

BUITENGEWONE



EXTRAORDINARY

STAATSKOERANT  
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA  
GOVERNMENT GAZETTE

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CAPE TOWN, 6TH MARCH, 1968.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 299.] [6 Maart 1968.

Hierby word bekend gemaak dat die Waarnemende Staatspresident sy goedkeuring geheg het aan die onderstaande Wette wat hierby ter algemene inligting gepubliseer word:—

BLADSY

No. 1 van 1968:	Addisionele Spoorweg- en Hawe- begrotingswet, 1968 .. ..	3
No. 2 van 1968:	Wysigingswet op die Kieswette, 1968	9
No. 3 van 1968:	Wet op Prysregsbevoegdheid, 1968	13
No. 4 van 1968:	Wysigingswet op Elektrisiteit, 1968	17
No. 5 van 1968:	Wysigingswet op die Landbank, 1968 .. .. ..	19
No. 6 van 1968:	Wysigingswet op die Openbare Skuldkommissarisse, 1968 ..	35
No. 7 van 1968:	Wysigingswet op Finansiële Ver- houdings, 1968 .. ..	43
No. 8 van 1968:	Wysigingswet op Spoorweg- en Hawewette, 1968 .. ..	47

DEPARTMENT OF THE PRIME MINISTER.

No. 299.]

[6th March, 1968.

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

PAGE

No. 1 of 1968:	Railways and Harbours Additional Appropriation Act, 1968 .. ..	4
No. 2 of 1968:	Electoral Laws Amendment Act, 1968	10
No. 3 of 1968:	Prize Jurisdiction Act, 1968 .. ..	14
No. 4 of 1968:	Electricity Amendment Act, 1968 ..	18
No. 5 of 1968:	Land Bank Amendment Act, 1968 ..	20
No. 6 of 1968:	Public Debt Commissioners Amendment Act, 1968 .. .. ..	36
No. 7 of 1968:	Financial Relations Amendment Act, 1968 .. .. ..	44
No. 8 of 1968:	Railways and Harbours Act Amendment Act, 1968 .. .. ..	48

**INHOUD.****Departement van die Eerste Minister.****GOEWERMENTSKENNISGEWING.**

No.	BLADSY
299 Wet No. 1 van 1968: Addisionele Spoorweg- en Hawebegrotingswet, 1968 .. ..	3
299 Wet No. 2 van 1968: Wysigingswet op die Kieswette, 1968 .. .. .. ..	9
299 Wet No. 3 van 1968: Wet op Prysregsbevoegdheid, 1968 .. .. .. ..	13
299 Wet No. 4 van 1968: Wysigingswet op Elektrisiteit, 1968 .. .. .. ..	17
299 Wet No. 5 van 1968: Wysigingswet op die Landbank, 1968 .. .. .. ..	19
299 Wet No. 6 van 1968: Wysigingswet op die Openbare Skuldkommissaris, 1968 .. ..	35
299 Wet No. 7 van 1968: Wysigingswet op Finansiële Verhoudings, 1968 .. .. ..	43
299 Wet No. 8 van 1968: Wysigingswet op Spoorweg- en Hawewette, 1968 .. .. .. ..	47

**CONTENTS.****Department of the Prime Minister.****GOVERNMENT NOTICE.**

No.	PAGE
299 Act No. 1 of 1968: Railways and Harbours Additional Appropriation Act, 1968 .. ..	4
299 Act No. 2 of 1968: Electoral Laws Amendment Act, 1968 .. .. .. ..	10
299 Act No. 3 of 1968: Prize Jurisdiction Act, 1968	14
299 Act No. 4 of 1968: Electricity Amendment Act, 1968 .. .. .. ..	18
299 Act No. 5 of 1968: Land Bank Amendment Act, 1968 .. .. .. ..	20
299 Act No. 6 of 1968: Public Debt Commissioners Amendment Act, 1968 .. .. ..	36
299 Act No. 7 of 1968: Financial Relations Amendment Act, 1968 .. .. ..	44
299 Act No. 8 of 1968: Railways and Harbours Act Amendment Act, 1968 .. .. ..	48

No. 1, 1968.]

## WET

**Tot aanwending van 'n verdere som van hoogstens agttienmiljoen agthonderd vier-en-sewentigduisend seshonderd rand uit die Spoorweg- en Hawefonds vir die dienste van die spoorweë en hawens vir die jaar wat op die een-en-dertigste dag van Maart 1968 eindig.**

(Engelse teks deur die Waarnemende Staatspresident geteken.)  
(Goedgekeur op 27 Februarie 1968.)

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

1. Die Spoorweg- en Hawefonds word hierby belas met Spoorweg- en sodanige somme geld as wat nodig is vir die dienste van die Hawefonds belas met R18,874,600.

gesamentlik ten bedrae van hoogstens sewehonderd drie-en-seentigduisend agthonderd rand vir inkomstdienste en agttienmiljoen eenhonderd-en-tienduisend agthonderd rand vir kapitaal- en verbeteringsdienste bo en behalwe die bedrae waarvoor voorsiening gemaak is deur die Spoorweg- en Hawebegrotingswet, 1967 (Wet No. 50 van 1967).

2. Die gelde deur hierdie Wet beskikbaar gestel moet aan-  
gewend word vir die doeleindes vermeld in Bylaes 1 en 2 by  
hierdie Wet en nader omskrywe in die Begroting van Addisionele  
Uitgawe [R.P. 3—1968 en R.P. 4—1968] vir die genoemde jaar  
soos deur die Parlement goedgekeur.

3. (1) Met die goedkeuring van die Minister van Vervoer kan  
'n besparing op die een of ander van die hoofde aangetoon in  
kolom 1 van Bylae 1 by hierdie Wet beskikbaar gestel word  
vir 'n oorskryding van uitgawe op 'n ander hoof wat voorkom  
in kolom 1 van Bylae 1 by die Spoorweg- en Hawebegrotungs-  
wet, 1967 (Wet No. 50 van 1967), en insgelyks kan 'n besparing  
op een of ander van die hoofde aangetoon in kolom 1 van Bylae  
2 by hierdie Wet beskikbaar gestel word vir 'n oorskryding  
van uitgawe op 'n ander hoof wat voorkom in kolom 1 van  
Bylae 2 by genoemde Wet.

(2) Geen bedrag wat voorkom in kolom 2 van Bylae 1 of 2  
by hierdie Wet mag oorskry word nie, en besparings daarop  
mag vir geen ander doel as dié waarvoor die geld hierby beskik-  
baar gestel word, soos aangetoon in daardie Bylaes, aangewend  
word nie.

4. By die diens vermeld onder hoof No. 1 van Bylae 2 by Lyne in aanbou.  
hierdie Wet mag die gesamentlike uitgawe vir 'n lyn wat in  
aanbou is, nie meer bedra nie as die bedrag wat deur 'n wet vas-  
gestel is as die maksimum bedrag wat daaraan bestee mag word.

5. Ondanks andersluidende bepalings in enige wet wat mag-  
tiging verleen vir die aanleg en uitrusting van enige spoorlyn ver-  
meld in kolom 1 van Bylae 4 by hierdie Wet, word die bedrag  
Vermeerdering van  
uitgawe op goed-  
gekeurde  
spoorlyne.

No. 1, 1968.]

## ACT

**To apply a further sum not exceeding eighteen million eight hundred and seventy-four thousand six hundred rand from the Railway and Harbour Fund for the services of the railways and harbours for the year ending on the thirty-first day of March, 1968.**

*(English text signed by the Acting State President.)  
(Assented to 27th February, 1968.)*

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

Railway and  
Harbour Fund  
charged with  
R18,874,600.

How moneys to  
be applied.

Minister may  
authorize  
variations.

Lines under  
construction.

Increase in  
expenditure on  
authorized lines.

**1.** The Railway and Harbour Fund is hereby charged with such sums of money as may be required for the services of the railways and harbours of the Republic for the year ending the thirty-first day of March, 1968, not exceeding in the whole for revenue services the sum of seven hundred and sixty-three thousand eight hundred rand and for capital and betterment services the sum of eighteen million one hundred and ten thousand eight hundred rand in addition to the sums provided by the Railways and Harbours Appropriation Act, 1967 (Act No. 50 of 1967).

**2.** The moneys appropriated by this Act shall be applied to the purposes set forth in Schedules 1 and 2 to this Act, and more particularly specified in the Estimates of Additional Expenditure [R.P. 3—1968 and R.P. 4—1968] for the said year as approved by Parliament.

**3.** (1) With the approval of the Minister of Transport a saving on any of the heads set out in column 1 of Schedule 1 to this Act may be made available for any excess of expenditure on any other head appearing in column 1 of Schedule 1 to the Railways and Harbours Appropriation Act, 1967 (Act No. 50 of 1967), and similarly a saving on any one of the heads set out in column 1 of Schedule 2 to this Act may be made available for any excess of expenditure on any other head appearing in column 1 of Schedule 2 to the said Act.

(2) No excess shall be incurred on any sum appearing in column 2 of either Schedule 1 or Schedule 2 to this Act, and savings thereon shall not be available for any purpose other than that for which the money is hereby appropriated as indicated in those Schedules.

**4.** In the case of the service falling under Head No. 1 of Schedule 2 to this Act the total expenditure on any line under construction shall not exceed the amount prescribed by law as the maximum amount which may be expended thereon.

**5.** Anything to the contrary notwithstanding in any law authorizing the construction and equipment of any line of railway mentioned in column 1 of Schedule 4 to this Act, the amount

vermeld in kolom 2 van daardie Bylae teenoor die naam van so 'n lyn, naamlik, die bedrag deur 'n wet vasgestel as die maksimum som wat aan daardie lyn bestee mag word, vermeerder tot die som wat in kolom 3 teenoor daardie naam aangegee word.

6. Die gelde wat deur hierdie Wet vir kapitaal- en verbete- Bronne waaruit ringsdienste beskikbaar gestel word, moet uit die in Bylae 3 by beskikbaargestelde hierdie Wet vermelde bronne verskaf sal word.

7. Hierdie Wet heet die Addisionele Spoorweg- en Hawe- Kort titel. begrotingswet, 1968.

### Bylae 1.

#### INKOMSTEDIENSTE.

Hoof No.	Hoof.	Kolom 1.	Kolom 2.
17	SPOORWEË. <i>Netto inkomsterekening—</i> Diverse uitgawe .. . .	R —	R 596,000
25	HAWENS. <i>Netto inkomsterekening—</i> Diverse uitgawe .. . .	R —	R 67,800
30	LUGDIENS. <i>Netto inkomsterekening—</i> Diverse uitgawe .. . .	R —	R 100,000
	Totaal .. . .		R763,800

### Bylae 2.

#### KAPITAAL- EN VERBETERINGSDIENSTE.

Hoof No.	Hoof.	Kolom 1.	Kolom 2.
1	Aanleg van spoorweë .. . .	R —	R 229,600
2	Nuwe werke aan oopgestelde lyne: (a) Leningsfondse, verbeteringsfonds, kapitaalkrediete en invorderings .. . .	R 4,356,800	R —
	(b) Fonds ter uitskakeling van Spooroorgange .. . .	R —	R 1,100,000
3	Rollende materiaal .. . .	R 4,105,900	R —
4	Padvervoerdien .. . .	R 16,000	R —
5	Hawens .. . .	R —	R 671,600
6	Lugdiens .. . .	R —	R 1,611,900
7	Pypeleidings .. . .	R —	R 4,000,000
8	Bedryfskapitaal .. . .	R 2,019,000	R —
	Totaal .. . .		R18,110,800

#### SAMEVATTING.

Inkomstedienste (Bylae 1) .. . .	R 763,800
Kapitaal- en Verbeteringsdienste (Bylae 2) .. . .	R 18,110,800
	R18,874,600

mentioned in column 2 of that Schedule opposite the name of any such line (being the amount prescribed by law as the maximum sum that may be expended on that line) shall be increased to the sum set out in column 3 opposite such name.

Sources from which moneys appropriated will be provided.

6. The moneys appropriated by this Act for capital and betterment services shall be provided from the sources set out in Schedule 3 to this Act.

Short title.

7. This Act shall be called the Railways and Harbours Additional Appropriation Act, 1968.

### Schedule 1.

#### REVENUE SERVICES.

Head No.	Head.	Column 1.	Column 2.
17	RAILWAYS. <i>Net Revenue Account</i> — Miscellaneous Expenditure .. ..	R —	R 596,000
25	HARBOURS. <i>Net Revenue Account</i> — Miscellaneous Expenditure .. ..	R —	R 67,800
30	AIRWAYS. <i>Net Revenue Account</i> — Miscellaneous Expenditure .. ..	R —	R 100,000
	Total .. .. ..		R763,800

### Schedule 2.

#### CAPITAL AND BETTERMENT SERVICES.

Head No.	Head.	Column 1.	Column 2.
1	Construction of Railways .. ..	R —	R 229,600
2	New Works on Open Lines: (a) Loan Funds, Betterment Fund, Capital Credits and Recoveries	4,356,800	—
	(b) Level Crossings Elimination Fund	—	1,100,000
3	Rolling Stock .. .. ..	4,105,900	—
4	Road Transport Service .. .. ..	16,000	—
5	Harbours .. .. ..	—	671,600
6	Airways .. .. ..	—	1,611,900
7	Pipelines .. .. ..	—	4,000,000
8	Working Capital .. .. ..	2,019,000	—
	Total .. .. ..		R18,110,800

#### SUMMARY.

Revenue Services (Schedule 1) .. ..	R 763,800
Capital and Betterment Services (Schedule 2) .. ..	R 18,110,800
	<hr/> R18,874,600

**Bylae 3.**

BRONNE WAARUIT DIE ADDISIONELE FONDSE VIR KAPITAAL- EN VERBETERINGSDIENSTE VERSKAF SAL WORD:

	R
Addisionele leningsfondse .. .. ..	3,500,000
Fonds ter uitskakeling van Spooroorgange .. ..	1,100,000
Verbeteringsfonds .. .. ..	1,767,600
Besparings op die beskikbaarstelling kragtens Bylae 2 by die Spoerweg- en Hawebegrotingswet, 1967 (Wet No. 50 van 1967).	
Hoof No. 1: Aanleg van spoorweë .. .. ..	5,000,000
Hoof No. 2: Nuwe werke aan oopgestelde lyne: (a) Leningsfondse, verbeteringsfonds, kapitaalkrediete en invorderings .. .. ..	6,743,200
	<b>R18,110,800</b>

**Bylae 4.**

Kolom 1.	Kolom 2.	Kolom 3.
Chiselhurst—Oos-Londenhawe .. ..	R 1,053,306	R 1,193,906
Duffweg na nuwe Bantoeedorpsgebied ..	1,272,616.98	1,272,638.46
Kensington (Kaap)—Montague Gardens	956,792	1,045,792

**Schedule 3.**

SOURCES FROM WHICH THE ADDITIONAL FUNDS FOR CAPITAL AND BETTERMENT SERVICES WILL BE PROVIDED:

	R
Additional Loan Funds .. .. .. ..	3,500,000
Level Crossings Elimination Fund .. .. ..	1,100,000
Betterment Fund .. .. .. ..	1,767,600
Savings on provision made by Schedule 2 to the Railways and Harbours Appropriation Act, 1967 (Act No. 50 of 1967).	
Head No. 1: Construction of Railways .. ..	5,000,000
Head No. 2: New Works on Open Lines: (a) Loan Funds, Betterment Fund, Capital Credits and Recoveries ..	6,743,200
	<hr/> R18,110,800

**Schedule 4.**

Column 1.	Column 2.	Column 3.
Chiselhurst—East London Harbour ..	R 1,053,306	R 1,193,906
Duff's Road to new Bantu township ..	1,272,616.98	1,272,638.46
Kensington (Cape)—Montague Gardens	956,792	1,045,792

No. 2, 1968.]

# WET

**Tot wysiging van artikels 8, 71bis, 71quat en 71sept van die Wet tot Konsolidasie van die Kieswette, 1946, om voorstiening te maak vir 'n algemene registrasie van kiesers by tussenpose van hoogstens ses jaar; vir die uitreiking aan spesiale kiesers ook van stembriewe wat die gewone besonderhede bevat; en vir ander diensure vir voorsittende beamptes vir stemme van spesiale kiesers.**

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)  
(Goedgekeur op 27 Februarie 1968.)

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

**1.** Artikel 8 van die Wet tot Konsolidasie van die Kieswette, 1946 (hieronder die Hoofwet genoem), word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:  
„(1) In 1969 vind 'n algemene registrasie van kiesers plaas dwarsdeur die Republiek en die gebied Suidwes-Afrika vanaf 'n datum wat by proklamasie in die *Staatskoerant* vasgestel word, en daarna vind so 'n algemene registrasie plaas by tussenpose van hoogstens ses jaar, vanaf 'n datum in die betrokke jaar wat insgelyks by proklamasie in die *Staatskoerant* vasgestel word.”.

**2.** Artikel 71bis van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:  
„(1) Voor die datum een-en-twintig dae voor die stemming voorsien die hoofverkiesingsbeampte iedere voorsittende beampte vir stemme van spesiale kiesers van—

- (a) vorms van aansoek om as spesiale kiesers te stem;
- (b) öf stembriewe, sonder die naam, adres en beroep van kandidate, die naam van die afdeling waarin 'n stemming gehou gaan word, en die datum van die stemming, wat op die voorkant daarvan in geen ander oopsig verskil nie van die stembriewe wat uitgereik word aan kiesers in afdelings waar daar twee of meer kandidate behoorlik genomineer is, en op die agterkant daarvan van die stembriewe bedoel in paragraaf (1) van artikel 76 verder verskil slegs in die oopsig dat aan die linkerkant langs die ruimte vir die offisiële merk die woorde „naamtekening van voorsittende beampte vir stemme van spesiale kiesers” ingevoeg word, öf, na sy goed-dunke, ten oopsigte van een of meer afdelings, stembriewe wat verskil van die stembriewe bedoel in genoemde paragraaf slegs in die oopsig dat genoemde woorde aldus ingevoeg word;

(c) koeverte gemerk „Spesiale kieser—deur posbeampies aangeteken te word—posvry/Special voter—for registration by postal authorities—post free”;

(d) kleiner koeverte waarop die woorde „stembriefkoevert” en „ballot paper envelope” gedruk is; en

(e) 'n lys bevattende in alfabetiese volgorde die name van die afdelings waarin op dieselfde dag 'n stemming gaan plaasvind, en, onder die naam van elke afdeling, die adres van die kiesbeampte vir daardie afdeling aan-

No. 2, 1968.]

# ACT

**To amend sections 8, 71bis, 71quat and 71sept of the Electoral Consolidation Act, 1946, in order to make provision for a general registration of voters at intervals of not more than six years; for the issue to special voters also of ballot papers containing the usual particulars; and for other hours of duty for presiding officers for votes of special voters.**

*(Afrikaans text signed by the Acting State President.)  
(Assented to 27th February, 1968.)*

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

Amendment of section 8 of Act 46 of 1946, as substituted by section 2 of Act 55 of 1952 and amended by section 1 of Act 81 of 1961 and section 4 of Act 72 of 1962.

Amendment of section 71bis of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965.

**1.** Section 8 of the Electoral Consolidation Act, 1946 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) A general registration of voters shall take place throughout the Republic and the territory of South-West Africa in 1969, as from a date fixed by proclamation in the *Gazette*, and thereafter such general registration shall take place at intervals of not more than six years as from a date in the year concerned, similarly fixed by proclamation in the *Gazette*.”.

**2.** Section 71bis of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Prior to the date twenty-one days before polling day the chief electoral officer shall furnish every presiding officer for votes of special voters with—

- (a) forms of application to vote as special voters;
- (b) either ballot papers, without the name, address and occupation of candidates, the name of the division in which the poll is to be held, and the date of the polling day, which on the front thereof do not in any other respect differ from the ballot papers issued to voters in divisions in which two or more candidates have been duly nominated, and on the back thereof further differ from the ballot papers referred to in paragraph (1) of section 76 only by reason of the insertion on the left-hand side next to the space for the official mark of the words ‘signature of presiding officer for votes of special voters’, or, in his discretion, in respect of one or more divisions, ballot papers which differ from the ballot papers referred to in the said paragraph only by reason of such insertion of the said words;
- (c) envelopes marked ‘Special voter—for registration by postal authorities—post free/Spesiale kieser—deur posbeampte aangeteken te word—posvry’;
- (d) smaller envelopes on which the words ‘ballot paper envelope’ and ‘stembriefkoevert’ are printed; and
- (e) a list containing, in alphabetical order, the names of the divisions in which a poll is to be held on the same day, and, below the name of every division, the address of the returning officer appointed for that division

gestel, en die name van al die behoorlik genomineerde kandidate by die verkiesing in daardie afdeling, in alfabetiese volgorde gerangskik, met hul adresse en beroepe.”.

- 3. Artikel 71<sup>quat</sup>** van die Hoofwet word hierby gewysig deur Wysiging van artikel 71<sup>quat</sup> van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965.
- „(1) (a) 'n Voorsittende beamppte vir stemme van spesiale kiesers moet te alle tye gedurende—
- (i) sy gewone diensure;
  - (ii) die ander ure gedurende die tydperk wat die hoofverkiesingsbeamppte na oorlegpleging, deur middel van die betrokke verkiesingsbeamppte, met die gemagtigde blanke verteenwoordigers van elke politieke party, of die betrokke verkiesingsbeamppte na oorlegpleging met sodanige verteenwoordigers bepaal,
- die nodige stappe doen om kiesers wat daarop geregtig is, in staat te stel om onverwyld as spesiale kiesers hul stemme uit te bring.
- (b) Wanneer die hoofverkiesingsbeamppte of 'n verkiesingsbeamppte 'n bepaling ingevolge paragraaf (a) (ii) gedoen het, stel hy die voorsittende beamppte vir stemme van spesiale kiesers en die gemagtigde blanke verteenwoordigers van elke politieke party gelyktydig daarvan in kennis.”.
- 4. Artikel 71<sup>sept</sup>** van die Hoofwet word hierby gewysig deur Wysiging van artikel 71<sup>sept</sup> van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965.
- „(1) Nadat albei afskrifte van 'n aansoek om as 'n spesiale kieser te stem aan hom oorhandig is, vul die voorsittende beamppte vir stemme van spesiale kiesers, na raadpleging van die lys bedoel in paragraaf (e) van subartikel (1) van artikel 71<sup>bis</sup> en vir sover die betrokke besonderhede onvolledig is, onverwyld—
- (a) op die voorkant van 'n stembrief bedoel in paragraaf (b) van daardie subartikel (waarop daar soveel ruimtes vir die doel is as wat daar kandidate genomineer is in die afdeling waarin die aansoeker rede het om te glo dat hy as kieser geregistreer is) die name, in alfabetiese orde gerangskik, in van al die behoorlik genomineerde kandidate, met hul adresse en beroepe;
- (b) op die teenblad van dieselfde stembrief die naam in van die betrokke afdeling en die geregistreerde nommer van die kieser, of, as die kieser nie in staat is om daardie nommer te verstrek nie, sy van en voorletters;
- (c) op die agterkant van dieselfde stembrief die naam in van die betrokke afdeling; en
- (d) op die voorkant van die koevert bedoel in paragraaf (c) van genoemde subartikel, die volledige adres in van die betrokke kiesbeamppte,  
en plaas hy sy ampstempel in die ruimte bedoel vir die offisiële merk en sy naamtekening en die datum van die stemdag (indien dit ontbreek) in die ruimtes daarvoor aangedui.”.

- 5. Hierdie Wet heet die Wysigingswet op die Kieswette, 1968. Kort titel.**

and the names of all the duly nominated candidates at the election in that division, arranged in alphabetical order, and their addresses and occupations.”.

Amendment of section 71<sup>quat</sup> of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965.

3. Section 71<sup>quat</sup> of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) (a) Any presiding officer for votes of special voters shall at all times during—

(i) his ordinary hours of duty;  
(ii) such other hours during such period as the chief electoral officer may after consultation, through the electoral officer concerned, with the authorized white representatives of every political party or the electoral officer concerned may after consultation with such representatives determine,

take the necessary steps to enable voters who are entitled thereto to vote forthwith as special voters.

(b) When the chief electoral officer or an electoral officer has made a determination in terms of paragraph (a) (ii), he shall notify the presiding officer for votes of special voters concerned and the authorized white representatives of every political party simultaneously thereof.”.

Amendment of section 71<sup>sept</sup> of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965.

4. Section 71<sup>sept</sup> of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) After both copies of an application to vote as a special voter have been delivered to him, the presiding officer for votes of special voters shall, after reference to the list referred to in paragraph (e) of subsection (1) of section 71<sup>bis</sup> and in so far as the particulars concerned may be incomplete, forthwith enter—

(a) on the front of any ballot paper referred to in paragraph (b) of that subsection (on which there are as many spaces for the purpose as there are candidates nominated in the division in which the applicant has reason to believe that he is registered as a voter) the names, arranged in alphabetical order, of all the duly nominated candidates, with their addresses and occupations;

(b) on the counterfoil of the same ballot paper, the name of the division concerned and the registered number of the voter, or, if the voter is unable to furnish that number, his surname and initials;

(c) on the back of the same ballot paper, the name of the division concerned; and

(d) on the front of the envelope referred to in paragraph (c) of the said subsection, the full address of the returning officer concerned,

and place his stamp of office in the space intended for the official mark, and his signature and the date of polling day (if it is wanting) in the spaces provided therefor.”.

Short title.

5. This Act shall be called the Electoral Laws Amendment Act, 1968.

No. 3, 1968.]

# WET

## Om die prysregsbevoegdheid van howe te reël en om vir daarmee in verband staande aangeleenthede voorsiening te maak.

*(Engelse teks deur die Waarnemende Staatspresident geteken.)  
(Goedgekeur op 27 Februarie 1968.)*

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

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

- (i) „afdeling” ’n provinsiale of plaaslike afdeling van die Hooggereghof van Suid-Afrika; (i)
- (ii) „prys”—
  - (a) ’n skip of vliegtuig *jure belli* prysgemaak; en
  - (b) enigiets aldus prysgemaak terwyl dit in of op ’n skip of ’n vliegtuig is, hetsoy die skip of vliegtuig aldus prysgemaak word al dan nie; (ii)
- (iii) „prysverrigtinge” enige verrigtinge met betrekking tot ’n prys of beweerde prys. (iii)

**2.** Elke afdeling is bevoeg om alle prysverrigtinge wat in so ’n Prysregsbevoegdheid van howe afhangig gemaak word, te bereg, ongeag of die prysmaking of beweerde prysmaking binne of buite die Republiek of binne of buite die regsgebied van die betrokke afdeling plaasgevind het.

**3.** Prysverrigtinge word *mutatis mutandis* bereg asof hulle Beregting van siviele gedinge is en ’n hof wat sodanige verrigtinge bereg, het, **prysverrigtinge.** benewens die bevoegdhede waaroor hy uit hoofde van sy gewone siviele regsgesbevoegdheid beskik, ook die bevoegdheid om na goedgunke ’n gepaste bevel te gee.

**4.** Verbeurdverklaarde prys behoort aan die Staat.

Verbeurdverklaarde prys.

**5.** ’n Bevoegdheid om kragtens die Wet op die Hooggereghof, 1959 (Wet No. 59 van 1959), reëls uit te vaardig, word geag ook die bevoegdheid in te sluit om die reëls uit te vaardig wat die Hoofregter van Suid-Afrika vir die beregting van prysverrigtinge, of vir die reëling van ’n aangeleentheid wat daarmee in verband staan, nodig of dienstig ag.

Hofreëls.

**6.** Hierdie Wet en enige wysiging daarvan is ook van toepassing in die gebied Suidwes-Afrika met inbegrip van die Oostelike Caprivi Zipfel vermeld in artikel 3 van die Wysigingswet op Aangeleenthede van Suidwes-Afrika, 1951 (Wet No. 55 van 1951), en met betrekking tot alle persone in daardie deelte van bedoelde gebied bekend as die „Rehoboth Gebiet” en omskrywe in die Eerste Bylae by Proklamasie No. 28 van 1923 van bedoelde gebied.

Toepassing van Wet op Suidwes-Afrika.

**7.** Die wette in die Bylae genoem, word hierby herroep in die Herroeping van mate daarin aangedui vir sover hulle ten opsigte van die wette. Republiek geld.

**8.** Hierdie Wet heet die Wet op Prysregsbevoegdheid, 1968, Kort titel en en tree in werking op ’n datum deur die Staatspresident by inwerkingtreding. proklamasie in die *Staatskoerant* bepaal.

No. 3, 1968.]

# ACT

## To regulate the prize jurisdiction of courts and to provide for matters incidental thereto.

*(English text signed by the Acting State President.)  
(Assented to 27th February, 1968.)*

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

**Definitions.**

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

- (i) “division” means a provincial or local division of the Supreme Court of South Africa; (i)
- (ii) “prize” means—
  - (a) a ship or aircraft captured as prize *jure belli*; and
  - (b) anything so captured while in or upon a ship or aircraft, whether or not the ship or aircraft is so captured; (ii)
- (iii) “prize proceedings” means any proceedings relating to prize or alleged prize. (iii)

**Prize jurisdiction  
of courts.**

2. Any division has jurisdiction in all prize proceedings instituted in such division, whether or not the capture or alleged capture occurred within or outside the Republic or within or outside the area of jurisdiction of the division concerned.

**Adjudication of  
prize proceedings.**

3. Prize proceedings shall be adjudicated upon *mutatis mutandis* as if they were civil proceedings and a court adjudicating upon such proceedings shall, in addition to the powers it possesses by virtue of its ordinary civil jurisdiction, also have the power to make any appropriate order it may deem fit.

**Condemned prize.**

4. Condemned prize shall belong to the State.

**Rules of Court.**

5. A power to make rules under the Supreme Court Act, 1959 (Act No. 59 of 1959), shall be deemed to include also the power to make such rules as the Chief Justice of South Africa deems necessary or expedient for the adjudication of prize proceedings or the regulation of any matter relating thereto.

**Application of  
Act to South-  
West Africa.**

6. This Act and any amendment thereof shall apply also in the territory of South-West Africa, including the Eastern Caprivi Zipfel referred to in section 3 of the South-West Africa Affairs Amendment Act, 1951 (Act No. 55 of 1951), and in relation to all persons in that portion of the said territory known as the “Rehoboth Gebiet” and defined in the First Schedule to Proclamation No. 28 of 1923 of the said territory.

**Repeal of laws.**

7. The laws mentioned in the Schedule are hereby repealed to the extent therein indicated in so far as they apply in respect of the Republic.

**Short title and  
commencement.**

8. This Act shall be called the Prize Jurisdiction Act, 1968, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

## Bylae.

## WETTE HERROEP.

No. en Jaar van Wet.	Titel.	In hoeverre herroep.
27 & 28 Victoria, Ch. 25 ..	„The Naval Prize Act, 1864.”	In soverre dit op prysaangeleenthede betrekking het.
53 & 54 Victoria, Ch. 27 ..	„The Colonial Courts of Admiralty Act, 1890.”	In soverre dit op prysaangeleenthede betrekking het.
57 & 58 Victoria, Ch. 39 ..	„The Prize Courts Act, 1894.”	In soverre dit op prysaangeleenthede betrekking het.
4 & 5 George 5, Ch. 13 .. ..	„The Prize Courts (Procedure) Act, 1914.”	In soverre dit op prysaangeleenthede betrekking het.
5 & 6 George 5, Ch. 57 .. ..	„The Prize Courts Act, 1915.”	In soverre dit op prysaangeleenthede betrekking het.
6 & 7 George 5, Ch. 2 .. ..	„The Naval Prize (Procedure) Act, 1916.”	In soverre dit op prysaangeleenthede betrekking het.

**Schedule.****LAWS REPEALED.**

No. and Year of Law.	Title.	Extent of Repeal.
27 & 28 Victoria, Ch. 25 ..	"The Naval Prize Act, 1864"	In so far as it relates to prize matters.
53 & 54 Victoria, Ch. 27 ..	"The Colonial Courts of Admiralty Act, 1890."	In so far as it relates to prize matters.
57 & 58 Victoria, Ch. 39 ..	"The Prize Courts Act, 1894."	In so far as it relates to prize matters.
4 & 5 George 5, Ch. 13 ..	"The Prize Courts (Procedure) Act, 1914."	In so far as it relates to prize matters.
5 & 6 George 5, Ch. 57 ..	"The Prize Courts Act, 1915."	In so far as it relates to prize matters.
6 & 7 George 5, Ch. 2 ..	"The Naval Prize (Procedure) Act, 1916."	In so far as it relates to prize matters.

No. 4, 1968.]

## WET

Tot wysiging van paragraaf 13 van die Eerste Bylae by die Elektrisiteitswet, 1958, om die Elektrisiteitsvoorsieningskommissie in staat te stel om effekte van die kommissie wat hy gekoop het, te verkoop; en tot wysiging van artikel 5 van die Wysigingswet op Elektrisiteit, 1964, ten einde laasgenoemde Wet vanaf die eerste dag van Januarie 1966 in werking te laat tree.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)  
(Goedgekeur op 27 Februarie 1968.)

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

1. Die Eerste Bylae by die Elektrisiteitswet, 1958, word hierby gewysig deur subparagraaf (2) van paragraaf 13 te skrap. Wysiging van die Eerste Bylae by Wet 40 van 1958, soos gewysig deur artikel 3 van Wet 10 van 1964 en artikel 2 van Wet 70 van 1964.
2. Artikel 5 van die Wysigingswet op Elektrisiteit, 1964, word hierby deur die volgende artikel vervang:  
„Kort titel 5. Hierdie Wet heet die Wysigingswet op Elektrisiteit, 1964, en word geag op die eerste dag van Januarie 1966 in werking te getree het.”
3. Hierdie Wet heet die Wysigingswet op Elektrisiteit, 1968. Kort titel.

No. 4, 1968.]

## ACT

To amend paragraph 13 of the First Schedule to the Electricity Act, 1958, to enable the Electricity Supply Commission to sell any commission stock purchased by it; and to amend section 5 of the Electricity Amendment Act, 1964, so as to bring the lastmentioned Act into operation as from the first day of January, 1966.

(Afrikaans text signed by the Acting State President.)  
(Assented to 27th February, 1968.)

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

Amendment  
of First  
Schedule to  
Act 40 of 1958,  
as amended by  
section 3 of  
Act 10 of 1964  
and section 2 of  
Act 70 of 1964.

Substitution of  
section 5 of  
Act 10 of 1964.

Short title.

1. The First Schedule to the Electricity Act, 1958, is hereby amended by the deletion of subparagraph (2) of paragraph 13.

2. The following section is hereby substituted for section 5 of the Electricity Amendment Act, 1964:

“Short title and commencement.— 5. This Act shall be called the Electricity Amendment Act, 1964, and shall be deemed to have come into operation on the first day of January, 1966.”.

3. This Act shall be called the Electricity Amendment Act, 1968.

No. 5, 1968.]

## WET

**Tot wysiging van die bepalings van die Landbankwet, 1944, met betrekking tot besoldiging van raadslede van die Land- en Landboubank van Suid-Afrika, voorskotte vir dipbakke, voorskotte vir omheinings, voorskotte vir voerkuale, voorskotte om 'n watervoorraad te voorsien, voorskotte om 'n elektrisiteitstoever te voorsien, voorskotte aan boere in die vorm van 'n kaskredietrekening, voorskotte aan boere op hipoteek van roerende goed, regsmiddels van die bank teen nalatige skuldenaars, die aanwending van die opbrengs van die verkoop van onroerende goed wat aan skuldenaars van die bank behoort, om sekere gevolglike wysigings aan te bring, met inbegrip van wysigings wat voortspruit uit die wysiging van ander wette, om sekere veranderings in die terminologie van die Landbankwet, 1944, aan te bring, om die „Dipbakken (Voorschotten) Wet, 1911”, die „Dipbakken Verdere Regelings Wet, 1913” en artikel 12 (2) van die Omheiningswet, 1963, te herroep, en om vir ander bykomstige aangeleenthede voorsiening te maak.**

(Engelse teks deur die Waarnemende Staatspresident geteken.)  
(Goedgekeur op 27 Februarie 1968.)

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

**1. Artikel 10 van die Landbankwet, 1944** (hieronder die Wysiging van Hoofwet genoem), word hierby gewysig deur die volgende artikel 10 van Wet 13 van 1944, subartikel by te voeg:

„(4) Die Minister kan van tyd tot tyd bepaal dat 'n gratifikasie op die grondslag wat hy goedvind uit die fondse van die bank betaal word aan of ten opsigte van 'n lid van die raad wie se ampstermy verstryk het of wat gesterf het.”.

deur artikel 1 van Wet 10 van 1952, artikel 3 van Wet 47 van 1959 en artikel 3 van Wet 46 van 1965.

**2. Artikel 27 van die Hoofwet** word hierby deur die volgende artikel vervang:

„Voorskotte 27. (1) Wanneer die eienaar van 'n hoewe 'n dipvir bak daarop wil aanbou, kan die bank op skriftelike aansoek in die vorm wat die raad voorskryf aan daardie eienaar 'n bedrag vir die doel voorskiet: Met dien verstande dat die planne en spesifikasies van die dipbak deur die Sekretaris van Landbou-tegniese Dienste of 'n beampete deur hom daartoe gemagtig, goedgekeur moet word.

Vervanging van artikel 27 van Wet 13 van 1944.

(2) By die toepassing van hierdie artikel kan enige aantal hoewes as een hoewe beskou word, mits hulle aangrensend is en in die geheel nie meer as drieduisend morge beslaan nie of die groter oppervlakte wat die Minister van Landbou-tegniese Dienste, met inagneming van die gebruik wat deur die eienaars gevolg word, bepaal, maar in elke sodanige geval is die eienaars in gelyke verhouding vir terugbetaling van die voorskot met rente en koste aanspreeklik.

No. 5, 1968.]

## ACT

**To amend the provisions of the Land Bank Act, 1944, relating to remuneration of members of the board of the Land and Agricultural Bank of South Africa, dipping tank advances, fencing advances, silo advances, advances to provide for a supply of water, advances to provide for a supply of electricity, advances to farmers in the form of a cash credit account, advances to farmers on hypothec of movable property, remedies of the bank against defaulting debtors, the application of the proceeds of the sale of immovable property belonging to debtors of the bank, to effect certain consequential amendments, including amendments arising from the modification of other laws, to effect certain changes in the terminology of the Land Bank Act, 1944, to repeal the Dipping Tanks (Advances) Act, 1911, the Dipping Tanks Further Provision Act, 1913, and section 12 (2) of the Fencing Act, 1963, and to provide for other incidental matters.**

*(English text signed by the Acting State President.)  
(Assented to 27th February, 1968.)*

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

Amendment of  
section 10 of  
Act 13 of 1944,  
as amended by  
section 1 of  
Act 10 of 1952,  
section 3 of  
Act 47 of 1959  
and section 3  
of Act 46 of  
1965.

Substitution of  
section 27 of  
Act 13 of 1944.

**1.** Section 10 of the Land Bank Act, 1944 (hereinafter referred to as the principal Act), is hereby amended by the addition of the following subsection:

“(4) The Minister may from time to time determine that a gratuity on the basis approved by him be paid out of the funds of the bank to or in respect of a member of the board whose term of office has expired or who has died.”.

**2.** The following section is hereby substituted for section 27 of the principal Act:

“Dipping tank advances. **27.** (1) Whenever an owner of a holding desires to construct thereon a dipping tank, the bank may, upon written application in such form as the board may prescribe, make an advance to such owner for the purpose: Provided that the plans and specifications of the dipping tank shall be subject to the approval of the Secretary for Agricultural Technical Services or an official deputed thereto by him.

(2) For the purposes of this section any number of holdings may be regarded as one holding provided they are contiguous to each other and the aggregate extent thereof does not exceed three thousand morgen or such greater extent as the Minister of Agricultural Technical Services, having regard to the practice of the owners, may determine, but in every such case the owners shall be liable for repayment, in equal proportions, of the amount of the advance together with interest and costs.

(3) Voordat 'n betaling ten opsigte van die voorskot gemaak word, moet die bank aan die betrokke registrator van aktes 'n skriftelike mededeling verstrek waarin vermeld word—

- (a) die datum en bedrag van die voorskot wat ingevolge hierdie artikel verstrek is, en, waar die voorskot ten opsigte van meer as een hoewe verstrek word, die bedrag waarvoor elke eienaar aanspreeklik is;
  - (b) die persoon of persone aan wie die voorskot verstrek is; en
  - (c) die hoewe of hoewes ten opsigte waarvan die voorskot verstrek word,
- en by die ontvangs van sodanige mededeling moet die registrator van aktes in sy registers 'n aantekening daarvan ten opsigte van die hoewe of hoewes laat maak en moet hy onverwyld 'n gesertifiseerde afskrif van sodanige aantekening aan die bank verstrek.

(4) Deur die maak van 'n aantekening ingevalgelyke subartikel (3) word die hoewe ten gunste van die bank beswaar totdat die bedrag van die voorskot met rente en koste terugbetaal is.

(5) By ontvangs van skriftelike kennisgewing van die bank dat die bedrag van die voorskot tesame met rente en koste terugbetaal is, moet die registrator van aktes die in subartikel (3) bedoelde aantekening in sy registers kanselleer.

(6) Indien 'n paaiement of rente ten opsigte van 'n voorskot drie maande na die vervaldatum daarvan nie betaal is nie, of indien, volgens die raad se oordeel, die voorskot nie aangewend is vir die doel waarvoor dit verstrek is nie, kan die bank te eniger tyd die hele voorskot met rente en koste of die gedeelte daarvan wat betaalbaar geword het tesame met verskuldigde rente van die skuldenaar terugvorder.

(7) By die toepassing van hierdie artikel beteken— „dipbak” ook enige struktuur wat opgerig word vir of in verband met die dip, bespuiting of ontsmetting van vee soos omskryf in enige wet met betrekking tot veesiektes;

,hoewe—

- (a) enige stuk grond (uitgesonderd 'n erf of standplaas) gehou deur enigiemand onder aparte grondbrief, akte van transport of sertifikaat van titel; of
  - (b) enige stuk grond gehou kragtens huurkontrak, vergunning of toekenning van die Staat, met 'n opsie om sodanige grond te koop, mits die akte van verhuring, vergunning of toekenning in 'n aktekantoor of ander registrasiekantoor geregistreer is;
- ,eienaar', ten opsigte van 'n hoewe bedoel in paragraaf (a) van die omskrywing van hoewe, die persoon wat in 'n aktekantoor as die eienaar geregistreer is; en, ten opsigte van 'n hoewe bedoel in paragraaf (b) van daardie omskrywing, die persoon wat as die houer van die huurkontrak, vergunning of toekenning geregistreer is.”.

### 3. Artikel 28 van die Hoofwet word hereby deur die volgende artikel vervang:

Vervanging van artikel 28 van Wet 13 van 1944

„Voorskotte 28. (1) Voorskotte kan ooreenkomsdig die bevir palings van die Omheiningswet, 1963 (Wet No. 31 omheinings. van 1963), of 'n wysiging daarvan, verstrek word—

- (a) aan die eienaar, soos in daardie Wet of 'n wysiging daarvan omskryf, van 'n hoewe, soos aldus omskryf, ten opsigte van die koste van 'n grensheining, soos aldus omskryf, of enige ander heining, met inbegrip van 'n heining aan een kant of albei kante van 'n publieke pad;

(3) The bank shall before any payment is made in respect of the advance transmit in writing to the registrar of deeds concerned information stating—

- (a) the date and amount of the advance made in terms of this section, and, where the advance is made in respect of more than one holding, the amount which each owner is liable to pay;
- (b) the person or persons to whom the advance has been made; and
- (c) the holding or holdings in respect of which the advance is made,

and upon receipt of such information the registrar of deeds shall cause a note thereof to be made in his registers in respect of the holding or holdings and shall transmit forthwith to the bank a certified copy of such note.

(4) The making of a note in terms of subsection (3) shall have the effect of creating in favour of the bank a charge upon the holding until the amount of the advance together with interest and costs has been repaid.

(5) Upon receipt of written information from the bank that the amount of the advance together with interest and costs has been repaid the registrar of deeds shall delete from his registers the note referred to in subsection (3).

(6) If an instalment or interest in respect of an advance be unpaid three months from the date on which payment thereof became due, or if, in the opinion of the board, the advance has not been applied for the purpose for which it was made, the bank may at any time require the debtor to repay forthwith the whole advance together with interest and costs or such portion thereof as he is liable to repay, and any interest due.

(7) For the purposes of this section—  
 ‘dipping tank’ includes any structure erected for or incidental to the dipping, spraying or disinfecting of stock as defined under any law relating to stock disease;  
 ‘holding’ means—

- (a) any area of land (not being an erf or stand) held by any person under separate grant, deed of transfer or certificate of title; or
- (b) any area of land held under lease, licence, or allotment, from the State, with an option to purchase such area, provided the instrument of lease, licence or allotment is registered in a deeds office or deeds registry or other registration office;

‘owner’ means, in respect of a holding described in paragraph (a) of the definition of holding, the person registered in any deeds office or deeds registry as the owner; and in respect of a holding described in paragraph (b) of such definition, the person registered as the holder of the lease, licence or allotment.”.

Substitution of  
section 28 of  
Act 13 of 1944.

3. The following section is hereby substituted for section 28 of the principal Act:

“Fencing advances. 28. (1) Advances may be made in accordance with the Fencing Act, 1963 (Act No. 31 of 1963), or any amendment thereof—

- (a) to any owner (as defined in that Act or any amendment thereof), of a holding, as so defined, in respect of the cost of any boundary fence, as so defined, or any other fence, including any fence on one side or both sides of any public road;

- (b) aan die eienaars (soos aldus omskryf) van 'n groep hoeves, om die buitegrense daarvan te omhein, indien elkeen van daardie eienaars vir 'n voorskot ingevolge genoemde Wet in aanmerking kan kom en daarom aansoek doen in 'n vorm wat die raad voorskryf: Met dien verstande—
- (i) dat by gebrek aan 'n deur die raad goedgekeurde ooreenkoms tussen die eienaars aangaande hul onderskeie aandele, elke hoeve wat onder die groep val, met 'n deel van die voorskot na verhouding van die grootte van daardie hoeve beswaar word;
  - (ii) dat die bedrag van die voorskot aan elke eienaar, op die in artikel 27 (3) voorgeskrewe wyse deur die registrator van aktes ten opsigte van die hoeve van daardie eienaar aangeteken moet word, en dat die aantekening dieselfde uitwerking het as wat in artikel 27 (4) bepaal word; en
  - (iii) dat elke eienaar vir die terugbetaling van die aldus ten opsigte van sy hoeve aangegetekende bedrag aanspreeklik is, asof daardie bedrag kragtens gemelde Omheiningswet, 1963, soos deur hierdie Wet gewysig, aan hom voorgeskipt was;
- (c) ten opsigte van die koste van verandering, verbetering of herstel van enige deur die raad goedgekeurde grensbeining, hetsy ingevolge die Omheiningswet, 1963, of andersins opgerig, of ten opsigte van 'n bedrag wat ingevolge daardie Wet tot die koste van so 'n verandering, verbetering of herstel bygedra is; of
- (d) tot dekking van die koste van oprigting en instandhouding van enige heining opgerig ingevolge die bepaling van artikel 22 (1) van die Bantoerust en -grond Wet, 1936 (Wet No. 18 van 1936), gelees saam met paragraaf 2 van Deel I van die Tweede Bylae by daardie Wet: Met dien verstande dat geen voorskot verstrek word nie behalwe teen 'n sertifikaat van die Sekretaris van Landbou-tegniese Dienste of 'n beampete deur hom daartoe gemagtig, dat aan die bepaling van die Omheiningswet, 1963, voldoen is.

(2) Die bepaling van artikel 27, behalwe dié in subartikel (2) daarvan vervat, is *mutatis mutandis* op sulke voorskotte van toepassing.”.

#### 4. Artikel 29 van die Hoofwet word hierby deur die volgende artikel vervang:

„Voorskotte 29. (1) Wanneer 'n eienaar, soos in artikel 27 (7) vir voerkuale omskryf, van 'n hoeve, soos aldus omskryf, daarop 'n bak, voerkuil of ander inrigting vir die maak of bewaring van kuilvoer wil aanbou, kan die bank aan daardie eienaar 'n bedrag vir die doel voorskiet: Met dien verstande dat die spesifikasies van die bak, voerkuil of ander inrigting deur die Sekretaris van Landbou-tegniese Dienste of 'n beampete deur hom daartoe gemagtig, goedgekeur moet word.

(2) Die bepaling van artikel 27 is *mutatis mutandis* op so 'n voorskot van toepassing.”.

Vervanging van artikel 29 van Wet 13 van 1944, soos gewysig deur artikel 6 van Wet 46 van 1965.

#### 5. Artikel 30 van die Hoofwet word hierby deur die volgende artikel vervang:

„Voorskotte 30. (1) 'n Voorskot kan aan die eienaar, soos in die Omheiningswet, 1963, of enige wysiging daarvan omskryf, van 'n hoeve, soos aldus omskryf, verstrek word om aangewend te word vir die voorsiening van 'n watervoorraad deur te boor of andersins, en om windpompe of ander meganiese toestelle vir die pomp van water te koop en op te rig.

Vervanging van artikel 30 van Wet 13 van 1944, soos gewysig deur artikel 7 van Wet 46 van 1965.

(b) to the owners (as so defined) of any block of holdings, for the purpose of fencing the outside boundaries of such block if each such owner is eligible for an advance under the said Act and makes application therefor in a form prescribed by the board: Provided that—

- (i) each of the holdings comprising the block shall, in the absence of agreement, approved by the board, between the owners as to their respective shares, be charged with a share of the advance proportionate to the extent of that holding;
- (ii) the amount of the advance to each owner shall be noted by the registrar of deeds in respect of the holding owned by that owner in the manner prescribed in section 27 (3), and that the noting shall have the same effect as in section 27 (4) provided; and
- (iii) each owner shall be liable for repayment of the amount so noted in respect of his holding as if that amount had been advanced to him under the said Fencing Act, 1963, as modified by this Act;

(c) in respect of the cost of the alteration, improvement or repair of any boundary fence approved by the board, whether erected under the Fencing Act, 1963, or otherwise, or in respect of a contribution made under that Act towards the cost of such alteration, improvement or repair; or

(d) for the purpose of defraying the costs of erection and maintenance of any fence erected under the provisions of section 22 (1) of the Bantu Trust and Land Act, 1936 (Act No. 18 of 1936), read with paragraph 2 of Part I of the Second Schedule to that Act:

Provided that no advance shall be made except against a certificate by the Secretary for Agricultural Technical Services or an official deputed thereto by him, to the effect that the provisions of the Fencing Act, 1963, have been complied with.

(2) The provisions of section 27, except those contained in subsection (2) thereof, shall *mutatis mutandis* apply to such advances.”.

Substitution  
of section 29  
of Act 13 of  
1944, as  
amended by  
section 6 of  
Act 46 of 1965

#### 4. The following section is hereby substituted for section 29 of the principal Act:

**“Silo advances.** 29. (1) Whenever an owner, as defined in section 27 (7), of a holding, as so defined, desires to construct thereon a tank, silo or other contrivance for the making or storage of ensilage, the bank may make an advance to such owner for the purpose: Provided that the specifications of the tank, silo or other contrivance shall be subject to the approval of the Secretary for Agricultural Technical Services or an official deputed thereto by him.

(2) The provisions of section 27 shall *mutatis mutandis* apply to any such advance.”.

Substitution of  
section 30 of  
Act 13 of 1944,  
as amended by  
section 7 of  
Act 46 of 1965.

#### 5. The following section is hereby substituted for section 30 of the principal Act:

**“Advances to provide for a supply of water.** 30. (1) An advance may be made to an owner (as defined in the Fencing Act, 1963, or any amendment thereof) of a holding, as so defined, for the purpose of providing a supply of water by boring or otherwise and to purchase and erect windmills or other mechanical contrivances for the pumping of water.

(2) Die bepalings van artikel 27 is *mutatis mutandis* op so 'n voorskot van toepassing.”.

6. Artikel 30bis van die Hoofwet word hierby deur die volgende artikel vervang:

„Voorskotte 30bis. (1) 'n Voorskot kan aan die eienaar, soos om elektrisiteitstoevoer te voorsien. in die Omheiningswet, 1963, of enige wysiging daarvan omskryf, van 'n hoeve, soos aldus omskryf, verstrek word om aangewend te word vir die voorseening van 'n toevoer elektrisiteit deur 'n ondernemer, soos in die Elektrisiteitwet, 1958 (Wet No. 40 van 1958), omskryf, en vir die aankoop, oprigting, installering of instandhouding van uitrusting, apparaat of toerusting wat benodig word ten einde daardie elektrisiteit te gebruik en vir die betaling van aansluitingsgelde.

Vervanging van artikel 30bis van Wet 13 van 1944, soos ingevoeg deur artikel 11 van Wet 47 van 1959.

(2) Die bepalings van artikel 27 is *mutatis mutandis* op so 'n voorskot van toepassing.”.

7. Artikel 32 van die Hoofwet word hierby deur die volgende artikel vervang:

Aanspreeklikheid vir terugbetaling van voorskotte vir omheinings, dipbakke, voerkuale en water- en elektrisiteitsvoorsiening ten opsigte van hoeves wat aan fideicommissum onderhewig is. 32. Wanneer 'n voorskot vir die bou van 'n dipbak of 'n voerkuil of ander inrigting vir die maak of opberging van kuilvoer, of die oprigting of 'n bydrae tot die koste van oprigting of verandering van 'n heining, of die voorseening van 'n watervoorraad of 'n toevoer elektrisiteit deur die bank verstrek is aan die eienaar, soos omskryf in artikel 27 (7) of die Omheiningswet, 1963, of 'n wysiging daarvan, van 'n hoeve, soos aldus omskryf, wat aan 'n *fideicommissum* of aan 'n beperking op vervreemding of verhipotekering onderhewig is, bly die hoeve by transport aan die *fidei-commissarius* of iemand anders, beswaar ten opsigte van enige kapitaalbedrag en rente wat nog ingevolge die voorskot aan die bank verskuldig is, en is die persoon wat te eniger tyd eienaar is, aanspreeklik vir die betaling van alle bedrae wat dan ten opsigte van die voorskot verskuldig is, op dieselfde wyse asof daardie voorskot oorspronklik aan hom verstrek was.”.

Vervanging van artikel 32 van Wet 13 van 1944, soos vervang deur artikel 13 van Wet 47 van 1959.

8. Artikel 33 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

,,(1) Wanneer 'n voorskot vir dipbakke, voerkuale, omheinings of die voorseening van 'n watervoorraad of 'n toevoer elektrisiteit of die aankoop en oprigting van windpompe of ander meganiese toestelle om water te pomp of die aankoop, oprigting, installering of instandhouding van uitrusting, apparaat of toerusting wat benodig word vir die gebruik van elektrisiteit of ten einde die aansluitingsgelde te betaal wat ten opsigte van sodanige gebruik vereis word, deur die bank verstrek is, en op die in artikel 27 (3) voorgeskrewe wyse deur die betrokke registrator van aktes aangeteken is, rus die bedrag van die voorskot (of soveel daarvan as wat nog verskuldig mag wees) op die hoeve ten opsigte waarvan die voorskot verstrek is, en is elke agtereenvolgende eienaar aanspreeklik vir die paaimeente en rente wat onderwyl hy eienaar is, in verband met die voorskot betaalbaar word, asof die voorskot aan hom verstrek was.”; en

Wysiging van artikel 33 van Wet 13 van 1944, soos vervang deur artikel 14 van Wet 47 van 1959.

(b) deur subartikel (6) deur die volgende subartikel te vervang:

,,(6) By die toepassing van hierdie artikel het die woord 'eienaar', wanneer dit gebesig word met betrekking tot voorskotte—

(a) vir dipbakke of voerkuale, dieselfde betekenis wat dit in artikel 27 het;

(b) vir omheinings of die voorseening van 'n watervoorraad of 'n toevoer elektrisiteit, dieselfde betekenis wat dit in die Omheiningswet, 1963, of 'n wysiging daarvan het.”.

(2) The provisions of section 27 shall *mutatis mutandis* apply to any such advance.”.

Substitution of section 30bis of Act 13 of 1944, as inserted by section 11 of Act 47 of 1959.

6. The following section is hereby substituted for section 30bis of the principal Act:

“Advances to provide for a supply of electricity. 30bis. (1) An advance may be made to an owner, (as defined in the Fencing Act, 1963, or any amendment thereof) of a holding, as so defined, for the purpose of providing a supply of electricity by an undertaker, as defined in the Electricity Act, 1958 (Act No. 40 of 1958), and for the purchase, erection, installation or maintenance of any plant, apparatus or equipment required for the use of such electricity and to pay any connection fee.

(2) The provisions of section 27 shall *mutatis mutandis* apply to any such advance.”.

Substitution of section 32 of Act 13 of 1944, as substituted by section 13 of Act 47 of 1959.

7. The following section is hereby substituted for section 32 of the principal Act:

“Liability for repayment of fencing, dipping tanks, silo and water and electricity supply advances in respect of fidei-commissary holdings. 32. Whenever an advance for the construction of a dipping tank or a silo or other contrivance for the making or storage of ensilage, or the erection of or contribution towards the cost of erecting or altering a fence, or the provision of a supply of water or electricity has been made by the bank to the owner, as defined in section 27 (7) or the Fencing Act, 1963, or any amendment thereof, of a holding, as so defined, which is subject to a *fidei-commisum* or to any restriction on alienation or hypothecation, the holding shall, on transfer to the fidei-commissary or any other person, continue to be charged in respect of any amount of capital and interest still owing to the bank under the advance, and the owner for the time being shall be liable for payment of all amounts due in respect of the advance in the same manner as if that advance had originally been made to him.”.

Amendment of section 33 of Act 13 of 1944, as substituted by section 14 of Act 47 of 1959.

8. Section 33 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

“(1) Whenever an advance has been made by the bank for dipping tanks, silos, fencing or the provision of a supply of water or electricity or the purchase and erection of windmills or other mechanical contrivances for the pumping of water or the purchase, erection, installation or maintenance of any plant, apparatus or equipment required for the use of electricity or to pay the connection fee required for such use, and has been noted by the registrar of deeds concerned in the manner prescribed in section 27 (3), the amount of the advance (or as much as may still be owing) shall attach to the holding in respect of which the advance was made, and each successive owner shall be liable for the instalments and interest as they fall due under the advance during his ownership as if the advance had been made to him.”; and

(b) by the substitution for subsection (6) of the following subsection:

“(6) For the purposes of this section, the word ‘owner’ shall, when used with reference to advances—

(a) for dipping tanks or silos, have the meaning assigned thereto in section 27;

(b) for fencing or the provision of a water or an electricity supply, have the meaning assigned thereto in the Fencing Act, 1963, or any amendment thereof.”.

**9. Artikel 34 van die Hoofwet word hierby gewysig deur subartikel (7) deur die volgende subartikel te vervang:**

„(7) Die raad kan, indien die skuldenaar ten opsigte van 'n voorskot wat kragtens subartikel (1) verstrek is, deur artikel 15 van Wet 47 van 1959 en artikel 8 van Wet 46 van 1965.

- (a) om die grond waarop die oes wat volgens subartikel (4) aan 'n pandreg onderhewig is, staan of verbou gaan word, tot bevrediging van die raad te bewerk; of
- (b) om 'n bedrag waarvoor hy ingevolge hierdie artikel aanspreklik geword het, op die vervaldag te betaal, of om 'n voorwaarde van die voorskot na te kom, na sewe dae kennisgewing per geregistreerde brief gerig aan die adres van die skuldenaar wat in die vorm van aansoek om die voorskot aangegee is, sonder geregtelike proses beslag lê op die oes of op die artikels of stowwe wat ingevolge subartikel (4) of (4)*bis* aan 'n pandreg onderhewig is, en dit verkoop, en, in die geval in paragraaf (a) genoem, self die betrokke grond bewerk en die oes insamel en verkoop.”.

**10. Artikel 34*bis* van die Hoofwet word hierby gewysig deur subartikel (8) deur die volgende subartikel te vervang:**

„(8) (a) Indien die boedel van iemand aan wie 'n voorskot kragtens hierdie artikel verstrek is, gesekwestreer of afgestaan word, of indien met sy skuldeisers 'n skikkingsingevolge artikel 24 van die Wet op Landboukrediet, 1966 (Wet No. 28 van 1966), getref word, of met sy bates ingevolge artikel 28 van daardie Wet gehandel word, gaan die goed wat verhipotekeer nie oor op die betrokke Meester van die Hooggereghof of die kurator of die boedelredder of die beredderaar, na gelang van die geval, nie, tensy die raad die Meester of kurator of boedelredder of beredderaar volgens voorskrif van paragraaf (e) in kennis stel.

- (b) Die raad kan na skriftelike kennisgewing aan die betrokke Meester of die kurator of die boedelredder of die beredderaar, na gelang van omstandighede, die goed wat verhipotekeer is op die wyse in subartikel (6) voorgeskryf, laat verkoop.
- (c) Indien die verkoopprys na betaling van die onkoste aangegaan in verband met die inbeslagname en verkooping, die bedrag wat ingevolge die voorskot tesame met rente en koste verskuldig is, oorskry, word die voorskot aan die betrokke Meester of die kurator of die boedelredder of die beredderaar, na gelang van omstandighede, betaal.
- (d) Indien daardie verkoopprys, na gemelde betaling, minder is as die bedrag wat ingevolge die voorskot tesame met rente en koste verskuldig is, kan die raad ten opsigte van die tekort 'n vordering teen die boedel bewys.
- (e) As die raad verkies om nie met die goed wat verhipotekeer is ingevolge paragraaf (b) te handel nie, moet hy die Meester of die kurator of die boedelredder of die beredderaar, na gelang van omstandighede, dienoorenkomsdig in kennis stel, en daarop gaan die goed oor op die Meester of die kurator of die boedelredder of die beredderaar, na gelang van die geval, wat met die goed moet handel asof hierdie artikel nie verorden was nie: Met dien verstande dat daardie goed geag word as sekuriteit vir die behoorlike vervulling deur die skuldenaar van sy verpligtings ingevolge die hipoteek aan die bank verpand te wees, op dieselfde wyse asof dit aan die bank in pand oorhandig was.”.

**11. Artikel 55 van die Hoofwet word hierby gewysig—**

(a) deur paragraaf (d) van subartikel (1) deur die volgende paragraaf te vervang:

„(d) die sekuriteit vir die voorskot by bevel van 'n bevoegde hof eksekutabel verklaar word of ingevolge 'n bevel van so 'n hof of kragtens artikel 22*ter* van die Boere-Bystandswet, 1935 (Wet No.

Wysiging van artikel 34 van Wet 13 van 1944, soos gewysig deur artikel 15 van Wet 47 van 1959 en artikel 8 van Wet 46 van 1965.

Wysiging van artikel 34*bis* van Wet 13 van 1944, soos ingevoeg deur artikel 16 van Wet 47 van 1959 en gewysig deur artikel 3 van Wet 35 van 1961 en artikel 9 van Wet 46 van 1965.

Wysiging van artikel 55 van Wet 13 van 1944, soos gewysig deur artikel 11 van Wet 46 van 1965.

Amendment of section 34 of Act 13 of 1944, as amended by section 15 of Act 47 of 1959 and section 8 of Act 46 of 1965.

**9.** Section 34 of the principal Act is hereby amended by the substitution for subsection (7) of the following subsection:

“(7) The board may, if the debtor in respect of any advance under subsection (1) fails—

- (a) to cultivate, to the satisfaction of the board, the land upon which crops which are subject to a pledge in terms of subsection (4), are grown or to be grown; or
- (b) to pay, when due, any amount for which he has become liable under this section, or to observe any condition of the advance,

after giving seven days' notice by registered letter addressed to the address of the debtor stated in the form of application for the advance, without recourse to a court of law, seize and sell the crops or the articles or substances which are in terms of subsection (4) or (4)*bis* subject to a pledge, and, in the case referred to in paragraph (a) itself cultivate such land and gather and sell the crops.”.

Amendment of section 34*bis* of Act 13 of 1944, as inserted by section 16 of Act 47 of 1959 and amended by section 3 of Act 35 of 1961 and section 9 of Act 46 of 1965.

**10.** Section 34*bis* of the principal Act is hereby amended by the substitution for subsection (8) of the following subsection:

“(8) (a) If the estate of a person to whom an advance has been made under this section is sequestrated or assigned, or if a compromise is effected with his creditors in terms of section 24 of the Agricultural Credit Act, 1966 (Act No. 28 of 1966), or his assets are being dealt with in terms of section 28 of that Act, the hypothecated property shall not vest in the Master of the Supreme Court concerned or the trustee or the assignee or the liquidator, as the case may be, unless the board notifies such Master or trustee or assignee or liquidator as provided in paragraph (e).

(b) The board may after giving written notice to the Master concerned or the trustee or the assignee or the liquidator, as the circumstances may require, cause the hypothecated property to be sold in the manner provided by subsection (6).

(c) If the sale price realized, after payment of any costs incurred in connection with the seizure and sale, exceeds the amount owing under the advance together with interest and costs, the balance shall be paid to the Master concerned or the trustee or the assignee or the liquidator, as the circumstances may require.

(d) If such sale price, after such payment, is less than the amount owing under the advance together with interest and costs, the board may prove a claim against the estate in respect of the deficit.

(e) If the board elects not to deal with the hypothecated property in terms of paragraph (b), it shall notify the Master or the trustee or the assignee or the liquidator, as the circumstances may require, accordingly, whereupon the property shall vest in the Master or the trustee or the assignee or the liquidator, as the case may be, who shall deal with the property as if this section had not been enacted: Provided that such property shall be deemed to have been pledged to the bank as security for the due fulfilment by the debtor of his obligations under the hypothec, in the same manner as if it had been delivered to the bank as a pledge.”.

Amendment of section 55 of Act 13 of 1944, as amended by section 11 of Act 46 of 1965.

**11.** Section 55 of the principal Act is hereby amended—

(a) by the substitution for paragraph (d) of subsection (1) of the following paragraph:

“(d) the security for the advance be declared executable by order of a competent court or be attached in pursuance of a judgment of any such court or under section 22*ter* of the Farmers' Assistance

48 van 1935) of artikel 37 van die Wet op Landboukrediet, 1966 (Wet No. 28 van 1966), in beslag geneem word of die onderwerp word van 'n opdrag kragtens subartikel (2) van genoemde artikel 22ter of subartikel (1) van genoemde artikel 37; of";

(b) deur paragraaf (e) van subartikel (1) deur die volgende paragraaf te vervang:

„(e) die skuldenaar oorlede is en sy boedel ingevolge die bepalings van artikel 48 (3) van die Boedelwet, 1913 (Wet No. 24 van 1913), of artikel 34 (2) of (5) van die Boedelwet, 1965 (Wet No. 66 van 1965), mee gehandel staan te word, of as insolvent gesekwestreer is; of";

(c) deur paragraaf (f) van subartikel (1) deur die volgende paragraaf te vervang:

„(f) 'n kennisgewing ingevolge artikel 22 van die Wet op Landboukrediet, 1966, met betrekking tot die skuldenaar gepubliseer is; of";

(d) deur subartikels (2) en (3) deur die volgende subartikels te vervang:

„(2) Wanneer die een of ander omstandigheid in subartikel (1) genoem, ontstaan, kan die raad—

(a) weier om enige deel van die voorskot wat goedkeur maar nog nie betaal is nie, te betaal;

(b) na terugvordering van die voorskot, per geregistreerde brief gerig aan die skuldenaar se adres, soos in die vorm van aansoek om die voorskot aangegee, en indien die grond of ander sekuriteit aan iemand anders as die bank verhipotekeer is, na behoorlike kennisgewing aan die verbandhouer, en sonder geregtelike proses, die sekuriteit vir die voorskot of 'n deel daarvan in beslag neem deur skriftelike kennisgewing daarvan per geregistreerde brief aan die skuldenaar gerig aan bogenoemde adres en aan die betrokke registrator van aktes, wat die beslaglegging in sy registers moet laat aanteken, en kan die raad na goedgunke bedoelde sekuriteit of 'n deel daarvan op die voorwaardes wat hy billik ag, by publieke veiling verkoop deur 'n afslaer of 'n balju of onderbalju, hetsy daardie balju of onderbalju 'n gelisensieerde afslaer is al dan nie: Met dien verstande dat—

(i) indien daar slegs ten opsigte van die in subartikel (1) (a) bedoelde omstandighede versuim was, die inbeslagneming en verkoping nie geskied voor die verloop van drie maande vanaf die vervaldatum vir die betaling van die bedrag ten opsigte waarvan die versuim plaasgevind het nie;

(ii) onder die omstandighede in subartikel (1) (c), (d), (e) of (f) genoem, die raad bedoelde sekuriteit of 'n deel daarvan aldus in beslag kan neem en verkoop sodra hy dit raadsaam ag nadat die boedel van die skuldenaar final gesekwestreer of afgestaan is, of die skuldenaar gevonnis is, of die eiendom eksekutabel verklaar of in beslag geneem is, of die onderwerp van 'n opdrag kragtens artikel 22ter (2) van die Boere-Bystandswet, 1935 of artikel 37 (1) van die Wet op Landboukrediet, 1966, geword het, of die boedel van die skuldenaar ingevolge die bepalings van artikel 48 (3) van die Boedelwet, 1913, of artikel 34 (2) of (5) van die Boedelwet, 1965, mee gehandel word of 'n kennisgewing ingevolge artikel 22 van die Wet op Landboukrediet, 1966, met betrekking tot die skuldenaar gepubliseer is;

Act, 1935 (Act No. 48 of 1935) or section 37 of the Agricultural Credit Act, 1966 (Act No. 28 of 1966), or becomes the subject of a direction under subsection (2) of the said section 22ter or subsection (1) of the said section 37; or";

- (b) by the substitution for paragraph (e) of subsection (1) of the following paragraph:

"(e) the debtor being deceased, his estate is about to be dealt with under the provisions of section 48 (3) of the Administration of Estates Act, 1913 (Act No. 24 of 1913), or section 34 (2) or (5) of the Administration of Estates Act, 1965 (Act No. 66 of 1965), or has been sequestrated as insolvent; or";

- (c) by the substitution for paragraph (f) of subsection (1) of the following paragraph:

"(f) a notice has been published with reference to the debtor under section 22 of the Agricultural Credit Act, 1966; or";

- (d) by the substitution for subsections (2) and (3) of the following subsections:

"(2) Whenever any circumstance mentioned in subsection (1) arises, the board may—

(a) refuse to pay any portion of the advance which has been approved, but not yet paid;

(b) after demand by registered letter, addressed to the address of the debtor stated in the form of application for the advance, has been made for the repayment of the advance, and, if the land or other security is mortgaged to any person other than the bank, after due notice to the mortgagee, and without recourse to a court of law, attach the whole or any part of the security for the advance by giving written notice thereof by registered letter, to the debtor to the address as stated above and to the registrar of deeds concerned who shall cause a note of the attachment to be made in his registers, and the board may in its discretion sell by public auction, through an auctioneer or a sheriff or his deputy, whether or not such sheriff or his deputy is a licensed auctioneer, the whole or any part of the said security upon such conditions as it may deem just: Provided that—

(i) if the default be only in respect of the circumstances mentioned in subsection (1) (a), such attachment and sale shall not take place until after the expiration of three months from the date on which payment was due of the sum of money in respect of which the default has occurred;

(ii) in the circumstances mentioned in subsection (1) (c), (d), (e) or (f) the board may so attach and sell the whole or any part of such security as soon after the debtor's estate has been finally sequestrated or assigned, or the debtor has been sentenced, or the property has been declared executable or attached or become the subject of a direction under section 22ter (2) of the Farmers' Assistance Act, 1935, or section 37 (1) of the Agricultural Credit Act, 1966, or the debtor's estate is being dealt with under the provisions of section 48 (3) of the Administration of Estates Act, 1913, or section 34 (2) or (5) of the Administration of Estates Act, 1965, or a notice has been published with reference to the debtor under section 22 of the Agricultural Credit Act, 1966, as the board may deem expedient;

(c) daardie grond of ander sekuriteit aan die koper transporteer en hom 'n regsgeldige titel daarop gee, al is dit asdan verhipotekeer of onderhewig aan 'n retensiereg of beswaring ten gunste van 'n ander persoon, en sonder om die titelbewyse aan die registrateur van aktes oor te lê, mits gesertifiseer word dat die raad daardie titelbewyse nie kon kry nie; en

(d) op die voorwaardes wat hy goedvind, 'n voorskot ingevolge die bepalings van hierdie Wet aan die koper van die grond of ander sekuriteit verstrek tot algehele of gedeeltelike delging van die koopprys, al gaan daardie voorskot ook die in artikel 26 voorgeskrewe perke te bowe:

Met dien verstande dat so 'n verkoping nie plaasvind nie—

(aa) voordat minstens veertien dae verstryk het sedert die publikasie in die *Staatskoerant*, en in 'n koerant in omloop in die distrik, van 'n kennisgewing waarin die datum, die uur en die plek van die verkoping, 'n bekrywing volgens titelbewys van die sekuriteit wat verkoop word en die voorwaardes van betaling van die koopsom vermeld word; en

(bb) tensy die voorwaardes van verkoop onmiddellik voor die aanvang van die verkoping afgekondig is.

(3) Geen eiendom wat aan die bank verhipotekeer is, kan deur 'n geregsbode, of 'n balju, of die kurator van 'n insolvente boedel, of die boedelredder van 'n afgestane boedel, of die eksekuteur wat met die boedel van 'n oorlede persoon handel ingevolge die bepalings van artikel 48 (3) van die Boedelwet, 1913, of artikel 34 (2) of (5) van die Boedelwet, 1965, of 'n beredderaar of kurator wat kragtens artikel 27 of 28 van die Wet op Landboukrediet, 1966, gekies of aangestel is, in eksekusie verkoop word nie, tensy die bank skriftelik tot die verkoping toestem of versuim het om daardie verhipotekeerde eiendom te verkoop binne ses maande na ontvangs van 'n kennisgewing van daardie bode, balju, kurator van die insolvente boedel, boedelredder, eksekuteur, beredderaar of aldus aangestelde kurator, na gelang van die geval, ten effekte dat op die verhipotekeerde eiendom beslag gelê is, of dat die boedel van die skuldenaar finaal gesekwestreer of afgestaan is of ingeval gemelde bepalings van die Boedelwet, 1913, of die Boedelwet, 1965, mee gehandel word, of dat 'n kennisgewing ingevolge artikel 22 van die Wet op Landboukrediet, 1966, met betrekking tot die skuldenaar gepubliseer is.”; en

(e) deur die volgende subartikel by te voeg:

„(4) Geen grond of ander sekuriteit ten opsigte waarvan 'n in subartikel (2) (b) bedoelde beslaglegging deur die registrateur van aktes in sy registers aange teken is, word sonder die skriftelike toestemming van die bank op enige wyse belas of beswaar nie, hetsy kragtens die bepalings van 'n Wet of andersins.”.

## 12. Artikel 56 van die Hoofwet word hierby gewysig deur na paragraaf (b) die volgende paragraaf in te voeg:

Wysiging van artikel 56 van Wet 13 van 1944, soos gewysig deur artikel 25 van Wet 47 van 1959 en artikel 5 van Wet 35 van 1961.

„(bA) as enige bates van die skuldenaar ingevolge die Wet op Landboukrediet, 1966 (Wet No. 28 van 1966), oorgaan op 'n beredderaar of kurator wat kragtens artikel 27 of 28 van daardie Wet verkies of aangestel is, aan daardie beredderaar of kurator, na gelang van die geval;”.

## 13. Die Hoofwet word hierby gewysig—

(a) deur in artikel 21 (1) (b) die woord „besittings” deur die woord „hoewes” te vervang;

Wysiging van artikels 21 (1) (b), 31 (3) en 33 (2), (3) en (4) van Wet 13 van 1944.

(b) deur in artikel 21 (1) (b) (ii) die woord „tussenheinings” deur die woord „grensheinings” te vervang; en

- (c) transfer such land or other security to the purchaser and give him a good and valid title thereto, notwithstanding that it may then be hypothecated or subject to a lien or charge in favour of some other person, and without production to the registrar of deeds of the title deeds, provided it is certified that the board has been unable to obtain the same; and
- (d) make an advance under the provisions of this Act, on such conditions as it may deem fit, to the purchaser of such land or other security, for the purpose of defraying the whole or part of the purchase price, notwithstanding that such advance may exceed the limits prescribed by section 26:

Provided that no such sale shall take place—

- (aa) until the expiry of at least fourteen days from the date of a notice in the *Gazette* and in some newspaper circulating in the district, stating the date, hour and place of the sale, a description (according to the title deed) of the security which is being sold and the terms of payment of the purchase price; and

- (bb) unless the conditions of sale have been announced immediately before commencement of the sale.

(3) No property mortgaged to the bank shall be sold in execution by a messenger of the court, or a sheriff, or the trustee of an insolvent estate, or the assignee of an assigned estate, or the executor dealing with the estate of a deceased person under the provisions of section 48 (3) of the Administration of Estates Act, 1913, or section 34 (2) or (5) of the Administration of Estates Act, 1965, or a liquidator or trustee elected or appointed under section 27 or 28 of the Agricultural Credit Act, 1966, unless the bank agrees in writing to such sale or has failed to sell such mortgaged property within six months after receipt of a notice from the messenger, sheriff, trustee of the insolvent estate, assignee, executor or liquidator, or the trustee so appointed, as the case may be, to the effect that the property mortgaged has been attached, or that the estate of the debtor has been finally sequestrated or assigned or is being dealt with under the aforesaid provisions of the Administration of Estates Act, 1913, or the Administration of Estates Act, 1965, or that a notice with reference to the debtor has been published under section 22 of the Agricultural Credit Act, 1966.”; and

- (e) by the addition of the following subsection:

“(4) No land or other security in respect of which an attachment mentioned in subsection (2) (b) has been noted by the registrar of deeds in his registers shall in any manner be hypothecated or charged, whether under the provisions of any Act or otherwise, except with the written consent of the bank.”.

**12. Section 56 of the principal Act is hereby amended by the insertion after paragraph (b) of the following paragraph:**

“(bA) if any assets of the debtor are in terms of the Agricultural Credit Act, 1966 (Act No. 28 of 1966), vested in a liquidator or trustee elected or appointed under section 27 or 28 of that Act, to such liquidator or trustee, as the case may be;”.

**13. The principal Act is hereby amended—**

- (a) by the substitution in the Afrikaans text of section 21 (1) (b) for the word “besittings” of the word “hoeves”;
- (b) by the substitution in section 21 (1) (b) (ii) for the word “dividing” of the word “boundary”; and

Amendment of  
section 56 of  
Act 13 of 1944,  
as amended by  
section 25 of  
Act 47 of 1959  
and section 5  
of Act 35 of  
1961.

Amendment of  
sections  
21 (1) (b),  
31 (3) and  
33 (2), (3)  
and (4) of Act  
13 of 1944.

(c) deur in artikels 31 (3) en 33 (2), (3) en (4) die woord „besitting”, oral waar dit voorkom, deur die woord „hoewe” te vervang.

**14.** (1) Die „Dipbakken (Voorschotten) Wet, 1911” (Wet Herroeping van No. 20 van 1911), die „Dipbakken Verdere Regelings Wet, 1913” wette en voorbehoude. (Wet No. 14 van 1913), en artikel 12 (2) van die Omheiningswet, 1963 (Wet No. 31 van 1963), word hierby herroep.

(2) Ondanks enigets in hierdie Wet vervat, hou enige bepaling van artikel 27, 28, 29, 30 of 30bis van die Hoofwet of van enige in subartikel (1) genoemde Wet wat onmiddellik voor die datum van inwerkingtreding van hierdie Wet van toepassing was ten opsigte van 'n voorskot vir 'n dipbak, voorskot vir 'n omheining, voorskot vir 'n voerkuil, voorskot om 'n watervoorraad te voorsien of voorskot om 'n elektrisiteitstoewerker te voorsien wat voor daardie datum verstrek is, aan om ten opsigte daarvan van toepassing te wees asof hierdie Wet nie aangeneem was nie.

**15.** Hierdie Wet heet die Wysigingswet op die Landbank, Kort titel. 1968.

(c) by the substitution in the Afrikaans text of sections 31 (3) and 33 (2), (3) and (4) for the word "besitting", wherever it occurs, of the word "hoeve".

Repeal of laws  
and savings.

**14.** (1) The Dipping Tanks (Advances) Act, 1911 (Act No. 20 of 1911), the Dipping Tanks Further Provision Act, 1913 (Act No. 14 of 1913), and section 12 (2) of the Fencing Act, 1963 (Act No. 31 of 1963), are hereby repealed.

(2) Notwithstanding anything in this Act contained, any provision of section 27, 28, 29, 30 or 30bis of the principal Act or of any law mentioned in subsection (1) which, immediately prior to the date of commencement of this Act, applied in respect of any dipping tank advance, fencing advance, silo advance, advance to provide for a supply of water or advance to provide for a supply of electricity made prior to such date, shall continue to apply in respect thereof as if this Act had not been passed.

Short title.

**15.** This Act shall be called the Land Bank Amendment Act, 1968.

No. 6, 1968.]

# WET

**Om beter voorsiening te maak vir die administrasie, belegging en beheer van geld wat besit en wins wat gemaak word deur die Openbare Skuldkommissarisse; om vir dié doel die „Openbare Schuld Kommissarissen Wet, 1911”, en die Openbare Skuldkommissarisse Wysigingswet, 1926, te wysig; en om vir bykomstige aangeleenthede voorsiening te maak.**

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)  
(Goedgekeur op 27 Februarie 1968.)

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

**1.** Artikel 1 van die „Openbare Schuld Kommissarissen Wet, 1911” (hieronder die Hoofwet genoem), word hierby deur die volgende artikel vervang:

Vervanging van artikel 1 van Wet 18 van 1911.

„Woord-bepalingen. **1.** In deze Wet en in daaronder vastgestelde regels hebben de volgende uitdrukkingen, so niet het verband een ander zin aanwijst, de betekenis bij deze daaraan toegekend—

- (i) ‚bankinstelling’ heeft de betekenis daaraan toegekend in de „Bankwet, 1965” (Wet No. 23 van 1965); (i)
- (ii) ‚deposito’s’ betekent alle voor belegging beschikbare gelden, met uitzondering van inkomsten volgens die omschrijving daaraan gegeven in de „Skatkis- en Ouditwet, 1956” (Wet No. 23 van 1956), die door of van wege de Regering van de Republiek ontvangen of gehouden mogen worden, alsmede de voor belegging beschikbare kredietsaldo’s van enige fondsen onder beheer van de Administrasie van Spoorwegen en Havens; (iii)
- (iii) ‚finansieel jaar’, ‚Minister’, en ‚Thesaurie’ hebben de betekenis daaraan toegekend in de „Skatkis- en Ouditwet, 1956” (Wet No. 23 van 1956); (iv)
- (iv) ‚Kommissarissen’ of ‚Kommissaris’ betekent de Kommissarissen van Openbare Schuld, aangesteld onder deze Wet of (naar gelang van het geval) een van hen.”. (ii)

**2.** Artikel 3 van die Hoofwet word hierby gewysig deur sub-artikel (1) deur die volgende subartikel te vervang:

Wysiging van artikel 3 van Wet 18 van 1911.

„(1) De Minister zal ten name van de Kommissarissen een Rekening in de „Suid-Afrikaanse Reserwebank” doen openen waarin alle gelden worden gestort, die ingevolge deze Wet door de Kommissarissen worden behandeld en waaruit de gelden worden getrokken tot dekking van uitkeringen, voor welke de Kommissarissen onder deze Wet verantwoordelik zijn.”.

No. 6, 1968.]

# ACT

**To make better provision for the administration, investment and control of moneys held and profits made by the Public Debt Commissioners; for that purpose to amend the Public Debt Commissioners Act, 1911, and the Public Debt Commissioners (Amendment) Act, 1926; and to provide for matters incidental thereto.**

*(Afrikaans text signed by the Acting State President.)  
(Assented to 27th February, 1968.)*

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

Substitution  
of section 1  
of Act 18 of  
1911.

**1.** The following section is hereby substituted for section 1 of the Public Debt Commissioners Act, 1911 (hereinafter referred to as the principal Act):

“Definitions.

**1.** In this Act and any rule made thereunder, unless the context otherwise indicates—

(i) ‘banking institution’ has the meaning assigned to it in the Banks Act, 1965 (Act No. 23 of 1965); (i)

(ii) ‘Commissioners’ or ‘Commissioner’ means the Public Debt Commissioners appointed under this Act or (as the case may be) one of those Commissioners; (iv)

(iii) ‘deposits’ means all moneys, available for investment, which may be received or held by, for, or on account of the Government of the Republic (other than revenues as defined in the Exchequer and Audit Act, 1956 (Act No. 23 of 1956)), and includes the balances available for investment of moneys held by the Administration of the Railways and Harbours; (ii)

(iv) ‘financial year’, ‘Minister’, and ‘Treasury’ have the meanings assigned to them in the Exchequer and Audit Act, 1956 (Act No. 23 of 1956).”. (iii)

Amendment of  
section 3 of  
Act 18 of 1911.

**2.** Section 3 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The Minister shall cause to be kept with the South African Reserve Bank an account in the name of the Commissioners, into which shall be paid all the moneys falling to be dealt with by the Commissioners as in this Act provided and from which shall be withdrawn the moneys required to meet the payments for which the Commissioners are responsible under this Act.”.

**3. Artikel 10 van die Hoofwet word hierby deur die volgende artikel vervang:**

„Belegging van deposito's.

**10. Met de gelden, die voor belegging overeenkomstig artikel 9 beschikbaar worden, moeten door de Kommissarissen de ondervermelde sekuriteiten of sommige daarvan worden aangekocht of, indien de Kommissarissen van oordeel zijn, dat de onmiddellijke aankoop van de een of ander van deze sekuriteiten onwenselik zou zijn, kunnen de Kommissarissen de gelden tijdelijk beleggen in schatkist-promessen of promessen van de Land en Landbouw Bank van Zuid-Afrika of kunnen zij de gelden tegen rente in de „Nasionale Finansiekorporasie van Suid-Afrika” of in enig door de Minister goedgekeurde bankinstelling plaatsen:**

- (a) fondsen of schuldbrieven van de Regering van de Republiek;
- (b) fondsen of schuldbrieven gewaarborgd door de Regering van de Republiek;
- (c) schuldbrieven van de Land en Landbouw Bank van Zuid-Afrika;
- (d) fondsen van een plaatselike inrichting bedoeld in artikel 84 (1) (f) van de „Grondwet van die Republiek van Suid-Afrika, 1961” (Wet No. 32 van 1961), binnen de Republiek of Zuidwest-Afrika;
- (e) fondsen van de Rand Waterraad;
- (f) fondsen van de „Elektrisiteitsvoorsieningskommissie”;
- (g) fondsen of schuldbrieven van de „Nywerheid-ontwikkelingskorporasie van Suid-Afrika, Beperk”;
- (h) sekuriteiten uitgereikt door een lichaam in bezit van of beheerd door de „Nywerheid-ontwikkelingskorporasie van Suid-Afrika, Beperk”, en opgericht en voortgezet ingevolge artikel 3 (a) van de „Nywerheid-ontwikkelingswet, 1940” (Wet No. 22 van 1940);
- (i) sekuriteiten uitgereikt door een ander lichaam ingesteld bij of ingevolge een wet;
- (j) sekuriteiten uitgereikt door de Internationale Bank voor Heropbouw en Ontwikkeling;
- (k) sekuriteiten uitgereikt door een vreemde regering.

Met dien verstande dat—

- (i) het bedrag besteedt aan de aankoop van sekuriteiten waarnaar in paragraven (d) tot en met (i) verwezen wordt te allen tijde niet in totaal een bedrag gelijk aan vijftien persent van het totaal van de bedragen welke uit hoofde van de bepalingen van genoemd artikel 9 voor belegging door de Kommissarissen beschikbaar waren op de onmiddellijk voorafgaande een en dertigste dag van Maart, te boven gaat; en
- (ii) de voorafgaande goedkeuring van de Minister verkregen wordt voor beleggingen in sekuriteiten waarnaar in paragraven (h) tot en met (k) verwezen wordt.”.

**4. Artikel 12 van die Hoofwet word hierby deur die volgende artikel vervang:**

„Tegelde-mak-ing van be-leg-gingen.

**12. De Kommissarissen zijn bevoegd effekten, die door hen bij wijze van belegging gehouden worden, te verkopen of op andere wijze te verhandelen, wanneer zij zulks in't openbaar belang raadzaam achten of wanneer door onttrekking van deposita of om andere redenen, de kassaldo's, die beschikbaar zijn voor belegging van de deposito's, ten aanzien waarvan de beleggingen gedaan werden, huns inziens de tegelde-mak-ing van deze beleggingen noodzakelik maken.”.**

Vervanging van artikel 10 van Wet 18 van 1911 soos gewysig deur artikel 6 van Wet 50 van 1926 en artikel 3 van Wet 25 van 1932.

Vervanging van artikel 12 van Wet 18 van 1911.

Substitution  
of section 10  
of Act 18 of  
1911, as amended  
by section 6  
of Act 50 of  
1926 and  
section 3 of  
Act 25 of 1932.

3. The following section is hereby substituted for section 10 of the principal Act:

"Invest-  
ment of  
deposits.

10. The amounts which may become available for investment as prescribed in section 9 shall be devoted by the Commissioners to the purchase of the undermentioned securities or any of them or, if it appears to the Commissioners that the immediate purchase of any such securities would be undesirable, the Commissioners may invest the moneys temporarily in Treasury Bills or bills of the Land and Agricultural Bank of South Africa or may place the moneys on deposit at interest with the National Finance Corporation of South Africa or with any banking institution approved by the Minister:

- (a) stock or debentures of the Government of the Republic;
  - (b) stock or debentures guaranteed by the Government of the Republic;
  - (c) debentures of the Land and Agricultural Bank of South Africa;
  - (d) stock of any local authority contemplated in section 84(1)(f) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), within the Republic or South-West Africa;
  - (e) stock of the Rand Water Board;
  - (f) stock of the Electricity Supply Commission;
  - (g) stock or debentures of the Industrial Development Corporation of South Africa, Limited;
  - (h) securities issued by a body owned or controlled by the Industrial Development Corporation of South Africa, Limited, and established and conducted in terms of section 3 (a) of the Industrial Development Act, 1940 (Act No. 22 of 1940);
  - (i) securities issued by any other body established by or in terms of any law;
  - (j) securities issued by the International Bank for Reconstruction and Development;
  - (k) securities issued by any foreign government:
- Provided that—
- (i) the amount devoted to the purchase of securities referred to in paragraphs (d) to (i), inclusive, shall not at any time in the aggregate exceed an amount equal to fifteen per centum of the aggregate of the amounts which by virtue of the provisions of the said section 9 were available for investment by the Commissioners as at the immediately preceding thirty-first day of March; and
  - (ii) the prior approval of the Minister shall be obtained for investments in securities referred to in paragraphs (h) to (k), inclusive.”.

Substitution  
of section 12  
of Act 18 of  
1911.

4. The following section is hereby substituted for section 12 of the principal Act:

"Realiza-  
tion of in-  
vestments.

12. The Commissioners shall have power to sell or otherwise dispose of securities held by them as investments whenever they may think it advisable in the public interest so to do or whenever by reason of withdrawals of deposits or from other causes the balances available for investment of the deposits in respect of which the investments were made appear to them to necessitate the liquidation of such investments.”.

## 5. Artikel 13 van die Hoofwet word hierby gewysig—

(a) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Zodra doenlik na afsluiting van de rekeningen ten aanzien van een financieel jaar, doch in ieder geval binnendrie maanden na afloop van het financieel jaar, worden door die Thesaurie die volgende opgaven en rekeningen opgemaakt en gezonden aan die Kontroleur en Auditeur-generaal ten aanzien van alle gelden toevertrouwd aan die Kommissarissen:

- (a) een balansstaat;
  - (b) een inkomsten-en-uitgavenrekening;
  - (c) een staat van beleggingen gehouden voor die onderscheidene depositofondsen;
  - (d) een staat van winster behaald of verliezen geleden op die tegeldemaking van beleggingen;
  - (e) een staat van rekening ten aanzien van die „Algemene Delgingsfonds” waarnaar in artikel 2 van die „Openbare Skuldcommisaris Wysigingswet, 1926” (Wet No. 50 van 1926), verwiesen word;
  - (f) een staat van rekening ten aanzien van die Administratie van Spoorwegen en Havens;
  - (g) een staat van rekening ten aanzien van die „plaaslike leningsfonds” gevestigd bij artikel 1 van die „Plaaslike Leningswet, 1926” (Wet No. 19 van 1926.”; en
- (b) deur subartikel (3) te skrap.

Wysiging van artikel 13 van Wet 18 van 1911, soos gewysig deur artikel 6 van Wet 38 van 1921.

## 6. Die volgende artikel word hierby in die Hoofwet na artikel 13 ingevoeg:

Invoeging van artikel 13A in Wet 18 van 1911.

„Beschikking over winsten behaald en bekostiging van verliezen geleden bij die tegeldemaking van sekuriteiten, en bedragen betaalbaar aan die Gekonsolideerde Inkomstefonds.

13A. (1) De winsten behaald of verliezen geleden door die Kommissarissen volgend uit die tegeldemaking van sekuriteiten ingevolge artikel 12 worden gekrediteerd of gedebiteerd (naar gelang van die geval) tegen die betrokken depositofonds: Met dien verstande dat verliezen geleden volgend uit die tegeldemaking van sekuriteiten gehouden ten aanzien van—

- (a) die Postspaarbank bekostigd worden op die wijze voorgeschreven bij artikel 66 (3) van die „Poswet, 1958” (Wet No. 44 van 1958); en
- (b) het voogdijfonds gedebiteerd worden tegen die voogdijreservefonds.

(2) Niet later dan die een en dertigste dag van Augustus van elk financieel jaar moet in die Gekonsolideerde Inkomstefonds gestort worden ten aanzien van die vorige financieel jaar—

- (a) die surplus-rente ontleend aan die voogdijfonds-gelden;
- (b) die rente verdien op die belegging van die voogdij-reservefondsgelden;
- (c) die balans van die rente ontvangen op die gelden van die „plaaslike leningsfonds” waarnaar in artikel 3 (3) van die „Plaaslike Leningswet, 1926” (Wet No. 19 van 1926), verwiesen word; en
- (d) die kreditbalans op die inkomsten-en-uitgavenrekening van die Kommissarissen op die onmiddellik voorafgaande een en dertigste dag van Maart.”.

## 7. Artikel 15 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 15 van Wet 18 van 1911.

„Bewaring van effekten in handen van Kommissarissen.

15. Alle fondscertifikate, obligaties, of andere sekuriteiten, door die Kommissarissen gehouden of aangekocht, word in die Thesaurie in veilige bewaring gesteld.”.

Amendment of  
section 13 of  
Act 18 of 1911,  
as amended by  
section 6 of  
Act 38 of 1921.

**5. Section 13 of the principal Act is hereby amended—**  
(a) by the substitution for subsection (2) of the following subsection:

“(2) As soon as possible after the accounts in respect of any financial year have been closed, but in every case within three months after the close of the financial year, the Treasury shall prepare and shall transmit to the Controller and Auditor-General the following statements and accounts in respect of all moneys entrusted to the Commissioners:

- (a) a balance sheet;
- (b) an income and expenditure account;
- (c) a statement of investments held for the various deposit funds;
- (d) a statement of all profits made or losses sustained on the realization of investments;
- (e) a statement of account in respect of the General Sinking Fund referred to in section 2 of the Public Debt Commissioners (Amendment) Act, 1926 (Act No. 50 of 1926);
- (f) a statement of account in respect of the South African Railways and Harbours Administration;
- (g) a statement of account in respect of the local loans fund, established by section 1 of the Local Loans Act, 1926 (Act No. 19 of 1926).”; and

(b) by the deletion of subsection (3).

Insertion of  
section 13A in  
Act 18 of 1911.

**6. The following section is hereby inserted in the principal Act after section 13:**

“Disposal of profits earned and defrayment of losses sustained on the realization of securities, and amounts payable to the Consolidated Revenue Fund.

**13A.** (1) Any profits earned or losses sustained by the Commissioners as a result of the disposal of securities in terms of section 12 shall be credited or debited (as the case may be) to the deposit fund concerned: Provided that any losses sustained as a result of the disposal of securities held in respect of—

- (a) the Post Office Savings Bank shall be defrayed in the manner prescribed by section 66 (3) of the Post Office Act, 1958 (Act No. 44 of 1958); and
- (b) the guardians fund shall be debited to the guardians reserve fund.

(2) Not later than the thirty-first day of August in any financial year there shall be paid into the Consolidated Revenue Fund in respect of the previous financial year—

- (a) the surplus interest derived from the guardians fund moneys;
- (b) the interest earned on the investment of the guardians reserve fund moneys;
- (c) the balance of the interest received on the moneys of the local loans fund referred to in section 3 (3) of the Local Loans Act, 1926 (Act No. 19 of 1926); and
- (d) the credit balance on the income and expenditure account of the Commissioners on the immediately preceding thirty-first day of March.”.

Substitution of  
section 15 of  
Act 18 of 1911.

**7. The following section is hereby substituted for section 15 of the principal Act:**

“Preservation of securities held by Commissioners.

**15.** All stock certificates, debentures or other securities held or purchased by the Commissioners, shall be deposited for safe custody with the Treasury.”.

**8.** Artikel 17 van die Hoofwet word hierby deur die volgende artikel vervang:

„Thesaurie 17. De Thesaurie onderneemt, namens en op ver-  
belast zich zoek van de Kommissarissen, de aankoop van  
met aan- effekten voor beleggingen door de Kommissarissen  
koop en onder deze Wet gemaakt en tegeldemaking van deze  
tegelde- effekten alsmede de invordering van rente op  
making van beleggingen door de Kommissarissen onder de  
en met in- bepalingen van deze Wet gemaakt.”.

Vervanging van  
artikel 17 van  
Wet 18 van 1911.

**9.** Artikels 4, 7, 8 en 11 van die Hoofwet word hierby herroep. Herroeping van  
artikels 4, 7,  
8 en 11 van  
Wet 18 van  
1911.

**10.** Die Hoofwet word hierby gewysig deur die woord „Goe- Vervanging in  
verneur-generaal”, oral waar dit voorkom, deur die woord  
„Staatspresident” te vervang.

Vervanging in  
Wet 18 van  
1911 van  
„Goeverneur-  
generaal” deur  
„Staatspresi-  
dent”.

**11.** Artikel 3 van die Openbare Skuldkommissaris Wysi- Wysiging van  
sigingswet, 1926, word hierby gewysig— artikel 3 van  
Wet 50 van  
1926, soos  
gewysig deur  
artikel 6 van  
Wet 80 van  
1959.

(a) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Die Kommissaris moet die gelde wat hulle volgens bepaling van subartikel (1) ontvang, belê in fondse of obligasies van die Regering van die Republiek.”; en

(b) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) In elke finansiële jaar word fondse of obligasies verkry ingevolge subartikel (2) ter waarde van nie minder nie as die totale bedrag ontvang van die Gekonsolideerde Inkostefonds ingevolge subartikel (1), ingetrek.”.

**12.** Artikel 4 van die Openbare Skuldkommissaris Wysi- Wysiging van  
gingswet, 1926, word hierby gewysig— artikel 4 van  
Wet 50 van 1926.

(a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Alle gelde wat van tyd tot tyd wettig beskikbaar mag word vir skuldaflossing, moet aan die Kommissaris betaal word ten bate van die Algemene Delingsfonds en hulle moet daardie gelde bestee aan die aankoop van fondse of obligasies van die Regering van die Republiek, wat daarop ingetrek moet word.”;

en

(b) deur subartikels (2) en (3) te skrap.

**13.** Hierdie Wet heet die Wysigingswet op die Openbare Kort titel. Skuldkommissaris, 1968.

Substitution of section 17 of Act 18 of 1911.

**8.** The following section is hereby substituted for section 17 of the principal Act:

"Treasury to undertake purchase and realization of investments and collection of interest. **17.** The purchase of securities for the purpose of investments made by the Commissioners under this Act and the realization of such securities, as well as the collection of interest on investments made by the Commissioners under the provisions of this Act, shall be undertaken by the Treasury on behalf of and at the request of the Commissioners.”.

Repeal of sections 4, 7, 8 and 11 of Act 18 of 1911.

**9.** Sections 4, 7, 8 and 11 of the principal Act are hereby repealed.

Substitution in Act 18 of 1911 for "Governor-General" of "State President".

**10.** The principal Act is hereby amended by the substitution for the word "Governor-General", wherever it occurs, of the words "State President".

Amendment of section 3 of Act 50 of 1926, as amended by section 6 of Act 80 of 1959.

**11.** Section 3 of the Public Debt Commissioners (Amendment) Act, 1926, is hereby amended—

(a) by the substitution for subsection (2) of the following subsection:

"(2) The Commissioners shall invest the moneys received as in subsection (1) provided in stock or debentures of the Government of the Republic."; and

(b) by the substitution for subsection (3) of the following subsection:

"(3) In each financial year stock or debentures acquired in terms of subsection (2) to the value of not less than the total amount received from the Consolidated Revenue Fund in terms of subsection (1) shall be cancelled.”.

Amendment of section 4 of Act 50 of 1926.

**12.** Section 4 of the Public Debt Commissioners (Amendment) Act, 1926, is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) Any moneys which may lawfully become available from time to time for the redemption of debt shall be paid to the Commissioners for the credit of the General Sinking Fund and shall be applied by them to the purchase of stock or debentures of the Government of the Republic which shall thereupon be cancelled."; and

(b) by the deletion of subsections (2) and (3).

**Short title.**

**13.** This Act shall be called the Public Debt Commissioners Amendment Act, 1968.

No. 7, 1968.]

## WET

**Tot wysiging van artikel 2 van die Wysigingswet op Finansiële Verhoudings, 1957, ten einde voorsiening te maak vir die betaling van sekere bydraes aan provinsiale inkomstefondse.**

*(Engelse teks deur die Waarnemende Staatspresident geteken.)  
(Goedgekeur op 27 Februarie 1968.)*

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

- 1. Artikel 2 van die Wysigingswet op Finansiële Verhoudings, 1957,** word hierby gewysig—
- (a) deur die volgende subparagraph by paragraaf (a) te voeg:  
,,(xii) ten opsigte van die boekjaar 1968–1969, 'n bedrag gelyk aan die bedrag betaalbaar ingevolge subparagraph (xi), tesame met 'n bedrag gelyk aan ses persent van daardie bedrag;";
  - (b) deur die volgende subparagraph by paragraaf (c) te voeg:  
,,(xii) ten opsigte van die boekjaar 1968–1969, 'n bedrag van driemiljoen sewe-en-dertigduisend tweehonderd een-en-tachtig rand;";
  - (c) deur die volgende subparagraph by paragraaf (d) te voeg:  
,,(xii) ten opsigte van die boekjaar 1968–1969, 'n bedrag van agthonderd agt-en-negentigduisend eenhonderd-en-twee rand;";
  - (d) deur paragraaf (e) deur die volgende paragraaf te vervang:  
,,(e) ten opsigte van enige van die boekjare 1959–1960, 1960–1961, 1961–1962, 1962–1963, 1963–1964, 1964–1965, 1965–1966, 1966–1967, 1967–1968 en 1968–1969 aan die provinsiale inkomstefonds van enige provinsie, ten opsigte van sodanige uitgawes deur die betrokke provinsie aangegaan as wat in die Begrotings van Uitgawes goedgekeur deur die Parlement vermeld mag word, so 'n bedrag, nie die helfte van sodanige uitgawes te bowe gaande nie, as wat die Minister van Finansies mag bepaal;" ; en
  - (e) deur die eerste voorbehoudsbepaling deur die volgende voorbehoudsbepaling te vervang:  
„Met dien verstande dat indien ten opsigte van enige van die boekjare 1957–1958, 1958–1959, 1959–1960, 1960–1961, 1961–1962, 1962–1963, 1963–1964, 1964–1965, 1965–1966, 1966–1967, 1967–1968 en 1968–1969 uitgawes van die in paragraaf (a) van die voorbehoudsbepaling by artikel 6 (2) van die Hoofwet bedoelde aard deur 'n provinsie aangegaan word, daar na goeddunke van die Minister van Finansies aan

No. 7, 1968.]

## ACT

To amend section 2 of the Financial Relations Amendment Act, 1957, in order to provide for the payment of certain grants to provincial revenue funds.

(*English text signed by the Acting State President.*)  
(Assented to 27th February, 1968.)

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

Amendment of section 2 of Act 38 of 1957, as amended by section 17 of Act 80 of 1959, section 1 of Act 3 of 1963, section 15 of Act 83 of 1963, section 1 of Act 9 of 1965, section 8 of Act 82 of 1965 and section 10 of Act 58 of 1966.

1. Section 2 of the Financial Relations Amendment Act, 1957, is hereby amended—
  - (a) by the addition to paragraph (a) of the following subparagraph:“(xii) in respect of the financial year 1968–1969, an amount equal to the amount payable under subparagraph (xi), plus six per cent of that amount;”;
  - (b) by the addition to paragraph (c) of the following subparagraph:“(xii) in respect of the financial year 1968–1969, an amount of three million and thirty-seven thousand two hundred and eighty-one rand;”;
  - (c) by the addition to paragraph (d) of the following subparagraph:“(xii) in respect of the financial year 1968–1969, an amount of eight hundred and ninety-eight thousand one hundred and two rand;”;
  - (d) by the substitution for paragraph (e) of the following paragraph:“(e) in respect of any of the financial years 1959–1960, 1960–1961, 1961–1962, 1962–1963, 1963–1964, 1964–1965, 1965–1966, 1966–1967, 1967–1968 and 1968–1969 to the provincial revenue fund of any province, in respect of such expenditure incurred by the province concerned as may be specified in the Estimates of Expenditure approved by Parliament, such an amount not exceeding one-half of such expenditure, as the Minister of Finance may determine;”;
  - (e) by the substitution for the first proviso of the following proviso:“Provided that if in respect of any of the financial years 1957–1958, 1958–1959, 1959–1960, 1960–1961, 1961–1962, 1962–1963, 1963–1964, 1964–1965, 1965–1966, 1966–1967, 1967–1968 and 1968–1969 any expenditure of the nature referred to in paragraph (a) of the proviso to section 6 (2) of the principal Act is incurred by a province, there may, in the discretion of the Minister of Finance, be paid to that province,

daardie provinsie, benewens enige ander bedrag ingevolge hierdie artikel aan daardie provinsie betaalbaar, 'n bedrag betaal kan word wat bedoelde Minister bepaal, maar wat nie die helfte van bedoelde uitgawes te bowe gaan nie.”.

**2. Hierdie Wet heet die Wysigingswet op Finansiële Verhoudings, 1968.**

in addition to any other amount payable to it under this section, such an amount, not exceeding one-half of such expenditure, as the said Minister may determine.”.

**Short title.**

**2.** This Act shall be called the Financial Relations Amendment Act, 1968.

No. 8, 1968.]

## WET

**Tot wysiging van artikel 2 van die „Spoorweg en Havendienst Wet, 1912”, artikel 1 van die Wet op Spoorweg- en Hawediens, 1960, en artikel 1 van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960, om voorsiening daarvoer te maak dat ’n pensioentrekker se pensioengeld en toelaes, waar dit betaal word, betaalbaar sal wees tot die einde van die maand waarin hy te sterwe kom; wysiging van artikel 66 van die „Spoorweg en Havendienst Wet, 1912”, om voorsiening te maak vir die voortsetting van sekere pensioenvoordele wat tans ingevolge die bepalings van die „Civil Service and Pensions Funds Act, 1895” (Wet No. 32 van 1895 van de Kaap de Goede Hoop) betaalbaar is; wysiging van artikel 60 bis van die Konsolidasiewet op die Beheer en Bestuur van Spoerweë en Hawens, 1957, om sekere bepalings met betrekking tot die verskaffing van sterk drank aan Bantodienare te wysig; wysiging van artikel 14 van die Wet op Spoorweg- en Hawediens, 1960, om sekere bepalings met betrekking tot die betaling van ’n kontantbedrag ten opsigte van verlof verskuldig aan dienare te wysig; wysiging van artikel 17 van genoemde Wet om voorsiening te maak vir die maak van ’n toekenning aan dienare, of hulle afhanklikes, wat tans ingevolge artikel 7 van die Ongevallewet, 1941, belet word om ’n eis kragtens die gemenerg teen die Departement in te stel; wysiging van artikel 18 van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960, om vir die omsettingsfaktor by die berekening van pensioenvoordele vir sekere dienare in die lugdiensdepartement van die Diens voorsiening te maak; wysiging van artikel 2 van die Wet op Sporoorgange, 1960, om vir die verdubbeling van stortings in die Fonds ter uitskakeling van Sporoorgange voorsiening te maak; om sekere veranderings in diensvoorraardes geldig te verklaar; en om vir ander aangeleenthede wat daarmee in verband staan voorsiening te maak.**

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)  
(Goedgekeur op 27 Februarie 1968.)

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

1. Artikel 2 van die „Spoorweg en Havendienst Wet, 1912”, Wysiging van artikel 2 van Wet 28 van 1912, word hierby gewysig deur die omskrywing van die uitdrukking „jaargeld” deur die volgende omskrywing te vervang: „jaargeld” betekent een jaarlikse som betaalbaar tot aan het einde van die maand waarin een afgetreden lid of de weduwe van een overleden lid of jaargeldtrekker te sterven kom;”.
2. Artikel 66 van die „Spoorweg en Havendienst Wet, 1912”, Wysiging van artikel 66 van Wet 28 van 1912, word hierby gewysig deur die volgende subartikels by te voeg: „(4) Ieder die een jaargeld geniet overeenkomstig die „Civil Service and Pensions Funds Act, 1895” (Wet No. 32 van 1895 van de Kaap de Goede Hoop), blyft na die dertigste dag van Juni 1968 in het genot van dezelfde

No. 8, 1968.]

## ACT

To amend section 2 of the Railways and Harbours Service Act, 1912, section 1 of the Railways and Harbours Service Act, 1960, and section 1 of the Railways and Harbours Superannuation Fund Act, 1960, so as to provide for a pensioner's pension and allowances, where these are paid, to be payable up to the end of the month in which he dies; to amend section 66 of the Railways and Harbours Service Act, 1912, so as to provide for the continuation of certain pension benefits which are at present payable in terms of the provisions of the Civil Service and Pensions Funds Act, 1895 (Act No. 32 of 1895 of the Cape of Good Hope); to amend section 60 bis of the Railways and Harbours Control and Management (Consolidation) Act, 1957, so as to amend certain provisions relating to the supply of intoxicating liquor to Bantu servants; to amend section 14 of the Railways and Harbours Service Act, 1960, so as to amend certain provisions relating to the payment of an amount in cash in respect of leave due to servants; to amend section 17 of the said Act, so as to provide for the payment of an award to servants, or their dependants, who are at present, in terms of section 7 of the Workmen's Compensation Act, 1941, precluded from instituting a claim under common law against the Department; to amend section 18 of the Railways and Harbours Superannuation Fund Act, 1960, so as to provide for the commutation factor in the calculation of pension benefits of certain servants in the airways department of the Service; to amend section 2 of the Level Crossings Act, 1960, so as to provide for the doubling of contributions towards the Level Crossings Elimination Fund; to validate certain changes in conditions of employment; and to provide for other incidental matters.

(Afrikaans text signed by the Acting State President.)  
(Assented to 27th February, 1968.)

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

Amendment of  
section 2 of Act 28  
of 1912, as  
amended by  
section 2 of  
Act 63 of 1951.

Amendment of  
section 66 of  
Act 28 of 1912,  
as amended by  
section 70 of  
Act 24 of 1925.

1. Section 2 of the Railways and Harbours Service Act, 1912, is hereby amended by the substitution for the definition of the expression "annuity" of the following definition:

"'annuity' means an annual sum payable up to the end of the month in which a retired member or the widow of a deceased member or annuitant dies;".

2. Section 66 of the Railways and Harbours Service Act, 1912, is hereby amended by the addition of the following subsections:

"(4) Any person in receipt of an annuity in terms of the Civil Service and Pensions Funds Act, 1895 (Act No. 32 of 1895 of the Cape of Good Hope), shall after the thirtieth

rechten en voorrechten door hem genoten overeenkomstig deze Wet.

(5) De weduwe van een lid die recht had op een jaargeld overeenkomstig Wet No. 32 van 1895 van de Kaap de Goede Hoop voormeld, en na de dertigste dag van Juni 1968 overlijdt, zal een jaargeld worden betaald, berekend volgens de bepalingen van de Wet of op zodanige andere grondslag als op aanbeveling van een actuaris kan worden goedgekeurd.”.

**3. Artikel 60 bis van die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957, word hierby gewysig—**

(a) deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

„(a) sterk drank of 'n bepaalde soort sterk drank aan 'n Bantoedienaar wat agtien jaar oud of ouer is, verkoop of verskaf op die perseel van 'n kampong, kafeteria of hostel wat deur die Administrasie vir die huisvesting van of voorsiening van voedsel aan sy Bantoedienare aangehou word en wat deur die Minister vir die doeleindes van hierdie artikel goedgekeur is;”;

(b) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Die verkoop of verskaffing van sterk drank in gevolge subartikel (1) geskied net vir gebruik op die perseel van sodanige kampong, kafeteria of hostel, en sodanige verkoop of verskaffing sowel as die brou van Bantoebier ingevolge daardie subartikel, is onderworpe aan enige toepaslike regulasie.”.

**4. Artikel 1 van die Wet op Spoerweg- en Hawediens, 1960, word hierby gewysig deur in subartikel (1) die omskrywing van die uitdrukking „jaargeld” deur die volgende omskrywing te vervang:**

„jaargeld” 'n jaarlikse som betaalbaar tot aan die end van die maand waarin 'n afgetrede dienaar of die weduwe van 'n oorlede dienaar of jaargeldtrekker te sterwe kom.”.

**5. (1) Artikel 14 van die Wet op Spoerweg- en Hawediens, 1960, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:**

„14. (1) (a) Met inagneming van die bepalings van paragraaf (b), is 'n dienaar wat afgedank word ten gevolge van die afskaffing van sy betrekking, vermindering of reorganisasie van personeel, of op grond van superannuasie, slegte gesondheid, ernstige ligaamlike letsel of liggaamlike ongesiktheid, by uitdienstreding geregtig om van die Administrasie betaling van sy emolumente te ontvang ten opsigte van 'n tydperk van vakansieverlof van hoogstens ses maande wat ten tyde van sy uitdienstreding aan hom verskuldig is: Met dien verstande dat indien hy te eniger tyd gedurende die twaalf maande wat op bedoelde datum eindig, met vakansieverlof was vir 'n tydperk wat drie maande oorskry, of vir tydperke wat tesame drie maande oorskry, bedoelde maksimum tydperk van ses maande verminder word in die mate waarin drie maande aldus oorskry word.

(b) Die Minister kan, onderworpe aan die voorwaardes wat hy van tyd tot tyd mag voorskryf, die betaling van emolumente ten opsigte van verdere tydperke van vakansieverlof verskuldig aan 'n dienaar vermeld in paragraaf (a) goedkeur.”.

(2) Subartikel (1) word geag op die eerste dag van Januarie 1968 in werking te getree het.

day of June, 1968, continue to enjoy the same rights and privileges in terms of this Act.

(5) The widow of a member who was eligible for an annuity in terms of the said Act No. 32 of 1895 of the Cape of Good Hope, and who dies after the thirtieth day of June, 1968, shall be paid an annuity calculated in accordance with the provisions of that Act or on such other basis as may be approved on recommendation of an actuary.”.

Amendment of  
section 60 bis  
of Act 70 of 1957,  
as inserted by  
section 8 of  
Act 62 of 1962  
and amended by  
section 36 of  
Act 6 of 1965.

**3. Section 60 bis of the Railways and Harbours Control and Management (Consolidation) Act, 1957, is hereby amended—**

(a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) sell or supply intoxicating liquor or any particular kind of intoxicating liquor to any Bantu servant of the age of eighteen years or more, on the premises of a compound, cafeteria or hostel maintained by the Administration for the accommodation or feeding of its Bantu servants and approved by the Minister for the purposes of this section;”;

(b) by the substitution for subsection (3) of the following subsection:

“(3) The sale or supply of intoxicating liquor in terms of subsection (1) shall be for consumption only on the premises of such compound, cafeteria or hostel, and such sale or supply as well as the brewing of Bantu beer in terms of that subsection, shall be subject to any applicable regulation.”.

Amendment of  
section 1 of Act  
22 of 1960, as  
amended by sec-  
tion 11 of Act 62  
of 1961, section 7  
of Act 7 of 1963  
and section 45 of  
Act 6 of 1965.

**4. Section 1 of the Railways and Harbours Service Act, 1960, is hereby amended by the substitution, in subsection (1), for the definition of the expression “annuity” of the following definition:**

“‘annuity’ means an annual sum payable up to the end of the month in which a retired servant or the widow of a deceased servant or annuitant dies;”.

Amendment of  
section 14 of  
Act 22 of 1960, as  
amended by  
section 11 of  
Act 62 of 1962.

**5. (1) Section 14 of the Railways and Harbours Service Act, 1960, is hereby amended by the substitution for subsection (1) of the following subsection:**

**“14. (1) (a) Subject to the provisions of paragraph (b), a servant whose services are dispensed with owing to abolition of office, reduction in or reorganization of staff, or on the ground of superannuation, ill-health, severe bodily injury or physical disability shall, on retirement, be entitled to payment by the Administration of his emoluments in respect of a period of vacation leave due to him at the date of his retirement not exceeding six months: Provided that the said maximum period of six months shall, if he has at any time during the twelve months ending upon the said date, been on vacation leave for any period in excess of three months or for any periods which in the aggregate exceed three months, be reduced by the extent of such excess.**

**(b) The Minister may, subject to such conditions as he may prescribe from time to time, approve of the payment of emoluments in respect of additional periods of vacation leave due to a servant mentioned in paragraph (a).”.**

**(2) Subsection (1) shall be deemed to have come into operation on the first day of January, 1968.**

**6.** Artikel 17 van die Wet op Spoorweg- en Hawediens, 1960, word hierby gewysig deur die volgende voorbehoudsbepaling by subartikel (1) in te voeg:

„Met dien verstande dat, ondanks die bepalings van artikel 7 van daardie Wet of enige ander wetsbepalings, waar 'n ongeval, ten opsigte waarvan skadeloosstelling betaalbaar is, toe te skryf is aan die nalatigheid van die Administrasie of van 'n dienaar van die Administrasie, uitgesonderd die beseerde of oorlede dienaar, wat in die uitvoering van sy pligte optree, die dienaar of, as hy oorlede is, sy afhanklikes, 'n eis teen die Administrasie kan instel vir 'n toekennung gelykstaande met die geldelike verlies wat deur die ongeval veroorsaak is, min die skadeloosstelling betaalbaar ingevolge daardie Wet en enige ander voordeel wat as gevolg van die ongeval kan toeval.”.

**7.** Artikel 1 van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960, word hierby gewysig deur die omskrywing van die uitdrukking „jaargeld” deur die volgende omskrywing te vervang:

„jaargeld” 'n jaarlikse som betaalbaar tot aan die einde van die maand waarin 'n afgetrede dienaar of die weduwe van 'n oorlede dienaar of jaargeldtrekker te sterwe kom;”.

**8. (1)** Artikel 18 van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960, word hierby gewysig deur die voorbehoudsbepaling by subartikel (3) deur die volgende voorbehoudsbepaling te vervang:

„Met dien verstande dat in die geval van 'n lid op wie die bepalings van paragraaf (c) of (e) van subartikel (1) van artikel 16 van die Wet op Spoorweg- en Hawediens, 1960, van toepassing is, die faktor wat ingevolge subartikel (1) van hierdie artikel op die ouderdom van vyf-en-vyftig jaar van toepassing is, by die berekening van bedoelde kontantbetaling gebruik moet word, en dat in die geval van 'n lid op wie die bepalings van paragraaf (d) van eersgenoemde subartikel van toepassing is, die faktor wat ingevolge subartikel (1) van hierdie artikel op die ouderdom van vyftig jaar van toepassing is, vir daardie doel gebruik moet word ongeag, in albei gevalle, die ouderdom van die betrokke lid.”.

(2) Subartikel (1) word geag op die agste dag van Maart 1967 in werking te getree het.

**9.** Artikel 2 van die Wet op Spooroorgange, 1960, word hierby gewysig deur in subartikel (2) die woorde „eenmiljoen vyf-honderduisend rand” deur die woorde „driemiljoen rand” te vervang.

**10.** Alle veranderings in diensvoorraades waarvoor voorstiening gemaak word in 'n regulasie gepubliseer in een van die Goewermentskennisgewings wat in die Bylae by hierdie Wet genoem word, en wat met terugwerkende krag in werking gestel is, of ten opsigte waarvan die wysigende regulasies nie deur die Staatspresident goedgekeur is nie tot na die verstryking van die tydperk van drie maande vermeld in artikel 32 (3) van die Wet op Spoorweg- en Hawediens, 1960 (Wet No. 22 van 1960), word hierby geldig verklaar met ingang van die datums van inwerkingtreding van sodanige veranderings.

**11.** Hierdie Wet, met uitsondering van artikel 9, is ook op die gebied Suidwes-Afrika van toepassing.

**12.** Hierdie Wet heet die Wysigingswet op Spoorweg- en Kort titel. Hawewette, 1968.

Wysiging van artikel 17 van Wet 22 van 1960, soos gewysig deur artikel 4 van Wet 54 van 1964 en artikel 60 van Wet 6 van 1965.

Wysiging van artikel 1 van Wet 39 van 1960, soos gewysig deur artikel 15 van Wet 62 van 1961, artikel 19 van Wet 7 van 1963 en artikels 61 en 69 van Wet 6 van 1965.

Wysiging van artikel 18 van Wet 39 van 1960, soos gewysig deur artikel 21 van Wet 7 van 1963, artikel 64 van Wet 6 van 1965, artikel 9 van Wet 18 van 1966 en artikel 6 van Wet 23 van 1967.

Wysiging van artikel 2 van Wet 41 van 1960, soos gewysig deur artikel 71 van Wet 6 van 1965.

Geldigverklaring van sekere veranderings in diensvoorraades.

Toepassing van Wet op Suidwes-Afrika.

Amendment of section 17 of Act 22 of 1960, as amended by section 4 of Act 54 of 1964 and section 60 of Act 6 of 1965.

6. Section 17 of the Railways and Harbours Service Act, 1960, is hereby amended by the insertion of the following proviso to subsection (1):

"Provided that, notwithstanding anything in section 7 of that Act or in any other law contained, where an accident in respect of which compensation is payable is due to the negligence of the Administration or of a servant of the Administration, other than the injured or deceased servant, acting in the course of his employment, the servant or, if he is deceased, his dependants may claim an award from the Administration equivalent to the pecuniary loss caused by the accident, less the compensation payable in terms of that Act and any other benefit that may accrue as a result of the accident.".

Amendment of section 1 of Act 39 of 1960, as amended by section 15 of Act 62 of 1961, section 19 of Act 7 of 1963 and sections 61 and 69 of Act 6 of 1965.

7. Section 1 of the Railways and Harbours Superannuation Fund Act, 1960, is hereby amended by the substitution for the definition of the expression "annuity" of the following definition:

"'annuity' means an annual sum payable up to the end of the month in which a retired servant or the widow of a deceased servant or annuitant dies;".

Amendment of section 18 of Act 39 of 1960, as amended by section 21 of Act 7 of 1963, section 64 of Act 6 of 1965, section 9 of Act 18 of 1966 and section 6 of Act 23 of 1967.

8. (1) Section 18 of the Railways and Harbours Superannuation Fund Act, 1960, is hereby amended by the substitution, for the proviso to subsection (3), of the following proviso:

"Provided that in the case of a member to whom the provisions of paragraph (c) or (e) of subsection (1) of section 16 of the Railways and Harbours Service Act, 1960, apply, the factor which in terms of subsection (1) of this section is applicable to the age of fifty-five years shall be used for the purpose of calculating such cash payment, and that in the case of a member to whom the provisions of paragraph (d) of the first-mentioned subsection apply, the factor which in terms of subsection (1) of this section is applicable to the age of fifty years shall be used for that purpose irrespective, in either case, of the age of the member concerned.".

(2) Subsection (1) shall be deemed to have come into operation on the eighth day of March, 1967.

Amendment of section 2 of Act 41 of 1960, as amended by section 71 of Act 6 of 1965.

9. Section 2 of the Level Crossings Act, 1960, is hereby amended by the substitution, in subsection (2), for the words "one million five hundred thousand rand" of the words "three million rand".

Validation of certain changes in conditions of employment.

10. All changes in conditions of employment for which provision is made in any regulation published under any Government Notice mentioned in the Schedule to this Act, and which were brought into operation with retrospective effect or in respect whereof the amending regulations were not approved by the State President until after the expiration of the period of three months mentioned in section 32 (3) of the Railways and Harbours Service Act, 1960 (Act No. 22 of 1960), are hereby validated with effect from the dates as from which such changes were brought into operation.

Application of Act to South-West Africa.

11. This Act, other than section 9, shall apply also to the territory of South-West Africa.

Short title.

12. This Act shall be called the Railways and Harbours Acts Amendment Act, 1968.

## Bylae.

Goewerments-kennisgewing No.	Datum van afkondiging.
R. 888	10. 6.1966
R. 1784	11.11.1966
R. 995	
R. 996}	30. 6.1967
R. 997	

Schedule.

Number of Government Notice.	Date of Publication.
R. 888	10. 6.1966
R.1784	11.11.1966
R. 995	
R. 996	30. 6.1967
R. 997}	