

Property Division



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GOVERNMENT GAZETTE



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DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 858.

28th May, 1969,

No. 858.

28 Mei 1969.

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

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

No. 60 of 1969: Broadcasting Amendment Act, 1969.

No. 60 van 1969: Uitsaaiwysigingswet, 1969.

Act No. 60, 1969

BROADCASTING AMENDMENT ACT, 1969.

ACT

To amend the provisions of the Broadcasting Act, 1936, in relation to the establishment of the control board, the remuneration of members of the board and the powers of the board; to grant power to the South African Broadcasting Corporation in relation to the acquisition or erection of broadcasting stations outside the Republic and the territory of South-West Africa, the issuing of free listeners' licences to certain categories of educational and other institutions and persons, the exercise of powers of expropriation in respect of land, the establishment of a housing, bursary and aid fund, the raising of short term loans, and incidental matters; to apply the provisions of the said Act to the territory of South-West Africa; to substitute certain words occurring in the said Act; and to provide for incidental matters.

*(English text signed by the State President.)
(Assented to 16th May, 1969.)*

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
22 of 1936.

1. Section 2 of the Broadcasting Act, 1936 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The operations of the corporation shall, subject to the provisions of this Act and of section 4 (1) of the Radio Act, 1952 (Act No. 3 of 1952), be managed and controlled by a control board (hereinafter referred to as the board) consisting of not more than nine or less than seven members, who shall be appointed by the State President, and shall hold office for such period not exceeding five years and on such conditions as he may, at the time of their appointment, determine.”.

Substitution of
section 5 of
Act 22 of 1936,
as amended by
section 1 of
Act 49 of 1960.

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

“Remuneration of
members of
the board.

5. (1) There shall be paid to the chairman, the vice-chairman and the other members of the board, respectively, out of the revenues of the corporation, such salaries as the State President may from time to time determine.

(2) There may be paid to the chairman, the vice-chairman and the other members of the board, respectively, out of the said revenues, such allowances for expenses incurred by them in the performance of their duties as the State President may from time to time determine.”.

Amendment of
section 8 of
Act 22 of 1936.

3. Section 8 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

WET

Tot wysiging van die bepalings van die Uitsaaiwet, 1936, met betrekking tot die instelling van die Beheerraad, die besoldiging van raadslede en die bevoegdhede van die raad; om aan die Suid-Afrikaanse Uitsaaikorporasie bevoegdhede te verleen met betrekking tot die verkryging of oprigting van uitsaai-stasies buite die Republiek en die gebied Suidwes-Afrika, die uitreiking van gratis luisteraarslisensies aan sekere kategorieë opvoedkundige en ander inrigtings en persone, die uitoefening van onteieningsmagte ten opsigte van grond, die stigting van 'n behuisings-, beurs-, en helpfonds, die aangaan van korttermynlenings, en bykomstige aangeleenthede; om die bepalings van genoemde Wet ook op die gebied Suidwes-Afrika van toepassing te maak; om sekere woorde wat in genoemde Wet voorkom te vervang; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 16 Mei 1969.)

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

1. Artikel 2 van die Uitsaaiwet, 1936, (hieronder die Hoofwet genoem), word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van
artikel 2 van
Wet 22 van 1936.

„(1) Die werksaamhede van die korporasie word, met inagneming van die bepalings van hierdie Wet en van artikel 4 (1) van die Radiowet, 1952 (Wet No. 3 van 1952), bestuur en beheer deur 'n Beheerraad (hieronder die raad genoem), bestaande uit nie meer nie as nege of nie minder nie as sewe lede wat deur die Staatspresident aangestel word en hul amp beklee vir die tydperk, vyf jaar nie te bowe gaande nie, en op die voorwaardes wat hy by hul aanstelling bepaal.”

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

„Besoldiging van raadslede.

5. (1) Aan onderskeidelik die voorsitter, die vise-voorsitter en die ander raadslede word uit die inkomste van die korporasie die salarisse betaal wat die Staatspresident van tyd tot tyd vasstel.

(2) Aan onderskeidelik die voorsitter, die vise-voorsitter en die ander raadslede kan uit bedoelde inkomste die toelaes betaal word, ten aansien van koste deur hulle aangegaan in verband met die vervulling van hul pligte, wat die Staatspresident van tyd tot tyd vasstel.”

Vervanging van
artikel 5 van
Wet 22 van 1936
soos gewysig
deur artikel 1
van Wet 49 van
1960.

3. Artikel 8 van die Hoofwet word hierby gewysig deur sub-artikel (2) deur die volgende subartikel te vervang:

Wysiging van
artikel 8 van
Wet 22 van 1936.

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“(2) The minutes of a meeting shall be submitted to the next ensuing meeting and shall, if they are passed as correct, be signed by the chairman presiding at that meeting.”.

Substitution of section 11 of Act 22 of 1936, as substituted by section 4 of Act 49 of 1960.

4. The following section is hereby substituted for section 11 of the principal Act:

“Advisory committees. 11. (1) The board may from time to time appoint advisory committees at such places as it may deem fit to advise it with regard to matters connected with any service undertaken by the corporation.
(2) Any such advisory committee may at its discretion appoint advisory sub-committees.”.

Amendment of section 12 of Act 22 of 1936, as substituted by section 1 of Act 14 of 1949 and amended by section 1 of Act 34 of 1952.

5. Section 12 of the principal Act is hereby amended—
(a) by the substitution in the Afrikaans text of paragraph (a) (ii) for the word “onderhewig” of the word “onderworpe”; and
(b) by the substitution for paragraph (c) of the following paragraph:
“(c) to supply, with the approval of the Minister and subject to such conditions and for such consideration as the corporation may, with the approval of the Minister, determine, programmes over wires to any person licensed by the Postmaster-General under section 78 of the Post Office Act, 1958 (Act No. 44 of 1958), to construct, maintain and work telegraph lines for the purpose of relaying to any person over such lines a programme so supplied.”.

Amendment of section 13 of Act 22 of 1936, as amended by section 2 of Act 14 of 1949 and section 5 of Act 49 of 1960.

6. Section 13 of the principal Act is hereby amended—
(a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:
“(a) within or, with the approval of the Minister, outside the Republic and the territory of South-West Africa acquire or erect broadcasting or television stations or substations, and such studios or plant as may be required in connection with any such station, and acquire any equipment therefor or rights connected therewith;”;
(b) by the substitution for paragraph (c) of the said subsection of the following paragraph:
“(c) acquire copyrights and performing rights and deal therewith and dispose of the same;”;
(c) by the substitution for paragraph (f) of the said subsection of the following paragraph:
“(f) obtain from any government or body outside the Republic or the territory of South-West Africa, rights or concessions relating to the relay by the corporation of any item or programme broadcast by that government or body;”;
(d) by the substitution for paragraph (h) of the said subsection of the following paragraph:
“(h) compile, print, publish or distribute any literary matter and recordings relating to broadcasting, television or an undertaking carried on by the corporation;”;
(e) by the substitution for paragraph (l) of the said subsection of the following paragraph:
“(l) engage such officers and other employees as the corporation may deem necessary, determine their duties, salaries, wages, allowances or other remuneration and their conditions of service in general, and discharge them;”;
(f) by the insertion after paragraph (l) of the said subsection of the following paragraph:

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„(2) Die notule van 'n vergadering word by die eersvolgende vergadering voorgelê en word, indien aangeneem, deur die voorsitter wat op daardie vergadering presideer, onderteken.”

4. Artikel 11 van die Hoofwet word hierby deur die volgende artikel vervang:

„Advise-
rende
komitees.

11. (1) Die raad kan van tyd tot tyd adviserende komitees aanstel op die plekke wat hy goedvind, om hom met betrekking tot aangeleenthede in verband met enige diens onderneem deur die korporasie, van advies te dien.

(2) So 'n adviserende komitee kan na goedunke adviserende sub-komitees aanstel.”

Vervanging van
artikel 11 van
Wet 22 van 1936
soos vervang
deur artikel 4
van Wet 49
van 1960.

5. Artikel 12 van die Hoofwet word hierby gewysig—

(a) deur in paragraaf (a) (ii) die woord „onderhewig” deur die woord „onderworpe” te vervang; en

(b) deur paragraaf (c) deur die volgende paragraaf te vervang:

„(c) om, met die goedkeuring van die Minister en onderworpe aan die voorwaardes en teen die vergoeding wat die korporasie, met die goedkeuring van die Minister, bepaal, programme oordrade te verskaf aan iemand wat ingevolge artikel 78 van die Poswet, 1958 (Wet No. 44 van 1958), deur die Posmeester-generaal gelisensieer is om telegraaflyne aan te lê, in stand te hou en te bedien, vir die heruitsending aan enigiemand oor sulke lyne van 'n program aldus verskaf.”

Wysiging van
artikel 12 van
Wet 22 van 1936
soos vervang
deur artikel 1
van Wet 14 van
1949 en gewysig
deur artikel 1
van Wet 34 van
1952.

6. Artikel 13 van die Hoofwet word hierby gewysig—

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

„(a) binne, of, met die goedkeuring van die Minister, buite, die Republiek en die gebied Suidwes-Afrika uitsaai- of televisiestasies of onderstasies en sulke klanksale of installasies as wat nodig is in verband met enige sodanige stasie, verkry of oprig, en toerusting daarvoor verkry of regte daarmee verbonde;”;

(b) deur paragraaf (c) van genoemde subartikel deur die volgende paragraaf te vervang:

„(c) outeursregte en voorstellingsregte verkry, en daarmee handel en dit vervreem;”;

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

„(f) van 'n regering of liggaam buite die Republiek of die gebied Suidwes-Afrika regte of konsessies verkry met betrekking tot die heruitsaaiing deur die korporasie van 'n nommer of program deur daardie regering of liggaam uitgesaai;”;

(d) deur paragraaf (h) van genoemde subartikel deur die volgende paragraaf te vervang:

„(h) leesstof en opnames wat betrekking het op uitsaaiing, televisie of 'n onderneming deur die korporasie voortgesit, saamstel, druk, uitgee of versprei;”;

(e) deur paragraaf (l) van genoemde subartikel deur die volgende paragraaf te vervang:

„(l) die beampptes en ander werknemers wat die korporasie nodig ag in diens neem, hulle pligte, salarisse, lone, toelaes of ander besoldiging, en hulle diensvoorwaardes in die algemeen, bepaal en hulle ontslaan;”;

(f) deur na paragraaf (l) van genoemde subartikel die volgende paragraaf in te voeg:

Wysiging van
artikel 13 van
Wet 22 van 1936,
soos gewysig
deur artikel 2
van Wet 14 van
1949 en artikel
5 van Wet 49
van 1960.

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- “(IA) by means of the establishment of a housing fund or otherwise provide for the provision of housing to the officers and other employees of the corporation upon such terms and conditions as the corporation may determine;”;
- (g) by the substitution for paragraph (m) of the said subsection of the following subsection:
- “(m) establish or support associations or institutions for the promotion of the interests of its officers and other employees or their dependants, establish a bursary fund to finance or to assist in financing in the interests of the corporation the training or further training of existing or prospective officers and other employees of the corporation, establish an aid fund for the rendering of assistance to its officers and other employees or their dependants under such circumstances as the board may approve, and provide for its officers and other employees or their dependants, by means of insurance with an insurance company or a pension or provident fund or otherwise, pecuniary benefits upon retirement or termination of service or at any other time; and”;
- (h) by the insertion after subsection (1) of the following subsection:
- “(1A) The corporation may at the end of every financial year of the corporation out of the moneys paid into the general fund pay into the housing fund and the bursary fund established under subsection (1) (IA) and (m), respectively, such sums as may be determined by the board, and may invest in stocks or securities approved by the Minister so much of the moneys in the housing fund and the bursary fund as is not required for immediate payment out of the said funds.”; and
- (i) by the substitution for paragraph (b) of subsection (3) of the following paragraph:
- “(b) Such expenditure shall include amounts expended on the remuneration and allowances of members of the Bantu Programme Control Board and advisory committees referred to in section 13bis.”.

Amendment of section 13bis of Act 22 of 1936, as inserted by section 6 of Act 49 of 1960.

7. Section 13bis of the principal Act is hereby amended—
- (a) by the substitution in the Afrikaans text of subsection (7) for the word “onderhewig” of the word “onderworpe”; and
- (b) by the substitution for subsections (8) and (9) of the following subsections:
- “(8) The Bantu Programme Control Board may from time to time appoint advisory committees at such places as it may deem fit, to advise it with regard to its functions, and any such advisory committee may at its discretion appoint advisory sub-committees.
- (9) The Bantu Programme Control Board, in consultation with the control board, may make regulations as to the constitution and duties of the advisory committees referred to in subsection (8), the meetings of such committees and the procedure to be followed at such meetings, and the remuneration and allowances payable out of the revenues of the corporation to the members of such councils.”.

Amendment of section 15 of Act 22 of 1936, as amended by section 3 of Act 14 of 1949.

8. Section 15 of the principal Act is hereby amended—
- (a) by the substitution for subsection (1) of the following subsection:
- “(1) The Postmaster-General shall issue to the corporation such licences under the Radio Act, 1952 (Act No. 3 of 1952), for broadcasting within the

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- „(IA) deur middel van die stigting van 'n behuisingsfonds of op 'n ander wyse voorsiening maak vir die verskaffing van huisvesting aan die beamptes en ander werknemers van die korporasie op die bedinge en voorwaardes wat die korporasie bepaal;”;
- (g) deur paragraaf (m) van genoemde subartikel deur die volgende paragraaf te vervang:
- „(m) verenigings of inrigtings ter bevordering van die belange van sy beamptes en ander werknemers of hul afhanklikes stig of ondersteun, 'n beursfonds stig om in die belang van die korporasie die opleiding of verdere opleiding te finansier of te help finansier van bestaande of toekomstige beamptes en ander werknemers van die korporasie, 'n hulpfonds stig vir die verlening van bystand aan sy beamptes en ander werknemers of hul afhanklikes onder die omstandighede wat die raad goedkeur, en vir sy beamptes en ander werknemers of hul afhanklikes, deur middel van versekering by 'n versekeringsmaatskappy of 'n pensioen- of ondersteuningsfonds of op 'n ander wyse, voorsiening maak vir geldelike voordele by uitdienstreding of beëindiging van diens of op enige ander tydstop; en”;
- (h) deur na subartikel (1) die volgende subartikel in te voeg:
- „(IA) Die korporasie kan aan die einde van elke boekjaar van die korporasie in die behuisingsfonds en die beursfonds onderskeidelik kragtens subartikel (1) (IA) en (m) gestig, uit die gelde in die algemene fonds gestort, die bedrae stort wat die raad bepaal, en kan soveel van die gelde in die behuisingsfonds en die beursfonds wat nie vir onmiddellike betaling uit bedoelde fondse nodig is nie, in deur die Minister goedgekeurde effekte of sekuriteite belê.”; en
- (i) deur paragraaf (b) van subartikel (3) deur die volgende paragraaf te vervang:
- „(b) Sodanige uitgawes sluit in bedrae bestee aan die besoldiging en toelaes van lede van die in artikel 13bis bedoelde Bantoe-program-beheerraad en adviserende komitees.”.

7. Artikel 13bis van die Hoofwet word hierby gewysig—

- (a) deur in subartikel (7) die woord „onderhewig” deur die woord „onderworpe” te vervang; en
- (b) deur subartikels (8) en (9) deur die volgende subartikels te vervang:
- „(8) Die Bantoe-program-beheerraad kan van tyd tot tyd adviserende komitees aanstel op dié plekke wat hy goedvind, om hom met betrekking tot sy werksaamhede van advies te dien, en so 'n adviserende komitee kan na goeddunke adviserende sub-komitees aanstel.
- (9) Die Bantoe-program-beheerraad kan, in oorleg met die Beheerraad, regulasies uitvaardig aangaande die samestelling en pligte van die in subartikel (8) bedoelde adviserende komitees, die vergaderings van daardie komitees en die prosedure wat op dié vergaderings gevolg moet word, en die besoldiging en toelaes betaalbaar uit die inkomste van die korporasie aan die lede van daardie komitees.”.

Wysiging van artikel 13bis van Wet 22 van 1936, soos ingevoeg deur artikel 6 van Wet 49 van 1960.

Artikel 15 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (1) deur die volgende subartikel te vervang:
- „(1) Die Posmeester-generaal reik sodanige lisensies kragtens die Radiowet, 1952 (Wet No. 3 van 1952), vir uitsaaiing binne die Republiek en die gebied

Wysiging van artikel 15 van Wet 22 van 1936, soos gewysig deur artikel 3 van Wet 14 van 1949.

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Republic and the territory of South-West Africa as may be necessary to enable the corporation to carry out its objects.”;

- (b) by the deletion of subsection (2); and
- (c) by the substitution for subsection (3) of the following subsection:

“(3) Notwithstanding anything to the contrary contained in any law, the conditions subject to which the necessary licences shall be issued to the corporation in terms of subsection (1), shall be determined and may be modified from time to time by the Minister, and no such licence shall be suspended or cancelled except with the consent of the Minister.”.

Amendment of
section 17 of
Act 22 of 1936.

9. Section 17 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) on the penultimate working day of each month so much of the licence fees and fines, which have been collected during that month and the collection of which has at that date been notified to the accountant of the Department of Posts and Telegraphs, as is due to the corporation in terms of section 15 of the Radio Act, 1952 (Act No. 3 of the 1952); and”.

Insertion of
section 17A in
Act 22 of 1936.

10. The following section is hereby inserted in the principal Act after section 17:

“Free
listeners’
licences.

17A. (1) The corporation may, subject to the conditions prescribed by regulation which are referred to in section 7 (1A) of the Radio Act, 1952 (Act No. 3 of 1952), issue free listeners’ licences which give the holders the right to receive by radio anything which is broadcast in a broadcasting service to such categories of educational, charitable and State institutions, and to such categories of hospitals and persons as the board may approve and prescribe by regulation under section 25 (1) (f), and the board may take such reasonable steps as it may think fit to satisfy itself whether a particular institution, hospital or person belongs to a category so prescribed or has ceased to belong thereto.

(2) The corporation may at any time withdraw a free listener’s licence issued to any particular institution, hospital or person which or who in the opinion of the board has ceased to belong to a prescribed category referred to in subsection (1), and shall at the request of the Postmaster-General withdraw any free licence if the Postmaster-General has found that the holder thereof has contravened any provision of the Radio Act, 1952 (Act No. 3 of 1952), or of the regulations made thereunder, or any condition of such licence.”.

Amendment of
section 18 of
Act 22 of 1936.

11. Section 18 of the principal Act is hereby amended by the addition of the following subsection:

“(3) The corporation may at any time raise short term loans, by way of overdrawing its account with a bank or otherwise, to meet any casual deficits that may arise from time to time in the general fund established under section 19.”.

Substitution of
section 18ter
of Act 22 of 1936
as inserted by
section 13 of Act
70 of 1938.

12. The following section is hereby substituted for section 18ter of the principal Act:

“Exemption from stamp duty on issue or transfer of marketable securities. 18ter. Notwithstanding anything contained in the Stamp Duties Act, 1968 (Act No. 77 of 1968), no stamp duty shall be payable in respect of the issue or the registration of transfer of any marketable security by the corporation.”.

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Suidwes-Afrika aan die korporasie uit as wat nodig is om hom in staat te stel om sy oogmerke uit te voer.”;

(b) deur subartikel (2) te skrap; en

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

„(3) Ondanks andersluidende wetsbepalings, word die voorwaardes waarop die nodige lisensies aan die korporasie ingevolge subartikel (1) uitgereik word, deur die Minister bepaal en kan sulke voorwaardes van tyd tot tyd deur die Minister gewysig word, en word geen sodanige lisensie opgeskort of ingetrek nie behalwe met die goedkeuring van die Minister.”.

9. Artikel 17 van die Hoofwet word hierby gewysig deur Wysiging van paragraaf (a) van subartikel (1) deur die volgende paragraaf te artikel 17 van vervang: Wet 22 van 1936.

„(a) op die voorlaaste werkdag van elke maand soveel van die lisensiegelde en boetes wat gedurende daardie maand ingesamel is en van die insameling waarvan aan die rekenmeester van die Departement van Pos-en Telegraafwese op daardie datum kennis gegee is, as wat volgens artikel 15 van die Radiowet, 1952 (Wet No. 3 van 1952), aan die korporasie verskuldig is; en”.

10. Die volgende artikel word hierby in die Hoofwet na Invoeging van artikel 17A in artikel 17 ingevoeg: Wet 22 van 1936.

„Gratis
luisteraars-
lisensies.

17A. (1) Die korporasie kan, op die by regulasie voorgeskrewe voorwaardes in artikel 7 (1A) van die Radiowet, 1952 (Wet No. 3 van 1952), bedoel, gratis luisteraarslisensies, wat die houters die reg verleen om deur middel van radio enigiets te ontvang wat in 'n uitsaaidiens uitgesaai word, uitreik aan die kategorieë opvoedkundige-, liefdadigheids- en staats-inrigtings, en aan die kategorieë hospitale en persone wat die raad goedkeur en by regulasie kragtens artikel 25 (1) (f) voorskryf, en die raad kan die redelike stappe doen wat hy goeie dink om homself daarvan te vergewis of 'n bepaalde inrigting, hospitaal of persoon tot 'n aldus voorgeskrewe kategorie behoort of opgehou het om daartoe te behoort.

(2) Die korporasie kan te eniger tyd 'n gratis luisteraarslisensie intrek wat aan 'n bepaalde inrigting, hospitaal of persoon uitgereik is wat na die oordeel van die raad opgehou het om te behoort tot 'n voorgeskrewe kategorie in subartikel (1) bedoel, en trek op versoek van die Posmeester-generaal 'n gratis lisensie in indien die Posmeester-generaal bevind het dat die houer daarvan 'n bepaling van die Radiowet, 1952 (Wet No. 3 van 1952), of van die regulasies daarkragtens uitgevaardig, of 'n voorwaarde van sodanige lisensie, oortree het.”.

11. Artikel 18 van die Hoofwet word hierby gewysig deur Wysiging van die volgende subartikel by te voeg: artikel 18 van Wet 22 van 1936.

„(3) Die korporasie kan te eniger tyd korttermynlenings aangaan, by wyse van die oortrekking van sy rekening by 'n bank of andersins, om toevallige tekorte te dek wat van tyd tot tyd in die kragtens artikel 19 gestigte algemene fonds ontstaan.”.

12. Artikel 18ter van die Hoofwet word hierby deur die Vervanging van volgende artikel vervang: artikel 18ter van Wet 22 van 1936 soos ingevoeg deur artikel 13 van Wet 70 van 1938.

„Vrystelling 18ter. Ondanks die bepalinge van die Wet op van seëlregte Seëlregte, 1968 (Wet No. 77 van 1968), is geen op uitgifte van seëlregte verskuldig nie ten opsigte van die uitgifte of oordrag of die registrasie van oordrag van 'n bemerkbare van sekuriteit deur die korporasie uitgegee.”.

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Substitution of
section 19 of
Act 22 of 1936.

13. The following section is hereby substituted for section 19 of the principal Act:

"General
fund.

19. The corporation shall establish a general fund into which all moneys received by the corporation shall be paid, and out of which all payments by the corporation, other than the payments to be made out of the reserve fund, or the development fund, or any interest, redemption, housing or bursary fund, shall be made."

Insertion of
section 23A in
Act 22 of 1936.

14. The following section is hereby inserted in the principal Act after section 23:

"Expro-
priation of
land or any
right in or
over land.

23A. (1) Notwithstanding anything to the contrary contained in any law, the corporation may with the approval of the Minister and subject to such conditions as he may impose, acquire by expropriation—

(a) any land required for the site of a radio transmitter and the buildings, radio masts, power generators and other accessories and enclosure connected therewith;

(b) any land required for an access road to such radio transmitter or for a wayleave for the construction and use of such road, and any right in or over land for the erection of power lines and the necessary wayleave for the erection, maintenance and inspection of such lines.

(2) The Minister shall not grant such approval unless he is satisfied, after consideration of a report by the board, that the corporation is unable to acquire such land or right upon reasonable terms by agreement with the owner and that it is necessary that such land or right be acquired by the corporation for the erection, maintenance and inspection of such radio transmitter with buildings, accessories, enclosure, access road and power lines.

(3) When the Minister has granted his approval for such an acquisition, the provisions of sections 4 to 13, inclusive, of the Expropriation Act, 1965 (Act No. 55 of 1965), shall apply *mutatis mutandis* in relation to such acquisition, and for the purposes of such application thereof any reference therein to the Minister and the State shall be construed as a reference to the corporation."

Amendment of
section 24 of
Act 22 of 1936.

15. Section 24 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

"(a) the book value of all classes of property owned by the corporation."

Amendment of
section 25 of
Act 22 of 1936,
as amended by
section 4 of
Act 14 of 1949
and section 11 of
Act 49 of 1960.

16. Section 25 of the principal Act is hereby amended—

(a) by the substitution for paragraphs (b) and (c) of subsection (1) of the following paragraphs:

"(b) the constitution, remuneration or allowances and duties of the advisory committees referred to in section 11, the meetings of such committees and the procedure to be followed at such meetings;

(c) the employment duties, remuneration, conditions of service and dismissal of the officers and other employees of the corporation;"

(b) by the substitution for paragraphs (e) and (f) of the said subsection of the following paragraphs:

"(e) the establishment and control of a pension, provident, housing, bursary or aid fund, the contributions to be paid by the corporation and

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13. Artikel 19 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 19 van Wet 22 van 1936.

„Algemene fonds.

19. Die korporasie stig 'n algemene fonds waarin alle gelde deur die korporasie ontvang gestort word en waaruit alle betalings deur die korporasie, behalwe betalings wat uit die reserwefonds of die ontwikkelingsfonds, of 'n rente-, aflossings-, behuisings-, of beursfonds gemaak moet word, geskied.”.

14. Die volgende artikel word hierby in die Hoofwet na artikel 23 ingevoeg:

Invoeging van artikel 23A in Wet 22 van 1936.

„Onteiening van grond of 'n reg in of oor grond.

23A. (1) Ondanks andersluidende wetsbepalings, kan die korporasie met die goedkeuring van die Minister en onderworpe aan die voorwaardes wat hy opleë, deur onteiening—

(a) grond verkry wat nodig is vir die terrein van 'n radiosender en die geboue, radiomaste, kragopwekkers of ander toebehore en omheining wat daarmee in verband staan;

(b) grond verkry wat nodig is vir 'n toegangspad na sodanige radiosender of vir 'n deurgangsreg vir die aanlê en gebruik van so 'n pad, en 'n reg in of oor grond vir die oprigting van kragleidings en die nodige deurgangsreg vir die oprigting, instandhouding en inspeksie van sodanige leidings.

(2) Die Minister verleen nie sodanige goedkeuring nie tensy hy, na oorweging van 'n verslag deur die raad, oortuig is dat die korporasie nie in staat is om sodanige grond of reg op redelike voorwaardes deur ooreenkoms met die eienaar te verkry nie en dat dit noodsaaklik is dat sodanige grond of reg deur die korporasie verkry moet word vir die oprigting, instandhouding en inspeksie van sodanige radiosender met geboue, toebehore, omheining, toegangspad en kragleidings.

(3) Sodra die Minister sy goedkeuring tot so 'n verkryging verleen het, geld die bepalinge van artikels 4 tot en met 13 van die Onteieningswet, 1965 (Wet No. 55 van 1965), *mutatis mutandis* met betrekking tot sodanige verkryging, en by sodanige toepassing daarvan word 'n verwysing daarin na die Minister en die Staat uitgelê as 'n verwysing na die korporasie.”.

15. Artikel 24 van die Hoofwet word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

Wysiging van artikel 24 van Wet 22 van 1936.

„(a) die boekwaarde van alle soorte eiendom deur die korporasie besit.”.

16. Artikel 25 van die Hoofwet word hierby gewysig—

Wysiging van artikel 25 van Wet 22 van 1936, soos gewysig deur artikel 4 van Wet 14 van 1949 en artikel 11 van Wet 49 van 1960.

(a) deur paragrafe (b) en (c) van subartikel (1) deur die volgende paragrafe te vervang:

„(b) die samestelling, besoldiging of toelaes en pligte van die in artikel 11 bedoelde adviserende komitees, die vergaderings van die komitees en die prosedure wat op dié vergaderings gevolg moet word;

(c) die indiensneming, pligte, besoldiging, diensvoorwaardes en ontslag van beamptes en ander werknemers van die korporasie;”;

(b) deur paragrafe (e) en (f) van genoemde subartikel deur die volgende paragrafe te vervang:

„(e) die stigting en beheer van 'n pensioen-, ondersteunings-, behuisings-, beurs-, of hulpfonds, die

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the said officers and other employees respectively into any such pension, provident, housing, or bursary fund or under an insurance scheme undertaken by the corporation under section 13 (1) (m) and the pecuniary benefits which are to accrue to such officers and other employees or their dependants upon retirement or termination of service or at any other time, the contributions which may be paid by the corporation into the aid fund and the payment into the aid fund of any voluntary contributions received by the corporation for payment into the said fund; and

- (f) the fees which shall be paid for the licences issued in terms of section 7 (1A) of the Radio Act, 1952 (Act No. 3 of 1952), and the categories of educational, charitable and State institutions and the categories of hospitals and persons to which or to whom free listeners' licences may be issued by virtue of and subject to the provisions of section 17A of this Act.”;

- (c) by the substitution for subsection (2) of the following subsection:

“(2) (a) Different fees may be prescribed under subsection (1) (f) for—

- (i) licences issued in terms of paragraph (a) of section 7 (1A) of the Radio Act, 1952, and licences issued in terms of paragraph (b) of that section;
 - (ii) licences issued in terms of the said paragraph (b) to persons who provide different quantities of radio receiving sets, or different quantities of receiving points of a radio receiving system, or different radio receiving apparatus, or different radio receiving services for the use of the other persons referred to in that paragraph;
 - (iii) licences issued to persons of different classes or categories;
 - (iv) licences issued to persons in different areas.
- (b) The fees so prescribed for a licence issued in terms of section 7 (1A) (a) of the Radio Act, 1952, may by virtue of the existence, in the case of any person of a class or category or in an area contemplated in paragraph (a) (iii) or (iv) of this subsection to whom such licence is issued, of circumstances so prescribed, be less than the fees so prescribed for such a licence issued to a person of the same class or category or in the same area in whose case those circumstances do not exist.”;

- (d) by the substitution for subsection (3) of the following subsection:

“(3) No regulation made under subsection (1) (f) shall be of any force or effect unless approved by the Minister.”.

Insertion of
section 29A
in Act 22 of 1936.

17. The following section is hereby inserted in the principal Act after section 29:

“Applica- 29A. This Act and any amendment thereof and
tion to the regulations made thereunder from time to time
South-West shall also apply in the territory of South-West
Africa. Africa, including the Eastern Caprivi Zipfel.”.

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bydraes wat onderskeidelik deur die korporasie en vermelde beamptes en ander werknemers in so 'n pensioen-, ondersteunings-, behuisings- of beursfonds gestort of onder 'n versekeringskema deur die korporasie ingevolge artikel 13 (1) (m) onderneem, betaal moet word en die geldelike voordele wat aan bedoelde beamptes en ander werknemers of hul afhanklikes by uitdienstreding of beëindiging van diens of op enige ander tydstip toekom, die bydraes wat deur die korporasie in die hulpfonds gestort kan word, en die inbetaling in die hulpfonds van vrywillige bydraes deur die korporasie ontvang vir inbetaling in genoemde fonds; en

- (f) die gelde wat betaal moet word vir die lisensies uitgereik ingevolge artikel 7 (1A) van die Radiowet, 1952 (Wet No. 3 van 1952), en die kategorieë opvoedkundige, liefdadigheids- en staatsinrigtings en die kategorieë hospitale en persone waaraan of aan wie gratis luisteraarslisensies uitgereik kan word uit hoofde van en onderworpe aan die bepalings van artikel 17A van hierdie Wet.”;
- (c) deur subartikel (2) deur die volgende subartikel te vervang:
- „(2) (a) Verskillende gelde kan kragtens subartikel (1) (f) voorgeskryf word vir—
- (i) lisensies uitgereik ingevolge paragraaf (a) van artikel 7 (1A) van die Radiowet, 1952, en lisensies uitgereik ingevolge paragraaf (b) van daardie artikel;
 - (ii) lisensies ingevolge die gemelde paragraaf (b) uitgereik aan persone wat verskillende hoeveelhede radio-ontvangstelle, of verskillende hoeveelhede ontvangspunte van 'n radio-ontvangsstelsel, of verskillende radio-ontvangsapparaat of verskillende radio-ontvangsdienste verskaf vir gebruik deur die ander persone in daardie paragraaf bedoel;
 - (iii) lisensies uitgereik aan persone van verskillende klasse of kategorieë;
 - (iv) lisensies uitgereik aan persone in verskillende gebiede.
- (b) Die gelde aldus voorgeskryf vir 'n lisensie uitgereik ingevolge artikel 7 (1A) (a) van die Radiowet, 1952, kan uit hoofde van die bestaan van aldus voorgeskrewe omstandighede in die geval van iemand van 'n klas of kategorie of in 'n gebied in paragraaf (a) (iii) of (iv) van hierdie subartikel bedoel aan wie sodanige lisensie uitgereik word, minder wees as die gelde aldus voorgeskryf vir so 'n lisensie uitgereik aan iemand van dieselfde klas of kategorie of in dieselfde gebied in wie se geval daardie omstandighede nie bestaan nie.”; en
- (d) deur subartikel (3) deur die volgende subartikel te vervang:
- „(3) Geen regulasie ingevolge subartikel (1) (f) uitgevaardig is van enige krag nie tensy dit deur die Minister goedgekeur is.”.

17. Die volgende artikel word hierby in die Hoofwet na Invoeging van artikel 29A in Wet 22 van 1936.

„Toepassing op Suidwes-Afrika.

29A. Hierdie Wet en enige wysiging daarvan en die regulasies van tyd tot tyd daarkragtens uitgevaardig is ook in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel, van toepassing.”.

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Substitution
in Act 22 of
1936 of "board of
governors",
"governor",
"governors",
Governor-
General" and
"Union".

18. The principal Act is hereby amended by the substitution for the words "board of governors", "governor", "governors", "Governor-General" and "Union", wherever they occur, of the words "control board", "member of the board", "members of the board", "State President" and "Republic", respectively.

Amendment of
long title of
Act 22 of 1936.

19. The long title of the principal Act is hereby amended by the substitution for the expression "1926" of the expression "1952".

Short title and
commencement.

20. This Act shall be called the Broadcasting Amendment Act, 1969, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

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18. Die Hoofwet word hierby gewysig deur die uitdrukkings „Raad van Bestuurders”, „bestuurder”, „bestuurders”, „Goewerneur-generaal” en „Unie”, oral waar hulle voorkom, deur onderskeidelik „Beheerraad”, „raadslid”, „raadslede”, „bestuurder”, „bestuurders”, „Goewerneur-generaal” en „Unie” te vervang.

Vervanging in Wet 22 van 1936 van „Raad van Bestuurders”, „bestuurder”, „bestuurders”, „Goewerneur-generaal” en „Unie”.

19. Die lang titel van die Hoofwet word hierby gewysig deur die uitdrukking „1926” deur die uitdrukking „1952” te vervang.

Wysiging van lang titel van Wet 22 van 1936.

20. Hierdie Wet heet die Uitsaaiwysigingswet, 1969, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Kort titel en inwerkingtreding.

