



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 378. 15 Maart 1974.

No. 378. 15 March 1974.

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

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

No. 29 van 1974: Algemene Regswysigingswet, 1974.

No. 29 of 1974: General Law Amendment Act, 1974.

WET

Tot wysiging van die „Constitution of the Incorporated Law Society of the Transvaal Ordinance, 1905”; die „Incorporated Law Society of Natal Act, 1907”; die „Wetsgenootschap (Kaap de Goede Hoop) Private Wet, 1916”; die Insolvensiewet, 1936; die Registrasie van Aktes Wet, 1937; die Wet op Landdroshowe, 1944; die Wet op Uitvoerbelasting op Diamante, 1957; die Wet op Geregtelike Doodsondersoeke, 1959; die Wet op Uitlewering, 1962; die Wet op die Toelating van Advokate, 1964; die Wet op die Universiteit van Fort Hare, 1969; die Wet op die Verkryging van Landsvoorrade, 1970; die Wet op Misdrywe teen Burgerlike Lugvaart, 1972; die Wet op die Suid-Afrikaanse Regskommissie, 1973; en die Sishen-Saldanhaabaai-spoorlynaanlegwet, 1973; om die ampstermyn van sekere lede van die raad van die Universiteit van Durban-Westville te verkort; om die terugbetaling van sekere leningsheffings en rente daarop te wettig; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 1 Maart 1974.)

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

Wysiging van artikel 5 van Ordonnansie 1 (Privaat) van 1905 van Transvaal.

1. Artikel 5 van die „Constitution of the Incorporated Law Society of the Transvaal Ordinance, 1905”, word hierby gewysig deur die tweede sin deur die volgende sin te vervang:

„The Council shall consist of twelve persons being members of the Society who shall from among their number elect a president and vice-president who shall be president and vice-president of the Society respectively.”.

Wysiging van artikel 5 van Wet 10 van 1907 van Natal.

2. Artikel 5 van die „Incorporated Law Society of Natal Act, 1907”, word hierby gewysig deur na paragraaf (i) die volgende paragraaf in te voeg:

„(iA) to employ such persons as may be necessary or desirable for the conduct of the affairs of the Society;”.

Wysiging van artikel 7 van Wet 10 van 1907 van Natal.

3. Artikel 7 van die „Incorporated Law Society of Natal Act, 1907”, word hierby gewysig deur die eerste sin deur die volgende sin te vervang:

„For the proper management of the affairs of the Society a Council consisting of thirteen members of the Society shall be elected at each Annual General Meeting of the Society by ballot after open nomination of candidates by members.”.

ACT

To amend the Constitution of the Incorporated Law Society of the Transvaal Ordinance, 1905; the Incorporated Law Society of Natal Act, 1907; the Law Society (Cape of Good Hope) Private Act, 1916; the Insolvency Act, 1936; the Deeds Registries Act, 1937; the Magistrates' Courts Act, 1944; the Diamond Export Duty Act, 1957; the Inquests Act, 1959; the Extradition Act, 1962; the Admission of Advocates Act, 1964; the University of Fort Hare Act, 1969; the National Supplies Procurement Act, 1970; the Civil Aviation Offences Act, 1972; the South African Law Commission Act, 1973; and the Sishen-Saldanha Bay Railway Construction Act, 1973; to curtail the period of office of certain members of the council of the University of Durban-Westville; to validate certain repayments of loan levies and interest thereon; and to provide for incidental matters.

*(English text signed by the State President.)
(Assented to 1 March 1974.)*

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

1. Section 5 of the Constitution of the Incorporated Law Society of the Transvaal Ordinance, 1905, is hereby amended by the substitution for the second sentence of the following sentence: Amendment of section 5 of Ordinance 1 (Private) of 1905 of the Transvaal.

“The Council shall consist of twelve persons being members of the Society who shall from among their number elect a president and vice-president who shall be president and vice-president of the Society respectively.”.

2. Section 5 of the Incorporated Law Society of Natal Act, 1907, is hereby amended by the insertion after paragraph (i) of the following paragraph: Amendment of section 5 of Act 10 of 1907 of Natal.

“(iA) to employ such persons as may be necessary or desirable for the conduct of the affairs of the Society;”.

3. Section 7 of the Incorporated Law Society of Natal Act, 1907, is hereby amended by the substitution for the first sentence of the following sentence: Amendment of section 7 of Act 10 of 1907 of Natal.

“For the proper management of the affairs of the Society a Council consisting of thirteen members of the Society shall be elected at each Annual General Meeting of the Society by ballot after open nomination of candidates by members.”.

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Vervanging van artikel 19 van Wet 10 van 1907 van Natal.

4. Artikel 19 van die „Incorporated Law Society of Natal Act, 1907”, word hierby deur die volgende artikel vervang:

„Appointment of Secretary and Treasurer.

19. Until the Council otherwise decides, the offices of Secretary and Treasurer of the Society shall be held by one and the same person, who shall be appointed by the Council on such terms and conditions as it may determine.”.

Vervanging van artikel 20 van Wet 10 van 1907 van Natal.

5. Artikel 20 van die „Incorporated Law Society of Natal Act, 1907”, word hierby deur die volgende artikel vervang:

„Council to elect President and Vice-Presidents.

20. At the first meeting of the Council following an Annual General Meeting, the Council shall elect from among its members a President and two Vice-Presidents of the Society.”.

Vervanging van artikel 30 van Wet 10 van 1907 van Natal.

6. Artikel 30 van die „Incorporated Law Society of Natal Act, 1907”, word hierby deur die volgende artikel vervang:

„Liability of officers.

30. The members and the employees of the Council shall not be subject or liable to any action or proceeding for damages on the ground of defamation or otherwise in the *bona fide* execution of their duties and the taking of any steps or the institution of any proceedings under the provisions of this Act or purporting so to be.”.

Wysiging van artikel 8 van Wet 20 van 1916.

7. Artikel 8 van die „Wetsgenootschap (Kaap de Goede Hoop) Private Wet, 1916”, word hierby gewysig deur die tweede sin van die eerste paragraaf deur die volgende sin te vervang:

„De Raad bestaat uit tien personen, die allen procureurs en leden zijn van het Genootschap en minstens drie waarvan elders praktizeren dan in Kaapstad of binnen een omtrek van vijf en twintig mijlen daarvan.”.

Wysiging van artikel 10 van Wet 20 van 1916.

8. Artikel 10 van die „Wetsgenootschap (Kaap de Goede Hoop) Private Wet, 1916”, word hierby gewysig deur die derde sin deur die volgende sin te vervang:

„Daarna treden bij iedere volgende algemene jaarlikse vergadering die leden van de Raad automaties af die drie jaar tevoren gekozen werden of die wegens toevallige vakatures die alzo gekozen leden vervangen.”.

Wysiging van artikel 99 van Wet 24 van 1936, soos vervang deur artikel 5 van Wet 6 van 1972 en gewysig deur artikel 30 van Wet 90 van 1972 en artikel 6 van Wet 62 van 1973.

9. Artikel 99 van die Insolvensiewet, 1936, word hierby gewysig deur in subartikel (1) na paragraaf (cA) die volgende paragraaf in te voeg:

„(cB) 'n bedrag wat vir een of ander doel in die Wet op die Verkryging van Landsvoorrade, 1970 (Wet No. 89 van 1970), beoog, deur die Staat aan die insolvent voorsien is uit die Landsvoorradeverkrygingsfonds;”.

Wysiging van artikel 32 van Wet 47 van 1937, soos gewysig deur artikel 14 van Wet 43 van 1957, artikel 14 van Wet 43 van 1962, artikel 12 van Wet 87 van 1965, artikel 4 van Wet 61 van 1969 en artikel 9 van Wet 62 van 1973.

10. Artikel 32 van die Registrasie van Aktes Wet, 1937, word hierby gewysig deur subartikel (5) deur die volgende subartikel te vervang:

„(5) Onmiddellik nadat 'n serwituutreg oor enige grond of reg op minerale daarop onteien is, verstrek die onteienende gesag aan die registrateur 'n gewaarmerkte afskrif van die onteieningskennisgewing en twee kopieë van die toepaslike onteieningsplan van die betrokke serwituut, of waar die reg op minerale op slegs 'n gedeelte van die grond onteien is, twee kopieë van die toepaslike onteieningsplan van sodanige gedeelte, en die registrateur moet 'n aantekening van die onteiening in sy registers laat aanbring en laat endosseer op die kantoorafskrif van die titelbewys van die grond wat aan die serwituut onderhewig

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4. The following section is hereby substituted for section 19 of the Incorporated Law Society of Natal Act, 1907:
- “Appointment of Secretary and Treasurer. 19. Until the Council otherwise decides, the offices of Secretary and Treasurer of the Society shall be held by one and the same person, who shall be appointed by the Council on such terms and conditions as it may determine.”
- Substitution of section 19 of Act 10 of 1907 of Natal.
5. The following section is hereby substituted for section 20 of the Incorporated Law Society of Natal Act, 1907:
- “Council to elect President and Vice-Presidents. 20. At the first meeting of the Council following an Annual General Meeting, the Council shall elect from among its members a President and two Vice-Presidents of the Society.”
- Substitution of section 20 of Act 10 of 1907 of Natal.
6. The following section is hereby substituted for section 30 of the Incorporated Law Society of Natal Act, 1907:
- “Liability of officers. 30. The members and the employees of the Council shall not be subject or liable to any action or proceeding for damages on the ground of defamation or otherwise in the *bona fide* execution of their duties and the taking of any steps or the institution of any proceedings under the provisions of this Act or purporting so to be.”
- Substitution of section 30 of Act 10 of 1907 of Natal.
7. Section 8 of the Law Society (Cape of Good Hope) Private Act, 1916, is hereby amended by the substitution for the second sentence of the first paragraph, of the following sentence:
- “Such Council shall consist of ten persons, all of whom shall be attorneys and members of the Society, and of whom three at least shall be practising elsewhere than in Cape Town or within a radius of twenty-five miles therefrom.”
- Amendment of section 8 of Act 20 of 1916.
8. Section 10 of the Law Society (Cape of Good Hope) Private Act, 1916, is hereby amended by the substitution for the third sentence of the following sentence:
- “Thereafter at each successive annual general meeting those members of the Council who were elected three years previously or who have replaced, through casual vacancies, the persons so elected, shall automatically retire.”
- Amendment of section 10 of Act 20 of 1916.
9. Section 99 of the Insolvency Act, 1936, is hereby amended by the insertion in subsection (1) after paragraph (cA) of the following paragraph:
- “(cB) any amount provided to the insolvent by the State from the National Supplies Procurement Fund for any purpose contemplated in the National Supplies Procurement Act, 1970 (Act No. 89 of 1970);”.
- Amendment of section 99 of Act 24 of 1936, as substituted by section 5 of Act 6 of 1972 and amended by section 30 of Act 90 of 1972 and section 6 of Act 62 of 1973.
10. Section 32 of the Deeds Registries Act, 1937, is hereby amended by the substitution for subsection (5) of the following subsection:
- “(5) Immediately after any right of servitude over any land or right to minerals therein has been expropriated, the expropriating authority shall lodge with the registrar a certified copy of the notice of expropriation and two copies of the relevant expropriation plan of the servitude in question, or where the right to minerals in only a portion of the land has been expropriated, two copies of the relevant expropriation plan of such portion, and the registrar shall cause a note of the expropriation to be made in his registers and endorsed on the office copy of the title deed of the land which is subject to the servitude or the title under which the right to minerals in
- Amendment of section 32 of Act 47 of 1937, as amended by section 14 of Act 43 of 1957, section 14 of Act 43 of 1962, section 12 of Act 87 of 1965, section 4 of Act 61 of 1969 and section 9 of Act 62 of 1973.

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is of die titel waarkragtens die betrokke reg op minerale gehou word, na gelang van die geval, en indien die oorspronklike van die titelbewys of van sodanige titel te eniger tyd by sy registrasiekantoor vir enige doel ingedien word, moet hy 'n soortgelyke aantekening daarop laat endosseer en 'n afskrif van die onteieningsplan daaraan laat heg."

Wysiging van artikel 9 van Wet 32 van 1944, soos vervang deur artikel 2 van Wet 8 van 1967 en gewysig deur artikel 4 van Wet 53 van 1970 en artikel 8 van Wet 102 van 1972.

11. Artikel 9 van die Wet op Landdroshowe, 1944, word hierby gewysig deur in subartikel (1) na paragraaf (a) die volgende paragraaf in te voeg:

„(aA) Die Minister kan die bevoegdheid wat by paragraaf (a) aan hom verleen word, in 'n bepaalde geval of in die algemeen en behoudens die voorskrifte wat hy goedvind, opdra aan die Sekretaris of 'n adjunksekretaris van sy departement of, ten opsigte van 'n distrik, subdistrik of streekafdeling wat geheel of gedeeltelik geleë is in die Transkei soos omskryf in artikel 2 van die Transkeise Grondwet, 1963 (Wet No. 48 van 1963), of in 'n gebied waarvoor 'n wetgewende raad kragtens die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet No. 54 van 1968), ingestel is of waarvoor 'n wetgewende vergadering kragtens die Grondwet van die Bantoetuislande, 1971 (Wet No. 21 van 1971), ingestel is, aan 'n beampte van sy departement wat die amp van sekretaris of direkteur van die departement van justisie van die Transkei soos aldus omskryf of van die betrokke gebied, na gelang van die geval, beklee."

Wysiging van artikel 14 van Wet 32 van 1944, soos gewysig deur artikel 10 van Wet 40 van 1952, artikel 28 van Wet 70 van 1968 en artikel 6 van Wet 53 van 1970.

12. Artikel 14 van die Wet op Landdroshowe, 1944, word hierby gewysig deur die volgende paragraaf by subartikel (1) te voeg, terwyl die bestaande subartikel paragraaf (a) word:

„(b) Die Minister kan die bevoegdheid om 'n geregsbode of geregsbodes aan te stel wat by paragraaf (a) aan hom verleen word, in 'n bepaalde geval of in die algemeen en behoudens die voorskrifte wat hy goedvind, opdra aan die Sekretaris of 'n adjunksekretaris van sy departement, of, ten opsigte van 'n hof van 'n distrik, subdistrik of streekafdeling wat geheel of gedeeltelik geleë is in die Transkei soos omskryf in artikel 2 van die Transkeise Grondwet, 1963 (Wet No. 48 van 1963), of in 'n gebied waarvoor 'n wetgewende raad kragtens die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet No. 54 van 1968), ingestel is of waarvoor 'n wetgewende vergadering kragtens die Grondwet van die Bantoetuislande, 1971 (Wet No. 21 van 1971), ingestel is, aan 'n beampte van sy departement wat die amp van sekretaris of direkteur van die departement van justisie van die Transkei soos aldus omskryf of van die betrokke gebied, na gelang van die geval, beklee."

Wysiging van artikel 6 van Wet 16 van 1957, soos gewysig deur artikel 1 van Wet 47 van 1961.

13. Artikel 6 van die Wet op Uitvoerbelasting op Diamante, 1957, word hierby gewysig deur subartikel (4) deur die volgende subartikel te vervang:

„(4) Die belasting is nie hefbaar nie ten aansien van 'n diamant gevind in 'n myn soos omskryf in artikel 1 van die Wet op Edelgesteentes, 1964 (Wet No. 73 van 1964), of in 'n alluviale delwery soos omskryf in genoemde artikel of in 'n bepaalde gedeelte van so 'n alluviale delwery—

(a) indien, op 'n datum voor die registrasie van die diamant vir uitvoer, die Minister van Finansies die Sekretaris meegedeel het dat na sy mening daardie myn, alluviale delwery of bepaalde gedeelte van 'n alluviale delwery, na gelang van die geval, weens ongunstige ekonomiese of mynboutoestande nie winsgewend ontgin of ont-

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question is held, as the case may be, and if at any time the original of the title deed or of such title is lodged in his registry for any purpose, he shall cause a similar note to be endorsed thereon and a copy of the expropriation plan to be annexed thereto.”.

11. Section 9 of the Magistrates' Courts Act, 1944, is hereby amended by the insertion in subsection (1) after paragraph (a) of the following paragraph:

“(aA) The Minister may, in a particular case or generally and subject to such directions as he may deem fit, delegate the power conferred upon him by paragraph (a) to the Secretary or a deputy-secretary of his department, or, in respect of a district, sub-district or regional division situated wholly or partly in the Transkei as defined in section 2 of the Transkei Constitution Act, 1963 (Act No. 48 of 1963), or in an area for which a legislative council has been established under the Development of Self-government for Native Nations in South-West Africa Act, 1968 (Act No. 54 of 1968), or for which a legislative assembly has been established under the Bantu Homelands Constitution Act, 1971 (Act No. 21 of 1971), to any officer of his department who holds the office of secretary or director of the department of justice of the Transkei as so defined or of the area in question, as the case may be.”.

Amendment of section 9 of Act 32 of 1944, as substituted by section 2 of Act 8 of 1967 and amended by section 4 of Act 53 of 1970 and section 8 of Act 102 of 1972.

12. Section 14 of the Magistrates' Courts Act, 1944, is hereby amended by the addition to subsection (1) of the following paragraph, the existing subsection becoming paragraph (a):

“(b) The Minister may in a particular case or generally and subject to such directions as he may deem fit, delegate the power conferred upon him by paragraph (a) to appoint a messenger or messengers, to the Secretary or a deputy-secretary of his department, or, in respect of any court of a district, sub-district or regional division situated wholly or partly in the Transkei as defined in section 2 of the Transkei Constitution Act, 1963 (Act No. 48 of 1963), or in an area for which a legislative council has been established under the Development of Self-government for Native Nations in South-West Africa Act, 1968 (Act No. 54 of 1968), or for which a legislative assembly has been established under the Bantu Homelands Constitution Act, 1971 (Act No. 21 of 1971), to any officer of his department who holds the office of secretary or director of the department of justice of the Transkei as so defined or of the area in question, as the case may be.”.

Amendment of section 14 of Act 32 of 1944, as amended by section 10 of Act 40 of 1952, section 28 of Act 70 of 1968 and section 6 of Act 53 of 1970.

13. Section 6 of the Diamond Export Duty Act, 1957, is hereby amended by the substitution for subsection (4) of the following subsection:

“(4) The duty shall not be leviable in respect of any diamond found in a mine as defined in section 1 of the Precious Stones Act, 1964 (Act No. 73 of 1964), or in an alluvial digging as defined in the said section or in a particular portion of such an alluvial digging—
(a) if, on a date prior to the registration of the diamond for export, the Minister of Finance has informed the Secretary that in his opinion such mine, alluvial digging or particular portion of an alluvial digging, as the case may be, cannot be profitably worked or developed owing to unfavourable economic or mining

Amendment of section 6 of Act 16 of 1957, as amended by section 1 of Act 47 of 1961.

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wikkel kan word nie maar in die openbare belang ontgin of ontwikkel behoort te word, en genoemde Minister nie daarna, voor sodanige registrasie, 'n ander mening teenoor die Sekretaris uitgespreek het nie; en

- (b) indien die diamant deur of ten behoeve van die produsent uitgevoer gaan word of ten behoeve van die produsent deur die Vereniging van Diamantprodusente vir uitvoerdoeleindes verkoop is."

Vervanging van artikel 6 van Wet 58 van 1959.

14. Artikel 6 van die Wet op Geregtelike Doodsondersoeke, 1959, word hierby deur die volgende artikel vervang:

„Landdros wat geregtelike doodsondersoek moet instel.

6. 'n Geregtelike doodsondersoek moet ingestel word deur die landdros van die distrik waarin die sterfgeval na bewering voorgekom het, of, waar die sterfgeval na bewering aan boord van 'n skip of aan boord van 'n lugvaartuig in vlug voorgekom het, deur die landdros van die distrik waar, na gelang van die geval, die lyk aan wal gebring is of van die lugvaartuig verwyder is, of in geval van twyfel of 'n geskil aangaande enige sodanige distrik of wanneer die Minister of iemand deur hom daartoe gemagtig dit dienstig ag, deur 'n landdros wat aangewys is deur die Minister of aldus gemagtigde persoon."

Wysiging van artikel 2 van Wet 67 van 1962, soos gewysig deur artikel 18 van Wet 93 van 1963 en artikel 53 van Wet 70 van 1968.

15. Artikel 2 van die Wet op Uitlewering, 1962, word hierby gewysig deur die volgende subartikel by te voeg:

- „(5) Indien 'n multilaterale internasionale konvensie waarby die Republiek by of na die inwerkingtreding van hierdie subartikel 'n party is of word, of 'n wysiging van so 'n konvensie deur die Republiek aanvaar, bepaal dat 'n party daarby, in enige ooreenkoms met 'n ander sodanige party vir die uitlewering van persone ten opsigte van sekere misdrywe, ook voorsiening moet maak vir sodanige uitlewering ten opsigte van 'n misdryf in die konvensie of die wysiging daarvan aangedui, word die aldus aangeduide misdryf, behoudens *mutatis mutandis* die bepalings van subartikel (2), geag bepaal te wees, soos in subartikel (1) beoog en ooreenkomstig die bepalings van subartikel (3) (a), in elke uitleweringsooreenkoms, waarin dit nie werklik aldus bepaal is nie, tussen die Republiek en 'n vreemde Staat wat 'n party by die betrokke konvensie is en, in die geval van so 'n wysiging daarvan, die betrokke wysiging aanvaar het en wat deur middel van sy wette of op 'n ander wyse voorsiening maak vir die uitlewering van persone aan die Republiek ten opsigte van daardie misdryf asof dit in die betrokke uitleweringsooreenkoms bepaal was."

Wysiging van artikel 3 van Wet 74 van 1964, soos gewysig deur artikel 1 van Wet 73 van 1965.

16. Artikel 3 van die Wet op die Toelating van Advokate, 1964, word hierby gewysig:

- (a) deur paragraaf (d) van subartikel (1) deur die volgende paragraaf te vervang:
 „(d) in die geval van iemand wat te eniger tyd toegelaat is om as prokureur in enige hof in die Republiek of elders te praktiseer, dat sy naam op sy eie aansoek van die rol van prokureurs verwyder is; en";
 (b) deur paragraaf (e) van daardie subartikel te skrap; en
 (c) deur in subartikel (3) die uitdrukking „paragraaf (d) en (e)" deur die uitdrukking „paragraaf (d)" te vervang.

Wysiging van artikel 27 van Wet 40 van 1969.

17. Artikel 27 van die Wet op die Universiteit van Fort Hare, 1969, word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

- „(a) fakulteite van lettere en wysbegeerte, natuurwetenskappe, opvoedkunde, regte, landbou, ekonomiese wetenskappe, en teologie; en"

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conditions but should in the public interest be worked or developed, and the said Minister has not subsequently, prior to such registration, expressed to the Secretary an opinion to the contrary; and

- (b) if the diamond is to be exported by or on behalf of the producer or has been sold on behalf of the producer by the Diamond Producers' Association for the purposes of export."

14. The following section is hereby substituted for section 6 of the Inquests Act, 1959:

"Magistrate who is to hold inquest.

6. An inquest shall be held by the magistrate of the district in which the death is alleged to have occurred, or, where it is alleged that the death has occurred on board a ship or on board an aircraft in flight, by the magistrate of the district where the body has been brought ashore or has been removed from the aircraft, as the case may be, or in case of any doubt or dispute as to any such district or where the Minister or any person authorized thereto by him deems it expedient, by any magistrate designated by the Minister or person so authorized."

Substitution of section 6 of Act 58 of 1959.

15. Section 2 of the Extradition Act, 1962, is hereby amended by the addition of the following subsection:

"(5) If any multilateral international convention to which the Republic is or becomes a party at or after the commencement of this subsection, or any amendment of such a convention accepted by the Republic, provides that any party thereto shall, in any agreement with any other such party for the surrender of persons in respect of certain offences, include provision for such surrender in respect of an offence indicated in the convention or the amendment thereof, the offence so indicated shall, subject *mutatis mutandis* to the provisions of subsection (2), be deemed to be specified as contemplated in subsection (1) and in accordance with the provisions of subsection 3 (a), in every extradition agreement, in which it is not in fact so specified, between the Republic and a foreign State which is a party to the convention in question and, in the case of such an amendment thereof, has accepted the amendment in question, and which by its law or otherwise provides for the surrender of persons to the Republic in respect of that offence as if it were specified in the extradition agreement in question."

Amendment of section 2 of Act 67 of 1962, as amended by section 18 of Act 93 of 1963 and section 53 of Act 70 of 1968.

16. Section 3 of the Admission of Advocates Act, 1964, is hereby amended—

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

"(d) in the case of any person who has at any time been admitted to practise as an attorney in any court in the Republic or elsewhere, that his name has been removed from the roll of attorneys on his own application; and";

- (b) by the deletion of paragraph (e) of that subsection; and
(c) by the substitution in subsection (3) for the expression "paragraphs (d) and (e)" of the expression "paragraph (d)".

Amendment of section 3 of Act 74 of 1964, as amended by section 1 of Act 73 of 1965.

17. Section 27 of the University of Fort Hare Act, 1969, is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

"(a) faculties of arts, natural sciences, education, law, agriculture, economic sciences, and theology; and"

Amendment of section 27 of Act 40 of 1969.

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Invoeging van artikel 5A in Wet 89 van 1970.

18. Die volgende artikel word hierby in die Wet op die Verkryging van Landsvoorrade, 1970, na artikel 5 ingevoeg:

„Sekere goedere, fasiliteite en eiendom nie vatbaar vir beslaglegging kragtens hofbevel en nie deel van insolvent se bates nie.

5A. Goedere wat ter nakoming van 'n reëling of bevel kragtens artikel 2 of 3 (1) getref of uitgereik, deur 'n persoon opgeberg word of verkry is of verskaf of gelewer of verkoop moet word, en fasiliteite of goed wat tot die beskikking van 'n persoon is vir die verskaffing van 'n diens wat hy ingevolge so 'n bevel moet verskaf, is nie vir beslaglegging kragtens 'n vonnis of bevel van 'n geregshof vatbaar nie en word, in geval van sekwestrasie of likwidasie van bedoelde persoon of van 'n persoon in wie se besit, bewaring of beheer dit is, geag nie deel van sy bates uit te maak nie, maar word aangewend ten einde uitvoering aan die betrokke reëling of bevel te gee.”.

Wysiging van artikel 5 van Wet 10 van 1972.

19. Artikel 5 van die Wet op Misdrywe teen Burgerlike Lugvaart, 1972, word hierby gewysig—

(a) deur subartikel (1) te skrap; en

(b) deur in subartikel (2) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

„(2) Vir die doeleindes van die toepassing van die Wet op Uitlewering, 1962 (Wet No. 67 van 1962), op 'n misdryf wat gepleeg is op 'n lugvaartuig in vlug—”.

Wysiging van artikel 9 van Wet 19 van 1973.

20. Artikel 9 van die Wet op die Suid-Afrikaanse Regskommissie, 1973, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) 'n Lid van die Kommissie wat 'n regter van die Hooggeregshof van Suid-Afrika is, is geregtig op die toelae vir verblyf koste deur hom aangegaan in die uitvoering van sy pligte kragtens hierdie Wet, wat die Minister in oorleg met die Minister van Finansies bepaal.”.

Wysiging van artikel 3 van Wet 28 van 1973.

21. Artikel 3 van die Sishen-Saldanha-spoorlynaanlegwet, 1973, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Die Korporasie beskik, benewens 'n bevoegdheid wat by artikel 2 (2) (a) van die Yster- en Staalnywerheid Wet, 1928, aan hom verleen is om met betrekking tot 'n spoorweg 'n in daardie artikel bedoelde saak te koop, op huurkontrak of in ruil te neem, te huur of op 'n ander wyse te verkry, oor die bevoegdheid om so 'n saak ooreenkomstig die bepalinge van hierdie Wet te onteien vir sover die verkryging daarvan vir die doeleindes van die spoorlyn of die aanleg, instandhouding, verandering, herstel of werking daarvan bestem is: Met dien verstande dat waar grond onteien word, die grond nie veertig meter in die breedte vir die aanlê van die spoorlyn, tesame met die bykomende grond wat nodig is vir die hellings, draaie, deurgrawings, opvullings, dreinerings, stasies, sinjalering, kommunikasietoerusting, verbygangslusse, toegangspaaie, bouwerke en geboue, die verkryging van grond, klip, sand, gruis of ander materiaal wat daarop is, die huisvesting van en geriewe vir personeel, die opberging, gebruik, verwerking, instandhouding of dumping van toerusting of materiaal, en enige ander werke en sake, wat vir die doeleindes van die spoorlyn of die aanleg, instandhouding, verandering, herstel of werking daarvan nodig is, te bowe gaan nie: Met dien verstande voorts dat die korporasie nie 'n reg onteien wat in die Spoorwegadministrasie of in die Staat in sy Spoorwegadministrasie gevestig is nie.”.

GENERAL LAW AMENDMENT ACT, 1974.

Act No. 29, 1974

18. The following section is hereby inserted in the National Supplies Procurement Act, 1970, after section 5:

Insertion of section 5A in Act 89 of 1970.

“Certain goods, facilities and property not liable to seizure under court order and not part of insolvent's assets. 5A. Goods which are being stored or have been acquired or are to be supplied or delivered or sold by any person in compliance with an arrangement or order made or issued under section 2 or 3 (1), and facilities or property at the disposal of any person for supplying a service which he is in terms of such an order required to supply, shall not be liable to seizure under any judgment or order of a court of law and shall, in the event of the sequestration or liquidation of such person or of any person who has possession, custody or control thereof, be deemed not to form part of his assets, but shall be utilized so as to give effect to the arrangement or order in question.”.

19. Section 5 of the Civil Aviation Offences Act, 1972, is hereby amended—

Amendment of section 5 of Act 10 of 1972.

- (a) by the deletion of subsection (1); and
- (b) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:

“(2) For the purposes of the application of the Extradition Act, 1962 (Act No. 67 of 1962), to an offence committed on board an aircraft in flight—”.

20. Section 9 of the South African Law Commission Act, 1973, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 9 of Act 19 of 1973.

“(1) A member of the Commission who is a judge of the Supreme Court of South Africa shall be entitled to such allowance for subsistence expenses incurred by him in the performance of his duties under this Act as the Minister in consultation with the Minister of Finance may determine.”.

21. Section 3 of the Sishen-Saldanha Bay Railway Construction Act, 1973, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 3 of Act 28 of 1973.

“(1) The Corporation shall, in addition to any power conferred on it under section 2 (2) (a) of the Iron and Steel Industry Act, 1928, to purchase, take on lease or in exchange, hire or otherwise acquire, with reference to a railway, any matter referred to in that section, have the power to expropriate, in accordance with the provisions of this Act, any such matter in so far as the acquisition thereof is intended for the purposes of the line of railway or its construction, maintenance, alteration, repair or operation: Provided that where land is expropriated, the land shall not exceed forty metres in width for the building of the line of railway, together with such additional land as may be required for the slopes, curves, cuts, fills, drainage, stations, signalling, communication equipment, passing loops, approach roads, structures and buildings, the acquisition of any earth, stone, sand, gravel or other material present thereon, the accommodation of and amenities for staff, the storage, use, processing, maintenance or dumping of any equipment or material, and any other works and matters, which may be necessary for the purposes of the line of railway or its construction, maintenance, alteration, repair or operation: Provided further that the Corporation may not expropriate any right which is vested in the Railways Administration or in the State in its Railways Administration.”.

Wet No. 29, 1974

ALGEMENE REGSWYSIGINGSWET, 1974.

Verkorting van ampstermyn van sekere lede van die raad van die Universiteit van Durban-Westville.

22. Ondanks die bepalings van subartikel (3) van artikel 8 van die Wet op die Universiteit van Durban-Westville, 1969 (Wet No. 49 van 1969), verstryk die ampstermyn van elke lid van die raad van die Universiteit van Durban-Westville wat voor 31 Desember 1974 kragtens subartikel (1) (b) of (c) van daardie artikel aangestel of gekies is of word, op daardie datum tensy hy voor daardie datum sy bedanking skriftelik by die raad indien of voor daardie datum sy amp om 'n ander rede ontruim.

Geldigverklaring van sekere voortydige terugbetalings van leningsgedeeltes van normale belasting en betalings van rente daarop.

23. Die betalings wat—

- (a) altesame seshonderd een-en-tagtigduisend sewehonderd-en-negentig rand en sestien sent beloop het;
- (b) gedoen is deur middel van tjeks wat die Sekretaris van Binnelandse Inkomste gedurende die maand April 1973 uitgereik het; en
- (c) gedoen is aan verskeie persone by wyse van terugbetalings van die leningsgedeeltes van die normale belasting soos beoog in artikel 5 (2B) van die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), en by wyse van betalings van rente op bedoelde leningsgedeeltes,

word geag wettig gedoen te gewees het asof die tweede voorbehoudsbepaling by paragraaf 6 van die Vyfde Bylae by genoemde Wet magtiging daartoe verleen het en bedoelde betalings kragtens sodanige magtiging gedoen is.

Kort titel.

24. Hierdie Wet heet die Algemene Regswysigingswet, 1974.

GENERAL LAW AMENDMENT ACT, 1974.

Act No. 29, 1974

22. Notwithstanding the provisions of subsection (3) of section 8 of the University of Durban-Westville Act, 1969 (Act No. 49 of 1969), the period of office of every member of the council of the University of Durban-Westville who was or is appointed or elected under subsection (1) (b) or (c) of that section before 31 December 1974 shall expire on that date unless he submits his resignation in writing to the council before that date or vacates his office for any other reason before that date.

Curtailment of period of office of certain members of the council of the University of Durban-Westville.

23. The payments which—

- (a) totalled six hundred and eighty-one thousand seven hundred and ninety rand and sixteen cents;
- (b) were made by means of cheques which the Secretary for Inland Revenue issued during the month of April 1973; and
- (c) were made to various persons by way of repayments of the loan portions of the normal tax as contemplated in section 5 (2B) of the Income Tax Act, 1962 (Act No. 58 of 1962), and by way of payments of interest on such loan portions,

Validation of certain premature repayments of loan portions of normal tax and payments of interest thereon.

shall be deemed to have been lawfully made as if the second proviso to paragraph 6 of the Fifth Schedule to the said Act conferred authority therefor and such payments were made under such authority.

24. This Act shall be called the General Law Amendment Act, 1974.

Short title.

