



STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA
REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

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KENNISGEWING 33 VAN 1981

DEPARTEMENT VAN BINNELANDSE
AANGELEENTHEDE

KONSEPWETSONTWERP OP BEVOLKINGS-
REGISTRASIE

Die volgende Konsepwetsontwerp word hierby ter algemene inligting en vir kommentaar gepubliseer.

Kommentaar op die Konsepwetsontwerp moet binne 21 dae na publikasie hiervan aan die Direkteur-generaal: Binnelandse Aangeleenthere, Kamer 403, Pri-vaatsak X114, Pretoria, 0001, gestuur word.

Algemene verduidelikende nota

[] Woorde in vet druk tussen vierkantige hake dui aan skappings deur die Minister by indiening voorgestel.

— Woorde met volstreep daaronder, dui aan invoe-gings deur die Minister by indiening voorgestel.

KONSEPWETSONTWERP

Tot wysiging van die Bevolkingsregistrasiewet, 1950 (Wet 30 van 1950), ten einde voorsiening te maak dat Suid-Afrikaanse burgers wat nie blywend in die Republiek woonagtig is nie, nie in die register van die bevolking van die Republiek opgeneem word nie; die opname van persone se opvoedkundige kwalifi-kasies in die voornoemde register gestaak word; vingerafdrukke in die Bevolkingsregister opgeneem word; kennisgewing van adresverandering van ver-blyfplek en posadres aan daardie instansies geskied wat deur die Direkteur-generaal of 'n streekverteen-woordiger aangewys word; 'n netwerk daargestel word vir die kontrolering van die houters van identi-teitsdokumente se identiteit en geregistreerde ver-blyf- en posadresse; 'n eenvormige identiese identi-teitsdokument aan alle bevolkingsgroepe uitgereik word; en vir aangeleenthere wat daarmee in verband staan.

GENERAL NOTICE

NOTICE 33 OF 1981

DEPARTMENT OF INTERNAL AFFAIRS

POPULATION REGISTRATION DRAFT BILL

The following Draft Bill is hereby published for gene-ral information and comment.

Any comment on the Bill should be forwarded to the Director-General of Internal Affairs, Room 403, Private Bag X114, Pretoria, 0001, within 21 days of publication thereof.

General explanatory note

[] Words in bold type in square brackets indicate omissions proposed by the Minister on intro-duction.

— Words underlined with solid line indicate inser-tions proposed by the Minister on introduction.

DRAFT BILL

To amend the Population Registration Act, 1950 (Act No. 30 of 1950), to make provision that South African citizens who are not permanently resident in the Republic, shall not be included in the Popu-lation Register of the Republic; that the inclusion of the educational qualifications be suspended in the aforementioned register; fingerprints be included in the Population Register; for notice of the change of residential address and postal address to be given to those quarters which have been appointed by the Director-General or a Regional Representative; to set up a network controlling the identity of the holders of identity documents and registered residential and postal addresses; to provide for issue of an uniformed identity document to all population groups; and for matters connected therewith.

*Ingedien deur die Minister van Binnelandse
Aangeleenthede*

Daar word bepaal deur die Staatspresident en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 30 van 1950, soos gewysig deur artikel 1 van Wet 30 van 1960, artikel 1 van Wet 61 van 1962, artikel 1 van Wet 64 van 1967, artikel 1 van Wet 106 van 1969, artikel 1 van Wet 29 van 1970, artikel 1 van Wet 36 van 1973 en artikel 1 van Wet 35 van 1980

1. Artikel 1 van die Bevolkingsregistrasiewet, 1950 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur in subartikel (1) na die omskrywing van “blanke” die volgende omskrywing in te voeg:

“‘Direkteur-generaal’ die Direkteur-generaal van Binnelandse Aangeleenthede en ook iemand in diens van die Staat of die bekleër van ’n pos in die Staatsdiens wat optree kragtens delegasie deur of onder beneer of op las van—

(a) die Direkteur-generaal van Binnelandse Aangeleenthede; of

(b) iemand wat optree kragtens delegasie deur of op las van die Direkteur-generaal van Binnelandse Aangeleenthede;”;

(b) deur in subartikel (1) na die omskrywing van “gekleurde” die volgende omskrywing in te voeg:

“‘gewone verblyfplek’, behoudens die bepalinge van paragrawe (a), (b) en (c), die plek waar ’n persoon wie se naam en verdere besonderhede kragtens artikel 7 in die register van die bevolking opgeneem word of wie kragtens artikel 10 kennis gee van die verandering van sy adres, sy gewone verblyf het: Met dien verstande dat—

(a) met betrekking tot ’n student aan ’n universiteit, universiteitskollege, opleidingskollege vir onderwysers, technikon, tegniese kollege, nywerheidsskool, hoër tegniese skool of hoër handelskool of ’n ander kollege of ’n hoërskool, sy gewone verblyfplek daardie plek is waar hy werklik woon met die doel om onderrig aan die betrokke universiteit, kollege of skool te ontvang;

(b) met betrekking tot iemand wat ingevolge die bepalinge van artikel 22 van die Verdedigingswet, 1957 (Wet No. 44 van 1957), of artikel 33 van die Polisiewet, 1958 (Wet No. 7 van 1958), ononderbroke of voltydse opleiding ondergaan, se gewone verblyfplek daardie plek is waar hy sy vaste woonplek gehad het onmiddellik voor die datum waarop daardie ononderbroke of voltydse opleiding ’n aanvang geneem het; en

(c) met betrekking tot iemand waarvan die aard van sy beroep sodanig is dat hy sy verblyf dikwels moet verander en hy nie ’n vaste woonplek aanhou nie, hy die reg het om die adres waar sy hoofbesigheidsplek geleë is of, as hy in diens is, waar die

Introduced by the Minister of Internal Affairs

Be it enacted by the State President and the House of Assembly of the Republic of South Africa, as follows:

Amendment of section 1 of Act 30 of 1950 as amended by section 1 of Act 30 of 1960, section 1 of Act 61 of 1962, section 1 of Act 64 of 1967, section 1 of Act 106 of 1969, section 1 of Act 29 of 1970, section 1 of Act 36 of 1973 and section 1 of Act 35 of 1980

1. Section 1 of the Population Registration Act, 1950 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the insertion in subsection (1) after the definition of “Director” of the following definition:

“‘Director-General’ means the Director-General of Internal Affairs and includes any person employed by State or the holder of a post in the public service acting under a delegation from or under the control or direction of—

(a) the Director-General of Internal Affairs; or

(b) a person who acts in terms of a delegation from or under the direction of the Director-General of the Department of Internal Affairs;”;

(b) by the insertion in subsection (1) after the definition of “National State” of the following definition:

“‘ordinary place of residence’, means subject to the provisions in paragraphs (a), (b) and (c), the place where a person whose name and further particulars, in terms of section 7, have been included in the register or who gave notice in terms of section 10 of his change of address, has his usual residence: Provided that—

(a) in relation to a student at a university, university college, teachers’ training-college technicon, technical college, industrial school, technical high school or commercial high school or any other college or any high school, his usual place of residence is that place where he actually resides for the purpose of receiving training at the university, college or school concerned; and

(b) in relation to a person who is undergoing continuous or full-time training under the provisions of section 22 of the Defence Act, 1957 (Act No. 44 of 1957), or section 33 of the Police Act, 1958 (Act No. 7 of 1958), his usual place of residence is that place where he actually retained his home immediately prior to the date on which such continuous or full-time training commenced; and

(c) in relation to a person if the nature of his occupation is such that he is required to change his place of residence often and he does not retain a fixed home, he shall be entitled to furnish as his usual place of residence, the address where his principal place of business is situated or, if he is

hoofbesigheidsplek van sy werkgever of die kantoor of besigheidstak van sy werkgever van waar sy besoldiging betaal word, geleë is, as sy gewone verblyfplek aan te gee;”;

(c) deur in subartikel (1) die omskrywing van “identiteitsdokument” deur die volgende omskrywing te vervang:

“‘identiteitsdokument’ ’n identiteitsdokument bedoel in artikel 13 (1) (ii), en ook ’n identiteitsdokument bedoel in artikel 13 (1) onmiddellik voor die wysiging daarvan deur artikel 4 (a) van die Wysigingswet op Bevolkingsregistrasie, 1980 (Wet No. 35 van 1980), en—

(a) behalwe by die toepassing van artikel 13 en, na ’n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal, artikel 14, ook ’n persoonskaart bedoel in genoemde artikel 13 soos daardie artikel bestaan het voor die vervanging daarvan deur artikel 9 van die Wysigingswet op Bevolkingsregistrasie, 1970 (Wet No. 29 van 1970), en ook ’n identiteitsdokument bedoel in genoemde artikel 13 soos genoemde artikel bestaan het voor die wysiging daarvan deur artikel 7 van die Wysigingswet op Bevolkingsregistrasie, 1981; en

(b) [by die toepassing van artikel 15 met betrekking tot ’n Swarte,] ook ’n bewysboek wat kragtens die Swartes (Afskaffing van Passe en Koördinerende van Dokumente) Wet, 1952 (Wet No. 67 van 1952), aan ’n Swarte uitgereik is;”;

(d) deur in subartikel (1) na die omskrywing van “identiteitsnommer” die volgende omskrywing in te voeg:

“‘Kommissaris’ ’n Kommissaris aangestel ingevolge die Swartes Administrasiewet, 1927 (Wet 38 van 1927);”;

(e) deur in subartikel (1) die omskrywing van “Minister” deur die volgende omskrywing te vervang:

“‘Minister’ die Minister van Binnelandse [Sake] Aangeleenthede of ’n ander Staatsminister wat optree kragtens delegasie deur die Minister: Met dien verstande dat die administrasie van artikels 5, 11, 19 (1A), (1B), (1C) en (1D) van die Wet nie deur die Minister aan ’n ander Staatsminister aldus gedelegeer kan word nie;”;

(f) deur in subartikel (1) na die omskrywing van “Minister” die volgende omskrywing in te voeg:

“‘nasionale staat’ ’n gebied waarvoor ’n wetgewende vergadering kragtens artikel 1 van die Grondwet van die Nasionale State, 1971 (Wet No. 21 van 1971), ingestel is;”;

(g) deur in subartikel (1) die omskrywing van “Sekretaris” te skrap;

(h) deur in subartikel (1) na die omskrywing van “sertifikaat van geboortebesonderhede” die volgende omskrywing in te voeg:

“‘streekvertegenwoordiger’ iemand wat ’n lid van die staatsdiens is en deur die Direkteur-generaal aangestel word vir ’n bepaalde gebied, om ten opsigte van die gebied waarvoor hy aangestel is die

in employment, where his principal place of business of his employer, or the office or branch business of his employer from which his remuneration is paid, is situated.”

(c) by the substitution in subsection (1) of the definition of “identity document” by the following definition:

“‘identity document’ means an identity document referred to in section 13 (1) (ii), and also an identity document referred to in section 13 (1) immediately prior to the amendment thereof by section 4 (a) of the Population Registration Amendment Act, 1980 (Act No. 35 of 1980) and includes—

(a) except for the purposes of section 13 and, after a date fixed by the State President by proclamation in the *Gazette*, section 14, an identity card referred to in the said section 13 as that section existed prior to the substitution thereof by section 9 of the Population Registration Amendment Act, 1970 (Act No. 29 of 1970) and also an identity document referred to in the said section 13 as the section existed prior to the amendment thereof by section 7 of the Population Registration Amendment Act, 1981; and

(b) [in the application of section 15 with reference to a Black,] a reference book issued to a Black under the Blacks (Abolition of Passes and Co-ordination of Documents), Act, 1952 (Act 67 of 1952);”;

(d) by the insertion in subsection (1) after the definition of “Coloured person” of the following definition:

“‘Commissioner means a Commissioner appointed in terms of the Blacks Administration Act, 1927 (Act No. 38 of 1927);”

(e) By the substitution in subsection (1) for the definition of “Minister” of the following definition:

“‘Minister’ means the Minister of [the Interior] Internal Affairs or another State Minister acting under delegation of the Minister: Provided that the administration of section 5, 11, 19 (1A), (1B), (1C) and (1D) of the Act shall not thus be delegated by the Minister to another State Minister;”;

(f) by the insertion in subsection (1) after the definition of “Minister” of the following definition:

“‘National State’ means any territory for which a legislative assembly has been established in terms of section (1) of the National States Constitution Act, 1971 (Act No. 21 of 1971);”;

(g) by the deletion in subsection (1) of the definition of “Secretary”.

(h) by the insertion in subsection (1) after the definition of “prescribed” of the following definition:

“‘regional representative’ means a person who is a member of the civil service and appointed by the Director-General for a specific area, to perform the duties and proceedings in respect of the area for

pligte en werksaamhede te verrig wat kragtens hierdie Wet aan hom opgedra word en in die geval van Swartes vanaf 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal, 'n plaaslike Kommissaris aangestel ingevolge artikel 2 (2) van die Swartes Administrasiewet, 1927 (Wet 38 van 1927);”;

(i) deur in subartikel (1) na die omskrywing van “vasgestelde datum” die volgende omskrywing in te voeg:

“‘verteenwoordiger’ daardie persoon of liggaam wat 'n streekverteenwoordiger binne die bepaalde gebied waarvoor hy aangestel is, aanwys om die pligte en werksaamhede te verrig wat kragtens hierdie Wet aan hom opgedra word;” en

(j) deur in subartikel (1) na die omskrywing van “voorgeskryf” die volgende omskrywing in te voeg:

“‘vredesbeampte’ 'n vredesbeampte soos omskryf in artikel 1 van die Strafproseswet, 1977 (Wet No. 51 van 1977).”

Wysiging van artikel 4 van Wet 30 van 1950, soos vervang deur artikel 3 van Wet 29 van 1970

2. Artikel 4 van die Hoofwet word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

“(b) alle Suid-Afrikaanse burgers wat **[nie blywend in die Republiek woonagtig is nie, uitgesonderd sodanige burgers wat]** blywend in die gebied Suidwes-Afrika **[woonagtig is; en]** of 'n gebied wat deel van die Republiek uitgemaak het en ingevolge 'n Wet van die Parlement 'n onafhanklike Staat geword het, woonagtig is, of wat tydelik in enige ander land, behalwe die Republiek, woonagtig is en in diens is van die Staat (met inbegrip van die Spoorweg- en Hawe-administrasie en 'n provinsiale administrasie), of 'n statutêre liggaam soos omskryf in artikel 1 (1) van die Skatkis- en Ouditwet, 1975 (Wet No. 66 van 1975), of 'n instelling of liggaam bedoel in artikel 84 (1) (f) van die Grondwet, en werksaamhede buite die Republiek verrig of aan die diens van die regering van 'n ander land afgestaan is (of die eggenote of kinders van so iemand of ander persone wat Suid-Afrikaanse burgers is en wat permanent by hom inwoon); en

Invoeging van artikel 6A in Wet 30 van 1950

3. Die volgende artikel word hierby na artikel 6 van die Hoofwet ingevoeg:

Sekere identiteitsnommers word geag ingevolge Wet 30 van 1950 saamgestel te wees

“6A Indien 'n identiteitsnommer toegewys aan 'n Swarte nie ingevolge artikel 6 (2) saamgestel is nie, aangesien hy van die bepalinge van bedoelde artikel 6 (2) vrygestel was, word sodanige identiteitsnommer geag aldus saamgestel te wees: Met dien verstande dat sodanige identiteitsnommer deur 'n identiteitsnommer wat ingevolge bedoelde artikel 6 (2) saamgestel is, vervang word voordat 'n identiteitsdokument aan sodanige Swarte heruitgereik word.”

which he is appointed in terms of this Act, and in the case of Blacks, from a date fixed by the State President, by proclamation in the *Gazette* a Local Commissioner appointed in terms of section 2 (2) of the Blacks Administration Act, 1927 (Act No. 38 of 1927)

(i) by the insertion in subsection (1) after the definition of “regulation” of the following definition:

“‘representative’ means that person or body which is designated by a regional representative in the particular area for which he has been appointed, to perform the duties and proceedings entrusted to him under this Act;” and

(j) by the insertion in subsection (1) after the definition of “ordinary place of residence” of the following definition:

“‘Peace officer’ means a peace officer as defined in section (1) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977);”.

Amendment of section 4 of Act 30 of 1950, as substituted by section 3 of Act 29 of 1970

2. Section 4 of the principal Act is hereby amended by the substitution for paragraph (b) of the following paragraph:

“(b) all South African citizens **[not permanently resident in the Republic except such citizens]** who are permanently resident in the territory of South West Africa or in a territory which formed part of the Republic and which became an independent state by an Act of Parliament, or who are temporary resident in any other country, except the Republic, and who are in the service of the State (including the Railway and Harbours Administration and a provincial administration), or a statutory body as defined in section 1 (1) of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975), or an institution or body referred to in section 84 (1) (f) of the Constitution act and who performs functions outside the Republic or who is seconded to a government of another country (or who are the spouse or children of such a person or any other persons who are South African citizens and who permanently reside with him); and”

Insertion of section 6A in Act 30 of 1950

3. The following section is hereby inserted after section 6 of the principal Act:

Certain identity numbers deemed to be compiled in terms of Act 30 of 1950

“6A If an identity number assigned to any Black was not compiled in terms of section 6 (2) of the principal Act in view of the fact that he was exempt from the provisions of the said section 6 (2), such identity number shall be deemed to be so compiled: Provided that such identity number shall be replaced by an identity number compiled in terms of the said section 6 (2) before an identity document is re-issued to such Black.

*Wysiging van artikel 7 van Wet 30 van 1950, soos ver-
vang deur artikel 5 van Wet 29 van 1970, soos gewysig
deur artikel 1 van Wet 33 van 1977 en artikel 2 van
Wet 35 van 1980*

4. Artikel 7 van die Hoofwet word hierby gewysig—

(a) deur die woorde wat paragraaf (a) van sub-
artikel (1) voorafgaan, deur die volgende woorde
te vervang:

“(1) Daar word, ten opsigte van iedere persoon
wie se naam in die register opgeneem word, **[behalwe
'n Swarte,]** die volgende toepaslike besonderhede
wat vir die **[Sekretaris]** Direkteur-generaal beskik-
baar is, in die register opgeneem, en geen ander be-
sonderhede hoegenaamd nie, naamlik—”;

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

“(b) die vereiste besonderhede verstrekk by die aan-
gifte van sy geboorte of, by ontstentenis van so-
danige aangifte, die besonderhede ten opsigte van sy
naam, geslag, geboortedatum en geboorteplek wat
vir die **[Sekretaris]** Direkteur-generaal aanneem-
lik is, of, indien sy datum van geboorte onbekend
is, die jaar waarin hy gebore is, of indien dit
onbekend is, die jaar waarin hy na skatting gebore
is en 'n maand en dag van geboorte deur die Direk-
teur-generaal toegeken, en, indien sy geboorteplek
onbekend is, die distrik waarin hy gebore is;”;

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

“(d) indien hy reeds die ouderdom van 16 jaar
bereik het, sy gewone verblyfplek, en sy posadres en
die kiesafdeling en stemdistrik vir die doeleindes van
die Kieswet, 1979 (Wet No. 45 van 1979), of 'n
ander Wet van die Parlement op die politieke ver-
teenwoordiging van die een of ander ras of groep in
'n raad of liggaam, waarin sy gewone verblyfplek
geleë is of die kiesafdeling ten opsigte waarvan hy
geregtig is om te stem by 'n verkiesing van lede tot
die wetgewende vergadering van 'n nasionale staat;”;

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

“(1) sy **[opvoedkundige kwalifikasies en]** beroep;”;

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

“(n) na sy dood, die vereiste besonderhede ver-
strek by die aangifte van die dood en na blywende
vertrek uit die Republiek, behalwe na die gebied
Suidwes-Afrika of 'n onafhanklike Staat in artikel
4 (b) bedoel die datum van sodanige vertrek en dat
die identiteitsdokument wat ingevolge artikel 13 (1)
aan hom uitgereik is, behalwe vir die voorgeskrewe
bladsye daarvan, gekanselleer is;” en

(f) deur die volgende paragraaf in subartikel (i)
by te voeg:

“(o) sy vingerafdrukke en, indien die Direkteur-
generaal aldus gelas, sy palmafdrukke: Met dien
verstande dat van niemand aan wie 'n identiteits-
dokument uitgereik is voor die inwerkingtreding van

*Amendment of section 7 of Act 30 of 1950, as substi-
tuted by section 5 of Act 29 of 1970, as amended
by section 1 of Act 33 of 1977 and section 2 of
Act 35 of 1980*

4. Section 7 of the principal Act is hereby amended—

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

“(1) There shall, in respect of every person whose
name is included in the register, **[other than a Black]**
be included in the register the following relevant
particulars, available to the **[Secretary]** Director-
General, and no other particulars whatsoever, name-
ly—”;

(b) by the substitution for paragraph (b) of sub-
section (1) of the following paragraph

“(b) the required particulars furnished when notice
of his birth was given or, in the absence of such
notification, the particulars in respect of his name,
sex, date of birth and place of birth acceptable to
the **[Secretary]** Director-General or if his date of
birth is unknown, the year in which he was born, or
if it is unknown, the estimated year in which he was
born and a month and day of birth allocated by the
Director-General, and if his place of birth is
unknown, the district in which he was born;”;

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

“(d) if he has attained the age of 16 years, his
ordinary place of residence and his postal address,
and the electoral division and polling district for the
purposes of the Electoral Act, 1979 (Act No. 45
of 1979), or any other Act of Parliament relating
to the political representation of any race or group
in any council or body, in which his ordinary
place of residence is situated, or the electoral divi-
sion in respect of which he is entitled to vote at
an election of members to the legislative assembly
of a national state;”;

(d) by the substitution for paragraph (i) of sub-
section (1) of the following paragraph:

“(1) his **[educational qualifications and]** occu-
pation;”;

(e) by the substitution for paragraph (n) of sub-
section (1) of the following paragraph:

“(n) after his death, the required particulars fur-
nished when notice of his death was given, and on
permanent departure from the Republic, except for
the territory of South West Africa, or an indepen-
dent state referred to in section 4 (b), the date of
such departure, and that the identity document which
was issued in terms of section 13 (1), to him, except
for the prescribed pages thereof, was cancelled;”;

and

(f) by the insertion in subsection (i) of the follow-
ing paragraph:

“(o) his fingerprints and, if the Director-General so
directs, his palm prints: Provided that no person
to whom an identity document was issued before

die Wysigingswet op Bevolkingsregistrasie, 1981, vereis word om sy vingerafdrukke te voorsien vir opneming in die register totdat hy aansoek doen om die heruitreiking van 'n identiteitsdokument en dat die vingerafdrukke van 'n Swarte geneem en aan die Bewysburo deurgestuur kragtens artikel 3 van die Swartes (Afskaffing van Passe en Koördinering van Dokumente) Wet, 1952 (Wet No. 67 van 1952), geag word geneem te wees kragtens die Hoofwet en word in die register bedoel in artikel 2 van die Hoofwet, opgeneem.”; en

(g) deur subartikel (2) te skrap.

Wysiging van artikel 10 van Wet 30 van 1950, soos vervang deur artikel 7 van Wet 29 van 1970, soos gewysig deur artikel 2 van Wet 36 van 1973 en artikel 3 van Wet 35 van 1980

5. Artikel 10 van die Hoofwet word hierby gewysig—

(a) deur subartikels (1) en (2) deur onderskeidelik die volgende subartikels te vervang:

“(1) Iedere persoon wie se naam in die register opgeneem is, moet, indien hy reeds die ouderdom van 16 jaar bereik het en 'n identiteitsdokument daarna aan hom uitgereik is, binne 14 dae of, in 'n besondere geval, die langer tydperk wat die **[Sekretaris]** Direkteur-generaal of 'n verteenwoordiger van die Departement toelaat, na 'n blywende verandering in sy gewone verblyfplek of sy posadres die **[Sekretaris]** Direkteur-generaal of 'n verteenwoordiger van die Departement van daardie verandering van verblyfplek of posadres op die voorgeskrewe wyse in kennis stel.

(2) Niemand mag 'n persoon in sy diens neem of toestemming verleen dat iemand blywende intrek neem op 'n perseel wat aan hom behoort of wat deur hom aan sodanige persoon verkoop is, tensy sodanige persoon, indien hy reeds die ouderdom van 16 jaar bereik het en hy bevoeg is om in die bevolkingsregister opgeneem te word, binne veertien dae na sodanige indiensneming of blywende intrek op die betrokke perseel aan eersbedoelde persoon of sy verteenwoordiger bewys lewer dat—

(a) hy in besit is van 'n identiteitsdokument wat aan hom deur die Direkteur-generaal uitgereik is en die Direkteur-generaal of 'n verteenwoordiger van die Departement op die voorgeskrewe wyse ingevolge subartikel (1) in kennis gestel het van die verandering van sy verblyfplek of posadres; of

(b) hy, indien hy nie in besit van 'n identiteitsdokument is nie maar bevoeg is om in die bevolkingsregister opgeneem te word, op die voorgeskrewe wyse aansoek gedoen het om die opname van sy naam in die bevolkingsregister en die uitreiking aan hom van 'n identiteitsdokument.”;

the coming into operation of the Population Registration Amendment Act, 1981, shall be required to furnish his fingerprints for inclusion in the register until he applies for the re-issuing of an identity document and that the fingerprints of any Black which have been taken and transmitted to the Reference Bureau in terms of section 3 of the Blacks (Abolition of Passes and Co-ordination of Documents) Act, 1952 (Act No. 67 of 1952), shall be deemed to have been taken under the principal Act and shall be included in the register referred to in section 2 of the principal Act.”; and

(g) by the deletion of subsection (2).

Amendment of section 10 of Act 30 of 1950, as amended by section 7 of Act 29 of 1970 as amended by section 2 of Act 36 of 1973 and section 3 of Act 35 of 1980

5. Section 10 of the principal Act is hereby amended—

(a) by the substitution for subsections (1) and (2) of the following subsections, respectively:

“(1) Every person whose name is included in the register, shall, if he has attained the age of 16 years and an identity document has thereafter been issued to him, within 14 days, or in a particular case, such longer period as the **[Secretary]** Director-General or a representative of the Department may allow, after any permanent change in his ordinary place of residence or his postal address, notify the **[Secretary]** Director-General or a representative of the Department in the prescribed manner of the change of residence or postal address.

(2) No person may employ any person or grant permission that anybody resides permanently on premises belonging to him or sold by him to such person, unless such person, if he has already attained the age of 16 years and qualifies to be included in the Population Register has within fourteen days after such employment or permanent occupation of the property concerned provide evidence to the first mentioned person or his representative that—

(a) he is in possession of an identity document issued to him by the Director-General and that the Director-General or a representative of the Department has been notified in the prescribed manner in terms of subsection (1) of his change of residence or postal address; or

(b) he, if he is not in possession of an identity document but qualifies to be included in the Population Register, has applied in the prescribed manner to have his name included in the Population Register and to be issued with an identity document.”;

(b) deur subartikels (3) en (4) te skrap; en
(c) deur na subartikel (5) die volgende subartikel in te voeg:

“(6) Ondanks die bepalings van hierdie artikel kan die Direkteur-generaal of ’n Streekverteenwoordiger van die Departement van Binnelandse Aangeleenthede die gewone verblyfplek en posadres van iemand wysig indien daardie persoon kragtens die Kieswet, 1979 (Wet No. 45 van 1979), of ’n ander Wet van die Parlement op die politieke verteenwoordiging van die een of ander ras of groep in ’n raad of liggaam as ’n kieser geregistreer word by ’n adres wat verskil van dié een wat in die register van die bevolking ten opsigte van daardie persoon opgeneem is en dit blyk sy jongste gewone verblyfplek te wees en sal in so ’n geval geag word dat kennisgewing van verandering van verblyfplek of posadres ingevolge die bepalings van subartikel (1) geskied het.”

Invoeging van artikel 10A in Wet 30 van 1950

6. Die volgende artikel word hierby na artikel 10 van die Hoofwet ingevoeg:

Netwerk vir kontrolering van identiteitsdokumente en kennisgewings van adresverandering

“10A. (1) ’n Staatsdepartement (met inbegrip van die Suid-Afrikaanse Spoorweg- en Hawe-administrasie en ’n provinsiale administrasie), ’n statutêre liggaam, soos omskryf in artikel 1 (1) van die Skatkis- en Ouditwet, 1975 (Wet 66 van 1975), of ’n instelling of liggaam bedoel in artikel 84 (1) (f) van die Grondwet, ’n opvoedkundige inrigting, of enige ander liggaam of persoon kan op versoek van die Direkteur-generaal of die Streekverteenwoordiger of ander verteenwoordiger van die Departement van Binnelandse Aangeleenthede ten opsigte van ’n werknemer of kliënt vereis dat daardie werknemer of kliënt die identiteitsdokument wat aan hom uitgereik is, indien so ’n dokument reeds aan hom uitgereik is, oorlê vir die kontrolering van sy identiteit en of sy jongste gewone verblyfplek en posadres ooreenstem met die geregistreerde woon- en posadres soos in sy identiteitsdokument aangedui is.

(2) Indien ’n Staatsdepartement (met inbegrip van die Suid-Afrikaanse Spoorweg- en Hawe-administrasie en ’n provinsiale administrasie), ’n statutêre liggaam, soos omskryf in artikel 1 (1) van die Skatkis- en Ouditwet, 1975 (Wet No. 66 van 1975), of ’n instelling of liggaam bedoel in artikel 84 (1) (f) van die Grondwet, ’n opvoedkundige inrigting, of enige ander liggaam of persoon bedoel in subartikel (1) vasstel dat ’n werknemer of kliënt van hom—

(a) nog nie in besit van ’n identiteitsdokument is nie, en sodanige werknemer of kliënt ’n Suid-Afrikaanse burger is of iemand is wat nie ’n Suid-Afrikaanse burger is nie maar aan wie kragtens die bepalings van die Wet op Vreemdelinge, 1937 (Wet No. 1 van 1937), die reg tot blywende vestiging in die Republiek toegestaan is; of

(b) by deletion of subsections (3) and (4); and

(c) by the insertion after subsection (5) of the following subsection:

“(6) Notwithstanding the provisions of this section the Director-General or a Regional Representative of the Department of Internal Affairs may amend the ordinary place of residence and postal address of a person, if such a person is being registered in terms of the Electoral Act, 1979 (Act No. 45 of 1979) or any other Act of Parliament relating to the political representation of any race or group in any council or body as a voter at an address which differs from the one of the person which has been included in the Population Register and which appears to be his latest ordinary place of residence and in such a case it shall be deemed that notice of a change of residence or postal address has been given in terms of subsection (1).”

Insertion of section 10A in Act 30 of 1950

6. The following section is hereby inserted after section 10 of the principal Act:

Network for examining of identity documents and notices of change of address

“10A. (1) A State Department (including the South African Railways and Harbour Administration and a provincial administration) a statutory body as defined in section 1 (1) of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975) or an establishment or body referred to in section 84 (1) (f) of the Constitution, an educational institution or any other body or person may on request of the Director-General or the Regional Representative or any other representative of the Department of Internal Affairs in respect of an employee or client require that the particular employee or client produces the identity document that was issued to him, if such a document has already been issued to him, for examination of his identity and whether his latest ordinary place of residence and postal address correspond with the registered residential and postal address as indicated in his identity document.

(2) If a State Department (including the South African Railways and Harbour Administration and a provincial administration), a statutory body as described in section 1 (1) of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975) or an institution or body referred to in section 84 (1) (f) of the Constitution, an educational institution, or any other body or person referred to in subsection (1) establishes that an employee or client of his—

(a) is not yet in possession of an identity document and such employee or client is a South African citizen or someone who is not a South African citizen but in terms of the provisions of the Aliens Act, 1937 (Act No. 1 of 1937) has been granted the right to permanent residence in the Republic; or

(b) se jongste gewone verblyfplek en posadres nie ooreenstem met die geregistreerde woon- en posadres soos in sy identiteitsdokument aangedui nie, kan hy—

(i) die voorgeskrewe aansoekvorm om 'n identiteitsdokument aan die betrokke werknemer of kliënt oorhandig en hom versoek om dit in te vul en tesame met die voorgeskrewe stawende dokumente by die naaste Streekverteenwoordiger of ander verteenwoordiger van die Departement van Binnelandse Aangeleenthede in te dien of hom versoek om by sodanige Streekverteenwoordiger of sodanige ander verteenwoordiger so 'n aansoekvorm aan te vra; of

(ii) die voorgeskrewe kennisgewing van adresverandering ten opsigte van die betrokke werknemer of kliënt invorder en by die naaste Streekverteenwoordiger of ander verteenwoordiger van die Departement van Binnelandse Aangeleenthede indien of die kliënt of werknemer versoek om dit te doen of, indien sodanige persoon nie in besit van die voorgeskrewe vorm vir kennisgewing van adresverandering is nie, hom van so 'n vorm voorsien en hom versoek om dit in te vul en dit van hom invorder en by die voornoemde Streekverteenwoordiger of ander verteenwoordiger indien of die kliënt of werknemer versoek om by sodanige Streekverteenwoordiger of sodanige ander verteenwoordiger so 'n vorm aan te vra.”.

Wysiging van artikel 13 van Wet 30 van 1950, soos gewysig deur artikel 2 van Wet 71 van 1956, artikel 4 van Wet 106 van 1969, artikel 12 van Wet 29 van 1970, vervang deur artikel 9 van Wet 29 van 1970, gewysig deur artikel 2 van Wet 33 van 1977 en artikel 4 van Wet 35 van 1980

7. Artikel 13 van die Hoofwet word hierby gewysig—

(a) deur die voorbehoudsbepaling tot subartikel (1) te skrap;

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

“(2) **[Indien]** Iemand in subartikel (1) bedoel **[nie 'n Swarte is nie mag sy]** se identiteitsdokument mag slegs die volgende toepaslike besonderhede, en geen ander besonderhede hoegenaamd nie, met betrekking tot hom bevat, naamlik—

(a) sy identiteitsnommer en die datum van uitreiking van die identiteitsdokument;

(b) sy volle naam, geboortedatum en geslag, en die distrik en/of land waarin hy gebore is;

(c) 'n aanduiding of hy 'n Suid-Afrikaanse burger is of nie;

(d) 'n onlangse foto van homself;

(e) die besonderhede aangaande sy huwelik vervat in die betrokke huweliksregister of ander stukke met betrekking tot die aangaan van sy huwelik, en die ander besonderhede aangaande sy huwelikstaat wat hy verlang dat dié dokument bevat;

(f).....;

(g).....;

(b) his latest ordinary place of residence and postal address is not corresponding with the registered residential and postal address as indicated in his identity document;

he may—

(i) issue the prescribed application form for an identity document to the employee or client concerned and request him to complete and hand it together with the prescribed supporting documents to the nearest Regional Representative or any other representative of the Department of Internal Affairs or request him to obtain such an application form from such a Regional Representative or such other representative, or

(ii) collect the prescribed notice of change of address in respect of the employee or client concerned and submit it to the nearest Regional Representative or other representative of the Department of Internal Affairs or request the client or employee to do so, or if such person is not in possession of the prescribed form for notice of address issue him with such form and request him to complete the form and collect it from him and submit it to the aforesaid Regional Representative, or other representative, or request the client or employee to apply for such a form at such Regional representative or such other representative.”.

Amendment of section 13 of Act 30 of 1950, as amended by section 2 of Act 71 of 1956, section 4 of Act 106 of 1969 and section 12 of Act 29 of 1970, as substituted by section 9 of Act 29 of 1970, as amended by section 2 of Act 33 of 1977 and section 4 of Act 35 of 1980

7. Section 13 of the principal Act is hereby amended—

(a) by deletion of the proviso to subsection (1);

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

“(2) **[If]** The identity document of a person referred to in subsection (1) **[is not a Black his identity document]** may contain only the following relevant particulars, and no other particulars whatsoever, in relation to him, namely—

(a) his identity number and the date of issue of the identity document;

(b) his full name, date of birth and sex, and the district and/or country in which he was born;

(c) an indication whether or not he is a South African citizen;

(d) a recent photograph of himself;

(e) the particulars as to his marriage contained in the marriage register concerned or any other documents relating to the contracting of his marriage, and such other particulars as to his married state he desires such document to contain;

(f).....;

(g).....;

(h) sy bestuurderslisensie wat uitgereik of geldig is kragtens of uit hoofde van 'n ordonnansie van 'n Provinsiale Raad of die Wetgewende Vergadering van die gebied Suidwes-Afrika of 'n Wet van die Wetgewende Vergadering van 'n nasionale staat;

(i) die besonderhede ingevolge artikel 42 (1) van die Wet op Wapens en Ammunisie, 1969 (Wet No. 75 van 1969), aangeteken in die register daarin vermeld of in 'n Wet van 'n Wetgewende Vergadering van 'n nasionale staat vermeld;

(j) sy gewone verblyfplek en sy posadres;

(k) na 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal, die kiesafdeling en stemdistrik vir die doeleindes van die **[Wet tot Konsolidasie van die Kieswette, 1946]** Kieswet, 1979 (Wet No. **[46]** 45 van **[1946]** 1979), of 'n ander Wet van die Parlement op die politieke verteenwoordiging van die een of ander ras of groep in 'n raad of liggaam, waarin sy gewone verblyfplek geleë is of die kiesafdeling ten opsigte waarvan hy geregtig is om te stem by 'n verkiesing van lede tot 'n Wetgewende Vergadering van 'n nasionale staat;

(l) na 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal, indien hy by 'n verkiesing ingevolge 'n wet bedoel in paragraaf (k) gestem het, 'n aantekening dat hy dit gedoen het;

(m).....;

(n) by sy blywende vertrek uit die Republiek, behalwe na die gebied Suidwes-Afrika of 'n onafhanklike Staat in artikel 4 (b) bedoel, die datum van sodanige vertrek en 'n endossement te dien effekte dat die identiteitsdokument, behalwe vir die voorgeskrewe bladsye daarvan gekanselleer is;

(o) sy duimafdruk en handtekening.”; en

(c) deur subartikel (3) te skrap.

Vervanging van artikel 14 van Wet 30 van 1950, soos gewysig deur artikel 13 van Wet 26 van 1970 en vervang deur artikel 10 van Wet 29 van 1970

8. Artikel 14 van die Hoofwet word hierby gewysig—

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

“(1) 'n Vredesbeampte (soos omskryf in artikel 1 van die Strafproseswet, **[1955]** 1977 (Wet No. **[56]** 51 van **[1955]** 1977), kan, **[wanneer hy kragtens artikel 22 (3) van genoemde Wet geregtig is om van iemand te eis om aan bedoelde vredesbeampte sy volle naam en adres op te gee daardie]** 'n persoon versoek, indien **[sy]** sodanige persoon se naam ingevolge hierdie Wet in die register opgeneem moet word en hy reeds die ouderdom van sestien jaar bereik het, **[maar nie iemand is nie aan wie 'n sertifikaat van burgerskap ingevolge die Wet op Burgerkap van Nasionale State, 1970 (Wet No. 26 van 1970), uitgereik is,]** om sy identiteitsdokument aan bedoelde vredesbeampte te toon.”; en

(h) his driver's licence issued or valid under or by virtue of an ordinance of a provincial council or the Legislative Assembly of the territory of South West Africa or an Act of the Legislative Assembly of a national state;

(i) the particulars recorded in terms of section 42 (1) of the Arms and Ammunition Act, 1969 (Act No. 75 of 1969), in the register mentioned therein, or mentioned in an Act of a Legislative Assembly of a national state;

(j) his ordinary place of residence and his postal address;

(k) after a date fixed by the State President by proclamation in the *Gazette*, the electoral division and polling district for the purposes of the Electoral **[Consolidation]** Act, **[1946]** 1979 (Act No. **[46]** 45 of **[1946]** 1979), or any other Act of Parliament relating to the political representation of any race or group in any council or body, in which his ordinary place of residence is situated or the electoral division in respect of which he is entitled to vote at an election of members of the legislative assembly of a national state;

(l) after a date fixed by the State President by proclamation in the *Gazette*, if he has voted at an election in terms of any law referred to in paragraph (k), a note that he has done so;

(m).....;

(n) on his permanent departure from the Republic, except to the territory of South West Africa or an independent state referred to in section 4 (b) the date of such departure and an endorsement to the effect that except for the prescribed pages thereof, the identity document has been cancelled;

(o) his thumbprint and signature.”

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

Substitution of section 14 of Act 30 of 1950, as amended by section 13 of Act 26 of 1970 and substituted by section 10 of Act 29 of 1970

8. Section 14 of the principal Act is hereby amended—

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

“(1) Any peace officer (as defined in section 1 of the Criminal Procedure Act, **[1955]** 1977 (Act No. **[56]** 51 of **[1955]** 1977), may, **[whenever he is under section 22 (3) of the said Act entitled to call upon any person to furnish such peace officer with his full name and address,]** request **[that]** a person, if his name is by this Act required to be included in the register and he has attained the age of sixteen years **[but is not a person to whom a certificate of citizenship has in terms of the Black States Citizenship Act, 1970 (Act No. 26 of 1970), been issued,]** to produce to such peace officer his identity document.”; and

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

“(2) Iedere persoon wat ingevolge subartikel (1) deur 'n vredesbeampte versoek word om sy identiteitsdokument aan hom te toon, moet, **[binne sewe dae vanaf die datum van sodanige versoek, sy identiteitsdokument toon aan bedoelde vredesbeampte of by 'n polisiekantoor deur hom aangedui en deur die vredesbeampte aangeteken]** onverwyld aan die versoek voldoen, maar indien die identiteitsdokument nie onmiddellik oorgelê kan word nie, omdat dit nie aan die persoon van die betrokke is nie,—

(a) moet die vredesbeampte die betrokke die geleentheid gee om dit te gaan haal (die vredesbeampte kan hom vergesel) indien dit binne 'n redelike afstand, vyf kilometer nie te bowegaande nie, beskikbaar is; of

(b) kan die vredesbeampte die betrokke sewe dae vanaf die datum van sodanige versoek tyd gun om sy identiteitsdokument aan hom of by 'n polisiekantoor deur die betrokke aangedui en deur die vredesbeampte aangeteken, te toon.”

Wysiging van artikel 20 van Wet 30 van 1950, soos gewysig deur artikel 16 van Wet 29 van 1970 en artikel 9 van Wet 35 van 1980

9. Artikel 20 van die Hoofwet word hierby gewysig deur in subartikel (1) na paragraaf (k) die volgende paragraaf in te voeg:

“(i) die neem van vingerafdrukke kragtens hierdie Wet.”

Kort titel en inwerkingtreding

10. (1) Hierdie Wet heet die Wysigingswet op Bevolkingsregistrasie, 1981, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

(2) Verskillende datums kan ingevolge subartikel (1) ten opsigte van die verskillende bepalings van hierdie Wet of ten opsigte van die verskillende bevolkingsgroepe bepaal word.

(14 Januarie 1981)

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

“(2) Every person who is in terms of subsection (1) requested by a peace officer to produce to him his identity document shall, **[within seven days of the date of such request, produce his identity document to that peace officer or at a police station indicated by him and recorded by the peace officer,]** forthwith comply with the request, but should the identity document not be produced forthwith as it is not with the person concerned—

(a) the peace officer shall permit the person concerned to fetch it (the peace officer may accompany him) if it is within reasonable distance, not exceeding 5 kilometres; or

(b) the peace officer may grant the person concerned seven days from the date of such request to produce it to him or at a police station indicated by the person concerned and recorded by the peace officer.

Amendment of section 20 of Act 30 of 1950, as amended by section 16 of Act 29 of 1970 and section 9 of Act 35 of 1980

9. Section 20 of the principal Act is hereby amended by the insertion in subsection (1) after paragraph (k) of the following paragraph:

“(i) the taking of fingerprints under this Act.”

Short title and commencement

10. (1) This Act shall be called the Population Registration Amendment Act, 1981, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

(2) Different dates may in terms of subsection (1) be fixed in respect of the different provisions of this Act or in respect of the various population groups.

(14 January 1981)

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