



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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No. 10455

KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1966.

24 September 1986

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

No. 98 van 1986: Wet op Proefdienste (Volksraad), 1986.

No. 1966.

24 September 1986

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

No. 98 of 1986: Probation Services Act (House of Assembly), 1986.

WET

Om voorsiening te maak vir die lewering van welsynsdienste ten opsigte van beskuldigde en skuldigbevinde persone en hulle gesinne, en vir programme vir die voorkoming van misdaad en vir hulpverlening aan die slagoffers van misdaad; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 10 September 1986.)

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

Woordomskrywing.

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—

- (i) “departement” die Departement van Gesondheids- 5
dienste en Welsyn: Administrasie: Volksraad; (ii)
- (ii) “gemagtigde proefbeampte” ’n proefbeampte wat deur
die Minister gemagtig is om bepaalde funksies kragtens
hierdie Wet te verrig; (i)
- (iii) “hierdie Wet” ook die regulasies; (x) 10
- (iv) “Minister” die Minister van Gesondheidsdienste en
Welsyn: Administrasie: Volksraad; (iv)
- (v) “proefbeampte” iemand wat kragtens die Wet op
Maatskaplike en Geassosieerde Werkers, 1978 (Wet
No. 110 van 1978), as maatskaplike werker geregistreer 15
is of geag word aldus geregistreer te wees of as ’n geas-
sosieerde werker geregistreer is, en wat kragtens artikel
2 van hierdie Wet aangestel is; (viii)
- (vi) “proefgeval” iemand wat ingevolge ’n bevel van ’n hof
onder die toesig van ’n proefbeampte geplaas is; (vii) 20
- (vii) “regulasie” ’n regulasie kragtens hierdie Wet uitgevaar-
dig; (ix)
- (viii) “voorligtingsklas” ’n voorligtingsklas kragtens artikel
10 ingestel; (iii)
- (ix) “voorgeskryf” by regulasie voorgeskryf; (v) 25
- (x) “voorvonnis-evalueringskomitee” ’n komitee kragtens
artikel 5 ingestel; (vi)
- (xi) “vrywilliger” iemand wat kragtens artikel 13 aangestel
is. (xi)

HOOFSTUK I

30

AANSTELLING VAN PROEFBEAMPTES EN HULLE BEVOEGDHEDE EN PLIGTE

Aanstelling van
proefbeamptes.

2. Behoudens die wette op die staatsdiens kan die Minister soveel persone as wat hy nodig ag, as proefbeamptes aanstel om die bevoegdhede uit te oefen en die pligte te verrig wat by of 35 kragtens hierdie Wet of enige ander wet aan ’n proefbeampte verleen of opgedra word.

ACT

To provide for the rendering of welfare services in respect of accused and convicted persons and their families, and for programmes for the prevention of crime and for the rendering of assistance to the victims of crime; and to provide for matters incidental thereto.

*(English text signed by the State President.)
(Assented to 10 September 1986.)*

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

1. In this Act, unless the context indicates otherwise—

Definitions.

- 5 (i) "authorized probation officer" means a probation officer who has been authorized by the Minister to perform certain functions under this Act; (ii)
- (ii) "department" means the Department of Health Services and Welfare: Administration: House of Assembly; (i)
- 10 (iii) "information class" means an information class established in terms of section 10; (viii)
- (iv) "Minister" means the Minister of Health Services and Welfare: Administration: House of Assembly; (iv)
- (v) "prescribed" means prescribed by regulation; (ix)
- 15 (vi) "pre-sentence evaluation committee" means a committee established in terms of section 5; (x)
- (vii) "probationer" means a person who has been placed under the care of a probation officer in terms of an order of any court; (vi)
- 20 (viii) "probation officer" means a person who in terms of the Social and Associated Workers Act, 1978 (Act No. 110 of 1978), is registered as a social worker or is deemed to be so registered or is registered as an associated worker, and who has been appointed under section 2 of this Act; (v)
- 25 (ix) "regulation" means any regulation made under this Act; (vii)
- (x) "this Act" includes the regulations; (iii)
- 30 (xi) "volunteer" means any person appointed in terms of section 13. (xi)

CHAPTER I

APPOINTMENT OF PROBATION OFFICERS AND THEIR POWERS AND DUTIES

2. Subject to the laws governing the public service, the Minister may appoint as many persons as he may deem necessary to exercise the powers and to perform the duties conferred or imposed by or under this Act or any other law on a probation officer.

Appointment of probation officers.

Wet No. 98, 1986

WET OP PROEFDIENSTE (VOLKSRAAD), 1986

Programme vir voorkoming van misdaad en vir lewering van proefdiensle.

3. Die Minister kan programme laat instel om voorsiening te maak vir—

- (a) die voorkoming van misdaad;
- (b) die waarneming en behandeling van en toesig oor persone wat op parool of proef uit 'n gevangenis of met vergunning uit 'n verbeteringskool vrygelaat is of wat deur 'n hof onder die toesig van 'n proefbeampte of in die bewaring van 'n geskikte persoon geplaas is;
- (c) hulpverlening aan die gesinne van persone wat in 'n gevangenis of verbeteringskool aangehou word of die gesinne van persone in paragraaf (b) bedoel;
- (d) die versorging en behandeling van die slagoffers van misdaad.

Bevoegdhede en pligte van proefbeamptes.

4. Die bevoegdhede en pligte van proefbeamptes sluit in—

- (a) die ondersoek van die omstandighede van 'n beskuldigde ten einde aan die hof verslag te doen met die oog op sy behandeling en plasing asook hulpverlening aan sy gesin;
- (b) die verlening van hulp aan 'n proefgeval met die oog daarop om hom by te staan om sy proefvoorwaardes na te kom en sy maatskaplike funksionering te verbeter;
- (c) die onmiddellike rapportering aan die hof van enige afwyking of nie-nakoming van sy proefvoorwaardes deur 'n proefgeval;
- (d) die rapportering aan die hof op die wyse en tyd deur die hof bepaal oor die vordering van, die toesig oor en die nakoming van sy proefvoorwaardes deur, 'n proefgeval;
- (e) die beplanning en uitvoering van programme vir die verrigting van gemeenskapsdiens waartoe persone gevonnis is;
- (f) die werwing van vrywilligers en die regulering van hul werksaamhede.

HOOFSTUK II

VOORVONNIS-EVALUERINGSKOMITEES

35

Voorvonnisevalueringskomitees.

5. Die Minister kan soveel voorvonnisevalueringskomitees instel as wat hy nodig ag, ten einde proefbeamptes te adviseer oor aanbevelings aan 'n hof aangaande moontlike maniere waarop met iemand wat vonnis afweg, gehandel kan word.

Samestelling van voorvonnisevalueringskomitees.

- 6. (1) (a) 'n Voorvonnisevalueringskomitee bestaan uit minstens drie en hoogstens vyf lede soos bepaal deur 'n gemagtigde proefbeampte en word deur 'n gemagtigde proefbeampte aangestel.
- (b) 'n Lid word aangestel op die voorwaardes en vir die tydperk wat die gemagtigde proefbeampte ten tyde van die aanstelling van daardie lid bepaal.
- (c) 'n Vakature wat in die ledetal van sodanige komitee ontstaan, kan deur die gemagtigde proefbeampte gevul word deur iemand in die plek van die betrokke lid aan te stel.
- (d) Die gemagtigde proefbeampte kan, indien daar na sy oordeel gegronde rede daarvoor bestaan, die lidmaatskap van 'n lid te eniger tyd beëindig.

(2) Die gemagtigde proefbeampte wys een van die lede van die komitee as voorsitter aan en wys 'n beampte van die departement aan om die administratiewe pligte van die komitee te verrig.

Vergaderings van voorvonnisevalueringskomitees.

7. (1) 'n Voorvonnisevalueringskomitee vergader op die tye en plekke deur die gemagtigde proefbeampte bepaal.

(2) Die kworum vir en prosedure by vergaderings van 'n voorvonnisevalueringskomitee is soos voorgeskryf.

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3. The Minister may cause programmes to be established in order to provide for—
- (a) the prevention of crime;
- 5 (b) the observation, treatment and supervision of persons who have been released from a prison on parole or probation or on licence from a reform school, or who have been placed by a court under the supervision of a probation officer or in the custody of any suitable person;
- 10 (c) the rendering of assistance to the families of persons detained in a prison or reform school or the families of persons referred to in paragraph (b);
- (d) the care and treatment of the victims of crime.
4. The powers and duties of probation officers shall include—
- 15 (a) the investigation of the circumstances of an accused in order to report to the court with a view to his treatment and placement as well as the rendering of assistance to his family;
- (b) the rendering of assistance to a probationer in order to assist him to comply with his probation conditions and to improve his social functioning;
- 20 (c) the immediate reporting to the court of any deviation from or non-compliance with his probation conditions by a probationer;
- (d) the reporting to the court in such manner and at such time as the court may determine on the progress and care of, and the compliance with his probation conditions by, a probationer;
- 25 (e) the planning and execution of programmes for the performance of community service to which persons have been sentenced;
- 30 (f) the recruitment of volunteers and the regulation of their activities.

Programmes for prevention of crime and for rendering of probation services.

Powers and duties of probation officers.

CHAPTER II

PRE-SENTENCE EVALUATION COMMITTEES

- 35 5. The Minister may establish as many pre-sentence evaluation committees as he may deem necessary, in order to advise probation officers on recommendations to a court concerning possible ways in which any person awaiting sentence can be dealt with.
- 40 6. (1) (a) A pre-sentence evaluation committee shall consist of not fewer than three and not more than five members as determined by an authorized probation officer, and shall be appointed by an authorized probation officer.
- 45 (b) A member shall be appointed on such conditions and for such period as the authorized probation officer may determine at the time of the appointment of that member.
- (c) A vacancy occurring in the membership of such committee may be filled by the authorized probation officer by appointing a person in the place of the member concerned.
- 50 (d) The authorized probation officer may, if in his opinion there exists sufficient reason therefor, at any time terminate the membership of any member.
- 55 (2) The authorized probation officer shall appoint one of the members of the committee as chairman and shall designate an officer of the department to perform the administrative duties of the committee.
7. (1) A pre-sentence evaluation committee shall meet at such
- 60 times and places as may be determined by the authorized probation officer.
- (2) The quorum for and procedure at meetings of a pre-sentence evaluation committee shall be as prescribed.

Pre-sentence evaluation committees.

Constitution of pre-sentence evaluation committees.

Meetings of pre-sentence evaluation committees.

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WET OP PROEFDIENSTE (VOLKSRAAD), 1986

Toelaes aan lede van, en betaling van koste aangegaan deur, voorvonnisevalueringskomitees.

8. (1) Daar kan aan 'n lid van 'n voorvonnisevalueringskomitee wat nie in die heeltidse diens van die Staat is nie, die reis- en verblyftoelaes betaal word wat die Minister van tyd tot tyd met die instemming van die Minister van Begroting bepaal.

(2) Die uitgawes deur 'n voorvonnisevalueringskomitee by die verrigting van sy werksaamhede aangegaan, word betaal uit gelde wat vir dié doel deur die Volksraad bewillig word.

Ontbinding van voorvonnisevalueringskomitees.

9. Die Minister kan te eniger tyd 'n voorvonnisevalueringskomitee ontbind.

HOOFSTUK III

10

VOORLIGTINGSKLASSE

Instelling, samestelling en werksaamhede van voorligtingsklasse.

10. (1) Die Minister kan soveel voorligtingsklasse instel as wat hy nodig ag, ten einde aan persone wat deur die hof beveel is om sodanige klasse by te woon, voorligting te gee aangaande die oorsake van misdadige neigings en afwykende gedrag en die gevolge daarvan en verwante aangeleenthede.

(2) Afsonderlike voorligtingsklasse kan ingestel word ten opsigte van verskillende kategorieë persone of verskillende soorte misdade of soorte afwykende gedrag.

(3) Die samestelling en werksaamhede van voorligtingsklasse is soos voorgeskryf.

Toelating van ander persone tot voorligtingsklasse.

11. 'n Proefbeampte kan ander persone as dié in artikel 10 (1) bedoel, toelaat om 'n voorligtingsklas by te woon.

Ontbinding van voorligtingsklasse.

12. Die Minister kan te eniger tyd 'n voorligtingsklas ontbind.

HOOFSTUK IV

25

GEBRUIKMAKING VAN VRYWILLIGERS

Aanstelling van vrywilligers.

13. (1) 'n Gemagtigde proefbeampte kan iemand as 'n vrywilliger aanstel om ooreenkomstig 'n program in artikel 3 bedoel dié bevoegdheid uit te oefen of dié pligte te verrig waaromtrent met bedoelde vrywilliger skriftelik ooreengekom is.

(2) 'n Vrywilliger word nie kragtens subartikel (1) aangestel nie, tensy hy—

(a) die voorgeskrewe kursus suksesvol deurloop het; en

(b) die ooreenkoms in subartikel (1) bedoel, onderteken het.

(3) Die gemagtigde proefbeampte oorhandig aan elke vrywilliger, by aanstelling, 'n aanstellingsertifikaat waarin sy bevoegdheid en pligte uiteengesit word, en handel met die afskrif daarvan soos voorgeskryf.

Identifikasie van vrywilligers.

14. (1) 'n Vrywilliger oefen nie 'n bevoegdheid uit nie of verrig nie 'n plig nie tensy hy in besit van sy aanstellingsertifikaat is.

(2) 'n Vrywilliger moet sy aanstellingsertifikaat toon op versoek van enige persoon wat 'n wesentlike belang by die betrokke saak het.

Register van vrywilligers.

15. 'n Register van vrywilligers word op die voorgeskrewe wyse bygehou.

Beëindiging van aanstelling van vrywilliger en intrekking van aanstellingsertifikaat.

16. 'n Gemagtigde proefbeampte—

(a) kan die aanstelling van 'n vrywilliger beëindig indien hy oortuig is dat—

(i) die vrywilliger nie sy pligte soos in sy aanstellingsertifikaat uiteengesit, nakom nie;

(ii) die vrywilliger 'n valse verklaring gedoen het of valse inligting verstrek het met die oog op die verkryging van sy aanstelling;

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8. (1) A member of a pre-sentence evaluation committee who is not in the full-time service of the State may be paid such subsistence and transport allowances as the Minister with the concurrence of the Minister of the Budget may determine from time to time.

Allowances to members of, and payment of costs incurred by, pre-sentence evaluation committees.

(2) Expenses incurred by a pre-sentence evaluation committee in the performance of its functions shall be paid out of moneys appropriated by the House of Assembly for that purpose.

9. The Minister may at any time dissolve a pre-sentence evaluation committee.

Dissolution of pre-sentence evaluation committees.

CHAPTER III

INFORMATION CLASSES

10. (1) The Minister may establish as many information classes as he may deem necessary, in order to give guidance to persons who have been ordered by a court to attend such classes, in regard to the causes of criminal tendencies and deviate behaviour and the consequences thereof and matters incidental thereto.

Establishment, composition and functioning of information classes.

(2) Separate information classes may be established in respect of different categories of persons or different types of crimes or types of deviate behaviour.

(3) The composition and functioning of information classes shall be as prescribed.

11. A probation officer may allow persons other than those referred to in section 10 (1) to attend any information class.

Admission of other persons to information classes.

12. The Minister may at any time dissolve an information class.

Dissolution of information classes.

CHAPTER IV

UTILIZATION OF VOLUNTEERS

13. (1) An authorized probation officer may appoint any person as a volunteer to exercise such powers or to perform such functions in accordance with a programme referred to in section 3 as may be agreed upon in writing with the said volunteer.

Appointment of volunteers.

(2) A volunteer shall not be appointed in terms of subsection (1) unless he—

- (a) has successfully completed the prescribed course; and
- (b) has signed the agreement referred to in subsection (1).

(3) The authorized probation officer shall deliver to each volunteer, on his appointment, a certificate of appointment setting out his powers and duties, and shall deal with the copy thereof as prescribed.

14. (1) A volunteer shall not exercise any power or perform any duty unless he is in possession of his certificate of appointment.

Identification of volunteers.

(2) A volunteer shall produce his certificate of appointment at the request of any person having a material interest in the matter in question.

15. A register of volunteers shall be kept in the prescribed manner.

Register of volunteers.

16. An authorized probation officer—

- (a) may terminate the appointment of a volunteer, if he is satisfied that—

- (i) the volunteer has failed to perform his duties as set out in his certificate of appointment;

(ii) the volunteer has made a false statement or has given false information with a view to obtaining his appointment;

Termination of appointment of volunteer and withdrawal of certificate of appointment.

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- (iii) die vrywilliger verkeerdlik aangestel is;
- (iv) die dienste van die vrywilliger nie meer nodig is nie of dat omstandighede sodanig is dat sy dienste nie meer nuttig in die program vir proefdiens- 5 aangewend kan word nie;
- (b) moet die aanstellingsertifikaat van iemand in paragraaf (a) bedoel en van 'n vrywilliger wat oorlede is of bedank het, intrek.

Straf vir voordoe-
ning as vrywilliger.

17. Iemand wat hom as 'n vrywilliger voordoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van 10 hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.

Vergoeding vir uit-
gawes deur vrywil-
ligers aangegaan.

18. (1) 'n Vrywilliger word nie besoldig vir dienste gelewer uit hoofde van hierdie Wet nie, maar die Minister kan na goed- 15 dunke uit geld wat die Volksraad vir dié doel bewillig, aan hom die uitgawes wat hy noodsaaklikerwys aangegaan het om sy werksaamhede te verrig, gedeeltelik of ten volle vergoed.

(2) 'n Vrywilliger dien sy eis om vergoeding kragtens subartikel (1) op die voorgeskrewe wyse by die gemagtigde proef- 20 beampte in binne drie maande nadat die betrokke uitgawes aangegaan is.

(3) 'n Vrywilliger is nie geregtig op vergoeding kragtens subartikel (1) nie—

(a) tensy hy vooraf deur die gemagtigde proefbeampte ge- 25 magtig is om daardie uitgawes aan te gaan;

(b) indien hy reeds uit 'n ander bron voldoende vir die betrokke uitgawes vergoed is.

Straf vir valse
verklarings betref-
fende uitgawes.

19. 'n Vrywilliger wat 'n valse verklaring maak by die indiening van 'n eis kragtens artikel 18, is aan 'n misdryf skuldig en 30 by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.

Aanspreeklikheid
vir vermoenskade
voortspruitend uit
verrigting van diens
deur vrywilligers.

20. (1) Indien vermoenskade verhaal kan word op 'n vrywilliger op grond van 'n onregmatige daad deur hom gepleeg by die 35 verrigting van sy werksaamhede ingevolge hierdie Wet, kan daardie skade, behoudens subartikel (3), op die Staat verhaal word.

(2) Subartikel (1) word nie uitgelê as sou dit die Staat belet om skadeloosstelling teen sy aanspreeklikheid ingevolge subarti- 40 kel (1) by wyse van versekering of andersins te verkry nie.

(3) Vermoenskade wat ingevolge subartikel (1) op die Staat verhaal word, word verminder met die bedrag uit 'n ander bron waarop die benadeelde geregtig is op grond van die ver- 45 moenskade deur hom gely.

(4) Vir sover die Staat 'n betaling gedoen het uit hoofde van 'n verhaalsreg ingevolge subartikel (1), gaan al die betrokke regte en regsmiddels van die benadeelde teenoor die vrywilliger op die Staat oor.

(5) Indien iemand as gevolg van die verrigting van vrywillige 50 diens ingevolge hierdie Wet vermoenskade gely het wat nie ingevolge subartikel (1) op die Staat verhaal kan word nie, kan die Direkteur-generaal: Administrasie: Volksraad die bedrag wat hy redelik ag, met die instemming van die Tesourie van die Admin- 55 istrasie: Volksraad, by wyse van gracie aan daardie persoon betaal.

HOOFSTUK V

REGULASIES

Regulasies.

21. (1) Die Minister kan regulasies uitvaardig met betrekking tot— 60

(a) enige aangeleentheid wat ingevolge hierdie Wet voorgeskryf moet of kan word;

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- (iii) the volunteer has been wrongly appointed;
 (iv) the services of the volunteer are no longer required or that circumstances are such that his services can no longer be usefully employed in the programme for probation services;
- 5 (b) shall withdraw the certificate of appointment of a person referred to in paragraph (a) and of a volunteer who has died or who has resigned.

17. A person who pretends to be a volunteer shall be guilty of an offence and shall be liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Penalty for pretence as volunteer.

18. (1) A volunteer shall not be remunerated for services rendered in terms of this Act, but the Minister may out of moneys appropriated by the House of Assembly for such purpose, in part or in full reimburse the volunteer for expenses necessarily incurred by him in order to perform his functions.

Reimbursement for expenses incurred by volunteers.

(2) A volunteer shall in the prescribed manner submit his claim for reimbursement in terms of subsection (1) to the authorized probation officer within three months after the expenses in question have been incurred.

(3) A volunteer shall not be entitled to reimbursement in terms of subsection (1)—

- (a) unless he has been authorized in advance by the authorized probation officer to incur those expenses;
- 25 (b) if he has already been adequately compensated from another source for the expenses in question.

19. A volunteer who makes a false statement when submitting a claim in terms of section 18, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Penalty for false statements regarding expenses.

20. (1) If patrimonial loss may be recovered from a volunteer on the ground of a delict committed by him in the performance of his functions in terms of this Act, such loss may, subject to subsection (3), be recovered from the State.

Liability for patrimonial loss arising from performance of service by volunteers.

(2) Subsection (1) shall not be construed as precluding the State from obtaining indemnification against its liability in terms of subsection (1) by means of insurance or otherwise.

(3) The patrimonial loss which may be recovered from the State in terms of subsection (1) shall be reduced by the amount from any other source to which the injured person is entitled by reason of the patrimonial loss suffered by him.

(4) In so far as the State has made a payment by virtue of a right of recovery in terms of subsection (1), all the relevant rights and legal remedies of the injured person against the volunteer shall pass to the State.

(5) If any person as a result of the performance of voluntary services in terms of this Act has suffered patrimonial loss which cannot be recovered from the State in terms of subsection (1), the Director-General: Administration: House of Assembly may, with the concurrence of the Treasury of the Administration: House of Assembly, as an act of grace pay such amount as he may deem reasonable to that person.

21. (1) The Minister may make regulations relating to—

Regulations.

- (a) any matter which may or is required to be prescribed under this Act;

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(b) oor die algemeen, alle aangeleenthede wat hy nodig of dienstig ag ten einde die oogmerke van hierdie Wet te verwesenlik.

(2) 'n Regulasie kan vir 'n oortreding van die bepaling daarvan strawwe voorskryf wat 'n boete van R1 000 of gevangenisstraf vir 'n tydperk van ses maande nie te bowe gaan nie. 5

(3) Regulasies wat Staatsuitgawes raak, word slegs met die instemming van die Minister van Begroting uitgevaardig.

HOOFSTUK VI

ALGEMENE EN AANVULLENDE BEPALINGS

10

Delegering van bevoegdhe.

22. Die Minister kan enige van die bevoegdhede by hierdie Wet aan hom verleen, uitgesonderd die bevoegdhede bedoel in artikel 21, aan die hoof van die departement of enige ander beampte in daardie departement delegeer.

Voorbehoud.

23. (1) Behoudens die bepaling van subartikel (2), hou die 15 bepaling van die Kinderwet, 1960 (Wet No. 33 van 1960), vir sover dit betrekking het op die aanstelling, bevoegdhede en pligte van proefbeamptes en wat met ingang van 17 September 1984 kragtens artikel 26 van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983), aan die Minister 20 van Gesondheidsdienste en Welsyn: Volksraad opgedra is, by die inwerkingtreding van hierdie artikel op om van krag te wees.

(2) Iemand wat kragtens die bepaling van die Kinderwet, 1960, as 'n proefbeampte aangestel is, word geag as 'n proefbeampte kragtens hierdie Wet aangestel te wees. 25

Kort titel en inwerkingtreding.

24. (1) Hierdie Wet heet die Wet op Proefdiens (Volksraad), 1986, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

(2) Verskillende datums kan aldus ten opsigte van verskillende bepalinge van hierdie Wet bepaal word. 30

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(b) generally, all matters which he considers necessary or expedient in order to attain the objects of this Act.

(2) A regulation may prescribe penalties for any contravention of the provisions thereof not exceeding a fine of R1 000 or imprisonment for a period of six months.

(3) Regulations affecting State expenditure shall be made only with the concurrence of the Minister of the Budget.

CHAPTER VI

GENERAL AND SUPPLEMENTARY PROVISIONS

10 22. The Minister may delegate any of the powers conferred upon him by this Act, excluding the powers referred to in section 21, to the head of the department or any other officer in the department. Delegation of powers.

15 23. (1) Subject to the provisions of subsection (2), the provisions of the Children's Act, 1960 (Act No. 33 of 1960), in so far as they relate to the appointment, powers and duties of probation officers and which were with effect from 17 September 1984 assigned under section 26 of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983), to the Minister of Health Services and Welfare: House of Assembly, shall at the commencement of this section cease to apply. Saving.

(2) Any person appointed as a probation officer under the provisions of the Children's Act, 1960, shall be deemed to have been appointed as a probation officer under this Act.

25 24. (1) This Act shall be called the Probation Services Act (House of Assembly), 1986, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*. Short title and commencement.

(2) Different dates may be so fixed in respect of different provisions of this Act.

