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GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 1357.

29 Julie 1977.

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

No. 115 van 1977: Tweede Wysigingswet op Bantowetgewing, 1977.

No. 1357.

29 July 1977.

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

No. 115 of 1977: Second Bantu Laws Amendment Act, 1977.

Act No: 115, 1977

SECOND BANTU LAWS AMENDMENT ACT, 1977.

ACT

To amend the Bantu (Urban Areas) Consolidation Act, 1945, so as to enable associations of Bantu and certain juristic persons to acquire business rights in locations and Bantu villages; to amend the Bantu Beer Act, 1962, so as to further regulate the sale and supply by general dealers of Bantu beer and Bantu beer powder; and to amend the Bantu Homelands Constitution Act, 1971, so as to extend the legislative powers of legislative assemblies.

*(Afrikaans text signed by the State President.)
(Assented to 11 July 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 37 of Act 25 of 1945, as amended by section 65 of Act 42 of 1964.

1. Section 37 of the Bantu (Urban Areas) Consolidation Act, 1945, is hereby amended—

(a) by the substitution for paragraph (i) of the proviso of the following paragraph:

“(i) no site shall be let under paragraph (a) otherwise than to a Bantu or an association of Bantu or a juristic person of whom all the members or shareholders are Bantu, and no person who is not a Bantu shall be employed on any site so let;”;

(b) by the substitution for the first sentence of paragraph (ii) of the said proviso of the following sentence:

“(ii) the Minister may authorize the urban local authority to carry on business as a general dealer, butcher, baker and eating-house keeper or to carry on the business of an hotel or of a bioscope or to establish and conduct markets or to erect and to let buildings to a Bantu or an association of Bantu or a juristic person of whom all the members or shareholders are Bantu for any such purpose in the location or Bantu village if he is satisfied that such a course is in the interests of the residents of the location or Bantu village.”.

Amendment of section 5 of Act 63 of 1962, as amended by section 2 of Act 30 of 1972, section 11 of Act 70 of 1974 and section 10 of Act 4 of 1976.

2. Section 5 of the Bantu Beer Act, 1962, is hereby amended by the substitution for subsection (1A) of the following subsection:

“(1A) Any general dealer, except a general dealer within that portion of the area of jurisdiction of a municipal council, borough council, town council, village council, town board, village management board, local board, health board or health committee which is not a Bantu residential area as defined in section 1 of the Bantu (Urban Areas) Consolidation Act, 1945 (Act No. 25 of 1945), or an area which has,

WET

Tot wysiging van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945, ten einde verenigings van Bantoes en sekere regspersone in staat te stel om in lokasies en Bantoedorpe die reg om sake te doen, te verkry; tot wysiging van die Wet op Bantobier, 1962, ten einde die verkoop en verskaffing van Bantobier en Bantobierpoeier deur algemene handelaars verder te reël; en tot wysiging van die Grondwet van die Bantoetuislande, 1971, ten einde die wetgewende bevoegdheid van wetgewende vergaderings uit te brei.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 11 Julie 1977.)*

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

1. Artikel 37 van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945, word hierby gewysig—

(a) deur paragraaf (i) van die voorbehoudsbepaling deur die volgende paragraaf te vervang:

„(i) geen perseel kragtens paragraaf (a) behalwe aan 'n Bantoe of 'n vereniging van Bantoes of 'n regspersoon van wie al die lede of aandeelhouders Bantoes is, verhuur mag word nie en dat niemand anders as 'n Bantoe op 'n aldus verhuurde perseel in diens gehou mag word nie;” en

(b) deur die eerste sin van paragraaf (ii) van genoemde voorbehoudsbepaling deur die volgende sin te vervang:

„(ii) die Minister aan die stedelike plaaslike bestuur magtiging kan verleen om besigheid te dryf as algemene handelaar, slagter, bakker en eetlokaalhouer of die besigheid van 'n hotel of van 'n bioskoop te dryf, of om markte daar te stel en te bestuur, of om geboue op te rig en vir sulke doeleindes aan 'n Bantoe of 'n vereniging van Bantoes of 'n regspersoon van wie al die lede of aandeelhouders Bantoes is, te verhuur, in die lokasie of Bantoedorp, as hy oortuig is dat dit in die belang van die inwoners van die lokasie of Bantoedorp is om sulks te doen.”

Wysiging van
artikel 37 van
Wet 25 van 1945,
soos gewysig deur
artikel 65 van
Wet 42 van 1964.

2. Artikel 5 van die Wet op Bantobier, 1962, word hierby gewysig deur subartikel (1A) deur die volgende subartikel te vervang:

„(1A) 'n Algemene handelaar, uitgesonderd 'n algemene handelaar binne daardie gedeelte van die regsgebied van 'n munisipale raad, stadsraad, dorpsraad, stadsbestuur, dorpsbestuursraad, plaaslike raad, gesondheidsraad of gesondheidskomitee, wat nie 'n Bantoewoongebied soos omskryf in artikel 1 van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945 (Wet No. 25 van 1945), of 'n gebied wat kragtens

Wysiging van
artikel 5 van
Wet 63 van 1962,
soos gewysig deur
artikel 2 van
Wet 30 van 1972,
artikel 11 van
Wet 70 van 1974
en artikel 10 van
Wet 4 van 1976.

Act No. 115, 1977

SECOND BANTU LAWS AMENDMENT ACT, 1977.

under the Group Areas Act, 1966 (Act No. 36 of 1966), been declared to be a group area for occupation by members of the coloured group, who has been authorized by the Minister in writing under this section to do so, may, with due regard to the provisions of this section and subject to such conditions as the Minister may determine, sell and supply packaged Bantu beer and Bantu beer powder, provided such packaged Bantu beer is acquired from a local authority, the Bantu Investment Corporation or any development corporation as defined in section 1 of the Promotion of the Economic Development of Bantu Homelands Act, 1968 (Act No. 46 of 1968).”.

Amendment of section 4 of Act 21 of 1971, as amended by section 12 of Act 7 of 1973.

3. Section 4 of the Bantu Homelands Constitution Act, 1971, is hereby amended by the substitution for paragraph (c) of the following paragraph:

“(c) the appointment, accrediting and recognition of diplomatic and consular officers and the negotiation, conclusion or ratification of conventions, treaties and agreements with countries other than the Republic;”.

Amendment of Schedule 1 of Act 21 of 1971, as amended by section 12 of Act 23 of 1972, section 15 of Act 7 of 1973, section 24 of Act 70 of 1974 and section 10 of Act 71 of 1974.

4. Schedule 1 of the Bantu Homelands Constitution Act, 1971, is hereby amended by the insertion after item 31P of the following item:

“31Q. The conclusion or ratification of conventions, treaties and agreements with the Government of the Republic.”.

Short title.

5. This Act shall be called the Second Bantu Laws Amendment Act, 1977.

TWEDE WYSIGINGSWET OP BANTOEWETGEWING, 1977.

Wet No. 115, 1977

artikel 23 van die Wet op Groepsgebiede, 1966 (Wet No. 36 van 1966), tot 'n groepsgebied vir okkupasie van lede van die gekleurde groep verklaar is, is nie, wat kragtens hierdie artikel skriftelik daartoe deur die Minister gemagtig is, kan, met behoorlike inagneming van die bepalinge van hierdie artikel en onderworpe aan die voorwaardes wat die Minister bepaal, verpakte Bantobier en Bantobierpoeier verkoop en verskaf, mits sodanige verpakte Bantobier van 'n plaaslike bestuur, die Bantobeleggingskorporasie of 'n ontwikkelingskorporasie soos omskryf in artikel 1 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Bantoe-tuislande, 1968 (Wet No. 46 van 1968), verkry word."

3. Artikel 4 van die Grondwet van die Bantoe-tuislande, 1971, word hierby gewysig deur paragraaf (c) deur die volgende paragraaf te vervang:

„(c) die aanstelling, akkreditering en erkenning van diploma-tieke en konsulêre beamptes en die onderhandelings in verband met en die aangaan of bekragtiging van konvensies, verdrae en ooreenkomste met ander lande as die Republiek;”.

Wysiging van
artikel 4 van
Wet 21 van 1971,
soos gewysig deur
artikel 12 van
Wet 7 van 1973.

4. Bylae 1 by die Grondwet van die Bantoe-tuislande, 1971, word hierby gewysig deur na item 31P die volgende item in te voeg:

„31Q. Die aangaan of bekragtiging van konvensies, verdrae en ooreenkomste met die Regering van die Repu-bliek.”.

Wysiging van
Bylae 1 by
Wet 21 van 1971,
soos gewysig deur
artikel 12 van
Wet 23 van 1972,
artikel 15 van
Wet 7 van 1973,
artikel 24 van
Wet 70 van 1974
en artikel 10 van
Wet 71 van 1974.

5. Hierdie Wet heet die Tweede Wysigingswet op Bantowet- gewing, 1977. Kort titel.

