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DEPARTEMENT VAN DIE EERSTE MINISTER

No. 388.

16 Maart 1977.

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

No. 15 van 1977: Wysigingswet op Kinders, 1977.

DEPARTMENT OF THE PRIME MINISTER

No. 388.

16 March 1977.

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

No. 15 of 1977: Children's Amendment Act, 1977.

Act No. 15, 1977

CHILDREN'S AMENDMENT ACT, 1977.

ACT

To amend the provisions of the Children's Act, 1960, relating to definitions; to compel any social worker to report to a commissioner of child welfare at his request on the behaviour, progress and welfare of a child on probation; in order to transfer certain duties and powers of probation officers to social workers; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 8 March 1977.)*

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 1 of Act 33 of 1960, as amended by section 1 of Act 50 of 1965, section 15 of Act 62 of 1966 and section 16 of Act 102 of 1967.

1. Section 1 of the Children's Act, 1960 (hereinafter referred to as the principal Act), is hereby amended by the insertion after the definition of "Secretary" of the following definition:

"'social worker' means a person registered as a social worker under section 33 of the National Welfare Act, 1965 (Act No. 79 of 1965), and who is in the employ of the State or a welfare organization registered under section 19 of the said Act;".

Amendment of section 31 of Act 33 of 1960.

2. Section 31 of the principal Act is hereby amended—

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

"(2) A children's court which has made an order under subsection (1) (a) or (b), may also order that the child be placed on probation or under the supervision of a social worker.";

(b) by the substitution for subsection (5) of the following subsection:

"(5) Any social worker may during the period during which a child is on probation, and shall, on the termination of such period at the request of the commissioner of the district in which the child resides, furnish a report on the behaviour, progress and welfare of the child.".

Amendment of section 46bis of Act 33 of 1960, as inserted by section 5 of Act 50 of 1965.

3. Section 46bis of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) (a) While any child is in any custody (other than the custody of his parent or guardian) in which he has lawfully been placed by any authority, the Secretary shall ensure that a report in connection with that child is furnished to the Minister by a social worker on the expiration of the first two years of such custody and on the expiration of every succeeding year of such custody.

(b) The social worker concerned shall in any such report deal fully with the desirability or otherwise of transferring the child concerned to the custody of his parent or guardian.".

WET

Tot wysiging van die bepalings van die Kinderwet, 1960, betreffende woordskrywings; om 'n maatskaplike werker te verplig om op versoek van 'n kommissaris van kindersorg verslag aan hom te doen oor die gedrag, vordering en welstand van 'n kind wat op proef geplaas is; ten einde sekere pligte en bevoegdhede van proef-beamptes aan maatskaplike werkers oor te dra; en om voorsiening te maak vir bykomstige aangeleenthede.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 8 Maart 1977.)*

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

1. Artikel 1 van die Kinderwet, 1960 (hieronder die Hoofwet genoem), word hierby gewysig deur die volgende omskrywing na die omskrywing van „leerling” in te voeg:

„maatskaplike werker” iemand wat ingevolge artikel 33 van die Nasionale Welsynswet, 1965 (Wet No. 79 van 1965), as maatskaplike werker geregistreer is en in diens is van die Staat of 'n welsynsorganisasie wat kragtens artikel 19 van bedoelde Wet geregistreer is;”.

Wysiging van artikel 1 van Wet 33 van 1960, soos gewysig deur artikel 1 van Wet 50 van 1965, artikel 15 van Wet 62 van 1966 en artikel 16 van Wet 102 van 1967.
2. Artikel 31 van die Hoofwet word hierby gewysig—
 - (a) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) 'n Kinderhof wat 'n bevel kragtens subartikel (1) (a) of (b) uitgereik het, kan ook beveel dat die kind op proef of onder toesig van 'n maatskaplike werker geplaas word.”;
 - (b) deur subartikel (5) deur die volgende subartikel te vervang:

„(5) 'n Maatskaplike werker kan gedurende die tydperk wat 'n kind op proef is en moet by die afloop van daardie tydperk op versoek van die kommissaris van die distrik waarin die kind woonagtig is, verslag doen oor die gedrag, vordering en welstand van die kind.”.

Wysiging van artikel 31 van Wet 33 van 1960.
3. Artikel 46bis van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) (a) Terwyl 'n kind in enige bewaring is waarin hy wettiglik deur die een of ander gesag geplaas is (behalwe die bewaring van sy ouer of voog), moet die Sekretaris toesien dat 'n verslag in verband met daardie kind deur 'n maatskaplike werker aan die Minister verstrekk word by die verstryking van die eerste twee jaar van sodanige bewaring en by die verstryking van elke daaropvolgende jaar van sodanige bewaring.

(b) Die betrokke maatskaplike werker moet in enige sodanige verslag volledig handel met die wenslikheid of andersins om die betrokke kind na die bewaring van sy ouer of voog oor te plaas.”.

Wysiging van artikel 46bis van Wet 33 van 1960, soos ingevoeg deur artikel 5 van Wet 50 van 1965.

Act No. 15, 1977**CHILDREN'S AMENDMENT ACT, 1977.**

Amendment of
section 47 of
Act 33 of 1960,
as substituted by
section 6 of
Act 50 of 1965.

4. Section 47 of the principal Act is hereby amended by the substitution for paragraph (c) of subsection (1) of the following paragraph:

“(c) with the approval of any social worker, by any person to any child lawfully placed in his custody by any authority other than an approved agency,”.

Short title and
commencement.

5. This Act shall be called the Children's Amendment Act, 1977, and the provisions thereof shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

WYSIGINGSWET OP KINDERS, 1977.

Wet No. 15, 1977

4. Artikel 47 van die Hoofwet word hierby gewysig deur Wysiging van artikel 47 van paragraaf (c) van subartikel (1) deur die volgende paragraaf te Wet 33 van 1960, vervang: soos vervang deur artikel 6 van Wet 50 van 1965.

„(c) met die goedkeuring van 'n maatskaplike werker, deur 'n persoon aan enige kind wat wettiglik in sy bewaring geplaas is deur enige ander gesag as 'n goedgekeurde vereniging.”.

5. Hierdie Wet heet die Wysigingswet op Kinders, 1977, en die Kort titel en bepalinge daarvan tree in werking op 'n datum wat deur die inwerkingtreding. Staatspresident by proklamasie in die *Staatskoerant* bepaal word.

