoegdhede uit te oefen;
- (c) rente verkry uit beleggings gemaak ingevolge paragraaf (c) van sub-artikel (5).
- (2) (a) Die boekjaar van die raad eindig op die een-en-dertigste dag van Maart in elke jaar en die raad moet behoorlik boekhou van al sy geldelike transaksies en registers hou wat te alle tye die voorrade voorgeskrewe materiaal, beperkte materiaal en radioaktiewe isotope in bewaring van die raad sowel as al sy transaksies in sodanige materiaal en isotope weergee.
- (b) Die raad moet so gou doenlik na die end van elke boekjaar afsonderlike rekenings van sy inkomste en uitgawes vir daardie jaar opstel, met inbegrip van 'n balansstaat van sy bates en laste op die een-en-dertigste dag van Maart ten opsigte van—
- (i) die gelde in paragraaf (a) van sub-artikel (1) genoem;
- (ii) die gelde in paragrawe (b) en (c) van sub-artikel (1) genoem.
- (3) Die raad moet aan die end van elke boekjaar enige gelde in paragraaf (a) van sub-artikel (1) genoem, waarvan nie gebruik gemaak is nie, in die Gekonsolideerde Inkomstefonds stort.”;
- (b) deur sub-artikel (5) deur die volgende sub-artikel te vervang:
- „(5) Die raad moet—
- (a) 'n rekening open by 'n deur die Minister goedgekeurde bank en daarin alle gelde stort wat hy uit enige bron mag ontvang het;
- (b) 'n rekening wat as die Atoomkragnavorsingsrekening bekend staan, krediteer met al die gelde in paragrawe (b) en (c) van sub-artikel (1) genoem en uit daardie rekening alle uitgawes bestry wat deur die raad by die uitoefening van sy bevoegdhede in paragraaf (f) van artikel *dertien* genoem, aangegaan word;
- (c) behoudens die bepalinge van paragraaf (d), enige gelde waarmee die Atoomkragnavorsingsrekening gekrediteer is en wat nie vir onmiddellike gebruik benodig word nie, by die Staatskuldkommissarisse belê;
- (d) uit gelde waarmee die Atoomkragnavorsingsfonds gekrediteer is, die bedraë wat die Minister in oorleg met die Minister van Finansies in elke geval bepaal, in die Gekonsolideerde Inkomstefonds stort.”;
- (c) deur sub-artikels (6), (7), (8), (9) en (10) deur die volgende sub-artikels te vervang:
- „(6) Die rekenings van die raad word deur die Kontroleur en Ouditeur-generaal geouditeer.

Wysiging van artikel 16 van Wet 35 van 1948, soos by artikel 6 van Wet 18 van 1952 en artikel 4 van Wet 11 van 1956 gewysig.

(7) As soon as may be after completion of an audit the Controller and Auditor-General shall transmit a copy of his report on such audit to the Governor-General."

Short title
and commence-
ment.

2. This Act shall be called the Atomic Energy Amendment Act, 1959, and shall be deemed to have come into operation on the first day of April, 1959.

No. 36, 1959.]

ACT

To amend the University of the Orange Free State (Private) Act, 1949.

*(Afrikaans text signed by the Governor-General.)
(Assented to 2nd June, 1959.)*

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of
section 10 of
Act 21 of 1949.

1. Section *ten* of the University of the Orange Free State (Private) Act, 1949 (hereinafter referred to as the principal Act), is hereby amended by the deletion in paragraph (a) of sub-section (3) of the words "within twelve months after the commencement of this Act".

Amendment of
section 33 of
Act 21 of 1949.

2. Section *thirty-three* of the principal Act is hereby amended by the substitution for the word "Governor-General" of the word "Minister".

Short title.

3. This Act shall be called the University of the Orange Free State (Private) Act Amendment Act, 1959.

(7) So gou doenlik na die voltooiing van 'n ouditering moet die Kontroleur en Ouditeur-generaal 'n afskrif van sy verslag oor die ouditering aan die Goewerneur-generaal stuur."

2. Hierdie Wet heet die Wysigingswet op Atoomkrag, 1959, Kort titel en word geag op die eerste dag van April 1959 in werking te en inwerking-getree het. treding.

No. 36, 1959.]

WET

Tot wysiging van die Private Wet op die Universiteit van die Oranje-Vrystaat, 1949.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 2 Junie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Artikel *tien* van die Private Wet op die Universiteit van die Oranje-Vrystaat, 1949 (hieronder die Hoofwet genoem), word hierby gewysig deur in paragraaf (a) van sub-artikel (3) die woorde „binne twaalf maande na die inwerkingtreding van hierdie Wet” te skrap. Wysiging van artikel 10 van Wet 21 van 1949.

2. Artikel *drie-en-dertig* van die Hoofwet word hierby gewysig deur in die Engelse teks die woord „Governor-General” deur die woord „Minister” te vervang. Wysiging van artikel 33 van Wet 21 van 1949.

3. Hierdie Wet heet die Wysigingswet op die Private Wet op die Universiteit van die Oranje-Vrystaat, 1959. Kort titel.

No. 37, 1959.]

ACT

To consolidate the laws providing for the establishment of the University of Stellenbosch and for matters incidental thereto.

(English text signed by the Governor-General.)
(Assented to 2nd June, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—

- (i) "council" means the council of the University; (iv)
- (ii) "joint statutes" means the joint statutes framed and in force in terms of section *eighteen* of the Universities Act, 1955 (Act No. 61 of 1955), and includes any joint statutes referred to in paragraph (b) of section *twenty-nine* of that Act, and any joint regulations made under the joint statutes; (i)
- (iii) "Minister" means the Minister of Education, Arts and Science; (iii)
- (iv) "senate" means the senate of the University; (v)
- (v) "statutes" means the statutes of the University framed and in force in terms of section *seventeen* of the Universities Act, 1955 (Act No. 61 of 1955), and includes any statutes of the University referred to in paragraph (a) of section *twenty-nine* of that Act, and any regulations made under the statutes; (vi)
- (vi) "this Act" includes the statutes and the joint statutes; (ii)
- (vii) "University" means the University of Stellenbosch established by section *one* of the University of Stellenbosch Act, 1916 (Act No. 13 of 1916). (vii)

Purposes and structure of the University.

2. The University shall exist for such purposes, with such constitution and with such rights, powers, privileges and duties, as are described in this Act.

Seat of the University.

3. The seat of the University shall be in the division of Stellenbosch in the Province of the Cape of Good Hope: Provided that the University may conduct its university activities also in the municipal area of Bellville, in the municipal area of Parow and in the magisterial districts of Vredenburg and Hopefield.

Constitution of the University.

4. The University shall consist of—

- (a) a chancellor;
- (b) a vice-chancellor;
- (c) a rector;
- (d) a council;
- (e) a senate;
- (f) convocation; and
- (g) the professors, lecturers and students of the University, and shall, under the name of the University of Stellenbosch, be a body corporate and shall, by that name, be capable in law of suing and being sued and, subject to the provisions of this Act, of acquiring, holding and alienating property, movable and immovable, and performing such acts as bodies corporate may by law perform.

Chancellor of the University.

5. (1) The chancellor of the University shall be elected by the members of convocation of the University in the manner prescribed by the statutes, and shall hold office during his life or until he resigns.

(2) Upon the death or resignation of the chancellor, a new chancellor shall be elected by the members of convocation in the manner prescribed by the statutes.

(3) The powers, privileges, functions and duties of the chancellor shall be as prescribed by the statutes.

No. 37, 1959.]

WET

Tot samevatting van die wette wat voorsiening maak vir die stigting van die Universiteit van Stellenbosch en vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 2 Junie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Tensy uit die samehang anders blyk, beteken in hierdie Woordbepaling. Wet—

- (i) „gemeenskaplike statute” die gemeenskaplike statute wat ingevolge artikel *agtien* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), opgestel en van krag is, en ook gemeenskaplike statute in paragraaf (b) van artikel *nege-en-twintig* van dié Wet vermeld, en gemeenskaplike regulasies kragtens die gemeenskaplike statute uitgevaardig; (ii)
- (ii) „hierdie Wet” ook die statute en die gemeenskaplike statute; (vi)
- (iii) „Minister” die Minister van Onderwys, Kuns en Wetenskap; (iii)
- (iv) „raad” die raad van die Universiteit; (i)
- (v) „senaat” die senaat van die Universiteit; (iv)
- (vi) „statute” die statute van die Universiteit wat ingevolge artikel *sewentien* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), opgestel en van krag is, en ook statute van die Universiteit in paragraaf (a) van artikel *nege-en-twintig* van dié Wet vermeld, en regulasies kragtens die statute uitgevaardig; (v)
- (vii) „Universiteit” die Universiteit van Stellenbosch wat by artikel *een* van die „Universiteit van Stellenbosch Wet, 1916” (Wet No. 13 van 1916) gestig is. (vii).

2. Die Universiteit bestaan vir die doeleindes, is saamgestel op die wyse, en het die regte, bevoegdhede, voorregte en pligte wat in hierdie Wet omskryf word. Doeleindes en struktuur van die Universiteit.

3. Die setel van die Universiteit is in die afdeling Stellenbosch in die Provinsie die Kaap die Goeie Hoop: Met dien verstande dat die Universiteit sy universitêre aktiwiteite ook in die munisipale gebied van Bellville, die munisipale gebied van Parow en die landdrosdistrikte Vredenburg en Hopefield kan uitoefen. Setel van die Universiteit.

4. Die Universiteit bestaan uit—

- (a) ’n kanselier;
- (b) ’n vise-kanselier;
- (c) ’n rektor;
- (d) ’n raad;
- (e) ’n senaat;
- (f) ’n konvokasie; en
- (g) die professore, lektore en studente van die Universiteit, en is onder die naam die Universiteit van Stellenbosch ’n regspersoon, en kan onder dié naam eisend en verwerend in die regte optree en, behoudens die bepalinge van hierdie Wet, roerende en onroerende goed verkry, besit en vervreem, en dié handeling verrig wat regspersone regtens kan verrig.

Samestelling van die Universiteit.

5. (1) Die kanselier van die Universiteit word deur die lede van die konvokasie van die Universiteit gekies op die wyse deur die statute voorgeskryf, en hy beklee sy amp lewenslank of totdat hy bedank. Kanselier van die Universiteit.

(2) By die dood of bedanking van die kanselier word ’n nuwe kanselier deur die lede van die konvokasie gekies op die wyse deur die statute voorgeskryf.

(3) Die bevoegdhede, voorregte, funksies en pligte van die kanselier is dié wat die statute voorskryf.

Vice-chancellor
of the
University.

6. The vice-chancellor of the University shall be elected by the council from amongst its members in the manner prescribed by the statutes, and his powers and duties shall be as thereby prescribed.

Rector of the
University.

7. (1) The rector of the University shall be appointed by the council in the manner prescribed by the statutes, and his powers and duties shall be as thereby prescribed.

(2) The rector may also be the vice-chancellor of the University.

Council of the
University.

8. (1) Subject to the provisions of this Act, the government and executive authority of the University shall be vested in the council, which shall consist of—

- (a) the rector of the University;
- (b) four persons appointed by the Governor-General;
- (c) six persons elected by convocation of the University;
- (d) three professors of the University chosen by the senate;
- (e) one person chosen by the council of the municipality of Stellenbosch;
- (f) one person chosen by the divisional council of Stellenbosch;
- (g) the principal of the Stellenbosch-Elsenburg College of Agriculture of the University of Stellenbosch; and
- (h) three persons chosen by a constituency of persons who, immediately before the commencement of this Act, were entitled to choose, otherwise than in a manner contemplated in paragraphs (c) to (f), inclusive, three members of the council, and of persons who, in accordance with the statutes, may after the said commencement become members of such constituency by reason of donations made by them to the University.

(2) The members of the council, other than the members referred to in paragraphs (a) and (g) of sub-section (1), shall hold office for such periods as the statutes in each case prescribe.

(3) If the period of office of any member of the council expires or is about to expire, his place shall, subject to the provisions of sub-section (1), be filled in the manner provided by the statutes.

(4) Casual vacancies upon the council caused by death, resignation or other cause prescribed by the statutes shall, subject to the provisions of sub-section (1), be filled as required by the statutes.

(5) If the vice-chancellor is not present at any meeting of the council, the members present may elect a chairman for that meeting.

(6) The quorum and the procedure at meetings of the council and the times at which such meetings shall be held, shall be as prescribed by the statutes.

(7) The council shall administer all the property of the University and shall, save as by this Act is specifically provided, make all appointments it deems necessary for the efficient conduct of the University, and have the general control of the University and of all its affairs and functions.

Senate of the
University.

9. (1) The senate shall consist of—

- (a) the rector of the University, who shall be chairman;
- (b) the vice-chancellor;
- (c) two members of the council (other than the rector and the vice-chancellor), chosen by the council in the manner and for a period prescribed by the statutes;
- (d) the professors of the University; and
- (e) the members of the staff of the University who, by resolution of the senate (as constituted at any time) approved by the council, are declared to be members of the senate.

(2) If any member of the council chosen under paragraph (c) of sub-section (1) dies or ceases to be a member of the council or resigns office as a member of the senate, the members of the council shall choose another of their number to fill his place on the senate.

(3) The superintendence and regulation of the discipline and instruction of the several departments, lectures and classes of the University shall be vested in the senate in accordance with regulations to be framed by the senate for the purpose, and approved by the council.

(4) The senate shall submit to the council from time to time—

- (a) reports upon its work;
- (b) such recommendations as may seem expedient to the senate, as to any matters of interest affecting the University; and
- (c) recommendations as to any matters referred to it by the council.

6. Die vise-kanselier van die Universiteit word deur die raad uit eie geledere gekies op die wyse deur die statute voorgeskryf, en sy bevoegdhede en pligte is dié wat die statute voorskryf.

Vise-kanselier
van die
Universiteit.

7. (1) Die rektor van die Universiteit word deur die raad aangestel op die wyse deur die statute voorgeskryf, en sy bevoegdhede en pligte is dié wat die statute voorskryf.

Rektor van die
Universiteit.

(2) Die rektor kan ook die vise-kanselier van die Universiteit wees.

8. (1) Behoudens die bepalings van hierdie Wet berus die bestuur en uitvoerende mag van die Universiteit by die raad, wat bestaan uit—

Raad van die
Universiteit.

- (a) die rektor van die Universiteit;
- (b) vier persone deur die Goewerneur-generaal aangestel;
- (c) ses persone deur die konvokasie van die Universiteit gekies;
- (d) drie professore van die Universiteit deur die Senaat gekies;
- (e) een persoon deur die raad van die munisipaliteit van Stellenbosch gekies;
- (f) een persoon deur die afdelingsraad van Stellenbosch gekies;
- (g) die hoof van die „Stellenbosch-Elsenburg Landboukollege van die Universiteit van Stellenbosch”; en
- (h) drie persone gekies deur ’n kieskollege bestaande uit persone wat onmiddellik vóór die inwerkingtreding van hierdie Wet geregtig was om op ’n ander wyse as in paragrafe (c) tot en met (f) beoog, drie lede van die raad te kies, en uit persone wat, ooreenkomstig die statute, ná genoemde inwerkingtreding lede word van dié kieskollege uit hoofde van skenkings deur hulle aan die Universiteit gedoen.

(2) Die lede van die raad, behalwe die lede in paragrafe (a) en (g) van sub-artikel (1) vermeld, beklee hul amp vir die termyn wat die statute in elke geval voorskryf.

(3) Indien die ampstermyn van ’n lid van die raad verstryk of ten einde loop, word, behoudens die bepalings van sub-artikel (1), sy plek gevul op die wyse deur die statute bepaal.

(4) Toevallige vakatures in die raad wat veroorsaak word deur dood, bedanking of ’n ander oorsaak wat deur die statute voorgeskryf is, word, behoudens die bepalings van sub-artikel (1), gevul soos deur die statute vereis word.

(5) Indien die vise-kanselier nie op ’n vergadering van die raad aanwesig is nie, kan die aanwesige lede ’n voorsitter vir dié vergadering kies.

(6) Die kworum en prosedure op vergaderings van die raad, en die tye wanneer sodanige vergaderings gehou moet word, word deur die statute voorgeskryf.

(7) Die raad beheer al die eiendom van die Universiteit, en behalwe soos deur hierdie Wet in die besonder bepaal word, doen hy al die aanstellings wat hy vir die doelmatige bestuur van die Universiteit nodig ag, en oefen hy algemene beheer uit oor die Universiteit en al die sake en werksaamhede daarvan.

9. (1) Die senaat bestaan uit—

Senaat van die
Universiteit.

- (a) die rektor van die Universiteit, wat die voorsitter is;
- (b) die vise-kanselier;
- (c) twee lede van die raad (behalwe die rektor en vise-kanselier) wat deur die raad op die wyse en vir ’n termyn deur die statute voorgeskryf, gekies word;
- (d) die professore van die Universiteit; en
- (e) dié lede van die personeel van die Universiteit wat by besluit van die senaat (soos dit te eniger tyd saamgestel is) deur die raad goedgekeur, tot lede van die senaat verklaar word.

(2) Indien ’n lid van die raad wat kragtens paragraaf (c) van sub-artikel (1) gekies is, sterf of ophou om lid van die raad te wees of as lid van die senaat bedank, kies die lede van die raad iemand anders uit eie geledere om sy plek in die senaat te vul.

(3) Die toesig oor en die reëling van die onderrig in die verskeie departemente, voorlesings en klasse van die Universiteit berus by die senaat ooreenkomstig regulasies wat deur die senaat daarvoor opgestel moet word en deur die raad goedgekeur is.

(4) Die senaat moet van tyd tot tyd—

- (a) verslae oor sy werksaamhede;
- (b) die aanbevelings wat hy dienstig ag betreffende aangeleenthede van belang wat die Universiteit raak; en
- (c) aanbevelings betreffende aangeleenthede deur die raad na hom verwys,

aan die raad voorlê.

(5) The quorum and the procedure at meetings of the senate and the times at which such meetings shall be held, shall be as prescribed by the statutes.

(6) If the rector is not present at any meeting of the senate, the members present shall elect a chairman for that meeting.

Convocation
of the
University.

10. (1) Convocation of the University shall consist of—

- (a) all persons, other than persons referred to in paragraph (b), who immediately before the commencement of this Act were members of convocation of the University;
- (b) the rector, the professors and the lecturers of the University; and
- (c) all persons who after the said commencement become graduates of the University.

(2) Meetings of convocation shall be summoned, and held, in the manner and at times and for purposes prescribed by the statutes.

(3) Convocation may discuss and state its opinion upon any matter relating to the University, including any matter which may be referred to it by the council.

Faculties.

11. At the University there shall be—

- (a) faculties or departments of arts, science, education, agriculture, law and music; and
- (b) such other faculties or departments as the council may, with the approval of the Governor-General and subject to the statutes, from time to time establish.

Appointment
of professors,
lecturers and
teachers.

12. (1) The professors, lecturers and other teachers at the University shall be appointed by the council after consultation with the senate or with such faculty or committee thereof as may be appointed for that purpose by the senate.

(2) Notice of every appointment made in terms of sub-section (1) shall be given in writing to the Minister.

(3) Notwithstanding anything to the contrary in any law contained, the conditions of service of any member of the teaching or administrative staff of the University who occupies a post approved by the Minister shall be as prescribed by the council: Provided that the discharge of any such person from office shall be subject to a right of appeal to the Minister, if notice of such appeal is given to the council and to the Minister within fourteen days after the receipt by such person of the notice of discharge.

Degrees,
diplomas and
certificates.

13. (1) The University may, subject to the provisions of this Act and the statutes, confer degrees of bachelor, master or doctor in any faculty mentioned in, or approved under, section *eleven*, and all such other degrees as it may deem expedient to confer.

(2) The designation of any specific degree in any faculty shall be as prescribed by the statutes and no other.

(3) Save as is provided by sections *fourteen* and *fifteen*, no degree shall be conferred by the University upon any person who has not—

- (a) attended, for such period as may in each case be prescribed by the statutes, as a student of the University; and
- (b) attained, in examination or other test, the prescribed standard of proficiency.

(4) The University may, subject to the provisions of this Act, grant a diploma or certificate to any person who has pursued a course of study provided by the University, or to any other person deemed by it to possess the qualifications for such a diploma or certificate.

Ad eundem
students for
special courses
of study and
their admission
to a degree.

14. (1) A person who has graduated in another university or who is able to give satisfactory evidence of his qualifications may be exempted from the matriculation examination by the joint matriculation board referred to in section *fifteen* of the Universities Act, 1955 (Act No. 61 of 1955), and admitted as a research student to courses of special study and research at the University and may proceed to a degree under different conditions from those applicable to ordinary students.

(2) Such conditions shall be prescribed by the statutes.

(5) Die kworum en prosedure op vergaderings van die senaat, en die tye wanneer sodanige vergaderings gehou moet word, word deur die statute voorgeskryf.

(6) Indien die rektor nie op 'n vergadering van die senaat aanwesig is nie, moet die aanwesige lede 'n voorsitter vir dié vergadering kies.

10. (1) Die konvokasie van die Universiteit bestaan uit— Konvokasie van die Universiteit.

- (a) al die persone, behalwe persone in paragraaf (b) vermeld, wat onmiddellik vóór die inwerkingtreding van hierdie Wet lede van die konvokasie van die Universiteit was;
- (b) die rektor, professore en lektore van die Universiteit; en
- (c) al die persone wat ná genoemde inwerkingtreding gegradueerdes van die Universiteit word.

(2) Vergaderings van die konvokasie word belê en gehou op die wyse en tye en vir die doeleindes deur die statute voorgeskryf.

(3) Die konvokasie kan enige aangeleentheid bespreek wat op die Universiteit betrekking het, met inbegrip van enige aangeleentheid deur die raad na hom verwys, en kan sy sienswyse daarvoor uitspreek.

11. Aan die Universiteit moet daar wees— Fakulteite.

- (a) fakulteite of departemente van lettere en wysbegeerte, natuurwetenskappe, opvoedkunde, landbou, regsgeleerdheid en musiek; en
- (b) die ander fakulteite of departemente wat die raad, met die goedkeuring van die Goewerneur-generaal en onderworpe aan die statute, van tyd tot tyd instel.

12. (1) Die professore, lektore en ander dosente aan die Universiteit word deur die raad aangestel ná raadpleging met die senaat of die fakulteit of komitee daarvan wat deur die senaat vir dié doel aangestel is. Aanstelling van professore, lektore en dosente.

(2) Skriftelike kennis van iedere aanstelling ingevolge subartikel (1) gedoen, moet aan die Minister gegee word.

(3) Ondanks andersluidende wetsbepalings is die diensvoorwaardes van 'n lid van die doserende of administratiewe personeel van die Universiteit wat 'n pos beklee wat deur die Minister goedgekeur is, soos deur die raad voorgeskryf: Met dien verstande dat die ontslag van so iemand uit sy pos onderhewig is aan 'n reg van appèl na die Minister, mits kennis van so 'n appèl gegee word aan die raad en die Minister binne veertien dae ná ontvangs deur so iemand van die kennisgewing van ontslag.

13. (1) Die Universiteit kan, behoudens die bepalinge van hierdie Wet en die statute, grade van baccalaureus, magister of doktor in 'n fakulteit vermeld in, of goedgekeur kragtens, artikel elf, toeken, sowel as alle ander grade waarvan hy die toekenning dienstig ag. Grade, diplomas en sertifikate.

(2) Die naam van 'n bepaalde graad in enige fakulteit moet dié wees wat die statute voorskryf, en geen ander nie.

(3) Behalwe soos by artikels *veertien* en *vyftien* bepaal word, mag geen graad deur die Universiteit toegeken word aan iemand wat—

- (a) nie vir die tydperk wat in iedere geval deur die statute voorgeskryf mag wees, 'n student aan die Universiteit was nie; en
- (b) nie in 'n eksamen of ander toets die voorgeskrewe peil van bekwaamheid bereik het nie.

(4) Die Universiteit kan, behoudens die bepalinge van hierdie Wet, 'n diploma of sertifikaat verleen aan iemand wat 'n studiekursus gevolg het wat deur die Universiteit aangebied word, of aan iemand anders wat volgens sy oordeel die kwalifikasies vir so 'n diploma of sertifikaat besit.

14. (1) Iemand wat 'n graad aan 'n ander universiteit behaal het of voldoende bewys van sy kwalifikasies kan lewer, kan van die matrikulasiëksamen vrygestel word deur die gemeenskaplike matrikulasieraad in artikel *vyftien* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), vermeld, en as 'n navorsingstudent tot spesiale studie- en navorsingskursusse aan die Universiteit toegelaat word, en kan tot 'n graad oorgaan op voorwaardes wat verskil van dié wat op gewone studente van toepassing is. Studente *ad eundem* vir spesiale studiekursusse en hul toelating tot 'n graad.

(2) Sodanige voorwaardes moet deur die statute voorgeskryf word.

Degrees *honoris causa*.

15. (1) Subject to the provisions of the statutes, the University may, on the resolution of the council and of the senate and without examination, confer a degree, *honoris causa*, of master or doctor in any faculty upon any person who has rendered distinguished services in South Africa, in the advancement of arts, science or other branches of learning, or upon any person whom the University may, on the resolution of the council and of the senate, deem worthy of such degree.

(2) The holder of a degree that has been conferred *honoris causa* shall not, by the fact that he has been admitted thereto, be entitled to practise any profession.

Examinations.

16. All examinations held by the University shall be conducted in accordance with the statutes.

Discipline and place of residence of students.

17. (1) A student of the University shall be subject to such disciplinary provisions as the statutes may prescribe.

(2) The council may require a student to reside for any period during which the University is in session, at a place of residence approved for the purpose by the council.

Prohibition of religious test.

18. No test whatever of religious belief shall be imposed on any person as a condition of his becoming or continuing to be a graduate of the University or a professor, lecturer, teacher or student of the University, or of his holding any office, receiving any emolument or exercising any privilege therein, nor shall any preference be given to, or advantage be withheld from, any person on the ground of his religious belief.

Restriction on alienation of immovable property of the University.

19. Immovable property vested in the University shall not be sold, hypothecated, leased or otherwise disposed of without the approval of the Governor-General.

Vacancies not to affect powers of the University or its council or senate.

20. No vacancy in the office of chancellor, vice-chancellor or rector of the University, or deficiency in the number of members of the council or of the senate shall impair or affect the corporate existence of the University or any powers, rights or privileges conferred by this Act upon the University, the council or the senate: Provided that no resolution of the council or the senate shall be valid unless passed at a meeting whereat a quorum was present and unless the statutes relating to any such meeting have in all other respects been complied with.

Repeal of laws.

21. (1) Subject to the provisions of sub-sections (2) and (3), the laws specified in the Schedule are hereby repealed to the extent set out in the third column thereof.

(2) Anything done under any provision of a law repealed by sub-section (1), shall be deemed to have been done under the corresponding provision of this Act.

(3) Any provision that immediately before the commencement of this Act applied in relation to the University or to any person by virtue of any law repealed by sub-section (1) but that is not re-enacted by this Act, shall continue to apply in relation to the University or to that person, as the case may be, as if such law had not been repealed.

Short title.

22. This Act shall be called the University of Stellenbosch Act, 1959.

15. (1) Behoudens die bepalings van die statute kan die Universiteit, by besluit van die raad en van die senaat, en sonder eksamen, 'n magisters- of doktorsgraad in enige fakulteit *honoris causa* toeken aan iemand wat met onderskeiding diens in Suid-Afrika gelewer het ter bevordering van lettere en wysbegeerte, natuurwetenskappe of ander vertakkinge van geleerdheid, of aan iemand wat die Universiteit, by besluit van die raad en van die senaat, so 'n graad waardig ag.

Grade *honoris causa*.

(2) Iemand aan wie 'n graad *honoris causa* toegeken is, is nie op grond van die toekenning daarvan geregtig om 'n beroep uit te oefen nie.

16. Alle eksamens wat die Universiteit afneem, moet ooreenkomstig die statute afgeneem word.

Eksamens.

17. (1) 'n Student van die Universiteit is onderworpe aan die tugbepalings wat die statute voorskryf.

Tug en verblyfplek van studente.

(2) Die raad kan eis dat 'n student gedurende 'n tydperk wanneer die Universiteit aan die gang is, by 'n verblyfplek inwoon wat die raad vir dié doel goedgekeur het.

18. Niemand mag aan enige toets aangaande godsdienstige oortuiging onderwerp word nie as 'n voorwaarde om 'n ge-gradueerde van die Universiteit of 'n professor, lektor, dosent of student van die Universiteit te word of te bly, of om daarin 'n amp te beklee, besoldiging te ontvang of voorreg uit te oefen, en niemand mag op grond van sy godsdienstige oortuiging bevoorreg of te kort gedoen word nie.

Verbod op godsdiensttoets.

19. Onroerende goed wat aan die Universiteit behoort mag nie sonder die goedkeuring van die Goewerneur-generaal verkoop, met verband beswaar, verhuur of andersins oor beskik word nie.

Beperking op vervreemding van onroerende goed van die Universiteit.

20. Geen vakature in die amp van kanselier, vise-kanselier of rektor van die Universiteit, of tekort in die ledetal van die raad of senaat maak inbreuk op of raak die regspersoonlikheid van die Universiteit of die bevoegdhede, regte of voorregte wat deur hierdie Wet aan die Universiteit, die raad of senaat verleen word nie: Met dien verstande dat geen besluit van die raad of senaat geldig is nie tensy dit geneem is op 'n vergadering waarop 'n kworum aanwesig was en tensy die statute wat op so 'n vergadering betrekking het, in alle ander opsigte nagekom is.

Vakatures raak nie bevoegdhede van die Universiteit of sy raad of senaat nie.

21. (1) Behoudens die bepalings van sub-artikels (2) en (3) word die wette in die Bylae vermeld hierby herroep vir sover in die derde kolom daarvan aangedui.

Wetsherroeping.

(2) Enigiets gedoen kragtens 'n bepaling van 'n wet by sub-artikel (1) herroep, word geag kragtens die ooreenstemmende bepaling van hierdie Wet gedoen te gewees het.

(3) 'n Bepaling wat onmiddellik vóór die inwerkingtreding van hierdie Wet ten opsigte van die Universiteit of iemand van toepassing was uit hoofde van 'n wet by sub-artikel (1) herroep, maar wat nie deur hierdie Wet herverorden is nie, hou aan om ten opsigte van die Universiteit of so iemand, na gelang van die geval, van toepassing te wees asof sodanige wet nie herroep was nie.

22. Hierdie Wet heet die Wet op die Universiteit van Kort titel. Stellenbosch, 1959.

Schedule.

LAWS REPEALED.

No. and Year of Law.	Title.	Extent of Repeal.
Act No. 13 of 1916.	University of Stellenbosch Act, 1916.	The whole.
Act No. 42 of 1920.	Universities and Higher Education Acts Amendment Act, 1920.	So much of sub-section (1) of section <i>two</i> as amends section <i>fourteen</i> of Act No. 13 of 1916.
Act No. 32 of 1926.	University Schools Transfer Act, 1926.	So much of section <i>one</i> as relates to the repeal of Act No. 9 of 1881 of the Cape of Good Hope, and section <i>thirty-three</i> of Act No. 13 of 1916.
Act No. 45 of 1926.	Stellenbosch-Elsenburg College of Agriculture Act, 1926.	Section <i>thirteen</i> .
Act No. 25 of 1941.	Higher Education (Amendment) Act, 1941.	So much of section <i>five</i> as relates to the University of Stellenbosch Act, 1916 (Act No. 13 of 1916).
Act No. 61 of 1955.	Universities Act, 1955.	That part of the Schedule that amends the University of Stellenbosch Act, 1916 (Act No. 13 of 1916).
Act No. 14 of 1959.	University of Stellenbosch Act, 1916, Amendment (Private) Act, 1959.	The whole.

Bylae.

WETTE HERROEP.

No. en Jaar van Wet.	Titel.	Hoever herroep.
Wet No. 13 van 1916.	„Universiteit van Stellenbosch Wet, 1916”.	Die geheel.
Wet No. 42 van 1920.	„Wet tot Wijziging van de Wetten op Universiteiten en Hoger Onderwijs, 1920”.	Soveel van sub-artikel (1) van artikel twee as wat artikel veertien van Wet No. 13 van 1916 wysig.
Wet No. 32 van 1926.	Wet op Oordrag van Universiteitskole, 1926.	Soveel van artikel een as wat betrekking het op die herroeping van Wet No. 9 van 1881 van die Kaap die Goeie Hoop, en artikel drie-en-dertig van Wet No. 13 van 1916.
Wet No. 45 van 1926.	Stellenbosch-Elsenburg Landboukollege Wet, 1926.	Artikel dertien.
Wet No. 25 van 1941.	Wysigingswet op Hoër Onderwys, 1941.	Soveel van artikel vyf as wat betrekking het op die „Universiteit van Stellenbosch Wet, 1916” (Wet No. 13 van 1916).
Wet No. 61 van 1955.	Wet op Universiteite, 1955.	Dié deel van die Bylae wat die „Universiteit van Stellenbosch Wet, 1916” (Wet No. 13 van 1916) wysig.
Wet No. 14 van 1959.	Private Wysigingswet op die „Universiteit van Stellenbosch Wet, 1916”, 1959.	Die geheel.

No. 38, 1959.]

ACT

To consolidate the laws providing for the establishment of the University of Cape Town and for matters incidental thereto.

(Afrikaans text signed by the Governor-General.)
(Assented to 2nd June, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—

- (i) "council" means the council of the University; (iv)
- (ii) "joint statutes" means the joint statutes framed and in force in terms of section *eighteen* of the Universities Act, 1955 (Act No. 61 of 1955), and includes any joint statutes referred to in paragraph (b) of section *twenty-nine* of that Act, and any joint regulations made under the joint statutes; (i)
- (iii) "Minister" means the Minister of Education, Arts and Science; (iii)
- (iv) "senate" means the senate of the University; (v)
- (v) "statutes" means the statutes of the University framed and in force in terms of section *seventeen* of the Universities Act, 1955 (Act No. 61 of 1955), and includes any statutes of the University referred to in paragraph (a) of section *twenty-nine* of that Act, and any regulations made under the statutes; (vi)
- (vi) "this Act" includes the statutes and the joint statutes; (ii)
- (vii) "University" means the University of Cape Town established by section *one* of the University of Cape Town Act, 1916 (Act No. 14 of 1916). (vii)

Purposes and structure of the University.

2. The University shall exist for such purposes, with such constitution and with such rights, powers, privileges and duties, as are described in this Act.

Seat of the University.

3. (1) The seat of the University shall be in the Cape Division of the Cape of Good Hope upon the Groote Schuur Estates that were transferred to and vested in the State under the Rhodes' Will (Groote Schuur Devolution) Act, 1910 (Act No. 9 of 1910), and the Governor-General may at any time grant to the University such portion of the said estates as he may deem necessary for the purposes of the University.

(2) No transfer duty, stamp duty or registration charges shall be payable in respect of any portion of the said estates so granted.

Constitution of the University.

4. The University shall consist of—

- (a) a visitor, who shall be the Governor-General or, in the event of his absence from the Union, the officer for the time being administering the government of the Union;
- (b) a chancellor;
- (c) an officer, who shall be styled the principal of the University and who shall also be the vice-chancellor of the University;
- (d) a council;
- (e) a senate;
- (f) convocation; and
- (g) the professors, lecturers and students of the University, and shall, under the name of the University of Cape Town with which is incorporated the South African College, be a body corporate and shall, by that name, be capable in law of suing and being sued and, subject to the provisions of this Act, of acquiring, holding and alienating property, movable and immovable, and performing such acts as bodies corporate may by law perform.

No. 38, 1959.]

WET

Tot samevatting van die wette wat voorsiening maak vir die stigting van die Universiteit van Kaapstad en vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 2 Junie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Tensy uit die samehang anders blyk, beteken in hierdie Woordbepaling. Wet—

- (i) „gemeenskaplike statute” die gemeenskaplike statute wat ingevolge artikel *agtien* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), opgestel en van krag is, en ook gemeenskaplike statute in paragraaf (b) van artikel *nege-en-twintig* van dié Wet vermeld, en gemeenskaplike regulasies kragtens die gemeenskaplike statute uitgevaardig; (ii)
- (ii) „hierdie Wet” ook die statute en die gemeenskaplike statute; (vi)
- (iii) „Minister” die Minister van Onderwys, Kuns en Wetenskap; (iii)
- (iv) „raad” die raad van die Universiteit; (i)
- (v) „senaat” die senaat van die Universiteit; (iv)
- (vi) „statute” die statute van die Universiteit wat ingevolge artikel *sewentien* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), opgestel en van krag is, en ook statute van die Universiteit in paragraaf (a) van artikel *nege-en-twintig* van dié Wet vermeld, en regulasies kragtens die statute uitgevaardig; (v)
- (vii) „Universiteit” die Universiteit van Kaapstad wat by artikel *een* van die „Universiteit van Kaapstad Wet, 1916” (Wet No. 14 van 1916), gestig is. (vii)

2. Die Universiteit bestaan vir die doeleindes, is saamgestel op die wyse, en het die regte, bevoegdhede, voorregte en pligte wat in hierdie Wet omskryf word. Doeleindes en struktuur van die Universiteit.

3. (1) Die setel van die Universiteit is in die Kaapse Afdeling van die Kaap die Goeie Hoop op die landgoed Groote Schuur wat oorgedra is aan en oorgegaan het op die Staat kragtens die „Rhodes Uiterste Wil (Groote Schuur Overgang) Wet, 1910” (Wet No. 9 van 1910), en die Goewerneur-generaal kan te eniger tyd aan die Universiteit dié deel van genoemde landgoed skenk wat hy vir die doeleindes van die Universiteit nodig ag. Setel van die Universiteit.

(2) Geen hereregte, seëlregte of registrasiegelde is betaalbaar nie ten opsigte van ’n deel van genoemde landgoed wat aldus geskenk is.

4. Die Universiteit bestaan uit—

- (a) ’n besoeker in die persoon van die Goewerneur-generaal of, in die geval van sy afwesigheid uit die Unie, die amptenaar dan belas met die uitvoerende gesag van die Unie; Samestelling van die Universiteit.
- (b) ’n kanselier;
- (c) ’n amptenaar genoem die rektor van die Universiteit wat ook die vise-kanselier van die Universiteit is;
- (d) ’n raad;
- (e) ’n senaat;
- (f) ’n konvokasie; en
- (g) die professore, lektore en studente van die Universiteit, en is onder die naam die Universiteit van Kaapstad waarby die Suid-Afrikaanse Kollege ingelyf is, ’n regspersoon, en kan onder dié naam eisend en verwerend in die regte optree en, behoudens die bepalings van hierdie Wet, roerende en onroerende goed verkry, besit en vervreem, en dié handeling verrig wat regspersone regtens kan verrig.

Chancellor of
the University.

5. (1) The chancellor of the University shall be elected by the members of convocation of the University in the manner prescribed by the statutes, and shall hold office during his life or until he resigns.

(2) Upon the death or resignation of the chancellor, a new chancellor shall be elected by the members of convocation in the manner prescribed by the statutes.

(3) The powers, privileges, functions and duties of the chancellor shall be as prescribed by the statutes.

Principal of
the University.

6. The principal of the University shall be appointed by the council in the manner prescribed by the statutes, and his powers and duties shall be as thereby prescribed.

Council of the
University.

7. (1) Subject to the provisions of this Act, the government and executive authority of the University shall be vested in the council, which shall consist of—

- (a) the principal of the University;
- (b) five persons appointed by the Governor-General;
- (c) six persons elected by convocation of the University;
- (d) three professors of the University chosen by the senate;
- (e) two persons chosen by the city council of Cape Town;
- (f) three persons chosen by a constituency of persons who, immediately before the commencement of this Act, were entitled to choose, otherwise than in a manner contemplated in paragraphs (c), (d), (e) and (g), three members of the council, and of persons who, in accordance with the statutes, may after the said commencement become members of such constituency by reason of donations made by them to the University; and
- (g) one person chosen by a constituency of persons who, having matriculated from the Diocesan College, before the commencement of this Act became, or after the said commencement become, graduates of any university.

(2) Except as in paragraph (d) of sub-section (1) provided, a professor of the University shall not be eligible for appointment or election as a member of the council.

(3) The nomination and election of a member of the council referred to in paragraph (g) of sub-section (1), shall be conducted in the manner in which it would have been conducted if this Act had not been passed.

(4) The members of the council, other than the member referred to in paragraph (a) of sub-section (1), shall hold office for such periods as the statutes in each case prescribe.

(5) If the period of office of any member of the council expires, or is about to expire, his place shall, subject to the provisions of sub-sections (1) and (2), be filled in the manner provided by the statutes.

(6) Casual vacancies upon the council caused by death, resignation or other cause prescribed by the statutes shall, subject to the provisions of sub-sections (1) and (2), be filled as required by the statutes.

(7) The council shall elect from amongst its members a chairman, who shall hold office as such for such period as is prescribed by the statutes, and if that chairman is not present at any meeting of the council, the members present may elect a chairman out of their number to preside at such meeting.

(8) The quorum and the procedure at meetings of the council and the times at which such meetings shall be held, shall be as prescribed by the statutes.

(9) The council shall administer all the property of the University and shall, save as by this Act is specifically provided, make all appointments it deems necessary for the efficient conduct of the University, and have the general control of the University and of all its affairs and functions.

Senate of the
University.

8. (1) The senate shall consist of—

- (a) the principal of the University, who shall be chairman;
- (b) two members of the council, chosen by the council in the manner and for a period prescribed by the statutes; and
- (c) the professors of the University.

(2) If any member of the council chosen under paragraph (b) of sub-section (1) dies or ceases to be a member of the council or resigns office as a member of the senate, the members of the council shall choose another of their number to fill his place on the senate.

5. (1) Die kanselier van die Universiteit word deur die lede van die konvokasie van die Universiteit gekies op die wyse deur die statute voorgeskryf, en hy beklee sy amp lewenslank of totdat hy bedank.

(2) By die dood of bedanking van die kanselier word 'n nuwe kanselier deur die lede van die konvokasie gekies op die wyse deur die statute voorgeskryf.

(3) Die bevoegdhede, voorregte, funksies en pligte van die kanselier is dié wat die statute voorskryf.

6. Die rektor van die Universiteit word deur die raad aangestel op die wyse deur die statute voorgeskryf, en sy bevoegdhede en pligte is dié wat die statute voorskryf.

7. (1) Behoudens die bepalings van hierdie Wet berus die bestuur en uitvoerende mag van die Universiteit by die raad, wat bestaan uit—

- (a) die rektor van die Universiteit;
- (b) vyf persone deur die Goewerneur-generaal aangestel;
- (c) ses persone deur die konvokasie van die Universiteit gekies;
- (d) drie professore van die Universiteit deur die senaat gekies;
- (e) twee persone deur die stadsraad van Kaapstad gekies;
- (f) drie persone gekies deur 'n kieskollege bestaande uit persone wat onmiddellik vóór die inwerkingtreding van hierdie Wet geregtig was om op 'n ander wyse as in paragraaf (c), (d), (e) en (g) beoog, drie lede van die raad te kies, en uit persone wat, ooreenkomstig die statute, ná genoemde inwerkingtreding lede word van dié kieskollege uit hoofde van skenkings deur hulle aan die Universiteit gedoen; en
- (g) een persoon gekies deur 'n kieskollege bestaande uit persone wat, nadat hulle aan die Diocesan-kollege gematrikuleer het, vóór die inwerkingtreding van hierdie Wet gegradueerdes van enige universiteit geword het, of dit ná genoemde inwerkingtreding word.

(2) Behalwe soos in paragraaf (d) van sub-artikel (1) bepaal word, kan 'n professor van die Universiteit nie as 'n lid van die raad aangestel of gekies word nie.

(3) Die nominasie en verkiesing van 'n lid van die raad in paragraaf (g) van sub-artikel (1) vermeld, geskied op die wyse waarop dit sou geskied het indien hierdie Wet nie aangeneem was nie.

(4) Die lede van die raad, behalwe die lid in paragraaf (a) van sub-artikel (1) vermeld, beklee hul amp vir die termyn wat die statute in elke geval voorskryf.

(5) Indien die ampstermyn van 'n lid van die raad verstryk of ten einde loop, word, behoudens die bepalings van sub-artikels (1) en (2), sy plek gevul op die wyse deur die statute bepaal.

(6) Toevallige vakatures in die raad wat veroorsaak word deur dood, bedanking of 'n ander oorsaak wat deur die statute voorgeskryf is, word, behoudens die bepalings van sub-artikels (1) en (2), gevul soos deur die statute vereis word.

(7) Die raad kies uit eie geledere 'n voorsitter wat sy amp as sodanig beklee vir die termyn deur die statute voorgeskryf, en indien dié voorsitter nie op 'n vergadering van die raad aanwesig is nie, kan die aanwesige lede uit eie geledere 'n voorsitter kies om op dié vergadering voor te sit.

(8) Die kworum en prosedure op vergaderings van die raad, en die tye wanneer sodanige vergaderings gehou moet word, word deur die statute voorgeskryf.

(9) Die raad beheer al die eiendom van die Universiteit, en behalwe soos deur hierdie Wet in die besonder bepaal word, doen hy al die aanstellings wat hy vir die doelmatige bestuur van die Universiteit nodig ag, en oefen hy algemene beheer uit oor die Universiteit en al die sake en werksaamhede daarvan.

8. (1) Die senaat bestaan uit—

- (a) die rektor van die Universiteit wat die voorsitter is;
- (b) twee lede van die raad wat deur die raad op die wyse en vir 'n termyn deur die statute voorgeskryf, gekies word; en
- (c) die professore van die Universiteit.

(2) Indien 'n lid van die raad wat kragtens paragraaf (b) van sub-artikel (1) gekies is, sterf of ophou om lid van die raad te wees of as lid van die senaat bedank, kies die lede van die raad iemand anders uit eie geledere om sy plek in die senaat te vul.

Kanselier van die Universiteit.

Rektor van die Universiteit.

Raad van die Universiteit.

Senaat van die Universiteit.

(3) The superintendence and regulation of the discipline and instruction of the several departments, lectures and classes of the University shall be vested in the senate in accordance with regulations to be framed by the senate for the purpose and approved by the council.

(4) The senate shall submit to the council from time to time—

- (a) reports upon its work;
- (b) such recommendations as may seem expedient to the senate, as to any matters of interest affecting the University; and
- (c) recommendations as to any matters referred to it by the council.

(5) The quorum and the procedure at meetings of the senate and the times at which such meetings shall be held, shall be as prescribed by the statutes.

Convocation of the University.

9. (1) Convocation of the University shall consist of—

- (a) all persons, other than persons referred to in paragraph (b), who immediately before the commencement of this Act were members of convocation of the University;
- (b) the principal, the professors and the lecturers of the University; and
- (c) all persons who after the said commencement become graduates of the University.

(2) Meetings of convocation shall be summoned, and held, in the manner and at times and for purposes prescribed by the statutes.

(3) Convocation may discuss and state its opinion upon any matter relating to the University, including any matter which may be referred to it by the council.

Faculties.

10. At the University there shall be—

- (a) faculties or departments of arts, science, medicine, law, engineering and education; and
- (b) such other faculties or departments as the council may, with the approval of the Governor-General and subject to the statutes, from time to time establish.

Appointment of professors, lecturers and teachers.

11. (1) The professors, lecturers and other teachers at the University shall be appointed by the council after consultation with the senate or with such faculty or committee thereof as may be appointed for that purpose by the senate.

(2) Notice of every appointment made in terms of subsection (1) shall be given in writing to the Minister.

(3) No professor, lecturer or teacher shall be dismissed from his office unless the consent of the Minister has been first obtained.

Degrees, diplomas and certificates.

12. (1) The University may, subject to the provisions of this Act and the statutes, confer degrees of bachelor, master or doctor in any faculty mentioned in, or approved under, section ten, and all such other degrees as it may deem expedient to confer.

(2) The designation of any specific degree in any faculty shall be as prescribed by the statutes and no other.

(3) Save as is provided by sections *thirteen* and *fourteen*, no degree shall be conferred by the University upon any person who has not—

- (a) attended, for such period as may in each case be prescribed by the statutes, as a student of the University; and
- (b) attained, in examination or other test, the prescribed standard of proficiency.

(4) The University may, subject to the provisions of this Act, grant a diploma or certificate to any person who has pursued a course of study provided by the University, or to any other person deemed by it to possess the qualifications for such a diploma or certificate.

Ad eundem students for special courses of study and their admission to a degree.

13. (1) A person who has graduated in another university or who is able to give satisfactory evidence of his qualifications may, notwithstanding anything contained in this Act, be exempted from the matriculation examination by the Matriculation Board referred to in section *fifteen* of the Universities Act, 1955 (Act No. 61 of 1955), and admitted as a research student to courses of special study and research at the University and may proceed to a degree under different conditions from those applicable to ordinary students.

(2) Such conditions shall be prescribed by the statutes.

(3) Die toesig oor en die reëling van die onderrig in die verskeie departemente, voorlesings en klasse van die Universiteit berus by die senaat ooreenkomstig regulasies wat deur die senaat daarvoor opgestel moet word en deur die raad goedgekeur is.

(4) Die senaat moet van tyd tot tyd—

(a) verslae oor sy werksaamhede;

(b) die aanbevelings wat hy dienstig ag betreffende aangeleenthede van belang wat die Universiteit raak; en

(c) aanbevelings betreffende aangeleenthede deur die raad na hom verwys, aan die raad voorlê.

(5) Die kworum en prosedure op vergaderings van die senaat, en die tye wanneer sodanige vergaderings gehou moet word, word deur die statute voorgeskryf.

9. (1) Die konvokasie van die Universiteit bestaan uit— Konvokasie van die Universiteit.

(a) al die persone, behalwe persone in paragraaf (b) vermeld, wat onmiddellik vóór die inwerkingtreding van hierdie Wet lede van die konvokasie van die Universiteit was;

(b) die rektor, professore en lektore van die Universiteit; en

(c) al die persone wat ná genoemde inwerkingtreding ge-graduateerdes van die Universiteit word.

(2) Vergaderings van die konvokasie word belê en gehou op die wyse en tye en vir die doeleindes deur die statute voorgeskryf.

(3) Die konvokasie kan enige aangeleentheid bespreek wat op die Universiteit betrekking het, met inbegrip van enige aangeleentheid deur die raad na hom verwys, en kan sy sienswyse daarvoor uitspreek.

10. Aan die Universiteit moet daar wees—

Fakulteite.

(a) fakulteite of departemente van lettere en wysbegeerte, natuurwetenskappe, geneeskunde, regsgeleerdheid, ingenieurswese en opvoedkunde; en

(b) die ander fakulteite of departemente wat die raad met die goedkeuring van die Goewerneur-generaal en onderworpe aan die statute, van tyd tot tyd instel.

11. (1) Die professore, lektore en ander dosente aan die Universiteit word deur die raad aangestel ná raadpleging met die senaat of die fakulteit of komitee daarvan wat deur die senaat vir dié doel aangestel is. Aanstelling van professore, lektore en dosente.

(2) Skriftelike kennis van iedere aanstelling ingevolge sub-artikel (1) gedoen, moet aan die Minister gegee word.

(3) Geen professor, lektor of dosent mag uit sy amp ontslaan word nie tensy die toestemming van die Minister eers verkry is.

12. (1) Die Universiteit kan, behoudens die bepalings van hierdie Wet en die statute, grade van baccalaureus, magister of doktor in 'n fakulteit vermeld in, of goedgekeur kragtens, artikel *tien*, toeken, sowel as alle ander grade waarvan hy die toekenning dienstig ag. Grade, diplomas en sertifikate.

(2) Die naam van 'n bepaalde graad in enige fakulteit moet dié wees wat die statute voorskryf, en geen ander nie.

(3) Behalwe soos by artikels *dertien* en *veertien* bepaal word, mag geen graad deur die Universiteit toegeken word aan iemand wat—

(a) nie vir die tydperk wat in iedere geval deur die statute voorgeskryf mag wees, 'n student aan die Universiteit was nie; en

(b) nie in 'n eksamen of ander toets die voorgeskrewe peil van bekwaamheid bereik het nie.

(4) Die Universiteit kan, behoudens die bepalings van hierdie Wet, 'n diploma of sertifikaat verleen aan iemand wat 'n studiekursus gevolg het wat deur die Universiteit aangebied word, of aan iemand anders wat volgens sy oordeel die kwalifikasies vir so 'n diploma of sertifikaat besit.

13. (1) Iemand wat 'n graad aan 'n ander universiteit behaal het of voldoende bewys van sy kwalifikasies kan lewer, kan, ondanks die bepalings van hierdie Wet, van die matrikulasie-eksamen vrygestel word deur die Matrikulasieraad in artikel *vyftien* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955) vermeld, en as 'n navorsingstudent tot spesiale studie- en navorsingskursusse aan die Universiteit toegelaat word, en kan tot 'n graad oorgaan op voorwaardes wat verskil van dié wat op gewone studente van toepassing is. Studente ad eundem vir spesiale studiekursusse en hul toelating tot 'n graad.

(2) Sodanige voorwaardes moet deur die statute voorgeskryf word.

Degrees
honoris causa.

14. (1) Subject to the provisions of the statutes, the University may, on the resolution of the council and of the senate and without examination, confer a degree, *honoris causa*, of master or doctor in any faculty upon any person who has rendered distinguished services in South Africa in the advancement of arts, science, jurisprudence or other branches of learning, or upon any person whom the University may, on the resolution of the council, deem worthy of such a degree.

(2) The holder of a degree that has been conferred *honoris causa* shall not, by the fact that he has been admitted thereto, be entitled to practise any profession.

Examinations.

15. All examinations held by the University shall be conducted in accordance with the statutes.

Discipline and
place of
residence of
students.

16. (1) A student of the University shall be subject to such disciplinary provisions as the statutes may prescribe.

(2) The council may require a student to reside, for any period during which the University is in session, at a place of residence approved for the purpose by the council.

Prohibition of
religious test.

17. No test whatever of religious belief shall be imposed on any person as a condition of his becoming or continuing to be a graduate of the University or a professor, lecturer, teacher or student of the University, or of his holding any office, receiving any emolument or exercising any privilege therein, nor shall any preference be given to, or advantage be withheld from, any person on the ground of his religious belief.

Restriction on
alienation of
immovable
property of the
University.

18. Immovable property vested in the University shall not be sold, hypothecated, leased or otherwise disposed of without the approval of the Governor-General.

Vacancies not
to affect powers
of the University
or its council
or senate.

19. No vacancy in the office of chancellor, or principal and vice-chancellor, of the University, or deficiency in the number of members of the council or of the senate shall impair or affect the corporate existence of the University or any powers, rights or privileges conferred by this Act upon the University, the council or the senate: Provided that no resolution of the council or the senate shall be valid unless passed at a meeting whereat a quorum was present and unless the statutes relating to any such meeting have in all other respects been complied with.

Repeal of
laws.

20. (1) Subject to the provisions of sub-sections (2) and (3), the laws specified in the Schedule are hereby repealed to the extent set out in the third column thereof.

(2) Anything done under any provision of a law repealed by sub-section (1), shall be deemed to have been done under the corresponding provision of this Act.

(3) Any provision that immediately before the commencement of this Act applied in relation to the University or to any person by virtue of any law repealed by sub-section (1) but that is not re-enacted by this Act, shall continue to apply in relation to the University or to that person, as the case may be, as if such law had not been repealed.

Short title.

21. This Act shall be called the University of Cape Town Act, 1959.

14. (1) Behoudens die bepalinge van die statute kan die Universiteit, by besluit van die raad en van die senaat, en sonder eksamen, 'n magisters- of doktorsgraad in enige fakulteit *honoris causa* toeken aan iemand wat met onderskeiding diens in Suid-Afrika gelewer het ter bevordering van lettere en wysbegeerte, natuurwetenskappe, regsgeleerdheid of ander vertakkinge van geleerdheid, of aan iemand wat die Universiteit, by besluit van die raad, so 'n graad waardig ag.

Grade *honoris causa*.

(2) Iemand aan wie 'n graad *honoris causa* toegeken is, is nie op grond van die toekenning daarvan geregtig om 'n beroep uit te oefen nie.

15. Alle eksamens wat die Universiteit afneem, moet ooreenkomstig die statute afgelees word.

Eksamens.

16. (1) 'n Student van die Universiteit is onderworpe aan die tusbepalinge wat die statute voorskryf.

Tug en verblyfplek van studente.

(2) Die raad kan eis dat 'n student gedurende 'n tydperk wanneer die Universiteit aan die gang is, by 'n verblyfplek inwoon wat die raad vir dié doel goedgekeur het.

17. Niemand mag aan enige toets aangaande godsdienstige oortuiging onderwerp word nie as 'n voorwaarde om 'n ge-gradueerde van die Universiteit of 'n professor, lektor, dosent of student van die Universiteit te word of te bly, of om daarin 'n amp te beklee, besoldiging te ontvang of voorreg uit te oefen, en niemand mag op grond van sy godsdienstige oortuiging bevoorreg of te kort gedoen word nie.

Verbod op godsdiensttoets.

18. Onroerende goed wat aan die Universiteit behoort mag nie sonder die goedkeuring van die Goewerneur-generaal verkoop, met verband beswaar, verhuur of andersins ooreenkomstig beskik word nie.

Beperking op vervreemding van onroerende goed van die Universiteit.

19. Geen vakature in die amp van kanselier, of rektor en vise-kanselier, van die Universiteit, of tekort in die ledetal van die raad of senaat maak inbreuk op of raak die regspersoonlikheid van die Universiteit of die bevoegdhede, regte en voorregte wat deur hierdie Wet aan die Universiteit, die raad of senaat verleen word: Met dien verstande dat geen besluit van die raad of senaat geldig is nie tensy dit geneem is op 'n vergadering waarop 'n kworum aanwesig was en tensy die statute wat op so 'n vergadering betrekking het, in alle ander opsigte nagekom is.

Vakatures raak nie bevoegdhede van die Universiteit of sy raad of senaat nie.

20. (1) Behoudens die bepalinge van sub-artikels (2) en (3) word die wette in die Bylae vermeld hierby herroep vir sover in die derde kolom daarvan aangedui.

Wetsherroeping.

(2) Enigiets gedoen kragtens 'n bepaling van 'n wet by sub-artikel (1) herroep, word geag kragtens die ooreenstemmende bepaling van hierdie Wet gedoen te gewees het.

(3) 'n Bepaling wat onmiddellik vóór die inwerkingtreding van hierdie Wet ten opsigte van die Universiteit of iemand van toepassing was uit hoofde van 'n wet by sub-artikel (1) herroep, maar wat nie deur hierdie Wet herverorden is nie, hou aan om ten opsigte van die Universiteit of so iemand, na gelang van die geval, van toepassing te wees asof sodanige wet nie herroep was nie.

21. Hierdie Wet heet die Wet op die Universiteit van Kaapstad, 1959.

Kort titel.

Schedule.

LAWS REPEALED.

No. and year of Law.	Title.	Extent of repeal.
Act No. 4 of 1911.	South African College Act, 1911.	The whole.
Act No. 14 of 1916.	University of Cape Town Act, 1916.	The whole.
Act No. 42 of 1920.	Universities and Higher Education Acts Amendment Act, 1920.	Sub-section (1) of section <i>two</i> .
Act No. 32 of 1926.	University Schools Transfer Act, 1926.	Section <i>one</i> .
Act No. 25 of 1941.	Higher Education (Amendment) Act, 1941.	Section <i>five</i> .
Act No. 61 of 1955.	Universities Act, 1955.	That part of the Schedule that amends the University of Cape Town Act, 1916 (Act No. 14 of 1916).

No. 39, 1959.]

ACT

To provide for the further continuation of certain regulations made under section *one bis* of the War Measures Act, 1940, or promulgated by proclamations validated by section *two* of the said Act.

(English text signed by the Governor-general.)
(Assented to 2nd June, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of
section 1 of
Act 58 of 1956.

1. Section *one* of the War Measures Continuation Act, 1956 (hereinafter referred to as the principal Act), is hereby amended by the substitution in sub-section (1) for the expression "1959" of the expression "1962".

Amendment of
Schedule to
Act 58 of 1956.

2. The Schedule to the principal Act is hereby amended—
(a) by the substitution in item 6 for the word "and" in the second column of the words "as amended by"; and
(b) by the insertion in item 7 after the expression "1950" in the second column of the expression "and paragraph (c) of section *two* of Act No. 51 of 1954".

Short title.

3. This Act shall be called the War Measures Continuation Amendment Act, 1959.

Bylae.**WETTE HERROEP.**

No. en jaar van Wet.	Titel.	Hoever herroep.
Wet No. 4 van 1911.	„Zuid-afrikaanse Kollege Wet, 1911”.	Die geheel.
Wet No. 14 van 1916.	„Universiteit van Kaapstad Wet, 1916”.	Die geheel.
Wet No. 42 van 1920.	„Wet tot Wijziging van de Wetten op Universiteiten en Hoger Onderwijs, 1920”.	Sub-artikel (1) van artikel twee.
Wet No. 32 van 1926.	Wet op Oordrag van Universiteit-skole, 1926.	Artikel een.
Wet No. 25 van 1941.	Wysigingswet op Hoër Onderwys, 1941.	Artikel vyf.
Wet No. 61 van 1955.	Wet op Universiteite, 1955.	Dié deel van die Bylae wat die „Universiteit van Kaapstad Wet, 1916” (Wet No. 14 van 1916) wysig.

No. 39, 1959.]

WET

Om voorsiening te maak vir die verdere voortsetting van sekere regulasies uitgevaardig kragtens artikel *een bis* van die Wet op Oorlogsmaatreëls, 1940, of afgekondig by proklamasies deur artikel *twee* van genoemde Wet bekragtig.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 2 Junie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

- Artikel *een* van die Wet op die Voortsetting van Oorlogsmaatreëls, 1956 (hieronder die Hoofwet genoem), word hierby gewysig deur in sub-artikel (1) die uitdrukking „1959” deur die uitdrukking „1962” te vervang. Wysiging van artikel 1 van Wet 58 van 1956.
- Die Bylae by die Hoofwet word hierby gewysig— Wysiging van Bylae by Wet 58 van 1956.
 - deur in item 6 die woord „en” in die tweede kolom deur die woorde „soos gewysig deur” te vervang; en
 - deur in item 7 na die uitdrukking „1950” in die tweede kolom die woorde „en paragraaf (c) van artikel *twee* van Wet No. 51 van 1954” in te voeg.
- Hierdie Wet heet die Wysigingswet op die Voortsetting Kort titel. van Oorlogsmaatreëls, 1959.

No. 40, 1959.]

ACT

To amend the Banking Act, 1942.

(Afrikaans text signed by the Governor-general.)
(Assented to 2nd June, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of
section 3 of
Act 38 of 1942.

1. Section *three* of the Banking Act, 1942 (hereinafter called the principal Act), is hereby amended by the insertion after sub-section (1) of the following sub-section:

"(1)*bis* The Minister may, subject to the laws governing the public service, appoint a Deputy-Registrar of Banks who may, subject to the control and directions of the Registrar, do anything which may lawfully be done by the Registrar."

Amendment of
section 6 of
Act 38 of 1942,
as amended by
section 3 of
Act 40 of 1955.

2. Section *six* of the principal Act is hereby amended by the addition to sub-section (2) of the following further proviso:

"Provided further that the Registrar may refuse to register an applicant provisionally as a banking institution unless the applicant satisfies the Registrar that the establishment of such banking institution will be in the public interest and complies with such conditions as the Registrar may deem it desirable to impose in the public interest."

Amendment of
section 14 of
Act 38 of 1942,
as amended by
section 5 of
Act 25 of 1947,
section 18 of
Act 45 of 1953
and section 5 of
Act 40 of 1955.

3. Section *fourteen* of the principal Act is hereby amended—

(a) by the substitution for the proviso to paragraph (a) of sub-section (1) of the following proviso:

"Provided that for the purposes of this paragraph a bank may deduct from its aforesaid liabilities an amount equal to the sum of—

- (aa) its credit balance with the Reserve Bank;
- (bb) its credit balance with the National Finance Corporation of South Africa;
- (cc) the amount of Reserve Bank notes which it holds;
- (dd) the amount outstanding on any loan made by it to a discount house approved by the Reserve Bank;
- (ee) the amount paid by it for the Union treasury bills which it holds;
- (ff) the amount paid by it for any bills, issued by the Land and Agricultural Bank of South Africa, which it holds;
- (gg) the market value, determined as provided in sub-section (1)*bis*, of any debentures, issued by the Land and Agricultural Bank of South Africa and quoted on a stock exchange in the Union, which it holds;
- (hh) the amount of its advances granted to the Land and Agricultural Bank of South Africa;
- (ii) the market value, determined as provided in sub-section (1)*bis*, of the stocks of the Government of the Union which it holds; and
- (jj) the amount paid by it for any bills of exchange held by it which have been accepted by any other commercial bank or by any acceptance house and which are eligible for discount by the Reserve Bank,

provided, in the case of any asset mentioned in sub-paragraph (ee), (ff), (gg), (ii) or (jj), such asset is not pledged or otherwise encumbered;" and

(b) by the insertion of the following sub-section after sub-section (1):

"(1)*bis* The market value of any asset referred to in sub-paragraph (gg) or (ii) of the proviso to paragraph (a) of sub-section (1) shall be the average sales price of such asset, as quoted in the official list of a stock exchange in the Union, on the date of the last preceding quarterly statement furnished to the Registrar in terms of paragraph (c) of sub-section (1)

No. 40, 1959.]

WET

Tot wysiging van die Bankwet, 1942.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 2 Junie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Artikel drie van die Bankwet, 1942 (hieronder die Hoofwet genoem), word hierby gewysig deur na sub-artikel (1) die volgende sub-artikel in te voeg:

Wysiging van
artikel 3 van
Wet 38 van 1942.

„(1)*bis* Die Minister kan, behoudens die wetsbepalings op die staatsdiens, 'n Adjunk-registrateur van Banke aanstel wat, onderworpe aan die beheer en voorskrifte van die Registrateur, enigiets kan doen wat die Registrateur wettiglik kan doen.”.

2. Artikel ses van die Hoofwet word hierby gewysig deur die volgende verdere voorbehoudsbepaling by sub-artikel (2) te voeg:

Wysiging van
artikel 6 van
Wet 38 van 1942,
soos gewysig by
artikel 3 van
Wet 40 van 1955.

„Met dien verstande voorts dat die Registrateur kan weier om 'n applikant as 'n bankinstelling voorlopig te registreer, tensy die applikant die Registrateur oortuig dat die stigting van daardie bankinstelling in die openbare belang sal wees en die voorwaardes nakom wat die Registrateur wenslik ag om in die openbare belang op te lê.”.

3. Artikel veertien van die Hoofwet word hierby gewysig—
(a) deur die voorbehoudsbepaling by paragraaf (a) van sub-artikel (1) deur die volgende voorbehoudsbepaling te vervang:

Wysiging van
artikel 14 van
Wet 38 van 1942,
soos gewysig by
artikel 5 van
Wet 25 van 1947,
artikel 18 van
Wet 45 van 1953
en artikel 5 van
Wet 40 van 1955.

„Met dien verstande dat 'n bank by die toepassing van hierdie paragraaf van sy voormelde verpligtings 'n bedrag kan aftrek wat gelykstaan met die totaal-som van—

(aa) sy kredietsaldo by die Reserwebank;

(bb) sy kredietsaldo by die Nasionale Finansie-korporasie van Suid-Afrika;

(cc) die bedrag aan Reserwebankbiljette wat hy besit;

(dd) die bedrag uitstaande op 'n lening deur hom aan 'n deur die Reserwebank goedgekeurde diskontohuis verstrekk;

(ee) die bedrag deur hom betaal vir die Unie-skatkissbewyse wat hy besit;

(ff) die bedrag deur hom betaal vir wissels, deur die Land- en Landboubank van Suid-Afrika uitgereik, wat hy besit;

(gg) die markwaarde, vasgestel soos in sub-artikel (1)*bis* bepaal, van obligasies deur die Land- en Landboubank van Suid-Afrika uitgereik en op 'n effektebeurs in die Unie genoteer, wat hy besit;

(hh) die bedrag van sy voorskotte toegestaan aan die Land- en Landboubank van Suid-Afrika;

(ii) die markwaarde, vasgestel soos in sub-artikel (1)*bis* bepaal, van die effekte van die Unie-regering wat hy besit; en

(jj) die bedrag deur hom betaal vir wissels deur hom besit wat deur 'n ander handelsbank of deur 'n aksephuis geaksepteer is en deur die Reserwebank verdiskonteer kan word,

mits, in die geval van 'n bate in sub-paragraaf (ee), (ff), (gg), (ii) of (jj) genoem, sodanige bate nie verpand of andersins beswaar is nie;” en

(b) deur na sub-artikel (1) die volgende sub-artikel in te voeg:

„(1)*bis* Die markwaarde van 'n bate wat in sub-paragraaf (gg) of (ii) van die voorbehoudsbepaling by paragraaf (a) van sub-artikel (1) genoem word, word vasgestel op sy gemiddelde verkoopprijs, soos genoteer in die amptelike lys van 'n effektebeurs in die Unie, op die datum van die jongste kwartaalstaat ingevolge paragraaf (c) van sub-artikel (1) van artikel dertien

of section *thirteen* in which such asset is shown as a deduction, or where such asset is not so quoted at that date, the value certified by the Secretary of the Board of Public Debt Commissioners as being the value of such asset at that date.”.

Repeal of section 25 of Act 38 of 1942, as amended by section 14 of Act 40 of 1955.

4. Section *twenty-five* of the principal Act is hereby repealed.

Amendment of section 27 of Act 38 of 1942, as amended by section 11 of Act 25 of 1947 and section 16 of Act 40 of 1955.

5. Section *twenty-seven* of the principal Act is hereby amended by the deletion of the second proviso.

Amendment of section 37 of Act 38 of 1942, as amended by section 19 of Act 40 of 1955.

6. Section *thirty-seven* of the principal Act is hereby amended by the addition to sub-section (7) of the following proviso:
“Provided that an institution shall be deemed to have complied with the provisions of this sub-section in respect of any shareholder or member holding less than one per cent. of the institution’s subscribed capital if the number of such shareholders or members is set forth in the list in question.”.

Short title.

7. This Act shall be called the Banking Amendment Act, 1959.

aan die Registrateur verstrek, waarin daardie bate as 'n aftrekking verskyn, of as daardie bate op daardie datum nie aldus genoteer is nie, die waarde wat die Sekretaris van die Raad van Staatskuldkommissarisse as die waarde van daardie bate op daardie datum gesertifiseer het.”.

4. Artikel *vyf-en-twintig* van die Hoofwet word hierby herroep.

Herroeping van artikel 25 van Wet 38 van 1942 soos gewysig by, artikel 14 van Wet 40 van 1955.

5. Artikel *sewe-en-twintig* van die Hoofwet word hierby gewysig deur die tweede voorbehoudsbepaling te skrap.

Wysiging van artikel 27 van Wet 38 van 1942, soos gewysig by artikel 11 van Wet 25 van 1947 en artikel 16 van Wet 40 van 1955.

6. Artikel *sewe-en-dertig* van die Hoofwet word hierby gewysig deur die volgende voorbehoudsbepaling by sub-artikel (7) te voeg:

Wysiging van artikel 37 van Wet 38 van 1942, soos gewysig by artikel 19 van Wet 40 van 1955.

„Met dien verstande dat 'n instelling geag word die bepalings van hierdie sub-artikel na te gekom het ten opsigte van 'n aandeelhouer of lid wat minder as een persent van die instelling se ingeskrewe kapitaal besit, indien die aantal sodanige aandeelhouders of lede in die betrokke lys vermeld word.”.

7. Hierdie Wet heet die Bankwysigingswet, 1959.

Kort titel.

GOVERNMENT NOTICES.

DEPARTMENT OF CUSTOMS AND EXCISE.

No. 837.]

[5th June, 1959.]

CUSTOMS ACT, 1955—DEFINITIONS IN TERMS OF THE GENERAL NOTE TO THE CUSTOMS TARIFF.

I, Theophilus Ebenhaezer Dönges, Minister of Finance, acting in terms of paragraph (23) (a) of the General Note to the Customs Tariff (First Schedule to Act No. 55 of 1955), hereby—

- (1) assign the following meanings to the terms "calico", "drill", "twill", "sateen", "winter sheeting" and "winter sheets":—

(a) "calico" means plain unprinted,* unbleached, loomstate, calendered, brushed, cropped, scoured, bleached, dyed or glazed materials manufactured in a plain weave with single or double ends or a combination of single and double ends from single yarns, with a composition of 50 per cent. or more by weight of cotton, but excluding—

- (1) material woven from yarn of cotton and wool, or from yarn of cotton and wool and other fibres, blended in both cases during the spinning process, weighing not more than $4\frac{1}{4}$ ounces per square yard and containing not less than 15 per cent. by weight of wool;
- (2) material woven from coloured or dyed yarn;
- (3) window blind holland and tracing cloth;
- (4) all types of material raised on one or both sides, provided there is incorporated in their construction a condenser or similar soft spun yarn weft of a count not finer than 16's cotton;
- (5) material with a permanent embossed finish (e.g. seersucker, waffle piqué, etc.);
- (6) shower-proofed material, being a type of fabric, having regard to the structure of the material, normally used in the manufacture of rainwear and having a reasonably high water repellency;

(b) "drill", "twill" and "sateen" mean plain unprinted,* unbleached, loomstate, calendered, brushed, cropped, scoured, bleached, dyed, glazed, mercerized or shrunk materials manufactured in a twill or sateen weave, with a composition of 50 per cent. or more by weight of cotton, but excluding—

- (1) material woven from yarn of cotton and wool, or from yarn of cotton and wool and other fibres, blended in both cases during the spinning process, weighing not more than $4\frac{1}{4}$ ounces per square yard and containing not less than 15 per cent. by weight of wool;
- (2) material weighing less than $2\frac{3}{4}$ ounces per square yard in the form in which it is imported;
- (3) material which has coloured yarn introduced into the fabric in such a way as to form checks or stripes and which is less than 50 inches in width;
- (4) all types of material raised on one or both sides, provided there is incorporated in their construction a condenser or similar soft spun yarn weft of a count not finer than 16's cotton;
- (5) material dyed black and weighing 4 ounces or less per square yard in the form in which it is imported, not raised except on one side;

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN DOEANE EN AKSYNS.

No. 837.]

[5 Junie 1959.]

DOEANEWET, 1955—WOORDBEPALINGS INGEVOLGE DIE ALGEMENE OPMERKING BY DIE DOEANETARIEF.

Ek, Theophilus Ebenhaezer Dönges, Minister van Finansies, handelende kragtens paragraaf (23) (a) van die Algemene Opmerking by die Doeanetarief (Eerste Bylae van Wet No. 55 van 1955)—

- (1) heg hierby aan die uitdrukkings „Kaliko”, „dril”, „gekeperde linne”, „katoensatyn”, „winterlaken-goed” en „winterlakens” die volgende betekenisse:—

(a) „kaliko” beteken gewone onbedrukte,* ongebleikte, weefstaat-, geperste, geborselde, geskeerde, gewaste, gebleikte, gekleurde of verglansde materiale vervaardig in 'n gewone weef met enkel- of dubbelente of 'n samestelling van enkel- en dubbelente van enkel-draadgare met 'n samestelling bestaande uit 50 persent of meer, aan gewig, katoen, maar uitgesonderd—

- (1) materiaal gewef van gare bevattende katoen en wol, of van gare bevattende katoen en wol en ander vesels wat in albei gevalle gedurende die spinproses gemeng is, wat nie meer as $4\frac{1}{4}$ onse per vierkante jaart weeg nie en wat nie minder as 15 persent, aan gewig wol bevat nie;
- (2) materiaal wat van gekleurde gare gewef is;
- (3) vensterblindendoek en tekendoek;
- (4) alle soorte materiaal wat aan die een kant of aan albei kante ru gemaak is, mits daar in die samestelling daarvan 'n tweesilinder- of soortgelyke sag gesponne inslagdraad nie fyner as 16's katoentelling nie, ingelyf is;
- (5) materiaal met 'n permanente geëmbosseerde afwerking (bv. „seersucker”, „waffle piqué”, ens.);
- (6) stortreëndigte materiaal wat 'n soort stof is wat, vir sover dit die struktuur van die materiaal betref, gewoonlik in die vervaardiging van reëndrag gebruik word en 'n betreklike groot waterafweervermoë besit;

(b) „dril”, „gekeperde linne” en „katoensatyn” beteken gewone onbedrukte,* ongebleikte, weefstaat-, geperste, geborselde, geskeerde, gewaste, gebleikte, gekleurde, verglansde, gemersiseerde of gekrimpte materiaal vervaardig in 'n keper- of satinetweef, met 'n samestelling bestaande uit 50 persent of meer, aan gewig, katoen, maar uitgesonderd—

- (1) materiaal gewef van gare bevattende katoen en wol, of van gare bevattende katoen en wol en ander vesels wat in albei gevalle gedurende die spinproses gemeng is, wat nie meer as $4\frac{1}{4}$ onse per vierkante jaart weeg nie en wat nie minder as 15 persent, aan gewig, wol bevat nie;
- (2) materiaal wat minder as $2\frac{3}{4}$ onse per vierkante jaart weeg in die vorm waarin dit ingevoer word;
- (3) materiaal wat gekleurde gare in die weefsel bevat op so 'n wyse dat dit ruite of strepe vorm en wat minder as 50 duim breed is;
- (4) alle soorte materiaal wat aan die een kant of aan albei kante ru gemaak is, mits daar in die samestelling daarvan 'n tweesilinder- of soortgelyke sag gesponne inslagdraad, nie fyner as 16's katoentelling nie, ingelyf is;
- (5) materiaal swart geverf en wat 4 onse of minder per vierkante jaart weeg in die vorm waarin dit ingevoer word, nie ru gemaak nie behalwe aan een kant;

- (6) material with a permanent embossed finish (e.g. seersucker, waffle piqué, etc.);
- (7) shower-proofed material, being a type of fabric, having regard to the structure of the material, normally used in the manufacture of rainwear and having a reasonably high water repellency;

(*NOTE.—The term “plain unprinted” includes material printed on the reverse side only; and also material printed on either side with fugitive colours or dyes.)

- (c) “winter sheeting” means a woven cloth commonly used as bed sheeting, containing 50 per cent. or more by weight of cotton or rayon, unbleached, bleached, dyed or coloured woven, raised one or both sides, manufactured from single or folded yarns of a cotton count 40’s or 2/80’s and coarser in the warp, and single condenser or similar soft spun yarn in the weft of a count not finer than 16’s, in a width 50 inches and higher, weighing 3½ ounces or more per square yard, and the total number of threads in both warp and weft in one square inch of the fabric being not less than 45.

- (d) “winter sheets” mean sheets manufactured from winter sheeting.

- (2) repeal Government Notice No. 1435 of the 26th September, 1958.

T. E. DÖNGES,
Minister of Finance.

NOTE.—The effect of this notice is to amend the definitions of calico, drill, twill and sateen and winter sheeting.

No. 838.]

[5th June, 1959.

CUSTOMS ACT, 1955—REBATE OF DUTY.

I, Theophilus Ebenhaezer Dönges, Minister of Finance, acting in terms of sub-section (2) (d) of section one hundred of the Customs Act, No. 55 of 1955, hereby amend Part IV of the Schedule to Government Notice No. 224 of the 17th February, 1956, as amended, as follows:—

- (a) By adding to paragraph 1 the following subparagraphs:—

“(59) *Industry for the manufacture of shirts, collars and pyjamas*—

Calico, drill, twill and sateen (not being khaki-coloured) provided for in tariff item 76 (6) (b); rayon fabric in the piece (not being khaki-coloured) manufactured from staple fibre and weighing not more than 4 ounces per square yard, the free-on-board price of which does not exceed 6s. per lb. by weight of material.

- (60) *Industry for the manufacture of clothing*—

- (i) Calico, drill, twill and sateen (not being khaki-coloured) for the manufacture of girls’ gym frocks and dresses of the school uniform type and women’s blouses, jeans, dungarees, shorts and slacks.

- (ii) Rayon fabric in the piece manufactured in a plain weave from filament yarn and of a free-on-board price not exceeding 6s. 6d. per lb. by weight of material, for the manufacture of women’s underwear.”

- (6) materiaal met ’n permanente geëmbos-seerde afwerking (bv. „seersucker”, „waf-fle piqué”, ens.);
- (7) stortreëndigte materiaal wat ’n soort stof is wat, vir sover dit die struktuur van die materiaal betref, gewoonlik in die vervaardiging van reëndrag gebruik word en ’n betreklike groot waterweervermoë besit;

(*OPMERKING.—Die uitdrukking „gewone onbedrukte” sluit in materiaal wat net op die agterkant bedruk is en ook materiaal wat aan die een of die ander-kant met vlugtige kleure of kleurstowwe bedruk is.)

- (c) „winterlakengood” beteken ’n geweefde stof gewoonlik gebruik as bedlakengood, wat 50 persent of meer katoen of rayon volgens gewig bevat, ongebleik, gebleik, gekleur of bont geweef is, ru gemaak aan een kant of aan albei kante, vervaardig van enkel- of gevoude garing met ’n katoengaringnommer van 40’s of 2/80’s en growwer drade vir die skering, en tweesilinder- of soortgelyke sag-spingaring in die inslag met ’n garingnommer van nie dunner as 16’s nie, 50 duim breed of breër is, met ’n gewig van 3½ onse of meer per vierkante jaart en met ’n totale getal drade in beide die skering en inslag in een vierkante duim van die stof van nie minder as 45 nie.

- (d) „winterlakens” beteken bedlakens wat uit winterlakengood vervaardig is.

- (2) herroep hierby Goewermmentskennisgewing No. 1435 van 26 September 1958.

T. E. DÖNGES,
Minister van Finansies.

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat die woordbepalings van kaliko, dril, gekeperde linne en katoensatyn en winterlakengood gewysig word.

No. 838.]

[5 Junie 1959.

DOEANEWET, 1955—KORTING VAN REG.

Ek, Theophilus Ebenhaezer Dönges, Minister van Finansies, handelende kragtens subartikel (2) (d) van artikel honderd van die Doeanewet, No. 55 van 1955, wysig hierby deel IV van die Bylae van Goewermmentskennis-gewing No. 224 van 17 Februarie 1956, soos gewysig, as volg:—

- (a) Deur by paragraaf 1 die volgende subparagraawe by te voeg:—

„(59) *Nywerheid vir die vervaardiging van hemde, boordjies en slaappakke*—

Kaliko, dril, gekeperde linne en katoen-satyn (nie kakiëkleurig nie) waarvoor in tariefitem 76 (6) (b) voorsiening gemaak word; rayonstukgoedere (nie kakiëkleurig nie) vervaardig uit stapelvels en met ’n gewig van hoogstens 4 onse per vierkante jaart, waarvan die prys vry-aan-boord hoog-stens 6s. per pond gewig aan materiaal is.

- (60) *Nywerheid vir die vervaardiging van klere*—

- (i) Kaliko, dril, gekeperde linne en katoen-satyn (nie kakiëkleurig nie) vir die ver-vaardiging van meisies-„gym frocks” en -rokke van die skooluniformtipe en damesbloese, -halfmasbroeke, „dunga-rees”, -kortbroekies en -slenterbroeke.

- (ii) Rayonstukgoedere vervaardig in ’n ge-wone weef uit kontingaredraad en waarvan die prys vry-aan-boord hoog-stens 6s. 6d. per pond gewig aan materi-aal is, vir die vervaardiging van dames-onderklere.”

(b) By substituting for sub-paragraph (6) (d) of paragraph 1 the following:—

“(6) (d) Pocketings in the piece, but excluding materials manufactured in a twill or sateen weave, calico and materials manufactured in a plain weave from either 50 per cent. or more by weight of cotton or more than 50 per cent. by weight of rayon; interlinings in the piece, but excluding calico, drill, twill and sateen.”

(c) By substituting for sub-paragraph (3) of paragraph 2 the following:—

“(3) *Industry for the manufacture of shirts, collars and pyjamas*—

Calico, drill, twill and sateen (not being khaki-coloured) provided for in tariff item 76 (6) (a) and liable to the—

minimum duties . . .	the whole duty.
intermediate or	
maximum duties	the intermediate duty less $\frac{3}{4}$ d. per yard.

T. E. DÖNGES,
Minister of Finance.

NOTE.—The effect of this notice is as follows:—

- (1) To provide for a rebate to the extent of the intermediate duty on the goods indicated in paragraph (a), when they are imported or taken out of bond by registered manufacturers for use in the industries specified;
- (2) To provide for a rebate of duty to the extent stated on the goods indicated in paragraph (c), when they are imported or taken out of bond by registered manufacturers for use in the industry specified;
- (3) To withdraw the rebate to the extent of the intermediate duty on pocketings in the piece manufactured in a plain weave from either 50 per cent. or more by weight of cotton or more than 50 per cent. by weight of rayon and on calico interlinings, for use in the oilskin and waterproof clothing, hat, cap and bonnet manufacturing industries; and
- (4) To withdraw the rebate of duty of $7\frac{1}{2}$ per cent. *ad valorem* on woven denim piece goods for use in the manufacture of boiler suits and bib and brace overalls.

No. 839.]

[5th June, 1959.

CUSTOMS ACT, 1955—WITHDRAWAL OF REBATE OF DUTY.

I, Theophilus Ebenhaezer Dönges, Minister of Finance, in terms of Section *ninety-nine* of the Customs Act, No. 55 of 1955, withdraw, with effect from the date of publication of this notice, the rebate to the extent of the intermediate duty provided for in the First Schedule to the Act in respect of the following goods:—

- (a) calico interlinings provided for in item 359, for the manufacture of shirts, collars and pyjamas;
- (b) pocketings in the piece manufactured in a plain weave from either 50 per cent. or more by weight of cotton or more than 50 per cent. by weight of rayon and calico interlinings in the piece provided for in item 378 (1) (a) (iii), for the manufacture of women's, girls', men's and boys' clothing; and
- (c) kaffir sheeting provided for in item 378 (2), for the manufacture of dustcoats, overalls, butchers', warehousemen's and factory coats, boiler suits, native houseboy suits and motorists' suits and leggings.

T. E. DÖNGES,
Minister of Finance.

NOTE.—The effect of this notice is that the abovementioned goods may no longer be imported or taken out of bond under rebate of duty for use in the industries specified.

(b) Deur subparagraaf (6) (d) van paragraaf 1 deur die volgende te vervang:—

„(6) (d) Sakmateriaal in die stuk, maar me uitsondering van materiaal vervaardig in 'n keper- of satinetweef, kaliko en materiaal vervaardig in 'n gewone weef uit of 50 persent of meer, aan gewig katoen of meer as 50 persent, aan gewig rayon; tussenvoerings in die stuk, maar met uitsondering van kaliko, drill, gekeperde linne en katoensatyn.”

(c) Deur subparagraaf (3) van paragraaf 2 deur die volgende te vervang:—

„(3) *Nywerheid vir die vervaardiging van hemde boordjies en slaappakke*—

Kaliko, drill, gekeperde linne en katoensatyn (nie kakiekleurig nie) waarvoor in tariefitem 76 (6) (a) voorsiening gemaak word en onderworpe aan die—

minimumregte . . .	die hele reg.
intermediêre en	
maksimumregte	die intermediêre reg min $\frac{3}{4}$ d. per jaart.

T. E. DÖNGES,
Minister van Finansies

OPMERKING.—Die uitwerking van hierdie kennisgewing is as volg:—

- (1) 'n Korting tot die bedrag van die intermediêre reg word toegestaan op die goedere in paragraaf (a) gemeld wanneer dit deur geregistreerde vervaardigers vir gebruik in genoemde nywerhede ingevoer of uit entrépôt geneem word;
- (2) 'n Korting van reg in die mate aangedui word toegestaan op die goedere in paragraaf (c) gemeld wanneer dit deur geregistreerde vervaardigers vir gebruik in genoemde nywerheid ingevoer of uit entrépôt geneem word;
- (3) Die korting tot die bedrag van die intermediêre reg word teruggetrek op sakmateriaal in die stuk vervaardig in 'n gewone weef uit of 50 persent of meer, aan gewig, katoen of meer as 50 persent, aan gewig, rayon en op kalikotussenvoerings vir gebruik in die oliedoek- en waterdigte klere-, hoed-, pet- en kappievervaardigingsnywerheid; en
- (4) Die korting van $7\frac{1}{2}$ persent *ad valorem* word teruggetrek op geweeft denimstukgoedere vir gebruik in die vervaardiging van ketel- en kruisbandoorpakke.

No. 839.]

[5 Junie 1959.

DOEANEWET, 1955—INTREKKING VAN KORTING VAN REG.

Ek, Theophilus Ebenhaezer Dönges, Minister van Finansies, handelende kragtens artikel *nege-en-negentig* van die Doeane wet, No. 55 van 1955, trek hierby met ingang van die datum van publikasie van hierdie kennisgewing, die korting tot die bedrag van die intermediêre reg waarvoor in die Eerste Bylae van genoemde Wet voorsiening gemaak word, ten opsigte van die volgende goedere in:—

- (a) Kalikotussenvoerings, waarvoor in pos 359 voorsiening gemaak word, vir die vervaardiging van hemde, boordjies en slaappakke;
- (b) sakmateriaal in die stuk vervaardig in 'n gewone weef uit of 50 persent of meer, aan gewig, katoen of meer as 50 persent, aan gewig, rayon en kalikotussenvoerings in die stuk waarvoor in pos 378 (1) (a) (iii) voorsiening gemaak word, vir die vervaardiging van dames-, meisies-, mans- en seunsklere; en
- (c) kafferlakengoed waarvoor in pos 378 (2) voorsiening gemaak word, vir die vervaardiging van stofjasse, oorpakke, slagters-, pakhuisbediende- en fabriekjasse, ketelpakke, natuurlehuysbediende- en motorispakke en -kamaste.

T. E. DÖNGES,
Minister van Finansies.

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat die vermelde goedere nie meer ingevoer of uit entrépôt geneem mag word onder korting van die reg vir gebruik in genoemde nywerhede nie.

No. 840.]

[5th June, 1959.]

CUSTOMS ACT, 1955—TEMPORARY REDUCTION OF THE DUTY.

I, Theophilus Ebenhaezer Dönges, Minister of Finance, acting in terms of section *eighty-two* of the Customs Act, No. 55 of 1955, reduce until further notice, the duties provided for in paragraph (c) ex (i) of item 65 of the customs tariff, in respect of shirts made from calico, drill, twill or sateen, excluding shirts made from khaki-coloured material, to the following:—

Description.	Minimum Duty.	Intermediate Duty.	Maximum Duty.
Shirts made from calico, drill, twill or sateen, but excluding shirts made from khaki-coloured material <i>ad valorem</i>	20% with a minimum per	20% of	30% garment
children's	2/-	2/-	3/-
other	2/6d.	2/6d.	3/6d.

T. E. DÖNGES,
Minister of Finance.

NOTE.—In terms of section *eighty-two* of the Customs Act, the reduction of the duties will not come into operation until fourteen days after the publication of this notice.

No. 841.]

[5th June, 1959.]

CUSTOMS ACT, 1955—IMPOSITION OF TEMPORARY SPECIAL DUTIES.

I, Theophilus Ebenhaezer Dönges, Minister of Finance, acting in terms of the powers vested in me by section *eighty-nine* of the Customs Act, No. 55 of 1955, hereby—

- (1) impose temporary special duties, as indicated hereunder, on the following goods—

Tariff Item.	Goods.	Temporary Duties.	Special Duties.
76 (6)	Woven fabric in the piece not being blanketing, or canvas provided for under item 75 (1) containing 50 per cent. or more by weight of cotton—	The difference between: Minimum duty	Intermediate duty Maximum duty
(a) (i) and (iii)	calico, drill, twill and sateen the f.o.b. price of which does not exceed 2/- per yard and 6/6d. per lb. by weight of material <i>ad valorem</i>	5%	10% or 10%
	per yd.	—	1½d. 1½d.
	per yd.	7½d.	7½d. 7½d.
	<i>ad valorem</i>	10%	10% 10%
	<i>ad valorem</i>	5%	10% 10%
	per yd.	—	1½d. 1½d.
	<i>ad valorem</i>	30%	30% 30%
(a) (ii) and (iv)	calico, drill, twill and sateen the f.o.b. price of which exceeds 2/- per yard and 6/6d. per lb. by weight of material <i>ad valorem</i>	5%	10% or 10%
	per yd.	—	1½d. 1½d.
	per yd.	7½d.	7½d. 7½d.
	<i>ad valorem</i>	10%	10% 10%
	<i>ad valorem</i>	5%	10% 10%
	per yd.	—	1½d. 1½d.
	<i>ad valorem</i>	20%	20% 20%

No. 840.]

[5 Junie 1959.]

DOEANEWET, 1955—TYDELIKE VERMINDERING VAN DIE REGTE.

Ek, Theophilus Ebenhaezer Dönges, Minister van Finansies, handelende kragtens artikel *twee-en-tagtig* van die Doeane wet, No. 55 van 1955, verminder hierby, tot nadere kennisgewing, die regte waarvoor daar in paragraaf (c) ex (i) van pos 65 van die doeane tarief voorsiening gemaak word, ten opsigte van hemde uit kaliko, drill, gekeperde linne of katoensatyn, uitgesonderd hemde uit kakiekleurige materiaal, tot die volgende:—

Beskrywing.	Minimum-reg.	Intermediêre reg.	Maksimum-reg.
Hemde uit kaliko, drill, gekeperde linne en katoensatyn, uitgesonderd hemde uit kakiekleurige materiaal <i>ad valorem</i>	20% met 'n minimum per	20% kledingstuk	30%
vir kinders	2/-	2/-	3/-
ander	2/6d.	2/6d.	3/6d.

T. E. DÖNGES,
Minister van Finansies.

OPMERKING.—Kragtens artikel *twee-en-tagtig* van die Doeane wet sal die vermindering in die regte nie van krag word nie voordat veertien dae verloop het vanaf die datum van publikasie van hierdie kennisgewing.

No. 841.]

[5 Junie 1959.]

DOEANEWET, 1955—OPLEGGING VAN TYDELIKE SPESIALE REGTE.

Ek, Theophilus Ebenhaezer Dönges, Minister van Finansies, handelende kragtens artikel *nege-en-tagtig* van die Doeane wet, No. 55 van 1955—

- (1) lê hierby tydelike spesiale regte, soos hieronder aangedui, op die volgende goedere—

Tarief-pos.	Goedere.	Tydelike Spesiale Regte.
76 (6)	Geweefde stukgoedere, nie komborsgoed of seildoek (waarvoor in item 75 (1) voorsiening gemaak is nie) bevattende 50 persent of meer katoen volgens gewig—	Die verskil tussen: Minimum-reg Intermediate-reg Maximum-reg
(a) (i) en (iii)	kaliko, drill, gekeperde linne en katoensatyn waarvan die prys v.a.b. hoogstens 2/- per jrt. en hoogstens 6/6d. per lb. gewig aan materiaal is <i>ad valorem</i>	5% 10% of 10%
	per jrt.	— 1½d. 1½d.
	per jrt.	7½d. 7½d. 7½d.
	<i>ad valorem</i>	10% 10% 10%
	<i>ad valorem</i>	5% 10% 10%
	per jrt.	— 1½d. 1½d.
	<i>ad valorem</i>	30% 30% 30%
(a) (ii) en (iv)	kaliko, drill, gekeperde linne en katoensatyn waarvan die prys v.a.b. hoogstens 2/- per jrt. en meer as 6/6d. per lb. gewig aan materiaal is <i>ad valorem</i>	5% 10% of 10%
	per jrt.	— 1½d. 1½d.
	per jrt.	7½d. 7½d. 7½d.
	<i>ad valorem</i>	10% 10% 10%
	<i>ad valorem</i>	5% 10% 10%
	per jrt.	— 1½d. 1½d.
	<i>ad valorem</i>	20% 20% 20%

Tariff Item.	Goods.	Temporary Special Duties.	Tarief-pos.	Goedere.	Tydlike Spesiale Regte.
(b) (i) and (iii)	calico, drill, twill and sateen, the f.o.b. price of which exceeds 2/- per yard but not 6/6d. per lb. by weight of material per yd.	12d. less 10% and 35%	(b) (i) en (iii)	kaliko, dril, gekeperde linne en katoensatyn waarvan die prys v.a.b. meer as 2/- per jrt. maar hoogstens 6/6d. per lb. gewig aan materiaal is per jrt.	12d. min 10% en 35%
	<i>ad valorem</i>			<i>ad valorem</i>	
	<i>ad valorem</i>			<i>ad valorem</i>	
(b) (ii) and (iv)	calico, drill, twill and sateen, the f.o.b. price of which exceeds 2/- per yard and 6/6d. per lb. by weight of material per yd.	12d. less 10% and 25%	(b) (ii) en (iv)	kaliko, dril, gekeperde linne en katoensatyn waarvan die prys v.a.b. meer as 2/- per jrt. en meer as 6/6d. per lb. gewig aan materiaal is per jrt.	12d. min 10% en 25%
	<i>ad valorem</i>			<i>ad valorem</i>	
	<i>ad valorem</i>			<i>ad valorem</i>	

and (2) notify that the said temporary special duties shall operate as from the date of publication of this notice to the 20th July, 1960.

Note.—Where the duty calculated in terms of the rates after the word “and” exceeds the duty calculated in terms of the rates before the word “and”, in relation to any goods mentioned above, no duty shall be payable in terms of this notice on such goods.

T. E. DÖNGES,
Minister of Finance.

NOTE.—The effect of this notice is to impose temporary special duties on the goods specified.

No. 842.]

[5th June, 1959.]

CUSTOMS ACT, 1955—IMPOSITION AND BRINGING INTO OPERATION OF SPECIAL SUSPENDED DUTIES.

I, Theophilus Ebenhaezer Dönges, Minister of Finance, acting in terms of section sixty-six of the Customs Act, No. 55 of 1955, hereby—

(1) prescribe the undermentioned special suspended duties in respect of the following goods:—

Tariff Item.	Goods.	Special Suspended Duty.
76 (6)	Woven fabric in the piece not being blanketing, or canvas provided for under item 75 (1), containing 50 per cent. or more by weight of cotton—	The difference between:—
(a) (i), (ii), (iii) and (iv)	calico, drill, twill and sateen, the f.o.b. price of which does not exceed 2/- per yard	per yard 13d. and 10% <i>ad valorem</i> or per yard 1½d. whichever duty is the greater and in addition per yard 7½d. less 10% <i>ad valorem</i>
(b) (i), (ii), (iii) and (iv)	calico, drill, twill and sateen, the f.o.b. price of which exceeds 2/- per yard	per yard 15d. and 12d. less 10% <i>ad valorem</i>
78 (6)	Fabric in the piece, not being blanketing or canvas provided for under item 75 (1), containing more than 50 per cent. by weight of rayon—	
ex (c) (i), (ii), (iii), (iv), (v), (vi), (vii) and (viii)	other, woven, of prices free-on-board not exceeding 6/- and 6/6d. per lb. by weight of material in respect of fabrics manufactured from yarns of staple fibre and filament yarns, respectively, but excluding— (a) material which does not exceed 4 ozs. per square yard and which has coloured yarns introduced into the fabric in such a way as to form checks or stripes; (b) all types of raised, plush or pile fabrics, including corduroy, flannelette, velvets and velveteens;	

en (2) maak hierby bekend dat die vermeldde tydelik spesiale regte van krag sal wees van die datur van publikasie van hierdie kennisgewing af to 20 Julie 1960.

Opmerking.—Waar die reg bereken volgen die tariewe na die woord „en” meer is as die re bereken volgens die tariewe voor die woor „en”, met betrekking tot enige goedere hierb vermeld, is geen reg op sulke goedere kragten hierdie kennisgewing betaalbaar nie.

T. E. DÖNGES,
Minister van Finansies

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat tydelike spesiale regte op genoemde goeder gelê word.

No. 842.]

[5 Junie 1959]

DOEANEWET, 1955—OPLEGGING EN TOEPASSING VAN SPESIALE OPGESKORTE REGTE.

Ek, Theophilus Ebenhaezer Dönges, Minister van Finansies, handelende kragtens artikel ses-en-sestig van die Doeane wet, No. 55 van 1955—

(1) skryf hierby die volgende spesiale opgeskort regte voor ten opsigte van die volgende goedere:—

Tarief-pos.	Goedere.	Spesiale Opgeskorte Reg.
76 (6)	Geweefde stukgoedere, nie kombersgoed of seildoek nie (waarvoor in item 75 (1) voorsiening gemaak is) bevattende 50 persent of meer katoen volgens gewig—	Die verskil tussen:—
(a) (i), (ii), (iii) en (iv)	kaliko, dril, gekeperde linne en katoensatyn waarvan die prys v.a.b. hoogstens 2/- per jrt. is ..	per jrt. 13d. en 10% <i>ad valorem</i> of per jrt. 1½d. welke reg die hoogst is, en daarbenewens per jrt. 7½d. min 10% <i>ad valorem</i>
(b) (i), (ii), (iii) en (iv)	kaliko, dril, gekeperde linne en katoensatyn waarvan die prys v.a.b. meer as 2/- per jrt. is ..	per jrt. 15d. en 12d. min 10% <i>ad valorem</i>
78 (6)	Stukgoedere, nie kombersgoed of seildoek nie, waarvoor in item 75 (1) voorsiening gemaak is, bevattende volgens gewig meer as 50 persent rayon—	
ex (c) (i), (ii), (iii), (iv), (v), (vi), (vii) en (viii)	ander, geweef, waarvan die pryse v.a.b. hoogstens 6/- en 6/6d. per pond gewig aan materiaal is ten opsigte van stowwe vervaardig uit garedraad van onderskeidelik stapelvel en kontinugaredraad, maar met uitsondering van— (a) stowwe wat hoogstens 4 onse per vierkante jaart weeg en wat gekleurde gare in die weefsel bevat op so 'n wyse dat dit ruite of strepe vorm; (b) alle tipes ru-gemaakte, pluche of pol materiaal, met inbegrip van „corduroy”, flanelet, „velvets” en „velveteens”;	

Tariff Item.	Goods.	Special Suspended Duty.
	(c) material with a permanent embossed finish (e.g. seersucker, waffle piqué, etc.); (d) showerproofed material, being a type of fabric, having regard to the structure of the material, normally used in the manufacture of rainwear and having a reasonably high water repellency; (e) all slub and repp materials; and (f) union cloth consisting of rayon and wool, but containing not less than 30 per cent. by weight of wool	per yard 4d. and ad valorem 25%

and (2) declare that the whole of the special suspended duties prescribed shall come into operation as from the date of publication of this notice.

Note.—Where the duty calculated in terms of the rates after the word “and” exceeds the duty calculated in terms of the rates before the word “and”, in relation to any goods mentioned above, no duty shall be payable in terms of this notice on such goods.

T. E. DÖNGES,
Minister of Finance.

NOTE.—Special suspended duties do not apply to goods which are produced or manufactured in the territories mentioned in Government Notice No. 1171 of the 29th June, 1956, and imported therefrom into the Union.

No. 843.]

[5th June, 1959.]

CUSTOMS ACT, 1955—BRINGING INTO OPERATION OF SUSPENDED DUTY.

I, Theophilus Ebenhaezer Dönges, Minister of Finance, acting in terms of section *sixty-five* of the Customs Act, No. 55 of 1955, hereby amend paragraph (1) of Government Notice No. 1169 of the 29th June, 1956, as amended, by inserting after item 78 (4) (c) (iii) the following:—

Tariff Item.	Goods	Minimum Duty.	Intermediate Duty.	Maximum Duty.
		£ s. d.	£ s. d.	£ s. d.
(6)	Fabric in the piece, not being blanketing or canvas provided for in item 75 (1), containing more than 50 per cent. by weight of rayon—			
ex (c)	other woven, of prices free-on-board not exceeding 6s. and 6s. 6d. per lb. by weight of material in respect of fabrics manufactured from yarns of staple fibre and filament yarns, respectively, but excluding— (A) material which does not exceed 4 ozs. per square yard and which has coloured yarns introduced into the fabric in such a way as to form checks or stripes; (B) all types of raised, plush or pile fabrics, including corduroy, flannelette, velvets and velveteens; (C) material with a permanent embossed finish (e.g. seersucker, waffle piqué, etc.); (D) showerproofed material, being a type of fabric, having regard to the structure of the material, normally used in the manufacture of rainwear and having a reasonably high water repellency; (E) all slub and repp materials; and (F) union cloth consisting of rayon and wool, but containing not less than 30 per cent by weight of wool: (i) unbleached in a plain weave (ii) unbleached in twill or sateen weave (iii) bleached in plain weave	ad valorem 20% ad valorem 20% ad valorem 20%	20% 20% 20% 20% 20%	25% 25% 25% 25% 25%

Tarief-pos.	Goedere.	Spesiale Opgekorte Reg.
	(c) materiaal met 'n permanente geëmbosseerde afwerking (bv. „seersucker”, „waffle piqué”, ens.); (d) stortreëndigte materiaal wat 'n soort stof is wat, vir sover dit die struktuur van die materiaal betref, gewoonlik in die vervaardiging van reëndrag gebruik word en 'n betreklike groot waterafweer-vermoë besit; (e) alle „slub”- en „repp”-stowwe; en (f) mengselstowwe bestaande uit rayon en wol, maar wat nie minder as 30 persent wol aan gewig bevat nie	per jrt. 4d. en ad valorem 25%

en (2) verklaar hierby dat die volle opgekorte regte soos vermeld in werking kom op die datum wat hierdie kennisgewing gepubliseer word.

Opmerking.—Waar die reg bereken volgens die tariewe na die woord „en” meer is as die reg bereken volgens die tariewe voor die woord „en”, met betrekking tot enige goedere hierbo vermeld, is geen reg op sulke goedere kragtens hierdie kennisgewing betaalbaar nie.

T. E. DÖNGES,
Minister van Finansies.

OPMERKING.—Spesiale opgekorte regte is nie op goedere wat in die gebiede in Goewermmentskennisgewing No. 1171 van 29 Junie 1956 vermeld, geproduseer of vervaardig en daarvandaan in die Unie ingevoer is, van toepassing nie.

No. 843.]

[5 Junie 1959.]

DOEANEWET, 1955—TOEPASSING VAN OPGEKORTE REGTE.

Ek, Theophilus Ebenhaezer Dönges, Minister van Finansies, handelende kragtens artikel *vyf-en-sestig* van die Doeanewet, No. 55 van 1955, wysig hierby paragraaf (1) van Goewermmentskennisgewing No. 1169 van 29 Junie 1956, soos gewysig, deur na item 78 (4) (c) (iii) die volgende in te voeg:—

Tarief-pos.	Goedere.	Minimum-reg.	Intermediêre reg.	Maksimum-reg.
		£ s. d.	£ s. d.	£ s. d.
„(6)	Stukgoedere, nie kometersgoed of seildoek nie, waarvoor in item 75 (1) voorsiening gemaak is, bevattende volgens gewig meer as 50 persent rayon—			
ex (c)	ander, geweef, waarvan die pryse vry-aan-boord hoogstens 6/- en 6/6d. per pond gewig aan materiaal is ten opsigte van stowwe vervaardig uit garedraad van onderskeidelik stapelvels en kontinugaredraad, maar met uitsondering van— (A) stowwe wat hoogstens 4 onse per vierkante jaart weeg en wat gekleurde gare in die weefsel bevat op so 'n wyse dat dit ruite of strepe vorm; (B) alle tipes ru-gemaakte, pluche of pol materiaal, met inbegrip van „corduroy”, flanellet, „velvets” en „velveteens”; (C) materiaal met 'n permanente geëmbosseerde afwerking (bv. „seersucker”, „waffle piqué”, ens.); (D) stortreëndigte materiaal wat 'n soort stof is wat, vir sover dit die struktuur van die materiaal betref, gewoonlik in die vervaardiging van reëndrag gebruik word en 'n betreklike groot waterafweer-vermoë besit; (E) alle „slub- en repp”-stowwe; en (F) mengselstowwe bestaande uit rayon en wol, maar wat nie minder as 30 persent wol aan gewig bevat nie: (i) ongebleik, in 'n platweef (ii) ongebleik, in 'n keper- of satinetweef (iii) gebleik, in 'n platweef	ad valorem 20% ad valorem 20% ad valorem 20%	20% 20% 20% 20% 20%	25% 25% 25% 25% 25%

Tariff Item.	Goods.	Minimum Duty.	Intermediate Duty.	Maximum Duty.
	(iv) bleached in twill or sateen weave <i>ad valorem</i>	20%	20%	25%
	(v) piece-dyed in plain weave <i>ad valorem</i>	20%	20%	25%
	(vi) piece-dyed in twill or sateen weave <i>ad valorem</i>	20%	20%	25%
	(vii) yarn-dyed in plain weave <i>ad valorem</i>	20%	20%	25%
	(viii) yarn-dyed in twill or sateen weave <i>ad valorem</i>	20%	20%	25%

T. E. DÖNGES,
Minister of Finance.

NOTE.—The effect of this notice is to bring into operation to the extent stated the suspended duties provided for in the relative items of the Customs Tariff in respect of the goods indicated.

No. 844.] [5th June, 1959.

CUSTOMS ACT, 1955—REFUND OF DUTY ON CERTAIN WOVEN PIECE GOODS.

I, Theophilus Ebenhaezer Dönges, Minister of Finance, in terms of the powers vested in me by sub-section (2) (j) of section one hundred of the Customs Act, No. 55 of 1955, hereby amend Part X of the Schedule to Government Notice No. 224 of the 17th February, 1956, as amended, as follows:—

1. By the addition of the following sub-paragraph:

- “(m) (i) woven piece goods containing more than 50 per cent. by weight of wool and admissible under tariff item 77 (7) (a), (b), (c) and (d) of the customs tariff; and
(ii) woven piece goods which in addition to other fibres contain not less than 30 per cent. by weight of wool and of which more than 50 per cent. of the fibres by weight have been carded or prepared, combed and spun on worsted machinery, admissible under tariff item 78 (7) (a) of the customs tariff,

used as outer cloth in the Union in the manufacture of outer clothing exported to territories other than the Federation of Rhodesia and Nyasaland, Basutoland, Bechuanaland Protectorate and Swaziland.”

2. By the addition to the regulations of the following paragraph:

- “4. (1) If the proper officer so requires, goods in respect of which it is intended to apply for a refund in terms of this part of the Schedule, shall not be exported unless they have been examined by an officer and compared with the original and forwarding invoices or such other evidence of identification has been furnished as that officer may deem necessary.
(2) The manufacturer shall, if required, pay at the prescribed rates for the attendance of the officer conducting the examination”.

T. E. DÖNGES,
Minister of Finance.

NOTE.—The effect of this notice is to provide for a refund of duty and to amplify the regulations under the Part concerned of the Schedule to the notice mentioned, as indicated herein.

Tarief-pos.	Goedere.	Minimum-reg.	Intermediële reg.	Maximum-reg.
	(iv) gebleik, in 'n keper- of satinetweef <i>ad valorem</i>	20%	20%	25%
	(v) in die stuk gevef, in 'n platweef <i>ad valorem</i>	20%	20%	25%
	(vi) in die stuk gevef, in 'n keper- of satinetweef <i>ad valorem</i>	20%	20%	25%
	(vii) uit gevefde garedraad, in 'n platweef <i>ad valorem</i>	20%	20%	25%
	(viii) uit gevefde garedraad, in 'n keper- of satinetweef <i>ad valorem</i>	20%	20%	25%

T. E. DÖNGES,
Minister van Finansies

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat die opgeskorte regte waarvoor daar in die betrokke items van die Doeanetarief voorsiening gemaak is in die mate aangedui, in werking gestel word te opsigte van die gemelde goedere.

No. 844.] [5 Junie 1959]

DOEANEWET, 1955—TERUGBETALING VAN REGTE OP SEKER GEWEEFDE STUKGOEDERE.

Ek, Theophilus Ebenhaezer Dönges, Minister van Finansies, handelende kragtens subartikel (2) (j) van artikel honderd van die Doeanewet, No. 55 van 1955, wysig hierby deel X van die Bylae van Goewermentskennisgewing No. 224 van 17 Februarie 1956, soos gewysig, soos volg:—

1. Deur die volgende subparagraaf by te voeg:

- “(m) (i) geweeftde stukgoedere wat volgens gewig meer as 50 persent wol bevat en ingevolgtariefitem 77 (7) (a), (b), (c) en (d) van die doeanetarief toelaatbaar is; en
(ii) geweeftde stukgoedere wat benewens enig ander vesels volgens gewig minstens 30 persent wol bevat, waarvan volger gewig meer as 50 persent van die vesels op sajetmasjinerie gekaard of voorbere gekam en gespin is, en ingevolgtariefitem 78 (7) (a) van die doeanetarief toelaatbaar is,

wat as bokleed gebruik word by die vervaardiging in die Unie van boklere wat na ander gebiede as die Federasie van Rhodesië en Njassaland, Basoetoland, Betsjoeanaland-protektoraat en Swaziland uitgevoer word.”

2. Deur die volgende paragraaf by die regulasies by te voeg:

- “4. (1) Indien die bevoegde amptenaar dit verlang, moet goedere ten opsigte waarvan dit die voorneme is om ingevolge hierdie deel van die Bylae aansoek om 'n terugbetaling te doen, nie uitgevoer word tensy hulle deur 'n amptenaar ondersoek en met die oorspronklike en afsendingsfakture vergelyk is of sodanige ander identifikasiebewys waardie amptenaar nodig mag ag, voorgelê is nie.
(2) Die vervaardiger moet, indien dit verlang word, vir die diens van die amptenaar wat die ondersoek onderneem teen die voorgeskryfde skaal betaal.”

T. E. DÖNGES,
Minister van Finansies

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat voorsiening vir 'n terugbetaling gemaak word en die regulasies van die betrokke deel van die Bylae van die vermeldde kennisgewing, soos hierin aangedui aangevul word.