



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1535.

13 Julie 1979.

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

No. 107 van 1979: Wet op die Status van Venda, 1979.

DEPARTMENT OF THE PRIME MINISTER

No. 1535.

13 July 1979.

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

No. 107 of 1979: Status of Venda Act, 1979.

Act No. 107, 1979

STATUS OF VENDA ACT, 1979.

ACT

To grant independence to Venda; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 2 July 1979.)*

Preamble.

WHÈREAS the Government of Venda is desirous that Venda should be an independent state;

AND WHÈREAS the Government of the Republic of South Africa deems it expedient to grant independence to Venda:

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

Territorial limits, sovereignty and independence of Venda.

Continuation of existing laws in Venda.

Legislative power of Legislative Assembly of Venda.

Existing treaties, conventions and agreements.

1. (1) The territory known as Venda and consisting of the districts mentioned in Schedule A, is hereby declared to be a sovereign and independent state and shall cease to be part of the Republic of South Africa.

(2) The Republic of South Africa shall cease to exercise any authority over the said territory.

2. (1) Subject to the provisions of subsection (2), any rule of law which was in force in Venda immediately prior to the commencement of this Act, including the Black States Constitution Act, 1971 (Act No. 21 of 1971), shall continue in force as a rule of law of Venda until repealed or except in so far as it may be amended by the competent authority in Venda.

(2) Unless otherwise agreed between the Government of the Republic and the Government of Venda and subject to the provisions of section 5 (2), no authority or person in the Republic shall in terms of any law which by virtue of subsection (1) remains in force in Venda, exercise any power or authority or perform any function in or in respect of Venda. 25

3. (1) The Legislative Assembly of Venda, as constituted in terms of the Black States Constitution Act, 1971 (Act No. 21 of 1971), may, subject to the provisions of subsection (2), make laws (including a constitution) for Venda in the manner prescribed by the said Act, and may in any such law provide for the making of such laws by any authority other than the said Legislative Assembly.

(2) Submission of a bill to the State President, assent thereto by him and signing of a copy thereof by him shall not be necessary for the making of any law by the said Legislative Assembly by virtue of the provisions of subsection (1). 35

4. All treaties, conventions and agreements binding on the Republic immediately prior to the commencement of this Act and capable of being applied to Venda shall be binding on Venda, but

WET OP DIE STATUS VAN VENDA, 1979.

Wet No. 107, 1979

WET**Om onafhanklikheid aan Venda te verleen; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.**

(Afrikaanse teks deur die Staatspresident geteken.)
 (Goedgekeur op 2 Julie 1979.)

NADEMAAL die Regering van Venda begerig is dat Venda 'n Aanhef onafhanklike staat moet wees;

EN NADEMAAL die Regering van die Republiek van Suid-Afrika dit dienstig ag om onafhanklikheid aan Venda te verleen:

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

1. (1) Die gebied wat Venda heet en bestaan uit die distrikte vermeld in Bylae A, word hierby tot 'n soewereine en onafhanklike staat verklaar en hou op om 'n deel van die Republiek van Suid-Afrika te wees.
 Gebiedsgrens,
 soewereiniteit en
 onafhanklikheid van
 Venda.

(2) Die Republiek van Suid-Afrika oefen geen gesag meer oor genoemde gebied uit nie.

2. (1) Behoudens die bepalings van subartikel (2) bly elke regssreël wat onmiddellik voor die inwerkingtreding van hierdie Wet in Venda van krag was, met inbegrip van die Grondwet van die Swart State, 1971 (Wet No. 21 van 1971), van krag as 'n regssreël van Venda totdat dit herroep word of behalwe vir sover dit gewysig word deur die bevoegde gesag in Venda.
 Voortbestaan van
 bestaande wette in
 Venda.

20 (2) Tensy anders ooreengekom tussen die Regering van die Republiek en die Regering van Venda en behoudens die bepalings van artikel 5 (2) oefen geen gesag of persoon in die Republiek enige bevoegdheid of gesag uit of verrig hy enige werksaamheid in of ten opsigte van Venda nie ingevolge 'n wet wat uit hoofde 25 van subartikel (1) in Venda van krag bly.

3. (1) Die Wetgewende Vergadering van Venda, soos saamgestel ingevolge die Grondwet van die Swart State, 1971 (Wet No. 21 van 1971), kan, behoudens die bepalings van subartikel (2), wette (met inbegrip van 'n grondwet) vir Venda maak op die wyse by 30 genoemde Wet voorgeskryf, en kan in enige sodanige wet voorsiening maak vir die maak van sodanige wette deur 'n ander gesag as genoemde Wetgewende Vergadering.
 Wetgewende
 bevoegdheid van
 Wetgewende
 Vergadering van
 Venda.

(2) Voorlegging van 'n wetsontwerp aan die Staatspresident, toestemming daar toe deur hom en ondertekening van 'n afskrif daarvan deur hom is nie nodig vir die maak van 'n wet uit hoofde 35 van die bepalings van subartikel (1) deur genoemde Wetgewende Vergadering nie.

4. Alle verdrae, konvensies en ooreenkomste wat onmiddellik voor die inwerkingtreding van hierdie Wet vir die Republiek 40 bindend was en wat op Venda van toepassing kan wees, is vir Bestaande verdrae,
 konvensies en
 ooreenkomste.

Act No. 107, 1979**STATUS OF VENDA ACT, 1979.**

Treaties,
conventions and
agreements entered
into between
Republic and
Venda.

the Government of Venda may denounce any such treaty, convention or agreement.

5. (1) All treaties, conventions and agreements entered into between the Government of the Republic and the Government of Venda prior to the commencement of this Act and still in force at such commencement, shall remain in force as international treaties, conventions or agreements in so far as the parties thereto are concerned. 5

(2) For the purposes of the implementation of any treaty, convention or agreement entered into at any time between the 10 Government of the Republic and the Government of Venda, any department of State (including the Railways Administration, the Department of Posts and Telecommunications and a provincial administration) or any person receiving financial assistance from the State may perform any function outside the Republic which it 15 or he would be capable of performing therein.

Citizenship.

6. (1) Every person falling in any of the categories of persons defined in Schedule B shall be a citizen of Venda and shall cease to be a South African citizen.

(2) In the event of doubt as to whether or not any person falls in 20 any of the categories of persons defined in Schedule B, any authority in the Republic or in Venda may refer the matter to a board to be established as agreed upon between the Government of the Republic and the Government of Venda, and which shall meet at such times and places and act in accordance with such 25 procedure as so agreed upon, and whose decisions shall be final.

(3) No citizen of Venda resident in the Republic at the commencement of this Act shall, except as regards citizenship, forfeit any existing rights, privileges or benefits by reason only of the other provisions of this Act. 30

Short title and
commencement.

7. This Act shall be called the Status of Venda Act, 1979, and shall come into operation on a date determined by the State President by proclamation in the *Gazette*.

Schedule A

Districts created in terms of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), and comprising Venda:

Dzanani
Sibasa
Vuwani
Mutale.

Schedule B

Categories of persons who in terms of section 6 are citizens of Venda and cease to be South African citizens:

- (a) Every person who was a citizen of Venda in terms of any law at the commencement of this Act;
- (b) every person born in or outside Venda, either before or after the commencement of this Act, of parents one or both of whom were citizens of Venda at the time of his birth, who is not a citizen of a territory within the Republic of South Africa or a territory that previously formed part of the Republic of South Africa and is not a citizen of Venda in terms of paragraph (a);
- (c) every person who has been lawfully domiciled in Venda for a period of at least five years, irrespective of whether or not such period includes any period prior to the commencement of this Act, and, on application in the prescribed manner, has been granted citizenship of Venda by the competent authority in Venda;
- (d) every South African citizen who is not a citizen of a territory within the Republic of South Africa, is not a citizen of Venda in terms of paragraph (a), (b) or (c) and speaks a language used by members of any tribe which forms part of the population of Venda, including any dialect of any such language;
- (e) every South African citizen who is not a citizen of a territory within the Republic of South Africa and is not a citizen of Venda in terms of paragraph (a), (b), (c) or (d) and who is related to any member of the population contemplated in paragraph (d) or has identified himself with any part of such population or is culturally or otherwise associated with any member or part of such population.

WET OP DIE STATUS VAN VENDA, 1979.

Wet No. 107, 1979

Venda bindend, maar die Regering van Venda kan so 'n verdrag, konvensie of ooreenkoms opsê.

5. (1) Alle verdrae, konvensies en ooreenkomste wat voor die Verdrae, konvensies en ooreenkomste inwerkingtreding van hierdie Wet aangegaan is tussen die Republiek en die Regering van Venda en by genoemde inwerkingtreding nog van krag is, bly van krag as internasionale verdrae, konvensies of ooreenkomste vir sover dit die partye daarby betref.

(2) Vir die doeleindes van die uitvoering van 'n verdrag, konvensie of ooreenkoms wat te eniger tyd tussen die Regering van die Republiek en die Regering van Venda aangegaan is, kan 'n Staatsdepartement (met inbegrip van die Spoorweg-administrasie, die Departement van Pos- en Telekommunikasiewese en 'n provinsiale administrasie) of 'n persoon wat geldelike hulp van die Staat ontvang, enige werksaamheid buite die Republiek verrig wat hy daarin sou kon verrig.

6. (1) Elkeen wat onder 'n kategorie persone omskryf in Bylae Burgerskap B ressorteer, is 'n burger van Venda en hou op om 'n Suid-Afrikaanse burger te wees.

(2) In geval van twyfel of iemand onder 'n kategorie persone omskryf in Bylae B ressorteer al dan nie, kan 'n instansie in die Republiek of Venda die aangeleentheid verwys na 'n raad wat ingestel moet word soos tussen die Regering van die Republiek en die Regering van Venda ooreengekom word, en wat vergader op die tye en plekke en te werk gaan ooreenkomstig die prosedure waaromtrent aldus ooreengekom is of word, en wie se beslissings afdoende is.

(3) Behalwe wat burgerskap betref, verbeur 'n burger van Venda wat by die inwerkingtreding van hierdie Wet in die Republiek woonagtig is, geen bestaande regte, voorregte of voordele bloot op grond van die ander bepalings van hierdie Wet nie.

7. Hierdie Wet heet die Wet op die Status van Venda, 1979, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Bylae A

Distrikte ingestel ingevolge die Wet op Landdroshewe, 1944 (Wet No. 32 van 1944), en waaruit Venda bestaan:

Dzanani
Sibasa
Vuwanzi
Mutale.

Bylae B

Kategorieë persone wat ingevolge artikel 6 burgers van Venda is en ophou om Suid-Afrikaanse burgers te wees:

- (a) Elke persoon wat ingevolge die een of ander wet by die inwerkingtreding van hierdie Wet 'n burger van Venda was;
- (b) elke persoon wat, hetsy voor of na die inwerkingtreding van hierdie Wet, in of buite Venda gebore is uit ouers van wie een of albei ten tyde van sy geboorte burgers van Venda was, nie 'n burger is nie van 'n gebied in die Republiek van Suid-Afrika of 'n gebied wat voorheen 'n deel van die Republiek van Suid-Afrika was, en nie 'n burger van Venda ingevolge paragraaf (a) is nie;
- (c) elke persoon wat vir 'n tydperk van minstens vyf jaar wettig in Venda gedomisilieer was, ongeag of dié tydperk 'n tydperk voor die inwerkingtreding van hierdie Wet insluit, en aan wie, op aansoek op die voorgeskrewe wyse, burgerskap van Venda deur die bevoegde gesag in Venda verleen is;
- (d) elke Suid-Afrikaanse burger wat nie 'n burger van 'n gebied in die Republiek van Suid-Afrika is nie en nie 'n burger van Venda ingevolge paragraaf (a), (b) of (c) is nie, en 'n taal praat wat gesig word deur lede van 'n stam wat deel uitmaak van die bevolking van Venda, met inbegrip van 'n dialek van so 'n taal;
- (e) elke Suid-Afrikaanse burger wat nie 'n burger van 'n gebied in die Republiek van Suid-Afrika is nie en nie 'n burger van Venda ingevolge paragraaf (a), (b), (c) of (d) is nie en wat verwant is aan 'n lid van die bevolking beoog in paragraaf (d) of hom met enige deel van dié bevolking vereenselwig het of aan die hand van sy kultuuragtergrond of andersins met enige lid of deel van dié bevolking verbonde is.

