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UITENGEWONE



EXTRAORDINARY

Staatskoerant

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Government Gazette

THE REPUBLIC OF SOUTH AFRICA

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CAPE TOWN, 2ND MARCH, 1962.

DEPARTEMENT VAN DIE EERSTE MINISTER.

DEPARTMENT OF THE PRIME MINISTER.

7.] [2 Maart 1962.

No. 327.] [2nd March, 1962.

by word bekend gemaak dat die Staatspresident sy
aandag gegee het aan die onderstaande Wette wat
ter algemene inligting gepubliseer word:—

It is hereby notified that the State President has assented
to the following Acts which are hereby published for general
information:—

BLADSY			PAGE		
van 1962:	Wysigingswet op Registrasie van Geboortes, Huwelike en Sterfgevallen, 1962	10	No. 3 of 1962:	Births, Marriages and Deaths Registration Amendment Act, 1962	11
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X

No. 4, 1962.]

WET

Om die vooruitgang van die Kleurlingbevolking van die Republiek op nywerheids-, handels- en finansiële gebied aan te moedig en te bevorder, om vir dié doel 'n Kleurling-ontwikkelings-korporasie te stig en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 23 Februarie 1962.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Woord-
omskrywing.

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

- (i) „Kleurling” iemand wat kragtens die Bevolkings-registrasiewet, 1950 (Wet No. 30 van 1950), geklassifiseer is as 'n lid van die Kaapse Kleurling-, Maleier- of Griekwagroep of die Groep Ander Gekleurdes, en ook 'n Kleurlingmaatskappy; (ii)
- (ii) „Kleurlinggebied”—
 - (a) 'n gebied waarop enige bepalinge van die „Mission Stations and Communal Reserves Act, 1909” (Wet No. 29 van 1909 van die Kaapprovinsie) van toepassing is omrede dit daarop van toepassing verklaar is ingevolge 'n wet of ingevolge 'n wet geag word daarop aldus van toepassing verklaar te wees;
 - (b) enige Staatsgrond wat vir besit of okkupasie deur Kleurlinge voorbehou is of wat geadministreer word asof dit aldus voorbehou is;
 - (c) 'n gebied wat kragtens artikel *twintig* van die Wet op Groepsgebiede, 1957 (Wet No. 77 van 1957), as groepsgebied vir lede van die gekleurde groep geproklameer is; (iii)
 - (iii) „Kleurlingmaatskappy” 'n maatskappy waarin al die aandele besit word deur Kleurlinge of deur Kleurlinge en die Korporasie, en ook 'n vereniging van persone waarvan slegs Kleurlinge of Kleurlinge en die Korporasie lede is; (iv)
 - (iv) „Korporasie” die Kleurling-ontwikkelingskorporasie, Beperk by artikel *twee* ingestel; (v)
 - (v) „Minister” die Minister van Kleurlingsake; (vi)
 - (vi) „raad” die raad van direkteure in artikel *nege* vermeld; (i)
 - (vii) „regulasies” die regulasies kragtens artikel *twee-en-twintig* uitgevaardig. (vii)

Instelling,
registrasie
en aard van
Kleurling-
ontwikkelings-
korporasie.
Beperk.

2. (1) Hierby word 'n regspersoon met die naam Kleurling-ontwikkelingskorporasie, Beperk, ingestel.

(2) Sub-artikel (1) tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

(3) Op die datum aldus bepaal teken die Registrateur van Maatskappye die naam van die Korporasie in sy registers aan.

Oogmerke van
Korporasie.

3. Die oogmerke van die Korporasie is die aanmoediging en bevordering van die vooruitgang van Kleurlinge in Kleurlingen- en nywerheidsgebiede op nywerheids-, handels- en finansiële gebied, en die verrigting van die ander take wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Algemene
bevoegdhede
van Korporasie.

4. Ten einde sy oogmerke te bereik kan die Korporasie—

- (a) met die goedkeuring van die Staatspresident nywerheids-, sake- en finansiële ondernemings oprig en voortsit;
- (b) met die goedkeuring van die Minister sodanige ondernemings verkry van persone wat nie Kleurlinge is nie;
- (c) kapitaal of ander middele voorsien en tegniese of ander hulp en deskundige en gespesialiseerde advies, inligting en voorligting verskaf;
- (d) Kleurlingmaatskappye vir nywerheids-, sake- of finansiële doeleindes stig of help stig;
- (e) geld uitleen sonder sekuriteit, of met dié sekuriteit wat hy goedvind;

No. 4, 1962.]

ACT

To encourage and promote the advancement of the Coloured population of the Republic in the field of industry, trade and finance, for that purpose to establish a Coloured development corporation, and to provide for matters incidental thereto.

(Afrikaans text signed by the State President.)
(Assented to 23rd February, 1962.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

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

Definitions.

 - (i) "board" means the board of directors referred to in section *nine*; (vi)
 - (ii) "Coloured" means any person classified under the Population Registration Act, 1950 (Act No. 30 of 1950), as a member of the Cape Coloured, Malay, Griqua or Other Coloured Group, and includes a Coloured company; (i)
 - (iii) "Coloured area" means—
 - (a) any area to which any provisions of the Mission Stations and Communal Reserves Act, 1909 (Act No. 29 of 1909 of the Cape Province), apply by reason of the fact that they have in terms of any law been declared to apply thereto or are in terms of any law deemed to have been so declared to apply thereto;
 - (b) any State land reserved for ownership or occupation by Coloureds, or administered as if it had been so reserved;
 - (c) any area proclaimed under section *twenty* of the Group Areas Act, 1957 (Act No. 77 of 1957), as a group area for members of the coloured group; (ii)
 - (iv) "Coloured company" means any company in which all the shares are held by Coloureds or by Coloureds and the Corporation, and includes any association of persons of which only Coloureds or Coloureds and the Corporation are members; (iii)
 - (v) "Corporation" means the Coloured Development Corporation, Limited, established by section *two*; (iv)
 - (vi) "Minister" means the Minister of Coloured Affairs; (v)
 - (vii) "regulations" means the regulations made under section *twenty-two*. (vii)
2. (1) There is hereby established a corporate body to be known as the Coloured Development Corporation, Limited.

Establishment, registration and nature of Coloured Development Corporation, Limited.

 - (2) Sub-section (1) shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.
 - (3) The Registrar of Companies shall on the date so fixed enter the name of the Corporation in his registers.
3. The objects of the Corporation shall be the encouragement and promotion of the advancement of Coloureds in Coloured and industrial areas, in the field of industry, trade and finance, and the performance of such other tasks as the State President may by proclamation in the *Gazette* determine.

Objects of Corporation.
4. For the purpose of achieving its objects the Corporation may—

Powers of Corporation in general.

 - (a) with the approval of the State President establish and carry on any industrial, business and financial undertakings;
 - (b) with the approval of the Minister acquire any such undertakings from persons who are not Coloureds;
 - (c) provide capital or other means and furnish technical or other assistance and expert and specialized advice, information and guidance;
 - (d) establish or assist in establishing Coloured companies for industrial, business or financial purposes;
 - (e) lend money without security, or with such security as it may deem fit;

- (f) die uitgifte van lenings, aandele, effekte of skuldbriewe van 'n Kleurlingmaatskappy ondersteun, uitvoer, waarborg, onderskryf of bewerkstellig;
- (g) borgstaan vir die behoorlike nakoming van die kontrakte en verpligtinge van Kleurlinge en borgaktes en aktes van sekerheidstelling aangaan;
- (h) optree as agent of verteenwoordiger van 'n Kleurling of self agente of verteenwoordigers aanstel;
- (i) onroerende goed en enige soort roerende goed, met inbegrip van aandele, effekte, skuldbriewe en geldwaardige stukke van 'n Kleurlingmaatskappy, of 'n belang in 'n saak van of 'n verband oor goedere van 'n Kleurling of 'n Kleurlingmaatskappy, koop, huur, ontwikkel of besit of daarop inskryf of dit andersins verkry of oorneem, en dit verhuur, verkoop of andersins vervreem of dit met verband beswaar of verpand of andersins daarmee handel;
- (j) skenkings aanneem en geld wat hom toekom in ontvangs neem, geld opneem of leen met of sonder sekuriteit en met of sonder rente, en op die ander bedinge en voorwaardes waarop ooreengekom word, en skuldbriewe, wissels en ander verhandelbare stukke uitreik;
- (k) bankrekenings open;
- (l) as makelaar optree;
- (m) al die uitgawes aangegaan in verband met die instelling en bestuur van die Korporasie betaal;
- (n) amptenare en werknemers in diens neem;
- (o) enige kontrak aangaan onder die bedinge en voorwaardes waarop ooreengekom word, en

kan hy oor die algemeen enigiets doen wat ter bereiking van sy oogmerke strek, hoewel dit nie uitdruklik in hierdie artikel vermeld word nie.

Verhuur van sekere geboue van Korporasie en belegging van geld nie benodig vir sy oogmerke.

5. (1) Die Korporasie kan enige gebou wat hy vir die verrigting van sy werksaamhede aangeskaf het, of enige gedeelte van so 'n gebou verhuur indien dit nie onmiddellik vir die verrigting van dié werksaamhede benodig word nie.

(2) Die Korporasie kan sy fondse of geld wat nie onmiddellik vir die verrigting van sy werksaamhede benodig word nie, belê by die Staatskuldkommissaris of op enige ander wyse wat die Minister goedkeur.

Bykomende bevoegdhede van Korporasie in verband met beveiliging van beleggings.

6. Indien die Korporasie dit nodig ag ter beveiliging van enige belegging deur hom gedoen, kan hy optree as direkteur, bestuurder, trustee, kurator, eksekuteur of administrateur van 'n saak, boedel, trust of fonds van 'n Kleurling of van 'n Kleurlingmaatskappy of 'n saak, trust of fonds van so 'n maatskappy, of iemand aanwys om as sodanig namens die Korporasie op te tree.

Bevoegdheid van Korporasie ten aansien van sy amptenare en werknemers.

7. Die Korporasie kan sy amptenare en werknemers in diens geneem kragtens paragraaf (n) van artikel vier besoldig, ontslaan of tydelik skors, skadeloos stel ten opsigte van enige leed, skade of verlies deur hulle in die loop van die verrigting van hul pligte opgedoen, en pensioen- en siektevoordele vir hulle voorsien of aan hulle verskaf.

Beperking op leningsbevoegdheid van Korporasie.

8. Die bedrag deur die Korporasie te eniger tyd verskuldig ten opsigte van lenings aangegaan en geld opgeneem, mag nie die helfte oorskry nie van die bedrag dan verkry deur die bedrag opbetaal op aandele in die Korporasie en die bedrag van enige reserwefonds van die Korporasie bymekaar te tel, behalwe vir sover die Minister dit gemagtig het.

Raad van direkteure.

9. (1) Die sake van die Korporasie word bestuur en beheer deur 'n raad van direkteure wat met inagneming van die bepalinge van hierdie Wet en die regulasies al sy bevoegdhede kan uitoefen en al sy pligte moet verrig.

(2) Die Staatspresident moet van tyd tot tyd bepaal uit hoeveel direkteure die raad moet bestaan, en hy moet hulle aanstel en een van hulle as voorsitter van die raad aanwys.

(3) Die Staatspresident moet alle direkteure wat hy aanstel, kies op grond van hul bekwaamheid in en ondervinding van sake doen of administrasie, of hul vertrouwdheid met die behoeftes van Kleurlinge en hul geskiktheid andersins vir aanstelling as direkteure.

(4) (a) Die raad kan volgens goeddunke enige aangeleentheid aan die Minister vir sy beslissing voorlê, en die Minister gee sy beslissing daarvoor ná oorlegpleging met die raad.

(b) Elke beslissing aldus gegee, word vir alle doeleindes geag 'n beslissing van die raad te wees.

- (f) support, carry out, guarantee, underwrite or bring about the issue of any loans, shares, stock or debentures of a Coloured company;
- (g) guarantee the due fulfilment of the contracts and obligations of Coloureds, and enter into surety bonds or deeds of security;
- (h) act as agent or representative of any Coloured or itself appoint agents or representatives;
- (i) purchase, hire, develop, hold, subscribe to or otherwise acquire or take over and let, sell or otherwise dispose of or hypothecate or pledge or otherwise deal with any immovable property and any movable property of any kind, including any shares, stock, debentures and securities of a Coloured company, or an interest in any business of or a mortgage over any property of a Coloured or a Coloured company;
- (j) accept donations and receive any moneys due to it, raise or borrow money with or without security and with or without interest and on such other terms and conditions as may be agreed upon, and issue debentures, bills of exchange and other negotiable instruments;
- (k) open banking-accounts;
- (l) act as broker;
- (m) pay all expenses incurred in connection with the establishment and administration of the Corporation;
- (n) employ officers and employees;
- (o) enter into any contract on such terms and conditions as may be agreed upon, and

may, generally, do anything that conduces to the attainment of its objects, even though it is not expressly mentioned in this section.

5. (1) The Corporation may let any building or any portion of any building acquired for the performance of its functions if it is not immediately required for the performance of such functions.

Letting of certain buildings of Corporation and investment of moneys not required for its objects.

(2) The Corporation may invest with the Public Debt Commissioners or in any other manner approved by the Minister, any of its funds or moneys not immediately required for the performance of its functions.

6. If the Corporation considers it necessary for safeguarding any investment made by it, it may act as director, manager, trustee, executor or administrator of any business, estate, trust or fund of a Coloured or of a Coloured company or of any business, trust or fund of such a company, or may designate any person to act as such on behalf of the Corporation.

Additional powers of Corporation in connection with safeguarding of investments.

7. The Corporation may remunerate, discharge or suspend temporarily its officers and employees employed under paragraph (n) of section four and indemnify them in respect of any harm, damage or loss suffered by them in the course of the performance of their duties, and provide or give pension and sick benefits for or to them.

Powers of Corporation in respect of its officers and employees.

8. The amount owing by the Corporation at any time in respect of loans negotiated and moneys raised shall not exceed one half of the amount then obtained by adding the amount paid up on shares in the Corporation and the amount of any reserve fund of the Corporation, except to the extent authorized by the Minister.

Limitation of borrowing powers of Corporation.

9. (1) The affairs of the Corporation shall be managed and controlled by a board of directors which may exercise all the powers and shall perform all the duties of the Corporation subject to the provisions of this Act and the regulations.

Board of directors.

(2) The State President shall from time to time fix the number of directors of the board, and he shall appoint such directors and designate one of them as chairman of the board.

(3) The State President shall select all directors appointed by him for their ability and experience in business or administration, or their knowledge of the requirements of Coloureds and their suitability otherwise for appointment as directors.

(4) (a) The board may in its discretion submit any matter to the Minister for his decision, and the Minister shall give his decision thereon after consultation with the board.

(b) Any decision so given shall for all purposes be deemed to be a decision of the board.

Plaasver-
vangende
direkteure.

10. (1) (a) 'n Direkteur van die Korporasie kan nie iemand benoem nie om as plaasvervangende direkteur in sy plek op te tree tydens sy afwesigheid of sy onvermoë om as direkteur op te tree.

(b) Indien die Staatspresident van oordeel is dat omstandighede dit vereis, kan hy 'n plaasvervangende direkteur aanstel om tydens die afwesigheid van 'n direkteur of sy onvermoë om as direkteur op te tree, in sy plek op te tree.

(2) Wanneer 'n plaasvervangende direkteur in die plek van 'n direkteur optree, het hy in alle opsigte al die bevoegdhede en verrig hy in alle opsigte al die pligte van daardie direkteur.

(3) 'n Plaasvervangende direkteur word besoldig uit die besoldiging wat die direkteur in wie se plek hy optree, toekom of sou toegekom het, indien hy as direkteur opgetree het, en wel soos die raad bepaal.

Verbod op aan-
stelling van
sekere persone
as direkteure
of plaasver-
vangende direk-
teure.

11. 'n Lid van die Senaat of Volksraad of 'n Provinsiale Raad kan nie as direkteur of plaasvervangende direkteur van die Korporasie aangestel word nie.

Ampstermyn en
-voorwaardes
van direk-
teure.

12. (1) Die Staatspresident bepaal die ampstermyn van die direkteure van die Korporasie, asook die ampstermyn van die voorsitter van die raad.

(2) 'n Direkteur van die Korporasie beklee sy amp op die voorwaardes betreffende besoldiging wat die Staatspresident bepaal, en op die ander voorwaardes by die regulasies voorgeskryf.

(3) Indien 'n direkteur anders as in sy hoedanigheid as direkteur van die Korporasie werk namens die Korporasie verrig of 'n amp in sy diens beklee, kan aan hom die bykomende besoldiging betaal word wat die raad bepaal.

Besturende
direkteur en
hoofbestuur-
der.

13. (1) Die Minister kan die voorsitter van die raad of 'n ander direkteur van die Korporasie as besturende direkteur van die Korporasie aanstel.

(2) Die besturende direkteur aldus aangestel, het die bevoegdhede en verrig die pligte wat die raad aan hom verleen of hom oplê.

(3) (a) Indien 'n besturende direkteur wat aldus aangestel is, om enige rede gedurende enige tydperk nie in staat is om as sodanig op te tree nie, kan die raad met goedkeuring van die Minister, een van sy ander lede aanstel om as besturende direkteur van die Korporasie tydens daardie tydperk op te tree.

(b) Terwyl die lid wat aldus aangestel is, aldus optree, het hy al die bevoegdhede en verrig hy al die pligte van die besturende direkteur van die Korporasie.

(4) (a) By afwesigheid van 'n besturende direkteur wat kragtens hierdie artikel aangestel is, kan die raad iemand as hoofbestuurder van die Korporasie aanstel, en hy het die bevoegdhede en verrig die pligte wat die raad aan hom verleen of hom oplê.

(b) 'n Hoofbestuurder aldus aangestel, ontruim sy amp indien 'n besturende direkteur kragtens hierdie artikel aangestel word.

Aanspreeklikheid
van direkteure
vir verlies of
skade.

14. 'n Direkteur van die Korporasie is nie persoonlik aanspreeklik nie vir verlies of skade wat in of in verband met die verrigting van sy pligte voorkom, tensy die verlies of skade te wyte was aan sy opsetlike wangedrag, oneerlikheid, growwe nalatigheid of versuim om aan een of ander bepaling van hierdie Wet of die regulasies te voldoen.

Aandeel-
kapitaal.

15. (1) Behoudens die bepalings van sub-artikel (2) bedra die aandeelkapitaal van die Korporasie vyfhonderdduisend rand (R500,000) wat in vyfhonderdduisend gewone aandeel van een rand elk verdeel word.

(2) Die Staatspresident kan op aanbeveling van die raad die aandeelkapitaal van die Korporasie vermeerder in die mate wat hy raadsaam ag.

(3) Slegs die Staat kan 'n aandeelhouer in die Korporasie word.

(4) Die Staat neem aandeel in die Korporasie op na gelang die Staatspresident dit nodig ag, en op die voorwaardes wat hy bepaal, en daarvoor word betaal uit gelde wat die Parlement vir dié doel bewillig het.

10. (1) (a) A director of the Corporation shall not have the power to appoint any person to act as alternate director in his place during his absence or incapacity to act as director. Alternate directors.
- (b) If the State President is of opinion that circumstances require the appointment of an alternate director, he may appoint such a director to act in the place of any director during his absence or incapacity to act as director.
- (2) When an alternate director acts in the place of any director he shall in all respects have all the powers and perform all the duties of that director.
- (3) An alternate director shall be remunerated, as determined by the board, out of the remuneration which is due to the director in whose place he is acting or would have become due to such director if he had acted as director.
11. A member of the Senate or the House of Assembly or a Provincial Council may not be appointed as a director or an alternate director of the Corporation. Appointment of certain persons as directors or alternate directors forbidden.
12. (1) The State President shall determine the period of office of the directors of the Corporation, and also the period of office of the chairman of the board. Tenure and conditions of office of directors.
- (2) A director of the Corporation shall hold office on such conditions as to remuneration as the State President may determine and on such other conditions as may be prescribed by the regulations.
- (3) If any director performs any work on behalf of the Corporation otherwise than in his capacity as a director of the Corporation, or holds any office in the employ of the Corporation, he may be paid such additional remuneration as the board may determine.
13. (1) The Minister may appoint the chairman of the board or any other director of the Corporation as managing director of the Corporation. Managing director and general manager.
- (2) The managing director so appointed shall have such powers and perform such duties as the board may confer or impose on him.
- (3) (a) If for any reason the managing director so appointed is unable to act as such during any period, the board may, with the approval of the Minister, appoint another of its members to act as managing director of the Corporation during such period.
- (b) The member so appointed shall, while so acting, have all the powers and perform all the duties of the managing director of the Corporation.
- (4) (a) In the absence of a managing director appointed under this section the board may appoint any person as general manager of the Corporation, who shall have such powers and perform such duties as the board may confer or impose on him.
- (b) A general manager so appointed shall vacate his office if a managing director is appointed under this section.
14. A director of the Corporation shall not be personally liable for any loss or damage which may occur in or in connection with the performance of his duties, unless such loss or damage was due to his wilful misconduct, dishonesty, gross negligence or failure to comply with any provision of this Act or the regulations. Liability of directors for loss or damage.
15. (1) Subject to the provisions of sub-section (2) the share capital of the Corporation shall be five hundred thousand (R500,000) which shall be divided into five hundred thousand ordinary shares of one rand each. Share capital.
- (2) The State President may, on the recommendation of the board, increase the share capital of the Corporation to such an extent as he may deem expedient.
- (3) Only the State may become a shareholder in the Corporation.
- (4) The State shall take up shares in the Corporation as the State President may deem necessary and on such conditions as he may determine, and such shares shall be paid for out of moneys appropriated by Parliament for that purpose.

Aanspreeklikheid van aandeelhouer.

16. Die aanspreeklikheid van die Staat as houer van aandele in die Korporasie word beperk tot die bedrag wat verskuldig is op die aandele deur hom besit.

Uitgawes.

17. Die uitgawes wat deur of namens die Korporasie aangegaan word, met inbegrip van die besoldiging van direkteure, word uit die fondse van die Korporasie bestry.

Aanwending van goedere van Korporasie.

18. (1) Behalwe soos uitdruklik anders in hierdie Wet bepaal, moet alle goedere van die Korporasie, uit watter bron dit ook al verkry mag word, uitsluitend ter bevordering van die oogmerke van die Korporasie aangewend word.

(2) Die raad kan onderworpe aan die goedkeuring van die Staatspresident 'n dividend van hoogstens vyf persent verklaar.

Vrystelling van sekere belastings en heffings.

19. Geen belasting of heffing op inkomste by of kragtens 'n wet opgelê, is deur die Korporasie betaalbaar nie.

Rekenings en ouditering.

20. (1) Die raad moet toesien dat behoorlike rekeningboeke, asook al die nodige boeke en aantekeninge in verband daarmee, gehou word.

(2) Die rekenings van die Korporasie moet geouditeer word deur iemand wat 'n geregistreerde rekenmeester en ouditeur is en wat jaarliks deur die Minister benoem moet word.

Inligting aan Minister en Parlement verstrek te word.

21. (1) So spoedig doenlik ná die einde van elke boekjaar van die Korporasie moet die raad aan die Minister voorlê—

(a) 'n balansstaat en 'n wins- en -verliesrekening wat die toestand van die sake van die Korporasie aan die einde van die jongste voorafgaande boekjaar juis en korrek aantoon;

(b) 'n verslag onderteken deur die persoon benoem kragtens sub-artikel (2) van artikel *twentig*, waarin vervat is 'n verklaring dat die balansstaat en wins- en -verliesrekening na sy beste wete en oortuiging en volgens inligting aan hom verstrekt, 'n juiste opgawe aantoon van die bate en laste van die Korporasie aan die einde van die jongste voorafgaande boekjaar en van die winste en verliese vir die tydperk waarvoor dit loop, of, indien hy nie in staat is om so 'n verklaring te doen nie of om dit sonder voorbehoud te doen nie, 'n uiteensetting van die feite of omstandighede wat hom belet om so 'n verklaring te doen, of, na gelang van die geval, 'n aanduiding van die voorbehoud; en

(c) 'n verslag van die raad oor die werksaamhede van die raad gedurende die jongste voorafgaande boekjaar.

(2) Die Minister moet afskrifte van die balansstaat, wins- en -verliesrekening en verslae vermeld in paragrafe (a), (b) en (c) van sub-artikel (1), in die Senaat en die Volksraad ter tafel lê binne een maand nadat hy hulle ontvang het, as die Parlement in gewone sessie is, of, as die Parlement nie in gewone sessie is nie, binne een maand na die aanvang van sy eersvolgende gewone sessie.

Regulasies.

22. Die Staatspresident kan regulasiesuitvaardig betreffende—

(a) die plek waar die hoofkantoor van die Korporasie geleë moet wees;

(b) die datum waarop die boekjaar van die Korporasie in elke jaar eindig;

(c) die aangeleenthede wat van tyd tot tyd aan die Staatspresident of the Minister voorgelê moet word vir beslissing, en wanneer dit gedoen moet word;

(d) die prosedure wat deur die raad gevolg moet word om 'n beslissing van die Staatspresident of the Minister oor enige aangeleentheid te verkry;

(e) die voorwaardes van aanstelling, bevoegdhede en pligte van direkteure van die Korporasie, en die kworum en prosedure op vergaderings van die raad;

(f) die hou van registers, notule en rekeningboeke;

(g) 'n amptelike seël en die gebruik daarvan;

(h) die opmaak en voorlegging van jaarlikse balansstate, wins- en -verliesrekenings en verslae van die raad en sy ouditeur;

(i) die bestelling van kennisgewings;

(j) dié ander aangeleenthede wat nodig of nuttig is om voorgeskryf te word vir die bereiking van die oogmerke van hierdie Wet.

Likwidasie van Korporasie.

23. Die Korporasie kan nie gelikwideer word nie behalwe by of op gesag van 'n wet van die Parlement.

16. The liability of the State as holder of shares in the Corporation shall be limited to the amount unpaid on the shares held by it. Liability of shareholder.

17. The expenditure incurred by or on behalf of the Corporation, including the remuneration of directors, shall be defrayed out of the funds of the Corporation. Expenditure.

18. (1) Save as expressly otherwise provided in this Act all property of the Corporation, from whatever source it may be acquired, shall be used exclusively for promoting the objects of the Corporation. Use of property of Corporation.

(2) The board may subject to the approval of the State President declare a dividend not exceeding five per cent.

19. No tax or charge on income imposed by or under any law shall be payable by the Corporation. Exemption from certain taxes and charges.

20. (1) The board shall cause proper books of account to be kept, as well as all necessary books and records in connection therewith. Accounts and audit.

(2) The accounts of the Corporation shall be audited by a person who is a registered accountant and auditor, to be appointed annually by the Minister.

21. (1) As soon as practicable after the end of every financial year of the Corporation the board shall submit to the Minister— Information to be furnished to Minister and Parliament.

(a) a balance sheet and profit and loss account which reflects a true and correct view of the state of the Corporation's affairs as at the end of the last preceding financial year;

(b) a report signed by the person appointed under sub-section (2) of section *twenty*, and containing a statement that to the best of his knowledge and belief and on information supplied to him, the balance sheet and profit and loss account reflects a true statement of the assets and liabilities of the Corporation as at the end of the last preceding financial year and of the profit and loss for the period covered, or, if he is unable to make such a statement or to make it without qualification, particulars of the facts or circumstances which prevent him from making such a statement, or an indication of such qualification, as the case may be; and

(c) a report of the board concerning the business of the board during the last preceding financial year.

(2) The Minister shall lay copies of the balance sheet, profit and loss account and reports referred to in paragraphs (a), (b) and (c) of sub-section (1) on the table of the Senate and of the House of Assembly within one month after the receipt thereof by him, if Parliament is in ordinary session, or, if Parliament is not in ordinary session, within one month after the commencement of its next ensuing ordinary session.

22. The State President may make regulations as to— Regulations.

(a) the place where the head office of the Corporation shall be situated;

(b) the date upon which the financial year of the Corporation ends in every year;

(c) the matters which shall from time to time be submitted to the State President or the Minister for decision, and the time when this shall be done;

(d) the procedure to be followed by the board to obtain a decision of the State President or the Minister on any matter;

(e) the conditions of appointment, powers and duties of directors of the Corporation, and the quorum and procedure at meetings of the board;

(f) the keeping of registers, records and books of account;

(g) an official seal and the use thereof;

(h) the preparation and submission of annual balance sheets, profit and loss accounts and reports by the board and its auditor;

(i) the service of notices;

(j) such other matters as are necessary or useful to be prescribed for the attainment of the objects of this Act.

23. The Corporation shall not be wound up except by or under the authority of an Act of Parliament. Liquidation of Corporation.

Gebruik van
naam van
Korporasie.

24. (1) Niemand en geen maatskappy mag sake doen of kragtens die Maatskappywet, 1926 (Wet No. 46 van 1926), geregistreer word nie onder 'n naam wat dieselfde is as dié van die Korporasie of soveel daarmee ooreenkom dat dit bereken is om te mislei: Met dien verstande dat die bepalings van hierdie artikel nie 'n maatskappy belet nie om sake te doen, of geregistreer te bly, onder die naam waaronder dit kragtens genoemde Wet by die inwerkingtreding van hierdie Wet geregistreer was.

(2) Iemand wat sake doen in stryd met sub-artikel (1), is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens honderd rand.

Toepassing van
Maatskappywet,
1926.

25. (1) Behoudens die bepalings van sub-artikel (2) is geen bepaling van die Maatskappywet, 1926 (Wet No. 46 van 1926), op die Korporasie van toepassing nie.

(2) Die Staatspresident kan by proklamasie in die *Staatskoerant* verklaar dat enige bepaling van die Maatskappywet, 1926, wat nie met die bepalings van hierdie Wet strydig is nie, op die Korporasie van toepassing is met die veranderinge wat hy mag bepaal, en kan enige sodanige proklamasie intrek of wysig.

Toepassing van
Bankwet, 1942.

26. Geen bepaling van die Bankwet, 1942 (Wet No. 38 van 1942), is op die Korporasie van toepassing nie.

Kort titel.

27. Hierdie Wet heet die Wet op die Kleurling-ontwikkelingskorporasie, 1962.

No. 3, 1962.]

WET

Tot wysiging van die „Wet op de Registratie van Geboorten, Huweliken en Sterfgevallen, 1923”.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 19 Februarie 1962.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van
artikel 15 (soos
gewysig deur
artikel 5 van Wet
7 van 1934 en
artikel 1 van Wet
26 van 1959),
artikel 21 (soos
gewysig deur
artikel 2 van Wet
26 van 1959) en
artikel 27 (soos
gewysig deur
artikel 3 van Wet
5 van 1943 en
artikel 3 van Wet
26 van 1959) van
Wet 17 van 1923.

1. Sub-artikel (2) van artikel vyftien, sub-artikel (3) van artikel een-en-twintig en sub-artikel (2) van artikel sewe-en-twintig van die „Wet op de Registratie van Geboorten, Huweliken en Sterfgevallen, 1923” word hierby gewysig deur in elkeen van daardie sub-artikels die woorde „met de rang van sergeant of een hogere rang” te skrap.

Kort titel.

2. Hierdie Wet heet die Wysigingswet op Registrasie van Geboortes, Huwelike en Sterfgevalle, 1962.

24. (1) No person and no company shall carry on business under or be registered under the Companies Act, 1926 (Act No. 46 of 1926), by a name which is the same as that of the Corporation or so nearly resembles it as to be calculated to deceive: Provided that the provisions of this section shall not prohibit any company from carrying on business under, or remaining registered by the name by which it was registered under the said Act at the commencement of this Act. Use of name of Corporation.

(2) Any person who carries on business in contravention of sub-section (1) shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred rand.

25. (1) Subject to the provisions of sub-section (2) no provision of the Companies Act, 1926 (Act No. 46 of 1926), shall apply to the Corporation. Application of Companies Act, 1926.

(2) The State President may by proclamation in the *Gazette* declare that any provision of the Companies Act, 1926, which is not inconsistent with the provisions of this Act, shall apply to the Corporation with such modifications as he may determine, and may withdraw or amend any such proclamation.

26. No provision of the Banking Act, 1942 (Act No. 38 of 1942), shall apply to the Corporation. Application of Banking Act, 1942.

27. This Act shall be called the Coloured Development Corporation Act, 1962. Short title.

No. 3, 1962.]

ACT

To amend the Births, Marriages and Deaths Registration Act, 1923.

*(English text signed by the State President.)
(Assented to 19th February, 1962.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. Sub-section (2) of section *fifteen*, sub-section (3) of section *twenty-one* and sub-section (2) of section *twenty-seven* of the Births, Marriages and Deaths Registration Act, 1923, are hereby amended by the deletion in each of those sub-sections of the words "of or above the rank of sergeant".

Amendment of section 15 (as amended by section 5 of Act 7 of 1934 and section 1 of Act 26 of 1959), section 21 (as amended by section 2 of Act 26 of 1959) and section 27 (as amended by section 3 of Act 5 of 1943 and section 3 of Act 26 of 1959) of Act 17 of 1923.

2. This Act shall be called the Births, Marriages and Deaths Registration Amendment Act, 1962. Short title.

No. 5, 1962.]

WET

Tot wysiging van die Behuisingswet, 1957.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 23 Februarie 1962.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 10 van 1957, soos gewysig deur artikel 1 van Wet 24 van 1958 en artikel 16 van Wet 64 van 1960.

1. Artikel een van die Behuisingswet, 1957 (hieronder die Hoofwet genoem), word hierby gewysig—

- (a) deur na die omskrywing van „bouvereniging” die volgende omskrywing in te voeg:
„(vi)*bis* „Departement” die Departement van Behuising;
(viii)*bis*”;
- (b) deur in die omskrywing van „Minister” die woord „Gesondheid” deur die woord „Behuising” te vervang; en
- (c) deur na die omskrywing van „regulasie” die volgende omskrywing in te voeg:
„(xx)*bis* „Sekretaris” die Sekretaris van Behuising;
(xxi)*bis*”.

Wysiging van artikel 5 van Wet 10 van 1957.

2. Artikel vyf van die Hoofwet word hierby gewysig deur in sub-artikel (2) die woorde „by regulasie” te skrap.

Wysiging van artikel 6 van Wet 10 van 1957, soos gewysig deur artikel 1 van Wet 72 van 1959.

3. Artikel ses van die Hoofwet word hierby gewysig deur in sub-paragraaf (ii) van paragraaf (a) van sub-artikel (2) die woord „beampte” deur die woord „praktisyn” te vervang.

Wysiging van artikel 8 van Wet 10 van 1957.

- 4. (1) Artikel agt van die Hoofwet word hierby gewysig—
 - (a) deur in paragraaf (e) van sub-artikel (3) die woorde „Ondersekretaris (Blankegebiede) van Naturellesake” deur die woorde „Adjunk-sekretaris (Blankegebiede) van Bantoe-administrasie en -ontwikkeling” te vervang; en
 - (b) deur in paragraaf (f) van sub-artikel (3) die woorde „Ondersekretaris (Naturellegebiede) van Naturellesake” deur die woorde „Adjunk-sekretaris (Bantoegebiede) van Bantoe-administrasie en -ontwikkeling” te vervang.

(2) Sub-artikel (1) word geag op die dertiende dag van Januarie 1960 in werking te getree het.

Vervanging van artikel 9 van Wet 10 van 1957.

5. Artikel nege van die Hoofwet word hierby deur die volgende artikel vervang:

- „Bevoegdhede en pligte van Sekretaris van Behuising, en betekenis van „Nasionale Behuisingskantoor” en „Sekretaris, Nasionale Behuisingskantoor” in ander wetsbepalings.
- 9. (1) Die Sekretaris oefen die bevoegdhede uit en voer die pligte uit wat deur hierdie Wet of die Minister hom opgelê of aan hom toegewys word.
- (2) Die Sekretaris is, behoudens die bepalinge van hierdie Wet, verantwoordelik vir die administrasie van die fonds en in besonder vir—
 - (a) alle uitgawes uit die fonds; en
 - (b) die invordering ten bate van die fonds van alle gelde wat aan die Kommissie verskuldig is of die Kommissie toeval en die voortsetting van alle vorderings ten gunste van die Kommissie, hetsy kragtens kontrak of andersins,

en is by die toepassing van die regulasies uitgevaardig kragtens die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), die rekenpligtige beampte met betrekking tot die gelde in die Fonds.

(3) Die Sekretaris tree op as die verteenwoordiger van die Kommissie met betrekking tot alle aangeleenthede ten aansien waarvan die Kommissie enige bevoegdheid moet uitoefen of enige werksaamhede of pligte moet verrig.

(4) Alle bevoegdhede en alle pligte wat ingevolge hierdie artikel aan die Sekretaris toegewys of hom opgelê is, behalwe die bevoegdhede en pligte van die Sekretaris in sy hoedanigheid van rekenpligtige beampte, kan of persoonlik deur die Sekretaris, of deur ’n amptenaar van die Departement deur hom aangewys, uitgeoefen of verrig word.

No. 5, 1962.]

ACT

To amend the Housing Act, 1957.

(English text signed by the State President.)
(Assented to 23rd February, 1962.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. Section *one* of the Housing Act, 1957 (hereinafter referred to as the principal Act), is hereby amended—
 - (a) by the insertion after the definition of “construct” of the following definition:

“(viii)*bis* ‘Department’ means the Department of Housing; (vi)*bis*”;
 - (b) by the substitution in the definition of “Minister” for the word “Health” of the word “Housing”; and
 - (c) by the insertion after the definition of “scheme” of the following definition:

“(xxi)*bis* ‘Secretary’ means the Secretary For Housing; (xx)*bis*”;
2. Section *five* of the principal Act is hereby amended by the deletion in sub-section (2) of the words “by regulation”.

Amendment of section 5 of Act 10 of 1957.
3. Section *six* of the principal Act is hereby amended by the substitution in sub-paragraph (ii) of paragraph (a) of sub-section (2) for the word “officer” of the word “practitioner”.

Amendment of section 6 of Act 10 of 1957, as amended by section 1 of Act 72 of 1959.
4. (1) Section *eight* of the principal Act is hereby amended—
 - (a) by the substitution in paragraph (e) of sub-section (3) for the words “Under Secretary (European Areas) for Native Affairs” of the words “Deputy Secretary (White Areas) for Bantu Administration and Development;”; and
 - (b) by the substitution in paragraph (f) of sub-section (3) for the words “Under Secretary (Native Areas) for Native Affairs” of the words “Deputy Secretary (Bantu Areas) for Bantu Administration and Development.”;
 (2) Sub-section (1) shall be deemed to have come into operation on the thirteenth day of January, 1960.

Amendment of section 8 of Act 10 of 1957.
5. The following section is hereby substituted for section *nine* of the principal Act:

Substitution of section 9 of Act 10 of 1957.

“Powers and duties of Secretary for Housing, and meaning of ‘National Housing Office’ and ‘Secretary, National Housing Office’ in other laws.

9. (1) The Secretary shall exercise the powers and perform the duties imposed upon or assigned to him by this Act or the Minister.

(2) The Secretary shall, subject to the provisions of this Act, be responsible for the administration of the fund and in particular for—

 - (a) all expenditure out of the fund; and
 - (b) the collection for the credit of the fund of all moneys due or accruing to the Commission and the prosecution of all claims in favour of the Commission, whether under contract or otherwise,

and shall for the purposes of the regulations framed under the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), be the accounting officer in relation to the moneys in the fund.

(3) The Secretary shall act as the representative of the Commission in relation to all matters in respect of which the Commission is required to exercise any power or to perform any functions or duties.

(4) All powers and all duties assigned to or imposed upon the Secretary in terms of this section, other than the powers and duties of the Secretary in his capacity as accounting officer, may be exercised or performed either by the Secretary personally or by an officer of the Department designated by him.

(5) Enige verwysing in enige ander wetsbepaling na die Nasionale Behuisingskantoor word as 'n verwysing na die Departement uitgelê en enige verwysing in enige ander wetsbepaling na die Sekretaris, Nasionale Behuisingskantoor, of na 'n amptenaar van die Nasionale Behuisingskantoor, word as 'n verwysing na die Sekretaris of na 'n amptenaar van die Departement uitgelê."

Wysiging van artikel 13 van Wet 10 van 1957.

6. (1) Artikel *dertien* van die Hoofwet word hierby gewysig deur na sub-artikel (1) die volgende sub-artikel in te voeg:

„(1)*bis* Die paaielemente ten opsigte van enige delgingsfonds wat deur 'n plaaslike bestuur vir die delging van 'n voorskot vir 'n hulpbehuisingskema met die goedkeuring van die Kommissie ingestel is, moet deur die Sekretaris by die Staatskuldkommissaris belê word."

(2) Sub-artikel (1) word geag op die datum van inwerking-treding van die Hoofwet in werking te getree het.

Wysiging van artikel 16 van Wet 10 van 1957.

7. Artikel *sestien* van die Hoofwet word hierby gewysig—

(a) deur in paragraaf (a) van sub-artikel (1) die woorde „Nasionale Behuisingskantoor” deur die woord „Departement” te vervang; en

(b) deur in sub-artikel (2) die woorde „by regulasie” te skrap.

Wysiging van artikel 17 van Wet 10 van 1957.

8. Artikel *sewentien* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „Behoudens sodanige bepalinge as wat by regulasie voorgeskryf mag word, kan die Kommissie” deur die woorde „Die Kommissie kan” te vervang.

Wysiging van artikel 18 van Wet 10 van 1957.

9. Artikel *agtien* van die Hoofwet word hierby gewysig deur na sub-paragraaf (ii) van paragraaf (c) van sub-artikel (1) die volgende sub-paragraaf in te voeg:

„(iii) enige belastinge en ander gelde wat deur die Kommissie namens 'n lener aan 'n plaaslike bestuur betaal is,".

Wysiging van artikel 19 van Wet 10 van 1957.

10. Artikel *negentien* van die Hoofwet word hierby gewysig deur in paragraaf (ii) van sub-artikel (1) die woorde „Nasionale Behuisingskantoor” deur die woord „Departement” te vervang.

Wysiging van artikel 22 van Wet 10 van 1957.

11. Artikel *twee-en-twintig* van die Hoofwet word hierby gewysig deur in paragraaf (h) die woorde „dié by regulasie voorgeskryf vir die terugbetaling van so 'n lening, wat nie” en die woorde „mag oorskry nie” te skrap.

Invoeging van artikel 30*bis* in Wet 10 van 1957.

12. Die volgende artikel word hierby na artikel *dertig* in die Hoofwet ingevoeg:

„Verkryging van onroerende eiendom deur die Kommissie.

30*bis*. Ondanks andersluidende wetsbepalinge kan die Kommissie, onderworpe aan die voorafgaande skriftelike goedkeuring van die Minister, gegee in oorleg met die Minister van Finansies, enige geaffekteerde eiendomme soos omskryf in artikel *een* van die Wet op die Ontwikkeling van Groepsgebiede, 1955 (Wet No. 69 van 1955), of enige ander onroerende eiendom, koop of op enige ander wyse verkry om dit te gebruik vir doeleindes soos in hierdie Wet bepaal, of om dit waar nodig andersins te ontwikkel of te vervreem."

Wysiging van artikel 42 van Wet 10 van 1957, soos gewysig deur artikel 2 van Wet 72 van 1959.

13. Artikel *twee-en-veertig* van die Hoofwet word hierby gewysig deur in paragraaf (b) die woorde „Nasionale Behuisingskantoor” deur die woord „Departement” te vervang.

Invoeging van artikels 43*bis* en 43*ter* in Wet 10 van 1957.

14. Die volgende artikels word hierby in die Hoofwet na artikel *drie-en-veertig* ingevoeg:

„Verandering van naam van dorp waarin 'n skema uitgevoer word.

43*bis*. (1) Ondanks andersluidende wetsbepalinge, maar behoudens die bepalinge van sub-artikel (2), kan die Kommissie die naam van enige dorp of gedeelte van 'n dorp gestig kragtens die toepaslike wetsbepalinge insake die stigting van dorpe, verander indien hy op al of die meeste van die erwe in so 'n dorp of gedeelte van 'n dorp 'n skema uitvoer of uitgevoer het of indien hy daartoe versoek word deur 'n plaaslike bestuur wat 'n skema met behulp van 'n voorskot uit die Fonds in daardie dorp uitvoer of uitgevoer het.

(5) Any reference in any other law to the National Housing Office shall be construed as a reference to the Department and any reference in any other law to the Secretary, National Housing Office, or to an officer of the National Housing Office shall be construed as a reference to the Secretary or to an officer of the Department."

6. (1) Section *thirteen* of the principal Act is hereby amended by the insertion after sub-section (1) of the following sub-section: Amendment of section 13 of Act 10 of 1957.

"(1)*bis* The instalments in respect of any sinking-fund established by a local authority with the approval of the Commission for the repayment of an advance for an assisted housing scheme, shall be invested by the Secretary with the Public Debt Commissioners."

(2) Sub-section (1) shall be deemed to have come into operation on the date of commencement of the principal Act.

7. Section *sixteen* of the principal Act is hereby amended— Amendment of section 16 of Act 10 of 1957.

(a) by the substitution in paragraph (a) of sub-section (1) for the words "National Housing Office" of the word "Department"; and

(b) by the deletion in sub-section (2) of the words "by regulation".

8. Section *seventeen* of the principal Act is hereby amended by the substitution in sub-section (1) for the words "Subject to such provisions as may be prescribed by regulation, the Commission may" of the words "The Commission may". Amendment of section 17 of Act 10 of 1957.

9. Section *eighteen* of the principal Act is hereby amended by the insertion after sub-paragraph (ii) of paragraph (c) of sub-section (1) of the following sub-paragraph: Amendment of section 18 of Act 10 of 1957.

"(iii) any rates, taxes and other charges, paid to a local authority by the Commission on behalf of a borrower,".

10. Section *nineteen* of the principal Act is hereby amended by the substitution in paragraph (ii) of sub-section (1) for the words "National Housing Office" of the word "Department". Amendment of section 19 of Act 10 of 1957.

11. Section *twenty-two* of the principal Act is hereby amended by the deletion in paragraph (h) of the words "that prescribed by regulation for the repayment of such a loan which shall not exceed". Amendment of section 22 of Act 10 of 1957.

12. The following section is hereby inserted in the principal Act after section *thirty*: Insertion of section 30*bis* in Act 10 of 1957.

30*bis*. Notwithstanding anything to the contrary in any law contained, the Commission may, subject to the prior written approval of the Minister, given in consultation with the Minister of Finance, purchase or acquire in any other manner any affected property as defined in section *one* of the Group Areas Development Act, 1955 (Act No. 69 of 1955), or any other immovable property for use for purposes determined in this Act or where necessary otherwise to develop or dispose of it."

13. Section *forty-two* of the principal Act is hereby amended by the substitution in paragraph (b) for the words "National Housing Office" of the word "Department". Amendment of section 42 of Act 10 of 1957, as amended by section 2 of Act 72 of 1959.

14. The following sections are hereby inserted in the principal Act after section *forty-three*: Insertion of sections 43*bis* and 43*ter* in Act 10 of 1957.

43*bis*. (1) Notwithstanding anything to the contrary in any law contained, but subject to the provisions of sub-section (2), the Commission may change the name of any township or portion of a township which has been established in terms of the relevant provisions of any law for the establishment of townships, if the Commission is carrying out or has carried out a scheme on all or the majority of the erven in such township or portion of a township or if the Commission is requested thereto by a local authority which is carrying out or has carried out a scheme in such township by means of an advance out of the fund.

"Change of name of township in which a scheme is being carried out.

(2) Die Kommissie oefen nie sy bevoegdheid ingevolge sub-artikel (1) uit tensy hy die Administrateur van die provinsie waarin die betrokke dorp geleë is en, indien sodanige dorp binne die regsgebied van 'n plaaslike bestuur val, ook die plaaslike bestuur geraadpleeg het en die vertoë, indien daar is, van die Administrateur en plaaslike bestuur behoorlik oorweeg het nie.

(3) Wanneer die naam van 'n dorp of 'n gedeelte van 'n dorp ingevolge die bepalings van sub-artikel (1) verander is, bring die betrokke Registrateur van Aktes en die Landmeter-generaal die nodige endossemente en inskrywings kosteloos aan op of in al die toepaslike registers, dokumente en planne wat in hul bewaring is en bring van tyd tot tyd sodanige endossemente aan op enige akte of ander stuk wat betrekking het op enige eiendom geleë in bedoelde dorp of gedeelte van die dorp, en wat vir enige doel by die registrasiekantoor of die kantoor van die Landmeter-generaal ingehandig word.

Eiendomsreg in openbare plekke wat gesluit word, berus by die Kommissie.

43ter. (1) Wanneer 'n straat, park of oop ruimte of enige grond wat as 'n openbare plek aangetoon word op die algemene plan van 'n bestaande dorp of gedeelte van 'n bestaande dorp waarin die Kommissie 'n skema uitvoer, op versoek van die Kommissie gesluit word, berus die eiendomsreg in bedoelde straat, park, oop ruimte of grond, ondanks andersluidende wetsbepalings, by sluiting by die Kommissie, en die betrokke Registrateur van Aktes en Landmeter-generaal endosseer of teken sodanige feit onverwyld aan op of in die toepaslike registers, aktes, kaarte en planne.

(2) Wanneer die Kommissie om enige rede dit nodig ag dat 'n straat, park of oop ruimte of enige grond wat as openbare plek aangetoon word op 'n algemene plan van 'n bestaande dorp waarin hy 'n skema uitvoer op al of die meeste van die erwe in so 'n dorp of gedeelte van 'n dorp, gesluit moet word, moet die betrokke plaaslike bestuur op versoek van die Kommissie binne dertig dae of binne so 'n langer tydperk as wat die Kommissie mag bepaal, die nodige stappe doen om die sluiting te bewerkstellig."

Wysiging van artikel 46 van Wet 10 van 1957.

15. Artikel *ses-en-veertig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „Nasionale Behuisingskantoor” deur die woord „Departement” te vervang.

Wysiging van artikel 47 van Wet 10 van 1957.

16. Artikel *sewe-en-veertig* van die Hoofwet word hierby gewysig deur al die woorde wat die woorde „in beide Huise” voorafgaan deur die woorde „Die Sekretaris moet jaarliks soos deur die Kommissie opgedra 'n verslag oor die werksaamhede van die Kommissie voorberei en aan die Minister besorg wat dit” te vervang.

Wysiging van artikel 49 van Wet 10 van 1957.

17. Artikel *nege-en-veertig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „bepalings as wat by regulasie voorgeskryf mag wees en aan sulke” te skrap.

Wysiging van artikel 50 van Wet 10 van 1957.

18. Artikel *vyftig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „Onderworpe aan sodanige bepalings as wat by regulasie voorgeskryf mag wees, kan 'n plaaslike bestuur” deur die woorde „'n Plaaslike bestuur kan met die goedkeuring van die Kommissie” te vervang.

Wysiging van artikel 66 van Wet 10 van 1957.

19. (1) Artikel *ses-en-sestig* van die Hoofwet word hierby gewysig deur die volgende voorbehoudsbepaling daarby te voeg:

„Met dien verstande dat die Staat se deel van so 'n verlies jaarliks deur die Parlement bewillig moet word.”.

(2) Sub-artikel (1) word geag op die datum van inwerking-treding van die Hoofwet in werking te getree het.

Wysiging van artikel 74 van Wet 10 van 1957.

20. (1) Artikel *vier-en-sewentig* van die Hoofwet word hierby gewysig deur sub-artikel (3) deur die volgende sub-artikel te vervang:

„(3) (a) Geen belastings word deur plaaslike besture gehêf nie ten opsigte van enige eiendom waarvan die Kommissie die eienaar is, tensy—

(i) sodanige eiendom verhuur word;

(2) The Commission shall not exercise its powers under sub-section (1) unless it has consulted the Administrator of the province in which the township concerned is situate and also the local authority if such township falls within the area of jurisdiction of a local authority, and has duly considered the representations, if any, by the Administrator and local authority.

(3) Whenever the name of a township or portion of a township has been changed in terms of sub-section (1), the Registrar of Deeds concerned and the Surveyor-General shall make free of charge the necessary endorsements and entries on or in all such relevant registers, documents and plans as they may have in their keeping and shall from time to time make such endorsements on any deeds or other documents in connection with property situate in such township or portion of a township, as may be lodged in the registry or office of the Surveyor-General for any purpose.

Ownership in public places which are closed, shall vest in the Commission.

43ter. (1) Whenever any street, park or open space or any land shown as a public place on the general plan of any existing township or portion of any existing township in which the Commission is carrying out a scheme, is closed at the request of the Commission, the ownership in such street, park or open space or land shall, notwithstanding anything to the contrary in any law contained, upon closure vest in the Commission, and the Registrar of Deeds concerned and the Surveyor-General shall forthwith endorse or enter such fact on or in the relevant registers, deeds, maps and plans.

(2) Whenever the Commission for any reason considers it necessary that any street, park or open space or any land which is shown as a public place on a general plan of an existing township in which it is carrying out a scheme on all or the majority of the erven in such township or portion of a township should be closed, the local authority concerned shall, at the request of the Commission, within a period of thirty days or such extended period as the Commission may determine, take the necessary steps to effect the closure."

15. Section *forty-six* of the principal Act is hereby amended by the substitution in sub-section (1) for the words "National Housing Office" of the word "Department". Amendment of section 46 of Act 10 of 1957.

16. Section *forty-seven* of the principal Act is hereby amended by the substitution for all the words preceding the words "on the Tables of both Houses" of the words "The Secretary shall annually as directed by the Commission prepare a report on the activities of the Commission and shall submit such report to the Minister who shall lay it". Amendment of section 47 of Act 10 of 1957.

17. Section *forty-nine* of the principal Act is hereby amended by the deletion in sub-section (1) of the words "provisions as may be prescribed by regulation and to such". Amendment of section 49 of Act 10 of 1957.

18. Section *fifty* of the principal Act is hereby amended by the substitution in sub-section (1) for the words "Subject to such provisions as may be prescribed by regulation, a local authority may" of the words "A local authority may with the approval of the Commission—". Amendment of section 50 of Act 10 of 1957.

19. (1) Section *sixty-six* of the principal Act is hereby amended by the addition thereto of the following proviso: "Provided that the State's share of any such loss shall be appropriated annually by Parliament." Amendment of section 66 of Act 10 of 1957.

(2) Sub-section (1) shall be deemed to have come into operation on the date of commencement of the principal Act.

20. (1) Section *seventy-four* of the principal Act is hereby amended by the substitution for sub-section (3) of the following sub-section: Amendment of section 74 of Act 10 of 1957.

"(3) (a) No taxes shall be levied by local authorities in respect of any property of which the Commission is the owner, unless—

(i) such property is let;

- (ii) sodanige eiendom verkoop is maar nog nie aan die koper oorgedra is nie;
- (iii) die betrokke plaaslike bestuur aangebied het om sodanige eiendom oor te neem en onderneem het om dit te gebruik vir enige doel beoog in hierdie Wet of enige ander wet betreffende die voorsiening van behuising deur sodanige plaaslike bestuur, en die Kommissie in oorlegpleging met die Tesourie en met die goedkeuring van die Minister geweier het om sodanige aanbod aan te neem.
- (b) Gelde gevorder deur plaaslike besture ten opsigte van eiendomme waarvan die Kommissie die eienaar is, is nie aan boetes onderworpe nie."
- (2) Paragraaf (a) van sub-artikel (3) van artikel vier-en-sewentig van die Hoofwet, soos vervang deur sub-artikel (1), tree op die eerste dag van Julie 1962 in werking.

Wysiging van
artikel 77 van
Wet 10 van 1957.

21. Artikel *sewe-en-sewentig* van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (b) van sub-artikel (1) deur die volgende paragraaf te vervang:
 - „(b) die versekering van wonings wat deur middel van voorskotte, behuisingslenings (insluitende plaaslike bestuurbehuisinglenings) of boulenings gebou word;”;
- (b) deur in genoemde sub-artikel paragraawe (c), (d), (e), (f), (g), (h), (j), (k) en (l) te skrap.

Kort titel en
inwerkingtreding.

22. Hierdie Wet heet die Wysigingswet op Behuising, 1962, en tree in werking, behalwe vir sover uitdruklik anders bepaal word, op die datum van afkondiging van hierdie Wet: Met dien verstande dat artikels *een* en *ses*, paragraaf (a) van sub-artikel (1) van artikel *agt*, artikels *elf*, *veertien*, *vyftien* en *sestien* geag word op die derde dag van November 1961 in werking te getree het.

- (ii) such property has been sold but not yet transferred to the purchaser;
- (iii) the local authority concerned has offered to take over such property and has undertaken to use it for any purpose contemplated in this Act or any other law governing the provision of housing by such local authority and the Commission has, in consultation with the Treasury and with the approval of the Minister, refused to accept such offer.

(b) Fees charged by local authorities in respect of properties of which the Commission is the owner, shall not be subject to penalties."

(2) Paragraph (a) of sub-section (3) of section *seventy-four* of the principal Act, as substituted by sub-section (1), shall come into operation on the first day of July, 1962.

21. Section *seventy-seven* of the principal Act is hereby amended—

Amendment of
section 77 of Act
10 of 1957.

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

"(b) the insurance of dwellings built by means of advances, housing loans (including local authority housing loans) or building loans;" and

- (b) by the deletion in the said sub-section of paragraphs (c), (d), (e), (f), (g), (h), (j), (k) and (l).

22. This Act shall be called the Housing Amendment Act, 1962 and save where otherwise specially provided, shall come into operation on the date of promulgation of this Act: Provided that sections *one* and *six*, paragraph (a) of sub-section (1) of section *eight*, sections *eleven*, *fourteen*, *fifteen* and *sixteen* shall be deemed to have come into operation on the third day of November, 1961.

Short title and
commencement.